

Neighbourhood Watch Victoria Incorporated

Reg No A0018739R

Constitution



Statement of Purposes

Neighbourhood Watch is established for the purposes of:

- Encouraging community participation in building safe and confident communities;
- Strengthening the partnership of police and community working together to prevent crime and improve the safety, security and the quality of life for all Victorians;
- Improving community awareness and participation in monitoring and reporting incidents affecting safety;
- Deterring criminal or unsafe behaviour through joint community action;
- Being actively involved in community safety and crime prevention projects, programs and education;
- Serving as an information exchange and conduit throughout the Neighbourhood Watch community in Victoria.

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1. Introduction

1.1 Name

The name of this incorporated association is 'Neighbourhood Watch Victoria Incorporated', henceforth referred to as 'Neighbourhood Watch' or 'NHW'.

1.2 This Constitution

- i) This document shall be referred to as 'Neighbourhood Watch Victoria Inc Constitution (date)' with the date in parentheses being the date of the Annual General Meeting or Special State Forum at which it was formally adopted.
- ii) This Constitution applies to and is binding upon all levels of Neighbourhood Watch whether separately incorporated or not.

1.3 Structure

- i) Neighbourhood Watch is structured at State, Police Local Area Command, Local Government Areas (LGA) and lower levels.
- ii) In the event of any inconsistency between the provisions of this Constitution and that of the Constitutions of LGA Committees, the provisions of this Constitution shall prevail.

2. Definitions and Interpretation

In this Constitution unless specified to the contrary:

"Act" means the *Associations Incorporation Act 1981* (Vic).

"Area" means an Area subsidiary to a LGA approved by the Board of Management for inclusion in the Program. An Area may consist of a township, suburb or the like.

"Chief Commissioner" means the Chief Commissioner for the time being of the Victoria Police.

"Commissioned Officer" means a Police Member who holds the rank of Inspector or above.

"Financial Year" means a year ending 30 June.

"Local Government Area" (LGA) means a municipal area as defined by the State Government.

"Pecuniary Interest" means having ownership, (in part or full, directly or indirectly) or control of a business or organisation or in the case of a listed public company, an interest in more than one tenth of one percent of that companies voting shares. This definition extends to Pecuniary Interests held by the immediate family of the individual concerned.

"Police Member" means a person who is a currently serving officer of the Victoria Police.

"Local Area Command" means a Victoria Police Area as defined by the Chief Commissioner of Police.

"Program" means the Neighbourhood Watch Program of Victoria.

"Sponsor" means a company or organisations licensed by the Board of Management to style and promote themselves as such under conditions agreed with the Board of Management.

"Sponsor's Representative" means a person chosen by a Sponsor to represent the Sponsor on the Board of Management.

"State Office" means the office designated by the Board of Management as having responsibility for the administration and governance of the Neighbourhood Watch Program for Victoria.

3. Membership

3.1 Ordinary Members

Ordinary Members have applied for membership on a form similar to that in Appendix 1 and have been approved by Victoria Police and accepted by the Board of Management. They may attend and vote at Area meetings and may attend, but not debate or vote at, LGA meetings, State Forums, Special State Forums and the Annual General Meeting.

3.2 LGA Members

LGA (Local Government Area) members are Area Coordinators or delegates chosen by the ordinary members of their Area to represent them at LGA meetings. LGA members elect one delegate to State Forum.

3.3 State Forum Members

- i) State Forum Members are delegates that have been elected to represent their LGA by members of that LGA; they are entitled to attend, debate and vote at State Forums, Special State Forums and the Annual General Meeting. A LGA may appoint an Alternate State Forum member when a State Forum member is unable to represent them.
- ii) Police Representatives are Local Area Command Police Coordinators or other Police Members appointed to coordinate the Neighbourhood Watch Program within a LGA and to participate in a non-voting capacity. A Division Superintendent may appoint an Alternate Police Representative when a Police Representative is unable to represent that LGA.

