

RULES
AND
REGULATIONS
of the
SADDLEWORTH
WAR MEMORIAL
COMMUNITY CENTRE
(Incorporated)

CONSTITUTION

1. The person who at the time of passing hereof are enrolled as members, and those who thereafter shall be enrolled as members pursuant to these rules and regulations shall form an association with the name of "SADDLEWORTH WAR MEMORIAL COMMUNITY CENTRE INCORPORATED" and shall be governed by these rules and regulations.

OBJECTS.

2. The objects of the association are :-

(a) To establish and maintain a public fund for providing money for the construction and maintenance of all or any of the projects hereafter mentioned, as a comprehensive public memorial to those residents of the township and district of Saddleworth, who served in war which commenced on 3rd September 1939, and to that end to set up the association as a public authority in the township of Saddleworth for the purpose of establishing, as a war memorial, a community centre in the said township and of thereby advancing the interests of the township and district and residents thereof; and for establishing or controlling trusts for the residents of the township and district and for promoting projects which are calculated to improve the educational (mental moral and physical) standards of the residents of the township and district and in particular (but without limiting the generality of the foregoing) to establish or control such charitable or public educational or benevolent projects as a Baby Health Centre, Kindergarten, Sports Group, Playground, Swimming Pool, Club Rooms (for Children and/or Adults), Gymnasium Rooms, Library, Social Halls, Picture Theatre, Literary and Debating Society or any other like or useful purpose consistent with the attainment of the general object herein before declared.

(b) To promote a community spirit in the said township and district, by carrying out the said objects; and to develop a spirit of service for the good of the community.

(c) To make any of the said projects available to residents of the township and district and to members of the public.

(d) To co-operate with any organisation which has objects similar to the objects of the association and to arrange with any such organisations to establish manage or control in the township and district any project which it is thought that such organisation may be specially fitted to establish manage or control.

(e) To organize musical functions and to encourage, by organising tutorial classes and/or competitions or in such way as may be thought best, music, art, science or literature.

(f) To raise money and create funds for any purposes of the Association, by subscription or otherwise howsoever, and to use such money or funds for carrying out any of the aforesaid objects or for carrying out any public charitable purpose (the word "Charitable" being used in its widest sense.)

(g) To acquire and hold any property (real or personal) for the furtherance of any of the said objects.

(h) To make rules and regulations for the proper conduct of the Association or for the control of the use of the Association property and to regulate the behaviour of the persons using the same and the conditions on which they can be used and for fixing the charges (if any) to be paid by any person desiring to avail himself of any of the projects of the Association; but, it is hereby declared that charges so fixed (if any) shall be fair and reasonable and shall not be designed for the purposes of making profits, but rather to provide the necessary fund to enable the Association the better to carry out its objects by recouping itself wholly or in part for the expense of conducting the said projects.

(i) To do all such other things as are incidental or conducive to the attainment of the said objects or any of them or any thing which may conduce to the welfare of the community.

THE COMMITTEE OF MANAGEMENT.

3. The management of the Association shall be vested in the Committee of Management (hereinafter referred to as "the Committee".) The Committee may do on behalf of the Association all such things as could be done by the Association in general meeting.

4. The Committee shall consist of nine members of the Association, plus the President, two Vice Presidents, Secretary, and Treasurer, who shall be ex-officio members of the Committee. The first members of the Committee shall be George Alfred Crawford (President), Morris William Bannear (Vice President), Peter Francis Jack Cornwell (Vice President), Albert Edward Bannear (Secretary), Frederick John Barrow (Treasurer), Richard Laurence Bagshaw, Harold Cecil Collins, Joseph Thomas Huppatz, Frank Frederick James Kingham, Lewis Lochy Manning, Peter Lancelot Marrett, Leslie George Drummond Palmer, Edwin Paul Pleuckhahn and Colin Gordon Wurst.

5. Any retiring member of the Committee may be re-elected.

6. The Committee may delegate any of its powers to a Sub-committee consisting of such members of the Committee as it may think fit and the Committee may make rules for regulating the conduct of such Sub-committee and for pre-regulating the conduct of such Sub-committee and for prescribing the powers to be exercised by such Sub-committee and for requiring such Sub-committee to report on its activities to the Committee. In addition the Association may appoint an Adelaide Representative who

shall have and enjoy such powers as the Committee may from time to time define. The Adelaide Representative shall be entitled to attend any Committee Meetings but shall not exercise any vote thereat.

