



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Disclosure Log Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

Application Details	
Ref. No.	CMTEDDFOI 2024-099
Date of Application	18 March 2024
Date of Decision	22 May 2024
Processing time (in working days)	44
Fees	Waived
Decision on Access	Partial Release
Information Requested (summary)	Records of complaints in relation to building works with the Canberra Sikh Association Inc.
Publication Details	
Original application	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision notice	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Documents and schedule	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision made by Ombudsman	N/A
Additional information identified by Ombudsman	N/A
Decision made by ACAT	N/A
Additional information identified by ACAT	N/A

From: no-reply@act.gov.au
To: [CMTEDD FOI](#)
Subject: CMTEDDFOI 2024-099 - Freedom of Information request
Date: Monday, 18 March 2024 10:38:33 AM

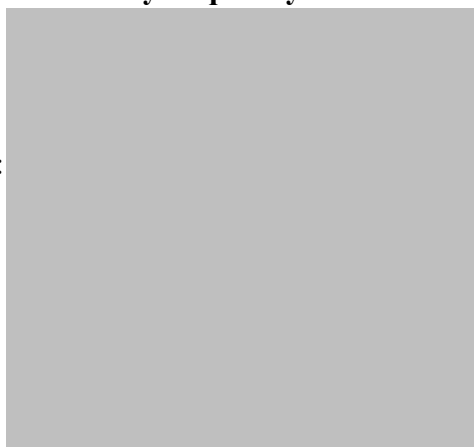
Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. [Learn why this is important](#)

Please find online enquiry details below. Please ensure this enquiry is responded to within fourteen working days.

Your details


All fields are optional, however an email address OR full postal address must be provided for us to process your request. An email address and telephone contact number will assist us to contact you quickly if we need to discuss your request.

Title:
First Name:
Last Name:
Business/Organisation:
Address:
Suburb:
Postcode:
State/Territory:
Phone/mobile:
Email address:

A large grey rectangular area redacting the user's personal details, covering the fields for Title, First Name, Last Name, Business/Organisation, Address, Suburb, Postcode, State/Territory, Phone/mobile, and Email address.

Request for information

(Please provide as much detail as possible, for example subject matter and relevant dates, and also provide details of documents that you are not interested in.)

I am writing on behalf of  pursuant to the Freedom of Information Act 2016 (FOI Act). We seek access to the following records in your custody or control: All records of complaints made in relation to: 1. New building works associated with The Canberra Sikh Association Inc. 1.1 The existing building(s) of The Canberra Sikh Association Inc. 1.2 Time Frame: From January 1, 2017, to March 18, 2023. 2. All records of communications received by Access Canberra in relation to The Canberra Sikh Association Inc. 2.1 Time Frame: From January 1, 2018, to March 18, 2023. This request includes, but is not limited to, electronic correspondence, written communications, reports, notes, internal memos, and any other records related to the above-mentioned matters. The purpose of this request is to ensure compliance with relevant building regulations and to maintain transparency with our community regarding any concerns or issues raised during the specified periods. We appreciate your attention to this matter and look forward to your prompt response. According to the FOI Act, we anticipate receiving the requested information or an update on the status of our request within the statutory timeframe. Thank you

Under the Freedom of Information Act 2016 I want to access the following document/s (*required field):

for your cooperation.

I do not want to access
the following
documents in relation
to my request::

Thank you.
Freedom of Information Coordinator



FREEDOM OF INFORMATION REQUEST – NOTICE OF DECISION

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 18 March 2024. Specifically, you sought:

"I am writing on behalf of [redacted] pursuant to the Freedom of Information Act 2016 (FOI Act). We seek access to the following records in your custody or control:

All records of complaints made in relation to:

1. New building works associated with The Canberra Sikh Association Inc.

1.1 The existing building(s) of The Canberra Sikh Association Inc.

1.2 Time Frame: From January 1, 2017, to March 18, 2023.

2. All records of communications received by Access Canberra in relation to The Canberra Sikh Association Inc.

2.1 Time Frame: From January 1, 2018, to March 18, 2023. This request includes, but is not limited to, electronic correspondence, written communications, reports, notes, internal memos, and any other records related to the above- mentioned matters."

Authority

I am an Information Officer appointed by the CMTEDD Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Timeframes

In accordance with section 40 of the Act, CMTEDD was required to provide a decision on your access application within 30 working days. However, following third-party consultation, the due date is now 23 May 2024.

Decision on access

Searches were completed for relevant information and 28 documents were identified that fall within the scope of your request.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of the documents that fall within the scope of your request and the access decision for those documents.

I have decided to grant full access to 11 documents relevant to your request. I have granted partial access to 11 documents and have refused access to six documents as I consider them to contain:

- contrary to the public interest information under schedule 1; or
- information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act.

My access decisions are detailed further in the following statement of reasons and the documents released to you are provided as **Attachment B** to this letter.

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below.

Statement of Reasons

In reaching my access decisions, I have taken the following into account:

- the Act;
- the content of the documents that fall within the scope of your request;
- the views of interested third parties.

Exemption claimed

As a decision maker, I am required to determine whether the information within scope is in the public interest to release. To make this decision, I am required to:

- assess whether the information would be contrary to public interest to disclose as per Schedule 1 of the Act
- perform the public interest test as set out in section 17 of the Act by balancing the factors favouring disclosure and factors favouring non-disclosure in Schedule 2

I have included below the factors relevant to my decision on access.

Contrary to the public interest information under schedule 1 of the Act

I have determined that some of the material within the scope of your request contains information that is taken to be contrary to the public interest to disclose under Schedule 1 of the Act.

1.2 Information subject to legal professional privilege

Information that would be privileged from production or admission into evidence in a legal proceeding on the ground of legal professional privilege.

Document 24 contains information that would be privileged from production or admission into evidence in a legal proceeding on the ground of legal professional privilege.

Information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act

Public Interest

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interest lies. As part of this process, I must consider factors favouring disclosure and nondisclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when ‘used in a statute, the term [public interest] derives its content from “the subject matter and the scope and purpose” of the enactment in which it appears’. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Factors favouring disclosure in the public interest:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
 - (ii) *promote open discussion of public affairs and enhance the government’s accountability.*
 - (viii) *reveal the reason for a government decision and any background or contextual information that informed the decision.*

Having considered the factors identified as relevant in this matter, I consider that release of the information contained in these documents may reasonably be expected to provide insight about decisions and processes put in place when dealing with the public.

Noting that the Act has an express pro-disclosure bias which reflects the importance of public access to government information for the proper working of a representative democracy, I must consider the above factors for disclosure against those factors favouring nondisclosure. However, in this case I do give significant weight to the factors for disclosure.

Factors favouring nondisclosure in the public interest:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
 - (ii) *prejudice the protection of an individual’s right to privacy or any other right under the Human Rights Act 2004.*
 - (ix) *prejudice the flow of information to the police or another law enforcement or regulatory agency.*
 - (xii) *prejudice an agency’s ability to obtain confidential information.*
 - (xvi) *prejudice a deliberative process of government.*

When considering the information at issue and factors in favour of nondisclosure, I have weighed the protection of an individual’s right to privacy *under the* Human Rights Act 2004 as a significant factor. Therefore, some information has been redacted to protect individuals as I consider their right to privacy outweighs the benefit which may be derived from release. These individuals are entitled to expect that the personal information they have supplied as part of a government process will be dealt with in a manner that protects their privacy.

I am satisfied that the individuals/s concerned desired their identity to be known only to those who need to know it for the purpose of complaints investigation, and that the information was supplied on the express or implied understanding that their identity would remain confidential. In addition, the release of information of this nature has the potential to negatively impact on Access Canberra’s ability to obtain this type of information when dealing with complaints matters. 8

The Act provides under Schedule 2 section 2.2 (ix) that information can be withheld if disclosure could reasonably be expected to prejudice the flow of information to a regulatory entity. Businesses working with Access Canberra have the right to expect that their business affairs will not be prejudiced by participating in regulatory activities coordinated by a government agency. Businesses provide their information to government authorities and entities in good faith and if confidentiality is not maintained businesses may be prejudiced and be less willing to participate in future exercises. While a concern, I weight this provision moderately.

Some information has been withheld on the basis that it is part of a deliberative process of government, therefore the factor for nondisclosure s 2.2 (a)(xvi) is relevant. While information referring to a deliberative process of government can be disclosed where the information is factual or administrative, nondisclosure is recommended where prejudice of decision is reasonably expected to occur.

Having considered relevant factors under Schedule 1 and applied the test outlined in section 17 of the Act and deciding that release of personal information contained in the documents is not in the public interest to release, I have chosen to redact this specific information in accordance with section 50(2).

Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that is not in the public interest to release will ensure that the intent of the Act has been met.

Charges

Processing charges are applicable for this request because the total number of pages to be released to you exceeds the charging threshold of 50 pages. However, the charges have been waived.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a [disclosure log](#).

Your original access application and my decision will be published on the CMTEDD disclosure log. Your personal contact details will not be published.

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published on the disclosure log, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact the Information Access Team by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely,



Katharine Stuart
Information Officer
Chief Minister, Treasury and Economic Development Directorate
21 May 2024



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
<p>I am writing on behalf of [REDACTED] pursuant to the Freedom of Information Act 2016 (FOI Act). We seek access to the following records in your custody or control:</p> <p>All records of complaints made in relation to:</p> <ol style="list-style-type: none"> 1. New building works associated with The Canberra Sikh Association Inc. <ol style="list-style-type: none"> 1.1 The existing building(s) of The Canberra Sikh Association Inc. 1.2 Time Frame: From January 1, 2017, to March 18, 2023. 2. All records of communications received by Access Canberra in relation to The Canberra Sikh Association Inc. <ol style="list-style-type: none"> 2.1 Time Frame: From January 1, 2018, to March 18, 2023. This request includes, but is not limited to, electronic correspondence, written communications, reports, notes, internal memos, and any other records related to the above-mentioned matters. 	<p>CMTEDDFOI 2024-099</p>

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-7	10590 - AC Internal investigation(vA57611219)	23 February 2024	Full Release		Yes
2	8	Too Many--Illegally parked(vA57604134)	8 November 2021	Partial Release	Sch 2, 2.2(a)(ii)	Yes
3	9-15	36471 FOI(vA57603201)	9 November 2021	Partial Release	Sch 2, 2.2(a)(ii)	Yes
4	16	Email Correspondence: Email to CITL copy(vA57647048)	28 November 2021	Full Release		Yes
5	17-18	Email Correspondence: RE_ Canberra Sikh Association (A01169)(vA57646171)	12 December 2023	Full Release		Yes
6	19-24	Email Correspondence: Canberra Sikh Association - Fair Trading and Compliance Investigation(vA57646086)	20 December 2023	Partial Release	Sch 2, 2.2(a)(ii)	Yes
7	25-27	Email Correspondence: FW_ Referral to FTC - Canberra Sikh Association A01669(vA57645527)	28 February 2024	Partial Release	Sch 2, 2.2(a)(ii)	Yes