3.4 Board Members

- i) The Board of Management shall consist of Voting and Non-Voting Board Members.
- ii) The Voting Members of the Board of Management will be the four Board Members elected at the AGM from and by State Forum Members and the four external Board Members appointed by the Board. Voting Board members may attend, debate and vote at State Forums, Special State Forums and the Annual General Meeting.
- iii) The Non-Voting Board Members shall comprise the Chief Executive appointed by the Board of Management, the Sponsors' Representatives, and two (2) Commissioned Officers appointed by the Chief Commissioner. They may attend and debate but not vote at State Forums, Special State Forums and the Annual General Meeting.
- iv) Any other person appointed by the Board of Management from time to time to provide specific expertise and advice. They may attend and debate but not vote at State Forums, Special State Forums and the Annual General Meeting.
- v) The Board will appoint a State President, State Vice President and any other required positions from the elected and appointed Board Members ensuring the skill set meets the requirement of the position

The State Manager appointed by the Board of Management shall provide administrative support to the Board of Management but is not a Board Member.

3.5 Fees and Subscriptions

Members are not required to pay entrance fees or subscriptions.

4. The State Forum

4.1 Purpose

The purpose of the State Forum is to:

- i) Elect the Board of Management.
- ii) Serve as an information exchange and as the primary communication between the Programs in the LGAs and the Board of Management;
- iii) Provide advice on Program initiatives and strategies to the Board of Management; and
- iv) Report to the Board of Management on the status of the Program in the LGAs and progress being made towards the accomplishment of Program strategies.

4.2 Forum Members

The State Forum will comprise the following members:

- i) State Forum members
- ii) Local Area Command Police Representatives (non-voting); and
- iii) All Board members.

4.3 Meetings

- i) The Forum shall meet not less frequently than quarterly in each year at such place and at such times as the Forum may determine; and
- ii) The Forum may meet on the same day as a Special State Forum or an AGM.
- iii) At least seven days notice must be given to all Forum members advising the day, date, time and meeting location.

4.4 Quorum

- i) Any twenty (20) Forum members constitute a quorum for the transaction of business.
- ii) No business may be transacted unless a quorum is present and if, within half an hour of the time appointed for such a meeting a quorum is not present, the meeting will lapse, and the meeting 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.
- iii) 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 personally present (being not less than 5) shall constitute a quorum.

4.5 Chairperson

- i) The State President, or if absent, the State Vice-President will chair the meeting.
 - ii) If both the State President and the State Vice-President are absent, the Board Members shall elect one of their number to chair the meeting.
 - iii) Proxies or Alternates are not permitted to chair meetings in place of the State President or the State Vice-President.
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5. Annual General Meeting

5.1 Meeting

The Board of Management will ensure that an Annual General Meeting (AGM) takes place in each calendar year no later than fifteen (15) months after the last AGM and no later than 5 months after the end of the Financial Year and will determine its the date, time and place. The AGM will be in addition to any Special State Forums held in the same year.

5.2 Notice of AGM

The Board of Management must give at least 60 days notice of an AGM to all Forum Members, advising the date, time and meeting location. Forum Members shall make appropriate arrangement for the information of members in their LGA.

5.3 Ordinary Business

The ordinary business of the AGM will be to:

- i) Confirm the minutes of the previous AGM and of any subsequent Special State Forums;
- ii) Receive a Report by the State President on the affairs of Neighbourhood Watch for the year under review
- iii) Receive from the Board the audited reports of the financial accounts of Neighbourhood Watch for the previous Financial Year in compliance with section 30(3) of the *Act*;
- iv) Appoint, reappoint or replace the Auditor;
- v) Receive the Pecuniary Interests Register; and
- vi) Conduct an election for officers and members of the Board of Management.

5.4 Special Business

The AGM may transact special business of which sixty (60) days' notice is given.

6. Special State Forum

- i) The Board of Management may convene a Special State Forum on the day of the next State Forum or as and when deemed necessary.
- ii) The Board of Management must, on the written request of no less than ten (10) Forum Members, convene a Special State Forum. The request:
 - Must state the objects of the meeting;
 - Must be signed by the ten (10) Forum Members concerned;
 - Must be served on the Chief Executive; and
 - May consist of several documents in a like form each signed by the ten (10) Forum Members concerned.
- iii) If the Board of Management fails to hold a Special State Forum on the day of the next State Forum, to which at least 30 days notice is given to the Chief Executive, the members concerned may convene a Special State Forum to be held not later than three (3) months after that date by giving notice to all Forum members.

