
RULES FOR THE ASSOCIATION OF SCHOOL BURSARS AND ADMINISTRATORS (VIC)
INCORPORATED

NAME

1. The name of the incorporated association is the Association of School Bursars and Administrators (Vic) Incorporated (in these Rules called "the ASBA (Vic))."

STATEMENT OF PURPOSE / OBJECTS

2. The purposes of the ASBA (Vic) are to promote or advance education and-
 - 2.1. To promote efficiency in the business administration of schools and education establishments and to advance the professional development of Members by:
 - 2.1.1. the collection and distribution of information;
 - 2.1.2. the discussion of matters of mutual interest;
 - 2.1.3. the presentation of seminars, conferences, and in-service activities;
 - 2.1.4. any other means deemed appropriate from time to time by the Committee.
 - 2.2. To support the progress and development of independent schools generally, by establishing and maintaining harmonious working relationships with independent school associations and other appropriate bodies.
 - 2.3. To promote and maintain ethical standards of conduct in the profession of school business administration.
 - 2.4. Actively to seek membership of any organisation having similar objects and deemed appropriate by the Committee for the purpose.
 - 2.5. To foster good fellowship between Members schools and other appropriate bodies.
3. Solely for the purpose of furthering the purposes set out above the ASBA (Vic) shall have power—
 - 3.1. To take over the funds and other assets and the liabilities of the present Unincorporated USBAV;
 - 3.2. To indemnify any person for any loss or damage incurred as a result of having on behalf of the unincorporated ASBAV become liable to pay any amount by way of damages or otherwise;
 - 3.3. To subscribe, become a member and co-operate with any club association or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the ASBA (Vic) provided that ASBA (Vic) shall not subscribe to or support with its funds any club, association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the ASBA (Vic) under or by virtue of the Rules;
 - 3.4. To buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for members of the ASBA (Vic) or persons frequenting the premises of the ASBA (Vic);
 - 3.5. To subscribe, become a member and co-operate with any club association or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the ASBA (Vic) provided that ASBA (Vic) shall not subscribe to or support with its funds any club, association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the ASBA (Vic) under or by virtue of the Rules;
 - 3.6. To buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for members of the ASBA (Vic) or persons frequenting the premises of the ASBA (Vic);

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- 3.7. To purchase, take on lease or in exchange hire and otherwise acquire any lands buildings, easements or property, real or personal, and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the objects of the ASBA (Vic) provided that in the case the ASBA (Vic) shall take or hold any property which may be subject to any trusts the ASBA (Vic) shall only deal with the same in such manner as is allowed by law having regard to such trusts;
 - 3.8. To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the ASBA (Vic) and to obtain from any Government or Authority any rights privileges and concessions which the ASBA (Vic) may think it desirable to obtain and to carry out exercise and comply with any such arrangements rights privileges and concessions;
 - 3.9. To appoint, employ, remove or suspend such managers, clerks secretaries, servants, and other persons as may be necessary or convenient for the purposes of the ASBA (Vic);
 - 3.10. To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the interests of the ASBA (Vic), and to contribute to, subsidise or otherwise assist or take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof;
 - 3.11. To invest and deal with the money of the ASBA (Vic) not immediately required in such manner as may from time to time be thought fit;
 - 3.12. To take, or otherwise acquire, and hold shares debentures or other securities of any company or body corporate;
 - 3.13. To lend and advance money or give credit to any person or body corporate; to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate;
 - 3.14. To borrow or raise money either alone or jointly with any person or legal entity in such manner as may be thought proper and whether on fluctuating advance, account or overdraft or otherwise to represent or secure any monies and further advances borrowed or to be borrowed alone or with others as set out above by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security on the whole or any part of the property of the ASBA (Vic) or assets or present or future and to purchase, redeem or pay off any securities;
 - 3.15. To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;
 - 3.16. To sell, improve, manage, develop, exchange, lease, dispose turn to account or otherwise deal with all or any part of the property and rights of the ASBA (Vic);
 - 3.17. To take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase money or any part of the property of the ASBA (Vic) of any kind sold by the ASBA (Vic), or any money due to the ASBA (Vic) from purchasers and others;
 - 3.18. To take any gift of property whether subject to any trust or not, for any one or more of the objects of the ASBA (Vic) but subject always to the provision in clause 2.5;
 - 3.19. To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be expedient for the purpose of procuring contributions to the funds of the ASBA (Vic), in the form of donations, annual subscriptions or otherwise;

