

Aboriginal and Torres Strait Islander
Early Childhood Sector Advisory Group
Incorporated.
(ATSIECSAG Inc.)

Rules of the Association

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GENERAL

1. ASSOCIATION RULES

These Rules apply to the Aboriginal and Torres Strait Islander Early Childhood Sector Advisory Group Incorporated, hereinafter referred to as 'ATSIECSAG'.

2. APPLICATION OF RULES

In these Rules;

- a. 'Aboriginal' means a person who:
 - i) is of Aboriginal descent or Torres Strait Islander descent;
 - ii) identifies as an Aboriginal or Torres Strait Islander; and
 - iii) is accepted by the Local Aboriginal community as an Aboriginal or Torres Strait Islander person.
- b. 'Act' means the *Associations Incorporation Act 1984*.
- c. 'AECSSU' means Aboriginal Early Childhood Services Support Unit.
- d. 'ATSIECSAG Committee' means the Office Bearers plus six (6) Committee Members.
- e. 'Regulation' means the *Associations Incorporation Regulation 1999*.
- f. The provisions of the *Interpretation Act 1997* to and in respect of these Rules, act in the same manner as those provisions if these Rules were an instrument made under the Act.
- g. 'Early Childhood Sector' means the sector that provides the provision of service to children and families in the 0-8 year age range.
- h. 'Fiduciary' means:
 - a) a person bound to act for others' benefit as a trustee;
 - b) having the nature of trust or relating to a trust or trustee; and
 - c) relating to something held in trust.
- i. 'Full member' means all Aboriginal and Torres Strait Islander people over the age of eighteen (18) and working in the NSW Early Childhood Sector.
- j. 'Associate Member' means:
 - a member of the Early Childhood Service Management Committee;
 - a parent of Aboriginal or Torres Strait Islander children; or
 - Non-Aboriginal or Torres Strait Islander workers in Early Childhood Services in NSW.

- k. 'Ordinary Member' means a member who is not an Office-bearer or Committee Member of ATSIIECSAG Committee.
- l. 'Office Bearers' means the President, Vice-President, Secretary and Treasurer.
- m. 'Department' is the NSW Department of Fair Trading which regulates the activities of Incorporated Associations under the Act.
- n. In these Rules –
 - a) a reference to a function includes a reference to a power, authority and duty; and
 - b) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.

3. FUNCTIONS AND POWERS

ATSIIECSAG may:

- a) Initiate legal proceedings or have legal proceedings commenced against in its name;
- b) For the purpose of enabling it to exercise its functions, ATSIIECSAG may purchase, exchange, take on lease, hold, dispose of and otherwise deal with property so far as is permitted by the Act; and
- c) Do and suffer all other things that incorporated Associations may, by law, do and suffer and that are necessary for, or incidental to, the exercise of its functions.

In the case of a conflict between the Rules of the ATSIIECSAG and those of the Act, the Act will always prevail.

4. DISSOLUTION OF ATSIIECSAG

In the event of winding up ATSIIECSAG, all surplus funds or assets of ATSIIECSAG are to be transferred to another like Association, as approved by the members of ATSIIECSAG.

5. NON PROFIT ORGANISATION

ATSIIECSAG is a non-profit organisation and prohibits securing pecuniary gain for its members.

It is prohibited for any income and/or property of the ATSIIECSAG to be paid or transferred either directly or indirectly to a member of ATSIIECSAG.

Notwithstanding the above, ATSIIECSAG will permit;

- (i) Any member of ATSIECSAG to be able to derive a pecuniary gain from ATSIECSAG by way of bona fide payment of remuneration and reimbursement of expenses incurred on behalf of ATSIECSAG; and
- (ii) Any member of ATSIECSAG to be able to derive from it a pecuniary gain to which the member would be entitled if the member were not a member of ATSIECSAG.

6. COMMON SEAL

The Common Seal of ATSIECSAG shall be kept on the premises of AECSSU.

The Common Seal shall not be affixed to any instrument except by the authority of the Committee.

