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LAUNCESTON COMMUNITY FM GROUP INC RULES AND CONSTITUTION

(Amended 1st June, 2019)

1. NAME

1.1. The name of the association shall be "Launceston Community FM Group Inc." (in these rules called "the association") commonly known as City Park Radio.

2. OBJECTS AND PURPOSES OF THE ASSOCIATION

2.1. The objects and purposes of the association are -

- 2.1.1. To establish and operate a frequency modulated stereo broadcast station and associated internet services in the community of Launceston and environs to serve the community.
- 2.1.2. To hold and be the licensee of all necessary licences for the purpose of operating a frequency modulated stereo broadcast station and to comply with all requirements of any such licence.
- 2.1.3. To be a non-profit organisation and not in any way to discriminate in its operations or broadcasts on religious, ethnic or political grounds.
- 2.1.4. To provide for the community of Launceston and environs musical and other such broadcasts appropriate to that community.
- 2.1.5. To encourage participation by the community in the preparation and presentation of programs for broadcast subject to rules and regulations as applies to public broadcasting.
- 2.1.6. To celebrate the achievements of members in the provision of broadcasting services to the Launceston community.
- 2.1.7. To maintain a museum of historical radio instruments for public enjoyment.
- 2.1.8. In addition to the basic objects of the association, the objects and purposes of the association shall be deemed to include –
 - 2.1.8.1. the purchase, taking on lease or in exchange and the hiring or otherwise acquiring of any real estate or goods of any kind that may be deemed necessary or convenient for any of the objects or purposes of the association;
 - 2.1.8.2. the construction, maintenance and alteration of buildings or works necessary or convenient for any of the objects or purposes of the association;
 - 2.1.8.3. the accepting of any gift, whether subject to a special trust or not, for any one or more of the objects or purposes of the association;
 - 2.1.8.4. the borrowing and raising of money in such terms as the committee may think fit;
 - 2.1.8.5. the making of gifts, subscriptions, or donations as the committee may think fit.

3. MEMBERSHIP OF ASSOCIATION

- 3.1. A person or an organisation who endorses the objectives of the association is eligible to be a member of the association on payment of the annual subscription.
- 3.2. A person or an organisation shall not be admitted to membership unless he, she or they apply:
 - 3.2.1. in writing;
 - 3.2.2. bearing the written consent of the person applying for membership of the association; and
 - 3.2.3. shall be lodged with the Secretary of the association.
- 3.3. The Secretary shall refer the application for consideration as the committee may direct, and notify the applicant, in writing of the outcome of that consideration.
- 3.4. A member of the association may, at any time, resign from the association by delivering or sending by post to the Secretary a written notice of resignation.
- 3.5. Membership of the association is not capable of being transferred or transmitted to any other person or an organisation.
- 3.6. The committee may expel a member from the association if, in the opinion of the committee the member has been guilty of conduct detrimental to the interests of the association.
- 3.7. Where the committee expels a member from the association, the committee shall, without undue delay, serve a notice in writing stating that the committee has expelled the member; specifying the grounds for the expulsion; and informing the member that if he or she so desires he or she may within fourteen days after the service of the notice on him or her, appeal against the expulsion as provided in this rule.
 - 3.7.1. A member on whom a notice of expulsion is served may appeal against the expulsion to a special general meeting by delivering or sending by post to the association, within fourteen days after the service of the notice, a requisition in writing demanding the convening of such a meeting for the purpose of hearing his or her appeal.
 - 3.7.2. Upon receipt of a requisition the committee shall cause a special general meeting of the members to be held within twenty-one days after the date on which the requisition is received. No other business save the expulsion may be considered at this meeting. Voting at the meeting shall be by secret ballot which shall be determined by a simple majority of those present.
 - 3.7.3. Expulsion shall be effective from 14 days after the service of notice, or if the appeal is dismissed, from the conclusion of the meeting convened to hear the appeal.
 - 3.7.4. Any person expelled from the association may reapply for membership a minimum of two (2) years from the date of the expulsion. A life member who is expelled loses all life membership privileges
 - 3.7.5. Where it is proposed that a member be expelled, the Executive may at their discretion immediately suspend the rights of a members to attend the station's premises and any other rights or responsibilities that the member may have in relation to the operation of the station

4. LIFE MEMBERSHIP OF THE ASSOCIATION

- 4.1. A person who endorses the objectives of the association and who, in the opinion of the members at an Annual General Meeting, has given exemplary service to the association, may be, by special resolution of the members, granted Life Membership and shall thereafter be entitled to the full rights and privileges of the association.

