



A6034

Cake Decorators
Association of Victoria Inc.

PROCEDURES HANDBOOK

The Cake Decorators Association of Victoria Inc.

Incorporation no. A6039

ABN 78 310 539 320

Procedures Handbook

INTRODUCTION

CDAV is governed by Consumer Affairs (Vic) Model Rules for an Incorporated Association, The Associations Incorporation Reform Regulations 2023 and The Associations Incorporation Reform Act 2012 and is required to abide by all of these 'Rules'. In addition, our Association is required to implement the procedures designated in this Procedures Handbook. These have been specifically developed to meet our Association's needs and although these procedures are not necessarily covered in the above set of Rules and Regulations, they do not contravene them.

The Associations Incorporation Reform Regulations 2023 were introduced to augment Model Rules with some other important regulations from "The Act". These additions include financial reporting requirements and a list of penalties (usually financial) for not following the Rules, Regulations and The Act.

Immediately following this Introduction, the main content in this Procedures Handbook is presented in the order shown in the "Table of Provisions" (Index). For easy reference to the source documents, the subject matter and numbering system used throughout the Handbook closely follows that used in Model Rules (**e.g. PART, Division and Item number**) as well as in The Reform Act/ Regulations "Table of Provisions".

Where a Rule or implementation procedure already exists within the Model Rules, the corresponding item in the CDAV Procedures Handbook "Table of Provisions" has been marked as "Refer M.R.".

Model Rules, Regulations and The Act can be changed at any time by Consumer Affairs (Vic.) and these changes may be triggered by amendments to other Acts which have implications on the operations of Incorporated Associations (Not for Profit) such as ours.

It is important to ensure that you are referring to the most up to date version of these Rules by referring to the Consumer Affairs (Vic) website where you will find links to the current versions of all 3 Legislative documents (see link below).

<https://www.consumer.vic.gov.au/clubs-and-fundraising/incorporated-associations/running-an-incorporated-association/rules>

The Cake Decorators Association of Victoria Inc.
Procedures Handbook

TABLE OF PROVISIONS

<i>Regulation</i>	<i>Page no.</i>
PART 1—PRELIMINARY	
1 Name	5
2 Purposes	5
3 Financial year	5
4 Definitions	5 Refer MR
PART 2—POWERS OF ASSOCIATION	
	5
5 Powers of Association	5 Refer MR
6 Not for profit organisation	5 Refer MR
PART 3—MEMBERS, DISCIPLINARY PROCEDURES AND GRIEVANCES	
	6
Division 1—Membership	
7 Minimum number of members	6
8 Who is eligible to be a member	6
9 Application for membership	6 Refer MR
10 Consideration of application	6 Refer MR
11 New membership	6 Refer MR
12 Annual subscription and fee on joining	6 Refer MR
13 General rights of members	7 Refer MR
14 Associate members	7 Refer MR
15 Rights not transferable	7 Refer MR
16 Ceasing membership	7 Refer MR
17 Resigning as a member	7 Refer MR
18 Register of members	7 Refer MR
Division 2—Disciplinary action	
	7
19 Grounds for taking disciplinary action	7 Refer MR
20 Disciplinary subcommittee	7 Refer MR
21 Notice to member	7 Refer MR
22 Decision of subcommittee	7 Refer MR
23 Appeal rights	7 Refer MR
24 Conduct of disciplinary appeal meeting	7 Refer MR
Division 3—Grievance procedure	
	7
25 Application	8 Refer M.R
26 Parties must attempt to resolve the dispute	8 Refer M.R
27 Appointment of mediator	8 Refer M.R
28 Mediation process	8 Refer M.R
29 Failure to resolve dispute by mediation	8 Refer M.R
PART 4—GENERAL MEETINGS OF THE ASSOCIATION	
	9
30 Annual general meetings	9
31 Special general meetings	10 Refer M.R
32 Special general meeting held at request of members	10 Refer M.R
33 Notice of general meetings	10
34 Proxies	10 Refer M.R