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- 3.20. To print and publish any newspapers, periodicals, books or leaflets that the ASBA (Vic) may think desirable for the promotion of its objects;
 - 3.21. To amalgamate with any one or more incorporated Associations having objects altogether or in part similar to those of the ASBA (Vic) and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the ASBA (Vic) under or by virtue of the Rules;
 - 3.22. To purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the ASBA (Vic) is authorised to amalgamate;
 - 3.23. To transfer all or any part of the property, assets, liabilities and engagements of the ASBA (Vic) to any one or more of the incorporated association with which the ASBA (Vic) is authorised to amalgamate;
 - 3.24. To make donations for patriotic, charitable or community purposes;
 - 3.25. To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged;
 - 3.26. To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the ASBA (Vic).

THE RULES
INTERPRETATION

4.

4.1. In these Rules, unless the contrary intention appears –

"**Act**" means the *Associations Incorporation Reform Act 2012* (Vic).

"**Annual General Meeting**" means an annual general meeting of Members convened in accordance with Rule 11.1.

"**Associate Member**" means a Member admitted to membership pursuant to sub-rule 8.2 but shall not have the right to vote at any General Meeting.

"**School Bursar or Administrator**" means any person employed by a school or educational establishment holding an office which has duties and responsibilities deemed by resolution of the Committee to relate to the professional non-academic business administration of a school.

"**Committee**" means the Committee of Management of ASBA (Vic).

"**Financial Year**" means the year commencing on 1st January and ending on 31st December.

"**General Meeting**" means an Annual General Meeting or a Special General Meeting.

"**General Member**" means a Member who satisfies the requirements of sub-rule 8 and shall have all the rights privileges responsibilities and voting powers of any Member.

"**Honorary Member**" means a Member admitted to membership pursuant to sub-rule 8.3 but shall not have the right to vote at any General Meeting.

"**Life Member**" means a Member admitted to membership pursuant to sub-rule 8.4 and shall have all rights privileges responsibilities and voting powers of a General Member.

"**Member**" means any General Member, Associate Member, Life Member and Honorary Member of the ASBA (Vic)."

"**Ordinary Member of the Committee**" means a member of the Committee who is not an Officer of ASBA (Vic) under Rule 22.

"**Regulations**" means regulations under the Act.

"**Register of Members**" means the register of Members in which shall be entered the full name, class of membership, address, date of entry of the name of each Member and any other relevant details of each Member, as kept and maintained by the Secretary.

"**Secretary**" means:

- (a) where a person holds office under these Rules as Secretary – that person; and
- (b) in any other case – the Public Officer of the ASBA (Vic).

"**Special General Meeting**" means any General Meeting which is not an Annual General Meeting, convened in accordance with Rule 13.1.

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- 4.2. Words or expressions contained in these Rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1958 (Vic) and the Act as in force from time to time.

