

Community Radio 2XX Incorporated



Constitution (Objects and Rules)

(Agreed at Special General Meeting, 21 Oct 2023)

Objects of Community Radio 2XX Inc.
1. To apply for and to hold a community broadcasting licence and any other telecommunications licences in order to promote and foster the educational, recreational, social and cultural interests of the community of Canberra and surrounding regions and of the community of the association by the provision of radio broadcasts and related activities.
2. To operate the 2XX community broadcasting station and maintain, furnish and equip audio studios and production facilities of broadcast standard for use by the community.
3. To operate the association as a not for profit community radio broadcasting institution and to promote participation by the Canberra communities, including multicultural communities, in the creation and maintenance of an alternative and innovative radio broadcasting service to encourage, enable and facilitate communication within the community by operating and developing community media activities serving the community of Canberra and surrounding regions and, in particular: <ul style="list-style-type: none">a. to enable and facilitate communication within the community by broadcasting programs dealing with local, national and international issues, events, culture and activities;b. to promote the work of Australian musicians and performers, including multicultural and Indigenous musicians and performers, and regularly play throughout the day new material and music of upcoming Australian bands and performers or those not recorded or distributed by major record companies and, to this end, provide broadcasting facilities to encourage Australian musical and artistic talent;c. to meet the minimum Australian content provisions outlined in the Community Broadcasting Codes of Practice; andd. to provide the opportunity for community groups and related associations, organisations and individuals to be involved in the production and presentation of original programs, including:<ul style="list-style-type: none">i. Music, particularly by local and other Australian artists;ii. Community and current affairs;iii. Arts;iv. Education;v. Multicultural/community language programs; andvi. Indigenous affairs and culture.
Rules of Community Radio 2XX Inc.
PART I - PRELIMINARY
1. DEFINITIONS
(1) In this constitution: <ul style="list-style-type: none">financial year means the period beginning on 1 July in each year and ending on the 30 June next following;special general meeting means a general meeting of the association other than an annual general meeting;station manager means the person appointed to manage the community broadcasting station referred to in Object 2.station premises means the premises of the radio station operated by Community Radio 2XX Inc.the Act means the <i>Associations Incorporation Act 1991</i> (ACT) or any successor Act should this Act be repealed;the Regulation means the <i>Associations Incorporation Regulation 2023</i> (ACT) or any successor Regulation should this Regulation be repealed.
(2) In these rules: <ul style="list-style-type: none">(a) a reference to a function includes a reference to a power, authority and duty; and(b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

PART 2 - MEMBERSHIP

2. MEMBERSHIP QUALIFICATIONS

A person is qualified to be a member of the association if:

- (a) they are a current subscriber to the station; and
- (b) they have:
 - (i) applied for membership of the association as provided by rule 3; and
 - (ii) been approved for membership of the association by the board of the association.

3. APPLICATION FOR MEMBERSHIP

(1) An application for membership of the association:

- (a) can be made by anyone who has been a subscriber to the station for at least the previous 12 months, noting that all members of the community are eligible to become subscribers; and
- (b) shall be made by the applicant in writing in the form set out in Appendix 1 to these rules; and
- (c) shall be signed by the applicant; and
- (d) shall be signed by one member of the association; and
- (e) shall be lodged with the public officer of the association.

(2) As soon as practicable after receiving an application for membership, the public officer shall refer the application to the board which shall determine whether to approve or reject the application. An application may only be rejected if:

- (a) there are reasonable grounds to believe that the applicant would not abide by the rules and objectives of the association; or
- (b) required by law; or
- (c) there are reasonable grounds to believe that the applicant would not abide by the Community Broadcasting Codes of Practice; or
- (d) there are reasonable grounds to believe that the applicant would pose a security risk to the members or premises of the association.

(3) Where the board resolves:

- (a) to approve an application for membership, the public officer shall, as soon as practicable after that resolution, notify the applicant of that approval and request the applicant to pay within the period of 28 days after receipt by the applicant of the notification the sum payable under these rules by a member as the membership fee.
- (b) to reject an application for membership, the applicant shall have the right of reply and appeal under rules 12 and 13. Where the applicant exercises the right of reply the resolution of the board is of no effect unless the board, at a meeting held not earlier than 14 days and not later than 28 days after the service on the applicant of a notice under rule 12(1), confirms the resolution in accordance with this rule.