35	Use of technology	10	Refer M.R
36	Quorum at general meetings	10	Refer M.R
37	Adjournment of general meeting	10	Refer M.R
38	Voting at general meeting	10	Refer M.R
39	Special resolutions	10	Refer M.R
40	Determining whether resolution carried	10	Refer M.R
41	Minutes of general meeting	10	
	PART 5—COMMITTEE	11	
	Division 1—Powers of Committee	11	
42	Role and powers	11	Refer MR
43	Delegation	11	Refer MR
	Division 2—Composition of Committee and duties of members	11	
44	Composition of Committee	11	
45	General Duties	11	Refer M.R
46	President and Vice-President	11	
47	Secretary	11	
48	Treasurer	11	
	Division 3—Election of Committee members and tenure of office	12	
49	Who is eligible to be a committee member	12	Refer MR
50	Positions to be declared vacant	12	Refer MR
51	Nominations	12	Refer MR
52	Election of President etc.	13	Refer MR
53	Election of ordinary members	13	Refer MR
54	Ballot	13	Refer MR
55	Term of office	14	Refer MR
56	Vacation of office	14	Refer MR
57	Filling casual vacancies	14	Refer MR
	Division 4—Meetings of Committee	14	
58	Meetings of Committee	14	
59	Notice of meetings	14	Refer M.R
60	Urgent meetings	14	Refer M.R
61	Procedure and order of business	14	Refer M.R
62	Use of technology	14	
63	Quorum	14	Refer M.R
64	Voting	14	Refer M.R
65	Conflict of interest	14	Refer M.R
66	Minutes of meeting	14	Refer M.R
67	Leave of absence	14	Refer M.R
	PART 6—FINANCIAL MATTERS	15	
68	Source of funds	15	Refer MR
69	Management of funds	15	Refer MR
70	Financial records	15	
71	Financial statements	15	Refer M.R
	PART 7—GENERAL MATTERS	16	
72	Common seal	16	Refer MR
73	Registered address	16	Refer MR
74	Notice requirements	16	Refer MR
75	Custody and inspection of books and records	16	Refer MR
76	Winding up and cancellation	16	
77	Alteration of Rules	17	Refer MR

Note:

The persons who from time to time are members of the Association are an incorporated association by the name given in rule 1 of these Rules.

Under section 46 of the **Associations Incorporation Reform Act 2012**, these Rules are taken to constitute the terms of a contract between the Association and its members.

OTHER RULES RELATING TO OUR ASSOCIATION.	18
1. Presidents Visits	18
2. State Seminars	18
3. CDAV Judges	18
4. External positions of office	18
5. Life Membership	18
6. Magazine/Newsletter Reports	18
7. CDAV official business	18
8. Yearly cards	19
9. Public Liability Insurance	19
10. Fodd Safety and Occupational Health and Safety	20
11. Privacy Policy and Code of Conduct	21
12. Working With Children Checks	21
13. Child Safety Policy	21

PART 1 – PRELIMINARY

1. Name

The name of the incorporated association is "CAKE DECORATORS ASSOCIATION OF VICTORIA INC."

Note

Under section 23 of the Act, the name of the association and its registration number must appear on all its business documents.

2. PURPOSES

The purposes of the association are — **To foster and improve the art of Cake Decorating and Sugar Craft by providing the opportunity for an interchange of ideas and skills.**

3. FINANCIAL YEAR

The financial year of the Association is for 12 months from the 1st July to 30 June.

4. DEFINITIONS

Refer M.R

PART 2 – POWERS OF ASSOCIATION

5. POWERS OF ASSOCIATION

Refer M.R

6. NOT FOR PROFIT ORGANISATION

Refer M.R

PART 3—MEMBERS, DISCIPLINARY PROCEDURES AND GRIEVANCES

DIVISION 1 – MEMBERSHIP

7. MINIMUM NUMBER OF MEMBERS.

Branches may operate with no less than 5 members.

This must include - President, Secretary and Treasurer with 2 other ordinary members.

8. WHO IS ELIGIBLE TO BE A MEMBER?

Refer M.R

In addition to the rule, CDAV have added the following relating to junior membership: CDAV will allow junior memberships under the age of 10 not based on age but based on ability to sit for the duration of the workshop and participate in the workshop. This will be determined by the branch after a trial period has been completed. One workshop as a minimum to see if the child can cope or not but the committee of each branch can determine if more assessment is required in each case. The branch may need to appoint additional helpers (committee members) to assist the child/children if required to assist them. The child must be accompanied by an adult up to the age of 15 and the branch committee must have working with children checks.

9. APPLICATION FOR MEMBERSHIP

Refer M.R

Prior to applying for membership, the individual must have read and understood the **CDAV Code of Conduct, Website Terms and Conditions (if joining via the website) and Privacy Policy**. A check box is included for these documents on the CDAV application form and website.

Membership is for 12 months and is renewed on the 31st of March each calendar year. The CDAV Executive Committee may offer a 6 months membership option in September each year, being 50% of annual fee plus a membership badge fee.

