

General Rules of the Australian Croatian Chamber of Commerce

The persons who from time to time are members of the ACCC are an incorporated association by the name given in rule 1 of these Rules.

Under section 46 of the *Associations Incorporation Reform Act 2012*, these Rules are taken to constitute the terms of a contract between the ACCC and its members.

Part 1 - Preliminary

1. Name

The name of the incorporated association is "Australian Croatian Chamber of Commerce Inc." (ACCC).

2. Purposes

The purposes of the ACCC are:

- a) **Local:** To promote, encourage and facilitate trade, investment, technical and economic cooperation between members of the ACCC and businesses and individuals in Australia.
 - b) **International:** To promote, encourage and facilitate trade, investment, technical and economic cooperation between businesses and individuals in Australia, Croatia and other countries.
 - c) **Community:** To promote, encourage and facilitate programs and events that support the Croatian community in Australia.
 - d) **Education:** To promote, encourage and facilitate the education and careers of professionals in Australia and Croatia to further the purposes of the ACCC.
 - e) **Government:** To communicate and work with the governments of Croatia, Australia and Victoria, trade groups and others to further the purposes of the ACCC.
 - f) **Cooperation:** To communicate and work with other chambers of commerce, trade groups and others to further the purposes of the ACCC.
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3. Financial year

The financial year of the ACCC is each period of 12 months ending on 30 June.

5. Powers of ACCC

- (a) Subject to the Act, the ACCC has power to do all things incidental or conducive to achieve its purposes.
- (b) Without limiting subrule (a), the ACCC may:
 - (1) acquire, hold and dispose of real or personal property;
 - (2) open and operate accounts with financial institutions;
 - (3) invest its money in any security in which trust monies may lawfully be invested;
 - (4) raise and borrow money on any terms and in any manner as it thinks fit;
 - (5) secure the repayment of money raised or borrowed, or the payment of a debt or liability;
 - (6) appoint agents to transact business on its behalf;
 - (7) enter into any other contract it considers necessary or desirable.
- (c) The ACCC may only exercise its powers and use its income and assets (including any surplus) for its purposes.

6. Not for profit organisation

- (a) The ACCC must not distribute any surplus, income or assets directly or indirectly to its members.
- (b) Subrule (a) does not prevent the ACCC from paying a member:
 - (1) reimbursement for expenses properly incurred by the member; or (2) for goods or services provided by the member,

if this is done in good faith on terms no more favourable than if the member was not a member.
- (c) Before a payment can be made to a member under subrule (b), the payment must be approved by a resolution of the Committee.

Part 3 – Members, Disciplinary Procedures and Grievances

Division 1 – Membership

7. Minimum number of members

The ACCC must have at least 5 members.

8. Who is eligible to be a member

Any person is eligible for membership if they support the purposes of the ACCC.

9. (a) Application for membership

To apply to become a member of the ACCC, a person must submit a written application to a committee member stating that the person:

- (1) wishes to become a member of the ACCC;
- (2) supports the purposes of the ACCC; and
- (3) agrees to comply with these Rules.

(b) The application:

- (1) must be in the form, or one of the forms, prescribed by the Committee, whether in writing or electronic;
- (2) must contain a valid email address for the applicant, being an email address at which the applicant confirms he or she will receive emails;
- (3) must be signed by the applicant or submitted electronically by the applicant;
- (4) must be signed, or approved electronically, by a nominator who is an existing member of the ACCC;
- (5) if made on or after 1 July 2015, must be signed, or approved electronically, by a seconder who is an existing member of the ACCC; and
- (6) may be accompanied by the joining fee and the applicant's annual subscription for the first year (pro-rated in accordance with subrule 11(b) below).

(c) The completed application form and the joining fee and annual subscription must be provided to the Secretary, or to a person or persons nominated by the Secretary.

