



*Wishing Everyone a Prosperous, Healthy and Happy Year of the Dragon*

**祝大家龍年快樂！事事如意！身體健康！**

## *A few Words from the President*

It gives me great pleasure to say a few words to update you on what's happening at ACCA.

Since we bought the property at 15 Hunter St, Parramatta in late 2010 we had been busy with the refurbishments of the kitchen and toilets on the ground floor and offices and meeting rooms on the first floor. I'm very pleased that the refurbishments were completed on budget and on schedule in October last year. Many of our clients and members have already started to utilise the new facilities and the feedback I received is a very positive one. Early this month the venue played host to the "Fifth Chinese Australian Painting and Calligraphy Exchange Exhibition" where many of the artists and delegates were from China.

As we celebrate the Chinese New Year beginning 23 January 2012 ACCA is again going to be busy organising various exciting social and cultural activities. As usual ACCA will be taking part in the City of Sydney's Chinese New Year twilight parade to be held on 29 January where about 100,000 spectators are expected to line the streets to watch performers from both local communities as well as from Chengdu and Beijing. This will be a spectacular event and I implore you not to miss it.

One of the major events normally organised by ACCA at this time of the year is the Chinese New Year Banquet. However, this year we'll depart from our tradition and will not hold this event. This is to give our members, clients and their carers the opportunity to participate meaningfully in the numerous dinners and cultural activities organised by other community groups. Instead we'll be organising an "ACCA Annual Dinner" in 3-6 months time. So watch this space for more information!

ACCA is an incorporated community organisation and there are laws and regulations in which it has to

comply with. One of the recent developments was the introduction of the **Associations Incorporation Act 2009** which came into effect on 1 July 2010. As such it is now an appropriate time for ACCA to review its constitution to comply with the new Act as well as to introduce changes to reflect contemporary business practices. The last time our constitution was updated was 16 years ago in 1995. Your Executive Committee at its meeting on 26 November 2011 resolved to form a Constitution Review Committee for this purpose. The Honourable Helen Sham-Ho, Australia's first Asian-born Parliamentarian, lawyer, and currently a council member of ACCA, was invited to be the Chair of the Committee and we're very pleased she has accepted the position. The other members of the Committee are Assistant Secretary Peter Chan, and EXCO members Allen Lee and Chiming Shea. The Committee is now calling for submissions from its members, clients and other stakeholders. This is a very important exercise and I call on all of you to make your contributions so that our new Constitution is a comprehensive and robust document that not only complies with the new legislation but also helps us to manage our 38 year old organisation more effectively. Further details are contained on the back cover of this newsletter and on our website.



Happy New Year!

Warm regards,  
Phoebe Alexander  
Acting President



## 會 長 的 話

我很榮幸跟大家講幾句話，向大家報告澳華公會的最新發展。

自從我們在 2010 年購入巴拉瑪打獵人街 15 號的中心之後，我們忙於裝修其底樓的廚房及洗手間，及樓上的辦公室及會議室。我很高興看到裝修工程已經在去年十月按預算如期完成。很多會員與受助者已開始使用新設施，我收到的回應都很好。本月初在此中心舉行了第五屆澳華繪畫及書法交流展覽，很多藝術家與代表從中國來參加這個活動。

在 2012 年 1 月 23 日的華人農曆新年，澳華公會又再忙於組織多項令人雀躍的社區文化活動。一如往常，澳華公會將參與 1 月 29 日雪梨市的農曆新年花燈大巡遊，預計將吸引高達十萬名觀眾，沿街欣賞來自本地社區團體及成都與北京的表演者演出。這是一個令人矚目的盛事，希望大家不要錯過。

澳華公會通常每年會在這個時間舉辦新年聯歡晚宴，但今年將不按照過往的慣例舉行，讓我們的會員、受助者及他們的照顧者有時間去參與其他社團舉辦的晚宴及文化活動。所取代的是將在三個月至六個月內，組織一次“澳華公會週年晚宴”。請留意進一步的消息！

