

CONSTITUTION OF NEIGHBOURHOOD WATCH NORTHERN TERRITORY INCORPORATED

THIS IS THE ANNEXURE MARKED "A" REFERRED TO IN THE STATUTORY DECLARATION OF

(NAME OF PUBLIC OFFICER)

MADE ON THE _____ DAY OF _____ 20 _____

BEFORE ME _____

(SIGNATURE OF WITNESS ON STATUTORY DECLARATION)

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PART 1 – PRELIMINARY

1. Name

- a. The name of the incorporated Association ("the Association") is stated in the Schedule.

2. Objects and purposes

- a. The objects and purposes of the Association are specified in the Schedule.

3. Minimum number of members

- a. The Association must have at least the number of members specified in the Schedule.

4. Commencement

- a. This instrument comes into effect at the time it is passed at an annual general meeting.

5. Definitions

- a. In this Constitution, unless the contrary intention appears –
 - "**Act**" means the Associations Act and regulations made under that Act;
 - "**Associate Member**" means a member who has applied for, or will at the earliest time apply for, a Criminal History Check and Consent to release a National Police Certificate and a Working with Children Clearance check "Ochre Card";
 - "**Board**" means the Board of Management, and shall constitute the Committee for the purposes of the Act;
 - "**Board Meeting**" means a meeting pursuant to PART 5;
 - "**Board Member**" includes both Ordinary and Non-Voting Board Members who have attained the age of 18 years and met the criteria pursuant to PART 4, Division 2 specifically clauses 28 and 29 of this Constitution;
 - "**Commissioner**" means the Commissioner as defined in section 4 of the Act;
 - "**Committee**" means the Management Committee of the Association;
 - "**Ex Officio**" means the person who held the role of Chairperson immediately prior to the current Chairperson, and who has no voting rights;
 - "**Financial Institution**" means an authorised deposit-taking institution within the meaning of section 5 of the Banking Act 1959 of the Commonwealth;
 - "**General Meeting**" means a general meeting of members convened in accordance with PART 6;
 - "**Major Sponsor/Sponsor**" means such organisation or entity determined by the Board from time to time to hold this title;
 - "**Member**" means a member of the Association who is a resident of the Northern Territory, has attained the age of 15 years, has formally applied and qualifies as one of either;
 - a subscriber member, or;

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- a volunteer member being accepted and admitted by the Association, or;
- a voting member as approved by the Committee;

"Members Present" in the context of a general meeting or Board meeting of the Association includes members physically present at the meeting and members able to observe or hear the conduct of the meeting through a video or telephone link or similar telecommunication technology;

"Neighbourhood Watch Advisory Committee" means the group of Neighbourhood Watch stakeholders, one of whom will be elected to represent the Committee on the Board.

"Neighbourhood Watch Northern Territory Consolidated Account" means the bank account used for the deposits and disbursements of all Neighbourhood Watch revenue and expenses.

"Neighbourhood Watch Region" is as defined in the schedule by the Board for inclusion in the Association;

"Neighbourhood Watch Regional Account" means a sub-account of the Neighbourhood Watch Northern Territory Consolidated account which will be the bank account used for funding each Neighbourhood Watch Region.

"Non-Executive Director" means a person or persons appointed, to oversee the performance of the Board of Management, both individually and collectively, but not so as to exclude the lawful oversight, direction and authority of the Board or the Chairperson.

"Non-Voting Board Member" means any ex officio Board member or other member as provided in the schedule;

"Officer of the Association" means an officer as defined in rule 19;

"Ordinary Board Member" means a Board Member appointed under sub rule 22(1) and who is entitled to vote;

"Region" means those divisions of the Association as set out in the schedule or as otherwise determined by the Board to exist from time to time;

"Register of Members" means the register of the Association's members established and maintained under section 34 of the Act;

"Special Resolution" means a resolution notice of which is given under clause 47 and passed in accordance with section 37 of the Act;

"Subscriber Member" means a member of the Association who has attained the age of 15 years, is a resident of the Northern Territory, has been approved by the Executive for membership and admitted by the Association;

"Volunteer member" means a member of the Association who has attained the age of 15 years, is a resident of the Northern Territory, has a valid Working with Children Clearance check "Ochre Card", has been approved by the Board for membership and admitted by the Association;

"Voting member" means a member of the Association who has attained the age of 15 years, is a resident of the Northern Territory, has a valid Working with Children Clearance check "Ochre Card", qualifies and has been approved by the Board for membership to attend and vote at general and special meetings

- b. In these rules, unless the contrary intention appears, expressions referring to writing (including "written") shall be construed as including references to print, data, electronic and facsimile messages, and other modes of representing or reproducing words in a visible form.

