



OFFICE OF
Consumer and Business Affairs

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'THE PUBLIC OFFICER' FILIPINO SETTLEMENT
COORDINATING COUNCIL OF SA
INCORPORATED

PO BOX 202
ENFIELD SA 5085

SOUTH AUSTRALIA

Associations Incorporation Act 1985
Section 20(1)

Incorporation Number: A37675

Certificate of Incorporation

This is to certify that

FILIPINO SETTLEMENT COORDINATING COUNCIL OF SA INCORPORATED

is, on and from the sixteenth day of January 2003
incorporated under the Associations Incorporation Act 1985.

Given under the seal of the Corporate Affairs Commission at Adelaide on this
sixteenth day of January 2003

Commissioner for Corporate Affairs



Corporate Affairs and Compliance

Incorporating the Corporate Affairs Commission ABN 30 652 402 747

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91 - 97 Grenfell Street
Adelaide SA 5000

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Government
of South Australia

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FILIPINO SETTLEMENT COORDINATING COUNCIL OF SA INC.

CONSTITUTION

1. NAME

The name of the Association is **"FILIPINO SETTLEMENT COORDINATING COUNCIL OF SA INC."** (FSCC).

2. LOCATION

The "Council" shall operate from facilities in the Adelaide metropolitan area as are deemed suitable by the Council.

3. DEFINITIONS

3.1 "Council" shall mean the Filipino Settlement Coordinating Council of SA Inc., also called the Filipino Settlement Coordinating Council (FSCC).

3.2 "Representative" shall mean a person of the nominating organisation who is accountable to the Council.

3.4 Financial year is from 1st July to 30th June.

4. AIMS & OBJECTIVES OF THE COUNCIL

4.1 Provide a service that assists the settlement and welfare needs of individuals and families of Filipino communities, particularly new arrivals to South Australia.

4.2 Promote cultural diversity through linkages and cooperation between the member organisations of the Council and between the Council and other organisations, groups and communities in South Australia.

4.3 Assist the social and cultural settlement of the families of member organisations, groups and communities through education and information on the diversity of the heritage and culture of the different groups in the Council.

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- 4.3 Promote harmony, peace and cooperation amongst all groups and communities in South Australia.
- 4.4 Utilise resources for the sole purpose of furthering the aims and objectives of the Council.

5. POWERS AND OBLIGATIONS

The powers and obligations of the Council shall be:-

- 5.1 To acquire such funds as may be available to meet the aims and objectives of "The Council";
- 5.2 To acquire by purchase or by renting or otherwise freehold or leasehold properties from which the Council can operate;
- 5.3 To invest monies in Government Debentures or any Government Stocks or Funds of the Commonwealth of Australia or of any of the States or in the Debentures or other securities of any Government or Municipal Statutory body; or, upon first mortgage of freehold properties; or, upon fixed deposit in any incorporated banking company in any of the State, as may from time to time be determined, and such investments to call in and vary from time to time and such monies to reinvest as occasion may require;
- 5.4 To take over and carry or amalgamate with similar organisations, associations or companies, which shall prohibit the distribution of their income and property among its or their members to an extent at least as is imposed upon the Council;
- 5.5 To transfer all or any part of the property, assets and liabilities and engagements of the Council to any one or more organisations or companies or associations with which the Council is authorised to amalgamate;
- 5.6 To employ, engage, and dismiss personnel by any reasonable terms and conditions;
- 5.7 As far as the law will permit and subject to the provisions of any relevant statutes, rules, regulations or by-laws or any licenses issued in pursuance thereof, to take such steps and to expend

such monies as may from time to time be deemed expedient for the purpose of raising funds or of collecting or procuring contributions to the funds of the Council in the shape of donations, annual subscriptions or otherwise;

- 5.8 To draw, make, accept, endorse, execute and issue promissory notes, bills of exchange, cheques, and other negotiable instruments;
- 5.9 To accept subscriptions, guarantees, donations and bequests (whether real or personal estate) for all or any of the purpose aforesaid and either with or without conditional right of repayment;
- 5.10 To sell, improve, manage, develop, exchange, lease, settle, dispose, or turn to account, or otherwise deal with, any part of the property and rights of the Council;
- 5.11 To do everything necessary and proper in order to carry into full effect and force provisions of all Funding Agreements;
- 5.12 To make such standing orders, by-laws or regulations as are deemed expedient and necessary for the proper administration, co-ordination and management of the Council;
- 5.13 To ensure all Council members are aware of their obligations under the Associations Incorporation Act (SA) 1985;
- 5.14 Subject to any direction of the membership in General Meeting, the Council shall be entitled to exercise all the powers of the Council.

