

Constitution

of the

THE ISOLATED CHILDREN'S PARENTS' ASSOCIATION OF SOUTH AUSTRALIA (INC)

1 NAME

The name of the Association is “The Isolated Children’s Parents’ Association of South Australia (Inc)” hereinafter referred to as THE ASSOCIATION.

2 OBJECTS

The objects of the Association are:

- 2.1 To promote awareness and understanding of the problems and needs of rural and remote students and schools.
- 2.2 To seek assistance for rural and remote students to gain access to appropriate schooling or specialist services so that the individual educational needs of the student are met.
- 2.3 To advance educational and associated services that are, or should be, provided for students in and from isolated areas.
- 2.4 To seek assistance for the continuance of recognised residential facilities that provide boarding places for students from isolated areas.
- 2.5 To seek living-away-from-home allowances for those children who must live away from home in order to receive a continuing education.
- 2.6 To lobby appropriate authorities to expand existing specialist services or establish new ones that will improve the educational, social or cultural life of rural and remote students.
- 2.7 To do all such things as may in the opinion of the Association promote cordial relations between the Association and kindred associations or persons interested in any aspect of education.
- 2.8 To become a member of, support, co-operate or amalgamate with, any kindred Association whose objects are altogether or in part similar to this Association.

- 2.9 To do all such lawful things as the Association may think incidental or conducive to the attainment of the objects of the Association in whole or in part.
- 2.10 To solely apply the property and income of the Association towards the promotion of the objects of the Association and no part of that property or income shall be paid or otherwise distributed directly, or indirectly, to members except in good faith in the promotion of these objects.

3 **DEFINITIONS:**

- 3.1 **AN ISOLATED CHILD** is one who for geographic reasons does not have reasonable daily access to an appropriate education.
- 3.2 Member bodies of the Association are Branches, the South Australian State Council, and Lone Members whose members shall abide by and actively pursue the OBJECTS of the Association.
 - 3.2.1 **A BRANCH** of the Association is a body with at least FIVE memberships, whose members join together in accordance with the South Australian Association's constitution to facilitate the administration of the Association and the attainment of its OBJECTS.
 - 3.2.2 **A STATE COUNCIL** is a properly constituted body elected from financial members within the state, provided that it has at least THREE BRANCHES to:
 - 3.2.2.1 have general control and management of the administration, affairs, property and funds of the State Association and
 - 3.2.2.2 have general control of branches and Lone Members within that state.
 - 3.2.3 **A LONE MEMBER** is an ordinary or Life Member for whom it is impracticable to become a member of a registered branch.
- 3.3 **The POLICY** of the Association is a statement of guiding principles, which shall determine the Association's course of action in achieving its OBJECTS.
- 3.4 **The OBJECTS** of the Association are particular goals to be achieved in the implementation of the Association's POLICY.

4 INTERPRETATION

- 4.1 "The Act" means the Associations Incorporation Act of South Australia 1985 and any amendments thereto and the regulations pertaining thereto.

5 POWERS OF THE ASSOCIATION

- 5.1 The Powers of the Association shall be the powers contained under Section 25 of the Associations Incorporation Act, as follows:

5.1.1 Acquire, hold, deal with, and dispose of, any real or personal property;

5.1.2 Administer any property on trust;

5.1.3 Open and operate financial accounts;

5.1.4 Invest its funds in any way the Committee determines;

5.1.5 Borrow money upon such terms and conditions as the Association thinks fit;

5.1.6 Give such security for the discharge of liabilities incurred by the Association as the Association thinks fit;

5.1.7 Appoint agents to transact any business of the Association on its behalf;

5.1.8 Enter into any other contract it considers necessary or desirable.

- 5.2 The Association may also:

5.2.1 Employ or otherwise engage the services of any person, firm, association, company, or government or local government agency or department for any purpose incidental or conducive to the attainment of the objectives of the Association;

5.2.2 Conduct fund-raising or social activities of any kind;

5.2.3 Appoint committees or sub-committees, either standing or for a special purpose, for any purpose, and dismiss such committees or sub-committees;

5.2.4 Support and subscribe to any charitable, sporting, or cultural body in any way deemed appropriate by the Committee;

5.2.5 Do any other lawful thing that may be necessary for the attainment of the objects of the Association.

- 5.2.6 The Committee shall exercise the full powers of the Association and, without limiting those powers, shall have the management and control of the funds and other property of the Association.

6 POLICY

- 6.1 The Policy of the Association shall be related to education and other issues (such as communications, health, welfare and travel) that have an influence on educational opportunities for rural and remote students in South Australia.

