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Lodged in the office of the Commissioner for Consumer Protection on the

08 JAN 2021

CONSTITUTION OF THE ASSOCIATION OF BHUTANESE IN PERTH INCORPORATED (ABPI)

2020

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Acknowledgement of the traditional owners of the land

'In the spirit of reconciliation, the Association of Bhutanese in Perth Incorporated (ABPI) acknowledges the Traditional Custodians of **country** throughout **Australia** and their connections to land, sea and community. We pay our respect to their elder's past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.'

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CHAPTER 1

INTRODUCTION

A. Short title

This is the *Constitution of the Association of Bhutanese in Perth Incorporated (ABPI) 2020.*

B. Association Name

The name of the Association is Association of Bhutanese in Perth Incorporated (ABPI).

C. Terms used

In this constitution:

1. **ABPI** means Association of Bhutanese in Perth Incorporated;
2. **Act** means the Associations Incorporation Act 2015 and its amendments thereto;
3. **AGM** means Annual General Meeting;
4. **Asset** means the properties, materials and any resources owned by the Association;
5. **Association** means ABPI;
6. **Australian National Anthem** is as per Fourth Schedule of this Constitution.
7. **Bhutan National Anthem** is as per Third Schedule of this Constitution.
8. **Board** refers to the ABPI Board of Directors;
9. **Calendar Year** means a period starting from 1 January through 31 December;
10. **Commissioner** refers to the person designated as Commissioner under section 153 of the Associations Incorporation Act 2015 and its amendments thereto;
11. **Community** means all members of ABPI unless specified;
12. **Constitution** means the constitution of ABPI;
13. **Executive committee members** mean the office-bearer of the Association and who under the rules of the Act and this Constitution have the power to manage the affairs of the association.
14. **Financial Year** means a period commencing from 1 July and ending on 30 June in the following year;
15. **Full voting rights** means the right to vote at its general meetings;

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16. **General meeting** refers to either Annual General Meeting or Special General Meeting;

17. **GNH** refers to Gross National Happiness;

18. **Incorporated association** means an association that is, or is taken to be, incorporated under the Associations Incorporation Act;

19. **Institutional history or institutional memory** means the past works and milestone of the ABPI.

20. **Not-for-profit** refers to the membership, purpose and activity of the association and necessarily does not mean that the Association cannot make a profit from its operations;

21. **Officer** means the authorised personnel representing the ABPI executive committee, ABPI Board and other office holders of the Association;

22. **Patron** means a reputed individual who assists the Association to lend credibility and support for affairs of the Association;

23. **Rules** refers to the contracts or agreements, guidelines and regulations that bind the Association and its members;

24. **SGM** means Special General Meeting;

25. **Special Resolution** refers to a special resolution if it is passed by a majority of not less than three-fourth of the members of the ABPI who are entitled under the rules of the association to vote and vote in person at a general meeting of which notice specifying the intention to propose the resolution as a special resolution was given in accordance with those rules;

26. **State** refers to Western Australia.

27. **Youth** means members that fall within the age range 10 years through 24 years of age or as defined under the National Strategy for Young Australians;

28. For the purpose of interpretation, provisions of this Constitution are to be interpreted as *Chapter, Section, and Sub-section.*

29. This Constitution supersedes the Constitution of ABPI 2014 and shall come into effect from……. day of the ……. month of the Year……...

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D. Vision

30. To form a vibrant, strong and happy community bonded by trust, faith and values within and with other communities.

E. Mission

31. ABPI shall work towards achieving its vision by providing a platform for all its members to:
    i. Preserve and promote Bhutanese identity, culture and values in Western Australia;

    ii. Cement community bond in Western Australia through cultural and multicultural relations;

    iii. Liaise and foster relationship with other institutions, organisations, Associations in Australia and in Bhutan;

    iv. Protect, promote and develop interest and welfare of the community and its members; and

    v. Promote safe, fair and exemplary avenue for the young people to make better contribution in Western Australia and in Bhutan.

vi. Power

32. The ABPI under the powers conferred by the Associations Incorporation Act 2015 and its amendments thereto shall have the following powers. The ABPI:
    i. shall have the legal capacity of an incorporated body;

    ii. can organise events for the benefit of its members and the community;

    iii. can charge and collect fees for the events and programmes it organises that shall in turn be used for the welfare of the community;

    iv. can sue and be sued in its capacity as an incorporated Association;

    v. enter into, or form a contract as deemed fit and necessary;

    vi. can open and operate bank accounts wherein at least 2 members of the Association is the authorised signatory;

    vii. may invest its money in accordance with the ABPI Financial Regulations, Trustees Act, and Australian Prudential Regulations Authority;

    viii. shall only exercise its power, and use its assets and income to achieve its vision, mission and objectives and for the benefit of its members;

    ix. shall only exercise its powers as conferred under the Associations Incorporation Act.

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CHAPTER 2

RULES

33. The Rules of the Association form the legal guidelines for ABPI and the members of the ABPI so as in order to form a community driven by passion, strength and healthy growth.

34. This Constitution forms the supreme rule of the ABPI and shall be considered the mother of all rules and regulations pertaining to ABPI and no other rules of ABPI can violate the letter and the spirit of the Constitution.

35. All other rules pertaining to the ABPI must be read in conjunction to this Constitution.

36. Rules shall only have an effect so far as the rules are consistent with this Constitution and the Act.

37. There shall be sufficient, reliable and sensible rules governing the affairs of the ABPI and its members.

38. Rules must be framed in such a manner so as to protect the interest of the members and must be drafted in a free, fair and transparent manner in pursuant to this Constitution.

39. Under no circumstance shall the ABPI frame rules that befits and benefits certain groups or favours certain number of people.

40. Rules must be holistic in such a manner that it shall not promote any hate speech, induce cultural stigmatism, is highly political, or neither should be against any race, religion or culture.

41. Rules must to the extent possible, include the purpose of its requirement, expected benefit to the members, credibility of the sources used, and credibility of the personnel drafting the Rules.

42. In the total absence of the Rules applicable for the ABPI and its members, the model rules under the Associations Incorporation Act shall be applied.

43. In compliance to Section 30 of the Act, rules may only be altered or amended by special resolution through a general meeting but not otherwise.

44. Within one month after the passing of a special resolution altering its rules, or such further time as the Commissioner may in a particular case allow, the ABPI must lodge the required documents with the Commissioner and comply with other clauses as per Division 2 of the Act.

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CHAPTER 3

MEMBERS

A. Members

45. Members are core of the Association and forms an integral part of the sustainability of the ABPI.

46. It is the paramount responsibility of the ABPI to protect the interest of members at all times.

47. It is unlawful to discriminate against a member on the grounds of age or impairment and the membership shall not be framed in such a manner so as to limit participation from certain members in the community who are uneducated, impaired or disabled and as determined under the Disability Discrimination Act 1992.

48. All Bhutanese including other interested individuals studying, living, and working in Western Australia regardless of age, gender, physical ability, and religion have a moral responsibility to support, uplift and strengthen ABPI and therefore qualifies for membership.

49. Members are those who have registered their membership details with ABPI and whose membership is registered in the database and can be accessed during validation. This shall be referred to as evidence of membership.

50. It is your duty to register your membership with the ABPI and a member within 14 days shall receive membership card from the date of joining membership. Registering your membership identifies your existence in Western Australia and makes you legally part of the Association and the membership identity card evidences one's ownership for and with ABPI.

