



## CONSTITUTION for MEL MARIA CATHOLIC PRIMARY SCHOOL P & F ASSOCIATION

### AIM

The Association is a group of parents and friends with the common purpose, to assist in the provision of a Catholic education for the children.

### 1. NAME OF ASSOCIATION

The name of the unincorporated Association shall be the Mel Maria P & F Association.

### 2. DEFINITIONS

- (a) AGM means the Annual General Meeting.
- (b) Association means the body of Parents and Friends of the children in the School and includes ex officio membership of the Principal and Parish Priest, or their respective appointed representatives.
- (c) Executive Committee means the primary Office Bearers of the Association, being: President; Vice-President; Secretary; and Treasurer.
- (d) Financial Year means from 1 January to 31 December in each year.
- (e) Friend means any person who supports the objects of the Association.
- (f) General Meeting means any meeting to which all members are invited, including the AGM and a Special General Meeting.
- (g) Governing Bodies mean the Principal and School Board.
- (h) Member means member of the Association.
- (i) Parent means any parent, guardian or carer of a child attending the School.
- (j) Parish Priest means the priest or priests of the parishes associated with the campus or campuses of the School, from time to time.
- (k) Principal means the Principal of the School, from time to time.
- (l) School means Mel Maria Catholic Primary School.

### 3. OBJECTS OF THE ASSOCIATION

(a) The objects of the Association act to fulfil the aim of the Association. The objects are:

- (i) Work within the spirit and letter of these rules;
- (ii) Strive to build tangible and lasting relationships between Parents, Parish and School so that the students may experience a sense of Christian community;
- (iii) Recognise and respect the authority of the Principal as leader of the School community and work closely with the Governing Bodies to achieve common goals and the School vision;
- (v) Plan, organise and promote social, sporting, cultural and educational activities for interaction of: Parents, students, staff and Parish;
- (vi) Encourage parental participation in school programs, to enjoy the exciting experience of their children's formal school years;



- (vii) Act as a forum for ideas and discussion on any relevant issue that will benefit the education of the children;
- (viii) Organise guest speakers for the Members on current and suggested educational programs, faith development and other matters of interest;
- (ix) Work to provide in-kind or financial resources that the Association deems necessary for the children, or of professional assistance to the teachers in consultation with the Governing Bodies.

(b) The property and income of the Association shall be applied solely towards the promotion of the objects or purposes of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to Members, except in good faith in promotion the objects.

#### 4. MEMBERSHIP OF THE ASSOCIATION

The Members of the Association are:

- (a) all Parents;
- (b) any Friends; and
- (c) the Parish Priest and the Principal, or their respective appointed representatives, who are deemed ex-officio Members.

#### 5. REGISTER OF MEMBERS

- (a) In the case of those qualifying for membership as Parents, the School roll shall be considered as the register of Members.
- (b) The Executive shall cause a register to be kept in which shall be entered the names of all persons admitted to membership as Friends. The minutes of a meeting may be used as the register. Membership of a Friend may be reviewed each year.
- (c) The Secretary, shall keep and maintain, in an up-to-date condition, a register of the members of the Executive Committee comprising:
  - (i) Name;
  - (ii) Position;
  - (iii) Contact number; and
  - (iv) Email address.
- (d) The register shall be available for inspection to any Member.

#### 6. EXECUTIVE COMMITTEE

- (a) The Association shall be governed by an Executive Committee that shall include the four (4) Office Bearers:
  - (i) President;
  - (ii) Vice-President;
  - (iii) Secretary; and
  - (iv) Treasurer.
- (b) The School Principal, or representative, may have ex officio representation on the Executive Committee.