APPLICATION FOR MEMBERSHIP

- 5.
- 5.1. A natural person who is nominated and approved for membership as provided in these Rules is eligible to be a Member of the ASBA (Vic) on payment of any entrance fee and annual subscription as fixed and determined by the Committee from time to time payable under these Rules.
- 5.2. A person who is not a member of the ASBA (Vic) at the time of the incorporation of the ASBA (Vic) (or who was such a Member at that time but has ceased to be a Member) shall not be admitted to membership:
- 5.2.1. unless he/she is nominated as provided in sub-rule 5.3; and
- 5.2.2. his/her admission as a Member is approved by the Committee.
- 5.3. Subject to the provisions of Rule 8 a nomination of a person for membership of the ASBA (Vic):
- 5.3.1. shall be made in writing in the form set out in Appendix 1; and
- 5.3.2. shall be lodged with the Secretary.
- 5.4. As soon as is practicable after the receipt of a nomination, the Secretary shall refer the nomination to the Committee.
- 5.5. On a nomination being referred to the Committee, the Committee shall determine whether to approve or reject the nomination.
- 5.6. On a nomination being approved by the Committee, the Secretary shall, with as little delay as possible, notify the nominee in writing that he/she is approved for membership of the ASBA (Vic) and request payment within the period of 28 days after receipt of the notification of the sum payable under these Rules as the entrance fee and the first year's annual subscription.
- 5.7. The sum payable referred to in Rule 5.6 may be paid to ASBA (Vic) by money order or bank cheque made payable to ASBA (Vic) or electronic funds transfer to an account as nominated by ASBA (Vic) from time to time.
- 5.8. The Secretary shall, on receipt of payment of the amounts referred to in sub-rule 5.6, within the period referred to in that sub-rule, enter the nominee's name in the Register of Members kept by the Secretary and, on the name being so entered, the nominee becomes a Member.

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- 5.9. A right, privilege or obligation of a person by reason of his/her membership of the ASBA (Vic):
- 5.9.1. is not capable of being transferred or transmitted to another person;
 - 5.9.2. terminates upon the cessation of his/her membership (pursuant to all classes of membership enumerated in Rule 8) whether by death or resignation or failure to pay any annual subscription fee by the 30th June in any year or otherwise.

ENTRANCE FEE AND ANNUAL SUBSCRIPTION

6.

The Committee may from time to time determine:

- 6.1. the entrance fee payable (if any) by all nominees; and
- 6.2. any annual subscription fee payable by Members.

REGISTER OF MEMBERS

7.

The Secretary shall keep and maintain a Register of Members in which shall be entered the full name class of membership address and date of entry of the name of each Member and the register shall be available for inspection by Members at the address of the Public Officer.

CLASS OF MEMBERS

8.

- 8.1. General Membership shall be open to all professional non-academic business administration staff employed by schools or educational establishments.
- 8.2. Associate Membership shall be available to all past General Members of the ASBA (Vic).
- 8.3. Honorary Membership, (which shall be subject to annual review) shall be available to such persons, or members of kindred organisations, as the Committee may by resolution from time to time deem fit.
- 8.4. Life Membership may be awarded to past or present Members by resolution of at least two thirds of the Members present in person or by proxy who are entitled to vote at a General Meeting only after the following preconditions have been fully satisfied:
 - 8.4.1. the proposal shall be a recommendation of the Committee, following receipt of a nomination by any Member from time to time; and
 - 8.4.2. notice of the proposal shall be included in the notice of meeting for the General Meeting at which the proposal is to be considered.

