

GOVERNANCE MANUAL



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1 ACT RESCUE & FOSTER INC

1.1 Background

ACT Rescue & Foster Inc. (**ARF**) is an incorporated association of people in Canberra, Australia and its surrounding region, who rescue dogs from euthanasia and foster them temporarily in their own homes for as long as it takes to find them loving, permanent homes.

ARF came into being in 2001 and was incorporated in 2003, and in its 20 years of operation has saved more than 3366 dogs and behaviourally assessed many more for rehoming (May 2022 figures).

1.2 Governance Manual and the ARF Rules

ARF operates under the ARF Rules (**the Rules**), a copy of which forms an attachment to this chapter. This Governance Manual expands on the Rules by describing the statutory, procedural and organisational background to ARF activities.

1.3 Legal Status

ARF is an Incorporated not-for-profit Association established under and regulated by the *Associations Incorporation Act 1991* (ACT) (**the Act**). The ARF's ACT Incorporated Associations number is AO3896. For Commonwealth purposes, including taxation registration, its ABN is 54495663951.

ARF's objects are to save and improve the lives of dogs primarily in Canberra and surrounding regions (including metropolitan and regional Sydney) by:

- rescuing and rehoming as many unwanted dogs as possible;
- educating the community about responsible dog companionship;
- working with local pounds to help achieve, develop and implement "minimum destruction" policies and procedures;
- establishing and developing networks of communication for people involved in rescue and rehoming dogs.

A copy of the Territory Act and Regulations which govern this incorporation can be obtained at www.legislation.act.gov.au under Acts and then 'A' for Associations.

ARF has been endorsed as a Charitable Institution under the *Income Tax Assessment Act 1997* and *Charities Act 2013*. This entitles the organisation to:

- access a GST concession (from 1 July 2005);
- access an Income tax exemption (from 6 May 2003)
- offer tax deductible gifts and donations as a recognised Deductible Gift Recipient.

A not-for-profit association is an entity that does not operate for the profit or gain, whether direct or indirect, of its individual members — both while the association is operating and when it winds up. Any profit made goes back into the operation of the association to carry out its purposes.

Attachments

Attachment A: Certificate of Incorporation

Attachment B: ARF Rules

Attachment C: ACT Land Concessional Lease SDMS Licence 3337

2 CHARITY REGULATORY REQUIREMENTS

2.1 ACT Government Reporting Obligations

As ARF is a registered association in the ACT, as well as being registered with the Australian Charities and Not-for-profits Commission (**ACNC**), the ARF has reporting requirements under both registration schemes. The Incorporated Associations in the ACT: Guide, found at Incorporated Associations – accesscanberra.act.gov.au has a helpful guide to where dual information is not required, for example, we:

- do not need to lodge annual returns, change of committee forms and change of registered office forms with both Access Canberra and the ACNC;
- are exempt from requiring a license to fundraise in the ACT under the *Charitable Collections Act 2003* (ACT); and
- must hold an annual general meeting (AGM) within five months of the end of financial year (the date of the AGM must be reported to the ACNC within the annual information statement).

2.1.1 Public Officer

All charities are required to have a nominated Public Officer, responsible for governing the charity. In ARF, the Vice President is generally recognised as the ARF Public Officer. Whenever there is a change of Public Officer or their address, Access Canberra must be notified within one month. The Public Officer is required to be a resident of the ACT.

2.1.2 Changes of Objects or Rules

Whenever ARF resolves by special resolution to alter its objects or rules, the committee must notify Access Canberra within one month of the special resolution being passed. A 'Change of Rules or Objects of Association form' must be lodged, supported by:

- a written statement of the specific changes;
- a fully updated copy of the association's objects and purposes;
- a fully updated copy of the association's rules, (unless the association is adopting a set of model rules); and
- a completed Association Constitution/Rules Checklist.

Alterations to rules or objects are of no effect until the change of rules or objects of association has been lodged and accepted by Access Canberra. Access Canberra forms and fees can be found [here](#).

2.1.3 Charitable Collections Licensing

As an ACT charity which receives proceeds from collections exceeding \$15,000 in a typical financial year, ARF is required to hold a valid Charitable Collection License in order to solicit or receive money. ARF is also required to maintain charitable collections public records as defined under the *Charitable Collections Act 2003* and the *Charitable Collections Regulation 2003*.

A collection **does not** include soliciting or receiving money or a benefit from:

- an approved lottery;
- a bequest under a will; or
- payment of a membership fee.

As a Charitable Collection Licensee, ARF must ensure:

- all proceeds of collections are used only for the stated purpose of collection;
- all proceeds are banked into the collections bank account within 5 working days of receipt;
- the gross proceeds of a collection must be clearly documented for financial return information;
- a 'Financial Reports to the Director-General for a Charitable Collection' form is completed and lodged, either:
 - within 120 days of a license's expiration, or
 - where the license is valid for over one year, within 120 days of the end of each 12 month period;
- where collections from ACT residents exceed \$50,000 in a financial year, audited statements must also be provided.

The Charitable Collections Practice Manual is available [here](#).

2.2 Commonwealth Reporting Obligations – Australian Taxation Office

ARF has been assessed to be a “Deductible Gift Recipient” as an animal welfare charity. This gives ARF certain tax advantages regarding our income and assists with fundraising.

The ATO continues to have administrative oversight of the taxation aspects of charities.

ARF is also registered for GST purposes. Every quarter the Treasurer prepares and submits to the ATO a Business Activity Statement (BAS) which is used for reporting and paying goods and services tax. (The ATO automatically sends a BAS when it is time to lodge).

2.3 Commonwealth Reporting Obligations - Australian Charities and Not-For-Profits Commission (ACNC)

As a recognised charity, the ARF as an organisation functions for ‘the purpose of preventing or relieving the suffering of animals’ (*Charities Act 2013, Subsection 12(1)(i)*). ARF is registered as a charity with the ACNC and is classed as a small charity (gross annual revenue under \$400,000).

To remain registered ARF needs to meet certain ongoing ACNC obligations, including:

- continuing to act as a not-for-profit charity, in accordance with the *Charities Act 2013*;
- notifying the ACNC via the ACNC portal of relevant changes within 60 days, including changes to its:
 - legal name
 - address for service (where legal documents can be sent)
 - ‘responsible persons’ (within 60 days), and
 - governing documents (such as its constitution, rules or trust deed).
- maintaining certain records, including:
 - financial records
 - operational records comprising:
 - Governing documents
 - Meeting minutes
 - Operating policies and procedures
 - Annual reports, donor reports or other reports – for example on results of programs, projects or services

- Strategic plans and program plans
 - Contracts and agreements – including funding and other agreements
 - Memoranda of Understanding
 - Media releases
 - promotional materials – including pamphlets, posters
 - Any other records to show ARF is working towards its charitable purpose – this includes electronic, written or multimedia records.
- report to the ACNC each year; and
 - comply with the ACNC governance standards.

2.3.1 Reporting

ARF's responsible person is required to submit 'Annual Information Statements' to the ACNC within 6 months of the end of the recognised reporting period (generally the financial year 1 July to 30 June). Annual Information Statements are completed online and authorized by a committee member. There is no lodgment fee. All Annual Information Statements are published on the ACNC website.

The ARF Treasurer has assumed responsibility for lodging these reports and of being the principal point of contact with the ACNC. As a small charity, ARF can use cash rather than accrual accounting and has chosen to do so.

2.4 NSW Government Reporting Obligations

ARF is registered as an Animal Rehoming Organization under the NSW Companion Animals Act 1998 (and Regulations). Its registration number is 251000000. This allows dogs presently under ARF's care an exemption from pet registration, and from July 2021, also allows those individuals adopting dogs from ARF free lifetime pet registration when located in NSW. ARF's registration is for a five year term from December 2021 until December 2026. ARF has annual reporting obligations to the NSW Office of Local Government to maintain its registration.

2.5 Under the Incorporated Associations Act

2.5.1 Common Seal

ARF is no longer required to hold or use a common seal under the *Associated Incorporations Act 1991*.

2.5.2 Annual Statement of Accounts

ARF must keep and maintain financial records that explain its revenue, transactions and its financial position. These records must be maintained in a way that shows the true and fair accounts of the association's financial affairs and status.

Before each AGM, ARF's Treasurer must prepare the annual financial statements providing an accurate representation of:

- the income and expenditure of the association during the previous financial year
- the assets and liabilities at the end of that financial year
- any mortgages, charges and other securities affecting association property at the end of the financial year.

ARF's Treasurer must ensure the Annual Statement of Accounts is prepared and audited at least fourteen days prior to ARF's Annual AGM, to allow members to access the information in the statements if they wish.

2.5.3 Presentation of Accounts at The Annual General Meeting

The committee must present three documents to members at the annual general meeting:

- the Annual Statement of Accounts for the previous financial year;
- a copy of the auditor's report for the accounts; and
- a report listing the principal activities of the association, and net profit and loss during that financial year signed by two current committee members.

