

Australian Council for Computers in Education

Rules of the Association

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PURPOSES AND RULES OF THE ASSOCIATION

1. NAME

- 1.1 The name of the incorporated association is Australian Council For Computers In Education Incorporated (in these Rules called "the Association").

2. PURPOSES

- 2.1 The purposes of the Association are:
- 2.1.1 To establish and maintain a national professional organisation representing the users of computers in education in Australia.
 - 2.1.2 To establish, maintain and provide a representative national voice for member organisations.
 - 2.1.3 To provide and maintain a common forum for member organisations.
 - 2.1.4 To co-operate and/or liaise with other relevant organisations at local, state, territory, national and international levels.
 - 2.1.5 To facilitate and provide mechanisms for the dissemination of information in relation to the use of computers in education.
 - 2.1.6 To provide support for member organisations.
 - 2.1.7 To organise and conduct conferences, seminars and/or other programmes.
 - 2.1.8 To organise and/or publish publications with a national focus.
 - 2.1.9 To increase the community awareness of the roles of computers in education.
 - 2.1.10 To promote initiatives in the use of computers in education.
 - 2.1.11 To do all such things as may be incidental to or associated with or conducive to the attainment of the above mentioned purposes.

3. DEFINITIONS

- 3.1 In these Rules, unless the contrary intention appears:
- 3.1.1 "Board" means the supreme governing body of the Association
 - 3.1.2 "Financial year" means the year ending on the 31st December
 - 3.1.3 "General Meeting" means a General Meeting of members convened in accordance with Rule 14
 - 3.1.4 "Annual Meeting" means an annual meeting of members; "Member" means a member of the Association
 - 3.1.5 "Ordinary Member of the Board" means a member of the Board who is not an Executive Officer of the Board under Rule 9
 - 3.1.6 "Representative" means a representative of a member organisation. "The Act" means Associations Incorporation Act 1981
 - 3.1.7 "The Regulations" means Regulations under the Act
- 3.2 In these Rules, a reference to the secretary of the Association is a reference:
- 3.2.1 where a person holds office under these Rules as Secretary of the Association - to that person; and
 - 3.2.2 in any other case, to the Public Officer of the Association.
 - 3.2.3 Words or expressions contained in these Rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1958 and the Act as in force from time to time.

4. MEMBERSHIP OF THE ASSOCIATION

- 4.1 The following member organisations are the foundation members of the Association:
- 4.1.1 Information Technology Educators ACT (InTEACT)
 - 4.1.2 Queensland Society for Information Technology in Education Inc. (QSITE)
 - 4.1.3 EdTechSA
 - 4.1.4 Tasmanian Society for Information Technology in Education (TASITE)
 - 4.1.4 Digital Learning and Teaching Victoria (DLTV)
 - 4.1.5 Information Technology Educators of the Northern Territory (ITEANT)
 - 4.1.6 Educational Computing Association of Western Australia Inc. (ECAWA)
 - 4.1.7 Information Communications Technology Educators of New South Wales (ICTENSW)
 - 4.1.8 Australian Computer Society Inc. (ACS)
- 4.2 Other associations or organisations may from time to time be admitted to membership by a two-thirds majority decision of the Board.
- 4.3 The suspension or rescission of membership shall be determined by a two-thirds majority decision of the Board.

5. General rights of members

- 5.1 A member of the Association who is entitled to vote has the right—
- 5.1.2 to receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules; and
 - 5.1.3 to submit items of business for consideration at a general meeting; and
 - 5.1.4 to attend and be heard at general meetings; and
 - 5.1.5 to vote at a general meeting; and
 - 5.1.6 to have access to the minutes of general meetings and other documents of the Association; and
 - 5.1.7 to inspect the register of members.

6. BOARD COMPOSITION

- 6.1 Subject to section 22 of the Act, the Board shall consist of:
- 6.1.1 the President or nominee for the time being of each member organisation.
 - 6.1.2 and two ex officio positions for the Board: Immediate Past President and the representative of the Australian Computer Society to IFIP's Technical Committee on Education (TC3)
- 6.2 Each Ordinary Member of the Board shall, subject to these Rules, hold office for so long as she or he remains the President or nominee of the organisation which she or he represents.
- 6.3 Each Executive Officer of the Board shall, subject to these Rules, hold office for so long as she or he remains a financial member of the appropriate member organisation.

