

HOME ECONOMICS INSTITUTE OF AUSTRALIA (QUEENSLAND) Inc.

CONSTITUTION 2003

The Home Economics Association of Australia was established on the 6 September 1965 and was incorporated under the South Australian *Associations Incorporation Act* on 7 June 1982. On 8 March 1994 the organisation was incorporated as the Home Economics Institute of Australia Inc. (HEIA) under the Victorian *Associations Incorporation Act*. The Queensland Division of HEIA was established in accordance with Clause 10 of the Constitution of the Home Economics Institute of Australia Inc. The Division incorporated under the Queensland *Associations Incorporation Act* on and from the 13 December 1996.

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1. NAME AND ADDRESS

1.1 **Name**

The name of the incorporated association is the Home Economics Institute of Australia (Queensland) Incorporated, in this Constitution called “the Division”.

1.2 **Address**

1.2.1 The Committee shall ensure that the Division has a registered office that is a place where a document can be served personally on a person (that is, not a post office box).

1.2.2 The address of the registered office shall be confirmed at each Annual General Meeting of the Division.

1.2.3 The Secretary shall, following each Annual General Meeting, advise the chief executive of the Office of Fair Trading of the address of the registered office.

2. INTERPRETATION

2.1 In this Constitution, unless the contrary intention appears:

“Associate” means an associate member of the Institute.

“Committee” is the Committee of Management of the Queensland Division of the Home Economics Institute of Australia Inc.

“Constitution” means the Constitution of the Queensland Division of the Institute, unless specifically stated as the Constitution of the Institute.

“Council” means the Committee of Management that manages the affairs of the Institute.

“Division” means the Queensland Division of the Institute.

“Financial year” is the year ending on 31 December.

“General meeting” means an Annual General Meeting or a Special General Meeting. All general meetings other than the Annual General Meeting shall be called Special General Meetings.

“Home Economics” means the field of study or endeavour focussing on educating, informing and acting as an advocate for families, households and consumers so that individuals can make informed choices in order to enhance their everyday living.

“Home Economists” means persons who are eligible for membership or associateship of the Home Economics Institute of Australia Inc.

“Institute” means the Home Economics Institute of Australia Incorporated.

“Member” means a member of the Institute.

“Secretary” means the Secretary of the Queensland Division of the Institute, unless specifically stated as the “Secretary of the Institute”.

“Special meeting” means an extraordinary meeting of the Committee.

“The Act” means the *Queensland Associations Incorporation Act 1981*, under which the Division is incorporated.

“The Regulations” means regulations under The Act.

3. OBJECTS

- 3.1** The Division shall be non-partisan and non-sectarian and is established to:
- 3.1.1 Provide a Queensland focus for Home Economics and Home Economists.
 - 3.1.2 Promote public recognition of the role of Home Economics.
 - 3.1.3 Set professional standards for the practice of Home Economics and promote the professional standing of Home Economists.
 - 3.1.4 Encourage and assist Home Economists with continuing education and professional development.
 - 3.1.5 Encourage, initiate and co-ordinate research into areas related to Home Economics.
 - 3.1.6 Co-operate and affiliate with bodies, at a state, national and international level, concerned with the education of and advocacy for families and households in their everyday living.

4. POWERS

- 4.1** For the purpose of carrying out the objectives, the Division has the powers to do the following:
- 4.1.1 Make announcements and produce and issue publications.
 - 4.1.2 Establish and set terms of reference for committees, sub-committees, working groups and the like.
 - 4.1.3 Make representations to federal, state and local governments and agencies of such governments.
 - 4.1.4 Co-operate with any other association, company or body having objects in whole or in part similar to the objects of the Division.
 - 4.1.5 Encourage, arrange for, promote, establish and support facilities for providing advice on Home Economics or related matters.
 - 4.1.6 Advise and co-operate with research workers and institutions on matters relevant to Home Economics.
 - 4.1.7 Sponsor research and investigations into matters related to Home Economics.
 - 4.1.8 Organise, sponsor, hold or otherwise be involved in conferences, seminars, workshops or the like on matters relating to Home Economics.
 - 4.1.9 Accept moneys by way of grants, gifts, bequests or otherwise, for any

