

# International Police Association (Australian Section) Inc. Constitution



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## Constitution of the International Police Association (Australian Section)

### 1. Name and motto

- (1) The name of the incorporated Association is “International Police Association (Australian Section)” Inc. (*the Association*).
- (2) The motto, in Esperanto, shall be "SERVO PER AMIKECO" (service through friendship).
- (3) The emblem of the IPA is protected by copyright

### 2. Objects (Aims)

(1) The International Police Association is an independent body made up of members of the Police Service, whether on active duty or retired, and without distinction as to rank, sex, race, colour, language or religion. Its purpose is to create bonds of friendship and to promote international co-operation. It is committed to the principles set out in the Universal Declaration of Human Rights as adopted by the United Nations in 1948. Its aims include the development of cultural relations amongst its members, a broadening of their general knowledge, and an exchange of professional experiences; in addition, it seeks to foster mutual help in the social sphere and to contribute within the limits of its possibilities to the peaceful co-existence of different peoples and to the preservation of world peace.

(2) To this end it undertakes

- a. to encourage personal contacts by organising visits of individuals and groups, arranging group holidays and initiating pen-friendships;
- b. to promote among the police services of all the Sections respect for law and order;
- c. to develop social and cultural activities and to encourage the exchange of professional experiences;
- d. to enhance the image of the police in the countries of its member Sections and to help improve relations between the police and the general public;
- e. to foster youth exchanges and international youth meetings with a view to promoting greater tolerance and understanding between people, and understanding for the work of the police;
- f. to facilitate a regular exchange of publications between the National Sections and to provide an information service for the National IPA publications containing news on all subjects of relevance to the Association;
- g. to promote international publications, and to help with the preparation of a bibliography of police works and, wherever possible, of all works connected with the law or legal matters;
- h. to facilitate international co-operation through friendly contacts between police officers of all continents and to contribute to a mutual understanding of professional problems.

### 3. Interpretation

(1) In this Constitution—

*Act* means the *Associations Incorporation Act 1981*

*IPA* means the International Police Association

*NEB* means the National Executive Bureau

*NEC* means the National Executive Council

**Management Committee** means the persons elected to positions within the NEB, NEC or Regional Executive

**Police Service** means Federal, State, Territory or International Law Enforcement Agency regardless of it being a Force or Service

**Present** means—

(a) at a National Executive Bureau meeting, see section 40(6); or

(b) at a general meeting, see section 60(2)

**Secretary** when not specified which secretary refers to the Incorporations Secretary

(2) A word or expression that is not defined in this Constitution, but is defined in the Act has, if the context permits, the meaning given by the Act.

#### **4. Affiliation**

All decisions taken by the International Executive Council (IEC) are binding for the Australian Section in so far that they do not contravene Australian Laws. The International Statutes are an integral part of the Australian Section Constitution.

#### **5. Composition**

The Australian Section will be divided into Regions, as follows;

- a. Queensland Region
- b. Victoria Region
- c. New South Wales Region
- d. South Australia Region
- e. Western Australia Region
- f. ACT Region
- g. Other Regions as approved by the National Executive Council
- h. Where approved by the National Executive Council the Regions may be further sub-divided into Sub-Regions and / or Branches.

#### **6. Powers**

(1) The Association has the powers of an individual.

(2) The Association may, for example;

(a) enter into contracts; and

(b) acquire, hold, deal with and dispose of property; and

(c) make charges for services and facilities it supplies; and

(d) do other things necessary or convenient to be done in carrying out its affairs.

(3) The Association may take over the funds and other assets and liabilities of the present unincorporated Association known as The International Police Association Australian Section (the **unincorporated Association**).

(4) The Association may also issue secured and unsecured notes, debentures and debenture stock for the Association.

#### **7. Classes of members and eligibility of membership**

(1) The membership of the Association consists of ordinary members, and any of the following classes of members;

- a. Foreign associate membership
- b. Extraordinary membership
- c. Honorary life membership

(2) The number of members in any class of membership is unlimited.

(3) Membership of the Association shall be open to all police officers within Australia on the basis of the principles embodied in section 2.

(4) Members of the police service residing in another country may only be admitted as a foreign associate member if there is no Section in their country and the Australian Section is geographically the closest Section to their country. Such membership may not be continued once a National Section has been established in that country.

(5) The Australian Section shall determine who is to be considered as belonging to the police service and who can be accepted as a member. It shall also be free to make a distinction between regular members and civilian employees of the police. Conditions of membership, and any changes to them, must be notified to the Permanent Executive Bureau (PEB).

(6) Retired police officers who are not members of the IPA and who transfer their residence permanently to Australia may only be accepted as a member if they satisfy the conditions of membership. If they are already members, they may retain their membership in their former Section or transfer it to the Australian Section. (Explanation – years of membership recognised full application to be made and fees paid)

(7) All applications to join the Association shall be

- a. in writing on the prescribed form and signed by the applicant; or
- b. completed electronically online via the Association's official website.

## **8. Definition and condition of membership**

Ordinary membership is subject to the approval and acceptance by the Regional Executive Committee and shall be renewable annually.

(1) Ordinary membership shall be open to;

- a. any serving or retired police officer of any State, Territory or the Australian Federal Police
- b. any former police officer who has served in a Police Service and has left such Police Service in good standing.

### **8A. Foreign associate membership**

Foreign Associate Membership may be granted to serving or retired Police Officers of a Police Service where Sections of the International Police Association do not yet exist as per Section 7(4).

### **8B. Extraordinary membership**

Extraordinary Membership may be granted to the spouse of a deceased member, upon application of such spouse through Region for endorsement by the National Executive Council.

### **8C. Honorary life membership**

Honorary Life Membership is an award of the Australian Section of the International Police Association, open only to members of this Section. It is an award that may be granted by the National Executive Council.

(1) Proposals for the award shall be in writing duly signed by a proposer and a seconder.

(2) The written proposal shall meet the following criteria before the proposal can be considered:

- (a) The member nominated for the award shall have been a financial member of the section for no less than fifteen years consecutively, and
- (b) Shall have served on National, Regional, Branch Executive, Committee or as an appointed officer for no less than five years, and

- (c) Has by example, upheld and promoted the Aims and Objectives of the International Police Association.
- (3) The proposal for the award shall be forwarded to the Regional Secretary or Chairperson who will present same to members at a duly convened meeting.
- (4) Confirmation of the proposal will require a two thirds majority vote of the members present and entitled to vote at the duly convened meeting
- (5) On the proposal being confirmed as in Section 8C(4) the Regional Secretary shall forward same to the Secretary General no later than sixty days prior to a National Executive Council Meeting. The Secretary General in turn, will immediately forward a copy of such proposal to each member of the National Executive Council, and will present the proposal at the next National Executive Council Meeting.
- (6) National Executive Council confirmation of the award will require a two thirds majority, by secret ballot.
- (7) The recipient of the Honorary Life Membership award will be duly bound by the Constitution. Any infringement of Section 13(2) (a) (b) (c) (e) and Section 13(6) (a) (b) will entertain automatic withdrawal of the award.

### **9. Automatic membership**

All members of the unincorporated Association that are recorded in the Register of Members the day before the Association becomes incorporated will be automatically admitted by the management committee-

- (a) to the equivalent class of membership of the Association as the member held in the unincorporated Association; or
- (b) if there is no equivalent class of membership—as an ordinary member.

### **10. Membership entitlement**

Every enrolled member shall be entitled to receive a membership card and badge. It shall be a condition of membership that these be returned when a member leaves the Association.