6. MEMBERSHIP

- 6.1 Full membership of the Council with voting rights is open to all Filipino organisations in South Australia, incorporated or non-incorporated, who share the objectives of the Council.
- 6.2 Acceptance as a member is by the majority vote of the Council.
- 6.3 The Council shall not be required to give any reason for rejection of an application for membership. An organisation or group so rejected will be advised by the Council and may apply to the

Council to bring the question of admission and reconsideration at the next General Meeting, or the Annual General Meeting of the Council, whose decision shall be final.

- 6.4 Membership rights shall not be transferable and shall terminate upon cessation of membership.
- 6.5 Membership rights shall not take effect until twenty-eight (28) days after acceptance, except for inaugural membership.
- 6.6 The term of membership shall be for two (2) years.
- 6.7 A Register of financial members shall be kept by the Council.

7. MEMBERSHIP FEE

- 7.1 Membership fees shall be determined by the Council.
- 7.2 Membership fees shall be paid upon application of a new member.

8. CESSATION OF MEMBERSHIP

- 8.1 Resignation in writing delivered to the Council.
- 8.2 Non-payment of membership fees outstanding for six months, provided that the notice of such non-compliance has been served in writing upon the defaulting member. Full membership rights shall be restored upon payment with twenty-eight (28) days of notification of outstanding fees.

9. SUSPENSION OF MEMBERSHIP

- 9.1 Membership may be suspended by the Council for one or more of the following reasons:
 - (i) Conduct considered by two-thirds of the Council to be detrimental or harmful for the objectives and/or image of the Council;

- (ii) Non-compliance with the terms or requirements of the Constitution or by-laws and regulations passed by the Council.
- 9.2 Any suspended member may notify the Council of a decision to appeal against a suspension, in writing within fourteen (14) days of the suspension. In this case the Council shall convene an Extraordinary General Meeting of the Council at which the only business to be conducted shall be the appeal against the suspension. The suspended member shall be invited to the specially convened meeting and given audience. However, in the event that the suspended member declines the invitation to attend the Extraordinary General Meeting, a decision of expulsion or reinstatement shall then be made and shall be final.
- 9.3 In the event of a suspended member deciding not to appeal the recommendation of the Council regarding the suspension, the matter will be presented to the next General Meeting and their decision of expulsion or reinstatement shall be final.
- 9.4 In the event of a member being expelled, they shall not be precluded from re-applying for membership in the following financial year. Re-admission shall not be automatic, but shall be at the discretion of the Council.
- 9.5 In the event of a quorum not being reached for the Extraordinary General Meeting the appeal will be carried over to the business of the next General Meeting.

10. COUNCIL

- 10.1 The management shall be vested in the Council which shall consist of:-
- (i) One (1) representative from each financial member organizations, SEVEN (7) of which will be elected as Office Bearers. These members are accountable to the nominating organisation, which retains the right to change its representative as it sees fit.
 - (ii) One ex-officio member representing the Migrant Resource Centre of SA (MRC) (with no voting rights).

- (iii) The Council will seek nominations to fill the positions described in Clause 10.1 (i).
- 10.2 Member organisations that have been financial for one (1) year are entitled to nominate their representative for election to the Office Bearers position.
 - 10.3 Each elected member shall serve a two (2) year term with a right of re-election for a further one (1) term of office totalling no more than four (4) years consecutively, except for the inaugural Council.
 - 10.4 A Council meeting shall be held within two weeks of the Annual General Meeting (AGM), at which meeting the Council shall elect the Office Bearers who shall be:
 - (i) Chairperson
 - (ii) Deputy Chairperson
 - (iii) Secretary
 - (iv) Assistant Secretary
 - (v) Treasurer
 - (vi) Assistant Treasurer
 - (vii) Press Relations Officer (PRO)
 - 10.5 All Office Bearers shall be elected by the Council bi-annually with a right of re-election for a maximum of one further term. No office bearer shall serve more than four (4) consecutive years in any particular position.
 - 10.6 The Council shall meet as often as may be required to conduct its business and not less than six (6) times in each calendar year. The quorum shall be one-third (1/3) of the voting Council Members.
 - 10.7 Council Members who fail to attend three (3) consecutive Council meetings shall be deemed to be non-attendees. The nominating organisation will be requested to provide another representative to replace the non-attending member.
 - 10.8 The Chairperson shall have the power to call a meeting of the Council. Notice of meetings shall be given at the previous Council meeting or by fourteen (14) days' written notice, which shall be distributed to all Council members.