8	28-30	Email Correspondence: RE_ Referral to FTC - Canberra Sikh Association A01669(vA57645491)	28 February 2024	Partial Release	Sch 2, 2.2(a)(ii)	Yes
9	31-37	Email Correspondence: RE_ Referral to FTC - Canberra Sikh Association A01669(vA57645545)	28 February 2024	Partial Release	Sch 2, 2.2(a)(ii)	Yes
10	38-40	Email Correspondence: Referral to FTC - Canberra Sikh Association A01669(vA57645452)	28 February 2024	Partial Release	Sch 2, 2.2(a)(ii)	Yes
11	41-42	Email Correspondence: RE_ Canberra Sikh Association(vA57645593)	29 February 2024	Full Release		Yes
12	43-46	Email Correspondence: RE_ Referral to FTC - Canberra Sikh Association A01669(vA57645611)	29 February 2024	Partial Release	Sch 2, 2.2(a)(ii)	Yes
13	47	Email Correspondence: 001_01 - AGM extension request 20231023 (fA14548615)(vA57645573)	29 February 2024	Full Release		Yes
14	48-49	Email Correspondence: FW_ Canberra Sikh Association Preliminary Assessment(vA57645654)	10 March 2024	Full Release		Yes
15	50	RAM Notes(vA57661010)	5 March 2024	Full Release		Yes
16	51	Email Correspondence: RE_ Canberra Sikh Association - Warning Letter - Draft(vA57645672)	13 March 2024	Full Release		Yes
17	52-54	Email Correspondence: RE_ Canberra Sikh Association - Warning Letter - Draft(vA57645690)	14 March 2024	Partial Release	Sch 2, 2.2(a)(ii)	Yes
18	55	Email Correspondence: RE_ Canberra Sikh Association - Warning Letter(vA57645739)	15 March 2024	Full Release		Yes
19	56-58	Email Correspondence: Canberra Sikh Association - Warning Letter(vA57645719)	15 March 2024	Partial Release	Sch 2, 2.2(a)(ii)	Yes
20	59-60	Preliminary Assessment - Canberra Sikh Association Dispute copy(vA57661008)	Undated	Full Release		Yes
21	61	CSA FOI 1 - Requests Extension to Lodge Change of Committee Particulars	31 December 2021	Refuse	sch 2.2 a (ii); 2.2 a (ix); 2.2 a (xii) and 2.2 a (xvi)	No
22	62	Email Correspondence: CSA FOI 2 - Update Email Address from P.Sandu	14 November 2022	Full Release		
23	63-64	Email Correspondence: CSA FOI 3 - Requests Advice re Model Rules from CITL	28 October 2022	Refuse	sch 2.2 a (ii); 2.2 a (ix); 2.2 a (xii) and 2.2 a (xvi)	No
24	65-89	Email Correspondence: CSA FOI 4 - Request Advice re AGM from CITL	27 October 2022	Partial Release	sch 1, 1.2; 2.2 a (ii); 2.2 a (ix); 2.2 a (xii) and 2.2 a (xvi)	Yes
25	90-98	Email correspondence: CSA FOI 5 - Requests Advice re AGM from CITL	2 December 2021	Refuse	sch 2.2 a (ii); 2.2 a (ix); 2.2 a (xii) and 2.2 a (xvi)	No

26	99-103	Email Correspondence: CSA FOI 6 - Writes to CITL Requesting Extension to AGM	28 May 2021	Refuse	sch 2.2 a (ii); 2.2 a (ix); 2.2 a (xii) and 2.2 a (xvi)	No
27	104-109	Email Correspondence: CSA FOI 7 - Requests Advice from CITL re Internal Dispute Following AGM	18 May 2021	Refuse	sch 2.2 a (ii); 2.2 a (ix); 2.2 a (xii) and 2.2 a (xvi)	No
28	110-112	Email Correspondence: CSA FOI 8 - Requests Extension to Hold AGM	10 November 2020	Refuse	sch 2.2 a (ii); 2.2 a (ix); 2.2 a (xii) and 2.2 a (xvi)	No
Total No of Docs						
28						

Generated by: Eóin Ó Corraídh on Fri Mar 22 04:58:43 GMT 2024

FOI Request

Case

- 00208039
- 00795952
- 00796064
- 00796105
- 00879065

Outcome

- O16065
- O95104
- O95105
- O95108
- O95119
- O95121
- O95454
- O110611
- O110972

Related Licence

ECOGREEN CONSTRUCTIONS PTY LTD
 IYENGAR, HARI

Related Third Party

Related Legislation

- RL11342
- RL35908

AC Internal investigations

20210423-10590

AC Internal investigations

Field Label	Value
deleted	false
ac internal investigations name	20210423-10590
created date	20/02/2019, 03:22 pm AEDT
last modified date	19/03/2024, 03:55 pm AEDT
system modstamp	19/03/2024, 03:55 pm AEDT
last viewed date	22/03/2024, 03:58 pm AEDT
last referenced date	22/03/2024, 03:58 pm AEDT
anzsic level four	Non Residential Building Construction
anzsic level one	Construction
anzsic level three	Non-Residential Building Construction
anzsic level two	Building Construction

Field Label	Value
allege conduct	Alleged unapproved structure
block no.	15
business	a614a00000001e5AAA
cmt category level 1	Planning
cmt category level 2	Lease compliance (Owner)
cmt category level 3	Unapproved structure other
cmt status	Resolved
investigation queue	AC CMT Rapid Regulatory Response team
country	Australia
current risk	Category 2
current user	false
formatted address	15 HICKEY CT, WESTON ACT 2611
latitude	-35.32510283
longitude	149.05760887
description	Alleged unapproved structure
palm flag	false
postcode	2611
reason for risk change	Involving non compliance with obligations when performing a licensed activity
reason for risk assessment?	Anon Complaint No supporting evidence provided Recorded for information only
resolution status	Finalised - unsubstantiated
risk category	Category - 5
safety alert?	false
section no	83
state	ACT
street address	15 HICKEY CT
subject	Planning Compliance Unapproved Structure The Canberra Sikh Association Inc
suburb	Weston

Field Label	Value
ac investigation paths	Closed
legacy case id	10751
lockdown to queue	false
ac cmt closed date	19/03/2024, 03:55 pm AEDT
cmt closed	20/02/2019, 03:13 pm AEDT
ac queue last changed	11/10/2023, 11:27 am AEDT
record id	a6t4a0000000hcgAAA
business	THE CANBERRA SIKH ASSOCIATION INC

Notes

N/A

Outcome

Field Label	Value
deleted	false
outcome number	O16065
created date	20/02/2019, 03:22 pm AEDT
last modified date	27/04/2021, 11:18 am AEST
system modstamp	27/04/2021, 11:18 am AEST
actions taken	Notes
case note heading	Case Closure
date and time of action	20/02/2019, 03:22 pm AEDT
external reference number	190212-002969
management significant	No
number of actions	1
rcac significant	No
entered by	iConnect Team
outcome legacy	26172

Field Label	Value
ac internal investigation	a6t4a0000000hcgAAA
record id	a6E4a0000000nGnEAI
ac internal investigation	20210423 10590

Notes

Private Note ACT Digital

Wednesday, 20 Feb 2019, 03:22 pm

Title: Private

Content:

Created By: Billy Cross

Type: Private

Complaint contains no supporting evidence and there is no way to obtain any further evidence. Closed unless further complaints received.

Case

Field Label	Value
deleted	false
case number	00208039
case type	Feedback
status	Closed
case origin	Web
visible in self-service portal	true
subject	Building/Planning Unapproved Structure The Canberra Sikh Association Inc
priority	Medium
closed	true
closed date	29/06/2021, 11:46 am AEST
escalated	false
new self service comment	false
self-service commented	false

Field Label	Value
created date	12/02/2019, 10:50 pm AEDT
last modified date	29/06/2021, 11:46 am AEST
system modstamp	29/06/2021, 11:46 am AEST
last viewed date	22/03/2024, 03:56 pm AEDT
last referenced date	22/03/2024, 03:56 pm AEDT
url of creator's profile photo	https://actgov.file.force.com/profilephoto/7290K000000oZPK/F
url of creator's thumbnail photo	https://actgov.file.force.com/profilephoto/7290K000000oZPK/T
name of creator	
days till expired	-1837
taxonomy group 1	a6J4a000000011KEAQ
cmt category level 1	Building
cmt category level 2	Unapproved structure
category	Complaints and Feedback > Construction
comment category	Complaint
date/time of incident	12/11/2018, 12:00 am AEDT
desired outcome	Notification to get the same premises demolished unless the compliance can be achieved
case casesafeid	5004a000002pWf7AAE
feedback assigned status	Action Not Required
feedback queues	AC CMT - Feedback
formatted address	15 Hickey CT WESTON
involves vulnerable person?	Yes
on going issue	Yes
raised with third party?	No
state	ACT
vehicle moving	No

Field Label	Value
voluntary demographic information?	false
case reference number	AC-00208039
legacy case id	8550905
current user	false
ac internal investigation	a6t4a0000000hcgAAA
ac form type	Oracle Migration
sent to tccs?	false
case id	5004a000002pWf7AAE
created by id	00528000003i1N3AAI
taxonomy group 1	Construction
ac internal investigation	20210423-10590

Notes

Private Note - ACT Digital

Wednesday, 20 Feb 2019, 03:22 pm

Title: Staff Account

Content:

Created By: Billy Cross

Type: Staff Account

Good Afternoon Anon

Thank you for bringing this issue to our attention.

Before an assessment can be made on the matter we require supporting evidence to be provided.

Could you please reply to this email with any photographs to provide some context on the current situation.

Your complaint has been marked as resolved at this stage. When the requested documentation is received it will be reopened for review.

Thank you for your assistance.

Kind Regards,

Generated by: Eóin Ó Corraídh on Fri Mar 22 04:58:43 GMT 2024

Billy | Senior Case Manager

Access Canberra | Complaints Management Team | www.act.gov.au/accesscbr (<https://www.act.gov.au/accesscbr>)

(<http://www.act.gov.au/accesscbr>) | 132281

Private Note ACT Digital

Tuesday, 12 Feb 2019, 10:50 pm

Title: Rule Response Template

Content:

Created By: Administrator

Type: Rule Response Template

Positional data at time of incident submissions was:

Latitude:

Longitude:

Google Url:

Google Address: 15 Hickey CT WESTON

Private Note - ACT Digital

Tuesday, 12 Feb 2019, 10:50 pm

Title: Customer

Content:

Created By: anonymous anonymous

Type: Customer

The Canberra Sikh Association at 15 Hickey CT WESTON has built a premises behind ladies toilets that is currently used to run the language school for young kids. The premises were built without any approval as DA or BA and even the electrical and air-conditioning is not approved. The same premises is used for kids from age 5 15 years to attend the language school and co curricular activities.

Private Note - ACT Digital

Tuesday, 12 Feb 2019, 10:50 pm

Title: Rule Response

Content:

Created By: Administrator -

Type: Rule Response

Thank you for your correspondence which has been received and referred to the relevant ACT Government business unit.

If you have requested a response you should expect to be contacted within 10 working days.

Your reference number is: #190212-002969

Parking Operations form - Submission confirmation

Your submission has been successful. Please keep a copy of this receipt for your records.

Date and time

08 Nov 2022 7:41:03 PM

Reference code

77YH3G6G

Dispute a parking infringement
Telephone: 620 77098

Report a faulty parking meter
Telephone: 1800 047 222

General enquiries, call Access Canberra
Telephone: 1 22 81

Parking Operations Form

CSO initials *

MP

Call type *

Illegally parked vehicle

Caller details

Title

Sch 2.2

Given name *

Sch 2.2(a)(ii)

Family name *

Sch 2.2(a)(ii)

Enter at least one phone number: *

Home phone number

Work phone number

Mobile number

Sch 2.2(a)(ii)

An email will be sent to the entered email address automatically.

Email

DECLINED@DECLINED.COM

Vehicle location

Location of vehicle *

Calling In As People Have Gathered En Mass To The Sikh Temple And They've Parked Very Dangerously.

Vehicle specifics

Vehicle registration *

Too Many

Vehicle make

Continue typing...

