

The Afghans House Project

1.0 NAME

The Queensland Afghan Community Association's future community centre is called "The Afghan House".

2.0 LEGAL STATUS

The Afghan House is established under the constitutional structure of the Queensland Afghan Community Association (QACA), "the Association". All activities of the Afghan House shall be administered by the Afghan House Management Committee according to the QACA constitution.

3.0 OBJECTIVES

It's principal purpose is to promote, literature, Afghan music, performing art, visual art, craft, community arts and cultural heritage:

3.1 To be used by the Association members as a venue:

- to advance education, knowledge and culture;
- to facilitate cultural and traditional ceremonies;
- to provide facilities in the interests of social welfare; and
- to provide facilities for recreation, musical event/celebration, performing art
- to preserve and promote community traditional crafts and linguistic art.

3.2 In furtherance of the above objectives, the Afghan House may:

- Provide or secure the provision of social services, educational and recreational facilities, and practical assistance for elderly and disabled people;
- Provide or secure the provision of welfare rights advice, worship facilities, information and refer those in need of professional assistance to the relevant agencies;
- Provide, maintain and equip, or assist in the provision, maintenance and equipment of, premises and facilities designed to carry out the objectives of the Afghan House;
- Make any regulations for any property which may be so acquired;
- Promote and organise co-operation in the achievement of the above objects and to that end to work in association with local authorities and voluntary organisations engaged in the furtherance of the above objects;
- Do all such other lawful things as may be deemed necessary by the board of directors of QACA for the attainment of the above objects or any of them.

4.0 MEMBERSHIP

4.1 Membership of the Afghan House shall be open to all members of the Queensland Afghan Community Association:

4.2 The Afghan House Management Committee, "the Management Committee", shall issue membership cards and shall have the right for good and sufficient reason to terminate the membership of any member provided that the member concerned shall have the right to be heard by the board of directors the Queensland Afghan Community Association before a decision is made.

4.3 Individuals who are not on the Queensland Afghan Community Association, who subscribe to the objects of the Queensland Afghan Community Association and whose application for membership is accepted by the board of directors; such members shall be called "Individual Members" and shall be entitled to vote at annual general meetings of the QACA;

4.4 Organisations operating within an area of benefit, whether voluntary or statutory, may upon application to and with the approval of the Committee be admitted as “Affiliated Members” (consultants) and such approval shall not be unreasonably withheld;

5.0 MANAGEMENT COMMITTEE

5.1 The management of the affairs of the Afghan House shall be directed by the Management Committee which shall meet not less than four times a year. The Vacancies shall be filled in by general election at an Annual General Meeting of the Queensland Afghan Community Association.

5.2 Nominations from general members of the Queensland Afghan Community Association for membership of the Management Committee must be in writing and approved by the board of directors of QACA at least 14 days before the Annual General Meeting.

5.3 Should the number of nominations exceed the number of vacancies, election shall be held by secret ballot of the members of the Queensland Afghan Community Association present and voting at an Annual General Meeting.

5.4 The Management Committee must provide a satisfactory activities report to every Annual General Meeting.

5.5 The Afghan House Management Committee will be decided by the board of directors of the Queensland Afghan Community Association and will be discussed at the annual general meeting.

5.6 Members of the board of directors of the Queensland Afghan Community Association shall hold office as the Chairperson, Vice Chairperson, Honorary Secretary and Honorary Treasurer.

5.7 Any member of the Management Committee who fails to attend three consecutive meetings without reasonable excuse shall lose her/his place on the Management Committee. Any vacancy which may exist be filled by co-option and to be followed in accordance with Clause 4.3 above.

5.8 The Trustees (if appointed in accordance with Clause 9.1 below) shall be notified of and shall be entitled to attend all meetings of the management Committee but shall not have the power to vote.

6.0 FUNCTIONS OF THE COMMITTEE

6.1 The Management Committee may make such regulations as its members consider appropriate for the efficient conduct of the business of the Afghan’s House and the Queensland Afghan Community Association.

6.2 The Management Committee may appoint advisory groups or working parties of its own members and other persons as it may from time to time decide necessary for the carrying out of its work and may determine their terms of reference, duration and composition. All such groups or parties shall make regular reports on their work to the Management Committee.

6.3 Members of the QACA board of directors and the Management Committee cannot be employed to carry out any paid job, in order to avoid any conflict of interest.

