



Criminal Lawyers Association of the Northern Territory (CLANT)

CRIMINAL LAWYERS ASSOCIATION OF THE NORTHERN TERRITORY (CLANT)

INCORPORATED

AS AMENDED ON 16 JUNE 2023

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**CRIMINAL LAWYERS OF THE NORTHERN TERRITORY
ASSOCIATION (CLANT) INCORPORATED**

CONSTITUTION

PART 1 – PRELIMINARY

1. Name

The Association shall be known as the “Criminal Lawyers of the Northern Territory (CLANT) Incorporated”.

2. Objects and purposes

The objects and purposes of the Association are:

- (a) to promote and advance the administration of the criminal justice system and development and improvement of criminal law throughout the Northern Territory;
- (b) to promote the professional interests of members;
- (c) to provide facilities and programs which will assist members in the professional practice;
- (d) to actively contribute in public debates in issues relating to the criminal justice system;
- (e) to liaise with other bodies concerned with issues of professional interest to members;
- (f) to provide representation for members in relation to matters which affect the interest of members generally;
- (g) to raise the profile of criminal lawyers in the Northern Territory;
- (h) to represent the views of members to bodies and persons engaged in the administration of criminal justice and a review in development of criminal law, procedure and civil liberties;
- (i) to promote the professional discourse, development and social interaction amongst the profession;
- (j) to promote and encourage teaching and study of criminal law in the Northern Territory;

- (k) to promote and encourage the protection of human rights and compliance with international human rights principles;
- (l) to present a conference biennially unless cancelled due to act of War, Terrorism or Act of God. In the event a conference is cancelled due to act of War, Terrorism or act of God, the conference shall be presented in the first year possible thereafter, and then biennially; and
- (m) such other objects as the Association shall in general meeting from time to time decide.

2A. Non-profit

The assets and income of the Association shall be applied solely in furtherance of its above-mentioned objects and no portion shall be distributed directly or indirectly to the members of the Association except as bona fide compensation for services rendered or expenses incurred on behalf of the Association.

3. Minimum number of members

The Association must have at least 8 members.

4. Definitions

In this Constitution, unless the contrary intention appears –

"Act" means the *Associations Act* and regulations made under that Act;

"Committee" means the Management Committee of the Association;

"financial institution" means an authorised deposit-taking institution within the meaning of section 5 of the *Banking Act 1959* of the Commonwealth;

"general meeting" means a general meeting of members convened in accordance with Part 6;

"member" means a member of the Association;

"register of members" means the register of the Association's members established and maintained under section 34 of the Act;

"special resolution" means a resolution notice of which is given under clause 40 and passed in accordance with section 37 of the Act.

PART 2 – CONSTITUTION AND POWERS OF ASSOCIATION

5. Powers of Association

- (1) For achieving its objects and purposes, the Association has the all of the powers conferred by sections 11 and 13 of the Act.
- (2) Subject to the Act, the Association may do all things necessary or convenient for carrying out its objects or purposes, and in particular, may –
 - (a) acquire, hold and dispose of real or personal property;
 - (b) open and operate accounts with financial institutions;
 - (c) invest its money in any security in which trust monies may lawfully be invested;
 - (d) raise and borrow money on the terms and in the manner it considers appropriate;
 - (e) secure the repayment of money raised or borrowed, or the payment of a debt or liability;
 - (f) appoint agents to transact business on its behalf; and
 - (g) enter into any other contract it considers necessary or desirable.

6. Effect of Constitution

This Constitution binds every member and the Association to the same extent as if every member and the Association had signed and sealed this Constitution and agreed to be bound by it.

7. Inconsistency between Constitution and Act

If there is any inconsistency between this Constitution and the Act, the Act prevails.

8. Altering the Constitution

- (1) The Association may alter this Constitution by special resolution under clause 39, but not otherwise.

- (2) If the Constitution is altered, the public officer must ensure compliance with section 23 of the Act.

PART 3 – MEMBERS

Division 1 – Membership

9. Membership

- (1) There are 4 categories of memberships:

(a) ***Ordinary members;***

The following persons may be eligible, after payment of the membership fee to become an Ordinary Member:

- (i) Any person who practises in the field of criminal law within the courts of the Territory, whether exclusively or partly; or
- (ii) Any person who contributes to the field of criminal law or criminal jurisprudence within the Territory whether exclusively or partly.

