

CONSTITUTION OF THE SCIENCE TEACHERS' ASSOCIATION OF WESTERN AUSTRALIA (INC.).

1.0 Name

The Science Teachers' Association of Western Australia (Inc).

Henceforth referred to in this document as STAWA

2.0 Objectives

To promote the teaching of science and to foster the professional development of science teachers.

3.0 Powers.

The Association has the power to do all such things as are necessary, incidental or conducive to the attainment of the objectives of the Association.

4.0 Membership

4.1 Eligibility

4.1.1 Membership of the Association is open to persons interested in the objectives of the Association.

4.2 Membership Categories:

4.2.1 Individual Memberships:

4.2.1.1 Full membership is the standard membership category. Full members receive all benefits of the Association, including full voting rights at Annual and Special General Meetings and affiliation with the Australian Science Teachers Association (ASTA). Full members receive all state and national benefits.

4.2.1.2 Joint membership is intended for two or more people living together, both of whom receive Full membership benefits, but only receive one set of journals and information.

4.2.1.3 Various Associate memberships are available. Associate members receive all state benefits, except Associate members will have no voting rights at STAWA Annual and Special General Meetings. Associate members are not affiliates of ASTA.

4.2.1.4 Honorary memberships are exempt from paying membership fees for the duration of that Honorary membership. Honorary members are not affiliates of ASTA nor do they have STAWA voting rights. Honorary members receive the same benefits as Associate members.

4.2.1.5 Life membership entitles the recipient to the benefits of Full membership and exemption from paying membership fees for the duration of that member's life-time.

4.2.2 Other Memberships:

4.2.2.1 Primary School membership is a category in which the school receives one copy of posted materials and limited access to individual member's benefits. A Primary School membership includes affiliation with ASTA. A Primary School membership has one vote at a general meeting of the Association.

4.2.2.2 Corporate membership is a category in which the corporation receives one copy of posted materials and limited access to individual member's benefits. A Corporate membership includes affiliation with ASTA. A Corporate membership has one vote at a general meeting of the Association.

4.2.2.3 Library membership is a category in which the Library receives one copy of posted materials.

5.0 Expulsion of Members.

5.1 A member of the Association can only be expelled on a unanimous decision of the Council.

5.2 The expelled member will have the right to appeal against the expulsion by presenting his/her case to an Annual General Meeting or a Special General Meeting.

5.3 The decision on the expulsion will then be determined by the majority vote of the meeting.

6.0 Subscription.

6.1 The Treasurer, in consultation with the Council, shall move a motion at the Annual General Meeting in which the Full members' annual subscription fee is set.

6.2 The motion is determined at the Annual General Meeting by the vote of Full members present.

6.3 If the motion for setting the Full members' fee is defeated at the Annual General Meeting, the Full members' fee shall be the same as the previous year's fee.

6.4 The Full members' annual subscription fee will be the fee from which all other fees are determined.

7.0 Council

7.1 The Functions of the Council:

7.1.1 To set the strategic direction of the Association.

7.1.2 To ensure the good management of the Association in accordance with the Constitution of the Association.

7.2 The Composition of the Council:

The Council shall consist of:

7.2.1 The President

7.2.2 The President Elect/Immediate Past President

7.2.3 The Vice-President.

7.2.4 The Secretary.

7.2.5 The Treasurer.

7.2.6 Eight Councillors, each of who will facilitate one or more of the committees, activities or functions of STAWA.

7.2.7 The Chief Executive Officer of STAWA, a non-voting member of Council.

7.3 The Election of the Council

7.3.1 Council nomination forms are to be sent to all members with the notice of the Annual General Meeting not less than 21 days prior to the Annual General Meeting.