- one or more of the objects of the Division.
- 4.1.10 Invest any moneys so obtained.
 - 4.1.11 Receive, obtain and hold any lands, money, securities and other real or personal property.
 - 4.1.12 Execute any special trusts in connection with moneys or property received, obtained or held by the Division.
 - 4.1.13 Apply the capital and income of the funds and the property of the Division, or any part thereof, subject to such trusts (if any), for or towards the foregoing objects.
 - 4.1.14 Borrow and lend money and guarantee loans in such manner as the Division may think fit.
 - 4.1.15 Purchase or otherwise acquire and undertake all or any of the property, assets, liabilities and engagements of any other association or company having objects altogether or in part similar to the Division.
 - 4.1.16 Establish education or other foundations.
 - 4.1.17 Insure against all risks, liabilities, and eventualities as may seem advisable and apply the proceeds of any claim under any insurance in such a manner for such purposes as shall be thought fit.
 - 4.1.18 Employ such persons and organisations as may be deemed necessary and pay such sums to such persons and organisations as may be deemed reasonable and proper.
 - 4.1.19 Grant pensions, allowances and gratuities to employees or former employees of the Division or to dependents of such persons and provide a benevolent or similar fund for such purposes in such form and in such amounts as the Division may decide.
 - 4.1.20 Do all such other lawful things as are incidental or conducive to the attainment of these objects.
 - 4.1.21 Carry out one or more of the foregoing objects independently or exclusively of the remainder of such objects.
 - 4.1.22 Carry out any or all of the objects of the Division in any part of Australia or elsewhere.
 - 4.1.23 Implement the policies of the Home Economics Institute of Australia Inc. as determined by the Council from time to time.

4.2 Transition Clauses

From the time of the general meeting to amend the Constitution of the Home Economics Association of Australia to a body called the Home Economics Institute of Australia, a person who is a member of the Home Economics Association of Queensland shall be a member or an associate or a student member or an honorary life member of the Institute, according to that grade.

5. MEMBERSHIP

5.1 Eligibility

Any person who fulfils the requirements and is admitted to membership or associateship of the Home Economics Institute of Australia Inc. and normally lives in the state of Queensland and has not resigned or been expelled shall be deemed to be a member or an associate of the Division.

5.2 Members

Members shall be confined to those who have successfully completed a course of study at a minimum Certificate Level IV (according to the Australian Qualifications Framework), or equivalent, in Home Economics or a related area. Members shall have voting rights at general meetings of the Division and at general meetings of the Institute.

5.3 Associates

Associates shall be confined to those who have successfully completed a course of study in Home Economics or a related area at a level less than Certificate Level IV (according to the Australian Qualifications Framework), or equivalent, and/or work in an area of Home Economics and whose admission as an associate would, in the opinion of the Executive of the Council of the Home Economics Institute of Australia Inc., benefit the Institute. Associates shall have no voting rights at Divisional general meetings or at general meetings of the Institute.

5.4 Student membership

Student members shall be confined to students enrolled in Home Economics or a related area at post-secondary education institutions. Student members shall have no voting rights at Divisional general meetings or at general meetings of the Institute.

5.5 School Group membership

5.5.1 School Group membership shall be confined to a maximum of six members of any one primary or secondary school or college who have successfully completed a course of study in Home Economics or a related area and/or who work in an area of Home Economics, and whose admission as a School Group member would, in the opinion of the Executive of the Council of the Home Economics Institute of Australia Inc., benefit the Institute. Members of a School Group have voting rights at Divisional general meetings but have no voting rights at general meetings of the Institute.

5.5.2 School Group memberships are to be styled "() Group member, Home Economics Institute of Australia Inc." with the name of the school/college inserted between the parentheses.

