



DENISTONE EAST PUBLIC SCHOOL
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CONSTITUTION AND COMMITTEE RULES

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DENISTONE EAST PRIMARY SCHOOL P&C INC.

PRESCRIBED CONSTITUTION

Section 117 of the Education Act 1990 requires that the Denistone East Primary School Parents & Citizens Association prescribed constitution for Parents and Citizens' associations incorporated under the Federation of Parents and Citizens' Associations of New South Wales Incorporation Act 1976, be published by the Minister in the Education Gazette 1 of 2020.

This prescribed constitution is as follows:

1. Name

This body shall be known as the Denistone East Primary School Parents and Citizens' Association, a body corporate under the Parents and Citizens' Associations Incorporation Act 1976.

2. Object and Functions

The objects and functions of this association shall be those set out in Section 116 of the Education Act 1990, which include:

(i) The objects:

- (a) to promote the interests of the school by bringing parents, citizens, students and teaching staff into close co-operation; and
- (b) to assist in providing facilities and equipment for the school and in promoting the recreation and welfare of the students at the school.

(ii) The functions:

- (a) to report, when requested by the Minister for Education and Early Childhood, on the material requirements of the school and to advise on the subject of maintenance of the school, alterations and additions to school facilities, and the selection of new sites;
- (b) to assist and co-operate with the teaching staff in public functions associated with the school;
- (c) to be responsible for the election of parent representatives to any school council constituted at the school in consultation with the Principal of the school to ensure consistency with any guidelines for elections issued by the Secretary of the Department of Education;
- (d) to assist in any matters in which the Minister may seek the co-operation of the association and to exercise such other functions as may be prescribed by the regulations (under the Education Act 1990).

3. School Staff

The association shall not exercise any authority over the teaching staff or any matter relating to the control or management of the school. School staff may become members of the association. The Principal of the school, or the Principal's nominee, shall be a member, ex-officio, of the association and all its committees.

4. Membership

Membership will be open to all parents and carers of pupils attending the school and to all citizens within the school community. The association shall maintain a register of members. A person whose name appears in the register and who has paid the annual subscription shall be a member of the association.

The register shall be updated after each general meeting by the Secretary or the Secretary's nominee. If the name of a person has been omitted from the register when that person is otherwise entitled to be a member and their name should have been recorded in the register, then that person shall be a member of the association.

5. Office Bearers

- (a) The executive committee, which shall be constituted of the Officers of the association and up to six other members, shall carry out the decisions of the association. Members of the executive committee shall not receive any remuneration or other material benefit by reason of their position in the association. A member of the Executive Committee may be removed from office by resolution of the association carried at a properly convened general meeting or special meeting, providing at least seven days' notice has been given to members.
- (b) The Officers shall consist of President, two Vice-Presidents, Treasurer and Secretary, and shall be elected at the annual general meeting.
- (c) The President shall preside at all meetings except that, in the absence of the President one of the Vice-Presidents shall preside and, in the absence of the President and Vice-Presidents, the committee shall elect a Chairperson.
- (d) The Secretary shall attend meetings and keep a record of all business conducted. On relinquishing office the Secretary shall hand over records, minutes, account books, etc. to the incoming Secretary.
- (e) The Treasurer shall receive and deposit monies, maintain records, draw cheques and present accounts to each General Meeting; present all records for auditing each year and shall hand over all records to the incoming Treasurer on relinquishing office. The requirements for handling money, keeping records, etc in the School Manual on Financial Management shall be followed. Should it be necessary during the unavoidable absence of the Treasurer, another Officer of the association may receive any monies, issue receipts and either deposit the monies in an association account or hand the monies to the Treasurer within two business days, taking a receipt for same.

6. Casual Vacancies

Any casual vacancy on the Executive shall be filled by a ballot of the members of the association at any general meeting. A casual vacancy shall have arisen where a member of the Executive Committee:

- (a) dies;
- (b) resigns from the committee by notice in writing;
- (c) ceases to be a member of the association;
- (d) is removed under clause 5(a); or
- (e) has a continuing and long-term incapacity to fulfill the functions of the position.

