

Dai Le & Frank Carbone Network

Constitution

Part 1 - Preliminary

Name of Organisation

The organisation is known as the “**Dai Le & Frank Carbone Network**” which is registered with the Australian Electoral Commission as Dai Le & Frank Carbone Network.

1. Definitions

(1) In this constitution:

Dai Le & Frank Carbone Network is also registered as the abbreviated name **Frank Carbone**.

AEC means the Australian Electoral Commission.

Executive committee Members means the executive management of the Dai Le & Frank Carbone Network.

Office bearers means registered officer, deputy registered officer and secretary but can also be the members of the executive committee

Candidate Guidelines means the rules for selection of candidates for Dai Le & Frank Carbone Network as specified in clause 45 of this constitution.

Charter means the document contemplated in clause 45 of this constitution.

Documents means the documents as defined in clause 45 of this constitution.

Extraordinary general meeting means a general meeting of Dai Le & Frank Carbone Network other than an annual general meeting.

Ordinary member means a member of the Dai Le & Frank Carbone Network and who is not part of the executive committee and who is not an office-bearer of Dai Le & Frank Carbone Network.

Rules means the rules of Dai Le & Frank Carbone Network as specified in clause 45 of this constitution.

Secretary means:

(a) the person holding office under this constitution as secretary of

Dai Le & Frank Carbone Network, or

(b) if no such person holds that office – then the public officer of Dai Le & Frank Carbone Network

(2) In this constitution:

(a) a reference to a function includes a reference to a power, authority and duty, and

(b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

Part 2 - Objects

2. Objects of Dai Le & Frank Carbone Network

The objective of **Dai Le & Frank Carbone Network** is to advocate strongly for communities and peoples of Western and Southwestern Sydney, and to ensure we are represented, promoted, and included in funding and decision making at the Federal level.

3. Application of Objects

(1) The assets and income of **Dai Le & Frank Carbone Network** shall be applied solely to the furtherance of its above-mentioned objects and no portion shall be distributed directly or indirectly to the members of **Dai Le & Frank Carbone Network** except as bona fide compensation for services rendered or expenses incurred on behalf of **Dai Le & Frank Carbone Network**.

(2) In the event of **Dai Le & Frank Carbone Network** being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes which is not carried on for the profit or gain of its individual members.

Part 3 - Membership

4. Membership generally

(1) A person is eligible to be a member of **Dai Le & Frank Carbone Network** if:

(a) the person is a natural person,

(b) the person agrees to be bound by the Charter,

(c) the person is not a member of another political party, including any parties registered with the AEC.

(d) the person has not been convicted of any offence in the 10 years prior to their membership application, and

(e) the person has applied and been approved for membership of **Dai Le & Frank Carbone Network** in accordance with part 3 of this constitution.

(2) A person is taken to be a member of **Dai Le & Frank Carbone Network** if the person was one of the individuals on whose behalf an application for registration of Dai Le & Frank Carbone Network is made.

5. Application for membership

(a) The application of a person for membership of **Dai Le & Frank Carbone Network**:

(b) must be made in writing on the membership form displayed on **Dai Le & Frank Carbone Network** website, and

(c) must be lodged with the secretary or president or authorised employee of **Dai Le & Frank Carbone Network**

(d) As soon as practicable after receiving an application for membership, the secretary or president must determine whether to approve or to reject the application.

(e) The approval or rejection of an application for membership is at the discretion of the secretary or president.

(f) The secretary or president is not required to provide any reasons for rejection of an application for membership.

(g) The executive committee shall, without qualification, have the right to reject any person's application for membership.

(h) As soon as practicable after the secretary or president makes that determination, the secretary or president or a designated employee must:

(i) notify the applicant, in writing, that the application was approved or rejected (whichever is applicable), and

(ii) if the application is approved, request the applicant to pay (within the period of 28 days after receipt by the applicant of the notification) the sum payable under this constitution by a member as entrance fee and annual subscription.

(i) The executive committee member or employee must, on payment by the applicant of the amount(s) referred to in subclause (3)

(j) within the period referred to in that provision, enter or cause to be entered the applicant's name in the register of members and, on the name being so entered, the applicant becomes a member of **Dai Le & Frank Carbone Network**.