5.6 Nomination to membership

A nomination of a person for membership or associateship, or of a school/college for School Group membership of the Division, shall be made in writing on a form as determined by the Council of the Home Economics Institute of Australia Inc., and this form shall be lodged with the Secretary of the Institute.

5.7 Admission to membership

A person shall not be admitted to membership or associateship unless she/he is nominated as provided in Clause 5.6 and her/his membership is approved by the Executive of the Council of the Home Economics Institute of Australia Inc.

5.8 Approval

Upon a nomination being approved by the Executive of the Council of the Institute, and upon payment of entrance fees to the Institute, the Secretary of the Institute shall enter the nominee's name in the register of members, associate members, student members and school group members kept by him/her, and on the name becoming so entered, the nominee becomes a member, or associate, or student member, or school group member of the Institute.

5.9 Membership rights

A right, privilege, or obligation of a person by reason of his/her membership or associateship of the Institute is not capable of being transferred or transmitted to another person and terminates upon the cessation of his/her membership or associateship whether by death, resignation or otherwise.

6. ANNUAL SUBSCRIPTION

6.1 Annual subscription

The annual subscription is an amount as shall be determined by the Council of the Home Economics Institute of Australia Inc. and payable in advance on or before the 1st day of January or the first day of July each year, with the membership period being 1 January – 31 December and 1 July – 30 June of the following year respectively.

7. REGISTRATION OF MEMBERS, ASSOCIATES & STUDENT MEMBERS

7.1 Register

- 7.1.1 The Secretary shall keep and maintain a register of members, associates, student members and school group members in which shall be entered the full name, address and date of entry of the name of each person.
- 7.1.2 The register shall be available for inspection at the address of the Secretary.

8. CESSATION OF MEMBERSHIP

8.1 Resignation, expulsion and failure to pay annual subscription

A member, associate, student member or school group member of the Institute who has resigned, been expelled or failed to pay the annual subscription shall be deemed to have ceased to be a member of the Division.

8.2 Expulsion, suspension, fines and appeals

The Council of the Institute may, by resolution, expel or suspend for a period of time from the Institute, or fine a member or associate in accordance with its Constitution. The member or associate may exercise a right of appeal to the Institute in accordance with the Constitution of the Institute.

9. MANAGEMENT OF FUNDS

9.1 Source of funds

The funds of the Division shall be derived from the Home Economics Institute of Australia Inc., from grants and donations to the Division and from such other activities as the Committee may decide. The financial support from the Institute to the Division is determined by the Council of the Institute.

9.2 Use of funds

The income and property of the Division shall be applied solely in furtherance of the above-mentioned objects, and no portion shall be distributed directly or indirectly to the members or associates of the Division, except as bona-fide compensation for services rendered or expenses incurred on behalf of the Division.

9.3 Management of funds

The funds of the Division shall be managed by the Treasurer. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be drawn and signed by two of three persons nominated by the Committee.

9.4 Accounts to be kept

True accounts shall be kept of all sums of money received and expended by the Division and the manner in respect of which the receipt or expenditure takes place.

9.5 Treasurer

The Treasurer of the Division shall or shall cause to collect and receive all moneys due to the Division, make all payments authorised by the Division, and keep correct accounts showing the financial affairs of the Division with full details of all receipts and expenditure connected with the activities of the Division.

9.5.1. The Treasurer shall, within six months of the end of the close of the prescribed financial year, present a statement providing, for the preceding financial year, the Division's income and expenditure, and the assets and liabilities at the close of the year.

9.5.2 The Treasurer shall, within six months of the end of the close of the prescribed financial year, present an audited report on the financial accounts of the preceding financial year for adoption at the Annual General Meeting.

9.5.3 The accounts and books referred to in Clause 9.5 shall be available for inspection by members or associates.

9.6 Appointment of auditor

9.6.1 At each Annual General Meeting, the members shall appoint an auditor.

9.6.2 The auditor shall be a person who is not a member of the Division, not a co-opted non-member of the Committee, and not a partner, employer or employee of a member of the Committee.

