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**[INSERT NAME OF PARENT GROUP]**

**CONSTITUTION**

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**[insert date]**

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Insert name of Parent group  
eg Blackwood High School  
Parents and Friends  
Association

## **[INSERT NAME OF PARENT GROUP] CONSTITUTION**

### **1 NAME**

Insert name

The name of the Affiliated Committee is [insert name of parent group]

### **2 INTERPRETATION**

These clauses must be  
included

In this constitution, unless the contrary intention appears:

*'the Act'* means the *Education Act 1972* as amended.

*'administrative instructions'* means administrative instructions issued pursuant to section 86 of the Act.

Insert names

*'Affiliated Committee'* means the [insert name of parent group], affiliated with [insert name of governing/school] Council Inc, and the constitution of which is approved by the Minister in accordance with section 86 of the Act.

Insert name

*'Council'* means the [insert name of governing/school] Council Inc

*'financial year'* means the year ending 31 October or as varied by administrative instruction.

*'Government school'* means a school established under section 5 of the Act, for the purpose of providing courses of instruction in pre-school, primary or secondary education.

*'majority'* means more than half of the total number.

Insert name

*'member'* means any person who is for the time being registered as a member of the [insert name of parent group]

*'membership'* means all persons who comprise the Affiliated Committee in accordance with this constitution.

*'Minister'* means the person to whom the administration of the Act is committed pursuant to the *Administrative Arrangements Act, 1994*.

*Regulations* means regulations made under the Act.

*'register of members'* means the register of members of the Affiliated Committee.

*'school community'* means all parents, students and staff of the school and all other persons who have a legitimate interest or connection with the school.

*'special resolution'* of the Affiliated Committee means a resolution, for the purposes of amending the constitution passed by a duly convened meeting of

the members of the Affiliated Committee if-

- (1) at least 21 days written notice has been given to all members specifying the intention to propose the resolution as a special resolution; and
- (2) it is passed, at the meeting, by a majority of not less than three quarters of members as vote in person at that meeting.

'*Chief Executive*' means the Chief Executive of the Department of Education, Training and Employment in accordance with section 11 of the Act.

'*Department*' means the Department of Education, Training and Employment established pursuant to the *Public Sector Management Act 1995*.

'*student*' is a person attending the school, or enrolled but not yet attending the school.

'*parent*' in relation to the school means the parent of a child attending the school and the parent of a child enrolled, but not yet attending, at the school.

'*parent of a child*' includes -

- (a) a person who has legal custody or guardianship of the child; and
- (b) a person standing *in loco parentis* to the child.

but does not include a parent of the child where another parent or person has legal custody or guardianship of the child to the exclusion of that parent.

'*Principal*' means the head teacher of the school within the meaning of the Act.

*These clauses are optional; others can be included if required*

### **3 RELATIONSHIP WITH THE COUNCIL**

3.1 The [*insert name of parent group*] is affiliated with the [*insert name of governing/school*] Council, in accordance with section 86 of the Act.

3.2 The Affiliated Committee may nominate a member to the Council.

3.3 The Affiliated Committee will maintain effective communication about its activities with the Council.

*These clauses must be included*

*Insert names*

### **4 OBJECT**

The object of the [*insert name of parent group*] is to support the involvement of the school community in the school.

*This clause must be included*

*Insert name*

### **5 FUNCTIONS OF THE AFFILIATED COMMITTEE**

*This section must be included and made specific to the parent group*

*Examples given in 5.1.1- 5.1.7 can be changed to suit the needs of the parent group*

- 5.1 The [insert name of parent group] will perform the following functions:
- 5.1.1 Provide a means of contact between home and school.
  - 5.1.2 Form a liaison between parents, students and teachers.
  - 5.1.3 Assist parents to gain skills to participate in the decision making of the school.
  - 5.1.4 To develop and maintain an interest in the welfare of children at school.
  - 5.1.5 Support the Principal and the school staff to enhance student learning.
  - 5.1.6 To advise and assist the Governing/School Council on appropriate ways to consult with the parents of the school.
  - 5.1.7 To encourage parents to become involved in the school in various ways.

