

THE MARGARET RIVER MONTESSORI PARENTS' AND FRIENDS' (INC).
CONSTITUTION AND RULES.

1. NAME.

The name of the Association is the Margaret River Montessori Parents' and Friends' Association (Inc).

2. OBJECTS.

The objects of the Association are to:-

- a) to encourage, advise and assist with general community involvement in the activities of the Margaret River Montessori School
- b) to encourage and assist with general parent education in childhood development and education at the pre-school and primary level with regard to the Montessori method of education
- c) to raise funds for the purpose of donating facilities/equipment to the Margaret River Montessori School
- d) to expend or invest, for the benefit of the children attending the Margaret River Montessori School, all amounts received for this purpose
- e) to co-operate with the Committee of Management of the Margaret River Montessori School in matters of mutual concern, including public awareness within the wider community.

Provided that the property and income of the Association shall be applied solely towards the promotion of the above objects and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members except in good faith in the promotion of those objects.

3. MEMBERSHIP.

- a. Any person, other than the person whose membership has ceased by virtue of the operation of Rule 3 b (iii) less than twelve months prior to requesting membership, may become a member of the School by payment of the membership fee prescribed in Rule 4.
- b. Membership of the Parents' and Friends' Association shall cease if :-
 - i. The member dies;
 - ii. The member, having been notified that the subscription is due, fails to pay the membership fee within four months of it becoming due;
 - iii. The School, after proper investigation, in which natural justice has been afforded the member, decides by resolution that the membership of the member should cease because the member's conduct is seriously prejudicial to the attainment of the Objects referred to in Rule 2; or
 - iv. The member gives notice, in writing, to the Secretary, that the membership should cease.

4. MEMBERSHIP FEES

- a. Fees for the membership of the P&F Association, and the setting of different classes of membership of the P&F Association, shall be fixed, from time to time, by the Executive of the Parents' and Friends' Association.

- b. In fixing membership fees, the Executive of the Parents' and Friends' Association may fix different fees for different classes of member.
- c. Membership fees shall become payable on becoming a member and thereafter on the first of January each year.

5. EXECUTIVE COMMITTEE

- a. The Margaret River Montessori Parents' and Friends' Association shall be managed by an Executive Committee consisting of a Chairperson, a Vice-Chairperson, a Secretary, a treasurer and the principal of the School (ex-officio), as a minimum. Such other person or persons may be co-opted from time to time.
- b. Subject to the members at general meetings, these Rules and the *Associations Incorporations Act 1987*, the Executive Committee shall have all such powers and do all such things as are necessary to carry out the objects referred to in Rule 2, including the delegation and revocation of its powers to c. Sub-Committees and the making and removal of by-laws.
- c. An Executive Committee member shall cease to be a member of the Executive Committee on becoming a non-financial member or, on failing to attend more than three consecutive meetings without reasonable excuse or on ceasing to be a member of the Margaret River Montessori School Inc.
- d. Casual vacancies on the Executive Committee shall be filled at the meeting next after the date of the casual vacancy from the financial membership. The member also appointed shall continue in that position until the expiration of the term of the member replaced.
- e. The Executive Committee shall meet as often as is necessary to effectively carry out the business of the School. A quorum shall be five members
- f. The Chairperson shall have a casting vote in addition to a deliberative vote in the event of an equality of votes

6. ELECTION OF THE EXECUTIVE COMMITTEE.

- a. Each member of the Executive Committee, other than those ex-officio, shall be elected for the ensuing year from the financial membership at the annual general meeting.
- b. Retiring members of the Executive Committee may nominate and be elected to the Executive Committee for the next year, provided they remain financial members
- c. A financial member may be nominated for an office or as an ordinary member of the Executive Committee by himself or herself or by another financial member. If nominated by a financial member, the nominee shall consent to the nomination, in writing, addressed to the Secretary before the date of the annual general meeting at which the election is to take place, or, if nominated at the annual general meeting, shall indicate his or her consent to the nomination at the meeting

- d. Nominations shall be called for filling the positions on the Executive Committee twenty-eight days before the annual general meeting with a last day for nominations fourteen days before the annual general meeting
- e. Seven days before the annual general meeting, the Secretary shall advise members of the nominations received. That Advice shall contain the names, addresses, occupations, nominated position of those nominated, together with any short description by a nominee of his or her credentials for the vacant position
- f. If the same number of nominations as there are vacancies are received, the Chairperson shall, at the annual general meeting, declare such nominees duly elected to the vacant positions
- g. If more nominations than there are vacancies than there are vacancies are received, the successful nominees for the vacant positions shall be decided by ballot at the annual general meeting
- h. If less nominations than there are vacancies are received, the Chairperson shall call for nominations from the financial members present at the annual general meeting and, if this action fails to fill all of the positions, the elected Executive Committee shall treat each vacancy as a casual vacancy.