7. Conduct of the AGM and Special State Forums

7.1 General

- i) All business transacted at an AGM (with the exception of ordinary business) and all business transacted at a Special State Forum will be deemed to be Special Business.
- ii) A member will be deemed present whether personally present or represented by an Alternate or Proxy.

7.2 Procedures

Special State Forums and AGMs will be conducted as for State Forums, save if a quorum is not present at an AGM, the AGM will stand adjourned to the same place and at the same hour in the following week.

7.3 Adjournment

- i) The Chairperson may, with the consent of the members, adjourn the meeting from time to time and place to place, but no business may be transacted at an adjourned time and place other than the business left unfinished at the meeting at which the adjournment took place.
- ii) Where a Special State Forum is adjourned for fourteen (14) days or more, the Secretary must give notice of the new time and place to all members as if it were a new Special State Forum.

7.4 Voting Generally

- i) Each member deemed present at a Meeting is entitled to one (1) vote.
- ii) When a member is personally present at a Meeting, no Proxy or Alternate may vote in the member's place.
- iii) All questions arising will be determined by a simple majority, by a show of hands unless a poll is required.
- iv) A declaration by the Chairperson that a resolution has, on a show of hands, been carried, carried unanimously, or carried by a particular majority, or alternatively lost, will be evidence of that fact without proof of the number or proportion of the votes recorded in favour of or against that resolution provided such resolution is entered in the minute book.
- v) In the case of an equality of voting on a question arising, the Chairperson may exercise a second or casting vote.

7.5 Poll

- i) If at a meeting a poll on any question is demanded by not less than five members, it must be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll will be deemed to be a resolution of the meeting on that question.
- ii) A poll which is demanded on the election of a Chairperson or on a question of an adjournment will be taken immediately and a poll that the Chairperson demanded on any question will be taken at such time before the close of the meeting as the Chairperson may direct.

7.6 Proxies

Each member is entitled to appoint another member as a Proxy by notice to the Chief Executive given in the form set out in Appendix 2 no later than 24 hours before the time of the meeting in respect of which the Proxy is appointed.

7.7 Special Resolutions

- i) A special resolution requires 30 days notice to be given to all members and the notice must specify the intention to propose the resolution as a special resolution.
- ii) A special resolution can only be adopted if it is passed by a majority vote of three quarters of the members at a Special State Forum or at an AGM.
- iii) At any Special State Forum or AGM at which a special resolution is submitted, a declaration by the Chairperson that the resolution has been carried will be conclusive evidence of the fact, unless a poll is demanded.

8. Board Elections

8.1 Returning Officer

The Returning Officer shall be the Chief Executive or a person nominated by the Chief Executive.

8.2 Nominations

- i) Nominations must be delivered on the approved nomination form to the Chief Executive at least thirty (30) days prior to the election. Nominations must be signed by two Members.
- ii) Police members may not nominate for any position on the Board of Management.
- iii) If only four people nominate for the Board of Management positions then they shall be deemed to be elected.

- iv) If more than four people nominate for the Board of Management positions then a ballot will be conducted for the positions.
- v) If insufficient nominations are received further nominations will be called for at the meeting.

8.3 Elected Positions

- i) Four Board of Management positions, no two of whom shall be from the same LGA.
- ii) A nomination will only be valid if signed by two members and accompanied by the written consent of the candidate.
- iii) Members will hold these positions until the next AGM after the election and will be eligible for re-election.

8.4 Voting at Elections

- i) Voting may be conducted at an AGM, a Special State Forum or by postal voting.
- ii) Voting shall be restricted to State Forum Members and Voting Members of the Board.
- iii) Members shall have one vote only, except that in the case of a tied vote, the Chairperson shall have an additional casting vote.

8.5 Chief Commissioner Appointments

The Chief Commissioner will appoint two Commissioned Officers to the Board of Management.