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- c. Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Interpretation Act, and consistent with the Act.

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PART 2 - CONSTITUTION AND POWERS OF ASSOCIATION

6. Powers of Association

- a. For achieving its objects and purposes, the Association has the powers conferred by sections 11 and 13 of the Act.
- b. Subject to the Act, the Association may do all things necessary or convenient for carrying out its objects or purposes, and in particular, may –
 - i. acquire, hold and dispose of real or personal property;
 - ii. open and operate accounts with financial institutions;
 - iii. invest its money in any security in which trust monies may lawfully be invested;
 - iv. raise and borrow money on the terms and in the manner it considers appropriate;
 - v. secure the repayment of money raised or borrowed, or the payment of a debt or liability;
 - vi. appoint agents to transact business on its behalf; and
 - vii. enter into any other contract it considers necessary or desirable.

7. Effect of Constitution

- a. This Constitution binds every member and the Association to the same extent as if every member and the Association had signed and sealed this Constitution and agreed to be bound by it.

8. Inconsistency between Constitution and Act

- a. If there is any inconsistency between this Constitution and the Act, the Act prevails.

9. Altering the Constitution

- a. The Association may alter this Constitution by special resolution but not otherwise.
- b. If the Constitution is altered, the public officer must ensure compliance with section 23 of the Act.

PART 3 – MEMBERS

Division 1 – Membership

10. Application for membership

- a. Subject to 10(b) herein, to apply to become a member of the Association a person must submit an application for membership in a manner and format approved by the Committee:-
 - i. Any person who completes the application form automatically becomes a Subscriber member;
 - ii. to be considered for the category of a Volunteer member, present a Working with Children Clearance check and valid Ochre Card and be approved by the Board;
 - iii. to be considered for the category of a Voting member, present a Working with Children Clearance check and valid Ochre Card, is considered qualified and has been approved by the Board to attend and vote at general meetings.
- b. The Chairperson with the consent of the Board, the Board itself or a sub-Committee of the Board may in its discretion admit an applicant to be a member of the Association on

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such terms and conditions deemed necessary in special circumstances. This shall include such specific skill, talent, eminence or upright status in the community likely in the discretion of the Board to benefit the Association. The Board maintains its rights of review of such acceptance as specified herein.

11. Deliberation by the Committee

- a. If an application for membership is rejected, the applicant may appeal against the decision by giving notice to the Secretary within 14 days after being advised of the rejection.
- b. If an applicant gives notice of an appeal against the rejection of his or her application, the Committee must reconsider the application at the next Committee meeting after receipt of the notice of appeal.
- c. If after reconsidering an application the Committee reaffirms its decision to reject the application, the decision is final.

12. Joining fee

- a. If an application for membership is approved by the Committee, the applicant becomes a member without payment of any joining fee.
- b. the Committee may consider a joining fee is necessary or applicable to various categories of membership, or, selected applications for membership assessed from time-to-time on an ad hoc but fair basis. A fee for membership or various membership categories will either be;
 - i. mutually negotiated and agreed between the applicant and the Committee on a case-by-case basis, or;
 - ii. considered and put to the vote at a general meeting as a special resolution. If passed, a membership fee can be a pre-requisite variously for respective membership categories.

13. Annual memberships

- a. All memberships will expire on 31 December of each year and may be renewed;
 - i. without further checks at the discretion and as an action of the Board
 - ii. by the Member notifying the Board of the Member's intention to continue as a Member, using the prescribed format.
- b. A member whose notification is not submitted within 3 months after the due date ceases to be a member unless the Committee determines otherwise.

Division 2 – Rights of Members

14. General

- a. A member may exercise the rights of their category of membership when his or her name is entered in the register of members.
- b. A right of membership of the Association –
 - i. is not capable of being transferred or transmitted to another person; and
 - ii. terminates on the cessation of membership whether by death, resignation or otherwise.

15. Voting

- a. A member is eligible to vote when substantiated by the Board and confirmed by the Association formally acknowledging their qualification as a voting member.

