



## Legal Studies Association of NSW Inc

### CONSTITUTION

As amended on 15 February 2016

#### **1.0. NAME.**

- 1.3 The name of the Association shall be 'Legal Studies Association of NSW Inc' and is hereafter referred to as "LSA".

#### **2.0 OBJECTS.**

The objects of LSA shall be:

- 2.1 To provide a range of activities to assist the teachers and students of Legal Studies within New South Wales schools and the wider educational community.
- 2.2 To promote the study of Legal Studies and the legal education of students within the State.
- 2.3 To assist in the professional development of Legal Studies teachers and educators within the State.
- 2.4 To promote better relations and understanding between Legal Studies teachers and educators generally.
- 2.5 To maintain close liaison with the Board of Studies, Teaching and Educational Standards NSW, Legal Studies Committees and other professional organisations in Legal Studies.

#### **3.0. MEMBERSHIP.**

- 3.1 Membership of LSA shall be open to educators and students of Legal Studies subjects.
- 3.2 Members must nominate by completing the Membership Application Form for the relevant year and forwarding the form with payment to the address of the Association. On receipt of the Membership Application Form and payment, a receipt will be issued and the name of the member will be placed on the membership roll with contact details as supplied.
- 3.3 Where Membership is in the name of a school or organisation all Legal Studies teachers at that school or organisation will be considered members for activities where a discount is offered to members.
- 3.4 The Executive Committee has authority to reject the membership of an individual or organisation and refund any fees paid.
- 3.5 The Executive Committee may pass a motion to appoint a person as a Life Member of the Association. To be eligible to be appointed a Life Member of the Association the person shall have contributed actively to the aims of LSA and the good name of the Association.

#### **4.0. MANAGEMENT.**

- 4.1 The management of LSA shall be vested in an Executive Committee consisting of at least six (6) and a maximum of twenty (20) representatives.
- 4.2 No member of the Executive Committee shall be appointed to any salaried office of the Executive Committee, or any office of the Executive Committee paid by fees, and no remuneration or benefit in money or money's worth shall be given by the Executive Committee to any member of the Executive Committee, or its agents, for work done in execution of normal executive duties, except for the repayment of out of pocket expenses and the payment of an honorarium as per clause 4.3
- 4.3 An honorarium may be paid each financial year to the Treasurer, and the Journal Editor in acknowledgment of the time involved in undertaking these responsibilities. The amount of this honorarium will be determined at the next Executive Committee meeting after the AGM.
- 4.4 Executive Committee members shall be appointed annually and are eligible for reappointment.
- 4.5 Executive Committee members will, as part of their duties, submit at least one article to the Association's journal Legal Briefs each year they are a member of the Executive Committee.
- 4.6 Executive Committee members will, as part of their duties attend at least 50% of scheduled LSA Committee meetings.
- 4.7 The Executive Committee may appoint an Office Manager to support the work of the Association. The Executive committee will negotiate working conditions including hourly rates of pay and number of hours to be worked. The Executive Committee may delegate authority to negotiate these conditions to the President or other members of the Executive Committee, subject to ratification at the next meeting of the Executive Committee.
- 4.8 The Association will pay administration costs involved in the operation of the Association Office, subject to the approval of the Executive Committee
- 4.9 The Executive Committee may delegate responsibility for aspects of administration to the Office Manager subject to prudent financial management and reporting to the Executive Committee.
- 4.10 The Executive Committee will, at the first meeting of the Executive Committee following the Annual General Meeting determine payments which are not "work done in execution of normal executive duties" (Clause 4.2). These activities may include (but not be limited to) preparation of lectures, exam question writing and exam editing.

#### **5.0. OFFICE BEARERS.**

- 5.1 The office-bearers shall consist of a President, Deputy-Presidents, Treasurer, Secretary, Editor, and such other Officers as shall be decided by the members of LSA at an Annual General Meeting.
- 5.2 Any casual vacancy occurring amongst the office-bearers may be filled by a person nominated by the Executive Committee.
- 5.3 The person so appointed to fill such a vacancy, shall hold the office for the unexpired term of the member so replaced.

#### **6.0. PROCEEDINGS OF LSA.**

- 6.1 LSA may meet together for the dispatch of business, adjourn, and otherwise appoint and regulate its meetings as it thinks fit.

