



Constitution of EcoTransit Sydney Inc.

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PART I – PRELIMINARY

1. Name

The name of the association shall be EcoTransit Sydney Inc (“ETS” or “EcoTransit”)

2. Objects

As a not-for-profit organisation, the objects of ETS shall be to protect and enhance the natural environment and, especially, to maintain and preserve the integrity of air and water quality by:

- influencing public opinion and government policy at Federal, State and local levels with the aim of establishing ecologically sustainable transport and land-use systems within the Sydney Region and New South Wales (NSW);
- encouraging greater public transport use, cycling and walking;
- opposing the proliferation of private motor vehicle use and associated urban sprawl, air pollution and greenhouse gas generation; and
- establishing and maintaining a public fund to be called the EcoTransit, Sydney - Public Gift Fund (“Gift Fund”) to support the environmental objects of ETS.

3. Principal Activities

ETS will accomplish its objects by the following principal activities:

- campaigning for new and enhanced public transport, pedestrian and cycling infrastructure and services;
- preservation of existing public transport services;
- lobbying politicians, public officials and private organisations ;
- participating in public consultation processes and education campaigns; and
- undertaking and encouraging research into public transport and land-use solutions.

4. Definitions

(1) In these rules:

“**ordinary member**” means a member of the committee who is not an office-bearer of the association, as referred to in rule 17(2);

“**Secretary**” means the person holding office under these rules as Secretary of the association; or if no such person holds that office—the public officer of the association;

“**special general meeting**” means a general meeting of the association other than an annual general meeting;

“**the Act**” means the Associations Incorporation Act 1984 (NSW);

“**the Regulations**” means the Associations Incorporation Regulations 1994 (NSW).

(2) In these rules:

- a reference to a function includes reference to a power, authority and duty; and
- a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

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- (3) The provisions of the Interpretation Act 1987 (NSW) apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

PART II – MEMBERSHIP

5. Membership Qualifications

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

- the person is a person referred to in section 15(1)(a), (b) or (c) 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
- the person is a natural person;
who has not been nominated for membership of the association as provided by rule 3; and
who has been approved for membership of the association by the committee of the association.

6. Nomination for Membership

(1) A nomination of a person for membership of the association:

- shall be made by the applicant using the form set out in Appendix 1 to these rules, or by using a similar form of equivalent nature and intent; and
- shall be accompanied by the sum payable under these rules by a member as annual subscription; and
- shall be lodged with the Secretary or Treasurer (on behalf of the Committee) of the association.

(2) The Committee (upon the recommendation of the Secretary or Treasurer) shall make a determination on the Membership Application, and then the Secretary or Treasurer as soon as practicable after that determination, enter the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the association.

(3) Annual membership is said to be renewed upon receipt of the sum payable under these rules by a member as annual subscription. Submission of a new membership form is not necessary.

7. Cessation of Membership

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

- dies; or
- resigns membership; or
- is expelled from the association
- when their annual membership fee expires

8. Membership Entitlements not Transferable

A right, privilege or obligation which a person has by reason of being a member of the association:

- is not capable of being transferred or transmitted to another person; and
- terminates on cessation of the person's membership.

9. Resignation of Membership

(1) A member of the association is not entitled to resign that membership except in accordance with this rule.

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- (2) A member of the association who has paid all amounts payable by the member to the association in respect of the member's membership may resign from membership of the association by first giving to the Secretary or Treasurer written notice of at least one month (or such other period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (3) If a member of the association ceases to be a member under clause (2), and in every other case where a member ceases to hold membership, the Secretary or Treasurer shall make an appropriate entry in the register of members recording the date on which the member ceases to be a member.

10. Register of Members

- The Secretary or Treasurer shall establish and maintain a register of members of the association specifying the name and address of each person who is a member of the association together with the date on which the person became a member.
- The register of members shall be kept at the principal place of administration of the association and shall be open for inspection, free of charge, by any member of the association at any reasonable hour.

11. Fees and Subscriptions

A member of the association shall pay to the association an annual fee to be determined by resolution of the Annual General Meeting or, if some other amount is determined by the committee, that other amount.