7. Annual General Meeting

An Annual General Meeting shall be held once each calendar year at a date specified in the rules. At this meeting all Officer and other positions will become vacant and then be filled by nomination, and where necessary by ballot of members. All nominees shall be members of the association. The audited statement of income and expenditure and Annual Report will be presented. A copy of the audited statement of income and expenditure, certified by the auditor, is to be forwarded to the Federation of Parents and Citizens' Associations of New South Wales within one month of the annual general meeting at which it is adopted. An auditor for the ensuing year who is not an office bearer of the association shall be appointed. The appointed auditor shall possess appropriate skills and experience in auditing and financial record management together with an appreciation of the issues of probity as they relate to the role of association auditor. In particular, the auditor must not have or appear to have any conflict of interest arising, for example, from a personal or business relationship with an officer of the association.

8. General Meetings

A general meeting shall be held at least once during each school term.

9. Special Meetings

A special meeting shall be called by the Secretary at any time upon written request signed by at least 10 members or on the authority of the Executive Committee. The special meeting shall be held within one month of the date the Secretary receives the request or is given the authority. Members shall be given at least seven days' notice of the meeting which notice shall also state the business of the meeting.

10. Holding Meetings and Quorum

- (a) Parents and carers of pupils attending the school and citizens within the school community who are not members may attend meetings of the association but are not entitled to attend meetings of the Executive Committee or subcommittees of the association.
- (b) Where the association has a current membership of 50 or more, the quorum at all meetings of that association shall be 10 members. Where the association has a current membership of less than 50, the quorum shall be set according to the rules of that association but shall not be less than five.
- (c) The association will in the usual course hold all meetings of the association at the school or, if the school is not available, at a convenient and suitable location nominated by the Secretary [or, in his or her absence, by another Officer].
- (d) If for any reason a quorum at any meeting convened in accordance with paragraph (c) cannot be formed in accordance with paragraph (b) and the rules of the association, the association may hold a meeting of the association at 2 or more venues using any technology that gives the members as a whole an opportunity to participate effectively in that meeting.
- (e) In any case in which a meeting of the association is held using technology of the kind referred to in paragraph (d):
 - i. notice of the meeting must specify the date, time and details of the technology needed to participate in the meeting;
 - ii. a quorum must be maintained for the duration of the meeting;
 - iii. any member of the association attending in person or using technology will be taken to be present for the purposes of forming a quorum and for all other purposes;
 - iv. all votes on a resolution must be taken by ballot open to all members and not on a show of hands; and
 - v. the President or other presiding Officer appointed to chair the meeting may adjourn the meeting if there is any failure in technology with a consequence that a resolution cannot be put or the business of the meeting cannot be conducted

11. Liability

- (a) A member or Officer of the association is not, by reason only of being such a member or Officer, liable to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association.
- (b) The association must effect and maintain approved public liability insurance, unless the association is covered by such insurance affected and maintained by the Federation of Parents and Citizens' Associations of New South Wales. In this section "approved public liability insurance" means public liability insurance, which an association incorporated under the associations Incorporation Act 1984 is required by Part 6 of that Act to effect and maintain.

12. Subscriptions

The annual subscription shall be set by the rules but shall not be less than 50 cents.

13. Subcommittees

- (a) The association may establish subcommittees, however styled, to carry out specific functions on its behalf. Any subcommittees that are established shall report regularly at meetings of the association and follow any directions received from the association. The association may dissolve a subcommittee at any time. Any funds raised or handled by a subcommittee shall be, for all purposes, funds of the association.
- (b) Subject to any direction from the association, all meetings of subcommittees will be conducted on the same basis and subject to the same rules as apply to meetings of the association with any necessary modification appropriate to the functioning of that subcommittee.

14. Dissolution

- (a) The association may be dissolved in terms of a resolution carried at a general meeting or a special meeting of members, providing at least seven days' notice has been given to members and subject to the concurrence of the Minister for Education and Early Childhood, or otherwise at the Minister's discretion.
- (b) The association shall be dissolved if the number of members falls below the quorum or the school to which the association is attached is closed.
- (c) Where the association is dissolved minute books, audited accounts and other records, together with the residue of funds, shall be given to a kindred organisation having a taxation status accepted by the Australian Taxation Office as equivalent to that of the association. In particular, where the association maintains a deductible gift fund (such as a School Building Fund) on dissolution any remaining assets or funds must be transferred to another gift deductible fund with similar objects to the association. Any records given to a kindred organization will be retained in accordance with taxation legislation requirements. The transmission shall occur within two months of the dissolution of the association, and only after the books of account have been audited as provided under Clause 16. If the association is registered for GST, dissolution shall not be finalized until all accounts have been paid, all revenue received and all GST transactions have been accounted for in the association's Business Activity Statement.
- (d) Where the association is dissolved, assets and funds on hand after payment of all expenses and liabilities shall not be paid to or distributed among the members.