RESIGNATION AND EXPULSION OF MEMBER

- 9.
- 9.1. A Member who has paid all moneys due and payable by him/her to the ASBA (Vic) may resign from the ASBA (Vic) by first giving one month's notice in writing to the Secretary of his/her intention to resign and on the expiration of that period of notice, the Member shall cease to be a Member.
- 9.2. On the expiration of a notice given under sub-rule 9.1, the Secretary may make in the Register of Members an entry recording the date on which the Member by whom the notice was given, ceased to be a Member.
- 10.
- 10.1. Subject to these Rules, the Committee may by resolution:
- 10.1.1. expel a Member;
- 10.1.2. suspend a Member from membership for a specified period; or
- 10.1.3. fine a Member in accordance with the Regulations, if the Committee is of the opinion that the Member:
- 10.1.3.1. has refused or neglected to comply with these Rules; or
- 10.1.3.2. has been guilty of conduct unbecoming a Member or prejudicial to the interests of the ASBA (Vic).
- 10.2. A resolution of the Committee under sub-rule 10.1:
- 10.2.1. does not take effect unless the Committee, at a meeting held not earlier than 14 and not later than 28 days after the service on the Member of a notice under sub-rule 10.3 confirms the resolution in accordance with this Rule; and
- 10.2.2. where the Member exercises a right of appeal to the ASBA (Vic) under this Rules does not take effect unless the ASBA (Vic) confirms the resolution in accordance with this Rule.
- 10.3. Where the Committee passes a resolution under sub-rule 10.1, the Secretary shall, as soon as practicable cause to be served on the Member a notice in writing:
- 10.3.1. setting out the resolution of the Committee and the grounds on which it is based;
- 10.3.2. stating that the Member may address the Committee at a meeting to be held not earlier than 14 and not later than 28 days after service of the notice;
- 10.3.3. stating the date, place and time of that meeting; and
- 10.3.4. informing the Member that they may do one or more of the following:

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- 10.3.4.1. attend that meeting;
 - 10.3.4.2. give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution; and
 - 10.3.4.3. not later than 24 hours before the date of the meeting, lodge with the Secretary a notice to the effect that they wish to appeal to the ASBA (Vic) in General Meeting against the resolution.

10.4. At a meeting of the Committee held in accordance with sub-rule 10.2, the Committee:

- 10.4.1. shall give to the Member an opportunity to be heard;
- 10.4.2. shall give due consideration to any written statement submitted by the Member; and
- 10.4.3. shall by resolution determine whether to confirm or to revoke the resolution.

10.5. Where the Secretary receives a notice under sub-rule 10.3, they shall notify the Committee and the Committee shall convene a General Meeting of the ASBA (Vic) to be held within 21 days after the date on which the Secretary received the notice.

10.6. At a General Meeting of the ASBA (Vic) convened under sub-rule 10.5:

- 10.6.1. no business other than the question of the appeal shall be transacted;
- 10.6.2. the Committee may place before the meeting details of the grounds for the resolution and the reasons for passing the resolution;
- 10.6.3. the Member shall be given an opportunity to be heard; and
- 10.6.4. the Members present shall vote by secret ballot on the question whether the resolution should be confirmed or revoked.

10.7. If at the General Meeting:

- 10.7.1. two thirds of the Members vote in person or by proxy in favour of the confirmation of the resolution – the resolution is confirmed; and
- 10.7.2. in any other case – the resolution is revoked.

ANNUAL GENERAL MEETING

- 11.
- 11.1. The ASBA (Vic) shall no later than 30th April in each calendar year convene an Annual General Meeting of its Members.
- 11.2. The Annual General Meeting shall be held on such day as the Committee determines.
- 11.3. The Annual General Meeting shall be specified as such in the notice convening it.
- 11.4. The ordinary business of the Annual General Meeting shall be:
- 11.4.1. to confirm the minutes of the last preceding Annual General Meeting and of any General Meeting held since that meeting;
 - 11.4.2. to receive from the Committee reports on the transactions of the ASBA (Vic) during the last preceding Financial Year;
 - 11.4.3. to receive from the returning officer the result of the elections;
 - 11.4.4. to receive and consider the financial statement submitted by ASBA (Vic) and prepared in accordance with section 101 of the Act;
 - 11.4.5. to elect an auditor for ensuing year; and
 - 11.4.6. to set the annual subscription for the ensuing year.
- 11.5. The Annual General Meeting may transact special business of which notice is given in accordance with these Rules.
- 11.6. The Annual General Meeting shall be in addition to any General Meetings that may be held in the same year.

SPECIAL GENERAL MEETING

- 12.
- 12.1. All General Meetings other than the Annual General Meeting shall be called Special General Meetings.
- 12.2. A Special General Meeting shall be convened at least three times in each Financial Year.
- 13.
- 13.1. The President or a majority of the Members of the Committee may, whenever it thinks fit, convene a Special General Meeting of the ASBA (Vic) and, where, but for this sub-rule, more than 15 months would elapse between Annual General Meetings, shall convene a Special General Meeting before the expiration of that period.
- 13.2. The Committee shall, on the requisition in writing of Members representing not less than 20 Members, convene a Special General Meeting of the ASBA (Vic).