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- b. Subject to subclause (c), each Voting member has one vote at general and special meetings of the Association.
- c. A member is not eligible to vote until 10 working days after his or her application has been accepted.

16. Notice of meetings and special resolutions

- a. The Secretary must give all Subscriber Members, Volunteer Members and Voting Members notice of general and special meetings and special resolutions in the manner and time prescribed by this Constitution.

17. Access to information on Association

- a. The following must be available for inspection by members:
 - i. a copy of this Constitution;
 - ii. minutes of general and special meetings;
 - iii. annual reports and annual financial reports.

18. Raising grievances and complaints

- a. A member may raise a grievance or complaint about a Committee member, the Committee or another member of the Association.
- b. The grievance or complaint must be dealt with by the procedures set out in Part 8.

19. Conduct of Members

- a. Whilst representing the Association at any time either directly or by reference, all members will conduct themselves in a reasonable and responsible manner which engenders and promotes the Association's Objects and Purposes .
- b. Conduct unbecoming of a member may be dealt with as per the protocols in Division 3.

20. Associate Member

- a. An Associate Member is not eligible to vote.

Division 3 – Termination, death, suspension and expulsion

21. Termination of membership

Membership of the Association may be terminated by –

- a. a notice of resignation addressed and posted to the Association or given personally to the Secretary or another Committee member;
- b. non-renewal of the annual membership within the time allowed under clause 13(b);
or
- c. A member who has, during that member's period of membership, been charged with any offence which, if convicted, may carry a term of imprisonment, must notify the Board within 21 days. That member will then be automatically suspended until:
 - i. the member shows cause to the Board as to why the member should remain a member, or
 - ii. the member is found not guilty as charged.
- d. expulsion in accordance with this Division.

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22. Death of member or whereabouts unknown

- a. If a member dies or the whereabouts of a member are unknown, the Committee must cancel the member's membership.

23. Suspension or expulsion of members

- a. If the Committee considers that a member should be suspended or expelled because his or her conduct is detrimental to the interests of the Association, the Committee must give notice of the proposed suspension or expulsion to the member.
 - i. The notice must –
 - (1) be in writing and include –
 - (2) the time, date and place of the Committee meeting at which the question of that suspension or expulsion will be decided; and
 - (3) the particulars of the conduct; and
 - (4) be given to the member not less than 30 days before the date of the Committee meeting referred to in paragraph (a)(i).
- b. At the meeting, the Committee must afford the member a reasonable opportunity to be heard or to make representations in writing.
- c. The Committee may suspend or expel or decline to suspend or expel the member from the Association and must give written notice of the decision and the reason for it to the member.
- d. Subject to clause 24, the decision to suspend or expel a member takes effect 14 days after the day on which notice of the decision is given to the member.

24. Appeals against suspension or expulsion

- a. A member who is suspended or expelled under clause 23 may appeal against that suspension or expulsion by giving notice to the Secretary within 14 days after receipt of the Committee's decision.
- b. The appeal must be considered at a general meeting of the Association and the member must be afforded a reasonable opportunity to be heard at the meeting or to make representations in writing prior to the meeting for circulation at the meeting.
- c. The members present at the general meeting must, by resolution, either confirm or set aside the decision of the Committee to suspend or expel the member.
- d. The member is not suspended or does not cease to be a member until the decision of the Committee to suspend or expel him or her is confirmed by a resolution of the members.

PART 4 – MANAGEMENT COMMITTEE

Division 1 – General

25. Role and powers

- a. The business of the Association must be managed by or under the direction of a Management Committee (“the Committee”).
- b. The Committee may exercise all the powers of the Association except those matters that the Act or this Constitution requires the Association to determine through a general meeting of members.
- c. The Committee may appoint and remove staff.
- d. The Committee may establish one or more sub-Committees consisting of the members of the Association the Committee considers appropriate.

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26. Composition of Committee

- a. The Management Committee may consist of –
 - i. Chairperson;
 - ii. Vice-Chairperson
 - iii. Secretary;
 - iv. Treasurer;
 - v. An Ex-Officio Chairperson
 - vi. other office holders as provided in the Schedule.
- b. Unless elected directly as a separate office holder, the Committee must appoint one Committee member to be the Association's public officer.

27. Delegation

- a. The Committee may delegate to a sub-Committee or staff any of its powers and functions other than –
 - i. this power of delegation; or
 - ii. a duty imposed on the Committee by the Act or any other law.
- b. The delegation must be in writing and may be subject to the conditions and limitations the Committee considers appropriate.
- c. The Committee may, in writing, revoke wholly or in part the delegation.