5. INCOME AND PROPERTY OF ASSOCIATION

- 5.1. The income and property of the association, however derived, shall be applied solely towards the promotion of the objects and purposes of the association and no portion thereof shall be paid or transferred, directly or indirectly, by dividend, bonus, or otherwise, to any member of the association.
- 5.2. Nothing in the foregoing provisions of this rule prevents the payment in good faith to a servant or member of the association of
 - 5.2.1. remuneration in return for services actually rendered to the association by the servant or member or for goods supplied to the association by the servant or member in the ordinary course of business;
 - 5.2.2. interest at a rate not exceeding ordinary commercial terms on moneys lent to the association by the servant or member; or
 - 5.2.3. a reasonable and proper sum by way of rent for premises let to the association by the servant or member.

6. ACCOUNTS

- 6.1. True accounts shall be kept
 - 6.1.1. of all sums of money received and expended by the association; and
 - 6.1.2. of the property, credits, and liabilities of the association, and
 - 6.1.3. subject to any reasonable restrictions as to time and manner, those accounts shall be open to the inspection of the members of the association.
- 6.2. The accounts, books and records shall be kept at the association's office or at such place as the committee may decide.

7. AUDITOR

- 7.1. At each Annual General Meeting of the association, the members present shall appoint a person as the auditor of the association.
- 7.2. If an appointment is not made at an Annual General Meeting or a casual vacancy occurs in the office the committee shall appoint an auditor of the association for the then current financial year of the association.

8. ANNUAL GENERAL MEETING

- 8.1. The Association shall, in each year, hold an Annual General Meeting on such day (being not later than four months after the close of the financial year of the association) as the committee may determine.
- 8.2. The ordinary business of the Annual General Meeting shall be
 - 8.2.1. to confirm the minutes of the last preceding Annual General Meeting and of any general meeting held since that meeting;
 - 8.2.2. to receive a report from the Auditor on the financial affairs of the association during the last preceding financial year;
 - 8.2.3. to elect the officers of the association and the ordinary committee members; and
 - 8.2.4. to appoint the auditor.
- 8.3. The Annual General Meeting may transact special business of which notice is given.

9. SPECIAL GENERAL MEETING

- 9.1. The committee may, whenever it thinks fit, or on the requisition in writing of not less than ten members stating the objects of the meeting and signed by the requisitionists, convene a special general meeting of the association.
- 9.2. A special general meeting convened by requisitionists shall be convened in the same manner as that in which those meetings are convened by the committee, and all reasonable expenses incurred in convening the meeting shall be refunded by the association to the persons incurring them.

10. NOTICES OF GENERAL MEETING

- 10.1. The Committee shall, at least fourteen days before the date fixed, insert in at least one newspaper published in this State an advertisement specifying the place, day and time for the holding of the meeting, and the nature of the business to be transacted.
- 10.2. Alternatively, members may be given at least two weeks notice by other means approved by the Committee which will ensure that all eligible members are appropriately notified.

11. BUSINESS AND QUORUM AT GENERAL MEETINGS

- 11.1. Twenty-one (21) members personally present (being members entitled to vote) shall constitute a quorum for the transaction of the business of a general meeting.
- 11.2. If within one hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved; and in any other case it shall stand adjourned to the same day in the next week, at the same time and (unless another place is specified by the chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place, and if at the adjourned meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the meeting shall be dissolved.
- 11.3. The chairperson of a general meeting at which a quorum is present, may with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 11.4. Where a meeting is adjourned for fourteen days or more, similar notice of the adjourned meeting shall be given as in the case of the original meeting.

12. VOTING

- 12.1. A question arising at any meeting of the association shall be determined on a show of hands, and unless before or on the declaration of the result of the show of hands a poll is demanded, a declaration by the chairperson of the outcome, and an entry to that effect in the minutes is conclusive evidence of the fact, without proof of the number or proportion of the votes.
- 12.2. Upon any question arising at a general meeting of the association, a member has one vote only.
- 12.3. All votes shall be given personally.
- 12.4. In the case of an equality of voting on a question the chairperson of the meeting is entitled to exercise a second or casting vote.
- 12.5. If at a meeting a poll on any question is demanded, it shall be taken at that meeting in such a manner as the chairperson may direct (including show of hands), and the result of the poll shall be deemed to be the resolution of the meeting on that question.

13. AFFAIRS OF ASSOCIATION TO BE MANAGED BY A COMMITTEE

- 13.1. The affairs of the association shall be managed by a committee of management.
- 13.2. The Committee shall consist of the officers of the association and six other members.
- 13.3. Any six members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- 13.4. Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- 13.5. The committee shall have exclusive right and power to do all things necessary in compliance with these rules to execute and give effect to the aims and objects of the association. The committee
 - 13.5.1. shall control and manage the business and affairs of the Association;
 - 13.5.2. may exercise all such powers and functions as may be exercised by the association, other than those powers and functions that are required to be exercised by general meetings of the association;
 - 13.5.3. has power to perform all such acts and things as appear to the committee to be essential for the proper management of the business and affairs of the association; and
 - 13.5.4. shall represent the association in affairs external to the association.
- 13.6. The President, the Vice President, the Treasurer and the Secretary constitute an executive committee, which may issue instructions to the servants of the association in matters of urgency connected with the management of the affairs of the association during the intervals between meetings of the committee and where any such instructions are issued shall report thereon to the next meeting of the committee.
- 13.7. The committee may at any time appoint and terminate the appointment of such delegates and sub-committees as it deems appropriate for the conduct of the affairs of the association and shall prescribe the powers and functions thereof.
- 13.8. A member of the committee with a pecuniary interest in any contract or arrangement made with the association shall disclose his or her interest at the first opportunity and shall then be absented from all further discussions of the matter.