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- 13.3. The requisition for a Special General Meeting shall state the objects of the meeting and shall be signed by the Members making the requisition and 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.
- 13.4. 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.
- 13.5. A Special General Meeting convened by Members pursuant to these Rules shall be convened in the same manner as near 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 ASBA (Vic) to the persons incurring the expenses.

NOTICE OF MEETING

- 14.
- 14.1. The Secretary shall, at least 14 days before the date fixed for holding a Special General Meeting and at least 28 days before the date fixed for holding an Annual General Meeting cause to be given or sent to each Member by prepaid post (at the Member's address appearing in the Register of Members), a notice stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting including the full text of any special resolution to be considered at the meeting.
- 14.2. No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
- 14.3. A Member desiring to bring any business before a meeting may give notice of that business in writing to the Secretary, not less than twenty one days prior to the date scheduled for the next General Meeting and the Secretary after the receipt of the notice shall include that business in the notice calling the next General Meeting.

PROCEEDINGS AT MEETINGS

- 15.
- 15.1. All business that is transacted at a Special General Meeting and all business that is transacted at the Annual General Meeting with the exception of that specially referred to in sub-rule 11.4 as being the ordinary business of the Annual General Meeting shall be deemed to be special business.
- 15.2. No items of business shall be transacted at a General Meeting unless a quorum of Members entitled under these Rules to vote is present during the time when the meeting is considering that item.
- 15.3. 30 Members present, including up to 10 proxies (being Members entitled under these Rules to vote at a General Meeting) constitute a quorum for the transaction of the business of a General Meeting.
- 15.4. If within half an hour after the appointed time for the commencement of a General Meeting, a quorum is not present, the meeting if convened on the requisition of Members shall be dissolved and in any other
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case shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairman at the time of the adjournment or by written notice to Members given before the day to which the meeting is adjourned) at the same place and if at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the Members present (being not less than 3) shall be a quorum.

16.

16.1. The President, or in his/her absence, the Vice-President, shall preside as Chairman at each General Meeting.

16.2. If the President and the Vice-President are absent from a General Meeting, the Members present shall elect one of their number to preside as Chairman at the meeting.

17.

17.1. The Chairman 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.

17.2. Where a meeting is adjourned for 14 days or more, a like notice of the adjourned meeting shall be given as in the case of the General Meeting.

17.3. Except as provided in sub-rule 15.1 and 17.2, it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

18.

A question arising at a General Meeting shall be determined on a show of hands and unless before or on the declaration of the show of hands a poll is demanded, a declaration by the Chairman that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, an entry to that effect in the Minute Book of the ASBA (Vic) is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against that resolution.

19.

19.1. On any question arising at a General Meeting, only General Members and Life Members shall be entitled to vote and each such Member shall have one vote only.

19.2. All votes shall be given personally or by proxy.

19.3. In the case of an equality of voting on a question, the Chairman of the meeting is entitled to exercise a second or casting vote only on the election of a Member to fill a casual vacancy in the office of an Ordinary Member of the Committee.

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- 20.
- 20.1. If at a meeting a poll on any question is demanded by not less than three Members, it shall be taken at that meeting in such manner as the Chairman may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- 20.2. A poll that is demanded on the election of a Chairman or on a question of an adjournment shall be taken immediately and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairman may direct.
- 21.
- A Member is not entitled to vote at a General Meeting unless all moneys due and payable by them to the ASBA (Vic) have been paid, other than the amount of the annual subscription payable in respect of the current Financial Year.
- 22.
- 22.1. Each Member shall be entitled to appoint another Member as that Member's proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- 22.2. The notice appointing the proxy shall be in the form set out in Appendix 2.

