

**THE NATIONAL ASSOCIATION OF CHARITABLE RECYCLING
ORGANISATIONS INC**

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CONSTITUTION

1) NAME

The name of this Association shall be **'The National Association of Charitable Recycling Organisations Inc.'**

2) DEFINITIONS

In this Constitution unless the context otherwise requires:

- **'The Association'** shall mean the entity established by this Constitution.
- **'Committee'** shall mean the Committee appointed pursuant to Clause 7 (b).
- **'The Act'** shall mean the New South Wales Associations Incorporation Act 1984.
- **'State Council'** shall mean the State Council established by the Association under this Constitution.
- **'Books'** shall mean an electronic file that is supported by a back-up system.
- **'Organisation'** shall mean the charity or public benevolent institutions who constitute members under this constitution.
- **'Commercial operator'** shall mean a business that is not a charity or a public benevolent institution and does not have DGR status.

3) OBJECTS

The objects of the Association shall be:

- a) to be the peak organisation for charitable recycling organisations in Australia;
- b) to assist each member to provide maximum financial support from recycling operations for its charitable purposes;
- c) to facilitate the activities of each State Council to attain the objects of the Association;
- d) to enlist and encourage co-operation and support from the Federal Government, industries, corporations, Trade Unions and the community for the recycling operations of members and to assist State Councils in their contacts with State and Local Governments;
- e) to promote the research and development of recycling operations and to facilitate the exchange of information, experiences and advice between members;
- f) to monitor and inform members of legal or political matters relating to the recycling operations of members.

4) POWERS

In order to fulfill its objects, the Association shall have power:

- a) to co-operate with and act as a link or peak Organisation with Overseas bodies or organisations having objects in whole or in part similar to the objects of the Association;
- b) to solicit, receive and enlist financial or other aid from individuals, Trusts, Companies, Corporations and Associations, Societies, Institutions and other Organisations or Authorities and from Governments and Public Bodies and from other sources deemed appropriate to the objects of the Association AND to conduct fund raising campaigns and other functions for the purpose of raising money for the purposes aforesaid;
- c) to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, warrants and other negotiable instruments;
- d) to borrow and raise money for any of the purposes of the Association and to secure the payment thereof and interest thereon in such manner as may be approved;
- e) to invest and deal with money of the Association not immediately required in such manner as may be permitted by law for the investment of trust funds;
- f) to promote, establish, superintend, conduct, control and assist branches, committees and other forms of Organisation and administration for the purpose of widening the influence and operations of the Association;
- g) to purchase, take on lease or in exchange hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges that may be requisite for the purposes of or capable of being conveniently used in connection with any of the objects of the Association;
- h) to enter into any arrangements with any Government or authority, supreme, Municipal, local or otherwise that may seem conducive to the Association's objectives or any of them and to obtain from any such Government or authority any rights, privileges and concessions which the Association may think it desirable to obtain and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions;
- i) generally to do all such acts, matters and things (including the entering into and making agreements) as are incidental to or conducive to the attainment of any of the objects of the Association.

5) MEMBERSHIP

- a) Membership of the Association is only available to organisations if:
 - i. The organisation is constituted in accordance with the appropriate charity legislation in states and territories and have obtained Deductible Gift Recipient status from the Australian Taxation Office; and
 - ii. The organisations paid employees and or volunteers are directly involved in the operation of the recycling programme(s) that is or are exclusively run to support the charitable purpose of the organisation; and
 - iii. The organisation does not sell or otherwise allow their brand/name to be used by a commercial operator to solicit donated goods; and

- iv. The organisation has been actively involved in the consistent operation of a recycling programme for a minimum of twelve months prior to seeking membership of NACRO.
- b) Applications may be made for membership in the following categories and all members in each category shall pay such annual membership fees as is determined by the Association.

- i. **National Member:** The National Executive Committee may, at its discretion, approve membership in this category to organisations in which the governance structure consists of a centre constituent body which exercises authority and direct control over the organisations recycling operations nationally.

Each National Member shall be entitled at Annual General Meetings of the Association to two (2) votes per state in which the organisation is actively carrying out its recycling operations.

- ii. **State Member:** The National Executive Committee may, at its discretion, approve membership in this category to organisations in which the governance structure consists of a centre constituent body which exercises authority and direct control over the organisations recycling operations within a single state or territory.

Each State Member shall be entitled to two (2) votes at Annual General Meetings of the Association.

