

**RULES OF THE AUSTRALIAN CHAPTER OF THE INSTITUTE OF CHARTERED
ACCOUNTANTS OF INDIA**

**PART 1
NAME OF THE ASSOCIATION**

NAME OF THE ASSOCIATION

- 1.1 The name of the association is **Australian Chapter of The Institute of Chartered Accountants of India Inc.** (The "Association")

**PART 2
INTERPRETATION**

- 2.1 In these rules, unless the contrary intention appears

"**Act**" means the Associations Incorporations Act 1984 (NSW) as amended from time to time;

"**Executive /Management Committee**" means the committee defined in clause 6.1;

"**Management committee member**" means a person elected or appointed in accordance with these rules to hold position under Rule 6.2 in the Management Committee

"Rules of the Chapter shall have the same meaning as Constitution of the Chapter

"**Financial Year**" means a year ended on 31st December

"**General meeting**" means annual general meetings and special general meetings;

"**ICAI**" means the The Institute of Chartered Accountants of India established under the independent laws of the Republic of India.

"**Member**" means a member of the "Association";

"Membership Fees" means fees as defined in Appendix III.

"**Learning Activity**" means an educational endeavour that maintains or improves professional competence and is accredited by the Management committee for this purpose

"Local Chapter" means chapter in state where the member normally lives.

"**E - Mail**" means electronic communication method using internet as a medium which is the only mode of communication to members of the association.

"**Register**" means register of names , ICAI membership numbers and contact details of members.

"**Officer**" means an officer of the Association as defined in clause 7.1;

"**Regulations**" means the regulations under the Act.

"**Website**" means the Chapter's Website www.icai.org.au unless specified otherwise

- 2.2 In these Rules, a reference to the Secretary is a reference:

- (a) where a person holds office under these Rules as secretary of the Association - to that person; and
- (b) in any other case, to the officer of the Association.

- 2.3 Words or expressions contained in these Rules shall be interpreted in accordance with the provisions of the *Interpretation of Legislation Act 1984*, the Act and the regulations as in force from time to time.

Alteration of the rules

- 2.4 These Rules and the statement of purposes of the Association must not be altered except in accordance with the Act.

PART 3

MISSION, PURPOSES AND OBJECTIVES

Vision

- 3.1 Facilitate optimum utilisation of resources (material & services) for a sustainable growth of Australia, India and related economies.

3.2 Mission

Proper recognition and acceptance of Knowledge, Skills and Education of Members for the mutual benefits of Members, Australia and other related economies..

3.3 Objects of Chapter

- a) Mutual efforts to achieve Vision and Mission as stated.
- b) Facilitate members of the ICAI to gain continuous professional education and development.
- c) Sharing of expertise with accounting bodies of Australia such as Institute of Chartered Accountants of Australia, CPA Australia etc
- d) Promoting formal and informal networking among the members and exploring professional opportunities for the members of ICAI.
- e) Securing strategic alliances and collaborations with professional accounting, auditing, finance and tax related bodies in Australia.
- f) Publicising the contribution, competence, and accomplishments of the members of ICAI.
- g) To provide other services to the members as the overseas chapter of the ICAI
- h) To advocate , promote and provide accessible and quality continuing professional education
- i) To make representations in connection with the matters of professional interest and to offer suggestions for raising the standard and status of members of ICAI
- j) Recommending policy on continuing professional education to ICAI
- k) Facilitate interaction among the members for the acquisition and dissemination of useful information
- l) To seek out and apply for external funding and sponsorship as required to meet the objectives of the association
- m) Any other activities as may be entrusted by the ICAI from time to time or for the benefits of members.

PART 4

MEMBERSHIP OF THE ASSOCIATION

Membership

- 4.1 An individual who is a member of the ICAI may become a member of the association provided :

(a) he submits a membership application form under Rule 4 .2 along with accompaniments prescribed under rule 4.4 (b) he is admitted as a member by the Management Committee

Application for membership

- 4.2 A person who applies and is approved for membership as provided in these Rules is eligible to be a member of the Association on payment of the Admission and annual membership fee payable under these Rules.