COMMITTEE OF MANAGEMENT

- 23.
- 23.1. The affairs of the ASBA (Vic) shall be managed by a Committee constituted as provided in Rule 26.1.
- 24.
- 24.1. The Committee:
- 24.1.1. shall control and manage the business and affairs of the ASBA (Vic);
- 24.1.2. may, subject to these Rules, the Regulations and the Act, raise funds for the purposes of the ASBA (Vic) by any lawful means and to invest apply and disburse such funds by or for any lawful means or purpose;
- 24.1.3. may, subject to these Rules, the Regulations and the Act, exercise all such powers and functions as may be exercised by the ASBA (Vic) other than those powers and functions that are required by these Rules to be exercised by General Meetings of the Members;
- 24.1.4. shall, subject to these Rules, the Regulations and the Act, have power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the ASBA (Vic); and
- 24.1.5. shall, in accordance with these Rules, the Regulations and the Act, elect the Officers of the ASBA (VIC);
- 24.1.6. may, subject to these Rules, the Regulations and the Act, appoint sub committees of its own members and/or other Members with appropriate expertise and delegate specific powers and functions to such sub-committees (excluding this power of delegation).

25.

The Committee shall consist of ten (10) Committee Members being five (5) Officers of the ASBA (VIC) and five (5) Ordinary Members of the Committee.

The Officers of the ASBA (Vic) shall be:

25.1.1. a President;

25.1.2. the immediate Past President (ex officio) so long as he remains a Member;

25.1.3. a Vice-President;

25.1.4. a Treasurer; and

25.1.5. a Secretary.

26.

Each Committee Member shall hold office until the conclusion of the second Annual General Meeting after the date of his or her election.

ELECTIONS OF COMMITTEE MEMBERS

27.

27.1. Committee Members with the exception of the immediate Past President are elected by the General Members at the Annual General Meeting.

27.2. Only General Members and Life members are entitled to vote on the election of Committee Members. Each General Member and Life Member has one vote.

27.3. Where, in any year, more than ten (10) candidates remain in a ballot for the ten (10) positions available for Ordinary Members of the Committee, the returning officer shall tabulate and total all the preferences cast for each candidate. The ten (10) candidates with the highest total score shall be elected. In the event of an equality of total preference votes which prevents a clear result, the returning officer shall have regard to the first preferences cast for each of the candidates involved in the equality, and if this does not resolve the matter, then second and subsequent preferences shall be considered to establish a preferential result.

27.4. A person is only eligible for election to the position of Committee Member if the person is either a General Member or Life Member notwithstanding that the person is, at the time of the election, or was, at any time previously, a Committee Member.

27.5. The appointment of a Committee Member is effective at the conclusion of the Annual General Meeting at which the Committee Member was elected.

27.6. In the event of a casual vacancy as defined in rule 25 in the office of an Ordinary Member of the Committee, the Committee may appoint a General Member or Life Member to fill the vacancy and the General Member or Life Member so appointed shall hold office, subject to these Rules, for the unexpired portion of the tenure of a member being replaced.

APPOINTMENT OF OFFICERS OF THE ASBA (VIC)

28.

28.1. Past President

At the conclusion of the President's term the President is appointed ex officio to the position of immediate Past President;

28.2. President, Vice-President, Treasurer and Secretary

28.2.1. At the first meeting of the Committee after the Annual General Meeting at which new Committee Members are elected, the Committee will elect a new President, Vice-President, Treasurer and Secretary.

28.2.2. With the exception of the immediate Past President, all Committee Members are eligible to be appointed to the position of President, Vice-President, Treasurer and Secretary.

28.2.3. Each Committee Member can only hold one Officer position.

28.2.4. Committee Members only are entitled to vote on the election of the President, Vice-President, Treasurer and Secretary. Each Committee Member has one vote.

28.2.5. The President, Vice-President, Treasurer and Secretary shall be elected by ballot. The candidate with the most votes in favour of being appointed to a particular position will be appointed to that position.

