

Constitution

of

Queensland Nepalese Cultural Centre

(QNCC)

2018

with 2019, 2024 & 2026 (Proposed) Amendments

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1 Interpretation

(1) In this constitution:

(a) *Act* means the *Associations Incorporation Act 1981 (QLD).*

(b) *QNCC* means the *Queensland Nepalese Cultural Centre.*

(c) *AGM* means the *Annual General Meeting.*

(d) *MC* means the *Management Committee* of the Queensland Nepalese Cultural Centre.

(e) *association* means the *Queensland Nepalese Cultural Centre Inc.*

(2) A word or expression that is not defined in the constitution, but is defined in the Act has, if the context permits, the meaning given by the Act.

2 Introduction

2.1 Title of association

The title of the association shall be **Queensland Nepalese Cultural Centre Inc**, with the short form name QNCC. The Cultural Centre shall be based in the South-East region of Queensland.

2.2 Incorporation Act

QNCC is incorporated under the association Incorporation Act 1981 of the State of Queensland.

2.3 Mode of Operation

(1) QNCC is a not-for-profit, non-racial and apolitical association. It shall remain free from any political affiliation and ideology. It shall ensure equality and guard against any prejudicial treatment against anyone based on his or her racial, ethnicity and academic background.

(2) QNCC is a voluntary organisation dedicated entirely to promoting Nepalese culture, fostering goodwill, and enhancing the well-being of the Nepalese community in Queensland.

(3) QNCC is committed to refraining from engaging in any profit-making activities. All assets and income of the organisation will be exclusively utilised for achieving its objectives.

(4) No part of the association's income or property will to be distributed, paid, or transferred by way of bonus, dividend, or other similar payment to its members.

(5) The organisation will not undertake any profit-oriented activities, except for fundraising campaigns aimed at financing its activities and services.

(6) Sub-rule (4) does not prevent the association from reimbursing its members for genuine expenses incurred for services rendered to the association or for payments made on its behalf.

2.4 Objectives

The main objective of QNCC shall be to promote the culture, goodwill and harmony among the people of Nepalese origin residing in Queensland and in Australia in general and also to promote goodwill and friendship between the people of Nepal and Australia. The details of the objectives are as listed below.

(1) to plan, develop, build and run a cultural centre, which can be the cultural identity and serve a spot for Nepalese cultural practice among Nepalese community members as well as other wider community members.

(2) to preserve and promote Nepalese cultures and traditions by facilitating places for various cultural practices consisting of but not limited to a temple, gumba or similar entities of cultural significance.

(3) to pursue mutual co-operation and support amongst organisations of the people of Nepalese origin and other like-minded organisations in Australia and Nepal fostering multiculturalism and supporting Australian values.

(4) to formulate and implement cultural events and programmes as per the need of the community.

2.5 Powers

(1) The association has the powers of an individual.

(2) The association is authorised to perform, but not restricted to, the following actions:

(a) Enter into contracts;

(b) Acquire, hold, deal with and dispose of property;

(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.

3 Membership

3.1 Eligibility

The membership of QNCC shall be open to all the people of Nepalese origin and their family members of 18 years of age and above regardless of their gender, race, religious and political background, residing temporarily or permanently with valid permit in Queensland or in any part of Australia. Also, member from other than above stated community groups can also apply for QNCC membership who has respect to Nepalese culture and possibly can assists to meet the QNCC objectives in future.

3.2 Membership Fees

The membership fee for each other class of membership:

(1) is the amount decided by the members from time to time at an Annual General Meeting.

(2) is payable when, and in the way, the Management Committee decides.

(3) shall be displayed on the association's website.

3.3 Types of Membership

The types of membership shall be as follows:

3.3.1 Individual Life Member

An individual adult of Nepalese origin shall be entitled to become an individual life member of QNCC by paying the membership fee decided by the association. People belonging to a community other than the Nepalese community can also apply for life membership which MC approves based on applicant's capability to fulfil the objectives of QNCC. This membership lasts for the lifetime of a member from the day their membership application is approved by the MC. The members are eligible for a 10% discount at any event organised by QNCC for the duration of their lifetime. Names of all life members to be displayed on the wall of QNCC building unless requested otherwise.