The affixing of the Common Seal shall be attested by the signatures of either two (2) members of the Committee or of one (1) member of the Committee and one (1) of the Secretary or the Public Officer.

7. CUSTODY OF BOOKS

Except otherwise provided by these Rules, the Public Officer shall keep custody, or under their control, all records, books and other documents relating to ATSIECSAG at the office of ATSIECSAG.

SECTION 1 – GENERAL RULES

PART 1 – MEMBERSHIP ELIGIBILITY

- 1.1 A person is eligible to be a member of the ATSIECSAG;
- (i) who has been nominated and completed the Membership Form as set out in **Appendix 1** and has been approved for membership of the ATSIECSAG by the Committee of the ATSIECSAG;
 - (ii) the person does not hold an office of profit in the ATSIECSAG nor is directly or indirectly interested in any contract or proposed contract with ATSIECSAG; and
 - (iii) has lodged their application with the Secretary of ATSIECSAG outlining the type of membership applied for.

PART 2 – MEMBERSHIP CATEGORIES

Full Membership

- 2.1 Full Membership of the ATSIECSAG shall be open to all Aboriginal and Torres Strait Islander people working in the NSW Early Childhood Sector (who are aged 18 years and over).
- 2.2 Voting rights of renewed full members will commence immediately upon receipt of the membership fees.
- 2.3 Voting rights of new full members will not commence until the meeting immediately following the meeting at which the new full member was accepted.
- 2.4 Should the un-financial status of full members be more than one (1) year, their full membership shall revert to the status of new full members.

Associate Membership

- 2.5 Associate Membership of the ATSIECSAG shall be open to members of Management Committees in respect to Early Childhood Sector services.
- 2.6 To all Aboriginal and Torres Strait Islander parents and carers of early childhood children in the 0-8 years range.
- 2.7 Non Aboriginal or Torres Strait people working in the Early Childhood Sector and are aged 18 years and over.
- 2.8 Associate Membership enables non-Aboriginal people to be involved in meetings and activities but not to hold an ATSIECSAG Committee position or have voting rights.

PART 3 – CESSATION OF MEMBERSHIP

- 3.1 A person ceases to be a member of the ATSIECSAG if the person:
- (i) is deceased;
 - (ii) resigns their membership; or
 - (iii) is expelled from ATSIECSAG.

PART 4 – REGISTER OF MEMBERS

- 4.1 The Secretary shall establish and maintain a register of the members of ATSIECSAG, specifying their name and address as provided by the member.
- 4.2 The register shall also specify the member's category of membership.
- 4.3 It is to be the responsibility of the individual member to provide their current contact details to the Secretary of ATSIECSAG.

PART 5 – FEES

- 5.1 All members of ATSIECSAG shall, upon admission to membership, pay an annual membership fee of \$2.00.
- 5.2 Annual membership shall become prior to the AGM and shall expire before the commencement of the following AGM.

PART 6 – RIGHTS AND LIABILITIES OF MEMBERS

- 6.1 The liability of a member of the ATSIECSAG to contribute towards the payment of the debts and liabilities of ATSIECSAG or the cost, charges and expenses of the winding up to ATSIECSAG is limited to the amount, if any, unpaid by the member in respect of membership of ATSIECSAG.
- 6.2 Membership of ATSIECSAG does not confer upon members of ATSIECSAG any right, title or interest, whether legal or equitable in the property of ATSIECSAG.

PART 7 – EXPULSION, SUSPENSION & RESOLUTION OF DISPUTES

- 7.1 Any member whose conduct is deemed detrimental to the interests of ATSIECSAG, or who has persistently refused or neglected to comply with a provision of these Rules, may:
- (i) Be suspended from attending ATSIECSAG meetings for a period determined by members; but not longer than one (1) year (12 months); or
 - (ii) Be expelled from the ATSIECSAG.
- 7.2 A decision to suspend or expel a member may only be taken:
- (i) after full consultation in a meeting of the members in question;
 - (ii) by a decision carried by a two-thirds (2/3) majority of full

members at the meeting in question;