2.5.4 Register of Members

ARF Membership must be handled in accordance with Part 1.2 of the Rules all membership applications are considered by the committee. Under the *Associated Incorporations Act 1991*, ARF is required to maintain a register of members, including each member's:

- Name
- Address (Residential or Post Office box) and phone number
- Class of membership
- Date of membership commencement which is the date of committee approval
- Date of membership cessation (where applicable)

The Register of Members must be made available for inspection by ARF association members at reasonable times or at times specified in the Rules. Membership details on ARF's register such as residential address, are kept confidential, and this is indicated in its annual return.

2.6 Obligations of Committee Members

The *Associations Incorporation Act 1991* (ACT) places a number of specific obligations on members of the committee of an incorporated association. For guidance of committee members these are summarised in the following table:

Section of Act	Nature of Obligation on Committee
s 60(2)	The committee of the incorporated association has the management of the association.
s 62(2)	A committee member must notify the association of a change of address within 1 month after the change occurred.
s 63	A person who has certain serious convictions or is an insolvent under administration must not be a member of a committee except with leave of the Supreme Court.
s 64(3)	Where a vacancy occurs in the office of the public officer ... the committee shall ... within 14 days after the vacancy occurred appoint a person to fill the vacancy.
s 65(1) and (2)	Where a member of the committee ...has a material personal interest including any direct or indirect pecuniary interest in a contract or a proposed contract to which the association is or may be a party, the committee member shall disclose the nature and extent of the interest to the committee and at the next AGM. The committee member must not be present while the matter is being considered at a meeting or vote on the matter. . (Penalty: 20 penalty units and the person is liable to the association for any profit gained or for any loss suffered by the association)

s 72	Before the end of the period within which (a) annual general meeting ... is required to be held pursuant to ss 68 or 69 ... the committee shall cause a statement of the association's accounts to be prepared. The accounts must not be misleading, etc.
s 73(1)	At each annual general meeting ... certain prescribed documents shall be presented by the committee for the consideration of the meeting.
s 74(2)	The committee shall take reasonable steps to ensure that the audit of the association's accounts is completed at least 14 days before the audited statement of the accounts is required to be presented at the annual general meeting.
s 74(1)	If an incorporated association has gross receipts or assets above the prescribed minimum or is a prescribed association the committee shall cause the association's accounts to be audited by a chartered or otherwise registered accountant.
s 78	An officer of an incorporated association shall not hinder or fail to provide information or access to the auditor.
s 103	The Registrar-General may require an officer or employee to produce books relating to the affairs of the association.
s 108	A committee member who knowingly fails to take all reasonable steps to ensure that the association has complied with the Act is guilty of an offence.
s 109	An offence is committed if an association trades or secures pecuniary gain for its members. Members and committee members may be liable for any debts or liabilities incurred by improper trading (s 110)
s 110	Improper use of a committee position for gain is an offence. (Penalty: 50 penalty units)
S 122	Former members of a committee have an obligation (for 2 years after leaving office) to bring to the attention of the committee any document addressed to the association which they receive.

3 LEGISLATIVE COMPLIANCE POLICY

3.1 Introduction

As noted above, the operations of ARF are subject to a wide range of legal requirements, embodied in legislation, and subordinate legislation including regulations, licence regimes, codes, binding guidelines and similar instruments.

3.2 Purpose

This Part sets out in more detail:

- ARF'S policy for compliance with the law;
- the governance structures, responsibilities and processes that have been established to give effect to that policy.

3.3 Policy

ARF is committed to the highest standards of integrity, fairness and ethical conduct, including full compliance with all relevant legal requirements. ARF requires that all its committee members, other members and volunteers acting on its behalf, meet those same standards of integrity, fairness and ethical behaviour.

(Omitted: No circumstances in which members or volunteers can not comply with the law or act unethically).

3.4 Procedures

The committee will:

- review and monitor ARF's leadership, commitment and performance in relation to legislative compliance;
- monitor compliance performance by way of management reports and assurances;
- where appropriate, delegate responsibility for compliance to officers with responsibility for particular sections (e.g. financial reporting delegated to the Treasurer);
- oversee the performance of members and volunteers in these matters, including:
 - Conforming to and applying relevant requirements of the law;
 - Ensuring that systems and procedures established to make the policy effective are operational;
 - Ensuring that members and volunteers have the necessary knowledge and understanding to perform their duties in compliance with the policy and all relevant requirements of the law;
 - Ensuring that significant compliance responsibilities and accountabilities are included in position descriptions and inductions;
 - Reporting and investigating any incident or occurrence thought or known to constitute a breach of any legal requirement, and disciplining members according to the procedures set out in the Rules;
 - Designing and implementing system enhancements to correct weaknesses that could result in a breach of such a requirement;

- Promote a culture of effective legislative compliance across ARF;

(Omitted: Analyse material breaches and identify compliance system weaknesses, and provide a formal statement to the Committee as to state of compliance).

All members will:

- Ensure that they are aware of any legal requirements that apply to their activities and that they comply with them;
- Report all incidents of breaches of legal requirements;
- Where appropriate, suggest ways in which practices, systems and procedures could be improved to reduce the likelihood of a breach occurring.

3.5 Code of Conduct for all Committee Members

To become a Committee member, ARF members must be eligible under the Associations Act, this essentially involves having not been convicted of corporate offences, fraud or dishonesty, or been insolvent (see s 4.6 below).

When serving as Committee members, each individual must comply with specific Conduct standards. All members must:

- abide by the ARF Code of Conduct (attached as Appendix 2);
- abide by general law and statutory duties and obligations required when acting in a committee or general member position;
- abide by all relevant legislation governing ARF's activities;
- make decisions based on the Rules and other ARF regulations;
- distribute committee decisions in an appropriate manner, and in line with requirements outlined in Section 2;
- treat all ARF members equally and deal with disputes and discipline issues that arise according to the procedures set out in the Rules;
- maintain integrity and to make sure ARF resources are used according to ARF's rules, policy guidelines and processes;
- maintain appropriate levels of confidentiality, taking into consideration the committee position held, regarding any information the committee may have access to;
- refrain from engaging in negative speculation or comments about other ARF members, volunteers or potential adopters during committee meetings in the ARF Library, in email correspondence or elsewhere;
- at all times observe ARF's social media policy, and in particular never impugn, defame or unfairly criticise other individuals, associations or businesses in posts or in response to others posting on an ARF Facebook page or other social media avenue;
- disclose to the committee any actual or perceived conflicts of interests and take reasonable steps to avoid any conflict of interest (actual or perceived), and recuse themselves from any discussion or decision making by the committee in areas where a actual or perceived conflict of interest has been noted.

4 GOVERNANCE

4.1 Introduction

Governance in the community sector is concerned with the systems and processes that ensure the overall direction, effectiveness, supervision and accountability of an association.

Committee members take ultimate responsibility for the governance of their associations.

4.2 Purpose

The Governance Policy is intended to clarify the content of the Rules by making explicit the underlying principles of governance approved by the association.

This policy does not cover legal or ethical issues concerning the role of the committee or its members, which are addressed separately elsewhere.

4.3 Policy

The committee is an elective and collective body.

The responsibilities of the committee that cannot be delegated to any other person or body include:

- a) Compliance monitoring—ensuring compliance with the objects, purposes and values of the organisation, and with its constitution;
- b) Organisational governance—setting or approving policies, plans and budgets to achieve those objectives, and monitoring performance against them;
- c) Strategic planning—reviewing and approving strategic direction and initiatives;
- d) Regulatory monitoring—ensuring that ARF complies with all relevant laws, regulations and regulatory requirements;
- e) Financial monitoring—reviewing ARF's budget, monitoring management and financial performance to ensure the solvency, financial strength and good performance of the association;
- f) Financial reporting—considering and approving annual financial statements and required reports to government;
- g) Membership and organisational structure—considering applications for membership and setting and maintaining a framework of roles, delegation and internal control;
- h) Succession and remuneration planning—planning for committee succession;
- i) Risk management—reviewing and monitoring the effectiveness of risk management and compliance within ARF; agreeing or ratifying all policies and decisions on matters which might create significant risk to the association, financial or otherwise;
- j) Dispute management—dealing with and managing conflicts that may arise, to be dealt with according to procedures set out in the Rules;
- k) Disciplinary issues which may arise, to be dealt with according to procedures set out in the Rules;
- l) Social responsibility—considering the social, ethical and environmental impact of all activities and operations and ensuring that these are acceptable;
- m) Committee performance and composition—evaluating and improving the performance of the Committee.

In conducting its work, the committee can engage relevant professional services (such as auditors) or co-opt individuals with expertise to assist in particular matters. Such individuals will not be voting members of the committee.

4.4 Procedures

The committee should ensure that there is a system for the regular review of the effectiveness of its financial control, internal control, performance reporting, and policies and procedures.

The committee should undertake a full risk assessment (either periodically or on a rolling basis) and take appropriate steps to manage ARF's exposure to significant risks.

4.5 Responsibilities

The committee will establish and maintain policies and procedures, and systems of financial control, internal control, and performance reporting.