Refer POLICY DOCUMENTS . See also templates - HARD COPY MEMBERSHIP APPLICATION FORM and RENEWAL FORM

10. CONSIDERATION OF APPLICATION

Refer M.R

11. NEW MEMBERSHIP

Refer M.R

12. ANNUAL SUBSCRIPTION AND FEE ON JOINING

Refer M.R

All subscription and membership fees belong to the CDAV and any profits cannot be distributed to its members. These funds must be used to further the purpose of the association as mentioned in Part 1, item 3 of Model Rules. Funds accumulated by our branches in the course of day-to-day operations belong to the CDAV and must be returned to the Executive Committee should the branch close. These funds cannot be distributed to branch members.

Renewals

Membership renewals are due on the 31st March each year and valid for 12 months.

Branch transfers are only permitted at renewal time in March and nominated branch must be indicated on the renewal form or via the website payment process. The

transfers will need to be approved by the Executive Committee. This may be reviewed in exceptional circumstances as decided by the Executive committee.

Members may attend any branch/workshop/event regardless of nominated home branch. You will only have voting rights at the home branch you have nominated.

- | | | |
|-----|---------------------------|-----------|
| 13. | GENERAL RIGHTS OF MEMBERS | Refer M.R |
| 14. | ASSOCIATE MEMBERS | Refer M.R |
| 15. | RIGHTS NOT TRANSFERABLE | Refer M.R |
| 16. | CEASING MEMBERSHIP | Refer M.R |
| 17. | RESIGNING AS A MEMBER | Refer M.R |

A member may resign from a branch as a member at any time. This must be submitted in writing to the Executive Committee. A refund of membership will generally not be permitted, except in exceptional circumstances, to be decided by the executive committee.

A member can only change their nominated home branch at **renewal time** in March each year. They are at any time, permitted to attend any of the CDAV branches across Victoria regardless of home branch.

- | | | |
|-----|---------------------|-----------|
| 18. | REGISTER OF MEMBERS | Refer M.R |
|-----|---------------------|-----------|

The register of members is maintained by the Executive Secretary. Branches will be provided with a list of members for their branch by the Executive Secretary. Any request by any member to view the register of members must go through the Executive Secretary. Due to privacy, some information may not be released to members. Branch secretaries are not to disclose members personal information with other members. The only information that can be shared is the name of the member.

DIVISION 2 – DISCIPLINARY ACTION

- | | | |
|-----|--|-----------|
| 19. | GROUND FOR TAKING DISCIPLINARY ACTION | Refer M.R |
| 20. | DISCIPLINARY SUBCOMMITTEE | Refer M.R |
| 21. | NOTICE TO MEMBER | Refer M.R |
| 22. | DECISION OF SUBCOMMITTEE | Refer M.R |
| 23. | APPEAL RIGHTS | Refer M.R |
| 24. | CONDUCT OF DISCIPLINARY APPEAL MEETING | Refer M.R |

DIVISION 3 – GRIEVANCE PROCEDURE

The information provided in the section on Mediation is listed in Model Rules after the Grievance Procedure, however, as it is important to know what the Mediation process can and cannot achieve before lodging a grievance, it is listed here before the grievance and disciplinary procedures.

If an agreement cannot be reached members must be aware that the grievance procedure will proceed according to Model Rules regulation 25 -29.

Failure to agree to mediation will result in the implementation of the disciplinary process.

Any member contemplating lodging a Grievance or finds themselves involved in the Disciplinary process is advised that they must Read the relevant Model Rule in full – see Disciplinary action.

M.R. Div. 2. Items 19 – 24 and Grievance Procedure M.R. Div. 3. Items 25 – 29.

Costs may be incurred by both parties should mediation go ahead.

Further information regarding Mediation can be sought from the Dispute Settlement Centre of Victoria and the Consumer Affairs Victoria Websites.

<https://www.disputes.vic.gov.au/about-us/mediation/mediation-faqs>

<https://www.consumer.vic.gov.au/clubs-and-fundraising/incorporated-associations/running-an-incorporated-association/resolving-disputes>

25.	APPLICATION	Refer M.R
26.	PARTIES MUST ATTEMPT TO RESOLVE THE DISPUTE	Refer M.R
27.	APPOINTMENT OF MEDIATOR	Refer M.R
28.	MEDIATION PROCESS	Refer M.R

The mediator to the dispute, in conducting the mediation, must—

- a) Give each party every opportunity to be heard; and
- b) Allow due consideration by all parties of any written statement submitted by any party; and
- c) Ensure that natural justice is accorded to the parties throughout the mediation process.
- d) The mediator must not determine the dispute.
- e) Any costs of mediation are to be paid—
- f) If an agreement as to costs is reached between the parties—in accordance with that.
- g) Agreement: or if there is no such agreement—by the Committee.