- (iii) if due notice of the proposed action against the member has been provided to the member, including the motion outlining the resolution of the Committee and the grounds on which it is based;
- (iv) if the notice states that the member may address the Committee at a meeting to be held not earlier than fourteen (14) days and not later than twenty eight (28) days after service of the notice;
- (v) if the notice states the date, place and time of that meeting; and,
- (vi) informing the member that the member may do either or both of the following; attend and speak at that meeting; submit to the Committee at or prior to the date of that meeting written representations relating to the resolution

PART 8 – RIGHT OF APPEAL OF DISCIPLINED MEMBER

- 8.1 A member may appeal to ATSIIECSAG in a Special General Meeting against a resolution of the Committee, within seven (7) days notice of the resolution being served on the member, by lodging with the Secretary a notice to that effect.
- 8.2 On receipt of a notice from a member under Part 7.2 (iv), the Secretary is to notify ATSIIECSAG which is to convene a Special General meeting of ATSIIECSAG to be held within twenty eight (28) days after the date on which the Secretary received notice.
- 8.3 At a Special General Meeting of ATSIIECSAG convened under Part 7:
- i) no business other than the question of the appeal is to be transacted, and
 - ii) the Committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
 - iii) the full members present in person are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked
- 8.4 If at the Special General Meeting the resolution is passed in favour the resolution is then confirmed.
- 8.5 If the disciplined member wishes to appeal the resolution they should refer to a Community Justice Centre for mediation in accordance with the *Community Justice Centres Act 1983*.

SECTION 2 - ATSIIECSAG COMMITTEE

PART 1 - NAME OF COMMITTEE

- 1.1 The Committee is to be named the 'ATSIIECSAG Committee' and, subject to the Act, the Regulation and these Rules and to any resolution passed by full members of ATSIIECSAG in a Special General Meeting (SGM) or Annual General Meeting (AGM).

PART 2 - POWERS OF THE ATSIIECSAG COMMITTEE

- 2.2 The power of the ATSIIECSAG Committee is to oversee and manage the affairs of ATSIIECSAG and the AECSSU.
- 2.3 The ATSIIECSAG Committee may exercise all such functions as may be exercised by ATSIIECSAG other than those functions that are required by these Rules to be exercised by a General Meeting of members of ATSIIECSAG.
- 2.4 The ATSIIECSAG Committee has the power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the AECSSU.
- 2.5 Each member of the ATSIIECSAG Committee is to hold office subject to these Rules until the conclusion of the AGM of the following date of the member's election.

PART 3 – MEMBERSHIP OF COMMITTEE

- 3.1 The ATSIIECSAG Committee shall consist of the following ten (10) full members:
- Eight (7) of those full members shall be elected at the AGM;
 - Two (2) NSW Aboriginal Education Consultative Group Incorporated representatives (elected by their own Association Management Committee);
 - One (1) NSW Multi-functional Aboriginal Children's Service (MACS) Representative (elected by members of MACS and Playgroups at their Annual Meeting) and
 - as *ex officio*, the Executive Officer of the AECSSU.
- 3.2 The office bearers of the ATSIIECSAG Committee are to be:
- i. President;
 - ii. Vice President;
 - iii. Secretary; and
 - iv. Treasurer.
- 3.3 These positions shall be elected from the full members of ATSIIECSAG at the AGM (See Nomination Form at **Appendix 3**).
- 3.4 Each of the Committee members shall hold office for a period of two (2) years commencing from the completion of the AGM.

- 3.5 The ten (10) elected members should represent the following categories:
- Aboriginal Identified Pre-schools (Rural and Metropolitan);
 - Aboriginal workers (Mainstream and Metropolitan services);
 - NSW Multi-functional Aboriginal Children's Services;
 - NSW AECG Inc. (Rural and Metropolitan Representatives);
 - Other Aboriginal Early Childhood Services – e.g. playgroups and mobiles.