7. Any casual vacancy occurring on the committee by death, retirement, cessation of membership , or incapacity of a member shall be filled by the Committee which may appoint any person who is a member of the Association to fill such vacancy, ceasing to be a member, or becoming incapacitated would have held office had he remained a member of the Committee.

8. The first member of the Committee shall all retire at the annual general meeting of the members of the Association to be held between the months of March and June (both inclusive) in the year 1947. Nominations shall be called by the Chairman of the meeting for candidates to fill the vacancies, and the vacancies shall thereupon be filled by vote of the members personally present at such meeting. At the next annual meeting of the Association three members of the Committee and all ex-officio officers of the Committee shall retire. Thereafter, at every subsequent annual meeting all ex-officio officers of the Committee and those three members of the Committee shall retire who have been longest in office without election. Where there are more than three members eligible for retirement under the provision of this rule the ones to retire shall be determined by lot. Retiring members shall in all cases be eligible for re-election. Voting for members of the Committee shall be by ballot. In no case shall voting by post or proxy be allowed. No mistake or informality in the appointment of any members of the Committee shall invalidate any action or decision of the Committee unless it be proved that the appointment was made in bad faith.

POWERS AND DUTIES OF COMMITTEE OF MANAGEMENT.

9. The Committee shall be charged with the duty and power of advancing and carrying out all the objects of the Association and shall have the care, control, management and conduct of all the property and affairs of the Association, and may enter into agreement, contracts and arrangements in relation thereto. The Committee shall keep open to the residents in the Saddleworth Ward of the District Council of Saddleworth, at reasonable times to be fixed by the Committee, and subject to such rules or regulations as may be in force in relation thereto, all the property and amenities of the Association except as hereinafter mentioned provided that the Committee or any members thereof or the Secretary, may, and if directed by the Committee shall compulsorily expel or arrange for the expulsion of any person who shall be guilty of immoral or improper conduct on any of the property owned or controlled by the Association, or who shall be guilty of any such conduct at any fixture or function arranged or conducted by or on behalf of the Association. Any person guilty of such conduct may be

expelled from the use of the Association's property, fixtures or functions by the Committee for a fixed time or indefinitely, and during the period of expulsion shall have no rights to use any of the Association property or to avail himself of any of the projects of or amenities provided by the Association. If in the opinion of the Committee it is necessary or desirable to lock up any portion of the Association property or buildings thereon or any of the equipment, then in such cases the Committee shall be entitled to lock up the same and to take all steps necessary to prevent the public from having access thereto.

10. The President shall preside at all meetings of the Committee and shall have a deliberative as well as a casting vote. Such President shall, whilst holding office, preside at all meetings of the Committee and at all meetings of the members of the Association, including the meetings at which he retires from office, and as President of any general meeting he shall have a deliberative and casting vote. In the event of the President being absent from any meeting of the Committee or any meeting of the members of the Association, a Vice President shall preside and shall have and exercise all the powers which the President could have exercised had he been present. In the event of the President and all Vice Presidents being absent, a chairman shall be elected from the members of the Committee, and he shall have and exercise all the powers which the President could have exercised had he been present.

11. The Committee shall meet from time to time upon the days arranged for them and whenever summoned by the Secretary. At all meetings of the Committee nine shall be a quorum, and all matters shall be decided by a majority of votes of members present.

12. The Committee may do all such things as appear to it to be expedient to protect the property of the Association, and to improve and keep the same in repair, and to promote the objects of the Association and incidentally thereto to enter into all necessary or desirable contracts; and the Committee may fix a scale of charges for the use of the Association property or for enjoyment of the amenities of the Association.

SECRETARY.

13. The duties of the Secretary shall, inter alia, be to keep books of accounts and records of the Association, summon meetings of the Committee, attend such meetings, and record proceedings.

14. The Committee may appoint additional officers as deemed necessary.

15. The Committee shall fix the remuneration of the Secretary. The Committee may remunerate any other officer as they deem necessary.

16. All moneys received by the Association by way of subscriptions or donations or from any source shall be administered as a public fund for the objects set out in paragraph 2 (a) hereof and all money at any time in the hands of the Secretary, Committee, or its officers, shall be paid into an

account of the Association with some Bank in the town of Saddleworth, and shall not be drawn upon except by cheque to be signed by one member of the Committee and countersigned by the Treasurer. But the Committee may authorise the Secretary to retain a specified sum to meet petty expenses.

