

**THE CONSTITUTION**

OF

TABLELANDS CHRISTIAN RADIO  
ASSOCIATION INCORPORATED

IA19516

## **PREAMBLE**

There is a need for a radio station within the Atherton Tablelands region of Queensland to carry out the objects set out in clause 2 of this constitution and there are persons willing and able to promote and develop a community radio station of the kind envisaged by this constitution.

## **NAME**

- 1 The name of the incorporated association is Tableland Christian Radio Association Inc. (in these rules called "TCRA").

## **OBJECTS**

- 2 The objects for which TCRA is established are:
  - (1) To provide, on behalf of the Christian Churches within the community served by TCRA, a radio voice by which it may serve that community, and to this end commits itself to broadcasting:
    - (a) content; and
    - (b) in a manner;  
  
consistent with the beliefs and values of the Christian Churches in the area served by TCRA; and,
  - (2) To do such acts as are incidental and conducive to the furtherance of the Objects of the TCRA as set out in this clause; and,
  - (3) To operate the association as a not-for-profit community institution with assets and income of the organisation being applied solely in furtherance of the above mentioned objects and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.

## **POWERS**

3.
  - (1) TCRA has, in the exercise of its affairs, all the powers of an individual.
  - (2) TCRA may, for example -
    - (a) enter into contracts; and
    - (b) acquire, hold, deal with and dispose of property; and

- (c) make charges for services and facilities it supplies; and
  - (d) do other things necessary or convenient to be done in carrying out its affairs.
4. TCRA may also issue secured and unsecured notes, debentures and debenture stock for TCRA.

### **MEMBERSHIP**

5. (1) The membership of TCRA shall consist of ordinary members, and is open to any person who is willing to abide by the objects and rules of the Association.
- (2) The number of ordinary members is unlimited.
- (3) Application for membership must be in writing, signed by the applicant and shall be in such form as the management committee from time to time prescribes.

### **MEMBERSHIP FEES**

6. (1) The membership fee shall be such sum as the members shall from time to time at any general meeting so determine.
- (2) The membership fee shall be payable at such time and in such manner as the management committee shall from time to time determine.

### **ADMISSION AND REJECTION OF MEMBERS**

7. (1) The management committee must consider any application for membership at the next meeting of the committee held after it receives:
- (a) the application; and
  - (b) the appropriate membership fee for the application.
- (2) The management committee must decide at the meeting whether to accept or reject the application.
- (3) If a majority of the management committee members present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member.

- (4) The secretary of the TCRA must, as soon as practicable after the management committee decides to accept or reject an application, give the applicant a written notice of the decision.

### **WHEN MEMBERSHIP ENDS**

8. (1) A member may resign from the association by giving written notice of resignation to the secretary.
- (2) The resignation takes effect on:
  - (a) the day and at the time the notice is received by the secretary; or
  - (b) if a later day is stated in the notice - the later day.
- (3) The management committee may terminate a member's membership if the member:
  - (a) is convicted of an indictable offence; or
  - (b) does not comply with any of the provisions of these rules; or
  - (c) has membership fees in arrears for at least 2 months; or
  - (d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the TCRA.
- (4) Before the management committee terminates a member's membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.
- (5) If, after considering all representations made by the member, the management committee decides to terminate membership, the secretary of the committee must give a written notice of the decision..

### **APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP**

9. (1) A person whose application for membership has been rejected, or whose membership has been terminated, may within one month of receiving written notification thereof, give the secretary written notice of the person's intention to appeal against the decision.

- (2) If the secretary received a notice of intention to appeal, the secretary must, within 3 months after the day of receipt, call a general meeting to decide the appeal.
- (3) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
- (4) Also, the management committee and the committee members who rejected the application or terminated the membership must be given an opportunity to show why the application should be rejected or the membership should be terminated.
- (5) An appeal must be decided by a vote of the members present at the meeting.
- (6) If a person whose application has been rejected does not appeal against the decision within 1 month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the secretary must, as soon as practicable, refund the application fee paid by the person.