6. Cessation of membership

A person ceases to be a member of Dai Le & Frank Carbone Network if the person:

(a) dies, or resigns membership, or

(b) is expelled from Dai Le & Frank Carbone Network, or

(c) fails to pay any compulsory annual membership fee under clause 9 (2) within 3 months after the fee is due.

7. Membership entitlements not transferable

A right, privilege or obligation which a person has by reason of being a member of **Dai Le & Frank Carbone Network**:

(a) is not capable of being transferred or transmitted to another person, and (b) terminates on cessation of the person's membership.

8. Resignation of membership

(a) A member of **Dai Le & Frank Carbone Network** may resign from membership of the Party by first giving to the secretary or president or authorised employee written notice of at least one day (or such other period as the executive committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.

(b) If a member of **Dai Le & Frank Carbone Network** ceases to be a member under subclause (1), and in every other case where a member ceases to hold membership, the secretary or president or authorised employee must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

9. Register of members

(a) The office bearers of **Dai Le & Frank Carbone Network** must establish and maintain a register of members of the Party specifying the name and postal or residential address of each person who is a member of the Party together with the date on which the person became a member.

(b) The register of members must be kept in New South Wales:

(i) at the main premises of the Party, or

(ii) if the Party has no premises, at the Party's official address.

(b) The register of members must be open for inspection, free of charge, by any member of the Party at any reasonable hour.

(c) A member of **Dai Le & Frank Carbone Network** may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.

(d) If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection that information must not be made available for inspection.

(e) A member must not use information about a person obtained from the register to contact or send material to the person, other than for:

(i) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to **Dai Le & Frank Carbone Network** or other material relating to **Dai Le & Frank Carbone Network**, or

(ii) any other purpose necessary to comply with the running and management of **Dai Le & Frank Carbone Network**.

10. Fees and subscriptions

(a) A member of **Dai Le & Frank Carbone Network** on admission to membership, do not pay a joining fee unless resolved by the executive committee.

11. Members' liabilities

The liability of a member of Dai Le & Frank Carbone Network to contribute towards the payment of the debts and liabilities of Dai Le & Frank Carbone Network or the costs, charges and expenses of the winding up of Dai Le & Frank Carbone Network is limited to the amount, if any, unpaid by the member in respect of membership of Dai Le & Frank Carbone Network as required by clause 10.

12. Resolution of disputes

(a) In the case of disputes between a member and another member, or a member and Dai Le & Frank Carbone Network, the parties to the dispute must meet and discuss the matter in dispute and, if possible, resolve the dispute within 28 days after the dispute comes to the attention of all the parties. If the parties are unable to resolve the dispute at the meeting the parties may choose to meet and discuss the dispute before an independent third person agreed to by the parties.

13. Disciplining of members

(a) A complaint may be made to the executive committee by any person that a member of **Dai Le & Frank Carbone Network**:

(i) has refused or neglected to comply with a provision or provisions of this constitution, or

(ii) has will fully acted in a manner prejudicial to the objectives, interests, or philosophy of **Dai Le & Frank Carbone Network**.

(b) The executive committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.

(c) If the executive committee decides to deal with the complaint, the executive committee:

(i) must cause notice of the complaint to be served on the member concerned, and

(ii) must give the member at least 14 days from the time the notice is served within which to make submissions to the executive committee in connection with the complaint, and

(iii) must take into consideration any submissions made by the member in connection with the complaint.

(d) The executive committee may, by resolution, expel the member from Dai Le & Frank Carbone Network or suspend the member from membership of Dai Le & Frank Carbone Network if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.

(e) If the executive committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the executive committee for having taken that action and of the member's right of appeal under clause 13.

(f) The expulsion or suspension does not take effect:

(i) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or

(ii) if within that period the member exercises the right of appeal, unless and until **Dai Le & Frank Carbone Network** confirms the resolution under clause 13, whichever is the later. 1

(7) No member should stand as an independent candidate or candidate for another political party at any AEC elections unless approval is granted by the **Dai Le & Frank Carbone Network** executive committee. Any such member who stands without the approval of the Executive Committee, must resign their membership within 7 days of their nomination to stand being lodged with either the AEC. If the member does not resign, they shall be expelled forthwith upon written notice by the president or secretary on behalf of the executive committee.