- 4.3 An application of a person for membership of the Association must-
- (a) be made in writing or may be lodged on chapters website in the form set out in Appendix 1; and
 - (b) The Admission fee is paid as determined by management Committee from time to time
 - (c) Accompanied by :
 - Self Attested Membership Certificate issued by ICAI
 - Payment of Annual Fees
- 4.4 Renewal of Membership: membership will be renewed automatically, unless
- Member cease to be a member of ICAI
 - Member does not pay his / her membership fees as per the deadlines set out in Appendix III

Removal of a member

- 4.5 A Member who has paid all fees due to the Association may resign from the Association by giving at least one month's notice in writing to the Chairperson/Secretary of that Member's intention to resign. Upon the expiration of that period of notice, that person ceases to be a Member.
- 4.6 Upon the expiration of the period of notice given under clause 4.5 the Secretary must make in the register of members an entry recording the date on which the Member by whom the notice was given ceased to be a Member.
- 4.7 Subject to these Rules, the Management Committee may by resolution terminate the membership of a Member and expel that Member from the Association after giving the Member an opportunity to be heard by the Management Committee. Such action may be taken by the Management Committee if:
- (a) the particular Member has refused or neglected to comply with the Rules; or
 - (b) has been guilty of misconduct or prejudicial to the interests of the Association.
- 4.8 A resolution of the committee under rule 4.7 does not take effect unless—
- (a) at a meeting held in accordance with sub-rule 4.5 the committee confirms the resolution; and
 - (b) if the member exercises a right of appeal to the Association under this rule, the Association confirms the resolution in accordance with this rule.
- 4.9 A meeting of the committee to confirm or revoke a resolution passed under rule 4.7 must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the member in accordance with rule 4.5.
- 4.10 For the purposes of giving notice in accordance with rule 4.5, the Secretary must, as soon as practicable, cause to be given to the member a written notice-
- (a) setting out the resolution of the committee and the grounds on which it is based; and
 - (b) stating that the member, or his or her representative, may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after the notice has been given to that member; and
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that he or she may do one or both of the following-
 - (i) attend that meeting;
 - (ii) give to the committee before the date of that meeting a written statement seeking the revocation of the resolution;
- 4.11 At a meeting of the committee to confirm or revoke a resolution passed under rule 4.7, the committee must-
- (a) give the member, or his or her representative, an opportunity to be heard; and
 - (b) give due consideration to any written statement submitted by the member; and
 - (c) determine by resolution whether to confirm or to revoke the resolution.

- 4.12 The Chairperson or other duly appointed presiding officer may suspend a Member from a general meeting of the Association if, after due warning has been given, the Member persists in disrupting the orderly proceedings of that meeting.

Ceasing of membership

- 4.13 A person's membership of the Association automatically ceases upon the person:

- (a) death;
- (b) becoming insolvent;
- (c) suffering from mental incapacity;
- (d) resigning or termination pursuant to rule 4.1;
- (e) not paying the membership fee
- (f) becoming a non- member of the Institute of Chartered Accountants of India.

Rights of Membership

- 4.14 A member shall be entitled to:

- (a) attend and vote at all general/special meetings of the Association provided there is no local chapter.
- (b) attend all technical sessions of the Chapter subject to the rules of such sessions;
- (c) offer himself or herself for election to hold office provided there is no local chapter

Duties of Members

- 4.15 A member shall have a duty to uphold and observe the constitution of the Chapter and to conform to all resolutions of Management Committee and of the Chapter A member shall lose all its rights & privilege once he loses membership of the Association.

Liability of the members

- 4.16 Liability of the member to contribute towards the payment of debts and liabilities of the Association or costs, charges or expenses of the winding up of the association shall be limited to the amount , if any , unpaid by the member in reference to the annual membership fee referred to in Rule 4.2

Membership not transferable

- 4.17 A right, privilege, or obligation of a person by reason of that person's membership of the Association is not capable of being transferred or transmitted to another person.

Register of Members

- 4.18 The Secretary must maintain a register of members in which must be entered the full name, address, date of commencement and cessation of membership, etc.

Disputes and mediation

- 4.19 The grievance procedure set out in this rule applies to disputes under these Rules between-

- (a) a member and another member; or
- (b) a member and the Association.

- 4.20 The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.

- 4.21 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, hold a meeting in the presence of a mediator.