## 7. ELECTION OF OFFICE BEARERS AND VOTING RIGHTS OF MEMBERS

- (a) The Executive Committee members shall be elected at the AGM. For the purpose of this election only, the Principal, Parish Priest, or their nominated representative, will occupy the Chair.
- (b) Any Member, who is present at the AGM, or has consented in writing to be elected, shall be eligible for election to the Executive Committee.
- (c) No ex-officio Member, or their representative, may be elected to the Executive Committee.
- (d) An Executive Committee member's term will commence from the time of election at the AGM until the next AGM at which point they are eligible for re-election.
- (e) Except for nominees under sub-rule (h), a person is not eligible for election to membership of the Executive Committee unless a Member has nominated them for election by delivering, to the Secretary, not less than seven (7) days before the day the AGM is held, notice in writing of that nomination, signed by:
- (i) the nominator; and
  - (ii) the nominee, to signify a willingness to stand for election.
- (f) A person who is eligible for election or re-election under this rule may:
- (i) propose or second their own nomination; and
  - (ii) vote for themselves to be elected.
- (g) If the number of persons nominated in accordance with sub-rule (a), for election to membership of the Executive Committee, does not exceed the number of vacancies to be filled in that membership:
- (i) that fact will be duly reported by the Secretary at the AGM; and
  - (ii) the Chair must declare at the AGM that those persons are duly elected as members of the Executive Committee.
- (h) If vacancies remain on the Executive Committee after the declaration under sub-rule (g), additional nominations of Executive Committee members may be accepted from the floor of the AGM. If such nominations from the floor do not exceed the number of vacancies, the Chair must declare those persons to be duly elected as members of Executive Committee. When the number of nominations from the floor exceeds the remaining number of vacancies on the Executive Committee, elections for those positions must be conducted. In such instances a secret ballot is to be conducted under the direction of the Secretary with the recipient of the highest number of votes duly elected. Any tied votes are to be decided by the drawing of lots.
- (i) If a vacancy remains on the Executive Committee after the application of sub-rule (h), the Executive Committee may appoint a Member as a casual vacancy, within the meaning of Rule 8.

### VOTING RIGHTS

- (j) Subject to these Rules, any Member present in person at a General Meeting shall be entitled to a deliberative vote.
- (k) Ex-officio members of the Association and staff of the School are not entitled to a deliberative vote.



## 8. VACATION OF OFFICE AND CASUAL VACANCIES

- (a) The term of office of Executive Committee members will be one year, from AGM to AGM, at the conclusion of which period they shall vacate their positions, but shall be eligible for re-election.
- (b) A person shall not hold any particular office of the Executive Committee for more than two (2) consecutive years.
- (c) If an Executive Committee member has served their maximum term and no nomination is forthcoming for that position, the Members may reappoint the incumbent to that position.
- (d) Executive Committee members who wish to resign during their elected term may do so providing they give one month's notice to the committee.
- (e) A member of the Executive Committee shall be deemed to have resigned if:
  - (i) without submitting an acceptable apology, he or she is absent from two consecutive meetings of the Executive Committee;
  - (ii) in accordance with a decision of a majority of the Executive Committee he or she is required to resign from the Executive Committee and fails to do so within 14 days of the date upon which notification of the decision of the Executive Committee is forwarded to him/her stating the reasons for this action.
- (f) Vacancies in the Executive Committee may be filled casually by any Member, as appointed by the Executive Committee, and serve with full voting rights until the next AGM.

## 9. CHAIR

- (a) Subject to Rule 7(a), the President shall conduct and chair all General Meetings, Special General Meetings and Executive Committee meetings. The President is empowered to regulate the proceedings and procedure including, with the consent of the meeting, adjournment of business.
- (b) In the absence of the President at a General Meeting, Special General Meeting or Executive Committee meeting, the Vice-President shall have the power to conduct and chair the meeting and in the absence of the Vice-President, the Members present and entitled to vote shall have the power to select the Chair.

## 10. SECRETARY

The Secretary shall:

- (a) co-ordinate the correspondence of the Association;
- (b) keep full and correct minutes of the proceedings of the Executive Committee and Association;
- (c) have custody of all books, documents, records and registers of the Association, including those referred to in Rule 5, other than those required by Rule 11 to be kept and maintained by, or to be in the custody of, the Treasurer, unless the Members resolve otherwise at a General Meeting; and
- (d) perform such other duties as are imposed by these rules.