29. FAILURE TO RESOLVE DISPUTE BY MEDIATION Refer M.R

If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

PART 4 – GENERAL MEETINGS OF THE ASSOCIATION

30. ANNUAL GENERAL MEETING

It is important that CDAV conducts an inclusive and fair process for nomination and election of our office bearers that follows the process and laws as set out by Model Rules and the Associations Incorporation Reform Act 2012.

Preparing for your AGM:

1. A branch AGM must be held after the 1st July and before 30th September each year.
2. Notice of AGM - must be sent out to all branch members 14 days prior to your scheduled AGM. *Refer template NOTICE OF AGM*
3. Send out nomination forms and proxy forms for the election to members. *(Suggest sending these out with Notice of AGM Refer template NOMINATION FORMS*
4. Nominations for office bearers and ordinary committee members. Can be submitted by post and ideally should be received by the secretary 7 days prior to your scheduled AGM for administrative purposes but no later than 24 hours before your scheduled AGM.
5. Nominations submitted by email must be received by the secretary 24 hours prior to scheduled AGM. *Ensure secretary checks emails the day before.* Nominations received after this time cannot be counted.
6. Nominations may be taken from the floor on the day of the AGM.
7. Bring nominations received prior to scheduled AGM according to the above rules, to the AGM.

AGM order of business

- President/Chairperson opens the meeting.
- Minutes from last AGM are read and if no correction accepted and passed.
- Receive and consider the annual report of the committee from the last financial year - accept and pass.
- Receive and consider the financial report for the proceeding financial year - Accept and pass.
- Hold election. If there are multiple nominations for positions, a ballot must take place.
- Once position of President has been filled, the meeting can be handed back to the elected President.
- Discuss any general business.
- Close meeting.

Refer template AGM AGENDA

31. SPECIAL GENERAL MEETINGS Refer M.R
Refer template - SPECIAL GENERAL MEETING AGENDA.
32. SPECIAL GENERAL MEETING HELD AT THE REQUEST OF MEMBERS. Refer M.R
33. NOTICE OF GENERAL MEETINGS Refer M.R
 14 days notice is required for any General Meeting including an Annual General Meeting. The exception is if a special resolution is to take place in which case 21 days notice is required. Minutes of previous meeting and Treasurers report to be circulated to all branch members prior to next general meeting.
34. PROXIES Refer M.R
Refer template - PROXY VOTING FORMS
35. USE OF TECHNOLOGY Refer M.R
 Technology can be used in the form of Zoom or a similar platform.
36. QUORUM AT GENERAL MEETINGS Refer M.R
37. ADJOURNMENT OF GENERAL MEETINGS Refer M.R
38. VOTING AT A GENERAL MEETING Refer M.R
39. SPECIAL RESOLUTIONS Refer M.R
Not applicable to branches – The State Executive Committee will advise when a Special Resolution is required.
40. DETERMINING WHETHER A SPECIAL RESOLUTION CARRIED. Refer M.R
Not applicable to branches – The State Executive Committee to manage.
41. MINUTES OF GENERAL MEETING. Refer M.R
See template for MINUTES OF GENERAL MEETING FOR BRANCHES.
 Minutes of previous meeting and Treasurers report to be circulated to all branch members prior to next general meeting, including and Annual General Meeting. Minutes should be sent as close to the date of the meeting as possible.

PART 5 – COMMITTEE

Division 1 – Powers of Committee

42. ROLE AND POWERS Refer M.R
43. DELEGATION Refer M.R

Division 2 – Composition of Committee and duties of members

44. COMPOSITION OF COMMITTEE

Branches should operate with no less than 5 members.

This must include - President, Secretary and Treasurer with 2 other ordinary members. Other committee positions may be added where the branch deems necessary. In some circumstances, exceptions may be approved by the Executive Committee.

45. GENERAL DUTIES Refer M.R
46. PRESIDENT AND VICE PRESIDENT Refer M.R

Vice President is optional for branch committees.

The role of the President or in the absence of the President, the Vice President is to:

1. Act as the Chairperson for any general meetings and for any committee meetings.
2. They have one vote on any issues and a deciding vote if required to reach a decision.

