

**Australia Chinese Association for  
Biomedical Sciences  
(ACABS)**

**CONSTITUTION AND RULES**

**Drafted 1 July 2004**

**RATIFIED 4 July 2004**

# Australia Chinese Association for Biomedical Sciences (ACABS)

## CONSTITUTION AND RULES

### *PART 1 – PRELIMINARY*

#### 1. Definitions and Interpretation

(1) In these rules, unless a contrary intention appears-

“ Association “ means Australia Chinese Association for Biomedical Sciences (ACABS, Melbourne).

“financial year” means the year ending on 30 June;

“member” means a member, however described, of the Association;

“the Committee” in relation to the Association means the Executive Committee.

“president” means the person chairing the Committee under these rules as President of the Association;

“the Act” means the Associations Incorporation Act 1981 and Associations Incorporation Regulations 1998;

“the Regulations” means the Associations Incorporation Regulations.

“Constitution” means the Constitution and Rules and includes the Rules of the Association;

(2) In this Constitution-

(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, where the function is a power, authority or duty, a reference to the exercise of the power or authority or the performance of the duty.

(3) The provisions of the Interpretation Act 1967 apply to and in respect of these rules in the same manner as those provisions would so apply if this Constitution were an instrument made under the Act.

## *PART 2 - NAME, AND OBJECTS OF ASSOCIATION*

### 2. Name

(1) The name of the Association shall be known as

“Australia Chinese Association for Biomedical Sciences (ACABS)”; translated in Chinese as below; and after herein referred to as the “Association”; and in short: “ACABS”

**Ao4 Da4 Li4 Ya4 Hua2 Ren2 Sheng1 Wu4 Yi1 Xue2 Ke1 Xue2 Xie1 Hui4**

(2) The Association is a non-political and non-religious organization.

### 3. Objects

The objects for which the Association is established are: 1. 2. 3. 4.

To foster friendship and collaboration, and to strengthen the communications among Australian Chinese scholars;

To advocate and carry out exchange and collaboration between Australia and China in biomedical science, technology, education and training, and clinical services;

To encourage contributions to the advancement of science and technology;

To promote friendship and cooperation with other national and international societies/organizations.

### 4. Powers

(1) Solely for the purpose of carrying out the objects of the Association and not otherwise, the Association shall have the following powers:

(a) to admit to membership of the Association upon such terms and with such privileges as may be prescribed by the Rules of Association for the time being in force;

(b) to accept and raise monies for the purpose of the Association;

(c) to use the monies of the Association or any portion thereof for the purpose of carrying out the objects of the Association;

(d) to cause to be paid from the monies of the Association all expenses of and incidental to the affairs of the Association;

- (e) to adopt such means of making known the agreed activities conducted under the name of the Association;
- (f) as far as the law will permit and subject to the provisions of any relevant statute to appoint, employ, remove or suspend such persons as may be necessary or convenient for the purposes of the Association;
- (g) to do such other acts matters and things and to enter into and make such agreements as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association;
- (h) to authorise any persons nominated on its behalf of the Association to undertake and execute any trusts the undertaking whereof may be necessary or desirable for the carrying out of any of the objects of the Association;
- (i) in furtherance of the objects of the Association with a view to encouraging further amalgamation or affiliation; to enter into any other arrangement with any association whether incorporated or not having objects similar in whole or part to those of the Association.

## *PART 3 - MEMBERSHIP*

### 5. Membership Qualifications

(1) Membership of the Association shall consist of:

- (a) Individual members;
- (b) Corporate Members.

(2) A person is qualified to be a member if-

- (a) the person is a person referred to in paragraph 21 (2) (a) or (b) of the Act and has not ceased to be a member of the Association at any time after incorporation of the Association under the Act; or
- (b) the person-
  - (i) has been nominated for membership in accordance with subrule 6(1); and
  - (ii) has been approved for membership of the Association by the committee of the Association.

(3) Individual membership

**Individual membership** shall be open to individuals who have obtained a minimum qualification of Bachelor's degree in any biological, medical or life sciences, or who have worked in any related fields of biological, medical or life sciences, and share the common interests and objectives as the Association.

(a) the individual -

- (i) has been nominated for membership in accordance with subrule 6 (1); and

(ii) has been approved for membership of the Association by the committee of the Association.

(4) Corporate Membership

(a) **Corporate membership** shall be open to interested organisations that empathise with the objects of the Association; and the organisation –

(i) has been nominated for membership in accordance with subrule 6 (1); and

(ii) has been approved for Corporate membership of the Association by the committee of the Association.