## 11. TREASURER

The Treasurer shall:

- (a) be responsible for the receipt of all moneys paid to or received by the Treasurer on behalf of the Association and may issue receipts for those moneys in the name of the Association;
- (b) pay all moneys referred to in paragraph (a) into such account or accounts of the Association as the Executive Committee may from time to time direct;
- (c) make payments from the funds of the Association with the authority of a General Meeting and in so doing ensure that all cheques are signed in accordance with Rule 14(c);
- (d) maintain the accounting records of the Association by:
  - (i) keeping such accounting records as correctly record and explain the financial transactions and financial position of the Association;
  - (ii) keeping its accounting records in such manner as will enable true and fair accounts of the Association to be prepared from time to time;
  - (iii) keeping its accounting records in such manner as will enable true and fair accounts of the Association to be conveniently and properly audited; and
  - (iv) submitting to Members, at each AGM, accounts of the Association at the end of the immediately preceding Financial Year.
- (e) at each General Meeting, submit a report, balance sheet or financial statement and any other report as directed by the President.
- (f) unless the Members resolve otherwise at a General Meeting, have custody of all securities, books and documents of a financial nature and the accounting records of the Association, including those referred to in sub-rule (d) and (e); and
- (g) perform such other duties as are imposed by these rules.

## 12. GENERAL MEETINGS OF THE ASSOCIATION

- (a) The AGM shall be held as close as practicable to the end of the school year to:
  - (i) receive and consider the annual reports of the office bearers, including but not limited to:
    - A. President's Report; and
    - B. Treasurer's Financial Report;
  - (ii) elect the members of the Executive Committee for the ensuing year; and
  - (iii) deal with any other matter or matters brought before the meeting.
- (b) General Meetings shall be held regularly (preferably monthly) during the school year, and otherwise as determined by the Executive Committee.
- (c) Where possible, matters to be brought before the Association at a General Meeting shall be submitted in writing to the President or Secretary at least five (5) days prior to the meeting, to facilitate circulation and/or inclusion on the agenda.
- (d) A Special General Meeting of the Association



(i) may be convened by the President or Secretary or by the Members at any time, and shall be convened by them within fourteen (14) days or within a 28 day period if the request is not within a school term, of receiving a requisition in writing signed by at least ten (10) Members. These signatories shall be required to attend the meeting so called or submit a written apology. In order for the meeting to be valid, at least five (5) of the signatories must attend the meeting. The requisition must itemise all matters to be discussed at the meeting.

(ii) will be convened within fourteen (14) days at the request of any of the school Governing Bodies.

(iii) items for discussion will be limited to the matters relating to the calling of such a meeting.

(e) Notification of a General Meeting will be given to all Members at least seven (7) days prior to the General Meeting.

#### QUORUM AT MEETINGS

(f) At any General Meeting, a total of six (6) Members of the Association, including at least two (2) Office Bearers, shall constitute a quorum.

#### CONFLICT OF INTEREST

(g) If a Member has potential to receive an extraordinary benefit not shared by other Members, they must promptly declare that fact and withdraw from the discussion. Records of the meeting must record that fact. That is to say:

(i) a Member having any direct or indirect pecuniary interest in a matter or proposition, made by, or in the contemplation of, the committee (except if that pecuniary interest exists only by virtue of the fact that the Member is a member of a class of persons for whose benefit the Association is established), must:

A. disclose to the meeting, the nature and extent of the conflict of interest; and

B. withdraw from deliberations or decision, with respect to that matter.

(h) The Secretary must record in the minutes of each meeting:

(i) every disclosure under sub-rule (e); and confirm;

(ii) every withdrawal under sub-rule (e).

#### DECISIONS AT GENERAL MEETINGS

(i) Members of the Association may by ordinary or special resolution exercise any power authorised by these rules.

(j) Matters arising at any General Meeting shall be decided by a majority of votes and in the case of equality of votes the motion lapses.

(k) The Executive Committee shall not act in a manner inconsistent with any resolution of the Association.

(l) If, for any reason, the Executive Committee does not function satisfactorily,



assistance from the Principal may be sought.

### 13. POWERS OF THE ASSOCIATION AND ITS MEMBERS

(a) The Members may do all things necessary or convenient for carrying out its objects, but subject to its ability to give such security for the discharge of liabilities incurred by the Association, as the Association sees fit. These include but are not limited to:

- (i) being responsible for the planning, management and organisation of the Association's affairs;
- (ii) holding regular (preferably monthly) General Meetings that are open to all Members and staff;
- (iii) formulating guidelines of the Association to be applicable to such meetings or procedures as the Members may determine;
- (iv) establishing such sub-committees as they may determine to give effect to the aims of the Association;
- (v) providing for the election or appointment of Members to any such subcommittee and for the terms of reference for conduct and operation thereof;
- (vi) providing for the election or appointment of officers, including definition of duties, responsibilities and authority;
- (vii) appointing delegates to other groups (e.g. School Board, Parish Council);
- (viii) raising and distributing funds in accordance with the aims and guidelines of the Association.