(8) A member can only stand as a candidate for federal or by-election, if approval is granted by a majority of the Party's executive committee.

(9) Any member of the Party can stand as a candidate for local or state elections with the approval of the executive committee.

14. Right of appeal of disciplined member

(1) A member may appeal to **Dai Le & Frank Carbone Network** in general meeting against a resolution of the executive committee under clause 12, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.

(2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.

(3) On receipt of a notice from a member under subclause (1), the secretary must notify the executive committee which is to convene a general meeting of **Dai Le & Frank Carbone Network** to be held within 28 days after the date on which the secretary received the notice.

(4) At a general meeting of **Dai Le & Frank Carbone Network** convened under subclause (3): '

(a) no business other than the question of the appeal is to be transacted, and

(b) the executive committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and

(c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

(5) The appeal is to be determined by a simple majority of votes cast by the executive committee members of **Dai Le & Frank Carbone Network**.

Part 4 - The Executive committee

15. Powers of the executive committee

The executive committee of **Dai Le & Frank Carbone Network** in a general meeting:

(a) is to control and manage the affairs of **Dai Le & Frank Carbone Network**, and

(b) may exercise all such functions as may be exercised by **Dai Le & Frank Carbone Network**, other than those functions that are required by this constitution to be exercised by a general meeting of members of **Dai Le & Frank Carbone Network**, and

(c) has power to perform all such acts and do all such things as appear to the executive committee to be necessary or desirable for the proper management of the affairs of **Dai Le & Frank Carbone Network**, and

(d) shall adhere to the Candidate Guidelines when endorsing candidates for federal elections.

(e) shall determine the allocation of **Dai Le & Frank Carbone Network** preferences, if required, in relation to any federal elections.

16. Composition and membership of executive committee

(1) The executive committee of **Dai Le & Frank Carbone Network** will be **Dai Le & Frank Carbone Network** office-bearers, including the registered officers, secretary and treasurer.

(2) The total number of executive committee members is to be between 3 and 10, as determined at the annual general meeting.

(3) The executive committee is to consist of:

- (a) the office-bearers of **Dai Le & Frank Carbone Network**, and
- (b) the names of members of the executive committee present at an executive committee meeting or a general meeting, and
- (c) all proceedings at executive committee meetings and general meetings.

(4) The secretary is responsible for carrying out the administration and the conduct of the correspondence of **Dai Le & Frank Carbone Network**.

(5) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

17. Treasurer

It is the duty of the treasurer of **Dai Le & Frank Carbone Network** to ensure:

- (a) that all money due to **Dai Le & Frank Carbone Network** is collected and received and that all payments authorised by **Dai Le & Frank Carbone Network** are made, and
- (b) that correct books and accounts are kept showing the financial affairs of **Dai Le & Frank Carbone Network** including full details of all receipts and expenditure connected with the activities of **Dai Le & Frank Carbone Network**.

18. Casual vacancies

(1) In the event of a casual vacancy occurring in the membership of the executive committee, the executive committee may appoint a member of **Dai Le & Frank Carbone Network** to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment.

(2) A casual vacancy in the office of a member of the executive committee occurs if the member:

- (a) dies, or
- (b) ceases to be a member of **Dai Le & Frank Carbone Network**, or
- (c) resigns office by notice in writing given to the secretary, or
- (d) is removed from office under clause 20, or
- (e) becomes a mentally incapacitated person, or
- (f) is absent without the consent of the executive committee from 3 consecutive meetings of the executive committee, or
- (g) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or

19. Removal of executive committee members

(1) **Dai Le & Frank Carbone Network** in general meeting may by special resolution remove any member of the executive committee from the office of member before the expiration of the

member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

(2) If a member of the executive committee to whom a proposed resolution referred to in subclause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of **Dai Le & Frank Carbone Network**, the secretary or the president may send a copy of the representations to each member of **Dai Le & Frank Carbone Network** or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

20. Executive committee meetings and quorum

(1) The executive committee must meet at least 2 times in each period of 12 months at such place and time as the executive committee may determine.

(2) Additional meetings of the executive committee may be convened by the Registered Officer.