51. Membership fee determines the sustainability of the Association. In order to maintain the sustainability, the ABPI shall collect membership fee from its members in a manner as approved by the Board and as determined under the ABPI financial regulation, and Regulations on ABPI member.

52. The Secretary, on behalf of the ABPI, must comply with Division 5, Section 53 of the Act by keeping and maintaining an up to date register of members of the Association and their postal or residential addresses.

53. The details of the members must not be used for any other purposes other than for the Association's objectives and disclosed in accordance with the Act. Such disclosure if required, shall be in conformity to the Oaths, Affidavits and Statutory Declarations Act 2005 and its amendments thereafter.

54. Membership with the ABPI shall be voluntary and members have the option to join at any given period in time.

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55. The Rules on ABPI Member shall be framed that must be a comprehensive document outlining the affairs of the member of ABPI and shall be drafted in accordance with this Constitution, the Associations Incorporation Act, and the Financial Regulations of the ABPI.

56. This Constitution becomes a legal contract between the members and the Association.

B. Membership benefits

57. In keeping with the mission, the Association shall, as an important value provide a platform to the members to socialize and integrate amongst each other and must at all times address issues pertaining to community welfare.

58. A member shall receive help and support during sickness, mishaps and other difficult situations in the form of financial assistance, donations, or assistance as deemed fit by the Board and the Executive committee. Such financial assistance, if any, must be in accordance with the Financial Guideline of the ABPI.

59. A member shall receive full assistance in the form of mentoring and advocacy about the culture and lifestyle in Western Australia.

60. A member shall be protected for anything the member does in good faith when doing work organised by ABPI.

61. A member shall not be liable for debts and liabilities of the Association or for anything the member does in good faith when doing work organised by the ABPI unless the member:

    i. acts outside the scope of the work organised by ABPI;
    ii. acts contrary to the instructions given by the ABPI; or
    iii. is unable to do their work in a proper manner because his or her actions were significantly impaired by intoxicating substance abuse, alcohol or non-therapeutic drugs, or through violence.

62. A member shall receive guidance in coaching and advisory support from the Executive Committee if it intends to conduct business in Western Australia.

63. A member shall receive guidance in obtaining Tax File Number (TFN), assisting in becoming employment ready, mentoring, guidance in obtaining WA Police clearance, helping to open bank accounts, accommodation assistance, guidance on educational study, standing as referees for those having served the ABPI.

64. A member shall receive guidance in claiming tax, visa assistance and other benefits such as child care support from Centrelink for those who are entitled.

65. A member is eligible for credit or social loan from the Association's fund to cover emergency expenses during financial difficulties. This benefit is paid as per the Financial Guideline of ABPI.

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66. Members of the community are automatically eligible to contest for Executive committee position, and for the position of ABPI Board.

67. Members can recommend ABPI to raise fund for events and programmes in need of financial support in Bhutan subject to sub-sections under ABPI Financial Regulation.

68. The ABPI must accommodate, support and execute members' suggestions and initiatives including members' proposal for hosting and coordinating events. Such proposals shall be in accordance with the Guidelines on organising programme and events.

69. A member can rightfully inspect the rules and register of the Association in line with Section 54 of the Act and in fulfillment of the Oaths, Affidavits and Statutory Declarations Act 2005 as noted in Chapter 3, Section A, sub-section 53 above.

70. A member can propose for and seek to organise special general meeting or propose Agenda for discussion during the General Meeting in consultation with the Executive Committee.

71. A member can propose for special meeting and approach the Board of Directors in matters concerning affairs of the Association.

C. Duties and responsibilities of Members

72. It is the duty of a member to abide by and uphold the Constitution at all times.

73. As a member, you have duty of care, and to respect the decisions of the Board, and the decisions made by Executive committee in the interest of the ABPI.

74. Members must actively make efforts to attend as many Association events as possible and commit to attending the AGM, SGM or meetings as organised by the ABPI for the welfare of the Community.

75. As a member, you have the fiduciary responsibility to promote peace, stability and growth, of the ABPI.

76. Members shall actively provide guidance, suggestions and advice to the Executive committee members.

77. Members must promote the Association and its development vision to public, partners and well-wishers.

78. Improper use of information in the register contravenes the right offered as a member and is a crime. A member must not disclose information in the register for purposes beyond the affairs of the Association and what it was intended for. Such liability if any shall be borne by the member independently and face penalty as per Section 57 (1) of the Act.

79. In no circumstance shall hate speech or allegations be made to the ABPI without facts or enough evidence as deemed fit. Such allegations may be considered hate speech or discriminatory based on the severity of the situation, to an extent that it may jeopardize the affairs of the Association and could impede the Association's growth in the community and will be dealt as per the law of the land.

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D. Cessation of membership.

80. A person ceases to be a member of the ABPI if he or she leaves Australia permanently. In this scenario, the member becomes an alumni.

81. Voluntarily withdraws the membership and chooses to not join the Association for reasons pertaining to their own affairs in which a written note shall be submitted to the President for this intent to voluntary withdrawal of membership.

82. Fails to comply with the Constitution so far as such that the provisions of this Constitution, Rules and Regulations of the ABPI and that the values of the ABPI are adversely jeopardised by the member.

83. Repeatedly fails to pay membership fee and does not comply to contribute towards the membership fee.

84. Cessation of the membership becomes effective on the date that the President or the authorised personnel of the Executive Committee accepts the cessation and is realised to be deregistered from the ABPI member database.

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CHAPTER FOUR

EXECUTIVE COMMITTEE

A. Composition of Executive members and their tenure

85. The Executive Committee forms the core management body of the Association and shall at all times pursue due diligence and in good faith perform the duties as enshrined under the powers conferred under this Constitution and in conformity to the Act. The Executive Committee shall be composed as follows:

    i. President;
    ii. General Secretary;
    iii. Treasurer;
    iv. Events and Programme Coordinator for Culture, Multicultural, Gaming and Sports;
    v. Community and Public Relations Manager;
    vi. Youth Representative (male); and
    vii. Youth Representative (female).

86. The organisational structure of the Association is as per **the First Schedule.**

87. The Executive Committee shall serve for a period of 1 year and shall be elected as per the Election Rules and Regulations of the ABPI.

B. Duties of the Executive Committee members

88. The Executive committee forms the main management body of ABPI to represent and manage the Association for the welfare of the community. The executive committee is not by reason, only of being officer of the Association liable in respect of the liabilities of the Association neither is sacrosanct from its duties.

89. To achieve a sustainable growth of the Association, the Executive Committee shall manage the day-to-day affairs of the Association.

90. The Committee shall coordinate all events and programmes organised in the name of the Association.

91. The Committee shall monitor Associations projects, assets and liabilities and shall practise due diligence in such manner so as to ensure there is proper record, history and assets of the Association to perform its duties sustainably.

92. The Committee must ensure that the institutional memory is sustained at all times to come, as such that past activities and Association's affairs are carried out without fail if in continuity period and if such continued activity benefits the community.

93. The Committee must initiate and coordinate activities such as meetings, gatherings, sports and fund raising events in keeping within this constitutional boundary and as per the due diligence.

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94. The Committee shall delegate responsibility to the members and volunteers through proper procedures set in place and in such manner to promote democracy, fairness and happiness.

95. The Committee must represent the Association in various capacities through meetings, symposiums, events, and programmes to preserve, establish, and promote goodwill and linkages that would contribute towards achieving the mission of the Association.

96. The Committee shall resolve internal affairs through proper internal dispute resolution wherein advices and way forward measures could assist a member and help resolve the case at hand. Such internal dispute resolution may be recorded or unrecorded depending on the case at hand.

