

CONSTITUTION  
Of the  
PARENTS AND CITIZENS ASSOCIATION  
Of  
TURNER SCHOOL

Adopted: 19<sup>th</sup> July, 1993

Amended: 22<sup>nd</sup> July, 1996

Amended: 6<sup>th</sup> November, 2013

## Table of Contents

A	PRELIMINARY.....	4
A1	Name .....	4
A2	Interpretation and Definitions .....	4
A3	Public Officer .....	4
A4	Common Seal.....	5
B	PRINCIPLES, FUNCTION AND OBJECTIVES .....	6
B1	Principles .....	6
B2	Function.....	6
B3	Objectives.....	6
C	POWERS AND CHARACTER OF OPERATIONS.....	7
C1	Powers.....	7
C2	Character of Operations .....	7
D	MEMBERSHIP.....	8
D1	Basis of Membership .....	8
D2	Register Of Members.....	8
D3	Membership Fees And Members’ Liabilities .....	8
E	POLICY.....	9
E1	Determination .....	9
F	ADMINISTRATIVE ARRANGEMENTS .....	10
F1	Structure.....	10
F2	Roles .....	10
G	ELECTIONS .....	11
G1	Officebearers .....	11
G2	Administrative Committee .....	11
G3	Voting .....	11
G4	Casual Vacancies.....	11
G5	Quorum And Procedure .....	11
H	GENERAL MEETINGS.....	12
H1	Role .....	12
H2	Annual General Meeting .....	12
H3	Ordinary General Meetings .....	12
H4	Special General Meetings .....	12
H5	Conduct and Procedure .....	13
I	FINANCE.....	14
I1	Financial Year .....	14

I2	Budget and Financial Planning .....	14
I3	Income and Expenditure Restrictions .....	14
I4	Annual Accounts .....	14
I5	Audit .....	15
I6	Membership Fee .....	15
I7	Library Fund (section inserted 22/7/96).....	15
I8	Building Fund (section inserted 22/7/96).....	17
J	ALTERATION OF CONSTITUTION .....	18
J1	Notice of Proposed Change .....	18
J2	Discussion and Voting .....	18
K	CONCLUDING PROVISIONS.....	19
K1	Lodgement of Annual Returns .....	19
K2	Custody and Inspection of Records .....	19
K3	Winding Up .....	19

## **PART A: PRELIMINARY**

### **A.1 NAME**

A.1.1 The name of the organisation is the Turner School Parents and Citizens Association Incorporated.

### **A.2 INTERPRETATION AND DEFINITIONS**

A.2.1 Except as provided in this clause, this constitution is to be interpreted by reference to the ACT Interpretations Act and, where necessary, to the ACT Associations Incorporation Act.

A.2.2 In this constitution, unless the contrary intention appears:

- “Act” means the Associations Incorporation Act of the ACT;
- “AGM” means annual general meeting;
- “association” means the organisation established under this constitution;
- “Council” means the ACT Council of Parents and Citizens Associations Incorporated;
- “Model Rules” means the Model Rules under the Act;
- “objectives” means the objectives of the association established by this constitution;
- “parents”, in relation to membership of the association, includes de facto parents and guardians of students at the school;
- “Principal” means the principal or acting principal of the school;
- “Registrar” means the ACT Government body with legislative responsibility for registering associations;
- “School” means Turner School, Condamine Street, Turner ACT
- “School Board” means the Turner School Board;
- “special resolution” means a resolution passed at a special general meeting.

A.2.3 Part and clause titles [but not the table of contents] are included in the text of this constitution and may be used in its interpretation.

### **A.3 PUBLIC OFFICER**

A.3.1 At each AGM the association is to appoint a public officer.

A.3.2 The public officer must be a resident of the ACT and must be eighteen years of age or more.

A.3.3 A retiring public officer and former public officers are not excluded from eligibility for appointment.