- iii. **Independent Member:** Independent membership may be granted, at the discretion of the National Executive Committee, to those organisations that meet the membership criteria and who are organisations who are affiliated with a State Member.

Each Independent Member shall be entitled to one (1) vote at Annual General Meetings of the Association.

- iv. **Associate Membership:** Associate Membership may be granted, at the discretion of the National Executive Committee, to such other organisations that meet the membership criteria and which the National Executive Committee considers would assist in the attainment of any of the objects of the Association. Each Associate member shall pay such annual membership fee as is determined by the Association. Associate Members shall not be entitled to vote at Annual General Meetings of the Association or attend State Council meetings.

Associate Members can access member benefits, however they are not entitled to vote at Annual General Meetings of the Association.

- c) The annual membership fee shall become due and payable in advance on the First day of July in each year PROVIDED HOWEVER that the amount of the membership fee and the date for payment thereof shall be as determined or varied at any Annual General Meeting of the Association.

Membership fees for applications approved between 1st July and 31st December in each year shall be paid at the full rate for the year as determined by the Annual General Meeting. Membership fees for applications approved between 1st January and 30th June in each year shall be paid at one-half of the full rate for the year as determined by the Annual General Meeting.

Membership shall automatically lapse if fees are not paid within 90 days of becoming due.

- d) If any member shall willfully refuse or neglect to comply with the provisions of this Constitution or with the rules and regulations of the Association or shall act in a manner which is prejudicial to interests of the Association and/or to the attainment of its objects the National Executive Committee shall have the power to suspend the membership of such charity forthwith **AND** a resolution for the termination of such charity's membership shall be included in the agenda for the next Annual General Meeting **PROVIDED** that at least twenty one days before the meeting of the Association at which such a resolution for expulsion is passed such member shall have had notice thereof and of the intended resolution for expulsion and that the member shall have had the opportunity of attending such meeting and giving orally or in writing any explanation or defence which the member may desire to make. Membership fees are not refundable.
- e) A charity may at any time by giving notice in writing to the Secretary or the Secretary's delegate of the Association resign its membership but in such case membership fees are not refundable.
- f) The Association management shall keep a register of the members of the Association:
 - i. The register shall contain the name and address of each member and the date on which membership was approved.
 - ii. All changes of membership must be recorded in the register within one (1) month of the change occurring.

6) MEMBERS' LIABILITY

The members of the Association shall have no liability to contribute towards the payment of debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association except to the amount of any unpaid membership fees.

7) PROPERTY

All assets, funds and income of the Association will be used solely to further the objectives of the Association as set forth in this Constitution AND no portion thereof is to be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to the members of the Association PROVIDED that nothing herein shall prevent the payment in good faith of reasonable and proper remuneration to any officer, member, servant or employee of the Association, but no member of the Committee is to be appointed to any salaried office of the Association paid fees and no remuneration or other benefit in money or money's worth shall be given by the Association to any member of the Committee except repayment of out-of-pocket expenses.

8) MANAGEMENT

- a) The administration, business and affairs of the Association to the extent that they relate to specific State issues shall be managed by State Council of Charitable Recycling Organisations established by the Association.
- b) Each National, State and Independent member charities may be represented on the State Council(s) applicable to where the member carries out their recycling activities by a single authorised nominee per state. Such nominee must be an employee or bona fide volunteer of the nominating member. The name and position held of the employee or volunteer must be provided by the member in writing to the NACRO State Representative prior to the first State meeting following the Annual General Meeting of NACRO.
 - i. Should a member wish to change its nomination during the course of the year, the name and position held of the replacement representative must be provided to the State Representative before the new representative attends a state meeting.
 - ii. Should the member's nominated representative be unable to attend a meeting, the name and position of any substitute representative must be provided to the Chairperson of the State Committee before the substitute representative attends a state meeting.
 - iii. Members may bring visitors to state meetings' providing prior approval is obtained from the Chairperson of the State Committee.
- c) Each State Council shall appoint a Management Committee comprising such Officers as may be deemed necessary to effectively manage the affairs of the State. All State Councils will be subject to the direction of the General Meetings of the Association.
- d) Where both incorporated Body and Association members exist in any state or territory, the governing council of the Incorporated Body shall not be entitled to sole management of state issues. Each Association member shall be entitled to representation on the State Council established in accordance with this clause. The State Representative to the National Executive Committee shall only be selected by a State Council meeting in which Association members are represented.
- e) All other administration business and affairs of the Association and specifically relating to National issues shall be the responsibility of the National Executive Committee, which shall comprise:
 - i. Chairperson
 - ii. Deputy Chairperson
 - iii. Secretary
 - iv. Treasurer(Such four (4) persons being known as the 'Officers' of the Association); AND
 - v. a maximum of eight (8) committee members
- f) The eight committee members shall include 1 representative from each State and Territory of the Commonwealth of Australia. Such representative may be the Chairperson of each respective State Council or such other person being an Executive member of the State Council and approved by a General Meeting of the Association.