Division 2 – Tenure of Office

28. Eligibility of Committee members

- a. A Committee member must be a member who is 18 years or over.
- b. A Committee member must also meet the spirit and intent conveyed in the Schedule Part 1, 2. Objects and purposes.
- c. Committee members must be -
 - i. elected to the Committee at a general meeting (annual or otherwise) or special meeting as applicable, or;
 - ii. appointed under clause 33, or;
 - iii. appointed by the Committee which requires the specific skill or talent of that member.
 - (1) When appointed pursuant to 28(c)(iii), the Committee member need not be a member of the Association.
- d. A person's eligibility to become a member of the Association shall not be limited by their geographical location provided there exists a position on the Board for a person or persons from that Region. (Covers remote membership representation on the Board).

29. Nominations for election to Committee

- a. A person is not eligible for election to the Committee unless the Secretary receives a written nomination for that member by another member not less than 7 days before the date of the next annual general meeting.
- b. the Committee may request a nomination to include references, resume, relevant details and explanatory information describing the nominee's specific skill(s) or talent(s) and how the nominee proposes to satisfy the Association's Objects and purposes

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- c. The nomination must be signed by –
 - i. the nominator and a seconder, and;
 - ii. the nominee to signify his or her willingness to stand for election
- d. A person who is eligible for election or re-election under this clause may –
 - i. propose or second himself or herself for election or re-election; and
 - ii. vote for himself or herself.

30. Election of the Executive

- a. Once the Committee has been elected and as considered appropriate, the Committee will decide which members are appointed to Executive positions.

31. Retirement of Committee members

- a. A Committee member holds office for a period of two calendar years from the date of induction unless the member vacates the office under clause 34 or is removed under clause 35.
- b. Members may serve consecutive terms on the Committee unless otherwise provided in the Schedule.

32. Election by default

- a. If the number of persons nominated for election to the Committee under clause 29 does not exceed the number of vacancies to be filled, the Chairperson must declare the persons to be duly elected as members of the Committee at the annual general meeting.
- b. If vacancies remain on the Committee after the declaration under subclause (a), additional nominations of Committee members may be accepted from the floor of the annual general meeting.
- c. If the nominations from the floor do not exceed the number of remaining vacancies, the Chairperson must declare those persons to be duly elected as members of the Committee.
- d. If the nominations from the floor are less than the number of remaining vacancies, the unfilled vacancies are taken to be casual vacancies and must be filled by the new Committee in accordance with clause 36.

33. Election by ballot

- a. If the number of nominations exceeds the number of vacancies on the Committee, ballots for those positions must be conducted.
- b. The ballot must be conducted in a manner determined from time to time by resolution at a general meeting.
- c. The members chosen by ballot must be declared by the Chairperson to be duly elected as members of the Committee.

34. Vacating office

- a. The office of a Committee member becomes vacant if –
 - i. the member –
 - (1) is disqualified from being a Committee member under section 30 or 40 of the Act;
 - (2) resigns by giving written notice to the Committee;
 - (3) dies or is rendered permanently incapable of performing the duties of office by mental or physical ill-health;
 - (4) ceases to be a resident of the Territory; or

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- ii. the member is absent from more than –
 - (1) three (3) consecutive Committee meetings; or
 - (2) three (3) Committee meetings in the same financial year without tendering an apology to the Chairperson;
 - (3) of which meetings in (ii) above the member received notice and the Committee has resolved to declare the office vacant; or
- iii. in any of the circumstances provided for by the Schedule.

35. Removal of Committee member

- a. The Association, through a special general meeting of members, may remove any Committee member before the member's term of office ends.
- b. If a vacancy arises through removal under subclause (a), an election must be held to fill the vacancy.

36. Filling a casual vacancy on Committee

- a. If a vacancy remains on the Committee after the application of clause 29 or if the office of a Committee member becomes vacant under clause 31, the Committee may appoint another person pursuant to Clause 33 to fill that vacancy.
- b. However, if the office of public officer becomes vacant, a person must be appointed under section 27(6) of the Act to fill the vacancy.