A.3.4 In addition to carrying out any duties conferred on the public officer by this constitution, the public officer is also to perform any statutory duties required by or under the Act.

## **A.4 COMMON SEAL**

- A.4.1 The association is to hold and securely store a common seal.
- A.4.2 The seal may only be applied to a document by resolution of a general meeting.
- A.4.3 A document to which the seal is applied must be signed by either the president or secretary and by the public officer.

## **PART B: PRINCIPLES, FUNCTION AND OBJECTIVES**

### **B.1 PRINCIPLES**

The values and principles relating to ACT public schooling which the association seeks to promote are:

- (a) the public schooling system must recognise an obligation to ensure universal access to schools and to learning for all young people so that they can participate actively as citizens;
- (b) the system must be comprehensive;
- (c) the system must be democratic in all its aspects, providing for active participation in policy formulation and decisions by parents, teachers and students at the system and local school level;
- (d) the system must be effective in meeting the needs of the society and all of its young people.

### **B.2 FUNCTION**

The function of the association is to promote parent participation and to enable members to contribute to the school and to ACT public schooling.

### **B.3 OBJECTIVES**

The objectives to be pursued in the undertaking of this function are:

- (a) To promote the interests of the school and of ACT public schooling;
- (b) to encourage the close collaboration of teaching staff, parents, students and citizens;
- (c) to provide a forum where members can contribute to the development of the goals and policies of the school;
- (d) to concurrently provide a forum where members can contribute to formulation of policies and programs for ACT public schooling;
- (e) to provide members with a means of raising and discussing matters of general concern and interest;
- (f) to provide a means by which members of the School Board keep in touch with member views, receive input on matters to be decided and report back on decisions taken;
- (g) to affiliate with the Council and to actively participate in its work;
- (h) to affiliate or cooperate with such other organisations as would assist in the pursuit of these objectives;
- (i) to make representations to appropriate authorities relating to the well-being and safety of students;
- (j) to assist with the provision of equipment for educational, recreational and sporting use; and
- (k) to identify such other objectives as would assist in the carrying out of the association's function.

## **PART C: POWERS AND CHARACTER OF OPERATIONS**

### **C.1 POWERS**

- C1.1 The association may do all things permitted at law and by this constitution which are necessary or helpful in the pursuit of the association's function and objectives.
- C1.2 Subject in particular to the provisions of this constitution relating to financial management, the capacities of the association under this constitution include powers:
- (a) to consider and determine courses of action to be taken in pursuit of the objectives;
  - (b) to make statements or to implement other action as required for this purpose;
  - (c) to initiate projects or co-operate with other organisations concerned with promoting community interests involving the school or its students;
  - (d) to raise funds in the form of subscriptions, sponsorships, fund raising activities, interest on investments or other forms of income;
  - (e) to manage the investment and expenditure of the association's funds;
  - (f) to make gifts, subscriptions or donations for purposes consistent with the objectives;
  - (g) to provide a canteen service, outside school hours care service or such other services as are consistent with the objectives, if and when the Association deems it appropriate to do so;
  - (h) to enter into contractual arrangement in connection with such services and facilities or otherwise;
  - (i) to affiliate with the Council and to participate in its work;
  - (j) to choose representatives and delegates for purposes consistent with the objectives;
  - (k) to establish such subcommittees, task forces and working groups as are convenient from time to time;
  - (l) to undertake any activities as prescribed by legislation;
  - (m) to effect a level of insurance that is adequate for the activities and assets promoted or controlled by the Association.

### **C.2 CHARACTER OF OPERATIONS**

- C2.1 The operations of the association must at all times be undertaken in a manner which is conducive to the inclusion of all members in the work and decision-making of the association.
- C2.2 To this end office bearers of the association must place high importance on keeping members informed of the work of the association and of the issues it is addressing.
- C2.3 Wherever possible, active use is to be made of the school's newsletter for this purpose, in addition to utilisation of direct circulars, general meetings and other means of communication with members.
- C2.4 The operations of the association are also to be based on the policies of the association arrived at in accordance with this constitution.