8.6 Ballot

Ballots will be secret and conducted in accordance with the following procedure:

- i) The Returning Officer will collect and tally the votes;
- ii) If there are two or more candidates:
 - The ballot will be conducted by voters indicating their favoured candidate for the position on the ballot paper. The candidate scoring the most votes shall be elected.
 - If two candidates score equal highest numbers of votes, any lower-scoring candidates shall be eliminated and a further vote taken. In the event of a tied vote the winner shall be determined by the toss of a coin.

8.7 Casual Vacancies

- i) A casual vacancy will be deemed to have occurred if a Board Member:
 - dies, becomes incapacitated or resigns;
 - has disciplinary action taken against them; or
 - absents themselves from three (3) ordinary consecutive properly convened meetings of the Board of Management, without first having made an application and been granted leave of absence, or without an apology having been received and accepted for each meeting.
- ii) If the vacancy occurs before the end of May of the year the Board Member was elected, the Board of Management shall conduct an election at a Special State Forum or by postal voting to fill such vacancy. The Member so elected will hold office, subject to this Constitution, until the AGM next following the date of the election.

9. Powers of the Board

9.1 General Powers

The Board of Management will, subject to the Act, the Regulations, the By-Laws and this Constitution:

- i) Control and manage the business and affairs of Neighbourhood Watch;

- ii) Exercise all such powers and functions as may be exercised by Neighbourhood Watch other than those powers and functions which are required by this Constitution to be exercised in Special State Forums;
- iii) Perform all such acts as appear to be essential for the proper management of Neighbourhood Watch which include but are not limited to:
 - The selection and appointment of Sponsors and supporters of the Program and the establishment of terms of agreement to cover that arrangement;
 - Appointing consultants or other persons to the Board of Management as Non-Voting Board Members;
 - Employing persons to perform services for Neighbourhood Watch;
 - Determining the remuneration, if any, to be received by consultants and employees;
 - The power to make, alter and/or repeal By-Laws concerning, amongst other things, the general conduct of Members; and
 - Annual reporting to Neighbourhood Watch and the Chief Commissioner of Police;
 - Producing and maintaining a Neighbourhood Watch Manual covering the operations of the Program and including the By Laws of Neighbourhood Watch.

9.2 Committees and Delegation

- i) The Board of Management may delegate any of their powers (except this power to delegate) to a committee of Members and/or non- Members, a Member or any other person and may revoke or vary any power so delegated.
- ii) A committee, Member or other person must exercise their delegated powers and must organise themselves and meet in accordance with any directions of the Board of Management.
- iii) The exercise of a delegated power by the committee or delegate is as effective as if the Board of Management exercised the power, however the Board may alter or repeal any decision made by them.
- iv) Committees must keep proper records of their deliberations and decisions.

10. Roles and Duties

10.1 Chief Executive

The Chief Executive shall:

- i) Be accountable to the Board of Management for the administration of the Program
- ii) Oversee the maintenance of the Registers held at the State Office which contain the name and address of each Member and the date on which their name was entered in the Register;
- iii) Record and keep minutes of resolutions and proceedings of all meetings and the names of all persons present or deemed present (as the case may be), and apologies at such meetings;
- iv) Conduct the elections for the Board of Management;
- v) Identify and advise the Board on any issues relevant to corporate governance;
- vi) Undertake such other duties and responsibilities as may be directed by the State President from time to time.

10.2 State Secretary

The State Secretary shall:

- i) In the absence of the Chief Executive, record and keep minutes of resolutions and proceedings of all meetings and the names of all persons present or deemed present (as the case may be), and apologies at such meetings;
- ii) Receive and send correspondence on behalf of Neighbourhood Watch;

- iii) Perform the duties of the Public Officer.
- iv) If the position becomes vacant, the Board of Management shall, in accordance with the Act, within fourteen (14) days after the vacancy arises, appoint a person to fill the vacancy.

10.3 State Treasurer

The State Treasurer shall at State level:

- i) Collect and receive all monies due and receivable by Neighbourhood Watch;
- ii) Make all payments authorised by Neighbourhood Watch;
- iii) Keep correct accounts and books showing the financial affairs of Neighbourhood Watch with full details of all receipts and expenditure connected with the activities of the Association; and
- iv) Submit a financial report in relation to Neighbourhood Watch at each Board Meeting and to meetings of the State Forum as required.