9.6.3 Role of the auditor: The auditor shall examine the accounts of the Division and present a report at the next Annual General Meeting.

9.7 Lodgement of audited statement

The Secretary shall, within 1 month of the adoption of the audited statement at the Annual General Meeting, lodge with the chief executive of the Office of Fair Trading a copy of that statement, certified to be correct by the person who audited the financial affairs of the Division.

10. ANNUAL GENERAL MEETINGS OF THE DIVISION

10.1 Time for holding Annual General Meetings

The Division shall in each calendar year, and within six (6) months of the end of the Division's preceding financial year, convene an Annual General Meeting on such a day as the Committee determines. The Annual General Meeting shall be in addition to any other general meetings that may be held in the same year.

10.2 Notice of Annual General Meetings

The Secretary shall, at least 30 days before the date fixed for holding an Annual General Meeting of the Division, cause to be sent to each member or associate of the Division at her/his address appearing in the register of member and associates, a notice by pre-paid post stating the place, date and time of the meeting and the ordinary business, together with any special business, to be transacted at the meeting. The Annual General Meeting shall be specified as such in the notice convening it.

10.3 Business of Annual General Meetings

The ordinary business of the Annual General Meeting shall be:

- 10.3.1 To confirm the minutes of the last preceding Annual General Meeting and of any general meetings held since that meeting
- 10.3.2 To receive from the President, Secretary and Treasurer reports on the activities of the Division during the last preceding financial year
- 10.3.3 To elect the office bearers and ordinary members of the Committee
- 10.3.4 To receive and consider any statements in accordance with the Act under which the Division is incorporated
- 10.3.5 To receive the auditors report and to appoint an auditor
- 10.3.6 To confirm the address of the registered office.

11. SPECIAL GENERAL MEETINGS OF THE DIVISION

11.1 Time for holding Special General Meetings

The Committee may, whenever it thinks fit, convene a Special General Meeting.

11.2 Notice of Special General Meetings

The Secretary shall, at least 30 days before the date fixed for holding a Special General Meeting of the Division, cause to be sent to each member or associate of the Division at her/his address appearing in the register of member and associates, a notice by pre-paid post stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

11.3 *Members requisition*

- 11.3.1 The Committee shall, on the requisition in writing of members representing not less than 5% of the total number of members of the Division, convene a Special General Meeting of the Division.
- 11.3.2 The requisition for a Special General Meeting shall state the objects of the meeting and shall be signed by the member making the requisition. It shall be sent to the address of the Secretary and may consist of several documents in a like form, each signed by one or more of the members making the requisition.
- 11.3.3 If the Committee does not cause a Special General Meeting to be held within one month after the date on which the requisition is sent to the address of the Secretary, the members making the requisition, or any of them, may convene a Special General Meeting to be held not later than 3 months after that date.
- 11.3.4 A Special General Meeting convened by members in pursuance of this Constitution shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Division to the persons incurring the expenses.

12. PROCEEDINGS AT GENERAL MEETINGS OF THE DIVISION

12.1 *Chairperson of general meetings*

- 12.1.1 The President or Vice-President shall chair each general meeting of the Division.
- 12.1.2 If the President and Vice-President are absent from a general meeting, the members present shall elect one of their number to chair the meeting.

12.2 *Special business*

- 12.2.1 All business that is transacted at a Special General Meeting and the Annual General Meeting, with the exception of that specially referred to in this Constitution as being the ordinary business of the Annual General Meeting, shall be deemed to be special business.
- 12.2.2 No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
- 12.2.3 A member or associate desiring to bring any business before a meeting may give notice of that business in writing to the Secretary, who shall include that business in the notice calling the next general meeting after the receipt of notice.

12.3 *Quorum*

- 12.3.1 No item of business shall be transacted at a general meeting unless a quorum of members entitled under this Constitution to vote is present during the time when the meeting is considering that item.
- 12.3.2 At least four members of the Committee and an additional two per cent of members of the Division present personally or by proxy (being members entitled under this Constitution to vote at a general

meeting) constitute a quorum for the transaction of business at a general meeting.

