

**DRAFT  
CONSTITUTION  
OF  
THE CANBERRA GIRLS' GRAMMAR SCHOOL PARENTS  
AND FRIENDS ASSOCIATION INCORPORATED  
(Association Number: A01196)  
  
2018**

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## Part 1 – Preliminary

### 1. Definitions for this constitution

In this constitution:

*Note* A definition applies except in so far as the contrary intention appears (see Legislation Act, s 155)

**the Act** means the *Associations Incorporation Act 1991*

**Annual General Meeting** means an Annual General Meeting held in accordance with Part 1.4 of this Constitution

**Association** means the Canberra Girls' Grammar School Parents and Friends (P&F) Association Incorporated ABN 81 925 429 034

**Committee** means the Committee of the CGGS P&F Association established under clause 13

**Member** means a member, however described, of the Association as described in clause 4

**Constitution** means this Constitution of the Association

**A Financial year** means the 12 months ending on 31 December

**Public Officer** means the Public Officer of the Association as defined in the Act

**Regulation** means the *Associations Incorporation Regulation 1991*.

**the School** is the Canberra Girls' Grammar School (CGGS)

**Secretary** means the person holding office under this Constitution as Secretary of the Association or, if no such person holds that office, the public officer of the Association

### 2. Application of Legislation Act 2001

The Legislation Act 2001 applies to these rules in the same way as it would if they were an instrument under the Act.

### 3. Purpose of the Association

The purpose of the Association is to support opportunities for the involvement of parents and friends of the school in the CGGS community, in cooperation with the CGGS Board, staff and students of the school and to promote the interests, policies and purposes of the school by:

- (a) serving as the formal channel of communication and consultation between those responsible for the governance and management of CGGS and parents and guardians of pupils of CGGS or registered to attend CGGS;
- (b) fostering co-operation among teaching staff, parents or guardians, and pupils of CGGS, the CGGS Board of Directors, Societies and other citizens and groups with compatible interests;
- (c) organisation of social events for the school community; and
- (d) raising funds to be applied for the purpose of the school.

## **Part 2 – Membership**

### **4. Membership qualifications**

The membership of the Association is made up of:

- (a) Ordinary Members comprising:
  - (i) parents and guardians of pupils attending CGGS, who have paid the fee referred to in clause 9; and
  - (ii) friends of the school who have applied to the Committee in accordance with sub-clause 5(c) and satisfy the Committee that they have a bona fide interest in furthering the objects of the Association and have paid the fee referred to in clause 9.
- (b) Honorary Members comprising the Principal, Heads of the senior and junior schools, COO and teaching staff, other than those who are parents or guardians of pupils attending CGGS. Excepting the ex-officio member of the Committee as outline sub-sub-clause 13(a)(iii), such honorary members do not have the power to vote at the annual general meeting, special general meeting or general meetings, and are prohibited from standing for a Committee position, nominate others for office, and are not be required to pay a membership fee.

### **5. Nomination for membership**

- (a) Payment of the Membership Fee outlined in clause 9 by a person referred to in sub-clause 4(a) entitles the person to be a member of the Association for 12 months from 1 January.
- (b) The Secretary must, on payment by the applicant of the Membership Fee outlined in clause 9, enter the applicant's name in the register of members and, on being so entered, the person becomes a member of the Association.
- (c) A person referred to in sub-clause 4(b) may apply in writing to the Secretary setting out information to support their nomination to become a member of the Association. As soon as is practicable after receiving the application for membership the Secretary must refer the application to the Committee which must decide whether to approve or reject the application. If the Committee decides to approve the application, the Secretary must as soon as practicable after that decision notify the applicant of that approval and request them to pay within 28 days the sum payable under clause 9.
- (d) The Secretary must, on payment by the applicant of the amounts mentioned in clause 9, enter the applicant's name in the register of members and, on being so entered, the nominee becomes a member of the Association.