28.2.6. A Committee Member is eligible for election to the position of President only if the person did not hold the position of President for the previous two years.

28.2.7. The appointment of the President, Vice-President, Treasurer and Secretary is effective at the conclusion of meeting convened in accordance with rule 28.2.1.

28.2.8. In the event of a casual vacancy as defined in rule 25 in the office of any Officer of the ASBA (Vic), the Committee may appoint one of its members to the vacant office and the member so appointed may continue in office for the unexpired portion of the tenure of the member being replaced.

29.

29.1. For the purposes of these Rules, the office of an Officer of the ASBA (Vic) or of an Ordinary Member of the Committee becomes vacant if the Officer or Ordinary Member:

29.2. ceases to be a General Member or Life Member;

29.3. becomes an insolvent under administration within the meaning of the Corporations Act;

29.4. resigns his/her office by notice in writing given to:

29.4.1 if the Officer is the Secretary – the President; or

29.4.2 in any other case – the Secretary; or

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30. fails to attend three consecutive meetings of the Committee without prior notice to and leave of absence of the Committee.

PROCEEDINGS OF COMMITTEE

- 31.
- 31.1. The Committee shall meet at least once each term during the Victorian School Year at such place and such times as the Committee may determine.
- 31.2. Special meetings of the Committee may be convened by the President or by a majority of the members of the Committee.
- 31.3. Seven days written notice shall be given to members of the Committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.
- 31.4. Any seven (7) members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- 31.5. No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting shall stand adjourned to the same time and at the same hour of the same day in the following week unless the meeting was a special meeting in which case it lapses.
- 31.6. At meetings of the Committee:
- 31.6.1. the President or in his/her absence the Vice-President shall preside; or
- 31.6.2. 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 of the Committee present shall preside.
- 31.7. Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall be determined on a show of hands or, if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.
- 31.8. Each member present at a meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote.
- 31.9. Seven days prior written notice of each committee meeting shall be served on each member of the Committee by delivering it to him/her at a reasonable time before the meeting or by sending it by prepaid post addressed to him/her at his/her usual or last know place of abode at least two business days before the date of the meeting.

31.10. Subject to sub-rule 29.1, the Committee may act notwithstanding any vacancy on the Committee.

SECRETARY

32.

The Secretary shall prepare and keep minutes of the resolutions and proceedings of each Committee meeting and each General Meeting, including financial statements submitted at a General Meeting, in books provided for that purpose together with a record of the names of persons present at Committee meetings.

TREASURER

33.

33.1. The Treasurer:

33.1.1. shall establish such bank or other financial institution accounts in the name of the ASBA (Vic) as may be resolved by the Committee from time to time;

33.1.2. shall collect and receive all moneys due to the ASBA (Vic) and make all payments authorised by the ASBA (Vic); and

33.1.3. shall keep correct accounts and books showing the financial affairs of the ASBA (Vic) with full details of all receipts and expenditure connected with the activities of the ASBA (Vic).

33.2. The accounts and books referred to in sub-rule 28.1 shall be available for inspection by Members.

REMOVAL OF MEMBER OF COMMITTEE

34.

34.1. The ASBA (Vic) in General Meeting may by resolution remove any member of the Committee before the expiration of his/her term of office and appoint another Member in his/her stead to hold office until the expiration of the term of the first-named member of the Committee.

34.2. Where the member of the Committee to whom a proposed resolution referred to in sub-rule 29.1 makes representations in writing to the Secretary or President (not exceeding a reasonable length) and requests that they be notified to the Members, the Secretary, or the President may send a copy of the representations to each Member or, if they are not so sent, the member may require that the representations be read out at the General Meeting.

CHEQUES

35.

All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by the Treasurer and any one of the President Vice-President or the Secretary.

AUDIT

36.