97. The Committee shall resolve external affairs by liaising with necessary organisation to help resolve the case at hand and ensure a viable solution is obtained therein.

98. The committee member responsible for a particular action is held liable and accountable for the affairs of the Association and that such action shall not be sacrosanct by virtue of being an executive member and liabilities wherever occurred shall be dealt in accordance with the law of the land. The delegation of authority must ensure that a clear distinction is made in this regard as to who is liable in instances thereon.

99. Notwithstanding sub-section 98 above, an officer of the Association must not improperly use his or her position to gain an advantage for the officer or another direct related person that may cause detriment to the Association or in so manner that the information is improperly used. Such an act shall be referred to as negligence of the duty of care and be pursued in accordance with the law of the land.

100. The Executive Committee shall prepare Annual Report and shall be produced annually within two months from the date of closing of the financial year.

101. Any decision taken on behalf of the Association must be channelled through Executive Committee meeting and duly endorsed through minutes of meeting. This however excludes day-to-day decision making duties and functions of the Executive Committee such as facilitating the membership database, making regular posts and news on website and social media information outlets, making committed regular payments, or where common sense says is a regular duty of the ABPI, among others.

C. Executive Committee Members

C 1. President

102. The President in discharging the duties effectively and with due diligence shall Serve as the face of the Association and ensure to be charismatic and to lead the community for the general welfare by ensuring the community welfare is always put first.

103. Oversee the overall functioning of the Association, initiate and coordinate Association's activities, including active fund raising.

104. Ensure all new members are given proper orientation and keep in constant touch with the community and listen to their voice.

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105. Take charge of delegation of responsibilities, ensuring that they are evenly spread out across members (especially the Management).

106. Represent the Association at public functions and before public bodies, including patrons.

107. Resolve disputes internally arising amongst the community and externally with the other organisations or other communities.

108. Prepare, in consultation with the Executive committee members and the ABPI Board, agenda for the AGM and other meetings.

109. The call of duty must be applied in such circumstance where the President has to make a decision pertaining to an urgent affair of the Association. Such a call of duty shall only be applicable where it is absolutely necessary and the President shall seek this endorsement from the Board through a special resolution through a special general meeting.

110. The President has the mandate to uphold the virtues and spirit of this Constitution and subsequent rules are enforced so as to benefit the interest of the Community.

111. The President in consultation with the executive committee and the Board has the responsibility to dismiss a committee member or condemn actions of a member whose conduct is not in line with the Constitution of ABPI and the rules applicable to ABPI.

C 2. General Secretary

112. The General Secretary or the Secretary in discharging its duties shall must be conversant with all the responsibilities of the President and must be prepared to preside as and when required

113. Must work in close cooperation with the President and the Executive Committee at all times.

114. Must assist the President in its duties and preside for President in the absence or at the request of the President.

115. Must ensure the committee members are upholding the duty of care through compliance to the Act, and the Constitution.

116. It is the duty of the Secretary to comply on behalf of the Association with Division 3 of the Act and its amendments thereto, in particular pertaining to the rules to be made available to the members:

    (i) section 35 of the Act by keeping and maintaining in an up-to-date condition a copy of the rules of the Association and, upon the request of a member of the Association, must make available those rules available without hinderance for the inspection of the member and the member may make a copy of or take an extract from the rules but will have no right to remove the rules for that purpose; and

    (ii) section 36 of the Act by at the request of a member of the association, give to the member a copy of the association's rules, or of any particular part of those rules to which the request relates, as in force at the time of the request; and give to each person who becomes a member of the association a copy of the

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association's rules as in force when the membership commences. In such a manner, there shall be no charges made.

117. The Secretary is required to coordinate and organise the General Meetings in accordance to Division 4 of the Act and Chapter 6 of this Constitution.

118. The Secretary has the key responsibility to maintain and manage the register of members, and is required to maintain register of the members of the Association in accordance to Division 5, Section 53 of the Act and Chapter 6, sub-section 52 of this Constitution.

119. The Secretary as per Division 6, Section 58 is authorised to maintain a record of the names and residential or postal addresses of the persons who hold the offices of the Association provided for by this Constitution, including all offices held by the persons who constitute the Executive committee, ABPI Board and officers who are authorised to use the common seal of the Association under Chapter 11 of this Constitution; and the Secretary must, as per section 54 of the Act and upon the request of a member of the Association, make available the record for the inspection of the member and the member may make a copy of or take an extract from the record but will have no right to remove the record for that purpose.

120. Unless the members resolve otherwise at a general meeting, the Secretary have custody of all books, documents, records and registers of the Association, including those required under the Act but other than those required to be kept and maintained by, or in the custody of, the Treasurer or as delegated for other officers of the Executive Committee.

121. Maintain the names of the members present at the meeting and keep minutes of the proceedings at Executive committee meetings, Board meetings and General Meetings of members.

122. Distribute minutes of meeting within a week following the meeting and ensure that the comments are duly incorporated and the endorsement of the meetings are applied in care and due diligence. Resolutions pertaining to any meeting must therefore be sufficiently ratified and properly documented for the purpose of the Association. Access to these documents shall be in accordance to Chapter 8 of this Constitution and in fulfillment of the Act.

C 3. Treasurer

123. The Treasurer must ensure that the accounting standards and auditing standards are thoroughly complied and prepared with due diligence such that proper direction is received by the Association with respect to the accounts of the Association.

124. It is the duty of Treasurer to ensure all finance, fees, donations and other funds raised through events are collected and received and that all payments true and fair as authorized by the Association are made in accordance to the Financial Regulations of the ABPI.

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125. There must be a proper system to keep correct books and accounts showing all financial affairs of the Association, including full details of all receipts and expenditure. All such expenses made shall be correctly recorded and explained in its transaction and complied as per Financial Regulation of the ABPI.

126. Must ensure that proper system and checks are put in place so that financial records in fulfillment of the Act under Division 2, Section 67 are retained for at least seven years after the transactions covered by the records are completed.

127. The Treasurer in compliance to Division 3, section 68, within one month after the end of each financial year, must prepare financial statements that give a true and fair view of the financial position and performance of the Association.

128. Distribute a summary copy of the Association's budget and expenses bi-annually to all the members through the accepted information sharing platform via website, email or post to members of the Association.

129. Advise Executive committee members and the Board on the status, viability and sustainability of the funds as and when requested by the officer. Such report must contain financial statement along with true and fair description of details on financial matters of the Association.

130. The Treasurer is the authorised officer to manage the books of accounts of the Association. Unless the members resolve otherwise at a general meeting, the Treasurer will have custody of all securities, books and documents of a financial nature and accounting records of the Association.

131. Submitting to members at AGM of the accounts of the Association showing the financial position of the Association at the end of the immediately preceding financial year.

132. At all times to come, must maintain proper record of assets of the Association and must ensure that such assets are handed over in conjunction to sub-section 126 of this Chapter.

C 4. Events and Programme Coordinator for Culture, Multicultural, Gaming and Sports

133. Ensure to preserve and promote Bhutanese cultural affairs and Bhutanese traditional etiquettes for the benefit of the Community in Western Australia and so as to ensure younger generation of Bhutanese in Western Australia are abreast to the Bhutanese cultural and traditional values.

134. Ensure to preserve and promote multicultural values and tradition in Western Australia so as to ensure that the traditional owners of the land are highly respected, regarded and acknowledged at all times to come.

135. Ensure to preserve and promote multicultural values and tradition in Western Australia so that the Community benefits through this exchange of values and that the members are well taken care of. The multicultural values must be strengthened in such a manner that the Association works in collaboration and cooperation with other community organisation in Western Australia.