10.4 State Manager

The State Manager shall:

- i) Provide administrative support for the Board of Management;
- ii) Provide a liaison function with Neighbourhood Watch Police Coordinators, Sponsors and Members; and
- iii) Promote the Neighbourhood Watch program in the community

11. Proceedings of the Board

11.1 Meetings

The Board of Management shall meet not less frequently than quarterly in each year at such place and at such times as the Board of Management may determine.

11.2 Special Board Meeting

- i) Special Board Meetings may be convened by the State President or any two (2) Voting Board Members. The State President or the two Voting Board Members calling a Special Board Meeting can specify that only Voting Board Members can attend that Special Board Meeting.
- ii) At least twenty four hours notice must be given to the other Board Members by the State President or the Voting Board Members calling a Special Board Meeting. Notice of such Special Board Meeting must specify the general nature of business to be transacted. No other business may be transacted at a Special Board Meeting.

11.3 Quorum

- i) No business may be transacted at a Board Meeting unless a quorum is present. If a quorum is not present within half an hour of the time appointed for the Board Meeting, then the meeting will stand adjourned to the same place and at the same hour of the same day in the following week unless such meeting was a Special Board Meeting in which case it will lapse.
- ii) A quorum shall comprise at least one half (50%) plus one of the Voting Members plus a Commissioned Police Officer nominated by the Chief Commissioner.

11.4 Chairperson

The State President, and in the State President's absence the State Vice-President, will preside at all meetings of the Board of Management. If the State Vice-President is also absent, those present will elect one of their number to chair the meeting.

11.5 Voting

- i) Questions arising at a Board Meeting will be determined on a show of hands.
- ii) Each Voting Board Member present at a Board Meeting is entitled to one (1) vote and if there is an equality of votes on any question, the Chairperson may exercise a second or casting vote.

- iii) Non Board Members attending meetings of the Board of Management do so in an advisory capacity only and, while they may participate in debate and discussions, they are not entitled to vote on any question arising.

11.6 Notice of Meetings

- i) Board Meetings may be held on a regular basis otherwise notice of each Board Meeting shall be served on each Board Member.
- ii) If notice of a Board Meeting is not given to all Non-Voting Board Members and the meeting is subsequently held with a quorum in attendance, then the failure to give notice of the Board Meeting to all Non-Voting Board Members will not be grounds to invalidate any business transacted at that Board Meeting including resolutions made.

11.7 Pecuniary Interest

- i) A person present at the Board Meeting (whether entitled to vote or not) must declare to the Board of Management any Pecuniary Interest held in any business or organisation or any interest directly held by any immediate family member, that the Board of Management is considering entering into a financial agreement with. That person will not be entitled to vote in the decision to enter that agreement.
- ii) A Pecuniary Interests Register listing all items declared as Pecuniary Interest since the last Annual General Meeting, shall be presented to the Annual General Meeting of Neighbourhood Watch.

12. Resignation and Expulsion

12.1 Resignation

A member ceases to be a member if they resign.

12.2 Expulsion or Suspension

- i) The Board of Management may by resolution expel or suspend a member for a specified period if the Board of Management is of the opinion that the Member concerned has:
 - Refused or neglected to comply with the By-Laws and/or this Constitution; or
 - Been guilty of conduct unbecoming a Member and/or prejudicial to the interests of Neighbourhood Watch .
- ii) If a member is expelled or suspended and that member is also a Board Member or Delegate, such expulsion or suspension will also apply to that member's capacity as a Board Member or Delegate.
- iii) A resolution of the Board of Management will not take effect unless either:
 - At a Special Board Meeting held not earlier than fourteen (14) days and not later than twenty-eight (28) days after the service on the Member concerned of the notice under article 13.3 a resolution is made confirming the earlier resolution; or
 - Where the Member concerned exercises a right of appeal to Neighbourhood Watch under sub-article 13.4 and that the resulting Special State Forum confirms the earlier resolution.

