

# Constitution

## Educational Computing Association of Western Australia (inc.)

Updated @ AGM 2002

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### 1. NAME

The name of the association shall be "EDUCATIONAL COMPUTING ASSOCIATION OF WESTERN AUSTRALIA (INC.)", (hereinafter called the Association).

### 2. OBJECTIVES OF THE ASSOCIATION

The objects of the association shall be:

2.1 To further the advancement of education by promulgating knowledge about how the potential of computers as powerful aids to learning may be realised.

2.2 To cultivate, foster and extend the professional development of members.

2.3 To provide a forum for members and others interested in the development of the educational use of computers.

### 3. POWERS

The association shall have power to do all such things as are necessary, incidental or conducive to the attainment of the objects of the Association.

#### **4. NON-PROFIT**

The income and property of the Association shall be applied solely towards the promotion of the objects of the Association. No portion of the income or property shall be paid, transferred or distributed directly or indirectly to the members of the Association, provided that nothing shall prevent the payment in good faith of remuneration to any officer or employee of the Association or to any person other than a member, in return for services rendered to the Association. Members or others who incur expenses directly on behalf of the Association and with authorisation of the committee, may be entitled to re-imburement, only for such value as receipts or other evidence of expenditure indicates.

#### **5. MEMBERSHIP**

5.1 Any person or organisation interested in the conduct of the Association and paying an annual subscription according to its rules and regulations may become a member. A person whose membership has been terminated under Section 6 may re-join the Association following a period of time determined by the Committee.

5.2 Membership of the Association shall be divided into 7 classes:

5.2.1 PERSONAL MEMBERSHIP shall be available to individuals. Personal Members shall be entitled to one vote.

5.2.2 ORGANISATIONAL MEMBERSHIP shall be available to any educational, commercial, charitable or Government organisation approved by the Association as eligible for membership. Organisational Membership shall carry an entitlement of one vote per organisation to be exercised by a person nominated in writing by the organisation.

5.2.3 STUDENT MEMBERSHIP shall be available to any student undertaking a fulltime course approved by the Association. Student Membership shall not carry voting rights.

5.2.4 COUNTRY MEMBERSHIP shall be available to individuals and organisations domiciled in an area beyond a 100 kilometre radius of the Perth GPO.

5.2.5 LIBRARY MEMBERSHIP shall be available to Libraries which shall only entitle them to State and National Journals.

5.2.6 HONORARY MEMBERSHIP shall be awarded at the discretion of the Committee. Honorary Membership does not include voting privileges.

5.2.7 HONORARY LIFE MEMBERSHIP may be conferred upon a person in recognition of outstanding service to the Association. Such status shall not be conferred until:

- a) the person shall have been nominated in writing by two (2) Personal Members of the Association; and
- b) the Committee shall have approved the nomination; and
- c) the nomination shall have been approved by a two-thirds (2/3) majority of voting members present at an Annual or Special General Meeting.

5.2.8 An Honorary Life Member shall be entitled to vote and hold office.

#### **6. EXPULSION OF MEMBERS**

6.1 The committee may by resolution passed by a two-thirds (2/3) majority of those present and voting at its meeting terminate the membership of any member who in the opinion of the committee has wilfully refused or neglected to comply with the provisions of the Rules and Regulations of the Association or has been guilty of dishonourable or improper conduct as a member of the Association or of conduct prejudicial to the interests of the Association.

6.2 The power conferred by Rule 6.1 shall not be exercised unless the member concerned has been given the opportunity to appear before the Committee at a meeting of which the member has been given not less than seven (7) days' notice (which notice shall contain particulars of the

conduct alleged against the member concerned) to show cause why the member's membership should not be terminated.

6.3 Upon termination of the membership of any member pursuant to Rule 6.1 the Committee shall forthwith give notice in writing thereof to the member concerned.

6.4 Within fourteen (14) days after receipt of a notice under Rule 6.3 the person to whom the notice was addressed may give to the Committee notice of the member's intention to appeal against such determination to a Special General Meeting.

6.5 Upon receipt of an appeal under Rule 6.4 the Committee shall convene a Special General Meeting which must be convened within six (6) weeks.

6.6 At the Special General Meeting convened under rule 6.5 the person whose membership has been terminated shall be entitled to give answer to the allegations made against the member and give such evidence and explanations as the member may desire and as may be relevant to the issue and any financial member shall have the like right. By motion passed by a simple majority of those present and voting at the meeting the appeal may be upheld or dismissed.

6.7 Until the final determination of the appeal the appellant member shall be deemed to have been suspended but shall be entitled to vote at the Annual General Meeting.