### **6. Membership entitlements are not transferable**

A right, privilege or obligation that a person has because of being a member of the Association:

- (a) cannot be transferred or transmitted to another person; and
- (b) terminates on cessation of the person's membership.

#### **7. Cessation of membership**

- (a) Unless a new application is made to the Committee, a person ceases to be a member of the Association when the student of whom they are parent or guardian does not re-enrol at the school.
- (b) In addition, a person ceases to be a member of the Association if the person:
  - (i) dies or, for a corporation, is wound up; or
  - (ii) resigns from membership of the Association; or
  - (iii) is expelled from the Association; or
  - (iv) fails to renew membership of the Association.

#### **8. Resignation of membership**

- (a) A member is not entitled to resign from membership of the Association except in accordance with this clause.
- (b) A member who has paid all amounts payable by the member to the Association may resign from the membership of the Association by first giving notice (not less than one week) in writing or via e-mail to the Secretary of the member's intention to resign and, at the end of the period of notice, the member ceases to be a member.
- (c) If a person ceases to be a member, the Secretary must make an appropriate entry in the register of members recording the date the member ceased to be a member.

#### **9. Fee, subscriptions, etc.**

- (a) The annual membership fee of the Association is the amount determined by resolution of the Committee. The fee is to be on a per family basis.
- (b) Such fee is payable in respect of each calendar year. It must be paid annually to entitle the member individually to exercise the rights and obligations of membership of this Association.

#### **10. Members' liabilities**

The liability of a member to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount (if any) unpaid by the member in relation to membership of the Association as required by clause 9, and any other outstanding debts owed to the Association such as for uniform items or attendance at Association functions.

#### **11. Disciplining of members**

- (a) If the Committee is of the opinion that a member:

- (i) has persistently refused or neglected to comply with a provision of the Constitution; or
- (ii) has persistently or wilfully acted in a manner prejudicial to the interests of the Association

the Committee may, by resolution:

- (iii) expel the member from the Association; or
  - (iv) suspend the member from the rights and privileges of the membership of the Association that the Committee may decide for a specific period.
- (b) A resolution of the Committee under sub-clause 11(a) is of no effect unless the Committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under sub-clause 11(d), confirms the resolution in accordance with this clause.
- (c) If the Committee passes a resolution under sub-clause 11(a), the Secretary must, as soon as practicable, serve a written notice on the member:
- (i) setting out the resolution of the Committee and the grounds on which it is based;
  - (ii) stating that the member may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;
  - (iii) stating the date, place and time of that meeting; and
  - (iv) informing the member that the member may do either or both of the following:
    - 1 attend and speak at that meeting;
    - 2 submit to the Committee at or before the date of that meeting written representations relating to the resolution.
- (d) Subject to the Act, section 50, at a meeting of the Committee mentioned in sub-clause 11(c), the Committee must:
- (i) give to the member mentioned in sub-clause 11(a) an opportunity to make an oral representation; and
  - (ii) give due consideration to any written representations submitted to the Committee by that member at or before the meeting; and
  - (iii) by resolution decide whether to confirm or revoke the resolution of the Committee made under sub-clause 11(a).
- (e) If the Committee confirms a resolution under sub-clause 11(d), the Secretary must, within 7 days after that confirmation, by written notice inform the member of that confirmation and of the member's right of appeal under clause 12.
- (f) A resolution confirmed by the Committee under sub-clause 11(d) does not take effect:

- (i) until the end of the period within which the member is entitled to appeal against the resolution if the member does not exercise the right of appeal within that period; or
- (ii) if within that period the member exercises the right of appeal— unless and until the Association confirms the resolution in accordance with sub-clause 12(d).