### **11. Register of members**

- (1) The National Executive Council must keep an electronic register of members of the Association.
- (2) The register must include the following particulars for each member—
  - (a) the full name of the member;
  - (b) the postal or residential address of the member;
  - (c) the date of admission as a member;
  - (d) the date of death or time of resignation of the member;
  - (e) details about the termination or reinstatement of membership;
  - (f) any other particulars the National Executive Council or the members at a general meeting decide.
- (3) The register must be open for inspection by members of the Association at all reasonable times.
- (4) A member must contact the Secretary General to arrange an inspection of the register.
- (5) However, the National Executive Council may, on the application of a member of the Association, withhold information about the member (other than the members full name) from the register available for inspection if the National Executive Council has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

## **12. Prohibition on use of information on register of members**

(1) A member of the Association must not—

- (a) use information obtained from the register of members of the Association to contact, or send material to, another member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes; or
- (b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes.

(2) Sub-section (1) does not apply if the use or disclosure of the information is approved by the Association.

## **13. Application rejection**

Where an application for membership is rejected, it shall be subject to appeal to the National Executive Council, whose decision shall be final.

(1) Withdrawal of Foreign Associate Membership -

The National Executive Council shall have the right to withdraw or extend Foreign Associate Membership under Section 8A as it thinks fit.

(2) Expulsion / Suspension -

Membership of the Australian Section may be terminated or suspended by the National Executive Bureau at any time for any of the following;

- (a) violation of the International Statutes or the Australian Constitution
- (b) misuse of Association facilities
- (c) any conduct which is prejudicial to the Aims and Objectives of the Association
- (d) upon ceasing to be financial
- (e) refusing to comply with a decision of the National Executive Council.

(3) Sanctions open to the NEB and Appeals Committee upon enacting section 13(2) of this Constitution include;

- (a) termination of membership
- (b) suspension of Membership for a given period not exceeding two years
- (c) suspension from holding any executive or committee position within any region of the Australian Section or any National Executive or Committee position of the Australian Section for a given period not exceeding ten years.

(4) Members subject to expulsion shall receive notice in writing, signed by the President, and sent by Registered Post to the member's last known address. The notice of intention to expel or suspend shall include the following:

- (a) the substance of the allegation
- (b) the resolution of the NEB and the grounds upon which it is based
- (c) inform the member of their right to appeal by written reply within twenty-one days of the posting of the notice to expel, why the procedure to expel or suspend should not proceed
- (d) inform the member of their rights to provide a written submission setting out any matters to be considered in the support of his/her defence of the allegations or appeal for reduction of sanctions
- (e) inform the member that should he/she decline to defend or appeal the allegations and accompanying notice to expel/suspend the decision to expel or suspend shall become effective twenty-one days after the posting to the member by the President. During this period membership shall be suspended.

(5) The original decision to expel or suspend

- (a) shall become effective twenty-one days after the date of posting to the member concerned unless
  - (b) notice of appeal against expulsion or suspension has been received by the Secretary General within that period.
- (6) Membership may be withdrawn from members who are dismissed from a Police Service, if the dismissal is as a result of:
- (a) conviction for any offence punishable by any law, or
  - (b) conduct unbecoming of a police officer.
- (7) Membership of the Association may be suspended by the National Executive Bureau at any time for any members found to have:-
- (a) breached the provisions of section 13(2): or
  - (b) whose appeal under section 14 against expulsion or suspension for a breach of Section 13(2) has been rejected by the Appeal Committee.
- (8) The period of suspension in the case of section 13(7) shall be determined by the National Executive Bureau.

#### **14. Appeal procedure**

- (1) Any person desiring to appeal against expulsion, withdrawal, rejection or suspension of membership shall lodge an appeal in writing to the Secretary General within twenty-one days of receipt of the notice.
- (2) That in the event of such appeal the National Executive Bureau shall appoint an Appeal Committee of not less than three members of the National Executive Council provided that no member of the National Executive Bureau having involvement in any previous hearing or determination of the allegation may be a member of the Appeal Committee.
- (3) The Appeal Committee will determine the appeal within twenty-eight days of the receipt of the notice by the National Executive Bureau, and will report their findings. The Appeal Committee after examining the facts of the matter and the written submissions of the appellant may uphold or dismiss the appeal. In dismissing or upholding the appeal the Appeal Committee may utilise any of the sanctions open to it under section 13(3).
- (4) The findings and decisions of the Appeal Committee shall be final and binding upon all persons affected.

#### **15. Control**

- (1) The National Executive Bureau of the Australian Section shall consist of the following officers:
- (a) President
  - (b) Vice President
  - (c) Secretary General
  - (d) Assistant Secretary General
  - (e) Treasurer
  - (f) Immediate Past President
- (2) The officers mentioned in Section 15 (1)(a) to (e) shall be elected in the order as stated for a term of three years and they may be re-elected except:
- (a) That the President shall not serve more than two terms consecutively.
  - (b) If no nomination is received for President then a further term may be served.
  - (c) Once a new President has been elected, the outgoing President shall be appointed as an advisor to the National Executive Bureau for a period terminating on the Monday following the next National Annual General Meeting. The Immediate Past President may stand for election on the National Executive Bureau, at any future tri-annual elections. The

Immediate Past President may be co-opted to perform other duties as identified by the National Executive Bureau.

(d) The President and Vice-President shall be serving police officers of an Australian Police Service, unless such office was held by them at the time of retirement.

(3) The composition of the National Executive Council shall be as follows:

(a) The members of the National Executive Bureau

(b) The Chairperson of each Region or his proxy

(c) The Incorporations Secretary

(d) Any Member of the Australian Section holding International Office on the Permanent Executive Bureau.

## **16. Management and administration**

(1) The management and administration of the Association shall be entrusted to the National Executive Council.

(2) The composition of the National Executive Council shall be as provided in section 15(3).

(3) The National Executive Bureau shall have power to act on behalf of the Section in any matter which in their opinion requires immediate action or at any scheduled meeting convened in absence of the National Executive Council.

(4) National Meetings shall be held as and when required, in accordance with section 42, but at least once a year.

(5) At meetings of the National Executive Council, all members of the Australian Section may attend and speak, but only members of the council may vote.

(6) The National Executive Bureau shall have one vote at all National Executive Council Meetings.

(7) The Incorporations Secretary shall not vote, however if the Incorporations Secretary holds a valid position on the National Executive Council (Queensland Chairperson or Secretary General) they are entitled to one vote regardless of how many positions they represent.

### **16A. Appointments by National Executive Council**

(1) The National Executive Council shall have the power to co-opt any person for any specific purpose, or to appoint such additional officers for liaison or other such purpose, as they consider necessary. These appointments may be renewed annually.

(2) The National Executive Council shall appoint the National Editor for a period of three years.

(3) The National Executive Council may appoint the following officers annually;

(a) National Travel Secretary

(b) Hobbies Bureau Secretary

(c) Associate Secretaries/liaison officers

(d) Liaison officers to International Commissions.

(4) The National Executive Council may appoint sub-committees as it sees fit. They shall be responsible to the National Executive Bureau and the President shall be an ex-officio member of all sub-committees.

### **16B. Suspension of voting rights**

(1) The voting rights of a Region may be suspended by the National Executive Council

(a) if the Region in question has not paid its membership dues for a period of four months and does not meet its obligations after being invited by letter to do so by the Secretary General:

(b) when external circumstances prevent a Region from carrying out its constitutional activities in the foreseeable future, in particular when State legislation stands in the way of implementation for the fundamental principals set out in sections 1, 2, 4 and 5.

(c) if the Regional Executive Committee of the Region so requests. The reason for the request need not be given:

(d) if, in the event of a serious violation of the Constitution by a Region, an application is made for its expulsion and two thirds of all Regions, having been consulted by letter by the National Executive Bureau, agree to the suspension of voting rights. This measure shall apply until a decision is taken by the following meeting of the National Executive Council.

The NEC shall appoint another Region to represent the interests of the Regions whose voting rights have been suspended. The details of this shall be settled in line with the Constitution.

(2) During the period of suspension, the Region may only send observers to the National Executive Council Meetings.

