

# Asia Education Teachers' Association (Australia) Inc.

## **CONSTITUTION**

### **1. NAME**

The name of the Association shall be the Asia Education Teachers' Association (Australia) Inc.

### **2. AIM**

The aims of the Association are to encourage and promote:

- 1) the study and understanding of Asian cultures to facilitate positive engagement;
- 2) knowledge and informed human values which influence behaviour, in order to facilitate intercultural understanding and to value cultural diversity;
- 3) the recognition of the contribution of Asian cultures to world civilization

### **3. OBJECTIVES**

The objectives of the Association are to:

- 1) promote professional cooperation between teachers who are committed to teaching and learning about Asia and the West's engagement with Asia;  
provide a point of contact for teachers with the view to furthering the effective teaching and learning about Asia;
- 2) develop and make available appropriate resources;
- 3) engage in activities that further the effective teaching and learning about Asia;
- 4) create opportunities for engagement with Asian communities in Australia and Asia; and
- 5) initiate and support a balanced education of the major belief systems and religious traditions which have all originated in Asia

### **4. PROCEDURES**

To achieve these purposes and objectives the Association will:

- 1) publish a teaching resource that will state and reflect the aims and objectives, and provide a forum for discussion;
- 2) arrange and conduct activities of various kinds consistent with the aims and objectives;
- 3) initiate and maintain communication with institutions, individuals and other Associations with views, purposes and objectives similar to those of the Association; and
- 4) Design support material for curricula K-12 which include the influence of Asia on Western thinking

### **5. MEMBERSHIP**

Membership shall be subject to the approval of the Executive and is open to:

- 1) Australian resident individuals who are engaged in any field of Asian Studies; and
- 2) such other individuals and Australian organisations based in Australia as subscribe to the purposes and objectives of the Association who will pay an annual fee determined at the Annual General Meeting.

## **6. CATEGORIES OF MEMBERSHIP**

- 1) There shall be three categories of membership, namely:
  - a) individual members;
  - b) institutional members.
  - c) life members
- 2) The qualifications for each category of membership shall be as follows:
  - a) individual members are individuals who reside in Australia, who are or have been involved in the study of Asia, either by way of teaching or research and who are approved as individual members by the Executive.
  - b) institutional members are Australian organisations based in Australia, involved in the study of Asia, either by way of teaching or research who are approved as institutional members by the Executive.
  - c) life members are those individuals upon whom such membership shall be bestowed by the Annual General Meeting, on the recommendation of the Executive. Life members will be exempt from paying the annual fee.
- 3) All members of the Association shall be entitled to participate in conferences, seminars, and other activities of the Association, and to receive its publications on payment of such fee as the Executive may determine
- 4) All members who attend at least 50% of meetings of the Association shall be eligible to hold office and to vote at meetings and ballots of the Association. Organisations which are members of the Association may appoint (in writing) a nominee to exercise the membership rights of the organisation.

## **7. REGISTER OF MEMBERS**

- 1) The Public Officer of the Association shall establish and maintain a Register of Members of the Association specifying the name and address of each person (or entity) which is a member of the Association together with the date on which the person (or entity) became a member.
- 2) The register of members shall be kept at the principal place of administration of the Association and shall be open for inspection, free of charge, by any member of the Association at any reasonable hour.

## **THE OFFICERS AND EXECUTIVE OF THE ASSOCIATION**

- 1) There shall be an Executive Committee of the Association which shall comprise the President, Vice President, Secretary, Treasurer, the Editor and not less than three nor more than seven Committee members. The Executive Committee shall administer the affairs of the Association between General Meetings, in conformity with General Meeting decisions.