(b) Delegate to the Corporate membership of the Association shall be represented by –

(i) the nominated representative of the organisation; and

(ii) shall not have voting rights or be eligible to hold any office.

## 6. Nomination for Membership

(1) Nomination for membership of the Association:

(a) shall be in writing and made on such Membership Application form as determined by the Association, from time to time; and submitted according to such procedures as the Committee of the Association may prescribe from time to time;

(b) The nomination for membership shall be formally sponsored by an existing member of the Association, or by the applicant him or her self;

(c) shall be lodged in writing with the President or the Member of the executive responsible for membership of the Association.

(2) As soon as is practicable after receiving a nomination for membership, the nomination shall determine whether to approve or to reject the nomination within 5 working days.

(3) Where the committee determines to approve a nomination for membership, notification to the nominee of that approval shall be advised as soon as practicable and the nominee is requested to pay within 28 days after receipt of the notification the sum payable under these rules by a member as the entrance fee and the first year's annual subscription.

(4) On payment by the nominee of the amounts referred to in subrule 6 (3) within the period referred to in that subrule, the nominee's name shall be entered in the register of members and, upon the name being so entered, the nominee shall become a member of the Association.

## 7. 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 upon cessation of the person's membership.

## 8. Cessation of Membership

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

- (a) dies or, in the case of a body corporate, is wound up;
- (b) resigns from membership of the Association;
- (c) is expelled from the association; or
- (d) fails to renew membership of the Association.

## 9. Resignation and Removal of Membership

- (1) A member is not entitled to resign from membership of the Association except in accordance with this rule.
- (2) A member who has paid all amounts payable by the member to the Association may resign from membership of the association by first giving notice (being not less than 1 month or, if the committee has determined a shorter period, that shorter period) in writing to the President of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.
- (3) Where a person ceases to be a member, the President shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

## 10. Fees and Register of Members

- (1) The annual membership fee of the Association is \$60 for an individual member with income salary, \$30 for an individual member with scholarship or living stipend or having retired, or \$200 for a corporate member, or if any other amount has been determined by resolution of the Committee, such other amount.
- (2) The annual membership fee is payable -
  - (a) except as provided by paragraph (b), before 15 July in each calendar year, or

- (b) where a member organization becomes a member on or after 15 July in any calendar year, before 15 July in each succeeding calendar year.
- (3) A person ceasing to be a member of the Association for any reason whatsoever shall not be entitled to the refund of their membership fee or any portion thereof.
- (4) The Association shall keep and maintain a Register of its Members, and shall enter any prescribed particulars in the Register, at least the following particulars into the Register:
  - (a) The name of member
  - (b) Address, being an address, notified by the member as an address at which the member will receive written communications from the Association.
  - (c) Contact number, being a number at which the member may be contacted at a reasonable hour.
  - (d) Membership Number, being the membership number allocated by the Association to the member concerned.
- (5) The President or the elected Member of the Executive Committee responsible for membership of the Association shall be responsible for the entries in the Register; and for the maintenance, possession and safekeeping of the Register.

## 11. Member's Liabilities

The liability of a member 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 10.

## 12. Disciplining of Members

- (1) Where the Committee is of the opinion that a member-
  - (a) has persistently refused or neglected to comply with a provision of these rules or any other agreed rules of the Association; or
  - (b) has persistently and willfully acted in a manner prejudicial to the interests of the Association; or
  - (c) has been involved in conduct, derogatory to or contrary to the interests of the Association;

the Committee may , by resolution -

- (i) expel the member from the Association; or

(ii) suspend the member from such rights and privileges of membership of the Association as the Committee may determine for a specified period.

(2) A resolution of the Committee under subrule (1) is of no effect unless the Committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under subrule (3) below, confirms the resolution in accordance with this rule.

(3) Where the Committee passes a resolution under subrule (1), the President shall, as soon as practicable, cause a notice in writing to the address or addresses of the member as it appears in the Register of Members:

(a) setting out the resolution of the Committee and the grounds on which it is based;

(b) stating that the member may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;

(c) stating the date, place and time of that meeting; and

(d) informing the member that the member may do either or both of the following:

(i) attend and speak at that meeting;

(ii) submit to the Committee at or prior to the date of that meeting written representations relating to the resolution.

No party shall be represented by Counsel and / or a Solicitor at any such hearing.

(4) Subject to Section 50 of the Act, at a meeting of the Committee mentioned in subrule (3), the Committee shall:

(a) give to the member mentioned in subrule (1) an opportunity to make oral representations;

(b) give due consideration to any written representations submitted to the Committee by

that member at or prior to the meeting; and

(c) by resolution determine whether to confirm or to revoke the resolution of the Committee made under subrule (1).

