

CONSTITUTION

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1. NAME

The name of the Association shall be NOWAR hereinafter called "the Association".

2. AIMS AND OBJECTIVES

The aims of the Association shall be:

2.1. To educate, inform and mobilise people based on the following principles:

- 2.1.1. Opposition to the increasing militarisation of the world, and the consequences for the international community;
- 2.1.2. Support for a reversal of the global military build-up, specifically the removal of nuclear, chemical and biological weapons, an end to the trade in arms, and a reduction in the current level of conventional arms;
- 2.1.3. Support for the removal of foreign military bases around the world, and an end to foreign military interventions;
- 2.1.4. Support for the resolution of conflicts in a just and peaceful manner, having regard

for the Universal Declaration of Human Rights, international law and the rights of all peoples to self-determination.

The objectives of the Association shall be:

- 2.2. To organise rallies, public meetings and other actions in pursuit of the above aims
- 2.3. To provide the public with access to material not covered by, or misrepresented by the mainstream, 'commercial' media.
- 2.4. To support the mechanisms and process of the United Nations General Assembly, in so far as they are consistent with the aims and objectives of the Association.
- 2.5. To promote and uphold the Universal Declaration of Human Rights.
- 2.6. To actively promote a global network for peace.
- 2.7. To provide aid, support and advocacy for victims of war and its associated crimes.
- 2.8. To lobby the Australian and other governments to abide by the universal and democratic norms of the United Nations Charter and ratify and implement associated international conventions.
- 2.9. To actively educate people in a variety of ways in order to challenge beliefs and attitudes that contribute to war.
- 2.10. To do all such other things as may be incidental to the attainment of such objectives.

3. MEMBERSHIP

- 3.1. Members shall be persons who have agreed to accept the above objectives, paid any prescribed membership fee, who have applied in writing for membership and who are accepted as members by majority vote of the Committee or of a General Meeting.
- 3.2. Affiliated Organisation members shall be organisations which have applied in writing for membership, expressed support for the above objectives and paid the prescribed membership fee if any, and which are accepted as members by majority vote of the Committee or of a General Meeting.
- 3.3. Expectations are that each affiliate would encourage their members to participate in the associations' activities. Each affiliate would distribute information from the association using its own channels of communication. Each affiliate would agree to have its name used in the association's media statements and publications indicating its affiliate status.
- 3.4. Each affiliate has the right to send one representative with voting rights to any General

meeting of the association. No individuals at general meetings shall have more than one vote.

3.5 Membership of a person or an organisation may be suspended by not less than two-thirds majority vote at a Committee or General Meeting.

3.5.1 Any suspended member may on not less than 2 weeks' written notice require the suspension to be reconsidered at one subsequent General Meeting.

3.5.2 A representative of an organisation member may be suspended as if the representative were a member, and the organisation shall be entitled to appoint another representative or to require the suspension to be reconsidered as if the representative were a member.

3.5.3 The Association shall not be required to accept the renewal of membership of a suspended member when renewal next falls due, or to accept the appointment of a representative of an organisation member who has been suspended.

3.6 Membership shall cease on:

3.6.1 Resignation in writing delivered to the premises of the Association;

3.6.2 Non renewal of membership within six months of expiry.

4. MANAGEMENT AND DECISION-MAKING

4.1 The ultimate decision-making body shall be ordinary General Meetings and the Annual General Meeting. Management shall be vested in the Committee of not less than 6 or more than 10 members or organisation member representatives elected at the Annual General Meeting as hereinafter provided.

4.2 The Office Bearers of the Association shall be the Convenor, Secretary, Treasurer and Network and Affiliates Co-ordinator who shall be elected by the members at the Annual General Meeting prior to the election of the remainder of the Committee members or failing such election shall be chosen by the Committee from its members at a Committee meeting held within 1 week following the Annual General Meeting.

4.3 The Committee shall meet as often as may be required to conduct the business of the Association and not less than 6 times each calendar year.

4.4 The quorum shall be 4 Committee members.

4.5 The Convenor or two other members of the Committee shall have power to call a meeting of the

Committee.

4.6 Notice of meetings shall be given at the previous Committee meeting or by 7 days' written notice distributed to all Committee members or in an emergency by such other notice as shall be ratified by the Committee.

4.7 An Office Bearer or member of the Committee shall cease to hold such office upon:-

4.7.1 Resignation in writing;

4.7.2 Suspension as a member of the Association or as a member representative;

4.7.3 Absence for three successive Committee meetings without explanation acceptable to the Committee.

4.7.4 Majority vote of the Association at a Special General Meeting that the position will be declared vacant because the duties of the position have not been performed in a proper and acceptable manner PROVIDED THAT notice of motion to declare the position vacant has been given to the members, and that the person the subject of the motion shall be provided with an opportunity to speak on the motion.