The committee will clearly demarcate and delegate the functions of subcommittees, other members and agents.

4.6 Composition, terms & roles of the committee

Composition

Section 18 of the Rules provide that the committee consists of:

- the office-bearers of ARF;
- no less than 4 and no more than 6 ordinary committee members.

The nomination and selection of committee members is the prerogative of the members of ARF. However, given the responsibilities of the committee, there is a need to have an appropriate mix of expertise and experience. Policies and procedures must facilitate the election of those people who best meet the needs of the committee.

The committee should use its network of contacts to identify appropriate individuals with needed skills and interests as potential committee members. When vacancies arise among the elected committee positions, these individuals should be encouraged to nominate for election.

Office Bearers

The office-bearers of ARF are:

- the President,
- the Vice President (includes the office of Public Officer),
- the Treasurer, and
- the Secretary,

The roles and responsibilities of the office-bearers and the committee members are set out in Sections 20-23 of the Rules.

Requirements for committee membership

The Act prohibits certain people from accepting a position on the committee of an incorporated association, including anyone who:

- has been convicted of offences in the promotion, formation or management of a body corporate;
- has been convicted of offences involving fraud or dishonesty punishable by imprisonment of three months or more; or
- is insolvent under administration within the meaning of the *Corporations Act 2001* (Cth) (**Corporations Act**).

Persons convicted of these offences may be entitled to accept committee positions not earlier than five years after conviction or release from prison, or by the authority of the Supreme Court. Persons who are insolvent may also seek leave from the Supreme Court to accept such positions.

Applications for ARF committee and sub-committees will refer to these provisions and require prospective members to indicate that they are not subject to conditions that would exclude them from committee membership.

In circumstances where an officeholder (including committee members) or ARF fail to comply with the Act, the Registrar may apply to the ACAT for an order to disqualify the person from being an officeholder for a stated period of time.

The Incorporated Associations Act applies conditions specific to the Public Officer position, these are set out in Paragraph 10 below.

Part 1.3 of the Rules specify the terms of the committee and sub-committee, including election of members, terms of office and vacancies.

4.7 Sub-Committees

The committee recognises that there are times when a sub-committee can act more effectively than can the full committee. The committee may establish both standing and ad hoc sub-committees to assist it in its work. As a general rule, the committee will establish sub-committees only in response to its own work—there will be a minimum of 2 standing sub-committees.

Sub-committees cannot make binding committee decisions. For the most part the function of sub-committees is to manage day-to-day operations, solve problems for, and/or make recommendations to, the committee on which the latter, and only the latter, has the power to make decisions or policy.

ARF has extended the Act's probity requirements for committee membership to all sub-committee memberships (as noted in section 4.6, not convicted of corporate offences, fraud or dishonesty, or being insolvent).

All ad hoc sub-committees are automatically dissolved once they have completed their work and have reported to the ARF committee.

Sub-committees may co-opt outside members from time to time in order to bring additional skills, experience or networks.

4.8 Guidance for sub-committees on referrals to the ARF committee

Matters referred for decision should be matters those impacting on the statutory, operational or financial workings of ARF, or ARF's reputation. Matters referred for decision will include:

- *ARF Rules*

Any proposed change to the Rules must be referred to the committee.

- *ARF policy*
Any proposed change to ARF policy must be referred to the committee.
- *Funding*
Annual budgets are prepared by sub-committees for the committee's decision/approval.
Any variations to these budgets need to be approved by the committee.

Practical examples of matters that would need to be referred for decision:

- *Changes to the relationship/operating rules with pounds*
Where a sub-committee is recommending a significant change to the way ARF works with pounds -or recommendations to approach Queanbeyan City Council to waive early release fees must be referred to the ARF committee for decision.
- *Sponsorship*
The securing of sponsors will need to be approved by the ARF committee prior to a sub-committee agreeing that they become an ARF sponsor. This is to ensure that there are no unforeseen eventualities resulting from the sponsorship. For example, a decision has been made by the committee that ARF won't accept sponsorship from retail outlets that sell live animals, tobacco and alcohol related products.
- *Electronic presence*
Significant changes to the workings of our website need to be approved by the Website sub-committee, and if involving higher costs, by the committee.
- *Information*
Matters referred for information will primarily relate to day-to-day administrative matters.

5 THE ARF COMMITTEE

5.1 ARF Committee Members

ARF committee and sub-committee members are elected and must operate in line with the requirements of Part 1.3 of the Rules. ARF's current organisation structure and members are publicly available on the [ARF website](#).

5.2 Authority and Powers

The committee has responsibility for the governance and management of ARF and has specific legal, fiduciary, and ethical responsibilities:

- developing and maintaining ARF's strategic and operational plans;
- raising money;
- managing ARF's resources;
- providing oversight, determining policy, and evaluating operational outcomes; and
- acting as ambassadors for ARF in the community.

Part 1.3 of the Rules provides that the committee shall control and manage the affairs of ARF, and has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of ARF.

In particular, the Committee is responsible for ensuring that ARF meets all legal requirements and is accountable to its donors and other stakeholders, including the ACT, NSW and Commonwealth governments, and acts according to its stated mission and for the purpose for which it receives tax exemption.

5.3 Role

As ARF is a grass roots community organisation, the role of the committee encompasses strategy, governance and day-to-day management.

Governance focuses on ARF's wider issues of organisational purpose, including the setting and monitoring of its operations, strategic direction, and the establishment and monitoring of policies.

The committee is the guardian of ARF's mission and vision—i.e. what it plans to achieve, where it wants to be and how it plans to get there. Omitted: (Its prime role is to keep the vision alive).

The committee does this in collaboration with its sub-committees (and other volunteers and stakeholders) to ensure that ARF's objectives and goals are achieved.

To fulfil their governance role, committee members must be familiar with their legal obligations as committee members, with ARF's statutory and contractual obligations, and its policies, plans, and priorities. Committee members must be able to participate in all areas of the committee's responsibilities.

5.3.1 *Obligations of Committee Members*

The committee is ultimately accountable to its members, and funders/stakeholders for the entire operation and the impacts of the organisation. The *Associations Incorporation Act 1991* (ACT) places a number of specific obligations on office-holders and committee members of an incorporated association, and common law duties also apply.

In summary, committee members owe the same duties to association members as company directors owe to members of a company. When committee members exercise their powers and responsibilities they must:

- act in good faith and in the best interests of the association;
- not make improper use of information or their position for personal gain for themselves or others;
- declare any material personal or conflicts of interest (actual and perceived) in line with requirements under Part 1.3(28) of the Rules, and recuse themselves from relevant decision making processes where impartiality could be questioned; and
- exercise their powers in accordance with legislation and with the rules of the association.

Committee members must, jointly and individually, also make sure that they are fully informed about ARF by keeping up-to-date with matters, attend applicable meetings, read agendas and minutes, and ask relevant questions.

All members must understand the issues the committee are making decisions on, make due inquiries and satisfy themselves that ARF is being well-run and is operating safely and efficiently.

Omitted: In any problem, dispute, or legal challenge, members cannot claim they “did not know” about the rules).

In particular, committee members are obliged to take all reasonable steps to ensure ARF is complying with the Rules and its legal obligations, and ensures appropriate systems are in place for compliance with all legal requirements.

This personal obligation includes making sure that ARF:

- complies with its obligations under the Rules and any other relevant laws or regulations;
- complies with any funding agreements or other contracts;
- Omitted: (complies with legal responsibilities to any employees);
- complies with its legal responsibilities to members, volunteers and any clients or customers who may use ARF services;
- complies with financial responsibilities, including making sure that funds are expended in pursuit of ARF objectives and in accordance with the Rules;
- there is compliance with requirements under the Act in relation to financial accounting and reporting to members;
- ARF is solvent;
- the conditions of any funding agreement or grants are followed;
- the accounts are audited;
- good risk management procedures are in place; (Omitted: (Two signatories on any cheque)
- is in good financial standing. This is a key responsibility of the committee As the law imposes standards of financial competence, committee members are expected to be capable of understanding the affairs of ARF and facilities it is governing, well enough to reach a well-informed opinion of its financial capacity, and be sufficiently up-to-date with ARF’s dealings to allow it to respond properly to its changing financial capacity;
- adheres to the terms and conditions of its concessionary lease of ACT land in Holder.

5.3.2 *Material Personal and Conflicts of Interest*

Committee members must not put themselves in a position where there is a conflict (perceived or actual) between their duties and responsibilities to ARF and their personal interests.

Section 28A of the Rules provides for members of the committee must disclose any material personal interests such as direct or indirect financial interest in any contract, or proposed contract, entered into or being considered by the committee. The disclosure must explain the nature and extent of the interest and must be made as soon as the member becomes aware of it.

Accordingly, “disclosures of interest” is a standard item on the committee meeting agenda to serve as a constant reminder to members of the need to remain aware of conflicts of interest. The committee member must also disclose the nature and extent of the interest and the relation of the interest to the activities of ARF, at the next general meeting of ARF.

