

Proposed Changes to the constitution of Bunanyung Landscape Alliance Inc.

The following changes are suggested to align Bunanyung Landscape Alliance Inc. constitution with the requirements for Registration as an Environmental Organisation (REO).

The original text is given in the left-hand column, the suggested amendment is given in the right-hand column and the changes are highlighted in red text.

Three changes are proposed:

Change 1: In the **Treasurer** clause the Alliance Inc. must ensure that receipts are issued in such a way to comply with proper records and procedures

Change 2: In the **Management of Funds** clause the Alliance Inc. must refer to the management of public funds in a separate, named account, in its constitution, to comply with the requirements of the *Income Tax assessment Act 1997*

Change 3: In the **Winding up and cancellation** clause the Alliance must refer to the winding up of public funds in an appropriate manner in its constitution to comply with the requirements for registration with the Register of Environmental Organisations.

Change 1	
<p>(48) Treasurer</p> <p>(1) The Treasurer must:</p> <ol style="list-style-type: none">1. a) receive all moneys paid to or received by the Association and issue receipts for those moneys in the name of the Association; and2. b) ensure that all moneys received are paid into the account of the Association within 5 working days after receipt; and3. c) make any payments authorised by the Board or by a general meeting of the Association from the Association's funds; and <p>d) ensure any payments are authorised according to a current <i>Procedure for Payment</i> approved by the Board.</p> <p>(2) The Treasurer must—</p> <ol style="list-style-type: none">1. a) ensure that the financial records of the Association are kept in accordance with the Act; and2. b) coordinate the preparation of the financial statements of the Association and their	<p>(48) Treasurer</p> <p>(1) The Treasurer must:</p> <ol style="list-style-type: none">1. a) receive all moneys paid to or received by the Association. Receipts are issued in the name of the fund and proper accounting records and procedures are to be kept and used for the fund; and2. b) ensure that all moneys received are paid into the account of the Association within 5 working days after receipt; and3. c) make any payments authorised by the Board or by a general meeting of the Association from the Association's funds; and <p>d) ensure any payments are authorised according to a current <i>Procedure for Payment</i> approved by the Board.</p> <p>(2) The Treasurer must—</p> <ol style="list-style-type: none">1. a) ensure that the financial records of the Association are kept in accordance with the Act; and

<p>certification by the Board prior to their submission to the annual general meeting of the Association.</p> <p>(3) The Treasurer must ensure that at least one other Board member has access to the accounts and financial records of the Association.</p>	<p>2. b) coordinate the preparation of the financial statements of the Association and their certification by the Board prior to their submission to the annual general meeting of the Association.</p> <p>(3) The Treasurer must ensure that at least one other Board member has access to the accounts and financial records of the Association.</p>
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<p>CHANGE No. 2</p> <p>PART 6 FINANCIAL MATTERS</p> <p>(69) Management of funds</p> <p>(1) The Association must open an account with a financial institution from which all expenditure of the Association is made and into which all the Association's revenue is deposited.</p> <p>(2) The Association must maintain a separate Public Fund (called the Bunanyung Public Fund) in a separate bank account for deposition of Gifts.</p> <p>(a) The Public Fund will be managed by a Management Committee with a minimum of 3 members, of which the majority will be 'Responsible Persons' (e.g. accountant, medical practitioner, clergy, justice of the peace or judge, magistrate, barrister or solicitor, public servant with more than five years of service, academic or teacher, past or present office holder of a community organisation).</p> <p>(b)) The Bunanyung Landscape Alliance Inc. agrees to abide by Ministerial rules and answer all questions stated on the annual statistical return form, provide an audited financial statement for itself and its public fund. The Bunanyung Landscape Alliance Inc. will inform the Department as soon as possible of any changes to the name of the public fund, changes to the membership of the committee of the public fund and any departure from the rules of the public fund.</p>	<p>PART 6 FINANCIAL MATTERS</p> <p>(69) Management of funds</p> <p>(1) The Association must open an account with a financial institution from which all expenditure of the Association is made and into which all the Association's revenue is deposited.</p> <p>(2) To establish and maintain a public fund to be called the called the Bunanyung Public Fund for the specific purpose of supporting the environmental objects/purposes of Bunanyung Landscape Alliance Inc.</p> <p>The Fund is established to receive from the members of the public all gifts of money or property for this purpose and any money received because of such gifts must be credited to its bank account.</p> <p>Money from interest on donations, income derived from donated property, and money from the realisation of such property is to be deposited into the Fund. The Fund must not receive any other money or property into its account and it must comply with subdivision 30-E of the Income Tax Assessment Act 1997.</p> <p>a) The Public Fund will be managed by a Management Committee with a minimum of 3 members, of which the majority will be 'Responsible Persons' (e.g. accountant, medical practitioner, clergy, justice of the peace or judge,</p>
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<p>(3) Subject to any restrictions imposed by a general meeting of the Association, the Board may approve expenditure on behalf of the Association.</p> <p>(4) The Board may authorise the Treasurer to expend funds on behalf of the Association (including by electronic funds transfer) up to a specified limit without requiring approval from the Board for each item on which the funds are expended</p> <p>(5) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed/approved according to a current Procedure for Payment approved by the Board</p> <p>6) All funds of the Association must be deposited into the financial account of the Association no later than 10 working days after receipt.</p> <p>(7) With the approval of the Board, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction</p>	<p>magistrate, barrister or solicitor, public servant with more than five years of service, academic or teacher, past or present office holder of a community organisation).</p> <p>(b)) The Bunanyung Landscape Alliance Inc. agrees to abide by Ministerial rules and answer all questions stated on the annual statistical return form, provide an audited financial statement for itself and its public fund. The Bunanyung Landscape Alliance Inc. will inform the Department as soon as possible of any changes to the name of the public fund, changes to the membership of the committee of the public fund and any departure from the rules of the public fund.</p> <p>(3) Subject to any restrictions imposed by a general meeting of the Association, the Board may approve expenditure on behalf of the Association.</p> <p>(4) The Board may authorise the Treasurer to expend funds on behalf of the Association (including by electronic funds transfer) up to a specified limit without requiring approval from the Board for each item on which the funds are expended</p> <p>(5) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed/approved according to a current Procedure for Payment approved by the Board</p> <p>6) All funds of the Association must be deposited into the financial account of the Association no later than 10 working days after receipt.</p> <p>(7) With the approval of the Board, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction</p>
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<p>Change 3</p>	
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76 Winding up and Cancellation

(1) The Association may be wound up voluntarily by special resolution.

(2) In the event of the winding up or the cancellation of the incorporation of the Association, the surplus assets of the Association must not be distributed to any members or former members of the Association.

(3) Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to a body that is registered with the Australian Charities and Not-for-profits Commission (ACNC), has similar purposes to the Association, which is charitable and to which income tax deductible gifts can be made if so required.

(4) The body to which the surplus assets are to be given must be decided by special resolution.

76 Winding up and Cancellation

(1) The Association may be wound up voluntarily by special resolution.

(2) In the event of the winding up or the cancellation of the incorporation of the Association, the surplus assets of the Association must not be distributed to any members or former members of the Association.

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

(4) The body to which the surplus assets are to be given must be decided by special resolution.