



PURPOSE AND SCOPE

This policy summarises the processes of the Australian Chinese Medical Association Victoria Inc (Registration A0012281S) (ABN 43 721 970 098) (ACMAV Inc) Committee based on the ACMAV Inc Articles of Association.

POLICY

The ACMAV Inc Committee will follow the process outlined in this policy.

AFFAIRS OF COMMITTEE

1. Control and manage the business and affairs of the ACMAV Inc.
2. Function as Directors of the Trustee of the ACMAV Foundation.

COMPOSITION OF COMMITTEE

1. Office holders:
 - a. President
 - b. Vice-President
 - c. Treasurer
 - d. Secretary
 - e. Immediate Past President
2. 8 ordinary members.

ELECTION OF COMMITTEE MEMBERS

1. Made in writing, signed by two members and accompanied by written consent of Candidate.
2. Delivered to Secretary 7 days before AGM.
3. If number of nominations equal number of vacancies, the persons nominated shall be deemed to be elected.

COMMITTEE MEETINGS

1. At least 3 times a year.
2. Written notice at least 2 business days before meeting.
3. Quorum is any 4 Committee members.
4. Minutes kept by the Secretary.



Australian Chinese Medical Association (Victoria) Inc.

澳洲維省中華醫學會

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FUNDS

1. The Treasurer must collect and receive all moneys and make all payments.
2. The Treasurer must keep correct accounts and books with full details of all receipts and expenditure.
3. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 members of the Committee.

ANNUAL GENERAL MEETING (AGM)

1. An AGM shall be held within 5 months (before 31 May) at the end of the financial year (31 December).
2. Notice of a general meeting (including AGM) is at least 14 days, or for a special resolution, at least 21 days:
 - a. by prepaid post to address; or
 - b. on request, by fax or email.
3. The President, or in absence, the Vice President, is the Chairperson at each general meeting (including AGM). If neither present, voting members must select one of their numbers to be Chairperson.
4. Quorum for a general meeting (including AGM) is 10 voting members.
 - a. If within half hour there is no quorum, the meeting shall be adjourned to same day and same time next week (unless another place specified by the Chairperson at the time of adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place. At the adjourned meeting the quorum is 3 voting members after half an hour.
5. The ordinary business shall be:
 - a. to confirm the minutes of the previous AGM;
 - b. to receive the Committee reports upon transactions during last financial year;
 - c. to elect officers of the Association and members of the Committee; and
 - d. to receive and consider the statement to Consumers Affairs Victoria.

ANNUAL STATEMENT

1. The Public Officer (usually the Secretary) must complete the Annual Statement form and lodge it together with the audited financial statements of ACMAV Inc and ACMAV Foundation with Consumer Affairs Victoria enclosing the required fee within 1 month after the AGM.



TRUSTEE TO THE ACMAV FOUNDATION

ACMAV Inc is Trustee to the ACMAV Foundation (ABN 13 237 941 806), which is the name of the Trust Fund.

The ACMAV Inc Committee must:

1. Hold the Trust Fund and income of the Trust Fund, solely for the purpose of providing money, property or benefits to or for Eligible Charities, or for the establishment of Eligible Charities, as ACMAV Inc decides. An Eligible Charity means a fund, authority or institution which is charitable at law and to which gifts are tax-deductible.
2. Ensure that, apart from providing money, property or benefits to or for Eligible Charities and apart from reasonable remuneration to ACMAV Inc, no part of the ACMAV Foundation or the income may be paid or applied, directly or indirectly, to or for:
 - a. the Settlor (Dr Benny Foo);
 - b. the Trustee (ACMAV Inc);
 - c. a Donor; or
 - d. an Associate of the Settlor, the Trustee or a Donor by way of an Uncommercial Transaction (a transaction not at arm's length).
3. Maintain separate account (Gift Fund) to which gifts of money or property for that purpose are to be made and that does not receive any other money or property.
4. Keep proper accounts of all receipts and payments.
5. Ensure annual statements are audited at the end of the financial year.

The ACMAV Inc Committee may:

6. Appoint and remove, or make provision for the appointment and removal of, members of Advisory Committees and decide the functions of each Advisory Committee, as well as specify the manner in which proceedings of each Advisory Committee are to be conducted, the matters to be regarded, and any other matters concerning the Advisory Committee.
7. Have regard to any recommendations from the ACMAV Foundation Advisory Committee.
8. Formulate policies, make rules in connection with a policy and revoke or amend a policy or rule and formulate other policies in relation to the ACMAV Foundation.
9. Invest money of the ACMAV Foundation, including changing or selling investments.
10. Form contracts or secure debts.
11. Take and act on external legal advice.
12. Take on insurance.
13. Encourage donations and gifts, or undertake fund raising activities.
14. Employ employees and engage contractors without being responsible for any loss.
15. Refuse to accept any gift.
16. Manage real property with all the powers of an absolute owner, including allowing any Eligible Charity to occupy the property.
17. Appoint any person as patron of the ACMAV Foundation.



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18. Charge and be paid out of any part of the capital or income of the ACMAV Foundation the remuneration that the ACMAV Inc considers to be fair and reasonable up to the maximum of:
 - a. \$5.50 for every \$100 of the gross value of the estate; and
 - b. \$6.60 for every \$100 of income received by the trustee company on account of the estate.
19. Exercise or concur in exercising all powers and discretions given by the Deed or Trust or by law even though there may be direct or personal interest or a conflict of fiduciary duty or ACMAV Inc or the Committee Member may benefit either directly or indirectly from the exercise of any power or discretion.
20. Decide whether any money is to be considered capital or income, and whether any expense ought to be paid out of capital or income.
21. All questions and matters of doubt arising in the execution of the trusts of this deed. All decisions on these matters, whether made on a question actually raised or implied in the acts or proceedings of the Trustee, is conclusive and binds all persons interested under this deed.

LIABILITY

1. A member of the ACMAV Inc Committee or the public officer is not liable to contribute towards the payment of the debts and liabilities of ACMAV Inc or the costs, charges and expenses of the winding up of ACMAV Inc.
2. ACMAV Inc or the ACMAV Inc Committee is not liable for any loss or liability to the ACMAV Foundation and is entitled to be indemnified from ACMAV Foundation unless the loss or liability is attributable to:
 - a. Dishonesty.
 - b. Willful commission or omission of an act known to be a fraudulent breach of trust in bad faith.

FURTHER INFORMATION

ACMAV Inc Articles of Association

ACMAV Foundation Deed of Trust

Associations Incorporation Act (Vic) 1981

Trustee Companies Act (Vic) 1984

Approver President of ACMAV Inc
Authorizer ACMAV Inc Committee
Author Secretary of ACMAV Inc