12. Members' Liabilities

The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association shall be limited to the amount, if any, unpaid by the member in respect of membership of the association as required by rule 11.

13. Resolution of Internal Disputes

Disputes between members (in their capacity as members) of the association, and disputes between members and the association, are to be referred to a community justice centre for mediation in accordance with the Community Justice Centres Act 1983.

14. Disciplining members

(1) A complaint may be made by any member of the association that some other member of the association:

- has persistently refused or neglected to comply with a provision or provisions of these rules; or
- has persistently and wilfully acted in a manner prejudicial to the interests of the association.

(2) On receiving such a complaint, the committee:

- shall cause notice of the complaint to be served on the member concerned; and
- shall give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint; and
- shall take into consideration any submissions made by the member in connection with the complaint.

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- (3) The committee may, by resolution, expel the member from the association or suspend the member from membership of the association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved.
- (4) If the committee expels or suspends a member, the Secretary or Treasurer shall, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under rule 15.
- The expulsion or suspension does not take effect:
 - until the expiration of the period within which the member shall be entitled to appeal against the resolution concerned; or
 - if within that period the member exercises the right of appeal. Unless and until the association confirms the resolution under rule 15 (4), whichever is the later.

15. Right of Appeal of Disciplined Member

- (1) A member may appeal to the association in general meeting against a resolution of the committee under rule 14, within 7 days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.
- (2) The notice may, not need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (3) On receipt of a notice from a member under clause (1), the Secretary shall notify the committee which shall convene a general meeting of the association to be held within 28 days after the date on which the Secretary received the notice.
- (4) At a general meeting of the association convened under clause (3);
- no business other than the question of the appeal shall be transacted; and
 - the committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and
 - the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (5) If at the general meeting the association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

PART III - THE COMMITTEE

16. Powers of the Committee

Subject to the Act, the Regulations and these rules, and any resolution passed by the association in general meeting, the committee ("committee of management") shall:

- control and manage the affairs of the association;
- exercise all such functions as may be exercised by the association, other than those functions that are required by these rules to be exercised by a general meeting of members of the association; and
- have 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.

17. Constitution and Membership

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- (1) Subject in the case of the first members of the committee to section 21 of the Act, the committee shall consist of:
 - the office-bearers of the association; and
 - 2 ordinary members, each of whom is to be elected at the annual general meeting of the association under rule 15.
- (2) The office-bearers of the association shall be:
 - the Convenor (also the public officer);
 - the Secretary; and
 - the Treasurer.
- (3) Each member of the committee shall, subject to these rules, hold office until the conclusion of the annual general meeting following the date of the member's election, but shall be eligible for re-election.
- (4) In the event of a casual vacancy occurring 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.
- (5) The Convenor (also the public officer) of the association shall, as soon as practicable after being appointed as Convenor and/or Public Officer, lodge notice with the association of his or her address.

18. Election of Members

- (1) Nomination of candidates for election as office-bearers of the association or as ordinary members of the committee:
 - shall be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination); and
 - shall be delivered to the Secretary of the association prior to commencement of 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 are taken to be elected and further nominations are to be received at the annual general meeting.
- (3) If insufficient further nomination is received, any vacant positions remaining on the committee are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are 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 members of the committee shall be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

19. Secretary

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- (1) The Secretary of the association shall, as soon as practicable after being appointed as Secretary, lodge notice with the association of his or her address.
- (2) It is the duty of the Secretary to keep minutes of:
 - all appointments of office-bearers and members of the committee;
 - the names of members of the committee present at a committee meeting or a general meeting; and
 - all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting; and/or
Affirmed through a majority vote of eligible members at the next succeeding meeting.

20. Treasurer

- (1) The Treasurer of the association shall, as soon as practicable after being appointed as Treasurer, lodge notice with the association of his or her address.
- (2) It is the duty of the Treasurer of the association to ensure:
 - that all money due to the association is collected and received and that all payments authorised by the association are made; and
 - that correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association.

