

Constitution



Beyond Disability Incorporated ABN 82 846 344 613

APPLICATION FOR MEMBERSHIP:

3.(1) A natural person who is nominated and approved for membership as provided in this Constitution is eligible to be a member of BDI

(2) A person who is not a member of BDI at the time of the incorporation of BDI (or who was a member but ceased at that time to be a member) shall not be admitted to membership-

- (a) unless nominated as provided in sub-clause (3) ; and
- (b) the admission as a member is approved by the Committee

(3) A nomination of a person for membership of BDI-

- (a) shall be made in writing in the form set out in Appendix 1; and
- (b) shall be lodged with the Secretary of BDI

(4) As soon as is practicable after the receipt of a nomination, the Secretary shall refer the nomination to the Committee.

(5) Upon a nomination being referred to the Committee, the Committee shall determine whether to approve or reject the nomination.

(6) Upon a nomination being approved by the Committee, the Secretary shall, with as little delay as possible, notify the nominee in writing of the approval for membership of BDI and request payment of any dues applying at the time, within 28 days.

(7) The Secretary shall, upon payment of the amount referred to in sub-clause (6) within the period referred to in that sub-clause, enter the nominees name in the register of members and, upon the name being so entered, the nominee becomes a member of BDI.

(8) A right, privilege, or obligation of a person by reason of membership of BDI-

- (a) is not capable of being transferred or transmitted to another person; and
- (b) terminates upon cessation of membership whether by death or resignation or otherwise.

ENTRANCE FEE AND SUBSCRIPTION:

4. (1) The entrance fee is to be determined by the Committee from time to time, for the moment the fee is waived due to the nature of membership

(2) the annual subscription is to be determined by the Committee from time to time and payable on or before 1 July each year, This fee may be waived by the Public officer and Secretary.

(3) fees for Participants will be set by the Committee from time to time

REGISTER OF MEMBERS:

5. The Secretary shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name of each member and the register shall be available for inspection and copying by members upon request.

6.(1) A member of BDI who has paid all moneys due and payable by the member of BDI may resign from the BDI by first giving one month's notice in writing to the Secretary of his or her intention to resign and upon the expiration of that period of notice, the member ceases to be a member.

(2) Upon the expiration of a notice given under sub-clause (1), the Secretary shall 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.

7.(1) Subject to these Rules , the Committee may by resolution-

- (a) expel a member from BDI
- (b) suspend a member from membership of BDI for a specified time; or
- (c) fine a member an amount not exceeding \$20 or the cost to make good any damage,

if the Committee is of the opinion that the member-

- (d) has refused or neglected to comply with these rules; or
 - (e) has been found guilty of conduct unbecoming a member or prejudicial to the interest of BDI.
- (2) A resolution of the Committee under sub-clause(1)-
- (a) does not take effect unless the Committee, at a meeting held not earlier than 14 and not later than 28 days after the service on the member of a notice under sub-clause (3) confirms the resolution in accordance with this clause; and
 - (b) where the member exercises a right of appeal to BDI under this clause, does not take effect unless BDI confirms the resolution in accordance with this clause.
- (3) If the Committee passes a resolution under sub-clause (1), the Secretary shall, as soon as practicable, cause to be served on the member a notice in writing-
- (a) setting out the resolution of the Committee and the grounds on which it is based;
 - (b) stating that the member may address the Committee at a meeting to be held not earlier than 14 and not less than 28 days after service of the notice;
 - (c) stating the date, place and time of that meeting;
 - (i) Attend that meeting
 - (ii) Give to the Committee before the date of the meeting a written statement seeking the revocation of the resolution; and
 - (iii) Not later than 24 hours before the date of that meeting lodge with the Secretary a notice to the effect that he or she wishes to appeal to BDI in general meeting against the Resolution.
- (4) At a meeting of the Committee held in accordance with sub-clause (2), the Committee-
- (a) shall give to the member an opportunity to be heard;
 - (b) shall give due consideration to any written statement submitted by the member; and
 - (c) shall by resolution determine whether to confirm or revoke the resolution.
- (5) If the Secretary receives a notice under sub-clause (3), he or she shall notify the Committee and the Committee shall convene a general meeting of BDI to be held within twenty-one days after the date on which the Secretary received the notice.
- (6) At a general meeting of BDI convened under sub-clause (5)-
- (a) no business other than the question of the appeal shall be transacted;
 - (b) the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
 - (c) the member shall be given an opportunity to be heard; and
 - (d) the members present shall vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- (7) If at the general meeting-
- (a) two -thirds of the members vote in person or by proxy in favour of the confirmation of the resolution, the resolution is confirmed; and
 - (b) in any other case, the resolution is revoked.