PART 4 - CASUAL VACANCY

- 4.1 In the event of a casual vacancy occurring in the membership of the ATSIECSAG Committee, the Committee may appoint a full member from ATSIECSAG membership to fill the vacancy and the member so appointed is to hold office, subject to these Rules, until the conclusion of the AGM next following the date of the appointment.
- 4.2 A casual vacancy in the ATSIECSAG Committee occurs if the member:
- i. ceases to be a member of ATSIECSAG;
 - ii. becomes an insolvent under administration within the meaning of *Corporations Law*;
 - iii. resigns office by notice in writing given to the Secretary;
 - iv. is removed from office under section 1- part 7;
 - v. becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
 - vi. is absent without the consent of the Committee from three (3) consecutive meetings.

PART 5 - PRESIDENT

- 5.1 The term of office for the ATSIECSAG President shall be two (2) years.
- 5.2 The President must uphold the Rules of ATSIECSAG.
- 5.3 The President will be accountable to the members of the ATSIECSAG.
- 5.4 The President must ensure the successful functioning and the achievement of the aims and objectives.
- 5.5 The President must represent and act on behalf of the members in the intervals between Committee meetings and general meetings.
- 5.6 The President must represent ATSIECSAG on matters relating to policy, management and administration.
- 5.7 The President must table all correspondence and other materials to the ATSIECSAG Committee.
- 5.8 The President must open the Meeting when a quorum is present as well as

ask for any proxies or apologies.

- 5.9 The President must sign minutes of previous meeting as correct when they have been accepted by the Meeting.
- 5.10 In the case of elections, the President must ensure the appointment of a Returning Officer as determined by the ATSIECSAG Committee, one (1) month prior to the AGM.
- 5.11 The President must preserve order and warn any member who is causing a disturbance at a Meeting that the member may be removed.
- 5.12 The President must order the removal from the meeting of any member who, having been already warned and/or continues to cause a disturbance and may request assistance from the police to remove the member if it is considered necessary by the majority of members at the meeting.
- 5.13 The President must ensure that any debates are conducted in the correct manner and, in particular, that there is one (1) speaker at a time.
- 5.14 The President must rule “out of order” any motion which involves the ATSIECSAG acting outside its functions or powers under the Act or any other statute or rule of law.
- 5.15 The President must close or adjourn the meeting when:
 - (i) a motion to that effect is carried,
 - (ii) all business has been finished,
 - (iii) the meeting is excessively disorderly,
 - (iv) a quorum is no longer present.

PART 6 - PUBLIC OFFICER

- 6.1 The Public Officer must be an elected position from the ATSIECSAG Committee and will be a twelve (12) month appointment.
- 6.2 The ATSIECSAG Committee may, at any time, remove the Public Officer and appoint a new Public Officer.
- 6.3 The Public Officer must be deemed to have vacated the position in the following circumstances:
 - (i) are deceased,
 - (ii) resign,
 - (iii) become bankrupt,
 - (iv) become mentally ill, or
 - (v) ceases to be a resident of New South Wales.

- 6.4 When a vacancy occurs, the position of Public Officer must not remain vacant for more than fourteen (14) days. Within fourteen (14) days of a vacancy occurring, the Committee must notify the Registry of Co-operatives and Associations of the vacancy and appoint a new Public Officer.
- 6.5 The Public Officer must:
- (i) be responsible in collaboration with the ATSIECSAG Committee and if so directed authorise statements on behalf of ATSIECSAG in such a way as to further the aims and objectives of ATSIECSAG;
 - (ii) maintain the ATSIECSAG Common Seal in safe custody at the premises of AECSSU;
 - (iii) give notice of his or her appointment to the Registry within fourteen (14) days of the appointment;
 - (iv) apply to the Commissioner for approval of a change of name within one (1) month after passing a special resolution to change the name of ATSIECSAG;
 - (v) lodge, with the prescribed fee, the passing of a Special Resolution altering the statement of objects or Rules of ATSIECSAG, setting out the particulars of the alteration;
- 6.6 The Public Officer must also notify the Office of Fair Trading by prescribed form in the following circumstances:
- (i) appointments within fourteen (14) days;
 - (ii) a change of residential address within fourteen (14) days;
 - (iii) a change of ATSIECSAG's objects or Rules within one (1) month;
 - (iv) a change of ATSIECSAG's financials affairs within one (1) month after the AGM; and
 - (v) a change of ATSIECSAG's name within one (1) month.