21. Casual Vacancies

For the purposes of these rules, a casual vacancy in the office of a member of the committee occurs if the member:

- dies; or
- ceases to be a member of the association; or
- becomes an insolvent under administration within the meaning of the Corporations Law; or
- resigns office by notice in writing given to the Secretary,

Or

- is removed from office under rules 22; or
- becomes a mentally incapacitated person, or
- is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.

22. Removal of Members

- The association in general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- If a member of the committee to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the Secretary or Convenor (not exceeding a reasonable length) and requests that the representations be notified to the members of the association, the Secretary or the present may send a copy of the representations to each member of the association or, if the representations are not so sent, the member shall be entitled to require that the representations be read out at the meeting at which the resolution shall be considered.

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23. Meeting and Quorum

- (1) The committee shall meet at least 4 times in each period of 12 months at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the Convenor or by any member of the committee.
- (3) Oral or written notice of a meeting of the committee shall be given by the Convenor or Secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under clause (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) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) No business shall be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week, or at an earlier date agreed to by the committee members present.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.
- (8) At a meeting to the committee:
 - the Convenor or, in the Convenor's absence, the Secretary shall preside; or
 - if the Convenor and the Secretary are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting shall preside.

24. Payment etc. of Members and Office Bearers

The income and property of ETS from whatever source shall be applied solely to the promotion of the objects of ETS, and no part of that property and income shall be paid or transferred directly or indirectly as dividend, or otherwise by way of profit to any office-bearer or member of the Management Committee, providing that nothing in this rule shall prevent the payment in good faith of remuneration to any office bearer or servant of ETS or to any member of the Management committee in return for services actually rendered to ETS or for reasonable and proper rent for premises let by any member of ETS.

25. Delegation by Committee to Subcommittee

- (1) The committee may, by instrument in writing, delegate to one 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:
 - this power of delegation; and
 - a function which is a duty imposed on the committee by the Act or by any other law.

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- (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 legislation.
- (3) A delegation under this section 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) Despite 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.

26. Voting and Decisions

- Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- Each member present at a meeting of the committee or of any sub-committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- Subject to rule 21, the committee may act despite any vacancy on the committee.
- Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a subcommittee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or subcommittee.

PART IV - GENERAL MEETINGS

27. Annual General Meeting - 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:
 - within the period of 18 months after its incorporation under the Act; and
 - within the period of 6 months after the expiration of the first financial year of the association.
- Clauses (1) and (2) have effect subject to any extension or permission granted by the Commissioner under section 26 (3) of the Act.

28. Annual General Meetings - Calling of and Business at

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- (1) The annual general meeting of the association shall, subject to the Act and to rule 23, 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 or an annual general meeting shall include the following;
 - to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;
 - to receive from the committee reports on the activities of the association during the last preceding financial year;
 - to elect office-bearers of the association and ordinary, members of the committee;
 - to receive and consider the statement which is required to be submitted to members under section 26 (6) of the Act.
- (3) An annual general meeting shall be specified as such in the notice convening it.

29. Special General Meetings - Calling of

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the association.
- (2) The committee shall, on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of the association.
- (3) A requisition of members for special general meeting;
 - shall state the purpose or purposes of the meeting; and
 - shall be signed by the members making the requisition, and
 - 'shall be lodged with the Secretary; and
 - may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by a member or members as referred to in clause (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 consequently incurs expense shall be entitled to be reimbursed by the association for any expense so incurred.

30. Notice

- Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the Secretary shall, at least 14 days before the date fixed for the holding of the general meeting, cause to be sent by pre-paid post of 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 place, proposed to be transacted at the meeting.
- If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the Secretary 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 clause (1) specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.

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- 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 under rule 28.
- A member desiring to bring any business before a general meeting may give notice in writing of that business to the Secretary who shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.

31. Procedure

- (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) Five 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 on the requisition of members, shall be dissolved; and
 - in any other case, shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) will constitute a quorum.

32. Presiding Member

- The Convenor or, in the Convenor's absence, the Secretary, shall preside as chairperson at each general meeting of the association.
- If the Convenor and the Secretary are absent or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

33. Adjournment

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the Secretary 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 clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting shall not be required to be given.