12.3 Notice to Member

If the Board of Management passes a resolution to expel or suspend a member, the Chief Executive must, as soon as practicable, serve on the member concerned notice setting out the resolution and the grounds on which it is based, stating that the Member may address the Board at a Special Board Meeting (to be held between fourteen (14) and twenty-eight (28) days after service of the notice), stating the time, day, date and place of the Special Board Meeting.

12.4 Member Options

A Member that has received notice of a resolution to expel or suspend them may :

- i) Attend the Special Board Meeting;

- ii) Give to the Board of Management before the Special Board Meeting a written statement seeking the revocation of the resolution; or
- iii) Not later than twenty-four (24) hours before the date of the Special Board Meeting, lodge with the Chief Executive a notice to the effect that they wish to appeal to a Special State Forum against the resolution.
- iv) At the Special Board Meeting, the Board of Management must:
 - Give to the Member concerned an opportunity to be heard;
 - Give due consideration to any written statement submitted by the Member concerned;
 - By resolution, determine whether to confirm or revoke the earlier resolution.

12.5 Appeal

- i) If the Chief Executive receives a notice of appeal, they must notify the Board of Management which must thereupon convene a Special State Forum to be held within one (1) month after the date on which the Chief Executive receives the notice.
- ii) At this Special State Forum:
 - No business other than that of the appeal may be transacted;
 - The Board of Management may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
 - The Member concerned must be given an opportunity to be heard; and
 - The Members present will vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- iii) If two thirds of the members vote in favour of the confirmation of the resolution then the resolution is confirmed, however in any other case, the resolution is revoked.

13. Grievances

If a dispute arises between two Members, or between a Member and Neighbourhood Watch, it shall be resolved as follows:

- i) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve it within fourteen (14) days after it comes to the attention of all the parties.
- ii) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, they must, within ten (10) days, hold a meeting in the presence of a mediator.
- iii) the mediator must be a person chosen by agreement between the parties, or in the absence of agreement, a person chosen by the Board of Management.
- iv) A Member can be a mediator.
- v) The mediator cannot be a party to the dispute.
- vi) The parties to the dispute must attempt to settle the dispute by mediation in good faith.
- vii) The mediator, in conducting the mediation process, must:
 - Give the parties to the mediation process every opportunity to be heard;
 - Allow due consideration by all parties of any written statement submitted by any party, and
 - Ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- viii) The mediator must not determine the dispute.
- ix) 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.

14. Authorisation of Expenditure

All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any two (2) Voting Board Members or a combination of one Board Member and a nominee of the Board.

15. Alteration of Constitution

- i) This Constitution and the Statement of Purposes of Neighbourhood Watch may be altered, repealed, added to or amended by Special Resolution at a Special State Forum, the notice for which is endorsed by the State President or any five (5) State Forum Members.
- ii) The Secretary must within twenty-eight (28) days after the passing of a Special Resolution altering the Statement of Purposes or this Constitution, lodge with the Registrar of Incorporated Associations, notice in writing of the Special Resolution setting out particulars of the alteration, together with the declaration signed by at least two Board Members to the effect that the Special Resolution was passed in accordance with the Act, together with the prescribed fee.

16. Notice

- i) Any notice or other document under this Constitution may be made or given by the person wishing to serve the notice or document and will be sufficiently served or delivered if:
 - Served or delivered personally on the recipient;
 - Posted by pre-paid post addressed to the recipient at their address set out in the Register; or
 - Served or delivered by email or fax to the recipient at their email address or the fax number set out in the Register.
- ii) Service or delivery of any notice or document under this Constitution will be deemed to have been made or given at 12:00 noon on the business day (not being a Saturday, Sunday or public holiday) following:
 - Posting, if served or delivered by post;
 - Fax transmission, if served or delivered by fax provided that the sender's transmission report shows that the whole notice was sent to the correct fax number; or
 - Electronic transmission, if served or delivered electronically.

17. Custody of Records

- i) The State Treasurer must keep in their custody or under their control all accounts, books, documents, securities and other financial records of Neighbourhood Watch.
- ii) All books, documents, securities and other records of Neighbourhood Watch (including this Constitution) are to be available for inspection by any Member on request to the Chief Executive without charge.