6.8 In the event of the upholding of the appeal the appellant member's membership shall be restored forthwith.

## **7. SUBSCRIPTIONS**

7.1 Other than Honorary classes of membership, the annual subscription for each class of membership shall be such sum as may from time to time be determined by the Association at the Annual General Meeting and passed by simple majority.

7.2 Except for the category of Honorary Life Member, the term of membership of the Association shall be 12 calendar months from the date of recording into the official ECAWA membership.

7.3 Members who have not paid their subscriptions by their annual renewal date shall be deemed to be unfinancial and ineligible to be elected to office and speak or vote at that or any succeeding meetings until their annual subscriptions are paid.

7.4 Members who have not paid their subscriptions by six (6) months after their annual renewal date each year shall be deemed to have resigned and their names shall be deleted from the membership list for that year.

7.5 The Association shall have power to levy further moneys from members in such sums and at such times as may be determined by the Association in general meeting.

## **8. COMMITTEE**

8.1 The affairs of the Association shall be managed by a Committee.

8.2 The Committee shall consist of the following officers who shall be elected annually at the Annual General Meeting;

- a) a President;
- b) the Immediate Past President who shall hold office for one year only following the Annual General Meeting at which a new President was elected;
- c) a Vice-President;
- d) a Secretary;
- e) a Treasurer;
- f) a Primary Co-ordinator;
- g) a Secondary Co-ordinator;
- h) a Tertiary Co-ordinator;
- i) a Special Interest Groups Co-ordinator;
- j) an Editor for the Association's journal LOGIN;

- k) a minimum of four(4) and a maximum of seven (7) ordinary members who at the discretion of the Committee may be required to fulfil specific roles (eg. publicity officer).

8.3 Membership of the Committee as outlined in 8.2 above, shall be extended to include a Conference Organiser who, (if they are not already a committee member) shall be appointed to the committee and will have all such rights of an ordinary committee member. The position of Conference Organiser shall become vacant at the first Committee Meeting following the Annual Conference, whereupon the Committee will appoint the subsequent Conference Organiser.

8.4 All positions on the Committee (except the Conference Organiser) shall be open for election at each Annual General Meeting and subject to these Rules any retiring member shall be eligible for re-election.

## **9. FUNCTIONS AND POWERS OF THE COMMITTEE**

9.1 The functions of the committee shall be:

- a) to control and manage the business and affairs of the Association;
- b) to exercise all such powers as may be exercised by the Association other than those powers that are required by these Rules to be exercised by General Meetings, Annual General Meetings or Special General Meetings of members of the Association; and
- c) to perform all such acts and things as appear to the Committee to be necessary or desirable for the proper management of the business and affairs of the Association.

9.2 The Committee may co-opt members and form sub-committees for special purposes for any period until the next Annual General Meeting but co-opted members shall not be entitled to vote at a meeting of the Committee.

9.3 The Committee may appoint a member to fill any casual vacancy on the Committee. Any such appointee shall retire from office at the next Annual General Meeting but shall be eligible for re-election.

9.4 The President or his or her nominee shall represent the Association on the Australian Council for Computers in Education or other bodies on which the Association is represented.

## **10. ELECTION OF COMMITTEE**

10.1 At each Annual General Meeting all office bearers and Committee members shall stand down but shall be eligible to be re-elected for a further period of twelve (12) months.

10.2 Nominations for all positions are to be given in writing to the secretary prior to the Annual General Meeting and such nominations shall be signed by the proposer, the seconder and the candidate.

10.3 All officers must be financial members of the Association.

10.4 A member may be absent from the Annual General Meeting and still be nominated in writing for the position.

10.5 If the number of nominees exceeds the number of vacancies to be filled then a ballot shall be conducted in such usual and proper manner as the Chairperson of the meeting shall direct.

## **11. MEETINGS:**

11.1 Meetings of the Association shall be:

- a) Annual General Meeting;
- b) General Meeting;
- c) Special General Meeting; and
- d) Committee Meeting.

11.2 Annual General Meeting:

Once in every year, at the same time as the Association Conference, a meeting of the Association (to be called the Annual General Meeting) shall be held at a venue decided by the Committee and fourteen (14) days' notice of the date, place and time shall be given by circular to every member.

The business to be transacted at the Annual General Meeting shall be as follows:

- a) Minutes of the last Annual General Meeting;
- b) President's Report on the affairs and activities of the Committee and the Association since the last Annual General Meeting;
- c) Treasurer's Report and presentation of audited accounts;
- d) Election of new Committee; and
- e) Any other business.

11.3 General Meeting:

General meetings of the Association shall be held at the committee's discretion at venues and at such times as the Committee shall decide.