PART 7 – VICE-PRESIDENT

- 7.1 The term of office for the Vice-President shall be two (2) years.
- 7.2 The Vice-President must assist the President in the effective carriage of the role and responsibility of that position.
- 7.3 In the absence of the President, the Vice-President must assume the role of the President.

PART 8 - SECRETARY

- 8.1 The term of office for the Secretary shall be two (2) years.
- 8.2 The Secretary must maintain a Register of all members showing details of class of membership, their names and addresses, dates of admission and registration as members.
- 8.3 The Secretary must maintain any correspondence in and out and inform the ATSI ECSAG Committee of such correspondence.
- 8.4 The Secretary must represent and act as appropriate on matters relating directly to the position, subject to the instructions of the AGM, ATSI ECSAG Committee Meeting or General Meeting at the interval between meetings.
- 8.5 The Secretary must make available all records for inspection by any financial member at such times as the ATSI ECSAG Committee determines. A member shall not, however, remove the original copies of any documents or records from the place in which the Secretary makes them available for inspection.
- 8.6 The Secretary must maintain a Register of expelled members of ATSI ECSAG indicating at which meeting the decision was made and a copy of the Minutes attached for reference.
- 8.7 The Secretary must maintain an accurate record of all meetings.
- 8.8 The Secretary must maintain, in conjunction with the President, the following:
 - i. a calendar of dates;
 - ii. venues and times of planned meetings; and
 - iii. call meetings and give the proper notice for such meetings in accordance with these Rules.
- 8.9 The Secretary must maintain an attendance book. The book must have inscribed the names of all the members who have attended each meeting, together with the signature of each member who is present.

PART 9 - TREASURER

- 9.1 The term of office for the Treasurer shall be two (2) years.

- 9.2 The Treasurer must oversee proper financial accounts and records of all transactions in relation to the operations of the ATSIECSAG Committee in consultation with the AECSSU Director.
- 9.3 The Treasurer must ensure that all monies received are deposited as soon as practicable in the ATSIECSAG bank account.
- 9.4 The Treasurer must ensure that the accounts and records of financial transactions of ATSIECSAG are inspected and audited by an auditor appointed by the ATSIECSAG Committee.
- 9.5 The Treasurer must ensure that a statement of accounts, together with an auditor's certificate in relation to the statement, is submitted at the ATSIECSAG AGM.
- 9.6 The Treasurer must submit a financial statement to each AGM and ATSIECSAG Committee meetings and is to be known as the "Treasurer's Report".
- 9.7 The Treasurer must submit to the AGM details of any expenditure, which in the Treasurer's opinion contravenes the Act, or the wishes of the majority of the members, or both.
- 9.8 The Treasurer must represent, and act where appropriate, on matters relating directly to the position, subject to the instructions of the AGM or ATSIECSAG Committee Meeting at the interval between meetings.
- 9.9 The Treasurer will oversee the issuing of a receipt for all monies received.

PART 10 – COMMITTEE MEETINGS

- 10.1 The ATSIECSAG Committee shall meet at least three (3) times in each period of 12 months at such place and time as the ATSIECSAG Committee may determine.
- 10.2 All ATSIECSAG Committee meetings must be given at least forty-eight (48) hours notice prior to such a meeting. A proposed agenda should accompany such a notice.
- 10.3 The President shall preside over the ATSIECSAG Committee meeting. In the absence of the President, the Vice-President shall preside over the ATSIECSAG Committee Meeting.
- 10.4 If both the President and the Vice-President are absent or are unwilling to preside, then one of the remaining Committee members may be chosen to by those members present to preside over the Committee meeting.
- 10.5 No business shall be transacted by the ATSIECSAG Committee unless a quorum is present.