Other make

Too Many

Vehicle model *

Too Many

Vehicle colour *

Too Many

Reference code

77YH3G6G

Generated by: Michael Frew on Fri Mar 22 01:50:53 GMT 2024

FOI Request

Case

 00612046

Outcome

Related Licence

Related Third Party

Related Legislation

 RL30041

AC Internal investigations

 20221109-36471

AC Internal investigations

Field Label	Value
deleted	false
ac internal investigations name	20221109-36471
created date	09/11/2022, 05:05 pm AEDT
last modified date	09/11/2022, 05:08 pm AEDT
system modstamp	09/11/2022, 05:08 pm AEDT
last viewed date	22/03/2024, 12:50 pm AEDT
last referenced date	22/03/2024, 12:50 pm AEDT
anzsic level four	Regulatory Services
anzsic level one	Public Administration and Safety
anzsic level three	Regulatory Services
anzsic level two	Public Order, Safety and Regulatory Services
alledge conduct	Illegal Parking
block no.	15
cmt category level 1	Parking
cmt category level 2	Non dangerous illegal parking
cmt category level 3	Blocking Access
cmt status	Resolved
investigation queue	AC CMT - Issue
country	Australia

Generated by: Michael Frew on Fri Mar 22 01:50:53 GMT 2024

Field Label	Value
current user	false
formatted address	15 HICKEY CT, WESTON ACT 2611
latitude	-35.32510283
longitude	149.05760887
description	Illegal Parking
palm flag	false
postcode	2611
reason for risk assessment?	Conduct or incident involving a breach of legislation that poses a minor potential risk to members of the ACT community
resolution status	CMT advice provided
risk category	Category - 4
safety alert?	false
section no	83
state	ACT
street address	15 HICKEY CT
subject	Illegal Parking - HICKEY CT, WESTON
suburb	Weston
ac investigation paths	Closed
lockdown to queue	false
ac cmt closed date	09/11/2022, 05:08 pm AEDT
record id	a6t9e0000000113AAA

Notes

N/A

Related Legislation

Field Label	Value
deleted	false
related legislation number	RL30041

Generated by: Michael Frew on Fri Mar 22 01:50:53 GMT 2024

Field Label	Value
created date	09/11/2022, 05:06 pm AEDT
last modified date	09/11/2022, 05:06 pm AEDT
system modstamp	09/11/2022, 05:06 pm AEDT
legislation	a6C4a0000000YldEAE
active flag	true
legislation name	Road Transport (Road Rules) Reg 2017
sections	a6H4a0000001P7LEAU
ac internal investigation	a6t9e000000113AAA
record id	a6L9e00000003HKEAY
legislation	Road Transport (Road Rules) Reg 2017
sections	191-Stopping near obstruction
ac internal investigation	20221109-36471

Notes

N/A

Case

Field Label	Value
deleted	false
case number	00612046
case type	Feedback
status	Closed
case origin	Web
visible in self-service portal	true
subject	Illegal Parking - CANBERRA SIKH TEMPLE - 15 HICKEY CT, WESTON - 77YH3G6G
priority	Medium
description	Illegal parking
closed	true

Generated by: Michael Frew on Fri Mar 22 01:50:53 GMT 2024

Field Label	Value
closed date	09/11/2022, 05:08 pm AEDT
escalated	false
new self-service comment	false
self-service commented	false
created date	09/11/2022, 10:52 am AEDT
last modified date	03/02/2024, 11:26 am AEDT
system modstamp	03/02/2024, 11:26 am AEDT
last viewed date	22/03/2024, 12:49 pm AEDT
last referenced date	22/03/2024, 12:49 pm AEDT
url of creator's profile photo	https://actgov.file.force.com/profilephoto/005/F
url of creator's thumbnail photo	https://actgov.file.force.com/profilephoto/005/T
name of creator	
days till expired	-471
taxonomy group 1	a6J4a00000000yiEAA
access canberra owner	0054a000001VXvvAAG
block no.	15
cmt category level 1	Parking
cmt category level 2	Non dangerous illegal parking

Generated by: Michael Frew on Fri Mar 22 01:50:53 GMT 2024

Field Label	Value
cmt category level 3	Blocking Access
category	Fix My Street > Roads, parking & vehicles > Parking & vehicles > Report illegal parking
comment category	Complaint
country	Australia
date/time of incident	08/11/2022, 07:41 pm AEDT
ac description	<p><p>Calling In As People Have Gathered En Mass To The Sikh Temple And They&#39;ve Parked Very Dangerously. </p><p>
</p><p>Form data summary </p><p>Call type: Illegally parked vehicle </p><p>Customer reference: 77YH3G6G </p><p>Meter number: </p><p>Meter fault: </p><p>Fault details: </p><p>Vehicle location: Calling In As People Have Gathered En Mass To The Sikh Temple And They&#39;ve Parked Very Dangerously. </p><p>Vehicle registration: Too Many </p><p>Vehicle make: </p><p>Caller name: Stephen Morey </p><p>Reference code: 77YH3G6G</p></p>
case casesafeid	5009e000001LpAWAA0
feedback assigned status	Resolved
feedback queues	AC CMT - Feedback
first name	Sch 2.2(a)(ii)
formatted address	15 HICKEY CT, WESTON ACT 2611
last name	Sch 2.2(a)(ii)
latitude	-35.32510283
longitude	149.05760887
postcode	2611
section no.	83
state	ACT
street address	HICKEY CT
suburb	WESTON

Generated by: Michael Frew on Fri Mar 22 01:50:53 GMT 2024

Field Label	Value
voluntary demographic information?	false
case reference number	AC-00612046
contact first name	Sch 2.2(a)(ii)
contact last name	Sch 2.2(a)(ii)
contact phone	Sch 2.2(a)(ii)
current user	false
ac internal investigation	a6t9e000000113AAA
ac form type	New Case Feedback Flow
phone	Sch 2.2(a)(ii)
sent to tccs?	false
case id	5009e000001LpAWAA0
created by id	0054a000001VXvvAAG
taxonomy group 1	Report illegal parking
access canberra owner	Ruby Nguyen
ac internal investigation	20221109-36471

Notes

Private Note - Ruby Nguyen

Wednesday, 9 Nov 2022, 05:02 pm

Title: The matter stopped

Content:

Calling the C to ask for an email address and he advised that the matter is not ongoing

Private Note - Ruby Nguyen

Wednesday, 9 Nov 2022, 10:52 am

Title: Customer Entry (Auto Note)

Content:

This is an auto note of the original customer submission.

Subject:

Illegal Parking - CANBERRA SIKH TEMPLE - 77YH3G6G

Category:

Fix My Street > Roads, parking & vehicles > Parking & vehicles > Report illegal parking

AC Description (forms):

Calling In As People Have Gathered En Mass To The Sikh Temple And They've Parked Very Dangerously. Form data summary Call type: Illegally parked vehicle Customer reference: 77YH3G6G Meter number: Meter fault: Fault details: Vehide location: Calling In As People Have Gathered En Mass To The Sikh Temple And They've Parked Very Dangerously. Vehicle registration: Too Many Vehicle make: Caller name: Stephen Morey Reference code: 77YH3G6G

Plain Description:

Location Data:

Address: 15 HICKEY CT, WESTON ACT 2611

Latitude: -35.32510283

Longitude: 149.05760887

From: "Gadsby, Jason"
Sent: 28/11/2023 9:53 AM
To: "CITL" <citl@act.gov.au>
Subject: Canberra Sikh Association (A01169)

OFFICIAL

Good afternoon,

Are you please able to check if we have received any recent communication from the Canberra Sikh Association – particularly in relation to extension requests for their Annual General Meeting and/or annual return?

Thanks in advance for your assistance.

Regards,

Jason Gadsby | Inspector | Fair Trading and Compliance

Email: jason.gadsby@act.gov.au | Phone: (02) 6205 9083

Access Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government

GPO Box 158, Canberra City ACT 2601 | www.act.gov.au/accessCBR



From: "McClelland, Seamus" <Seamus.McClelland@act.gov.au>
Sent: 12/12/2023 12:29 PM
To: "Gadsby, Jason" <Jason.Gadsby@act.gov.au>; "Compliance and Investigations" <ComplianceandInvestigations@act.gov.au>
Cc: "Green, Georgia" <Georgia.Green@act.gov.au>
Subject: RE: Canberra Sikh Association (A01169)

OFFICIAL

Hi Jason,

Yes, the CITL team has received recent communication with the Canberra Sikh Association, which is ongoing.

There has also been recent ministerials attached to this matter and I am guessing Compliance have received contact as well.

I would suggest we organise a time to catch up to discuss.

Please let me know when you are free and I will make time.

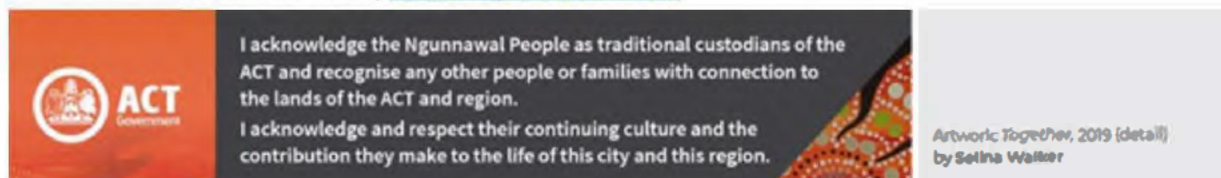
Cheers

Seamus McClelland | A/g Assistant Director | Controlled Sports | Community, Industry and Traders Licensing
Licensing and Registrations Branch

Phone: 6205 1548 | Email: Seamus.McClelland@act.gov.au

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From: Gadsby, Jason <Jason.Gadsby@act.gov.au>
Sent: Tuesday, November 28, 2023 9:54 AM
To: CITL <citl@act.gov.au>
Subject: Canberra Sikh Association (A01169)

OFFICIAL

Good afternoon,

Are you please able to check if we have received any recent communication from the Canberra Sikh Association – particularly in relation to extension requests for their Annual General Meeting and/or annual return?

Thanks in advance for your assistance.

Regards,

Jason Gadsby | Inspector | Fair Trading and Compliance

Email: jason.gadsby@act.gov.au | Phone: (02) 6205 9083

Access Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government

GPO Box 158, Canberra City ACT 2601 | www.act.gov.au/accessCBR



From: "Gadsby, Jason"
Sent: 20/12/2023 12:50 PM
To: "Madden, Luke" <Luke.Madden@act.gov.au>
Cc: "Bramwell, Narelle" <Narelle.Bramwell@act.gov.au>
Subject: Canberra Sikh Association - Fair Trading and Compliance Investigation
Attachments: Salesforce case 20231114-41472.pdf

OFFICIAL

Good afternoon,

I'm passing this onto you following advice from Narelle Bramwell.

The attachment details all the information I have on a investigation assigned to the Access Canberra Fair Trading and Compliance team concerning the **Canberra Sikh Association Incorporated**.

The complainant identifies as Sch 2.2(a)(ii) They request they we do not grant an extension for the Canberra Sikh Association Annual General Meeting.

As I became aware that this matter was being investigated by other parties and was the subject of a ministerial, I had not taken any action to contact the complainant or subject of complaint.

If you require any additional clarification or information, please don't hesitate to reach out.

Regards,

Jason Gadsby | Inspector | Fair Trading and Compliance

Email: jason.gadsby@act.gov.au | Phone: (02) 6205 9083

Access Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government

GPO Box 158, Canberra City ACT 2601 | www.act.gov.au/accessCBR



Email - ACT Digital

Friday, 17 Nov 2023, 03:55 pm

To: digital.feedback@act.gov.au (mailto:digital.feedback@act.gov.au).

From: Sch 2.2(a)(ii)

Subject: Re: AC-00812538 [case:_00812538:case] Secretary Deliberately delaying the AGM of the Association

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. Learn why this is important (<http://www.act.gov.au/emailsecurity>).

Dear Sir/Madam

Further to my concern, I would like to provide additional information on this matter.

Sch 2.2(a)(ii)

Sch 2.2(a)(ii)

Sch 2.2(a)(ii)

is that on 29 September the CSA Secretary sent me an invoice for payment of about \$27,500 to a builder relating to construction of a new CSA building. However, the committee had not yet been shown any building contract and hence I requested him to provide that to the committee for consideration before any payment could be processed. After few days of arguments, he threatened on 8 October that if I don't process that payment he will accept my withdrawn resignation submitted more than seven months ago. As I still refused to process the wrong payment, he got my withdrawn resignation accepted and removed my accesses. Four other committee members are blindly following him for reasons best known to them but it is suspected in the CSA membership that they have unacceptable conflict of interests.

These developments upset the President of CSA and following heated arguments he actually resigned on 18 October stating that the committee had become dysfunctional. The Annual General Meeting (AGM) of CSA as per our Constitution was due in September but the Secretary has been delaying it. Now the AGM will also miss the 30 November deadline stipulated in the Associations Incorporation Act, 1991. The CSA Secretary has been trying to get an extension from the Registrar General for no justifiable reasons.