Steps to mitigate or resolve the material personal or conflict of interest should be taken eg by ensuring the conflicted member does not participate in relevant decision-making

5.3.3 *Decision Making*

Committee decisions are made in committee meetings. The procedures for committee meetings, the establishment of a meeting quorum and voting procedures are set out in Sections 26 to 28 of the Rules. Since end-2020, a meeting may be held via electronic means (see Section 26A).

If necessary, the committee may take “out of session” decisions (see Section 29) with those decisions tabled at the next scheduled meeting.

It is important that decisions are made based on what is in the best interests for ARF. To do this, committee members should fully understand the purpose of ARF and the needs of its membership as well as its finances and operations. They should:

- take all reasonable steps to minimise risk for the organisation;
- work on a positive public perception and reputation of the organisation;
- make sure they have enough information to make decisions.

The committee has a duty of care in its decision-making. A decision about a matter will be considered to be made with care if the committee can show that:

- the decision was made in good faith and for a proper purpose;
- no member involved in the decision-making had a material personal or conflict of interest in the subject matter of the decision;
- they appropriately informed themselves about the subject matter to a reasonable extent;
- they reasonably believe that the decision made was in the best interests of ARF.

5.3.4 *Improper Use of Information*

Committee members must refrain from improperly using any information obtained because of their position (e.g. information obtained at committee meetings, information divulged to the individual in the capacity as committee member) to gain a personal advantage or an advantage for another, or to cause any detriment to ARF.

It is essential that committee members do not reveal (outside of the organisation) information which is discussed at the committee in confidence. While most committee decisions can and should be

conveyed to other members, there are some discussions that need to remain confidential. These decisions will be made evident to each committee member.

In no circumstance is a committee member to express dissent about a committee decision with which a committee member may disagree with.

5.3.5 *Disputes Resolution Procedure*

All disputes should be addressed and resolved in accordance with ARF's Dispute Resolution Procedure, as outlined in Section 14 of the Rules, and relevant attachments.

5.3.6 *Monitoring and Evaluation*

Supplementary to its reports to the AGM, the committee may decide from time to time to review:

- the financial performance of ARF;
- progress towards the achievement of ARF's strategic plans and policies;
- the effectiveness of activities by measuring available data. Examples where data is available are fosters, rehoming, behavioural assessments, social media activity and donations.

Omitted: (Annual Effectiveness Evaluation. The Committee will undertake an annual assessment of its effectiveness).

5.4 Sub-committees

5.4.1 *Role of sub-committees*

An important part of committee decision-making and operations are carried out through sub-committees established under Section 27 of the Rules. The sub-committees undertake certain functions under delegated direction and may make recommendations to the committee. Most committee functions may be delegated to sub-committees apart from its statutory functions (and the power to delegate).

Although the sub-committees have no delegation powers themselves, they may establish Panels, or otherwise co-opt members to assist in their activities.

5.4.2 *Composition of the Sub-committees and Conduct of Meetings*

Sub-committees are chaired by a committee member appointed by the committee (generally for the Governance Subcommittee, this is the Public Officer). They comprise other ARF members who have an interest, expertise or experience in the sub-committee's work and overall function. Sub-committees meet and adjourn according to a committee-agreed schedule or as required, having regard to the following requirements:

- Meetings are minuted, confirmed at a subsequent sub-committee meeting and provided to the committee (which will post them on the ARF website);
- Time and place of meetings shall be decided by the sub-committee chair and meetings conducted generally according to the same arrangements as Section 26 of the Rules sets out for the committee, except that a quorum is constituted by the chair and one half of the other sub-committee members;
- A Subcommittee may not meet without the chair.

Sub-committee meetings may use technology in the same way as set out in Section 25 of the Rules for meetings of the committee.

5.4.3 *Voting, Disclosures of Material Personal or Conflicts of Interest and Attendance*

Voting in sub-committees, similarly to committee meetings as Section 28 of the Rules provides, is decided by a majority of votes, with the Chair having a second or casting vote, if needed. In addition to any other requirements under Section 8 of this document, if a member has a potential perceived

of actual conflict of interest, that member must declare it, have it minuted and abstain from being present for consideration or voting on any associated matter.

If a member of a sub-committee fails to attend three consecutive sub-committee meetings without apology, or without the agreement of the sub-committee or reasonable explanation, the Chair may declare that member's position on the sub-committee to be vacant and so advise the member, in writing.

Sub-committee Chairs must:

- hold a position on the ARF committee;
- develop and maintain an annual sub-committee budget for committee approval in line with requirements outlined within Section 14.2 of this document (where funding is allocated);
- ensures compliance with governance arrangements as agreed by ARF committee
- ensures sub-committee meetings are held as per the committee-agreed schedule.

The names of the current sub-committee members are listed on the [ARF website](#) and updated as needed.

5.4.4 ARF Subcommittees

Currently ARF has four sub-committees:

1. ARF Rescue sub-committee (RSC)

Email: rsc@fosterdogs.org

The ARF RSC is an important avenue for successful delivery of ARF's dog welfare objectives. The RSC deals with day-to-day activities relating to foster carers and foster dogs, brings significant operational issues, which may involve extra expenditure for training, kenneling etc to the committee for decision and makes recommendations to the committee on ARF policy and procedures relating to foster carers and foster dogs.

The ARF RSC oversees:

- foster carer liaison and co-ordination;
- foster carer recruitment, through a team made up of RSC members on a rotating basis;
- foster carer education and training;
- foster carer documentation and procedures;
- mentoring - foster carer support;
- poster network;
- pound liaison and behavioural assessments;
- training and rehabilitation of dogs in foster care, including at ARF's concessionary lease at Sec.48/Block 3 Holder;
- rehoming assistance, surrenders and dog wanted forms; and
- vet liaison.

2. ARF Communication Subcommittee (CSC)

Email: csc@fosterdogs.org

The ARF CSC deals with the day-to-day activities of public communications, events and fundraising. It makes recommendations to the ARF committee on policies and procedures for public Omitted: (public relations) communications, including social media, events, and fundraising.

The ARF CSC:

- acts as first point of contact for people interested in communication work with ARF;
- supports the Stalls team to set up and running of stalls at events;
- supports the Sales team to sell ARF calendar and other merchandise;
- manages the CSC team to carry out the following responsibilities:
 - manage and maintain ARF's internal and external social media presence.
This includes:
 - i. working with foster carers / the RSC to write profiles for dogs available for adoption
 - ii. posting profiles for pound dogs including those who have undertaken a behavioral assessment by RSC assessors
 - iii. post and update information on dogs due for euthanasia in a timely fashion
 - iv. other social media content as required
- develops and maintains links with media;
- assists with the development of:
 - i. posters for events
 - ii. promotional material for website
 - iii. media releases
- researches to expand ARF social media platforms;
- workshops marketing opportunities and manage small scale projects;
- applies for grants and liaises with potential sponsors to develop fundraising partnerships ;
- conducts research into paid advertisements;
- ensures website support for foster carers with donations, sponsorship;
- develops the ARF Calendar; and
- develops Chinwag magazine.

3. Governance Subcommittee (GSC)

The ARF GSC deals with the governance aspect of ARF. It is advisory rather than operational in nature, making recommendations to the committee with regard to policy and procedures relating to the governance of the organisation. In undertaking this role it is likely that all ARF policies and procedures will have been considered by the GSC prior to ARF committee consideration, although in accord with Section 27(4) of the Rules the committee may proceed without GSC advice and may stand down or recall the GSC if it decides matters should be dealt with directly by the committee.

The ARF Public Officer generally chairs the GSC, which will meet as required by the committee. Less than half of the total number of active committee members at any given time may be on the GSC, with other GSC members being drawn from general members.

The GSC will prepare and report on any governance issues for consideration by the committee, including:

- policy and governance;
- membership, donations and communication policies;
- compliance with ARF's statutory and reporting obligations;
- composition of the ARF committee, its roles and responsibilities, structures, and rules for conduct of meetings;
- skills and attributes and succession planning required by committee to achieve good governance; and
- amendments to rules and guidelines.

4. Website Subcommittee (WSC)

The ARF WSC is responsible under delegation from the committee for all website development and maintenance, including:

- maintenance of fosterdogs.org;
- modifications and updating of the website;
- maintenance of the membership register required under Section 7(6) of the Rules;
- maintenance of the ARF shop;
- liaison with service providers and similar stakeholders; and
- act as Webmanager (info@fosterdogs.org).

5.5 Panels and Other Bodies

ARF has three Panels. Two Panels have been established by ARF to provide focus on specific parts of the fostering and rehoming activities. The Panels include members with deep experience in fostering and mentoring of foster carers, and in assessing of dogs.

1. Foster Dog Approvals Panel:

Email: arf-foster-approvals@fosterdogs.org

The ARF committee appoints members of the ARF Foster Dog Approvals Panel. It should comprise the following:

- ARF Treasurer
- Two experienced foster carers or behavioural assessors, one of whom should be a member of the RSC.