6.1.1 The Association's policy shall be established by and at Annual General Meetings and Annual Conferences of the Association, held in accordance with Clause 15 of this constitution.

6.1.2 All members must abide by this policy.

6.1.3 Interim Policy decisions made by South Australian State Council shall be presented for ratification or rejection at the next Annual General Meeting or Extraordinary General Meeting of the Association.

6.1.4 Interim policy decisions rejected at an Annual General Meeting or Annual Conference can only be re-introduced at a subsequent Annual General Meeting or Extraordinary General Meeting of the Association.

- 6.2 AMENDMENTS TO POLICY AND OBJECTS shall require:

6.2.1 At least twelve weeks notice in writing to the Association's Secretary of any proposed alteration.

6.2.2 Notification in writing to all Branches and Lone Members by the Association's Secretary of any proposed alteration, at least eight weeks prior to the Annual General Meeting or Extraordinary General Meeting of the Association.

6.2.3 Ratification by a majority of at least three-quarters of the members eligible to vote at an Annual General Meeting or Extraordinary General Meeting of the Association.

6.2.4 The Association's OBJECTS may be amended by a simple majority of the votes cast at an Annual General Meeting or Annual Conference. In the case of an equality of votes, the Chairperson shall have a second or casting vote.

7 MEMBERSHIP

- 7.1 Membership shall be open to any person who wishes to further the interests of the Association, and members shall have no restrictions placed on them by virtue of religious or political beliefs, sex, age or race.
- 7.2 AN ORDINARY MEMBERSHIP of the Association relates either to an individual or to either or both parents of a family who have joined a registered branch of the Association or who have joined as a lone member and who have paid the appropriate subscription.
- 7.2.1 Membership is not valid until the Branch Treasurer or State Lone Member Officer has forwarded the appropriate State subscription to the Association's Treasurer, who will keep a full and complete register of members or the membership subscription has been distributed to Branch, State and Federal Treasurers by the authorised receiving officer.
- 7.3 LIFE MEMBERSHIP of the Association may be conferred on an individual at any Annual General Meeting of the Association for exceptional or meritorious service to the education of rural and remote students.
- 7.3.1 Awarding of life membership shall be subject to any By-Laws drawn up by South Australian State Council under this Constitution.
- 7.3.2 Life Membership applies exclusively to the individual so honoured and does not extend to any other member of his or her family.
- 7.4 A LONE MEMBER is an ordinary member for whom it is impracticable to become a member of a registered branch.
- 7.4.1 Providing there are five or more lone member subscriptions in South Australia, those members shall be jointly entitled to representation at State Conferences and Annual General Meetings in accordance with clause 16.1.4 of this constitution.
- 7.5 To obtain MEMBERSHIP and to facilitate the management of the Association persons shall, where practicable, join a branch of the Association.
- 7.6 The number of Branches of the Association shall not be limited (except as to size in accordance with Clause 3.2.1 of this Constitution).

8 MEMBER BODIES

- 8.1 A proposed Branch Member Body shall apply for registration with the Association providing it:-
- 8.1.1 Presents a statement that it will abide by and actively pursue the OBJECTS of the Association and accept the DEFINITIONS in this Constitution.
 - 8.1.2 Has a minimum of five members.
- 8.2 The Branch Member bodies shall:-
- 8.2.1 Present the views of their members to the South Australian State Council.
 - 8.2.2 Forward the annual subscriptions of their members to the Association's Treasurer.
- 8.3 The Association shall have the right to refuse registration to any BRANCH MEMBER BODY or LONE MEMBER, where it has good reason to believe that the relevant member body has not complied with clause 8.1.1 of this constitution.

9 DISSOLUTION AND DEREGISTRATION OF MEMBER BODIES AND DEREGISTRATION OF LONE MEMBERS

- 9.1 A Branch Member Body may dissolve at any time by giving notice in writing to the Association's Secretary: such dissolution to only take effect at the time when such notice is received by the Association's Secretary, unless a later date is specified in the notice, when it shall take effect on that later date.
- 9.2 Any financial member of a dissolved Branch may become a lone member or member of another Branch or form a new branch, in accordance with section 8 of this Constitution.
- 9.3 The South Australian State Council may deregister any Branch Member Body or Lone Member if:-
- 9.3.1 In the opinion of the South Australian State Council, such Branch Member Body or Lone Member has acted contrary to or in disregard of the Constitution of the Association or its By-laws and Orders.
 - 9.3.2 In the opinion of the South Australian State Council, such Branch Member Body or Lone Member has acted in any manner prejudicial to the interests of the Association.

