

# CONSTITUTION

## ST. MARTIN OF TOURS SCHOOL PARENTS AND FRIENDS' ASSOCIATION



**Originated 2010**  
**Last Revised: 2019**

### **Last Revision:**

#### **2019**

- Main Editor: Michelle Don Paul – Secretary 2019
- Constitution revised to comply with the “Financial Compliance and Obligations Guide for Parents and Friends Associations” (2016) issued by the Catholic Education Commission of Victoria (CECV)
- Revised Constitution Voted In: 19th November 2019
- Document Name: PFA Constitution 2019

### **Previous Revisions:**

#### **2016**

- Main Editor: Michelle Harrison – President 2016
- Sub-Committee Members: Elizabeth Dole, Colleen Goulding, Christine Baulch
- Constitution revised to update wording and remove redundant clauses
- Revised Constitution Voted In: 22nd March 2016

### **Next Revision Date:**

- To be reviewed and/or revised in preparation for the 2022 AGM unless requested earlier

**1. NAME:**

The name of the Association is “St. Martin of Tours School Parents and Friends’ Association”.

**2. LEGAL STATUS:**

The Association operates under the auspice of the school and is not regarded as a separate legal entity by Law.

Under this legal status, the members of the Association may be personally responsible for debts or negligence of the Association resulting in legal actions. The personal liability of committee members is to be covered by the school’s personal indemnity policy.

**3. PATRON:**

The Patron of the Association is the Principal of St. Martin of Tours School, Rosanna.

**4. OBJECTIVES:**

The Objectives of the Association are:

- a) To promote a continued interest in working for the school to enhance the standard of education conditions for the students of St. Martin of Tours School, Rosanna.
- b) To foster and encourage a spirit of communication and goodwill within the school and parish communities of St. Martin of Tours, Rosanna.
- c) To raise funds for the provision of facilities at St. Martin of Tours School, Rosanna.

**5. MEMBERSHIP:**

The following persons are eligible for Membership of the Association:

- a) Parents or guardians of present or of past pupils of the school.
- b) Parents or guardians of a child enrolled to commence at St. Martin of Tours School, Rosanna within one year.
- c) All members of staff at St. Martin of Tours School, Rosanna are ex-officio members of the Association and have no voting rights, unless they meet and satisfy the criteria of Clauses 5. a) and 5. b).

**6. COMMITTEE:**

- a) The Association is managed by the Committee of the St. Martin of Tours School Parents and Friends’ Association.
- b) The Committee must consist of a minimum of four Core Committee Members holding positions of President, Vice President, Secretary and Treasurer. Other nominations received will form General Committee Members.

- c) In the event of a Core Committee Member position(s) being unfilled at the Annual General Meeting, the position(s) must be temporarily delegated to a General Committee Member(s) pending the permanent filling of the position(s) at a later date.
- d) A Committee meeting must be held once a term providing at least seven days' notice. The notice is to be communicated within the Committee and to the wider Association.
- e) A quorum for a Committee meeting is four members comprising a minimum of two Core Committee Members.
- f) Core Committee Members hold office for a term of one year and are then eligible for re-election or reappointment at the next Annual General Meeting.
- g) No two people related by blood or marriage are able to occupy any of the four Core Committee Member positions at the same time.

## **7. ROLES OF COMMITTEE:**

- a) The Committee consists of:-

- (i) President
- (ii) Vice-President
- (iii) Secretary
- (iv) Treasurer
- (v) General Members.

- b) General Duties

The Committee is collectively responsible for ensuring that the Association complies with the Constitution and that individual members of the Committee comply with these Rules.

- c) Committee Member Responsibilities

- (i) President
  - a. Chair meetings
  - b. Act as primary support to the Principal to manage matters of the Association
  - c. Oversee development of Agendas with the Secretary
  - d. Spokesperson for the Association
  - e. Co-ordinate Sub-Committees from time to time.
- (ii) Vice-President
  - a. Act as a support to the President
  - b. Chair meetings in the President's absence.
  - c. Co-ordinate Sub-Committees from time to time.