- g) Any person who is the authorised nominee of a Member Charity with voting rights and who has been actively involved in the recycling operations of a member charity for at least two years will be eligible to be a Chairperson.
- h) Any person who is the authorised nominee of a Member Charity with voting rights and who has been actively involved in the recycling operations of a member charity for at least one year will be eligible to be the Deputy Chairperson.
- i) All nominations for these offices shall be deposited with the Secretary or the Secretary's delegate not later than 21 days prior to the scheduled date for the Annual General Meeting. Any casual vacancy occurring among the Officers or Committee members may be filled by the National Executive Committee and the person so appointed to fill such vacancy shall hold office for the unexpired term of the member so replaced.
- j) At each Annual General Meeting, one-third of the National Executive Committee shall retire from office. Those to retire are those who have been longest in office since their last election and where committee members were elected on the same day, those to retire (unless they otherwise agree among themselves) shall be determined by ballot. All retiring officers and committee members shall be eligible for re-election.
- k) The office of an officer or committee member shall become vacant:
 - i. if the officer or committee member resigns their office by notice in writing to the Secretary or the Secretary's delegate of the Association
 - ii. in the event of the termination or suspension of membership of the Charity of which the officer or committee member is a representative
 - iii. if said person is absent without permission of the committee from three (3) successive meetings of the committee
- l) The Association may by special resolution remove any officer or member from the National Executive Committee before the expiration of their period of office and appoint another person in their stead. The person so appointed shall hold office only during the remainder of the term of the committee member in whose place they are appointed but shall be eligible for re-election in accordance with clause 7 (f).
- m) The Association shall keep a register of the members of the National Executive Committee of the Association.
 - i. The register shall contain the name and address of each member of the committee, the date on which they were appointed to the committee and any other particulars as may be prescribed from time to time.
 - ii. The register shall be kept at the residential address of the Public Officer and shall be available for inspection at all reasonable hours by any person without payment of a fee.
 - iii. All changes to membership of the committee must be recorded in the register within one (1) month of the change occurring.

9) DUTIES OF OFFICERS

- a) The Chairperson
 - i. shall preside as Chairperson at every General Meeting or Annual General Meeting of the Association

- ii. shall have knowledge and experience of the Recycling Industry
 - iii. where appropriate, shall represent, or determine representation for the Association in national media presentations, in making submissions on national issues to the Commonwealth Government on formal occasions or whenever necessary for the purposes of the Association
 - iv. shall seek administrative, legal, media, Government lobbying and other resources as may be desirable for achieving the purposes of the Association.
- b) The Vice Chairperson
The Vice Chairperson shall:
 - i. In the absence of, deputise for the Chairperson as per above.
- c) The Secretary
The Secretary and/or the Secretary's delegate:
 - ii. shall keep the Minutes of all General Meetings or Annual General Meetings of the Association, all appointments of officers and committee members
 - iii. shall keep the names of all member Charities represented at Committee Meetings or General Meetings
 - iv. shall convene in accordance with this Constitution all General Meetings and Committee Meetings of the Association
 - v. shall carry out the directions of the General Meetings and Committee Meetings, and
 - vi. shall conduct and keep copies of all correspondence relating to the Association
- d) The Treasurer
The Treasurer and/or the Treasurers delegate:
 - i. shall ensure that all money due to the Association is collected and received
 - ii. shall ensure that all payments authorised by the Association are made
 - iii. shall keep such books and accounts, arrange the annual audit of the accounts and carry out all other directions as the General Meetings and Committee Meeting shall direct.

