

CONSTITUTION
OF
**THE NATIONAL ETHIOPIAN COMMUNITY
ASSOCIATIONS COUNCIL (NECAC)**



Introduction

The National Ethiopian Community Associations Council in Australia was formed to serve the social needs of all Ethiopian Australia residents in good and bad times.

The Council does not discriminate on the grounds of political inclination, ethnicity, religion or gender. Any member who abides by the rules of the Council and fulfils their responsibilities will be entitled to receive the provisions of the Council. The Council is a non-profit organization.

ARTICLE 1: ESTABLISHMENT

- 1.1. The National Ethiopian Community Associations Council is established with the under enumerated objectives and rules.
- 1.2. The Council shall be known as The National Ethiopian Community Associations Council (NECAC)

ARTICLE 2: INTERPRETATION

unless stated otherwise in these rules:

- 2.1. 'Council' means The National Ethiopian Community Associations Council.
- 2.2. 'Committee' means the Council's management Committee.
- 2.3. 'Member' means a registered member of the Council.
- 2.4. 'General Meeting' means a meeting held by the members of the Council of the communities.
- 2.5. 'Special general meeting' means a general meeting of the Council other than the annual meeting.
- 2.6. 'Rule' means the establishment and functional rules of the Council.
- 2.7. 'Quorum' is attained when at least 40 per cent of the members are present in a meeting.
- 2.8. 'Financial Year' means the year ending June 30th.
- 2.9. 'Ordinary member of the committee' means, a member of the Council who is not an office-bearer Under Article 17.

ARTICLE 3: EMBLEMS AND SEAL

- 3.1. The Council's emblem has a horse-shoe shape. It constitutes a shield decorated with coffee branches on the left and the right sides and an Ethiopian flag across the top. The coffee branches are bordered with the name and establishment year of the Council.
The flag, the shield and the coffee branches carry the meanings set out below:
 - 3.1.1. The flag signifies the unity of Ethiopia.
 - 3.1.2. The shield portrays the liberty of Ethiopia throughout history.
 - 3.1.3. The coffee branches represent the fertility of Ethiopian land.

ARTICLE 4: OBJECTIVES

The Council shall have the following objectives and functions:

- 4.1. To represent Ethiopians at federal level;
- 4.2. To liaise and co-ordinate for Ethiopian Associations with government and non-government bodies;
- 4.3. To establish a close relationship among Ethiopians residing in Australia and foster unity;
- 4.4. To facilitate help from various organizations for any nation in the world who may confront natural disaster;
 - 4.4.1. By launching fund raising activities;
 - 4.4.2. By soliciting other forms of assistance such as medicine, clothes etc.
- 4.5. To lobby Australian government for appropriate policies affecting the welfare of Ethiopians in Australia;
- 4.6. To lobby the Federal government to increase the intake of Ethiopian refugees;
- 4.7. To cooperate and create strong relationship with Australian foster families who are raising adopted Ethiopian children nationally;
- 4.8. To work hand in hand with the "National Ethiopian Community Association sports Federation";
- 4.9. To facilitate better understanding between Australians and Ethiopians through;
 - 4.9.1. Displaying Ethiopian artefacts, exhibitions and traditional as well as contemporary music;
 - 4.9.2. organizing forums on Ethiopian Affairs; and
 - 4.9.3. Organizing Ethiopian festivals.
- 4.10. To exchange ideas and materials with various populist Associations in Australia and overseas;
- 4.11. To support and stand for human right issues;
- 4.12. To undertake development projects which contribute to alleviate poverty in Ethiopia; and
- 4.13. To strengthen and assist Ethiopian Community Association when ever the need arises.

ARTICLE 5: MEMBERSHIP QUALIFICATIONS

- 5.1. Membership is open to all incorporated Ethiopian Community Associations in the States and Territories of Australia.

ARTICLE 6: APPLICATIONS FOR MEMBERSHIP

- 6.1. An application for membership shall be made in writing to the secretary. The secretary shall then provide the applicant with an application form and the rules of the Council. The applicant shall lodge the application with the secretary.
- 6.2. After receiving an application for membership, the secretary shall refer the application to the committee for consideration.
- 6.3. Where the application approved the secretary shall notify the applicant of the approval. The applicant shall pay the sum of registration fee and annual subscription fee within a month after receipt of the acceptance letter approval.
- 6.4. The secretary shall, on payment by the applicant of the amounts referred to in Sub-article 6.3 within the period referred to in that Article, enter the applicant's name in the register of members.
- 6.5. The applicant shall become a member of the Council commencing the date of full payment of the fees.
- 6.6. Where an application is rejected' the secretary shall notify the applicant of the disapproval in writing. The committee, however, is not required to give any reason for the rejection of an application unless requested by the applicant association.