## **12. Right of appeal of disciplined member**

- (a) A member may appeal to the Association in general meeting against a resolution of the Committee that is confirmed under sub-clause 11(e), within 7 days after the notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.
- (b) On receipt of a notice under sub-clause 12(a), the Secretary must notify the Committee which must call a general meeting of the Association to be held with 21 days after the date when the Secretary received the notice or as soon as practicable after that date.
- (c) Subject to the Act, section 50, at a General Meeting of the Association called under sub-clause 12(b):
  - (i) no business other than the question of the appeal may be transacted; and
  - (ii) the Committee and the member must be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
  - (iii) the members present must vote by secret ballot on the question of whether the resolution made under sub-clause 11(d) should be confirmed or revoked.
- (d) If the meeting passes a special resolution in favour of the confirmation of the resolution made under sub-clause 11(e), that resolution is confirmed.

## **Part 3 – Committee**

### **13. Constitution and membership**

- (a) There is to be a Committee of the Association to manage its affairs in accordance with clause 15. The Committee consists of:
  - (i) the following office-bearers of the Association elected under clause 14 or appointed in accordance with sub-clause 13(g):
    - i. the President;
    - ii. the Vice-President;
    - iii. the Treasurer;
    - iv. the Communications Officer; and
    - v. the Secretary; and
  - (ii) 8 elected ordinary members; and

- (iii) the School Principal or their representative nominated in accordance with sub-clause 13(d).
- (b) Except for the School Principal or their representative, each Committee member may be removed from the Committee during their term of office in accordance with clause 11.
- (c) Except as provided for elsewhere in this Constitution the School Principal or their representative has the same rights and responsibilities as elected members of the Committee.
- (d) The School Principal may notify the President in writing that another member of the school leadership will represent the School Principal on the Committee
- (e) A member of the Committee loses membership of that Committee if:
  - (i) the member ceases to be a member of the Association; or
  - (ii) for all meetings of the Committee within a 4 month period the member is absent without the agreement of that Committee, or, if that is not practicable beforehand, of the President.
- (f) Each member of the Committee holds office, subject to these rules, until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.
- (g) If there is a vacancy in the membership of the Committee, the Committee may appoint a member of the Association to fill the vacancy and the member so appointed holds office, subject to these rules, until the conclusion of the next annual general meeting after the date of the appointment.
- (h) No public or official statement may be made on behalf of the Association except by the President, or by the authority of the President, or by the authority of the Committee.

#### **14. Election of office-bearers and Committee members**

- (a) Office bearers and ordinary members of the Committee are to be elected at each Annual General Meeting referred to in part 1.4.
- (b) Those members elected will serve from and including the day after the election, to and including the day that their successors have been elected, or until ceasing to hold office for some other reason.
- (c) A person is not eligible for election as President unless they were an office bearer or ordinary member of the Committee in the year preceding the year of election.
- (d) An office bearer or ordinary member of the Committee may serve for a maximum of five (5) successive years. After five (5) successive years on the Committee, the member is ineligible for re-election to the Committee until after a minimum period of 12 months has elapsed. This clause does not apply to the School Principal or their representative nominated in accordance with sub-clause 13(d).



- (e) Nominations of candidates for election as office-bearers of the Association or as ordinary Committee members:
  - (i) must be made in writing, signed by a nominating member of the Association and accompanied by the written consent of the candidate; and
  - (ii) must be given to the Secretary of the Association not less than three (3) days before the date fixed for the annual general meeting at which the election is to take place.
- (f) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated are taken to be elected and further nominations may be received at the annual general meeting.
- (g) If insufficient further nominations are received, any vacant positions remaining on the Committee are taken to be vacancies and addressed under clause 19.
- (h) If the number of nominations received is equal to the number of vacancies to be filled, the people nominated are taken to be elected.
- (i) If the number of nominations received exceeds the number of vacancies to be filled, a ballot must be held. The President must nominate a returning officer or officers from other members present who are not candidates for the positions subject to ballot, and who themselves have not nominated a nominee. In the event of an equality of votes, the successful candidate is to be chosen by lot.
- (j) A person is not eligible to simultaneously hold more than one (1) position on the Committee.