- 10.6 If within a half an hour (30 minutes) of the time appointed for the ATSIIECSAG Committee meeting a quorum is not constituted, the ATSIIECSAG Committee meeting is to be adjourned to the following day at the same time and place.
- 10.7 If a quorum is not constituted at the adjourned ATSIIECSAG Committee meeting within a half an hour (30 minutes) of the time appointed, the ATSIIECSAG Committee meeting shall be dissolved.
- 10.8 A quorum at any ATSIIECSAG Committee Meeting will be six (6) elected members of the ATSIIECSAG Committee present in person or by proxy.
- 10.9 Any question arising at a meeting of the ATSIIECSAG Committee (or duly appointed sub-committee) shall be determined by a majority of the votes of the Committee members (or sub-committee) present in person or by proxy.
- 10.10 Each ATSIIECSAG Committee member is entitled to one (1) vote.
- 10.11 The person chairing the ATSIIECSAG Committee meeting is authorised to use a casting vote in the case of a deadlock.

PART 11 - NOMINATION FOR ATSIIECSAG COMMITTEE

- 11.1 Persons seeking nomination for election ATSIIECSAG Committee:
 - (i) Must be made in writing and signed by two (2) members of ATSIIECSAG and accompanied by the written consent of the candidate.
 - (ii) Nominees for the position of President and Vice President must demonstrate the essential criteria sought for these positions.
 - (iii) Nominated candidates for all other positions must provide a written response outlining how the candidate would fill the role and duties of that position.
 - (iv) All complete applications must be delivered to the ATSIIECSAG Secretary not less than twenty-one (21) days before the fixed date of the AGM at which the election is to take place.
 - (v) The election shall be a secret ballot, voting shall not be preferential and the candidate with the highest number of votes shall be elected, however;
 - Where only one nomination is received for an elected position the nominated candidate shall be declared elected.

- If the number of nominations received are equal to the nominations of vacancies to be filled the candidate nominated are taken to be elected.
 - If insufficient nominations are received, any vacant positions remaining on the ATSIIECSAG Committee are taken to be vacancies and such vacancies can be nominated at the AGM.
 - If the number of nominations received exceeds the number of vacancies to be filled a secret ballot is to be held.
- (vi) The election shall be conducted by a Returning Officer (not being an intended candidate for election or a voting member), to be appointed by the ATSIIECSAG Committee one (1) month prior to the AGM. A second person should be elected for the position of Returning Officer in case mitigating circumstances arise.

PART 12 – HOLDING AN ANNUAL GENERAL MEETING

- 12.1 ATSIIECSAG shall, at least once in each calendar year and with six (6) months after the end of the financial year, convene an Annual General Meeting (hereafter “AGM”).
- 12.2 The Secretary of ATSIIECSAG shall provide twenty - eight (28) days notice prior in writing to each full financial member of an impending AGM.
- 12.3 Notice shall be provided to each member from the details appearing on the register of members.
- 12.4 Notice provided under Rule 12.2 above shall provide a specific time and place for the meeting as well as a date on which the meeting is to be held.
- 12.5 The Secretary must give prior notice of the cancellation of the meetings as soon as possible (where possible, twenty four (24) hours notice).

PART 13– NOMINATIONS

- 13.1 Office-Bearers positions will be vacated at the AGM at the completion of their two (2) year tenure with nominations for these positions being called at least twenty-eight (28) days prior to the date of the AGM.

- 13.2 All other Committee positions will be vacated at the AGM with nominations for these positions being called at least twenty-eight (28) days prior to the date of the AGM.
- 13.3 Nominations for all ATSIECSAG positions must be in writing, stating the area the nominee represents in the Early Childhood Sector. It must also be signed by the nominee and received by the Secretary no less than two (2) weeks prior to the date of the AGM.