(5) Where the Committee confirms a resolution under subrule (4), the President shall, within 7 days after that confirmation, by notice in writing, inform the member of that confirmation, and of the member's right of appeal under rule 13.

(6) A resolution confirmed by the Committee under subrule (4) does not take effect-

- (a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
- (b) where within that period the member exercises the right of appeal, unless and until the Association confirms the resolution in accordance with subrule 13 (4).

### 13. Right of Appeal of Disciplined Member

- (1) A member may appeal to the Association in a special general meeting against a resolution of the Committee which is confirmed under subrule 12.4, within 7 days after notice of the resolution is served on the member, by lodging with the President a notice to that effect.
- (2) Upon receipt of a notice under subrule (1), the President shall notify the Committee which shall convene a special general meeting of the Association to be held within 21 days after the date on which the President received the notice or as soon as possible after that date.
- (3) Subject to section 50 of the Act, at the special general meeting of the Association convened under subrule (2)-
  - (a) no business other than the question of the appeal shall be transacted;
  - (b) the Committee and the member shall be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
  - (c) the members present shall vote by secret ballot on the question of whether the resolution made under subrule 12 (4) should be confirmed or revoked.
- (4) If the meeting passes a special resolution in favour of the confirmation of the resolution made under subrule 12.4, that resolution is confirmed.

## *PART 4 - THE COMMITTEE*

### 14. Powers of the Executive Committee

The Committee, subject to the Act, the Regulations, this Constitution and rules, any resolution passed by the Association in general meeting, and the objects and powers of the Association:

- (1) shall control and manage the affairs of the Association;
- (2) has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Association.

- (3) 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 the Association in general meeting; and
- (4) remove a member from the membership of the Committee for any conduct that is in conflict with the rules and regulations of the Associations.
- (5) appoint such person or persons as the Committee thinks fit to act as advisors to the Committee the exercise of such of the functions of the Committee conducive to the furtherance of the objects of the Association.
- (6) shall have the power to make, vary, repeal or alter from time to time the by-laws of the Association as it may deem appropriate for the proper conduct, control and management of the Association and its affairs PROVIDED ALWAYS that no rules made shall be inconsistent with the provision of this Constitution and Rules of the Association.

## 15. Constitution and Membership of The Committee

- (1) The committee shall consist of-
  - (a) the office-bearers of the Association; and
  - (b) 1 to 30 ordinary committee members; each of whom shall be elected pursuant to rule 16 or appointed in accordance with subrule (4) by the President.
- (2) The office-bearers of the Association shall be-
  - (a) the President;
  - (b) the Vice-Presidents;
  - (c) the Membership/Treasurer; and
  - (d) other Membership holders.
- (3) Each member of the committee shall, subject to these rules, hold office until the conclusion of the second annual general meeting following the date of the member's election, but is eligible for re- election.
- (4) In the event of a vacancy in the membership of the committee, the committee may appoint a member of the Association to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment.

## 16. Election of Committee Members

- (1) Nominations of candidates for election as office-bearers of the Association or as committee members-
  - (a) shall be made in writing, signed by at least one member of the Association and
  - (b) accompanied by the written consent of the candidate (which may be endorsed on the nomination form); and

- (c) shall be delivered to the President of the Association not less than 7 days before the date fixed for the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the committee shall be deemed to be vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- (6) The ballot for the election of office-bearers and ordinary committee members shall be conducted at the annual general meeting in such manner as the committee may direct.
- (7) A person is not eligible to simultaneously hold more than 1 position on the committee.
- (8) All committee members must be members of the Association, however, a committee may from time to time request the attendance of advisors or non members at committee meetings and those persons are entitled to speak, but not vote, at those committee meetings.

## 17. President

- (1) The President of the Association shall, as soon as practicable after being appointed as President, notify the Association of his or her address or best contacts.
- (2) The President shall keep minutes of-
  - (a) all elections and appointments of office-bearers and ordinary committee members;
  - (b) the names of members of the committee present at a committee meeting or a general meeting; and
  - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting shall be signed by the person presiding at the meeting or by the person presiding at the next succeeding meeting.
- (4) Presidency will be elected annually and should not exceed 2 terms

## 18. Membership/Treasurer

- (1) The treasurer of the Association shall-
- (a) collect and receive all moneys due to the Association and make all payments authorised by the Association; and
  - (b) keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.