## **15. Powers of Committee**

- (a) The Committee, subject to the Act, the regulation, these rules and to any resolution passed by the Association in general meeting:
  - (i) controls and manages the affairs of the Association;
  - (ii) may exercise all functions that may be exercised by the Association other than those functions that are required by these rules to be exercised but the Association in general meeting;
  - (iii) has power to perform all acts and do all things that appear to the Committee to be necessary or desirable for the proper management of the affairs of the Association;
  - (iv) may form sub-Committees to advise it or to carry out specific functions and may, either by resolution or by the making of by-laws, specify the terms of reference and powers of any sub-Committee so formed; and
  - (v) may make by-laws, consistent with this Constitution, governing any part of the Association's activities or functions, including setting down the duties and responsibilities of the office bearers, and related matters, and the Constitution, terms of reference and operation of all sub-Committees.

## 16. Secretary

- (a) The Secretary of the Association must, as soon as practical after being appointed as Secretary, notify the Association of his or her address.
- (b) The Secretary must keep minutes of:
  - (i) all elections and appointments of office-bearers and ordinary Committee members;
  - (ii) the names of the Committee present at a Committee meeting or a general meeting;
  - (iii) all proceedings at Committee meetings and general meetings;
  - (iv) the numbers of members of the Association present at all meetings of the Association and all Committees and sub-Committees; and
  - (v) all decisions and relevant supporting information, reports etc, associated with all annual general, special general and Committee meetings.
- (c) Minutes of proceedings at a meeting must be signed by the person presiding at the meeting or by the person presiding at the next succeeding meeting.
- (d) The Secretary must keep a file which contains the following documents:
  - (i) the Constitution of the Association;
  - (ii) a copy of the Certificate of Incorporation;
  - (iii) a copy of each years audited financial statement; and
  - (iv) a copy of any documents related to the School's insurance that are relevant to the Association.
- (e) The Secretary must control all records and other documents relating to the Association.
- (f) The Secretary is to keep in safe custody the common seal of the Association. The common seal is not to be affixed to any instrument except by the authority of the Committee and the affixing of the common seal is to be attested by any 2 members of the Committee.

## 17. Treasurer

- (a) The treasurer of the Association must:
  - (i) collect and receive all amounts owing to the Association and make all payments authorized by the Association;
  - (ii) keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association;
  - (iii) liaise with the office of the Chief Operating Officer of CGGS and manage transactions of behalf of the Association; and

- (iv) make all records available to, and support as necessary, any auditors appointed by the Committee.
- (b) The treasurer must ensure that there is current insurance cover for a “Voluntary Workers’ Personal Accident” and “Public Liability”. This may be through a policy held by CCGS or through a policy held by the Association. Such policies must cover members providing their services voluntarily, paid workers, and members of the general public.

#### **18. Public officer**

- (a) The public officer acts as the contact between the Association and the ACT Government’s Access Canberra.
- (b) The public officer may not be a person who has:
  - (i) been convicted of offences in the promotion, formation or management of a body corporate;
  - (ii) been convicted of offences involving fraud or dishonesty punishable by imprisonment of three months or more; or
  - (iii) is insolvent under administration within the meaning of the Corporations Act.
- (c) The public officer must:
  - (i) advise Access Canberra when the Association’s public officer or office bearers change;
  - (ii) provide the Access Canberra with an address to contact the public officer; and
  - (iii) cause the Association’s annual return to be lodged with the Access Canberra.

#### **19. Vacancies**

- (a) For these rules, a vacancy in the office of a member of the Committee happens if the member:
  - (i) dies; or
  - (ii) ceases to be a member of the Association; or
  - (iii) resigns the office; or
  - (iv) is removed from office under clause 11; or
  - (v) becomes bankrupt or personally insolvent; or
  - (vi) suffers from mental or physical incapacity; or
  - (vii) is disqualified from office under the Act, section 63 (1); or
  - (viii) is absent without consent of the Committee from all meetings of the Committee held during a period of four (4) months.

