



## FORM A6

### Application to register change of objects or constitution

Associations Incorporation Act 2009 (section 10)



1800 502 042 fairtrading.nsw.gov.au

Please read the information before completing this form.  
This form can be completed in Adobe Reader and saved for your records.

Fee (GST free) - \$53.00

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#### 1. Association details

Name

THAMIL STUDY CENTRE, MT DRUITT INCORPORATED

INCORPORATED

Registration number (not ABN) INC or Y Y1903918

#### 2. Special resolution

The special resolution (motion) approving the change was passed by members on 30/10/2021

(DD/MM/YYYY)

Provide the exact wording of the special resolution passed at a general meeting of the members. If insufficient space please attach. (do not attach the minutes).

On 30/10/2021, MTSC General meeting was held and successfully passed a special resolution on updating the constitution of the THAMIL STUDY CENTRE, MT DRUITT INCORPORATED (Y1903918) and as well as know as Mount Druitt Tamil Study Centre.

Our Mount Druitt Tamil Study Centre (MTSC) constitution was originally prepared 30 years ago, and we wanted to update the constitution to reflect to the current situation and to compliance with the government policy and procedure and to complies with the requirements of the Act.

In our MTSC, there are 99 families have enrolled into our school and where know as a member of the school. Out of 99 families, 98 families have accepted and approved to the updates of the new MTSC constitution.

So hereby, as a secretary of the MTSC, I kindly requesting you to review, accept and registered our new updated constitution.

I have also attached the new updated MTSC Constitution and the payment copy.

Did the special resolution adopt a complete constitution?

☐ Yes - The Fair Trading model constitution (do not attach copy).

OR

☐ Yes - Our own constitution (attach a full copy of the adopted Constitution consolidating any changes).

OR

☒ No - Amending our existing constitution (attach the new or amended Clauses including clause numbers).

#### 3. Financial year end

The financial year end of the Association will be 31 / 12 as set out in the change to the constitution  
DD MM

(If the association has adopted the NSW Fair Trading model constitution OR its financial year end is not included in its current constitution then the Associations financial year end will be 30 June)



#### 4. Declaration and privacy acknowledgement

I declare:

- I am authorised by the committee of the association to make this application,
- the information set out in this form and in any attachment to this form is correct,
- the constitution/change accompanying this application complies with the requirements of the *Associations Incorporation Act 2009* and have been amended as required by section 10 of the Act.

I acknowledge:

- NSW Fair Trading is collecting and holding information (including personal information) supplied in this form for the purposes of the *Associations Incorporation Act 2009* and in particular, inclusion in a register maintained under that Act which is open to public inspection,
- NSW Fair Trading may disclose personal information to persons or bodies and to receive information from them in respect of purpose(s) related to the association's incorporation and activities, and
- I have a right to seek access to and correction of the personal information supplied/collected from me.

Signature

R. Saravana Kumar

Date signed (DD/MM/YYYY)

24/11/2021

This form is designed to be completed in Adobe Reader. A cross appearing in the digital signature field above may indicate a compatibility issue. If a cross appears please sign here.

Printed name

R. SARAVANA KUMAR

Position held

SECRETARY OF THE MTSC



## **THAMIL STUDY CENTRE, MT.DRUITT INCORPORATED - Constitution**

|                                        |                                                                                                                                                                                                                                                                                                |
|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Summary</b>                         | The purpose of this Constitution, and more specifically, the attached rules and regulation is to support MTSC to implement an effective and efficient school administration system. These guidelines show a committee member or a member of the school what is right to do and to what extent. |
| <b>Document type</b>                   | THAMIL STUDY CENTRE, MT.DRUITT INCORPORATED - Constitution                                                                                                                                                                                                                                     |
| <b>Document number</b>                 | MTSC2021_002                                                                                                                                                                                                                                                                                   |
| <b>First Release Date</b>              | 30 years back (1991)                                                                                                                                                                                                                                                                           |
| <b>Reviewed, Updated &amp; Amended</b> | September 2021                                                                                                                                                                                                                                                                                 |
| <b>Status</b>                          | Draft Version                                                                                                                                                                                                                                                                                  |
| <b>Author</b>                          | MTSC Committee members                                                                                                                                                                                                                                                                         |
| <b>Author contact</b>                  | <a href="mailto:mtdruittsc@gmail.com">mtdruittsc@gmail.com</a>                                                                                                                                                                                                                                 |
| <b>Functional group</b>                | MTSC Committee Members, Teachers and to all members of the school.                                                                                                                                                                                                                             |
| <b>Applies to</b>                      | All members of the MTSC and to all who are directly or indirectly involved to the school contribution.                                                                                                                                                                                         |
| <b>Posted</b>                          | On the MTSC google drive.                                                                                                                                                                                                                                                                      |