(4) The public officer shall:

- (a) on payment by the applicant of the amount referred to in rules 3(3) and 8(1) within the period referred to in that rule; or
- (b) upon resolution of the board to reject an application being overturned on reply or appeal and payment of the required membership fee by the applicant, enter the applicant's name in the register of members and, on the name being so entered, the applicant becomes a member of the association.

4. CESSATION OF MEMBERSHIP

A person ceases to be a member of the association if the person:

- (a) dies; or
- (b) resigns membership; or
- (c) is expelled from the association; or
- (d) does not renew membership within five months of its expiry, or by the following annual general meeting, whichever is earlier.

5. MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE
A right, privilege or obligation which a person has by reason of being a member of the association: (a) is not capable of being transferred or transmitted to another person; and (b) terminates on cessation of the person's membership.
6. RESIGNATION OF MEMBERSHIP
(1) A member of the association is not entitled to resign that membership except in accordance with this rule.
(2) A member of the association may resign at any time by providing written notice to the public officer, and the resignation takes effect immediately.
(3) No portion of the membership fee paid by a member who resigns is refundable.
(4) If a member of the association ceases to be a member under rule 6(2), and in every other case where a member ceases to hold membership, the public officer must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.
7. REGISTER OF MEMBERS
(1) The register of members must be kept at the principal place of administration of the association and must be open for inspection, free of charge, by any member of the association at any reasonable hour.
(2) If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.
(3) A member must not use information about a person obtained from the register to contact or send material to the person, other than for: (a) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the association or other material relating to the association, or (b) any other purpose necessary to comply with a requirement of the Act or the Regulation.
(4) If the register of members is kept in electronic form: (a) it must be convertible into hard copy; and (b) the requirements in rules 7(2) and 7(3) apply as if a reference to the register of members is a reference to a current hard copy of the register of members.
8. FEES AND SUBSCRIPTIONS
(1) A member of the association must pay to the association an annual membership fee of \$5.00 or, if some other amount is determined by the board, that other amount: (a) except as provided by paragraph (b), before 1 July in each calendar year; or (b) if the member becomes a member on or after 1 July in any calendar year - on becoming a member and before 1 July in each succeeding calendar year.
(2) All memberships expire on 30 June each year, regardless of when the member joined or renewed. However, a renewal for the following financial year can be made before 30 June.
9. MEMBERS' LIABILITIES
The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount, if any, unpaid by the member in respect of membership of the association as required by rule 8.
10. RESOLUTION OF INTERNAL DISPUTES
Disputes between members (in their capacity as members) of the association, and disputes between members and the association, are to be handled according to the constitution and the association's policies as published on the 2XX website.

11. DISCIPLINING OF MEMBERS

(1) A complaint may be made by any member of the association that some other member of the association:
(a) has persistently refused or neglected to comply with a provision or provisions of these rules; or
(b) has persistently and wilfully acted in a manner prejudicial to the interests of the association.

(2) On receiving such a complaint, the board:
(a) must cause notice of the complaint to be served on the member concerned; and
(b) must give the member at least 14 days from the time the notice is served within which to make submissions to the board in connection with the complaint; and
(c) must take into consideration any submissions made by the member in connection with the complaint.

(3) The board may, by resolution, expel the member from the association or suspend the member from membership of the association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved.

(4) No portion of the membership fee paid by a member who is expelled is refundable.

12. RIGHT OF REPLY OF REJECTED APPLICANT OR DISCIPLINED MEMBER

(1) Where the board passes a resolution under rules 3(3)(b) or 11(3), the public officer shall, as soon as practicable, cause a notice in writing to be served on the applicant or member subject of the resolution:
(a) setting out the resolution of the board and the grounds on which it is based;
(b) stating that the applicant or member subject of the resolution may address the board at a meeting to be held not earlier than 14 days and not later than 28 days after the service of the notice;
(c) stating the date, place and time of that meeting; and
(d) informing the applicant or member subject of the resolution that they may do either or both of the following:
(i) attend and speak at that meeting;
(ii) submit to the board at or prior to the date of that meeting written representations relating to the resolution.

