

# POWA Anime Club **Inc.**

## Constitution

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Version 5.0 (Jan 2023)

## 1. Name and Purpose

- I. The name of this club shall be POWA Anime Club Inc. (Referred to as 'POWA' henceforth in this document).
- II. The purpose of this club shall be to spread knowledge of Anime and Japanese pop culture to its membership and to the broader community, and to allow members to meet like-minded individuals.

## 2. Membership

- I. The members of POWA shall include any person who:
  - i. Provides their details to the club in digital or physical form for the purposes of membership.
  - ii. Pays to the Club the applicable membership fee or has been awarded a lifetime membership.
  - iii. Is at least 15 years of age.
- II. Membership shall cease if a member:
  - i. Contacts the Secretary and requests for their membership to cease.
  - ii. Is expelled from the club as per Section 10.
  - iii. Does not pay to the Treasurer their annual membership fee before the expiration of their membership.

## 3. Meetings

- I. General Meetings of POWA will be held at a minimum of quarterly.
  - i. This includes the Annual General Meeting as outlined in Section 4.
  - ii. This does not include any extraordinary Special General Meetings as outlined in Section 5.
- II. General Meetings of POWA are open to members of the Committee, and general members invited by the Committee to attend.
- III. Two (2) weeks' notice must be given to all members of a General Meeting.
- IV. Any three (3) POWA members may represent the quorum (minimum attendance) of members needed for a General Meeting to proceed.
  - i. If a quorum is not present within thirty (30) minutes of the Meeting's announced start time, the meeting must be rescheduled in accordance with the notice guidelines outlined in Section 3.III.
- V. Minutes of General Meetings shall be taken by a member of the Committee and record the business considered within the meeting and the results of any votes taken.
  - i. Completed Minutes must be made available to the public within two (2) weeks of the Meeting occurring.

## 4. Annual General Meetings

- I. An Annual General Meeting of POWA shall be held each year as the final quarterly meeting of the current Committee.
- II. One (1) months' notice must be given to all members of an Annual General Meeting.
- III. The agenda for an Annual General Meeting must be made available five (5) business days before it is held.

## **5. Special General Meetings**

- I. An extraordinary Special General Meeting outside of the quarterly meetings can be convened for any reason pertaining to club matters. The meeting may be called by either:
  - i. The POWA Committee; or
  - ii. 50% of POWA's members.
- II. After the calling of a Special General Meeting, at least two (2) weeks' notice must be given to all members before it can be convened.
- III. A Special General Meeting must also be convened in order to make changes to this Constitution, as outlined in Section 13.

## **6. Event Guidelines**

- I. Events of POWA are open to all members of the community, with the exception of:
  - i. Persons who are not legally allowed to view or partake in an event due to content ratings or minimum age limits.
  - ii. Persons who have been expelled or suspended as outlined in Section 10.
- II. Entrance fees to POWA events can vary depending on the type of event and the membership status of the community member.
  - i. These fees can change at the discretion of the Committee. At least two (2) weeks' notice must be given to the community before confirming such change.

## **7. Committee Members**

- I. The Committee members of POWA are elected at the Annual General Meeting by a vote of all members in attendance.
- II. Committee members must be at least 18 years of age.
- III. The Committee member positions are:
  - i. President
  - ii. Vice-President
  - iii. Secretary
  - iv. Treasurer
  - v. Community Representative
- IV. During the election, a minimum of two (2) and a maximum of five (5) Committee positions are to be filled.
  - i. In the event of a Committee with less than 5 filled positions, the duties of the unfilled positions shall be shared between Committee members in a manner agreeable to them.
  - ii. The Committee member voting process is to be outlined in a separate document, known as "POWA Committee Election Regulations". This document should be maintained to give all POWA members the opportunity to select preferable nominees while voting.
- V. Duties of Committee members:
  - i. It shall be the duty of the President to:
    1. Chair all meetings of POWA.
  - ii. It shall be the duty of the Vice-President to:
    1. Chair meetings of POWA in the absence of the President.

- iii. It shall be the duty of the Secretary to:
      - 1. Maintain a current and accurate register of all club members.
      - 2. Ensure that current and accurate copies of all official club documentation are maintained.
    - iv. It shall be the duty of the Treasurer to:
      - 1. Monitor payments made and received at POWA events.
      - 2. Maintain all financial documentation.
      - 3. Purchase stock for sale or distribution at POWA events
    - v. It shall be the duty of the Community Representative to:
      - 1. Manage and maintain the online presence(s) of POWA.
- VI. In addition to their individual duties, it shall be the duty of all Committee members to:
  - i. Act as a public representative of POWA.
  - ii. Liaise with internal and external POWA stakeholders and sponsors.
  - iii. Attend meetings of POWA.
- VII. Should a Committee member fail to carry out their duties for a period of time totalling or exceeding one (1) calendar month, that Committee member may be removed from the POWA Committee at the discretion of the other Committee members.
- VIII. Should a Committee member be excluded from POWA, or is otherwise unable to continue in their role, that Committee member's duties will be shared among other Committee members until their position is filled by a vote of the Committee.
  - i. Under these circumstances, such a vote may occur at a Special General Meeting. This meeting must be called for as outlined in Section 5.I. and follow the procedures as outlined in the "POWA Committee Election Regulations" document.
- IX. Meetings of the Committee outside of General Meetings can be held to discuss matters of Committee interest without the need for regular members.
  - i. These meetings must have at least two (2) Committee members present in order to move forward:
    - 1. A member to chair the meeting and introduce each order of business.
    - 2. A member to take minutes on the matters discussed within the meeting, including the members in attendance and the results of any votes taken.
- X. In any club decisions, each Committee member has one (1) vote to use in the manner they feel will have the best outcome for the club.
  - i. Any Committee vote that ends in a draw will count as a failed vote.