## **RULES OF THAMIL STUDY CENTRE, MT.DRUITT INCORPORATED.**

### **RULE 1 NAME AND ADDRESS**

- (i) The name of the organization shall be, THAMIL STUDY CENTRE, MT.DRUITT INCORPORATED or Mount Druitt Tamil Study Centre hereafter called "School"
- (ii) The postal address of the School is to be decided by the serving committee.
- (iii) The place where the classes are conducted is, Colyton Public School, 43 -81 Nelson Street, Mt Druitt, NSW 2770.
- (iv) MTSC website - [www.mtsc.org.au](http://www.mtsc.org.au),  
Email - [mtdruittsc@gmail.com](mailto:mtdruittsc@gmail.com)  
ABN number - 50940494781  
Incorporated number - Y1903918

### **RULE 2 OBJECTIVES**

- (i) Teach School-aged children the Tamil language and literature.
- (ii) Conduct events to promote social and cultural developments.
- (iii) Function as a non-religious, non-political and non-profit making independent organization.
- (iv) Co-operate with and assist other non-religious, non-political and non-profit making independent organizations which promote Tamil culture and multiculturalism.

### **RULE 3 MEMBERSHIP**

- (i) Parents or guardian of the children attending the School are the members of the School hereafter called "member",
- (ii) Each member is qualified for single voting right which is not transferable.
- (ii) The Executive committee hereafter called as "Committee" may approve and accept any person, who is not a member but interested in the development of the School as an Associate member;





- (iv) The teachers who are not qualified as members under RULE 3 (I) shall be admitted as associate member.
- (v) The Associate Membership shall not carry any right to vote in any of the meeting but entitle to attend any meeting other than committee meeting and to express any opinion or suggestion for the better functioning of the School.

#### **RULE 4 MONETARY CONTRIBUTION**

- (i) A member of the School shall upon becoming a member pay to the School monthly or quarterly or bi-annually or annually an amount determined by the committee time to time as contribution towards the School expenditure. The committee may give exemption to those members who experiences financial difficulties. Members requiring such exemption shall forward their request in writing to the committee, otherwise any arrears deemed to be a debt from the member to the School.

#### **RULE 5 RESOLUTION OF THE INTERNAL DISPUTE**

- (i) Members and Associate members shall refer any dispute between them arising from the School activities to the committee for mediation and shall not continue any discussions on the disputes in a manner prejudicial to the interest of the School.

#### **RULE 6 DISCIPLINING OF MEMBERS AND ASSOCIATE MEMBERS**

- (i) Where the committee is of the opinion that a member or an associate member of the School has persistently refused or neglected to comply with a provision or provisions of the rules, the committee may, by resolution:
  - (a) Suspend (for a specific period) or expel the member from the membership of the School however, the committee shall allow the child/children to attend the School.
  - (b) Expel an associate member from the School.
- (ii) Where the committee passes a resolution under the rule 6 (i), the secretary shall as soon as practicable, cause a notice in writing to be served on the member.
  - (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 days and not later than 28 days after service of the notice;
- (c) Stating the date, place and the time of that meeting; and
- (d) Informing the member that the member may either or both doing the following:
  - (A) Attend and speak at the meeting; and/or
  - (B) Submit to the committee at or prior to the date of that meeting written representations relating to the resolution.
- (iii) A resolution of the committee under rule 6 (i) is of no effect unless the committee, at a meeting held not earlier than 14 days and not later than 28 days after the service on the member of a notice under rule 6 (iii), confirms the resolution in accordance with this rule.
- (iv) At a meeting of the committee held as referred to in rule 6 (iii) the committee shall:
  - (a) Give to the member an opportunity to make oral representations;
  - (b) Give due consideration to any representations submitted to the committee by the member at or prior to the meeting; and
  - (c) By resolution determine whether to confirm or to revoke the resolution.
- (v) Where the committee confirms a resolution under rule 6 (iv) the secretary shall, within 7 days after that confirmation, by notice in writing inform the member the outcome of the resolution.
- (vi) Secretary should obtain at least 2/3 of the committee members' acceptance or approval to issue a disciplinary letter to a member of the school which includes a committee member in the event of their unprofessional behaviour.

