

**ASSOCIATION OF SCHOOL BUSINESS  
ADMINISTRATORS  
(WA) Inc.**

(Formally Association of School Bursars and Administrators (WA) Inc.)  
(Formally Bursars Association of Western Australia)



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\* Association of School  
Business Administrators

**CONSTITUTION**

(Reg No. A1003309E)

Original 1968  
Amended 1986  
Amended 1991  
Amended 1993  
Amended 1995  
Amended 1996  
Amended 2003  
Amended 2016  
Amended 2018

## **1. NAME**

The name of the Association is Association of School Business Administrators (WA) Inc.

## **2. DEFINITIONS**

- (a) Association means the Association of School Business Administrators (WA) Inc.
- (b) The Act means the Associations Incorporation Act 2015 of Western Australia including amendments thereto enacted from time to time.
- (c) Member means a Member of the Association in accordance with Clause 5 of this constitution.
- (d) ASBA Ltd. means the Association of School Business Administrators being The National Association comprising delegates from each Chapter Association as elected from time to time.
- (e) Business Administrator means a person so titled or otherwise having the responsibilities for school business administration in a non-government School or group of such schools in Western Australia or elsewhere, as determined by the Executive Committee.
- (f) Non-government School means a school which is an efficient school within the meaning of the W.A. Education Act, which provides full-time tuition with adequate staff, which is not run for private profit, and which is not administered by or on behalf of the Government of Western Australia.
- (g) Executive Committee Member means person elected under the provisions of Clause 7(a) of this Constitution.

## **3. OBJECTS**

The property and income of the Association shall be applied solely towards the promotion of the objects of the Association and no part of that property or income may be paid or otherwise distributed directly or indirectly, to Member, except in good faith in the promotion of those objects.

The Association is established as a charitable organization specifically for the advancement of education in accordance with the following objects:

- (a) To promote efficiency in the business administration of non-government schools and to advance and encourage the professional development of Business Administrators by doing all or any of the following:
  - (i) provide educational programs to ensure Members are suitably trained to carry out the functions required of them as Business Administrators,
  - (ii) encourage consultation and co-operation between non-government schools,
  - (iii) collect and circulate information relative to schools generally and non-government Schools in particular,

- (iv) discuss matters of mutual interest and concern, and
- (v) conduct, and or encourage participation in seminars, conferences and in-service activities.
- (b) To liaise, co-operate and maintain harmonious working relations, with Independent School Associations and other appropriate bodies.
- (c) To promote and maintain ethical standards of conduct in the profession of school business administration.
- (d) To support the objectives of ASBA Ltd.
- (e) To foster good fellowship between Business Administrators.

#### **4. MEMBERSHIP**

- (a) A person desiring membership shall make application to the delegated member of the Executive Committee giving such information as the Committee may from time to time require. If the Committee approves the application, the Committee will determine the category of membership.
- (b) Disciplining of Members
  - (i) Subject to Rule 4(b)(iii) the Association shall have power at a General Meeting to expel by special resolution any Member from the Association if in the opinion of those Members present and voting, the Member has by conduct forfeited the right to remain a Member.
  - (ii) Subject to Rule 4(b)(iii) the Association shall have power at a General Meeting to make vacant any Executive Committee position by special resolution if in the opinion of those Members present and voting, the Member (or Members) holding such position has by conduct forfeited the right to remain a member of the Executive Committee.
  - (iii) At a General Meeting of the Association convened for the purpose of Rule 4(b)(i);
    - (a) no business other than the question of the expulsion shall be transacted,
    - (b) the Executive Committee and the Member shall be given the opportunity to state the respective cases orally or in writing, or both; and
    - (c) the Members present and eligible to vote by secret ballot on the question.

#### **5. MEMBERSHIP CATEGORIES**

- (a) Membership shall be open to all Bursars, Business Managers, Assistant Bursars/Business Managers and persons having similar responsibilities in a non-government school, group of schools or system. Such members are defined as Full Members.

- (b) Affiliate Memberships shall be available to such members of kindred organizations as the Committee deems fit. An Affiliate Member shall be a non-voting member and not have the right to hold office.
- (c) Life Membership may be awarded to past or present Full Members by a motion passed at a General Meeting by a two-thirds majority vote, and on the following conditions:
  - (i) the proposal must be in the form of a supported recommendation from the Executive Committee, any member having the right to submit a nomination for Life membership to the Executive Committee for consideration, and
  - (ii) notice of the proposal must be given on the notice of the meeting.