- 4.22 The mediator must be-
- (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement-
 - (i) in the case of a dispute between a member and another member, a person appointed by the Management committee of the Association; or
 - (ii) in the case of a dispute between a member and the Association, a person appointed by the Management committee of the Association;
- 4.23 Only a member of the Association can be a mediator.
- 4.24 The mediator cannot be a member who is a party to the dispute.
- 4.25 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- 4.26 The mediator, in conducting the mediation, must--
- (a) give the parties to the mediation process every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- 4.27 The mediator must not determine the dispute.
- 4.28 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 5 MEETINGS

5. Annual General Meeting

- 5.1 The Association must hold an annual general meeting in each calendar year with in three months from 31st Dec.
- 5.2 The Management Committee must determine the date on which the annual general meeting is to be held.
- 5.3 The notice convening the annual general meeting must identify the meeting as the annual general meeting.
- 5.4 The ordinary business of the annual general meeting is:
- (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;
 - (b) to receive from the Management Committee reports upon the transactions of the Association during the last preceding financial year;
 - (c) to receive and consider the statement submitted by the Association in accordance with the governing rules.
 - (d) to deal with such other general business as may be required to further the objects and purposes of the Association.
 - (e) To elect officers of the new Management committee which is to be elected every two years
- 5.5 The annual general meeting is in addition to any other general meetings that may be held in the same year.
- 5.6 The annual general meeting may transact special business of which notice is given in accordance with these Rules.
- 5.7 The Management Committee may propose items of special business for consideration at annual general meetings.
- 5.8 The Management Committee must, on the requisition in writing of not less than 20 % of the total number of members or 20 members which ever is less give notice to Members of items of special business to be considered at the next annual general meeting.

- 5.9 Items of special business must state the objects of the items and must be signed by the requisitioner and deposited at the office of the Association. They may consist of several documents in like form, each signed by one or more of the requisitioner.

Special General Meeting

- 5.10 All general meetings other than the annual general meeting are special general meetings.
- 5.11 The Management Committee may, whenever it thinks fit, convene a special general meeting of the Association.
- 5.12 The Management Committee must, on the requisition in writing of members not less than 20 % of the total number of members or 20 members which ever is less, convene a special general meeting of the Association

- 5.13 The requisition for a special general meeting must:

- (a) state the objects of the meeting;
- (b) be signed by the Members making the requisition; and
- (c) be sent to the address of the Secretary,

and it may consist of several documents in a like form, each signed by one or more of the Members making the requisition.

- 5.14 If the Management Committee does not cause a special general meeting to be held within one month after the date on which the requisition is properly sent to the address of the Secretary, the members making the requisition, or any of them, may convene a special general meeting to be held not later than 3 months after that date.
- 5.15 A special general meeting convened by Members in accordance with these Rules must be convened in the same manner as nearly as possible as that in which those meetings are convened by the Management Committee. All reasonable expenses incurred in convening the meeting must be refunded by the Association to the persons incurring those expenses.

Notice of general meeting

- 5.16 The Secretary must, at least 14 days before or, if a special resolution has been proposed, at least 21 days before, the date fixed for holding a general meeting of the Association, cause to be sent to each Member at that Member's e-mail address appearing in the register of members, and to the auditor (if any), a notice by electronic communication (email) only , stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting. Where the email address is not available of any member the notice published on chapter's website shall constitute communication of notice.
- 5.17 In calculating the time period for the provision of notices under clause 5.16, the day on which the notice is served or deemed to be served is excluded and the day appointed for meeting is included.
- 5.18 No business other than that set out in the notice convening the meeting may be transacted at the meeting.
- 5.19 The non-receipt of the notice of a general meeting, or a failure to give notice of a general meeting to, any person entitled to receive notice of a general meeting under this clause does not invalidate any act, matter or thing done or resolution passed at the general meeting if:
- (a) the non-receipt or failure occurred by accident or error; or
 - (b) before or after the meeting, the person:
 - (1) has waived or waives notice of that meeting by notice in writing to the Association;
 - or
 - (2) has notified or notifies the Association of the person's agreement to that act, matter, thing or resolution by notice in writing to the Association.
- 5.20 A person's attendance at a general meeting:

- (a) waives any objection that person may have to a failure to give notice, or the giving of a defective notice, of the meeting unless the person at the beginning of the meeting objects to the holding of the meeting; and

(b) waives any objection that person may have to the consideration of a particular matter at the meeting which is not within the business referred to in the notice of the meeting, unless the person objects to considering the matter when it is presented.