2)

1. The Executive Committee shall be elected by ballot annually, such
2. elections coinciding with the Annual General Meeting;
3. The Secretary shall call for nominations for the positions of
4. President, Vice President.. Secretary, Treasurer, Editor, Committee members;
5. Nominations for any elected office shall be in writing and shall be signed by the proposer one seconder, and the nominee;
6. Nominations shall close on a date not less than seven (7) days before the Annual General Meeting. If non nominations are received there should be a call from the floor
7. If no nominations are received for any vacant position on the Committee, the outgoing Executive or Committee will continue in that position until further nominations are received before the next general meeting;
8. If only one nomination is received for a position, the person nominated shall be deemed to be elected to that position;
9. Members shall be entitled to cast one vote for each Executive position. The candidate who receives the greatest number of votes shall be elected.
10. In the event that no nominations are forthcoming, or that insufficient nominations are received for the positions on the Executive, the outgoing Executive will continue to act pending the calling of new nominations.

3) The Executive may coopt members to itself who shall assist the Executive in the execution of its duties. The period of time for which a member may be so coopted will be at the discretion of the Executive but will not extend beyond the General Meeting following the date on which the member was coopted.

4) When a casual vacancy occurs on the Executive of the Association the Executive may appoint a member to the position for the remainder of the term of the member who has ceased to be a member of the Executive.

5) The Executive shall determine the general policy of the Association in accordance with the purposes, objectives and procedures of the Association as stated in relevant clauses above and the resolutions of the General Meeting of the Association

6) Resolutions of the Executive may be determined by a vote taken at meetings called by the Secretary, or by post, email, facsimile or telephone.

7) At meetings of the Executive there shall be a quorum of five (5), of whom at least Four (4) shall be elected members. At meetings of the Executive a resolution will be carried by a simple majority. If votes are equal, the President shall have a casting as well as a deliberative vote.

8) The Executive is required to conduct a postal ballot on any resolution adopted by the Executive if such a ballot is requested in writing to the Secretary by not less than twenty members (20) of the Association. Any resolution of the Executive which is rejected by such a ballot shall be invalid.

## **9. ANNUAL GENERAL MEETING**

1) The Association shall conduct a General Meeting annually. The resolutions of the General Meeting shall be binding on the Executive unless the Executive agrees to refer any or all resolutions to a postal ballot of members, in which case the Executive shall issue a statement giving reasons for the ballot and provide ballot papers to all members within thirty days (30) of the General Meeting and the ballot shall close sixty days (60) after the General Meeting, and no ballot paper received by the Secretary after that time shall be counted. The results of such ballots shall be binding on the Executive.

2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be:

1. to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;
2. to receive from the Committee reports upon the activities of the Association during the last preceding financial year:
3. to elect office-bearers of the Association and ordinary members
4. of the Committee: and
5. to receive and consider the Statement which is required to be submitted to members pursuant to section 26(6) of the Associations Incorporation Act 2009.

## **10. SPECIAL GENERAL MEETINGS**

1) The Committee may, whenever it thinks fit, convene a Special General Meeting of the Association.

2) The Committee shall, on the requisition in writing of not less than 5% of the total number of members, convene a Special General Meeting of the Association.

3) A requisition of members for a Special General Meeting:

1. shall state the purpose or purposes of the meeting;
2. shall be signed by the members making the requisitions;
3. shall be lodged with the secretary; and
4. may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

4) If the Committee fails to convene a Special General Meeting to be held within one month after the date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a Special General Meeting to be held not later than three months after that date.

5) A Special General Meeting convened by a member or members as referred to in clause (4), shall be convened as nearly as is practicable in the same manner as general meetings are convened by the Committee.

## **11. NOTICE**

1) Except where the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the Association, the secretary shall, at least fourteen (14) days before the date fixed for the holding of the general meeting, cause to be sent by post or email to

each member at the member's address appearing in the Register of Members, a Notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

2) Where the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the Association, the secretary shall, at least twenty-one (21) days before the date fixed for the holding of the General Meeting, cause notice to be sent to each member in the manner provided in clause (1) specifying, in addition to the matter required in clause (1), the intention to propose the resolution as a special resolution.

3) No business other than that specified in the notice convening a General Meeting shall be transacted at the meeting except in the case of an Annual General Meeting business which may be transacted pursuant to rule 9(2).