*These clauses must be included*

- 5.2 The Affiliated Committee must be responsible for the proper care and maintenance of any property owned by the Affiliated Committee.
- 5.3 The Affiliated Committee may raise funds for school related purposes.
- 5.4 The Affiliated Committee's functions must be exercised in accordance with legislation, administrative instructions and this constitution.
- 5.5 The Affiliated Committee may do all those acts and things incidental to the exercise of these functions.

## **6 MEMBERSHIP**

### **6.1 Eligibility**

A person is eligible for membership if that person:

- 6.1.1 is prepared and able to support the activities of the parent group.
- 6.1.2 is a parent of a student at .....school
- 6.1.3 is a member of the school community and interested in the welfare of students at the school.

### **6.2 Membership register**

Membership will be determined as those members whose names are recorded in the membership register for the current year.

*Membership must be prescribed but can be made specific to the parent group*

*Examples given in 6.1.1 - 6.1.3 can be changed to suit the needs of the parent group*

*These clauses must be included*

### **6.3 Membership rights**

Each member has the right to attend and vote at general meetings of the members.

### **6.4 Cessation**

A member ceases to be a member, if the member:-

- 6.4.1 dies;
- 6.4.2 resigns by written notice to the Secretary;
- 6.4.3 is removed as a member in accordance with section 97 of the Act;

## **7 OFFICE HOLDERS AND EXECUTIVE COMMITTEE**

*Must include a section outlining office holders and, if required an executive committee, and made specific to the parent group*

*Examples are given which can be changed to suit the needs of the parent group.*

*It is not mandatory to have an Executive Committee*

### **7.1 Office holders**

The office holders are the President, Secretary and Treasurer who will be elected by the members at the Annual General Meeting.

### **7.2 Executive Committee**

The members may appoint an Executive Committee comprising the office holders and [insert number] other members, which is to:

- 7.2.1 meet to carry out business delegated or referred by a general meeting of the members; and
- 7.2.2 report to subsequent general meetings of members

### **7.3 The President**

- 7.3.1 The President must call and preside at the general meetings of the members and the Executive Committee.
- 7.3.2 The President must facilitate full and balanced participation by members present at a meeting and decide upon the manner in which meetings are conducted and matters of order.
- 7.3.3 The President must report the proceedings and operations of the Affiliated Committee at the Annual General Meeting, for the period since the previous Annual General Meeting.
- 7.3.4 If the President is absent or unable to preside at a meeting, a member appointed by the members present at the meeting must preside.

### **7.4 The Secretary**

- 7.4.1 The Secretary must give notice of meetings in accordance with the provisions of this constitution.

7.4.2 The Secretary must ensure that the minutes of meetings are recorded and available to members.

7.4.3 The Secretary is responsible for the maintenance and safekeeping of:-

- (i) official records of the business of the Affiliated Committee and a register of minutes of meetings;
- (ii) copies of notices, a file of correspondence and records of other documents and reports made by or on behalf of the Affiliated Committee;
- (iii) the register of members;
- (iv) the constitution and providing copies as requested.

7.4.4 The Secretary must ensure that a copy of this constitution is available for public inspection at the school during normal school hours.

## 7.5 The Treasurer

7.5.1 The Treasurer must:

- (i) ensure that financial budgets and statements are prepared;
- (ii) submit a report on the finances to each meeting of members;
- (iii) present audited accounts to the Annual General Meeting.

## 8 MEETINGS

### 8.1 General meetings

8.1.1 General meetings of members will be held [insert required times eg at least 4 times a year or monthly] or as determined by the members.

8.1.2 All members are eligible to attend general meetings and vote on any matters proposed for resolution.

8.1.3 The President must call and preside at general meetings of the members.

8.1.4 At least [insert time eg one month, seven days] written notice of the meeting must be given to members. The notice must give the date, time and place of the meeting.