7. RESIGNATION OF A MEMBER

- 7.1 A member of the Association who has paid all moneys due and payable by it to the Association may resign from the Association by first giving one month's notice in writing to the Secretary of its intention to resign and upon the expiration of that period of notice, the member shall cease to be a member.
- 7.2 Upon the expiration of a notice given under clause 7.1, the Secretary shall make in the register of members an entry recording the date on which the member by whom the notice was given ceased to be a member.

8. EXPULSION OF MEMBERS OF THE ASSOCIATION

- 8.1 Subject to these Rules, the Board may by resolution:
- 8.1.1 expel a member from the Association;
 - 8.1.2 suspend a member from membership of the Association for a specified period; or

- 8.1.3 fine a member in accordance with the Regulations - if the Board is of the opinion that the member -
- 8.1.4 has refused or neglected to comply with these Rules;
- or
- 8.1.5 has been guilty of conduct unbecoming a member or prejudicial to the interests of the Association.
- 8.2 Where the Board passes a resolution under clause 7.1, the Secretary shall, as soon as practicable, cause to be served on the affected member a notice in writing:
 - 8.2.1 setting out the resolution of the Board and the grounds on which the resolution is based;
 - 8.2.2 informing the member that the member may give to the Secretary of the Board notice in writing seeing a review of the resolution provided that such notice is lodged with the Secretary within 61 days from service of the notice setting out the resolution on the affected member;
 - 8.2.3 stating that if the member exercises the right of review there will be a meeting held at the discretion of the Board but certainly within a period of 60 days from the receipt of the request for review at which meeting the member may address the Board.
- 8.3 A resolution of the Board under clause 7.1 shall take effect on the sixty-first day after service of the notice of the decision upon the member. If the Secretary of the Board has not received a notice in writing requesting a review of the decision within the sixty-one days, the resolution of the Board shall become final.
- 8.4 If a request for review is received under sub-clause 7.2.2 a meeting of members shall be convened pursuant to sub-clause 7.2.3. At the meeting convened pursuant to that sub-clause, the Board:
 - 8.4.1 shall reiterate details of the grounds for the resolution and the reasons for the passing of the resolution;
 - 8.4.2 shall give the member an opportunity to be heard;
 - 8.4.3 shall give due consideration to any written and oral submissions made by the member; and
 - 8.4.4 shall by resolution confirm or revoke its prior resolution such revocation or confirmation being by at least a two thirds majority.
- 8.5 At a meeting convened under sub-clause 7.2.3 other business may be transacted after the matter of the review has been dealt with.

9. VACATION OF OFFICE

- 9.1 For these Rules, the office of an officer of the Association or of any member of the Board becomes vacant if the officer or member:
 - 9.1.1 ceases to be a member of the Association as specified in Rule 4;
 - 9.1.2 resigns from office by notice in writing given to the Secretary;
 - 9.1.3 is removed in accordance with Rule 7;
 - 9.1.4 ceases to be a financial member of the appropriate member organisation;
 - 9.1.5 becomes an insolvent under administration within the meaning of the Companies (Victoria) Code.

10. EXECUTIVE OFFICERS OF BOARD

- 10.1 The executive officers of the Board shall be:
 - 10.1.1 the President, who shall be appointed for a period of two years

- 10.1.2 the President Elect, who shall become the President after the two year Presidential period (10.1.1)
 - 10.1.3 the Immediate Past President, who shall serve in that role pursuant to clauses 10.1.1 and 10.1.2
 - 10.1.4 a Treasurer,
 - 10.1.5 a Secretary,
 - 10.1.6 and any other position as may be determined from time to time by a two-thirds majority of the Board.
- 10.2 Each executive officer of the Board shall hold office until the conclusion of the Annual Meeting of the Board next after the date of her or his election but is eligible for re-election.
- 10.3 In the event of a casual vacancy in any office referred to in clause 10.1, the Board may appoint one of its members to the vacant office and the member so appointed may continue in office up to and including the conclusion of the Annual General Meeting of members next following the date of her or his appointment.

11. NOMINATION OF EXECUTIVE OFFICERS

- 11.1 Nomination of candidates for election as Executive Officers of the Board shall be made in writing, signed by two members of the Board and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination).
- 11.2 The nomination of a candidate shall be acceptable only if that candidate is either:
- 11.2.1 the Representative of a member organisation, or
 - 11.2.2 an officer of the outgoing Executive.
- 11.3 If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- 11.4 The ballot for the election of executive officers of the Board shall be conducted at the Annual General Meeting of the Board in such usual and proper manner as the Board may direct.