- 10.9 Casual vacancies arising in the Office Bearers position may be filled by the Council co-opting members for the unexpired remainder of the term. Where the vacancy arises from the ex-officio Council member, the MRC shall be invited to appoint a substitute representative.
- 10.10 Organisations who have nominated a representative are responsible for replacing that representative should that member be unable to complete their term of office.
- 10.11 The Council may establish working groups from time to time to perform particular tasks. Such committees will have no decision-making powers and will be required to report to the Council.
- 10.12 Office Bearers:-
- (i) The Office Bearers of the Council shall comprise the Chairperson, Deputy Chairperson, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, Press Relations Officer (PRO) and MRC ex-officio member (where relevant).
 - (ii) The Office Bearers shall meet as required and shall be responsible for taking action and making decisions where such decisions or action may require no undue delay. Any such decisions or action shall be presented to the Council at its next business meeting.

11. GENERAL MEETING

- 11.1 A quorum at any General Meeting shall be one-third (1/3) of all financial member organisations.
- 11.2 If a quorum is not present, such a meeting will lapse, provided that in such a case a further meeting shall be called by the Council within one calendar month, and at such further meeting any resolution passed by a majority shall be valid.
- 11.3 Written notice of not more than twenty-one (21) days and no less than fourteen (14) days of all General Meetings shall be distributed to all members.

- 11.4 Financial member organisations with voting rights present at a General Meeting shall be entitled to vote.
- 11.5 A Special General Meeting shall be called by the Council within twenty-eight (28) days of receipt of a directive of twenty-five (25) percent of member organisations specifying the business to be conducted at the meeting.
- 11.6 (i) The Annual General Meeting shall be held at least once in each calendar year.
- (ii) The business of the Annual General Meeting shall be:-
- To receive the Annual Report comprising of the Chairperson's and Treasurer's Reports and the audited financial statements for the previous financial year.
 - To hold elections for vacant positions.
 - To conduct any other business placed on the agenda fourteen (14) days prior to the meeting. Notice of such business to be provided in writing to the Secretary with copies of relevant material for distribution to members.
- 11.7 (i) Written notice, of the Annual General Meeting, of not less than twenty-eight (28) days shall be distributed to all members.
- (ii) Such notice shall include appropriate forms for member organisations with voting rights to nominate the person who will represent their organisation at the AGM.
- (iii) Each candidate for the elected positions shall be nominated on the appropriate form signed by the organisation proposing who is a current financial member. Each nomination shall be endorsed with the consent of the candidate of that organisation. All nominations shall be forwarded to the Secretary or to a delegated body, marked Private and Confidential, no less than fourteen (14) days before the Annual General Meeting. Nominations received after that date will be deemed to be ineligible.

12. VOTING

- 12.1 Voting shall be by ballot such that a person, or persons receiving the highest number of votes shall be the person(s) elected to the positions vacant.
- 12.2 Persons with special interest or knowledge relevant to the Council's objectives may be invited to attend any meeting as observers at the discretion of the Council, but such person may not vote.
- 12.3 The Chairperson in negotiation with the Council may invite persons with special interest knowledge to speak to the meeting.

13. DUTIES OF THE OFFICE BEARERS

13.1 Chairperson

The Chairperson, subject to the direction of the membership and the Council shall:

- Represent the Council.
- Facilitate strategic planning for the Council.
- Chair the Council and General Meetings.
- Have a casting and not a deliberative vote.
- Encourage full and balanced participation in meetings by all members and shall decide on matters of order.
- Ensure that the minutes of proceedings at a meeting are signed at the next succeeding meeting.
- Act as spokesperson for the organisation.
- Be the Public Officer of the organisation.

13.2 Deputy Chairperson

The Deputy Chairperson shall:

- Assist the Chair.
- Fulfil the Chair's role in his/her absence.

13.3 Secretary

The Secretary shall:

- Prepare agendas for, and call meetings in accordance with the provisions of the Constitution and as directed by the Council.
- Ensure that the minutes of all meetings held under the auspices of the Council are recorded.
- Cause records to be kept of the business of Council including the Constitution and policies, records of members, a register of minutes of meetings and of notices, a file of correspondence and records of reports and submissions made by or on behalf of the Council.

13.4 Assistant Secretary

The Assistant Secretary shall:

- Assist the Secretary.
- Fulfil the Secretary's role in his/her absence.

13.5 Treasurer

The Treasurer shall:

- Cause all monies received to be paid into an account(s) authorised by the Council in the name of the Council. Payments shall be as petty cash or by cheque signed by two (2) authorised signatories of whom there shall be no more than three (3) appointed by the Council. Expenditures shall be authorised in advance by the Council.