#### **20. Committee meetings and quorum**

- (a) The Committee must meet with sufficient frequency to give all its members a reasonable opportunity to participate in the making of

decisions on the affairs of the Association, and in any case not less than six times per calendar year.

- (b) Oral or written notice of a meeting of the Committee must be given by the Secretary to each member of the Committee at least 48 hours (or any other period that may be unanimously agreed on by the members of the Committee) before the time appointed for the holding of the meeting.
- (c) Notice of a meeting given under sub-clause 20(b) must specify the general nature of the business to be transacted at the meeting and no business other than that business may be transacted at the meeting, except business that the Committee members present at the meeting unanimously agree to treat as urgent business.
- (d) Any five (5) members of the Committee, at least one of whom must be an office bearer, constitute a quorum for the transaction of the business of a meeting of the Committee.
- (e) No business may be transacted by the Committee unless a quorum is present and, if within half an hour after the time appointed for the meeting a quorum is not present, the meeting stands adjourned to the same place and at the same hour of the same day in the following week.
- (f) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, the meeting is dissolved.
- (g) At meetings of the Committee:
  - (i) the President or, in the absence of the President, the Vice President presides; or
  - (ii) if the President and the Vice-President are absent, one of the remaining members of the Committee may be chosen by the members present to preside.

## **21. Delegation by Committee to sub-Committee**

- (a) The Committee may, in writing, delegate to one or more sub-Committees (consisting of the member or members of the Association that the Committee considers appropriate) the exercise of the functions of the Committee that are specified in the instrument, other than:
  - (i) this power of delegation; and
  - (ii) a function that is a function imposed on the Committee by the Act, by any other Territory law, or by resolution of the Association in general meeting.
- (b) A function, the exercise of which has been delegated to a sub-Committee under this clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-Committee in accordance with the terms of the delegation.
- (c) A delegation under this clause may be made subject to any conditions or limitations about the exercise of any function, or about time or circumstances that may be specified in the instrument of delegation.

- (d) Despite any delegation under this clause, the Committee may continue to exercise any function delegated.
- (e) Any act or thing done or suffered by a sub-Committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the Committee.
- (f) The Committee may, in writing, revoke wholly or in part any delegation under this clause.
- (g) A sub-Committee may meet and adjourn as it considers appropriate.
- (h) The President, or the President's nominee, is, ex-officio, a member of all Committees and sub-Committees.

## **22. Voting and decisions**

- (a) Questions arising at a meeting of the Committee or of any sub-Committee appointed by the Committee are decided by a majority of the votes of members of the Committee or sub-Committee present at the meeting.
- (b) Each member present at a meeting of the Committee or of any sub-Committee appointed by the Committee (including the person presiding at the meeting) is entitled to one (1) vote but, if the votes on any question are equal, the person presiding may exercise a second or casting vote.

## **Part 4 – General meetings**

### **23. Annual general meetings – holding of**

- (a) The Association must, at least once in each calendar year and within 5 months after the end of each financial year of the Association, call an annual general meeting of its members.
- (b) Sub-clause 23(a) has effect subject to the powers of the registrar-general under the Act, section 120 in relation to extensions of time.

### **24. Annual general meetings – calling of and business at**

- (a) The annual general meeting of the Association must, subject to the Act, be called on the date and at the place and time that the Committee considers appropriate.
- (b) In addition to any other business that may be transacted at an annual general meeting, the business of an annual general meeting is:
  - (i) to confirm the minutes of the last annual general meeting and of any general meeting held since that meeting; and
  - (ii) to receive from the Committee reports on the activities of the Association during the last financial year; and
  - (iii) to elect members of the Committee, including office-bearers; and
  - (iv) to appoint or re-appoint the auditor of the Committee; and
  - (v) to receive and consider the statement of accounts and the reports that are required to be submitted to members under the Act, section 73 (1).