7. DUTIES OF OFFICE HOLDERS

- a. The Chairperson or, in his or her absence, the Vice-Chairperson shall preside at all meetings of the P&F Association and its Executive Committee. The Chairperson shall provide an annual report to the annual general meeting.
- b. The Secretary shall carry out all such duties as are required by the Executive Committee including the preparation of the minutes of each meeting. The issuance of notices, the maintenance of the list of members, the maintenance of an up-dated copy of the Rules, the maintenance of a record of the names and addresses of all persons holding office on the Executive Committee of the P&F Association and the safe keeping of the common seal.
- c. The Treasurer shall carry out all such duties as are required by the Executive Committee including the maintenance of such accounting records as will correctly explain the financial transactions and financial position of the P&F Association, prepare accounts of the P&F Association for the annual general meeting, showing the financial position of the P&F Association at the end of the immediately preceding financial year and ensure that the accounts for the annual general meeting are audited before the meeting.

8. GENERAL MEETINGS

- a. Four general meetings shall be held each year unless otherwise determined by an annual general meeting. The date for each general meeting shall be determined by the Executive Committee by giving fourteen days notice to members setting out the date, time and place of such meeting together with detail of any notice of motion
- b. Special general meetings may be called as and when required by the Executive Committee or by a requisition in writing by five members. The Secretary shall, as soon as practicable after receiving the direction from the Executive Committee or the five members as the case may be,

give fourteen days notice to members setting out the date, time and place of such a meeting together with detail of the specific matter to be raised at the meeting. No matter other than that referred to in the notice may be raised at a special general.

- c. The annual general meeting shall be called each year before the end of Term 1, on a date fixed by the Executive Committee.
- d. The proceeding of an annual general meeting shall include the election of members of the Executive Committee, the presentation of the Chairperson's report and the presentation of a duly audited balance sheet and profit and loss account.
- e. Twenty-eight days notice shall be given to members setting out the date, time and place of such a meeting.
- f. At any general meeting, special general meeting or annual general meeting:
 - i. A quorum shall **be ten financial members** present at the meeting;
 - ii. Any member may speak on any matter at the meeting, however only financial members shall have the right to one vote on any matter put before the meeting, or with respect to each ballot taken to fill positions on the Executive Committee;
 - iii. The Chairperson shall, in the case of an equality of votes, have a casting vote, in addition the Chairperson's deliberate vote;
 - iv. If requested by members, voting shall be by secret ballot, otherwise, voting shall be by way of a show of hands with the result being declared by the Chairperson. Where there is any dispute as to that result, the matter shall be determined by secret ballot;
 - v. Notice for general meetings shall be written and sent by post to the address shown on the register of members;
 - vi. If a quorum is not achieved within 30 minutes of the time fixed for the meeting, the meeting shall be abandoned and the Chairperson shall fix a date for a substitute meeting allowing sufficient time for an appropriate notice to be given.

9. FINANCE

- a. The financial year of the P&F Association shall commence on the **first day of January**
- b. The P&F Association shall operate accounts with banking institutions so as to provide prudent management of the P&F Association's funds
- c. Cheques drawn on the trading account of the P&F Association shall be signed by the Treasurer and one of the two other members of the Executive Committee appointed for that purpose by the Executive Committee.
- d. The dealing with all financial securities shall be subject to resolution of the Executive Committee or, where the value of the security exceeds \$50,000, by a special general meeting and, in either case, signed by the Treasurer and the Chairperson of the meeting at which the resolution was passed.
- e. Before the annual general meeting, the P&F Association's accounts shall be audited by a person qualified for that purpose and who is not a member of the P&F Association

10. COMMON SEAL

- a. The common seal shall be kept in the custody of the Secretary.
- b. The common seal shall not be used except by resolution of the members or by the resolution of the Executive Committee
- c. With the exception of financial securities, all sealed documents shall be sealed in the presence of the Secretary and the Chairperson of the meeting, at which the resolution requiring the use of the common seal was passed.

11. INSPECTION

- a. The Secretary shall make available at a mutually convenient time for inspection such as, the register of members, minutes, these rules, records, accounts and securities of the P&F Association, as may be requested by a member.
- b. The member may make copies of the documents provided for inspection, but shall not remove them from the presence of the Secretary.

12. THESE RULES

- a. The rules of the P&F Association, including its name, may only be amended by special resolution of the financial members
- b. A special resolution is defined as a resolution passed by a majority of not less than three-fourths of those financial members present at a general meeting of which notice specifying the intention to propose the resolution was given.
- c. Amendment of the rules shall commence by way of a notice of motion which gives the precise form of the proposed amendment together with a brief statement setting out the reason for the amendment
- d. The notice of motion and its statement shall be included with the notice calling for the meeting of members at which the motion is to be put.

13. WINDING UP

- a. If, on the winding up of the P&F association, any property of the P&F Association remains after the satisfaction of the debts and liabilities of the P&F Association and the costs, charges and expenses of that winding up, that the property shall be distributed;
 - i. to another incorporated association having objects similar to those of the P&F Association; or
 - ii. for charitable purposes,which incorporated association or purposes, as the case requires, shall be determined by resolution of the members when authorising and directing the Executive Committee under section 33(3) of the *Associations Incorporation Act 1987* To prepare a distribution plan for the distribution of the surplus property of the P&F Association.