



**THE CHINESE LANGUAGE TEACHERS
ASSOCIATION OF WESTERN AUSTRALIA
(INC.)
A0821898K**

CONSTITUTION

THE CHINESE LANGUAGE TEACHERS' ASSOCIATION OF WESTERN AUSTRALIA (INC)

CONSTITUTION

1. NAME

The name of the Association shall be THE CHINESE LANGUAGE TEACHERS' ASSOCIATION OF WESTERN AUSTRALIA (INCORPORATED), hereafter referred to as CLTAWA or "the Association".

The Chinese version of the name shall be: 西澳中文教师协会.

2. OBJECTS

The Objects of the Association shall be:

- (a) To promote the teaching and study of the Chinese language in Western Australia;
- (b) To undertake activities designed to extend the knowledge of members on all aspects of the Chinese language and teaching methodology;
- (c) To organise appropriate activities for students of the Chinese language;
- (d) To edit and publish or arrange for the editing and publication of materials to assist members and students of Chinese;
- (e) To raise funds by subscription, donation and grants from government and private sources to aid the activities of the CLTAWA;
- (f) To assist members to extend employment opportunities.

3. POWERS

The CLTAWA shall have power to do all such things as are necessary, incidental or conducive to the attainment of the Objects.

4. MEMBERSHIP

(a) FULL MEMBERS

All persons engaged in the teaching and examination of the Chinese language in the government and private school systems, in ethnic schools and in technical and tertiary education institutions in Western Australia are eligible for full membership of the CLTAWA, and shall, upon completion of the application for membership and payment of the membership fee as decided from time to time, be considered and have all rights as full members, including the right to vote and to hold office in the Association.

(b) ASSOCIATE MEMBERS

Persons other than the above whose participation in the work of the Association is considered by the Committee to have advantages for the Association may be offered Associate Member status on such terms and conditions as the Committee may determine, but such persons shall not have the right to vote or to hold office.

(c) STUDENT MEMBERS

Persons undergoing a course of training as teachers of Chinese shall be eligible for membership of the CLTAWA on the same terms as full members except that the fee applicable to student members shall be fixed at no greater than one half of the fee payable by full members as determined from time to time.

(d) MEMBERSHIP REGISTER

The Secretary shall establish and maintain an up to date register containing

- (i) the names, postal addresses and other relevant details of all persons admitted as individual or associate members; and
- (i) Officers and committee members of the Association.

Upon request, the register is to be available for inspection of members of the Federation who may make a copy of or take an extract of the register. Copies or extracts may be made available electronically.

(e) MEMBERSHIP FEE

The annual membership fee shall be determined by the Annual General Meeting and shall apply until changed by any subsequent Annual General Meeting. Notice of intention to propose any change in the annual membership fee and details of the proposed change shall be placed on the agenda of the Meeting at which it is proposed to determine the matter.

5. COMMITTEE

(a) POWERS

The business of the CLTAWA shall be conducted by a Committee elected by and from the members and responsible to them.

The Committee shall have power to manage, administer, supervise, and direct the work of the CLTAWA in accordance with this Constitution and the wishes of members as determined by decisions of annual and special general meetings.

b) MEMBERSHIP

The Committee shall consist of:

- (i) The President;
- (ii) The Vice-president;
- (iii) The Secretary;
- (iv) The Treasurer;

- (v) Five ordinary members elected by the Annual General Meeting and up to three members co-opted by the Committee to ensure that members in Ethnic schools, Government schools, non-government schools, TAFE, and tertiary institutions as well as student members have representation on the Committee.

- (vi) The Immediate Past President for the first year after retirement from the position of President and provided he/she remains a financial member of the CLTAWA.

(c) VACANCIES

Vacancies on the Committee shall be filled by co-option of a person from the same area as the person whose position has become vacant. Notice of the vacancy shall be notified to the members who will be invited to nominate for the vacancy. If more than one nomination is received, the Committee shall conduct an election among those members present at the meeting where the matter is to be decided.

Where the offices of President, Vice-president, Secretary or Treasurer fall vacant, they shall be filled as far as possible from within the Committee.

(d) SUB-COMMITTEES

The Committee may appoint sub-committees for any purpose. The President and Secretary shall be ex-officio members of all sub-committees, but may appoint another Committee member to represent them should this be desirable.