澳華公會是一個依法登記的社區組織，需要遵守有關法律與規定。其中一項最新的發展是 2009 年通過的社團法 (Associations Incorporation Act 2009) 已於 2010 年 7 月生效。現在是適當時間，讓我們澳華公會來檢討其憲章，以符合新法律，並作出改變以反映當前的商務慣例。憲章上次修訂於 1995 年，現已經 16 年。本會之執行委員會在 2011 年 11 月 26 日會議通過，為此成立憲章檢討委員會。尊敬的何沈慧霞，澳洲第一位亞裔議員兼律師，和澳華公會的監察委員，應邀出任憲章檢討委員會主席。我們都很高興她接受這個職位。委員會其他成員包括義務助理秘書陳桂昌、執行委員李尚超及余志明。委員會現在呼籲本會會員及受助者提供意見。我呼籲大家參與這個重要的行動，我們能有周詳和健全的新憲章，不僅符合新的法律，還可有效管理我們這個有三十八年歷史的組織。有關進一步的詳情，請參閱此會訊之背頁及我們的網站。

祝新年快樂！

代會長  
白菲比 致意



## ACCA Services

ACCA provides a wide range of government-funded services including community aged care and migrant settlement services for the Chinese-Australian community in NSW. We currently have four centres located around Sydney metropolitan area:

- Headquarters – 2 Mary Street, Surry Hills 2010 – Tel: 9281 1377
- Western Centre – 15 Hunter Street, Parramatta 2150 – Tel: 9687 8981
- Northern Centre – Suite 103, 10 Help Street, Chatswood 2067 – Tel: 9412 3488
- City Branch Centre – Level 7, 770 George St, Haymarket 2000 – Tel: 9211 1925

## 澳華公會社區服務

澳華公會提供一系列由政府資助的服務，包括為新州華人社區提供高齡護理服務和移民定居服務。我們目前在雪梨地區設有四個服務中心：

- 雪梨市中心 – 2 Mary Street, Surry Hills 2010 – Tel: 9281 1377
- 西區中心 – 15 Hunter Street, Parramatta 2150 – Tel: 9687 8981
- 北區中心 – Suite 103, 10 Help Street, Chatswood 2067 – Tel: 9412 3488
- 市分支中心 – Level 7, 770 George St, Haymarket 2000 – Tel: 9211 1925



## Aged Care Home Service

### (Community Aged Care Packages)

This service provides high quality affordable care for the frail older people. It allows them to live independently in the home of their choice as long as possible; for elderly aged 65 and above; or 51 and above with a disability. Service areas include:

- Western Sydney – Auburn, Baulkham Hills, Blacktown, Holroyd and Parramatta  
*Western Sydney Coordinator – Yan Wang – Tel: 9687 8981*

- South East Sydney – Botany, Randwick, Waverley, Woollahra, South Sydney and Sydney City

*South East Sydney Coordinator – Margaret Leung – Tel: 9281 1377*



## 高齡居家護理服務

### (社區護理綜合服務)

向老弱的高齡人士提供高質量但廉價的服務，讓他們盡量能在家中獨立地生活。服務對象是 65 歲或以上的高齡人士，或者 51 歲以上的殘障人士。服務地區包括：

- 雪梨西區 – Auburn, Baulkham Hills, Blacktown, Holroyd 及 Parramatta  
*雪梨西區負責人 Yan Wang 電話：9687 8981*
- 雪梨東南區 – Botany, Randwick, Waverley, Woollahra, South Sydney 及雪梨市中心  
*雪梨東南區負責人 Margaret Leung 電話：9281 1377*

## New Migrant Settlement Service

### (Settlement Grants Programs)

This service assists new migrants who have arrived in Australia for 5 years or less to settle successfully in the country so that they may participate as full members of the Australian society. Services include providing information, answering enquiries, community education, caseworks and citizenship workshops. Service area covers:

- City and Lower Northern Sydney region.  
*SGP Officer – Amy Zhang – Tel: 9281 1377*

## 新移民定居服務

### (定居撥款計劃)

這項服務協助來澳不足五年的新移民順利定居澳洲，成為澳洲社會的一份子。這項服務包括提供資訊、解答疑問、社區教育、個案輔導，及舉辦協助入籍的講座。服務地區包括：

- 雪梨市中心及下北雪梨地區  
定居服務主任 Amy Zhang 電話 : 9281 1377

## ACCA Elderly Services

The services aim to assist elderly aged 65 and above; or 55 and above with a disability.