There should also be one or more experienced foster carers whom can act in an Approvals Panel role if one of the Panel members:

- is unavailable;

- cannot make a decision;
- has a material interest or conflict; or
- if the Approvals Panel wishes to seek another opinion.

Members of the Panel must notify the committee if they will be away. In such cases, the backup member will step into the role for the duration of the Panel member's absence.

The Web Manager info@fosterdogs.org should also be notified when a backup member steps in so that the Approvals Panel email address can be amended.

There may only be three members of the Panel at any one time to ensure that majority decisions are possible.

The Panel's responsibilities include:

- Assessing all foster carer requests for dogs and provide a response to the carer and mentor within 24 hours, giving the reasons for approval or rejection. Urgent requests can be made via phone and confirmed via email.
- Copy all decisions to Pound Liaison officers.
- Assess requests for surrender of non-pound dogs and approve/disapprove within 24 hours
- Save all decisions on the ARF record in Gravity Forms at fosterdogs.org for future reference if/when needed.

Panel Members 2021 are listed on the ARF Website.

All ARF foster dogs must be approved by at least two members of the ARF Foster Dog Approvals Panel (arf-foster-approvals@fosterdogs.org) before foster carers commit to a rescue. Foster carers must consult their mentors prior to sending the request to the Panel. Mentors must also be cc'd on the email to the Panel.

2. Veterinary Care Approvals Panel:

Email: arf-vet-approvals@fosterdogs.org.

Standard or Special Vet Care requires approval from the Vet Approvals Panel prior to a foster dog being booked in with a vet.

Panel Members 2021 are listed on the ARF Website.

3. Land Management Panel (from March 2022)

ARF's concessionary lease of Section 48 Black 3 (in part) at Holder, accessed from Dixon Drive, is used principally for training and rehabilitation of dogs in foster care. The Land Management Panel oversees this use, and any occasional use by other dog welfare and rehoming organisations, and handles the condition and maintenance of the land.

6 CONDUCT OF MEETINGS

6.1 Policy

The conduct of meetings within ARF is governed by the Standing Orders of the committee set out comprehensively at Appendix 1.

6.2 Procedures

The President of the association shall be elected as laid down in the Rules.

The President will chair the meetings of the committee according to the Rules.

6.3 Responsibilities

The President carries overall responsibility for the integrity of the committee's processes. The role involves the following responsibilities:

- Spokesperson for the organisation as appropriate;
- Lead meetings in order to achieve productive outcomes;
- Ensure fairness and even-handedness;
- Provides counsel for members who do not comply with protocols or policies or who, in the President's opinion, perform poorly; and
- Together with the Secretary, manages the agenda setting and minute writing processes.

The Secretary will prepare the agenda for every committee meeting in consultation with the President and will circulate the agenda and any meeting papers to committee members before the meeting. Each agenda will include attendances, and any conflicts of interest.

The Secretary will maintain a record of the committee's discussions/decisions, including any amendments to previous minutes, and any actions on outstanding items from previous meetings.

7 COMMITTEE ATTENDANCE

Regular attendance at ARF committee meetings is essential in order to maintain continuity and cohesion in the management and governance of ARF.

7.1 Policy

Committee members are expected to demonstrate their commitment to the association by unbroken attendance at the committee or sub-committee on which they sit except when prevented by reasonable or unforeseeable events. Members may attend via use of approved technology (see Section 25 of the Rules). Section 24 of the Rules sets out expectations of committee members as to performance and attendance. These expectations will also apply to sub-committee members and their attendance at sub-committee meetings.

7.2 Procedures

The Secretary will notify members of forthcoming meetings no later than 5 days before the set date of the meeting. Where committee members are prevented from attending any committee meeting, they should notify the Secretary of their intended absence prior to the meeting.

Where a meeting is arranged to be held using approved technology, the Secretary should notify members accordingly. Participation in these meetings shall be equivalent to attendance at a regular meeting and minutes of each meeting will be disseminated in accordance with Section 10.4 of this document.

7.3 Attendance requirements: Committee and Subcommittees

Note that Section 23(2) of the Rules provides if a committee member is absent for three consecutive meetings without the agreement of the committee, or if a committee member fails to carry out their duties and obligations as a committee member, that committee member is in breach of their obligations and is liable to be removed from the committee. ARF has adopted the following process: –

- If a committee member is in breach of their attendance requirements, the President will consult them to discuss the matter, then:
 - If the committee member's difficulties are resolvable, then the President will attempt to resolve them;
 - If no mutually satisfactory resolution is possible, and if the committee member wishes to continue on in the committee, then the member's response will be put to the committee at its next meeting. The committee member will be entitled to speak to this item, and to vote on it. The committee will then decide what actions will be taken; and
 - Finally, if the committee decides that termination is justified, it may determine that the position is then vacant.

It is the responsibility of the committee President with the assistance of the Secretary to monitor the attendance of each member and to issue warnings as appropriate.

These provisions about attendance have been extended by committee decision to sub-committee attendance by sub-committee members. The Chair of the sub-committee will take on the functions described above for the President.

These provisions of Section 23 of the Rules are specific to the attendance and performance of committee members and are not disciplinary matters covered by Sections 12-13 of the Rules on Disciplining of a Member.

8 CONFLICTS OF INTEREST

8.1 Policy

ARF places great importance on making clear any existing or potential conflicts of interest. All such conflicts of interest must be declared by the member concerned and documented in the Committee Interests Register. The obligation to disclose a conflict of interest is an ongoing obligation of the committee and sub-committee members. A committee member who believes another committee member has an undeclared conflict of interest should specify to the Committee in writing the basis of this potential conflict.

8.2 Procedure

Members must declare any conflicts of interest either at the start of the committee meeting concerned or when a relevant issue arises. The nature of this interest should be entered into the meeting minutes. The interest should also be documented in a Register of Interests will be available at each meeting to be updated.

Where a conflict of interest is identified and/or registered, the committee member concerned will withdraw from consideration when that item comes up for discussion. The concerned committee member must not be present when the matter is discussed and must not vote on that issue, nor initiate or take part in any committee discussion on that topic (either in the meeting or with other committee members before or after the committee meetings).

The minutes of the meeting will record when the member(s) withdraws from, and rejoins the meeting.

If a person declares themselves to have existing or potential interest confidentiality will be respected.

Examples of material personal or conflicts of interest could be (when):

- a Committee member or his/her immediate family or business interests stand to gain financially from any business dealings, programs or services of the organisation.
- a Committee member offers a professional service to the organisation.
- a member works for a funding body which ARF has approached for funding or assistance.
- a member has a role on the governing body of another organisation, where that body's activities of may be in direct conflict or competition with the activities of ARF.

These procedures apply also to sub-committee members in relation to matters coming before the sub-committee. A report of disclosure of a conflict of interest from a sub-committee member will also be advised to the next general meeting.

9 ROLE OF THE PUBLIC OFFICER

All incorporated associations must have a Public Officer who must be at least 18 years of age and must reside in the Australian Capital Territory. The role of the Public Officer is set out in Section 2.1.1.

The Public Officer acts as the contact between the ARF and the ACT Office of Regulatory Services (**ORS**). Traditionally in ARF, the role of Public Officer has been performed by the Vice President.

Any changes to the Public Officer must be notified to ORS and if ARF fails to notify, this will be an offence under the Act..

9.1 Restrictions on Appointment as Public Officer

The Act restricts certain persons from accepting the position of Public Officer of an incorporated association. These include any person who:

- has been convicted of offences in the promotion, formation or management of a body corporate;
- has been convicted of offences involving fraud or dishonesty punishable by imprisonment of three months or more; and
- is insolvent under administration within the meaning of the Corporations Act.

Persons convicted of any of the above offences may be entitled to accept committee positions not earlier than five years after conviction or release from prison, or by the authority of the Supreme Court. Persons who are insolvent may also seek leave from the Supreme Court to accept the position of public officer.

9.2 Vacancy in the Position of Public Officer

If the position of public officer becomes vacant, a replacement must be appointed within fourteen days. The position of public officer is deemed to be vacant if the person:

- is removed from office by ARF;
- resigns from office or dies;
- becomes insolvent under administration within the meaning of the Corporations Act;
- suffers from a mental or a relevant physical incapacity;
- has been convicted of an indictable offence involving the promotion, formation or management of a body corporate or an offence involving fraud or dishonesty; or
- ceases to reside in the Territory.

10 COMMUNICATION STRATEGY

10.1 Introduction

ARF'S Communication Strategy is designed to support ARF's Objects as set out in Section 1B of the Rules. It will identify key stakeholders and the communication channels to be used to reach them. It will help maintain consistency and transparency in the day-to-day operations of the association as well as in its policy development.

The integrity of the ARF brand will be maintained using the Style Guide at Appendix 3 across all communication activities. The strategy will focus on the communication-related key performance areas as outlined below.

Educating the community about responsible dog companionship

Strategic Directions

- We ensure our key messages are relevant and appropriate
- We will maximise promotional opportunities
- We will provide and continually review educative material
- We will work with the community and assist where we can.