47. SECRETARY Refer M.R

The Role of the Secretary includes:

1. Maintain the register of members for their branch.
2. Take the minutes and prepare agendas for general and committee meetings.
3. Keep all books and documents for the branch.
4. Attend to all correspondence incoming and outgoing for the branch. Ensure any correspondence from the Executive Committee is passed on to the branch members.
5. Write branch reports for the CDAV magazine (an editor may be appointed to do this)
6. Book demonstrators for workshops and ensure travel and all booking requirements are followed.
7. Prepare a secretary's report for each committee meeting.
8. Prepare branch report for delegates meeting.

48. TREASURER Refer M.R

The Treasurer must—

1. Receive all moneys paid to or received by the branch and issue receipts for those moneys in the name of the branch.

2. Ensure that all moneys received are paid into the account of the branch within 5 working days after receipt.
3. Make any payments authorised by the Committee or by a general meeting of the branch from the branch's funds.
4. Ensure cheques are signed by at least 2 committee members.
5. Ensure that the financial records of the branch are kept in accordance with the Act.
6. Coordinate the preparation of the financial statements of the branch and the branches certification by the Committee prior to the branch's submission to the Delegates meeting of the Association each July and the Annual General Meeting of the branch.
7. The Treasurer must ensure that all other committee members have access to the accounts and financial records of the branch by way of a monthly treasurer's report that is presented at each committee and general meeting.

Division 3 – Election of Committee members and tenure of office

49 WHO IS ELIGIBLE TO BE A COMMITTEE MEMBER

- A member who is over 18
- Is entitled to vote at a general meeting

50 POSITIONS TO BE DECLARED VACANT

Refer M.R

51 NOMINATIONS

- During the election, all nominations received by email, post and from the floor are considered.
- If only one nomination is received for any position, that person will fill that role.
- If more than one nomination is received for any position, a ballot is required.
- When nominating someone for a position, you must have permission from that person to do so.
- A member who is nominated for a position and fails to be elected to that position may be nominated for any other position for which an election is yet to be held. They must have indicated a second preference on their nomination form if they are not going to be present at the AGM or alternatively, can nominate themselves from the floor if they are present at the AGM. This is optional, you do not have to have a second preference to put in your nomination.

52 ELECTION OF PRESIDENT ETC.

Choose a chairperson to run the election. (Someone not nominated for any positions) They will advise the nominations received. They may ask for any additional nominations from the floor if no nominations received for any positions.

Election of President, Secretary, Vice President and Treasurer

- At the annual general meeting, separate elections must be held for each of the following positions— see **election process** below.
 - President
 - Vice-President
 - Secretary
 - Treasurer
 - Public Officer (Authorised person to deal with ATO and ABR) Executive Committee Only
- If only one member is nominated for the position, the Chairperson of the meeting must declare the member elected to the position.
- If more than one member is nominated, a ballot must be held in accordance with the **ballot process** below.
- On his or her election, the new President may take over as Chairperson of the meeting.

53 ELECTION OF ORDINARY COMMITTEE MEMBERS

- The branch committee must decide how many ordinary members the Committee will have, if any.
- A single election may be held to fill all of these positions.
- Only members who belong to the branch are eligible for office bearer positions. Members must have belonged to that branch for a minimum of 12 months prior to being elected to any office bearer positions.
- Branch transfers are only permitted at renewal time in March and nominated branch must be indicated on the renewal form or via the website. The transfers will need to be approved by the executive committee.

54 BALLOT

- The chosen chairperson must appoint a returning officer to conduct the ballot. They must not be someone who is not nominated for the positions being voted on.
- Each candidate may make a short speech to support their nomination.
- Ballot must be secret.
- Blank sheets of paper must be distributed to all members eligible to vote for each election of office bearer separately and a single sheet for ordinary

committee members (You are eligible if you are over 18 and a financial member of your branch or a nominated Proxy – **see MR regulation 34 - Proxies**)

- A member may be appointed proxy for more than one person and would then be given extra sheets of paper to vote on. e.g.: if you are proxy for 5 people, you will be given 6 sheets of paper.
- The voter writes the name of the candidate they are voting for on the blank sheet of paper. If there are multiple ordinary committee positions, the voter may write multiple names on a single sheet of blank paper. Separate elections must be held for office bearers, i.e.: President, Secretary, Vice President, and Treasurer.
- The candidates with the most votes are elected to the positions.
- In the event of a tie, a re-election can take place as per the above steps or with the agreement of the candidates, decide by lot, which of them is to be elected. e.g.: toss of a coin, drawing name out of a hat.