Quorum, Chairperson and business at general meetings

- 5.21 Except for the election of a Chairperson or the adjournment of the meeting, no item of business shall be transacted at a general meeting unless a quorum of Members entitled under these Rules to vote is present during the time when the general meeting is considering that item.
- 5.22 Not less than 20 % of the total number of members or 20 members which ever is less being present in person or by proxy and entitled to vote at such meetings constitute a quorum for the transaction of the business of a general meeting.
- 5.23 If within half an 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 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 the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the Members present will be a quorum provided they are not less than 10 in number.
- 5.24 (a) The Chairperson, or in the Chairperson's absence, the Vice-Chairperson, shall preside as Chairperson at each general meeting of the Association.
- (b) In the event that the Chairperson / Vice Chairperson are not present to chair the general meeting, any member elected by majority vote of those present at the general meeting may be its chairperson.
- 5.25 (a) The chairperson of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the general meeting from time to time and place to place, but no business can be transacted at an adjourned meeting other than the business left unfinished at the general meeting at which the adjournment took place.
- (b) Where a meeting is adjourned for 14 days or more, a like notice of the adjourned meeting must be given as in the case of the general meeting.
- (c) Except as provided in sub-clause 5.25(b), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned general meeting.
- 5.26 Except in the case of any resolution which as a matter of law requires a special majority, questions arising at a general meeting are to be decided by a majority of votes cast by the Members present at the meeting and any such decision is for all purposes a decision of the Members.
- 5.27 (a) Upon any question arising at a general meeting of the Association, a Member has one vote only.
- (b) All votes shall be given personally or by proxy.
- 5.28 A Member is not entitled to vote at any general meeting unless all moneys due and payable to the Association have been paid as required by these Rules and is a current member of ICAI .
- 5.29 A resolution put to the vote must be determined on a show of hands or on the voices as appropriate. Unless before or on the declaration of such a vote a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands or on the voices (as the case may be), been carried or carried unanimously or carried by a particular majority or lost and an entry to that effect in the minute book of the Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.
- 5.30 (a) An objection to the qualification of a person to vote at a general meeting:
- (i) must be raised before or at the meeting at which the vote objected to is given or tendered; and
- (ii) must be referred to the chairperson of the meeting, whose decision is final,
- (b) A vote not disallowed by the chairperson of a meeting under clause 5.31(a) is valid for all purposes.

- 5.31 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.
- 5.32 (a) If at a meeting a poll on any question is demanded by not less than 5 Members, it must be taken at that meeting in such manner as the chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- (b) A poll that is demanded on the election of a chairperson or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at any such time before the close of the meeting as the chairperson may direct.
- 5.33 Each Member shall be entitled to appoint another Member of the chapter as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed. The notice appointing the proxy must be in the form set out in appendix 2.
- 5.34 For a proxy to be valid for purposes of voting at a general meeting, it must:
- (a) be signed by the member granting it;
- (b) name the Member authorised to use it and specify the meeting at which it may be exercised; and
- (c) be registered with the Secretary at least 24 hours before the time notified for the meeting.
- 5.35 A proxy may be appointed for all general meetings, or for the any number of general meetings, or for a particular general meeting.
- 5.36 Unless otherwise provided in the proxy instrument, an instrument appointing a proxy will be taken to confer authority:
- (a) to agree to a meeting being convened by shorter notice than is required by the Rules;
- (b) to agree to a resolution being proposed and passed as a special resolution at a meeting of which less than 21 days' notice has been given;
- (c) to speak to any proposed resolution on which the proxy may vote;
- (d) to demand or join in demanding a poll on any resolution on which the proxy may vote;
- (e) even though the instrument may refer to specific resolutions and may direct the proxy how to vote on those resolutions:
- (i) to vote on any amendment moved to the proposed resolutions and on any motion that the proposed resolutions not be put or any similar motion;
- (ii) to vote on any procedural motion, including any motion to elect a chairperson, to vacate the chair or to adjourn the meeting; and
- (iii) to act generally at the meeting; and
- (f) even though the instrument may refer to a specific meeting to be held at a specified time or venue, where the meeting is rescheduled or adjourned to another time or changed to another venue, to attend and vote at the rescheduled or adjourned meeting or at the new venue.
- 5.37 An instrument appointing a proxy may direct the manner in which the proxy is to vote in respect of a particular resolution and, where an instrument so provides, the proxy is not entitled to vote on a proposed resolution except as directed in the instrument.
- 5.38 All business that is transacted at a special general meeting and all business that is transacted at the annual general meeting with the exception of that specifically referred to in these Rules as being the ordinary business of the annual general meeting shall be deemed to be special business.
- 5.39 Any question arising at a general meeting relating to the order of business, procedure or conduct of the meeting must be referred to the chairperson of the meeting, whose decision is final.

