



SAMUEL GILBERT PUBLIC SCHOOL

PARENTS' & CITIZENS' ASSOCIATION INCORPORATED

CONSTITUTION

1. NAME

This body shall be known as the **SAMUEL GILBERT PUBLIC SCHOOL** Parents' and Citizens' Association, a body corporate under the Parents' and Citizens' Associations Incorporation (Amendment) Act 1991.

2. OBJECTS AND FUNCTIONS

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

(i) The objects:

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

(ii) The functions:

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

3. SCHOOL STAFF

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

4. MEMBERSHIP

Membership will be open to all parents of pupils attending the school and to all citizens within the school community. The Association shall maintain a register of members. A person whose name appears in the register and who has paid the annual subscription shall be a member of the Association. The register shall be updated after each general meeting by the Secretary or the Secretary's nominee. If the name of a person has been omitted from the register when that person is otherwise entitled to be a member and their name should have been recorded in the register, then that person shall be a member of the Association.

5. OFFICE BEARERS

- (a) The Executive Committee, which shall be constituted of the officers of the Association and up to six other members, shall carry out the decisions of the Association.

Members of the Executive Committee shall not receive any remuneration or other material benefit by reason of their position in the Association.

A member of the Executive Committee may be removed from office by resolution of the Association carried at a properly convened general meeting or special meeting, providing at least seven days notice has been given to members.

- (b) Officers - The officers shall consist of President, two Vice Presidents, Treasurer and Secretary and shall be elected at the Annual General Meeting.
- (c) President - The President shall preside at all meetings except that in the absence of the President, one of the Vice Presidents shall preside and in the absence of the President and Vice Presidents, the Committee shall elect a Chairperson.
- (d) Secretary - The Secretary shall attend meetings and keep a record of all business conducted; shall hand over records, minutes, account books, etc to the incoming Secretary on relinquishing office.
- (e) Treasurer - The Treasurer shall receive and deposit monies, maintain records, draw cheques and present accounts to each general meeting, present all records for auditing each year and shall hand over all records to the incoming Treasurer on relinquishing office.

The requirements for handling money, keeping records, etc in the School Manual on Financial Management shall be followed. Should it be necessary during the unavoidable absence of the Treasurer, another office of the Association may receive any monies, issue receipts and either deposit the monies in an Association account or hand the monies to the Treasurer within two business days, taking a receipt for same.

6. CASUAL VACANCIES

Any casual vacancies on the Executive shall be filled by a ballot of the members of the Association at any general meeting.

A casual vacancy shall have arisen where a member of the Executive Committee:-

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

7. ANNUAL GENERAL MEETING

An Annual General Meeting shall be held once each calendar year at a date specified in the rules. At this meeting all officers and other positions will become vacant and then be filled by nomination, and where necessary, by ballot of members. All nominees shall be members of the Association. The audited balance sheet and annual report will be presented. An auditor for the ensuing year who is not an officer of the Association shall be appointed. Qualified auditors, i.e. members of the Australian Society of Certified Practising Accountants or the Institute of Chartered Accountants in Australia, shall be chosen.

8. GENERAL MEETINGS

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

9. SPECIAL MEETINGS

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

10. QUORUM

Where the Association has a current membership of 50 or more, the quorum at all meetings of that Association shall be 11 members. Where the Association has a current membership of less than 50, the quorum shall be set according to the rules of that Association but shall not be less than 5.

11. LIABILITY

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

12. SUBSCRIPTIONS

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

13. SUB COMMITTEES

The Association may establish sub committees, however styled, to carry out specific functions on its behalf. Any sub committees that are established shall report regularly at meetings of the Association and follow any directions received from the Association. The Association may dissolve a sub committee at any time.

Any funds raised or handled by a sub committee shall be for all purposes, funds of the Association.

14. DISSOLUTION

- (a) The Association may be dissolved in terms of a resolution carried at a general meeting or a special meeting of members, providing at least seven days notice has been given to members and subject to the concurrence of the Minister for Education and Youth Affairs, or otherwise at the Minister's discretion.
- (b) The Association shall be dissolved if the number of members falls below the quorum or if the school to which the Association is attached is closed.

- (c) Where the Association is dissolved, minute books, audited accounts and other records together with the residue of funds shall be given to a kindred organisation which qualifies for exemption under 63 B(i) of the First Schedule of the Sales Tax (Exemptions and Classifications) Act or the Department of School Education as determined by a resolution of members. The transmission shall occur within two months of the dissolution and only after the books of account have been audited as provided under Clause 16.
- (d) Where the Association is dissolved, assets and funds on hand after payment of all expenses and liabilities, shall not be paid to or distributed among the members.