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136. Plan and organize special events, such as annual gathering, Bhutanese occasions, meetings, events, games and sports and other programmes as organised by the Association.
137. Liaise in true, fair and effective manner with the Executive Committee for planning and organizing events.

138. Ensure to work in close collaboration with the Treasurer so that finances for the events are diligently managed, and proper accountability is maintained.

139. Shall have the power to sub-contract the organising of games and sports to approved organisers upon approval of the Executive Committee. Such approved organisers must have their own insurance and be registered under the Department of Communities or relevant authorities.

140. Must follow and where necessary develop standard operating procedure (SOP) for games and sports so that liabilities or injuries from such regard is clearly mentioned. It shall be the Association's liability if this personal injury or property damage from any such games and sports is a negligence of duty of care by the Association.

141. Must speak for and on behalf of the Executive Committee during its liaising with the community and other external organisations.

C 5. Community and Public Relations Manager (CPRM)

142. Must work in close collaboration with the General Secretary to ensure that membership with the ABPI is properly maintained and that the register is up-to-date.

143. Ensure to work as a grievance point of the Association and to register issues and matters on domestic and civil issues and to effectively liaise such issues with the Executive Committee.

144. Manage the assets and inventories of the Association so that proper check and balance is ensured and that along with the Treasurer to ensure that the assets are properly and in a professional manner handed over to the next Committee members or officers of the Association.

145. Mismanagement and liability of such assets and inventories irrespective of the condition is the responsibility of the CPRM and must ensure that the assets are properly booked and identified in the register of accounts of the Association.

146. Must submit a timely report to the Executive Committee status on the assets and inventories of the Association and propose for changes in asset and inventories where required, in such that the use of such assets and inventories must be in accordance to the needs of the Association and does not jeopardize the financial sustainability of the Association.

147. Must ensure to work as a first point of contact for the members and liaise in matters concerning the affairs of the Association. In this regard, the Manager is responsible to manage the social media accounts, website and other information platform of the Association in accordance with sub-section 148 below.

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148. The CPRM shall not be secluded to have ultimate prerogative on the social media use or any official matters of the Association. At any given point in time, not more than 3 officers from the Executive Committee shall have administrative rights to the social media platform with the CPRM being the administrator of the platform. The President may appoint the other two officers and shall intervene where necessary if the information to be posted is in contravention to the affairs of the Association.

C 6. Youth Representative

149. Members of the Association who fall under the age category 10 years through 24 years of age shall fall under the Youth group of the Community.

150. The Youth representative for the Association shall act as the bridge between the young members of the Association and the Executive committee members.

151. The Youth representative should be well versed in all rules and regulations of the ABPI and must be thorough with the institutional history, the institutional memory and the vision, mission of the ABPI.

152. It is the responsibility of the youth coordinator to address issues among youth members and seek timely guidance and support from the Executive committee members and the ABPI Board.

153. The Youth representative must be sound and professional in such a manner that judgements and decisions for the progress of the young Bhutanese in Western Australia is not hindered and not impacted severely.

154. The Youth representative shall not be considered a responsible adult for the young population and shall not by virtue of being youth representative engage in matters beyond the affairs of the Association.

155. The President shall direct or advise the Youth representative wherever necessary and when actions of the Youth representative require the purview and guidance of the seniors.

156. It is mandatory for the Youth representative to have working with children (WWC) check certificate when dealing and working with children and young people.

157. Youth representative must be proactive, well-educated and ensure that no discrimination is made between age group or between gender of the young population in the community.

158. It is the responsibility of the Youth representative to ensure maximum participation from young people is received and that young people are adequately represented in all events and programme of the Association.

159. It is the responsibility of the Youth representative to comply with Chapter 3 (A) sub-section 52, of this Constitution and ensure that all registration is compiled to and completed within the given time period by the President.

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D. ABPI Board of Directors (BOD)

D 1 Function of the Board

160. The ABPI Board of Directors is an advisory non-executive body of the Association.

161. The Board shall have the advisory function such that it does not duplicate the day-to-day affairs of the Association and is independent on its function from the Executive Committee.

162. The Board of Directors shall have a primary function to set policies for the management and oversight of the Association.

163. The Board shall not be sacrosanct in its discharge of duties and shall be guided through Board performance and as per the Policies and Guidelines for ABPI Board of Directors.

164. The Board has the fiduciary responsibility to review and keep track of the progress of the Executive committee.

165. The performance of the Board shall be assessed by the Chairperson of the Board annually and presented during the Annual General Meeting (AGM) of the Association.

166. The performance of the Chairperson shall be assessed by the other Directors of the Board and presented along with the performance review of the Board during the AGM.

167. Performance review of the Executive Committee shall be made annually and presented during the AGM.

D 2 Composition of the Board

168. The Board of Directors shall be composed of the following:
    i. Chairperson;
    ii. Director;
    iii. Director;
    iv. Director;
    v. Director (member-secretary).

169. The Chairperson and the Directors to the Board shall be elected during a general meeting and shall possess the competencies of industrial, technical, governance and behavioural skills.

170. The President as the head of the organisation shall be a Director in the Board and represent as a member-secretary.

171. The member-secretary upon endorsement of the Board shall engage the General Secretary as permanent observer to the Board.

172. The permanent observer to the Board shall be responsible to take minutes of the meeting and organise logistics of the meeting but shall not have a voting confidence.

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173. Minutes of the meeting shall be sent to the Directors within a week from the meeting end date and such minutes shall compose clear information of the discussion and decisions being made at the Board.

174. There shall be a policy of calling in invitees to the Board meetings. Such a policy is to ensure ease of information dissemination purpose and not for purpose of voting or fulfilling a composition of the Board.

D 3 Tenure and Quorum of the Board

175. There shall be at least 3 members present and voting to meet the quorum.

176. In the absence of the Chairperson, the members present and voting shall through a mutual consensus nominate a Chairperson who shall oversee and coordinate the meeting.

177. Directors present and voting must endorse the decision of the Board after which the decision shall be final and binding. Alteration to such decision shall only be pursued through a special resolution passed by the Board.

178. The Board shall be formed for a period of 2 years.

179. The Chairperson shall be on rotation basis and shall be rotated annually amongst the Directors. The rotational Chairmanship shall be as per the mutual agreement amongst the Directors and must be endorsed in the minutes of meeting for record purpose.

E. Code of Conduct for officers of the Association

180. The officers of the Association must ensure to remain apolitical at all times and to not promote any hate speech, cultural stigmatism, radical ideologies against the vision of the Association and shall ensure to uphold the true ideals of Gross National Happiness, solidarity and progressive growth within the young population in the Community.

181. At no given point in time, no officer of the Association shall have prerogative over the other officers and the officers representing the community shall be guided by social collaboration, and prioritise happiness and welfare of the community.

182. At all times, a proper handing-taking must be followed so as to ensure smooth office transition. This includes offering at least 30 days for transition and new officers resumes their office by the start of their tenure and not later.

183. Subject to section 40 of the Act, this section applies to the eligibility for officers of the Association:

    i. a person who is, according to the Interpretation Act 1984 section 13D, a bankrupt or person whose affairs are under insolvency laws;

    ii. a person who has been convicted, within or outside the State, of — an indictable offence in relation to the promotion, formation or management of a body corporate;

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iii. or an offence involving fraud or dishonesty punishable by imprisonment for a period of not less than 3 months; or an offence under Division 3 or section 127 of the Act.