PART 6 MANAGEMENT COMMITTEE

- 6.1 The affairs of the Association must be managed by the Management Committee.
- 6.2 The Management Committee comprises the Officers as per Rule 7.1

- 6.3 The Management Committee:
- (a) controls and manages the business and affairs of the Association.
 - (b) may, subject to the rules, the Act and the Regulations, do all such acts and things and exercise all such powers and functions as may be exercised by the Association, and appear to the Management Committee to be essential for the proper management of the business and affairs of the Association other than those acts, things, powers and functions that are required by these Rules and the Act to be exercised by annual general meetings of Members; and
 - (c) may appoint Members to any sub-committees of the Management Committee and may, in its discretion, from time to time, delegate any task or decision making process to such a sub-committee or to the Chairperson ;
 - (d) must determine the membership and other fees ;
 - (e) must supervise the activities of the Officers;

- 6.4
- (a) The Association in general meeting may by a resolution remove any member of the Management Committee before the expiration of the member's term of office and appoint another Member in that member's place to hold office until the expiration of the term of that member of the Management Committee.
 - (b) Where the member to whom a proposed resolution referred to in clause (a) above makes representations in writing to the Secretary or Chairperson (not exceeding a reasonable length) and request that they be notified to the Members, the Secretary or the Chairperson may send a copy of the representation to each Member or, if they are not so sent, the member may require that they be read out at the meeting.

Meetings of the Management Committee

- 6.5 The Management Committee shall meet from time to time at such place and at such times as the Management Committee may determine, but not less than thrice in each calendar year. Two consecutive Management Committee meetings shall not be held with a gap of more than five calendar months.
- 6.6 Special meetings of the Management Committee may be convened by the Chairperson or by any four members of the Management Committee.
- 6.7 Written notice of each Management Committee meeting specifying the time and place of the meeting and the general nature of the business to be transacted must be given to each member of the Management Committee by delivering it to the member at least 7 business days before the date of the meeting by e mail. This condition may be condoned if at least 4 committee members agree for such shorter period in the meeting
- 6.8 The non-receipt of a notice of meeting of the Management Committee by, or a failure to give notice of a meeting of the Management Committee to, a member of the Management Committee does not invalidate any act, matter or thing done or a resolution passed at the meeting if:
- (a) the non-receipt or failure occurred by accident or error;
 - (b) before or after the meeting, the member of the Management Committee:
 - (i) has waived or waives notice of the meeting by notifying the Association to that effect in person or e-mail; or
 - (ii) has notified or notifies the Association of his or her agreement to that act, matter, thing or resolution personally or by e-mail; or
 - (iii) the member of the Management Committee attended the meeting.
- 6.9 At meetings of the Management Committee:
- (a) The Chairperson presides; or
 - (b) if the Chairperson is absent Vice Chairperson . If both of them are absent , one of the remaining members of the Management Committee may be chosen by the members present to preside over the meeting.
- 6.10 Questions arising at a meeting of the Management Committee or of any sub-committee appointed by the Management Committee are determined by a majority of votes cast by the members present and any such decision is for all purposes a determination of the Management Committee.
- 6.11 Management Committee will form following 4 sub committees:
- a) Secretarial & Membership affairs Sub committee
 - b) Public Relations & Systems support Sub Committee
 - c) CPE & related affairs Sub Committee
 - d) Events & other affairs Sub Committee