ARTICLE 7: REGISTRATION AND MEMBERSHIP FEES

- 7.1. A member of the Council shall, upon admission to membership, pay a registration fee of \$100 per Organization.
- 7.2. A member of the Council shall also pay to the Council a minimum annual membership fee of \$100. To strengthen the financial position of the Council, Associations with high income would be expected to contribute more than the minimum fee.

ARTICLE 8: CESSATION OF MEMBERSHIP

- 8.1. A member ceases to be a member of the Council if member association no more exists, resigns from membership or is expelled from the Council.
- 8.2. When a member of the Council ceases to be a member it is not entitled to a refund of payments and any contributions made to the Council.

ARTICLE 9: RIGHTS AND DUTIES OF MEMBERSHIP

- 9.1. Member shall have the following rights:
 - 9.1.1. To be a member of the committee through their representatives;
 - 9.1.2. To elect and be elected;
 - 9.1.3. To exercise their "freedom of expression";
 - 9.1.4. To receive all the necessary assistance and cooperation from the Council; and
 - 9.1.5. To give constructive suggestions in written or oral form.
- 9.2. Member shall have the following duties:
 - 9.2.1. To comply with the rules of the Council;
 - 9.2.2. To participate in the activities of the Council;
 - 9.2.3. To comply and implement the resolutions of the Council;
 - 9.2.4. To pay the Council fees on time; and
 - 9.2.5. To attend and participate in meetings.

ARTICLE 10: DISCIPLINING OF MEMBERS

A member may be disciplined for the following reasons:

- 10.1. Not complying with the objectives and rules of the Council;
- 10.2. Using or attempting to use the property of the Council for purposes not in the interests of the Council;
- 10.3. Spreading unfounded rumours which destabilize the Council;
- 10.4. Not paying the Council fee on time; and
- 10.5. Unwillingness to participate in the activities of the Council.

ARTICLE 11: DISCIPLINARY ACTIONS AND PROCEDURES

The committee by resolution may:

- 11.1. Suspend a member from such rights and privileges of membership of the Council as the committee may determine for a specified period;
- 11.2. fines the member or expel the member from the Council;

- 11.3. A resolution of the committee under Sub-article 11.1 is of no effect unless the committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under Sub-article 11.4, confirms the resolution in accordance with this rule.
- 11.4. Where the committee passes a resolution under Sub-article 11.1, the secretary shall, as soon as practicable, cause a notice in writing to be served on the member;
 - 11.4.1. Setting out the resolution of the committee and the grounds on which it is based;
 - 11.4.2. stating that the member may address the committee at the meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
 - 11.4.3. stating the date, place and time of that meeting; and
 - 11.4.4. informing the member that the member may do either or both of the following;
 - i. attends and speaks at the meeting;
 - ii. submit to the committee at or prior to the date of that meeting written representations;
- 11.5. The committee shall:
 - 11.5.1. Give to the member an opportunity to make oral representation;
 - 11.5.2. Give due consideration to any written representations submitted to the committee by that member at or prior to the meeting; and
 - 11.5.3. by resolution determine whether to confirm or to revoke the resolution of the committee made under Sub-article 11.1;
- 11.6. Where the committee confirms a resolution under Sub-article 11.4, the secretary shall, within seven days after that confirmation, by notice in writing inform the member of that confirmation and of the member's right to appeal.
- 11.7. A resolution confirmed by the committee under Sub-article D does not take effect:
 - 11.7.1. Until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
 - 11.7.2. Where within that period the member exercises the right of appeal, unless and until the Council confirms the resolution in general meeting.

ARTICLE 12: RIGHT OF APPEAL OF DISCIPLINED MEMBER

- 12.1. A member may appeal to the Council against a resolution of the committee which is confirmed under Sub-article 11 D, within 21 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- 12.2. Upon receipt of a notice under Sub-article A, the secretary shall notify the committee which shall convene a meeting of the Council to be held within 21 days after the date on which the secretary received the notice or as soon as possible after the date.
- 12.3. A meeting of the Council convened under Sub-article 12.2.
 - 12.3.1. No business other than the question of the appeal shall be transacted;
 - 12.3.2. The committee and the member shall be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
 - 12.3.3. The members present shall vote by secret ballot on the question of whether the resolution made under Sub-article 11 D should be confirmed or revoked.
- 12.4. If the meeting passes a special resolution in favour of the confirmation of the resolution made under Sub-article 11 D, the resolution is only confirmed if the appeal member accepts the resolution.
- 12.5. If the member still unsatisfied, then the matter shall be discussed at special general meeting of members of Ethiopian community association in each states and territories. The decision by majority states and territories shall be final and the committee shall confirm accordingly.

