



CỘNG ĐỒNG NGƯỜI VIỆT TỰ DO WOLLONGONG
VIETNAMESE COMMUNITY IN WOLLONGONG
P.O. Box 213 WARRAWONG
Tel: (02) 4276 1919 Mob: 0414 263 356
Email: vietassociationwollongong@gmail.com

[TT BUSINESS/VCA WOLL/OTC/20211007 acnc/vca wol/Consitution VCA Wollongong English Version updated FY2022.docx](#)

THE RULES OF THE VIETNAMESE COMMUNITY INCORPORATED

1. NAME AND DURATION

The Association is named: VIETNAMESE ASSOCIATION IN WOLLONGONG Inc.
Also known as : VIETNAMESE COMMUNITY IN WOLLONGONG (VCA)

2. AIMS AND OBJECTIVES

- a) To advance education in areas of:
 - I. Teaching Vietnamese language, history, culture, traditions, customs, festivities, and values to
 - i. Children of Vietnamese ancestry, aged 5-18,
 - ii. and to other interested students, parties, the general Australian public, etc.
 - II. Educating all Australians about the plight of the Vietnamese refugees;
 - III. Informing and translating materials to non-English Vietnamese speakers on matters relating to Australian Society, customs, norms, laws, social support, and values that would help them to integrate into Australian Society – this includes (but is not limited to):
 - i. Legal aid support translation
 - ii. State laws/support translation
 - iii. Federal laws/support translation
 - iv. Health – drugs, alcohol, medicare, COVID-19, immunisations, etc.
 - v. Australian contemporary issues
 - vi. Indigenous Australians.
 - vii. Institutions such as Services Australia, Service NSW, Medicare, ATO, FairWork/FairGov, etc.
- b) To advance health:
 - I. As mentioned in 2,a, III, iv – informing and translating materials to non-english Vietnamese speakers;
 - II. Preventing and relieving sickness, disease, and human suffering by connecting our members to relevant associations and support group;
- c) To advance culture:
 - I. preserve and disseminate the Vietnamese culture and tradition.
 - II. As mentioned in 2,a,I – teaching Vietnamese language, history, culture, traditions, customs ,festivities, and values
- d) To advance social and public welfare:
 - I. Relieving the poverty, distress or disadvantage of individuals or families



CỘNG ĐỒNG NGƯỜI VIỆT TỰ DO WOLLONGONG
VIETNAMESE COMMUNITY IN WOLLONGONG
P.O. Box 213 WARRAWONG
Tel: (02) 4276 1919 Mob: 0414 263 356
Email: vietassociationwollongong@gmail.com

- II. Caring for, supporting and protecting
 - i. children and young individuals;
 - ii. the aged – especially those of Vietnamese background
 - iii. individuals with disabilities;
- III. assisting the rebuilding, repairing or securing of assets after a disaster.
Namely,
 - i. floods, bushfires, and other natural disasters in Australia
 - ii. natural disasters that occur overseas;
- e) To promote reconciliation, mutual respect and tolerance between groups in Australia,
 - I. The groups are namely:
 - i. Vietnamese who escaped the communist, and those from the Socialist Republic of Vietnam;
 - ii. Vietnamese, and Australians
 - iii. Refugees and Australians
 - iv. Other ethnic groups and Vietnamese,
 - v. Vietnamese Christians, and Vietnamese Buddhists,
 - vi. Youth, and the elderly
 - II. The idea is to promote harmony, reduce conflict, eliminating discrimination, promoting equality, promoting restorative justice,
- f) To promote and protect human rights such as
 - I. Those recognised and declared in the 7 international conventions and covenants named in the Human Rights Parliamentary Scrutiny Act 2011 (Cth):
 - i. International Convention on the Elimination of all Forms of Racial Discrimination
 - ii. International Covenant on Economic, Social and Cultural Rights.
 - iii. International Covenant on Civil and Political Rights
 - iv. Convention on the Elimination of All Forms of Discrimination Against Women
 - v. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
 - vi. Convention on the Rights of the Child
 - vii. Convention on the Rights of Persons with Disabilities.
 - II. Monitoring abuses of human rights – particularly in the Socialist Republic of Vietnam
 - III. Seeking redress and relieving needs for victims of human rights abuse;
 - IV. Research into human rights issues
 - V. Education the public about human rights
 - VI. Raising awareness of human rights issues
- g) To advance the natural environment
 - I. Protecting, preserving, caring for and educating the Vietnamese community about the natural environment – particularly working with the NSW Government Department of Primary Industries: Recreational Fishing
 - II. Protecting, preserving, caring for and educating the community about the natural environment – particularly as we are located in the Illawarra – a regional biodiversity



CỘNG ĐỒNG NGƯỜI VIỆT TỰ DO WOLLONGONG
VIETNAMESE COMMUNITY IN WOLLONGONG
P.O. Box 213 WARRAWONG
Tel: (02) 4276 1919 Mob: 0414 263 356
Email: vietassociationwollongong@gmail.com

- h) To operate for the common interests of the Vietnamese in Australia.
- i) The Association does not involve in politics and is not responsible for the political activities of its members.
- j) The Association is a non-profit making institution.
- k) The Association only associates with other Associations which do not have conflicting aims and objectives.