### **REGISTRATION OF MEMBERS**

10. (1) The management committee must keep a register of members.
- (2) The register of members must include the following particulars for each member:
  - (a) the full name and residential address of the member;
  - (b) the date of admission as a member;
  - (c) the date of death or resignation of the member;
  - (d) details about the termination or reinstatement of membership;
  - (e) any other particulars the management committee or the members at a general meeting decide.
- (3) The register must be open for inspection at all reasonable times.
- (4) However, before the member may inspect the register, the member must apply to the secretary to inspect it.

### **SECRETARY**

11. (1) If the TCRA has not elected an interim officer as secretary for the TCRA before its incorporation, the members of the management committee must ensure a secretary is appointed or elected for the TCRA within 14 days after incorporation.
- (2) If a vacancy happens in the office of a secretary, the members of the management committee must ensure a secretary is appointed or elected for the TCRA within 1 month after the vacancy happens.
- (3) The secretary must be an individual residing in Queensland, or in another State but not more than 65 km from the Queensland border, who is –
- (a) a member of the TCRA elected by the TCRA as secretary;  
or
- (b) any of the following persons appointed by the management committee:
- (i) a member of the TCRA's management committee;
- (ii) a member of the TCRA;
- (iii) another person.
- (4) The management committee may appoint or remove the TCRA's secretary at any time.

### **MEMBERSHIP OF MANAGEMENT COMMITTEE**

12. (1) The management committee of the TCRA consists of a president, vice-president, treasurer, any other members the TCRA members elect or appoint at a general meeting.
- (2) A member of the management committee, other than the secretary, must be a member of the TCRA.
- (3) At each annual general meeting of the TCRA, the members of the management committee must retire from office, but are eligible, or nomination, for re-election

### **ELECTING THE MANAGEMENT COMMITTEE**

13. (1) A member of the management committee may only be elected as follows:

- (a) any 2 members of the association may nominate another member (the "candidate") to serve as a member of the management committee;
  - (b) the nomination must be –

    - (i) in writing; and
    - (ii) signed by the candidate and the members who nominated him or her; and
    - (iii) given to the secretary at least 14 days before the annual general meeting at which the election is to be held;
  - (c) each member present at the annual general meeting may vote for any number of candidates not more than the number of vacancies;
  - (d) if, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.
- (2) A list of the candidates' names in alphabetical order, with the names of the members who nominated each candidate, must be posted in a conspicuous place in the office or usual place of meeting of the Association for at least 7 days immediately preceding the annual general meeting.
- (3) If required by the management committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.
- (4) Should, at the commencement of the annual general meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.

#### **RESIGNATIONS FROM MANAGEMENT COMMITTEE**

14. (1) A management committee member may resign from the committee by giving written notice of resignation to the secretary.
- (2) The resignation takes effect on –
- (a) the day and at the time the notice is received by the secretary; or
  - (b) if a later day is stated in the notice – the later day.

- (3) A member may be removed from office at a general meeting of the TCRA if a majority of the members present at the meeting vote in favour of removing the member.
- (4) Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
- (5) A member has no right of appeal against the members' removal from office under this section.

### **VACANCIES ON MANAGEMENT COMMITTEE**

15. (1) If a casual vacancy happens on the management committee, the continuing members of the committee may appoint another member of the TCRA to fill the vacancy until the next annual general meeting.
- (2) The continuing members of the management committee may act despite a casual vacancy on the management committee.
- (3) However, if the number of the committee members is less than the number fixed under these rules as a quorum of the management committee, the continuing members may act only to –
  - (a) increase the number of management committee members to the number required for a quorum; or
  - (b) call a general meeting of the TCRA.