4.7.5 Vacancies unfilled or arising in the Office Bearers or other Committee Members may be filled by the Committee by co-opting members for the unexpired remainder of the term.

4.7.6 The Committee may function validly notwithstanding any vacancies so long as its number is not reduced below the quorum.

4.7.7 The Committee may appoint sub-committees and action groups of members and non-members for specific purposes who shall meet as they see fit or as directed by the Committee and who shall report to the Committee.

4.7.8 The Committee may appoint an Executive of the Office Bearers who shall meet to carry out day-to-day business delegated by the Committee and who shall report to the subsequent Committee meeting.

4.7.9 In the event of incorporation the Committee shall appoint a Public Officer who shall notify the Corporate Affairs Commission of such appointment and who shall file such other returns and notices as shall be required by law. The Public Officer shall hold office until another person is appointed to the position by the Committee.

4.7.10 Committee members shall upon election or nomination become members in their own right. They may express the views and interests of any organisation which they represent or of which they are a member, but must vote in the interests of the

Association and to carry out its objectives.

4.7.11 Committee members must not vote in any decision in which they or a closely associated person or group have a financial interest and must not use their position to obtain any financial or other advantage for themselves or for a closely associated person or group.

4.7.12 In the event of a Committee vote being taken, only elected Committee members may vote. Members of the Association may participate and speak at Committee meetings at the Committee's pleasure, but may not vote.

4.8 Decisions in Committee shall initially be sought by consensus, providing only that standard meeting procedure may be invoked by any Committee member e.g. to put a question or recall a speaker to order as to relevance.

5 POWERS

5.1 The powers of the Association shall be the powers contained in the ASSOCIATIONS INCORPORATION ACT and without limiting those powers the Association shall be entitled to hold real or personal property, open and operate bank accounts, invest in trustee securities, and enter into any necessary or desirable contract including a contract of employment.

5.2 The affairs of the association between ordinary general meetings shall be managed and controlled by the Committee which in addition to any powers and authorities conferred by these rules may exercise all such powers and do all such things as are within the objectives of the association, and are not by the Act or by these rules required to be done by the association in general meeting.

6 GENERAL MEETINGS

6.1 The Annual General Meeting shall be held once in each calendar year and not more than four months after the close of the financial year.

6.2 The business of the Annual General Meeting shall be:-

6.2.1 To confirm the minutes of the preceding Annual General Meeting;

6.2.2 To receive the Convenor's report for the previous financial year;

6.2.3 To receive the Treasurer's report and the audited financial statements for the previous

financial year, together with the financial budget for the current financial year;

6.2.4 To elect or re-elect the Committee Members who must consent in person or in writing;

6.2.5 To conduct any other business placed on the agenda before the commencement of the meeting.

6.3 Ordinary General Meetings shall be held not less than five times a year.

6.4 The business of an Ordinary General Meeting shall be:

6.4.1 To discuss and decide upon matters raised by members.

6.4.2 To seek consensus on matters put to the Ordinary General Meeting by the Committee, or to reach a majority vote decision on matters on which consensus is not reached.

6.5 A Special General Meeting or an ordinary general meeting shall be called by the Secretary within 7 days of receipt of a directive of the Committee or a written request of 4 Committee members or not less than 10% of the financial membership specifying the business to be conducted at the meeting.

6.6 The business of a Special General Meeting shall be:

6.6.1 To make decisions on matters required by the Associations Incorporation Act to be decided in a Special General Meeting;

6.6.2 To make decisions on matters discussed in Ordinary General Meetings where the decision of the meeting has not been accepted or implemented by the Committee.

6.6.3 To consider any resolution of no confidence in the Committee or any member of the Committee and where any such resolution is passed to elect any replacement Committee member or members.

6.7 Written notice of not more than 28 days and not less than 7 days of all General Meetings shall be displayed on the website of the Association.

6.7.1 In addition, written notice of not less than 14 days shall be provided for Annual or Special General Meetings by email or postal service to all members and affiliates.

6.8 Members (other than affiliate representatives) shall each be entitled to one vote at any General Meeting at which they are present.

6.9 A quorum at any General Meeting shall be 10 members or two-thirds of the members whichever is less.

6.10 If at any General Meeting there is no quorum within 30 minutes of the time appointed for the meeting then a majority of members present may decide to adjourn the meeting for a period not exceeding 14 days. The quorum for such adjourned meeting shall be reduced to 5 failing which the meeting will lapse altogether.

7 VOTING

7.1 Voting shall be by show of hands except that:

7.1.1 Any contested election at an Annual General Meeting or otherwise shall be by secret ballot;

7.1.2 The meeting may by show of hands require any other vote to be by secret ballot.

7.2 Persons with special interests or knowledge relevant to the Association may be invited to attend any meeting and to speak at the discretion of the Convenor but such persons may not vote.

