



# CONSTITUTION

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LAKE MACQUARIE LIQUOR ACCORD  
2014

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## **1. Nature and Name of the Accord**

The name of the accord is 'Lake Macquarie 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 and reduce alcohol related harm and 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. Eligible Parties**

Each of the following bodies or persons may be a party to the accord:

- a. A licensee.
- b. Government agencies and other stakeholders:
  - i. NSW Office of Liquor, Gaming and Racing.
  - ii. Lake Macquarie City Council.
  - iii. NSW Police.
  - iv. Roads & Maritime Services.
  - v. NSW Department of Health.
  - vi. Ministry of Transport.
  - vii. Community groups and business organisations that have an interest in alcohol related harm or the local amenity (must provide evidence).

## **4. Definition of Members**

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

## **5. 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.
- b. A copy of this constitution.
- c. A request to pay (within the period of 28 days after receipt by the applicant of the notification) the sum payable under this constitution by a member as entrance fee and annual subscription.

## **6. Membership Classes**

The classes of membership of the accord are as follows:

- a. Club / Hotel / Bottleshop
- b. Restaurant / Café / Bar
- c. Restricted Licences
- d. Associate Members

## **7. Nomination fees, Annual Subscriptions and Levies**

There will be an annual general fee of \$50 for all financial members.

## **8. 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.

## **9. 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.

## **10. 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.

## **11. Members Eligible for Office and to Vote at Elections**

- Only current financial members will be entitled to be elected as the chairperson of the accord.
- Every member present in person will be entitled to vote on a show of hands or as a poll. Members can send a representative to vote on their behalf.
- Only financial members are entitled to vote. Each member is entitled to one vote. Non-financial members are ineligible to vote.

## **12. Officers of the Accord**

The officers of the accord are the:

- a. Chairperson (coordinator for the purposes of the legislation)
- b. Secretary / Treasurer
- c. Committee Members x 3

## **13. 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).

## **14. Election of officers**

- The officers are elected by members at the annual general meeting.
- Any member of the accord will be at liberty to nominate and second any licensee member to serve as the chairperson. 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.

## **15. 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 a new office holder.

## **16. General Meetings**

- General meetings will be held in April, July and October each year.
- At least two weeks notice must be given for a meeting.
- Prior to the meeting, the secretary will contact all members asking for agenda items.

## **17. Annual General Meetings**

- An annual general meeting will be held every year in October at the commencement of the general meeting.
- A fortnight's notice must be given for an annual general meeting.

## **18. Special General Meetings**

- The executive may, whenever it thinks fit, convene a special general meeting of the accord.
- The executive must also, on the requisition in writing of at least five per cent of the total number of members, convene a special general meeting of the accord.

## **19. Notice of Meetings**

Notices 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.

## **20. Attending meetings**

Only members and invited guests of the accord may attend the meetings.

## **21. Proceedings at 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 constitutes 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.

## **22. Voting at 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 financial member is entitled to have one vote. Members can send a representative to meetings. The representative must identify themselves during the vote on whom they are representing.

### **23. Minutes**

Minutes of meetings and resolutions will be sent to all members within 14 days of the last meeting date.

### **24. Changes to Constitution**

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

### **25. Dissolution**

In the event of the accord being dissolved, any monetary 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.