34. Making Decisions

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- (1) A question arising of 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 chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, shall be 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 chairperson or by at least 3 members present in person or by proxy at the meeting.
- (3) If a poll is demanded at a general meeting, the poll shall be taken:
 - immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question or an adjournment; or
 - in any other case, in such manner and at such time before the close of the meeting as the chairperson direct; and
 - the resolution of the poll on the matter shall be taken to be the resolution of the meeting on that matter.

35. Special Resolution

A resolution of the association is a special resolution;

- if it is passed by a majority which comprises at least three-quarters of such members of the association as, being entitled under these rules so do, vote in person or by proxy at a general meeting of which at least 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules; or
- where it appears to the Commissioner that it is not practicable for the resolution to be passed in the manner specified in the above paragraph, if the resolution is passed in manner specified by the Commissioner.

36. Voting

- On any question arising at a general meeting of the association a member has one vote only.
- All votes shall be given personally or by proxy by no member may hold more than 5 proxies.
- In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting shall be entitled to exercise a second or casting vote.
- A member or proxy shall not be 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.

37. Appointment of Proxies

- Each member shall be entitled to appoint another member as proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- The notice appointing the proxy shall be in the form set out in Appendix 2 of these rules.

PART V – FUNDS

38. Funds - Source

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- The funds of ETS are to be derived from entrance fees and annual subscriptions of members, donations, and subject to any resolution passed by the association in general meeting, such other sources as the committee determines.
- All money received by ETS shall be deposited as soon practicable and without deduction to the credit of ETS's bank account.
- ETS shall, as soon as practicable after receiving any money, issue an appropriate receipt.

39. Funds - Management

- Subject to any resolution passed by the association in general meeting, the funds of the association are to be used in pursuance of the objects of the association in such manner as the committee determines.
- All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any single member of the committee or employees of the association, being members or employees authorised to do so by the committee.

PART VI - GIFT FUND RULES

40. Establishment

The Gift Fund shall be established to receive all gifts of money or property for the purpose of supporting the environmental objects and purposes of ETS.

41. Uses of Gift Fund

Money or property comprising the Gift Fund shall be used only for the purposes of promoting those objects/purposes of ETS.

42. Committee

A sub-committee of no fewer than 3 persons appointed by the committee of management of ETS, with a majority of persons who have the requisite degree of responsibility to the general community in accordance with the guidelines established by the Department, shall be responsible for the administration of the Gift Fund.

43. Treasurer

The Treasurer shall be responsible for the day-to-administration of the Gift Fund, as well as complying with any requirements under these Gift Fund Rules.

44. Separate bank account

A separate bank account shall be opened to deposit money donated to the Gift Fund, including interest accruing thereon, and gifts to it shall be kept separate from other funds of ETS.

45. Public invited to make gifts

Members of the public shall be invited to make gifts of money.

46. Gifts received

- Any money received because of such gifts shall be credited to the Gift Fund's bank account.
- Money from interest on donations, income derived from donated property, and money from the realisation of such property shall also be deposited into the Gift Fund.

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- The Gift Fund shall not receive any other money or property into its account, and it shall comply with subdivision 30-E of the Income Tax Assessment Act 1997.

47. Receipts for gifts

Receipts shall be issued in the name of the Gift Fund and accounting records and procedures are to be kept and used for the Gift Fund.

48. Not for profit

The Gift Fund shall be operated on a non-profit basis.

49. Informing of changes

ETS shall inform the Department responsible for the environment ("the Department") as soon as possible if:

- it changes its name or the name of its Gift Fund;
- there is any change to the membership of the management committee of the Gift Fund;
- there has been any changes or departure from the model rules for public funds, established by the Guidelines to the Register.

50. Ministerial Rules

ETS shall comply with any rules that the Treasurer and the Minister with responsibility for the environment may make to ensure that gifts made to the Gift Fund are only used for its principal purpose.