## **PART D: MEMBERSHIP**

### **D.1 BASIS OF MEMBERSHIP**

D1.1 Subject to this clause, the membership of the association consists of:

- (a) all parents of students at the school; and
- (b) other citizens who elect to be members of the association, including any member of the school staff, subject to sub clause D1.2.

D1.2 The principal is a non-voting member of the association.

D1.3 A notice asking parents to indicate if they do not wish to be a member of the association is to be inserted in either or both of the school's first two parent newsletters for the year. The notices are to notify parents of how, and to whom, they should advise their wish not to be members.

D1.4 Citizens who are not parents of students at the school and elect, in writing or by attendance at a general meeting, to be members of the association, become such members on acceptance by the parent body, and continue to be members during the currency of such acceptance.

D1.5 Where the administrative committee or a general meeting is of the view that a member of the association has persistently acted in a manner which is prejudicial to the association, action may be taken in accordance with clause 9 of the model rules with respect to the courses available, the procedures and processes to be followed, the rights of appeal which may be utilised, and the like.

D1.6 The rights, privileges and obligations of membership are not transferable.

### **D. 2 REGISTER OF MEMBERS**

D2.1 The association must keep a register of the names of members.

D2.2 The register is to be kept at the school and is to be available for inspection by any member at such times as the association specifies after consultation with the school staff.

D2.3 In the interests of confidentiality, the addresses of members for the purposes of the register are deemed to be care of the school.

### **D.3 MEMBERSHIP FEES AND MEMBERS' LIABILITIES**

D3.1 Any fee set must be voluntary and decisions as to whether or not to invite payment of such a fee must be considered as part of the wider financial arrangements for which provision is made in this constitution.

D3.2 Except in the cases dealt with in the following subclause members are liable to contribute to the payment of debts of the association only to the extent that they have unpaid membership fees.

D3.3 Where a debt has been incurred through the illegal action of the member, that member is liable for that debt.



## **PART E: POLICY**

### **E.1 DETERMINATION**

- E1.1 The policies of the association are to be determined by wide consultation with the whole membership.
- E1.2 In determining its policies the association is to have regard to the policies of the Council.

## **PART F: ADMINISTRATIVE ARRANGEMENTS**

### **F.1 STRUCTURE**

- F1.1 The day to day administration of the association is vested in:
- (a) an administrative committee elected in accordance with this constitution; and
  - (b) the office bearers provided for in this constitution.
- F1.2 The administrative committee consists of the office bearers together with representatives of subcommittees, task forces and working groups established by the association.
- F1.3 The office bearers consist of:
- (a) a president;
  - (b) a vice president;
  - (c) a secretary;
  - (d) a treasurer; and
  - (e) a public officer

### **F.2 ROLES**

- F2.1 The role of the administrative committee is to act as agent of the membership at large and to be accountable to the membership at large.
- F2.2 The specific roles of each office bearer may be decided from time to time by general meetings.

## **PART G: ELECTIONS**

### **G.1 OFFICE BEARERS**

- G1.1 The office bearers are to be elected at the annual general meeting.
- G1.2 Notification of the election is to be circulated to all members in conjunction with the notice of the annual general meeting.
- G1.3 Nominations are to be invited at the annual general meeting and are to be on the basis of self-nomination.

### **G.2 ADMINISTRATIVE COMMITTEE**

- G2.1 The election of the remainder of the administrative committee is to be held at the annual general meeting following the election of the office bearers.
- G2.2 The processes for notification and nomination are the same as for the office bearers.

### **G.3 VOTING**

- G3.1 In any election voting may only be in person.
- G3.2 For each position subject to election the appointee shall be the person who receives the highest number of votes.