## **6. MANAGEMENT**

- (a) The affairs of the Association including the custody and control of its funds and property shall be vested in the Executive Committee.
- (b) The Secretary or the delegated member of the Executive Committee shall on behalf of the Association keep and maintain the register of Members in accordance with Section 27 of the Act and that register shall be so kept and maintained and available for inspection by members at the address of the Secretary or other such place as determined by the Executive Committee.
- (c) The Secretary of the Association shall keep minutes of each Executive Committee Meeting and General Meeting of the Association. These minutes shall be recorded and kept in an appropriate manner as determined by the Executive Committee.

## **7. MEMBERSHIP OF THE EXECUTIVE COMMITTEE**

- (a) The Executive Committee shall consist of the following:
  - (i) the President
  - (ii) the Immediate Past President (ex officio),
  - (iii) the Vice President,
  - (iv) a minimum of four to a maximum of six other members from whom a Treasurer and Secretary (these offices may be combined) will be appointed at the first Executive Committee meeting following the Committee's election.
- (b) The Executive Committee must include a Member from at least one boy's school, one girl's school, one co-educational school and one school which accepts boarders. Only one member from any school may be a member of the Executive Committee at any time.
- (c) The Secretary of the Association will call for nominations for election to the Executive Committee no less than 14 days before the third term meeting.
- (d) Executive Committee Members shall be elected at the third term meeting by secret ballot in the event that the number of nominations exceed the number of vacancies on the Executive Committee.

- (e) Executive Committee Members shall take office on the first day of January of the year following their election and hold that office for a period of two years.
- (f) Members of the Executive Committee shall be eligible for re-election, however, no Member shall be elected to the office of President for more than two consecutive terms of two years each.
- (g) Meetings of the Executive Committee shall be called as and when required.
- (h) Casual vacancies which may occur may be filled by the Executive Committee at any time such until the next third term meeting whereupon after due notice for nominations that an election by secret ballot shall be held.
- (i) The Executive Committee may co-opt other members to serve on sub-Committees provided the Chairperson of any sub-Committee shall be a Member of the Executive Committee.
- (j) The Executive Committee will appoint the President to act as the chapter representative and Director of ASBA Ltd. at its first meeting following the Committee's election. In the event the President is unwilling or unable to accept or continue with such appointment, the Committee will appoint another Committee member. Where the president or other Committee member so appointed ceases to be a member of the ASBA (WA) Executive Committee then they shall be replaced on the ASBA Ltd Board at the time of their ceasing their membership.

Should a WA appointee to the ASBA Ltd Board be elected Chair of ASBA Ltd, the Committee has the power to appoint a second person to the Board of ASBA Ltd in accordance with this clause 7(j). This appointment will be effective whilst a WA appointee remains as Chair of ASBA Ltd.

The Executive Committee shall communicate all such appointments to members present at the next General Meeting of the Association.

- (k) No meeting of the Executive Committee shall transact any business unless a quorum shall be present at the time appointed for the meeting or within half an hour after that time. The quorum shall consist of four Executive Committee Members, one of whom shall be the President or the Vice President.

## **8. MEETINGS OF MEMBERS**

- (a) A General Meeting of the Association shall be held at least once in every term. Further General Meetings may be called by the President or by a majority of the Executive Committee. There shall be a meeting in the first term each year known as the Annual General Meeting.
- (b) Special General Meetings may be called upon the written requisition to the Secretary of five Full Members, or of the auditor in regard to the financial matters, such meetings shall be held within one month of receipt of the written requisition.
- (c) The business of the Annual General Meeting shall be:
  - (i) to receive and consider the annual accounts of the Association,

- (ii) to receive the President's Report and Auditors Report for the past year,
  - (iii) to minute the appointment of the Executive Committee elected at the third term meeting, to minute the appointment of members to casual vacancies, and to minute the appointment of the chapter representative and Director of ASBA Ltd.
  - (iv) to appoint an external Auditor for the ensuing year.
  - (v) to transact any other business which may be brought before it by the Chairperson or the Executive Committee and any business before it by a Member subject to the approval of the Chairperson.
- (d) The business of the third term General Meeting shall include the election of Executive Committee members for the following two-year term.
  - (e) The business of the fourth term General Meeting shall include the setting of annual subscription for the following calendar year.
  - (f) The business of a Special General Meeting shall be to consider and make decisions with respect to the business stated in the notice covering the meeting.
  - (g) No meeting of Members shall transact any business unless a quorum shall be present at the time appointed for the meeting or within half an hour after that time. The quorum shall consist of ten Full Members.
  - (h) The President shall chair each meeting. In the absence of the President or if the President is unwilling to act, the Vice-President or a Member elected for the purpose by those members present shall chair the meeting.