### 8.2 Annual General Meeting

8.2.1 An Annual General Meeting must be held in each calendar year to:-

- (i) present reports;
- (ii) to elect and/or declare election results

*Must include minimum requirements for general meetings, the AGM and if in place, the Executive Committee*

*Examples provided which can be changed to suit the needs of the parent group*

- for office holders;  
(iii) and for any other reason relating to the affairs, functions or membership of the Affiliated Committee

### 8.3 Executive Committee Meetings

8.3.1 The Executive Committee must meet [*insert time eg at least twice in each school term*]

8.3.2 Notice of the meeting must be given [*insert time eg at the previous meeting or by a least 7 days written notice*]

### 8.4 Voting

8.4.1 Voting will be by [*insert method eg show of hands or ballot*]

## 9 PROCEEDINGS

### 9.1 Meetings

9.1.1 The quorum for a general meeting shall be [*insert number eg % of the members or half plus 1*]

9.1.2 If at the expiration of 30 minutes after the appointed time for the meeting there is no quorum present, the meeting must stand adjourned to such time and place as those members present determine.

9.1.3 Except in the case of a special resolution, a decision of the majority of those members present and eligible to vote is the decision of the Affiliated Committee.

9.1.4 The President has a deliberative vote only. In the event of an equality of votes, the President does not have a second or casting vote and the motion will be taken to be defeated.

9.1.5 The Affiliated Committee may, at its discretion, allow non-members who have special interests or knowledge to attend its meetings as observers and, if it agrees, take part in discussions on particular issues. Non-members cannot vote.

9.1.6 The Affiliated Committee may from time to time determine procedures to facilitate and expedite its business.

### 9.2 Conflict of interest

9.2.1 A member who has a direct or indirect pecuniary interest in a contract or proposed contract with the Affiliated Committee:

- (i) must, as soon as the member becomes

*Only need to include 8.3 if an Executive Committee is in place*

*Insert time*

*Insert time*

*Insert method*

*Must include minimum requirements for proceedings of meetings, including quorum*

*Examples given can be changed to suit the needs of the parent group*

- aware of the interest, disclose the nature of the interest to the Affiliated Committee; and
- (ii) must not take part in deliberations or decisions of the Affiliated Committee with respect to that contract.

9.2.2 A disclosure must be recorded in the minutes of the meeting of the Affiliated Committee.

9.2.3 If a member discloses an interest in a contract or proposed contract the member is not liable to account for the profits derived from the contract.

## 10 ELECTIONS

10.1 Elections of office bearers, and the nominee to the governing/school Council, will occur at the Annual General Meeting.

10.2 Nominations for positions of office bearers will be called from the floor of the Annual General Meeting.

10.3 Any member is eligible to hold a position on the committee and to vote.

10.4 The office bearers, who shall not hold the same position for longer than two consecutive years, will be President. Secretary and Treasurer.

10.5 Committee members automatically retire if three consecutive meetings are not attended without apologies.

10.6 Any vacancy which occurs on the committee may be filled by election held at a general meeting.

## 11 MINUTES

11.1 Proper minutes of the Annual General Meeting, general meetings and the Executive Committee meetings must be entered into books kept for that purpose.

11.2 The minutes must be confirmed at the next respective meeting and signed by the chairperson of the meeting at which the proceedings took place or by the chairperson of the subsequent meeting.

11.3 Upon reasonable request, the books containing the minutes of any meetings must be made available for inspection by any member.

## 12 TERM OF OFFICE

12.1 Elected office holders will be appointed for [*insert a term eg not exceeding one year*] and may stand for

*Must include provisions relating to the procedures for electing office holders and, if in place, an executive committee*

*Examples given can be changed to suit the needs of the parent group. Could include:  
Conduct of elections  
Eligibility to nominate and vote  
Notice of elections  
Nominations for elections  
Eligibility for nomination  
Election without ballot  
Contested elections  
Counting of votes  
Scrutineers  
Declaration of election*

*Must include minimum requirements for keeping proper records of the AGM and general meetings and meetings of the Executive Committee*

*Clauses 11.1 and 11.3 are mandatory*

subsequent re-election but *[insert conditions eg may serve no more than two consecutive years in one position]*.