- 6.12 Members to all the sub committees will be appointed by the Executive Committee.
- 6.13 Members heading each sub committee will have voting rights in Executive committee affairs/meeting.
- 6.14 A resolution is decided by a show of hands or on the voices as appropriate or, if demanded by a member of the Management Committee, by a poll taken in such manner as the person presiding at the meeting may determine.
- 6.15 Each member present at a meeting of the Management Committee or of any sub-committee appointed by the Management 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.
- 6.16 All votes must be given personally.
- 6.17 At least four Management committee members present in person constitute a quorum for the transaction of the business of a meeting of the Management Committee.
- 6.18 No business shall be transacted at a meeting of the Management Committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting is adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a special meeting in which case it lapses.
- 6.19 Subject to any requirements as to quorum, the Management Committee may act notwithstanding any vacancy on the Management Committee.
- 6.20 All or any of the members of the Management Committee or any sub-committee appointed by the Management Committee may participate in a meeting of the Management Committee or that sub-committee by means of a conference telephone or any communication medium which allows all persons to participate in a meeting. A person so participating will be deemed to be present in person at the meeting and is entitled to vote or be counted in a quorum accordingly. Such a meeting is deemed to take place where the largest group of those participating is assembled, or, if there is no such group, where the chairperson of the meeting is.
- 6.21 (a) Any member of the Management Committee who has a financial interest in any contract or arrangement made or proposed to be made with the Association must disclose their interest at the first meeting of the Management Committee at which the contract or arrangement is first taken into consideration if their interest then exists, or in any other case at the first meeting of the Management Committee after the acquisition of their interest. If they become interested in a contract or arrangement after it is made or entered into, they shall disclose their interest at the first meeting of the Management Committee after they become so interested.
- (b) No member of the Management Committee shall remain present at any meeting of the Management Committee during any consideration or discussion of, or the taking of any vote on any question with respect to any contract or arrangement in which they are interested.
- 6.22 (a) If all of the members of the Management Committee who are entitled to vote on a resolution assent to a document containing a statement to the effect that an act, matter or thing has been done or resolution has been passed and those members would have constituted a quorum at a meeting of the Management Committee, then that act, matter, thing or resolution is to be taken as having been done at or passed by a meeting of the Management Committee.
- (b) A member of the Management Committee may signify assent to a document by signing the document or by notifying the Association of the member's assent in person or by post, facsimile, telephone or other method of written, audio or audio-visual communication.
- 6.23 The quorum and procedures of any sub-committee appointed by the Management Committee or constituted or established under the Rules are the same as for the Management Committee unless number of members in the Sub Committee/s is less than 4, in which case quorum will be no. of members.

PART 7

OFFICERS

Officers

7.1 The officers of the Association are:

- (a) Chairperson;
- (b) Vice Chairperson
- (c) Secretary;
- (d) Treasurer;
- (e) Management Member
- (f) Management Member.

7.2 Subject to rule 4.19, the Officers hold office for two years, until the second annual general meeting after their election. All Officers are eligible for re-election.

7.3 Only Members are eligible for Officers provided there is no local Chapter .

7.4 In the event of a casual vacancy occurring in any office of the Association from (a) to (e) in Rule 7.1 , the Management Committee must as soon as convenient appoint an Officer to that vacated office from the Officers of the association.

7.5 Any Officer appointed to fill a vacancy under the foregoing clause holds that office only until the next annual general meeting of the Association.

Election or appointment of Officers

7.6 All Officers are elected by the Members at the relevant annual general meeting.

7.7 Nominations of candidates for election as Officers must be:

- (a) delivered to the Secretary not less than 7 days before the date fixed for the holding of the annual general meeting;
- (b) in prescribed form as per appendix IV, signed by a sponsoring Member and by the candidate as giving consent to the nomination; If insufficient nominations are received to fill all vacancies on the Management Committee, the candidates nominated are deemed to be elected and further nominations will be received at the annual general meeting.
- (c) endorsed by at least 5 members.

7.8 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are deemed to be elected.

7.9 If the number of nominations exceeds the number of vacancies to be filled, a ballot of members will be held at the annual general meeting.

7.10 The ballot for the election of Officers will be conducted at the annual general meeting in such usual and proper manner as the Management Committee may direct.

Vacation of Office

7.11 For the purposes of these Rules, an office of the Association becomes vacant if any of the conditions in clause 4.13 or 4.7 or his resignation form the office applies;

7.11 (a) Casual Vacancy within the Management Committee

In case of a vacancy arises within the office of a management committee as per 7.11, the vacancy should be filled in a general meeting of members.

Duties of Office Bearers

Chairperson

- 7.12 The Chairperson shall be the Management head of the Chapter and when present shall preside at all meetings of the members of the Chapter and of the Management committee . He/she shall exercise general supervision of the affairs of the Chapter and shall be responsible for the enforcement of the Constitution and the carrying out of all orders and resolutions . He/she shall keep the Management Committee fully informed and shall frequently consult it concerning the business and activities of the Association and make on behalf of the Management Committee an annual report to the members of the Chapter. The Chairperson shall have such additional duties as may be delegated by the Management Committee.

