

**AUSTRALIAN CAPITAL TERRITORY
COUNCIL OF PARENTS AND CITIZENS ASSOCIATIONS INCORPORATED**

B Y - L A W S

Pursuant the Constitution the Executive Committee of the Council has made BY-LAWS as set out below.

1. STANDING ORDERS FOR CONDUCT OF MEETINGS AND POLICY CONFERENCE

- 1.1 These Standing Orders shall apply to all General and Executive Committee Meetings.
- 1.2 The agenda of all Meetings and Special General Meetings shall include the following:
- (a) Welcome to those in attendance
 - (b) Apologies
 - (c) Confirmation of minutes of previous meeting
 - (d) Report upon matters arising from the minutes that call for report
 - (e) Matters of importance or priority - determined as such by a previous or the current meeting
 - (f) Correspondence
 - (g) Matters arising from the correspondence
 - (h) Items of interest from Affiliates
 - (i) Treasurer's report and the passing for payments of accounts requiring such approval
 - (j) Reports preferably in writing with comment limited to 5 minutes each, unless otherwise agreed by the meeting
 - . President/Executive
 - . Nominees on peak committees
 - . Education Department Sub-committees
 - . Persons attending conferences or seminars on behalf of Council
 - (k) Elections
 - (l) Motions of which due notice has been given
 - (m) Notices of Motions
 - (n) General Business
 - (o) Date, place and time of next meeting
- 1.3 **Discussion**
No discussion on a motion shall take place except with the leave of the chair.
- 1.4 **Time Limit**
No delegate or alternate delegate shall speak on any matter for more than 5 minutes unless granted an extension of time by the meeting.
- 1.5 **Method of address**
At all times throughout a meeting a speaker shall address the Chairperson.
- 1.6 **Motions**
All motions shall be formally moved and seconded by delegates.
- 1.7 **Notices of Motion**
Such notice may be given at any time during a debate, except when a delegate is speaking, and may refer to the current meeting, or any future meeting.
- 1.8 **Amendments**
(a) Only one amendment shall be accepted and put to the meeting at the one time.

- (b) If an amendment to a motion is carried, the original motion lapses and the amended motion becomes the motion.
- (c) Where the first amendment has been dealt with further amendments to the motion then before the meeting may then be moved and dealt with one at a time.
- (d) An amendment must be relative to the question and not a negation of the original motion.
- (e) The mover of the original motion shall have the right to speak on an amendment.
- (f) No amendment shall repeat the substance of a previous amendment
- (g) A motion may be amended at any time during the debate thereon by:-
 - (i) Striking out certain words
 - (ii) Adding certain words
 - (iii) Striking out certain words and adding others
- (h) The mover or seconder of a motion may not move an amendment to that motion
- (i) A mover and seconder of a motion may accept an amendment and incorporate it into the notice, except where a delegate wishes to speak against that amendment.

1.9 **Withdrawal of Motions or Amendments**

- (a) A motion or amendment may be withdrawn by the proposer provided the seconder also agrees to the withdrawal.
- (b) Should the seconder refuse to agree to the withdrawal, the motion or amendment shall stand as proposed.

1.10 **Right of Reply**

- (a) Except with the leave of the meeting, no delegate shall speak more than once upon the same question. The mover of the original motion shall be entitled to reply **ONLY** after discussion on the motion, or on the motion and amendments (if any) has ceased and before the motion in its agreed form is put.
- (b) The delegate seconding a motion or amendment without remark shall not be held to have spoken thereon.
- (c) The mover of an amendment shall not have the right of reply.

1.11 **Closure**

- (a) A delegate who has not already spoken to the motion or amendment before the meeting, may, at any time after at least one delegate has spoken against such motion or amendment move "That the question be put".
- (b) Upon the latter motion being seconded by a delegate who similarly has not spoken, such latter motion shall immediately be put to the meeting without discussion.