(2) At a meeting of the board held as referred to in rule 12(1) the board shall:
(a) give the applicant or member subject of the resolution an opportunity to make oral representations; and
(b) give due consideration to any written representations submitted to the board by the applicant or member subject of the resolution at or prior to the meeting; and
(c) by resolution determine whether to confirm or to revoke the resolution.

(3) Where the board confirms a resolution under rule 12(2), the public officer shall, within seven days after that confirmation, by notice in writing inform the applicant or member subject of the resolution of the reasons for the confirmation and of the right of appeal under rule 13.

(4) A resolution confirmed by the board does not take effect:
(a) until the expiration of the period within which the applicant or member subject of the resolution is entitled to appeal against the resolution where the applicant or member subject of the resolution does not exercise the right of appeal within that period; or
(b) where within that period the applicant or member subject of the resolution exercises the right of appeal, unless and until the association confirms the resolution under rule 13(4), whichever is the later.

13. RIGHT OF APPEAL OF REJECTED APPLICANT OR DISCIPLINED MEMBER

(1) A rejected applicant or member may appeal to the association at a general meeting against a resolution of the board under rule 11, within seven days after notice of the resolution is served on the rejected applicant or member, by lodging with the public officer a notice to that effect.

(2) The notice may, but need not, be accompanied by a statement of the grounds on which the rejected applicant or member intends to rely for the purposes of the appeal.

(3) On receipt of a notice from a rejected applicant or member under rule 13(1), the public officer must notify the board which is to convene a general meeting of the association to be held within 28 days after the date on which the public officer received the notice.

<p>(4) At a general meeting of the association convened under rule 13(3):</p> <ul style="list-style-type: none"> (a) no business other than the question of the appeal is to be transacted; and (b) the board and the rejected applicant or member must be given the opportunity to state their respective cases orally or in writing, or both; and (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
<p>(5) If at the general meeting the association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.</p>
<p>PART III - THE BOARD</p>
<p>14. POWERS OF THE BOARD</p>
<p>(1) The affairs of the association shall be managed by the association in general meeting which shall have final authority with respect to all affairs of the association but which may delegate to the board at such times as the association is not in general meeting the power to manage and control all the affairs of the association.</p>
<p>(2) Subject to the Act, the Regulation and these rules and to any resolution passed by the association in general meeting, the board:</p> <ul style="list-style-type: none"> (a) is to control and manage the affairs of the association; and (b) may exercise all such functions as may be exercised by the association, other than those functions that are required by these rules to be exercised by a general meeting of members of the association; and (c) has power to perform all such acts and do all such things as appear to the board to be necessary or desirable for the proper management of the affairs of the association.
<p>15. CONSTITUTION AND MEMBERSHIP</p>
<p>(1) The board shall consist of 14 persons, comprised of:</p> <ul style="list-style-type: none"> (a) Eight members' representatives who shall be elected from among the membership of the association according to rule 16; and (b) Six institutional nominees, each of whom (on behalf of the nominating body) shall individually represent one of the following areas of interest: <ul style="list-style-type: none"> (i) Arts (ii) Education (iii) Multicultural (iv) Indigenous (v) Workers' interests (vi) Welfare and social services.
<p>(2) The board shall determine which organisation is invited to be the nominating body representing each area of interest.</p>
<p>(3) The office-bearers of the association shall be elected by the newly-elected board from among its members at its first meeting after the annual general meeting and are to be:</p> <ul style="list-style-type: none"> (a) the president; (b) the vice-president; (c) the treasurer; and (d) the secretary.
<p>(4) Each member of the board is, subject to these rules, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.</p>
<p>16. ELECTION OF MEMBERS' REPRESENTATIVES</p>
<p>(1) Nominations of candidates for election as or as members' representatives on the board:</p> <ul style="list-style-type: none"> (a) must be made in writing, signed by two members of the association and accompanied by the written consent of the candidate (who must be a member of the association) on the form of the nomination (Appendix 2); and (b) must be received by the public officer of the association at least seven days before the date fixed for the holding of the annual general meeting at which the election is to take place.
<p>(2) The public officer shall, at least five days prior to the annual general meeting, notify in writing the president of the association of the names of the candidates.</p>