3.3.2 Family Life Member

An individual adult of Nepalese origin and his/her spouse shall be entitled to become a family life member of QNCC after paying the fee decided by the association. A family who belongs to other community than above mentioned can also apply for life member which MC approves based on applicant's capability to fulfil the objectives of QNCC. This membership lasts for the life time of up to two members of the family from the day their membership application is approved by the MC. The members are eligible for a 10% discount at any event organised by QNCC for the duration of their lifetime. Names of both the members of the family shall be displayed on the wall of QNCC unless requested otherwise. Any individual life member can later add his family members to become a family life member by paying the difference between the family life membership fee and the individual life membership fee.

3.3.3 Organisational Member

An organisation shall be entitled to become an organisational member of QNCC by paying the membership fee decided by the association. Organisations belonging to a community other than the Nepalese community can also apply for membership which MC can approve based on applicant's capability to fulfil the objectives of QNCC. This membership lasts for the life time from the day the organisation's application is approved by the MC.

Organisations shall deserve special right to become a part of the Management Committee without going through the election process if applicable.

3.3.4 Number of Members

The number of members in each membership class is unlimited.

3.4 Membership Application

(1) The Management Committee must consider an application for membership at the next committee meeting held after it receives.

   (a) the application for membership; 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 members of the Management Committee present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member for the class of membership applied for.

(4) The Secretary of the association 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.

(5) Existing individual life members can also apply for family life membership by paying the additional membership fee.

3.5 Register of Members

(1) The Management Committee shall be responsible for maintaining a register of the members. The register shall have the following information.

   (a) Full name(s);

   (b) Contact details;

   (c) Date of joining the association;

   (d) Membership type;

   (e) Membership number;

   (f) Details about the termination or reinstatement of membership; and

   (g) Any other particulars the Management Committee or the members at a general meeting decide.

(2) The register shall be kept as an electronic database and a nominated member of the Management Committee shall maintain the register on a monthly basis.

(3) The register must be open for inspection by members of the association at all reasonable times.

(4) A member must contact the Secretary to arrange an inspection of the register.

(5) However, the Management Committee may, on the application of a member of the association, withhold information about the member (other than the members full name) from the register available for inspection if the Management Committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

3.6 Members' Confidentiality

Personal details of members shall be kept confidential within the association and shall not be disclosed to any outside party without the member's consent. Only full name of members shall be displayed unless special request made by members.

3.7 Rights and Responsibilities of Members

All the financial members shall have the right to participate in the Annual General Meetings of the association, vote and present candidacy in the elections for the Management Committee.

3.8 Voting Rights

Individual life members, family life members, and organizational members shall have voting rights, including the right to vote for members of the Management Committee. In the case of a family life membership, both registered members of the family shall have separate voting rights. In the case of an organisational membership, a representative of the organisation shall vote on behalf of the organisation.

3.9 Termination of Membership

Membership shall be terminated under the following circumstances:

3.9.1 A member may voluntarily resign from the association at any time by giving 14 days' notice in writing to the Secretary. Such resignation shall take effect once it is approved by the Management Committee. Membership fee will not be returned for any membership termination.

3.9.2 If a member:

(1) is convicted of an indictable offence; or

(2) conducts themselves in a manner considered to be harmful or prejudicial to the character or interests of the association; then, the Management Committee shall determine whether the membership shall be terminated in the specially convened Management Committee meeting. The special meeting of the Management Committee shall take place within two weeks of Secretary being made aware of the above offences and action taken within two days of the resolutions made in the meeting. Member, whose membership has been terminated, shall be notified by the Secretary by official letter or electronic media.

3.9.3 If a member of QNCC passes away.

3.10 Appeal against Rejection or Termination of Membership

(1) A person whose application for membership has been rejected, or whose membership has been terminated, may give the Secretary written notice of the persons intention to appeal against the decision.

(2) A notice of intention to appeal must be given to the Secretary within 1 month after the person receives written notice of the decision.

(3) If the Secretary receives a notice of intention to appeal, the Secretary must, within 1 month after receiving the notice, call a general meeting to decide the appeal.

3.11 Meeting to Decide Appeal

(1) The general meeting to decide an appeal must be held within 3 months after the Secretary receives the notice of intention to appeal.

(2) 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.

(3) Also, the Management Committee and the members of the committee who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.

(4) An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.

(5) If a person whose application for membership 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 membership fee paid by the person.