PART 14 – QUORUM

- 14.1 No item of business shall be transacted at the AGM unless a quorum of full members entitled to vote under these Rules is present in person.
- 14.2 If, within thirty (30) minutes, after the appointed time for the commencement of an AGM, a quorum is not present; the meeting shall be adjourned until a future date is set and notice given of the meeting.
- 14.3 Two-thirds (2/3) of Full members present in person shall constitute a quorum for the holding of an AGM.

PART 15 – BUSINESS OF ANNUAL GENERAL MEETING

- 15.1 *The business of the AGM shall consist of, amongst other things:*
- a) To confirm the minutes of the preceding AGM and/ or Special General Meeting (SGM);
 - c) to elect the Committee members;
 - d) to receive and consider from the Treasurer the audited financial statements;
 - e) to receive from the President a written Annual Report of the activities undertaken on behalf of the members, during the previous twelve (12) months.
- 15.2 A signed copy of the minutes must be submitted to the ATSIECSAG Secretary for the preceding meetings.

PART 16 – PRESIDING MEMBER

- 16.1 The President or, in the President's absence, the Vice-President, shall preside as Chairperson as Chairperson at each Annual General Meeting of ATSIECSAG.

- 16.2 If the President and the Vice-President are absent from the meeting or unwilling to act, members present shall elect from the full members present to preside as the Chairperson at that meeting.

PART 17 - ADJOURNMENT

- 17.1 The Chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting when deemed necessary, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 17.2 Where an AGM is adjourned for fourteen (14) days or more the Secretary must give written notice of the adjourned meeting to all members stating the place, date, time and nature of the business from the adjourned meeting to be transacted at the meeting.

PART 18 – MAKING DECISIONS

- 18.1 A decision arising at an AGM shall be determined by a show of hands of the full members unless a poll is demanded.
- 18.2 The Chairperson must declare the result of the decision whether it is carried; or carried unanimously; or carried by a particular majority; is lost, and an entry to that effecting the minute book of the meeting must be made, until the number or proportion of the votes recorded in favor for or against the decision has been verified according to the poll.
- 18.3 All motions put to a meeting must be moved and seconded by a full member who is eligible to vote at the meeting in question.

PART 19 – VOTING

- 19.1 Upon any question arising at an AGM only a Full member shall be entitled to vote and each full member shall have one (1) vote only.
- 19.2 All votes must be given in person or by proxy but no member can hold more than one (1) proxy in addition to their own vote.
- 19.3 In the case of an equality of votes on a question at the meeting the President is entitled to exercise a casting vote.
- 19.4 A motion or a resolution will be either carried or defeated and the consensus or vote of the majority of full financial members shall be final.
- 19.5 Proxy votes are permitted upon declaration of the notice appointing the proxy on the form set out in **Appendix 2** of these Rules. The proxy must be a full member of ATSIECSAG.

PART 20 – APPOINTMENT OF PROXIES

- 20.1 Each full member is to be entitled to appoint another full member to be their proxy.
- 20.2 Notice must be given to the Secretary (relevant to the Meeting held) no later than twenty-four (24) hours of the Meeting in respect of which the proxy is appointed.
- 20.3 The notice appointing the proxy shall be in the form that is set out in **Appendix 2** to these Rules.

PART 21 – CALLING OF, AND BUSINESS AT, SPECIAL GENERAL MEETING (SGM)

- 21.1 The ATSIIECSAG Committee must, with a majority ruling, convene a Special General Meeting (SGM) of the Committee if:
- (i) If they receive in writing from not less than two-thirds (2/3) of full members present in person or by proxy a motion for the holding of a SGM.
 - (ii) A requisition call for a SGM:
 - a. shall state the purpose or purposes of the meeting;
 - b. shall be signed by the persons making the requisition;
 - c. shall be lodged with the Secretary of the ATSIIECSAG Committee.
- 21.2 Any SGM shall be convened as nearly as practicable in the same manner as an AGM. No item of business shall be transacted at a SGM unless a quorum of members entitled under these Rules to vote is present during the time the meeting is considering that item.