7.0 CHAIRING MEETINGS

7.1 All meetings of the Management committee or of any of its sub-committees shall be presided over by its Chairperson, or in his/her absence, its Vice Chairperson. If neither are present, those present may elect one of their number to take the Chair. [The Chairperson of any meeting shall have a second or casting vote].

8.0 Donations and Finance:

**All donations must only use to its public fund for its principal purpose.
The fund will be operated not for profit basis.**

- 8.1 the public fund will be kept separate from other funds of the organisation
- 8.2 receipts to the public fund will be issued (see Appendices)
- 8.3 the fund will be administered by a management committee or a subcommittee
- 8.4 public will be invited to contribute to the public fund by social events, personal contacts, phone contacts, written invitations, home to home visits, social media, online and fund rising events.
- 8.5 All monies raised by or on behalf of the Afghan House shall be applied to the principle objects of the Afghan House and nothing herein contained shall prevent the payment of legitimate out-of-pocket expenses to employees of the Afghan House engaged upon the approved business of the Afghan House management committee and the Queensland Afghan Community Association 'responsible persons'.
- 8.6 The Honorary Treasurer shall keep proper accounts of the finances.
- 8.7 The financial year of the Afghan's House shall run from 1 July to 30 June.
- 8.8 The accounts shall be audited at least once a year by an auditor or auditors who shall be appointed at the Annual General Meeting.
- 8.9 An audited statement of accounts for the last financial year shall be submitted by the management Committee to the Queensland Afghan Community Association at the Annual General Meeting.
- 8.10 A bank account shall be opened in the name of the Queensland Afghan House, nominated as the public fund. The Committee shall authorise in writing the Honorary Treasurer and at least 2 'responsible persons' of the Committee to sign cheques on behalf of the Afghan House Community . All cheques must be signed by not less than 2 of the 3 authorised signatories.

The Department responsible for the administration of the Register of Cultural Organisations will be notified of any changes. While there is no limit on the number of members of the committee that may manage a public fund, a minimum of three people are to be appointed as responsible persons (Public fund 'persons of responsibility, as defined in Taxation Ruling)

The Afghan House management committee must give the *Arts Secretary, at intervals of 6 months, statistical information about gifts made to the public fund during the last 6 months.

9.0 TRUST PROPERTY

9.1 The Association may appoint and may terminate for any legitimate reason, the appointment of not less than 3 people to act as Trustees for the purpose of holding any monies or property belonging to the Afghan's house. The title to all or any such real and/or personal property which

may be required by or for the purposes of the Association shall be vested in the Trustees who shall hold such property in trust for the Queensland Afghan Community Association.

9.2 The Trustees shall act under the instructions of the Queensland Afghan Community Association who shall, subject to the approval and consent of the Queensland Afghan Community Association as determined by a General Meeting, have power to fill vacancies among the Trustees.

10.0 ANNUAL GENERAL MEETING

10.1 The first Annual General Meeting of the Afghans House shall be held no later than 01/07/2017 and in each year thereafter. An Annual General Meeting of the QACA shall be held at such place and time (not being more than 15 months after the holding of the preceding Annual General Meeting) as the Board of directors of the Queensland Afghan Community Association shall determine.

10.2 At such an Annual General Meeting the business shall include the following:

- The provision of a satisfactory activities report by the Chairperson of the Management Committee;
- The election of new members for the vacant position/s to serve on the Committee;
- The appointment of an auditor or auditors;
- The consideration of an Annual Report of the work done by or under the auspices of the Afghan's House Management Committee;
- The consideration of the audited accounts;
- An extension period of service by the management committee of Afghan House could be approve at Annual general meeting.
- The transaction of such other matters as may from time to time be considered necessary.

11.0 SPECIAL GENERAL MEETING

11.1 Subjected to approval by the board of directors of the QACA, the Management Committee may at any time at its discretion and shall upon a requisition signed by not less than 75% of all members, having the power to vote and giving reasons for the request, call a Special General Meeting of the Afghan House Management Committee for the purpose of altering the Constitution in accordance with Clause 12 hereof or for considering any matter which may be referred to them by the Management Committee or for any other purpose.

12.0 RULES OF MEETINGS

12.1 Subject to the provisions of Clause 12 here, all questions arising at any meeting shall be decided by a simple majority of those present and entitled to vote. In case of an equality of votes the Chairperson shall have a second or casting vote.