- (c) An annual general meeting must be specified as such in the notice calling it in accordance with clause 26.
- (d) An annual general meeting must be conducted in accordance with the provisions of this clause.

## **25. Special general meetings – calling of**

- (a) The Committee may, whenever it considers appropriate, call a special general meeting of the Association.
- (b) The Committee must, on the requisition in writing of not less than 15 members of the Association, call a special general meeting of the Association.
- (c) A requisition of members for a special general meeting-
  - (i) must state the purpose or purposes of the meeting; and
  - (ii) must be signed by the members making the requisition; and
  - (iii) must be lodged with the Secretary; and
  - (iv) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (d) If the Committee fails to call a special general meeting within one (1) month after the date when a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may call a special general meeting to be held not later than three (3) months after that date.
- (e) A special general meeting called by a member or members mentioned in sub-clause 25(d) must be called as nearly as is practicable in the same way as special general meetings are called by the Committee and any member who thereby incurs expense is entitled to be reimbursed by the Association for any reasonable expense so incurred.

## **26. General Meeting – notice**

- (a) Except if the nature of the business proposed to be dealt with at a special general meeting requires a special resolution of the Association, the Secretary must, at least 14 days before the date fixed for the holding of the special general meeting, send by email to each member at the member's email address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (b) If the nature of the business proposed to be dealt with at a special general meeting requires a special resolution of the Association, the Secretary must, at least 21 days before the date fixed for the holding of the general meeting, send notice by email to each member in the way provided in sub-clause 26(a) specifying, in addition to the matter required under that sub-clause, the intention to propose the resolution as a special resolution.
- (c) No business other than that specified in the notice calling a special general meeting may be transacted at the meeting except, for an annual

general meeting, business that may be transacted under sub-clause 24(b).

- (d) A member desiring to bring any business before a special general meeting may give written notice of that business to the Secretary who must include that business in the next notice calling a special general meeting given after receipt of the notice from the member.

## **27. General meetings – procedure and quorum**

- (a) No item of business may be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (b) Fifteen (15) members present in person (who are entitled under these rules to vote at a general meeting), including at least one office bearer of the Association, constitute a quorum for the transaction of the business of a general meeting,
- (c) If within 30 minutes after the appointed time for the start of a general meeting a quorum is not present, the meeting if called on the requisition of members is dissolved and in any other case stands adjourned to the same day in the following week at the same time and at the same place.
- (d) If at the adjourned meeting a quorum is not present within 30 minutes after the time appointed for the start of the meeting, the members present (being not less than eight (8)) constitute a quorum.

## **28. Presiding member**

- (a) The President, or in the absence of the President, the Vice President, presides at each general meeting of the Association.
- (b) If the President and the Vice-President are absent from a general meeting, the members present must elect 1 of their number to preside at the meeting.

## **29. Adjournment**

- (a) The person presiding at a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (b) If a general meeting is adjourned for 14 days or more, the Secretary must give email notice of the adjourned meeting to each member of the Association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (c) Except as provided in sub-clauses 29(a) and 29(b), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

### **30. Making of decisions**

- (a) A question arising at a general meeting of the Association is to be decided on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the person presiding that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (b) At a general meeting of the Association, a poll may be demanded by the person presiding or by not less than three (3) members present in person at the meeting.
- (c) If the poll is demanded at a general meeting, the poll must be taken:
  - (i) immediately if the poll relates to the election of the person to preside at the meeting or to the question of an adjournment; or
  - (ii) in any other case-in the way and at the time before the close of the meeting that the person presiding directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

### **31. Voting**

- (a) Subject to sub-clause 31(c), on any question arising at a general meeting of the Association a member has one (1) vote only.
- (b) No proxy votes are permitted.
- (c) If the votes on a question at a general meeting are equal, the person presiding is entitled to exercise a second or casting vote.
- (d) A member is not entitled to vote at any general meeting of the Association unless all money due and payable by the member have been paid, other than the amount of annual subscription payable for the then current year.