## **9. VOTING**

- (a) Every member present and eligible to vote shall have one vote on any motion considered at meetings of the Association. In the event of an equality of votes, the Chairperson shall declare the motion lost.
- (b) A Member is not entitled to vote at any General Meeting unless all moneys due and payable by the Member to the Association have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

## **10. FINANCE**

- (a) The financial year of the Association shall conclude on the 31st day of December each year and the annual accounts shall be prepared and presented for approval at the next Annual General Meeting of the Association.
- (b) Each Full Member & Affiliate Member shall pay an annual subscription which shall be determined at the fourth term General Meeting and which shall be payable within one month from the date of issue.
- (c) A Full or Affiliate Member whose subscription is payable but not paid by the last day of June may have Membership terminated at the discretion of the Executive Committee.

- (d) Incidental charges to cover expenses incurred in connection with meetings or other functions, may be determined by the Executive Committee and may be recovered from those attending such, meetings or functions.
- (e) Bank accounts at such bank or other appropriate financial institution as may be approved by the Executive Committee shall be kept in the name of the Association.
- (f) Accounts may be passed for payment, and all payments from a bank account of the Association shall be made on the authority of the Treasurer and any one of the President, Vice-President and Secretary.
- (g) Investments of funds not immediately required may be made from time to time as the Executive Committee directs.

## **11. AUDIT**

- (a) Once in each year the books, records and accounts of the Association shall be examined and reported upon by the appointed external Auditor.
- (b) At each Annual General Meeting an external Auditor shall be appointed until the next Annual General Meeting.
- (c) The external Auditor shall be a member of good standing of a recognised professional accounting body.

## **12. NOTICES**

- (a) At least seven days' notice of all meetings of the Executive Committee shall be given to every Member of the Executive Committee.
- (b) At least fourteen days written notice of all General meetings of the Association shall be given to every Member of the Association.
- (c) Every such notice shall specify the time, date and place of meeting, and shall be accompanied by an agenda setting out the general nature of the business of the meeting. In the case of matters for consideration at special General Meetings as special resolutions the full text of the said resolutions shall be given.

## **13. AMENDMENT OF CONSTITUTION**

This constitution may be amended at any General Meeting, provided that the exact nature of the amendment appears on the notice paper for the General Meeting and a two-thirds majority of Full Members present at the meeting vote in favour of the resolution to amend the constitution.

## **14. DISSOLUTION**

If, on the winding up of the Association any property of the Association remains after satisfaction of the debts and liabilities of the Association and the costs, charges and expenses of that winding up, that property shall be distributed –

- (a) to another incorporated association having objects similar to those of the Association; or
- (b) for charitable or benevolent purposes, which incorporated association or purposes, as the case requires, shall be determined by resolution of the Members when authorising and directing the Executive Committee as per the Act to prepare a distribution plan for the distribution of the surplus property of the Association.

## 15. DISPUTE RESOLUTION

15.1 The dispute resolution procedure in this clause applies to disputes (disagreements) under this constitution between a member or Executive Committee Member and:

- (a) one or more members
- (b) one or more Executive Committee Member's, or
- (c) the Association.

15.2 A member must not start a dispute resolution procedure in relation to a matter which is the subject of a disciplinary procedure under clause 4(b) until the disciplinary procedure is completed.

15.3 Those involved in the dispute must try to resolve it between themselves within 14 days of knowing about it.

15.4 If those involved in the dispute do not resolve it under clause 15.3, they must within 10 days:

- (a) tell the Executive Committee about the dispute in writing.
- (b) agree or request that a mediator be appointed, and
- (c) attempt in good faith to settle the dispute by mediation.

15.5 The mediator must:

- (a) be chosen by agreement of those involved, or
- (b) where those involved do not agree:
  - (i) for disputes between members, a person chosen by the Executive Committee, or
  - (ii) for other disputes, a person chosen by either the Commissioner of the Australian Charities and Not-for-profits Commission or the president of the law institute or society in the state or territory in which the Association has its registered office.

15.6 A mediator chosen by the directors under clause 15.5(b)(i):

- (a) may be a member or former member of the Association



- (b) must not have a personal interest in the dispute, and
- (c) must not be biased towards or against anyone involved in the dispute.

15.7 When conducting the mediation, the mediator must:

- (a) allow those involved a reasonable chance to be heard
- (b) allow those involved a reasonable chance to review any written statements
- (c) ensure that those involved are given natural justice, and
- (d) not make a decision on the dispute.

END.