51. Records

Records of the Gift Fund shall be kept in a manner that conforms with the constitutional requirements of, and legal requirements on ETS.

52. Returns and Statistical Information

- An annual statistical return containing information requested by the Department on donations to the Gift Fund shall be provided by ETS to the Department within four months of the end of the financial year.
- An audited financial statement for ETS and the Gift Fund shall be supplied with the annual statistical return. The statement will provide information on the expenditure of public (and monies and the management of public fund assets).

PART VII – MISCELLANEOUS

53. Insurance

- ETS shall affect and maintain insurance under section 44 of the Act.
- In addition to the insurance required under the above clause, ETS may affect and maintain other insurance.

54. Non Profit

The income and property of ETS shall be used and applied solely in promotion of its objects and no portion shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or by way of profit to members, directors, or trustees of the organisation.

Constitution of EcoTransit Sydney Inc

55. Conduit Policy

Any allocation of funds or property to other persons or organisations will be made in accordance with the established purposes of ETS and shall not be influenced by the preference of the donor.

56. Winding-up

In case of the winding-up of ETS, any surplus assets are to be transferred to another fund with similar objectives that is on the Register of Environmental Organisations.

57. Alterations of Objects and Rules

The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the association.

58. Common Seal

The common seal of the association shall be kept in the custody of the Secretary.

Only the Secretary or other office-bearer or Committee Member of EcoTransit Sydney may use the EcoTransit Sydney Inc. ("ETS" or "EcoTransit") branding/logo unless written approval is given to other members of EcoTransit Sydney or third parties.

The spokesperson for the organisation shall be the Convenor and the Secretary, however other members may be nominated by the Committee to represent the organisation as subject matter experts.

59. Child Protection

Members engaging in public facing activities are requested to hold a valid NSW Working with Children Check clearance and submitted to the Secretary for verification. The Committee may revoke the membership of any person unable to obtain an NSW Working with Children Check clearance.

60. Privacy and Information Handling Statement

The organisation upholds its obligations in accordance with Australian Privacy Principles (APP) and the Commonwealth Privacy Act 1988. The Convenor (as the public officer) is the organisation's nominated Privacy Officer.

Appendix 1: Application for Membership



EcoTransit Sydney Incorporated

ABN: 50630761743

Membership Application Form

Member Details

I, (full name) _____, of

(address) _____

would like to apply for membership of EcoTransit Sydney, and enclose: (tick a box)

<input type="checkbox"/>	\$30 (12 months)	Regular Membership
<input type="checkbox"/>	\$15 (12 months)	Concession Membership (e.g. Student, Pensioner)

How would you like to make payment?

- ☐ Cheques or money orders for membership payable to: Eco-Transit Sydney
☐ Direct Deposit

Account Name: EcoTransit Sydney Inc.

BSB: 032 024

Account No: 287751

Bank: Westpac

- ☐ Online Payment (via PayPal) is accepted via <https://ecotransit.org.au/wp/join>

In addition to its advocacy campaigns, EcoTransit Sydney incurs substantial administration costs, including annual audits and public liability insurance. An additional contribution to help defray these costs would be gratefully received.

Additional contributions \$ _____ Total Payment \$ _____

Communication Details

Phone: _____

Email: _____

Would you like to join our email list?

- ☐ Discussion List (High Traffic) ☐ Announcements List (Low Traffic)

Signature: _____ Date: _____

Send completed form (with payment) to 7/46-48 Talara Rd, Gymea NSW 2227, Australia or
email: contact@ecotransit.org.au

April 2025

Appendix 2: Form of Appointment of Proxy

EcoTransit Sydney Incorporated Proxy Voting Form



Date: _____

I (name) _____ as a financial member of EcoTransit Sydney Inc

appoint (name) _____ (in accordance with the constitution of
EcoTransit Sydney Inc) for the purposes of voting in the upcoming EcoTransit meeting of

(date) _____ to act as my proxy on:

[] all matters

Or

[] the following matters as outlined below

Signature of member

Signature of authorised proxy

Date Received by EcoTransit Secretary: _____

April 2025