184. A person to whom this section applies must not, without leave of the ABPI Board, accept an appointment or act as a member of an executive committee of an incorporated association.

185. A person to whom this section applies must not, without leave of the ABPI Board, accept an appointment or act as a member of a Board of Directors of an incorporated association.

CHAPTER 5

ELECTION OF OFFICERS OF THE ASSOCIATION

A. Election Coordination Team (ECT)

186. The election of the ABPI Executive Committee and the ABPI Board shall be made in accordance to the Election Rules and Regulations of the ABPI.

187. The Election Rules and Regulations of the ABPI shall be non-discriminatory, promote equal growth and provide fair representation of any interested member from the community.

188. The Election coordination team should be nominated from the members in the community through a special resolution during the general meeting and must be formed at least three months before the AGM to coordinate and oversee the election for that period. The ECT in this regard is unpaid.

189. In the event of no members for ECT, the Board shall assume the role of ECT.

190. In the event of by-election, the ECT in command who is either the Board or the nominated personnel shall take charge of the election.

191. The ECT should at-least comprise five members one of who shall be a young member in the age group 18 through 24 years that excludes the member-secretary.

192. Have a Chairperson who is chosen by the members within the team.

193. May have a Returning Officer (RO) who is appointed by the Chairperson and the number of polling station will determine the number of RO's.

194. The ECT shall be governed by the Election Rules and Regulations of the ABPI and the provisions of this Constitution.

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B. Election of ABPI Executive Committee

195. In accordance with Chapter 3 (B) sub-section 66, all members of the community are automatically eligible to contest for Executive committee position, or for the position of ABPI Board but cannot opt for both at a single period of time.

196. Members aspiring for any Executive committee position or the ABPI Board should be submitted in writing.

197. Nomination of a member for any Executive committee or Board position should be submitted in writing and signed by at-least three members of the ECT, along with the consent of the candidate.

198. Documents pertaining to the election should be delivered to Chairperson, ECT at least three weeks before the election date.

199. If insufficient nomination is received any position remaining in the Executive Committee will be taken as casual position until an aspiring candidate indicates his/her interest. If any candidate does express his or her interest through the nomination form, the ECT shall call for a special general meeting to elect nominee for vacant position.

200. If vacancies remain on the Executive Committee after the declaration under sub-section (5), the election timetable shall be established by applying the timeframes identified in the election calendar but commencing from the date of the opening of the nominations.

C. Election of ABPI Board of Directors

201. As such that post vacancy may occur during the 3 year tenure of the Board, for circumstances beyond the purview of the Board, or resigns for reasons as submitted, such a vacancy shall be submitted to the Chairperson of the Board. If the Chairperson resigns, such a notice of resignation shall be submitted to the Director in command nominated amongst the Board.

202. The ECT upon the resignation submitted by the Chairperson or the Director in command shall call for nominations through a special general meeting and endorsed through a special resolution.

203. If insufficient nomination is received, there shall be at least 3 Board of Directors to resume composition of Board and such post vacancy be announced until further time a full Board is successfully formed.

204. The Board of Directors may be remunerated as per the Financial Regulations of the ABPI.

205. Each director must strive to serve full tenure and to serve ABPI to the best calibre and to the extent possible, promote good governance, transparency, accountability, leadership, and promote ideals of Gross National Happiness in the community.

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D. Casual vacancies in membership of Executive committees

D 1. Removal/Resignation of Executive members

206. Executive committee members should strive to serve their full term. However, an Executive committee member may be removed from their position subject to the following conditions:
   i. If he/she fails to perform the duty consistently and efficiently in achieving the mission of the Association
   ii. If he/she fails to comply by the terms of the Constitution,
   iii. If he/she resigns voluntarily subject to the justification provided by the member. In such cases, one month notice period should be given before the date of resignation.

207. At no given time should the head of the organisation, the President be out of office for a period of 3 months or indefinitely. In such a scenario, this will be regarded as voluntary resignation and the position filled as per the election rules of the ABPI.

208. The removal of any Executive committee member, including the President, shall be decided by special resolution at the general meeting.

209. No two resignations shall be considered at the same period of time in accordance with sub-section 206 (iii) above.

210. All elected members shall serve at least three months before they can file for resignation. Sub-section 206 as above supersedes this sub-section.

D 2. Filling Casual Vacancies in membership of Executive committee

211. In the event of casual vacancy, the vacate position shall be announced immediately by the Election Coordination Team (ECT) or the Board whoever is in charge upon the preliminary approval of his/her resignation by the President.

212. The President must submit this casual vacancy approval to the Board for its information and further advice and the Board must work in close collaboration with the ECT to fill this casual vacancy.

213. In due course, casual vacancies may be substituted through temporary appointees by the Executive Committee members upon endorsement of the Board to fill the post if there are time lapses between the resignation and new appointment.

214. In the event there is casual vacancy to fill up the position of the ABPI executive committee even after completion of due diligence, or calling of nominations that no nominations are received, and should the time period of 6 months lapse in this manner, the Association shall then file for dissolution as per Chapter 14 of this Constitution.

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CHAPTER 6

MEETINGS OF THE ASSOCIATION

A. Executive Committee Meetings and Quorum

215. Executive committee must meet at least eight times during their tenure. Additional meeting/s may be convened by President or by any member of the Executive committee, if deemed necessary.

216. The General Secretary must give oral or written notice about meeting/s at least two weeks in advance.

217. Each Executive committee member has a deliberative vote.

218. A question arising at Executive committee meeting must be decided upon by a majority votes. But if there is no majority, the presiding member at the Executive Committee meeting will have a deciding vote in addition to his or her deliberative vote.

219. At least four Executive committee members constitute a quorum at the Executive committee meeting present and voting.

220. An Executive committee member having any direct or indirect pecuniary interest in a contract, or proposed contract, made by, or in the contemplation of, the Executive committee (except if that interest exists only by virtue of the fact that the member of the Executive committee is a member of a class of persons for whose benefit the Association is established):

    i. must as soon as the committee member becomes aware of that interest, disclose the nature and extent of his or her interest to the Executive committee; and

    ii. not take part in any deliberation or discussion of the Executive committee with respect to that contract.

221. Executive committee members must, within 30 days of receiving a request in writing from at least 20 of its members to convene a special meeting, fulfill the request for the purpose specified.

222. The members making a request referred to in sub-section 221 must; adequately state the purpose for which the special general meeting concerned is required, and sign that request.

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B. General Meetings and proceedings at General Meetings of Members

B 1 General Meetings

223. The Executive committee:

i. may at any time propose and convene a special general meeting (SGM) and in fulfilment of the request made by the member as per Chapter 3 (B) 46 of this Constitution;

ii. must convene annual general meetings within the time limits provided for the holding of such meetings by Division 4, section 50 of the Act, that is, in every calendar year within 6 months after the end of the Association's financial year or such longer period as may in a particular case be allowed by the Commissioner, except for the first annual general meeting which may be held at any time within 18 months after incorporation; and

iii. must, within 30 days of receiving a request in writing to do so from not less than 20 members, convene a special general meeting for the purpose specified in that request.

224. The members making a request referred to in sub-section 223 (i) and (iii) above must state in that request the purpose for which the special general meeting concerned is required with a signed copy of that request.

225. If a special general meeting is not convened within the relevant period of 30 days referred to in sub-section 223 (iii) above, the members who made the request concerned subject to sub-section 223 (iii) above may themselves convene a special general meeting as if they were the Executive committee and minutes of meeting along with other documentation be recorded in full. Request of ABPI's document shall be in fulfillment of sub-section Chapter 3, sub-section 53

226. Where a special general meeting is convened under the above sub-section, the Association must pay the reasonable expenses of convening and holding the SGM.