- 6.2 The President may at any time summon a meeting of LSA.
- 6.3 Questions arising at meetings of LSA shall be decided by a majority of votes of those present.
- 6.3. A determination by a majority of members of LSA present shall for all purposes be a determination of LSA.
- 6.4 The continuing members of Executive Committee may act notwithstanding any vacancy on the Executive Committee.
  - 6.4.1 If and so long as their number is reduced below the number fixed by or pursuant to these rules as the necessary quorum, the continuing member or members may act for the purpose of increasing the number of members of the Executive Committee from amongst the membership, but for no other purpose.
- 6.5 The normal rules of debate shall apply to all meetings.

## **7.0 VACATION BY OFFICERS.**

An office of a member of the Executive Committee shall be vacant:

- 7.1 Upon their decease.
- 7.2 If they become bankrupt or makes any arrangements or composition with his/her creditors generally.
- 7.3 If they become mentally ill or a person whose person or estate is liable to be dealt with, in any way under the law relating to mental health.
- 7.4 If they resign office by notice in writing to the Executive Committee.
- 7.5 If they are absent for more than four (4) consecutive meetings without leave from the Executive Committee.
- 7.6 If they cease to be a member of the Executive Committee.
- 7.7 Upon a resolution being passed by a two-third majority of members present at a properly constituted meeting specially called for the purpose, to remove them from office.
- 7.8 If they hold any office of profit under the Executive Committee.

## **8.0. FINANCIAL YEAR.**

- 8.1 The financial year shall conclude on the 31st of December of each year.

## **9.0. ANNUAL GENERAL MEETING.**

- 9.1 Annual General Meeting shall be held at the earliest available date in first term in each year, when the Annual Report and audited financial statements shall be presented.

## **10.0. SPECIAL MEETING.**

- 10.1 Special Meetings shall be convened by the Secretary.
- 10.2 A Special Meeting may be called upon the written request, to the Secretary, of not less than two (2) members of the Executive Committee.
- 10.3 A Special Meeting shall be held within a period of two (2) weeks from the date of receipt of the request.

## **11.0 QUORUM AT MEETINGS.**

11.1 At Meetings of the Executive Committee, a quorum shall consist of five (5) members. Should, within half an hour of the time set down for the meeting to commence, a quorum not be present, then the meeting may continue but minutes must be circulated for approval within seven (7) days. If members disagree with aspects of the minutes, these will have to be resolved at a meeting where a quorum is present.

## **12.0 CHAIRPERSON.**

12.1 The President shall preside as Chairperson at every meeting of the Executive Committee. If the President is not in attendance at any such meeting, the Deputy President shall be Chairperson.

12.1.1 If neither the President or the Deputy President is in attendance, the members in attendance at the meeting, and entitled to vote, shall elect one of their number to be Chairperson of the meeting, a simple majority sufficing.

The Chairperson may, with the consent of any meeting at which a quorum is present, (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place but no business will be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

## **13.0 VOTING.**

13.1 At any meeting a resolution put to the vote of a meeting shall be decided on a show of hands unless a poll is, (before, or on the declaration of the result of a show of hands), demanded by the Chairperson or by at least three members present. Unless a poll is so demanded, a declaration by the Chairperson that a resolution has, on a show of hands, been carried or carried unanimously, or lost, then an entry to that effect in the book containing the minutes of the proceedings of the Executive Committee shall be conclusive evidence of the fact, without proof of the number or proportion of votes recorded in favour of or against the resolution.

13.3 The demand for a poll may be withdrawn.

13.4 If a poll is duly demanded, on the election of a Chairperson or on a question of adjournment, it shall be taken forthwith.

13.5 If a poll is duly demanded, it shall be taken in such a manner and either at once or after an interval or adjournment or otherwise as the Chairperson directs.

13.6 The result of the poll shall be the resolution of the meeting at which the poll was demanded.

13.7 In the case of equality of votes, whether on a show of hands or on a poll, the Chairperson of the meeting at which the show of hands or at which a poll is demanded, shall be entitled to a second or casting vote.

13.8 Each Executive Committee member present and voting at a meeting of the Executive Committee shall have one (1) vote on each motion.

## **14.0. NOTICE OF MEETINGS.**

14.1 The President shall give at least seven (7) days notice, oral or in writing, of any meetings to the members of the Executive Committee specifying the date, the day and the hour of the meeting, and the general nature of the business to be dealt with at the meeting.