Strategies

- We will continue to review our public and members websites to ensure our messages are educative and respond to issues as they arise
- We will accept invitations to address interested forums
- We will ensure our people have the opportunity for furthering their knowledge, for example foster carers
- We will have a presence at community events
- We will increase the base of helpers we have to assist with our public events
- We will determine best means to assist the community about responsible dog ownership
- Where appropriate we will develop links with community organisations to assist us achieve this.

Establishing and developing networks of communication for people involved in rescue and rehoming dogs

Strategic Directions

- We will get to know our existing and potential audiences better
- We will provide tools for the sharing of information
- Increasing our veterinary network of providers and opportunities for direct billing.

Strategies

Through our public and members websites:

- We will continue to ensure our technology allows the promotion of available dogs and the sharing of information
- We will continue to ensure that there is information available to assist foster carers and members
- We will survey our members and foster carers to ensure that the information provided is relevant and targeted
- We will continue to hold targeted information sessions for members and foster carers
- We will have an active strategy of approaching veterinary practices and seek their agreement to be an ARF preferred practice and to allow ARF direct billing facilities.

10.2 External Communication: Stakeholders, Media, Community

Representing ARF

All communications that represent or provide information about ARF, particularly through online forums, should be based on ARF's official guidelines and approved by the ARF committee. No individual member can represent ARF views without the specific permission of the President.

Media Statements

Members should not make any media statements about ARF—its people, its operations, its relations with stakeholders - unless first agreed by the ARF committee.

Key Audiences

- Sponsors/potential sponsors
- Vets
- Rescue groups
- Authorities
- Politicians
- Donors
- New owners/potential new owners
- Community Leaders
- General public.

Communication Tools

- Websites - ARF public, ARF Volunteers' Library, Pet Rescue
- Social media - Facebook, Twitter
- Email
- Chin Wag - 4 issues per year
- Brochures
- Presentations
- Submissions to reviews
- Media
- ARF Products
- Events
- Stalls
- Education/workshops
- Personal contact.

10.3 Internal Communication: Members, Committee, Subcommittees

Key Audiences

- Foster carers
- Behavioural assessors
- Members
- ARF Committee
- ARF Subcommittees.

Communication Tools

- Email — all members messages,
- Social media — Facebook, Twitter
- Chin Wag — 4 issues per year
- Personal contact.

10.4 Internal Communication Procedures

Communication will function across group networks within the organisation's structure - ARF committee and sub-committees.

All ARF members will be updated on committee activities via a members' update email following each committee meeting.

The four Subcommittees will provide minutes of their meetings and a list of current action items to the Secretary for posting on the Volunteers' Library within 14 days of their meeting.

Team	Email address
ARF Committee	
Rescue Sub-Committee	rsc@fosterdogs.org
Communications Sub-	csc@fosterdogs.org
Adoption Approvals Panel	arf-foster-approvals@fosterdogs.org
Carer recruitment team	
Website SubCommittee	wsc@fosterdogs.org
Webmaster	info@fosterdogs.org
Governance SubCommittee	gsc@fosterdogs.org

Omitted: (ARF Strategic Plan KRAs) No longer practiced.

11 FUNDRAISING

ARF's guiding fundraising principle is a simple one—we will only use techniques that we would be happy to have used on ourselves. ACNC offer guidance on its website about raising money.

In doing so, ARF will adhere to the following standards:

- fundraising activities carried out by ARF will comply with all relevant laws;
- any communication with the public made while carrying out a fundraising activity will be truthful and non-deceptive;
- all monies raised via fundraising activities will be for the stated purpose of the appeal and will comply with ARF's stated mission and purpose;
- all personal information collected is confidential and is not for sale or to be given away or disclosed to any third party without consent;
- nobody directly or indirectly employed by or volunteering for ARF will accept commissions, bonuses or payments for fundraising activities on behalf of ARF;
- no general solicitations will be undertaken by telephone or door-to-door
- the sub-committees carrying out fundraising will report regularly to the committee, including tabling of meeting minutes at committee meetings;
- all fundraising activities must have the prior approval of the committee, as recorded in meeting minutes;
- a statement estimating income and expenses will be prepared prior to the commencement of any new fundraising activity that may present a financial risk to ARF. Fundraising activities should not be undertaken if they will expose the association to significant financial risk;
- fundraising activities should not be undertaken if they will be detrimental to the good name or community standing of ARF;
- financial contributions will only be accepted from companies, organisations and individuals the committee considers ethical. Companies, organisations specifically excluded from making financial contributions to ARF include pet stores that sell live animals and tobacco and alcohol companies.

A report on fundraising will be prepared for inclusion in ARF's annual report.

The committee is responsible for the implementation and review of this policy. All committee members and volunteers are responsible for adhering to this policy.

12 DONATIONS, SUPPORTERS AND SPONSORSHIPS

ARF will acknowledge all levels of donation.

12.1 Donations

- Example, towels are a donation. The person who receives the donation does the acknowledgement
- an extremely generous donation (e.g. pallet of food). The person who receives can provide a certificate of appreciation, or approach the ARF committee for a letter of thanks to be provided
- a cash donation—the person already receives the tax benefit—but will also be issued a tax receipt and a note of thanks.
- cash donations may be made through ARF's EFTPOS device, and printouts serve the purpose of a tax receipt (Note: Purchases from the ARF shop or stall through EFTPOS are not a donation)

to note: receipts will not be issued for any donations made via PayPal as PayPal issues an automatic receipt. As noted above letters (or thanks) can still be sent (these may need to be via email if the PayPal record does not include an address)

- the use of pdf receipts is acceptable. The Treasurer has a proforma and is happy to provide. The person issuing it needs to add an e signature and then pdf the document before it is sent on. All e-receipts should be cc'd to the ARF Accounts email (so it can be added to the audit package)
- ARF cannot accept bequests tied to particular dogs as named or identified by the person/s looking to make the bequest.

12.2 Supporters

In this category is importantly our vets. ARF vets are listed on the ARF website.

12.3 Sponsorship

Sponsors give and generally don't expect anything back; they can't claim a tax benefit though they can claim a business expense. Accordingly, ARF will acknowledge all sponsorships:

- When sponsorship is linked to a particular event, we acknowledge at that event (e.g. Canberra Show and KPMG sponsorship — we should acknowledge on the stall). We link the sponsorship to the event on posters, Facebook etc.
- Trivia night—we acknowledge all sponsors as above but also on the night (tables, slide show etc.)
- All sponsors will be acknowledged in writing by the person organising events
- Sponsors should still be issued with a receipt for cash payment, noting on it that it is sponsorship not a donation
- For in kind sponsorship we should give a letter specifying what they have donated so that they can use this for their own tax/government reporting purposes. We should not attempt to put a monetary value (as the business will deal with this in their dealings with the ATO)
- for non-cash donations (e.g. prizes), again we should acknowledge via a letter and again not attempt to put a monetary value on this.

Sponsorship Policy

The purpose of this policy is to establish the framework and guidelines within ARF for the creation of productive partnerships between ARF and the private sector, i.e. sponsorship alliances with corporations, foundations, individuals and other non-government organisations.

A sponsorship is about relationship building and is a powerful way to build and strengthen partnerships. It is recognised that such alliances can provide important financial and marketing support to potential partners of ARF while at the same time generate additional revenues to support ARF's mission and mandate.

The following are the fundamental principles that shape our relationships with sponsors:

- Sponsorship of ARF or of any program or event will not entitle any sponsor to influence any decision of ARF;
- ARF will not enter into any alliance or partnership with any corporation or organisation where the association with the prospective partner or acceptance of the sponsorship would jeopardise the financial, legal or moral integrity of ARF or adversely impact upon ARF's standing and reputation in the community. All sponsorships from organisations involved in the retail sale of animals are prohibited;
- ARF will accept sponsorships as an additional source of revenue generation provided that all sponsorship alliances are developed and maintained within the regulations embodied in this sponsorship policy;
- All sponsorship alliances or partnerships must be consistent with existing ARF policies;
- All event and project sponsorships must have significant financial commitment from the sponsor to help offset the costs associated with the activity;
- All sponsorship relationships must be identified and recorded for information purposes to encourage a donor-centered approach to revenue generation;
- Naming rights associated with any sponsorship must be approved by the Committee;
- Sponsorship over \$500 will be embodied in written agreements between ARF and the sponsorship partner; and
- Sponsors will be acknowledged on the ARF website.

The committee is responsible for the implementation and review of this policy. All committee members and volunteers are responsible for adhering to this policy.

Sponsorship /Contracts/Letters of Agreement Guidelines

Sponsorship contracts and letters of agreement must include the following clauses:

1. **Description of the Sponsorship Alliance**
The contract will contain a comprehensive description of the item, project or event around which the sponsorship alliance is constructed, including a list of obligations for both parties. Obligations of the parties will be explicitly itemised in the contract.
2. **Terms of Agreement**
The dates for commencement and conclusion of sponsorship alliances must be included in the contract.
3. **Key Personnel**

The contract will include the names of the individuals from both parties primarily responsible for the sponsorship, and to whom issues regarding the contract are to be referred.