10) ANNUAL GENERAL MEETINGS

- a) The Annual General Meeting of the Association shall be held on such date in each year as determined by the National Executive Committee when
 - iv. the Annual Report and Audited Statement shall be presented
 - v. the National Executive Committee shall be elected in accordance with clause 7(f)
 - vi. the policies and programs of the Association shall be confirmed and discussed.
- b) The financial year of the Association shall conclude on 30th June in each year.
- c) The location for the Annual General Meeting shall be determined by the Annual General Meeting of the preceding year.

- d) At least twenty eight (28) days notice in writing of the Annual General Meeting shall be given by the Secretary or the Secretary's delegate to all members of the Association AND such notice shall specify the place, the date and the hour of the meeting and the Agenda of business to be dealt with at the meeting
- e) All members of the Association shall be entitled to send two representatives to the Annual General Meeting with full rights of participation. Each State Corporate Member shall be entitled to exercise three votes; each incorporated Body member shall be entitled to exercise five votes and each independent Member two votes at such meeting notwithstanding that it has only one representative at the meeting either present or by proxy.
- f) Each member may vote by proxy but the instrument appointing a proxy shall be in writing duly executed by the member and in the common or usual form. Such instrument must be in the hands of the Secretary or the Secretary's delegate no later than seven days prior to the date of the meeting. A member shall be entitled to instruct their proxy to vote in favour of, or against, any proposed resolution or resolution as detailed in the Agenda. Unless otherwise instructed the proxy may vote as they think fit.
- g) The National Executive Committee at its discretion may determine that members shall be entitled to a postal vote in relation to the elections of the National Executive Committee and the procedure relating to such postal vote shall be at the discretion of the National Executive Committee.
- h) All members are entitled to send observers to the Annual General Meeting. Observers may request permission to speak but are not permitted to vote or to table resolutions.

11) GENERAL MEETINGS

All General Meetings other than the Annual General Meeting shall be called General Meetings and may be convened at any time.

- a) By the Secretary or the Secretary's delegate upon the written request of not less than three members, or
- b) By a decision of the National Executive Committee, AND General Meetings must be held within a period of one month but not earlier than fourteen days after the date of written notice of the meeting has been given to the Secretary or the Secretary's delegate. Such notice shall specify the place, the date and the hour of the meeting and the general nature of the business to be conducted at the meeting.
- c) No business shall be transacted at any General Meeting (or Annual General Meeting) unless a quorum of voting members is present in person or by proxy at the time when the meeting proceeds to business. Unless otherwise determined at an Annual General Meeting one-third of the current financial voting members of the Association shall comprise a quorum.
- d) The Chairperson shall preside as Chairperson at every General Meeting or Annual General Meeting of the Association PROVIDED that if the Chairperson shall not be present within fifteen minutes after the time appointed for holding of the said meeting then the members present shall elect one of their number to be Chairperson of the meeting, a simple majority sufficing.

- e) At any General Meeting or Annual General Meeting a resolution is put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or upon the declarations of the result of the show of hands) demanded by the Chairperson or by at least three members present. Unless a poll is so demanded a declaration by the Chairperson that a resolution has on a show of hands been carried unanimously or by a particular majority or less shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution. The demand for a poll may be withdrawn.
- f) The Chairperson shall not be entitled to vote except in the case of an equality of votes where the chairperson shall have a casting vote.

12) FUNCTIONS AND POWERS OF THE NATIONAL EXECUTIVE COMMITTEE

- a) The National Executive Committee shall be responsible for and shall make provision for all matters pertaining to the management of the affairs and policies of the Association between Annual General Meetings.
- b) In exercising the said power the National Executive Committee shall not act in a manner inconsistent with or in contradiction to the terms of this Constitution and in particular in contradiction to the objects herein defined and shall in all respects follow the general tenor and intention of the Constitution and the said objects.
- c) The National Executive shall have the power to appoint an Executive Manager to manage the association.
- d) The National Executive shall have the power to contract an agency/person to assist the Treasurer of the Association in the performance of his/her duties. Such agency/person is known as the Treasurers assistant.
- e) The National Executive may delegate to the Treasurers assistant such powers and duties of the Treasurer as the Board shall think fit, having regard to the National Executive's obligations under clause 12)a.
- f) The National Executive Committee shall have the power to contract an agency/person to assist the Secretary in the performance of his/her duties. Such agency/person is known as the Secretary's assistant.
- g) The National Executive may delegate to the Secretary's assistant such powers and duties of the Treasurer as the Board shall think fit, having regard to the National Executive's obligations under clause 12)a.
- h) The National Executive Committee shall provide a full written report of its activities to the succeeding Annual General Meeting AND Minutes of all National Executive Committee shall be available to all members of the Association.
- i) The National Executive Committee shall be responsible for the admission of new members to the Association.
- j) The National Executive Committee shall have the power to co-opt persons from internal or external sources to advise, assist or counsel the committee on specific tasks provided that such appointments shall only be for such periods as shall be necessary to complete the task and further provided that no such person appointed in this manner shall be entitled to vote at committee meetings.