Vice Chairperson

- 7.13 Assist the Chairperson in carrying out the duties his / her duties

Secretary/Treasurer/

- 7.14 The persons appointed Secretary/Treasurer committee members must between them:
- (a) keep minutes of the resolutions and proceedings of each general meeting and each Management Committee meeting in books provided for that purpose together with a record of the names of persons at Management Committee and other meetings;
 - (b) issue notices of meeting;
 - (c) engage in correspondence on behalf of the Association;
 - (d) assist the Management Committee to apply to the Commonwealth Government, other appropriate government agencies and appropriate entities for funding of the Association's activities;
 - (e) collect and receive all moneys due to the Association and make all payments authorised by the Association;
 - (f) keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association;
 - (g) engage in all other matters of an administrative nature relating to the Association and which, under these Rules, are not the responsibility of any Member;
 - (h) present at the annual general meeting a statement containing the particulars required under governing rules;
- and
- (i) if requested to do so by a majority of the Management Committee, present an annual budget at the annual general meeting in respect of the following year.

PART 8

GENERAL

Income and property of the Association

- 8.1 The income and property of the Association, however derived, must be applied solely towards the promotion of the objects and purposes of the Association.
- 8.2 The Association must not:
- (a) appoint a person who is a member of the Management Committee to any office of the Association of which there is payable to the holder any remuneration by way of salary, fees, or allowances; or
 - (b) pay to any such person any remuneration or other benefit in money or money's worth (other than the repayment of expenses incurred on behalf of the Association).

Keeping of accounts

8.3 The Treasurer must:

- (a) keep accounting records that correctly record and explain the transactions of the Association (including any transactions as trustee) and the financial position of the Association;
- (b) keep accounting records in such a manner as will enable:
 - (1) preparation from time to time of true and fair accounts of the Association; and
 - (2) accounts of the Association to be conveniently and properly audited in accordance with these Rules (if necessary).
- (c) keep the accounting records at a place or places as the Management Committee may decide;
- (d) make accounting records available for inspection by Members at all reasonable times upon reasonable notice;
and
- (e) collect and receive all monies due to the Association and make all payments authorised by the Association.

Banking and Finance

8.4 The Treasurer will, on behalf of the Association, receive and account for all moneys paid to the Association.

8.5 The Management Committee will open with a bank selected by the Management Committee a banking account in the name of the Association into which the Treasurer must deposit all moneys received by the Association.

8.6 The Management Committee may receive from the Association's bank or bankers for the time being the cheques drawn by the Association on any of its accounts with the bank or bankers and may release and indemnify the bank or bankers 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.

8.7 Except with the authority of the Management Committee, no payment of a sum exceeding two dollars may be made from the funds of the Association.

Annual financial statements

8.8 The Treasurer must cause to be made out in relation to the Association, statements of revenue and expenditure for the last Financial Year and of the financial position as at the end of the last Financial Year which give a true and fair view respectively of the revenue and expenditure of the Association for that Financial Year and of its financial position as at the end of that Financial Year.

8.9 The Treasurer must cause to be attached to any statements referred to in rule 8.8 , a statement made in accordance with a resolution of the Management Committee and signed by not less than two Officers stating whether in the pinion of the Management Committee:

- (a) the statement of revenue and expenditure is drawn up so as to give a true and fair view of the revenue and expenditure of the Association for the Financial Year;
- (b) the statement of financial position is drawn up so as to give a true and fair view of the state of affairs of the Association as at the end of the Financial Year; and
- (c) there are reasonable grounds to believe that the Association will be able to pay its debts as and when they fall due.

Cheques

8.10 Except with the authority of the Management Committee ,all cheques, drafts, bill of exchange, promissory notes and other negotiable instruments must be signed by any two among Chairperson/ Vice Chairperson/ Secretary/ Treasurer.

Alterations to Rules

8.11 These Rules and the statement of purposes of the Association must not be altered except in accordance with the Act.

Notices

- 8.12 (a) A notice may be served by or on behalf of the Association upon any Member by e-mail at his/her e-mail address shown in the register of members.
- (b) Where a document is properly addressed, and if sent it is properly sent, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of sending e mail.

Winding up or cancellation

- 8.13 In the event of the winding up or the cancellation of the incorporation of the Association, the assets of the association must be disposed of in accordance with the provisions of the Act.