ARTICLE 13: ANNUAL GENERAL MEETINGS

- 13.1. The Committee shall hold an annual general meeting within the period of five months after the expiration of each financial year.
- 13.2. The annual general meeting shall have the following functions:
 - 13.2.1. To confirm the minutes of the last preceding annual general meeting;
 - 13.2.2. To receive and confirm the annual report.;
 - 13.2.3. To discuss on agenda items and pass resolutions;
 - 13.2.4. To elect office bearers of the Council.

ARTICLE 14: SPECIAL GENERAL MEETINGS

Special general meetings shall be held in response to one of the following conditions:

- 14.1. The committee may, whenever it thinks fit, convene a special general meeting.
- 14.2. If the president or the secretary fails or is unwilling to convene a special general meeting to be held pursuant to Sub-article A, the majority of the committee can convene a special general meeting.

- 14.3. If more than 50 per cent of members request in writing for the convening of a special general meeting the committee shall call a special general meeting.
- 14.4. A requisition of members for a special general meeting made according to Sub-article C shall consist of the following:
 - 14.4.1. The purpose or purposes of the meeting; and
 - 14.4.2. A list of names and signatures of members who support the convening of the meeting.
- 14.5. If the committee fails to convene a special general meeting within one month after the date on which a requisition from members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than two months after that date.
- 14.6. A member who has incurred expenses necessary for the convening of a special general meeting as referred to under sub-article E shall be refunded by the Council upon presentation of valid receipts.

ARTICLE 15: PROCEEDINGS AT GENERAL MEETINGS

The proceedings at general meetings shall be as follows:

- 15.1. If a quorum of members is present, the general meeting commences at the time appointed for its commencement.
- 15.2. If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present; the meeting shall be adjourned to the following fortnight.
- 15.3. If 40 per cent of members are present at the adjourned meeting, the meeting shall be held by the members present.
- 15.4. The president of the Council shall preside as a chairperson at each general meeting.
- 15.5. In the absence of the president, a general meeting shall be presided over by the secretary.
- 15.6. In the absence of both the president and the secretary, a general meeting shall be presided over by a member of the committee.
- 15.7. Notwithstanding the provisions of Sub-articles 15.4, 15.5 and 15.6, if the general meeting is convened pursuant to Article 14 C and the members who requisitioned the convening of the meeting have a complaint on the president, the meeting shall be presided over by the secretary. If they also have a complaint on the secretary, the meeting shall be presided over by a member chosen by a majority vote. However, the person chosen to preside over the meeting shall not be from the members who requisitioned the convening of the meeting.
- 15.8. Resolutions of a general meeting shall be passed by a majority vote of members present. In the case of a tied vote, a second vote shall be exercised. If votes are equal a second time, the chairperson shall exercise a casting vote.

ARTICLE 16: NOTICE OF MEETING

- 16.1. Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Council, the secretary shall, at least 14 days before the date fixed for the holding of the general meeting, cause to be sent by prepaid post to each member at the member's address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- 16.2. Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Council, the secretary shall, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner provided in Sub-article A specifying, in addition to the matter required under that Sub-article, the intention to propose the resolution as a special resolution.
- 16.3. No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting.
- 16.4. A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who shall include that notice from the member.

ARTICLE 17: THE COMMITTEE

- 17.1. The committee shall consist of 18 members of office-bearers and ordinary members of the Council:
 - 17.1.1. Victoria 3
 - 17.1.2. New South Wales 3
 - 17.1.3. South Australia 3
 - 17.1.4. Queens Land 3
 - 17.1.5. West Australia 3
 - 17.1.6. Australian City Territory 3

- 17.2. The Officers of the committee shall be:
 - 17.2.1. President
 - 17.2.2. Vice-President
 - 17.2.3. Secretary
 - 17.2.4. Treasurer
 - 17.2.5. Public Relations Officer
- 17.3. Notwithstanding the provisions of sub-article 17.1 and 17.2, members of the committee may increase, subject to the approval of the general meeting, with the increase in the membership and the activities of the Council.
- 17.4. Members of the committee may not be paid for the services they render to the Council.
- 17.5. The term of office for each committee member is two years. However, the general meeting may decide to replace any member of the committee before the expiry of her/his term.
- 17.6. Notwithstanding the provision of Sub-article E, a committee member may re-stand for election.