It may be noted that the Secretary company AdvisorCorp had taken over provision of CSA's accounting services and moved the CSA accounts to a XERO software. Now he has been at times deviously blocking the access of the auditor to delay the finalisation of the audit. When the auditor, [Sch 2.2(a)(ii)] from [Sch 2.2(a)(ii)] [Sch 2.2(a)(ii)], follows up he comes up with fabricated reasons such as delay in verification of receipts or the membership register. This can be verified with the auditor over the phone ([Sch 2.2(a)(ii)]) or email [Sch 2.2(a)(ii)]. The Secretary is clearly trying to delay the audit to make it an excuse for delaying the AGM.

You are requested not to grant any extension as the committee has completed its one year term and has become completely dysfunctional. You are also requested to direct the Secretary to issue the AGM notification immediately as the CSA membership wants the AGM to be held at the earliest.

Kind regards,

[Sch 2.2(a)(ii)]

Sent from my iPhone

On 15 Nov 2023, at 1:46 pm, ACT Digital Feedback <digital.feedback@act.gov.au> wrote:



ACT
Government

**Access
Canberra.**

ACT Government Feedback Response

Subject: Secretary Deliberately delaying the AGM of the Association

Sch 2.2(a)(ii) ,

Thank you for contacting Access Canberra.

This matter has been forwarded to the appropriate business area for further review. If you have any further information which may assist the business area in their review please provide by responding to this email.

Kind regards,

Eóin | Team Leader

Resolution and Support Team

Access Canberra (<https://www.accesscanberra.act.gov.au/s/>) | 13 22 81 | ACT Government

(<https://www.act.gov.au/>)

I acknowledge the Ngunnawal people as traditional custodians of the ACT and recognise any other people or families with connection to the lands of the ACT and region. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

ref:!00D2801dej1.!500On02iYCv:ref

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Email - Eóin Ó Corraidh

Wednesday, 15 Nov 2023, 01:46 pm

To: Sch 2.2(a)(ii)

From: digital.feedback@act.gov.au (mailto:digital.feedback@act.gov.au)

Subject: AC-00812538 [case:_00812538:case] Secretary Deliberately delaying the AGM of the Association



ACT Government Feedback Response

Subject: Secretary Deliberately delaying the AGM of the Association

Dear Sch 2.2(a)(ii)

Thank you for contacting Access Canberra.

This matter has been forwarded to the appropriate business area for further review. If you have any further information which may assist the business area in their review please provide by responding to this email.

Kind regards,

Eóin | Team Leader

Resolution and Support Team

Access Canberra (<https://www.accesscanberra.act.gov.au/s/>) | 13 22 81 | ACT Government
(<https://www.act.gov.au/>)

I acknowledge the Ngunnawal people as traditional custodians of the ACT and recognise any other people or families with connection to the lands of the ACT and region. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

ref:!00D2801dej1.!500On02iYCV:ref

Private Note - Sch 2.2(a)(ii)

Friday, 10 Nov 2023, 06:32 pm

Title: Customer Entry (Auto Note)

Content:

This is an auto note of the original customer submission.

Subject:

Secretary Deliberately delaying the AGM of the Association

Category:

Business > Incorporated Associations

AC Description (forms):

Sch 2.2(a)(ii)
[Redacted text]

Plain Description:

Location Data:

Address: 27 LANLEY SQ, NGUNNAWAL ACT 2913

Latitude: -35.17578214

Longitude: 149.11897661

From: "Grattidge, Janelle" <Janelle.Grattidge@act.gov.au>
Sent: 28/02/2024 2:55 PM
To: "Turk, Rachelle" <Rachelle.Turk@act.gov.au>
Cc: "Gadsby, Jason" <Jason.Gadsby@act.gov.au>; "Bramwell, Narelle" <Narelle.Bramwell@act.gov.au>
Subject: FW: Referral to FTC - Canberra Sikh Association A01669

OFFICIAL

Hi Rachelle,

Narelle has asked Jason and I to look into this one. Would you please provide the dot points for the Minister that you refer to below.

Thanks.

Janelle Grattidge | Assistant Director | Fair Trading and Compliance
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government
 02 6207 0067 | janelle.grattidge@act.gov.au
 GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accesscbr



From: Turk, Rachelle <Rachelle.Turk@act.gov.au>
Sent: Wednesday, February 28, 2024 1:41 PM
To: Compliance and Investigations <ComplianceandInvestigations@act.gov.au>
Cc: Mangeruca, Giuseppe <Giuseppe.Mangeruca@act.gov.au>; Bramwell, Narelle <Narelle.Bramwell@act.gov.au>; McClelland, Seamus <Seamus.McClelland@act.gov.au>
Subject: Referral to FTC - Canberra Sikh Association A01669

OFFICIAL

Good afternoon,

Over the course of a few months, CITL has been corresponding with the Canberra Sikh Association (the **CSA**) A01669, an incorporated association and a charity registered with the Australian Charities and Not-for-profits Commission (**ACNC**) who appear to be in the midst of an internal dispute. The CSA have their own constitution.

The appears to be multiple issues, broken down below, and CITL have provided guidance where possible however we are now at the point of referring the outstanding matters to you for your consideration and the ACNC, noting the Registrar-General's limited powers under the *Associations Incorporation Act 1991* (the **Act**) particularly in relation to settling internal disputes which is ultimately a matter for the association to resolve.

The matter was raised with Minister Patterson with Minister Cheyne requesting dot points on the matter (attached for your convenience). In this correspondence we have stated that we, Access Canberra, will consider whether an investigation by the RG is warranted. Noting this, can you please undertake a review of the matter and advise whether or not you will undertake an investigation?

- The CSA requested an extension to hold the AGM, which was granted with the due date being 31 January 2024. No further extensions are likely to be granted

- As a result of the extension, the ACNC website evidences that the CSA's AR and Financial report were due by 31 January 2024 however have not been submitted and are now overdue [The Canberra Sikh Association Inc](#) | [ACNC](#)
- Further extensions to hold the AGM have been requested however have not been granted
- Submissions requesting that further extensions to hold the AGM are not granted
- Representations have been made which suggest that one party is deliberately not holding the AGM, which could allude to dishonesty or concerns the management of affairs of an incorporated association
- The building matters have been separately addressed by CUEP

I note that the requesting party of the CSA is meeting with Minister Cheyne this week and is currently awaiting a response from us. I apologise for the rush, however can you please let me know as soon as possible your position on the matter going forward.

Seamus has been working diligently on this matter and can provide further background if needed however please also feel free to contact me to discuss further.

Kind regards,

Rachelle Turk

A/g Director | Controlled Sports | Community, Industry and Trader Licensing | Licensing and Registrations Branch
Phone: 02 6205 8756 | Email: rachelle.turk@act.gov.au

Access Canberra | ACT Government

GPO Box 158, Canberra City ACT 2601 | www.act.gov.au/accessCBR



-----Original Message-----

From: [Sch 2.2\(a\)\(ii\)](#)

Sent: Monday, November 13, 2023 3:05 PM

To: PATERSON <PATERSON@parliament.act.gov.au>

Subject: Re: NOT TO PROVIDE Extention for AGM of Canberra Sikh Association inc

[You don't often get email from [Sch 2.2\(a\)\(ii\)](#) Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. Learn why this is important<<http://www.act.gov.au/emailsecurity>>

Dear Marisa,

[Sch 2.2\(a\)\(ii\)](#)

On 29 September the CSA Secretary sent me [Sch 2.2](#) invoice for payment of about \$27,500 to a builder relating to construction of a new building. However, the committee had not yet been shown any building contract so far and hence [Sch 2.2\(a\)\(ii\)](#) requested to provide that to the committee for consideration before any payment could be processed. [Sch 2.2\(a\)\(ii\)](#)

Copy

From: "Grattidge, Janelle" <Janelle.Grattidge@act.gov.au>
Sent: 28/02/2024 2:18 PM
To: "Bramwell, Narelle" <Narelle.Bramwell@act.gov.au>; "Gadsby, Jason" <Jason.Gadsby@act.gov.au>
Subject: RE: Referral to FTC - Canberra Sikh Association A01669

OFFICIAL

Hi Narelle,

Do you have a copy of the dot points Rachelle refers to?

Regards,

Janelle Grattidge | Assistant Director | Fair Trading and Compliance
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government
02 6207 0067 | janelle.grattidge@act.gov.au
GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accesscbr



From: Bramwell, Narelle <Narelle.Bramwell@act.gov.au>
Sent: Wednesday, February 28, 2024 2:06 PM
To: Grattidge, Janelle <Janelle.Grattidge@act.gov.au>; Gadsby, Jason <Jason.Gadsby@act.gov.au>
Subject: FW: Referral to FTC - Canberra Sikh Association A01669

OFFICIAL

Hi there both

Can you please review together and provide advice to Rachelle regarding whether we will do anything further regarding these matters.

Please keep cc me on correspondence with CITL.

Many thanks Narelle

Copy

Copy

Copy

From: "Turk, Rachelle" <Rachelle.Turk@act.gov.au>
Sent: 28/02/2024 3:39 PM
To: "Grattidge, Janelle" <Janelle.Grattidge@act.gov.au>
Cc: "Gadsby, Jason" <Jason.Gadsby@act.gov.au>; "Bramwell, Narelle" <Narelle.Bramwell@act.gov.au>
Subject: RE: Referral to FTC - Canberra Sikh Association A01669
Attachments: A01669 - THE CANBERRA SIKH ASSOCIATION INCORPORATED.obr, 02. Dot Points.obr

OFFICIAL

Hi Janelle,

Sorry, the links to the association folder and dot points are now included.

Kind regards,

Rachelle Turk

Director | Controlled Sports | Community, Industry and Trader Licensing | Licensing and Registrations Branch
Phone: 02 6205 8756 | Email: rachelle.turk@act.gov.au

Access Canberra | ACT Government

GPO Box 158, Canberra City ACT 2601 | www.act.gov.au/accessCBR



From: Grattidge, Janelle <Janelle.Grattidge@act.gov.au>
Sent: Wednesday, February 28, 2024 2:55 PM
To: Turk, Rachelle <Rachelle.Turk@act.gov.au>
Cc: Gadsby, Jason <Jason.Gadsby@act.gov.au>; Bramwell, Narelle <Narelle.Bramwell@act.gov.au>
Subject: FW: Referral to FTC - Canberra Sikh Association A01669

OFFICIAL

Hi Rachelle,

Narelle has asked Jason and I to look into this one. Would you please provide the dot points for the Minister that you refer to below.

Thanks.

Janelle Grattidge | Assistant Director | Fair Trading and Compliance

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government

02 6207 0067 | janelle.grattidge@act.gov.au

GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accesscbr



Copy

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DLO REQUEST – DOT POINTS

Topic	Canberra Sikh Association
Constituent	Dr Marissa Paterson MLA
Due Date	5 February 2024

ORIGINAL CORRESPONDENCE:

Dear Minister Cheyne,

The Canberra Sikh Association (CSA) is an incorporated association governed by the Association Incorporation Act, 1991 that requires its Annual General Meeting (AGM) to be held by 30 November. However, the current 2022-23 committee has been ignoring the requests of its members to call an AGM within the timeframes of the CSA Constitution (which was 30 September) or the Act. Moreover, the committee has become dysfunctional as the President has resigned and the accesses of the Treasurer have been illegitimately removed.

Most importantly, the committee has entered into a contract for a new building project for which it no longer has the legal capacity given its term has lapsed. The contract has been entered with a C Class builder for such a huge and complex building of three levels plus a dome, thereby requiring a highly capable unrestricted A Class builder. The C Class builder is taking the building commencement certificate by hiring an A Class builder whose credentials are disputed within the CSA membership. It may please be noted that this is one of the biggest and the most complex construction project currently underway in the district of Weston Creek which can be seen from the Development Application (DA) approval (DA number: 201835071). The building will at times have thousands of visitors and hence the CSA and the planning authority (ACTPLA) need to carefully consider the risks involved.

The CSA membership wants to deliberate this questionable arrangement in a transparent manner at the overdue AGM. However, the committee is not calling the AGM and is keeping the members in the dark about the details of this arrangement.

