

HIGHER GROUND AUSTRALIA – The Australian Friends of John Denver

NAME:

The name of the unincorporated organisation shall be **Higher Ground Australia – The Australian Friends of John Denver**. This name shall be abbreviated to **HGA**.

VISION:

Higher Ground Australia (HGA) is a non-profit organisation, dedicated to the memory of the late John Denver. Each year in October we meet as a group to celebrate the life and music of John Denver, remembering the many causes that he supported. We raise money to donate to eagle rehabilitation facilities in Australia in John’s name.

There are no membership fees; instead we ask that when you donate to a charity of your choice, that you do so in memory of John Denver.

MISSION:

Higher Ground Australia (HGA) provides the opportunity to meet in a mutually-agreed location to raise money to be donated to a local eagle rehabilitation centre. We also produce an active website and regular newsletter that provides our members on our mailing and email distribution lists with current information about John Denver-related articles and tribute events.

We provide the opportunity for members and non-members to participate in activities that are planned in their local areas, such as tree-planting activities. We provide people in the local communities that we visit each October to actively participate in our activities, such as our Annual General Meeting (AGM), sing-a-long and tree-planting.

COMMITTEE

2018 COMMITTEE:

- COORDINATOR:** Janette Frawley
- COORDINATOR’S ASSISTANT:** Melanie Patfield
- SECRETARY/MINUTES:** Volunteer
- TREASURER:** Alistair Wilson
- WEBSITE COORDINATOR:** Janette Frawley
- PEACE CLOTH COORDINATOR:** Jan Fleming
- TREE COORDINATOR (BOONAH)** Rhonda Banditt

FOUNDING MEMBERS: Carmel and Alistair Wilson, Melanie Patfield, Janette Frawley, Margaret Gilby, Maureen, Kurt, Stacey Rennison, Helene Michaud, Mark and Julie Capper, Colin and Lynn Magann, Suzie, Johnny, and Rodney Magann, Phil and Michelle, and Fran.

VERY SPECIAL MEMBERS: Maxwell Moore

The committee offers themselves for re-election each October at the AGM

CONSTITUTION

Higher Ground Australia may be referred to as an unincorporated association

PART 1 Definitions (1) In these Rules:

Founding Member: means a member of the committee who was present at the inaugural gathering in the Grampians, Victoria in October, 2001, and who actively contributes to Higher Ground Australia.

Very Special Member: means a member who has been awarded 'Very Special Status' for their contribution to Higher Ground Australia.

Special General Meeting: means a general meeting of Higher Ground Australia other than the Annual General Meeting, held annually in October.

Unincorporated Association: means that Higher Ground Australia is not a legal entity, and can be referred to as a small organisation for simple purposes. As an unincorporated association, there are no costs to pay that are associated with Incorporation; we do not have bank accounts, or other tangible possessions. Higher Ground Australia has a number of record-keeping files, a copy of which is presented to the secretary each year in October to provide and audit trail of the activities of the group.

GENERAL ACTIVITY OF HIGHER GROUND AUSTRALIA

Higher Ground Australia meets once a year to coincide with the annual anniversary of the untimely death of John Denver. The main purpose of this meeting is to raise funds to donate to an eagle rehabilitation facility in the area.

In regard to fundraising, we are not obligated to register fundraising appeals as we are a not-for-profit organisation and that we do not receive more than \$10,000 gross in a financial year from fundraising. Higher Ground Australia does not pay any of its members for any services they provide. All work that occurs during the course of the weekend is provided by unpaid volunteers.

The advantages of being an unincorporated association is that Higher Ground Australia does not have to pay costs associated with incorporation and we do not have to comply with many of the requirements or fill out the forms imposed on corporations.

Higher Ground Australia does not:

- rent a premises
- own any bank accounts
- own any assets or property
- pay any member for services rendered
- pay for the accommodation, transportation, or any costs related to the attendance of a member.

Higher Ground Australia does:

- ensure that the premises used for the annual John Denver Weekend has adequate insurance to cover members whilst on their premises.

In regard to other issues concerning the ongoing support of Higher Ground Australia, the following must be noted:

The current arrangement is that the design, printing, paper, ink, and toner, photocopying, postage, website and domain name costs and maintenance shall be donated to Higher Ground Australia by members who have offered these services. Should this arrangement be no longer available, Higher Ground Australia must make alternate arrangements to cover these costs. Although an undertaking has been made that **no** funds raised from the silent auction or specified fundraiser be used for ongoing costs; other funds may be used for this purpose.

ASSETS

Higher Ground Australia has no assets.

ANNUAL GENERAL MEETING

The members of Higher Ground Australia shall determine the date, time, and place of the annual general meeting. This may be determined one year in advance.

The notice convening the annual general meeting must specify that the meeting is an annual general meeting.

The ordinary business of the annual general meeting shall be:

- a) to confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting.
- b) To receive from the committee reports upon the transactions of Higher Ground Australia during the last preceding financial year.
- c) To elect officers of the Association and the ordinary members of the committee.

The annual general meeting may conduct any special business of which notice has been given in accordance with these Rules.