15. Rule-Making Power

The association shall make such rules as are required to carry out its functions. The rules shall not contravene the terms of this Constitution, the Education Act 1990, or the Parents and Citizens' Associations Incorporation Act 1976. The rules may be adopted, altered or withdrawn according to a simple majority vote at any meeting of the association for which a month notice has been given. Such notice shall include details of the proposed changes. The rules shall provide for the procedure to be followed:

- (a) at meetings of the association;
- (b) to convene a substitute meeting when a quorum is not attained at a meeting; and
- (c) in making an application for membership.

16. Accounts

The funds of the association shall be banked in the name of the association with any institution holding trustee status within the meaning of the Trustee Act 1925, provided interest is allowed on the balance. The account shall be operated by two or more officers of the association delegated in that behalf by the association. No commitment shall be entered into for the expenditure of association funds, except by resolution of a meeting of the association. The association must make such financial reports about its affairs (including reports of its auditors) as are required by its rules or by the Minister for Education and Early Childhood.

BY-LAWS

1. The rules are made under the constitution of Denistone East Primary School Parents and Citizens Association.
2. The association is formed for the benefit of the students of the school, which will;
 - (a) participate as much as possible in the activities of the school and communicate with all members of the school community;
 - (b) co-operate in the activities of the Federation of Parents and Citizens Associations of the New South Wales; and
 - (c) promote the interests of public education.
3. No person will serve more than three (3) years in the same position.
4. The financial year of the association shall close on the 30th of September each year.
5. The Annual General Meeting of the Association shall be held in October or early November of each year, in conjunction with and preceding the ordinary general meeting. The agenda of the Annual General Meeting shall include the Annual Report, Audited Financial Report, setting the annual subscription (membership fee) of the association for the ensuing year, reviewing the by-laws and policies of the association.
6. A general meeting of the association shall be held on the on the Wednesday of Week 7 or 8 of each term at 7pm.
7. Any person eligible for membership may become a member or renew membership by paying the required membership fee of a gold coin to the Treasurer, at any general meeting. Membership will remain current until the close of the following Annual General Meeting.

The Secretary shall be responsible for maintaining an up-to-date register of membership.

- (a) As a member of Denistone East Primary School P&C Association to participate in P&C run functions and to up hold the Values of the School.
 - (b) All members must declare at the start of the meeting any potential or perceived conflict of interest for any agenda item or shall disclose should an item of business arise to which there is a potential or perceived conflict of interest.
 - (c) Any member who knows there is a potential or perceived conflict of interest of another member has the responsibility to disclose that there is a potential or perceived conflict of interest.
 - (d) If a member declares a conflict of interest the meeting shall decide on the participation in the activity or vote.
8. A new member who pays their annual subscription (membership fee) for the first time at a P&C Association General or Annual General Meeting will not be eligible to vote at that meeting due to the register of members only being updated after each general meeting of the P&C Association. Once the register of members is updated they are considered a P&C Association member for voting purposes at the next P&C Association meeting. Annual subscription (membership fee) paid to the Treasurer between meetings, will only be recognised as financial at the close of the next P&C Association General Meeting when the register of members is updated, and the person will be able to vote at all P&C Association meetings thereafter.