55 TERMS OF OFFICE	Refer M.R
56 VACATION OF OFFICE	Refer M.R
57 FILLING CASUAL VACANCIES	Refer M.R

Division 4 - Meetings of Committee

58. MEETINGS OF COMMITTEE	Refer M.R
---------------------------	-----------

Committee must meet a minimum of 4 times per year.

59. NOTICE OF MEETINGS	Refer M.R
------------------------	-----------

60. URGENT MEETINGS	Refer M.R
---------------------	-----------

61. PROCEDURE AND ORDER OF BUSINESS	Refer M.R
-------------------------------------	-----------

Refer templates - COMMITTEE MEETING AGENDA

62. USE OF TECHNOLOGY	Refer M.R
-----------------------	-----------

Meetings must either be in person or via technology ie: Zoom or similar platform. Emails do not meet Model Rule regulations to conduct a meeting.

63. QUORUM	Refer M.R
------------	-----------

64. VOTING	Refer M.R
------------	-----------

65. CONFLICT OF INTEREST	Refer M.R
--------------------------	-----------

66. MINUTES OF MEETING	Refer M.R
------------------------	-----------

Minutes should follow the same format as the agenda for the meeting. The minute taker should insert details of conversations and decisions made under each item for discussion on the agenda.

Minutes are to be circulated to all committee members prior to the next meeting date. Ideally within 1 week of the meeting taking place.

Refer templates - MINUTES OF COMMITTEE MEETING

67. LEAVE OF ABSENCE	Refer M.R
----------------------	-----------

PART 6 – FINANCIAL MATTERS

68. SOURCE OF FUNDS

Refer M.R

69. MANAGEMENT OF FUNDS

Refer M.R

70. FINANCIAL RECORDS

Branches to complete a monthly Treasurers report and present it to their members at a general meeting and committee meeting.

Prior to the delegates meeting of the association in July each year and after the 30th June each year the branch must provide an Annual report to the Executive Committee in the format decided by the Executive Committee. It is essential this format is followed so the Executive Treasurer can complete the Association financial reporting to meet our tax obligations.

It is recommended that your monthly treasurers report follow the same format as your annual profit and loss report for ease of reporting at the end of the financial year. A chart of accounts has been created to explain the terms used as headings in your profit and loss report.

You are also required to keep a record of any assets purchased, including date purchased and value of the item. Receipts must be kept for 7 years for taxation purposes. This information is to be forwarded to the Executive Committee with your Annual Financial report at the Delegates meeting each year.

Refer templates– TREASURERS REPORT, ANNUAL PROFIT AND LOSS REPORT and CHART OF ACCOUNTS

71. FINANCIAL STATEMENTS

Refer M.R

PART 7 – GENERAL MATTERS

72. COMMON SEAL	Refer M.R
73. REGISTERED ADDRESS	Refer M.R
74. NOTICE REQUIREMENTS	Refer M.R
75. CUSTODY AND INSPECTION OF BOOKS AND RECORDS	Refer M.R
76. WINDING UP AND CANCELLATION	

The steps you need to follow to wind up or close your branch are listed below.

- Hold a branch meeting and take a vote on whether to close or not.
- The meeting must have had minutes taken and the decision to close with the results of the vote recorded.
- Close all bank accounts and forward remaining balance minus any outstanding debts to the Executive Committee bank account. **(see note below re gifting of surplus assets)**
- **BSB 033 380 A/C 159347 A/c Name: CDAV Inc.**
- Forward all bank statements including closing statement to the CDAV Executive Committee State Secretary
- Forward all minutes and branch records to the CDAV Executive Committee State Secretary
- Forward any CDAV property or assets purchased with CDAV funds to the CDAV Executive Committee State Secretary

CDAV address is:
PO Box 17
Longwarry Vic 3816

Those members wishing to renew their membership need to nominate another branch to belong to.

CDAV will reimburse any costs of postage you incur. Please forward your personal bank account details for refund and send a copy of the receipt for your postage expenses to the Secretary Carol Sparrow - cdav@live.com.au

Gifting of remaining profits -. When gifting profits to any outside organisations the branch must ensure these organisations meet the criteria of organisations we are permitted to distribute profits to. Please refer to Schedule 4 of Associations Incorporation Reform Regulations 2023 - Model Rules Part 7 – item 76 1-3.

(3) Subject to the Act and any court order made under section 133 of the Reform Act, the surplus assets must be given to a body that has similar purposes to the Association and which is not carried on for the profit or gain of its individual members.