6. OFFICERS

The Officers of the Association shall have the following duties:

(a) PRESIDENT

- (i) Has ultimate authority for carrying out all decisions of the Committee and for ensuring compliance with the Constitution;
- (ii) Signs or delegates the signature of all instruments, documents and correspondence on behalf of the CLTAWA;
- (iii) Presides over Committee, annual and special general meetings and other official meetings of the CLTAWA;
- (iv) Represents or delegates representation of the CLTAWA before other bodies;
- (v) Acts as chief spokesperson for the CLTAWA;
- (vi) Carries out other duties as determined by the Committee.

(b) VICE PRESIDENT

- (i) Assists the President in the above duties;
- (ii) Substitutes for the President as required;
- (iii) Carries out other duties as determined by the Committee.

(c) SECRETARY

- (i) Establishes and maintains the register of members;
- (ii) Manages correspondence and maintains general correspondence files;
- (iii) Arranges meetings of the Committee, general and other meetings, and together with the President arranges the agenda for meetings;
- (iv) Keeps and publishes minutes of meetings;
- (v) Carries out other duties as determined by the Committee.

(d) TREASURER

- (i) Establishes and maintains the financial records of the CLTAWA;
- (ii) Presents itemised income and expenditure statements to the Committee;
- (iii) Establishes and maintains such accounts as are determined by the Committee;
- (iv) Carries out other duties as determined by the Committee.

7. RESIGNATION OR REMOVAL FROM OFFICE

- (a) A Committee member may resign by giving two weeks notice in writing.
- (b) A Committee member who fails to attend three consecutive meetings of the Committee without apology or reasonable excuse shall be deemed to have resigned.
- (c) A Committee member may otherwise be removed from office by a two-thirds majority vote at a special general meeting.

8. MEETINGS

(a) ANNUAL GENERAL MEETING

The Annual General Meeting shall be held each year during the month of November. The date shall be determined and published not later than September 30 in any year and members invited to submit items for the agenda. A minimum of seven (7) days notice shall be given to members of the date, place, time and agenda. Only financial members shall vote and arrangements shall be made for members to pay subscriptions at the entrance to the meeting where membership status shall be checked.

The business of the Annual General Meeting shall be:

- (i) Consideration of the Minutes of the previous Annual General Meeting and business arising;
- (ii) Reports by the President, the Secretary and Treasurer and adoption, modification or rejection of such reports and recommendations arising from them.
- (iii) Amendments to the Constitution;
- (iv) Other business submitted by the Committee or by members of which notice has been given in writing and which has been placed on the agenda;
- (v) Election of Committee;

- (vi) Appointment of Auditors who shall not be members of the Committee;
- (vii) Any other business arising at the meeting, but any resolution arising from such business shall be considered, if passed, as a recommendation to the Committee only.

The quorum for the Annual General Meeting shall consist of twenty (20) percent of the financial members as of that date.

Decisions shall be made by simple majority vote, except for amendments to the Constitution, which shall require a three-quarters majority in favour.

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(b) SPECIAL GENERAL MEETINGS

Special general meetings may be held from time to time as determined by the Committee, and shall be held within two weeks of the receipt by the Secretary of a petition signed by ten (10) financial members calling for such a meeting and stating the purpose of such a meeting and any motions which it is proposed to place before the meeting. Written notification of the date, place, time and business of a special general meeting shall be in the hands of the members not less than five (5) days before the meeting. The quorum and voting procedures shall be as for the annual general meeting, and no other business shall be transacted.

(c) COMMITTEE MEETINGS

Committee meetings shall be held on a regular monthly basis, and at other times as required. The date, place and time of the regular meetings shall be made known to members of the Association, and shall, unless the Committee decides by a two-thirds majority vote to discuss a matter in closed session, be open to the members.

The quorum for Committee shall be half the number of members plus one. If after thirty minutes from the time set for the commencement of the meeting no quorum is present, the meeting shall be adjourned to the same place and time one week later. If a quorum is not then present, those members in attendance shall transact the business of the Committee, provided that all Committee members have been notified of the adjourned meeting.

(d) TIED VOTES

If at any meeting of the CLTAWA there shall be an equality of votes for and against any resolution, the matter shall be determined in the negative, and no chairperson shall exercise a casting vote.

