



Albury Public School
Parents and Citizens' Association

Constitution & By-Laws

As at March 2010

CONSTITUTION

1. Name

This body shall be known as the Albury Public School Parents and Citizens' Association, a body corporate under the Parents and Citizens' Associations Incorporation Act 1976.

2. Object and Functions

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

- a) The objects:
 - i) to promote the interests of the school by bringing parents, citizens, students and teaching staff into close co-operation, and
 - ii) to assist in providing facilities and equipment for the school and in promoting the recreation and welfare of the students of the school.
- b) The functions:
 - i) to report, when requested by the Minister for Education and Training, 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,
 - ii) to assist and co-operate with the teaching staff in public functions associated with the school,
 - iii) 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 Education and Training,
 - iv) to assist in any matters in which the Minister may seek the co-operation of the association and to exercise such other functions as may be prescribed by the regulations (under the Education 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

- a) Membership will be open to all parents and guardians 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.
- b) 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) The officers shall consist of President, two Vice-Presidents, Treasurer and Secretary, and shall be elected at the annual general meeting.
- c) 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) The Secretary shall attend meetings and keep a record of all business conducted. On relinquishing office the Secretary shall hand over records, minutes, account books, etc to the incoming Secretary.
- e) 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 officer 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

- a) Any casual vacancy 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:
 - i. dies,
 - ii. resigns from the committee by notice in writing,
 - iii. ceases to be a member of the association,
 - iv. is removed under clause 5 (a), or
 - v. has a continuing and long-term incapacity to fulfill the functions of the position.

7. Annual General Meeting

- a) An annual general meeting shall be held once each calendar year at a date specified in the rules. At this meeting all Officer and other positions will become vacant and then be filled by nomination, and where necessary by ballot of members.
- b) All nominees shall be members of the association.
- c) The audited statement of income and expenditure and Annual Report will be presented. A copy of the audited statement of income and expenditure, certified by the auditor, is to be forwarded to the Federation of Parents and Citizens' Associations of New South Wales within one month of the annual general meeting at which it is adopted.
- d) An auditor for the ensuing year who is not an office bearer of the association shall be appointed. The appointed auditor shall possess appropriate skills and experience in auditing and financial record management together with an appreciation of the issues of probity as they relate to the role of association auditor. In particular, the auditor must not have or appear to have any conflict of interest arising, for example, from a personal or business relationship with an officer of the association.

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 10 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 five.

11. Liability

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.

The association must effect and maintain approved public liability insurance, unless the association is covered by such insurance affected 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. Subcommittees

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

Any funds raised or handled by a subcommittee shall be, for all purposes, funds of the association.

14. Dissolution

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 Training, or otherwise at the Minister's discretion.

The association shall be dissolved if the number of members falls below the quorum or the school to which the association is attached is closed.

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 having a taxation status accepted by the Australian Taxation Office as equivalent to that of the association. In particular, where the association maintains a deductible gift fund (such as a School Building Fund) on dissolution any remaining assets or funds must be transferred to another gift deductible fund with similar objects to the association. Any records given to a kindred organisation will be retained in accordance with taxation legislation requirements. The transmission shall occur within two months of the dissolution of the association, and only after the books of account have been audited as provided under Clause 16. If the association is registered for GST, dissolution shall not be finalised until all accounts have been paid, all revenue received and all GST transactions have been accounted for in the association's Business Activity Statement.

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 Act 1990, or the Parents and Citizens' Associations Incorporation Act 1976. 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 banked 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 annual reports of its auditors) as are required by its rules or by the Minister for Education and Training.

BY-LAWS – VERSION 1.2 OCTOBER 2009

Date	Version	Revision Description
24 October 2006	1.1	Original
27 October 2009	1.2	Amendments

1) General

These rules are made under the constitution of the Albury Public School Parents and Citizens' Association.

The association is formed for the benefit of the pupils at 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) co-operate in the activities of the Federation of Parents and Citizens' Associations of New South Wales, and District and Regional Councils, and
- c) promote the interests of public education.

2) Finances

- a) The financial year of the association shall close on 30 November each year.
- b) Any motion to expend association monies greater than \$1000 must be placed on notice for the meeting at which it is to be considered.
- c) Pupils representing Albury Public School at the state or national level in either academic, sporting or cultural activities or events shall be entitled to a subsidy of \$50.
- d) A submissions process for expending association funds will be conducted each school year. The amount to be set aside for submissions, and the process to be followed, will be determined at the annual general meeting.
- e) A budget for each financial year of the association shall be prepared by the Treasurer and presented at the annual general meeting.

3) Membership and Volunteers

- a) Any person eligible for membership may become a member or renew membership by paying the membership fee of \$1 to the Treasurer or nominee of the Treasurer after any general meeting. Membership shall be valid from the commencement of the next meeting and membership shall remain current until close of the annual general meeting in the following year. The Secretary shall be responsible for maintaining an up-to-date register of membership.
- b) For insurance purposes, the Secretary will also maintain a list of occasions on which there are volunteers working on behalf of the association. This list will include the names of volunteers associated with each occasion.
- c) The association will 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 4 of the constitution.

4) Office Bearers

- a) The executive committee shall be constituted of the President, two Vice-Presidents, Treasurer, Secretary, the Convenor of the Canteen sub-committee and the Convenor of the Fundraising sub-committee.
- b) The executive committee shall meet as required. Any three members of the executive committee may call an executive committee meeting, provided at least seven days notice is given or earlier if agreed by the majority of the executive committee.
- c) No person shall serve more than three consecutive years in an office which forms part of the executive committee.
- d) A general meeting of the association may declare any officer who has been absent, without an accepted apology, for three successive meetings to have vacated their position and to have created a casual vacancy to be dealt with by means of Rule 6 of the constitution.

5) Annual General Meeting

The annual general meeting of the association shall be held in March of each year, in conjunction with and preceding the ordinary general meeting for that month.

6) Ordinary General Meetings

- a) A general meeting of the association shall be held on the fourth Tuesday of each month during term time starting at 7.30pm, unless a resolution of the previous general meeting moves or cancels it.
- b) At a general meeting the quorum shall be in accord with Rule 10 of the constitution. Where that rule does not specify a number, the number shall be five members.
- c) If a meeting for which due notice has been given does not achieve a quorum within 15 minutes of the advertised starting time the President, or in the absence of the President the remaining members of the Executive, may call a further meeting with a lapse of not more than 28 days of term time to carry on the business of the association.
- d) All meetings of the association shall be conducted in accordance with the Order of Business at Attachment A of these by-laws.
- e) A group of members 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.
- f) The roles and responsibilities of office bearers and sub-committees are outlined in the Fact Sheets available on the Federation of P&C Associations of NSW's website (www.pandc.org.au).

Attachment A: Order of Business General Meetings.

No	Agenda Item	Approx.Time
1.	Opening and Apologies	5 mins
2.	Receipt and Adoption of Minutes of Previous Meeting	5 mins
3.	Matters Arising from the Previous Minutes	5 mins
4.	ADMINISTRATIVE REPORTS Correspondence Report (Must be moved, seconded and voted upon.) Treasurer's Report including the financial statements for the Canteen sub-committee (Must be moved, seconded and voted upon.)	10 mins
5.	REPORTS FOR INFORMATION ONLY President's Report Principal's Report	10 mins
6.	OTHER REPORTS Canteen Report Environment Report Fundraising Report Projects & Submissions Report Federation Reports (including District and Regional Councils) Other Reports as required	25 mins
8.	General Business	1 hour