12. FEES AND SUBSCRIPTIONS

- 12.1 The per capita membership fee for member organisations other than the Australian Computer Society shall be set each year for the following year and shall be struck at the Annual General Meeting unless the Board decide otherwise.
- 12.2 The annual membership fees payable each year shall
- 12.2.1 be due on March 31 each year, unless otherwise specified;
 - 12.2.2 for each member organisation, other than the Australian Computer Society, be determined by multiplying the per capita fee as per clause 11.1 by the number of financial members each member organisation had at the 31st of December of the preceding year;
 - 12.2.3 for the Australian Computer Society, be ten per cent of the total membership fees for the previous year.
- 12.3 Notwithstanding clause 11.1 and 11.2 the annual subscription payable by member organisations may be such amount or amounts as may from time to time be determined by the Board.
- 12.4 The Board may from time to time require each or a particular member organisation to constitute to the Association such amount or amounts as may from time to time be determined by the Board at a meeting of the Board.
- 12.5 Any member which has failed to remit the whole or part of any amount or amounts which are required to be paid to the Association in accordance with clause 11.2, 11.3 and 11.4 before the commencement of any meeting of members shall be deemed to be unfinancial.

12.6 Any member which has been deemed to be unfinancial shall be entitled to participate and vote at any meeting of members unless the Board decides in accordance with Rule 15 that an unfinancial member shall not be entitled to participate or vote at that meeting.

12.7 Each member organisation, other than the Australian Computer Society, shall be required to produce and lodge with the Secretary of the Board by the 28th of February each year a document as per Appendix 2 which states its financial membership as at 31st December of the preceding year.

13. ANNUAL GENERAL MEETING OF MEMBERS

13.1 The Board shall in each calendar year convene an Annual General Meeting of its members.

13.2 The Annual General Meeting shall be held on such a day and at such a place as the Board determines.

13.3 The Annual General Meeting shall be specified as such in the notice convening it.

13.4 The ordinary business of the Annual General Meeting shall be:

13.4.1 to confirm the minutes of the last preceding Annual General Meeting;

13.4.2 to receive from the executive officers of the Board reports upon the transactions of the Association during the last preceding financial year;

13.4.3 to elect executive officers of the Board; and

13.4.4 to receive and consider the statement submitted to the Board in accordance with section 30 (3) of the Act.

13.5 The Annual General Meeting may transact special business of which notice is given in accordance with these Rules.

13.6 At least half of all voting members of the Association constitute a quorum for the transaction of business of an Annual General Meeting.

13.7 No business shall be transacted unless a quorum is present and if within two and half (2.5) hours of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to a place and time to be determined at the discretion of the members who attended the meeting of which notice was given provided that notice of the adjourned meeting is given as required by these Rules.

13.8 The Annual General Meeting of members shall be in addition to any other General Meetings of members that may be held in the same year.

14. OTHER MEETINGS

14.1 All General Meetings of members other than the Annual General Meeting of members shall be called General Meetings of members.

15. GENERAL MEETINGS OF MEMBERS

15.1 The Board shall convene a General Meeting of members at least 2 times a year at such place and such times as the Board may determine.

15.2 General Meetings may be convened by the President or at the request of any four of the members of the Board.

15.3 Notice shall be given to members of the Board of any General Meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.

15.4 At least half of all voting members of the Board and at least two Executive Officers of the Board constitute a quorum for the transaction of the business of the General Meeting, unless otherwise specified.

15.5 No business shall be transacted unless a quorum is present and if within two and a half (2.5) hours of the

time appointed for the meeting a quorum is not present the meeting shall stand adjourned to a place and time to be determined at the discretion of the Executive unless the meeting was a special meeting in which case it lapses.

- 15.6 Questions arising at a General Meeting or of any sub-committee appointed by the Board shall be determined on a show of hands or, if demanded by not less than two members, by a poll taken in such manner as the person presiding at the meeting may determine.
- 15.7 Each member present at a General Meeting or at any sub-committee appointed by the Board (including the person presiding at the meeting) is entitled to one vote except where otherwise specified and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- 15.8 Written notice of each General Meeting shall be served on each member of the Board by delivering it to them at a reasonable time before the meeting or by sending it by pre-paid post addressed to them at their usual or last known places of abode at least fourteen days before the date of the meeting.
- 15.9 Subject to clause 14.4 the Board may act notwithstanding any vacancy on the Board.