I am requesting your kind intervention to ensure the AGM of the CSA is held immediately in an appropriate manner. We thank you for your continual interest in the matters relating to the Canberra Sikh community.

Kind regards,

Sch 2.2(a)(ii)

REQUEST FROM DLO/MINISTER'S OFFICE:

Hey Team
For dot points please

Thank you

Jenna Huggett | Director
Access Canberra Directorate Liaison Officer Office of the Deputy Director-General, Access
Canberra
Phone: 0408 025 516 | Email: acdlo@act.gov.au Chief Minister Treasury and Economic
Development Directorate | ACT Government GPO Box 158, Canberra City, ACT 2601 |
www.act.gov.au/accessCBR

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-----Original Message-----

From: CHEYNE <CHEYNE@act.gov.au>
Sent: Wednesday, January 31, 2024 4:35 PM
To: ACDLO <ACDLO@act.gov.au>
Subject: FW: Request to intervene in a matter relating to a community organisation

Hi Jen

Grateful for some dot points to assist us in responding to Dr Paterson.

Thanks

Nick Argy

Senior Adviser | Office of Tara Cheyne MLA -----Original Message-----

From: PATERSON <PATERSON@parliament.act.gov.au>
Sent: Thursday, January 25, 2024 4:41 PM
To: CHEYNE <CHEYNE@act.gov.au>; PATERSON <PATERSON@parliament.act.gov.au>
Subject: FW: Request to intervene in a matter relating to a community organisation

Dear Minister Cheyne,

I am writing regarding significant concerns raised with me from the Sikh community around the AGM for the Association not being held. It is view that the association is basically being held ransom by some individuals who refuse to hold an AGM as per the constitution of the Association. The members terms on the board all expire after one year, so there is serious concerns that those members that are refusing to hold an AGM and signing building contracts etc - are not able to be legally doing so.

This has been going on since last year, and its not another couple of months later and the situation has not resolved.

Can the ACT Government please intervene in this situation to ensure that the Canberra Sikh Association is operating as per the law?

Kind regards, Marisa.

Dr Marisa Paterson MLA
Member for Murrumbidgee
ACT Legislative Assembly

Phone: +61 2 6205 1448 | Email: paterson@act.gov.au

ACCESS CANBERRA DOT POINTS:

Background of engagement between Access Canberra and the Canberra Sikh Association (CSA):

- The registration and administration of incorporated associations is captured under the Associations Incorporation Act 1991 (the Act) and the Associations Incorporation Regulation 1991 (the Regulation). Access Canberra performs this function on behalf of the Registrar-General (RG).
- The CSA are also registered with the Australian Charities and Not-for-profits Commission (ACNC). Changes to the Committee and reporting requirements are facilitated by ACNC not Access Canberra.
- Starting October 2023, Access Canberra has received separate correspondence from several members of an incorporated association, the CSA, who appear to be amid an internal dispute.
- A request for extension to hold their Annual General Meeting (AGM) was received on 23 October 2023, requesting extension from 30 November 2023 until 30 March 2024. These requests are decided by Access Canberra.
- On 26 October 2023, Access Canberra received correspondence from another CSA party requesting that no extension of the AGM be granted, citing internal disputes.
- The request was ultimately granted to extend the AGM date to 31 January 2024, on the basis that the CSA would not otherwise be able fulfil their requirements under the Act to notify members of an AGM by the due date. The date of 31 January was given to facilitate the AGM to be held at a time suitable for the majority of members, noting typical availability around the Christmas and New Year periods.
- Since granting this extension, Access Canberra have received further representations from several parties seeking both further extensions and asking that no further extensions be granted.
- The ACNC website shows that the CSA's annual information statement and financial report are now overdue and is listed as due on 31 January 2024. This date coincides with the extension granted by Access Canberra to extend the period to hold their AGM.
- The RG may investigate an association where reasonable grounds exist that an offence against the Act, relating to an association has, is or will be committed involving fraud, dishonesty or concerns the management of affairs of an incorporated association.
- The ACNC may also investigate instances where a registered charity has not been accountable and transparent to its members. The ACNC website notes that this would include where a charity may have failed to hold an annual general meeting.
- Access Canberra is currently considering whether an investigation by the RG is warranted in this instance, or if it may be more appropriate to refer this matter to the ACNC for investigation.
- It should also be noted that any investigation conducted by Access Canberra would not offer any direct dispute resolution tool. The RG's powers in relation to dispute resolution

are limited, with the Act emphasising internal dispute resolution or resolution through courts.

- Where a matter cannot be mediated internally, a member may apply to a court to enforce their rights as a member of an association. Access Canberra has provided advice to this effect when contacted by members of the CSA.

Building

- Construction and Planning Regulation in Access Canberra can confirm there are multiple development approvals over this block. The most recent approval of amended development approvals occurred on 18 August 2022.
- The approval was for a for a new 3 storey temple with associated car parking, landscaping, servicing, and associated works as well as a lease variation to allow max gross floor area of 3,300 sqm including prayer hall to 1,300 sqm, dining hall 1,400 sqm, and caretaker residence 300 sqm.
- A building approval was issued on 24 January 2024. The building certifier was appointed under the purported authority of the Canberra Sikh Association Inc. with ACN/ABN 16 522 365 397 with owner 1 listed as Harwinder Sing and owner 2 as Prabhdeep Sandhu and contact details secretary@csa.asn.au. Electronic signatures of the two owners are attached to the “Appointment of a certifier/Application for a Building Approval” form.
- A commencement notice for only the retaining wall works under the building approval has been issued to a Class A Builder who is adequately licensed to perform this work. The licensed building is Ecogreen Constructions Pty Ltd.
- It appears that the building approval is being staged via the use of commencement notices rather than separate staged building approvals. The current building approval and commencement notice only allows works to the retaining walls. No other works are currently allowed under this BA until a further commencement notice is issued by the certifier.

EXECUTIVE CLEARANCE

Name Derise Cubin
Title Executive Branch Manager, Licensing and Registration
Author / Phone Giuseppe Mangeruca

Name Nick Lhuede
Title Executive Branch Manager, Construction and Planning Regulation
Author / Phone Megan Corrigan

From: "Bramwell, Narelle" <Narelle.Bramwell@act.gov.au>
Sent: 28/02/2024 2:05 PM
To: "Grattidge, Janelle" <Janelle.Grattidge@act.gov.au>; "Gadsby, Jason" <Jason.Gadsby@act.gov.au>
Subject: FW: Referral to FTC - Canberra Sikh Association A01669

OFFICIAL

Hi there both

Can you please review together and provide advice to Rachelle regarding whether we will do anything further regarding these matters.

Please keep cc me on correspondence with CITL.

Many thanks Narelle

Copy

Copy

Copy

From: "Grattidge, Janelle" <Janelle.Grattidge@act.gov.au>
Sent: 29/02/2024 2:39 PM
To: "Gadsby, Jason" <Jason.Gadsby@act.gov.au>
Subject: RE: Canberra Sikh Association

OFFICIAL

Hi Jason,

I note that Seamus has indicated that the ACNC may already be investigating – can we contact them to see what they are doing (we do not want to double up if action is already underway) – Seamus might have a contact?

Regards,

Janelle Grattidge | Assistant Director | Fair Trading and Compliance
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT
Government
02 6207 0067 | janelle.grattidge@act.gov.au
GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accesscbr



From: Gadsby, Jason <Jason.Gadsby@act.gov.au>
Sent: Thursday, February 29, 2024 2:23 PM
To: Grattidge, Janelle <Janelle.Grattidge@act.gov.au>
Subject: Canberra Sikh Association

OFFICIAL

Afternoon,

I've done some more digging in this one. I think we should pursue an investigation.

The goal would be to force an AGM, which would include election of a new executive committee.

Justification

- The current executive committee has seen the resignation of 2 key members – both the president and treasurer.
- The AGM has not been held in the original time frame. An extension was provided until 31 January. The AGM has still not been held, and notices for the AGM have not even been sent out.
- The current executive committee is, arguably, unelected as the AGM has not been held in the legislated timeframes.
- This executive committee is overseeing a multi-million dollar development project.

How to force

Section 63.A allows the registrar general to apply to the ACAT to disqualify office holders if they are satisfied that these office holders are not complying with this Act

In failing to hold the AGM, even after an extension was granted, the committee has failed to comply with S.69 of the Act.

With consent of RAM, we can issue show causes to all committee members. I believe this would force the AGM.

If this doesn't force the AGM, then the committee is wilfully refusing to hold the AGM, and we have strong justification to pursue these disqualifications.

Let me know what you think

Regards,

Jason Gadsby | Inspector | Fair Trading and Compliance

Email: jason.gadsby@act.gov.au | Phone: (02) 6205 9083

Access Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government

GPO Box 158, Canberra City ACT 2601 | www.act.gov.au/accessCBR



From: "Grattidge, Janelle" <Janelle.Grattidge@act.gov.au>
Sent: 29/02/2024 4:03 PM
To: "Turk, Rachelle" <Rachelle.Turk@act.gov.au>
Cc: "Gadsby, Jason" <Jason.Gadsby@act.gov.au>; "Bramwell, Narelle" <Narelle.Bramwell@act.gov.au>; "Mangeruca, Giuseppe" <Giuseppe.Mangeruca@act.gov.au>; "McClelland, Seamus" <Seamus.McClelland@act.gov.au>
Subject: RE: Referral to FTC - Canberra Sikh Association A01669

OFFICIAL

Hi Rachelle,

Just wanted to give you an update on this one. We are doing a preliminary assessment of this matter. At this stage we do not believe an investigation is warranted, but rather we bring them into compliance (in terms of their holding their AGM) by writing to them by way of a warning or reminder of obligations. However, in line with FTC procedure, we are going to bring the matter to the Regulatory Activity Monitor (RAM) meeting on Tuesday for discussion/decision on next steps.

Regards,

Janelle Grattidge | Assistant Director | Fair Trading and Compliance
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government
02 6207 0067 | janelle.grattidge@act.gov.au
GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accesscbr



From: Turk, Rachelle <Rachelle.Turk@act.gov.au>
Sent: Wednesday, February 28, 2024 3:39 PM
To: Grattidge, Janelle <Janelle.Grattidge@act.gov.au>
Cc: Gadsby, Jason <Jason.Gadsby@act.gov.au>; Bramwell, Narelle <Narelle.Bramwell@act.gov.au>
Subject: RE: Referral to FTC - Canberra Sikh Association A01669

OFFICIAL

Hi Janelle,

Sorry, the links to the association folder and dot points are now included.

Kind regards,

Rachelle Turk

Director | Controlled Sports | Community, Industry and Trader Licensing | Licensing and Registrations Branch
Phone: 02 6205 8756 | Email: rachelle.turk@act.gov.au

Access Canberra | ACT Government

GPO Box 158, Canberra City ACT 2601 | www.act.gov.au/accesscbr



From: Grattidge, Janelle <Janelle.Grattidge@act.gov.au>
Sent: Wednesday, February 28, 2024 2:55 PM
To: Turk, Rachelle <Rachelle.Turk@act.gov.au>
Cc: Gadsby, Jason <Jason.Gadsby@act.gov.au>; Bramwell, Narelle <Narelle.Bramwell@act.gov.au>
Subject: FW: Referral to FTC - Canberra Sikh Association A01669

OFFICIAL

Hi Rachelle,

Narelle has asked Jason and I to look into this one. Would you please provide the dot points for the Minister that you refer to below.

Thanks.

Janelle Grattidge | Assistant Director | Fair Trading and Compliance
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government
02 6207 0067 | janelle.grattidge@act.gov.au
GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accesscbr



Copy

Copy

Copy

From: "McClelland, Seamus" <Seamus.McClelland@act.gov.au>
Sent: 29/02/2024 1:39 PM
To: "Gadsby, Jason" <Jason.Gadsby@act.gov.au>
Subject: 001/01 - AGM extension request 20231023 (fA14548615)
Attachments: 001_01 - AGM extension request 20231023.obr

OFFICIAL

Hi Jason,

As requested, please see attached in relation to the Canberra Sikh Association.