11.4 Special General Meeting:

- a) A Special General Meeting may be convened by the Committee whenever it thinks fit. The Committee shall convene a Special General Meeting whenever requested in writing to do so by no fewer than ten (10) voting members of the Association.
- b) Each such requisition must state clearly the purpose of the meeting.
- c) Fourteen (14) days written notice of the date, place, time and business to be transacted shall be given to every member.
- d) No business shall be entered upon by any Special General Meeting except such as shall be set forth in the notice convening the meeting.

11.5 Committee Meeting:

The Committee shall meet at least four times each year and meetings shall be held at a venue to be nominated by and on days or nights and at such times as the Committee may decide and seven (7) days' notice of the date, place and time shall be given by circular to every member of the Committee.

## **12. PROCEDURES:**

12.1 Quorums:

At all meetings of the Association twelve (12) voting members shall form a quorum except at Committee Meetings when seven (7) members of the Committee shall form a quorum. If within half an hour from the time appointed for the meeting a quorum is not present the meeting, if convened on requisition of members in accordance with Rule 11.4(b), shall be dissolved. In any other case it shall be adjourned to the same day in the next week at the same time and place and if at such adjourned meeting a quorum is not present it shall be adjourned sine die.

12.2 Minutes of the proceedings of every meeting shall be entered and kept in a minute book and such minutes when signed by the person who presided at the meeting shall be evidence that the proceedings minuted therein were regular and actually took place.

12.3 The President and in her or his absence the Vice-President shall act as Chairperson at all meetings but if neither is present or willing to take the chair the members present shall choose a Chairperson of the meeting.

12.4 When voting at any meeting is evenly split on resolutions requiring a simple majority the Chairperson may exercise a casting vote.

12.5 Any meeting may be adjourned to such time and place as the Chairperson directs.

12.6 The Association or the Committee may admit visitors or exclude them from meetings. Any visitors may address a meeting upon the invitation of the Chairperson with the consent of the majority of voting members present, but no visitor shall have the right to vote.

12.7 Any member of the committee who has been absent from three (3) consecutive Committee Meetings shall cease to be a member thereof unless he or she shall have obtained leave of absence from the committee but may be re-instated by resolution carried by a simple majority of the members present following the absence.

### **13. FINANCES:**

13.1 The closing date of the financial year of the Association shall be deemed to be at the end of the financial year being 30<sup>th</sup> June, to allow for the Auditor to present the Auditor's Report to be prepared for the Annual General Meeting of that year.

13.2 All monies received by the Association shall be recorded and deposited in the first instance to the credit of an account at a bank, building society or credit society nominated by the committee.

13.3 All expenditure shall be properly authorised by the Committee.

13.4 The Treasurer shall handle all moneys on behalf of the Association and shall keep proper accounts which shall be present at each meeting of the committee to be passed.

13.5 The President, Vice-President or Secretary shall be authorised for the signing of cheques or withdrawals together with the Treasurer or such other person or persons as the committee shall direct.

13.6 Official receipts for all moneys received by the Association shall be issued by the Treasurer or other person or persons as the committee shall direct.

13.7 All money or property of the Association not subject to any special trust may be used to carry out the objects of the Association.

13.8 True accounts shall be kept by the Treasurer of all moneys received and spent by the Association.

13.9 The books of account of the Association shall be kept by the Treasurer and shall be open for inspection by any member at reasonable times.

13.10 The accounts of the Association shall be examined at the end of each financial year and their correctness certified by an auditor appointed by the current committee for that purpose.

### **14. ALTERATION OF THE CONSTITUTION:**

This Constitution shall only be added to, repealed or amended by resolution of an Annual General or a General or a Special General Meeting. Notice of motion must be given in writing containing the name of the proposer and seconder and shall state which clause of the constitution it is proposed to add to, rescind or amend, quoting the number of the clause. This notice of motion shall be in the hands of the Secretary in time to allow her or him to give fourteen (14) days' notice to each member of the Association. No motion shall be adopted unless seconded at the meeting and agreed to by two thirds (2/3) of those voting.

## **15. COMMON SEAL**

15.1 The Association shall have a Common Seal upon which shall be inscribed the name of the Association and the words "Common Seal".

15.2 The Common Seal shall be kept by the Secretary and shall not be used on any document except following resolution of the Committee. Every document to which the common seal is affixed shall be countersigned by the President and the Secretary or such other persons as the Committee shall appoint for that purpose.

## **16. DISSOLUTION:**

16.1 The Association may be dissolved by resolution of an Annual General or a General or a Special General Meeting called for the purpose on a majority of two-thirds (2/3) of the voting members present.

16.2 If upon the dissolution or winding up of the Association there remains after satisfaction of its debts and liabilities any property whatsoever the same shall not be paid or distributed among members of the Association but shall be given, transferred, held in trust for or distributed among such clubs or associations as the Committee shall in its absolute discretion decide and insofar as effect cannot be given the aforesaid provisions then to some charitable object.