ANNUAL GENERAL MEETING:

- 8.(1) BDI shall in each year convene an annual general meeting of its members.
- (2) The annual general meeting shall be held on such day as the Committee determines.
 - (3) The annual general meeting shall be specified as such in the notice convening it.
 - (4) The ordinary business of the annual general meeting shall be-
 - (a) to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
 - (b) to receive from the Committee reports upon the transactions of BDI during the last preceding financial year;
 - (c) to elect officers of BDI and the ordinary members of the Committee, and
 - (d) to receive and consider the statement submitted by BDI in accordance with section 30 (3) of the Act.
 - (5) the annual general meeting may transact special business of which notice is given in accordance with this Constitution.
 - (6) The annual general meeting shall be in addition to any other general meetings that may be held in the same year.

SPECIAL GENERAL MEETING:

9. All general meetings other than the annual general meeting shall be called special general meetings.
10. (1) The Committee may, whenever it thinks fit, convene a special general meeting of BDI and, where, but or this sub-clause, more than fifteen months would elapse between annual general meetings, shall convene a special general meeting before the expiration of that period.

(2) The Committee shall, on the requisition in writing of members representing not less than 5 per cent of the total number of members, convene a special general meeting of BDI.

(3) The requisition for a special general meeting shall state the objects of the meeting and shall be signed by the members making the requisition and be sent to the address of the Secretary and may consist of several documents in a like form, each signed by one or more of the members making the requisition.

(4) If the Committee does not cause a special general meeting to be held within the month after the date on which the requisition is 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 three months after that date.

(5) A special general meeting convened by members in pursuance of this Constitution shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee and, all reasonable expenses incurred in convening the meeting shall be refunded by BDI to the persons incurring the expenses.

NOTICE OF MEETING:

11.(1) The Secretary of BDI shall, at least 14 days before the date fixed for holding a general meeting of BDI, cause to be sent to each member of BDI at the address appearing in the register, a notice by pre-paid post or electronically stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

(2) No business other than that set out in the notice convening the meeting shall be transacted at the meeting.

(3) A member desiring to bring any business before a meeting may give notice of that business in writing to the Secretary, who shall include that business in the notice calling the next general meeting after the receipt of the notice.

PROCEEDING AT MEETINGS:

12.(1) 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 specially referred to in this Constitution as being the ordinary business of the annual general meeting shall be deemed to be special business.

(2) No item of business shall be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time when the meeting is considering that item.

(3) Five members personally present or online conjointly (being members entitled under this Constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.

(4) 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 (being not less than 3) shall be a quorum.

13.(1) The Facilitator, or in the Facilitator's absence, the Deputy-Facilitator, shall preside as Chairperson at each general meeting of BDI.

(2) If the Facilitator and the Deputy-Facilitator are absent from a general meeting, the members present shall elect one of their number to preside as Chairperson at the meeting.

14.(1) The Chairperson of a general meeting at which the quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than business left unfinished at the meeting at which the adjournment took place.

(2) Where a meeting is adjourned for fourteen days or more, a like notice of the adjourned meeting shall be given as in the case of the general meeting.

(3) Except as provided in sub-clause (1) and (2), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

15. A question arising at a general meeting of BDI shall be determined on a show of hands and unless, before or on the declaration of the show of hands a poll is demanded, a declaration by the Chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, and an entry to that effect in the Minute Book of BDI is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

16.(1) Upon any question arising at a general meeting of BDI, a member has one vote only.

(2) All votes shall be given personally or by proxy or by Electronic Means.

(3) 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.

17.(1) If at a meeting a poll on any question is demanded by not less than three members, it shall be taken at that meeting in such a 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.