### **G.4 CASUAL VACANCIES**

- G4.1 A casual vacancy arises when an officer or a member of the administrative committee:
  - (a) dies;
  - (b) resigns in writing;
  - (c) fails to attend three consecutive meetings without tendering an apology.
- G4.2 Any casual vacancy occurring in the office bearers or the administrative committee is to be notified to members by a notice in the next school newsletter to parents.
- G4.3 The notification is to invite interested members to nominate themselves for the vacancy.
- G4.4 If the number of nominations exceeds the places available the administrative committee is to determine the successful candidate or candidates by voting in a ballot.

### **G.5 QUORUM AND PROCEDURE**

- G5.1 At any meeting of the administrative committee a quorum is to be one half of its members.
- G5.2 The administrative committee shall meet at least twice a term during school terms. Having regard to the informality of such meetings the procedure is to be determined from time to time by the administrative committee.

## **PART H: GENERAL MEETINGS**

### **H.1 ROLE**

General meetings are the basic management structure of the association. Their purpose is to facilitate interaction between the administrative committee and the rest of the membership.

### **H.2 ANNUAL GENERAL MEETINGS**

H.2.1 An annual general meeting is to be held not later than the last week in March in each school year.

H.2.2 Notice is to be given in writing to all members of the school community at least three weeks prior to the date of the meeting.

H.2.3 Notice may be given in the school's newsletter, by email, or by direct circular to the home.

H.2.4 The following documents must be presented at the AGM:

- the audited statement of the previous year's accounts;
- a copy of the auditor's report to the association for the previous year;
- a report signed by two members of the administrative committee stating:
  - the name of each member of the committee during the previous year,
  - the changes if any on the membership of the committee in the previous year,
  - the principal activities of the association during the previous year,
  - any significant change which occurred in those activities in the previous year,
  - a statement of net profit and loss.

### **H.3 ORDINARY GENERAL MEETINGS**

H.3.1 The administrative committee is to arrange for an ordinary general meeting to be held at least once a term.

H.3.2 Notification of an ordinary general meeting is to be given at least two weeks prior to the date of the meeting in the same way as notification of an AGM is given.

### **H.4 SPECIAL GENERAL MEETINGS**

H.4.1 Where an issue of major or urgent nature cannot conveniently be discussed at an ordinary general meeting, a special general meeting is to be convened to deal with it.

H.4.2 A special general meeting may be called by:

- (a) the president;
- (b) any three members of the administrative committee; or
- (c) any five members of the association.

H.4.3 Notifications of special general meetings must be given in the same way as for AGMs.

H.4.4 A minimum of 21 days' notice of a special general meeting is required.

H.4.5 Only business of which notice has been given in the notification of the meeting may be dealt with at a special general meeting.

## **H.5 CONDUCT AND PROCEDURE**

H.5.1 The quorum for all general meetings including special general meetings, is seven members of the association.

H.5.2 At any general meeting the chair has only a substantive vote.

H.5.3 Voting by proxy on issues before a general meeting is not permitted.

H.5.4 A general meeting may be adjourned by simple majority of those present and voting.

H.5.5 Notification of the date, time and place of the resumed meeting is to be given in writing to all members of the association within seven days of the adjournment and at least seven days prior to the date on which the adjourned meeting will be resumed.

H.5.6 Procedure at a general meeting in other respects is to be as specified in the model rules.

## **PART I: FINANCE**

### **I.1 FINANCIAL YEAR**

The financial year of the association is the calendar year.

### **I.2 BUDGET AND FINANCIAL PLANNING**

- I.2.1 The treasurer is to prepare a draft budget in November of each year.
- I.2.2 The budget is to be considered at, and may be endorsed by, the first ordinary general meeting or the Annual General Meeting of the association in the next calendar year or at a special general meeting called for that purpose.
- I.2.3 The purpose of the budget is, in particular, to provide guidance to the administrative committee and to provide an opportunity for the general membership to consider issues of priorities, planning, the methods by which funds may be raised, and requests to members to make voluntary contributions to the association.

