

**CONSTITUTION**

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**WOLLONGONG LIQUOR ACCORD  
2008**

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## 1. Nature and name of the accord

The name of the accord is 'Wollongong Liquor Accord' (the accord). The accord is a liquor accord constituted in accordance with the *Liquor Act 2007*.

## 2. Objects of the accord

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

- responsible service of alcohol
- improve safety and security
- improve the local amenity, and
- co-operate with the police and the community to improve local outcomes.
- Community education

## 3. Definition of members

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

## 4. Membership application and admission

Membership is open for holders of a Liquor Licence as described below in Point 5.1 or for those that belong to groups/parties as described in Points 5.2 and 5.3.

Community groups and other business organisations applications for membership of the accord must be proposed and seconded by members of the accord. The application for membership must be on an application form and be accompanied by evidence, where required, of eligibility of the Community Group class of membership.

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

- a. written notice of acceptance, and
- b. copy of this constitution and the accord's principles document. *A copy (.pdf format) of the Wollongong Liquor Accord Constitution is available for downloading and/or printing from the "**Wollongong Liquor Accord**" Section of [www.hotelconiston.com.au](http://www.hotelconiston.com.au)*

## 5. Class of membership

The classes of membership of the accord are as follows:

1. Licence holders:
  - a. hotel licence
  - b. club licence
  - c. on-premises licence
  - d. packaged liquor licence
  - e. producer/wholesaler licence
  - f. limited licence
2. Other business organisations that have an interest in alcohol related harm or the local amenity (must provide evidence):
3. Government agencies:
  - a. NSW Office of Liquor, Gaming and Racing
  - b. Wollongong City Council
  - c. NSW Police
  - d. Roads and Traffic Authority
  - e. xxx CDAT

- f. National Drug and Alcohol Research Centre
  - g. NSW Department of Health
  - h. Ministry of Transport
4. Community Groups

## **6. Nomination fees, annual subscriptions and levies**

Initially, there will be an annual general fee of \$50.00 for all liquor accord members. This fee, depending on factors to be decided will be altered to a tiered scale with price levels also to be decided and agreed upon at the March meeting of 2009.

## **7. Non-profit clause**

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

## **8. Penalties, expulsion and rights of appeal**

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

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

## **9. Register and addresses of members**

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

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

## **10. Members eligible for office and to vote**

Only Licensee or Licensee representative members will be entitled to be elected as the president and vice president of the accord.

Every licensee member present in person will be entitled to vote on a show of hands or as a poll. Licensee members can send a representative to vote on their behalf. No proxy votes will be accepted.

Only Licensees or Licensee representatives are entitled to one vote. Members as described in Points 5.2, 5.3 and 5.4 are ineligible to vote.

## **11. Officers of the accord**

The officers of the accord are:

- a. the president (*the president of the accord is not always required to be the chairperson although this is often expected or assumed.*)
- b. the vice president
- c. the secretary
- d. the publicity officer
- e. the treasurer

## **12. Executive of management**

The executive (in this constitution referred to as the executive) will be constituted by the officers of the accord (as provided in clause 10).

## **13. Election of officers**

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

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

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

## **14. Terms of office**

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

## **15. Chairman of accord meetings**

The president or in his or her absence the vice president, will be chairperson of meetings of the accord but if at any meeting either of these are absent at the time set for holding the meeting, the members present must choose one of their members to be chairperson of such meeting.

## **16. Voting in accord meetings**

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

## **17. Minutes**

Minutes of all resolutions and proceedings of all meetings of the accord must be sent to all members within a period of 14 days from date of meeting.

## **18. General meetings**

An annual general meeting of the accord will be held every year in June.

## **19. Accord meetings**

Accord meetings will be held on the second Tuesday of every third month (June, September, December and March) unless unavoidable matters require a date to be altered.

## **20. Notice of meetings**

A notice of the annual and normal accord meetings must:

- a. set out the place, date and time for the meeting
- b. state the general nature of the business to be transacted at the meeting
- c. if a special resolution is to be proposed at the meeting; set out an intention to propose the special resolution and state the resolution

- d. the secretary will write to all members before the meeting asking for agenda items, and
- e. a week's notice must be given for the annual general meeting.

## **21. Proceedings at general meetings and accord meetings**

No business may be transacted at any general meeting/accord meeting unless a quorum of members is present at the time when the meeting proceeds to business.

No resolution may be passed at any general meeting unless a quorum of members is present at the time when the resolution is put to the vote of the meeting.

Save as otherwise provided in this constitution, five members constitute a quorum.

If within half an hour from the time appointed by the general meeting a quorum is not present, the general meeting, an accord meeting if convened upon the requisition of members, is dissolved. In any other case it stands adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the board may determine. If at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present constitute a quorum.

The president must preside as chairperson at every general meeting/accord meeting of the accord, or if there is no president, 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 vice-president is not present or is unwilling to act then the members present may elect one of their members to be chairperson of the meeting.

## **22. Voting**

In the case of an equality of votes, whether on a show of hands or on a poll, the chairperson of the meeting at which the show of hands takes place or at which the poll is demanded is entitled to a second or casting vote.

A member must vote in person. Each member entitled to vote shall have one vote. Members can send a representative to meetings; the representative must identify themselves during the vote on whom they are representing.

## **23. Changes to constitution**

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

## **24. Attending meetings**

You must be a member of the accord to attend the meetings. Invited guests can attend meetings.

## **25. Dissolution**

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