## 8. Register of Members

- I. The Secretary must keep and maintain a current and accurate register of the members of POWA.
- II. POWA will at all times ensure the security and privacy of all information given as part of membership, as outlined in the Privacy Amendment Act (2012).

## **9. Disputes**

- I. In the case of a dispute pertaining to the rules outlined in this Constitution, all parties involved must first be allowed two (2) weeks to resolve the matter themselves. These disputes can be:
  - i. Between members of POWA; and/or
  - ii. Towards POWA itself.
- II. If the parties to a dispute are unable to resolve the matter between themselves within this time, any party may start the grievance procedure by giving written notice to the Committee of:
  - i. The parties to the dispute; and
  - ii. The matters that are the subject of the dispute.
- III. Within one (1) month of the dispute filing, a meeting between the Committee and parties involved must be convened where the dispute is considered.
  - i. All parties involved in the dispute must be given one (1) weeks' notice of the meeting and be given the opportunity to either attend and submit their perspective in person or submit a written report to be read aloud by the Committee.
- IV. After the Committee has given reasonable opportunity for all parties to make submissions on the dispute, they must make a determination on the dispute's outcome.
  - i. A written notice of this determination and the reasons behind it must be submitted to each party involved in the dispute in the manner of each parties choosing within two (2) weeks of the Committee meeting.
- V. Any party who wishes to appeal the Committee's determination will need to submit a motion outlining problems they have with the determination at the next quarterly General Meeting held by POWA.
  - i. This motion must be brought to the Committee at least two (2) days before the General Meeting and added to the meeting's agenda.
  - ii. Members attending the General Meeting will act as mediators between the party and the Committee. They must be allowed to give their own perspectives on the dispute and the Committee's determination.
  - iii. The Committee must take note of all perspectives given and submit a new determination on the dispute within two (2) weeks of the General Meeting.

## **10. Suspension and Expulsion of Members**

- I. Any member of POWA who fails to observe the Constitution or Policy of POWA, or whose conduct, in the interests of POWA, does not observe the objectives of POWA may be suspended or expelled from membership of POWA at the discretion of the Committee, for a period of time deemed suitable by the Committee.
- II. POWA must communicate in writing to the member notice of the suspension and particulars of the conduct that resulted in the suspension.

- III. A member who is suspended or expelled and wishes to appeal against that suspension or expulsion shall give written notice to a Committee Member of POWA of their intention to do so within five (5) business days' of notice of the suspension or expulsion.
- IV. The POWA Committee must hear the appeal and the suspended or expelled member must have the opportunity to attend.
- V. Any member who is suspended or expelled shall not be entitled to any refund of event registration or membership fees.

## 11. Finance

- I. POWA's financial year will be a period of 12 months commencing on November 1st and ending on October 31st of each year.
- II. The Treasurer shall ensure true accounts are kept of the monies received and expended.
- III. The authority to access any bank accounts shall rest with at least two (2) Committee Members.
- IV. The provision of gifts or funding grants to members of POWA by the Committee is prohibited.
- V. An annual budget must be presented to POWA each year.
- VI. Change of titles on bank accounts must be maintained no more than twenty (20) business days after the Annual General Meeting each year.

## 12. Dissolution

- I. POWA Anime Club may only be dissolved by a majority vote of the Committee at a Special General Meeting called for such a purpose.
- II. Two (2) weeks' notice of such a meeting must be given to all members.
- III. Upon dissolution, assets will be distributed as follows:
  - i. All items purchased using Club funds must be distributed to at least one of the following:
    - 1. City of Joondalup Library.
    - 2. Australia-Japan Youth Society.
    - 3. Perth Japanese Consulate.
  - ii. Any items purchased using other funds or donated items shall be first offered to the party who purchased or donated the item.
    - 1. Should the party in question decline the item(s) then they shall be distributed as per Section 12.III.i.
    - 2. Should the party in question be uncontactable, unresponsive or unverifiable, then the item(s) should be distributed as per Section 12.III.i
- IV. At a Special General Meeting called for the purpose of dissolution, the Committee roles shall first be offered to members for the purpose of continuation of POWA, before a vote is called for dissolution.

## 13. Changing the Constitution

- I. No alteration, addition or amendment of this Constitution shall be made until earned by a motion at a Special General Meeting of POWA.
  - i. Notice of the proposed alteration, addition or amendment shall be given at least two (2) weeks before the Special General Meeting.

- ii. In order for the motion to pass, 75% of the members in attendance at the Special General Meeting must vote in favour.
- II. The changes to the Constitution will not take effect until approved by the Consumer Protection division of the WA Government.
  - i. The application for these changes, and the applicable service fees must be lodged within one (1) month of the passing of the motion. Failure to do so will incur additional late fees from Consumer Protection.
  - ii. If the changes involve alteration to POWA's name or purpose, additional fees may apply.
- III. A current and accurate print and digital copy of this Constitution must be maintained by the Secretary at all times.