16. DETERMINATIONS OF MATTERS

- 16.1 The question arising at a General Meeting shall be determined on a show of hands and unless before or on the declaration of the show of hands a poll is demanded, a declaration by the Chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, and an entry to that effect in the Minute Book of the Association is evidence of that fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.
- 16.2 Except where herein otherwise specified resolutions of meetings shall be by a simple majority.

17. VOTING ENTITLEMENTS

- 17.1 Upon any question arising at any Meeting:
 - 17.1.1 of members, only the representatives of the member organisations shall have the right to vote and each shall have one vote;
 - 17.1.2 of the Executive, each Executive officer has one vote only, with the exception of the Immediate Past President who has no vote.
- 17.2 Each Representative of a member organisation constituting a subcommittee appointed by the Board (including the person presiding at the meeting) is entitled to one vote except where otherwise specified and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- 17.3 All votes shall be given personally or by proxy except where otherwise specified.
- 17.4 In the case of an equality of voting on a question, the Chairperson of the Meeting is entitled to exercise a second or casting vote.

18. VOTING BY PROXY

- 18.1 Each member of the Board entitled to vote shall be entitled to appoint another member of the Board as her or his proxy at any General Meeting by notice given to the Secretary.
- 18.2 The notice appointing the proxy shall be in the form set out in Appendix 1, or in other such form as acceptable to the Board.

19. POLLS

- 19.1 If at a meeting a poll on any question is demanded by not less than two members, it shall be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- 19.2 A poll that is demanded on the election of a Chairperson or on a question of an adjournment shall be taken

forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairperson may direct.

20. ADJOURNMENTS

- 20.1 The Chairperson of a General Meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than business left unfinished at the meeting at which the adjournment took place.
- 20.2 Where a meeting is adjourned for twenty-one days or more, a like notice of the adjourned meeting shall be given as in the case of the General Meeting.
- 20.3 Except as provided in clause 19.1 and 19.2, it is not necessary to give notice of adjournment or of the business to be transacted at an adjourned meeting.

21. MANAGEMENT

- 21.1 The affairs of the Association shall be managed by an Executive constituted as provided in Rule 9.
- 21.2 The Executive:
 - 21.2.1 shall have the power to conduct and manage the affairs and business of the Association in accordance with the wishes of the Board;
 - 21.2.2 may, subject to these Rules, the Regulations and the Act and any decision of the Board, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these Rules to be exercised at a Meeting of the Board;
 - 21.2.3 subject to these Rules, the Regulations and the Act, has power to perform all such acts and things as appear to the Executive to be essential for the proper management of the business and affairs of the Association.
 - 21.2.4 shall meet as often as is deemed necessary and shall circulate minutes of each Meeting to all members of the Board within 30 days of the Meeting.
- 21.3 The Board or the Executive may from time to time appoint such staff as is deemed necessary for the proper conduct of the affairs of the Association on such terms and conditions as it deems fit.

22. THE PRESIDENT

- 22.1 The President shall preside as Chairperson at each General Meeting, each Annual General Meeting and each Executive meeting.
- 22.2 The President shall act as chief spokesperson of the Association and shall carry out such further duties as may from time to time be allocated to her or him by the Board.
- 22.3 The President shall call meetings of members and of the Executive officers of the Board.
- 22.4 In the absence of or in the event of the incapacity of the President, the Board may select, if necessary at a meeting called by two members of the Executive, one of its members to act as President. The member so selected shall be titled "Acting President" and shall perform the duties and exercise the powers of the President for the time specified by the Board provided that that time shall not be longer than the absence or incapacity of the President.

23. THE PRESIDENT ELECT

- 23.1 The President Elect shall assist the President in the execution of her or his duties.
- 23.2 The President Elect shall carry out further duties as may from time to time be allocated to her or him by the Board
- 23.3 In accordance with clause 10.1 the President Elect shall take office as President after the appropriate period

24. THE IMMEDIATE PAST PRESIDENT

- 24.1 The Immediate Past President shall assist the President in the execution of her or his duties.
- 24.2 The Immediate Past President shall carry out further duties as may from time to time be allocated to her or him by the Board.