(3) Oral or written notice of a meeting of the executive committee must be given by the secretary to each member of the executive committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the executive committee) before the time appointed for the holding of the meeting.

(4) Notice of a meeting given under subclause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the executive committee members present at the meeting unanimously agree to treat as urgent business.

(5) One half or more of the members of the executive committee shall constitute a quorum for the transaction of the business of a meeting of the executive committee.

(6) No business is to be transacted by the executive committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.

(7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.

(8) if a meeting of the executive committee:

(a) the Registered Officer, or, in the Registered Officer's absence, the Secretary is to preside,
or

(b) if the Registered Officer and the Secretary are absent or unwilling to act, such one of the remaining members of the executive committee as may be chosen by the members present at the meeting is to preside.

21. Voting and decisions

(1) Questions arising at a meeting of the executive committee are to be determined by a majority of the votes of members of the executive committee present at the meeting.

(2) Each member present at a meeting of the executive committee is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

(3) Subject to clause 21 (5), the executive committee may act despite any vacancy on the executive committee.

(4) Any act or thing done or suffered, or purporting to have been done or suffered, by the executive committee is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the executive committee.

Part 5 - General Meetings

22. Annual general meetings - holding of

(1) **Dai Le & Frank Carbone Network** must hold its first annual general meeting within 18 months after its registration.

(2) **Dai Le & Frank Carbone Network** must hold its annual general meetings:

(a) within 6 months after the close of **Dai Le & Frank Carbone Network's** financial year, or

(b) within such later time as may be allowed by the executive committee

23. Annual general meetings - calling of and business at:

(1) The annual general meeting of **Dai Le & Frank Carbone Network** is to be convened on such date and at such place and time as the executive committee thinks fit.

(2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:

(a) to confirm the minutes of the last preceding annual general meeting and of any extraordinary general meeting held since that meeting,

(b) to receive from the executive committee reports on the activities of **Dai Le & Frank Carbone Network** during the last preceding financial year,

(c) to elect office-bearers of **Dai Le & Frank Carbone Network** and executive committee members

(d) to receive and consider any financial statement or report required to be submitted to members under the Act.

(3) An annual general meeting must be specified as such in the notice convening it.

24. Extraordinary general meetings - calling of

(1) The executive committee may, whenever it thinks fit, convene an extraordinary general meeting of **Dai Le & Frank Carbone Network**.

(2) The executive committee must, on the requisition in writing of at least 5 per cent of the total number of members, convene an extraordinary general meeting of **Dai Le & Frank Carbone Network**.

(3) A requisition of members for an extraordinary general meeting:

- (a) must state the purpose or purposes of the meeting, and
- (b) must be signed by the members making the requisition, and
- (c) must be lodged with the secretary, and
- (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

(4) If the executive committee fails to convene an extraordinary general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene an extraordinary general meeting to be held not later than 3 months after that date.

(5) An extraordinary general meeting convened by a member or members as referred to in subclause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the executive committee.

25. Notice

(1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of **Dai Le & Frank Carbone Network**, the secretary must, at least 7 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

(2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of **Dai Le & Frank Carbone Network**, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under subclause (1), the intention to propose the resolution as a special resolution.

(3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under clause 25 (2).

(4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

26. Quorum for general meetings

(1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.

(2) Two members present (being members entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.

(3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:

- (a) if convened on the requisition of members, is to be dissolved, and
- (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

(4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) are to constitute a quorum.

27. Presiding member

(1) The registered officer or, in their absence, the secretary, is to preside as chairperson at each general meeting of **Dai Le & Frank Carbone Network**.

(2) If the registered officer and the secretary are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

28. Adjournment

(1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

(2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of **Dai Le & Frank Carbone Network** stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

(3) Except as provided in subclauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

29. Making of decisions

(1) A question arising at a general meeting of Dai Le & Frank Carbone Network is to be determined by either:

- (a) a show of hands, or
- (b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot-a written ballot.

(2) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of Dai Le & Frank Carbone Network, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

(3) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

30. Special resolutions

A special resolution may only be passed by **Dai Le & Frank Carbone Network**'s executive committee.

31. Voting

(1) On any question arising at a general meeting of **Dai Le & Frank Carbone Network** a member has one vote only.