## **RULE 7    MANAGEMENT**

- (i) The School shall be managed by a committee elected for each year at the annual general meeting.
- (ii) Prize giving ceremony will be held on the last week of the school term in December.





(iii) CONSTITUTION AND MEMBERSHIP.

The committee shall consist of:

- (A) The executive members of the School;
- (B) The principal, the vice – principal; and
- (C) 12 Ordinary members

The executive member and the ordinary members shall be elected at the annual general meeting each year of the school pursuant to rule 8 and the Principal and the Vice – Principal can be nominated from the members or the teachers of MTSC by the 2/3 of the newly elected committee members.

(iv) The executive members of the School shall be:

- (a) The president;
- (b) The vice-president;
- (c) The treasurer;
- (d) The assistant treasurer;
- (e) The secretary; and
- (f) The assistant secretary.

(v) The committee may form extra positions in the committee by the majority vote in the annual general meeting.

(vi) Each member of the committee shall, subject to this rule, hold office until the conclusion of the annual general meeting following the date of the member's election but may be eligible for re-election pursuant to rule 8 (ii) (f).

(vii) No member of the committee shall resign without 14 days prior written notice.

(viii) Any member of the committee who fail to attend three consecutive committee meetings without any valid reasons deemed to be vacated his/her position on the committee.

(ix) In the event of casual vacancy occurring in the membership of the committee, the committee may appoint a member of the School to fill the vacancy and the member appointed shall hold office, subject to this rule until the conclusion of the next annual general meeting following the date of appointment.

(x) Eligibility to be an Executive Member:-

- i. Active member in the committee continuously for the past 2 years.
- ii. Attended most of the meetings.
- iii. Contribution to the school in the past 2 years.





## **RULE 8 ELECTION OF MEMBERS FOR THE COMMITTEE**

- (i) Either parent or guardian who qualifies to vote pursuant to rule 3 shall serve on the committee (or on any of the sub-committee) but it is not limiting the right of the other parent to serve on a committee. However, both parents shall not serve on the same committee.
- (ii) Nominations of the candidates for election of committee members:
  - (a) Nomination form will be given along with the newsletter in the 4<sup>th</sup> term to all parents and the last day for submission of the nominations within the 2 weeks from the distribution of the forms. Secretary to call for a special committee meeting in 2 weeks prior to the AGM to discuss about the nominations received. Nominations shall be made in writing signed by 2 members of the schools and delivered to the secretary of the school.
  - (b) If insufficient further nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting;
  - (c) If insufficient further nominations are received and nominations as pursuant to rule 8 (ii) (d) are not received, any vacant positions remaining on the committee shall be deemed to be casual vacancies;
  - (d) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated for a particular position shall be deemed to be elected;
  - (e) If the number of nominations received exceeds the number of vacancies to be filled, voting shall be held at annual general meeting in such usual and proper manner as the committee may direct;
  - (f) A nomination of a candidate who was in the School committee in the past, shall only be accepted if insufficient further nominations are received at the annual general meeting; and
  - (g) The candidate shall be present at the annual general meeting for the election.
  - (h) Indiscipline member nomination will not be accepted.





## **RULE 9 MEETING AND QUORUM**

### **General Meetings;**

- (i) The Annual General Meeting (AGM) shall be held on the Annual Dinner day in the month of December each calendar year.
- (ii) A minimum of one-third of the total voting membership shall constitute a quorum for the AGM and the special general meeting.
- (iii) If quorum is not present within half an hour of the time set down for a meeting to commence, then the meeting shall be adjourned to the same time and place after seven days. If at such adjourned meeting a quorum be not present, then those members attending shall be deemed to be a quorum, provided the member of such members is not less than three.
- (iv) At the AGM:
  - (a) The President shall present a report on previous year activities;
  - (b) The Treasurer shall present the details of the financial transactions in the previous year;
  - (c) The President and two other members of the committee shall be conducted the election;
  - (d) The election for vacant positions on the committee shall be conducted;
  - (e) The election result shall be announced by the President without the details of the votes cast to each candidate;
  - (f) The newly elected committee shall assume the duties in the coming new year and
  - (g) Appointment of an auditor if the School is incorporated organization.
- (v) A special general meeting (SGM) may be called by the secretary of the committee within thirty (30) days of request pursuant to rule 9 (v) (a) or (b):
  - (a) Requested by any five committee members in writing stating the reasons for such meeting;
  - (b) Requested by one-third (1/3) of the general membership in writing stating the reasons for such meeting; and