### **FUNCTIONS OF THE MANAGEMENT COMMITTEE**

16. (1) Subject to these rules or a resolution of the TCRA members carried at a general meeting, the management committee –
  - (a) has the general control and management of the administration of the affairs, property and funds of the association; and
  - (b) has authority to interpret the meaning of these rules and any matter relating to the association on which the rules are silent.
- (2) The management committee may exercise the power of the TCRA:
  - (a) to borrow, raise or secure the payment of amounts in a way the TCRA members decide; and



- (b) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the TCRA in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the TCRA's property, both present and future; and
  - (c) to purchase, redeem or pay off any securities issued; and
  - (d) to borrow amounts from members and pay interest on the amounts borrowed; and
  - (e) to mortgage or charge the whole or part of its property; and
  - (f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the TCRA; and
  - (g) to provide and pay off any securities issued; and
  - (h) to invest in a way the members of the TCRA may from time to time decide.
- (3) For sub-section (2) (d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by:
- (a) the financial institution for the TCRA; or
  - (b) if there is more than one financial institution for the TCRA - the financial institution nominated by the TCRA.

### **MEETINGS OF MANAGEMENT COMMITTEE**

17. (1) Subject to subsections (2) to (16), the management committee may meet and conduct its proceedings as it considers appropriate.
- (2) The management committee must meet at least every 2 months to exercise its functions.
- (3) The management committee must decide how a meeting is to be called.
- (4) Notice of a meeting is to be given in the way decided by the management committee.

- (5) If the secretary receives a written request signed by not less than one third of the management committee members, the secretary must call a special meeting of the committee.
- (6) A request for a special meeting must state:

  - (a) why the special meeting is being called; and
  - (b) the nature of the business to be conducted at the meeting.
- (7) At every management committee meeting, a simple majority of the members elected or appointed to the committee as at the close of the last general meeting of the members shall constitute a quorum.
- (8) A question arising at a committee meeting is to be decided by a majority vote of committee members present at the meeting and, if the votes are equal, the question is decided in the negative.
- (9) A management committee member must not vote on a question about a contract or proposed contract with the association if the member has an interest in the contract or proposed contract, and if the member does vote the member's vote must not be counted.
- (10) The secretary must give each management committee member at least 14 days' notice of a special meeting of the committee.
- (11) A notice of a special meeting must state-

  - (a) the day, time and place of the meeting; and
  - (b) the nature of the business to be conducted at the meeting.
- (12) The president or, if there is no president or if the president is not present within 10 minutes after the time fixed for a management committee meeting, the vice-president is to preside as chairperson at the meeting.
- (13) If the president and the vice-president are absent from a management committee meeting, the members may choose 1 of their number to preside as chairperson at the meeting.
- (14) If a quorum is not present within 30 minutes after the time fixed for a management committee meeting called on the request of committee members, the meeting lapses.
- (15) If a quorum is not present within 30 minutes after the time fixed for a management committee meeting called other than on the request of committee members, the meeting is to be adjourned to:

- (a) the same day, time and place in the next week; or
  - (b) a day, time and place decided by the committee.
- (16) If, at the adjourned meeting mentioned in subsection (15), a quorum is not present within 30 minutes after the time fixed for the meeting, the meeting lapses.

### **DELEGATION OF MANAGEMENT COMMITTEE POWERS**

18. (1) The management committee may delegate the whole or part of its powers to a subcommittee consisting of the TCRA members considered appropriate by the committee.
- (2) A subcommittee may only exercise delegated powers in the way the management committee decides.
- (3) A subcommittee may elect a chairperson of its meetings.
- (4) If a chairperson is not elected, or if the chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose one of their number to be chairperson of the meeting.
- (5) A subcommittee may meet and adjourn as it considers appropriate.
- (6) A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.

### **ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS**

19. (1) An act performed by the management committee, a subcommittee or a person acting as a member of the management committee is taken to have been validly performed.
- (2) Subsection (1) applies even if the act was performed when:
- (a) there was defect in the appointment of a members of the management committee, subcommittee or person acting as a member of the management committee; or
  - (b) a management committee member, subcommittee member or person acting as a member of the management committee was disqualified from being a member.

**OUT OF SESSION RESOLUTIONS**

20. (1) A written resolution signed by each member of the management committee for the time being entitled to receive notice of a committee meeting is a valid and effectual as if it had been passed at a committee meeting that was properly called and held.
- (2) A resolution mentioned in subsection (1) may consist of several documents in like form, each signed by 1 or more members of the management committee.