## **15.0. FUNDS.**

- 15.1 All monies received by LSA shall be deposited intact at the earliest possible date to the credit of LSA's Banking Account.
- 15.2 Receipts for monies received shall also be issued promptly.
- 15.3 All payments in excess of \$50.00 made by the Executive Committee shall be paid by cheque signed by any two (2) of the Chairperson, Secretary or Treasurer or other members of the Executive Committee as determined at a meeting of the Executive Meeting.

## **16.0. AUTHORISATION OF ACCOUNTS.**

- 16.1 All accounts shall be presented to, and passed for payment, at an Executive Committee Meeting, and full details of all such approvals shall be entered in the Minute Book.

## **17.0. INDEPENDENT INSPECTION OF FINANCIAL RECORDS**

- 17.1 An independent inspection of the LSA accounts shall be carried out by a qualified accountant who is a member of NIA, CPA or ICA. This accountant will provide a detailed report on the state of the LSA Accounts for the AGM.
- 17.2 Copies of the report shall be included in the Annual Report presented by the Treasurer to the Annual General Meeting of LSA. If these statements not be available for presentation at the Annual General Meeting, the meeting will determine an appropriate time for their presentation to an Executive Committee meeting.
- 17.3 The current Treasurer will obtain the services of such an accountant and check the necessary qualifications

## **18.0. MINUTES.**

- 18.1 The Secretary shall cause the minutes to be made:
  - 18.1.1 Of all appointments of office bearers and members of the Executive Committee.
  - 18.1.2 Of the names of the Executive Committee members present at all meetings of the Executive Committee.
  - 18.1.3 Of all proceedings at all meetings of the Executive Committee.
- 18.2 The Minutes shall be signed by the Chairperson of the meeting at which the proceedings were held, or by the Chairperson of the next succeeding meeting.

## **19.0. EXPULSION OF MEMBERS.**

- 19.1 A member may be expelled from Membership of LSA by the Executive Committee, if in the opinion of the Executive Committee, the conduct of the member is as to be detrimental to the best interests Of LSA, provided that:
  - 19.1.1 Such expulsion shall not be effective unless it is confirmed by a majority of members present at a Special Meeting of members convened to consider the expulsion.
  - 19.1.2 Such Special Meeting is held within a period of one (1) month from the decision of the Executive Committee to expel the member.
  - 19.1.3 At such a Special Meeting the member whose expulsion is under consideration shall be allowed to offer an explanation of his or her conduct verbally or in writing at the option of the member.

19.1.4 The Voting of such a Special Meeting shall be a ballot unless not less than five members present thereat shall so demand.

19.1.5 It shall be in the power of the Executive Committee to exclude such member from participation in the affairs of LSA until such Special Meeting shall be held.

## **20.0. DISSOLUTION.**

20.1 The Executive Committee shall be dissolved, in the event of a Special Resolution for that purpose, and passed at a Special Meeting of LSA convened for that purpose, or for purposes including that purpose.

20.2 Upon passage of a resolution of dissolution, all assets and funds of LSA shall, after payment of all expenses and liabilities, be handed over to the State Curriculum Committee, or association of like purpose, for use for such other purposes as such a body may from time to time decide.

## **21.0. SUB-COMMITTEES.**

21.1 The Executive Committee may at any time, from time to time, decide to delegate to a Sub-Committee or Sub-Committees of its members appointed for that purpose, any one or more of its powers, rights and/or obligations, as it may see fit and revoke, modify and/or suspend every such delegation.

21.2 The Executive Committee specifically denies the power of delegation, to such a Sub-Committee.

## **22.0. AMENDMENT OF THIS CONSTITUTION.**

22.1 This constitution, and any part thereof, may be amended by a Special Resolution of LSA, passed at a meeting of LSA convened for the purpose, or for purposes including that purpose.

## **23.0. SERVICE OF NOTICES.**

23.1 A notice may be given to any member either verbally, or by writing, and sending it by post to them at their address registered with LSA.

23.1.1 If the Member has no registered address, then the notice, in writing, shall be sent to the place of employment of the member last known to LSA.

23.1.2 Where a notice is sent by post service of the notice shall be deemed to be affected by properly addressing, prepaying and posting a letter or envelope containing the notice.

23.1.3 The notice will have been affected, in the case of a notice of meeting, on the day after the date of posting.

23.1.4 The notice will have been affected in any other case, the time at which the letter would have been delivered in the ordinary course of the post.