### 14. FINANCE

(a) The Association shall establish, or if already established continue to operate, an account with a reputable financial Institution in the name of the Association, in which funds of the Association are to be deposited.

(b) All funds raised by or on behalf of the Association must be banked promptly and fully intact into an account in the name of the Association.

(c) Authorised signatories to the account are any two (2) of the Executive Committee and cheques drawn upon the account shall be signed by any two (2) of the Executive Committee.

(d) At the end of their term of office, their signatures must be removed and replaced by the signatures of the incoming officers.

(e) The Association shall, where possible, manage all funds in consultation with the School Principal and the financial proposals received from the School and the Governing Bodies.

(f) Any single proposal from the School or the Governing Bodies, in excess of the amount set out in the guidelines, must show detailed quotes or other information to the reasonable satisfaction of the Executive Committee before the funds are distributed.



#### 15. P & F LEVY

The P & F levy amount is recommended by the retiring Executive Committee to the AGM each year, for approval by the Members and Governing Bodies.

#### 16. NON-PROFIT MAKING

The funds, income and property of the Association howsoever derived shall be applied solely towards the promotion of the objects of the Association. No portion of the funds, income and property of the Association shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever to the Members, provided that nothing shall prevent the payment in good faith of remuneration to any officer or servant of the Association or reimbursement for costs incurred in the service of the Association.

#### 17. AMENDMENT

These rules may be amended at any General Meeting of the Association, provided that:

- (a) notice of any proposed amendment, including: the meeting time, date and venue; the resolution; and the intention to propose the resolution, shall have been given in writing to all Members at least one month prior to such meeting, and,
- (b) the amendment must be approved by at least 75% of the Members present and eligible to vote;
- (c) all amendments must be in accordance with the objects of the Association;
- (d) a formal review of these rules may be conducted under the direction of the Executive Committee every five (5) years or at such times as the Executive Committee decides. A report and recommendations arising from the review shall be submitted to the next AGM for consideration.

#### 18. RULES BINDING

These rules bind every Member and the Association to the same extent as if every Member had signed these rules and agreed to be bound by all their provisions.

#### 19. INSPECTION OF BOOKS AND RECORDS OF ASSOCIATION

A member may at any reasonable time inspect without charge the books, documents, records and securities of the Association, but may not remove them from the custody of the person to whom they are entrusted.

#### 20. DISSOLUTION – WINDING UP OF THE ASSOCIATION

- (a) The Association is automatically dissolved if the School closes down, is amalgamated or separated into two schools.
- (b) Members can decide at a Special General Meeting to wind up an Association





voluntarily only if it is solvent. This means that the Association must be able to pay all of its debts and liabilities.

(c) Notice of the proposal to wind-up the Association, including: the meeting time, date and venue; the resolution; and the intention to propose the resolution, shall have been given in writing to all Members at least one month prior to such meeting, and the resolution must be approved by at least 75% of the Members present and eligible to vote.

(d) If, in the event of 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 according to resolution by the Members:

- (i) where the School is closed, to the Parish Priests for the Parishes;
- (ii) where the School is amalgamated, to the Principal of the amalgamated school for the purposes of the amalgamated school or the newly created parents and friends association for the amalgamated school;
- (iii) where the School is split into two schools, to the newly created parents and friends association for each school in proportion as determined by the Executive Committee;
- (iv) alternatively, to another incorporated association having objects similar to those of the Association; or
- (v) for other charitable purposes.

## 21. DISPUTES AND MEDIATION

(a) The grievance procedure set out in this rule applies to disputes under these rules between:

- (i) a Member and another Member; or
- (ii) a Member and the Association.

(b) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.

(c) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.

(d) The mediator must be:

- (i) a person chosen by agreement between the parties; or
- (ii) in the absence of agreement, a person appointed by the Executive

Committee of the Association.

(e) A Member of the Association can be a mediator.

(f) The mediator cannot be a member who is a party to the dispute.

(g) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

(h) The mediator, in conducting the mediation, must:

- (i) give the parties to the mediation process every opportunity to be heard;
- (ii) allow due consideration by all parties of any written statement submitted by any party; and



(iii) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

(i) The mediator must not determine the dispute.

(j) The mediation must be confidential and without prejudice.

Adopted by the AGM of the Association