Cheers

Seamus

Seamus McClelland has sent you a link to "001/01 - AGM extension request 20231023" (fA14548615) from Objective.

Open in Objective ECM Navigator
Double click on the attachment

Open in ECM for Browser
<https://objective.act.gov.au/#/documents/fA14548615/details>

From: "Grattidge, Janelle" <Janelle.Grattidge@act.gov.au>
Sent: 01/03/2024 3:22 PM
To: "Gadsby, Jason" <Jason.Gadsby@act.gov.au>
Subject: FW: Canberra Sikh Association Preliminary Assessment
Attachments: Initial Assessment - Canberra Sikh Association Dispute.obr, Preliminary Assessment - Template.docx

OFFICIAL

Hi Jason,

As discussed, let's move it to the attached template (more dot points than paragraphs).

We can have a final read through on Monday.

Regards,

Janelle Grattidge | Assistant Director | Fair Trading and Compliance
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government

02 6207 0067 | janelle.grattidge@act.gov.au
GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accesscbr



From: Gadsby, Jason <Jason.Gadsby@act.gov.au>
Sent: Friday, March 1, 2024 10:19 AM
To: Grattidge, Janelle <Janelle.Grattidge@act.gov.au>
Subject: Canberra Sikh Association Preliminary Assessment

OFFICIAL

Morning Janelle,

Here's the preliminary assessment for the CSA intended for RAM 5/3.

Feel free to make any additions/subtractions/comments.

Regards

Jason Gadsby | Inspector | Fair Trading and Compliance
Email: jason.gadsby@act.gov.au | Phone: (02) 6205 9083
Access Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government
GPO Box 158, Canberra City ACT 2601 | www.act.gov.au/accessCBR



Title**Complainant:****Subject:****Relevant legislation:****Background****Relevant Legislation****Relevant Legal advice****Implications and considerations****Other considerations:****Next steps**

RAM Notes – 5 March 2024**Canberra Sikh Association – Jason Gadsby (Compliance)**

Recommendation: Send a Warning Letter to Committee to facilitate the AGM being held ASAP

Outcome: Agree with Warning Letter

Action: Send Warning Letter

From: "Grattidge, Janelle" <Janelle.Grattidge@act.gov.au>
Sent: 13/03/2024 3:58 PM
To: "Gadsby, Jason" <Jason.Gadsby@act.gov.au>; "Ward, Ayesha" <Ayesha.Ward@act.gov.au>
Subject: RE: Canberra Sikh Association - Warning Letter - Draft

OFFICIAL

Hi Jason,

I have made a couple of changes/comments (I am happy to sign). There is one sentence I want to think on and will look at it again tomorrow.

Regards,

Janelle Grattidge | Assistant Director | Fair Trading and Compliance
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT
Government
02 6207 0067 | janelle.grattidge@act.gov.au
GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accesscbr



From: Gadsby, Jason <Jason.Gadsby@act.gov.au>
Sent: Wednesday, March 13, 2024 11:31 AM
To: Grattidge, Janelle <Janelle.Grattidge@act.gov.au>; Ward, Ayesha <Ayesha.Ward@act.gov.au>
Subject: Canberra Sikh Association - Warning Letter - Draft

OFFICIAL

Morning,

Can you guys please have a read over this. Any feedback welcome.

[@Grattidge, Janelle](#) If you think it's too harsh let me know. Was trying to point out relevant parts of legislation but not trying to threaten them as I know we have no real intention of pursuing enforcement actions with this one.

Also, who can sign off on this one?

Regards,

Jason Gadsby | Inspector | Fair Trading and Compliance
Email: jason.gadsby@act.gov.au | Phone: (02) 6205 9083
Access Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government
GPO Box 158, Canberra City ACT 2601 | www.act.gov.au/accessCBR



From: "Grattidge, Janelle" <Janelle.Grattidge@act.gov.au>
Sent: 14/03/2024 2:45 PM
To: "Gadsby, Jason" <Jason.Gadsby@act.gov.au>
Subject: RE: Canberra Sikh Association - Warning Letter - Draft

OFFICIAL

Hi Jason,

I am happy with your suggested change and have accepted it (thanks). I don't think it is just you re the access issues as I could not open the Association's objective folder that was attached to your last email either.

Once we have the contact details (maybe we should just contact Seamus or someone in CITL to get them for us), add them in and I will sign off for you.

Regards,

Janelle Grattidge | Assistant Director | Fair Trading and Compliance
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government
02 6207 0067 | janelle.grattidge@act.gov.au
GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accesscbr



From: Gadsby, Jason <Jason.Gadsby@act.gov.au>
Sent: Thursday, March 14, 2024 2:13 PM
To: Grattidge, Janelle <Janelle.Grattidge@act.gov.au>
Subject: RE: Canberra Sikh Association - Warning Letter - Draft

OFFICIAL

Afternoon Janelle,

I went through and approved the changes. In regards to that last sentence – I added an alternate suggestion to the document to have a look at.

I think we should address it to the secretary **Sch 2.2(a)(ii)**. There name can be found in email chains in the in the association file in Objective. I cannot access the file at the moment as I am having objective access issues I'm trying to resolve.

Regards,

Jason Gadsby | Inspector | Fair Trading and Compliance
Email: jason.gadsby@act.gov.au | Phone: (02) 6205 9083
Access Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government
GPO Box 158, Canberra City ACT 2601 | www.act.gov.au/accessCBR



From: Grattidge, Janelle <Janelle.Grattidge@act.gov.au>
Sent: Wednesday, March 13, 2024 3:58 PM
To: Gadsby, Jason <Jason.Gadsby@act.gov.au>; Ward, Ayesha <Ayesha.Ward@act.gov.au>
Subject: RE: Canberra Sikh Association - Warning Letter - Draft

OFFICIAL

Hi Jason,

I have made a couple of changes/comments (I am happy to sign). There is one sentence I want to think on and will look at it again tomorrow.

Regards,

Janelle Grattidge | Assistant Director | Fair Trading and Compliance
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government
02 6207 0067 | janelle.grattidge@act.gov.au
GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accesscbr



From: Gadsby, Jason <Jason.Gadsby@act.gov.au>
Sent: Wednesday, March 13, 2024 11:31 AM
To: Grattidge, Janelle <Janelle.Grattidge@act.gov.au>; Ward, Ayesha <Ayesha.Ward@act.gov.au>
Subject: Canberra Sikh Association - Warning Letter - Draft

OFFICIAL

Morning,

Can you guys please have a read over this. Any feedback welcome.

[@Grattidge, Janelle](mailto:Janelle.Grattidge@act.gov.au) If you think it's too harsh let me know. Was trying to point out relevant parts of legislation but not trying to threaten them as I know we have no real intention of pursuing enforcement actions with this one.

Also, who can sign off on this one?

Regards,

Jason Gadsby | Inspector | Fair Trading and Compliance
Email: jason.gadsby@act.gov.au | Phone: (02) 6205 9083
Access Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government
GPO Box 158, Canberra City ACT 2601 | www.act.gov.au/accessCBR



From: "Archer, Brendan" <Brendan.Archer@act.gov.au>
Sent: 15/03/2024 12:42 PM
To: "Grattidge, Janelle" <Janelle.Grattidge@act.gov.au>
Cc: "Gadsby, Jason" <Jason.Gadsby@act.gov.au>
Subject: RE: Canberra Sikh Association - Warning Letter

OFFICIAL

Hi Janelle

Just letting you know, I have sent the letter as requested.

Kind regards

Brendan Archer | Inspector | Compliance

Phone: 6207 9256 | Email: brendan.archer@act.gov.au

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government

PO Box 158, Canberra ACT 2601 | www.act.gov.au/accessCBR



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From: Grattidge, Janelle <Janelle.Grattidge@act.gov.au>
Sent: Friday, March 15, 2024 12:18 PM
To: Archer, Brendan <Brendan.Archer@act.gov.au>
Cc: Gadsby, Jason <Jason.Gadsby@act.gov.au>
Subject: Canberra Sikh Association - Warning Letter

OFFICIAL

Hi Brendan,

Would you please send this letter via the C&I Inbox today please – email address is in the letter.

Thanks!

Regards,

Janelle Grattidge | Assistant Director | Fair Trading and Compliance

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government

02 6207 0067 | janelle.grattidge@act.gov.au

GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accesscbr



From: "Grattidge, Janelle" <Janelle.Grattidge@act.gov.au>
Sent: 15/03/2024 12:17 PM
To: "Archer, Brendan" <Brendan.Archer@act.gov.au>
Cc: "Gadsby, Jason" <Jason.Gadsby@act.gov.au>
Subject: Canberra Sikh Association - Warning Letter
Attachments: Canberra Sikh Association - Warning Letter.pdf

OFFICIAL

Hi Brendan,

Would you please send this letter via the C&I Inbox today please – email address is in the letter.

Thanks!

Regards,

Janelle Grattidge | Assistant Director | Fair Trading and Compliance
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT
Government
02 6207 0067 | janelle.grattidge@act.gov.au
GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accesscbr





Mr Prabhdeep Singh Sandhu
The Secretary
The Canberra Sikh Association
15 Hickey Circuit
WESTON ACT 2611

Email: secretary@csa.asn.au

Dear Sir

The Canberra Sikh Association – Alleged Breaches of the *Associations Incorporation Act 1991* (the Act)

Background

Access Canberra, on behalf of the Registrar-General, is responsible for administering the Act, including having responsibility to investigate complaints about incorporated associations pursuant to the Act.

The Canberra Sikh Association (the **CSA**) is an association incorporated under the Act (Association Number A01669).

The CSA was due to hold an Annual General Meeting (the **AGM**) on or before 30 November 2023 pursuant to section 69 of the Act.

On 23 October 2023 Access Canberra received a request for an extension to the deadline of this AGM from the Secretary of the CSA. Access Canberra agreed to an extension of **2 months**, requiring the AGM be held **no later than 31 January 2024**.

It is our understanding that as of **14 March 2024** the AGM has not been held.

Relevant Legislation

Section 69 of the Act specifies that AGMs must be held by incorporated associations once each calendar year, within 5 months of the end of the association's most recently ended financial year. In this case, an extension of time was granted under section 120 of the Act. The period allowed by the extension has expired, and it is now considered that the CSA may be in breach of the Act.

It is an offence under section 108(1) of the Act for committee members to knowingly fail to take all reasonable steps to ensure an association is complying with the Act. Failure by an association to comply with the Act may give cause for the Registrar-General to consider initiating enforcement action against the association.

Next Steps

On this occasion, Access Canberra is not proposing enforcement action be taken. We are, however, asking that you commit to a date on which the AGM will be held, and that details of this meeting be provided to Access Canberra via email complianceandinvestigations@act.gov.au no later than close of business **28 March 2024**.

You are reminded that the provisions of the Act are in place to ensure fair and transparent dealings by Incorporated Associations, and to protect the rights of their members. The CSA has a statutory obligation to ensure that its operations are consistent with all provisions set out under the Act.

If you have any questions regarding this matter, please contact Jason Gadsby on 6205 9083 or by email at Jason.Gadsby@act.gov.au.

Yours sincerely



Janelle Grattidge
Assistant Director
Fair Trading and Compliance
Access Canberra

14 March 2024

Complainant:
Subject: Canberra Sikh Association (CSA) – Internal Dispute
Relevant legislation: Associations Incorporation Act 1991. Associations incorporation Regulation 2023

<u>Background</u>
<ol style="list-style-type: none"> 1. Starting October 2023, Access Canberra has received separate correspondence from several members of an incorporated association, the Canberra Sikh Association, who appear to be amid an internal dispute. 2. A request for extension to hold their Annual General Meeting (AGM) was received on 23 October 2023, requesting extension from 30 November 2023 until 30 March 2024. These requests are decided by Access Canberra. 3. On 26 October 2023, Access Canberra received correspondence from another CSA party requesting that no extension of the AGM be granted, citing internal disputes. 4. The request was ultimately granted to extend the AGM date to 31 January 2024, on the basis that the CSA would not otherwise be able fulfil their requirements under the Act to notify members of an AGM by the due date. CITL has made it clear that no further extension will be granted. 5. On 22 February 2024 the Secretary of the CSA stated that preparations for the upcoming AGM are underway. The CSA intends to issue a 4-week notice period for the AGM. As of 1 March 2024, the AGM has not been held and notices have not been issued
<u>Relevant Legislation</u>
<ul style="list-style-type: none"> • <i>Associations Incorporation Act 1991 (the Act)</i> <ol style="list-style-type: none"> a. Section 49 – A member of an incorporate association deprived of a right conferred on the members by the rules of the association may apply to the court for an order to vary or set aside the decision. b. Section 63a – If the registrar general is satisfied that a committee member has failed to comply with this Act, they may apply the ACAT for an order to disqualify the officer-holder. c. Section 69 – Annual general meetings must be held once each calendar year, within the period of 5 months beginning at the end of the association most recently ended financial year. d. Section 108 – A member of the committee of an incorporated association who knowingly fails to take all reasonable steps to ensure the association is complying with this Act commits an offence (maximum 5 penalty units).