Division 3 – Duties of Committee members

37. Collective responsibility of Committee

- a. As soon as practicable after being elected to the Committee, each Committee member must become familiar with the Act and regulations made under the Act.
- b. The Committee is collectively responsible for the Association's compliances with the Act and regulations made under the Act.
- c. As soon as practicable after being elected to the Committee the members of the Committee will appoint office bearers pursuant to Division 3 Clauses 38, 39, 40 and 41.

38. Chairperson and Vice-Chairperson

- a. Subject to subclauses (b) and (c), the Chairperson must preside at all general (annual or otherwise), special meetings and Committee meetings.
- b. If the Chairperson is absent from a meeting, the Vice-Chairperson must preside at the meeting.
- c. If the Chairperson and the Vice-Chairperson are both absent, the presiding member for that meeting must be –
 - i. a member elected by the other members present if it is a general meeting; or
 - ii. a Committee member elected by the other Committee members present if it is a Committee meeting.

39. Secretary

- a. The Secretary must –
 - i. coordinate the correspondence of the Association;

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- ii. keep and file minutes of all proceedings of general (annual or otherwise) and special meetings and of Committee meetings, kept in accordance with section 38 of the Act;
- iii. maintain the register of members in accordance with section 34 of the Act;
- iv. unless the members resolve otherwise at a general meeting – have custody of all books, documents, records and registers of the Association, other than those required by clause 40 to be in the custody of the Treasurer; and
- v. perform any other duties imposed by this Constitution on the Secretary.

40. Treasurer

- a. The Treasurer must –
 - i. receive all moneys paid to or received by the Association and issue receipts for those moneys in the name of the Association;
 - ii. pay all moneys received into the account of the Association within five (5) working days after receipt;
 - iii. make any payments authorised by the Committee or by a general meeting of the Association from the Association's funds; and
 - iv. ensure cheques are signed by him or her and at least one other Committee member, or by any two (2) other Committee members authorised by the Committee.
 - v. The Treasurer must ensure the accounting records of the Association are kept in accordance with section 41 of the Act.
 - vi. The Treasurer must coordinate the preparation of the Association's annual statement of accounts.
 - vii. If directed to do so by the Chairperson, the Treasurer must submit to the Committee a report, balance sheet or financial statement in accordance with that direction.
 - viii. The Treasurer has custody of all securities, books and documents of a financial nature and accounting records of the Association unless the members resolve otherwise at a general meeting.
- b. The Treasurer must perform any other duties imposed by this Constitution on the Treasurer.

41. Public officer

- a. The public officer must ensure that documents are filed with the Commissioner of Consumer Affairs in accordance with sections 23, 28 and 45 of the Act.
- b. The public officer must keep a current copy of the Constitution of the Association.

PART 5 – MEETINGS OF MANAGEMENT COMMITTEE

42. Frequency and calling of meetings

- a. The Committee must meet together for the conduct of business not less than 6 times in each financial year unless otherwise provided in the Schedule.
- b. The Chairperson, or at least half the Committee members, may at any time convene a special meeting of the Committee.

43. Voting and decision making

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- a. Each Committee member present at a convened Committee meeting has a deliberative vote.
- b. A question arising at a Committee meeting must be decided by a majority of votes.
- c. If there is no majority, the person presiding at the meeting has a casting vote in addition to a deliberative vote.

44. Quorum at Management Committee meetings

- a. For a Committee meeting, either;
 - one-half of the Committee members, or;
 - minimum five (5) Committee members;

comprising those eligible to vote, whichever is the greater number, constitutes a quorum unless otherwise provided in the Schedule.

45. Procedure and order of business

- a. The procedure to be followed at a Committee meeting must be determined from time to time by the Committee.
- b. The order of business may be determined by the members present at the meeting.
- c. Only the business for which the meeting is convened may be considered at a special meeting.

46. Disclosure of interest

- a. A Committee member who has a direct or indirect pecuniary interest in a contract, or proposed contract, with the Association must disclose the nature and extent of the interest to the Committee in accordance with section 31 of the Act.
- b. The Secretary must record the disclosure in the minutes of the meeting.
- c. The Chairperson must ensure a Committee member who has a direct or indirect pecuniary interest in a contract, or proposed contract, complies with section 32 of the Act.

PART 6 – GENERAL MEETINGS

47. Convening general meetings

- a. The Association must hold its first annual general meeting within 18 months after its incorporation.
- b. The Association must hold all subsequent annual general meetings within five (5) months after the end of the Association's financial year.
- c. The Committee –
 - i. may at any time convene a special general meeting;
 - ii. must, within 28 days after the Secretary receives a notice under clause 18, convene a special general meeting to deal with the appeal to which the notice relates; and
 - iii. must, within 28 days after it receives a request under clause 45, convene a special general meeting for the purpose specified in that request.