9. The Officers of the P&C Association will be responsible for dealing with employment related statutory responsibilities as well as staff management and performance once a resolution of the P&C Association has been to employ staff.
10. Employees of Denistone East School P&C Association are ineligible to hold Executive positions or participate in the debate or voting in relation to any aspect related to their employment.
11. If a meeting for which due notice has been given does not achieve a quorum within 15 minutes of the advertised starting time the Secretary will, or in the absence of a Secretary remaining members of the Executive will call a further meeting. Failing that any five members of the P&C Association may call a further meeting with a lapse of not more than 28 days of term time to carry on the business of the P&C Association.
12. All meetings will be conducted in accordance with the rules and policies of the P&C Association. Members will conduct themselves accordingly.
13. Each meeting of the P&C Association will be conducted as follows;
 - Welcome and formal opening of meeting
 - Apologies
 - Minutes of the previous meeting (Receipt/Amendments/Adoption)
 - Business arising from the previous meeting Minutes
 - Correspondence
 - Reports (including Treasurer/sub-committee/Principal's/representative)
 - General Business
 - Meeting Close
14. The P&C Association may elect representatives who will be responsible to represent the P&C Association on committees or at events. Members who are elected to represent the P&C Association are required to produce a written report to the next general meeting of the P&C Association.
15. A general meeting of the P&C Association may declare any Officer who has been absent for three consecutive meetings without an apology being received and accepted by the meeting, to have vacated their position and to have created a casual vacancy to be dealt with by means of Rule 6 of the P&C Association constitution.
16. Any motion to expend P&C Association monies must be placed on the agenda for the meeting at which it is to be considered, the running costs of the sub-committees should be considered when dispersing monies. No financial decisions will be considered by the P&C Association, without having a treasurer's report presented and endorsed to the meeting.
17. The P&C Association may confer the honour of Life Membership or Outstanding Service on a member of the P&C Association or a volunteer who has made a significant contribution to the work of the Association by resolution of the membership. Life Members may attend and speak at meetings but are not entitled to vote or to hold office unless they are also ordinary members.
18. The P&C Association may remove an honour the P&C Association has bestowed if the recipient of such honour has been convicted of committing an offence that may be punishable by law.

Adopted on _____

Signed by _____ President

SUBCOMMITTEES

CANTEEN COMMITTEE

1. Role of committee

- (a) This committee shall be responsible for the organisation, management and upkeep of the Denistone East School canteen facilities.
- (b) The day-to day running of the canteen shall be carried out by the Canteen Manager/Supervisor, a paid employee(s), but the manager/supervisor shall report to the committee on the operation of the canteen.

2. Procedures

The committee which is elected at the Annual General Meeting of the P&C each year shall meet within one (1) month of the AGM to elect a Coordinator/Chairperson who shall be responsible for ensuring:

- (a) meetings of the committee are held as frequently as needed;
- (b) that these meetings are conducted in accordance with the Constitution of the P&C;
- (c) that minutes of the meetings are recorded and distributed to committee members and President of the P&C;
- (d) that a report is presented at each P&C meeting concerning the activities of the canteen/committee during the previous months;
- (e) that an annual budget is prepared at the beginning of each year which sets out a forecast of the estimated profits for the year and expenditure on new or replacement equipment that may be needed during the year. This information is to be incorporated into the P&C budget each year; and
- (f) the finances of the Canteen are overseen by the Canteen Treasurer who will prepare a monthly report on the operations of the canteen to be presented to each P&C meeting.

3. Committee responsibilities

The committee's responsibilities shall include ensuring:

- (a) that there are sufficient volunteers to assist the Canteen Manager/Supervisor in the day-to-day operation of the canteen;
- (b) that there are clear guidelines laid down concerning the types of food that can be sold in the Canteen. Such guidelines should be reviewed annually by the committee and if any changes are felt necessary, these changes if significant, should be presented to the P&C for final approval;
- (c) that prices charged by the canteen are fair, returning a reasonable profit to the school, but not excessive and should relate to current prices outside but should be about 5-10% less than outside the school; and
- (d) that recommendations on upgrading of equipment and purchase of new equipment designed to improve the operations of the canteen are properly prepared and presented to the P&C for their consideration.

4. Role of canteen manager/supervisor

The duties and responsibilities of the canteen supervisor include:

- (a) the day-to-day operation of the canteen including the supervision and rostering of the voluntary workers;
- (b) consulting with the Principal and Canteen committee regarding purchasing arrangements and to order supplies from agreed suppliers and to receive and check all ordered supplies against invoices and delivery dockets; then to arrange payments as necessary;
- (c) consulting with the canteen committee and P&C on items to be sold in the Canteen and then setting prices to ensure a reasonable profit level;
- (d) counting and recording daily takings and arranging for these takings to be banked;
- (e) assisting with periodic stock takes of equipment and stock on hand;
- (f) conducting and organising necessary incidental cleaning duties to ensure the canteen functions on a day-to-day basis and satisfies health and occupational safety regulations. Ensuring that all helpers observe high standards of personal hygiene;
- (g) generally required to attend all canteen committee meetings; and
- (h) other duties as may be agreed between the supervisor and the P&C.