12.4 Adjournment

- 12.4.1 If within thirty minutes after the appointed time for the commencement of a general meeting, a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved and in any other case shall stand adjourned to the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to members and associates given before the day to which the meeting is adjourned) at the same place of the following week, and if at the adjourned meeting the quorum is not present within thirty minutes after the time appointed for the commencement of the meeting, the members present (being not less than 3) shall be a quorum.
- 12.4.2 The Chairperson of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 12.4.3 Where a meeting is adjourned for 14 days or more, like notice of the adjourned meeting shall be given as in the case of the general meeting.

12.5 Voting

- 12.5.1 Each member and school group member is eligible to vote and has one vote only at general meetings of the Division, to be given personally or by proxy. Associates and student members do not have voting rights.
- 12.5.2 A member is not entitled to vote at any general meeting unless all monies due and payable by her/him to the Institute have been paid.
- 12.5.3 A declaration by the Chairperson that a resolution has been carried at the meeting by the votes of three quarters of the members who are present and entitled to vote on the resolution, and an entry to that effect in the Minute Book of the Division is evidence of the result of that resolution.
- 12.5.4 In the case of an equality of voting on a question, the Chairperson of a meeting is entitled to exercise a second or casting vote.

12.6 Proxy

- 12.6.1 Each member shall be entitled to appoint another member as her/his proxy by notice given to the Secretary prior to the time fixed for the start of the meeting in respect of which the proxy is appointed.
- 12.6.2 The notice appointing the proxy shall be in the form set out below:

I, of

.....

being a member of the Queensland Division of the HOME ECONOMICS INSTITUTE OF AUSTRALIA Inc. hereby appoint

..... being a voting member of that Incorporated Division,
as my proxy to vote for me on my behalf at the general meeting of
the Queensland Division of the Institute to be held on the
..... day of 20..... and at any adjournment of that
meeting.

Complete if desired:

My proxy is authorised to vote in favour of/against (delete as
appropriate) the resolution (insert details.)

..... signed

the day of 20.....

12.7 Minutes

- 12.7.1 The Committee shall cause minutes to be made of the names of all members present at general meetings of the Division, and all proceedings of meetings of the Division.
- 12.7.2 Such 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.

13. ROLE OF THE COMMITTEE

13.1 Management

- 13.1.1 The business of the Division shall be managed by and vested in the Committee.
- 13.1.2 The Committee may, subject to this Constitution, the Act and the Regulations, exercise all such powers and functions, and delegate all such powers and functions as may be exercised by the Division other than those powers and functions that are required by this Constitution to be exercised by general meetings of the Division.
- 13.1.3 Subject to the Constitution, the Act and the Regulations, the Committee has the power to perform all such acts and things as appear to the Committee to be essential for the proper management of the affairs of the Division.

13.2 Minutes

- 13.2.1 The Committee shall cause minutes to be made of the names of all members present at meetings of the Committee, and all proceedings of meetings of the Committee.
- 13.2.2 Such 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.

13.3 Sub-committees

The Committee may establish sub-committees consisting of at least one member of the Committee and such other persons as it may determine, and

shall establish the terms and conditions of any such sub-committee. The Committee may fix the quorum, and may delegate any of its powers to any such sub-committee. The terms and conditions and delegated powers shall be listed in the Committee minutes.

13.4 *Delegation of powers to Chairperson*

The Committee may specifically delegate any of its powers to the Chairperson. These powers shall be listed in the Committee minutes.

13.5 *Engagement of employees*

The Committee shall engage all such persons as it may consider necessary and shall regulate their duties and fix their salaries.

13.6 *Annual Report to the Institute*

The Secretary shall annually and one month prior to the Annual General Meeting of the Institute, provide to the Secretary of the Institute a report on the activities, an audited report on the financial accounts of the Division for the previous financial year, and the names of the current Committee.