8 CONVENOR

8.1 In the event of incorporation the Convenor shall ensure the safekeeping of the Common Seal which shall be affixed only by resolution of the Committee or of a General Meeting and in the presence of two Committee members including at least one Office Bearer.

8.2 The Convenor shall chair Executive, Committee and General Meetings except that in the absence of the Convenor or at the request of the Convenor or of a majority of a meeting another member may be elected as Convenor for that meeting.

8.3 The Convenor at any meeting shall have a personal deliberative vote and shall in addition have a casting vote if votes are equal.

8.4 The Convenor together with the Secretary shall prepare the agenda for Committee and General Meetings.

8.5 The Convenor of a meeting shall encourage full balanced participation by all members and shall decide on matters of order.

8.6 The Convenor shall act as Spokesperson unless one or more alternative Spokespersons have been appointed by the Committee or a General Meeting. The Spokesperson shall make statements in accordance with previously agreed policy, or in an emergency following consultation with at least 2 members of the Committee.

9 TREASURER

- 9.1 The Treasurer shall ensure that all monies received are paid into an account authorised by the Committee in the name of the Association. Payments shall be as petty cash or by cheque signed by 2 authorised signatories of whom there shall be no more than 5 appointed by the Committee. Major or unusual expenditures shall be authorised in advance by the Committee or a General Meeting.
- 9.2 The Treasurer shall ensure that records are kept of all receipts and payments and other financial transactions. Such records shall be available for inspection by any member.
- 9.3 The Treasurer shall ensure that financial budgets and statements are prepared and shall submit a report on the finances to each Committee Meeting.
- 9.4 The Treasurer shall ensure that annual Financial Statements comprising either an account of receipts and payments and a statement of assets and liabilities or an account of income and expenditure and a balance sheet shall be prepared following the end of the Association's financial year, which shall commence on 1st July and end on 30th June unless altered at a General Meeting.
- 9.5 The Treasurer shall ensure that the annual Financial Statements are audited before presentation to the Annual General Meeting by an independent auditor who shall be appointed by the Committee; provided that where the auditor is changed the Treasurer shall so inform the Annual General Meeting in the Treasurer's Report.

10 SECRETARY

- 10.1 The Secretary shall ensure that notice of meetings is given in accordance with the provisions of this constitution.
- 10.2 The Secretary shall ensure that records are kept of the Association including the constitution and policies, records of members, a register of minutes of meetings and of notices, a file of correspondence, and records of submissions or reports made by or on behalf of the Association.
- 10.3 In the absence of the Secretary or at the request of the Secretary or of a majority of the meeting another member shall be elected as Minutes Secretary.

11 EMPLOYEES

11.1 An employee of the Association may be a member of the Association or any sub-committee.

11.2 A person performing paid work for the Association on a regular substantial basis:

11.2.1 Shall not be a member of the Committee unless specifically provided in this constitution or any subsequent amendment; and

11.2.2 Shall not take part in decisions relating to paid work and shall remain absent from deliberations relating to any worker if so requested by a majority of the Committee.

12 AMENDMENT OF CONSTITUTION & RULES

12.1 This constitution may be repealed or amended by resolution of two-thirds of members present and voting at a Special or Annual General Meeting of which not less than 21 days' written notice including notice of the proposed repeal or amendment has been distributed to all members.

12.2 Rules for the proper administration of meetings or business may be made, repealed or amended by a General Meeting or by a Committee Meeting subject to subsequent disallowance at a General Meeting, provided that not less than 7 days' written notice including notice of the proposed new rule, repeal or amendment has been distributed to all members.

13 LIABILITY, PROPERTY AND DISSOLUTION

13.1 Persons who with the authority of the Committee incur any debt or other liability on behalf of the Association shall have such liability met by the Association so that they incur no personal loss.

13.2 The income property and funds of the Association shall be used solely towards the promotion of the objectives and shall not be paid or transferred to any members or relatives of members provided that nothing herein shall prevent any payment in good faith to any person in return for services actually rendered or to any person in furtherance of the objectives of the Association and without undue preference.

13.3 On dissolution all property remaining after payment of all legal liabilities shall be transferred to such other body formed for promoting similar objectives or for charitable objectives as shall be approved by the Association provided that:-

13.3.1 Such other body shall also prohibit the distribution of income and property to the members to the extent stated herein;

13.3.2 If the Association shall have been approved pursuant to Division 30 of the Income Tax

Assessment Act then such other body shall also be so approved; and

- 13.3.3 The Association shall not be dissolved except by approval of not less than three-fourths of the members present and voting at a meeting called for that purpose of which not less than one calendar month's written notice including notice of the proposed dissolution has been distributed to all members.

Finalised as of October 30th 2003