- Elderly Social Support Service** – provides counselling, emotional support, telephone support, referrals for elderly in City and part of Northern Sydney regions
- Meals Services** – provide “Meals on Wheels” and centre-based meal services based at Surry Hills
- Frail Aged Day Care Centres** – provide culturally appropriate group activities, including health talks, gentle exercises, excursions, handicrafts and games, for frail older Chinese people; covering Western Sydney, South East Sydney, Upper and Lower North Shore areas
- Aged Respite Day Care Centres** (Service for Carers) – provide support and maintain caring relationships between carers and their dependent family members by facilitating access to information and respite care; based at Chatswood, Hornsby and Pennant Hills
- Dementia Respite Day Care Centres** – relieve pressure on families and carers and provide activities that help maintain the physical and mental well-being of the dementia care-recipients; at Chatswood, Harris Park, North Ryde and West Pennant Hills

*Elderly Service Team Leader – Amy Chan – tel: 9281 1377*

Our centre-based day care plays an important role in supporting frail elderly Chinese-Australians to maintain their social, mental and physical wellbeing. Two additional new Day Care Centres have been established to support Mandarin-speaking frail aged elderly:

- Chatswood: 7 Victor St – every Friday 10am to 2pm
- Surry Hills: 2 Mary St – every Monday 10am to 2pm

Besides the above services, ACCA provides social and cultural activities such as Senior Friendship Groups, Tai-Chi, Karaoke, Calligraphy & Chinese Painting classes, Chinese Languages Classes and many others.

In addition, ACCA regularly organises a range of health & educational seminars. Some of the events held in 2011 were: Depression Workshops, Legal & Financial Management Seminar for First Home

Buyers, Multicultural Child Service Expo, Safe & Wise Use of Medicines, and Small Business Seminars.

For further information, please go to [www.acca.org.au](http://www.acca.org.au) or call ACCA Head office at Tel: 9281 1377.



## 澳華公會長者服務

這項服務的對象是 65 歲或以上的高齡人士，以及 55 歲或以上的殘障人士。

- 長者社會支援服務** – 提供輔導、精神上支援、電話支援、轉介，給市中心及北雪梨部份地區的長者。
- 送餐服務** – 提供送餐及堂食服務，位於莎莉山。
- 耆英日間護理中心** – 向老弱華人提供符合其文化之小組活動，包括健康講座、柔和的運動、旅遊、手工藝、遊戲。服務範圍 涵蓋雪梨西區、雪梨東南區、上下北岸地區。
- 高齡暫援日間護理中心** (向照顧者提供服務) – 向照顧者與依賴他們的家庭成員提供支援與關懷，協助他們取得有關資訊及暫援服務，服務地點包括 Chatswood, Hornsby 及 Pennant Hills。
- 老年癡呆暫緩日間護理中心** – 舒緩家庭與照顧者的壓力，提供活動幫助老年癡呆人士保持身心健康，服務地點包括 Chatswood, Harris Park, North Ryde 及 West Pennant Hills。

*長者服務負責人 Amy Chan 電話 : 9281 1377*

我們的日間中心服務扮演著一個重要的角色，協助年老體弱的澳洲華裔長者維持社交、精神及身體上的健康。新設立了兩個日間護理中心，以服務說普通話的年老體弱人士：

- Chatswood: 7 Victor St – 逢星期五上午 10 時至下午 2 時
- Surry Hills: 2 Mary St – 逢星期一上午 10 時至下午 2 時