14. ELECTION OF COMMITTEE

- 14.1. The officers of the association shall be
 - 14.1.1. President;
 - 14.1.2. Vice-President
 - 14.1.3. Treasurer; and
 - 14.1.4. Secretary
- 14.2. Each Officer of the association shall, hold office until the date of the second Annual General Meeting after the date of his or her election provided however that at each Annual General Meeting of the association half of the Officers will retire.
 - 14.2.1. The office of President and Treasurer to be declared vacant every odd numbered year.
 - 14.2.2. The office of Vice President and Secretary to be declared vacant every even numbered year.
- 14.3. In the event of a casual vacancy in any office, the committee may appoint one of its members to the vacant office until the conclusion of the Annual General Meeting next following.
- 14.4. Each ordinary committee person shall hold office until the second Annual General Meeting after the date of his or her election.
 - 14.4.1. In the event an elected ordinary committee member in their first year of office is drafted to executive office, the elected person shall be entitled to continue in their ordinary committee role for their second elected year of office.
- 14.5. In the event of a casual vacancy occurring in the office of ordinary committee persons, the committee may appoint a member of the association to fill the vacancy, and the member so appointed shall hold office until the conclusion of the Annual General Meeting next following.

- 14.6. Nominations of candidates for election as officer or as ordinary committee persons
- 14.6.1. shall be made in writing signed by two members and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
 - 14.6.2. shall be delivered to the Secretary at least 7 days before the commencement of the Annual General Meeting.
 - 14.6.3. If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.
 - 14.6.4. If the number of nominations exceeds the number of vacancies to be filled a ballot shall be held.
- 14.7. The committee shall at its first meeting after the Annual General Meeting appoint a person who shall be the Public Officer.
- 14.8. No member elected to the management committee shall serve more than six (6) consecutive years.

15. VACATION OF OFFICE

- 15.1. The office of an officer of the association or of an ordinary committee person becomes vacant if the person
- 15.1.1. resigns his or her office in writing to the committee;
 - 15.1.2. cease to be a permanent resident in the State;
 - 15.1.3. cease to be a member of the association;
 - 15.1.4. fails, without leave granted by the committee, to attend three consecutive meetings of the committee;
 - 15.1.5. the committee at any time by ordinary resolution removes the officer or committee person.

16. FINANCIAL YEAR

- 16.1. The financial year of the association is the period beginning on the first day of May in each year and ending on the thirtieth day of April next following.

17. GIFT FUND.

- 17.1. The Association will maintain a separate Gift Fund as permitted by the Commonwealth Taxation Act. The fund will be known as the 'City Park Radio Gift Fund', (Gift Fund).
- 17.1.1. The Gift Fund will be maintained and operated in accordance with the Commonwealth Taxation Act applicable to such funds at the time. It may receive gifts of money or property and income (including interest) from such gifts, but it may receive no other money or property.
 - 17.1.2. Money, gifts, donations and property received into the Gift Fund may be used only for the principal objects and purposes of the Association, as detailed in these rules.
 - 17.1.3. The Management Committee shall control and manage the business of the Gift Fund as required during an ordinary committee meeting.
 - 17.1.4. If the Association or the Gift Fund is wound up, or if the Association's endorsement as a deductible gift recipient is revoked, the surplus assets of the Gift Fund remaining after the payment of liabilities attributable to it shall be transferred to a fund, authority or institution having similar objectives as this Association and to which income tax deductible gifts can be made.

18. WINDING UP OF THE ASSOCIATION

- 18.1. In the event of the association being wound up
- 18.1.1. every member of the association; and
 - 18.1.2. every person or an organisation who, within the period of twelve months preceding the commencement of the winding up, was a member of the association, is liable to contribute to the assets of the association for payment of the debts or liabilities of the association and for the costs, changes and expenses of the winding up and for the adjustment of the rights of the contributories amongst themselves such sum, not exceeding TWENTY DOLLARS as may be required, but a former member is not liable so to contribute in respect of any debt or liability of the association contracted after he, she or they ceased to be a member.
- 18.2. No member shall have or be entitled to any funds, property or assets of the association.
- 18.3. In the event of the association being wound up the whole of its funds, property or assets shall be transferred to such other charitable organisations having similar objectives as this Association as the association in General Meeting shall determine.