- Cause records to be kept of all receipts and payments and other financial transactions, which records shall be available for inspection by any members.
- Cause to be prepared financial budgets and statements (and shall submit a report on the finances to each Council).
- Present accounts audited by an independent Auditor to the Annual General Meeting.
- Provide independently audited accounts to funding bodies as required.

13.6 Assistant Treasurer

The Assistant Treasurer shall:

- Assist the Treasurer.
- Fulfil the Treasurer's role in his/her absence.

13.7 Press Relations Officer (PRO)

The Press Relations Officer shall:

- Prepare media releases on Council approved events.
- Responsible for promoting the Council to the general community.

14. AMENDMENT OF CONSTITUTION AND RULES

Any proposed amendments to the Constitution shall be forwarded to the Secretary of the Council who shall distribute the proposed amendments to the members of the Council and shall notify them in writing not less than 28 days before the General Meeting in order to repeal or resolve the alteration by resolution of two-thirds (2/3) of the Council at a General Meeting.

15. FINANCES AND PROPERTY





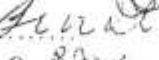
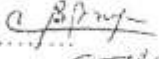

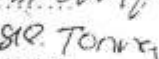
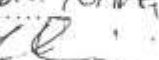

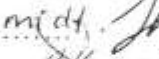

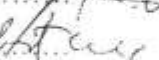
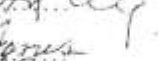
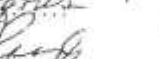
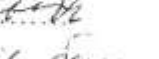
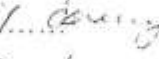
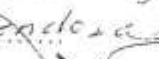
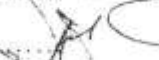
- 15.1 It is the responsibility of the Council to ensure that members and/or staff are indemnified against any personal loss in respect of any incurred pecuniary liability.
- 15.2 The income, property and funds of the Council shall be used and applied solely towards the promotion of the objectives of the Council and shall not be paid or transferred to the members, or relatives of members, provided that nothing herein contained shall prevent the payment in good faith to any person in return for services actually rendered.

16. WINDING UP AND DISSOLUTION


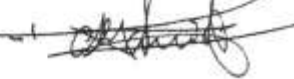

- 16.1 The Council shall ^{3/4}not be dissolved except by approval of not less than ~~two thirds (2/3)~~ of the Council at a Special Meeting called for that purpose of which not less than twenty-eight (28) days written notice including notice of the proposed dissolution has been given to all members.
- 16.2 If on the winding-up or dissolution of the Council there remains after the satisfaction of its debts and liabilities any property whatsoever, all property purchased by the Council from monies provided by funding bodies under such agreement, shall be disposed of under the terms of that agreement.
- 16.3 Any remaining monies or assets shall be disposed of by decision of Special General Meeting to "not for profit" community organisations which share the objectives of the Council.

17. COMMENCEMENT

This Constitution shall take effect upon acceptance by the founding member organisations through their representatives at a general membership meeting held on 13th January 2003 in Adelaide, South Australia.

Name of Organisation	Name of Representative	Signature
BICOLANO GROUP	JOE BORLAGAN	
Club Filipino of Faithful Inc	Jewel Bautista	
FIIPINO PRODUCERS SA	CECU GAVIOLA	
(FILIPINO AUSSIE BASKETBALL ASSOCIATION)	RONEL (JOJO) PONGCAWIL	
STO. NIÑO de FILIPINAS S.A. INC.	JUN CORDERO	
El Shaddai PPF1 Inc	Candy Barcelon	
LANSONES Village Housing Co. Inc.	ANABELA HERMOSISIMA	
Filipino Catholic Community of Sale.	SUSIE TORRES	
Gianghaganti	G. G. G. G.	
FILIPINO FAMILIES & FRIENDS ASSOC. Inc.	T. Schmidt	
FILIPINO CATHOLIC PASTORAL COMMITTEE	by A. SIMENA	
Filipino B. Policy by SA	by J. Alstony	
Member of Japponal	W. G. G. G.	
Dugay Roads - Fessa Salisbury	F. G. G. G.	
Tampayog Dugiti Alcano	Jicky Davey	
FILIPINO AGED CARE of South Australia Inc.	Evelyn Mendonca	
FILIPINA NETWORK OF SA INC.	ARON ? GARCIA	
Panda F. de Comon	F. G. G. G.	
Filipino AGED Housing ASSOC.	Samozoj	

OFFICE BEARERS
2003 - 2005

1. Chairperson: 
2. Deputy Chairperson: 
3. Secretary: - *Eva Feltus*
4. Assistant Secretary:
5. Treasurer: *Prudence*
6. Assistant Treasurer: JOJO BONGCAWIL 
7. Press Relations Officer (PRO) 