227. Subject to the sub-section above, the General Secretary must give to all members not less than 14 days' notice of a Special General Meeting and that notice must specify:

i. when and where the general meeting concerned is to be held; and

ii. particulars of the business to be transacted at the general meeting concerned and of the order in which that business is to be transacted.

228. Subject to the sub-section above, the General Secretary must give to all members not less than 21 days' notice of an AGM and that notice must specify:

i. when and where the AGM is to be held;
ii. the particulars and order in which business is to be transacted, as follows:
    a. the consideration of the accounts and reports of the Managements;
    b. the report of the Board; and
    c. any other business requiring consideration by the Association at the general meeting.

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229. A special resolution may be moved either at a special general meeting or at an annual general meeting; however, the General Secretary must give to all members not less than 21 days' notice of the meeting at which a special resolution is to be proposed. In addition to those matters specified in sub-section 226 or 227 above, as relevant, the notice must also include the resolution to be proposed and the intention to propose the resolution as a special resolution.

230. The Secretary must give a notice under sub-section 226, 227 and 228 as above by:

i. serving it on a member personally; or

ii. sending it by post to a member at the address of the member appearing in the register of members kept and maintained under Chapter 3 (A) sub-section 52; or

iii. sending it by electronic means.

231. When a notice is sent by post under sub-section 230 (ii) above, sending of the notice will be deemed to be properly affected if the notice is sufficiently addressed and posted to the member concerned by ordinary prepaid mail.

B 2 Proceedings at General Meetings

232. At a general meeting two-third members of the total members of the ABPI present in person constitute a quorum.

233. If within 30 minutes after the time specified for the holding of a general meeting in a notice given under sub-section 227, 228 and 229 as above:

(a) as a result of a request or notice referred to in sub-section 230 (i) or as a result of action taken under sub-section 228 (iii) a quorum is not present, the general meeting lapses; or

(b) otherwise, then as a result of a request, notice or action referred to in paragraph (a) above, the general meeting stands adjourned to the same time on the same day in the following week and to the same venue.

234. If within 30 minutes of the time appointed by sub-section 233 (b) for the resumption of an adjourned general meeting a quorum is not present, the members who are present in person or by proxy may nevertheless proceed with the business of that general meeting as if a quorum were present.

235. The President may, with the consent of a general meeting at which a quorum is present, and must, if so, directed by such a general meeting, adjourn that general meeting from time to time and from place to place.

236. There must not be transacted at an adjourned general meeting any business other than business left unfinished or on the agenda at the time when the general meeting was adjourned.

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237. When a general meeting is adjourned for a period of 30 days or more, the General Secretary must give notice under sub-section 226 of the adjourned general meeting as if that general meeting were a fresh general meeting.

238. At a general meeting:
   i. an ordinary resolution put to the vote will be decided by a majority of votes cast on a show of hands, subject to sub-section 239 below; and

   ii. a special resolution put to the vote will be decided in accordance with section 52 of the Act and, if a poll is demanded, in accordance with sub-sections 239, 240, 241 and 242 below.

239. A declaration by the Chairperson of a general meeting that a resolution has been passed as an ordinary resolution at the meeting will be evidence of that fact unless, during the general meeting at which the resolution is submitted, a poll is demanded in accordance with sub-section 239 below.

240. At a general meeting, a poll may be demanded by the Chairperson or by three or more members present in person or by proxy and, if so demanded, must be taken in such manner as the Chairperson directs.

241. If a poll is demanded and taken under sub-section 239 in respect of an ordinary resolution, a declaration by the Chairperson of the result of the poll is evidence of the matter so declared.

242. A poll demanded under sub-section 239 must be taken immediately on that demand being made.

C. Minutes of Meetings

243. General Secretary must maintain minutes of meeting for all executive committee members, and minutes of the general meetings and within 30 days properly record into the minutes book kept for that purpose.

244. President or Chairperson of the meeting must ensure that the minutes recorded are checked and signed as endorsed and binding.

245. The General Secretary must ensure that the records of the Minutes of the Meeting are made available to the members upon their request, only as deemed necessary and in fulfillment of Chapter 9 of this Constitution, and the Oaths, Affidavits and Statutory Declarations Act 2005 as per Second Schedule.

246. After the minutes have been recorded and signed as endorsed, they are, until the contrary is proved, evidence that:
   a. the General Meeting or Executive committee meeting to which they relate was duly convened and held;
   b. all proceedings recorded as having taken place did in fact take place; and
   c. all appointments or elections purporting to have been validly made.

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247. No notice or information shall be valid if it does not comprise the seal of the Association accompanied by signature of President, the Chairperson or the authorised person chairing the meeting.

CHAPTER 7

FUND MANAGEMENT

248. Prudential use of the community funding is the core responsibility of the Executive Committee and due diligence must be observed while managing the Association's funds.

249. The fund management of the Association shall be in accordance with the Financial Rules and Regulations of the ABPI and in line with the Fund Management Act of Western Australia.

250. There shall be a system of delegation of authority (DOA) or delegation of power (DOP) wherein responsibilities for fund management shall be clearly defined and justified.

251. At no given point in time shall the funds be used for miscellaneous purpose with every funds of the Association utilised to have clear head and expenses transparently disclosed.

252. Membership fee of the members shall be fixed at a rate that is sustainable, sensible and for the welfare of the Association and shall not be amended for at least 2 years.

253. Membership fee may be subject to change based on sustainability and practicality of the Association and such change should be proposed by the Executive committee members and endorsed by Board or the members present during the AGM or SGM through a special resolution.

254. The budget of the Association must be realised in such a manner that timely updates are made where necessary. This shall encompass monthly budget, yearly budget and can be released to the members upon approval of the Executive committee members and in fulfillment to Second Schedule of this Constitution.

255. The Treasurer must present financial report on bi-annual basis and hand over the budget along with other details to the successor in a Report as enshrined and articulated in the Financial Rules and Regulations of the ABPI.

256. The finances of the ABPI are to be invested as savings, credit to the members, or other safe instruments subject to the approval of the Board and as aligned per the Financial Rules and Regulations of the ABPI.

257. Auditing, if necessary, may be conducted on the status of finances in the interest of transparency and good governance two months before the end of term or as and when directed by the Board.

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258. The overhead expenses and day-to-day spending of the Association will be managed by the Treasurer. Treasurer will also assess any liability, notifying the Executive Committee at the same time.

259. The Association's fund will not be used for any other matter or matters apart from those pertaining to the affairs of the Association.

CHAPTER 8

CONTRACTS, RELEVANT DOCUMENTS AND RECORD OF THE ASSOCIATION

260. Any form of agreement that the Association makes in writing or verbal commitment based on trust and good faith wherein a certain form of benefit is observed for the Association, that shall be considered as a contract.

261. Contracts may be made by or on behalf of the association as follows:
   i. a contract which, if made between members, would be required to be in writing and under the seal of the Association; or

   ii. a contract which, if made between members, may be made in writing on behalf of the Association by any person acting under its express or implied authority; or

   iii. a contract which, if made between members, would be valid although not in writing, if it has been made orally on behalf of the Association by any person acting under its express or implied authority.

262. A contract shall not be valid if any such evidence for instance recordings has been made without the prior consent of the individual and must be adhered to in accordance to Surveillance Devices Act 1998, Section 5.