15. RULE MAKING POWER

The Association shall make such rules as are required to carry out its functions. The rules shall not contravene the terms of this constitution, the Education Reform Act 1990 or the Parents' and Citizens' Associations Incorporation (Amendment) Act 1991. The rules may be adopted, altered or withdrawn according to a simple majority vote at any meeting of the Association for which a month's notice has been given. Such notice shall include details of the proposed changes.

The rules shall provide for the procedure to be followed:-

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

16. ACCOUNTS

The funds of the Association shall be banded in the name of the Association with any institution holding trustee status within the meaning of the Trustee Act 1925 provided interest is allowed on the balance. The account shall be operated by two or more officers of the Association delegated in that behalf by the Association. No commitment shall be entered into for the expenditure of Association funds, except by resolution of a meeting of the Association.

The Association must make such financial reports about its affairs (including reports of its auditors) as are required by its rules or by the Minister.

**RULES TO ACCOMPANY THE CONSTITUTION OF THE
SAMUEL GILBERT PUBLIC SCHOOL
PARENTS' & CITIZENS' ASSOCIATION INCORPORATED**

1. These rules are made under the constitution of **SAMUEL GILBERT PUBLIC SCHOOL PARENTS' AND CITIZENS' ASSOCIATION INCORPORATED**.
2. The Association is formed for the benefit of the pupils of the school and to that end it will:-
 - (a) participate as much as possible in the activities of the school and communicate with all members of the school community;
 - (b) cooperate in the activities of the Samuel Gilbert Public School Council; and
 - (b) do such other things as may promote the interests of public education.
3. The Financial Year of the Association shall close on 31st December each year.
4. The Annual General Meeting of the Association shall be held before the expiry of six weeks from the commencement of each school year, on a date and time determined by the Executive Committee.
5. No person shall serve in the same office on the Executive Committee for more than three consecutive years.
6. A general meeting of the Association shall be held as required on dates and at times to be set by the Executive Committee.
7. Any person eligible for membership may become a member or renew membership by paying the required membership fee of \$1 to the Treasurer or nominee of the Treasurer. Membership shall remain current until the close of the Annual General Meeting in the following year. The Secretary shall be responsible for maintaining an up to date register of membership. Membership subscriptions may be called for and paid at the same time school contributions are invited.
8. At a general meeting the quorum shall be in accord with Rule 10 of the Constitution. Where the membership falls below 50, the number shall be five of the members.

9. No business shall be transacted by the Association unless a quorum is present and if within 15 minutes of 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.
10. If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.
11. The Association and any committee of the Association shall adopt recognized meeting procedures for the proper despatch of business.
12. The Executive Committee shall, on the requisition in writing of not less than ten (10) members, convene a Special General Meeting of the Association.
13. A requisition for a Special General Meeting:-
 - (a) shall state the purpose or purposes of the meeting;
 - (b) shall be signed by the required number of persons making the requisition;
 - (c) shall be lodged with the President or the Secretary; and
 - (d) may consist of several documents in a similar form, each signed by one or more of the persons making the requisition.
14. A Special General Meeting shall be convened under Clause 12 as soon as practicable, and in any event no later than 21 days after receiving a requisition. At least 14 days notice of the meeting shall be given to members of the Association in such manner as the Executive Committee determines. The notice of meeting shall contain a description of the business to be transacted at the Special General Meeting.
15. A group of members of the Association equal to the quorum for the meeting may require that particular items of new business without notice, be placed on notice for the next meeting. All discussion on the matter shall then be terminated forthwith.
16. A general meeting of the Association may declare any officer who has been absent for three successive meetings, to have vacated their position and to have created a casual vacancy to be dealt with by means of Clause 6 of the Constitution.

17. As soon as practicable after the Annual Budget has been completed and approved by the Executive Committee, the Annual Budget shall be tabled at a General Meeting of the Association for adoption.
18. At least 14 days notice shall be given of any meeting at which the Annual Budget is to be tabled.
19. Adoption of the Annual Budget by a General Meeting of the Association will constitute approval for the expenditures budgeted therein in accordance with the procedures of the school council for capital item.
20. Any expenditure beyond normal running costs and outside budgetary expenditure approved in the manner set out above must be approved by the Association in General Meeting where notice of the expenditure has been given.
21. The Association may confer the honour of Life Membership on a member who has made an outstanding contribution to the work of the Association. Life Members may attend and speak at meetings but are not entitled to vote or to hold office unless they are also ordinary members in terms of Rule 6 in these rules.