3. MEMBERSHIP

- a) Subject to these rules the members of the Association shall be the members of the Association immediately prior to incorporation together with such other people and organisations as the committee admits to membership.
- b) Membership is open to all Vietnamese people over the age of 18 who accept the objects and rules of the Association.
- c) Individuals and organisations wishing to become members of the Association and who are recommended by two other members shall apply to the committee for membership.
- d) The committee shall determine whether or not to accept an application for membership. The committee is not required to supply reasons for accepting an application for membership.
- e) A register of members shall be kept by the Association showing the name, address, and date of commencement of membership for each member. Provision for noting the date of cessation of membership shall also be contained in the register.
- f) Membership shall be ceased upon resignation, expulsion, or failure to pay outstanding membership fees within three months of due date.

MEMBER LIABILITY

The member of the Association shall have no liability to contribute towards the payment of debts and liabilities of the Association of the costs, charges, and expenses of the winding up to the Association except to the amount of any membership fees.

DISCIPLINING OF MEMBER

The procedure for discipline members shall be determined by the Executive Committee. Anyone who wishes to appeal against a decision refusing membership or otherwise disciplining them may do at the next general meeting of the Association.

THE EXECUTIVE COMMITTEE

- a) The Association is governed by an Executive Committee consisting of:
 - President
 - Vice President for internal affairs
 - Vice President for external affairs
 - Secretary
 - Treasurer



CỘNG ĐỒNG NGƯỜI VIỆT TỰ DO WOLLONGONG
VIETNAMESE COMMUNITY IN WOLLONGONG
P.O. Box 213 WARRAWONG
Tel: (02) 4276 1919 Mob: 0414 263 356
Email: vietassociationwollongong@gmail.com

- b) Term of office of the Executive is two years and maximum will be four terms. However, it can be decided at the AGM whether any of the existing candidate can be extended for another term, should there be no new candidate nominated himself or herself for the above position.
- c) The quorum for meetings of the committee shall be one half the number of Committee members elected at the previous Annual General Meeting.
- d) A member of the Committee shall cease to hold office upon resignation in writing, removal as a member of the Association; or absence from three successive Committee Meetings without approval by the Committee.

4. THE FUNCTION OF THE EXECUTIVE COMMITTEE

The functions of the Executive Committee are:

- To plan and run the activities of the Association.
- To administer the properties of the Association.
- Should any vacancy occur in the position of Executive Committee members, the Executive Committee may elect another member to fill that position. Such person shall remain in office until the next Annual General Meeting but may put themselves forward for re-election. If more than two positions become vacant at any one time then the remaining members of the Executive Committee shall call a special General Meeting for the purpose of electing new members to the Executive Committee.

The functions of the President are:

- To govern and unify the overall activities of the Association
- To represent the Association and be the official spokesman of the Association.
- To convene and chair the Executive Committee meetings and all other general meetings.

The functions of the Internal Vice President are:

- To replace the President when he/she is absent or unable to full fill his/her duties.
- To assist the President in directing the activities relating to the Association and the Vietnamese Community in Wollongong.

The functions of the External Vice President are:

- To assist the President in external affairs
- To be responsible for matters relating to other organisations and institutions.

The functions of the Secretary are:

- To take charge of all administrative matters, keep record of all documents and official letters of the Association.
- To take minutes of all meetings.

The functions of the Treasurer are:

- To account for the expenditures and receipts of the Association.
- To raise funds for the Association.



CỘNG ĐỒNG NGƯỜI VIỆT TỰ DO WOLLONGONG
VIETNAMESE COMMUNITY IN WOLLONGONG
P.O. Box 213 WARRAWONG
Tel: (02) 4276 1919 Mob: 0414 263 356
Email: vietassociationwollongong@gmail.com

- To report on the financial situation of the Association in the Annual General Meetings.

5. GENERAL MEETING

The Annual General Meeting lays out the general policies and activities guidelines for the Association for the following year.

- a) The date of the General Meeting will be fixed by the Executive Committee within the month of August.
- b) The location is decided by the Executive Committee.
- c) The Executive Committee must give notice to members at least 14 days prior to the meeting.
- d) In the case of the Annual General Meeting the following business shall be transacted:
 - I. Confirmation of the minutes of the last Annual General Meeting and any recent special general meeting.
 - II. Receipt of the Committee's report upon the activities of the Association in the last financial year.
 - III. Election of office bearers and other members of the Committee.
 - IV. Receipt and consideration of statement from the Committee which is not misleading and gives a true fair view for the last financial year of the Association's:
 - Income expenditure
 - Assets and liabilities.
 - Mortgages, charges, and other security.
 - Trust properties.
- e) The Annual General Meeting must have a quorum of at least one third (1/3) of the total formal membership, if this quorum is not obtained, the meeting will be cancelled, and the Executive Committee will call for a second meeting as regulated in (8.b) regardless of the above quorum.
- f)
 - I. All other meetings of members will be special General Meetings. A special General Meeting can be held in order to solve the important and urgent matters of the Association.
 - II. A special General Meeting may be called on the concurrence of at least one third (1/3) of the Executive Committee or one half (1/2) of the formal membership.
 - III. Date, location and reason for special General Meeting must be notified to members by letters at least 14 days before the meeting.
 - IV. A special General Meeting must have a quorum of at least one third (1/3) of the formal membership, otherwise the meeting will be cancelled and the Executive Committee will convene a second meeting in accordance with (8.g.iii) with the same quorum requirement as stated above.



