

**THE HELLENIC COMMUNITY BENEVOLENT ASSOCIATION  
INCORPORATED**

**CONSTITUTION**

**. 1983 -**

## **THE HELLENIC COMMUNITY BENEVOLENT ASSOCIATION INCORPORATED**

### **1. NAME**

The name of this Association shall be:

“THE HELLENIC COMMUNITY BENEVOLENT ASSOCIATION INCORPORATED”(“the Association”).

### **2. OBJECTS**

- (a) The objects for which this Association is established are for the relief of poverty sickness suffering distress misfortune destitution or helplessness without discrimination to every person of Greek Orthodox Faith and/or of Greek origin or descent and to the spouse and children of such person.
- (b) Without limiting the generality of the foregoing the objects shall include the erection and management of a Welfare Centre and a Home for the Aged.

### **3. INCOME AND PROPERTY**

The income and property of the Association whencesoever derived shall be applied solely towards the promotion of its objects and no portion thereof shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise howsoever by way of profit to the Members of the Association or to any of them or to any person claiming through any of them PROVIDED THAT nothing herein contained shall prevent the payment in good faith of remuneration for services rendered by any person company or body corporate to the Association.

### **4. AFFILIATION**

The Association shall be affiliated with THE HELLENIC COMMUNITY OF WESTERN AUSTRALIA INCORPORATED (“the Community”).

### **5. MEMBERS**

The Members of the Association shall be the Members of the Committee of Management of the Community for the time being.

### **6. ADMINISTRATION**

(a) The Management of the Association shall be vested in the \_\_\_\_\_ Members of the Association who shall be a Committee consisting of President Vice President Treasurer Secretary and eight (8) Members.

(b) The Committee of the Association shall be comprised of the Committee of Management for the time being of the Community and the persons who hold the office of President Vice President Treasurer and Secretary of the Committee of Management of the Community shall hold the identical offices in the Committee of the Association.

- (c) In all respects the Committee of the Association shall conduct its business and affairs in the same manner as the Committee of Management of the Community. In particular the Committee of the Association shall have regard to paragraph 5 of the Community's Constitution lodged at the Corporate Affairs Office on 8th August 1980.
- (d) Any two of the following; President, Vice President, Secretary, Treasurer or persons approved by a motion of the Committee, on such terms and conditions as the Committee designates in writing and signed by any two of the following; President, Vice President, Secretary or Treasurer, shall authorise payments on the Hellenic Community Benevolent Association Inc and other related bank accounts.(Inserted Agm 6/4/08)

## 7. **POWERS OF COMMITTEE**

The Committee of the Association shall subject at all times to this Constitution have power to manage and conduct the affairs of the Association and for that purpose shall have power to do any one or more or all of the following:

- (a) To purchase take or lease on exchange hire or otherwise acquire any real and personal property and any rights and privileges which the Committee may think necessary or convenient for the purpose of attaining the objects of the Association and in particular any land buildings easements machinery plant and stock in trade.
- (b) To enter into any arrangements with any Government Authority Supreme Municipal or Local or otherwise that may seem conducive to the Association's objects or any of them and to obtain from such Government Authority any rights privileges or concessions which the Committee may think it desirable to obtain and to carry out exercise and comply with any such arrangements rights privileges and concessions.
- (c) To invest and deal with the money and property real and personal of the Association not immediately required in such manner as may from time to time be thought fit.
- (d) To borrow or raise or secure the payment of money in such manner as the Committee may think fit and to secure the same for the payment of performance of any debt liability contract guarantee or other engagement incurred or to be entered into by the Association in any way.
- (e) To remunerate any person company or body corporate for services rendered or to be rendered and to pay all expenses incurred by the Association.
- (f) To draw make accept endorse discount execute and issue and to determine which Members of the Committee shall make accept endorse discount and issue on behalf of the Association promissory notes bills of exchange bills of lading cheques and other negotiable or transferable securities or instruments.
- (g) To carry out all or any of the objects of the Association and to do such other acts matters and things as are incidental or conducive to the attainment or the objects and the exercise of the powers of the Association.
- (h) From time to time to make alter and repeal all such By-laws as it may deem necessary or expedient or convenient for the proper conduct and management of the Association PROVIDED ALWAYS THAT no By-laws shall be inconsistent with the provisions of this Constitution.
- (i) The Committee shall have the power to appoint sub-committees from the Members of the

Association or of the Community. Such sub-committees shall work within the limits and terms of reference that the Committee shall set.

(j) Any proposal to sell, transfer, lease, or otherwise dispose of any land, buildings, or licences owned by the association shall have no effect unless it has been approved by a 75 per cent majority of the members of the Hellenic Community of Western Australia Inc present at a general meeting of the Hellenic Community of Western Australia Inc and entitled to vote. (Inserted 25/4/04)

## 8. **ELECTIONS**

The members of the Committee shall be elected and take office ipso facto upon the election of the Committee of Management of the Community in accordance with paragraphs 5 and 6 of the Constitution of the Community as lodged with the Corporate Affairs Office on 8th August 1980.

## 9. **SEAL**

The Common Seal of the Association shall bear the inscription “The Hellenic Community Benevolent Association Incorporated”.

The Secretary shall have the custody of the Common Seal which shall be affixed to all appropriate documents and shall be verified by any two office bearers at least one of whom shall be the President or Secretary.

## 10. **AUDITORS**

The books of account of the Association shall be audited once in every year. The Auditors shall be such firm of public Accountants elected annually at the Annual General Meeting of the Community.

## 11. **AMENDMENT OF CONSTITUTION**

This Constitution may from time to time be amended or altered abrogated or added to by majority of the Members of the Committee of the Association PROVIDED HOWEVER THAT prior to lodging the relevant amendments with the Corporate Affairs Office such proposed amendments shall first be:

- (a) approved by majority resolution of the Members of the Community at a General Meeting; and
- (b) lodged with the Australian Taxation Office for the approval of the Deputy Commissioner of Taxation.

## 12. **DISSOLUTION**

- (a) The Association shall be deemed to exist as long as the Community is deemed to exist.
- (b) In the event of dissolution of the Community then the Association shall thereupon be dissolved and after the payment of all the Association’s liabilities the surplus assets shall be transferred to any Fund approved under Section 78(1) (a) (ii) of the Income Tax Assessment Act as amended.

## 13. **GENERAL**

In all other respects the Association shall conduct its affairs in accordance with the Constitution of the Community insofar as:

- (a) such affairs are not already covered by this Constitution; and
- (b) the Constitution of the Community is relevant or applicable.

T36/1/03