10. New membership

- (a) When a completed application form, joining fee and annual subscription have been provided to the Secretary, or to a person or persons nominated by the Secretary, the Secretary must, as soon as practicable, enter the details of the new member, as required under rule 17 below, in the register of members.
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- (b) A person becomes a member of the ACCC and, subject to subrule 0, is entitled to exercise his or her rights of membership from the date, whichever is the later, on which:
- (1) the person's name is entered into the register of members; or
 - (2) the person pays the joining fee and his or her annual subscription for the first year of membership.

11. Annual subscription and fee on joining

- (a) At each annual general meeting, the ACCC must determine:
- (1) the amount of the joining fee and the annual subscription (if any) for each class of membership for the following financial year; and
 - (2) the date for payment of the annual subscription.
- (b) Any new member who joins after the start of a financial year must, for that financial year, pay a fee equal to the full annual subscription pro-rata on the basis of number of months (including any partial month) remaining in the financial year, using the following formula:

$$\text{Pro-rata Annual Subscription} = \frac{\text{Annual Subscription} \times \text{Number of months (including any partial month) remaining in financial year}}{12}$$

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- (c) Honorary members are not liable for any joining fee or annual subscription.
- (d) The rights of a member (including the right to vote) who has not paid the annual subscription by the due date are suspended until the subscription is paid.

12. General rights of members

- (a) Each member of the ACCC is entitled to a single vote at a general meeting and has the right:
- (1) to receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules; and

- (2) to submit items of business for consideration at a general meeting; and
 - (3) to attend and be heard at general meetings; and
 - (4) to vote at a general meeting; and
 - (5) to have access to the minutes of general meetings and other documents of the ACCC as provided under rule 74; and (6) to inspect the register of members.
- (b) A member is entitled to vote if:
- (1) more than 21 days have passed since he or she became a member of the ACCC; and
 - (2) the member's membership rights are not suspended for any reason.
- (c) A member is not entitled to vote if he or she is an Honorary member.

13. Membership categories

- (a) The ACCC has the following membership categories:

Category	Eligibility Requirements
Individual	Any individual.
Business	Any business, whether sole trader, partnership, association or corporation.
Honorary	A person being the Ambassador or Consul-General or any individual voted as an Honorary member by a special resolution at a general meeting in accordance with rule 38 below

- (b) The Committee may by resolution establish an additional category, or categories, of membership or alter or abolish an existing category, or categories, of membership.
- (c) In addition to the requirements specified under rule 8 and subrule (a), the Committee may decide to specify further eligibility requirements for each category of membership.
- (d) The Committee may by resolution decide to assign different annual subscription fees and rights, including voting rights, with respect to each of the member categories.

14. Rights not transferable

The rights of a member are not transferable and end when membership ceases.

15. Ceasing membership

- (a) The membership of a person ceases on resignation, expulsion or death.
 - (b) If a person ceases to be a member of the ACCC, the Secretary must, as soon as practicable, enter the date the person ceased to be a member in the register of members.
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16. Resigning as a member

- (a) A member may resign by notice in writing given to the ACCC.
 - (b) A member is taken to have resigned if the member's annual subscription is more than 12 months in arrears.
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17. Register of members

- (a) The Secretary must keep and maintain a register of members that includes:
 - (1) for each current member:
 - (A) the member's name;
 - (B) the email address for notice last given by the member;
 - (C) the postal address last given by the member;
 - (D) the date of becoming a member;
 - (E) the category of membership held by the member; and (F) any other information determined by the Committee; and
 - (2) for each former member, the date of ceasing to be a member.
- (b) Any member may, at a reasonable time and free of charge, inspect the register of members.
- (c) Any member must provide notice to the ACCC of a change of his or her details, including email address or postal address. Any notice sent to the member under these rules at the existing email address or postal address will be deemed to have been

received by the member unless such a notice of change of details has been received by the ACCC.

NOTE: Official text of complete ACCC General Rules is available upon request at any time.