- 7.3.2 The Secretary will close nominations for positions on Council one hour before the advertised time of the start of the Annual General Meeting, except those positions for which there have been no nominations.
- 7.3.3 The Secretary is to call for nominations for any positions for which there have been no nominees before the Annual General Meeting is opened.
- 7.3.4 Each nomination must be signed by the nominee, a nominator and seconder, each of whom must be a financial, Full member of the Association.
- 7.3.5 Each position on the Council shall be declared vacant at the commencement of the election of Councillors at the Annual General Meeting.
- 7.3.6 Councillors may nominate for re-election subject to other provisions of this Constitution.
- 7.3.7 Councillors shall be elected by a simple majority vote of Full members present at the Annual General Meeting.
- 7.3.8 Every second year a President Elect is elected for a four year term consisting of one year as President Elect, two years as President and one year as Immediate Past President.

7.4 Vacancies on Council

- 7.4.1 A Councillor may discontinue serving as a Councillor by:
 - 7.4.1.1 retiring, upon giving the Secretary notice in writing of his/her intention to do so.
 - 7.4.1.2 forfeiting his/her position, by being absent from three successive meetings of the Council without leave of absence having been granted.
- 7.4.2. The Council may resolve to co-opt a member to fill a Council vacancy arising from:
 - 7.4.2.1 the retirement of a Councillor or forfeiture of his/her position, or
 - 7.4.2.2 there being no member elected to fill a position declared vacant at the Annual General Meeting.
 - 7.4.2.3 The agreement of the member to be co-opted shall be recorded in the Minutes of the Council Meeting following the member's co-option to Council.

7.5 Chief Executive Officer

- 7.5.1 STAWA Council shall appoint a Chief Executive Officer to manage the affairs of the Association.
- 7.5.2 The Chief Executive Officer is the public officer of the Association.

7.6 Proxies

- 7.6.1 In the event of a Councillor being unable to attend a Council meeting, a proxy with the power to vote, may be appointed in writing by that Councillor. The proxy will be a member of the same committee or a current Councillor.
- 7.6.2 A voting member may appoint an individual, who is also a voting member, as his or her proxy to vote and speak on their behalf at a general meeting.
- 7.6.3 A voting member may be appointed the proxy for not more than 3 other members.

7.6.4 Applications for proxy voting must be submitted on the form provided in appendix 1 and presented prior to the commencement of the meeting

8.0 Committees

- 8.1 The Council shall have the power to establish committees to assist in the function of the Council.
- 8.2 These committees may operate for all or part of the term of the Council.
- 8.3 A committee member, subcommittee member or ordinary member is entitled to be paid out of STAWA funds, once authorised by a resolution of the Council, for any out-of-pocket expenses properly incurred in connection with STAWA business.

9.0 Common Seal.

- 9.1 The Common Seal of the Association, engraved with the name of the Association, shall be kept in the care of the President.
- 9.2 The Seal shall not be used or offered to any deed or other document except pursuant to a resolution of the Council and in the presence of the President and two members of the Council, both of who shall subscribe their names as witnesses.

10.0 Meeting

10.1 Council Meeting

- 10.1.1 There shall be at least ten Council Meetings each year.
- 10.1.2 The quorum at normal Council meetings is no less than one half of the total Council, excluding any positions that remain vacant.

10.2 General Meeting

- 10.2.1 There shall be an Annual General Meeting, and such other Special General Meetings as decided and convened by the President.
- 10.2.2 Special General Meetings shall be called by the President at the request of at least ten percent (10%) of the financial voting members.
- 10.2.3 The quorum for all General Meetings shall be thirty (30) financial voting members.

10.3 Use of technology to be present at meetings

A member who participates in a committee meeting or general meeting by being simultaneously in contact by means of instantaneous communication is taken to be present at the meeting and, if the member votes at the meeting, the member is taken to have voted in person.

11.0 Financial Year.

The financial year will be from the 1st July to the 30th of June of the following year.

12.0 Non-Profit

The property and income of the Association shall be applied solely toward the promotion of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to the members of the Association, except under a bona fide written agreement which promotes or furthers the objectives of the Association.

13.0 Audit

13.1 Accounts of the Association

13.1.1 An audited set of accounts for the Association for the previous financial year shall be presented by the Treasurer, on behalf of STAWA Council, to the members present at the Annual General Meeting.