(2) 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 question shall be taken at such time before the close of the meeting as the Chairperson may direct.

18. A member is not entitled to vote at any general meeting unless all moneys due and payable by the member of BDI have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

19.(1) Each member is entitled to appoint another member as a 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.

(2) The notice appointing the proxy shall be in the form set out in Appendix 2.

19.3 SPECIAL ONLINE GENERAL MEETING:

This is to cover the fact that most of our people are housebound disabled.

19.4. (1) The Secretary of Beyond Disability shall, at least 14 days before the date fixed for holding an online general meeting of BDI, cause to be sent to each member of BDI at the e-mail address appearing in the register, a notice by e-mail electronically stating the an online meeting is to be held, date and time of the meeting and the nature of the business to be transacted at the meeting.

(2) No business other than that set out in the notice convening the meeting shall be transacted at the meeting.

(3) A member desiring to bring any business before a meeting may give notice of that business in writing to the Secretary, who shall include that business in the notice calling the next general meeting after the receipt of the notice.

(4)

PROCEEDING AT ONLINE MEETINGS:

19.4a.(1) All business that is transacted at a special online general meeting and all business that is transacted at the annual general meeting with the exception of that specially referred to in this Constitution as being the ordinary business of the annual general meeting shall be deemed to be special business.

(2) No item of business shall be transacted at an online general meeting unless a quorum of members entitled under this constitution to vote has responded by e-mail to the Secretary by the time and date specified when the meeting is considering that item.

(3) Five members responding by e-mail by the time and day set by the Secretary (being members entitled under this Constitution to vote at a general meeting) constitute a quorum for the transaction of the business of an online general meeting.

(4) A quorum shall be deemed when at least 5 members have responded by e-mail by the appointed day for the commencement of an online general meeting, if a quorum is not achieved, 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 (being not less than 3) shall be a quorum.

19.6.(1) The Chairperson, or in the Chairperson's absence, the Secretary acting as Deputy Chairperson, shall preside as Chairperson at each online general meeting of BDI.

19.4 b..(1) The Chairperson of a general meeting at which the quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than business left unfinished at the meeting at which the adjournment took place.

(2) Where a meeting is adjourned for fourteen days or more, a like notice of the adjourned meeting shall be given as in the case of the general meeting.

(3) Except as provided in sub-clause (1) and (2), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

19.4 (4) A question arising at a general meeting of BDI shall be determined by a majority reply to a specific e-mail unless, and an entry to that effect in the Minute Book of BDI is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

19.4 c.(1) Upon any question arising at an online general meeting of BDI, a member has one vote only.

(2) All votes shall be given to the secretary by e-mail Electronic Means by the time and date set.

(3) 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.

19.4 d (1) If at a meeting a poll on any question is demanded by e-mail by not less than three members, it shall be taken using e-mail in such a 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.

(2) 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 question shall be taken at such time before the close of the meeting as the Chairperson may direct.

19. 4. e. A member is not entitled to vote at any general meeting unless all moneys due and payable by the member of BDI have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

19.4. f (1) Each member is entitled to appoint another member as a 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.

(2) The notice appointing the proxy shall be in the form set out in Appendix 2 and e-mailed to the Secretary prior to the due date of the Online Meeting.

COMMITTEE OF MANAGEMENT:

20.(1) The affairs of BDI shall be managed by the Committee of Management constituted as provided in Rule 22.

(2) The Committee-

(a) shall control and manage the business and affairs of BDI;

(b) may, subject to this constitution, the Regulations and the Act, exercise all such powers and functions that are required by these rules to be exercised by general meetings of the members of BDI; and

(c) subject to this Constitution, the Regulations and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of BDI.

21.(1) The Officers of BDI shall be-

(a) a Chief Executive Officer

(b) a Deputy Chief Executive Officer

(c) a Treasurer;

(d) a Secretary and

(e) a Team Leader

(2) The provisions of Rule 23 so far as they are applicable and with the necessary modifications, apply to and in relation to the elections of persons to any of the offices mentioned in sub-clause(1).

(3) Each officer of BDI, with the exception of the Facilitator, shall hold office until the annual general meeting next after the date of his or her election but is eligible for re-election.