13.7 *Appointment of member to the Council of the Institute*

The Committee shall annually and prior to the Annual General Meeting of the Institute appoint a member of the Division to be a member of Council. This appointment may be revoked by the appointing Committee at any time and another appointment made by notifying the Secretary of the Institute.

14. MEMBERSHIP OF COMMITTEE

14.1 *Members of the Committee*

14.1.1 The members of the Committee shall be the:

- President
- Vice-President
- Secretary
- Treasurer
- and not more than eight additional members.

14.1.2 At least 4 members of the Committee shall be voting members of the Division.

14.1.3 Non-members may be co-opted to the Committee for special purposes but they do not have voting rights on the Committee.

14.1.4 A person is not eligible to be elected as a member of the Committee if:

- a) the person has been convicted on indictment or summarily sentenced to imprisonment other than in default of payment of a fine, and the rehabilitation period in relation to the conviction has not expired.
- b) under the Bankruptcy Act 1966 (Cwlth) or the law of an external territory or another country, the person is an undischarged bankrupt; or the person has executed a deed of arrangement under the Bankruptcy Act 1966 (Cwlth), part X or a corresponding law of an external territory or another country and the terms of the deed have not been fully complied with; or the person's creditors

have accepted a composition under the bankruptcy Act 1966 (Cwlth), part X or a corresponding law of an external territory or another country and a final payment has not been made under the composition.

- 14.1.5 The Secretary shall:
- reside in Queensland or no more than 65km from the Queensland border
 - be a member of the Division OR a non-member co-opted on to the Committee as Secretary.

14.2 Office bearers

The office bearers of the Committee shall consist of the President, Vice-President, Secretary and Treasurer.

14.3 Election of office bearers and ordinary members of the Committee

- 14.3.1 Each member of the Committee shall be elected by the members of the Division at the Annual General Meeting.
- 14.3.2 A nomination shall be made in writing, signed by a voting member of the Division and accompanied by the written consent of the candidate (which may be endorsed on the nomination form), and shall be deposited with the Secretary prior to the time fixed for holding the Annual General Meeting.
- 14.3.3 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- 14.3.4 If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- 14.3.5 The ballot for the election of officers and ordinary members of the Committee shall be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct.
- 14.3.6 If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.
- 14.3.7 In the event of there being no nominations for one or more of the office bearing positions, the Committee shall co-opt member(s) to fill these positions until such time as the vacancy is filled at the next Annual General Meeting.
- 14.3.8 A candidate may nominate for more than one position but if elected to an office in respect of which the election occurs prior to the election of the second office, his nomination for the second office shall lapse.

14.4 Period of office

The office bearers and ordinary members of the Committee shall hold office until the end of each Annual General Meeting and shall be eligible for re-election, save for the President, who may not hold that office for more than four consecutive years, renewable annually after the initial two year term of office.

14.5 Vacancy on the Committee

- 14.5.1 A position on the Committee becomes vacant if a member of Committee:

- ceases to comply with clause 14.1.4 of this Constitution, or
 - resigns her/his office by notice in writing given to the Secretary.
- 14.5.2 In the event of any vacancy on the Committee, the Committee shall co-opt members to fill the vacancy, until such time as it is filled at the next Annual General Meeting.

14.6 Removal of a Committee member

- 14.6.1 The Division, at a general meeting, may by resolution remove any member of the Committee before the expiration of her/his term of office and appoint another person in her/his stead to hold office until the expiration of the term of the first-mentioned person.
- 14.6.2 Where the member of the Committee to whom a proposed resolution referred to in Clause 14.6.1 makes representations in writing to the Secretary or President of the Division (not exceeding a reasonable length) to appeal against the resolution, the Secretary or the President shall convene a general meeting, the sole business of which is the appeal. At the general meeting, the Committee may place before the meeting details of the grounds for the resolution. The member of the Committee shall be given an opportunity to be heard and the members present in person or by proxy shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked. If two thirds of the voting members at the general meeting vote in person or by proxy in favour of the confirmation of the resolution, the resolution is confirmed, and in any other case the resolution is revoked.