- (iii) Secretary
  - a) Take the Minutes of Annual General Meetings, Special General Meetings and Committee meetings
  - b) Distribute all requisite copies of Minutes and notices
  - c) Record all correspondence
  - d) Create and distribute the Agenda for each meeting in consultation with the President and/or Vice-President
  - e) Co-ordinate Sub-Committees from time to time
  - f) Hold and secure appropriate hand-over of the Constitution from one year to the next.
  
- (iv) Treasurer
  - a. Bank funds of the Association in the name of the Association at a financial institution of the Committee's choice
  - b. Ensure any cheques, withdrawals or transfers from the account shall be signed or authorised by the Principal, or Principal's delegate, and any one of the other account signatories
  - c. Seek approval from the Committee when making payments in excess of \$500 unless already agreed at a meeting
  - d. Keep proper records of accounts and present a Report on Activities at each Committee Meeting and the Annual General Meeting
  - e. Co-ordinate Sub-Committees from time to time.
  
- (v) General Members
  - a. To provide support and assistance to the Committee as required
  - b. Co-ordinate Sub-Committees from time to time.

## **8. ELECTION OF COMMITTEE MEMBERS**

- a) Nominations for Committee positions are to be invited from the Association prior to the Annual General Meeting and will be due seven days prior to the Annual General Meeting.
- b) The Chairperson of the Annual General Meeting must declare all positions on the Committee vacant at the Annual General Meeting.
- c) Separate elections must be held for each of the following positions:-
  - (i) President
  - (ii) Vice-President
  - (iii) Secretary
  - (iv) Treasurer

- d) If only one nomination is received for a position, the Chairperson of the meeting must declare that the nominated person be elected to the position.
- e) If more than one nomination is received, a secret ballot must be held to determine the person who will be elected to the position. Votes will be counted as specified in Clause 9. b), 9. c), and 9. d).
- f) A Committee Member may be removed from their position when a quorum agrees they have not acted in accordance with the General Duties and rules of the Constitution. The member should be given the opportunity to be heard on the issue prior to voting.

## **9. VOTING:**

- a) Members of the Association as specified in Clause 5 are eligible to vote at Annual General Meetings and Special General Meetings of the Association.
- b) Only Committee members are eligible to vote at Committee Meetings; each Committee Member is entitled to one vote.
- c) A motion is considered to be passed when more than half present vote in favour unless otherwise specified in this Constitution.
- d) In the event of a tied vote the Chairperson at ANY meeting of the Association shall have a casting vote in addition to his/her deliberative vote unless otherwise specified in this Constitution.
- e) The method of voting at ANY meeting is at the discretion of the Chairperson.
- f) Any ex-officio member has no voting rights.

## **10. SUB-COMMITTEES:**

- a) Sub-committees can be formed if required to assist in the organisation of functions etc. These Sub-Committees will cease to exist when the purpose for which they were formed is complete or as decided from time to time by the Committee.
- b) Each Sub-Committee must have a Co-ordinator, this person must be a Member of the Committee.
- c) A Sub-Committee Meeting is to be held at such a time agreed to by a majority of its members but not during any Association Meetings.
- d) The Co-ordinator or a nominated member of a Sub-Committee is to provide a status report to the Association seven days prior to the Committee Meetings.

## **11. MEETINGS:**

- a) Annual General Meeting (A.G.M.)
  - (i) An Annual General Meeting is a meeting to which all members of the Association are invited. The purpose is to review the Association's activities throughout the year and to communicate the Committee's strategies for the year ahead.