COMMON SEAL.

17. The Common Seal of the Association shall not be affixed to any Deed or instrument without a resolution of the Committee to that effect. All instruments requiring execution or authentication of the Association shall be sealed with the common seal and countersigned by one of the seal holders and the secretary.

MEMBERS.

18. Any adult person residing in the Saddleworth Ward of the District Council of Saddleworth may as of right become a member of the "Saddleworth War Memorial Community Centre Incorporated" upon making application for membership in the form prescribed by the Committee. In addition, the Committee may admit to membership any minor who is a resident in the said Area, or any other person outside the said Area, who may desire to become a member, if in the opinion of the Committee, such minor or non-resident is a person who is likely to assist in the carrying out of the objects of the Association. No fee shall be charged for admission to membership.

19. The names of all members shall be enrolled in a book to be kept for that purpose by the Committee, and no person shall be entitled to any privilege by virtue of membership unless he has been enrolled. The roll of members may be inspected by any members of the Association at any reasonable time. No person under the age of 14 years shall be a member of the Association, But any person over that age may be elected by the Committee under the provision herein before contained, and all members shall be eligible for office.

20. For the purpose of determining the right of membership the Committee shall be the sole arbiter of whether a person is "residing" in the Saddleworth Ward of the District Council of Saddleworth, and in making any such decision they shall not be bound to hear any evidence in support of any application. The members of the Committee shall use their own knowledge of the district and the applicant for the purpose of arriving at a determination and shall decide the question, as a fact, without regard to technical meanings or implications of the word "residing."

21. Any member who dies, becomes of unsound mind, or who in the opinion of the Committee is an undesirable person to be a member of the Association may be removed from the roll of members should the Committee by resolution think it desirable in the interests of the Association. The Committee may pass such a resolution even in the case of a person

who has a right, in accordance with the preceding rules, to become a member, but it is intended that the power of removal shall be exercised only in extreme cases such as in the case of a person of known bad character or one who has been convicted of some serious offence, or who has been guilty of immoral or improper conduct on the Association property or at any fixture or function arranged or conducted by the Association or who has been guilty of some conduct directly inimical to the interests of the Association. The Committee may pass a resolution in accordance with this rule without giving notice to the person concerned or without making any charge against him or giving him any opportunity of being heard, and in no case shall the Committee be obliged to assign any reason for so resolving.

22. Any member may resign from the Association and the Committee may remove the name of any member from the roll of members if such member shall have ceased to reside in the Saddleworth Ward of the District Council of Saddleworth.

MEETING OF MEMBERS.

23. The members of the Association shall meet annually at Saddleworth at such time as fixed by the Committee between the months of March and June (both inclusive) in each and every year and may meet more often as circumstances require. The first annual general meeting of members shall be held in the year 1947. Notice of the annual meeting shall set out the business to be transacted and the names of the retiring members of the Committee.

24. At the annual general meeting a report and balance sheet shall be laid before the members by the Committee, and the members shall proceed to the election of a President, two Vice Presidents, Secretary, Treasurer, and a Committee, and any other business of which notice has been given as hereinafter provided.

25. At an meeting 17 members present shall be a quorum. If no quorum is present within half an hour of the time fixed for the meeting the same shall stand adjourned to that day week at the same hour and place, and if no quorum is then present within the same time the meeting shall stand adjourned in like manner for one further week, and if there shall be no quorum then present the meeting shall be conducted by the members then present.

At all meetings of the members each member personally present shall be entitled to one vote. No vote by post or proxy shall be accepted.

26. Other meeting of members shall be held whenever the Committee so determines or whenever 17 or more members shall give to the Secretary for the time being notice in writing requiring such meeting and setting out the objects thereof. If within 7 days after receiving such requisition the Secretary shall not convene such meeting the members requisitioning the

same may summons the meeting.

27. Seven clear days notice shall be given to members in the manner hereinafter provided of all meetings to be held.

28. Any member desiring to bring forward any proposition or motion at any meeting of members of the Association shall give written notice thereof to the Secretary at least 14 clear days prior to such meeting at which he may wish his proposition considered and the Secretary shall embody such proposition in the notice convening the meeting.

NOTICE.