The ATO (Australian Taxation Office) description of a non-profit organisation is as follows:

Reference: Tax Basics for Non-Profit organisations issued by the Australian Taxation Office NAT 7966-08.2014

- A non-profit organisation is an organisation that is not operating for the profit or gain of its individual members, whether these gains would have been direct or indirect. **This applies both while the organisation is operating and when it winds up.**
- Any profit made by the organisation goes back into the operation of the organisation to carry out its purposes and is not distributed to any of its members.

Not more than 30% of the total profit from your branch is to be gifted to an approved organisation. The Executive Committee must be notified of the organisation you wish to gift to, and they must approve the transaction prior to it being made.

Prior to closing your bank accounts and after payment of any outstanding debts, you may gift the equivalent of 30% of your profits to an approved organisation. The Executive Committee will need to see this transaction appear on your bank statement along with a receipt from the recipient. Once this has been done you will be required to transfer the balance of your account to the Executive Committee account listed and close all bank accounts.

The remaining 70% of your branch profits will be used to further our purpose as recorded with Consumer Affairs Vic.

Our purpose as recorded with Consumer Affairs Vic is:

“To foster and improve the art of Cake Decorating and Sugar Craft by providing the opportunity for an interchange of ideas and skills.

The branch must organise to undertake the above-mentioned actions to close and advise the Executive Committee when this has been completed.

The State Executive Committee may close a branch for inactivity at any time. The Executive Committee will attempt to contact the branch by email, phone and registered mail and if no response is received the branch will be considered inactive and the winding up process will be instigated.

If a branch is not conducting activities in line with our “purpose” they may also be closed. The Executive Committee will attempt to council and educate the branch to alter its activities.

In the event of the winding up or the cancellation of the incorporation of the Association, the surplus assets of the Association must not be distributed to any members or former members of the Association.

77. ALTERATION OF RULES

Refer M.R

OTHER RULES RELATING TO OUR ASSOCIATION.

1. **Presidents Visits** - Branches are entitled to 1 president's visit in a 2-year period.
2. **State Seminars** – To be held every 2 years with the Executive Committee alternating with one of the branches. The branch must have a separate seminar committee and minutes are to be taken at each seminar committee meeting. Separate financials must be kept. The monthly financials and a monthly seminar update must be sent to the Executive Committee to be read out and reviewed at an Executive Committee Meeting and submitted as an agenda item.
3. **CDAV Judges** – Judges have separate Handbook, although all rules and policies contained in the above referenced Model Rules and Associations Incorporation Reform Act 2012 and the CDAV Procedures Handbook, still apply. Eg: Code of Conduct, financial reporting etc.
4. **External Positions of Office** - In the event that members hold positions of office with other similar organisations they may not hold office bearer positions with the State Executive Committee of CDAV.
5. **Life Membership** – may be offered to a member who has held membership for 15 consecutive years and in that time has promoted the association and made a significant contribution. This may include, demonstrating, office bearer roles, or any other activity over and above what is expected of a member. 5 financial members must nominate the member for Life Membership accompanied by a written citation from each member. A limit of 2 nominations per year is permitted.
6. **Magazine/Newsletter reports** - Branches are expected to provide a written report for the bimonthly magazine/newsletter publication. The report should outline upcoming events and items of interest at the branch.
7. **CDAV Official Business**
Refer Templates - TRAVEL DECLARATION AND MEMBER CHECKLIST

The “Member Checklist and Travel Declaration” exist so a branch may know what charges and expenses their demonstrator will charge before being booked and the distance the member has to travel, to determine if accommodation is required for the safety of members on the road.

It is essential that this form is completed by the member **BEFORE** a commitment is made by the branch to allow them to visit on official business.

Some points to note:

- **Send the form to the demonstrator BEFORE you book them for official business** This is so important to avoid those difficult conversations where you have to cancel a workshop or demonstrator because you can't afford to meet their expectations.
- Billeting is permitted provided the demonstrator is agreeable. The type of accommodation is to be negotiated between the branch and demonstrator but in accordance with the travel rule. If an agreement cannot be reached, the branch may choose not to employ that member.

- A member may choose to pay for their own accommodation. This could occur if a branch offers billeting and the member does not wish to be billeted, due to the branch unable to pay for the members accommodation. **This is optional and not an obligation on the part of the member.**
- Shared driving cannot exceed 8 hours in a single day. 4 hours per day per driver. Ideally each driver will drive 2 hours then rest and swap over.
- If driving exceeds 8 hours for a return trip, then a second night of accommodation is required. One when you arrive and the other the night prior to your drive home.