PART 22 – SPECIAL RESOLUTION

- 22.1 A resolution of the ATSIIECSAG is a Special Resolution if:
- (i) It is passed by a majority which comprises not less than two-thirds (2/3) of full members of ATSIIECSAG an AGM or SGM present in person or by proxy.
 - (ii) No less than twenty-one (21) days written notice specifying the intention to propose the resolution to a Special Resolution in accordance with these Rules; or
 - (iii) Where it appears to the ATSIIECSAG Committee that it is not

practicable for the resolution to be passed in the manner specified in paragraph (i) above the resolution is passed in a manner specified by the ATSIECSAG Committee.

- (iv) Where the nature of the business proposed to be dealt with requires a special resolution, the Secretary of the ATSIECSAG Committee shall, at least twenty-one (21) days before the date fixed for the holding of the AGM or SGM, cause notice to be sent to each full member copies of all special resolutions proposed to be dealt with at the relevant meeting.

APPENDIX 1

APPLICATION FORM

APPLICATION FOR MEMBERSHIP OF THE ATSIECSAG INC.

Section 1:

New and Renewing members please complete this section:

I _____ (*full name of applicant*) of _____

_____ (*personal address details*) wish to

a) Apply for New Membership or b) Renew my Current Membership .

Section 2:

For New Membership and when renewing Membership

I am applying for Full Membership, as I am an Aboriginal / Torres Strait Islander working at an Early Childhood Service in New South Wales.

(*Name and address details of the Early Childhood Service*)

I am applying for Associate Membership, as I am an Aboriginal / Torres Strait Islander and am a Member of a Management Committee at an Early Childhood Service in New South Wales.

(*Name and address details of the Early Childhood Service*)

A Parent of an Aboriginal / Torres Strait Islander Child (*aged 0 – 5 yrs*) residing in New South Wales.

(*Name and date of birth of Aboriginal / Torres Strait Islander Child*)

A non-Aboriginal / Torres Strait Islander worker at an Early Childhood Service in New South Wales.

(*Name and address details of the Early Childhood Service*)

Payment Details

A \$2.00 Annual Membership Fee is required. Payment must be made prior to the AGM. Payment can be made with the Aboriginal Early Childhood Services Support Unit and a receipt will be issued.

APPENDIX 2

FORM OF APPOINTING OF PROXY

I _____ (full name)

of _____ (address)

being a Full Member of ATSIIECSAG Inc, hereby appoint

_____ of _____

who is also a Full Member of ATSIIECSAG Inc, as my Proxy to vote on my behalf at the general meeting of the Association (AGM or SGM).

To be held on the _____ day of _____ 200_ and any adjournment of that meeting.

My Proxy is authorised to vote in of/against (delete as appropriate) the following Resolution:

Signature of Full Member appointing Proxy

Date:

NOTE: ONLY A FULL MEMBER IS ALLOWED TO BE A PROXY

APPENDIX 3

ATSIECSAG NOMINATION FORM

This form must be received by the Secretary of ATSIECSAG Inc, C/- xxxx xxxx or via fax (02)xxx xxx, no later than _____

NOMINATION

I _____ (*full name of nominator*) being a Full Member of ATSIECSAG Inc hereby nominate _____ (*full name of nominee*) to become a Committee Member of ATSIECSAG Inc., and to be elected into the following position.

President

Secretary

Vice President

Treasurer

Public Officer

Committee Member

Signature of nominator

_____/_____/_____
Date

Secunder:

I _____ (*full name of Secunder*), being a Full Member of ATSIECSAG Inc. hereby second the above nomination.

Signature of Secunder

_____/_____/_____
Date

Nomination Acceptance:

I _____ (*full name of nominee*), being a Full Member of ATSIECSAG Inc. hereby accept the nomination.

Signature of Nominee

_____/_____/_____
Date

Office Use Only

Date Received:

Signature of Secretary

Date Filed _____

This nomination form is to be lodged at the next ATSIECSAG Inc Annual General Meeting.

As the nominee, you may be required to make a brief statement of your work within Early Childhood Services and why you wish to represent on the ATSIECSAG Inc Committee.