48. Special general meetings

- a. Half the number of members constituting a quorum for a general meeting may make a written request to the Committee for a special general meeting unless otherwise provided in the Schedule.

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- b. The request must –
 - i. state the purpose of the special general meeting; and
 - ii. be signed by the members making the request.
- c. If the Committee fails to convene a special general meeting within the time allowed
 - i. the appeal against the decision of the Committee is upheld; and
 - ii. the members who made the request may convene a special general meeting as if they were the Committee.
- d. If a special general meeting is convened under subclause (c)(ii), the Association must meet any reasonable expenses of convening and holding the special general meeting.
- e. The Secretary must give to all members not less than 21 days notice of a special general meeting.
- f. The notice must specify –
 - i. when and where the meeting is to be held; and
 - ii. the particulars of and the order in which business is to be transacted.

49. Annual general meeting

- a. The Secretary must give to all members not less than 28 days notice of an annual general meeting unless otherwise provided in the Schedule.
- b. The notice must specify –
 - i. when and where the meeting is to be held; and
 - ii. the particulars of and the order in which business is to be transacted.
- c. The order of business for each annual general meeting is as follows:
 - i. first – the consideration of the accounts and reports of the Committee;
 - ii. second – the election of new Committee members;
 - iii. third – any other business requiring consideration by the Association at the meeting.

50. Special resolutions

- a. A special resolution may be moved at any general meeting of the Association.
- b. The Secretary must give all members not less than 21 days notice of the meeting at which a special resolution is to be proposed unless otherwise provided in the Schedule.
- c. The notice must include the resolution to be proposed and the intention to propose the resolution as a special resolution.

51. Notice of meetings

- a. The Secretary must give a notice under this Part by –
 - i. serving it on a member personally; or
 - ii. sending it by post to a member at the address of the member appearing in the register of members, unless otherwise provided in the schedule.
- b. If a notice is sent by post under subclause (a)(ii), sending of the notice is taken to have been properly effected if the notice is addressed and posted to the member by ordinary prepaid mail.

52. Quorum at general meetings

- a. At a general meeting, the number or the proportion of voting members present in person specified in the Schedule constitutes a quorum.

53. Lack of quorum

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- a. If within 30 minutes after the time specified in the notice for the holding of a general meeting a quorum is not present –
 - i. for an annual general meeting or special general meeting convened under PART 6, the meeting stands adjourned to the same time on the same day in the following week and to the same place or such other time as is reasonable in the circumstances not exceeding 35 days;
 - ii. for a meeting convened under PART 6, the members who are present in person may proceed with hearing the appeal for which the meeting is convened.
- b. If within 30 minutes after the time appointed by subclause (a)(ii) for the resumption of an adjourned general meeting a quorum is not present, the members who are present in person may proceed with the business of that general meeting as if a quorum were present.
- c. The Chairperson may, with the consent of a general meeting at which a quorum is present, and must, if directed by the members at the meeting, adjourn that general meeting from time to time and from place to place.
- d. There must not be transacted at an adjourned general meeting any business other than business left unfinished or on the agenda at the time when the general meeting was adjourned.
- e. If a general meeting is adjourned for a period of 30 days or more, the Secretary must give notice of the adjourned general meeting as if that general meeting were a fresh general meeting.

54. Voting

- a. Subject to clause 14(b), each voting member present in person at a general meeting is entitled to a deliberative vote.
- b. At a general meeting –
 - i. an ordinary resolution put to the vote is decided by a majority of votes made in person; and
 - ii. a special resolution put to the vote is passed if three-quarters of the members who are eligible to vote and present in person vote in favour of the resolution.
 - iii. A poll may be demanded by the Chairperson or by 3 or more members present in person.
 - iv. If demanded, a poll must be taken immediately and in the manner the Chairperson directs.

55. Proxies

- a. Proxy representation must be received by the Association's Secretary no later than 7 days prior to the annual general meeting (allows remote and regional members to vote for the Association).

PART 7 – FINANCIAL MANAGEMENT

56. Financial year

- a. The financial year of the Association is specified in the Schedule.