The Facilitator is appointed project Team Leader until 30/6/2001 to comply with DoCITA. approvals for the AccessAbility grant approved July'98.

(4) In the event of a casual vacancy in any office referred to in sub-clause (1) the Committee may appoint one of its members to the vacant office and the member so appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of appointment.

22.(1) Subject to Section 23 of the Act, the Committee shall consist of-

(a) the officers of BDI; and

(b) two ordinary members-

each of whom shall be elected at the annual general meeting of BDI in each year.

(2) Each ordinary member of the Committee shall, subject to this Constitution, hold office until the annual general meeting next after the date of election but is eligible for re-election.

(3) In the event of a casual vacancy occurring in the office of an ordinary member of the Committee, the Committee may appoint a member of BDI to fill the vacancy and the member so appointed shall hold office,

subject to this Constitution, until the conclusion of the annual general meeting next following the date of appointment.

Election of officers and vacancy

- 23.(1) Nominations of candidates for election as officers of BDI or as ordinary members of the Committee-
- (a) shall be made in writing, signed by two members of BDI and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
 - (b) shall be delivered to the Secretary of BDI not less than seven days before the date fixed for the holding of the annual general meeting.
- (2) If insufficient nominations are received to fill vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
- (3) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (4) If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- (5) The ballot for the election of officers and ordinary members of the Committee shall be conducted at the annual general meeting in such usual and proper manner as the Committee may direct.
- (6) A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for another office for election at the same election.
24. For the purposes of this Constitution, the office of an officer of BDI or an ordinary member of the Committee becomes vacant if the officer or member-
- (a) ceases to be a member of BDI;
 - (b) becomes an insolvent under administration within the meaning of the Companies (Victoria) Code; or
 - (c) resigns from office by notice in writing to the Secretary

PROCEEDING OF COMMITTEE:

- 25.(1) The Committee shall meet at least 3 times in each year at such place as the Committee may determine.
- (2) Special meetings of the Committee may be convened by the Facilitator or by any of the four of the members of the Committee.
- (3) Notice shall be given to members of the Committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such meeting
- (4) Any four members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- (5) No business shall be transacted 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 shall stand adjourned to the same place and at the same hour of the same day of the following week unless the meeting was a special meeting in which case it lapses.
- (6) At meetings of the Committee-
- (a) the Facilitator or in the Facilitator's absence, the Deputy-Facilitator shall preside; or
 - (b) if the Facilitator and the Deputy-Facilitator are absent, such one of the remaining members of the Committee as may be chosen by the members present shall preside.
- (7) Questions arising at a meeting of the Committee or of any sub-committee appointed by the committee shall be determined on a show of hands or, if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.
- (8) Each member present at a meeting of the Committee or of any sub-committee appointed by the committee (including the person 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.
- (9) Written notice of each committee meeting shall be served on each member of the Committee by delivering it to the member at a reasonable time before the meeting or by sending it by pre-paid post or electronically addressed to him or her at his or her usual or last place of abode at least two business days before the date of the meeting.
- (10) Subject to sub-clause (4) the Committee may act notwithstanding any vacancy on the Committee.

SECRETARY:

- 25.(11) The Secretary of BDI shall keep minutes of the resolutions and proceedings of each general meeting and each committee meeting in books provided for that purpose together with a record of the names of persons present at committee meetings.

TREASURER:

26. The Treasurer of BDI-
- (a) shall collect and receive all moneys due to BDI and make all payments authorised by BDI; and
 - (b) shall keep correct accounts and books showing the financial affairs of BDI with full details of all receipts and expenditure connected with the activities of BDI.

REMOVAL OF MEMBER OF COMMITTEE:

28.(1) BDI in general meeting may by resolution remove any member of the Committee before the expiration of the member's term of office and appoint another member in his or her stead to hold office until the expiration of the term of the first-mentioned member.

(2) Where the member to whom a proposed resolution referred to in sub-clause (1) makes representations in writing to the Secretary or Facilitator of BDI (not exceeding a reasonable length) and requests that they be notified to the members of BDI, the Secretary or the Facilitator may send a copy of the representations to each member of BDI or, if they are not so sent, the member may require that they be read out at the meeting.

CHEQUES:

29. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by two members of the Committee.