**FIRST GENERAL MEETING**

21. (1) The first general meeting must be held not less than 1 month, and not more than 3 months, after the day the TCRA is incorporated.
- (2) The management committee must decide where the meeting is to be held.
- (3) The business to be conducted at the first general meeting must include the appointment of an auditor.

**FIRST ANNUAL GENERAL MEETING**

22. The first annual general meeting must be held within 18 months after the day the TCRA is incorporated.

**SUBSEQUENT ANNUAL GENERAL MEETING**

23. Each subsequent annual general meeting must be held:
- (a) at least once each year; and
- (b) within 6 months after the end of the TCRA's previous financial year.

**BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING**

24. The business to be transacted at every Annual General Meeting shall be:
- (a) receiving the statement of income and expenditure, assets, liabilities and mortgages, charges and securities affecting the property of the TCRA for the last financial year;

- (b) receiving the auditor's report on the financial affairs of the TCRA for the last financial year;
- (c) presenting the audited statement to the meeting for adoption;
- (d) electing members of the management committee;
- (e) appointing an auditor.

### **SPECIAL GENERAL MEETING**

25. (1) The secretary may only call a special general meeting by giving each member notice of the meeting within 14 days after:
- (a) being directed to call the meeting by the management committee; or
  - (b) being given a written request signed by –
    - (i) not less than one third of the members of the TCRA presently on the management committee; or
    - (ii) at least the number of ordinary members of the association equal to double the number of members of the association presently on the management committee plus 1; or
  - (c) being given a written notice of an intention to appeal against the decision of the management committee.
    - (i) to reject an application for membership; or
    - (ii) to terminate a person's membership; or
- (2) A request mentioned in subsection (1)(b) must state –
- (a) why the special general meeting is being called; and
  - (b) the nature of the business to be conducted at the meeting.

### **NOTICE OF GENERAL MEETING**

26. (1) The secretary shall call a general meeting of the TCRA by giving not less than 14 days' notice of the meeting to each TCRA member.
- (2) The management committee may decide the way in which the notice must be given.

- (3) However, notice of the following meetings must be given in writing:
  - (a) a meeting called to hear and decide the appeal of a member against the rejection of the member's membership by the management committee; or
  - (b) a meeting called to hear and decide a proposed special resolution of the TCRA.
- (4) A notice of a general meeting must state the nature of the business to be conducted at the meeting.

### **QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETING**

- 27. (1) Subject to subsection (5), at a general meeting the number of members equal to double the number of members of the TCRA presently on the management committee plus 1 for a quorum.
- (2) No business may be conducted at a general meeting unless a quorum of members present when the meeting proceeds to business.
- (3) If a quorum is not present within 30 minutes after the time fixed for a general meeting called on the request of members of the management committee or the association, the meeting lapses.
- (4) If a quorum is not present within 30 minutes after the time fixed for a general meeting called other than on the request of members of the management committee or the association, the meeting is to be adjourned to –
  - (a) the same day, time and place in the next week; or
  - (b) a day, time and place decided by the management committee.
- (5) If at an adjourned meeting, a quorum under subsection (1) is not present within 30 minutes after the time fixed for the meeting, the members present for a quorum.
- (6) The chairperson may, with the consent of any meeting at which a quorum is present, and must if directed by the meeting, adjourn the meeting from time to time and from place to place..
- (7) If a meeting is adjourned under subsection (6), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.

- (8) The secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.
- (9) If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.
- (10) In this rule – "**member**" includes a person attending as a proxy.