An Ordinary member shall be entitled to vote at Meetings and shall be entitled to be elected to the Committee.

(b) ***Associate members;***

- (i) Any person over the age of eighteen (18) years, or any person who is enrolled at an educational facility in the study of law, who pays the required membership fee and would not otherwise be entitled to apply as an Ordinary member may apply to become an Associate member.
- (ii) Associate members have no voting rights nor will they be eligible to hold office in the Committee.

(c) ***Life members;***

- (i) The Committee may recommend for election as a Life member any Ordinary member who has rendered meritorious and exceptional services to the Association or who has experienced long-term membership to the Association.

- (ii) Life members shall be elected at the Biennial General Meeting or a Special Meeting, on a 2/3 majority of the vote of members present at the meeting.
 - (iii) A Life member shall have all the rights and privileges of an Ordinary member, including the right to vote at meetings or to be elected to office in the Association.
- (d) ***Honorary Life members.***
- (i) Any person may on the recommendation by the Committee be bestowed upon the title “Honorary Life Member” subject to confirmation at a Members General Meeting.
 - (ii) in making their recommendation, the Committee will take into account the following:
 - (I) the person must have given substantial contribution to the Association whether monetary or otherwise; or
 - (II) must have rendered considerable assistance to the Association; or
 - (III) for any other reason that the Committee feels is deserving.
- (2) Application for membership and Payment of Fees
- To apply to become a member of the Association a person must –
- (a) (i) indicate that the person wishes to become a member of the Association; and
 - (ii) pay the biennial membership fee (however levied from time to time by the Committee) where applicable; or
 - (b) pay the conference attendance fee and attend at the biennial conference conducted by the Association.
- (3) Membership Register
- (a) An up-to-date register of members setting forth the names in full and addresses of all members each in his/her class shall be kept posted by the Secretary and shall be continuously available for inspection.

- (b) The members shall consist of all members whose names appear on the Register of Members from time to time.

10. Approval of Committee

- (1) Except as may be provided for by a vote of members at a General or Special meeting, the Committee must consider any application made under clause 9(2) at the next available Committee meeting and must accept or reject the application at that meeting or the next.
- (2) If an application is rejected, the applicant may appeal against the decision by giving notice to the Secretary within 14 days after being advised of the rejection.
- (3) If an applicant gives notice of an appeal against the rejection of his or her application, the Committee must reconsider the application at the next Committee meeting after receipt of the notice of appeal.
- (4) If after reconsidering an application the Committee reaffirms its decision to reject the application, the decision is final.

11. Membership fees

- (1) The biennial membership fee is the amount determined from time to time by resolution at a general or special meeting.
- (2) Each member must pay (unless that member has attended at the last biennial conference) the membership fee to the Treasurer immediately prior to the commencement of the Biennial General Meeting, or another date determined by the Committee from time to time.
- (3) A member whose subscription is not paid within 1 month after the due date ceases to be a member unless the Committee determines otherwise.
- (4) A member whose subscription remains due is not entitled to vote at a general or special meeting of the Association.

Division 2 – Rights of members

12. General

- (1) Subject to clause 11 and 13(2), a member may exercise the rights of membership when his or her name is entered in the register of members.

- (2) A right of membership of the Association –
 - (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates on the cessation of membership whether by death, resignation or otherwise.

13. Entitlement to Vote

- (1) Subject to subclause (2) and clause 9(1), each member has one vote at general meetings of the Association.
- (2) A member whose subscription remains due and unpaid is not entitled to vote on any resolution, including election of members of the Committee, at a general or special meeting of the Association.

14. Notice of meetings and special resolutions

The Secretary must give all members notice of general meetings and special resolutions in the manner and time prescribed by this Constitution.

15. Access to information on Association

The following must be available for inspection by members:

- (a) a copy of this Constitution;
- (b) minutes of general meetings;
- (c) annual reports and annual financial reports; and
- (d) the Register of Members

Division 3 – Termination, death, suspension and expulsion

16. Termination of membership

Membership of the Association may be terminated by –

- (a) a notice of resignation addressed and posted to the Association or given personally to the Secretary or another Committee member;
- (b) non-payment of the membership fee within the time allowed by this Constitution; or
- (c) expulsion in accordance with this Division.