ARTICLE 18: ELECTIONS OF OFFICE-BEARERS

- 18.1. Nomination of candidates for election as office-bearers of the Council:
 - 18.1.2. Shall be made in writing, signed by 2 members of the Council and accompanied by written consent of the candidate (which may be endorsed on the nomination form);
- and
- 18.1.2. Shall be delivered to the secretary of the Council not less than 7 days before the date fixed for the annual general meeting at which the election is to take place.
- 18.2. If insufficient nominations are received to fill all vacancies, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
- 18.3. If insufficient further nominations are received, any vacant positions remaining on the committee shall be deemed as vacancies.
- 18.4. If the number of nominations received equals the number of vacancies to be filled, the persons shall be taken to be elected.
- 18.5. If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- 18.6. The ballot for election of office-bearers shall be completed at the annual general meeting in such manner as the committee may direct.
- 18.7. A person is not eligible to simultaneously hold more than 1 position.

ARTICLE 19: DUTIES AND RESPONSIBILITIES OF THE COMMITTEE

The committee shall have the following powers and functions:

- 19.1. To manage the day-to-day affairs of the Council.
- 19.2. To follow up the implementation of the decisions of the general meeting.
- 19.3. To examine and decide on membership applications.
- 19.4. To take disciplinary measures against members who do not comply with the rules of the Council. To develop relationships, in the name of the Council, with individuals, other Associations, and government and non-government organizations.
- 19.5. To create various means of income generation with the aim of improving the Council's financial standing.
- 19.6. To implement the provisions of Articles 4, 4.6 and 4.7 above and shall also prepare guide-lines necessary for their implementation.
- 19.7. To prepare a plan of action and, subject to the approval of the general meeting, follows up its implementation.
- 19.8. To form sub-committees whenever their formation is essential for the activities of the Council. However, if the activity of such a sub-committee lasts for a period more than three months, its formation has to be approved by the general meeting.

ARTICLE 20: PROCEEDINGS AT THE COMMITTEE MEETINGS

- 20.1. The committee shall have regular and, if need be, special meetings.
- 20.2. The meeting shall be held if, including the president or the secretary, 40 per cent of committee members are present.
- 20.3. The president shall preside over the meeting. In his absence, the meeting shall be presided over by the secretary.
- 20.4. Decisions of the committee shall pass by majority vote. However, the chairperson shall exercise a casting vote.

- 20.5. Oral or written notice of a meeting of the committee shall be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the committee) before the time appointed for the holding of the meeting.
- 20.6. Notice of a meeting given under Sub-article E shall specify the general nature of the business to be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- 20.7. No business shall be transacted by the committee unless a quorum is present and if within half an hour after the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the day in the following week.
- 20.8. If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, the meeting shall be dissolved.

ARTICLE 21: DUTIES AND OBLIGATIONS OF THE PRESIDENT

The president of the Council shall have the following duties and responsibilities:

- 21.1. To represent the Council nationally and internationally.
- 21.2. To propose new and constructive ideas and, together with the secretary of the Council, formulate his/her ideas and other ideas proposed by ordinary members of the Council as agenda items for a general meeting.
- 21.3. To preside as the chairperson at each management committee meeting and general meeting.
- 21.4. To monitor and direct the implementation of resolutions passed in a meeting.
- 21.5. To sign all communiqués and other relevant documents of the Council.
- 21.6. To monitor the proper management of the property of the Council.
- 21.7. To endorse, all financial expenditures approved by the committee by his signature
- 21.8. To present the annual report of the Council at the annual general meeting.

ARTICLE 22: DUTIES AND OBLIGATIONS OF THE VICE-PRESIDENT

- 22.1. The Vice-President shall act in the absence of the President.

ARTICLE 23: DUTIES AND OBLIGATIONS OF THE SECRETARY

The secretary of the Council shall have the following duties and obligations:

- 23.1. To keep in her/his custody all records, books, common seal and other documents related to the Council.
- 23.2. To keep in his/her custody minutes of all meetings which shall be signed by the chairperson of the meeting.
- 23.3. To gather, in collaboration with the presidents, ideas proposed by ordinary members of the Council and formulate agenda items for a general meeting.
- 23.4. To affix the common seal of the Council to all communiqués and other relevant documents which is signed by the president?

ARTICLE 24: DUTIES AND OBLIGATIONS OF THE TREASURER

The treasurer of the Council shall have the following duties and responsibilities:

- 24.1. To deposit all the money received by the Council to the credit of the Council's bank account and keep the account book in his/her custody.
- 24.2. To collect all money due to the Council and issue receipts promptly.
- 24.3. To keep correct books showing the financial affairs of the Council including full details of all receipts and expenditures connected with the activities of the Council.
- 24.4. To make all payments authorized by the committee and endorse cheque payments with the chairperson.
- 24.5. To provide the management committee with a list of names of members who have not promptly paid membership fees and settled financial affairs, if any, they have with the Council.