57. Funds and accounts

- a. The Association must open with a recognised financial institution, a Neighbourhood Watch Consolidated Account from which all expenditure of the Association is made and into which all of the Association's revenue is deposited.
 - i. All expenditure from this account will be approved by the Board.

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- ii. Each Neighbourhood Watch region will deposit all receipts without exception into a Regional Account in the name of that Region and under the Neighbourhood Watch Consolidated account.
- iii. Regions requiring funding will submit a request in writing to the Board and upon approval,
 - (1) the funds will be released into the nominated Neighbourhood Watch Regional Account which will be a withdrawal only account for that specific region or:
 - (2) Arrangements will be made for supply of the Goods and Services for which the funds were sought.
- iv. Records will be maintained by the Treasurer as to what funds have been received from and disbursed to each Neighbourhood Watch Region.
- b. Subject to any restrictions imposed by the Association at a general meeting, the Committee may approve expenditure on behalf of the Association within the limits of the budget.
- c. The Treasurer of the Association shall, on behalf of the Association, receive all moneys paid to the Association as soon as possible after receipt thereof.
- d. The Board may receive from the Association's Bank, a cheque drawn by the Association on any of its accounts with the Bank and may release and indemnify the Bank from and against all claims, actions, suits, or demands that may be brought against the Bank or bankers arising directly or indirectly out of those cheques or the surrender thereof to the Association.
- e. Except with the authority of the Board, no payment of a sum exceeding five hundred dollars (\$500) shall be made from the funds of the Association otherwise than by cheque drawn on the Association's bank account or by electronic transfer, but the Board may provide the Treasurer with a sum to meet urgent expenditure, subject to the observance of such conditions in relation to the use and expenditure thereof as the Board may impose.
- f. No cheque or electronic transfer in a sum exceeding one thousand dollars (\$1,000) shall be drawn on the Association's account except for the payment of expenditure that has been authorised by the Board or a sub-Committee thereof.
- g. All cheques, drafts, bills of exchange, promissory notes, and other negotiable instruments shall be signed by the Treasurer or, in their absence, by such other Member or Board Member as the Board may nominate for that purpose, and shall be countersigned by another Board Member or the Executive Officer.
- h. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 Committee members.
- i. All funds of the Association must be deposited into the financial account of the Association no later than 5 working days after receipt or as soon as practicable after that day.
- j. Where a purchase is required for such items as travel and accommodation, the request is to be submitted to the Board and approved by two or more Board members.
 - i. Upon receipt of the approval for travel or accommodation, the purchase is then to be made by a nominated member and receipts supplied to the Treasurer.

58. Accounts and audits

- a. The responsibility of the Committee under clause 37 (b) for ensuring compliance with the Act includes meeting the requirements of Part 5 of the Act and regulations made for that Part relating to –

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- i. the keeping of accounting records;
- ii. the preparation and presentation of the Association's annual statement of accounts;
- iii. the auditing of the Association's accounts.

PART 8 – GRIEVANCE AND DISPUTES

59. Grievance and disputes procedures

- a. This clause applies to disputes between –
 - i. a member and another member; or
 - ii. a member and the Committee.
- b. Within 14 days after the dispute comes to the attention of the parties to the dispute, or is determined by the Board to constitute a dispute which may be resolved by negotiation, they must meet and discuss the matter in dispute, and, if possible, resolve the dispute.
- c. If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days after the meeting, hold another meeting in the presence of a mediator.
- d. The mediator must be –
 - i. a person chosen by agreement between the parties; or
 - ii. in the absence of agreement –
 - (1) for a dispute between a member and another member – a person appointed by the Committee; or
 - iii. for a dispute between a member and the Committee – a person who is a mediator appointed or employed by the department administering the Act.
- e. A member of the Association can be a mediator.
- f. The mediator cannot be a party to the dispute.
- g. The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- h. The mediator, in conducting the mediation, must –
 - i. give the parties to the mediation process every opportunity to be heard;
 - ii. allow due consideration by all parties of any written statement submitted by any party; and
 - iii. ensure natural justice is accorded to the parties to the dispute throughout the mediation process.
- i. The mediator must not determine the dispute.
- j. If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

PART 9 – MISCELLANEOUS

60. Common seal

- a. The common seal of the Association must not be used without the express authority of the Committee and every use of that common seal must be recorded by the Secretary.
- b. The affixing of the common seal of the Association must be witnessed by any 2 of the following:
 - i. the Chairperson;

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- ii. the Secretary;
- iii. the Treasurer.
- c. The common seal of the Association must be kept in the custody of the Secretary or another person the Committee from time to time decides.