17. Death of member or whereabouts unknown

If a member dies or the whereabouts of a member are unknown, the Committee must cancel the member's membership.

18. Suspension or expulsion of members

- (1) If the Committee considers that a member should be suspended or expelled because his or her conduct is detrimental to the interests of the Association or contrary to the objects of the Association, the Committee must give notice of the proposed suspension or expulsion to the member.
- (2) The notice must –
 - (a) be in writing and include –
 - (i) the time, date and place of the Committee meeting at which the question of that suspension or expulsion will be decided; and
 - (ii) the particulars of the conduct; and
 - (b) be given to the member not less than 30 days before the date of the Committee meeting referred to in paragraph (a)(i).
- (3) At the meeting, the Committee must afford the member a reasonable opportunity to be heard or to make representations in writing.
- (4) The Committee may suspend or expel or decline to suspend or expel the member from the Association and must give written notice of the decision and the reason for it to the member.
- (5) Subject to clause 19, the decision to suspend or expel a member takes effect 14 days after the day on which notice of the decision is given to the member.

19. Appeals against suspension or expulsion

- (1) A member who is suspended or expelled under clause 18 may appeal against that suspension or expulsion by giving notice to the Secretary within 14 days after receipt of the Committee's decision.
- (2) The appeal must be considered at the next occurring general meeting or special meeting of the Association and the member must be afforded a reasonable opportunity to be heard at the meeting or to make representations in writing prior to the meeting for circulation at the meeting.

- (3) The members present at the general or special meeting must, by resolution, either confirm or set aside the decision of the Committee to suspend or expel the member.
- (4) The member is not suspended or does not cease to be a member until the decision of the Committee to suspend or expel him or her is confirmed by a resolution of the members.

PART 4 – MANAGEMENT COMMITTEE

Division 1 – General

20. Role and powers

- (1) The business of the Association must be managed by or under the direction of the Committee.
- (2) The Committee may exercise all the powers of the Association except those matters that the Act or this Constitution requires the Association to determine through a general meeting of members.
- (3) The Committee may appoint and remove staff subject to resolution of a special or general meeting.
- (4) The Committee may establish one or more sub Committees consisting of the members of the Association the Committee considers appropriate.

21. Composition of Committee

- (1) The Committee consists of –
 - (a) a President;
 - (b) the Immediate Past President
 - (c) not less than 1, nor more than 3, Vice-Presidents;
 - (d) a Secretary (who shall also be the Association’s Public Officer);
 - (e) a Treasurer;
 - (f) not less than 2, nor more than 10 ordinary Committee persons.

Division 2 – Tenure of office

22. Eligibility of Committee members

Committee members must be elected to the Committee at an annual general meeting or appointed under clause 27.

23. Retirement of Committee members

- (1) Elections for Committee members must be held at a time and place agreed by the Committee biennially.
- (2) A Committee member holds office until the next biennial general meeting unless the member vacates the office under clause 25 or is removed under clause 26.
- (3) At every second general meeting, the office of each Committee member is to be declared vacant and elections for a new Committee must be held.
- (4) Members may serve consecutive terms on the Committee.

24. Election by ballot

- (1) If the number of nominations exceeds the number of vacancies on the Committee, ballots for those positions must be conducted.
- (2) The biennial General meeting may, for the purposes of the conduct of elections, appoint a member (including an Associate or Life member) to be the Returning Officer for the election of Committee members.
- (3) The ballot must be conducted by the Returning Officer in a manner determined by the quorum of the biennial General meeting and must allow for the provision of proxy voting in the absence of members.

25. Vacating office

The office of a Committee member becomes vacant if –

- (a) the member –
 - (i) is disqualified from being a Committee member under section 30 or 40 of the Act;
 - (ii) resigns by giving written notice to the Committee;
 - (iii) dies or is rendered permanently incapable of performing the duties of office by mental or physical ill-health;

- (iv) ceases to be a resident of the Territory; or
 - (v) ceases to be a member of the Association;
- (b) the member is absent from more than –
- (i) 4 consecutive Committee meetings without notice or reasonable cause; or
 - (ii) 4 Committee meetings in the same financial year without tendering an apology to the President;

of which meetings the member received notice and the Committee has resolved to declare the office vacant.