263. A contract may be varied or rescinded by or on behalf of the Association in the same manner as it is authorised to be made.

264. A contract made with the Association is not invalid by reason of any deficiency in the legal capacity of the Association to enter into, or carry out, the contract unless the person contracting with the Association has actual notice of the deficiency.

265. The Association that enters into a contract that would, but for the provisions of sub-section 263, be invalid is empowered to carry out the contract.

266. All real and personal property held by any person for or on behalf of the Association vests, by virtue of this subsection, in the ABPI.

267. The person who ceases to be an executive member or the Board of the Association must deliver to the Secretary, or an authorised member of the executive committee all relevant documents and records or, in the case of relevant documents or records that are stored on a computer, a copy of all such documents and records.

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268. Under Division 4, section 56 of the Act, the Executive Committee may determine a reasonable charge for the cost of complying with a request for registrar of the Association or the books of accounts, membership details; and require the person making the request to pay the charges to the Association.

CHAPTER 9

RIGHT TO INFORMATION

269. In a fundamental right as a member of the Association, one shall have right to information and affairs pertaining to the Association without fail.

270. A member may at any reasonable time inspect without any hindrance the documents, records and securities of the Association. A statutory declaration must be made in this regard. This excludes charges of documents as determined under sub-section 267 above.

271. The Association in accordance to sub-section 267 above, may require the member to pay nominal charges to inspect financial statements or the registrar of membership details, a reasonable charge for the cost of complying. A statutory declaration must be made in this regard.

272. Improper use of the Association's register or the important documents of the Association shall be considered breach of trust and shall be dealt as per section 57 of the Act.

273. A whistle-blower policy must be put in place to ensure that the members receive adequate support, encouragement and avenue to express their right to information.

274. Documents as requested must be swiftly delivered in a manner that is transparent, fair and readable manner within a reasonable time and so that issues pertaining therein can be effectively resoled.

275. The Board shall have the final authority on disclosing the information as desired and as such a policy on Right to Information may be developed by the Association.

276. Subject to the provisions on general meeting Chapter 6 of this Constitution, the executive committee as endorsed through Board may call for a general meeting to pass resolution on such Policies. A notice to the members on such change may be sufficient in lieu of calling a special meeting subject to fulfillment of Chapter 6 of this Constitution.

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CHAPTER 10

CONFLICT OF INTEREST

277. Conflict of interest is an instance where a member of the officers of the association has a direct material personal interest in a matter being considered at an executive committee meeting, Board meeting or the meetings of the Association and therefore must, as soon as the member becomes aware of the interest, disclose the nature and extent of the interest to the executive committee, Board or the members present during the meeting.

278. Disclosure of material personal interest can be made during the meeting but must be made prior to adopting the main agenda of a meeting. The minutes of the meeting in its format must have a separate head before the main agenda pertaining the disclosure of material personal interest and the minutes taking must adequately capture this disclosure. Any reservations, if any on the personal interest must be made at this juncture and not later in the meeting process.

279. It is considered direct material personal interest if:

a. the member is the direct beneficiary of that contract or that discussion in point;
b. the member directly benefits from the profits derived from the contract; and
c. the member has a direct family member that is involved in an interview.

280. It shall be considered not material interest if:

a. the contract is not liable to be avoided by the association on any ground arising from the fiduciary relationship between the member and the association;
b. the member is not liable to account for profits derived from the contract; and
c. is a member of a class of persons for whose benefit the association is established; or that the member has in common with all, or a substantial proportion of, the members of the association.

281. A disclosure of a material personal interest required by sub-section 276 above must give details of:

a. the nature and extent of the interest; and
b. the relation of the interest to the activities of the incorporated association.

282. The details referred to in subsection 276, 277, 278, and 279 above must be recorded in the minutes of the meeting of the executive committee at which the disclosure is made.

283. A member of the officer of the Association who has a direct material personal interest in a matter being considered at a meeting of the executive committee must not be present while the matter is being considered at the meeting; or vote on the matter whatsoever.

284. If there are not enough officer to form a quorum to consider a matter because of sub-section 282:

a. one or more committee members or the officer (including those who have a material personal interest in the matter) may call a general meeting; and

b. the general meeting may pass a resolution to deal with the matter.

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CHAPTER 11

PATRON

285. Patron can be of any nationalities, age, gender, race and religion and shall be formed to extend credibility and social welfare of the Association.

286. Patron has to be accepted by at least 2/3 of the Executive committee members.

287. Patron is not eligible to hold Executive committee positions; however, their advice and directions shall be valued.

288. Patron cannot make decision on behalf of the Association but can represent the Association in official ceremonies and meetings upon the request from the Association.

289. Patron doesn't have a fixed term of membership.

290. Patron may observe and preside over election of the Executive committee members.

291. Patron's membership fees, donations and any other contributions toward the Association are not fixed and it is up to the individual's discretion.

292. Patrons' presence is not mandatory during the Executive committee meetings but highly regarded during general meetings and social gatherings of the Association.

CHAPTER 12

COMMON SEAL AND LOGO OF THE ASSOCIATION

293. The Association must have a common seal and logo on which its name appears in legible characters.

294. The common seal and the logo of the Association must not be used without the express authority of the Executive committee and the Executive Committee shall be the sole custodian with every use of that common seal and logo recorded for compliance purpose.

295. Affixing of the common seal of the Association must be witnessed by any two Executive committee members, including President, General Secretary or Treasurer.

296. The common seal must be kept in the custody of the President or of such other person as Executive committee members from time to time decide.

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CHAPTER 13

AMENDMENTS TO THE CONSTITUTION

297. Any amendment, addition or rescind to these rules (including name and mission of association) has to be made by a special resolution and passed by majority of 3/4 members present and entitled to vote evidenced through membership card at the general meeting called for that purpose.

298. Within one month of the passing of a special resolution altering its rules, or such further time as the Commissioner for Consumer Protection may in a particular case allow (on written application by the Association), the Association must lodge with the Commissioner notice of the special resolution setting out particulars of the alteration together with a certificate given by a member of the Executive committee certifying that the resolution was duly passed as a special resolution and that the rules of the Association as so altered conform to the requirements of this Act.

299. Any amendments do not take effect until sub-section 297 above is complied with.

300. These rules bind every member and the Association to the same extent as if every member and the Association had signed and sealed these rules and agreed to be bound by all their provisions

301. Proposed amendments of the Constitution must be submitted to the General Secretary before the agenda for the next general meeting is announced.

CHAPTER 14

DISSOLUTION

302. All the members shall be notified of proposed dissolution of ABPI at least 21 days before a general meeting is called for that purpose as per the manner provided in this Constitution.

303. The resolution to dissolve the Association shall be made by special resolution and passed by 3/4 of the members present at the general meeting called for that purpose.

304. If upon the winding up or dissolution of the association there remains after satisfaction of all its debts and liabilities any property whatsoever, the same must not be paid to or distributed among the members, or former members. The surplus property must be given or transferred to another association incorporated under section 24 of the Act which has similar objects and which is not carried out for the purpose of profit or gain to its individual members, and shall be determined by resolution of the members.

I certify that this is a true copy of the original document. Dated 16-09-2025

CHAPTER 15

INTERPRETATION OF THE CONSTITUTION

305. Members have the basic responsibility to uphold the spirit of this constitution and to interpret it as deemed fit for social welfare of the community.

306. The Executive Committee shall have the primary responsibility to interpret this Constitution and uphold the spirit of this Constitution.

307. Interpretation by the Executive Committee shall not be made in such manner so as to befit personal interest or a personal group or so in a manner that is against the spirit of which this Constitution was drafted.