4 Management Committee

QNCC shall be organised in the Federation System of operations for delivering its services to the community. All QNCC's activities and functions shall be delivered either by QNCC Management Committee or by Working Committees formed under the QNCC.

4.1 Formation of Management Committee

(1) QNCC Management Committee shall consist of a President, a Vice President, a Secretary, a Treasurer, an Assistant Treasurer and eight members.

(2) Out of the eight members on the Management Committee, six will be elected, and the remaining two will be nominated by the committee.

(3) The Management Committee shall be elected at the Annual General Meeting (AGM), preferably during a major annual gathering.

(4) A member of the association may be appointed to a casual vacancy on the Management Committee under the Rule 8.3.

(5) The members of the incumbent Management Committee will continue holding their positions irrespective of the number of positions as per Sub-rule (1) until the next election.

4.2 Functions of Management Committee

(1) Subject to these rules or a resolution of the members of the association carried at a general meeting, the Management Committee has the general control and management of the administration of the affairs, property and funds of the association;

(2) The Management Committee has authority to interpret the meaning of these rules and any matter relating to the association on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act;

(3) The Management Committee may exercise the powers of the association:

   (a) to borrow, raise or secure the payment of amounts in a way the members of the association decide;

   (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 association in any way, both present and future;

   (c) to borrow amounts from members and pay interest on the amounts borrowed;

   (d) to mortgage or charge the whole or part of its property; and

   (e) to invest in a way the members of the association may from time to time decide.

(4) For Sub-rule (3c), 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 association; or

   (b) if there is more than 1 financial institution for the association, the financial institution nominated by the Management Committee.

4.3 Term of the Management Committee

The term of the Management Committee shall be two years. Management Committee expires on the day of the annual General meeting in every second year. Committee will be formed by following democratic and fair selection process included election if required.

4.4 Roles and Responsibilities of Management Committee Members

The roles and responsibilities of the Management Committee members shall be as follows:

4.4.1 President

(1) shall be the official head and representative of the association.

(2) shall preside over all meetings of the association and exercise general supervision over the affairs of the association.

(3) shall delegate power to Vice-President whenever necessary.

(4) shall accept resignation of office bearers.

(5) shall acknowledge letter of intent to give up membership of the association from the members and propose to the Management Committee for approval.

(6) shall call emergency meetings whenever necessary.

(7) shall cast a vote in case of a tie.

4.4.2 Vice President

(1) shall assume the role of president in his/her absence.

(2) shall be responsible for the tasks delegated by the President.

4.4.3 Secretary

(1) shall be responsible for all official communications of the association.

(2) shall be responsible for calling Management Committee meetings and all other meetings required by the Management Committee in consultation with the President.

(3) shall prepare agenda of the meetings in consultation with the President and notify all office bearers and members seven days prior to such meetings.

(4) shall notify members about the Annual General Meeting in writing (through electronic media) with the agenda at least fourteen days in advance.

(5) shall keep minutes of all meetings and present it to following meetings for an approval.

(6) shall follow up action items resulting from the previous meeting and make sure items are actioned within due dates.

(7) shall liaise with Working Committees (if any) formed by the Management Committee.

(8) shall prepare annual report of the activities of the association and present it to the Annual General Meeting.

(9) shall be responsible for the registration of members in association with the Treasurer.

(10) shall have possession of the books, documents and instruments of title.

4.4.4 Treasurer

(1) shall be responsible for all the financial transactions such as collecting membership fees and subscription of association events, send receipts and make disbursements as approved by the Management Committee.

(2) shall keep records of all financial reports, get them certified as per the Associations Incorporation Act 1981 and Associations Incorporation Regulation 1999 and present in the Annual General Meeting.

(3) shall have custody of the books, records, documents and securities related to financial matters.

(4) shall be responsible for the preparation of a statement of income and expenditure, assets and liabilities, mortgages, charges and securities affecting the property of the association for each financial year, and the presentation of the statement, after audit, to the members.

4.4.5 Assistant Treasurer

(1) shall assume the role of Treasurer in his/her absence.

(2) shall be responsible for the tasks delegated by the Treasurer.

4.4.6 Management Committee Members

(1) Roles and responsibilities of the members shall be determined by the President in consultation with the Management Committee and assigned as per the annual work programme of the association.

(2) The Management Committee members shall provide support to the President, the Secretary and the Treasurer as needed.