## 19. Vacancies

- (1) For the purposes of these rules, a vacancy in the office of a member of the committee occurs if the member-
- (a) dies;
  - (b) ceases to be a member of the Association;
  - (c) resigns the office;
  - (d) is removed from office pursuant to rule 20
  - (e) becomes an insolvent under administration within the meaning of the Corporations Law;
  - (f) suffers from mental or physical incapacity;
  - (g) is disqualified from office under subsection 63(1) of the Act; or
  - (h) is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.

## 20. Removal of Committee Members

The Association in general meeting may by resolution, subject to section 50 of the Act, remove any member of the committee from the office of member of the committee before the expiration of the member's term of office. The President reserves right for best performance and best roles to be played by Committee members to suggest changes or reappointments of positions of subcommittees.

## 21. Committee Meetings

- (1) The committee shall meet at least 2 times in each calendar year at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by any Executive Member of the Committee.
- (3) Oral or written notice of a meeting of the committee shall be given by the President to each Member of the Committee at least 48 hours (or such other period as may be unanimously agreed upon by the Members of the Committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under subrule (3) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be

transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.

(5) At meetings of the committee-

(a) the president or in the absence of the president, the vice-president shall preside; or

(b) if the president and the vice-president are absent, 1 of the remaining members of the committee may be chosen by the members present to preside.

## 22. Delegation by Committee to sub-Committee

(1) The committee or the President on behalf of the Committee may, by instrument in writing, delegate to 1 or more sub-committees (consisting of such member or members of the Association as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than-

(a) this power of delegation; and

(b) a function which is a function imposed on the committee by the Act, by any other law of the Territory, or by resolution of the Association in general meeting.

(2) A function, the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.

(3) A delegation under this rule may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.

(4) Notwithstanding any delegation under this rule, the committee may continue to exercise any function delegated.

(5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the committee.

(6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.

(7) A sub-committee may meet and adjourn as it thinks proper.

## 23. Voting and Decisions

(1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee shall be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.

(2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to 1 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 subrule 21 (5), the committee may act notwithstanding any vacancy on the committee.

(4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

## ***PART 5 – GENERAL MEETING***

### **24. Annual General Meetings - Holding of**

(1) With the exception of the first annual general meeting of the Association, the Association shall, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the Association, convene an annual general meeting of its members.

(2) The Association shall hold its first annual general meeting-

(a) within the period of 18 months after its incorporation under the Act; and

(b) within the period of 6 months after the expiration of the first financial year of the Association.

(3) Subrules (1) and (2) have effect subject to the powers of the Registrar-General under section 120 of the Act in relation to extensions of time.

### **25. Annual General Meetings – Calling of and Business at**

(1) The annual general meeting of the Association shall, subject to the Act, be convened on such date and at such place and time as the committee thinks fit.

(2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be-

(a) to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;

(b) to receive from the committee reports on the activities of the Association during the last preceding financial year;

(c) to elect members of the committee, including office-bearers when necessary; and

(d) to receive and consider the statement of accounts and the reports that are required to be submitted to members pursuant to subsection 73(1) of the Act.

(3) An annual general meeting shall be specified as such in the notice convening it in accordance with rule 27.

(4) An annual general meeting shall be conducted in accordance with the provisions of this Part.

### **26. General Meetings – Calling of**

(1) The committee may, whenever it thinks fit, convene a general meeting of the Association.

(2) The committee shall, on the requisition in writing of not less than 20 per cent of the total number of members, convene a general meeting of the Association.

(3) A requisition of members for a general meeting-

(a) shall state the purpose or purposes of the meeting;

(b) shall be signed by the members making the requisition;

(c) shall be lodged with the President; and

(d) may consist of several documents in a similar form, each signed by 1 or more of the members making the requisition.

(4) If the committee fails to convene a general meeting within 1 month after the date on which a requisition of members for the meeting is lodged with the

President, any 1 or more of the members who made the requisition may convene a general meeting to be held not later than 3 months after that date.

(5) A general meeting convened by a member or members referred to in subrule (4) shall be convened as nearly as is practicable in the same manner as general meetings are convened by the committee and any member who thereby incurs expense is entitled to be reimbursed by the Association for any reasonable expense so incurred.

## 27. Notice

(1) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the President shall, at least 14 days before the date fixed for the holding of the general meeting, cause to be sent by pre-paid post to each member at the member's 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.

(2) Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the President shall, 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 subrule (1) intention to propose the resolution as a special resolution.

(3) No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted pursuant to subrule 25 (2).