除了上述服務，澳華公會另有提供社交及文化活動，包括長者聯誼小組、太極、卡拉 OK、書法、國畫班、中文班等等活動。

此外，澳華公會定期組織一系列健康及教育性的講座。2011 年舉辦過的活動包括憂鬱講座、為首次購屋人士提供的法律與財務管理講座、多元文化兒童服務展覽會、安全與明智使用藥物講座、小型企業研討會等。有關進一步消息，可瀏覽澳華公會網站 [www.acca.org.au](http://www.acca.org.au) 或致電澳華公會總部 9281 1377。



## Corporate Governance

In early 2009 the Department of Ageing, Disability & Home Care (DADHC), one of the government agencies that provide significant funding to ACCA, developed and issued the *It's Your Business* manual as a governance resource for directors of DADHC-funded community organisations. The manual was part of the government's development program for community organisations to improve the delivery of services. Subsequently, at the EXCO Planning Day held on 17 October 2009 Mr. Michael Kavanagh, Project Officer from DADHC, was invited to attend as our guest speaker. Among other things, Mr. Kavanagh spoke on the very important topic of corporate governance.

Given the importance of corporate governance an extract of the subject from the *It's Your Business* publication is reproduced below—

Corporate governance is the legal authority given to the Board to manage the affairs of the organisation.

There are four important parts to the governance role: (1) Leadership (2) Safeguarding - ensuring the organisation has effective risk management processes, well-planned and managed human resources and finances, and complies with relevant legislation (3) Monitoring and managing, and (4) Viability.



The constitution of an organisation outlines its purpose and the basic rules or principles by which the organisation is governed. The constitution includes rules for conducting Board meetings and the annual general meeting and can be used as the guiding document to govern the organisation. Directors are required to understand the needs of the organisation and their legal responsibilities. Directors are given a position of trust by the members and therefore have certain duties to the organisation and its members. These are known as fiduciary duties. These duties require a director to act competently, honestly, in good faith and in the best interests of the organisation. A director may become personally liable if they knowingly take decisions that are negligent.

Directors have a duty to avoid conflict of interest and to disclose any conflict of interests. They have an obligation not to profit personally from their position as director and not to allow a conflict to arise between their duties as director and their own self interest such as being interested in a business opportunity for their own benefit which the organisation is also actively pursuing, or making use of organisational property, such as a vehicle, for private use. A director may have a conflict of personal interest in the outcomes of decisions. This may occur if a director has a close personal relationship with an existing staff member, volunteer or client who has interests which may conflict with the best interest of the organisation; and people seeking employment or services from the organisation who could potentially influence the director in the selection process.

Source: *It's Your Business. A practical resource for Directors and members of management committees of non-government organisations* ( NSW Department of Ageing, Disability & Home Care, February 2009 )



## 法 團 管 理

在 2009 年初，為澳華公會提供可觀撥款的政府機構之一的高齡殘障及家居護理處 (DADHC) 制定及發布名為《這關你的事》手冊，作為獲該處撥款社區組織董事的管理指引。這份手冊，是政府發展計劃的一部分，旨在協助社區組織改善提供的服務。因此，在 2009 年 10 月 17 日舉行的執行委員會計劃日，邀請高齡殘障及家居護理處項目主任 Michael Kavanagh 先生作為嘉賓，他就法團管理這個重要議題演講。

由於法團管理的重要，《這關你的事》的有關內容，摘錄撮要如下：

法團管理是授予董事局法定權力，管理機構事務。

當中管理角色有四個重要部分：

(1) 領導 (2) 保衛 - 確保機構採用有效的風險管理程序，良好策劃管理人力資源及財務，並遵守有關的法例 (3) 監督及管理與 (4) 可行性。

一個機構的憲章規劃其目標及如何管理該機構的基本規則或原則。憲章包括董事會及年度大會的會議規則，並可以作為管理機構的指引文件。董事需要了解社團的需要及法律責任。會員給予了董事其信任，因此董事對會員有一定的責任。這被稱為“受託責任”，董事必須稱職地、公正地、真誠地去為這個社團組織的最佳利益服務。董事如果明知故犯，做出有疏忽的決策，可能需要負上個人責任。