4) A member desiring to bring any business before a General Meeting may give notice in writing of that business to the Secretary who shall include that business in the next notice calling a General Meeting given after receipt of the notice from the member.

## **12. LOCAL BRANCHES**

Members of the Association in a particular place may, subject to the written approval of the Executive, form local branches of the Association for the purposes of holding meetings or discussions or for such other purposes as are consistent with the objects and policies of the Association. Local branches so formed will operate in accordance with such rules of operation as are determined by the Executive. and will maintain membership Lists, agenda, minutes of meetings, treasurer's reports and books of account and records of proceedings which will be forwarded to the Secretary of the Association at not less than annual intervals.

Local branches may cease to function only if authorised to do so by the Executive of the Association. Such authorisation will be granted only when the local branch was applied, in writing, to the Executive and has forwarded a full accounting of its proceedings and financial position to the Secretary and complied with such other requirements as the Executive may require.

## **13. FUNDS - SOURCE**

1) The funds of the Association shall be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the Association in general meeting, such other sources as the Committee determines.

2) All money received by the Association shall be deposited as soon practicable and without deduction to the credit of the Association's bank account.

3) The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

## **14. SUBSCRIPTION AND FINANCE**

1) The Association is a non-profit making organisation. All assets of the Association shall be held and controlled by the Executive Committee for and on behalf of the members of the Association for the advancement of the purposes and objectives of the Association. Membership shall not confer upon the member or members any rights to the assets of the Association.

2) The annual subscriptions shall be fixed by the General Meeting.

3) The Executive shall cause to be kept proper account of all transactions and affairs of the Association and shall do all things necessary to ensure that all payments out of the moneys of the Association are correctly made and properly authorised and that adequate control is maintained over the assets of, or in the custody of, the Association and over the incurring of liabilities by the Association.

4) The Executive shall, as soon as possible after 30 June each year, prepare and furnish to the members a report of the operations of the Association together with financial statements of receipts and expenditure for the year, and a statement of assets and liabilities of the Association.

5) The Executive shall appoint an auditor who shall not be one of its members and who will be appointed for one year and be eligible for reappointment. The auditor shall report to the members as soon as possible after 30 June in each year.

i) whether the statements are in agreement with the accounts and records;

ii) whether the statements, accounts and records give a true and fair picture of the financial affairs of the Association; and

iii) as to such other matters arising out of the statements as the auditor considers should be reported to members.

6) The Association shall open an account with a bank nominated by the Executive. Subject to the CONSTITUTION all funds of the Association shall be deposited in that account and shall not be withdrawn except on the authority of two members of the Executive; provided that the Executive may authorise the conduct of other bank accounts for limited purposes such as conferences and the operation of a Resource Centre and specify the operation of such accounts.

## **15. MEMBER'S LIABILITIES**

The liability of a member of the Association to contribute towards the payment of the debts and liabilities of the Association of the cost, charges and expenses of the winding up of the Association is limited to the amount of any unpaid by the member in respect of membership of the Association as required by rule 5.

## **16. DISCIPLINING OF MEMBERS**

1) Where the Committee is of the opinion that a member of the Association:

a) has persistently refused or neglected to comply with a provision or provisions of these rules; or

b) has persistently and wilfully acted in a manner prejudicial to the interests of the Association. the Committee may, by resolution:

c) expel the member from the Association; or

d) suspend the member from membership of the Association for a specified period.

2) A resolution of the Committee under clause (1) is of no effect unless the Committee, at a meeting held not earlier than fourteen (14) days and not later than twenty-eight (28) days after service on the member of a notice under clause (3), confirms the resolution in accordance with this rule.