29. Any notice required by these rules and regulations to be given to members may be given by notice in such way as the Committee may from time to time determine and the Committee shall not be required to give notice to the members individually. They may give notice by directing the posting of notices in prominent place in the town of Saddleworth.

AUDITORS.

30. There shall be two Auditors of the Association who shall be members of the Association and who shall be elected annually at the meeting of members.

31. The Auditors shall not later than seven days before the annual general meeting of members in each year, complete their audit and report upon all the accounts and books of the Association, and shall, at any other time, if and when required by the Committee, audit and report upon any such account and books.

SPECIAL RESOLUTION.

32. A special resolution means a resolution which has been submitted to a meeting of members, of which seven days notice has been given to the members in writing, stating the intention to submit the said resolution and setting out the particulars thereof and which resolution has been carried at a meeting of members by a majority of the members present in person.

SEAL HOLDERS.

33. There shall be three seal holders. The seal-holders of the Association may, but need not, be members of the Committee of Management. The first seal-holders shall be George Alfred Crawford of Saddleworth, Morris William Bannear of Saddleworth and Colin James Crawford of Saddleworth. Such seal-holders shall hold office until their office is terminated by a resolution of the Committee which shall have power to appoint any other persons to act as seal-holders. The seal-holders on the production of a minute of a resolution of the Committee shall comply therewith and affix the seal of the Association to any document which may be necessary for carrying out the same.

PLACE WHERE ASSOCIATION ESTABLISHED.

34. The Association shall be deemed to be established at Saddleworth and its office shall be situated at such place in Saddleworth as the Committee shall appoint.

PAYMENT OF EXPENSES.

35. All expenses of and incidental to maintaining and carrying on the Association, and all rent payable in respect of any of the buildings thereof, and the cost of repairs and insurance and all other current outgoings shall be paid out of the funds of the Association.

INVESTMENT.

36. All monies at any time standing to the credit of the general account, which are not required for the time being, for current expenses, for the carrying out immediately the objects of the Association, shall be invested by the Committee in the purchase of such securities as they in their absolute and uncontrollable discretion shall think fit and any such investments from time to time held by the Committee may be sold and the proceeds thereof used for the carrying out of the objects of the Association. No member of the Committee shall be liable for any loss occasioned through the investment of such moneys; and no member of the Committee nor any employee of the Association shall be responsible for any loss occasioned through neglect or error of judgement or for any reason other than the wilful default or fraud of such member of the Committee or employee.

ARRANGEMENT WITH OTHER BODIES.

37. The Committee shall have the power at any time to make any arrangement with any other organisation which is equipped with special facilities for carrying out any of the objects of the Association; and the Committee, may in particular, co-operate with such organisations for the purpose of procuring such organisations to operate in Saddleworth so as to provide any of the amenities mentioned in the objects of this Association.

38. The Committee may delegate to any individuals or body the actual conduct of any of the amenities provided or arranged for by the Committee. The individuals or body to whom or which such delegation is granted need not be members of the Committee or even of the Association. It is hereby declared to be within the spirit and intent of the rules that the Committee should exercise its power of delegation in respect of particular phases of the Association's activities, particularly to youths and girls so that they may become imbued with the community spirit and, under general direction of the Committee, undergo training in conduct of the affairs of the Association, and acquire experience and knowledge in the public affairs of the township. The Committee may define the powers and duties of any persons or bodies to whom they delegate and shall require such persons or bodies to submit periodical reports. No delegation of power shall in any way operate so as to deprive the committee of its powers of control of the Association's affairs.

FUNDS AND PROPERTY.

39. No member of the Association shall be entitled under any circumstances whatever to any share of any income profits revenue assets or funds

of the Association and it is hereby declared that all the assets and funds of the Association shall be regarded as being held in trust for the objects herein-before set forth. In the event of the Association being wound up or discontinued the whole of the assets and funds after paying all debts shall be transferred to some other public authority association or organisation or local governing body, approved by a majority of the members of this Association at a general meeting, which has similar objects to this Association or which is capable of undertaking and is willing to undertake to carry out the objects of this Association or substantially similar objects for the welfare of the community at Saddleworth.

ALTERATION OF RULES;

40. These rules and regulations or any of them (except rule 39) may be repealed or amended or added to at any time by a special resolution.

Adopted 1st day of May in the year 1946.

G. A. CRAWFORD,
President Saddleworth War Memorial Community Centre.