CỘNG ĐỒNG NGƯỜI VIỆT TỰ DO WOLLONGONG
VIETNAMESE COMMUNITY IN WOLLONGONG
P.O. Box 213 WARRAWONG
Tel: (02) 4276 1919 Mob: 0414 263 356
Email: vietassociationwollongong@gmail.com

6. CANDIDACY AND ELECTION

- a) Any member, twenty-one (21) years of age or over who is not included in 10.d and 11.b can stand as a candidate for any position in the Executive Committee.
- b) Every member can stand as a candidate for the several positions but can be elected in one position only.
- c) A member may hold the presidency of the Association for two consecutive terms only.
- d) Any members who are not included in 10d and 11b is eligible to vote.
- e) With regard to voting in the Annual General Meeting a member can only represent one absent member if a letter authority is shown.
- f) The position in the Executive is voted on individual by secret ballot and the one who is selected by the majority will accede to the position.

7. FINANCES

The funds of the Association shall be derived from the fees of the members, donations, grants, and such other sources approved by the Association.

- a) The financial year of the Association shall run from 1st July to 30th June in any year
- b) Annual membership fee is \$10.00 per member and will be payable within one month following the Annual General Meeting.
- c) The Annual General Meeting can alter the membership fee if necessary.
- d) Any member who does not pay the membership will not be eligible to vote or stand for office in the Executive Committee.
- e) The members of the Executive Committee receive no salary.
- f) The money of the Association will be deposited in a bank account under the name of Association and will be scrupulously administered by the Executive Committee.
- g) The properties of the Association are registered under the name of the Association and administered by the Executive Committee.
- h) The income and properties of the Association shall be used only for promotion of the objects of the Association and shall not be paid or transferred to member by way of dividend, bonus, or profit
- i) The Treasurer shall ensure that correct books and accounts are kept showing the financial affairs of the Association. These records shall be available for inspection by any member and shall be held in the custody of the Treasurer.

8. GENERAL

- a) Amendment of the constitution: the constitution can be amended by special resolution of at least two third (2/3) of the members who are present and entitled to vote at a Special General Meeting.
- b) Dismissal of member: The Executive Committee can be temporarily revoke the membership of a member if two third (2/3) of which so decide pending the final decision being made by the General Meeting.
- c) Winding up of the Association:



CỘNG ĐỒNG NGƯỜI VIỆT TỰ DO WOLLONGONG
VIETNAMESE COMMUNITY IN WOLLONGONG

P.O. Box 213 WARRAWONG

Tel: (02) 4276 1919 Mob: 0414 263 356

Email: vietassociationwollongong@gmail.com

- The Association may be wound up on a special resolution passed by at least two third (2/3) of the formal membership present and entitled to vote at a Special General Meeting which is especially convened for this purpose
- On the winding up, the surplus property of the Association shall be dealt with in accordance with s53 of the Associations Incorporation Act.

9. COMMON SEAL

The Common Seal of the Association shall be kept in the custody of the secretary and shall be affixed to a document with the approval of the Committee. The stamping of the Common Seal shall be witness by the Signatures of two members of the Committee.

10. PUBLIC OFFICER

- a) The Committee shall ensure that a person is appointed as a Public Officer.
- b) The first Public Officer shall be the person who completed the application for incorporation of the Association.
- c) The Committee may at any time remove the Public Officer and appoint a new Public Officer provided the person appointed is 18 years of age or older and a resident of NSW.
- d) The Public Officer shall be deemed to have vacated their position in the following circumstances:
 - Death.
 - Resignation.
 - Removal by the Committee or at the General Meeting.
 - Bankruptcy or financial insolvency.
 - Mental illness.
 - Residency outside NSW.
- e) When a vacancy occurs in the position of Public Officer the Committee shall within 14 days notify the Corporate Affairs Commission by the prescribed form and appoint a new Public Officer.
- f) The Public Officer is required to notify the Corporate Affairs Commission by the prescribed form in the following circumstances:
 - Of appointment (within 14 days)
 - A change of residential address (within 14 days)
 - A change in the Association's objects or rules (within 14 days)
 - A change in the membership of the Committee (within 14 days)
 - Of the Association's financial affairs (within one month after the Annual General Meeting)
 - A change in the Association's name (within one month)
- g) The Public Officer may be an officer bearer, Committee member or any other person regarded as suitable for the position by the Committee.