- k) The National Executive Committee may appoint and regulate its meetings as it thinks fit and members may consult together without formally meeting such as by mail or by telephone. Decisions made in this manner shall be binding and effective but all minutes of such meetings shall be kept by the Secretary or the Secretary's delegate. A State Representative who is not able to attend any meeting of the National Executive Committee may appoint a delegate to attend in their place subject to the approval of the Chairperson.
- l) The quorum necessary for the transaction of business at any meeting of the National Executive Committee, either formal or informal, shall be four and every practicable effort shall be made to confer with all officers and ordinary members of the National Executive Committee before making such decisions.
- m) Questions arising at any meeting of the National Executive Committee or of any Sub-committee or Board of Reference appointed or selected by the National Executive Committee shall be decided by the majority of votes of those present. In case of an equality of votes the person appointed to chair the meeting shall have a second or casting vote.
- n) Any act or thing done or suffered or purporting to have been done or suffered by the National Executive Committee or by a Sub-committee or Board of reference appointed or selected by the National Executive Committee is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the National Executive Committee or Sub-Committee or Board of Reference.

13) SUB COMMITTEES OR SUBSIDIARY BODIES

The Annual General Meeting may establish Sub-Committees or Subsidiary bodies which it deems necessary for the attainment of the Association's objects and it shall determine the composition, functions and powers of such Body. The National Executive Committee shall also have the power to establish such Sub-Committees and Subsidiary Bodies.

All Subsidiary Bodies and Sub-Committees established either by the Annual General Meeting or by the National Executive Committee shall lapse at each succeeding Annual General Meeting but maybe re-established by the Annual General Meeting or by the new National Executive Committee.

14) FUNDS

- a) All assets and income of the Association shall be under the control of the National Executive Committee and unless designated for a particular purpose of the Association (either by the Annual General Meeting or otherwise) shall be available at the discretion of the National Executive Committee for the promotion of the objects of the Association.
- b) All moneys received by the Association shall be deposited by the Association's bank account.
- c) Payments may be made by the Treasurer or the Treasurers delegate by electronic transfer of funds once authorised by the Treasurer and the Executive Officer.
- d) All cheques shall be signed by the Treasurer or the Treasurers delegate once authorised by the Treasurer and the Treasurers delegate.

- e) Budgets shall be presented to and passed by the National Executive Committee and full details of such approval shall be entered in the record of the meeting.
- f) The Treasurer and/or the Treasurers delegate shall submit financial reports to the National Executive Committee.

15) BOOKS OF ACCOUNT

The Treasurer and/or the Treasurers delegate shall keep proper accounting and other records and shall distribute copies of every Profit and Loss Account and Balance Sheet accompanied by a copy of an Auditor's Report, (when designated) thereof to Members prior to the Annual General Meeting.

16) AUDIT

The accounts of the Institute shall be audited by an auditor at intervals of not more than three years. The auditor shall be elected at the previous Annual General Meeting. In the case where no auditor has been elected or in the event of the death, incapacity or resignation of the elected Auditor, the Board shall appoint an Auditor.

17) INSURANCE

- a) The Association shall effect and maintain insurance pursuant to the Act.
- b) In addition to the insurance required under Clause (1), the Association may effect and maintain other insurance.

18) PUBLIC OFFICER

- a) The Committee shall ensure that a person is appointed as Public Officer in accordance with the act.
- b) The Committee may at any time remove the Public Officer and appoint a new Public Officer provided the person appointed is eighteen (18) years of age or older and a resident of New South Wales
- c) The Public Officer shall be deemed to have vacated their position in the following circumstance:
 - i. Death
 - ii. Resignation
 - iii. Removal by the Committee or at a General Meeting
 - iv. Bankruptcy or financial insolvency
 - v. Mental illness
 - vi. Residency outside New South Wales
- d) When a vacancy occurs in the position of Public Officer the Committee shall within fourteen (14) days notify the Corporate Affairs Commission by the prescribed form and appoint a new Public Officer
- e) The Public Officer is required to notify the Corporate Affairs commission by the prescribed form in the following circumstances:
 - i. Appointment (within 14 days)
 - ii. A change of residential address (within 14 days)

- iii. A change in the Association's objects or rules (within 1 month)
- iv. A change in the membership of the Committee (within 14 days)
- v. Of the Association's financial affairs (within 1 month after the Annual General Meeting).

