

# **Constitution**

## **Of**

### **Sutton Public School Parents & Citizens Association Building Fund**

#### **NAME**

1. Name of the Fund is Sutton Public School P&C Building Fund (hereafter called the 'Fund'). The Fund is sponsored by the Sutton Public School Parents and Citizens Association (the 'Association').

#### **OBJECTS AND FUNCTIONS**

2. The Fund is to receive gifts or donations from the public and provide these moneys for the acquisition, construction or maintenance of a new classroom, and refurbishment and maintenance of the heritage classroom, to be used as part of Sutton Public School. This includes capital improvements, installation and maintenance of fixtures and fittings.
3. The Fund is to do all such other things as are incidental or conducive to the attainment of the purposes and objects of the Fund.
4. The public will be invited to contribute to the Fund. The expected sources of contributions would be from parents and friends of the Fund.

#### **MANAGEMENT COMMITTEE**

5. A Management Committee shall be in operation at all times during the life of the Fund.
6. The Management Committee is to govern the Fund. The role of the Management Committee is to act as the trustee of the Fund and to ensure the Fund is administered in accordance with its constitution. The Fund is to be administered separately to the main activities of the Association. The Management Committee may appoint others to carry out the administration of the Fund.
7. Membership of the Management Committee shall at least comprise:
  - Association President
  - Sutton Public School Principal
  - Association Treasurer.
8. The Association may nominate others to join the Management Committee provided the membership of the management committee is consistent with Australian Tax Office requirements.

#### **MEETINGS**

9. The Management Committee shall meet at least once per school term and report back to the Association on its activities. It shall conduct an annual self-review of the Fund's deductible gift recipient (DGR) status and inform the Australian Tax Office if the Fund ceases to be entitled to DGR endorsement.

## **LIABILITY**

10. A member of the Management Committee or an officer appointed to administer the fund is not, by reason of being such a member or officer, liable to contribute towards the payment of debts and liabilities of the Fund or the costs, charges and expenses of the winding up of the Fund.

## **ADMINISTRATION**

11. Payments from the Fund shall be made upon recommendations made by the Association. Approval for payments made from the Fund shall be given by resolution passed at an Association meeting. A notice of meeting, stating that such requests for payment by the Fund will be discussed and approval sought, will be advertised to the members of the Association at least 7 days prior to such meeting. Payments from the Fund must be in accordance with the objects of the Fund and rules for school building funds provided by the Australian Tax Office.
12. Any moneys received by the Association other than tax deductible donations to the Fund eg government grants and other donations and general fund raising, should be kept separate from the school building fund.
13. Changes to the Fund constitution or other founding documents will be made by the Management Committee, approved by the Commissioner of Taxation and advised to relevant authorities.

## **ACCOUNTS**

14. Sutton Public School Parents & Citizens Association will maintain a separate bank account for the Fund. Details of the bank account:

Bank: Bendigo Bank

Account Name: Sutton Public School Parents and Citizens Association Building Fund

BSB: 633 000

Account No:

15. Receipts in the name of the Fund will be issued only in respect of specific gifts made to the Fund. The receipt will state the Australian Business Number of Sutton Public School Parents & Citizens Association, ABN 82709 564611, and the fact that the receipt is for a gift to the Fund.

16. The amounts shown on the receipts will be banked into the Fund bank account listed in this constitution. No amount credited to the Fund will be transferred out of the Fund or disbursed other than for the purposes for which the Fund is established.
17. Officers of the Association who are signatories on the Association's bank accounts, shall operate the Fund's bank account.
18. The Fund's financial accounts shall be audited annually along with those of the Association.

#### **EXPENSES**

19. The Fund may make disbursements to meet proper administrative expenses. Proper and reasonable costs of establishing, promoting and managing the Fund include such items as bank charges, stationery costs and accounting and audit fees relating expressly to the Fund.

#### **DISSOLUTION**

20. Should the Fund be wound up or revoked as a deductible gift recipient under Subdivision 30-BA of the Income Tax Assessment Act 1997, any surplus assets of the Gift Fund remaining after the payment of liabilities attributable to it, shall be transferred to a fund, authority or institution which has similar objects and to which income tax deductible gifts can be made.

We, the proposed members of the initial Committee of the Fund hereby consent to become members of the Fund and to be bound by the constitution for the Fund as detailed herein subject to the provisions of the Act and any other applicable statute or law.

Signature

Name

Date

Signature

Name

Date

Signature

Name

Date

Signature

Name

Date