	1 Driver	1 Driver	1 Driver	Shared Driving	Shared Driving	Shared Driving
<u>Hours driving per day - return trip.</u>	Up to 4 hours 1 driver per day	Over 4 hours up to 8 hours 1 driver per day	Over 8 hours 1 driver per day (more than 4 hours each way)	Shared driving Up to 4 hours (2 hours per day per driver)	Shared driving Up to 8 hours (4 hours per day per driver)	Shared driving over 8 hours (More than 4 hours per driver)
<u>Accommodation</u>	NO	YES	YES	NO	YES	YES
<u>Days of accommodation</u>	0	1	2	0	1	2

Any member who does not abide by the CDAV Travel Rule will not be permitted to conduct official business for the CDAV in any capacity, including office bearer roles, judging or demonstrator roles.

8. **Yearly cards** – A branch may choose to offer its members yearly cards. A member pre purchases a year’s worth of workshops in order to receive one for free.
9. **Public Liability Insurance** – The CDAV offers its members an opportunity to purchase public Liability Insurance through a broker “Cerberos Insurance Brokers” if they run a small business from home. Members need to ensure they have carefully read the terms and conditions of this insurance prior to purchasing to ensure they qualify and meet the requirements of the insurer. It is the members responsibility to read and understand the terms and conditions and any questions should be directed to the insurer. CDAV is not liable for any incorrect or false information provided by our members to the insurer.

10. Food Safety and OH&S (Occupational Health and Safety)

See Documents - FOOD SAFETY AND OH&S

CDAV Best Practice for Occupational Health and Safety and Food Safety

Occupational Health and Safety (OH&S)

1. Only 2 appointed members are permitted in the kitchen area at any time. This may vary if you have a large kitchen or the need to cater for a large group. Consider the size and shape of your kitchen and whether it is practical and safe to have more than 2 people working within it. More than 2 increases the risk of accident and cross contamination of food.
2. All walking areas must be kept free of hazards/obstructions. Doorways and passages must be kept clear for emergency access.
3. Spills immediately cleaned up.
4. Appropriate footwear should be worn at all times, closed toe and non-slip soles.
5. If unwell do not work in the kitchen or attend workshops
6. Do not walk around with knives in your hand unless down by your side.
7. Do not walk around with hot pots and always let the other person know you are carrying one before moving with it.
8. Open bins should be available in kitchen area to avoid contamination by touching with hands.

Food Safety

- (a) Wash hands before you begin working in the kitchen then regularly throughout the session.
 - Between touching cooked food or raw food regardless of glove use
 - After using the bathroom
 - After touching the bin
 - After sneezing or coughing
- (b) Food handling gloves should be worn when preparing cooked or prepackaged food and changed regularly if going from meat to other foods. Washing hands between glove changes still applies.
- (c) Hair must be tied back if long.
- (d) Do not attend if unwell.
- (e) Perishable items must be kept at 4 degrees or below. (in the fridge)
- (f) Milk to be poured in a jug and the rest stored in the fridge. The jug must be returned to the fridge when not in use ie: during demonstrations. Cannot be stored at room temperature for more than 2 hours especially during hot weather.
- (g) Paper towel must be available to dry hands with, no tea towels.
- (h) Hand soap must be available.
- (i) Do not touch your face while preparing food.
- (j) Cold food must be served cold 4 degrees or less and not left sitting for more than 2 hours at room temperature.

- (k) Hot food must be served hot 60 degrees or more and not left sitting for more than 2 hours. Using a probe thermometer is useful when checking temperature of food.
 - (l) Reheated food is discarded after each workshop and cannot be distributed to members.
 - (m) Long hair to be tied back.
11. **Privacy Policy and Code of Conduct.** Prior to joining CDAV members must read and acknowledge their understanding of these policies.
See documents – PRIVACY POLICY AND CODE OF CONDUCT
12. **Working with Children Checks** - Committee members must have working with Children checks if children under 18 years attend your branch. Even if it is a “once off” event. Children will not be permitted to regarding our obligation under state law please visit:
<https://service.vic.gov.au/services/working-with-children>
<https://www.vic.gov.au/working-with-children-check>
13. **Child Safety Policy** –The CDAV has formulated a policy that can be used by all branches should the need arise (council grants etc) which outlines our commitment to child safety. Our organisation has several junior members and we also regularly come in contact with children when conducting official business outside the CDAV, where this policy may be required.

See documents - CHILD SAFETY POLICY