

**Early Childhood Australia**  
**AUSTRALIAN CAPITAL TERRITORY BRANCH (INC)**

**C O N S T I T U T I O N**

**March 2005**

**1. Name**

The name of the Association is Early Childhood Australia, Australian Capital Territory (ACT) Branch (Inc.).

**2. Definitions**

In this Constitution, except where the contrary intention appears:

‘the Association’ means Early Childhood Australia Inc.

‘the Branch’ means Early Childhood Australia, ACT Branch (Inc.)

‘the Committee’ means Committee of the Branch

‘the Executive’ means Executive of the Committee of the Branch

‘years of early childhood’ means the years from birth to eight years of age;

and

‘young child’ means a child from birth to eight years of age.

**3. Objectives of the Branch will be:**

- a) To promote actively the objectives of Early Childhood Australia Inc.
- b) To promote the optimum development of young children.
- c) To promote the provision of appropriate developmental opportunities including educational opportunities for all young children.
- d) To encourage the provision of a variety of appropriate support services for young children and their families.
- e) To further general recognition of the role which parents play in the development of young children.
- f) To promote appropriate standards in services for young children.

- g) To participate with parents and others to promote the objects of the Branch.
- h) To act as a medium through which the branch and affiliated associations may unitedly approach government, local governing bodies and any other organisations on matters pertaining to any aspect of early childhood.
- i) To participate in the Association Council meetings, and have Branch representation on the Executive of the Association.
- j) To support and actively promote the standards and Policy Interpretative Statements determined by the Association.

#### **4. Powers**

The Branch is empowered to:

- a) Engage in activities conducive to the attaining of its aims and objects.
- b) Participate in Council Meetings and Executive Meetings of the Association and communicate with the Association at other times.
- c) Join, affiliate or associate with any organisation having similar or related aims and objects to the Branch.
- d) Raise and expend monies and generally do all things which in the opinion of the Branch are necessary to be done for the furtherance of these objects and matters incidental to them.

#### **5. Finance**

- a) The Branch may, for the purposes of carrying out its objects, raise and expend monies.
- b) All monies received must be deposited in the Branch's bank account at such bank as is determined from time to time by the Branch.
- c) Cheques must be signed by any two of the President, Vice-President, Secretary or Treasurer.
- d) The executive may make payments between meetings, totalling not more than the sum agreed to by resolution at the committee meeting following the AGM each year. Payment should be ratified at the next committee meeting.
- e) At each committee meeting the treasurer will present a statement of receipts and expenditure, and all accounts to be presented for payment.
- f) The income, property and funds of the Branch must be used and applied solely towards the promotion and objects of the Branch, and no part thereof may be paid or transferred directly or indirectly to the

members. Remuneration may be paid by the Branch to delegates and members of the Branch for services and approved at a Branch meeting.

- g) A duly audited financial statement must be submitted to each Annual General Meeting of the Branch.
- h) The financial year of the Branch ends on the thirtieth of June in each and every year.

## **6. Membership**

- a) Any person or organisation whether incorporated or unincorporated which:
  - (i) espouses an interest in the well-being of young children
  - (ii) subscribes to the Objectives of the Branch
  - (iii) agrees to promote actively the Objectives of the Branch and to accept its by-lawsis eligible for membership.
- b) The Branch shall admit to membership any applicant who satisfies the criteria in Section 6(a).
- c) The following are the classes of membership of the Branch:
  - (i) individual - when a person not representing any service or organisation is a member
  - (ii) individual service - when a single child care centre, pre-school or similar service is a member, it must appoint one delegate to the Branch
  - (iii) organisational - when an organisation representing individual services or a group of individuals is a member, it must appoint two delegates to the Branch.
  - (iv) Honorary Life Member – may be conferred upon persons who are deemed to have given outstanding service to the Branch. Honorary membership is decided by the membership at the AGM.

**Branch members agree to be bound by the Constitution of the Branch.**

## **7. Voting rights**

- a) At meetings of the Branch:
  - (i) Each individual member has one vote.
  - (ii) Each individual service has one vote.
  - (iii) Each organisational membership has two votes. One vote to be exercised by each delegate.
  - (iv) Each Honorary Life Member has one vote.
- b) In the event of equality it shall be resolved to preserve the status quo.

- c) The chairperson of the meeting may exercise both a casting vote and a deliberative vote.