(2) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

(3) A member is not entitled to vote at any general meeting of **Dai Le & Frank Carbone Network** unless all money due and payable by the member to **Dai Le & Frank Carbone Network** has been paid.

(4) A member is not entitled to vote at any general meeting of **Dai Le & Frank Carbone Network** if the member is under 18 years of age.

32. Proxy votes not permitted

Proxy voting must not be undertaken at or in respect of a general meeting.

33. Postal ballots

(1) **Dai Le & Frank Carbone Network** may hold a postal ballot to determine any issue or proposal (other than an appeal under clause 13).

(2) A postal ballot is to be conducted in accordance with Schedule 3 to the Regulation.

Part 6 - Miscellaneous

34. Insurance

Dai Le & Frank Carbone Network may effect and maintain insurance.

35. Funds - source

(1) The funds of **Dai Le & Frank Carbone Network** are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by **Dai Le & Frank Carbone Network** in general meeting, such other sources as the executive committee determines.

(2) All money received by **Dai Le & Frank Carbone Network** must be deposited as soon as practicable and without deduction to the credit of **Dai Le & Frank Carbone Network**, bank or other authorised deposit-taking institution account.

(3) **Dai Le & Frank Carbone Network** must, as soon as practicable after receiving any money, issue an appropriate receipt.

36. Funds - management

(1) Subject to any resolution passed by **Dai Le & Frank Carbone Network** in general meeting, the funds of **Dai Le & Frank Carbone Network** are to be used in pursuance of the objects of **Dai Le & Frank Carbone Network** in such manner as the executive committee determines.

(2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the executive committee or, the registered officer authorised in writing

to do so or two employees of **Dai Le & Frank Carbone Network** whilst authorised in writing by the executive committee to do so.

37. Change of name, objects and constitution

An application of a change in **Dai Le & Frank Carbone Network's** name, objects or constitution is to be made by the registered officer or an executive committee member.

38. Custody of books etc

Except as otherwise provided by this constitution, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to Dai Le & Frank Carbone Network.

39. Inspection of books etc

(1) The following documents must be open to inspection, free of charge, by a member of **Dai Le & Frank Carbone Network** at any reasonable hour with 7 days' notice:

- (a) records, books and other financial documents of **Dai Le & Frank Carbone Network**
- (b) this constitution,
- (c) minutes of all executive committee meetings and general meetings of **Dai Le & Frank Carbone Network**.

40. Service of notices

(1) For the purpose of this constitution, a notice may be served on or given to a person:

- (a) by delivering it to the person personally, or
- (b) by sending it by pre-paid post to the address of the person, or
- (c) by sending it by facsimile transmission or phone or some other form of electronic transmission to an address specified by the person for giving or serving the notice.

(2) For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:

- (a) in the case of a notice given or served personally, on the date on which it is served by the addressee, and
- (b) in the case of a notice sent, on the date when it was sent, and
- (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

41. Financial year

The financial year of **Dai Le & Frank Carbone Network** is:

- (a) the period of time commencing on the date of incorporation of **Dai Le & Frank Carbone Network** and ending on the following 30 June, and

(b) each period of 12 months after the expiration of the previous financial year of **Dai Le & Frank Carbone Network**, commencing on 1 July and ending on the following 30 June.

42. Charter, Rules, and Candidate Guidelines

(1) The executive committee may from time to time in its sole discretion amend, adopt, or replace the following not inconsistent with this constitution:

(a) a Charter, setting out the principles and values of **Dai Le & Frank Carbone Network**,

(b) Rules that are not inconsistent with this constitution,

(c) Candidate Guidelines, setting out the procedures for which **Dai Le & Frank Carbone Network** will endorse candidates for federal, state, and local elections.

43. Constitution

This constitution can be altered (including an alteration to the **Dai Le & Frank Carbone Network** name and the abbreviated name Frank Carbone) by resolution of the executive committee members of **Dai Le & Frank Carbone Network**.

44. Matters not dealt with within the constitution

When considering any matter or situation not specifically addressed in this constitution, the Executive committee shall deal with the matter in a manner consistent with the spirit of this constitution and the objectives of **Dai Le & Frank Carbone Network**.