- (c) Notice for the special meeting shall be given to the members five (5) days prior to any such meeting.
- (vi)
  - (a) The executive committee shall meet once a month in a school year, and additional meetings shall be called if necessary;
  - (b) Oral or written notice of a meeting of the committee shall be given by the secretary to each member of the committee at least 48 hours before the time appointed for the holding of the meeting;
  - (c) A minimum of two-third members shall constitute a quorum for the transaction of the business of a committee meeting.
  - (d) At a meeting of the committee:
    - (A) The President or, in the President's absence, the vice President, shall preside; or
    - (B) If the President and the vice President are absent or unwilling to act such one of the remaining members of the committee may be chosen by the members present to preside the meeting.

## **RULE 10 MAKING OF DECISIONS**

- (i) Questions arising at the general meeting of the School shall be determined on a show of hands, in the event of an equality of votes the person presiding may exercise a second or casting vote.
- (ii) Question arising at a committee meeting or meeting of any sub-committee by a majority of the vote of the members of the committee or sub-committee present at the meeting.
  - (a) Each member present at a meeting of the committee or sub-committee is entitled to one vote.
  - (b) Determination of any questions at a meeting of a sub-committee shall be subject to the approval of the committee.





## **RULE 11 DUTIES OF THE EXECUTIVE COMMITTEE**

- (i) The committee subject to these rules and to any resolution passed by the school in general meeting;
  - (a) Shall control and manage the affairs of the School;
  - (b) May exercise all such functions as may be exercised by the School other than those functions that are required by these rules to be exercised by a general meeting of members of the School; and
  - (c) Has power to perform all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the School.
- (ii) The committee may appointment sub-committees and delegates to exercise of such the functions of the committee other than;
  - (a) This power of delegation; and
  - (b) If Incorporated a function which is a duty imposed on the committee by the association incorporation Act or by any other law.
- (iii) The following main sub-committee may be appointed pursuant RULE 11 (ii).
  - (a) Educational sub-committee shall consist three (3) or more based on the majority vote of the committee members and headed by the Principal. In this committee, Principal must take at least 2 teachers for his/her assistance. This committee is responsible for:
    - i. Selecting teachers for the School;
    - ii. Maintaining the disciplines in the School;
    - iii. Reviewing the syllabus if required;
    - iv. Developing teaching materials;
    - v. Determining the transfer of the student from class to class;
    - vi. Coordinating the work of teachers;
    - vii. Organizing activities to promote Tamil language skill of the children;
    - viii. Coordinating with other Tamil Schools and Relevant organizations on common educational matters; and





- ix. Expressing teachers concern to the committee through the head of this sub-committee;
  - x. Conducting and finalizing the selection of the students for the Minister's Award;
  - xi. Organizing the speech competition.
- (b) Cultural sub-committee shall consist three (3) or more based on the majority vote of the committee members, headed by the vice-president is responsible for;
- i. Organizing concert and other cultural events;
  - ii. Co-operating with other organizations in organizing various common cultural activities; and
  - iii. Printing newsletter on regular basis as decided by the sub-committee.
- (c) If any other sub-committees are appointed, the committee shall nominate either any members of the committee or any members of the School to head such sub-committees;
- (d) The deliberations of the sub-committee shall not be implemented without the approval of the committee, and the member heads the sub-committee shall seek such approval of the committee at it's next meeting.