## **Part 5 – Miscellaneous**

### **32. Funds-source**

- (a) The funds of the Association must be derived from members' fees, appeals, functions, donations, grants, corporate partnerships and the like together with interest received from its investments, and, subject to any resolution passed by the Association in general meeting and subject to the Act, section 114, any other sources that the Committee decides.
- (b) All money received by the Association must be deposited as soon as practicable and without deduction to the credit of the Association's bank account.
- (c) The Association must, as soon as practicable after receiving any money, issue an appropriate receipt.



- (d) The Committee must open with such bank or approved institution as that Committee selects, banking accounts in the name of the Association into which all moneys received must be paid by the treasurer as soon as practicable after receipt thereof.
- (e) Sub-Committees remit to the treasurer funds in excess of amounts considered necessary by them for normal operating requirements. Funds so remitted form part of the ordinary funds of the Association. Any proposals for capital expenditure by a sub-Committee must be referred to the Committee.
- (f) Except with the authority of the Committee, no payment of a sum exceeding \$1,000 may be made from the funds of the Association otherwise than by cheque drawn on the Associations Banking account, but the Committee may advance the treasurer a sum adequate to meet urgent expenditure, subject to the observance of such conditions in relation to the use and expenditure thereof as the Committee may impose.

### **33. Funds-management**

- (a) Subject to any resolution passed by the Association in general meeting, the funds of the Association must be used for the purpose of the Association in the way that the Committee decides.
- (b) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the Committee or employees of the Association, being members of the Committee or employees authorised to do so by the Committee.
- (c) No cheques may be drawn on any of the Association's accounts except for the payment of expenditure that has been authorised by the Committee, or by an annual general or special general meeting. The Committee may delegate its authority in this regard to any other office bearer or member of the Association or sub-Committee specifying the limits within which that delegated authority may be exercised.

### **34. Alteration of objects and rules**

Neither the objects of the Association mentioned in the Act, section 29 nor these rules may be altered except in accordance with the Act.

### **35. Common seal**

- (a) The common seal of the Association must be kept in the custody of the Secretary.
- (b) The common seal must not be attached to any instrument except by the authority of the Committee and the attaching of the common seal must be attested by the signatures either of 2 members of the Committee or of 1 member of the Committee and of the Secretary.

### **36. Custody of books**

Subject to the Act, the regulation and these rules, the Secretary must keep in his or her custody or under his or her control all records, books, and other documents relating to the Association.

### **37. Inspection of books**

The records, books and other documents of the Association must be open to inspection at a place in the ACT, free of charge, by a member of the Association at any reasonable hour.

### **38. Service of notice**

For these rules, the Association may serve a notice on a member by sending it by email to the member at the email member's address shown in the register of members.

### **39. Ownership of property**

- (a) All capital assets donated to or procured by the Association will transfer to ownership by the School immediately at the time of purchase.
- (b) All non-capital assets donated to or procured by the Association will be retained by the Association until consumed, on-sold, or in the event of dissolution or winding up of the Association shall then transfer to ownership by the School.

### **40. Amalgamation with another Association**

- (a) A special resolution of the Association may be made to amalgamate with another Association after consultation with the School.
- (b) If a special resolution of the Association is made to amalgamate with another Association, all property and assets of the Association will be transferred to the amalgamated body under the terms agreed in that special resolution.

### **41. Wind-up of the Association**

If a special resolution, or any other legitimate mechanism, is used to windup the Association, all property and assets of the Association are to be transferred to the School.

### **42. Amendments to this Constitution**

- (a) Amendments to this Constitution can only be made at a special general meeting called for the specific purpose of altering any or all parts of this Constitution;
- (b) The conditions pertaining to special general meetings, as specified in clause 25, apply to the conduct of such meetings;
- (c) Changes to any or all parts of this Constitution must be carried by special resolution; and
- (d) Voting is to be in accordance with the conditions specified in clause 31.