- (c) If lost, the debate shall continue as if such motion had not been moved.
- (d) If carried, then the amendment if there be an amendment, or motion if no amendment has been moved thereon, shall be put to the meeting after the mover has exercised his right of reply.
- (e) If the amendment is carried it shall then become the substantive motion and the debate shall proceed as in Standing Order No 1.8.
- (f) If the amendment be lost, other amendments, of which notice had been given as provided in Standing Order No. 1.8, may be moved and dealt with in the manner provided in standing Order No.1.8, until the question is finally disposed of.
- (g) The motion "That the question be put" may be moved any number of times during a debate.

1.12 **Point of Order**

- (a) No one shall interrupt a speaker except to raise a point of order.
- (b) The delegate raising the point of order shall state his point of order clearly and distinctly then resume his seat. Any delegate speaking shall resume his seat until the point of order is decided. The Chairperson shall thereon decide the point raised and shall not allow a discussion, but may choose to take advice from the Meeting.
- (c) An explanation or contradiction shall not constitute a point of order.
- (d) Explanations may be allowed when the delegate speaking has finished, but only to the extent of actual misunderstanding or misstatement, and the delegate making such explanation shall be prohibited from debating the merits of any proposal within their explanation.

1.13 **Statements from the Chair**

- (a) The Chairperson shall not make statements from the chair on matters before the chair.
- (b) The Chairperson shall vacate the chair to make statements during which time a temporary chairperson shall be appointed, unless by consent of the meeting.

1.14 **Dissent From the Chair**

- (a) Any delegate disagreeing with the Chairperson's ruling on a point of order may move dissent from that ruling. The Chairperson must accept the motion upon its being seconded and shall vacate the chair in favour of a Chairperson appointed by the meeting. Only the mover of the motion of dissent and the Chairperson shall speak on the motion after which it must be immediately put to the vote. The motion of dissent must be moved at the time the alleged irregularity occurs and shall take precedence over all business.

1.15 **Rescission**

- (a) A resolution passed at any meeting may be rescinded -
 - (i) At the same meeting only if two-thirds of the delegates present and entitled to vote, vote in favour of such rescission.

- (ii) At a subsequent meeting by a simple majority if notice of intended rescission is given in sufficient time for it to be included in the notice convening the subsequent meeting.
- (iii) At a subsequent meeting by a two-thirds majority if notice has not been given.

1.16 Voting

- (a) All motions shall be put to the meeting by the Chairperson in a clear manner by asking, those agreeing say "aye" and those disagreeing say "no". Any delegate not satisfied may call for a show of hands. The Chairperson shall count the votes and announce the decision.
- (b) The Chairperson's decision as to which has the majority shall be final, unless two delegates rise and claim division, when the Chairperson shall again take a vote by a show of hands, and the Chairperson shall appoint tellers to count the votes for and against the question.

2. ELECTION

- 2.1 During any Council election the chair shall be taken by a delegate who is not a candidate nor has nominated a candidate for election nor a delegate or alternate delegate for any affiliated body which has a candidate standing for election.
- 2.2 The meeting shall appoint as a Returning Officer and two assistants, persons attending the meeting who are not candidates and have not nominated a candidate for election nor are delegates or alternate delegates of an affiliated body which has a candidate standing for election.

Election to Peak Committees

- 2.3 The prescribed form proposing a candidate as a representative for appointment to a peak committee shall state:
 - (a) The full name of the candidate;
 - (b) The candidate's home address and telephone numbers(s);
 - (c) The candidate's occupation;
 - (d) The name of nominating affiliated body;
 - (e) The place where the candidate's children are/were schooled;
 - (f) Outline of school involvement by the candidate;
 - (g) Brief outline of other relevant community involvement by the candidate;
 - (h) A policy statement from the candidate;
 - (i) Any other comments pertaining to his candidature the candidate may wish to make;
 - (j) The signature of the candidate, certifying that "I, (name of candidate) agree to be nominated as a candidate for election to be appointed to the relevant peak committee, and if elected and appointed to serve as a representative of Council to attend and participate in Council meetings.
 - (l) The signature of two Executive members nominating affiliated body (not including the candidate) certifying that "(Name of candidate) is hereby

nominated by the (name P & C Association) as a candidate for election as a representative to the relevant peak committee by the ACT Council of P & C Associations Inc."