(3) The members of such Regions shall be treated like any other member by other Regions. National appointments or membership on National Sub-committees shall not be affected.

(4) Every case of suspension shall be reviewed at the next meeting of the NEC. To this end, the Region appointed to represent the interest of the suspended Region shall present a report. Suspension may only be lifted by a decision of the NEC.

(5) A suspended Region shall not have the right to make application to the National Section for financial assistance to have an Observer attend a NEC Meeting.

## **16C. Expulsion**

(1) A Region may only be expelled in the event of a serious violation of the Constitution. Failure to fulfil obligations to the Association over a period of time such as failure to pay dues shall be deemed a serious violation.

(2) Even if the measures listed in section 16A(1)(d) are not applied immediately, an application for expulsion may be submitted to the next NEC Meeting. Expulsions must be decided by a two thirds majority of all votes of the Regions present or represented at the NEC Meeting.

(3) Expulsions shall become effective if the majority of the members of the NEC having been informed by the Secretary General, do not notify the NEB of their opposition in writing within ninety days. If an objection is received, the matter shall be dealt with afresh at the next NEC Meeting, and until such time the Region in question shall retain its status (voting member or member with suspended voting rights).

(4) Once a Region has been expelled, its members may become members of another Region, nominated by the NEC.

## **17. Trustees**

The National Executive Bureau shall act as trustees in respect of all arrangements made for a mortgage, loan or lease of any property which may be entered into by or on behalf of the Australian Section and its members, in accordance with section 22.

## **18. Finance**

(1) The financial year of the Australian Section shall end June 30 of each year; and

(a) A Balance Sheet shall be prepared, showing the financial position of the Section as at that date.

(b) Such Balance Sheet, shall be presented to the National Executive Council by the National Treasurer.

(2) The financial year of the Regions, Sub-Regions and Branches shall end on June 30 of each year and the respective committees shall comply with section 24.

(3) The Association must maintain a financial account in the State of Queensland to comply with the Act.

### **19. Audit of accounts**

The Accounts shall be audited annually by a non-member of IPA, appointed by the National Executive Council, and any member shall be entitled to receive, upon application, a copy of the Cash Account and Balance Sheet.

### **20. Amendment to the Constitution**

(1) Amendments to the Constitution of the International Police Association (Australian Section) may only be decided by the National Executive Council with a two-thirds majority.

(2) All issues arising in conjunction with the Constitution of the International Police Association (Australian Section) shall be settled provisionally by the National Executive Bureau pending a decision by the National Executive Council.

### **21. Publications**

(1) Statements on political or religious or race issues shall not be made or published on behalf of the Association. The Association's strict policy of neutrality shall be observed in all publications.

(2) Reports and minutes, which are marked "internal", shall not be published or passed onto unauthorised persons.

### **22. Authority**

With a view to the attainment of the objects, the National Executive Council shall have the following authority;

(a) To arrange organised courses of instruction, conferences or debate on any or more of the objects of the Association on such terms and conditions and upon the payment of such fee (if any) as may from time to time be determined.

(b) To purchase or otherwise acquire any land or building to be used for any purpose of the Association and generally any property, real or personal or any estate or interest therein, required for any purpose of the Association and to hold, sell, lease, deal with and dispose of the same in such a manner as may be thought expedient for the purposes of the Association.

(c) To borrow or raise money and to mortgage and charge all or any part of the property of the Association for the purposes of promoting its objects.

(d) To co-operate with or subscribe to any other Association, institute, society or corporation in any part of the world, whose objects are, or include, objects in general respects similar to the objects of the Association, provided that the Section does not commit itself or the Association to becoming a member of any other organisation or to participate in business enterprises, regardless of their purpose, without prior consent of the IEC.

(e) To undertake and execute any trusts which may lawfully be undertaken by the Association and in case the Association shall take or hold any property which may be subject to any trusts, the Association shall only deal with or invest the same in such manner as allowed by law, having regard to such trusts.

(f) To accept and use gifts of money or other property received for any one for more of the objects of the Association.

(g) To invest and deal with any monies of the Association not immediately required for its objects in or upon such investments and in such manner as may be thought fit.

- (h) To take such steps by personal or written appeals, public meetings or otherwise as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association in the form of donations, or otherwise.
- (i) To establish and support or aid in the establishment and support of any charitable Association or institutions, and to subscribe or guarantee any money for charitable purposes in any way connected with the objects of the Association.
- (j) To publish or procure the publication and circulation of books, periodicals and pamphlets relating to the objects of the Association.
- (k) To do all such things as are incidental or conducive to the attainment of the above objects or any of them; Provided that:
  - (1) The Association may not engage in any activity:
    - (i) which might interfere with the ordinary activities of any Police Service;
    - (ii) of a political or racial nature;
    - (iii) directly or indirectly concerned with pay, pensions or the conditions of service of any Police Service.
  - (2) The Association shall not support with its funds any object, or endeavour to impose on or procure to be observed by its members or others any regulation, restriction, or condition which will in any way contravene the provisions of (k)(1).

### **23. Force**

The Constitution shall apply to all Australian meetings and business.

### **24. Finance**

- (1) The fees for membership in the Association are as follows:
  - (a) The enrolment fees and annual subscriptions shall be as laid down by the National Executive Council
  - (b) The annual subscription shall be payable in advance before the thirty-first of December of each year.
- (2) Reinstatement of lapsed membership shall be subject to the following:
  - (a) The applicant shall pay in full all yearly dues since his lapsed membership or re-join as a new member.
  - (b) The application shall be subject to the approval of the Regional Executive Committee or National Executive Council, where applicable.
  - (c) On being reinstated the applicant must be a financial member for a full twelve months, before being eligible for any assistance to overseas facilities.
- (3) The Host Region for the Annual General Meeting, on presentation of a Balance Sheet to the National Executive Bureau may be granted financial assistance.
- (4) Sub-Regions or Branches, shall not hold more than \$5000.00 except for a special activity.
- (5) The National Executive Bureau shall approve of all National Expenditure. Having considered the annual estimates of the coming year's expenditure, shall recommend to the National Executive Council the amount of the following year's levy.
- (6) The National Executive Council, having considered the recommendation of the National Executive Bureau, shall decide the amount of levy to be paid by each Region, Sub-Region or Branch member. This levy will be remitted by Sub-Regions and Branches to their Region, and by the Region to the National Treasurer as soon as possible.
- (7) No member shall receive gratuity or monetary consideration for any services rendered in connection with the affairs of the Association without the permission of the National Executive Bureau.

(8) The National Section shall be responsible for the making of grants to members of the National Executive Council as per Section 15 for their attendance at authorised National meetings or travelling on Association business, provided that:

(a) Economy or package air fares are used, or where a member elects to use another form of transport, upon production of receipts or in the case of a private motor vehicle, based on current taxation kilometres allowances that are no more than the economy or package air fare, whichever is the lesser.

(b) Any member exceeding the accepted cost as mentioned in (a) above, shall bear the difference in cost.

(c) National Executive Bureau members as listed in section 15(1) and one Delegate from each Region will be eligible for a grant under this section.

(9) The National Executive Council and the National Executive Bureau are empowered to incur such expenditure as may be necessary in respect of secretariat and administrative assistance, whether full or part-time, as may be necessary for the efficient performance of the Association's business.

(10) The National Treasurer, President, Vice President and Secretary General shall be authorised to sign all Association cheques. All subscriptions and other monies shall be made payable to 'THE INTERNATIONAL POLICE ASSOCIATION'.

(11) Expenses may be claimed by members acting officially on behalf of the Association in accordance with section 27(6)(e).

## **25. Elections**

(1) No member shall be elected to any office or appointed to any committee, without their prior consent.

(2) Nominations for all elected positions shall be called for and each nomination shall be proposed and seconded in writing and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination).

(3) No unfinancial member shall be elected to, or hold any office within the Association.