### **I.3 INCOME AND EXPENDITURE RESTRICTIONS**

- I.3.1 The association must not pursue any form of fundraising or income generation which is, or might be, in conflict with the principles, function or objectives of the association.
- I.3.2 The association must not make any form of investment or deposit, with a financial institution or otherwise, which is, or might be, in conflict with the principles, function or objectives of the association.
- I.3.3 The association must not accept bequests or gifts in any form if conditions are attached which are or might be in conflict with the principles, function or objectives of the association.
- I.3.4 The association must not make gifts, grants, subscriptions or donations for purposes which are, or might be, in conflict with the principles, function or objectives of the association.
- I.3.5 Cheques or electronic payments made out on behalf of the committee must be signed or otherwise authorised by two signatories authorised to do so by the most recent Annual General Meeting of the association. The Annual General Meeting may appoint any number of authorised signatories, any two of whom may sign or authorise a payment. Transfers between association bank accounts may be made by a single authorised signatory.

### **I.4 ANNUAL ACCOUNTS**

- I.4.1 The administrative committee must ensure that an annual statement is prepared setting out:
  - an income and expenditure statement for the year past;
  - a statement of the assets and liabilities of the association at the end of the previous financial year;
  - any mortgages or securities affecting any property of the association;
  - any trust established or operated by the association.

- I.4.2 The annual statement may in addition contain such further information as the treasurer or the administrative committee consider desirable or as a general meeting directs.

## **I.5 AUDIT**

- I.5.1 The accounts and financial records of the association must be audited at least annually.
- I.5.2 The accounts must be audited by a registered auditor who is a member of either:
- the Institute of Chartered Accountants;
  - the National Institute of Accountants; or
  - the Australian Society of Certified Practising Accountants.

## **I.6 MEMBERSHIP FEE**

- I.6.1 The administrative committee, as part of the budgeting and financial planning processes, may recommend to members that a voluntary fee be paid to the association by members to assist it in its work.
- I.6.2 Payment of this fee is not a precondition for either membership of or participation in the association.

## **I.7 LIBRARY FUND (section inserted 22/7/96)**

- I.7.1 The Association may maintain a fund, to be known as the Library Fund, in an account at a bank, building society or credit union selected by the Association.
- I.7.2 The Library Fund shall be kept separate and apart from all other accounts of the Association and shall be audited separately from those funds and accounts.
- I.7.3 All donations and contributions which are directed to be paid into the Library Fund shall be deposited in the account maintained in accordance with sub-clause (1). The Association may make such other payments into the Library Fund as it considers appropriate.
- I.7.4 All receipts issued in respect of money deposited into the Library Fund shall be marked clearly with the name of the Fund.
- I.7.5 Subject to sub-clause (6) money deposited into the Library Fund shall only be used for the purpose of purchasing library books for the School library and library materials for use of the School library.
- I.7.6 Sub-clause (5) does not prevent the Association from transferring money held in the Library Fund from one account to another account at the same or a different bank, building society or credit union provided that:
- at all times the Library Fund remains separate and apart from all other funds and accounts of the Association; and
  - at all times the Fund remains subject to the restrictions in sub-clause (5).
- I.7.7 If the School is closed, and the Association is dissolved pursuant to clause K(3), any funds outstanding in the Library Fund shall only be transferred to an organisation which has, or establishes, a fund with similar purposes to the Library Fund and shall only be deposited to the credit of that fund.

- I.7.8 All other provisions of this Constitution relating to the financial affairs of the Association apply to the Fund, except to the extent to which they are inconsistent with any provision of this clause.