(4) A member desiring to bring any business before a general meeting may give notice in writing or email of that business to the President who shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.

## 28. General Meetings - Procedure and Quorum

(1) No item of business shall 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.

(2) 15 members present in person (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.

(3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved.

(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 not less than 3) shall constitute a quorum.

## 29. Presiding Member

(1) The president, or in the absence of the president, the vice-president, shall preside at each general meeting of the Association.

(2) If the president and the vice-president are absent from a general meeting, the members present shall elect 1 of their number to preside at the meeting.

## 30. Adjournment

(1) The person presiding at 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 shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

(2) Where a general meeting is adjourned for 14 days or more, the President shall give written or oral 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 subrules (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.

## 31. Making of Decisions

(1) A question arising at a general meeting of the Association shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the person presiding 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 may be demanded by the person presiding or by not less than 3 members present in person or by proxy at the meeting.

(3) Where the poll is demanded at a general meeting, the poll shall be taken-

(a) immediately in the case of a poll which relates to the election of the person to preside at the meeting or to the question of an adjournment; or

(b) in any other case, in such manner and at such time before the close of the meeting as the person presiding directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

### 32. Voting

(1) Subject to subrule (3), upon any question arising at a general meeting of the Association a member has 1 vote only.

(2) All votes shall be given personally or by proxy but no member may hold more than 5 proxies.

(3) In the case of an equality of votes on a question at a general meeting, the person presiding is entitled to exercise a second or casting vote.

(4) Only a member is entitled to vote at a general meeting of the Society.

(5) 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, other than the amount of the annual subscription payable in respect of the then current year.

### 33. Appointment of Proxies

(1) Each member shall be entitled to appoint another member as proxy by notice given to the President no later than 48 hours before the time of the meeting in respect of which the proxy is appointed.

(2) The notice appointing the proxy shall be in the form set out in Appendix 2 to this Constitution.

## *PART 6 - MISCELLANEOUS*

### 35. Funds - Source

(1) The funds of the Association shall be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the Association in general meeting and subject to section 114 of the Act, such other sources as the committee determines.

(2) All money received by the Association shall be deposited as soon as practicable and without deduction to the credit of the Association's bank account.

(3) The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

### **35. Funds - Management**

(1) Subject to any resolution passed by the Association in general meeting, the funds of the Association shall be used in pursuance of the objects of the Association in such manner as the committee determines.

(2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by the President and one of the office-bearers such as Vice President or Treasurer.

### **36. Alteration of Objects and Rules**

Neither the objects of the Association referred to in section 29 of the Act nor this Constitution shall be altered except in accordance with the Act.

### **37. Common Seal**

(1) The common seal of the Association shall be kept in the custody of the President.

(2) The common seal shall not be affixed to any instrument except by the authority of the committee and the affixing of the common seal shall be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the President.

### **38. Custody of books**

(1) Subject to the Act, the Regulations and this Constitution and rules, the President of the Association shall keep in their custody or under their control all records, books, and other documents relating to the Association.

(2) Subject to subrule (1), the Treasurer of the Association shall keep in their custody or under their control all books, records and other documents relating to the financial affairs of the Association.

### **39. Inspection of Books**

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

**40. Service of Notice** (1) For the purpose of this Constitution, a notice may be served by or on behalf of the Association upon any member either personally, by sending it by post to the

member at the member's address shown in the register of members, or by email. (2) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purposes of this Constitution to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

**41. Indemnity** (1) The Committee shall be responsible only for the consequences of their own personal willful default or neglect and not for the default or neglect or any other person and shall be indemnified by the Association against all other liability incurred by them in the course of their duties as the members of the Committee and the Association.

**42. Surplus Property** (1) At the first general meeting of the Association, the Association shall pass a special resolution nominating- (a) another association for the purpose of [paragraph 92 \(1\) \(a\) of the Act](#); or (b) a fund, authority or institution for the purpose of [paragraph 92 \(1\) \(b\) of the Act](#), in which it is to vest its surplus property in the event of the dissolution or winding up of the Association. (2) An association nominated under paragraph (1) (a) must fulfill the requirements specified in [subsection 92 \(2\) of the Act](#).

**Australia Chinese Association for Biomedical Sciences (ACABS)**  
**Membership Application Form**

Name	(中文)	Sex		Birthday	
	(外文)	国籍		Position	
Organization					
Address					
Telephone	Home:	Work:		Fax	
E-mail					
Degree and Institution	China				
	Oversea				
Professional Field(s)					
Professional Experience					
Achievements					
Suggestions					