## **8. Cessation of Branch membership**

- a) The membership of a member of the Branch may be terminated by resolution at a General Meeting of the Branch if the member is in breach of the requirements of the membership set out in Clause 6(a) as determined at a Special General Meeting of the Branch, of which the member has been given at least 28 days notice.
- b) The membership of a member terminates on receipt of a written resignation from the member.
- c) Any member whose membership has been terminated by the Branch pursuant to Clause 8(a) has a right of appeal to a General Meeting of the Branch to be held within two months of the date of termination.
- d) The decision on the appeal will be determined by a vote of members at a Branch meeting

## **9. The Executive**

- a) The Branch must elect an Executive Committee ('The Executive')
  - (i) The Executive will be elected each year from among the delegates and members at the Annual General Meeting, and will include: President, Vice-President, Secretary, Treasurer.
  - (ii) Nominations for the Executive must be submitted to the Honorary Secretary prior to the Annual General Meeting.
  - (iii) A person is not eligible for election to the same office for more than three consecutive years, except that a person may be appointed at a general meeting to fill a casual vacancy until the next AGM.
  - (iv) Meetings of the Executive will be held from time to time at the discretion of the President, or, in his or her absence, of the Vice-President.
  - (v) A quorum of a meeting of the Executive consists of not less than three (3) members.
- b) The Branch must elect a National Vice-President two months prior to the Council Meeting of the Association.
- c) The Executive has power to administer the affairs and the policy as determined by the Branch.

## **10. Committee**

- a) The following five (5) committee members will be elected each year from among the delegates and members at the Annual General Meeting. Each will have responsibility for leadership in the following areas:
  - i) professional development
  - ii) policy
  - iii) social
  - iv) newsletter
  - v) membership
  
- d) The Branch may elect such other officers as may be required by law.

## 11. Sub Committees

- a) The Branch may, from time to time, appoint any person (whether a delegate, member or not) to such sub-committees as it thinks necessary, and may depute or refer to them such matters as the Branch may determine.
- b) The President is an ex-officio member of all such sub-committees.

## 12. Meetings

- a) The **Annual General Meeting** of the Branch must be held after the thirtieth of June in each and every year.
  - (i) Business at the AGM will include:
    - a) presentation of the Annual Report and audited statements of the accounts of the Branch
    - b) election of office bearers and committee members
    - c) appointment of an Auditor
    - d) election of life members
- b) **General Meetings** of the Branch will be held at a time and place as determined by the Branch, and at least once in each quarter of the year.
- c) A **Special General Meeting** must be called by the Secretary within twenty-one (21) days after receipt by the Secretary of a requisition to that effect signed by six (6) of the delegates and members of the Branch specifying the business to be transacted at such meeting.
- d) A quorum for any meeting of the Branch consists of at least one quarter of the number of financial members and delegates of financial members.

- e) Seven days' notice in writing of all meetings must be given to all delegates and members prior to the date of the meeting specifying the place, the day, the hour of the meeting.
- f)
  - (i) The Branch has the power from time to time at any General, Special General or Annual General Meeting to pass, alter or rescind by-laws providing for the due management and regulation of the affairs of the Branch.
  - (ii) By-laws made pursuant to the previous sub-clause must be entered in a book that is kept for inspection at any meetings of the Branch or any of its sub-committees and the by-laws may be printed and circulated at the discretion of the Branch.

#### **14. The Secretary**

The duties of the Secretary are to:

- a) Conduct the correspondence of the Branch and have the custody of all documents belonging to the Branch.
- b) Keep full and correct minutes of all proceedings of the Branch, and
- c) Do such other things as may be directed by the Executive and the Branch.

#### **15. The Treasurer**

The duties of the Treasurer are to:

- a) Receive all monies payable to the Branch and account for them.
- b) Make all payments as authorised by the Branch.
- c) Keep an account of all monies received and disbursed in a book to be open to inspection at any meeting of the Branch.
- d) Prepare and compile for presentation at each Annual General Meeting of the Branch accounts which give a true and fair view of the receipts and payments and state of affairs of the Branch, and a report for that financial year or such other period as may be determined by the Branch from time to time, and
- e) Do such other things as may be directed by the Executive and the Branch

#### **16. Public Officer**

- a) A Public Officer will be appointed in accordance with the ordinance of the ACT.
- b) The Public Officer will comply with all obligations imposed on the holder of that position by the Ordinance.

## **17. Auditor**

- a) An Auditor will be elected annually at every Annual General Meeting to audit the accounts of the Branch and will be eligible for re-election from year to year.
- b) The Auditor must meet the requirements set by the Registrar General ACT Office.
- c) The Auditor has the power to call for production of all books, papers, accounts and documents relating to the affairs of the Branch and is entitled to require proper explanation by the officers of the Branch.
- d) The Auditor must certify the accounts before they are presented to the Annual General Meeting.

## **18. Alteration to Constitution**

This Constitution may be altered only by resolution of a General Meeting of the Branch, of which twenty eight (28) days' notice has been given, supported by at least two thirds of the delegates and members voting in person. This should be done with regard to clause 7a and 7b of the Early Childhood Australia Constitution.

## **19. Winding up**

- a) The Branch may resolve to wind up the affairs of the Branch.
- b) Written notice of this motion will be sent to all members at least 21 days before the meeting.
- c) If upon winding up or dissolution of the Branch, there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, it must be given or transferred to some other institution or institutions having similar objects to the Branch. Such institution is to be determined by the delegates and members of the Branch in meeting at or before the time of dissolution.
- d) The members of the Executive will remain in office for the time required to wind up the affairs of the Branch.