## **RULE 12 DUTIES OF THE EXECUTIVE COMMITTEE MEMBERS**

- (i) The main duties of the President:
- (a) Chairs the General and committee meetings;
  - (b) Co-ordinate with the Principal of the School where the classes are conducted on matters concerning accommodations etc;
  - (c) Represent the School in coordinating committee of the Mount Druitt Tamil study centre;
  - (d) Decision making in the day to day administration of the School;
  - (e) Authorizing payments recommended by the committee, other than of all recurrent payments and other payments up to a maximum of \$250.00 (Two hundred and fifty dollars) of which shall be authorized by the treasurer; and





- (f) One of the signatories on the bank account; and
  - (g) Represent the School at office functions.
- (ii) The main duties of Vice-President:
- (a) Assist the President in his function;
  - (b) Chair the general and committee meetings in the absence of the President; and
  - (c) Heads the cultural Sub-committee.
- (iii) The main duties of the Secretary:
- (a) Collects mail, copies it if necessary and distribute it appropriately;
  - (b) Notifies the General and committee of meetings and items of the agenda;
  - (c) Takes minutes of the meetings and distributes to the committee prior to the next meeting;
  - (d) Responsible for School records, membership lists, student lists etc.
  - (e) Fills in forms and supplies information to government whenever required;
  - (f) Correspond with departments, organizations and individuals on matters pertaining to affairs of the School;
  - (g) One of the signatories on the bank account;
  - (h) Represent the School at official functions if required; and
  - (i) Any other duties as required by the association Incorporation Act, if the School is incorporated.
- (iv) The main duties of the assistant Secretary:
- (a) Assisting the secretary;
  - (b) Coordinating the refreshment roster;
  - (c) Organizing the food items with the help of the parents for annual dinner and other School activities.





- (v) The main duties of the treasurer:
- (a) Heads the financial sub-committee;
  - (b) Responsible for timely purchases of items for School as decided by the committee;
  - (c) Authorizing expenditure up to a maximum of \$250.00 (two hundred and fifty dollars);
  - (d) Receive monetary contributions from members and issue receipts;
  - (e) Submit summary of the financial transactions including any outstanding amount of money payable/receivable and the balance on monthly basis, at the monthly committee meeting;
  - (f) Submit the annual accounts (an audited annual accounts are required if the School is incorporated) and the forecasted income & expenditure statement at the annual general meeting; and
  - (g) One of the signatories of the bank account.
- (vi) The main duties of the assistant treasurer:
- 1. Assisting the treasurer.
  - 2. Perform all finance related duties as and when required.
- (vii) The main duties of the Principal:
- (a) Principal heads the educational sub-committee and as well as the member of the other sub committees.
  - (b) Responsible for and coordinating the use of the School's teaching resources;
  - (c) Represent the School at official functions if required;
  - (d) Coordinate the sharing of resources by all teachers;
  - (e) Recommend the need of book purchases to the committee;
  - (f) Represent the School in coordinating committee of the Mount Druitt Tamil study centre;





- (g) Presides teachers meetings; and
  - (h) Allocating the classes to the new children.
- (viii) The main duties of the vice principal:
- (a) Assisting the principal

### **RULE 13 FINANCIAL MATTERS**

- (i) The School shall maintain a bank account in the name of "Mount Druitt Tamil Study Centre"
- (ii) The bank cheque signatories are Treasurer, either the President or the Secretary and any other member nominated by the committee;
- (iii) Financial year of the School end on 31<sup>st</sup> December in each year;
- (iv) (a) In the event of the closure of the School, all remaining funds other than those balance of the grants received from any organization, shall be disbursed as determined by the members at a general meeting; and  
(b) All remaining funds of any grants shall be returned to those organizations provided the grants to the school.
- (v) (a) Auditor shall audit the accounting records and the annual accounts statement prepared by the treasurer and certify it.  
(b) Auditor shall be appointed by the 2/3 of the committee members who will be an independent to the MTSC centre.

### **RULE 14 AMENDMENTS TO THE RULES**

- (i) These rules shall be amended only by a general meeting;
- (ii) Members shall be notified the proposed amendments four weeks prior to the general meeting; and
- (iii) A change in these rules shall be effected only by a 75% majority votes by the members present at the general meeting.





#### **RULE 15 COMMON SEAL**

- (i) The common seal of the School if incorporated shall be kept in the custody of the secretary;
- (ii) 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 Secretary.

#### **RULE 16 INSURANCE**

- (i) The School shall effect and maintain insurance pursuant to section 44 of the Act.
- (ii) In addition to the insurance required under rule 16 (i) the School may effect and maintain other insurance.

#### **RULE 17 INSPECTION OF BOOKS ETC**

- (i) The records, books and other documents of the school shall be open for inspection, free of charge by a member of the School at the School during School hours upon prior written request.

THE END

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