25. THE SECRETARY

- 25.1 The Secretary shall attend unless excused all meetings of members and the Executive and keep or cause to be kept minutes of the same, copies of which shall be distributed to Board members and to secretaries (howsoever called) of member organisations.
- 25.2 The Secretary shall keep minutes of the resolutions and proceedings of each General Meeting, each Annual General Meeting and each Executive meeting in books provided for that purpose together with a record of the names of members present at any General Meeting or Annual General Meeting of members or Executive meeting.
- 25.3 The Secretary shall keep and maintain a register of members in which shall be entered the full name, address and/or registered office and date of entry of the name of each member and the register shall be available for inspection by members at the address of the Public Officer.
- 25.4 Except as otherwise provided in these Rules, the Secretary shall keep in her or his custody or under her or his control all books, documents and securities of the Association.
- 25.5 The Secretary shall carry out further duties as may from time to time be allocated to her or him by the Board.

26. THE TREASURER

- 26.1 The Treasurer of the Association shall collect and receive or shall cause to be collected and received all moneys due to the Association and make or cause to be made all payments authorized by the Association.
- 26.2 The Treasurer of the Association shall keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.
- 26.3 The Treasurer shall prepare and submit to each meeting of members and the Executive an up to date financial statement.
- 26.4 The Treasurer shall present an audited annual balance sheet and statement of accounts to be distributed to Board members and secretaries (howsoever called) of member organisations by March 31 of the following year.
- 26.5 The accounts and books referred to in clause 24.2 shall be available for inspection by members.

27. CHEQUES

- 27.1 All cheques, drafts, bills of exchange promissory notes and other negotiable instruments shall be signed by two representatives on the Board or in any other manner as is resolved by the Board.

28. SERVICE AND POSTING

- 28.1 A notice may be served by or on behalf of the Association upon any member either personally or by sending it by post to the member at its address shown in the Register of Members.
- 28.2 Where a document is properly addressed, prepaid and posted to a person or member as a letter the document shall, unless the contrary is proved, be deemed to have been given to the person or member at the time at which the letter would have been delivered in the ordinary course of post.

29. ALTERATIONS TO RULES

- 30.1 These Rules and the Statement of Purposes of the Association shall not be altered except in accordance with the Act.

30. DISSOLUTION

- 31.1 In the event of the winding up or the cancellation of the incorporation of the Association the assets of the Association shall be disposed of in accordance with the provisions of the Act.
- 31.2 Notwithstanding anything to the contrary either in these Rules or in the Associations Incorporation Act 1981, if on winding up or dissolution of the Association there remains property whatsoever, it shall not be paid or distributed among the members but shall be given or transferred to some other organisation, association or school having objects similar to the objects for this Association and which falls within the meaning of the Item 63A of the First Schedule to the Sales Tax (Exemptions and Classifications) Act.
- 31.3 No alteration or amendment shall be made to the Constitution of the Association for the time being in force, which would permit any payment or income of the property of the Association including, without limiting the generality thereof, moneys obtained from the realisation of assets, either consequent on the winding up or dissolution of the Association or otherwise to any member of the Association for that person's personal gain or profit.

31. USE OF INCOME AND PROPERTY

- 32.1 The income and the property of the Association shall be applied solely towards the promotion of the objects of the Association as set forth in the Constitution and no portion thereof shall be paid or transferred directly or indirectly by way of profit to any member of the Association.

APPENDIX 1

AUSTRALIAN COUNCIL FOR COMPUTERS IN EDUCATION
INCORPORATED

FORM OF APPOINTMENT OF PROXY

I,
(insert name)

being the Representative of
(insert name of member organisation)

and being a member of the Board of the AUSTRALIAN COUNCIL FOR COMPUTERS IN EDUCATION INCORPORATED
hereby appoint

.....
(insert name)

being a member of the Board of that Incorporated Association, as my proxy to vote for me in my capacity as a Representative at
the

* General Meeting of members / Annual General Meeting of members to be held on

..... day of 19

and at any adjournment of that meeting.

My proxy is authorized to vote

in favour of / against / abstain re / at her/his. discretion re
(delete as appropriate)

the resolution(s) (insert details):

.....
.....
.....
.....

SignedDate

* Strike out whichever is not required.

To be inserted if desired.

APPENDIX 2

AUSTRALIAN COUNCIL FOR COMPUTERS IN EDUCATION INCORPORATED

FORM FOR ADVICE RE FINANCIAL MEMBERSHIP

I,
.....
(insert name)

being President of
.....
(insert name of member organisation)

hereby certify that the financial membership of
.....
(insert name of member organisation)

at the 31st December 19 was

Individual members
Institutional members
Other
Total

Dated day of 19

Signed
.....
(President of the above-named organisation)

Return completed form and payment to:
Treasurer
ACCE
PO Box 1255
Belconnen ACT 2616