## **I.8 BUILDING FUND (section inserted 22/7/96)**

- I.8.1 The Association may maintain a fund, to be known as the Building Fund, in an account at a bank, building society or credit union selected by the Association.
- I.8.2 The Building Fund shall be kept separate and apart from all other accounts of the Association and shall be audited separately from those funds and accounts.
- I.8.3 All donations and contributions which are directed to be paid into the Building Fund shall be deposited in the account maintained in accordance with sub-clause (1). The Association may make such other payments into the Building Fund as it considers appropriate.
- I.8.4 All receipts issued in respect of money deposited into the Building Fund shall be marked clearly with the name of the Fund.
- I.8.5 Subject to sub-clause (6) money deposited into the Building Fund shall only be used for the purpose of providing money for the acquisition, construction or maintenance of buildings which are to be used for the purposes of the School.
- I.8.6 Subclause (5) does not prevent the Association from transferring money held in the Building Fund from one account to another account at the same or a different bank, building society or credit union provided that:
- at all times the Building Fund remains separate and apart from all other funds and accounts of the Association; and
  - at all times the Fund remains subject to the restrictions in sub-clause (5).
- I.8.7 If the School is closed, and the Association is dissolved pursuant to clause K(3), any funds outstanding in the Building Fund shall only be transferred to an organisation which has, or establishes, a fund with similar purposes to the Building Fund and shall only be deposited to the credit of that fund.
- I.8.8 All other provisions of this Constitution relating to the financial affairs of the Association apply to the Building Fund, except to the extent to which they are inconsistent with any provision of this clause.

## **PART J: ALTERATION OF CONSTITUTION**

### **J.1 NOTICE OF PROPOSED CHANGE**

- J.1.1 Notice of a proposed change to this constitution may be given by any of the members and groups of members able to call a special general meeting.
- J.1.2 Notifications of proposed changes must be given in writing and must set out both the specific change sought and the reasons for the proposed change.
- J.1.3 At least 21 days' notice in writing, but not more than 42 days' notice, is to be given to all members of any proposed change to the constitution. Such notice may be given in the School newsletter.
- J.1.4 Such notices are to be given within 21 days of the receipt of the notification of proposed change.
- J.1.5 If a member or group of members opposing the proposed change so requests, a statement of the reasons for their opposition must likewise be circulated.
- J.1.6 Subject to this clause, proposed changes can be considered at any general meeting whether annual, ordinary or special.

### **J.2 DISCUSSION AND VOTING**

- J.2.1 Any member of the association may speak to the proposed constitutional change at the meeting at which it is considered.
- J.2.2 When no further members wish to speak on a proposed change, the change will be voted on.
- J.2.3 A change is passed if carried by three quarters of the members present and voting.

## **PART K: CONCLUDING PROVISIONS**

### **K.1 LODGEMENT OF ANNUAL RETURNS**

The administrative committee must lodge with the Registrar within six months of the start of each calendar year detailed statements relating to:

- the name of the association;
- the registration number if any;
- the title of the document;
- the name, address and telephone number of the person on behalf whom the statement is lodged;
- the audited statement of the association's accounts;
- a copy of the auditor's report;
- a statement signed by two members of the administrative committee certifying that preparation, auditing and presentation to the AGM complied with the requirements of the Act.

### **K.2 CUSTODY AND INSPECTION OF RECORDS**

K.2.1 The administrative committee is to provide for the safe custody of all books and other records of the association.

K.2.2 Any member may inspect any such record unless such inspection would create a conflict of interest or a breach of privacy, in which case the member will be provided with a written explanation of the reason access was not provided.

K.2.3 A request from the association's auditor or public officer, or from the Registrar, must be met.

### **K.3 WINDING UP**

K.3.1 The association may be wound up voluntarily by the association resolving by special resolution that this happen.

K.3.2 Any property remaining after meeting the debts and liabilities of the association, and paying the costs of winding up, is to be disposed of in accordance with the requirements of the Act at that time.

END PCONST.DOC

version 4 June 1993 for adoption; amended 22 July 1996; amended 6 November, 2013