- 9.3.3 The Branch or Lone Member in question must be notified in writing by the Association's Secretary, of State Council's intention to consider deregistering them.
- 9.4 Any deregistered Branch Member Body or Lone Member who may be aggrieved by any expulsion or suspension by the South Australian State Council under the preceding clause may, by written notice lodged with the Association's Secretary within one month of the deregistration, require the convening of an Extraordinary General Meeting of delegates to determine an appeal against such deregistration.
- 9.5 Such Extraordinary General Meetings shall be held within twenty one days of the date of receipt by the Association's Secretary of a notice of intention to appeal.
- 9.6 At such a meeting both parties to the appeal shall be given the opportunity to fully present their case, either orally or in writing or by both these means.
- 9.7 The appeal shall be determined by the vote of a majority of the delegates present at that meeting.
- 9.8 If, on the winding up of the branch, any property of the branch remains after the satisfaction of all the branch's debts and liabilities and after the costs of the winding up have been met, that property shall be distributed to the South Australian State Council. Such branch property will be held in trust by the South Australian State Council for up to three (3) years after receipt of the property by the South Australian State Council, for the purposes of branch re-formation. After this time, the branch property will become the property of the South Australian State Council.

10 ANNUAL SUBSCRIPTION

- 10.1 The Annual Subscription for members shall be determined at Annual General Meetings.
- 10.2 The annual subscription may be paid using the following methods;
- (i) To the appropriate Branch Treasurer who shall forward that amount to the Association's Treasurer, except for a Lone Member, who shall forward the annual subscription directly to the appropriate State Council Lone Member Officer,
- OR
- (ii) Via the online gateway.
- 10.3 The Association's financial year shall run from the first day of January to the thirty-first day of December.

- 10.4 The Annual Subscription shall be payable in advance and becomes due on the first day of January in each financial year.
- 10.5 A financial member at any given time is a member who is not then indebted to the Association in respect of any Annual Subscription or levy or other payment what-so-ever.
- 10.6 No Member shall be selected as a delegate from a branch or State Council to an Annual General, Extraordinary General or General Meeting or Conference unless that member is currently a financial member of the Association.

11 MANAGEMENT

- 11.1 The general control and management of the administration of the Association shall be vested in a State Council consisting of an Executive of the President, Vice President, Secretary, Treasurer, Publicity Officer and Immediate Past President; plus a committee of up to two ordinary members from each financial branch, and a Lone Member Officer appointed by the South Australian State Council. The South Australian State Council Treasurer shall act as the Association's Public Officer.
- 11.2 Due consideration should be given to key representation areas when nominating members to the State Council.
- 11.3 The State Council is to have the power to co-opt a further two members if required.
- 11.4 In the event of a member being unable to attend State Council meetings he/she may appoint an alternate from his/her branch.
- 11.5 At each Annual General Meeting of the Association, all members of the State Council for the time being shall retire from office.
- 11.6 All members of the State Council shall be elected annually. Members of the Executive shall be limited in any one office to 4 (four) consecutive years and thereafter may not be re-elected to the same office until 1 (one) year has lapsed.

12 VACANCIES ON SOUTH AUSTRALIAN STATE COUNCIL

- 12.1 The South Australian State Council shall have the power to appoint a financial member to fill any casual vacancy on the South Australian State Council until the next Annual General Meeting.

13 FUNCTIONS OF THE SOUTH AUSTRALIAN STATE COUNCIL

- 13.1 Except as otherwise provided by this Constitution and subject to resolutions of the members of the Association carried at Annual General, Extraordinary General or General meetings or Annual Conferences the South Australian State Council:-
- 13.1.1 Shall have the general control and management of the affairs, property and funds of the Association.
- 13.1.2 Shall be responsible for the implementation of any Policy established at any Annual General Meetings or Annual Conferences of the Association.
- 13.1.3 Shall have the authority to interpret the meaning of this constitution and any matter relating to the Association on which this Constitution is silent.
- 13.2 At his/her discretion, the Association's President may call a meeting of the Executive members of South Australian State Council (including if necessary the Convenors of specific policy areas) when, for reasons of urgency or impracticability, it is not possible to confer with the full Council. Any decisions made by the Executive as a consequence of that meeting must be presented for discussion at the next meeting of the whole Council for endorsement or rejection.