4.5 Resignation, Removal or Vacation of Office of Management Committee Member

(1) A member of the Management Committee may resign from the committee by giving written notice of resignation to the Secretary.

(2) The resignation takes effect at

  (a) the time the notice is received by the Secretary; or

  (b) if a later time is stated in the notice - the later time.

(3) A member may be removed from office by a no confidence motion as per Rule 9.

(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 they should not be removed from office.

(5) A member has no right of appeal against the members removal from office under this rule.

(6) A member immediately vacates the office of member in the circumstances mentioned in section 64(2) of the Act.

4.6 Appointment of Advisory Committee

(1) The Management Committee may appoint an Advisory Committee, consisting of members of the association considered appropriate by the committee, to provide guidance and advice to the Management Committee whenever needed.

(2) A member of the Advisory Committee is not entitled to vote at a Management Committee meeting.

5 Meetings

5.1 Management Committee Meeting

(1) The Management Committee shall meet regularly at least once in three months. Management Committee members shall be notified about the meeting by the secretary in writing with the agenda at least seven days in advance.

(2) The Management Committee must decide how a meeting is to be called.

(3) Notice of a meeting is to be given in the way decided by the Management Committee.

(4) The Management Committee may hold meetings or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.

(5) A committee member who participates in the meeting as mentioned in Sub-rule (4) is taken to be present at the meeting.

(6) A question arising at a committee meeting is to be decided by a majority vote of members of the committee present at the meeting and, if the votes are equal, the question is decided in the negative.

(7) The president is to preside as chairperson at a Management Committee meeting.

(8) 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 members may choose 1 of their number to preside as chairperson at the meeting.

5.2 Annual General Meeting

(1) Annual General Meeting (AGM) is the major meeting of QNCC where major decisions are taken. The AGM must be held at least once each year and within 6 months after the end date of the association's reportable financial year.

(2) The following business must be conducted at each AGM of the association:

(a) receiving the association's financial statement, and audit report, for the last reportable financial year;

(b) presenting the financial statement and audit report to the meeting for adoption; and

(c) appointing an auditor or an accountant for the present financial year;

(3) In addition to the items listed in Sub-rule (2), the progress made by the association since the previous AGM, as well as plans and programmes for the coming year, shall be discussed in the AGM. The AGM is also expected to provide guidance to the Management Committee in managing its business.

5.3 Special Meetings

(1) In case of emergency or in exceptional circumstances, President is empowered to call Special General Meetings (SGM) or Special Management Committee Meeting by giving a short notice.

(2) A notice of a special meeting must state:

(a) Reason for calling the special meeting;

(b) the day, time and place of the meeting; and

(c) the business to be conducted at the meeting.

5.4 Notice of General Meeting

(1) The secretary may call a general meeting of the association.

(2) The secretary must give at least 14 days notice of the meeting to each member of the association.

(3) If the secretary is unable or unwilling to call the meeting, the president must call the meeting.

(4) The Management Committee may decide the way in which the notice must be given.

(5) However, notice of the following meetings must be given in writing:

(a) a meeting called to hear and decide the appeal of a person against the Management Committee's decision;

(i) to reject the person's application for membership of the association; or

(ii) to terminate the person's membership of the association;

(b) a meeting called to hear and decide a proposed special resolution of the association.

(6) A notice of a general meeting must state the business to be conducted at the meeting.

5.5 Procedure at General Meeting

(1) A member may take part and vote in a general meeting in person or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.

(2) A member who participates in a meeting as mentioned in Sub-rule (1) is taken to be present at the meeting.

(3) At each general meeting:

(a) the president is to preside as chairperson;

(b) If there is no president, or if the president is not present within 15 minutes after the scheduled start time of the meeting, or is unwilling to act, the members present must elect one of their number to be the chairperson of the meeting; and

(c) the chairperson must conduct the meeting in a proper and orderly way.

(4) At a general meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the members present. A special resolution must be passed by at least 3/4 of the members who are present and entitled to vote on it.

(5) Each member present and eligible to vote is entitled to 1 vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote.

(6) The method of voting is to be decided by the Management Committee.

5.6 Meeting Quorum

5.6.1 Annual General Meeting/Special General Meeting

(1) A general meeting warrants at least the number of members elected or appointed to the Management Committee at the close of the associations' last AGM when the election was held plus one to form quorum for the meeting.

(2) However, if all the members of the association are members of the Management Committee, the quorum is the total number of members less one.

