



BRANXTON PUBLIC SCHOOL P&C CONSTITUTION

1. Name

This body shall be known as the Branxton Public School Parents and Citizens' Association, a body corporate under the Parents and Citizens' Associations Incorporation Act 1976.

2. Object and Functions

The objects and functions of this association shall be those set out in Section 116 of the Education Act 1990, which include:

(i) The objects:

- (a) to promote the interests of the school by bringing parents, citizens, students and teaching staff into close co-operation; and
- (b) to assist in providing facilities and equipment for the school and in promoting the recreation and welfare of the students at the school.

(ii) The functions:

- (a) to report, when requested by the Minister for Education and Training, on the material requirements of the school and to advise on the subject of maintenance of the school, alterations and additions to school facilities, and the selection of new sites;
- (b) to assist and co-operate with the teaching staff in public functions associated with the school;
- (c) to be responsible for the election of parent representatives to any school council constituted at the school in consultation with the Principal of the school to ensure consistency with any guidelines for elections issued by the Director-General of Education and Training;
- (d) to assist in any matters in which the Minister may seek the co-operation of the association and to exercise such other functions as may be prescribed by the regulations (under the Education Act 1990).

3. School Staff

The association shall not exercise any authority over the teaching staff or any matter relating to the control or management of the school. School staff may become members of the association. The Principal of the school, or the Principal's nominee, shall be a member, ex-officio, of the association and all its committees.

4. Membership

Membership will be open to all parents and guardians of pupils attending the school and to all citizens within the school community. The association shall maintain a register of members. A person whose name appears in the register and who has paid the annual subscription shall be a member of the association.

The register shall be updated after each general meeting by the Secretary or the Secretary's nominee. If the name of a person has been omitted from the register when that person is otherwise entitled to be a member and their name should have been recorded in the register, then that person shall be a member of the association.

5. Office Bearers

- (a) The executive committee, which shall be constituted of the Officers of the association and up to six other members, shall carry out the decisions of the association. Members of the executive committee shall not receive any remuneration or other material benefit by reason of their position in the association. A member of the Executive Committee may be removed from office by resolution of the association carried at a properly convened general meeting or special meeting, providing at least seven days' notice has been given to members.
- (b) The Officers shall consist of President, two Vice-Presidents, Treasurer and Secretary, and shall be elected at the annual general meeting.
- (c) The President shall preside at all meetings except that, in the absence of the President one of the Vice-Presidents shall preside and, in the absence of the President and Vice-Presidents, the committee shall elect a Chairperson.
- (d) The Secretary shall attend meetings and keep a record of all business conducted. On relinquishing office the Secretary shall hand over records, minutes, account books, etc. to the incoming Secretary.
- (e) The Treasurer shall receive and deposit monies, maintain records, draw cheques and present accounts to each General Meeting; present all records for auditing each year and shall hand over all records to the incoming Treasurer on relinquishing office. The requirements for handling money, keeping records, etc in the School Manual on Financial Management shall be followed. Should it be necessary during the unavoidable absence of the Treasurer, another Officer of the association may receive

any monies, issue receipts and either deposit the monies in an association account or hand the monies to the Treasurer within two business days, taking a receipt for same.

6. Casual Vacancies

Any casual vacancy on the Executive shall be filled by a ballot of the members of the association at any general meeting. A casual vacancy shall have arisen where a member of the Executive Committee:

- (a) dies;
- (b) resigns from the committee by notice in writing;
- (c) ceases to be a member of the association;
- (d) is removed under clause 5(a); or
- (e) has a continuing and long-term incapacity to fulfill the functions of the position.

7. Annual General Meeting

An annual general meeting shall be held once each calendar year at a date specified in the rules. At this meeting all Officer and other positions will become vacant and then be filled by nomination, and where necessary by ballot of members. All nominees shall be members of the association. The audited statement of income and expenditure and Annual Report will be presented. A copy of the audited statement of income and expenditure, certified by the auditor, is to be forwarded to the Federation of Parents and Citizens' Associations of New South Wales within one month of the annual general meeting at which it is adopted. An auditor for the ensuing year who is not an office bearer of the association shall be appointed. The appointed auditor shall possess appropriate skills and experience in auditing and financial record management together with an appreciation of the issues of probity as they relate to the role of association auditor. In particular, the auditor must not have or appear to have any conflict of interest arising, for example, from a personal or business relationship with an officer of the association.