19) COMMON SEAL

The Common Seal of the Association shall be kept in the custody of the Secretary or the Secretary's delegate. The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures either of two (2) members of the Committee or one (1) member of the Committee and of the Public Officer or Secretary or the Secretary's delegate.

20) CUSTODY OF BOOKS

- a) All books, records and documents required to be kept by the Treasurer or the Treasurer's delegate in performing the duties of that office shall be held in their custody.
- b) All books, records and documents required to be kept by the Secretary or the Secretary's delegate in performing the duties of that office shall be held in their custody.
- c) All registers, including the register of members and the register of committee members, shall be held in the custody of the Public Officer.

21) INSPECTION OF BOOKS

The records, books and other documents of the Association shall be open to inspection, free of charge, by a member of the Association at any reasonable hour.

22) AMENDMENT TO CONSTITUTION

This Constitution may be amended only pursuant to a resolution passed at an Extraordinary General Meeting or at an Annual General Meeting of the Association upon the vote of the majority or three-fourths of the voting members present and voting at such meeting either in person or by proxy PROVIDED:

- a) that not less than twenty eight (28) days notice of the proposed amendment and meeting shall have been given to each member of the Association
- b) that the said amendment or amendments have firstly been considered at a duly organized meeting of the National Executive Committee

23) DISSOLUTION

- a) The Association shall be dissolved in the event of membership being less than three members or upon the vote of a three-fourths majority of members present at an Annual General Meeting or at an Extraordinary General Meeting convened to discuss the question of dissolution.
- b) In the event of winding up or dissolution of the Association the surplus funds and assets thereof after meeting all liabilities shall not be paid to or distributed among the members of the Association but shall be given or transferred to some other Institution or Institutions having objects similar to the Association under or by virtue

Clause 4 hereof such Institution or Institutions to be determined by the members of the Association at or before the Supreme Court of New South Wales or such other Judge of the Court as may have or require jurisdiction in the matter and if and so far as effect cannot be given to the aforesaid provision then to some charitable object.

24) REPRESENTATION

All persons appointed by the National Executive Committee to represent the Association at meetings or functions of Government and non-Government bodies in accordance with the terms and objects of the Association shall have the right to speak and vote on behalf of the Association at such meetings or functions PROVIDED that such conduct shall not be inconsistent with or in contradiction to and shall follow that general tenor and intentions of the objects of the Association.

25) NACRO GIFT FUND

The Association will seek to be endorsed as a Deductible Gift recipient (“DGR”) by the Australian Taxation Office and maintain that endorsement at all times.

- a) The Association will maintain, for the purpose of its endorsement as a DGR, a Gift Fund and that Fund will be known as the NACRO Gift Fund.
- b) The following conditions will apply, at all times, to the NACRO Gift Fund (“the Fund”).
- c) It will be maintained for the sole purpose of meeting the objectives of the Association.
- d) All gifts, or deductible contributions, of money or property made to the Association, for that purpose will be made to the Fund.
- e) Any money received by the organisation, because of such gifts, or deductible contributions, will be credited to the Fund.
- f) A receipt will be issued for all gifts to the Fund and the receipt will state:
- g) The name of the Fund
- h) The Company’s Australian Business Number (ABN); and
- i) The fact that the receipt is for a gift to the Fund.
- j) Amounts received that are not gifts will not be credited to the Fund and if money or property is incorrectly received by the Fund it will be removed from the Fund as soon as practicable and the accounts adjusted and noted accordingly.
- k) The Fund will be used for the principal purpose of the Association.
- l) The Association will adopt procedures to ensure that only and all proper amounts are credited to the Fund.
- m) If the Fund is wound up, or if the Association’s endorsement as a DGR is revoked by the Australian Taxation Office (but subject to any appeal that may be lodged against such revocation), then the Association will transfer the surplus assets of the Fund to another gift deductible fund, authority or institution authorized by law to receive such surplus assets.