4. Limitations on and Approval of the Use of ARF's name

The following clause limits the use of our name by the sponsor in its own internal and external promotion and advertising as per the negotiated arrangements: "Neither party, in any situation, whether within or outside the parameters of the sponsorship, shall be deemed to be the spokesperson for, or the representative, of the other party." The use of the 'ACT Rescue & Foster Inc's (ARF)' word mark, logo or crest must be stipulated in all contracts and agreements.

5. Exclusivity

ARF may wish to offer outright or industry exclusivity to a sponsor or the sponsor may request such exclusivity within the sponsorship alliance.

13 BUDGET PLANNING

13.1 Introduction

The ARF committee will conduct a budget planning process each year as part of its annual business planning.

ARF receives most of its operating funds through the sale of dogs, fundraising and donations. The majority of its expenditure is directed to veterinary fees and fundraising activities and support for foster carers.

The association operates under a budget that must be flexible in responding to unforeseen events, including possible reductions in cash flow. The annual operating budget of sub-committees must therefore be regularly monitored and reviewed.

The committee has ultimate responsibility for overseeing the budget of the association and for ensuring that ARF operates within a responsible, sustainable financial framework.

It is the responsibility of the Treasurer to oversee and review budgets in consultation with the chairs of the relevant sub-committee who have responsibility for developing budgets for their sub-committees.

13.2 Preparation of the Budget

In March each year, the Chair of the RSC and CSC sub-committees, in consultation with the Treasurer, starts preparing the budget estimates as part of the Business Plan for the next financial year. The process includes:

- considering operational costs, and
- estimating income.

The initial budget estimates are based on the current expenditure and income projections to end of year plus a contingency sum. Details of how cost increases will be absorbed or lead to increases in service charges (e.g. membership/adoption fees) will be provided.

The sub-committee chairs will present the draft budget for discussion at a committee meeting. The committee may accept the estimates as presented or may request variations. A detailed report denoting reasons for decisions should be attached to the draft budget.

The sub-committee chairs will then revise the draft and present the amended draft budget at the next available committee meeting no later than end of May. Once adopted by the committee, this becomes the official operating budget for the sub-committees for the following financial year, and members must work within the financial limits stated or implied by this document.

Expenditures coming from recommendations by the WSC and GSC will be considered by the committee as they arise.

13.3 Monitoring and Reviewing the Budget

The Treasurer is responsible for monitoring ARF's expenditure, reviewing the actual and budgeted expenditures, and reporting on the progress of such expenditure.

Financial reports will be prepared each quarter showing the year-to-date expenditure and its variation from the budget estimates and indicating any increases or decreases in funding. This will include reports from sub-committee chairs regarding performance against their budgets.

A commentary should be attached to committee reports detailing reasons for variations and recommendations for corrective action should that be required. The Treasurer will indicate what effect any variations will have on the budget projections and provide this information to the committee.

Once adopted by the committee, the amended budget will become the new operating budget for the remainder of that financial year.

14 TAXATION ISSUES

14.1 Introduction

As outlined in Section 2 of this document, ARF is classed as Charitable Institution and endorsed to access GST and Income Tax Concessions.

The Income Tax Exemption is an exemption from paying income tax, exempting the individual, company or organisation from having to lodge income tax returns.

There are a range of goods and services tax (GST) concessions for transactions involving endorsed charities. Those of relevance to ARF include:

- **Accounting on a cash basis** — the charity may choose to account on a cash basis regardless of its annual turnover, and ARF has done so.
- **Raffles and bingo** — tickets to raffles sold by the charity are GST-free provided the holding of the raffle event does not contravene a state or territory law.
- **Reimbursement of volunteer expenses** — the charity can claim GST credits for reimbursements made to volunteers for expenses the volunteer incurs that are directly related to their activities as a volunteer of the charity.

A payment is a reimbursement where the recipient is compensated exactly, whether wholly or partly, for an expense already incurred although not necessarily disbursed.

To enable the charity, gift deductible entity or government school to claim the GST credit, the volunteer must provide the association with the tax invoice for the purchase they have made.

ARF has been endorsed as a Deductible Gift Recipient (**DGR**). It is covered by Item 1 of the table in section 30-15 of the *Income Tax Assessment Act 1997*.

14.2 Goods and Services Tax (GST)

ARF is registered for GST. It therefore includes GST in the price of most goods and services and anything else it sells. These sales are called taxable sales.

ARF must pay the GST it has collected from its sales to the Australian Tax Office (**ATO**) and can claim GST credits for any GST included in the price of its business purchases. ARF must complete a quarterly activity statement to report its taxable sales and claim GST credits.

14.3 Gifts

A gift made to a non-profit association is not considered payment for a sale and is not subject to GST. The value of a gift is also excluded when calculating the non-profit association's GST turnover.

For a payment to be considered a gift it must be made voluntarily, and the payer cannot receive a material benefit in return.

A payment is not voluntary when there is an obligation to make the payment or the non-profit association is obliged to use the payment in a specific way.

A benefit is not a material benefit if it is an item of insubstantial value that cannot be put to a use or is not marketable, such as a pin or a ribbon.

An item of greater value, such as a ticket to a dinner, or an item that has a use or function, such as a pen or a book, is a material benefit.

14.4 Sponsorship

When an association undertakes a fundraising activity it often receives support in the form of money. In return, it may provide such things as advertising, signage or naming rights, or some other type of benefit of value.

This means that the sponsor receives something of value in return for the sponsorship, so the sponsorship payment is not a gift (or donation). ARF must pay GST on the sponsorship payments it receives.

14.5 Volunteers and Tax

As a general rule, volunteers do not have to pay tax on payments or benefits they receive in their capacity as volunteers.

Not-for-profit associations are not liable for pay as you go (**PAYG**) withholding and fringe benefits tax (**FBT**) on payments they make, or benefits they provide, to volunteers.

There are exceptions. For example, an association may be required to withhold from a payment to a volunteer where the payment is for a supply of goods or services made during an enterprise carried on by the volunteer (e.g. a dog training organisation), and the volunteer has not quoted their ABN.

14.6 Tax-Deductible Gifts

Donors claim income tax deductions for gifts to DGRs in their income tax returns. There are rules about the types of deductible gifts including how much can be claimed for the gift.

For a donor to claim a tax deduction for a gift, the payment must be all of the following:

- truly a gift,
- made to a DGR,
- a gift of money or a certain type of property, and
- compliant with any relevant gift conditions.

14.7 What is a gift?

Gifts include:

- The transfer of money or property valued by the ATO at more than \$5,000, purchased during the 12 months before the gift was made;
- listed shares valued at \$5,000 or less, and acquired at least 12 months before the gift was made;
- trading stock disposed of outside the ordinary course of business;
- various cultural or heritage gifts or bequests.

Gifts are made voluntarily by way of benefaction and no material benefit is received by the donor.

Examples of payments that are not gifts include:

- purchases of raffle or art union tickets;
- purchases of items such as chocolates and pens;
- the cost of attending fundraising dinners, even if the cost exceeds the value of the dinner;
- membership fees (not currently levied by ARF).

DGRs are not required by the income tax law to issue receipts for deductible gifts, but any receipts issued must specify all of the following:

- that the receipt is for a gift;
- the name of the DGR; and
- the ABN of the DGR.

NOTE: Volunteers cannot claim their expenses as deductions in carrying out voluntary work, and the value of unpaid work.

14.8 Record keeping requirements for DGRs

In addition to the basic record keeping requirements, DGRs must keep adequate accounting and other records that record and explain all transactions that are relevant to their status as a DGR.

These records must also show that all gifts, deductible contributions and any money received in respect of such gifts and contributions are only used for the principal purpose of your fund, authority or institution. ARF must maintain these records for at least seven years after the completion of the transactions or acts to which they relate.

The penalty for not keeping proper records is twenty penalty units, currently \$2,200 (20 × \$110 per penalty unit).

14.9 Invoices ARF receives

A tax invoice of more than \$75 (excluding GST) must contain enough information to allow key information to be clearly determined, for example, the supplier's ABN. Otherwise, ARF generally needs to withhold 46.5 per cent from your payment to the supplier.

There are exceptions to this. Consult the ATO website.

APPENDIX 1 - STANDING ORDERS

1. Election of office bearers

Officers of ARF committee shall be elected by the method specified in its constitution. The officers shall hold their office from the time of the declaration of the polls following any election for the position.

2. Notice of Meeting

The President shall ensure that all committee members have 48 hours' notice of the date, time and place of the next meeting.

Minutes of any meeting of the committee shall be circulated to all members before the scheduled date of the next meeting. The minutes shall record:

- the date, time and venue of the meeting;
- the names of those members and officers present;
- the name of the chairperson;
- any apologies tendered;
- any failure of a quorum;
- declared conflicts of interest;
- a list of items considered;
- any resolutions pertaining to those items; and
- details of any declarations of pecuniary interest.