8. General Meetings

A general meeting shall be held at least once during each school term.

9. Special Meetings

A special meeting shall be called by the Secretary at any time upon written request signed by at least 10 members or on the authority of the Executive Committee. The special meeting shall be held within one month of the date the Secretary receives the request or is given the authority. Members shall be given at least seven days' notice of the meeting which notice shall also state the business of the meeting.

10. Quorum

Where the association has a current membership of 50 or more, the quorum at all meetings of that association shall be 11 members. Where the association has a current membership of less

than 50, the quorum shall be set according to the rules of that association but shall not be less than five.

11. Liability

- (a) A member or Officer of the association is not, by reason only of being such a member or Officer, liable to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association.
- (b) The association must effect and maintain approved public liability insurance, unless the association is covered by such insurance effected and maintained by the Federation of Parents and Citizens' Associations of New South Wales. In this section "approved public liability insurance" means public liability insurance, which an association incorporated under the associations Incorporation Act 1984 is required by Part 6 of that Act to effect and maintain.

12. Subscriptions

The annual subscription shall be set by the rules but shall not be less than 50 cents.

13. Subcommittees

The association may establish subcommittees, however styled, to carry out specific functions on its behalf. Any subcommittees that are established shall report regularly at meetings of the association and follow any directions received from the association. The association may dissolve a subcommittee at any time. Any funds raised or handled by a subcommittee shall be, for all purposes, funds of the association.

14. Dissolution

- (a) The association may be dissolved in terms of a resolution carried at a general meeting or a special meeting of members, providing at least seven days' notice has been given to members and subject to the concurrence of the Minister for Education and Training, or otherwise at the Minister's discretion.
- (b) The association shall be dissolved if the number of members falls below the quorum or the school to which the association is attached is closed.
- (c) Where the association is dissolved minute books, audited accounts and other records, together with the residue of funds, shall be given to a kindred organisation having a taxation status accepted by the Australian Taxation Office as equivalent to that of the association. In particular, where the association maintains a deductible gift fund (such as a School Building Fund) on dissolution any remaining assets or funds must be transferred to another gift deductible fund with similar objects to the association. Any records given to a kindred organization will be retained in accordance with taxation legislation requirements. The transmission shall occur within two months of the

dissolution of the association, and only after the books of account have been audited as provided under Clause 16. If the association is registered for GST, dissolution shall not be finalized until all accounts have been paid, all revenue received and all GST transactions have been accounted for in the association's Business Activity Statement.

- (d) Where the association is dissolved, assets and funds on hand after payment of all expenses and liabilities shall not be paid to or distributed among the members.

15. Rule-Making Power

The association shall make such rules as are required to carry out its functions. The rules shall not contravene the terms of this constitution, the Education Act 1990, or the Parents and Citizens' Associations Incorporation Act 1976. The rules may be adopted, altered or withdrawn according to a simple majority vote at any meeting of the association for which a month's notice has been given. Such notice shall include details of the proposed changes. The rules shall provide for the procedure to be followed:

- (a) at meetings of the association;
- (b) to convene a substitute meeting when a quorum is not attained at a meeting; and
- (c) in making an application for membership.

16. Accounts

The funds of the association shall be banked in the name of the association with any institution holding trustee status within the meaning of the Trustee Act 1925, provided interest is allowed on the balance. The account shall be operated by two or more officers of the association delegated in that behalf by the association. No commitment shall be entered into for the expenditure of association funds, except by resolution of a meeting of the association. The association must make such financial reports about its affairs (including reports of its auditors) as are required by its rules or by the Minister for Education and Training.

REVISED BY- LAWS 2010

**RULES OR BY- LAWS TO ACCOMPANY THE PRESCRIBED
CONSTITUTION**

FOR BRANXTON PUBLIC SCHOOL P&C ASSOCIATION

1. these rules are made under the constitution of Branxton Public School Parents & Citizens Association.
2. The Association is formed for the benefit of the pupils of the school and to that end it will:
 - a. participate as much as possible in the activities of the school and communicate with all the members of the school community.
 - b. co-operate in the activities of the Federation of Parents & Citizens' Association of New South Wales and its District and Regional Councils, and
 - c. do such other things as may promote the interest of public education
3. The Financial Year of the Association shall close on January 31st each year.
4. The Annual General Meeting of the Association shall be held in March of each year in conjunction with and preceding the Ordinary General Meeting for that month.