- (ii) The A.G.M. is to be held in the last term of each year to enable the nomination and election of committee members for the following year.
- (iii) A handover meeting will be scheduled fourteen days from the date of the A.G.M. for all Committee Members, the Constitution will be included in the handover.
- (iv) The following business must be transacted at an A.G.M.
  - a. Confirmation of Minutes from previous A.G.M.
  - b. Presentation of Reports from the President, Treasurer and Sub-Committees
  - c. Amendments to the Constitution (these must be provided prior to the A.G.M. and disseminated to the Association with a minimum of 14 days' notice)
  - d. Election of Core Committee Members
  - e. Planning of the Events Calendar for the following year
  - f. General Business.
- b) Special General Meeting
  - (i) A Special General Meeting of the Association is to be called when agreed by the Committee or when requested in writing by 10% of its members. The business to be considered at the meeting should be clearly stated, and resolutions proposed. The meeting must be held within one month of the request, and at least fourteen days' notice given to all members with full details of the meeting, including the items of business to be conducted and all special resolutions to be considered.
  - (ii) All four Core Committee Members must be present to achieve a quorum.
- c) Committee Meeting
  - (i) The purpose of this meeting is to:-
    - a. Confirm Minutes of previous meeting
    - b. Hear reports or updates from the Treasurer and Sub-Committee(s)
    - c. Review business arising from the previous meeting
    - d. Review Events Calendar
    - e. Discuss any new business as advised to the Secretary seven days prior to the meeting.
  - (ii) A Committee Meeting must be held once a term providing at least seven days' notice.
  - (iii) A quorum for a Committee Meeting is four Members comprising a minimum of two Core Committee Members.

## **12. ALTERATION OF THE CONSTITUTION:**

- a) This Constitution may be amended or modified at any Annual General Meeting or Special General Meeting.
- b) The Association must be given 14 days' notice of the meeting, as well as the intended changes to the Constitution. Comments and feedback on these changes will be accepted in writing up to seven days prior to the meeting.
- c) Proposed amendments to the Constitution will be considered passed when voted in favour by two thirds of the members present at the Annual General Meeting or Special General Meeting.

## **13. SCHOOL COMMUNICATION:**

- a) The Committee must provide updates to the Association regarding Committee activities.
- b) The President is to provide information that includes:
  - (i) Details of fundraising activities to be promoted
  - (ii) The distribution of funds accrued from respective events
- c) The Committee is to have such information distributed or communicated to members and friends in an effort to foster awareness of the needs of St. Martin of Tours School, Rosanna and to promote active participation in the work of the Association.

## **14. FINANCE**

- a) The Association operates under the ABN of the school and all activities of the Association are to be recorded in the school's accounts.
- b) The Association cannot enter into contracts on behalf of the school. Any contracts with third parties should be authorised and/or signed by the Principal.
- c) The Association may hold a separate bank account in the name of the Association.
- d) Funds collected by the Association are to be used solely for the objectives of the Association. All funds raised by or on behalf of the Association must be banked promptly and fully intact into the Association's account. The Principal must be a signatory of the account. A secondary signatory to the account can be one or more Committee Member(s) at the discretion of the Principal. At the end of their term of office, the signatories must be removed and replaced by the signatories of the incoming officers.
- e) Any cheques, withdrawals or transfers from the account shall be signed or authorised by the Principal, or Principal's delegate, and any one of the other account signatories
- f) The account will be audited by the school's auditor. There is no requirement to produce a financial statement as the revenue and expenditure of the Association will be included as part of the school's annual financial statements.

- g) The Association is required to provide a Report on Activities to be included in the Annual Financial Statements (AFS) of the school.
- h) GST registration is under the school. Any eligible tax concessions and GST credits are received through the school. All tax obligations will be managed as part of the school's tax processes.
- i) As a school controlled PFA, donations are not required to be made to the school as the funds collected by the Association should already be recorded as revenue of the school.

## **15. AUSTRALIAN CHARITIES AND NON-FOR PROFITS COMMISSION (ACNC)**

The Association automatically comes under the school's ACNC registration and the benefits that it entails.

## **16. DISSOLUTION**

- a) The Association is automatically dissolved if the school closes down or is amalgamated.
- b) The Association can be dissolved only if it is solvent (i.e. the Association must be able to pay all of its debts and liabilities) following a Special General Meeting. This can be called in accordance with Clause 11. b) specifically for the purpose of providing an opportunity for the school community to discuss the issue to dissolve the Association. At least three-quarters of the members present must vote in favour of the resolution to dissolve the Association for the motion to be carried.
- c) In certain serious circumstances where it is judged that the functions of the Association is at variance with the vision and mission of the School then the Principal or the Chair of the School Board may intervene and dissolve the operations of the Association.
- d) All assets and monies of the Association are the property of the School and will be paid to the School after the satisfaction of all debts and liabilities in the event of the Association ceasing to operate.