SPECIAL GENERAL MEETINGS

In addition to the annual general meeting, any other general meetings may be held in the same year. All general meetings other than the annual general meeting are 'Special General Meetings' and Higher Ground Australia members may, wherever it thinks fit, convene a special general meeting of Higher Ground Australia.

The request for a special general meeting must;

- a) state the objects of the meeting
- b) be approved by members
- c) agree on a date, time, and place for the meeting.

MINUTES OF MEETINGS

The secretary of the Association must keep minutes of the resolutions and proceedings of each general meeting, and each committee meeting, together with a record of the names of persons present at the committee meetings.

FUNDS

The funds for Higher Ground Australia shall be derived from donations, an annual raffle and silent auction, sale of goods that have been donated to Higher Ground Australia, and from a gold-coin collection during out annual sing-a-long, and mutually agreeably other fund-raising ideas.

- A 'kitty' may be implemented for sundry expenses that may be required during the year. These expenses may include tree maintenance, postage costs, etc. Records of these transactions are presented to the AGM each year, if applicable.
- One hundred percent (100%) of all monies raised from the main fundraiser shall be donated to an eagle rehabilitation centre determined by members of Higher Ground Australia.
- Proceeds from other fundraising activities may be used to cover the costs of the trees/and plaque commemorating John Denver, and other costs determined by members.
- On occasion, we have had monies left over from the food kitty for the weekend. These funds are used to:
 - Add to any shortfall that we have to cover the cost of the plaque and the trees
 - Add to the donation to an Eagle Rehabilitation Centre
 - Any other associated costs as decided by active members.

The Treasurer of Higher Ground Australia shall:

- Collect and receive all monies due to Higher Ground Australia
- Keep correct accounts, showing the financial affairs of Higher Ground Australia with full details of all receipts and expenditure connected with the activities of Higher Ground Australia
- Higher Ground Australia is not incorporated, nor does it have a cheque book. All funds are transferred electronically or by post office money order.

VACANCIES

The position of a committee member of Higher Ground Australia becomes vacant if the officer or member

- Ceases to be a member of Higher Ground Australia
- Resigns from office by notice in writing given to the Secretary.

ELECTION OF COMMITTEE MEMBERS

Nomination of candidates for election as Committee Members must be expressed either verbally or in writing prior to or during the AGM.

If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations may be received at a later date.

If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.

The ballot for the election of officers and ordinary members of the committee must be conducted at the annual general meeting in such manner as the committee may direct.

PRESIDING AT MEETINGS

At the meetings of the committee

- a) The coordinator or in the coordinator's absence, the coordinator's assistant presides; or
- b) If the coordinator and coordinators assistant are absent, or unable to preside, the members present must choose a member to preside.

VOTING AT MEETINGS

Questions arising at the AGM or any Special Meeting of the committee of members of Higher Ground Australia, shall be determined on a show of hands or, if a member requests, by a poll taken in such manner as the person presiding at that meeting may determine.

Each member present at an AGM or Special Meeting is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

DISPUTE RESOLUTION

All efforts should be made to resolve a dispute between members or between a member and Higher Ground Australia.

- A member may request the committee call a special general meeting to consider any issues or resolutions they wish to put to the meeting. The management committee must call a special general meeting on the written request of representing at least 5% of the total membership of Higher Ground Australia.
- If all efforts to settle the dispute have failed, the issue will be raised as a special item at the next AGM. Any decisions arising from discussion about a dispute that has occurred during an AGM shall be deemed as final.

SPECIAL RESOLUTION

A special resolution must be passed if Higher Ground Australia decides to:

- Change its name
- Change its rules
- Change its statement of purposes
- Amalgamate with one or more other associations
- Wind up

A special resolution is passed at a meeting if:

- Reasonable notice has been given to all members entitled to vote, specifying the intention to propose the resolution as a special resolution at that meeting.
- The coordinator declares the resolution has been carried unless a poll has been demanded.

WINDING UP

Higher Ground Australia can only be wound up if a special resolution has been passed by the committee members.

In the event of the winding up or cancellation of Higher Ground Australia, there shall be no issues relating to ownership of assets of Higher Ground Australia. We have none.

However, in the event of Higher Ground Australia ceasing existence the following, shall occur:

- a) Except as otherwise discussed in this document, the Secretary must keep in their custody or under their control, all books, documents and securities of Higher Ground Australia.
- b) All accounts, books, securities, and any other relevant documents of the Association must be available for inspection free of charge by any member (or interested party) upon request.
- c) A member may make a copy of any accounts, books, securities, and any other relevant documents of Higher Ground Australia.
- d) All song books, unsold silent auction items, unsold sundry items that belong to Higher Ground Australia must be offered back to the person who has donated the goods. Should the person who has donated the goods not wish to have them returned to them, discussion regarding their disposal must be made between the parties. These may be donated to a charity that has been agreed upon by former members of Higher Ground Australia.
- e) A panel of the 'John Denver Memorial Peace Cloth' that may be complete or in a stage of completion must be completed and sent to a member of the original John Denver Memorial Peace Cloth committee (Eve Kleinfeld). This is the only Peace Cloth that Higher Ground Australia will recognise as legitimate.
- f) All funds existing in the 'kitty' shall be donated to the same eagle rehabilitation facility that received funds after the last fundraising effort.

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