GROUNDS COMMITTEE

1. Purpose

The Grounds Committee aims to care for the Denistone East Public School grounds, raising appreciation of the grounds as a special environment, where students, parents and citizens can be involved in actions or projects that will enhance learning, work and play within the grounds.

2. Procedures

- (a) A Grounds Coordinator may be elected at the Annual General Meeting of the association.
- (b) A committee may be formed at the Annual General Meeting or at a later date, if there are sufficient number of people and will meet within one (1) month of formation.
- (c) The Grounds Coordinator will be responsible for ensuring:
 - (i) meetings of the committee are held as frequently as needed;
 - (ii) these meetings are conducted in accordance with the Constitution of the P&C;
 - (iii) the minutes of the meetings are recorded and distributed to the committee members and the President of the P&C; and
 - (iv) that a report is presented at each P&C meeting concerning the activities of the committee during the previous month.
- (d) Any funds raised or handled by the Grounds Committee shall be, for all purposes, funds of the association.

3. Responsibilities

The Grounds Committee aims to:

- (a) nurture and beautify the school grounds and gardens by discussing, proposing, organising and overseeing grounds projects to be considered by the P&C and the School Executive for approval;

- (b) when making a project proposal, the committee needs to consider school community needs, educational requirements, enrolments, innovations, safety and site requirements; with a long term view of the future of the school grounds;
- (c) develop an awareness of the school grounds as a special environment, which enhances educational, social and environmental outcomes for the entire school community; a place of learning, work and play for students, staff and visitors;
- (d) develop awareness and offer opportunities for each individual, of the school community, to be involved in caring for the school grounds; linking with the school values of safe, respectful learners;
- (e) organising participation of students, parents and citizens in group events, such as working bees, or special days, such as Clean Up Australia Day, as approved by the P&C and the School Executive and in accordance with WHS;
- (f) encourage links to other groups within the school to foster community involvement and develop stewardship in caring for the grounds. For example: Student Council, Student Environment Groups or After School Care;
- (g) promote sustainability practices within the school environment, including the grounds and buildings. This may be through garden practices of composting, mulching and planting; or considering waste disposal, water and energy use; with the aim of increasingly moving the school grounds site towards greater environmental sustainability;
- (h) regularly report in the School Newsletter on issues relating to the grounds and environment to promote awareness and involvement of the school community; and
- (i) regularly report to the P&C regarding proposals, actions taken and meetings held.

MUSIC COMMITTEE

1. Role of committee

The role of the music committee is to:

- (a) support the running of the music program by the music program provider selected by the school;
- (b) manage the collection of musical instruments owned by the P&C; and
- (c) manage the collection of sheet music owned by the P&C.

2. Procedures

- (a) A Music Coordinator and/or Instrument Coordinator and/or Music Librarian may be elected at the Annual General Meeting of the association.
- (b) A committee may be formed at the Annual General Meeting or at a later date, if there are sufficient number of people and will meet within one (1) month of formation.
- (c) Any funds raised or handled by the Music Committee shall be, for all purposes, funds of the association.

3. Responsibilities

- (a) The Music Coordinator supports the music provider by helping to:
 - (i) communicate with parents;
 - (ii) liaise with the school regarding rehearsal times, use of rooms and facilities, etc.; and
 - (iii) organise internal and external performances.

- (b) The Music Coordinator is also responsible for:
 - (i) liaising with the Second-Hand Uniform Store to provide music uniforms for sale;
 - (ii) presenting at each P&C meeting a report concerning the activities of the committee during the previous months; and
 - (iii) preparing a music program update in the fortnightly school newsletter as appropriate.

- (c) The Instrument Coordinator is responsible for:
 - (i) coordinating the hiring of instruments to students;
 - (ii) liaising with the P&C Treasurer to issue invoices and collect or refund hire fees and deposits;
 - (iii) maintaining the database of instruments owned by the P&C; and
 - (iv) ensuring that servicing and repairs of instruments is carried out properly and cost effectively.