3) Where the committee passes a resolution under clause (1), the secretary shall, as soon as practicable, cause a notice in writing to be served on the member:

- a) setting out the resolution of the Committee and the grounds on which it is based;
- b) stating that the member may address the Committee at a meeting to be held not earlier than fourteen days and not later than twenty-eight days after service of the notice;
- c) stating the date, place and time of that meeting; and
- d) informing the member that the member may do either or both of the following:
  - i) attend and speak at the meeting;
  - ii) submit to the Committee at or prior to the date of that meeting written representations relating to the resolution.

4) At a meeting of the Committee held as referred to in clause (3), the Committee shall:

- a) give to the member an opportunity to make oral representations;
- b) give due consideration to any written representations submitted to the Committee by the member at or prior to the meeting;

and c) by resolution determine whether to confirm or to revoke the resolution.

5) Where the Committee confirms a resolution under clause (4), the secretary shall, within seven (7) days after that confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under rule 16.

6) A resolution confirmed by the Committee under clause (4) does not take effect:

- a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within the period: or
- b) where within the period the member exercise the right of appeal, unless and until the Association confirms the resolution pursuant to rule 16 (4).

## **17. RIGHT OF APPEAL OF DISCIPLINED MEMBER**

1) A member may appeal to the Association in general meeting against a resolution of the Committee which is confirmed under rule 15(4), within seven (7) days after notice of the resolution is served on the member by lodging with the secretary a notice to that effect.

2) Upon receipt of a notice from a member under clause (1), the secretary shall notify the Committee which shall convene a general meeting of the Association to be held within twenty-one days after the date on which the secretary received the notice.

3) At a General Meeting of the Association convened under clause (2),

- a) no business other than the question of the appeal shall be transacted;
- b) the Committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and

c) the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

4) If, at the General Meeting the Association passes a Special Resolution in favour of the confirmation of the Resolution, the Resolution is confirmed.

## **18. TERMINATION OF MEMBERSHIP**

1) If a member of the Association shall be in default in payment of his/her subscription for a period of twelve months after the subscription shall have become due, the said member shall thereupon cease to be a member of the association.

2) A member of the Association may at any time resign by notice in writing given to the Secretary and a resignation shall become effective on and from the date the said notice is received by the Secretary provided always that any member shall be liable for unpaid subscription due at the date when his/her resignation becomes effective.

3) No person who shall cease to be a member of the Association for any reason shall be entitled to a refund of any money paid by him/her to the Association as a member whether by way of the subscription or otherwise howsoever.

## **19. INTERPRETATION OF THE CONSTITUTION**

Interpretation of this Constitution or parts or clauses of this Constitution will be vested in the Executive Committee and will be decided in the manner prescribed for deciding any resolution before the Executive Committee, or by resolution of the General Meeting where such resolutions are decided in the manner prescribed for deciding resolutions of the General Meeting.

## **20. AMENDMENT OF THE CONSTITUTION AND OBJECTS OF THE ASSOCIATION**

Amendments to the Constitution and Objects of the Association may be proposed:

a) by the Executives; or

b) by a written proposal signed by thirty or more members of the Association.

They shall then be voted on by the members at an extraordinary meeting.

## **21. COMMON SEAL**

1) The Common Seal of the Association shall be kept in the custody of the public officer.

2) The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal shall be attested by the signatures either of two members of the Committee or of one member of the Committee and of the public officer or secretary.

## **22. CUSTODY OF BOOKS. ETC.**

Except as otherwise provided by these rules, the Public Officer shall keep in his or her custody or under his or her control, all records, books and other documents relating to the Association.

## **23. INSPECTION OF BOOKS, ETC.**

The records, books and other documents of the Association shall be open to inspection, free of charge, by a member of the Association at any reasonable hour.

## **24. INSURANCE**

The Association will effect and maintain insurance.

## **25. DISSOLUTION OF THE ASSOCIATION**

*Surplus property* – If upon the winding up of the Association there remains after payment of all its debts and liabilities, any funds, the same shall not be paid to or distributed among the members of the Association, but shall be given to some other institution or institutions having similar aims and objectives and who are also a not for profit association, under Section 55 of the Act.