(3) If the required quorum is not met, the general meeting is cancelled and the second meeting is called within one month.

5.6.2 Management Committee Meeting

For Management Committee meetings to proceed, a simple majority shall be needed to form the quorum. Any decisions taken in the meetings without a valid quorum shall be regarded as null and void.

5.7 Meeting Minutes

(1) The Secretary shall be responsible for preparation of minutes of all meetings in an electronic format. The minutes of the AGM shall be circulated to all members.

(2) The minutes of Management Committee Meetings shall be distributed to the Management Committee Members. The minutes of the Management Committee meetings shall be available to members upon request to the Secretary.

5.8 Verification of Minutes

5.8.1 Annual General Meeting/Special General Meeting

(1) The Secretary shall send the draft minutes to the Chairperson of the meeting for the purpose of verification of the accuracy of the recordings.

(2) Once the Chairperson of the meeting has verified the accuracy of the recordings, the minutes shall be deemed as final.

5.8.2 Management Committee Meetings

(1) The Secretary shall send the draft minutes to the Chairperson of the meeting for the purpose of verification of the accuracy of the recordings.

(2) Once the Chairperson of the meeting has verified the accuracy of the recordings, the minutes shall be presented for the endorsement in the next MC meeting.

6 QNCC's Activities and Functions

Any activities and functions which are solely or partially aimed to achieve the objectives of QNCC as stated in 2.4 shall be defined as the activities and functions of QNCC. Management Committee has right and responsibility to define, plan, implement and reflect any action as QNCC's activity and function.

6.1 Delivery of programmes

The Management Committee shall be responsible for the delivery of QNCC programmes. Management Committee can form various programme specific committees and sub-committees as required to deliver the programme. The appointment of these committees and sub-committees, including the number of members, their specific tasks, and mode of operation, shall be decided by the MC.

6.2 Duration of Programmes

The Management Committee has right and responsibility to define the duration of programme if they are of short term in nature. The long-term programmes, which run over several years shall be endorsed by the AGM.

7 Finances

7.1 Funds and Accounts

(1) The funds of the association must be kept in an account in the name of the association 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 association.

(3) All amounts must be deposited in the financial institution account as soon as practicable after receipt.

(4) A payment by the association of $100 or more must be made by cheque or electronic funds transfer.

(5) If a payment of $100 or more is made by cheque, the cheque must be signed by any 2 of the following:

  (a) the President;

  (b) the Secretary;

  (c) the Treasurer;

  (d) any other member of the Management Committee who have been authorized by the Management Committee to sign cheques issued by the association.

(6) However, 1 of the persons who signs the cheque must be the President, the Secretary or the Treasurer.

(7) Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed not negotiable.

(8) 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.

(9) All expenditure must be approved or ratified at a Management Committee meeting.

7.2 General Financial Matters

(1) On behalf of the Management Committee, the Treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared.

(2) The Management Committee shall obtain an audit report of the association's accounts each financial year and present the audit report to members of the association at the Annual General Meeting.

(3) The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.

7.3 Documents

The Management Committee must ensure the safe custody of books, documents, instruments of title and securities of the association.

7.4 Financial Year

The financial year of the association shall start from 1st of July of the year and end on 30th of June of the following year.

7.5 Fees, Subscription and Donation

All financial members of the QNCC shall be required to pay a membership fee. QNCC Management Committee is also entitled to receive donations to support its programmes.

7.5.1 Payment of Membership Fee

All financial members of the association shall pay a membership fee, which shall be determined by the constitution and can be amended by the Management Committee. Members shall have facility to deposit instalment of membership fee but will have right and responsibility of the type of member only after the final deposit is made and evidence is presented to the Management Committee.

7.5.2 Fee for Programmes

The Management Committee shall have authority to determine and collect community programme/function fees as required for each programme besides membership fees.

7.5.3 Donation from the Members

Any individual or a family can voluntarily donate any amount of money to QNCC. The donation from the association's life members as well as the non-members will be duly acknowledged as per the association's operational policy passed by the AGM.

7.5.4 Programme Sponsorship

Any individual or entity or organization can provide sponsorship support to the events organized by the association, irrespective of their membership status.

7.6 Audit Report

The Management Committee shall obtain an audit report of the association's accounts each financial year and present the audit report to members of the association at the Annual General Meeting.

