

CONSTITUTION

Flemington LAC LIQUOR ACCORD

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1. Nature and name of the accord

The name of the accord is Flemington LAC Liquor Accord (the accord). The accord is a liquor accord constituted in accordance with section 135 of the *Liquor Act 2007*.

2. Objects of the accord

The objects of the accord are to prevent / reduce alcohol related harm / crime by:

- enhancing the responsible service of alcohol
- improving safety and security
- ensuring the safety of the local amenity, and
- co-operating with the police and the community to improve local outcomes.

3. Definition of members

The members of the Flemington LAC Liquor Accord will be the persons who have been or are admitted to membership of the accord in accordance with this constitution.

4. Membership application and admission

The application for membership must be on an application form and be accompanied by evidence, where required, of eligibility of the particular class of membership.

On acceptance as a member, the secretary will give the applicant for membership a:

- a. written notice of acceptance, and
- b. copy of this constitution and the accord's business plan (if available).

5. Class of membership

The classes of membership of the accord are as follows:

- i. licence holders:
 - a. hotel licence
 - b. club licence
 - c. on-premises licence
 - d. packaged liquor licence
 - e. producer/wholesaler licence
 - f. limited licence
- ii. Community groups/business organisations that have an interest in alcohol related harm or the local amenity (must provide evidence).
- iii. Government agencies:
 - a. NSW Office of Liquor, Gaming and Racing
 - b. Auburn & Strathfield Councils
 - c. NSW Police
 - d. Roads and Traffic Authority
 - e. xxx CDAT
 - f. NSW Department of Health
 - g. Ministry of Transport
 - h. Sydney Olympic Park Authority

6. Nomination fees, annual subscriptions and levies

There will be an annual general fee of \$250 for Hotels, Clubs, Nightclubs, Sporting & Entertainment venues and \$100 for Bottle Shops, Restaurants and other venues.

7. Non-profit clause

The assets and income of the organisation shall be applied solely in furtherance of the above-mentioned objects and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.

8. Penalties, expulsion and rights of appeal

The executive has power to inquire into any possible breach or non observance of the constitution, and any other matter which may be prejudicial to or affect the well being of the accord and its members.

The accord may report any breaches of the constitution and principles document to the NSW Office of Liquor, Gaming and Racing and/or police for investigation.

9. Register and addresses of members

The secretary must ensure that the accord maintains an appropriate form and register of members setting out the name, address, telephone number and email address of each member of the accord.

Every member must communicate in writing his or her change of address and other particulars required by the executive.

10. Members eligible for office and to vote

Only current financial members or there representative will be entitled to be elected as the chairperson of the accord.

Every licensee member and community group representative present in person will be entitled to vote on a show of hands or as a poll. Members must have attended two of the last three meetings to be eligible to vote. Members can send a representative to vote on their behalf.

Licensee and community group representatives are both entitled to vote. Each member is entitled to one vote. Government agencies are ineligible to vote.

11. Officers of the accord

The officers of the accord are the:

- a. chairperson (coordinator for the purposes of the legislation)
- b. vice-chairperson
- c. secretary
- d. publicity officer
- e. treasurer

12. Executive committee members

The executive (in this constitution referred to as the executive) will be constituted by the officers of the accord (as provided in clause 11).

13. Election of officers

The officers are elected by members at the annual general meeting.

Any members of the accord will be at liberty to nominate and second any licensee member to serve as the chairperson. Any member may act as the publicity officer. A member will be permitted to be nominated by more than one position as an officer as aforesaid but will not be eligible to hold more than one position at any one time.

The nomination will be called for at the meeting and involve a proposer and seconder.

14. Terms of office

Officers of the accord will hold office for a period of one year commencing from the conclusion of the annual general meeting at which they are elected. Office holders can resign from their positions at any meeting but must submit their resignation in writing to the secretary. A bi-election will be held during the meeting in which the resignation was tendered to elect the new office holder.

15. Accord meetings

Accord meetings will be held on the second Tuesday of every third month (Feb, May, Aug, and Nov) otherwise unless urgent business is decided by the chairperson.

16. Annual general meetings

An annual general meeting of the accord will be held every year in August at the end of the accord meeting.

17. Notice of meetings

A notice of the annual and normal accord meetings must:

- a. set out the place, date and time for the meeting
- b. state the general nature of the business to be transacted at the meeting
- c. if a special resolution is to be proposed at the meeting, set out an intention to propose the special resolution and state the resolution
- d. the secretary will write to all members before the meeting asking for agenda items, and
- e. a fortnight's notice must be given for the annual general meeting.

18. Attending meetings

Only members of the accord may attend the meetings. Invited guests can attend meetings.

19. Proceedings at accord meetings

No business may be transacted and no resolution may be passed at any meeting unless a quorum of members is present at the time when the meeting proceeds to business. Five accord members constitute a quorum.

If within half an hour from the time appointed by the general meeting a quorum is not present, the meeting stands adjourned until the next scheduled time and date.

The chairperson must chair every general meeting of the accord, or if there is no chairperson, or if he or she is not present within 15 minutes after the time appointed for the holding of the meeting or is unwilling to act, the members present may elect one of their members to be chairperson of the meeting.

20. Voting in accord meetings

All questions arising at any meeting of the accord will be decided by a majority of votes and where the voting is tied, the chairperson will have a second or casting vote.

A member must vote in person. Each member entitled to vote (only current financial members) shall have one vote. Members can send a representative to meetings. The representative must identify themselves during the vote on whom they are representing.

Members must have attended two out of the last three meetings to be eligible to vote.

21. Minutes

Minutes of all resolutions and proceedings of all meetings of the accord must be sent to all members.

22. Changes to constitution

Changes to the constitution can be made at any accord meeting.

23. Dissolution

In the event of the accord being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes which is not carried on for the profit or gain of its individual members.