3. **POLICY**

- (a) Motions to amend Policy or propose new Policy at Policy Conference must be received by Council at least eight weeks prior to Policy Conference, and circulated to all affiliated bodies at least six weeks prior to Conference.
- (b) Affiliated bodies which have submitted policy proposals in accordance with By-Law 3 (a) may table at Conference revisions of those proposals which extend the scope or clarify the intent of the original but which are not in opposition to the original proposal.

4. **FINANCE**

4.1 The Council's annual statements shall include (comparing each item with the previous year):

- (a) a statement of moneys actually received and paid during the accounting period only, irrespective when earned or falling due (to be called the **Statement of Receipts and Payments**);
- (b) a statement of income earned and expenditure incurred during the accounting period only, irrespective of whether payment is actually received or made during that period (to be called the **Statement of Income and Expenditure**); and
- (c) a **Statement of Assets and Liabilities** as at the close of the accounting period.

4.2 The Treasurer shall keep books of account as follows:

- (a) a Cash Book kept on a basis concurred in by the Auditor and balanced at least bi-monthly;
- (b) a General Ledger balanced at least bi-monthly;
- (c) a Sundry Debtors Journal balanced bi-monthly;
- (d) Postage Imprest Account Journal and a Petty Cash Journal balanced monthly; and
- (e) an Insurance Agency Journal balanced annually

4.3 **Bank Accounts**

- (a) All accounts shall be maintained in the name of the Council at such banks or building societies as agreed by Council.
- (b) The Postage Imprest Account shall be operated by one of the persons for the time being carrying out the duties of President, Treasurer, Office Secretary.
- (c) All other accounts shall be operated only by two of the persons for the time being carrying out the duties of President, Vice President, Secretary and Treasurer.

4.4 **Payment of Accounts**

- (a) All accounts shall be paid by cheque or from an accountable Imprest Account for which postage vouchers must be produced.

- (b) Except as provided in (c) no expenditure shall be incurred without the standing or specific approval of the Executive Committee or a General Meeting of the Council.
- (c) Where the person carrying out the duties of President and one of the Secretary and Treasurer consider that it is **essential** to incur expenditure before such a meeting can reasonably be arranged, they may do so.
- (d) All payments other than from petty cash shall be by cheque crossed "not negotiable".
- (e) Endorsement by the Treasurer on the account paid, of the cheque number and date of payment shall be accepted by the Council for accounting purposes as adequate record that payment has been made (that is that receipts shall not be required).

4.5 **Claims by the Council for Payment of Moneys**

- (a) All claims by the Council for payment to the Council shall be made in writing, be clear and certain and be serially numbered with a copy of each retained in the office and filed in numerical order.
- (b) Receipts for moneys received shall be issued on accountable printed Council receipt forms as soon as practicable after receipt by a Council officer or employee. Received moneys shall be banked in the Council's account as promptly as practicable and in any case not later than 4 working days after receipt by the Treasurer.

4.6 **Finance Committee**

Pursuant to clause 12(n) of the Constitution

- (a) the Finance sub-committee shall be three members made up from the Treasurer, Secretary, a Vice President, the President and one other.
- (b) The functions of the Committee shall be to prepare the annual budget, monitor the financial affairs of Council, report to the Executive Committee of the Council and the Council on financial matters, and advise on levels of fees and other aspects of the Council's finances.

4.7 **Budgeting**

The Finance Sub-committee shall submit to a meeting of the Executive Committee by 30th June each year a receipts and payments budget for the following financial year with a recommendation as to fees for the next calendar year.

4.8 **Records**

Vouchers shall be retained for 3 years unless a longer period is otherwise requested by the Auditor.

5. **Postal Address**

For the purposes of the Constitution and these By-Laws;

- (a) the postal address of the Council is Majura Primary School, Knox Street, Watson.
- (b) the administrative office of the Council is at Majura Primary School, Knox Street, Watson.

- 6. These By-laws may be amended only as is prescribed in clause 23(b) of the Constitution of the A.C.T. Council of Parents' and Citizens' Associations Incorporated.