董事有責任避免利益衝突，需要公開是否存在利益衝突，有義務不會從董事職位中謀求個人利益，不允許董事職責與個人利益之間出現衝突，譬如從這個社團組織正在進行的事情，獲得業務機會上的個人利益，例如把機構的財產如車輛，用於私人用途。董事可能在實施決策中產生個人利益衝突。假如一名董事與一名職員、義工或受助者有密切的個人關係，可能與社團組織的利益出現衝突。又如向社團組織尋求工作或服務的人，可能影響董事的挑選程序。

資料來源：《這關你的事》It's Your Business. A practical resource for Directors and members of management committees of non-government organisations (NSW Department of Ageing, Disability & Home Care, February 2009)



# 澳華公會憲章檢討

## 簡介

澳華公會憲章上次進行檢討及修訂於 1995 年。2009 年社團法的推出，給予我們會員機會來檢討及更新憲章，不僅符合新的法律，也配合會務發展，改善效率和整體管理，而更重要的是保護澳華公會的資產。1995 年以來，如大家所知，澳華公會的活動及社區服務有了相當大的發展，而管理澳華公會政府法令和合規要求越來越繁重。

檢討憲章是耗時與複雜的工作，我們的執行委員會在 2011 年 11 月 26 日的會議中通過，成立憲章檢討委員會來進行此事。委員會由尊敬的何沈慧霞擔任主席，其他成員包括澳華公會助理秘書陳桂昌、執行委員李尚超及佘志明。尊敬的何沈慧霞是一位律師，並且是澳華公會的監察委員，具有豐富的經驗，曾經在新州上議院擔任議員 15 年，期間出任議會中多個委員會的主席。澳華公會總經理黃德勝將會提供意見及行政上的支援。

這個委員會將會檢討會員遞交的意見，也會廣泛徵詢其他有關人士的意見，然後經執行委員會去呈交一份新憲章草案，召開特別會員大會交由會員批准。

由於決定檢討憲章，我們澳華公會 2011 年的會員大會，包括執行委員及監察委員的選舉，已經延期，希望能夠在 2012 年 6 月之前舉行。

## 2009 年社團法及 2010 年社團規則

上述社團法及社團規則 2010 年 7 月生效，大部份改變是為了協助社團更有效地運作，以及讓社團更具彈性去管理自己的事務。法規提供了一個憲章範例，這並非強制性，但可讓社團用作一個樣板參考，根據自己的需要去製訂自己的憲章。採用自己憲章的社團，如澳華公會，可以參考上述憲章範例，但必須符合社團法第一列表中的 16 條事項。第一列表中的事項包括會員資格、容許郵寄投票的情況、會員紀律、會員大會通告等。如果憲章未能符合第一列表中的特定事項，將自動套用法規上的憲章範例。

2009 年社團法及 2010 年社團規則的副本，包括第一列表、憲章範例，以及現行的澳華公會憲章，可在澳華公會網站上查閱，或向澳華公會任何一間辦公室索取。即使不是新的立法，我們現行的憲章在若干方面已經過時或不足，需要解決。如規則第 28.5 條要求向執行委員會提交所有帳目及批准支出；規則第 20.1 條，要求每年的會員大會在每年八月舉行；規則第 21 條沒有提到特別會員大會如何投票；規則第 20.4 條要求會員最少要在舉行會員大會之前三十五天發出書面通知；規則第 25.2(b)條提名候選人，需要在會員大會舉行選舉之前最少 7 天呈交。

## 呈交意見

委員會鼓勵所有會員行使自己的民主權利，對檢討憲章發表意見。憲章是非常重要的工具，指導澳華公會的管理與運作。會員應以主人翁身份，參與憲章的改變。澳華公會並非由一個人擁有或管理，而是屬於所有會員。公會的未來同時也會影響我們的受助者和許多的政府機構。澳華公會是在民主原則和正確的法團管理下運行。下一次憲章檢討預計將是很久以後的事，因此更多的會員能參與今次的檢討很重要。請連同姓名及聯絡方法，把意見書寄往：