- (d) The Music Librarian is responsible for:
 - (i) purchasing sheet music for the P&C music library;
 - (ii) ensuring the sheet music is correctly catalogued and filed;
 - (iii) ensuring that photocopying of sheet music is done in accordance with copyright laws; and
 - (iv) managing the issue and collection of sheet music to and from conductors and students.

ROAD SAFETY COMMITTEE

1. Purpose

This committee looks at traffic conditions around school and any issues arising from it and how to:

- (a) improve safety for students; and
- (b) bring traffic awareness to the school community

2. Procedures

- (a) A Grounds Coordinator may be elected at the Annual General Meeting of the association.
- (b) A committee may be formed at the Annual General Meeting or at a later date, if there are sufficient number of people and will meet within one (1) month of formation.
- (c) The coordinator shall be responsible for ensuring:
 - (i) meetings of the committee are held as frequently as needed;
 - (ii) that these meetings are conducted in accordance with the Constitution of the P&C;
 - (iii) the minutes of the meeting are recorded and distributed to committee members and President of the P&C; and
 - (iv) that a report is presented at each P&C meeting concerning the activities of the committee during the previous months.

3. Committee responsibilities

The coordinator's responsibilities shall include:

- (a) liaising with Denistone East Public School Executives, Ryde City Council and/or Local Police Station in relation to any ongoing traffic issues around the school and ways these issues can be resolved via, but not limited to;
 - (i) notices in the school Newsletter and/or Skoolbag app; and
 - (ii) road safety awareness initiatives during drop off and pick up.
- (b) organising participation in activities such as Ride/Walk To School Day.

UNIFORM COMMITTEE (UC)

1. Role of Committee

The uniform committee is formed when there is proposed changes or additions to existing school uniform.

2. Procedures

- (a) Any changes or additions to existing uniforms require a written proposal for change to be signed by 10% of school families and to be presented to the UC.
- (b) The UC to investigate the proposal by obtaining samples as required and then present the proposal to a P&C meeting. This should be accompanied by a recommendation on whether or not to accept the proposal.
- (c) If the proposal is approved at the P&C meeting, the School Community shall be surveyed before any change is finalised.

SECOND (2ND) HAND UNIFORM STORE COMMITTEE

1. Purpose

- (a) To recycle used uniforms within the school community.
- (b) To contribute to the fundraising activities of the P&C.

2. Procedures

- (a) A Second (2nd) Hand Store Coordinator may be elected at the Annual General Meeting of the association.
- (b) The coordinator is responsible for the operation of the 2nd hand uniform store whose duties and responsibilities shall include ensuring:
 - (i) the key to the store is kept safely. Any loss of key must be reported to the school and the P&C;
 - (ii) rostering and job tasks of voluntary workers;
 - (iii) counting and recording the float in the Record Book prior to opening of store;
 - (iv) counting and recording of takings at the end of each trading day in the Record Book prior to closing of store and arranging for these to be banked;
 - (v) the store is kept neat and tidy.

3. Stock

- (a) Items offered for sale to parents must be from donation.
- (b) All stock must be clean when presented for sale and must be consistent with the current school uniform.
- (c) Donated items will be checked for suitability (quality, colour etc.) before being offered for sale.
- (d) All stock must be suitably presented and sorted into categories based on item and size (e.g size 6 boy's short sleeved summer shirt).
- (e) Items donated that are not suitable for sale will be donated to local charity shops, and/or dropped into clothing recycling bins or disposed of appropriately.

4. Sales

- (a) When sold, item(s) must be noted on the receipt with a duplicate copy. The receipt is issued to the purchaser and the duplicate copy is kept as a record of items sold.
- (b) No refund or exchange on the items sold.
- (c) Finances
 - (i) A float shall be maintained at \$120 for the weekly operation of the 2nd hand uniform store.
 - (ii) For each transaction conducted, a receipt shall be issued to the purchaser detailing date of purchase, items sold, name, receipt number, price and signed by the person selling. Proceeds from sales less float must be banked within a day after trading.
 - (iii) Any petty cash expenses paid out-of-pocket must be accompanied by receipts if to be presented to the P&C treasurer for reimbursement.
 - (iv) Any funds raised or handled by the 2nd hand uniform store shall be, for all purposes, funds of the association.