Custody of records

- 8.14 (a) Except as otherwise provided in these Rules, the Secretary must keep in the Secretary's custody or under the Secretary's control all books, documents and securities of the Association.
- (b) All accounts, books, documents and securities of the Association are available for inspection by any Member upon reasonable notice.

Funds

- 8.15 The funds of the Association are derived from membership fees, funding, donations, Sponsorships and other sources as the Management Committee determines.
- 8.16 The Management Committee determines how the funds of the Association are to be used.

Association's office

- 8.17 The office of the Association is 30 Pemberton St, Strathfield NSW 2135, or any other place as the Management Committee may from time to time determine.

Prohibition and enforceability

- 8.18 Any provision of, or the application of any provision of, these Rules which is prohibited in any place is, in that place, ineffective only to the extent of that prohibition.
- 8.19 Any provision of, or the application of any provision of, these Rules which is void, illegal or unenforceable in any place does not affect the validity, legality or enforceability of that provision in any other place or of the remaining provisions in that or any other place.

APPENDIX 1

Form as published on Associations Website

APPLICATION FOR MEMBERSHIP

AUSTRALIAN CHAPTER OF THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

Please write your responses using BLOCK CAPITAL LETTERS. Do not send any original documents with this form. The Association will retain all materials sent with this form. Please pay current fee along with this application as a non-refundable application fee.. You will be invoiced directly by the Association if it accepts your application for membership.

For purposes of Clause 4.4 of the rules, details of my qualifications:

Title eg. Mr/Mrs/Miss/Ms _____ First Name(s)_____

Surname _____

being an associate / Fellow (delete as appropriate) member of the Institute of Chartered Accountants of India having Membership number ----- - and being a resident of New South Wales hereby apply to become a member of the above named incorporated association. In the event of my admission as a member, I agree to be bound by the Rules of the Association for the time being in force and to promote the objects of the Association.

- I have enclosed with this application the following as required under Rule 4.4
(a) As Determined by the Management Committee
(b) A true copy of the membership certificate of the Institute of Chartered Accountants of India

My present contact details are

Address for Correspondence _____

Post Code _____ Tel.

(After Hours) _____ Tel. No. (Work) _____ Email:

Mobile No.

ACCEPTANCE OF ASSOCIATION RULES

I _____ (name) in the event of my admission as a member, I agree to be bound by the Rules of the Sydney Chapter of the Institute of Chartered Accountants of India for the time being in force. In any event of losing the membership of the Institute of Chartered Accountants of India I will declare that matter to the Association within 90 days.

I declare all the above information are true and correct

Signature of Applicant

Date

Please post to: The Secretary , Australian Chapter of The Institute of Chartered Accountants of India, P. O Box No. 2253, Homebush West, New South Wales 2135 AUSTRALIA.

(Emailed and Faxed applications ARE NOT ACCEPTABLE and they will be ignored)

(For Official Purposes Only:)

Application Received On: _____

Membership Consideration On: _____

- Approved Membership No. _____
Not Approved Reason

Applicant Informed of Decision On:

Date Membership Fees Received: _____

APPENDIX 2

FORM OF APPOINTMENT OF PROXY

I, of being
a member of the Australian Chapter of The Institute of Chartered Accountants of India appoint

_____ of _____

being a member of that incorporated association, and failing that person, the chairperson of the meeting, as my proxy to vote for me on my behalf at the general meeting of the Association (annual general meeting or special general meeting as the case may be) to be held at on(or otherwise specify whether the proxy applies to a particular number of general meetings or all general meetings) and at any adjournment of that meeting.

I direct my proxy to vote as follows:

	For	Against
Resolution 1.		
Resolution 2.		
Resolution 3.		

OR

I direct my proxy to vote as deemed fit by him/her

(delete as appropriate)

Signature

Name

Date

APPENDIX 3

SCHEDULE OF FEES

Name of the Fee

Membership Fee

Amount

As determined and notified by the Management Committee

APPENDIX 4

NOMINATION FOR ELECTION AS COMMITTEE MEMBER

Name of Candidate:

Address

Membership No.

I, _____, declare that I am a member of the Australian Chapter of Institute of Chartered Accountants of India and the above information is true & correct to the best of my knowledge.

Signature

Date

Endorsed by

	Name	Membership Number	Signature
1.			
2.			
3.			
4.			
5.			