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MAYOR'S RELIEF FUND RULES

Policy Number: POL12/140 • **Adopted:** 24/9/2002 • **Reaffirmed:** 28/09/2004, 24/03/2009, 23/04/2013 • **Minute Number:** MIN02.1294, MIN04.1165, MIN09.339, MIN13.367 • **File:** 3926E • **Produced By:** Finance & Corporate Services Group • **Review Date:** 1/12/2016

1. PURPOSE

The fund has been established and maintained as a public fund for the relief of persons in Australia who are in necessitous circumstances and it is intended that the public be invited to contribute to the fund.

A person will be in necessitous circumstances where his or her financial resources are insufficient to obtain all that is necessary, not only for a bare existence, but for a modest standard of living in the Australian community.

Necessitous circumstances may result from a disaster caused by flood, fire, drought, tempest or other calamity.

2. STATEMENT

The name of the fund shall be the "Shoalhaven City Mayor's Relief Fund", having its office at the City Administrative Centre, Bridge Road, Nowra and its postal address being PO Box 42, Nowra.

Council reaffirmed these rules in their revised format by Minute 04.1165 on 28th September 2004 and Minutes 09.339 on 24th March, 2009.

3. PROVISIONS

3.1. Non-Distribution of Profits

- a. The income and property of the fund however derived, shall, subject to any obligations under charitable trust law or any other statutory requirements, be used and applied solely in the promotion of its objects and in the exercise of powers conferred upon it by the rules.
- b. No portion of this income and property shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the managing committee of the fund or Council.

3.2. Management Committee

The management of the fund shall be vested in the Shoalhaven City Mayor's Relief Fund Committee. Membership of the committee shall consist of:

- The Mayor for the time being of the Shoalhaven City Council (Chairperson)

- The General Manager for the time being of the Shoalhaven City Council (or his nominee) to act as Secretary
- Councillors of Shoalhaven City Council as appointed by Council
- President of the Shoalhaven Minister's Fraternal or nominee;
- Shoalhaven City Council Fire Control Officer or nominee;
- Shoalhaven City Council State Emergency Services Co-ordinator or nominee;
- Shoalhaven City Council Finance and Corporate Services Director

3.3. Financial Year

The financial year of the fund shall operate from 1 July to 30 June.

3.4. Annual General Meeting

The Annual General Meeting of the fund shall be held during the month of August in each year, when the Annual Report and Annual Financial Statements shall be presented. The Annual Financial Statements contain an income statement and a balance sheet.

3.5. Quorum

A quorum of the committee shall be three (3) members.

3.6. Notice of Meetings

Ordinary Meetings shall be called by giving three (3) days clear notice to each member, provided that in case of emergency a meeting can be called as early as it can be conveniently arranged.

3.7. Receipt of Monies

All moneys paid to the fund shall be collected by the Shoalhaven City Council Director of Finance and Corporate Services, or some servant of the Council authorised by the Director of Finance and Corporate Services. A receipt will be issued for all for all monies received and shall be banked in the Council's Mayor's Relief Fund.

Receipts issued for tax deductible gifts must state:

- Shoalhaven City Mayor's Relief Fund
- ABN of Shoalhaven City Council
- That the receipt is for a gift

3.8. Payment of Monies

Accounts shall be presented and passed for payment at a meeting of the Committee, provided that in case of emergency the Chairperson and Secretary, after consulting as many members as possible, may authorise a payment and submit it to the next meeting of the Committee for confirmation. All accounts shall be paid by cheque.

3.9. Record Keeping

The persons nominally authorised to operate on the accounts of the Council shall be the persons to operate Council's Mayor's Relief Fund. An accurate account of monies received and monies expended shall be kept.

3.10. Disbursements

The Committee may approve and make payments to:

- a. Organisations set up in any locality in Australia for the purpose of providing relief to persons in Australia who have suffered loss or distress as a result of a disaster caused by flood, fire, drought, tempest, or other calamity.
- b. Individuals in Australia who have suffered loss as a result of disaster caused by flood, fire, drought, tempest or other calamity including personal or family calamity.

3.11. Retention of Money

The Committee may hold funds in the Mayor's Relief Fund of the Shoalhaven City Council to enable it to render early relief to persons suffering as a result of disaster. To give immediate relief in necessitous cases, the Chairperson and Secretary and the President of the Shoalhaven Minister's Fraternal are authorised to approve payment of up to \$500 provided that any assistance thus rendered shall be reported to an early meeting of the Committee for confirmation.

3.12. Dissolution

- a. The fund shall be dissolved in the event of committee membership less than four persons or upon the vote of a three-fourths majority of members present at a Committee Meeting convened to consider such question.
- b. If the fund is wound up or if the endorsement (if any) of the fund as a deductible gift recipient is revoked, any surplus assets of the fund remaining after the payment of liabilities attributable to it shall be transferred to a fund, authority or institution to which income tax deductible gifts can be made having objects similar to the objects of the fund, which prohibits the distribution of its income and property among its members to an extent at least as great as is imposed by the fund under rule 3. However, in making the distribution, the fund must ensure it satisfies all legal obligations applying to any funds or property over which a charitable trust exists.

3.13. Audit

The accounts of the Fund shall be audited by the Auditors for the time being of the Shoalhaven City Council, Nowra.

3.14. Amendment of Rules

These rules may be amended from time to time by resolution of Council. The Australian Taxation Office and the NSW Office of Liquor, Gaming and Racing may require notification of any amendments to these rules.

3.15. Self Review

The fund shall be reviewed before the Annual General Meeting to ensure that it continues to operate for the purposes for which it was granted status as a Deductable Gift Recipient.

3.16. Change of Committee Membership

Any organisation represented on the Management Committee may change its representative from time to time to meet requirements or regulations of the organisation, or may be requested by the Management Committee of this Fund to change their representative.

4. IMPLEMENTATION

The Finance and Corporate Services Director has responsibility for implementation of this policy.

5. REVIEW

This policy statement will be reviewed within one year of the election of every new Council.

6. APPLICATION OF ESD PRINCIPLES

None Applicable