26. Removal of Committee member

- (1) The Association, through a special general meeting of members, may remove any Committee member before the member's term of office ends.
- (2) If a vacancy arises through removal under sub clause (1), an election must be held to fill the vacancy at that special general meeting.

27. Filling casual vacancy on Committee

If a vacancy remains on the Committee due to the office of a Committee member becoming vacant in accordance with clause 25, the Committee may appoint any member of the Association to fill that vacancy.

Division 3 – Duties of Committee members

28. Collective responsibility of Committee

- (1) As soon as practicable after being elected to the Committee, each Committee member must become familiar with the Act and regulations made under the Act.
- (2) The Committee is collectively responsible for ensuring the Association complies with the Act and regulations made under the Act.

29. President and Vice-President

- (1) Subject to sub clauses (2) and (3), the President must preside at all general meetings and Committee meetings.
- (2) If the President is absent from a meeting, a Vice-President must preside at the meeting.

- (3) If the President and the Vice-President are absent, the presiding member for that meeting must be –
 - (a) a member elected by the other members present if it is a general meeting; or
 - (b) a Committee member elected by the other Committee members present if it is a Committee meeting.

30. Secretary (and Public Officer)

- (1) For the purposes of the Act, the Secretary shall be the Public Officer;
- (2) The Secretary must –
 - (a) coordinate the correspondence of the Association in consultation with the President and the Committee;
 - (b) ensure minutes of all proceedings of general meetings and of Committee meetings are kept in accordance with section 38 of the Act;
 - (c) maintain the register of members in accordance with section 34 of the Act;
 - (d) unless the members resolve otherwise at a general meeting – have custody of all books, documents, records and registers of the Association, other than those required by clause 31(5) to be in the custody of the Treasurer; and
 - (e) perform the duties of Public Officer, in accordance with the Act, and any other duties imposed by this Constitution on the Secretary.
- (3) The Secretary, in fulfilling the duties of public officer must ensure that documents are filed with the Commissioner of Consumer Affairs in accordance with sections 23, 28 and 45 of the Act.
- (4) The Secretary, as public officer must keep a current copy of the Constitution of the Association.

31. Treasurer

- (1) The Treasurer must –
 - (a) receive all moneys paid to or received by the Association and issue receipts for those moneys in the name of the Association;

- (b) pay all moneys received into the account or accounts of the Association within 10 working days after receipt, save for any monies received in an international location, which must be paid into the account of the Association within 21 days;
 - (c) make any payments authorised by the Committee or by a general meeting of the Association from the Association's funds; and
 - (d) ensure cheques are signed by him or her and at least one other Committee member, or by any 2 other Committee members authorised by the Committee.
- (2) The Treasurer must ensure the accounting records of the Association are kept in accordance with section 41 of the Act.
 - (3) The Treasurer must coordinate the preparation of the Association's annual statement of accounts.
 - (4) If directed to do so by the President, the Treasurer must submit to the Committee a report, balance sheet or financial statement in accordance with that direction.
 - (5) The Treasurer has custody of all securities, books and documents of a financial nature and accounting records of the Association unless the members resolve otherwise at a general meeting.
 - (6) The Treasurer must perform any other duties imposed by this Constitution on the Treasurer.

PART 5 – MEETINGS OF MANAGEMENT COMMITTEE

32. Frequency and calling of meetings

- (1) The Committee must meet together for the conduct of business not less than 3 times in each financial year.
- (2) The President, or at least half the Committee members, may at any time convene a special meeting of the Committee.
- (3) A special meeting may be convened to deal with an appeal under clause 19.

33. Voting and decision-making

- (1) Each Committee member present at the meeting has a deliberative vote.

- (1A) The committee are to be regarded as present together at a meeting when in communication by telephone or other means of audio or audio-visual communication and when each of the committee members participating in the communication is able to read the written contributions and hear each of the other participating members.
- (2) A question arising at a Committee meeting must be decided by a majority of votes of those members in attendance.
- (3) If there is no majority, the person presiding at the meeting has a casting vote in addition to a deliberative vote.
- (4) An issue arising outside of a Committee meeting may be decided by written resolution approved by electronic communication and is taken to be a decision of the committee passed at a meeting of the committee members, if:
 - (a) The President (or, if the President is unavailable, a Vice-President) considers that an issue is of sufficient urgency and seriousness to justify making a decision outside of a Committee meeting;
 - (b) he/she notifies all Committee members by electronic communication of the issue and draft resolution(s);
 - (c) he/she allows Committee members reasonable time and not less than 24 hours within which to respond;
 - (d) at least four Committee members respond by electronic communication; and
 - (e) a majority of responding Committee members (including the person presiding over the vote) vote by electronic communication in favour of a resolution.
- (5) A question arising at a Committee meeting may by resolution of the meeting be decided in the same manner referred to in subclause 33(4)(b), (c), (d) and (e).
- (6) The Secretary shall keep a record of any decision made pursuant to subclause 33(4) or (5).