9. ELECTIONS AND VOTING

- (a) Nominations for any office or committee position shall be in writing.
- (b) Any financial member may nominate any other financial member for any office. A nomination shall be seconded by another financial member and signed by the nominee.
- (c) Whenever an election is required, a returning officer who is not a candidate in the election shall be appointed to conduct the election.
- (d) All elections will be by secret ballot, and where an election is required, the method of voting and of counting the ballot shall first be determined by the meeting at which the election takes place.
- (e) Except as otherwise provided in this Constitution, all decisions shall be taken by simple majority vote.

10. FINANCIAL PROCEDURES

(a) ACCOUNTS

- (i) Income and expenditure shall be fully tabulated according to accepted bookkeeping standards;
- (ii) The Association's fiscal year shall be from October 1 in any year to September 30 in the following year.
- (iii) All cheques and withdrawal vouchers shall be signed by two (2) Committee members from among those appointed for this purpose by the Committee at its first meeting after the Annual General Meeting.
- (iv) Maximum provisions may be made by the Committee for petty cash and automatically replenished.
- (v) All other payments shall be authorised by the Committee, either under general terms of written instructions to the Treasurer specifying the types of routine payments which shall be made, or by a specific resolution of the Committee;

(b) LIMITATIONS

The Association shall undertake no major financial obligations for which it does not provide or has not obtained adequate financial cover beforehand.

(c) USE OF INCOME AND PROPERTY

The income and property of the CLTAWA shall be applied solely towards the promotion of the Objects. No portion of the income of the CLTAWA shall be paid or transferred or distributed directly or indirectly to the members of the Association, provided that nothing shall prevent the payment in good faith of remuneration to any officer or employee of the Association or to any other person other than a member in return for services rendered to the Association.

11. CONTROL AND APPEALS

(a) DISCIPLINARY MEASURES

Disciplinary measures may only be taken by the Committee in the following circumstances:

- (i) If a member's annual membership fee has remained outstanding for more than three months;
- (ii) If a member's action or behaviour is deemed by a two-thirds majority of the Committee to prejudice the interests of the CLTAWA;
- (iii) If a Committee member has abused his/her position for personal gain.

(b) PENALTIES

- (i) In the event of a member becoming unfinancial, i.e. annual membership fees being more than three months in arrears, the name of the member shall be removed from the membership register.
- (ii) In other cases as laid down in clauses 11 (a) (ii) and (iii) above, the Committee may take such action as it deems suitable. Any penalty up to and including expulsion from the CLTAWA shall be decided by a two-thirds majority of the members of the Committee present and voting at the meeting considering the matter, and the member informed of the decision in writing within seven (7) days.

(c) APPEALS

A member against whom action has been taken under clauses 11 (a) or (b) above shall have the right to appeal to a general meeting of the Association. This may be either the annual general meeting or a special general meeting called to consider the appeal.

A member wishing to appeal against a disciplinary measure of the Committee against him or her must give written notice of intention to appeal within thirty (30) days of the date of the notice of the action being taken by the Committee.

At the general meeting considering the appeal, the President or a Committee member appointed for the purpose by the Committee shall make a statement setting out the reasons for the disciplinary measure. The person against whom the action has been taken shall make a statement setting out an explanation and reasons why the decision of the Committee should be set aside or varied.

The Chairperson shall then invite questions from the members present to either speaker.

A motion to reverse or vary the Committee's decision may then be put to the meeting without further debate, and if carried by a two-thirds majority vote of those present and voting, the member's appeal shall be considered to have succeeded.

12. ALTERATION OF THE CONSTITUTION

Any member may propose to the Committee in writing an amendment to the Constitution. If approved by a two-thirds majority of the Committee, the proposed amendment shall be submitted to a general meeting for ratification after which it, if approved by a three-quarters (75%) majority, and only after it has been approved by the officer administering the Associations Incorporation Act shall take effect. Amendments to the Constitution submitted for ratification shall not be amended in substance by the general meeting.

13. COMMON SEAL

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

14. AFFILIATIONS

The Association may affiliate with any other organisation of language teachers on such terms and conditions as may be mutually arrived at, and approved by a two-thirds majority of the Committee.

15. DISSOLUTION

The CLTAWA may be dissolved or wound up by a special resolution passed by seventy-five percent of (75%) present and voting at a special general meeting called for the purpose.

If upon the winding up or dissolution of the Association there remains after satisfaction of all its debts and liabilities any property whatsoever, the same must not be paid to or distributed among the members, or former members. The surplus property must be given or transferred to another association incorporated under the Act which has similar objects and which is not carried out for the purposes of profit or gain to its individual members, and which association shall be determined by resolution of the members.