Any other matters may be recorded at the discretion of the President.

Ordinary meetings of the committee shall be held at the dates, times, and places decided by the committee from time to time.

3. Quorum

The quorum for any committee meeting is five.

At any point after the opening of a meeting any member of the committee may call attention to the lack of a quorum. The meeting shall then terminate.

4. Voting

The President must receive and to put to a vote any properly seconded motion moved by any member of the committee, including motions dissenting from decisions by the President.

The mode of voting (show of hands, ballot, etc.) shall be as determined by the President from time to time.

Members of the committee may vote for any motion or may abstain. A motion shall be declared carried if a plurality of members present (that is, a majority of members present and voting) vote in its favour. In the event of an equality of votes for and against a motion, the President shall have a casting vote.

5. Members' Interests

In addition to any other processes outlined in Part 9 of the Governance Manual, no committee or sub-committee member shall vote or take part in the discussion of any matter at any meeting where

they, directly or indirectly, have any pecuniary interest as defined in law, other than an interest in common with the public, or with the clients of the association, or with the staff of the association.

Every committee or sub-committee member present when any matter is raised on which they directly or indirectly have a pecuniary interest, apart from any interest in common with the public, is under a duty to fully declare any such interest to the meeting. This disclosure, and any subsequent abstention of such member from discussion and voting on the item, are to be recorded in the minutes.

6. Speaking

Committee or sub-committee members may speak to any motion when granted the right to speak by the President.

The President shall grant priority to members who express an intention to move dissent with a decision of the President.

In speaking to any motion or amendment, committee or sub-committee members are to confine their remarks strictly to such motion or amendment and shall not introduce irrelevant matters or indulge in needless repetition. In this matter, the President's ruling is final and not open to challenge.

7. Amendment

The committee may amend these standing orders at any time either permanently or for a specified period.

8. Other matters

The President is to decide all questions where these standing orders make no provision or insufficient provision.

In reaching its decisions the President is to take account of, but not to be bound by, Robert's Rules of Order (<http://www.rulesonline.com/>).

APPENDIX 2 - CODE OF CONDUCT/DISCIPLINE MATTERS

1. Introduction

ARF's goal is to "save and improve the lives of dogs in the ACT and surrounding regions." In working toward this goal, ARF:

- provides financial and organisational support to facilitate the rescue and re homing of unwanted dogs;
- establishes and develops productive relationships and communication networks with
 - other rescue organisations in the region and nationally, and,
 - local government pounds and councils to facilitate the release of dogs;
- educates the community on issues affecting the welfare of dogs and dog owners on the principles of responsible dog ownership.

The ARF committee is committed to ethical conduct in providing the best possible service to the community. This policy has been developed to provide an ethical framework for all committee members and volunteers.

This policy applies to the committee and volunteers.

The purpose of this document is to identify ARF's position on ethics and proper practice and to document the standards of conduct expected in providing a service to the community.

2. ARF Values

ARF:

- a) is a voluntary, not for profit association working for the benefit of the broader community and dog owners by saving and improving the lives of dogs in and surrounding regions;
- b) considers good governance a vital part of how the organisation operates, as well as its ability to meet all necessary standards of accountability and transparency required by its stakeholders including its legislative obligations as an incorporated association;
- c) promotes the highest ethical standards in its dealings with internal and external stakeholders including the community;
- d) provides a reasonable opportunity to all financial members to communicate their suggestions regarding the operational efficiency of the association to its officers through established processes;
- e) provides a reasonable opportunity to the broader community and other external stakeholders to communicate with the association through its website via electronic telecommunication and in writing via post; and
- f) abides by its legal obligations and promotes transparency, integrity and honesty regarding all its activities both in the personal conduct of its members and through the establishment of clear operational processes and guidelines.

3. ARF Code of Conduct for all members

An ARF member must:

- a) behave honestly and with integrity in their interactions with individuals internal to the organisation and its external stakeholders. This includes refraining from engaging in any behaviour which amounts to harassment, either in person, via electronic media (e.g. email, txt messages, Volunteers' Library or Facebook);

- b) read, understand and act within the policy guidelines and regulations of the association, and, if needed, consult and seek advice on the interpretation and application of policy guidelines and regulations from designated members of the association;
- c) when dealing with other members of the association or external stakeholders including members of the public, treat everyone with respect and courtesy;
- d) in their dealings with and/or on behalf of the association abide by all relevant Federal, State and Territory laws;
- e) maintain appropriate confidentiality when dealing with information provided to or from the association, including protection of individual privacy and issues of a sensitive nature (see Communication Policy);
- f) disclose, and take reasonable steps to avoid, any conflict of interest in accordance with the processes described in this Governance Manual ;
- g) must use ARF resources in accordance with the Rules, policy guidelines and processes and in keeping with ARF's stated interests and goals; and
- h) at all times behave in a way that preserves the values, integrity and good reputation of the association.

4. Code of Conduct for ARF members in their capacity as foster carers.

Foster carers must abide by the Code of Conduct for all ARF Members, as well as:

- a) abide by relevant legislation regarding companion animals with special regard to ACT and NSW legislation;
- b) house animals in care and their own animals under sanitary conditions which meet or exceed all minimum standards as defined by local health and sanitation authorities;
- c) provide clean, comfortable and weatherproof accommodation, and appropriate food and clean water for all animals in their care, as well as appropriate opportunities for exercise, stimulation, training and companionship;
- d) take all reasonable steps to minimise disturbance to neighbours;
- e) be honest regarding any health/temperament issues of foster dogs when dealing with potential adopters;
- f) maintain appropriate confidentiality and refrain from making improper use of inside information including disclosing private information received from potential adopters, engaging in negative speculation about potential adopters or other ARF members in person, or via electronic media;
- g) follow appropriate procedures regarding any concerns with potential adopters e.g. speak with the mentor or RSC Chair (whether they are enquiring about their own foster dog or someone else's);
- h) respect the privacy and rights of new owners once a dog has been adopted by accepting that the adoption process means the foster carer has relinquished any right to reclaim the dog;
- i) accept responsibility for re-homing a foster dog if returned within the three weeks 'cooling off' period;
- j) behave professionally and courteously when following up on how a dog is settling into its new home taking care not to be intrusive;
- k) respond to enquiries from potential adopters in a polite, professional and timely manner; and
- l) assess the suitability of potential adopters, applying ARF's principles of adoption for

adequate care of a dog, in a rational and inclusive manner accepting that there are a variety of different but also suitable homes. This means valuing the differences and diversity of potential adopters.

6. Discipline and Breaches of the Code of Conduct

Section 12 of the Rules provides for ARF to take disciplinary action against a member who in the opinion of a majority of the committee has failed to comply with the Rules, refuses to comply with ARF's objects, refuses or neglects to comply with ARF policies and procedures or who persistently and wilfully acts in a manner prejudicial to ARF.

Breaches of the Code of Conduct set out in this Appendix may require ARF to take such disciplinary action. The Rules provide extensive procedural obligations on ARF in such matters, including the need for a formal complaint to be made, the right of the member to have representations made, a timely hearing of the issues by an unprejudiced committee body and with various natural justice protections extended to the member.

Section 13 of the Rules further provides the member with the right of appeal against a disciplinary decision.

APPENDIX 3 – ARF BRAND

ACT Rescue & Foster Inc. (ARF) Style Guide

The **ARF Logo** has three elements – ‘Patch the dog’ graphic in a circle, hand-drawn A R F initials and the organisation’s name spelt out.

Font for the name is VAGRounded BT Regular. This is also used for headings e.g. In articles in *ChinWag*, information brochure, ads etc and whenever the URL appears.

Secondary Font is Myriad Pro in a variety of weights e.g. Semibold, Regular and Bold, and most commonly used as Myriad Pro Light for body copy.

The **URL** is used on all promotional materials, both print and online, and is a secondary part of the corporate identify, using VAGRounded BT Regular.

Size of the logo is not to be smaller than 35 mm x 19 mm on an A4 page. Other usage should be dealt with on an ad hoc basis (e.g. Small ads for The Canberra Times and Chronicle)

Exclusion zone for the logo is 7 mm all round.

ARF has a tag line which appears on a number of promotional items, it appears in the corporate font VAGRounded.



ACT RESCUE & FOSTER

VAGRounded BT Regular

Myriad Pro Light

www.fosterdogs.org



Find your new best friend

Certificate of Incorporation

Certificate



AUSTRALIAN CAPITAL TERRITORY

Associations Incorporation Act 1991
CERTIFICATE OF INCORPORATION

Association Number: **A03896**

This is to certify that pursuant to section 19 of the *Associations Incorporation Act 1991*

ACT RESCUE & FOSTER (ARF) INCORPORATED

is on and from sixth May 2003 incorporated as an association.


Danielle Krajina
REGISTRAR-GENERAL

17 March 2009

OFFICE OF REGULATORY SERVICES
DEPARTMENT OF JUSTICE & COMMUNITY SAFETY