The Chairperson  
Constitution Review Committee  
PO Box K489  
Haymarket  
NSW 1240

或電郵至：[ConstitutionReview@acca.org.au](mailto:ConstitutionReview@acca.org.au)  
截止日期為 2012 年 2 月 29 日下午 5 時



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萬事吉祥

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# ACCA Constitution Review

## Introduction

The last occasion the ACCA Constitution was reviewed and amended was in 1995. The introduction of the Associations Incorporation Act 2009 presents an opportunity for members to review and update the Constitution not just to comply with the new legislation but also to bring it in line with contemporary business practices, to improve efficiency and corporate governance, and very importantly to protect the assets of ACCA. Since 1995, as many of you know, ACCA's activities and community services have grown substantially and the government regulations and compliance that govern ACCA have also become more onerous.

As the review of the Constitution is a very time-consuming and complex task the Executive Committee at its meeting of 26 November 2011 resolved to form the Constitution Review Committee to undertake this exercise. The Committee is chaired by the Hon. Helen Sham-Ho, with the other members being ACCA Assistant Secretary Peter Chan, and EXCO members Allen Lee and Chiming Shea. The Hon. Helen Sham-Ho, who is also a lawyer and a member of the ACCA Council, has the invaluable experience of having chaired several parliamentary committees during her 15 years as a member of the NSW Legislative Council. The Committee is assisted by ACCA General Manager Ted Seng, who will provide advice and administrative support.

The Committee will review submissions from members and also consult widely with other stakeholders before presenting, through the Executive Committee, a new draft Constitution to members for approval at a specially convened General Meeting.

As a result of the decision to review the Constitution, the 2011 Annual General Meeting of ACCA, including the elections of Executive Committee members and Councillors, has been postponed to a later date, expected to be no later than June 2012.

## Associations Incorporation Act 2009 and Associations Incorporation Regulation 2010

The above Act and Regulations came into effect in July 2010. Most of the changes are designed to assist associations to operate more effectively and to allow them more flexibility to manage their affairs. There is a model constitution provided under the Regulation – it is not compulsory but can be used as a template for associations which prefer to have their own constitution tailored to suit their own requirements. Associations which adopt their own constitution, such as ACCA, may incorporate provisions from the model constitution but must also address the 16 matters set out in Schedule 1 of the Act. Some of the matters in Schedule 1 are membership qualifications,

occasions where postal ballots are allowed, disciplining of members, and notice of general meetings. If a constitution does not provide for a particular matter as required under Schedule 1, the relevant provision in the model constitution will automatically apply.

A copy of the 2009 Act and 2010 Regulation, including Schedule 1, the model constitution as well as the current ACCA Constitution, are available from the ACCA website or from any of the ACCA offices.

Notwithstanding the new legislation our current Constitution is outdated or deficient in several areas and needs to be addressed. Some examples are - rule 28.5 which require all accounts to be presented to and approved for payment at an Executive Committee meeting; rule 20.1 which requires the Annual General Meeting to be held in the month of August each year; rule 21 which does not mention how voting is conducted at a Special General Meeting; rule 20.4 which requires a member to give notice in writing at least thirty five days prior to the date of the General Meeting; and rule 25.2(b) which states that nominations for candidates for election shall be lodged at least seven days before the date fixed for the holding of the General Meeting at which the election is to take place.

## Submissions

The Committee encourages all members to exercise their democratic rights by having a say in the review of the Constitution. The Constitution is the most important instrument that governs the management and operations of ACCA and as such members should have ownership of the changes arising from the review of the Constitution. ACCA is not owned or governed by one person but owned by all members. Our clients and various government agencies are also major stakeholders who have an interest in the future of the organisation. ACCA is run under democratic principles and proper corporate governance. As another review of the Constitution is not expected to take place again for a long time it is imperative that as many members as possible are involved on this occasion. Please forward all submissions, including name and contact details, to –

The Chairman  
Constitution Review Committee  
PO Box K489  
Haymarket  
NSW 1240

or preferably by email –  
ConstitutionReview@acca.org.au  
Closing date is 5pm 29 February 2012