(3) If insufficient nominations are received to fill all vacancies on the board, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
(4) If insufficient further nominations are received, any vacant positions remaining on the board are taken to be casual vacancies.
(5) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
(6) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
(7) The ballot for the election of members of the board is to be conducted at the annual general meeting in such usual and proper manner as the board must direct.
17. APPOINTMENT OF INSTITUTIONAL NOMINEES
(1) Each institutional nominee for the areas of interest listed at rule 15(1)(b)(i to vi): (a) must be the duly appointed nominee of the respective nominating body; and (b) can be nominated for a period of up to three years. An institutional nominee can serve longer than three years, but must be re-endorsed by the nominating body.
(2) Nominations for institutional nominees must be received by the public officer in writing by a person authorised in that behalf by the respective nominating bodies, following the format at Appendix 3.
(3) Each nominating body is entitled to nominate only one person for appointment to the board.
(4) A nominating body can recall or replace its nomination at which point the person is no longer a member of the board.
(5) The board has the right to reject a nomination or to expel an institutional nominee from the board.
18. SECRETARY
(1) It is the duty of the secretary to keep minutes of: (a) all appointments of office-bearers and members of the board; (b) the names of members of the board present at a board meeting or a general meeting; and (c) all proceedings at board meetings and general meetings.
(2) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.
19. TREASURER
It is the duty of the treasurer of the association to ensure: (a) that all money due to the association is collected and received and that all payments authorised by the association are made; and (b) that correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association.
20. CASUAL VACANCIES
(1) In the event of a casual vacancy occurring for a members' representative in the membership of the board, the board may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the annual general meeting next following the date of the appointment.
(2) If at any time a position on the board for an institutional nominee becomes vacant, the nominating body, as determined according to rule 15(2), shall be invited to nominate a person to fill the vacancy. An institutional nominee so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting up to three years following the date of their appointment.

<p>(3) For the purpose of these rules, a casual vacancy in the office of a member of the board occurs if the member:</p> <ul style="list-style-type: none"> (a) dies; or (b) ceases to be a member of the association (if the board member is a members' representative); or (c) becomes an insolvent under administration within the meaning of the Corporations Law; or (d) resigns office by notice in writing given to the public officer; or (e) is removed from office under rule 21; or (f) becomes a mentally incapacitated person; or (g) is absent without the consent of the board from all meetings of the board held during a period of six months.
<p>(4) Any position for a members' representative that is left unfilled at the AGM shall be regarded as a casual vacancy.</p>
<p>21. REMOVAL OF BOARD MEMBER</p>
<p>(1) The association in general meeting may by resolution remove any member of the board from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.</p>
<p>(2) If a member of the board to whom a proposed resolution referred to in rule 21(1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the association, the secretary or the president may send a copy of the representations to each member of the association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.</p>
<p>22. MEETINGS AND QUORUM</p>
<p>(1) The board must meet at least six times in each period of 12 months at such place and time as determined by the board.</p>
<p>(2) Additional meetings of the board may be convened by the president or by any member of the board.</p>
<p>(3) Oral or written notice of a meeting of the board must be given by the secretary to each member of the board at least three days (or such other period as unanimously agreed by the members of the board) before the time appointed for the holding of the meeting.</p>
<p>(4) Notice of a meeting given under rule 22(3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the board members present at the meeting unanimously agree to treat as urgent business.</p>
<p>(5) Any two-thirds (⅔) of the membership of the board constitutes a quorum for the transaction of the business of a meeting of the board.</p>
<p>(6) No business is to be transacted by the board unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.</p>
<p>(7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.</p>
<p>(8) At a meeting of the board:</p> <ul style="list-style-type: none"> (a) the president or, in the president's absence, the vice-president is to preside; or (b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the board as may be chosen by the members present at the meeting is to preside.
<p>23. USE OF TECHNOLOGY AT BOARD MEETINGS</p>
<p>(1) A board meeting may be held at two or more venues using any technology approved by the board that gives each of the board's members a reasonable opportunity to participate.</p>
<p>(2) A board member who participates in a board meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.</p>
<p>24. DELEGATION BY BOARD TO SUB-COMMITTEE</p>
<p>(1) The board may at any time appoint a sub-committee of the board and determine its powers and functions.</p>
<p>(2) The board may co-opt as members of a sub-committee such persons as it determines, whether or not those persons are members of the association, but a person so co-opted is not entitled to vote.</p>
<p>(3) Three appointed members of a sub-committee constitute a quorum at a meeting of the sub-committee.</p>