14 MEETING OF THE SOUTH AUSTRALIAN STATE COUNCIL

- 14.1 The South Australian State Council shall meet as deemed necessary by the Executive, by the most appropriate method.
- 14.1.1 At least four weeks notice of face to face meetings shall be given.
- 14.2 A special meeting of the South Australian State Council shall be convened by the Secretary on the requisition in writing of not less than three members of the Council; such requisition to clearly state the reasons why such a Special Meeting is being convened and the nature of the business to be transacted.
- 14.3 At every meeting of the South Australian State Council the majority of currently serving members of Council shall constitute a quorum.
- 14.4 Providing a quorum is present resolutions before the South Australian State Council shall be decided by a majority of votes of members present at a meeting and in the case of equality of votes on any question or, at any meeting of the Council, the question shall be deemed to be decided by the second or casting vote of the Chairperson.

15 ANNUAL GENERAL MEETINGS, GENERAL MEETINGS, EXTRAORDINARY GENERAL MEETINGS AND CONFERENCES OF THE ASSOCIATION.

15.1 For all Annual General Meetings, General Meetings, and Conferences, the Secretary shall give at least twelve weeks notice of the date to all BRANCH MEMBER BODIES and LONE MEMBERS; the manner of such notice to be determined by the South Australian State Council.

15.1.1 For all Extraordinary General Meetings, the Secretary shall give at least twenty one days notice of the date to all Branch member bodies and Lone Members; the manner of such notice shall be determined by South Australian State Council. There shall be written notification of the matter/s for discussion.

15.2 At all Annual General Meetings, General Meetings, Extraordinary General Meetings and Conferences, a quorum shall consist of delegates from a minimum of half the number of affiliated branches at that time.

15.3 Unless otherwise provided by this Constitution, at every Annual General Meeting, General Meeting, Extraordinary General Meeting and Annual Conference:-

15.3.1 The President shall be the Chairperson and in his/her absence the Vice-President or in his/her absence a Chairperson elected by resolution of a majority of the delegates at the meeting.

15.3.2 The Chairperson shall maintain order and conduct the meeting in a proper and orderly manner.

15.3.3 The Association's Secretary shall keep full and accurate minutes of all resolutions and other proceedings of every South Australian State Council Meeting, Annual General Meeting, General Meeting, Extraordinary General Meeting, or Annual Conference of the Association, such minutes to be available for inspection at all reasonable times by any financial member who previously applies to the Secretary for such inspection.

15.3.4 Any financial member is entitled to speak on any motion at any Annual General meeting, General Meeting, Extraordinary General Meeting, or Annual Conference of the Association.

15.3.5 Every question, matter or resolution shall be decided by a majority of votes of the delegates present, with the exception of any matters pertaining to the alteration of this Constitution or the Association's OBJECTS and POLICY when a majority of at least three quarters of those eligible to vote shall be necessary.

- 15.3.6 In the case of an equality of votes, the Chairperson shall have a second or casting vote.
- 15.4 The business to be transacted at every ANNUAL GENERAL MEETING shall be:-
- 15.4.1 The receiving of the Treasurer's balance sheet and statement of accounts for the preceding financial year, and the receiving of the Auditor's report upon the books and accounts for the preceding financial year.
- 15.4.2 The determination of the annual subscription.
- 15.4.3 Any proposed amendments to this Constitution, of which proper notice has been given.
- 15.4.4 Any proposed amendments to the Association's Policy, of which proper notice has been given.
- 15.4.5 The appointment of an Auditor and
- 15.4.6 The election, by secret ballot, of the South Australian State Council Executive.
- 15.4.7 The appointment of Branch delegates.
- 15.5 The business to be transacted at every ANNUAL CONFERENCE shall be:-
- 15.5.1 The receiving of reports from the State President, every Branch President and the Lone Member Officer of the Association.
- 15.5.2 The consideration and resolution of motions from Branch member bodies, South Australian State Council and Lone Members; such motions to have precedence on the Agenda as follows;
- 15.5.2.1 Motions which are in the hands of the Association's Secretary four weeks prior to the date of the Annual Conference
- 15.5.2.2 Any late motions presented on a Supplementary Agenda, in accordance with any By-Laws implemented from time to time.
- 15.5.2.3 Motions from the floor only with the consent of delegates after the motion is read to the conference by the Chairperson, in order of receipt.