Relevant Legal advice
Implications and considerations
<u>Other considerations:</u>
<ol style="list-style-type: none"> 1. Both the President and Treasurer of the CSA executive committee resigned in 2023. Elections for the executive committee will be held at the AGM. 2. The CSA is also registered with the Australian Charities and Not-for profits Commission (ACNC). It is understood members have also referred complaints about the CSA to the ACNC. The ACNC has legislated powers to investigate complaints and enforce outcomes. 3. The CSA executive committee is currently overseeing a significant development involving the expansion of a religious centre in Weston. 4. This matter is the subject of a ministerial complaint and it is understood that representatives of the CSA were planning on meeting with Minister Cheyne last week.
Next steps
<ul style="list-style-type: none"> • The Registrar General may investigate an association where reasonable grounds exist that an offence against the Act, relating to an association has, is or will be committed involving fraud, dishonesty or concerns the management of affairs of an incorporated association. However, at this time it is not considered necessary to initiate an investigation given the nature of the breach (ie failure to hold an AGM within the required timeframe). Instead it is recommended that we work to bring the CSA into compliance. • Compliance staff recommend that you note the information contained in this minute and endorse the decision to issue a warning letter to the CSA committee about their obligation to comply with the Act and hold the AGM.

From: [Secretary CSA](#)
To: [CITL](#)
Subject: Contact Details update - The Canberra Sikh Association Inc.
Date: Monday, 14 November 2022 1:39:48 PM

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

[Learn why this is important](#)

Waheguru Ji Ka Khalsa Waheguru Ji Ki Fateh.

Att: Isaac

Kindly update our office email address to secretary@csa.asn.au .

**Kind regards,
Prabhdeep Singh Sandhu
Secretary CSA ExCom 2022-23 | A01669 The Canberra Sikh Association Inc.**

Sch 1 1.4

Sch 1 1.4

Sch 1 1.4

Sch 1 1.4

Sch 1 1.4

Sch 1 1.4



15 Hickey Court, WESTON, ACT 2611
Email: secretary@csa.asn.au

NOMINATION FORM (Executive Committee)

Dear Members,

Nomination Form for the 32nd Executive Committee to be elected at the Annual General Meeting of the Canberra Sikh Association Inc to be held on 29th October 2022.

Please ensure that your Nominees/s meet/s the guidelines under our By-laws 5.3.2.

This form is to be duly completed, placed in a sealed envelope and clearly marked "Nomination Executive Committee" and is to reach 15 Hickey Court, Weston, ACT 2611, before 5.00PM on 28th October 2022.

NOTE: The Nomination form must be duly signed by the Nominee, the Proposer and the Seconder. The Proposer and the Seconder shall all be paid up members of the Association of at least four months as per By-law 5.3.4.

The positions available for nomination are: President, Vice President, Treasurer, Assistant Treasurer, Secretary, Assistant Secretary, Three Committee Members and an Ex-Officio Member.

You must use a separate form for each Nomination. Thank you.

Kind regards,

29 Sep 2022

Guramrit Singh Dhillon

A/g Secretary | Canberra Sikh Association

29 Sept 2022

Footnote:

CSA By-law 5.3.2-Nominees must have resided permanently in Canberra or its hinterland for a continuous period of not less than two years.

By-law 5.3.2-Nomination can only be proposed and seconded by members whose membership has been current for not less than four months immediately preceding the date of nomination.



15 Hickey Court, WESTON, ACT 2611
Email: secretary@csa.asn.au

NOMINATION FOR POSITION IN THE EXECUTIVE COMMITTEE

POSITION NOMINATED FOR (Tick One Only):

- President
- Vice President
- Treasurer
- Assistant Treasurer
- Secretary
- Assistant Secretary
- Committee Members 1
- Committee Members 2
- Committee Members 3
- Ex-Officio Member.

I accept nomination for the above position and confirm that I have been resident in Canberra or its hinterland for a continuous period of not less than two years. I also confirm that I will ably carry out the duties of that position for the full term of the appointment.

NOMINEE (Name in BLOCK LETTERS):

Signature:

Date:

PROPOSED BY (Name in BLOCK LETTERS):

Signature:

Date:

SECONDED BY (Name in BLOCK LETTERS):

Signature:

Date:

Certificate of Completion

Summary

Document ID : KBIJHLISBHRPVHSNBBP3YFUV9OZIIF-DUPBKAH2AKQK

Document Name : CSA_NOMINATION_FORM

Sent by : Prabh Sandhu <prabh.sandhu@advisorcorp.com.au>

Organization : AdvisorCorp Pty Ltd
Unit 5, 48 Corinna Street ,Phillip,ACT,Australia 2606

Sent on : Sep 29, 2022 11:50 AEST

Signers : 1

Completed on : Sep 29, 2022 11:51 AEST


Receives a copy : 0

Sign order : Sequential

Approvers : 0

No. of documents : 1

Recipients

 Guramrit Singh Dhillon
Signer secretary@csa.asn.au

Signature



Emailed on : Sep 29, 2022 11:50 AEST

Accessed from : 124.148.25.124

Viewed on : Sep 29, 2022 11:50 AEST

Device used : Mobile

Signed on : Sep 29, 2022 11:51 AEST

Authentication type : None



15 Hickey Court, WESTON, ACT 2611
Email: secretary@csa.asn.au

NOTICE OF THE 32nd ANNUAL GENERAL MEETING 2022

THE CANBERRA SIKH ASSOCIATION INC. (CSA)

ABN 16 522 365 397

15 Hickey Ct, Weston ACT 2611

You are invited to attend the AGM: **SATURDAY, 29th October 2022**

To be held at CHARLES WESTON SCHOOL

80 WOODBERRY AVE, COOMBS ACT 2611



15 Hickey Court, WESTON, ACT 2611
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Dear Members,

We write as the Executive Committee of your Canberra Sikh Association Inc. and attach the Notice of the Annual General Meeting with relevant paperwork for your perusal.

The contents of the agenda are enclosed within the notice of the meeting, including the Audited 2022 Financial Statements.

Election of the Executive Committee shall be by ballot or by a show of hands. Postal or proxy votes shall not be valid.

Entitled to vote shall be confirmed with the Executive Committee on or before 28th October 2022. A list of the members entitled to vote will be published and displayed on the Gurdwara Sahib notice board.

NON-MEMBERS AND CHILDREN WILL NOT BE ADMITTED INTO THE HALL.

Meeting Scheduled Time and Quorum

The meeting is scheduled to start at the advertised time on the agenda. We do request that you arrive early for Registration. The meeting will proceed once a quorum is established. A quorum for a General Meeting of the members shall not be less than fifteen or 25% of members, whichever is greater and once achieved, the meeting can consider the motions as outlined in the agenda.

Registration will start at 10:00 am. Photo IDs (Australian Driver's License/Passport or other photo ID issued by an Australian authority) are required for identification purposes.

Please note that the meeting will start at 11:00am. If there is no quorum by 11:30 am, Clauses 10.1 to 10.5 of the CSA Constitution shall apply for recall of the AGM.

AGENDA

ITEM 1 To read and, if approved, pass the minutes of the 31st AGM held on 4th December 2021.

ITEM 2 Matters arising from the minutes of the 31st AGM.

ITEM 3: To receive reports:

3.1 President's Report - Satnam Singh

3.2 Treasurer's Report for 2021-22 - Melkit Singh

ITEM 4: To dissolve the current Executive Committee and hand the Chair to the Returning Officer; Elizabeth Keogh

ITEM 5: To receive and table nominations and elect the Executive Committee comprising below:

5.1 President

5.2 Vice-President

5.3 Treasurer



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- 5.4 Assistant Treasurer
- 5.5 Secretary
- 5.6 Assistant Secretary
- 5.7 Committee Member 1
- 5.8 Committee Member 2
- 5.9 Committee Member 3
- 5.10 Ex-Officio Member

ITEM 6: To appoint the Auditor for the year 2022-23.

ITEM 7: To appoint the Returning Officer and Scrutineer for the 2023 AGM.

ITEM 8: Any other business.

ITEM 9: Close of meeting.

Should you have any queries prior to the meeting, please do not hesitate to contact the meeting coordinator Prabh Sandhu via excom-member3@csa.asn.au .

We look forward to seeing you at the meeting. Thank you.

29 Sep 2022

Guramrit Singh Dhillon
A/g Secretary | Canberra Sikh Association Inc.
29 Sept 2022



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The Canberra Sikh Association By-Law Updated Sept 2008

CANBERRA SIKH ASSOCIATION

1. NAME

The name of the Association shall be "The Canberra Sikh Association"

2. AIMS AND OBJECTS

The aims and objects of the Association shall be:

- 2.1 To promote in Australia an understanding of the Sikh philosophy, religion and culture.
- 2.2 To provide a common meeting ground for persons interested in Sikh culture and philosophy and to exchange ideas with other ethnic, cultural, community and religious groups.
- 2.3 To establish charitable and welfare programs for the community in general and assist new Sikh migrants to settle in Canberra.
- 2.4 To organise activities connected with education and social development of the community.
- 2.5 To establish and support research programs, and provide scholarships to students in need for further education.

3 MEMBERSHIP

Membership for the Association shall be open to all those persons who are above the age of eighteen (18) years and who are genuinely interested in furthering the aims and objects of the Association and shall fall into the categories as set hereunder. There shall be the following types of members:

3.1.1. ORDINARY MEMBERS

A person of a family (husband and wife), who is (are) (an) Australian citizen(s) or permanent resident(s), residing permanently in Canberra or its hinterland, shall be eligible to become ordinary member(s) of the Association upon acceptance of membership application by the Executive and upon payment of a fee of such amount as is from time to time determined by the Association. The Executive shall have the power to refuse membership to any person or family if acceptance of such membership is considered against the best interests of the Association.

3.2.2. FOUNDATION MEMBERS

All ordinary members who join the Association in the first year shall become foundation members. However, if a foundation member leaves the Association and rejoins it, he will not be granted the status of a foundation member.

3.2.3. ASSOCIATE MEMBERS

Associate members shall be those whose interests are in part similar to those of the Associations, and do not directly conflict with the aims and objects of the Association. The acceptance of such members shall be subject to approval by the Executive. Associate members shall not have voting rights, nor the right to represent on the Executive Committee. The joining fee for associate members shall be half that of ordinary members.