Funds Control - Any monies donated must be controlled or administered by the treasurer and Facilitator or Deputy Facilitator. .

The assets and income of BDI shall be applied solely towards the promotion of the objectives of BDI.

The funds of BDI shall be derived from donations, grants and such other means as approved by BDI.

All money received by BDI shall be paid into an account, or accounts, in the name of BDI.

All equipment purchased by or donated to BDI shall become the property of BDI.

No funds shall be distributed directly or indirectly to the members of the BDI except as bona fide compensation for services rendered or expenses incurred on behalf of BDI.

Financial donations to other organisations for special purposes shall be determined by members at a General Meeting.

A member shall have no liability to contribute towards the payment of debts and liabilities of BDI or the costs, charges and expenses of the dissolution of BDI

Payments of BDI accounts shall be made by:

1 a petty cash system up to an amount determined by BDI Committee but not exceeding \$250. A receipt is required for all petty cash payments.

2 a cheque transaction requiring endorsement by any two of: Secretary or Treasurer and one other committee member

A complete and true record of financial transactions, assets and liabilities for the period from July 1st to June 30th of each year shall be presented at the Annual General Meeting.

SEAL:

30.(1) The Common Seal of BDI shall be kept in the custody of the secretary.

(2) The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures either of two members of the committee or of one member of the committee and of the Public Officer of BDI.

ALTERATIONS OF CONSTITUTION AND STATEMENT OF PURPOSES:

31. This constitution and the Statement of Purposes of BDI shall not be altered except in accordance with the Act.

NOTICES:

32.(1) A notice may be served by or on behalf of BDI upon any member either personally or by sending it by post or electronically to the member at the address shown in the Register of Members.

(2) Where a document is properly addressed pre-paid and posted to a person as a letter, 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 post.

33. WINDING UP:

In the event of the organisation being wound up, any surplus assets remaining after payment of the organisations liabilities shall be transferred to another organisation in Australia which is a public benevolent institution for the purposes of any commonwealth Taxation Act

CUSTODY OF RECORDS:

34.(1) Except as otherwise provided in this Constitution, the Secretary shall keep in his or her custody or under his or her control all books, documents and securities of BDI.

(2) All accounts, books, documents and securities of BDI shall be available for inspection and copying by any member of BDI upon such reasonable request .

FUNDS:

35. (1) Objects of the fund

Donated moneys will be used only for those purposes which fall within the scope of the objects for which BDI was established.

(2) The funds of BDI shall be derived from government grants, entrance fees, annual subscriptions, donations and such other sources as the Committee determines

INSURANCE COVER:

36. BDI shall provide Public Liability insurance cover for all members who request in writing to the Secretary to be covered. BDI shall provide limited Personal Injury insurance cover for all members who request in writing to the Secretary to be covered whilst they deliver and install computers and modems for participants.

37. DISPUTES AND MEDIATION:

- (1) 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 BDI.
- (2) 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 the parties.
- (3) 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) 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 committee of the Association: or
 - (ii) in the case of a dispute between a member and Association, a person who is mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice)
- (5) A member of the Association can be a mediator.
- (6) The mediator cannot be a member who is a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting 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 parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (10) 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.

Item38 – Rules of the Gift Fund

- (a) BDI shall establish a Gift Fund to be known as the BDI Gift Fund (“Gift Fund”)
- (b) The Gift Fund will be maintained for the principal purpose of BDI.
- (c) Gifts of money and property received by BDI will be credited to the Gift Fund and banked separately from that of BDI.
- (d) The Gift fund will only be used for the principal purpose of BDI

- (e) ***Ceasing to Operate/WINDING UP*** : If the Gift fund is wound up or if the endorsement (if any) of BDI as a deductible gift recipient is revoked, any surplus assets of the Gift fund remaining after the payment of liabilities attributable to it shall be transferred to a fund, authority or institution to which income tax deductible gifts can be made.
- (f) ***In the event that Beyond Disability ceases to operate, after the payment of all financial and contractual obligations and complying with ACNC and Consumer Affairs Melbourne requirements, that any remaining monies be equally shared between:-***
1. JD RF foundation being the Junior Diabetes Foundation Australia
 2. Prostate Cancer Foundation of Australia