13.1.2 The Treasurer shall move a motion at the Annual General Meeting, on behalf of STAWA Council, that seeks the acceptance by the membership of the audited set of accounts.

13.2 Election of Auditor

13.2.1 The Treasurer, on behalf of STAWA Council, shall move a motion to appoint an auditor, who is not a Councillor, at the Annual General Meeting

14.0 Rights of Members to Obtain Information Concerning the Activities of the Association.

14.1 Any Full member or Full members of the Association may, at any time, by written inquiry addressed to any officer of the Council, ask the Association to provide any information regarding any of its activities.

14.2 The Council will be responsible for ensuring that officers of the Association respond to any such request within a reasonable period of time.

14.3 The information that may be requested by the Full member(s) is not restricted in any manner and may cover all of the financial and non-financial dealings of the Association.

14.4 Furthermore the response of the Association to the Full member(s) inquiry must be drafted in whatever manner is considered appropriate to uniquely satisfy all the information needs of the Full member(s) who initiate the inquiry.

14.5 In the case of a copy or extract of the members register, the Council will require the member to provide a statutory declaration setting out the purpose for which the case of a copy or extract is required and declaring that the purpose is connected with the affairs of the Association.

14.6 If a member requests that the Association provides them with written and detailed information or a copy of the register, a fee for service will be applied.

15.0 Alteration of the Constitution

15.1 Alterations to the Constitution shall only be made by motions presented to, and voted for, at an Annual General Meeting.

15.2 Notice of a motion or motions proposing alteration to the Constitution shall be given to the Secretary in writing at least one calendar month prior to the Annual General Meeting.

15.3 Notice of a motion or motions proposing alterations to the Constitution shall be circulated to members with the notice of the Annual General Meeting.

15.4 Alterations to the Constitution shall be decided by a vote of the Full members present at the Annual General Meeting with at least seventy five percent (75%) of votes in favour of the change. This equates to twenty three (23) Full members of the minimum thirty (30) members required for a quorum.

16.0 Dissolution

16.1 The Association may be dissolved or wound up by a resolution of 75 % of members voting at an Annual General Meeting or at a Special General Meeting called for such purpose.

- 16.2 If upon the dissolution or winding up of the Association there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to, transferred or distributed amongst the members of the Association.

Section 33(2) of the Associations Incorporation Act (1987) restricts the distribution of surplus funds and property to either an association incorporated under the above Act or for charitable purposes.

- 16.3 In accordance with Section 33(2) of the Associations Incorporation Act (1987) surplus funds and property shall be given to some other association incorporated under the above act having objectives similar wholly or in part to the objectives of the Association, provided that the incorporated association shall prohibit the distribution of its income and property among its members, or it shall be paid to or transferred to some charitable purpose. The incorporated association or charitable purpose shall be determined by the members of the Association at or before the time of the dissolution or winding up.
- 16.4 In default of any such resolution of any remaining property such payment, transfer or distribution shall be determined by a Judge of the District Court.

STAWA Constitution Appendix 1:

Appointment of Proxy

I
(MEMBER'S Name)

of
(MEMBER'S Address)

being a member of the Science Teachers' Association of Western Australia, STAWA.

APPOINT

.....
(PROXY'S name)

who is also a member of the Association (see Notes below), as my proxy.

My Proxy is authorised to vote on my behalf: (Tick only ONE of the following)

at the Council Meeting, Committee Meeting or General Meeting on:

.....
(Insert relevant date/s)

OR

in relation to the following resolutions (motions) and/or nominations:

In favour:

Against:

(Insert resolution Nos, brief descriptions
or nominee's name/s)

Insert resolution Nos, brief
descriptions or
nominee's name/s)

Signature: Date.....
(of Member appointing Proxy)

NOTES:

1. A proxy vote may be given to a person who is a member of the same Committee or a STAWA Council Member in the case of Committee and Council meetings, or a voting member in the case of General Meetings.
2. This written notice must be given to the secretary before the commencement of the meeting.
3. Any member can act as a proxy for no more than three members at any one meeting.