8 Election

8.1 Election of Management Committee

~~The members of the Management Committee shall be elected at the annual general meeting or any general meeting of the association in accordance with its rules.~~

(1) The members of the Management Committee shall be elected at an Annual General Meeting or at a Special General Meeting of the Association, in accordance with these Rules.

(2) The Management Committee shall constitute an Election Committee to conduct a free and fair election of the Management Committee.

(3) The Management Committee shall prepare Management Committee Election Guidelines. The Guidelines shall come into effect upon their adoption by an Annual General Meeting of the Association. The election shall be conducted in accordance with the adopted Guidelines.

8.2 Eligibility to Contest Election

(1) Subject to clause 8.2(2), all Life Members of the Association shall be eligible to contest election to any position on the Management Committee.

(2) A Life Member may contest election to the position of President or Secretary only where the member has served, in any capacity, on the incumbent Management Committee or on the Management Committee immediately preceding it.

(3) The Management Committee Election Guidelines may prescribe further eligibility requirements for candidates contesting election to the Management Committee. The Guidelines may waive any such requirements in special circumstances, including where no nomination or an insufficient number of nominations is received for a position.

8.3 ~~8.2~~ Filling of Management Committee Vacant Positions

(1) Any vacant position in the Management Committee occurred due to resignation or any other reasons shall be filled by the Management Committee by inviting Expression of Interest (EOI) from the QNCC members.

(2) If the Management Committee receives more than one EOI for one position, selection shall be decided by voting from the Management Committee members.

(3) The term of office of such filled positions shall be same as that of the incumbent Management Committee.

8.4 ~~8.3~~ Interim Charge of Vacant Position

Failing to receive any EOI from the QNCC members, one of the Management Committee members shall take the charge of the vacant position for the remaining term of the office.

9 Vote of No Confidence and Appeal Process

9.1 Submission in Writing

Any motions for a vote of no confidence against any office bearer on the ground of misconduct, misuse, breach of authority or any action, which is considered to be detrimental to QNCC's operation, shall be submitted in writing to the Secretary.

9.2 Secretary in Breach

In case the Secretary is in breach, the motion shall be submitted to the President.

9.3 Registration of Motion

The Management Committee shall register the motion for the vote of no confidence to the members for consideration in the specially convened meeting if the motion has been signed by at least 25% of the association's financial members.

9.4 Approval by Two-third Majority

Approval by two-third majority of the members present at the meeting shall be required to pass any motions for a vote of no confidence.

9.5 Opportunity for Presenting the Case

The member of the Management Committee, against whom a vote of no confidence has been passed, shall be given a full and fair opportunity of presenting his or her case to the AGM or SGM.

10 Alteration of Rules

(1) Subject to the Act, these rules may be amended, repealed or added to by a 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.

11 Resolution of Inconsistencies

Inconsistent provisions or clauses of QNCC Succession Plan, policy documents and guidelines shall be inoperative if they conflict with the QNCC Constitution. In such case, the provisions of the QNCC constitution shall be prevailed.

12 Common Seal

12.1 General

The Management Committee must ensure the association has a common seal.

12.2 Custodian of Seal

The common seal must be:

(1) kept securely by the Management Committee; and

(2) used only under the authority of the Management Committee.

12.3 Use of Common Seal

The common seal shall be used by the authority of the Management Committee and every instrument to which the seal is affixed shall be signed by a member of the Management Committee and counter signed by the Secretary or by a second member of the Management Committee or by another person authorized by the Management Committee for the purpose.

13 Formal Correspondences

All formal correspondences shall be in the official letterhead with QNCC's common seal or through emails.

14 Dissolution

14.1 Dissolution by Special Resolution Only

The association shall be dissolved as per section 89 of the association Incorporation Act 1981 by passing a special resolution of the members.

14.2 Distribution of Surplus Assets to Another Entity

(1) The section applies only if the association:

   (a) is wound-up under Part 10 of the association Incorporation Act 1981; and

   (b) has surplus assets.

(2) The surplus assets shall not be distributed among the members of the association.

(3) The assets shall be given to another entity having:

   (a) objectives similar to the association's objectives; and

   (b) the rules 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 association Incorporation Act.

14.3 Cease to Function

After dissolution, the Management Committee shall cease to function. Any decision or representation by the member or office bearer of the dissolved Management Committee shall be null and void.