3.2.4. LIFE MEMBERSHIP

Life Membership in the respective categories (Ordinary and Associate Members) may be available to any member of the Canberra Sikh Association Inc upon application and approval by the Executive Committee and the payment of a Life Membership fee which shall be equivalent to fifteen times the Family subscription rate current at the time of the application. (*Appended: 18 August 1996*)



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3.2.5. CONVERSION OF ASSOCIATE MEMBERSHIP TO ORDINARY MEMBERSHIP

An Associate Member of the Canberra Sikh Association Inc who has given exceptional service to and for the betterment of the Association may be invited by the Executive Committee to take up Ordinary Membership. *(Appended: 20 October 1996)*

- 3.3 Applications for membership shall be made in writing on the appropriate form, signed by the applicant, and shall contain such information as the Executive Committee shall from time to time prescribe.
- 3.4 The membership year shall commence on 1st August and shall terminate on 31st July each year.
- 3.5 Membership fees for Ordinary Associate members shall fall due on 1st July each year and shall be paid before the expiry of two calendar months from this date of membership. Membership may be terminated if such fees remain unpaid after such period.
- 3.6 For a member to be eligible to vote at a meeting of the Association he/she shall have been a paid up member for not less than four months.
- 3.7 Membership shall continue until terminated in any of the following ways:
 - 3.7.1 Upon receipt by the Secretary of the Association of a notice of resignation in writing signed by the member.
 - 3.7.2 Upon default in payment of the prescribed membership fee for a period of two months after the due date.
 - 3.7.3 The Executive Committee suspend the membership of the member whose conduct is not considered to be in the best interest of the Association. Such suspension shall be reviewed by the Annual General Meeting at the request, in writing to the Secretary, of the suspended member.
- 3.8 A register of members shall be kept by the Treasurer, showing the full name, address, telephone number, if any, of each member and date of commencement and category of membership. The Treasurer shall furnish (in March each year) an up to date list to the Secretary and advise any changes in the said list at each Executive Committee meeting.

4. **THE EXECUTIVE COMMITTEE**

- 4.1 The Executive shall consist of the following officers who shall be elected to their positions by a simple majority vote at an Annual General Meeting, and shall hold office for a period of one year. The President, Vice President, Secretary and Treasurer shall be eligible for re-election to their respective positions for a period of not more than two consecutive years:
 - President
 - Vice President
 - Secretary
 - Assistant Secretary *(Added: 15 August 2004)*
 - Treasurer
 - Assistant Treasurer *(Added: 15 August 2004)*
 - Three Committee members
 - An Ex-Officio Member (non-voting) *(Added: 16 August 1998)*
- 4.2 The Executive Committee shall be responsible for carrying out the day to day business of the Association and shall have the power, subject to provisions in this constitution and to any determination made by the General Body.
- 4.3 The Executive Committee may co-opt members to the Executive as required.
- 4.4 The officers and members of the Executive shall serve in an honorary capacity.



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- 4.5 The quorum for a meeting of the Executive Committee shall be a simple majority of the elected voting officers. The Committee shall meet at least quarterly. *(Amended: 16 August 1998)*
- 4.6 Sub-committees
The Executive Committee shall have the power to appoint sub-committees to perform such duties as the Executive Committee may determine.
- 4.6.1 All Sub-committee shall be headed by an elected member of the Executive Committee who shall:
- 4.6.2 Manage the activities under their portfolios within the rules and by-laws of the Association and under the guidelines set by the Executive Committee.
- 4.6.3 Maintain accurate Income and Expenditure accounts to meet statutory requirements and for internal audit purposes
- 4.6.4 Submit Income/Expenditure statements to the CSA Executive Committee at the end of a project or quarterly as applicable.”
- 5. ELECTIONS**
- 5.1 The Executive Committee shall be elected at an Annual General Meeting of the Association to be held in September each year.
- 5.2 The Secretary shall invite nominations for election to the Executive Committee by giving a notice of not less than four weeks before the Annual General Meeting.
- 5.3 Nominations shall be for a specific position.
- 5.3.1 The Ex-officio member of the Executive Committee shall be a member of the Executive Committee of the immediately preceding year.
- 5.3.2 Nominees must have resided permanently in Canberra or its hinterland for a continuous period of not less than two years.
- 5.3.3 Proposals for nomination shall be in writing and endorsed by the nominee or nominated from the floor at the Annual General Meeting.
- 5.3.4 Nomination can only be proposed and seconded by members whose membership has been current for not less than four months immediately preceding the date of nomination.
- 5.4 Election of the Executive Committee shall be by ballot or by a show of hands. Postal or proxy votes shall not be valid.
- 5.5 If the President's position becomes vacant the Secretary shall call for a Special General Meeting to elect a new President.
- 6 PROPERTY AND BANK ACCOUNTS**
- 6.1 The Association shall maintain accounts with banks, building societies or credit unions.
- 6.2 All cheques paid by the Association shall be jointly signed by any two of the President, Vice President, Secretary and Treasurer, except for a subsidiary account operation under By-law 6.7.”
- 6.3 The Treasurer shall maintain accounts on behalf of the Association and shall submit final reports to the Executive Committee and audited reports to the Annual General Meeting.
- 6.4 The President is empowered to spend up to fifty dollars (\$50) on any one item at any one time without prior approval. All expenditures must be approved by the Executive Committee.
- 6.5 The seal of the Association shall be kept by the Secretary.
- 6.6 The Secretary shall keep the records of the Association; which shall be available for inspection by members on a written request.



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- 6.7 A subsidiary account may be opened at the discretion of the Executive Committee for use by a sub-committee.
- 6.7.1 The subsidiary account shall be operated by the person nominated by the executive committee
- 6.7.2 The nominated operator of the account shall submit quarterly income and expenditure statements to the Executive Committee for incorporation into the CSA accounts.
- 6.7.3 All documentation relating to the accounts shall be made available for audit as required.”

7. AUDITORS AND AUDIT

- 7.1 Auditors shall be appointed at the Annual General Meeting.
- 7.2 One or more persons may be appointed Internal Auditors by the Executive Committee.

8. FINANCIAL YEAR

The financial year shall be from 1st July of a given year to 30th June of the following year.

9 POWERS

The Executive Committee may do all or any of the following things, if specified in or authorised by its rules as incidental to its objects, that is to say the Association may:

- 9.1 Provide and carry out any community service.
- 9.2 Purchase or otherwise acquire property both real and personal in the name of the Association.
- 9.3 Acquire by lease, purchase, donation, bequest or otherwise any real and/or personal property for any objects of the Association sell or lease any such real or personal property for any objects of the Association.
- 9.4 Provide and maintain buildings and grounds for education, recreation or other community purposes and operate, maintain and carry on any club or promote or assist clubs/associations, groups for any such purpose.
- 9.5 Promote or carry out any charitable undertakings. Raise money by donations for any objects of the Association.
- 9.6 Raise any money or loan for any of the objects of the Association, such money shall be raised in the name of the Association.
- 9.7 Merge, join or collaborate with any society with similar aims.

10. ANNUAL GENERAL MEETING

- 10.1 The quorum at an Annual General Meeting shall not be less than fifteen or 25% of members, whichever is the greater., whichever is the greater.
- 10.2 An Annual General Meeting shall be postponed for no less than fourteen (14) days and not more than twenty one (21) days in the event that a quorum of financial members is not present at such meeting. The Annual General Meeting shall be reconvened through an appropriate postal notice and shall be eligible to transact business for which the General Meeting was called after such period irrespective of the numbers present or attending, on the second occasion.
- 10.3 For all administrative matters a simple majority shall prevail.
- 10.4 On all matters that are not specifically covered under the Canberra Sikh Association Incorporated's Constitution the ACT 'Associations Incorporation Act 1991' and current 'Associations Incorporation Regulations' and any further updates of these Acts and Regulations shall apply.
- 10.5 Rules of Discussion: Any member who desires to speak shall rise and remain standing, addressing only the Chairperson. The member shall not be interrupted unless out of order. Any member wishing to reply must wait until the last speaker is seated. No member shall speak twice to the same question except in explanation or the mover in reply. All speakers shall only address the Chairperson.



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11. SPECIAL GENERAL MEETINGS

Special General Meetings may be called:

- 11.1 Any time by the Executive; and
- 11.2 Upon request by petition signed by 20% of members.

12. NOTICE OF MEETINGS

- 12.1 The Secretary shall give voting members of the Association at least twenty one (21) days notice in writing of any Meeting specifying the place, the date and time of the meeting. A copy of the Agenda of the Meeting shall be forwarded to each member with the above notice.
- 12.2 The Chairperson may, on a motion passed by a simple majority of members present at the General Meeting, adjourn the meeting. The business left unfinished at the meeting shall take place within thirty (30) days of such adjournment, with at least fourteen (14) days notice to financial members to enable the business on the agenda of the adjourned meeting to be completed.
- 12.3 At any General Meeting, a resolution of a meeting shall be carried by a simple majority.

13. DISSOLUTION AND AMENDMENTS

The Association shall be dissolved of ordinary members at a Special General Meeting convened for such purpose.

- 13.1 Upon a resolution being passed in accordance with paragraph 13.1, all the assets and funds of the Association shall, after payment of all expenses and liabilities, be handed to such registered or executed charity or charities as simple majority of the members at the Special General Meeting so convened shall determine.
- 13.2 This Constitution shall only be amended by a resolution at the Annual General Meeting of the Association or such other meetings convened for that purpose, provided that not less than four (4) weeks written notice of the proposed amendments has been given to all voting members.
- 13.3 The resolution must be passed by two-thirds majority of the members eligible to vote at the meeting and such members shall constitute a quorum under the terms of the Constitution. In the absence of a quorum, rule 10.2 shall apply.

14. DISQUALIFICATION OF THE EXECUTIVE COMMITTEE MEMBER

The office of any Executive Committee member shall be vacated if:

- 14.1 The Committee member is removed by a resolution at any General Meeting; or
- 14.2 Fails to attend three (3) consecutive Executive Committee Meetings without leave of absence; or
- 14.3 Upon resignation, death or bankruptcy or mental illness, or is shown to receive or to have received any profit from the Association.

End of Document.

Updated: AGM of September 2008

Certificate of Completion

Summary

Document ID : 9BJQDNN75UKKZA8ZK1-X8CKTVR1NYYZLU79BD0IXLHE

Document Name : Notice of 32nd AGM of CSA and Agenda

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Organization : AdvisorCorp Pty Ltd
Unit 5, 48 Corinna Street ,Phillip,ACT,Australia 2606

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Signers : 1

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Approvers : 0

No. of documents : 1

Recipients

 Guramrit Singh Dhillon
Signer secretary@csa.asn.au

Signature



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- 9.3 Acquire by lease, purchase, donation, bequest or otherwise any real and/or personal property for any objects of the Association sell or lease any such real or personal property for any objects of the Association.
- 9.4 Provide and maintain buildings and grounds for education, recreation or other community purposes and operate, maintain and carry on any club or promote or assist clubs/associations, groups for any such purpose.
- 9.5 Promote or carry out any charitable undertakings. Raise money by donations for any objects of the Association.
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- 10.3 For all administrative matters a simple majority shall prevail.

10.4 On all matters that are not specifically covered under the Canberra Sikh Association Incorporated's Constitution the ACT 'Associations Incorporation Act 1991' and current 'Associations Incorporation Regulations' and any further updates of these Acts and Regulations shall apply.

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12.2 The Chairperson may, on a motion passed by a simple majority of members present at the General Meeting, adjourn the meeting. The business left unfinished at the meeting shall take place within thirty (30) days of such adjournment, with at least fourteen (14) days notice to financial members to enable the business on the agenda of the adjourned meeting to be completed.

12.3 At any General Meeting, a resolution of a meeting shall be carried by a simple majority.

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The Association shall be dissolved of ordinary members at a Special General Meeting convened for such purpose.

13.1 Upon a resolution being passed in accordance with paragraph 13.1, all the assets and funds of the Association shall, after payment of all expenses and liabilities, be handed to such registered or executed charity or charities as simple majority of the members at the Special General Meeting so convened shall determine.

13.2 This Constitution shall only be amended by a resolution at the Annual General Meeting of the Association or such other meetings convened for that purpose, provided that not less than four (4) weeks written notice of the proposed amendments has been given to all voting members.

13.3 The resolution must be passed by two-thirds majority of the members eligible to vote at the meeting and such members shall constitute a quorum under the terms of the Constitution. In the absence of a quorum, rule 10.2 shall apply.

14. DISQUALIFICATION OF THE EXECUTIVE COMMITTEE MEMBER

The office of any Executive Committee member shall be vacated if:

- 14.1 The Committee member is removed by a resolution at any General Meeting; or
- 14.2 Fails to attend three (3) consecutive Executive Committee Meetings without leave of absence; or
- 14.3 Upon resignation, death or bankruptcy or mental illness, or is shown to receive or to have received any profit from the Association.

End of Document.

Updated: AGM of September 2008