12.2 Minute books shall be kept by the appropriate Secretary shall enter therein a record of all proceedings and resolutions.

12.3 The Committee shall have power to adopt and issue Standing Orders and/or Rules for the Afghan House. Such Standing Orders and/or Rules shall come into operation immediately provided always that they shall be subject to review by the Board of directors of the Queensland Afghan Community Association in General Meeting and shall not be inconsistent with this Constitution.

13.0 ALTERATIONS TO THE CONSTITUTION

13.1 Any alterations to this Constitution shall receive the assent of not less than two thirds of the members of the management board of directors of the Queensland Afghan Community

Association, present and voting at the Annual General Meeting or a meeting specially called for the purpose provided that notice of any such alteration shall have been received by the Honorary Secretary of the QACA in writing not less than 21 clear days before the meeting at which the alteration is to be brought forward.

13.2 At least 14 clear days notice in writing of the meeting setting for the terms of the alteration to be proposed shall be sent by the Honorary secretary to each member of the management board of the Queensland Afghan Community Association and the Afghan House Management Committee provided further that no alteration shall be made which would cause the Afghan House to be ceased.

14.0 DISSOLUTION

Winding-up

If upon the winding-up or dissolution of the public fund listed on the Register of Cultural Organisations, there remains after satisfaction of all its debts and liabilities, any property or funds, the property or funds shall not be paid to or distributed among its members, but shall be given or transferred to some other fund, authority or institution having objects similar to the objects of this public fund, and whose rules shall prohibit the distribution of its or their income among its or their members, such fund, authority or institution to be eligible for tax deductibility of donations under Subdivision 30-B, section 30-100, of the *Income Tax Assessment Act 1997* and listed on the Register of Cultural Organisations maintained under the Act.

14.1 If the Queensland Afghan Community Association by a majority of 75% decides at any time that on the grounds of expense or otherwise it is necessary or advisable to dissolve the Afghan House, they shall call a meeting of full members of the Queensland Afghan Community Association.

14.2 If such decision shall be confirmed by a majority of 75% of those present and voting at such a meeting, the Committee shall have power to dispose of any assets held by or in the name of the Afghan House,

14.3 Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to the objects of the Afghan House as the board of directors of QACA may decide.

15.0 INDEMNITY

15.1 The Queensland Afghan Community Association shall indemnify and keep indemnified every officer, member, volunteer and employee of the Afghans House from and against all claims, brought against the Queensland Afghan Community Association in connection with its activities.

16.0 APPENDICES:

16.1 Issuing receipts

To ensure tax deductibility of donations, receipts issued in the name of the fund must contain the following elements:

- Australian Business Number;
- date the donation was received;
- name of the organisation;
- name of the fund;
- signature of a person authorised to act on behalf of the fund;
- name of the donor;
- type of donation (money or property) and value; and
- indication that the fund is listed on the Register of Cultural Organisations maintained under Subdivision 30-B of the *Income Tax Assessment Act 1997*.

RECEIPT

Register of Cultural Organisations under Subdivision 30-B of the *Income Tax Assessment Act 1997*

Name of organisation:

Australian Business Number (ABN):

| | | | | | | | | | | |
|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
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Received from:

Type of donation

(cash/cheque/property)

To the value of:

Representing a donation
to the:

(name of public fund)

Date of Donation:

Received by:

(signature)

The (enter name of fund here) is a tax-deductible fund listed on the Australian Government's Register of Cultural Organisations maintained under Subdivision 30-B of the *Income Tax Assessment Act 1997*.

DONATIONS OF \$2.00 OR MORE ARE TAX-DEDUCTIBLE

16.2 The following types of gifts and contributions are not tax deductible.

| Gift/contribution type | Description | Tax concession |
|------------------------------------|---|--|
| Testamentary gifts/bequests | The term applies to both those gifts specifically bequeathed under a will or those made by trustees in pursuance of any requirement placed on them by a will, and also to any gifts made by trustees/executors out of the corpus of the estate. | Property of this gift type is exempt from capital gains tax. |
| Services | This includes the value of services, such as unpaid voluntary work and expenditure incurred in undertaking voluntary work for a charitable organisation. | Nil. |
| Membership/subsription fees | Contributions of this kind where there are associated benefits are not a gift. Note: If a membership fee and a gift are submitted together, a separate tax deductible receipt should be issued for the gift portion of the payment only. | Nil. |