(4) The chairperson of any sub-committee appointed under these rules is responsible for calling meetings of that sub-committee.
(5) Written notice of each sub-committee meeting shall be served on each member of the sub-committee by delivering it to them at a reasonable time before the meeting or by e-mailing or sending by other electronic communication or by phoning or by sending the notice by post in a pre-paid letter addressed to them at their usual or last known postal address in time to reach them in due course of post before the date of the meeting.
(6) The board may at any time alter the membership of a sub-committee or disband it.
(7) The president, the vice-president, the treasurer, and the secretary constitute an executive board, which may issue instructions to the public officer and the employees of the association in matters of urgency connected with the management of the affairs of the association during the intervals between meetings of the board, and where any such instructions are issued shall report thereon to the next meeting of the board.
25. VOTING AND DECISIONS
(1) Questions arising at a meeting of the board or of any sub-committee appointed by the board are to be determined by a majority of the votes of members of the board or sub-committee present and voting at the meeting.
(2) Each member present at a meeting of the board or of any sub-committee appointed by the board (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
(3) Subject to rule 22(5), the board may act despite any vacancy on the board.
(4) Any act or thing done or suffered, or purporting to have been done or suffered, by the board or by a sub-committee appointed by the board, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the board or sub-committee.
PART IV - GENERAL MEETINGS
26. ANNUAL GENERAL MEETINGS - HOLDING OF
The association must, at least once in each calendar year and within the period of five months after the expiration of each financial year of the association, convene an annual general meeting of its members.
27. ANNUAL GENERAL MEETING - CALLING OF AND BUSINESS AT
(1) The annual general meeting of the association is, subject to the Act and to rule 26, to be convened on such date and at such place and time as the board determines.
(2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following: <ul style="list-style-type: none"> (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting; (b) to receive from the board reports on the activities of the association during the last preceding financial year; (c) to elect members of the board; (d) to receive and consider a statement which is not misleading and which gives a true and fair view of the following: <ul style="list-style-type: none"> (i) the income and expenditure of the association during its last financial year; (ii) the assets and liabilities of the association at the end of its last financial year; and (iii) the mortgages, charges and other securities of any description affecting any of the property of the association at the end of its last financial year.
(3) An annual general meeting must be specified as such in the notice convening it.
28. SPECIAL GENERAL MEETINGS - CALLING OF
(1) The board may convene a special general meeting of the association whenever it considers appropriate.
(2) The board must, on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of the association.

<p>(3) A requisition of members for a special general meeting:</p> <ul style="list-style-type: none"> (a) must state the purpose or purposes of the meeting; and (b) must be signed by the members making the requisition; and (c) must be lodged with the public officer; and (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
<p>(4) If the board fails to convene a special general meeting to be held within one month after that date on which a requisition of members for the meeting is lodged with the public officer, any one or more of the members who made the requisition may convene a special general meeting to be held not later than three months after that date.</p>
<p>(5) A special general meeting convened by a member or members as referred to in rule 28(4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the board and any member who consequently incurs expense is entitled to be reimbursed by the association for any expense so incurred.</p>
<p>29. NOTICE</p>
<p>(1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the public officer must, at least 14 days before the date fixed for the holding of the general meeting, cause to be sent by e-mail or other electronic communication or pre-paid post to each member at the member's e-mail, electronic communication or postal address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting. Copies of the notice must also be placed prominently throughout the station premises, and posted on the station's website.</p>
<p>(2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the public officer must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner provided in rule 29(1) specifying, in addition to the matter required under rule 29(1), the intention to propose the resolution as a special resolution.</p>
<p>(3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under rule 27(2).</p>
<p>(4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the public officer who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.</p>
<p>30. PROCEDURE</p>
<p>(1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.</p>
<p>(2) Twenty members or 30 per cent (whichever is the lower number) of members attending (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.</p>
<p>(3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:</p> <ul style="list-style-type: none"> (a) if convened on the requisition of members, is to be dissolved; and (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
<p>(4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) is to constitute a quorum.</p>
<p>31. PRESIDING MEMBER</p>
<p>(1) The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the association.</p>
<p>(2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.</p>