(4) Nominations for the election of the National Executive Bureau shall be called for by the Secretary General during the month of April in the triennial year and such nominations shall close on June 30, and all nominations be forwarded to the appointed Returning Officer.

(5) The election of the National Executive Bureau shall be conducted in the following order:

(a) President

(b) Vice President

(c) Secretary General

(d) Assistant Secretary General

(e) Treasurer

(6) Where more than one nomination is received for any one position, a postal ballot shall commence on the first day of August.

(7) The election process shall be directed by a Returning Officer and a suitable number of tellers to help count the votes. The Returning Officer and tellers may not be nominated as candidates.

(8) The Returning Officer and tellers shall be appointed by the National Executive Council, no later than October 30 immediately preceding the election year.

(9) The Returning Officer shall forward ballot papers to the following persons;

(a) Members of the National Executive Bureau as shown in section 15(1)(a) to 15(1)(e)

(b) Members of the Regional Executive Committees as shown in section 50(1)(a) to (d)

(c) Any member appointed to the International Permanent Executive Bureau as shown in section 15(3)(d) provided that such member/s are holding that appointment during a triennial election year.

(10) All ballot papers are to be returned to the returning officer by the last mail on the Monday, preceding the Triennial Annual General Meeting.

(11) If there is no dispute in the ballot, the ballot papers shall be destroyed.

## 26. Duties of returning officer

Where there are multiple nominees for any of the National Executive Bureau positions outlined in sections 15(1)(a-e), then it is necessary to conduct a Ballot as per section 25(6).

The returning officer is to:

(1) Prepare ballot papers containing only the names of the candidates nominated for the position.

(2) In the event that there are more than two nominees for a position, the preferential voting system shall be utilised. Instructions to be included on the ballot paper.

(3) In the event that one candidate nominates for several positions, vote counting shall occur in order of office as listed in sections 15(1)(a-e). Once a member is elected to a position they are ineligible to be considered for any further positions.

### EXAMPLE

#### **Instructions:**

1. There are \_\_ number of nominees for the position of \_\_ (Insert Position Title) \_\_.
2. Please vote in order of your preference with your preferred nominee being given preference 1, your second preferred nominee preference 2 and so on.
3. These preferences shall be marked in the box adjacent the nominees name.
4. The Candidate receiving the greatest number of votes on a preferential basis shall be elected.
5. Failure to indicate your preference eg 1-2-3 renders your vote invalid.

The following members are nominees for the positions of \_\_ (Insert Position Title) \_\_.

**CITIZEN, Jane**

**CITIZEN, John**

**CITIZEN, Ralph**

(4) Voting Procedures to be included with the Ballot Paper

- Please read instructions carefully to ensure your vote is valid.
- Place the completed ballot paper inside the envelope marked " Ballot Paper only"
- Place this envelope INSIDE the envelope addressed to the Returning Officer Australian Section International Police Association.
- Print your name address and membership number on the back of the envelope and sign in the space provided.
- Forward this envelope to the Returning officer NO LATER THAN Monday October.....

- Signed.....

- (5) Ensure that all ballot papers are accounted for.
- (6) Count the votes and declare the results by reading out the names of the successful candidates at the National AGM.
- (7) In the event of a tied vote for any office, it shall be resolved by a vote. The nominated persons to participate in this vote will be the Chairperson of each Region and the NEB and in accordance with section 16(6) the vote of the NEB will count as one vote.
- (8) Candidates may nominate two scrutineers and such nominations shall be in writing and forwarded to the Returning Officer by the closing date of the ballot.
- (9) Any candidate who is absent shall be notified of the results in writing by the Secretary General.

## **27. Duties of officers**

### **(1) THE PRESIDENT shall:**

- (a) Chair all National Meetings except through unavoidable absence.
- (b) Guide the affairs of the Association.
- (c) Prepare a report that shall be presented at the Annual General Meeting.
- (d) Have the right to suspend the publication of the Association's magazine on behalf of the National Executive Council at any time for any reason, and conduct any investigation with other officers of the Association into any matter contributing to such suspension.

### **(2) THE VICE-PRESIDENT shall:**

- (a) Generally assist the President.
- (b) Promote the Associations well-being.
- (c) Chair National meetings in the absence of the President.
- (d) Act as Ex-officio member of all committees/sub-committees.
- (e) Act as Executive Director of the Ray Dodd Memorial Award,
- (f) Act as Chairman of the Marketing Committee
- (g) As an Ex-officio member of their Regions executive, attend Regional meetings and offer advice as necessary.
- (h) Act as the Associations liaison officer regarding enquiries from members to the publishers of the Associations magazine.

### **(3) THE SECRETARY GENERAL shall:**

- (a) Keep copies minutes of all meetings.
- (b) Ensure that all administrative matters are properly attended to and all necessary returns are submitted to the International Secretary General, as and when required.
- (c) Ensure that all necessary literature is distributed to Regions, Sub-Regions and Branches.
- (d) Ensure a National Register of members is maintained.
- (e) Ensure all members are issued with membership cards.
- (f) Keep all records for five years unless required for historical purposes.
- (g) Forward copies of all documents required to be kept with The Secretary by the Act to the Incorporations Secretary.

- (4) **THE ASSISTANT SECRETARY GENERAL** shall:
- (a) Prepare Agendas for all National Meetings
  - (b) Record minutes of all national meetings
  - (c) Maintain a National Register of Members through the National Member Database
  - (d) Issue Membership Cards to members
  - (e) Maintain the Association Website
  - (f) Coordinate the Associate Secretary positions
  - (g) Coordinate the Hobbies Bureau Secretary position
  - (h) Coordinate the National Travel Secretary position
  - (i) Undertake other duties as delegated by the Secretary General.
- (5) **THE INCORPORATIONS SECRETARY** shall:
- (a) Assist the Secretary General as needed.
  - (b) keep copies of minutes of each meeting; and
  - (c) keep copies of all correspondence and other documents relating to the Association; and
  - (d) Ensure the National Register of members of the Association is being maintained.
  - (e) Ensure that advice is forwarded as required by the Incorporations Act regarding office holders when members are appointed to reportable positions.
- (6) **THE NATIONAL TREASURER** shall:
- (a) Be responsible for all financial matters of the Section.
  - (b) Ensure that all Regions, Sub-Regions and Branches prepare each year, a properly audited Balance Sheet and forward copies of the Balance Sheet to the National Treasurer.
  - (c) Present the National Balance Sheet to the National Executive Council as per section 18(1)(a) and (b) and to the Annual General Meeting.
  - (d) Ensure that all subscriptions and other monies received for or on behalf of the Association, be paid into an account of the Association, and give official receipts for all such monies.
  - (e) Reimburse or pay any approved expenses by members on behalf of the Association, on receipt of evidence of such expenses.
  - (f) Maintain an inventory of all equipment/stock held by the Section and Regions.
  - (g) Retain for a minimum period of seven years, all financial records.
  - (h) Be responsible for the issue of Membership badges, 20 year, 30 year, 40 year, 50 year and Honorary Life membership badges to Regional Treasurers as requested.
- (7) **REGIONAL, SUB-REGIONAL AND BRANCH OFFICER** shall:  
Have identical duties and responsibilities as the National Officers, but where the word National appears, it shall be substituted with the word Regional, Sub-Regional or Branch respectively.

## **28. Duties of appointed officers**

- (1) **THE NATIONAL EDITOR** shall be responsible for:
- (a) The overall standard and content of the Association's magazine in accordance with the aims and principles of the Association.
  - (b) Attend all meetings of the National Executive Council to report on the status of the magazine.