*Must include provisions relating to the term of office holders and Executive Committee  
Example given can be changed to suit the needs of the parent group*

### **13 DELEGATES**

13.1 Nominees to the Council of the school, and delegates to any other advisory and area association committees will be elected at the Annual General Meeting and will report to each meeting of the members.

13.2 Delegates or nominees who do not fulfil their obligations or who are no longer members of the Affiliated Committee, may have their delegate/nominee status revoked by the resolution of the members at a general meeting.

13.3 The revocation must be made in writing to the other body.

*This section is optional*

*Examples can be changed/deleted to suit the needs of the parent group*

### **14 VACANCIES**

A casual vacancy among the officers, representatives or delegates may be filled by election at a general meeting of the group. Any member so elected will hold office until the next Annual General Meeting.

*Must include provisions relating to how casual vacancies will be handled.  
Example can be changed to suit the needs of the parent group*

### **15 ACCOUNTS TO BE KEPT AND OTHER FINANCIAL MATTERS**

15.1 The Affiliated Committee must ensure that proper accounts are kept of its financial affairs, and in controlling any account must ensure proper books and accounts are kept of all funds paid to that account, together with details of any dealings involving those funds.

15.2 All accounts must be operated on the basis of the designated financial year.

15.3 The accounts must be kept in accordance with provisions of the Act, Regulations, administrative instructions and this constitution.

15.4 The funds of the Affiliated Committee must only be expended for school related purposes.

15.5 The Affiliated Committee may transfer funds as it thinks fit to:

- (i) the Council;
- (ii) another existing or proposed Government school.

*These clauses must be included. Others can be added*

### **16 AUDIT**

16.1 The Affiliated Committee must arrange for any accounts under its control to be audited at least once

+

*These clauses must be included. Others can be added*

in every year, as soon as possible after the end of the financial year, or at such other time as determined by administrative instruction.

16.2 The Affiliated Committee may arrange for accounts to be audited at such other intervals as the Affiliated Committee determines, by a person appointed by the Affiliated Committee.

16.3 The Affiliated Committee must make available for inspection at any time, by the Auditor-General, any accounts under its control, including all relevant records and papers connected with an account.

16.4 The audit of any accounts under the control of the Affiliated Committee will be in accordance with the provisions of the Act, Regulations, administrative instructions and this constitution.

## **17 REPORTING**

17.1 The President and Treasurer must report to members at the Annual General Meeting.

17.2 Reports presented at the Annual General Meeting must describe the operations, activities and finances of the Affiliated Committee.

*Reporting must be prescribed. Examples can be changed to suit the needs of the parent group*

## **18 RECORDS**

18.1 The Affiliated Committee is responsible for the safe and proper storage of its records.

18.2 The Affiliated Committee must make the records available at any time to the Minister or to any person authorised by the Minister in that behalf and allow those records to be removed by any such person.

*These clauses must be included. Others can be added*

## **19 AMENDMENT OF THE CONSTITUTION**

19.1 This constitution may be altered, modified or substituted at the direction of the Minister, in accordance with section 88 of the Act.

19.2 This constitution may also be amended, altered, modified or substituted by the Affiliated Committee by special resolution, and approval in writing by the Minister.

19.3 An amendment to the constitution has no effect until submitted to and approved by the Minister.

*These clauses must be included. Others can be added*

## **20 PUBLIC ACCESS TO THE CONSTITUTION**

The Affiliated Committee must keep available for public inspection a copy of its constitution (as in force from time to

time) at the school, during normal school hours.

*This clause must be included. Others can be added*

**21 DISSOLUTION**

21.1 The Affiliated Committee must resolve by special resolution to cease its operations and dissolve.

21.2 The Affiliated Committee will cease if the school is closed and must follow any directions issued by the Chief Executive regarding the forwarding of the books, records and property of the Affiliated Committee.

21.3 Upon cessation its books, records and property must be forwarded to the Council.

*These clauses must be included. Others can be added*

**22 PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS**

The assets and income of the Affiliated Committee must be applied exclusively to the promotion of its objects and no portion will be paid or distributed directly or indirectly to members except for expenses incurred on behalf of the Affiliated Committee.

*This clause must be included. Others can be added*