15. PROCEEDINGS AT COMMITTEE MEETINGS

15.1 Time and place

- 15.1.1 The Committee shall meet at least once in every four months at such place and such times and in such manner as the President may determine.
- 15.1.2 The Committee shall meet in person or by a communication means whereby members of Committee can hear each other and can speak to each other throughout the meeting.

15.2 Notice

Written notice of each Committee meeting shall be served by the Secretary on each member of the Committee by delivering it to her/him at a reasonable time before the meeting or by sending it by pre-paid post addressed to her/him at her/his usual or last known place of abode or by other written communication at least 7 days before the date of the meeting.

15.3 Quorum

Any four voting members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.

15.4 Adjournment

No business shall be transacted unless a quorum is present and if within thirty minutes of the time appointed for the meeting a quorum is not present,

the meeting shall stand adjourned to the same place and no later than the same hour of the same day in the following week unless the meeting was a special meeting in which case it lapses.

15.5 Chairperson

At meetings of the Committee the President, or in her/his absence the Vice-President, shall act as chairperson, or if the President and the Vice-President are absent, such one of the remaining members of the Committee as may be chosen by the members present shall act as chairperson.

15.6 Resolutions at Committee meetings

15.6.1 Questions arising at a meeting of the Committee shall be determined on a show of hands or by voices of those eligible to vote, or, if demanded by a member, by a poll taken in such a manner as the person chairing the meeting may determine.

15.6.2 Questions arising between meetings of the Committee shall be determined by voting in a written form by those eligible to vote, conveyed to the Secretary by a date stated on the ballot paper together with the question, and the results of that ballot, together with the names and votes of Committee members, shall be forwarded to Committee members within 30 days of the date stated on the ballot paper and shall be listed in the minutes of the next Committee meeting.

15.7 Voting rights of Committee members

15.7.1 All members of the Committee who are voting members of the Division shall have one vote at Committee meetings.

15.7.2 Members of the Committee who are not voting members of the Division shall not have a vote at Committee meetings.

15.7.3 In the case of equality of voting, the Chairperson shall cast a second and deciding vote.

16. RECORDS AND RESPONSIBILITIES

16.1 Notifications

16.1.1 The Secretary shall notify, in the approved form, the chief executive of the Office of Fair Trading any change to the membership of the offices of the President, Secretary or Treasurer within one month of the change.

16.1.2 The Secretary shall notify, in the approved form, the chief executive of the Office of Fair Trading any change of the Secretary's address within one month of the change.

16.2 Minutes of resolutions and proceedings

The Secretary of the Division shall keep or cause to be kept minutes of the resolutions and proceedings of each meeting in books provided for that purpose together with a record of the names of persons present at meetings.

16.3 Custody of books, documents and securities

The Secretary shall be responsible for the custody of books, documents and

securities of the Division, including those regarding the financial affairs of the Institute, other than those of the current and immediately preceding financial year.

17. CONTRACTS

17.1 *Legally binding contracts*

- 17.1.1 All legally binding contracts entered into by the Division will comply with the Act.
- 17.1.2 All legally binding contracts shall be signed by the President or the President's nominee as documented in the minutes of a Committee meeting.
- 17.1.3 All legally binding contracts shall be made under the seal of the Division.

18. PUBLIC STATEMENTS

18.1 *Public statements*

No member or associate other than the President or a person delegated by the President shall make any public statement purporting to express the views of the Division.

18.2 *Documents*

All documents endorsed or issued by the Division shall have the Division's registered name in legible characters.

19. COMMON SEAL

19.1 *Common Seal*

- 19.1.1 The Common Seal of the Division shall be kept in the custody of the Secretary.
- 19.1.2 The Division's name shall appear on its seal in legible characters.
- 19.1.3 The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures of two members of the Committee.