### **PROCEDURE AT GENERAL MEETING**

28. (1) Subject to these rules, at each general meeting:
- (a) the president or, if there is no president or if the president is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the vice is to preside as chairperson; and
  - (b) if the vice-president is absent or unwilling to act as chairperson, the members present must elect one of their number to be chairperson of the meeting; and
  - (c) the chairperson must conduct the meeting in a proper and orderly way; and
  - (d) each question, matter or resolution must be decided by a majority of votes of the members present; and
  - (e) each member present and entitled to vote is entitled to one vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote; and
  - (f) a member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting; and
  - (g) voting may be by a show of hands or a division of members, unless at least 20% of the members present demand a secret ballot; and
  - (h) if a secret ballot is held, the chairperson must appoint 2 members to conduct the secret ballot in the way the chairperson decides; and
  - (i) the result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held; and

- (j)** a member may vote in person or by proxy or by attorney and –
  - (i) on a show of hands, each person who is a member or a representative of a member has one vote; and or
  - (ii) in a secret ballot, each member present in person or by proxy or by attorney or other properly authorised representative has one vote; and
- (k)** an instrument appointing a proxy must be in writing; and signed by the appointor or the appointor's attorney properly authorised in writing; and
- (l)** a proxy may be a member of the association or another person; and
- (m)** the instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot; and
- (n)** if someone wants to give a member an opportunity to vote for or against a resolution, the instrument appointing a proxy must be in the following or like form:-

TABLELAND CHRISTIAN RADIO ASSOCIATION INCORPORATED

I, \_\_\_\_\_ of \_\_\_\_\_, appoint  
 \_\_\_\_\_ of \_\_\_\_\_, or failing him,  
 \_\_\_\_\_, as my proxy to vote for me on my behalf at  
 the  
 (Annual) General Meeting of the Association, to be held on the \_\_\_ day of  
 \_\_\_\_\_,  
 19\_\_\_, and at any adjournment thereof.

Signed this \_\_\_ day of \_\_\_\_\_, 20\_\_\_. Signature: \_\_\_\_\_

This form is to be used \*in favour of/\*against the resolution.

Strike out whichever is not desired.

(Unless otherwise instructed, the proxy may vote as he thinks fit.);

- (o)** each instrument appointing a proxy must be given to the secretary before the start of the meeting or adjourned meeting at which the person name in the instrument proposes to vote; and



- (p) the secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceeding of each management committee meeting and general meeting are entered in a minute book;
  - (q) the secretary must ensure the minutes book for each general meeting is open for inspection at all reasonable times by any financial member who previous applies to the secretary for the inspection.
- (2) To ensure the accuracy of the minutes recorded under subsection (l)(p) –
- (a) each instrument appointing a proxy must be given to the secretary before the start of the meeting or adjourned meeting at which the person name in the instrument proposes to vote; and
  - (b) the minutes of each general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy; and
  - (c) the minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the association that is a general meeting or annual general meeting, verifying their accuracy.

### **BY-LAWS**

29. The management committee may from time to time make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the TCRA and may by-law may be set aside by a vote of members at a general meeting of the TCRA.

### **ALTERATION OF RULES**

30. (1) Subject to the Associations Incorporation Act 1981, these rules may be amended, repealed or added to by special resolution carried at a general meeting.
- (2) However an amendment, repeal or addition is valid only if it is registered by the chief executive.

### **COMMON SEAL**

31. (1) The management committee must ensure that TCRA has a common seal.

- (2) The common seal must be –
  - (a) kept securely by the management committee; and
  - (b) used only under the authority of the management committee.
- (3) Each instrument to which the seal is attached must be signed by a member of the management committee and countersigned by –
  - (a) the secretary; or
  - (b) another member of the management committee; or
  - (c) someone appointed by the management committee.

### **FUNDS AND ACCOUNTS**

- 32.**
- (1) The funds of the TCRA must be kept in an account in the name of the TCRA in a financial institution decided by the management committee.
  - (2) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the TCRA.
  - (3) All amounts must be deposited in the financial institution account as soon as practicable after receipt.
  - (4) All amounts of \$ 100 or more shall be paid for cheque signed by any 2 of the following –
    - (a) the president;
    - (b) the secretary;
    - (c) the treasurer;
    - (d) another member of the management committee for the purpose;
  - (5) Cheques, other than cheque for wages, allowances or petty cash recoupment must be cross 'not negotiable'.
  - (6) A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.