18. Funds

- i) The funds of Neighbourhood Watch will be derived from sponsorship and such other sources as the Board of Management determines from time to time.
- ii) If a Neighbourhood Watch Area closes, then its funds will pass to the LGA that it is part of, and be held in trust for the Area until the earlier of:
 - The Program recommencing in the inactive Area, in which case the Funds will be returned to the Area and no longer held in trust by the LGA; or
 - A minimum of 3 years from the date the Area closed, in which case the Funds will be irrevocably transferred to the LGA.

19. Auditor

The certified accountant ("**Auditor**") shall:

- i) Audit the books of account and financial statements of Neighbourhood Watch at the State level;
- ii) Immediately after the expiration of each Financial Year, examine the accounts of Neighbourhood Watch at the State level and certify the correctness of the balance sheet and statement of receipts and payments; and
- iii) Generally ensure that Neighbourhood Watch complies with the relevant provisions of the *Corporations Act 2001 (Cth)* and related regulations, the Act and the Regulations.

20. Winding Up or Cancellation

If Neighbourhood Watch is wound up or has its incorporation cancelled the assets are to be disposed of to one or more of the following:

- i) An organisation with objectives similar to those of Neighbourhood Watch; or
- ii) An organisation that has a philanthropic or benevolent purpose, including the promotion of art, culture, science, community safety, education or charity.

APPENDIX 1: Membership Form



APPLICATION FOR MEMBERSHIP

Neighbourhood Watch Victoria Inc

I apply to become a Member of Neighbourhood Watch Victoria Inc. and actively participate in the Neighbourhood Watch program. If my application is approved by Victoria Police and accepted by the Board of Management, I agree to be bound by the Neighbourhood Watch Constitution and By-Laws.

YOUR NAME (Please PRINT in BLOCK letters)

NHW Area: **Local Government Area:**

Title (Mr/Mrs/Ms/Dr, etc.): **Surname:**

Given Names:
Please UNDERLINE your Preferred Name

Other Names (e.g., maiden or former names):

Date of Birth: --

YOUR HOME ADDRESS (Please PRINT in BLOCK letters)

Flat/Street No: **Street/Road:**

Suburb: **State:** VIC **Postcode:**

Postal Address (If different to above):

YOUR CONTACT DETAILS (Please PRINT in BLOCK letters)

Home Phone: **Work Phone:** **Mobile Phone:**

Fax No: **Email address:**

Driver Licence No:..... **Current or Former Occupation:**

AUTHORITY TO CONDUCT POLICE PROBITY CHECK

I authorise Victoria Police to undertake a probity check to assist in assessing my suitability to become a member of Neighbourhood Watch in Victoria.

WITHDRAWAL OF APPROVAL

I understand the Board of Management in accordance with the Constitution and By-Laws of Neighbourhood Watch Victoria Inc. may rescind approval for any individual to participate in or to represent the Neighbourhood Watch Program in Victoria at any time.

I authorize Neighbourhood Watch Victoria Inc. to release my details to other Neighbourhood Watch Area members for matters pertaining to or associated with the Neighbourhood Watch Program in Victoria.

Signed: **Date:**

Application Approved:..... **Date:**

APPENDIX 2: Proxy Form

I, _____ (name)
of _____ (address)
being a member of Neighbourhood Watch Victoria Inc.

APPOINT the STATE PRESIDENT of Neighbourhood Watch,
or in the STATE PRESIDENT'S absence,
the Alternate or Proxy of the STATE PRESIDENT

(tick)

OR

APPOINT _____ (name)
Of _____ (address)
also being a member of Neighbourhood Watch,

as my proxy to vote for me on my behalf at:

the Annual General Meeting / Special State Forum* to be held on

_____ (date) and at any adjournment of that meeting.

My Proxy is authorised to vote as indicated below for the following resolution/s (and where I make no election my Proxy can vote as they choose):

Resolution	For	Against	Abstain

Dated this _____ day of _____ 20 _____

.....
(Signature)

[*delete as required]