34. Quorum

For a Committee meeting, four Committee members constitute a quorum.

35. Procedure and order of business

- (1) The procedure to be followed at a Committee meeting must be determined from time to time by the Committee.
- (2) The order of business may be determined by the members present at the meeting.
- (3) Only the business for which the meeting is convened may be considered at a special meeting.

PART 6 – GENERAL MEETINGS

36. Convening general meetings

- (1) The Committee –
 - (a) may at any time convene a special general meeting;
 - (b) must, within 21 days after the Secretary receives a notice under clause 19(1), convene a special general meeting to deal with the appeal to which the notice relates; and
 - (c) must, within 21 days after it receives a request under clause 37(1), convene a special general meeting for the purpose specified in that request.

37. Special general meetings

- (1) Half the number of members constituting a quorum for a general meeting may make a written request to the Committee for a special general meeting.
- (2) The request must –
 - (a) state the purpose of the special general meeting; and
 - (b) be signed by the members making the request.
- (3) If the Committee fails to convene a special general meeting within the time allowed the members who made the request may convene a special general meeting as if they were the Committee.
- (4) The Secretary must give to all members not less than 21 days notice of a special general meeting.
- (5) The notice must specify –
 - (a) when and where the meeting is to be held; and

- (b) the particulars of and the order in which business is to be transacted.

38. Annual general meeting

- (1) The Association must hold an annual general meeting once in every calendar year. The meeting must be held within 5 months after the end of financial year.
- (2) The Secretary must give to all members not less than 21 days notice of an annual general meeting.
- (3) The notice must specify –
 - (a) when and where the meeting is to be held; and
 - (b) the particulars of and the order in which business is to be transacted.
- (4) The order of business for each annual general meeting is as follows:
 - (a) first – the consideration of the accounts and reports of the Committee;
 - (b) second – any other business requiring consideration by the Association at the meeting.

39. Special resolutions

- (1) A special resolution may be moved at any general meeting of the Association.
- (2) The Secretary must give all members not less than 21 days notice of the meeting at which a special resolution is to be proposed.
- (3) The notice must include the resolution to be proposed and the intention to propose the resolution as a special resolution.

40. Notice of meetings

- (1) The Secretary must give a notice under this Part by –
 - (a) serving it on a member personally
 - (b) sending it to the member via e-mail; or
 - (c) sending it by post or facsimile to a member at the address of the member appearing in the register of members.

41. Quorum at general meetings

At a general meeting, ten percent of ordinary members must be present in person to constitute a quorum.

42. Lack of quorum

- (1) If within 10 minutes after the time specified in the notice for the holding of a general meeting a quorum is not present –
 - (a) for a biennial general meeting or special general meeting the meeting stands adjourned to the same time on the same day in the following week and to the same place;
 - (b) for a meeting convened under clause 36(2)(b) – the members who are present in person may proceed with hearing the appeal for which the meeting is convened; or
 - (c) for a meeting convened under clause 36(2)(c) – the meeting lapses.
- (2) If within 10 minutes after the time appointed by sub clause (1)(a) for the resumption of an adjourned general meeting a quorum is not present, the members who are present in person may proceed with the business of that general meeting as if a quorum were present.
- (3) The President may, with the consent of a general meeting at which a quorum is present, and must, if directed by the members at the meeting, adjourn that general meeting from time to time and from place to place.
- (4) There must not be transacted at an adjourned general meeting any business other than business left unfinished or on the agenda at the time when the general meeting was adjourned.
- (5) If a general meeting is adjourned for a period of 30 days or more, the Secretary must give notice of the adjourned general meeting as if that general meeting were a fresh general meeting.