- (2) **THE NATIONAL TRAVEL SECRETARY** shall be responsible for:
- (a) Conducting any group travel for members of the Association.
  - (b) See that approved group visits are carried out in the proper manner, and that the organiser writes to the Associate Secretary for the country(s) visited.
- (3) **THE HOBBIES BUREAU SECRETARY** shall be responsible for:
- (a) Contacting Sections of the Association, with a view of assisting those members who have common interests to communicate with each other on their hobby or interest.
  - (b) Endeavour to establish Hobby Groups within the Association and to conduct a correspondence service.
- (4) **ASSOCIATE SECRETARIES** shall:
- (a) Endeavour to communicate with members of the Association in the country(s) to which they are appointed and to establish contacts with a view of fostering relations in accordance with the Aims and Objectives of the Association.
  - (b) To obtain relevant information for members travelling between such countries and to supply similar information relating to Australia.
- (5) **LIAISON OFFICERS** shall:
- Liaise with and prepare reports for the relevant International Commissions and report to the National Executive Council.

### **29. Motions**

- (1) Notices of motion shall be in the hands of the Secretary General at least thirty days before the meeting, to be distributed at least fourteen days prior to the meeting.
- (2) Any notice of motion received from any member shall have first been accepted by the Regional Executive Committee.
- (3) Notice of motion may be submitted by the National Executive Bureau.

### **30. Replacement of Membership Cards**

The cost of replacing membership cards shall be as determined by the National Executive Council.

### **31. Agenda**

Items for the Agenda of the National Executive Council Meeting, shall reach the Secretary General no less than thirty days prior to that meeting together with sufficient reason and background information to enable proper consideration of the items at Regional level.

### **32. Reports**

Delegates and all appointed officers shall forward their yearly reports in writing to the Secretary General at least thirty days prior to the Annual General Meeting.

### **33. General**

- (1) Any member travelling overseas and wishing to take part in any Association activities shall be fully financial for the entire period of absence. The members shall have been a member for no less than six months prior to departure.
- (2) Assistance shall not be given to any un-financial member of the Association.

### **34. Appointment or election of Incorporations Secretary**

(1) The Incorporations Secretary must be an individual residing in Queensland, or in another State but not more than sixty five kilometres from the Queensland border, who is—

(a) a member of the Association and has been elected by the members of the Association as the Chairperson of the Queensland Region. This person will hold the office of Incorporations Secretary for the Australian Section; or

(b) a person appointed by the National Executive Council as Incorporations Secretary who resides within Queensland or sixty five kilometres from the Queensland Border and is a member of the Association; or

(c) a member of the Association and has been elected by the members of the Association as the Secretary General of the Association who resides within Queensland or sixty five kilometres from the Queensland Border. This person will hold the office of Incorporations Secretary for the Australian Section.

(2) If a vacancy happens in the office of Incorporations Secretary, the members of the National Executive Council must ensure an Incorporations Secretary is appointed or elected for the Association within 1 month after the vacancy happens.

(3) In this Section—*vacancy*, on a management committee, means a vacancy that happens when an elected member of the management committee resigns, dies or otherwise stops holding office.

### **35. Removal of Incorporations Secretary**

(1) The National Executive Council of the Association may at any time remove a person appointed by the National Executive Council as the Incorporations Secretary.

(2) If the National Executive Council removes a Incorporations Secretary who is a person mentioned in section 34(1)(a), the person remains the Chairperson of the Queensland Region.

(3) If the National Executive Council removes an Incorporations Secretary who is a person mentioned in section 34(1)(b) and who has been appointed as a result of a casual vacancy, the person remains a member of the National Executive Council.

### **36. Resignation, removal or vacation of office of National Executive Council member**

(1) A member of the National Executive Council may resign from the committee by giving written notice of resignation to the Secretary General.

(2) The resignation takes effect at—

(a) the time the notice is received by the Secretary General; or

(b) if a later time is stated in the notice—the later time.

(3) A member may be removed from office at a general meeting of the Association if a majority of the members present and eligible to vote at the meeting vote in favour of removing the member.

(4) Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.

(5) A member has no right of appeal against the members removal from office under this Section.

(6) A member immediately vacates the office of member in the circumstances mentioned in section 64(2) of the Act.

### **37. Vacancies on National Executive Council**

- (1) If a casual vacancy happens on the National Executive Council, the members of the National Executive Bureau may appoint another member of the Association to fill the vacancy until the next Annual General Meeting.
- (2) The continuing members of the National Executive Council may act despite a casual vacancy on the management committee.
- (3) However, if the number of committee members is less than the number fixed under section 43(1) as a quorum of the management committee, the continuing members may act only to—
  - (a) increase the number of National Executive Council members to the number required for a quorum; or
  - (b) call a general meeting of the Association.

### **38. Vacancies – National office holders**

Where an office becomes vacant for any reason, the National Executive Bureau shall appoint a member to fill such vacancy. This member shall hold this position until the next election.

### **39. Functions of National Executive Bureau**

- (1) Subject to these Constitution or a resolution of the members of the Association carried at a general meeting, the National Executive Bureau has the general control and management of the administration of the affairs, property and funds of the Association.
- (2) The National Executive Bureau has authority to interpret the meaning of these Constitution and any matter relating to the Association on which the Constitution are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.

*Note—*

The Act prevails if the Associations Constitution are inconsistent with the Act—see section 1B of the Act.

- (3) The National Executive Bureau may exercise the powers of the Association—
  - (a) to borrow, raise or secure the payment of amounts in a way the members of the Association decide; and
  - (b) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the Associations property, both present and future; and
  - (c) to purchase, redeem or pay off any securities issued; and
  - (d) to borrow amounts from members and pay interest on the amounts borrowed; and
  - (e) to mortgage or charge the whole or part of its property; and
  - (f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association; and
  - (g) to provide and pay off any securities issued; and
  - (h) to invest in a way the members of the Association may from time to time decide.
- (4) For Constitution Sub Rule (3)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by—
  - (a) the financial institution for the Association; or
  - (b) if there is more than 1 financial institution for the Association—the financial institution nominated by the management committee.

#### **40. Meetings of National Executive Bureau**

- (1) Subject to this section, the National Executive Bureau may meet and conduct its proceedings as it considers appropriate.
- (2) The National Executive Bureau must meet at least once every four months to exercise its functions.
- (3) The National Executive Bureau must decide how a meeting is to be called.
- (4) Notice of a meeting is to be given in the way decided by the National Executive Bureau.
- (5) The National Executive Bureau may hold meetings, or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (6) A committee member who participates in the meeting as mentioned in Constitution Sub Rule (5) is taken to be present at the meeting.
- (7) A question arising at a National Executive Bureau meeting is to be decided by a majority vote of members of the National Executive Bureau present at the meeting and, if the votes are equal, the question is decided in the negative.
- (8) A member of the National Executive Bureau must not vote on a question about a contract or proposed contract with the Association if the member has an interest in the contract or proposed contract and, if the member does vote, the members vote must not be counted.
- (9) The President is to preside as chairperson at a National Executive Bureau meeting.
- (10) If there is no President or if the President is not present within ten minutes after the time fixed for a National Executive Bureau meeting, the members may choose one of their number to preside as chairperson at the meeting.

#### **41. Special Activities**

No special activity on a National or International basis will be organised without the approval of the National Executive Bureau.

#### **42. Meetings**

- (1) The President shall convene the following meetings:
  - (a) Annual General Meeting during the month of October of each year.
  - (b) National Executive Council meeting at least once a year.
  - (c) National Executive Bureau meeting at least four times a year as per Section 40 (2).
- (2) Notification for National Executive Council meetings shall be issued one month prior to such meeting by the Secretary General.
- (3) All members shall be advised of the Annual General Meeting.
- (4) Financial members of the Association may request in writing and outlining their reasons for the convening of extraordinary general meetings. as follows:
  - (a) Fifty members are required to request the President to convene a meeting, and on receipt of this request the President shall convene a extraordinary general meeting within the following twelve weeks.
  - (b) Seven National Executive Council members are required to request the President to convene an extraordinary general meeting, and on receipt of this request the President shall convene a meeting within the following twelve weeks.
- (5) If the President has not within the stipulated time called the extraordinary general meeting, the requisitionists may themselves convene it. The petition and the notice of extraordinary general meeting shall set out the business, it desires to transact.