No person shall service more than 3 consecutive years in the same office.

5. Monthly General Meetings will be held alternatively – 9.15am Monday morning / 7.00pm Monday evenings for each month during that time. The date will be decided upon at the previous meeting General or Annual or Special meeting. Notice to be made through the school's newsletter.

6. Any person eligible for membership may become a member or renew membership by paying the required membership fee of \$1.00 to the Treasurer or nominee of the Treasurer after any General Meeting. Membership shall remain current until the close of the Annual General meeting following year. The Minute Secretary shall be responsible for maintaining an up-to-date register of membership.

For insurances purpose the categories of "member" and "volunteer" are distinct. A list of members is a legal necessity. For insurance purposes each Association is strongly advised to maintain a list of occasions on which there are volunteers working on its behalf. It is preferable that there should be a list of names of volunteers, who need not be members, associated with each occasion.

7. At a General Meeting in the quorum shall be in accord with Rule 10 of the Constitution. Where the rule does not specify a number the number shall be five (5) members.
8. If a meeting for which due notice has been given does not achieve a quorum within fifteen (15) minutes of the advertised starting time the Secretary shall, or in the absences of a Secretary remaining members of the Executive shall, and failing that any five (5) members of the Association may, call a further meeting with a lapse or not more than thirty five (35) days of term time to carry on the business of the Association.
9. In the absences of the Secretary the remaining members of the Executive or any five (5) members of the Association may call any meeting that is required, giving due notice of the business proposed for the meeting.
10. All meetings of the Association shall be conducted in accordance with the appropriate By-Laws of Federation "Standing Orders for the Conduct of all Meetings". The Standing Orders forming part of the By- Laws of Federation provide for a particular order of business for some meetings. Associations may wish to adopt a standard rule about the order.
11. All Life Members receive special invitations to School and P&C functions.
12. Treasurer to be the first (1st) signatory on cheques, than either or other two (2) signatories. If the Treasurer is absent he/she will nominate one of the other two (2) signatories as 1st signatory.
13. Cheques should not be pre-signed. Blank cheques should not be signed by signatories.
14. Cheque signatories should sight all supporting documents, like invoices, before signing cheques. They must ensure that cheques are correctly drawn to the payee and the agreement between the amount of the invoice and the amount on the cheque.
15. All cheques forms should be stamped "Not Negotiable" on receipt from the bank Some banks, in fact, will arrange for the cheque book to be already printed in this manner.
16. Cheques should not be made out to cash. If cash is required, cheques should be made payable to a responsible person and opened by placing "please pay cash" on the back of the cheque which is signed by the two cheque signatories recorded, the drawers, on the front of the cheque.
17. Two (2) members of the same family should not, as a general rule, act as signatories.
18. Sub- Committees – An amount allocated as a working fund to be arranged at P&C meetings. The committee co-ordinator than contacts the treasurer when a cheque is required to purchase items for the function and receipt or docket be presented to the treasurer. If items can be purchased from places where an account exists it is to be used, and that it be noted on account what function it is for.
19. All Sub- Committees to present a written report to P&C meetings.

20. Floats – Sub Committees to decide on size of float and then present it to the P&C for verification.
21. Floats – The size of floats for major fund – raisers to be determined at P&C meetings. Floats for minor school day functions to be determined at Canteen meetings.
22. Payments of accounts – All canteen working day accounts to be paid as received. Canteen accounts to be kept in P&C Box in school office to be collected by the treasurer.
23. Treasurer, when delivering float for functions, money to be itemized by treasurer, e.g. \$20 x \$2 coins etc. Money to be counted by two (2) people when delivered. If a discrepancy occurs the treasurer is to be notified before float is used. When counted at the end of the function, two (2) people to count out float separately to takings.
24. Float money to be kept at school or an executive's residence and shall be covered by P&C insurance up to an amount of \$5,000.00. Larger amounts to be arranged to be secured at local Police Station. (Float and final takings)
25. All accounts outside canteen accounts to be presented to P&C meetings to be passed for payments.
26. In case of emergencies, executives may organize for payment of account to be made. Details of the payments to be presented at the next P&C meeting.