32. ADJOURNMENT
(1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
(2) If a general meeting is adjourned for 14 days or more, the public officer must give written notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
(3) Except as provided in rules 32(1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.
33. MAKING OF DECISIONS
(1) A question arising at a general meeting of the association is to be determined on a show of hands and, unless before or on the declaration of the show of hands a poll or secret ballot is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
(2) At a general meeting of the association, a poll or secret ballot (to be undertaken in such a manner as the person presiding at the meeting may determine) may be demanded by the chairperson or by any member present in person or by proxy at the meeting.
(3) If a poll is demanded at a general meeting, the poll must be taken: <ul style="list-style-type: none"> (a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; (b) or in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.
34. SPECIAL RESOLUTION
A resolution of the association is a special resolution if it is passed by a majority which comprises at least three-quarters ($\frac{3}{4}$) of such members of the association as, being entitled under these rules so to do, vote in person or by proxy at a general meeting of which at least 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules.
35. VOTING
(1) On any question arising at a general meeting of the association a member has one vote only.
(2) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
(3) A member or proxy is not entitled to vote at any general meeting of the association unless all money due and payable by the member or proxy to the association has been paid.
(4) No member may hold more than two proxies.
36. APPOINTMENT OF PROXIES
(1) Each member is to be entitled to appoint another member as proxy by notice given to the public officer no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
(2) The notice appointing the proxy is to be in the form set out in Appendix 4 to these rules.
PART V MISCELLANEOUS
37. FUNDS - SOURCE
(1) The funds of the association are to be derived from membership fees, donations and, subject to any resolution passed by the association in general meeting, such other sources as the board determines.
(2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank account.
(3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt.

38. FUNDS - MANAGEMENT
(1) Subject to any resolution passed by the association in general meeting, the funds of the association are to be used in pursuance of the objects of the association in such manner as the board determines.
(2) All payments, drafts, bills of exchange, promissory notes and other negotiable instruments must be either approved by or signed by any two members of the board or employees of the association, being members or employees authorised to do so by the board.
39. ALTERATION OF OBJECTS AND RULES
(1) The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the association.
(2) Minor changes (e.g. station logo, change of address or phone number, form layout, etc) may be made to the forms included at the appendices without approval from the membership, provided no change to the intent of the forms is made.
40. CUSTODY OF BOOKS
Except as otherwise provided by these rules, the secretary must keep in their custody or under their control all records, books and other documents relating to the association.
41. INSPECTION OF BOOKS
The records, books and other documents of the association must be open to inspection, free of charge, by a member of the association at any reasonable hour.
42. SERVICE OF NOTICES
(1) For the purpose of these rules, a notice may be served by or on behalf of the association on any member either personally or by sending it by e-mail, or other electronic communication or pre-paid post to the member at the member's e-mail, electronic communication or postal address shown in the register of members.
(2) If a document is sent to a person by properly e-mailing, or sending by electronic communication, or addressing, pre-paying and posting to the person a letter containing the document, the document is, unless the contrary is proved, taken for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.
43. WINDING UP
The association shall be wound up if a special resolution to that effect is carried by a vote of a three-quarter majority of the members present at a general meeting convened to consider the resolution.
44. DISTRIBUTION OF SURPLUS ASSETS
If the association is to be wound up, and there remains surplus assets after satisfaction of all its debts and liabilities, the same shall not be paid to or distributed among the members or the association, but shall be transferred to an institution having objects similar to the objects of the association. A suitable institution will be determined by the members of the association.
45. COMMON SEAL
(1) The seal of the association shall be in the form of a rubber stamp, inscribed with the name of the association encircling the word "Seal".
(2) The seal of the association shall not be affixed to any instrument except by the authority of the board and the affixing thereof shall be attested by the signatures either of two members of the board or of one member of the board and of the public officer of the association or such other person as the board may appoint for that purpose, and that attestation is sufficient for all purposes that the seal was affixed by authority of the board.
(3) The seal shall remain in the custody of the secretary or, with the agreement of the board, the station manager.