#### **43. Quorum**

- (1) A quorum is deemed as follows:
  - (a) National Executive Council meeting six members.
  - (b) National Executive Bureau meeting three members.
- (2) If there is no quorum within thirty minutes after the time fixed for a meeting called on the request of members of the committee, the meeting lapses.
- (3) If there is no quorum within thirty minutes after the time fixed for a meeting called other than on the request of the members of the committee—
  - (a) the meeting is to be adjourned for at least one day; and
  - (b) the members of the NEB/NEC who are present are to decide the day, time and place of the adjourned meeting.
- (4) If, at an adjourned meeting mentioned in Constitution Sub Rule (3), there is no quorum within thirty minutes after the time fixed for the meeting, the meeting lapses.

#### **44. Special meeting of National Executive Council**

- (1) If the Secretary General receives a written request signed by at least thirty three percent of the members of the National Executive Council, the Secretary General must call a special meeting of the committee by giving each member of the committee notice of the meeting within fourteen days after the Incorporations Secretary receives the request.
- (2) If the Secretary General is unable or unwilling to call the special meeting, the President must call the meeting.
- (3) A request for a special meeting must state—
  - (a) why the special meeting is called; and
  - (b) the business to be conducted at the meeting.
- (4) A notice of a special meeting must state—
  - (a) the day, time and place of the meeting; and
  - (b) the business to be conducted at the meeting.
- (5) A special meeting of the National Executive Council must be held within fourteen days after notice of the meeting is given to the members of the National Executive Council.

#### **45. Minutes of National Executive Council and National Executive Bureau meetings**

- (1) The Incorporations Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each National Executive Council/Bureau meeting are entered in a minute book.
- (2) To ensure the accuracy of the minutes, the minutes of each National Executive Council/Bureau meeting must be signed by the chairperson of the meeting, or the chairperson of the next National Executive Council/Bureau meeting, verifying their accuracy.

#### **46. Appointment of subcommittees**

- (1) The National Executive Bureau may appoint a subcommittee consisting of members of the Association considered appropriate by the committee to help with the conduct of the Association's operations.
- (2) A member of the subcommittee who is not a member of the National Executive Bureau is not entitled to vote at a National Executive Bureau meeting.
- (3) A subcommittee may elect a chairperson of its meetings.
- (4) If a chairperson is not elected, or if the chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose 1 of their number to be chairperson of the meeting.

- (5) A subcommittee may meet and adjourn as it considers appropriate.
- (6) A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.

#### **47. Acts not affected by defects or disqualifications**

- (1) An act performed by the management committee, a subcommittee or a person acting as a member of the National Executive Bureau is taken to have been validly performed.
- (2) Sub-section (1) applies even if the act was performed when—
  - (a) there was a defect in the appointment of a member of the management committee, subcommittee or person acting as a member of the management committee; or
  - (b) a National Executive Bureau member, subcommittee member or person acting as a member of the National Executive Bureau was disqualified from being a member.

#### **48. Resolutions of National Executive Council/Bureau without meeting**

- (1) A written resolution signed by each member of the National Executive Council/Bureau is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.
- (2) A resolution mentioned in Sub-section (1) may consist of several documents in like form, each signed by one or more members of the committee.

#### **49. Regions**

- (1) No Region, Sub-Region or Branch of the Association shall be formed without the approval of the National Executive Council.
- (2) A Region shall consist of twenty or more financial members.
- (3) A Sub-Region shall consist of ten or more financial members.
- (4) A Branch shall consist of five or more financial members.
- (5) The maximum number of Regions allowed per State/Territory borders shall be one.

#### **50. Regional Executive Officers**

- (1) The Regional Executive shall consist of the following:
  - (a) Chairperson
  - (b) Vice-Chairperson
  - (c) Secretary
  - (d) Treasurer
  - (e) Where Sub-Regions and/or Branches exist, their Chairperson or proxy.
  - (f) Any member of the Region who is a member of the National Executive Bureau or of the Permanent Executive Bureau.
- (2) Where Sub-Regions and/or Branches are constituted, they shall elect such officers as they deem necessary, provided they include (a) (c) (d) as a minimum.
- (3) The Regional Executive Committee shall have the power to co-opt any person for any specific purpose, or to appoint such additional officers for liaison or other such purpose, as they consider necessary

#### **51. Regional Sub-Regional and Branch Meetings**

- (1)
  - (a) The Annual General Meeting of the Region shall be held in September of each year when the office bearers shall be elected.

(b) The following Regional Executive Committee members, namely, the Chairperson, the Vice Chairperson, and the Secretary shall be elected for a period of twelve months.

(c) The Treasurer shall be elected for a period of three years at the Annual General Meeting that falls in the year of the election of the National Executive Bureau.

(2) Sub-Regions and Branches shall hold a Annual General Meeting in August of each year, when the office bearers shall be elected.

(3) Other meetings may be held as required.

(4) All meetings shall be convened by their respective Chairperson and Secretary.

(5) A copy of the minutes of each meeting shall be circulated as soon as practicable after the meeting and at least fourteen days prior to the next meeting, to the President and Secretary General, and filed by the latter.

(6) Sub-Regions and Branches shall also forward a copy of their minutes to the Regional Secretary.

(7) No special activity on a Regional, Sub-Regional or Branch level shall be organized without the approval of the Regional Executive Committee.

(8) A quorum for any Regional or Sub-Regional meeting shall be five members and for the respective Branch or Executive Committees the quorum shall be three members.

(9) Eleven members are required to request the Chairperson of any Region, to convene a extraordinary general meeting and on receipt of this request the Chairperson shall convene a meeting within the following eight weeks. And likewise, five members of a Sub-Region and three members of a Branch, may make a similar request of their Chairperson.

(10) The Chairperson shall have the same obligations on calling the extraordinary general meeting as the President under section 42(5).

## **52. Dissolution of Sub-Region or Branch**

(1) In the event of disbandment of any Sub-Region or Branch, the funds of the Sub-Region or Branch concerned shall be remitted to the Regional Treasurer.

(2) Such funds shall be held in trust for two years. In the event of the Sub-Region or Branch not being reformed within that period, the funds shall be transferred to Regional funds.

(3) In the event of disbandment of a Region, the funds of the Region concerned shall be submitted to the National Treasurer.

(4) Such funds shall be held in trust for two years. In the event of the Region not being reformed within that period, the funds shall be transferred to National funds.

(5) All books and other property belonging to any disbanded Region, Sub-Region or Branch shall be retained by the Secretary General or trustees appointed by the National Executive Council.

## **53. First Annual General Meeting**

The first annual general meeting must be held within six months after the end date of the Association's first reportable financial year.

## **54. Subsequent annual general meetings**

Refer to section 42(1)(a).

## **55. Business to be conducted at annual general meeting of level 1 incorporated Associations and particular level 2 and 3 incorporated Associations**

(1) This section applies only if the Association is—

(a) a level 1 incorporated Association; or

(b) a level 2 incorporated Association to which section 59 of the Act applies; or

(c) a level 3 incorporated Association to which section 59 of the Act applies.

(2) The following business must be conducted at each Annual General Meeting of the Association—

- (a) receiving the Association's financial statement, and audit report, for the last reportable financial year;
- (b) presenting the financial statement and audit report to the meeting for adoption;
- (c) electing members of the National Executive Bureau if it is an election year;
- (d) for a level 1 incorporated Association—appointing an auditor or an accountant for the present financial year;
- (e) for a level 2 incorporated Association, or a level 3 incorporated Association, to which section 59 of the Act applies—appointing an auditor, an accountant or an approved person for the present financial year.

#### **56. Business to be conducted at annual general meeting of other level 2 incorporated Associations**

(1) This section applies only if the Association is a level 2 incorporated Association to which section 59A of the Act applies.