15.5.3 Such policy and administrative reports as determined by South Australian State Council.

15.5.4 The presentation of papers by guest speakers as determined by South Australian State Council.

15.5.5 Such other matters as the South Australian State Council in its discretion may from time to time decide.

16 VOTING ENTITLEMENT

16.1 At every Annual Conference those entitled to vote are-

16.1.1 Two delegates from each Branch member body, duly nominated and registered; such delegates to be financial members of that Branch.

16.1.1.1 If it so chooses, a Branch may send as delegates two individual ordinary members or two members of the same ordinary member family, or one of each.

16.1.1.2 Either delegate may be replaced by a duly nominated and registered delegate, who is also a financial member of the Branch.

16.1.1.3 When only one delegate from a Branch attends that delegate may exercise two votes for that Branch member body.

16.1.2 South Australian Life Members and currently serving members of the South Australian State Council shall be delegates.

16.1.3 Provided there are at least five Lone Members within South Australia they shall be entitled to a maximum of two delegates, who must be selected from financial Lone Members within the state.

16.2 At every Annual General Meeting, Extraordinary General Meeting, and General Meeting, each financial member present shall be entitled to one vote.

16.3 At all Annual General Meetings, General Meetings, Extraordinary General Meetings and Conferences the Chairperson shall have a deliberative and, where the voting is equal, a casting vote.

17 PATRON

- 17.1 A Patron may be appointed by South Australian State Council subject to any By-Laws of the Association.

18 BY-LAWS

- 18.1 The South Australian State Council may from time to time make, amend or repeal By-Laws not inconsistent with this Constitution, for the internal management of the Association; any By-Law may be set aside by delegates at a properly convened meeting.

19 ALTERATIONS TO THE CONSTITUTION

- 19.1 This Constitution may be amended at any Annual General Meeting or Extraordinary General Meeting by a resolution that is carried by a majority of at least three quarters of the delegates eligible to vote at the Annual General Meeting or Extraordinary General Meeting.

- 19.1.1 At least twelve weeks notice of any proposed alteration to this Constitution shall be given to the Secretary who shall notify all Branches and Lone Members of such proposed alterations at least eight weeks prior to the Annual General Meeting or Extraordinary General Meeting.

20 FUNDS

- 20.1 The income and the property of the Association shall be applied in promotion of its OBJECTS.
- 20.2 The funds of the Association shall be banked in the name of the Association in such financial institutions as the South Australian State Council may from time to time direct.
- 20.3 Proper books and accounts shall be kept and maintained showing correctly the financial affairs of the Association and the particulars usually shown in books of a like nature.
- 20.4 Accounts for payment shall be presented and passed at a South Australian State Council meeting, and payments, which have been made, presented for approval.
- 20.5 No honorarium shall be granted to any person from the funds of the Association and no dividend shall be paid to, and no income or property of the Association, shall be distributed amongst the members.

- 20.6 The Annual General Meeting shall appoint an Auditor.
- 20.7 The Auditor shall examine and audit all the books and accounts of the Association and its subcommittees annually, and have the power to call for all books, papers, accounts, receipts and minute books etc of the Association and report thereon to the Annual General Meeting.

21 INSPECTION OF RECORDS OF THE ASSOCIATION

- 21.1 A member may at any reasonable time inspect without charge the books, documents, records and securities of the Association.

22 DISSOLUTION

The Association shall be dissolved:-

- 22.1 If the membership is fewer than fifteen financial members.
- 22.2 If a **special** resolution to that effect is carried by a vote of a three-**quarters** majority of the delegates at a General Meeting convened to consider the question.
- 22.3 If, on the winding up of the Association, any property of the Association remains after satisfaction of the debts and liabilities of the Association and the costs, charges and expenses of that winding up, that property shall be distributed to Federal Council.

President: Lisa Slade

Secretary: Frances Frahn

31st March 2017

Index.

Section	Page
19 Alterations to the Constitution	13
15 Annual General Meetings of the Association	10
10 Annual Subscription	7
18 By Laws	13
15 Conferences of the Association	10
3 Definitions	2
9 Deregistration of Lone Members	6
9 Dissolution and Deregistration of Member Bodies	6
22 Dissolution of the Association	14
15 Extraordinary General Meetings of the Association	10
13 Functions of the South Australian State Council	8
20 Funds	13
15 General Meetings of the Association	10
21 Inspection of the Association's Records	14
4 Interpretation	3
11 Management	8
14 Meetings of the South Australian State Council	9
8 Member Bodies	6
7 Membership	5
1 Name	1
2 Objects	1
17 Patron	13
6 Policy	4
5 Powers of the Association	3
12 Vacancies on the South Australian State Council	8
16 Voting Entitlement	12