APPENDIX 1: APPLICATION FOR MEMBERSHIP OF COMMUNITY RADIO 2XX INC.
(Rule 3(1))

Community Radio 2XX Inc
Suite 3.08 Griffin Centre
20 Genge Street
CANBERRA ACT 2600
(02) 6248 9779



Association Membership Application Form

**** Please print clearly ****

Surname:	
First name:	
Postal address:	Street/PO Box _____ Town/Suburb _____ State _____ Postcode _____
E-mail:	

I _____ hereby apply to be admitted as a member of COMMUNITY RADIO 2XX INCORPORATED. I agree to be bound by the rules of the association and to pay all fees required by the rules.

Signature:	
Date of application:	

Note: Membership applications must be signed by one member of the association (rule 3(1)(d)).

Member Name:	
Member Signature:	
Date:	

The annual membership fee is \$5.00 (incl. GST) and is payable by 1 July each year.

ASSOCIATION USE ONLY

Is a subscriber to the station and has been one for at least the previous 12 months **(Rule 2(a))** _____ Y / N

Application signed by applicant **(Rule 3(1)(b))**: _____ Y / N

Application signed by one member of the association **(Rule 3(1)(c))**: _____ Y / N

Payment taken by (staff):

Date: _____

Receipt no: _____

Application provided to public officer:

Date: _____

Application forwarded to board by public officer:

Date: _____

Application accepted by the board:

Y / N

Date: _____

Public officer advised by secretary of board's decision:

Date: _____

Applicant advised by public officer:

Date: _____

APPENDIX 2: MEMBERS' REPRESENTATIVES TO THE BOARD OF COMMUNITY RADIO 2XX INC.-
 NOMINATION FORM
 (Rule 16(1))

Community Radio 2XX Inc
 Suite 3.08 Griffin Centre
 20 Genge Street
 CANBERRA ACT 2600
 (02) 6248 9779



**Board Nomination Form -
 Members' Representative**

**** Please print clearly ****

Surname:	
First name:	
Postal address:	Street/PO Box _____ Town/Suburb _____ State _____ Postcode _____
E-mail:	
Signature:	
Date:	

Note: *Prospective appointees (candidates) to be members' representatives to the board must be members of the association.*

Name of proposer:	
Signature:	
Date:	

Name of seconder:	
Signature:	
Date:	

Note: *Both the proposer and seconder must be members of the association.*

As per rule 16(1)(b), nominations must be received by the public officer no later than seven days prior to the Annual General Meeting. For the 20xx AGM, the due date and time is x:00PM xxxday day month year.

PUBLIC OFFICER USE ONLY

Nomination received: _____ Candidate is a member of the association: Yes No Proposer is a member of the association: Yes No Seconder is a member of the association: Yes No Nomination valid: Yes No	Date: _____	Signed _____ Name (public officer): _____ Date: _____
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**APPENDIX 3: INSTITUTIONAL NOMINEES TO THE BOARD OF COMMUNITY RADIO 2XX INC.-
FORMAT OF NOMINATION
(Rule 17(2))**

**Community Radio 2XX Inc
Suite 3.08 Griffin Centre
20 Genge Street
CANBERRA ACT 2600
(02) 6248 9779**



Community Radio 2XX Inc. invites nominating organisation of the following sectors to join the board to represent the specific area of interest:

- (i) Arts
- (ii) Education
- (iii) Multicultural
- (iv) Indigenous
- (v) Workers' interests
- (vi) Welfare and social services.

The process for nominating an institutional representative is outlined at rule 17.

In its letter to the public officer, a nominating organisation must endorse its nominee to the board using the following format:

"**A** nominates **B** to represent **C** until **D**".

Where:

- A** = the nominating organisation;
- B** = the name of the nominee;
- C** = the sector specified at rule 15(1)(b)(i) to (vi); and
- D** = the period for which the person is nominated.

APPENDIX 4: FORMAT OF APPOINTMENT OF PROXY
(Rule 36(2))

Community Radio 2XX Inc
Suite 3.08 Griffin Centre
20 Genge Street
CANBERRA ACT 2600
(02) 6248 9779



I, _____
(full name)

of _____
(address)

being a member of Community Radio 2XX Inc.

hereby appoint

(full name of proxy)

of _____ (address)

who is a member of Community Radio 2XX Inc, as my proxy to vote for me on my behalf at the annual/special general meeting of the association to be held on the _____ day of _____ and at any adjournment of that meeting.

Signature of member appointing proxy _____

Date _____