- (7)** All expenditure must be approved or ratified at a management committee meeting.
- (8)** The treasurer must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared:

  - (a)** the income and expenditure for the financial year just ended;
  - (b)** the TCRA's assets and liabilities at the close of the year;
  - (c)** the mortgages, charges and securities affecting the property of the TCRA at the close of the year.
- (9)** If the TCRA is incorporated within 3 months before the end of the TCRA's financial year, subsection (8) does not apply for the financial year in which the TCRA is incorporated.
- (10)** The auditor must examine the statement prepared under subsection (8) and present a report about it to the secretary before the next annual general meeting following the financial year for which the audit was made.
- (11)** The income and property of the TCRA must be used solely in promoting the TCRA's objects and exercising the TCRA's powers.

## **DOCUMENTS**

33. The management committee must ensure the safe custody of books, documents, instruments of title and securities of the TCRA.

## **FINANCIAL YEAR**

34. The financial year of the TCRA shall close on 30th June in each year.

## **DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY**

35. (1) This section applies if the TCRA is wound-up under part 10 of the Act and there are surplus assets.
- (2) The surplus assets must not be distributed among the TCRA members.
- (3) The surplus assets must be given to another entity:
- (a) having objects similar to the TCRA's objects; and
  - (b) the rules of which prohibit the distribution of the entity's income and assets to its members.
- (4) In this section, "surplus assets" has the meaning given by section 92(3) of the Act.

## **SET UP AND OPERATION OF PUBLIC FUND**

36. (1) TCRA will establish and maintain a public fund.
- (2) Donations will be deposited into the public fund listed on the Register of Cultural Organisations. These monies will be kept separate from the funds of TCRA and will only be used to further the principal purpose of TCRA. Investment of monies in this fund will be made in accordance with guidelines for the public funds as specified by the Australian Taxation Office.
- (3) The fund will be administered by a management committee, the majority of whom, because of their tenure of some public office or their professional standing, have an underlying community responsibility, as distinct from obligations solely in regard to the cultural objectives of TCRA.

- (4) No monies/assets in this fund will be distributed to members or office bearers of TCRA, except as reimbursement of out-of-pocket expenses incurred on behalf of the fund or proper remuneration for administrative services.
- (5) The Department responsible for the administration of the Register of Cultural Organisations will be notified of any proposed amendments or alterations to provisions for the public fund, to assess the effect of any amendments on the public fund's continuing Deductible Gift Recipient status.
- (6) Receipts for gifts to the public fund must state:
  - (a) the name of the public fund and that the receipt is for a gift made to the public fund;
  - (b) the Australian Business Number of the company;
  - (c) the fact that the receipt is for a gift; and
  - (d) any other matter required to be included on the receipt pursuant to the requirements of the *Income Tax Assessment Act 1997*.
- (7) TCRA must comply with any rules that the Treasurer or the Minister for the Arts make to ensure that gifts made to the public fund will only be used for TCRA's principal purpose. TCRA must provide to the Department statistical information on the gifts made to the public fund every six months.

### **WINDING UP OF THE PUBLIC FUND**

37. If upon winding-up or dissolution of the public fund listed on the Register of Cultural Organisations, there remains after satisfaction of all its debts and liabilities, any property or funds, the property or funds shall not be paid to or distributed among its members, but shall be given or transferred to some other fund, authority or institution having objects similar to the objects of this public fund, and whose rules shall prohibit the distribution of its or their income among its or their members, such fund, authority or institution to be eligible for tax deductibility of donations under Subdivision 30-B, section 30-100, of the *Income Tax Assessment Act 1997* and listed on the Register of Cultural Organisations maintained under the Act.

### **CERTIFICATION**

I hereby certify that this is a true copy of the Constitution and Rules amended and certified by the members on the 16 October, 2016.

Signed: AA (President) Date: 16 / 10 / 16.

I hereby certify that this is a true and correct copy of the rules adopted by the members of the Incorporated Association.

Signed: AA (Secretary) Date: 16 / 10 / 16.