(2) The following business must be conducted at each Annual General Meeting of the Association—

- (a) receiving the Association's financial statement, and signed statement, for the last reportable financial year;
- (b) presenting the financial statement and signed statement to the meeting for adoption;
- (c) electing members of the National Executive Bureau if it is an election year;
- (d) appointing an auditor, an accountant or an approved person for the present financial year.

#### **57. Business to be conducted at annual general meeting of other level 3 incorporated Associations**

(1) This section applies only if the Association is a level 3 incorporated Association to which section 59B of the Act applies.

(2) The following business must be conducted at each Annual General Meeting of the Association—

- (a) receiving the Association's financial statement, and signed statement, for the last reportable financial year;
- (b) presenting the financial statement and signed statement to the meeting for adoption;
- (c) electing members of the National Executive Bureau if it is an election year.

#### **58. Notice of general meeting**

(1) The Secretary General may call a general meeting of the Association.

(2) The Secretary General must give at least fourteen days notice of the meeting to each member of the Association.

(3) If the Secretary General is unable or unwilling to call the meeting, the President must call the meeting.

(4) The National Executive Council may decide the way in which the notice must be given.

(5) However, notice of the following meetings must be given in writing—

- (a) a meeting called to hear and decide the appeal of a person against the management committee's decision—
  - (i) to reject the person's application for membership of the Association; or

- (ii) to terminate the person's membership of the Association;
  - (b) a meeting called to hear and decide a proposed special resolution of the Association.
- (6) A notice of a general meeting must state the business to be conducted at the meeting.

### **59. Quorum for, and adjournment of, general meeting**

- (1) The quorum for a general meeting is at least the number of members elected or appointed to the National Executive Bureau at the close of the Association's last general meeting plus one.
- (2) However, if all members of the Association are members of the National Executive Bureau, the quorum is the total number of members less one.
- (3) No business may be conducted at a general meeting unless there is a quorum of members when the meeting proceeds to business.
- (4) If there is no quorum within thirty minutes after the time fixed for a general meeting called on the request of members of the National Executive Council or the Association, the meeting lapses.
- (5) If there is no quorum within thirty minutes after the time fixed for a general meeting called other than on the request of members of the National Executive Council or the Association—
- (a) the meeting is to be adjourned for at least seven days; and
  - (b) the National Executive Council is to decide the day, time and place of the adjourned meeting.
- (6) The chairperson may, with the consent of any meeting at which there is a quorum, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
- (7) If a meeting is adjourned under sub-section (6), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- (8) The Secretary General is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least thirty days.
- (9) If a meeting is adjourned for at least thirty days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

### **60. Procedure at general meeting**

- (1) A member may take part and vote in a general meeting in person, by proxy, by attorney or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.
- (2) A member who participates in a meeting as mentioned in sub-section (1) is taken to be present at the meeting.
- (3) At each general meeting—
- (a) the President is to preside as chairperson; and
  - (b) if there is no President or if the President is not present within fifteen minutes after the time fixed for the meeting or is unwilling to act, the members present must elect one of their number to be chairperson of the meeting; and
  - (c) the chairperson must conduct the meeting in a proper and orderly way.

### **61. Voting at general meeting**

- (1) At a general meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the members present.
- (2) Each member present and eligible to vote is entitled to one vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote.

- (3) A member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting.
- (4) The method of voting is to be decided by the management committee.
- (5) However, if at least twenty percent of the members present demand a secret ballot, voting must be by secret ballot.
- (6) If a secret ballot is held, the chairperson must appoint two members to conduct the secret ballot in the way the chairperson decides.
- (7) The result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held.

## 62. Special general meeting

- (1) The Secretary General must call a special general meeting by giving each member of the Association notice of the meeting within fourteen days after—
  - (a) being directed to call the meeting by the management committee; or
  - (b) being given a written request signed by—
    - (i) at least thirty three percent of the number of members of the National Executive Council when the request is signed; or
    - (ii) at least the number of ordinary members of the Association equal to double the number of members of the Association on the National Executive Council when the request is signed plus one; or
  - (c) being given a written notice of an intention to appeal against the decision of the management committee—
    - (i) to reject an application for membership; or
    - (ii) to terminate a person's membership.
- (2) A request mentioned in sub-section (1)(b) must state—
  - (a) why the special general meeting is being called; and
  - (b) the business to be conducted at the meeting.
- (3) A special general meeting must be held within three months after the Secretary General—
  - (a) is directed to call the meeting by the management committee; or
  - (b) is given the written request mentioned in sub-section (1)(b); or
  - (c) is given the written notice of an intention to appeal mentioned in sub-section (1)(c).
- (4) If the Secretary General is unable or unwilling to call the special meeting, the President must call the meeting.

## 63. Proxies

- (1) An instrument appointing a proxy must be in writing and be in the following or similar form—

*International Police Association (Australian Section):*

I, \_\_\_\_\_ of \_\_\_\_\_, being  
a member of the Association, appoint \_\_\_\_\_  
of \_\_\_\_\_  
as my proxy to vote for me on my behalf at the *(insert details of meeting e.g. AGM and NEC)*  
meeting of the Association, to be held on the \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_ 20\_\_\_\_  
and at any adjournment of the meeting.  
Signed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.  
Signature \_\_\_\_\_

- (2) The instrument appointing a proxy must—
  - (a) if the appointor is an individual—be signed by the appointor or the appointor's attorney properly authorised in writing; or

- (b) if the appointor is a corporation—
  - (i) be under seal; or
  - (ii) be signed by a properly authorised officer or attorney of the corporation.
- (3) A proxy may be a member of the Association or another person.
- (4) The instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot.
- (5) Each instrument appointing a proxy must be given to the secretary before the start of the meeting or adjourned meeting at which the person named in the instrument proposes to vote.
- (5A) Should a member of the National Executive Council, not being a member of the National Executive Bureau wish to be represented at a National Meeting, written notice of this must be sent to the Secretary General at least one hour before the meeting. Such notification shall be signed by the person being represented and their proxy.
- (5AA). The proxy-holder shall be a member from within the Region of the proxy-donor.
- (6) Unless otherwise instructed by the appointor, the proxy may vote as the proxy considers appropriate.
- (7) If a member wants a proxy to vote for or against a resolution, the instrument appointing the proxy must be in the following or similar form—

*International Police Association( Australian Section):*

I, \_\_\_\_\_ of \_\_\_\_\_, being  
a member of the Association, appoint

\_\_\_\_\_ of \_\_\_\_\_  
as my proxy to vote for me on my behalf at the (*insert details of meeting e.g. AGM and NEC*)  
meeting of the Association, to be held on the \_\_\_\_\_ day of \_\_\_\_\_  
20\_\_\_\_\_

and at any adjournment of the meeting.

Signed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

Signature

This form is to be used \*in favour of/\*against [*strike out whichever is not wanted*] the following resolutions—

[*List relevant resolutions*]

#### **64. Minutes of general meetings**

- (1) The Secretary General must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each general meeting are entered in a minute book.
- (2) To ensure the accuracy of the minutes—
  - (a) the minutes of each general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy; and
  - (b) the minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the Association that is a general meeting or annual general meeting, verifying their accuracy.
- (3) If asked by a member of the Association, the secretary must, within twenty eight days after the request is made—
  - (a) make the minute book for a particular general meeting available for inspection by the member at a mutually agreed time and place; and
  - (b) give the member copies of the minutes of the meeting.
- (4) The Association may require the member to pay the reasonable costs of providing copies of the minutes.

### **65. Standing Orders**

- (1) The National Executive Council may make, amend or repeal Standing Orders, not inconsistent with this Constitution, for the internal management of the Association.
- (2) A by-law may be set aside by a vote of members at a general meeting of the Association.