61. Distribution of surplus assets on winding up

- a. If on the winding up or dissolution of the Association, and after satisfaction of all its debts and liabilities, there remain any assets, the assets must not be distributed to the members or former members.
- b. The surplus assets must be given or transferred to another Association incorporated under the Act that –
 - i. has similar objects or purposes;
 - ii. is not carried on for profit or gain to its individual members; and
 - iii. is determined by resolution of the members.

CONSTITUTION OF NEIGHBOURHOOD WATCH NORTHERN TERRITORY INCORPORATED

SCHEDULE TO THE CONSTITUTION

PART 1 – MANDATORY DETAILS

1. Name

- a. The name of the incorporated Association is Neighbourhood Watch Northern Territory Incorporated.

2. Objects and purposes

- a. The objects and purposes of the Association are as follows:
 - i. To foster and enhance the partnership between police and the community and thereby improve the safety, security and the quality of life for all Territorians.
 - ii. To manage and provide strategic leadership for the Northern Territory Neighbourhood Watch Programs.
 - iii. To formulate strategies and policies in order to achieve the following objectives:
 - iv. To contribute to the minimisation of the incidence of preventable crime.
 - v. To expand the program's involvement in wider community safety and crime-prevention initiatives.
 - vi. To reduce the fear of crime.
 - vii. To deter criminal activity by increasing the probability of apprehension.
 - viii. To increase the reporting of crime and suspicious activity.
 - ix. To improve the degree of personal and household security through education programs.
 - x. To raise awareness of crime prevention strategies and resources
 - xi. Promote active involvement in community safety and crime prevention projects, programs and education.

3. Minimum number of members

- a. The Association must have at least five (5) members.

4. Quorum at general (annual or otherwise) and special meetings

- a. At general (annual or otherwise) and special meetings Five (5) members present in person or by any method of interactive communication constitutes a quorum.

5. Financial year

- a. The financial year of the Association is the period of 12 months ending on 30 June of each year, or in the case of an AGM, the financial year shall be deemed to be irrelevant in the case of special circumstances such as reasonable mistake of date, or adjournment for want of quorum.

6. Regions

- a. The Northern Territory will be divided into the following four (4) regions delineated by latitude.
 - i. Northern Darwin – includes Batchelor = $11^{\circ} \approx 13.5^{\circ}$
 - ii. Central Katherine – includes Daly Waters = $13.5^{\circ} \approx 17^{\circ}$
 - iii. Desert Tennant Creek – includes Barrow Creek = $17^{\circ} \approx 22^{\circ}$
 - iv. Southern Alice Springs = $22^{\circ} \approx$ to SA border

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PART 2 – ADDITIONAL DETAILS

7. Terms and conditions of Committee meetings

- a. May serve two consecutive terms on the Committee.
- b. At least six (6) meetings in each financial year.
- c. Quorum is half of the current Committee members.

8. Terms and conditions of special and general meetings

- a. Number of members eligible to vote who can request a special general meeting is either;
 - half the members in attendance at a properly convened meeting and being those eligible to vote, or;
 - two thirds of the minimum numbers constituting a quorum of members for a special or general meeting.
- b. Notice of an annual general meeting is at least 28 days.
- c. Notice of special resolution is at least 21 days.
- d. Format of Notices for meetings can be emailed to the address appearing in the register of members.

9. Composition of Committee

In addition to the office holders specified in the Constitution, the Management Committee may consist of:-

- a. Five (5) other Ordinary members, which includes Regional and Remote Coordinators.
- b. unless extraordinary circumstances, optimally a minimum eight (8-) number up to a maximum 12-representatives performing as the Association's office holders

10. Training

To be determined by the board as required.

11. Access to Members Details

In the circumstance that the Police support officer is unavailable, an appropriate contact will be determined with regards to access to member's contact details being of a confidential or private nature.

PART 3 - TRANSITIONAL PROVISIONS

Notwithstanding the apparent inconsistency of the requirements of the earlier Constitution, including time for giving Notices of the AGM and special general meetings, and subject to the Act, any actions taken or omissions made under the provisions of such earlier Constitution, are deemed under this Constitution to be valid retrospectively, provided they are taken in good faith and are reasonable under the circumstances.

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