20. PATRON

20.1 *Appointment of Patron*

- 20.1.1 A Patron may be appointed.
- 20.1.2 The Patron shall be any resident in Australia, chosen by the Committee, for her/his interest in Home Economics.
- 20.1.3 The appointment shall be for a period of not more than three years but a Patron shall be eligible for re-appointment.

21. LIABILITY AND INDEMNITY

21.1 Liability of members

The Secretary, member of the Committee or member of the Division, is not personally liable to contribute towards the payment of the debts and liabilities of the Division or the costs, charges and expenses of a winding-up of the Division, beyond the property of the Division in the person's hands.

21.2 Indemnity

If required under the Act, every member of the Committee, auditor and employees of the Division shall be indemnified out of the assets of the Division against any liability incurred by her/him in defending any proceedings, whether civil or criminal in which judgement is given in her/his favour or in which she/he is acquitted or in connection with any application under the Act in which relief is granted to her/him by the Court in respect of any alleged negligence, default, breach of duty or breach of trust in connection with the Division.

22. AVAILABILITY OF RULES

22.1 Availability

22.1.1 The Secretary shall make the rules (Constitution) available to members if asked.

22.1.2 The Secretary shall provide, if asked by a member, a printed, legible copy of the rules.

22.1.3 The Secretary may require the members to pay an amount to the Secretary to cover the reasonable costs of providing the copy to the member.

23. AMENDMENT OF RULES

23.1 Amendment

23.1.1 This Constitution may be amended by special resolution passed by a three-quarter majority of the votes cast by those members present in person and by proxy voting at a general meeting.

23.2 Registration of amendments

23.2.1 The Secretary shall apply to the chief executive of the Office of Fair Trading for registration of the amendments within one month of the special resolution being passed.

23.2.2 The application for registration of the amendments shall be on the form approved by the Act, and include a copy of the amendments or the complete Constitution with the amendments clearly shown.

23.2.3 The application shall be accompanied by a statutory declaration by the Secretary stating that the amendments comply with the Act.

24. DISSOLUTION

24.1 Resolution

Any resolution to effect the dissolution of the Division (and the cancellation of the incorporation of the Division) shall be submitted to a meeting called especially for that purpose provided 28 days notice of the resolution is given to members and associates. The resolution shall be carried if passed by a majority of three-quarters of the members.

24.2 Remaining funds

Any funds of the Division remaining on dissolution after the satisfaction of all debts and liabilities shall be paid and applied by the Committee in accordance with their powers to the Home Economics Institute of Australia Inc. while it remains an organisation which is exempt from income tax under Section 23 of the *Income Tax Assessment Act* or to another organisation which is exempt from income tax under Section 23 of the *Income Tax Assessment Act*.

25. REGIONAL BRANCHES

25.1 The Division may request the Council of the Institute to establish a Regional Branch.

25.1.1 The Regional Branches are to be styled Home Economics Institute of Australia Inc. () Branch, with the name of the Region inserted between the parentheses.

25.1.2 The Regional Branches maybe incorporated associations, and if so, the Constitution under which each is incorporated may not be inconsistent with the Constitution of the Institute.

25.1.3 The members of the Regional Branches shall be the members of the Institute who elect to belong to the Regional Branches.

25.1.4 The members of each Regional Branch shall annually hold a meeting to receive from the Committee of Management of the Branch a report of the activities and an audited report of the financial accounts of the Branch for the previous financial year and to elect a Committee of Management to manage the affairs of each Branch.

25.1.5 Financial support to Regional Branches shall be decided by Council in conjunction with the Division.

25.1.6 Each Regional Branch Committee of Management may annually and prior to the Annual General Meeting of the Institute, appoint a member to be an observer at Council meetings. This appointment may be revoked by the appointing Regional Branch Committee of Management at anytime and another appointment made by notifying the Secretary of the Institute.

25.1.7 Each Regional Branch Committee of Management shall annually and one month prior to the Annual General Meeting of the Institute provide to the Secretary of the Institute a report on the activities, an audited report on the financial accounts of the Branch for the previous financial year and the names of the current Committee of Management.