43. Voting

- (1) Subject to clauses 13(2) each member present at a general meeting is entitled to a deliberative vote. A member is present if attending the meeting by person or electronically by arrangements made by the Secretary.
- (2) At a general meeting –

- (a) an ordinary resolution put to the vote is decided by a majority of votes made in person or by the electronic means directed by the Secretary; and
 - (b) a special resolution put to the vote is passed if three-quarters of the members, who are present in person or by the electronic means directed by the Secretary, vote in favour of the resolution
- (3) A poll may be demanded by the President or by 3 or more members present in person.
 - (4) If demanded, a poll must be taken immediately and in the manner the President directs.
 - (5) Proxy or postal voting is permitted with the ordinary member appointing in writing another ordinary member to be the proxy of the appointing member to attend in person a vote on behalf of the appointing member at any general meeting.

PART 7 – FINANCIAL MANAGEMENT

44. Financial year

The financial year of the Association is the period of 12 months ending 30 June.

45. Funds and accounts

- (1) The Association must open an account with a financial institution from which all expenditure of the Association is made and into which all of the Association's revenue is deposited.
- (2) The Association may open such account or accounts with a financial institution for the investment of any such funds as the Committee considers appropriate from time to time on behalf of the Association in order to obtain a better rate of investment for the Association.
- (3) Subject to any restrictions imposed by the Association at a general meeting, the Committee may approve expenditure on behalf of the Association within the limits of the budget.
- (4) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 Committee members.

- (5) All funds of the Association must be deposited into the financial account of the Association no later than 10 working days after receipt or as soon as practicable after that day.
- (6) With the approval of the Committee, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

46. Accounts and audits

The responsibility of the Committee under clause 28(2) for ensuring compliance with the Act includes meeting the requirements of Part 5 of the Act and regulations made for that Part relating to –

- (a) the keeping of accounting records;
- (b) the preparation and presentation of the Association's annual statement of accounts; and
- (c) the auditing of the Association's accounts.

PART 8 – MISCELLANEOUS

47. Grievance and disputes procedures

- (1) This clause applies to disputes between –
 - (a) a member and another member; or
 - (b) a member and the Committee.
- (2) Within 28 days after the dispute comes to the attention of the parties to the dispute, they must meet and discuss the matter in dispute, and, if possible, resolve the dispute.
- (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 14 days after the meeting, hold another meeting in the presence of a mediator.
- (4) The mediator must be –
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement –

- (i) for a dispute between a member and another member – a person appointed by the Committee; or
 - (ii) for a dispute between a member and the Committee – a person who is a mediator appointed or employed by the department administering the Act.
- (5) A member of the Association can be a mediator.
- (6) The mediator cannot be a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must:
 - (a) give the parties to the mediation process every opportunity to be heard;
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

48. Winding Up

- (1) The Association may be wound up at a general meeting of the members called specifically for that purpose.
- (2) At a meeting called to wind up the Association no other business may be raised until the motion to wind up the Association has been defeated or has lapsed or been withdrawn.
- (3) A motion to wind up the Association may not be carried unless passed by a special resolution of two thirds of the members entitled to vote at a general meeting.

49. Distribution of surplus assets on winding up

- (1) If on the winding up or dissolution of the Association, and after satisfaction of all its debts and liabilities, there remain any assets, the assets must not be distributed to the members or former members.

- (2) The surplus assets must be given or transferred to another association incorporated under the Act that –
 - (a) has similar objects or purposes;
 - (b) is not carried on for profit or gain to its individual members; and
 - (c) is determined by resolution of the members.

50. Transitional

- (1) For the purposes of the Act, it is the responsibility of the Committee, elected at the General meeting of 12 October 2009, to comply with the Act and regulations made for that Part relating to –
 - (a) the keeping of accounting records;
 - (b) the calling of meetings;
 - (c) the preparation and presentation of the Association's annual statement of accounts; and
 - (d) the auditing of the Association's accounts.

on and from 12 October 2009, and not otherwise.
 - (2) For the purposes of the Act, the Committee elected on 12 October 2009 continues to hold office until the holding of the biennial general meeting in 2011 and election of new committee members.
 - (3) Every person who is an ordinary member, an Associate member, a Life member or an Honorary Life member of the Criminal Lawyers Association of the Northern Territory at the time of incorporation becomes a member of the Association in the same category of membership under this Constitution.
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