### **66. Alteration of Constitution**

- (1) Subject to the Act, this Constitution may be amended, repealed or added to by a special resolution carried at a general meeting.
- (2) However an amendment, repeal or addition is valid only if it is registered by the chief executive.

### **67. Common seal**

- (1) The National Executive Council must ensure the Association has a common seal.
- (2) The common seal must be—
  - (a) kept securely by the management committee; and
  - (b) used only under the authority of the management committee.
- (3) Each instrument to which the seal is attached must be signed by a member of the National Executive Bureau and countersigned by—
  - (a) the Secretary General; or
  - (b) another member of the management committee; or
  - (c) someone authorised by the management committee.

### **68. Funds and accounts**

- (1) The funds of the Association must be kept in accounts in the name of the Association in financial institutions decided by the management committee.
- (2) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the Association.
- (3) All amounts must be deposited in the financial institution accounts as soon as practicable after receipt.
- (4) A payment by the Association of \$100 or more must be made by cheque or electronic funds transfer.
- (5) Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed not negotiable.
- (6) A petty cash account must be kept on the imprest system, and the National Executive Council must decide the amount of petty cash to be kept in the account.
- (7) All expenditure must be approved or ratified at a National Executive Council meeting.

### **69. General financial matters**

- (1) On behalf of the management committee, the Treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared.
- (2) The income and property of the Association must be used solely in promoting the Association's objects and exercising the Association's powers.

### **70. Documents**

The National Executive Council must ensure the safe custody of books, documents, instruments of title and securities of the Association.

## **71. Financial year**

The end date of the Association's financial year is the thirtieth of June in each year.

## **72. Distribution of surplus assets to another entity**

- (1) This Section applies if the Association—
  - (a) is wound-up under part 10 of the Act; and
  - (b) has surplus assets.
- (2) The surplus assets must not be distributed among the members of the Association.
- (3) The surplus assets must be given to another entity(s)—
  - (a) having objects similar to the Association's objects; and
  - (b) the Constitution of which prohibit the distribution of the entity's income and assets to its members.
- (4) In this section— *surplus assets* see section 92(3) of the Act.

# **Standing Orders of the International Police Association (Australian Section)**

1. These Standing Orders shall be applicable to all authorised meetings of the Australian Section of the Association.

## 2. CONDUCT OF MEETINGS

2.1. Only members of the Association shall attend any official meeting of the Australian Section, unless prior approval is granted by the Chairperson of the meeting concerned. Any such attendance must be recorded in the minutes of the meeting.

2.2. Annual General Meetings and General Meetings shall not be held 'In Camera'.

2.3. The President shall have the right to expel any member from any meeting of the Association for improper conduct.

2.4. These Standing Orders shall be applicable to all general meetings and committee meetings and, as far as appropriate, to meetings of sub-committees, and shall be construed subject to the Constitution.

2.5. Meetings shall, subject to the presence of a quorum, start at the time set out on the notice, and shall, subject to the discretion of the meeting, continue until all business on the agenda is disposed of.

2.6. If no quorum is present within 30 minutes of the starting time set out on the notice, the meeting shall lapse, and subject to any resolution previously passed, the President shall fix the time of the next meeting. All business on the agenda of the lapsed meeting shall be included on the agenda of the next meeting and shall take precedence over new business.

2.7. Any member desiring to speak at general meetings or in the Committee of the Whole shall rise in his or her place and when called upon by the Chair shall address the Chair. If two or more members rise simultaneously, the Chair shall call upon the member who first caught the eye of the Chair.

2.8. When the Chair rises to speak any member standing shall sit down.

2.9. Except in committee, no member other than the proposer of a motion or an amendment shall speak to it until it has been seconded. A motion or amendment lapsing for want of a seconder shall not be recorded in the minutes.

2.10. A motion or amendment before the Chair shall not be withdrawn except by its mover and by leave of the meeting. No motion shall be withdrawn while any amendment is under discussion or after any amendment has been adopted.

2.11. The proposer of any motion or amendment shall submit it in writing.

2.12. A motion or amendment before the Chair may be reworded by the mover subject to leave of the meeting.

2.13. Except in committee, no member shall speak more than once to any question, except that the mover of a motion (but not of an amendment) shall have a right of reply, which reply shall close the debate. An amendment shall constitute a separate question from the original motion and from any other amendment.

2.14. A member moving a motion or amendment shall be deemed to have spoken to it. A member seconding a motion or amendment without speaking to it may reserve the right to speak to it subsequently.

2.15. When an amendment is before the chair discussion shall be confined to that amendment. No further amendment shall be proposed until the amendment before the Chair has been disposed of.

2.16. The Chair shall, as far as practicable, call on speakers for and against a motion or amendment alternately, subject to the right of the seconder to speak immediately after the mover. If two consecutive speakers have both argued for and against a motion or an amendment, and there is no member wishing to argue the opposite view, or, in the case of a motion, to move an amendment, the motion or the amendment shall (subject, in the case of a motion, to the mover's right of reply) be put without further debate.

2.17. Any member may raise a point of order, which shall take precedence over all other business, and which shall be open to discussion. The point must be raised at the time the alleged irregularity occurred. An explanation or contradiction shall not constitute a point of order.

2.18. Any member disagreeing with the Chair's ruling on a point of order may move dissent. The Chair shall then vacate the chair and such motion shall be put forthwith without debate.

2.19. On an equality of voting, the Chair shall declare the question resolved as to maintain the status quo.

2.20. A member who has not already participated in the debate may at any time, whether another speaker has the floor or not, move 'That the question be now put', which motion, if accepted by the Chair, shall be put without amendment or debate. The Chair shall have absolute discretion to accept or refuse the motion. The Chair may also personally put the question if the Chair feels that adequate discussion has taken place. In either case the mover of a motion shall retain the right of reply. If an amendment is before the chair, the closure motion shall be deemed to close the debate on the amendment only.

2.21. A member may at any time move, 'That the speaker be no longer heard' or 'That the speaker be heard for a further limited period only'. Such motions shall be put without amendment or debate. No other motion, except the closure motion or a motion dealing with the speaker's time, shall be moved while a speaker has the floor.

2.22. During the discussion of a motion (but not of an amendment), a member who has not already participated in the debate on the motion may move, 'That the question be not now put'. This motion shall be open to debate, and shall be debated together with the original motion. If carried, the original motion shall not be dealt with further. If lost, the original motion shall be put forthwith, subject to the mover's right of reply. The motion may be foreshadowed while an amendment is before the Chair, but in no case shall it be put till all amendments have been disposed of.

2.23. A member may move, 'That debate (or meeting) be now adjourned'. Discussion shall be in order, but only amendments as to time and/or place shall be permitted. The motion shall take precedence over other business before the chair except points of order and personal explanations.

2.24. A general meeting may at any time during the discussion of a motion or an amendment resolve itself into a Committee of the Whole.

2.25. Standing Orders one to twenty four or any of them may be suspended by a majority of those present. A motion to this effect shall be open to debate.

2.26. No member shall reflect on the vote of a meeting, except on a motion for the rescission of any resolution previously adopted. No member shall reflect on a Clause of the Constitution or a Standing Order, except on a motion (of which due notice was given) to amend or repeal such Clause or Order.

2.27. Notwithstanding anything hereinbefore contained, any decision made by a validly constituted meeting shall not be void by reason only of a departure from these Standing Orders which was not detected till after the decision had been made.

2.28. Any matters not dealt with in the above Standing Orders shall be governed by the principles set out in 'Guide for Meetings and Organisations' by N.E. Renton.

***Document History***

*This Constitution was registered and approved by the Chief Executive on the 28<sup>th</sup> day of May 2010*

*Special Resolution to amend the Constitution occurred on the 22<sup>nd</sup> day of October 2010*

*Special Resolution to amend the Constitution occurred on the 28<sup>th</sup> day of October 2011*

*This Version 22/10/2011*