308. The ABPI Board of Directors has the final authority to interpret this Constitution.

309. Interpretation by the Board shall not be made in such manner so as to befit personal interest or a personal group or so in a manner that is against the spirit of which this Constitution was drafted.

310. A guide to the Constitution of ABPI may be developed and endorsed for this purpose.

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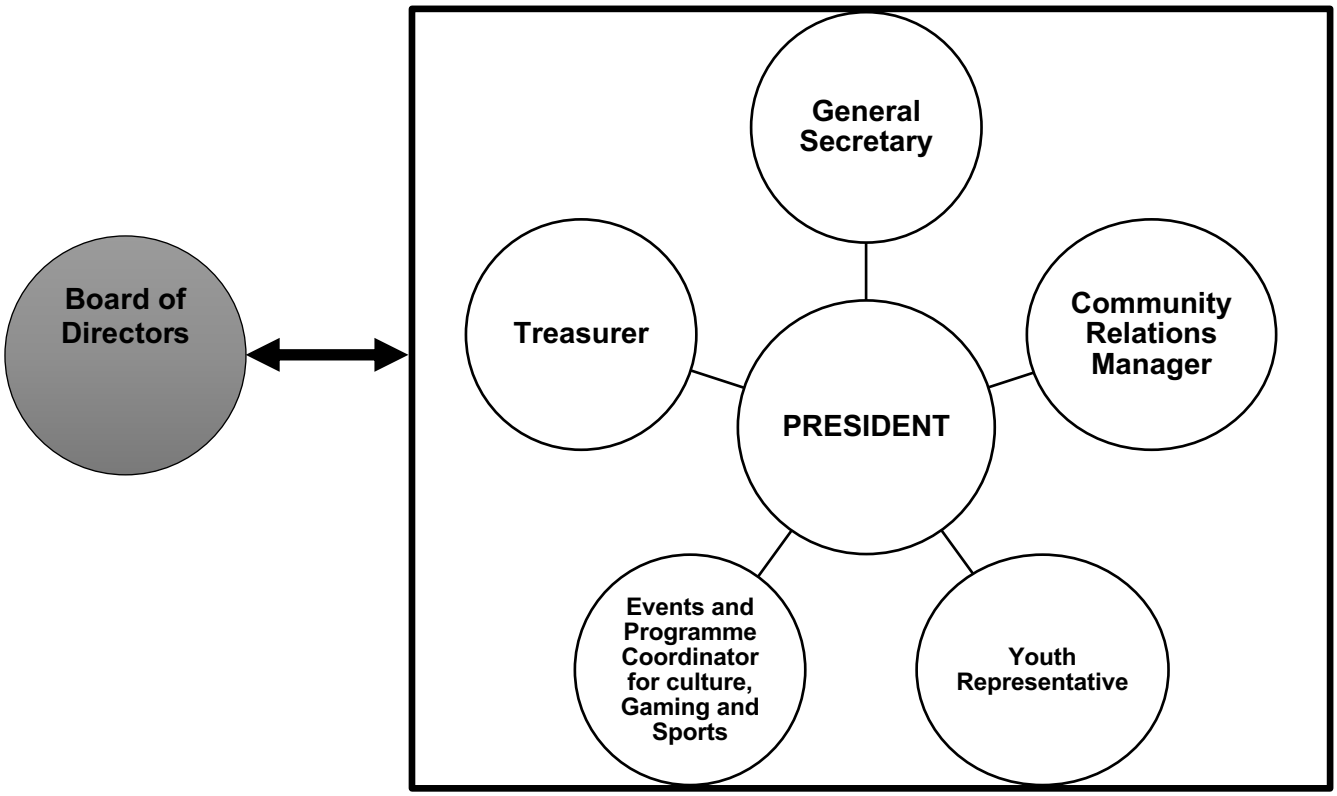
First schedule

Organisational Structure of the Association

Structure: Team Network Circle



The ABPI by virtue of being a not-for-profit community organisation has adopted this organisational structure called **team network circle**. Under this model, the authority in the organisation though hierarchical has its powers shared amongst the officers of the Committee. It so ensures that the quality of the organisation not only depends on the individual but the efficiency as a team and group performance. The teams or the groups working together to accomplish a project is therefore working through a balanced matrix with equal responsibilities shared and co-performed for sustainability of the organisation.

In also achieving its duties, the Association may contract out its works to other licensed organisations. For instance, the Association may contract out games and sports organising to other licensed event organisers. While network structure is primarily focus on external management and external relations, the quasi team network circle of ABPI is a balanced approach for organisational development.

Advising the ABPI Executive Committee is an ABPI Board of Directors that functions on a non-executive power to advise the Association on matters pertaining to the health and sustainability of the Association. The Board of Directors hold the advisory non-executive function to the ABPI Executive Committee and is governed under the rules of this Constitution.

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Second schedule

Disclosure of information under Oaths, Affidavits and Statutory Declarations Act 2005

STATUTORY DECLARATION

Oaths, Affidavits and Statutory Declarations Act 2005

Request for a copy or extract of Association's Register of Members (s54(3) or s56(2) of the Act)

I, _____ (name of person making declaration)

of _____ (address of person making declaration)

occupation _____ (occupation of person making declaration)

sincerely declare as follows:

1. I am a current member of_____ (insert incorporated association name) (**Association**).
2. My request of_____(insert date of request) to obtain a copy or extract of the register of members of the Association is made for the purpose of _____ (insert purpose of obtaining information), which is connected with the Association's affairs.
3. I declare that this purpose is connected with the affairs of the Association.
4. I understand that it is a criminal offence to disclose information in the register of members for a purpose that is not directly connected with the affairs of the Association or that is not related to the administration of the *Associations Incorporation Act 2015* (**Unlawful Purposes**).
5. I will not disclose information obtained from the register for Unlawful Purposes.
6. I understand that Unlawful Purposes include, but are not limited to, advertising for political, religious, charitable or commercial purposes.

This declaration is true and I know that it is an offence to make a declaration knowing that it is false in a material particular.

This declaration is made under the *Oaths, Affidavits and Statutory Declarations Act 2005*

At _____ (place)

On _____ (date)

By _____ (signature of person making the declaration)

In the presence of:

_____ (signature of authorised witness)

_____ (name of authorised witness)

_____ (qualification as such a witness)

Information about preparing and witnessing statutory declarations is available from www.courts.dotag.wa.gov.au.

I certify that this is a true copy of the original document. Dated 16-09-2025

Third schedule

Bhutan National Anthem

In the Kingdom of Bhutan adorned with cypress trees,
The Protector who reigns over the realm of spiritual and secular traditions,
He is the King of Bhutan, the precious sovereign.

May His being remain unchanging, and the Kingdom prosper,
May the teachings of the Enlightened One flourish,
May the sun of peace and happiness shine over all people.

Fourth schedule

Australian National Anthem

Australians all let us rejoice,
For we are young and free;
We've golden soil and wealth for toil;
Our home is girt by sea;
Our land abounds in nature's gifts
of beauty rich and rare;
In history's page, let every stage Advance Australia Fair.
In joyful strains then let us sing, Advance Australia Fair.

Beneath our radiant Southern Cross
We'll toil with hearts and hands;
To make this Commonwealth of ours
Renowned of all the lands;
For those who've come across the seas
we've boundless plains to share;
With courage let us all combine
To Advance Australia Fair.
In joyful strains then let us sing,
Advance Australia Fair.

I certify that this is a true copy of the original document. Dated 16-09-2025

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