- 36.1. At the end of each Financial Year the books, records and accounts of the ASBA (Vic) shall be examined by the Auditor and a report prepared for consideration at the ensuing Annual General Meeting.
- 36.2. At each Annual General Meeting an Auditor shall be appointed to hold office until the next Annual General Meeting.
- 36.3. Any casual vacancy in the office of Auditor may be filled by the Committee.
- 36.4. The Auditor appointed pursuant to these Rules shall be a member of a recognised accountancy institute.

SEAL

37.

- 37.1. The Common Seal of the ASBA (Vic) shall be kept in the custody of the Secretary.
- 37.2. 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 either of two members of the Committee or of one member of the Committee and of the Public Officer.

ALTERATION OF RULES AND STATEMENT OF PURPOSES

38.

These Rules and the statement of purposes of the ASBA (Vic) shall not be altered except in accordance with the Act.

NOTICES

39.

- 39.1. A notice may be served by or on behalf of the ASBA (Vic) on any Member either personally or:
- 39.2. by post; or
- 39.3. by transmission by facsimile; or
- 39.4. by email,
- 39.5. to the Member at his/her postal or email address or facsimile number as shown in the Register of Members.

ASBA (Vic)

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40. Where a document is properly addressed pre-paid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.

WINDING UP OR CANCELLATION

41. If upon the winding-up or dissolution of the organisation there remains, after satisfaction of all its debts and liabilities, any property, whatsoever, the same shall not be paid to or distributed among the members of the Association but shall be given or transferred to some other institution having similar objects to the Association and which shall prohibit the distribution of its income and property amongst its members to an extent at least as great as that imposed on the Association at or before the time of dissolution or in default as determined by the Chief Judge or the Judge of such Court as may have or acquire jurisdiction in the matter.

CUSTODY OF RECORDS

- 42.
- 42.1. Except as otherwise provided in these Rules, the Secretary shall keep in his/her custody or under his/her control all books, records, securities and other relevant documents of the ASBA (Vic).
- 42.2. All books, records, securities, minutes of General Meetings, including financial statements submitted at a General Meeting, and other relevant documents of the ASBA (Vic) shall be open to inspection and copies of which can be obtained free of charge, by a Member at the office of the ASBA (Vic) at any reasonable hour.
- 42.3. Members shall not have access to the minutes of any Committee meetings without the prior written consent of the Committee, which consent may be given or withheld by the Committee in its absolute discretion.

FUNDS

43. The funds of the ASBA (Vic) shall be derived from entrance fees, annual subscriptions, donations and such other sources as the Committee determines from time to time.

BY-LAWS

44. Subject to these Rules, the Regulations and the Act, the Committee may by resolution adopt, amend revoke or suspend any By-Laws from time to time being in force.
- 44.4. The By-Laws referred to in sub-rule 44 shall bind all Members to the maximum extent permitted by law.
- 44.5. A copy of the By-Laws for the time being in force shall be made available to any Member on request.

APPENDIX 1

**Form of application for membership of the Association of School Bursars and Administrators (VIC)
Incorporated**

I,
(Full name of applicant)

of
(Address)

desire to become a General Member
 an Associate Member

In the event of my admission as a Member, I agree to be bound by the Rules and By-Laws of the ASBA (Vic) for the time being in force.

.....
Signature of Applicant

.....
Date

I, a Member of the ASBA (Vic), nominate the applicant for
 (name) membership of the ASBA (Vic).

.....
Signature of Proposer

.....
Date

I, a Member of the ASBA (Vic), second the nomination of the
 (name) applicant for membership of the ASBA (Vic).

.....
Signature of Seconder

.....
Date

APPENDIX 2

Form of Appointment of Proxy

I, of
being a member of the Association of School Bursars and Administrators (Vic) Incorporated appoint

..... of
being a Member of the ASBA (Vic) as my proxy to vote for me on my behalf at the General Meeting of the ASBA

(Vic) (Annual General Meeting or Special General Meeting) to be held on theday of

..... and at any adjournment of that meeting.

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

Signed

The.....day of