ARTICLE 25: DUTIES AND OBLIGATIONS OF THE PUBLIC OFFICER

- 25.1. The Public Relations Officer shall liaise and coordinate Interstate, National and International affairs of the Council in consultation with the President.

ARTICLE 26: VACANCIES

- 26.1. For the purposes of these rules, a vacancy in the office of a member of the committee occurs if the member:
 - 26.1.1. dies;
 - 26.1.2. ceases to be a member of the Council;

- 26.1.3. resigns from office;
- 26.1.4. is removed from office;
- 26.1.5. becomes an insolvent under administration within the meaning of the Corporations Law;
- 26.1.6. suffers from mental or physical incapacity;
- 26.1.7. is disqualified from office or
- 26.2. A casual vacancy in the office of a member of the Committee occurs until a vacancy as referred to under Sub-article 26.1 is filled by election in a special or general meeting.
- 26.3. A casual vacancy in the office of a committee member shall be filled for up to three months by a member of the Council elected by the committee.

ARTICLE 27: APPOINTMENTS OF PROXIES

- 27.1. Each committee member shall be entitled to appoint another committee member as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which proxy is appointed.
- 27.2. The notice for appointing a proxy shall be in the form set out in Appendix 1 to these rules.

ARTICLE 28: SOURCES OF INCOME

The Council shall have the following sources of income:

- 28.1. Registration fees.
- 28.2. Annual subscriptions fees.
- 28.3. Donations from government and non-government organizations as well as individuals.
- 28.4. Funds raised through social functions organized in the name of the Council.
- 28.5. Interest earned from the Council's bank accounts.
- 28.6. Other sources, determined by the committee.

ARTICLE 29: FUNDS MANAGEMENT

- 29.1. Subject to any resolution passed by the Council in general meeting, the funds of the Council shall be used in pursuance of the objects of the Council in such a manner as the committee determines.
- 29.2. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by the president and the treasurer of the Council or employees of the Council or employees authorized to do so by the committee.

ARTICLE 30: AUDITORS

- 30.1. The auditor shall be elected, among ordinary members, annually.
- 30.2. The auditor shall examine all accounts, vouchers, receipts, books, etc., and conduct the auditing at any time of the year.
- 30.3. The auditor shall furnish a report therein to the members at the annual general meeting.

ARTICLE 31: INSPECTIONS OF BOOKS

- 31.1. Records, books and other documents of the Council shall be open for inspection at a place in the States/Territories, by a member of the Council at any reasonable hour free of charge.

ARTICLE 32: OFFICES AND ASSEMBLY HALL OF THE COUNCIL

- 32.1. The Council shall run its operation using office (s) and assembly hall (s) donated by charity, government and private organizations as well as individuals until such time that the Council is financially able to have its own office(s) and assembly hall (s).

ARTICLE 33: MEMBERS' LIABILITIES

- 33.1. The liability of a member to contribute towards the payment of debts and liabilities of the Council or the costs, charges and expenses of the winding up of the Council is limited to the amount, if any, unpaid by the member in respect of membership of the Council as required by Article 7.

ARTICLE 34: NON-PROFITABILITY

- 34.1. The assets of income of the Council shall be applied in furtherance of the above mentioned objectives and no portion shall be distributed directly or indirectly to the members of the Council except as bona fide compensation for services rendered or expenses incurred on behalf of organization.
- 34.2. In the event of the Council being dissolved the amount which remains after such dissolution and the satisfaction of all debts and liabilities shall be paid and applied by the committee in accordance with their powers to any fund, institutions or authority which, in itself is exempt from income tax.

ARTICLE 35: WINDING UP OR CANCELLATION

- 35.1. The Council shall be dissolved upon passing of a special resolution in a general meeting. The Council is dissolved when the number of membership is less than two.
- 35.2. If the assessment indicates that membership is less than five persons and the Council's financial status is unsatisfactory, then a special resolution to dissolve the Council shall be passed. Upon the passing of such a resolution, all assets and funds of the Council shall be passed on to another Council that has similar objectives, and items that are of no monetary value shall be destroyed.

ARTICLE 36: AMENDMENTS OF RULES

- 36.1. The rules of the Council may be amended by a special resolution passed in a general meeting by three-fourths majority of members present of the Council on 21 days of notice.

ARTICLE 37: DATE OF ENFORCEMENT OF THE RULE

- 37.1. These rules shall take effect as of 1 April 2007.