



**ACEA**

Australasian Corrections  
Education Association

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Create the Opportunity

# **ACEA Constitution**

**Australasian Corrections  
Education Association  
(ACEA) Incorporated**

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# Part 1 Preliminary

## 1 Definitions

(1) In these rules:

**Commissioner** means the Commissioner of the Office of Fair Trading.

**ordinary member** means a member of the ACEA Executive Committee who is not an office-bearer of ACEA, as referred to in rule 14(2).

**secretary** means:

- (a) the person holding office under these rules as secretary of ACEA, or
- (b) if no such person holds that office – the public officer of ACEA.

**special general meeting** means a general meeting of ACEA other than an annual general meeting.

The **Act** means the *Associations Incorporation Act 2009*.

**the regulation** means the *Associations Incorporation Regulation 1999*.

**Public officer** means the officer registered with the Office of Fair Trading as the primary contact for ACEA.

(2) In these rules:

- (a) a reference to a function includes a reference to a power, authority and duty, and
  - (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.
- (3) The provisions of the *Interpretation Act 1987* apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

# Part 2 Membership

## 2 Membership qualifications

2 (1) A person, organisation *or jurisdiction* is qualified to be a member of ACEA if, but only if:

- (a) the person is a person referred to in section 15(1) (a), (b) or (c) of the Act and has not ceased to be a member of ACEA at any time after incorporation of ACEA under the Act,
- (b) the person is a natural person:
  - (i) who has been nominated for membership of ACEA as provided by rule 3, and
  - (ii) who has been approved for membership of ACEA by the ACEA Executive Committee of ACEA,

- or
- (c) the organisation:
- (ii) has been nominated for membership of ACEA as provided by rule 3, and
  - (ii) has been approved for membership of ACEA by the ACEA Executive Committee of ACEA.

Or

*The jurisdiction:*

- (ii) has been nominated for membership of ACEA as provided by rule 3, and*
- (ii) has been approved for membership of ACEA by the ACEA Executive Committee of ACEA.*

### **3 Nomination for membership**

- (1) A nomination of a person or organisation for membership of ACEA:
  - (a) must be made in writing in the form set out in Appendix 1 to these rules and submitted to the ACEA secretary either in person, by mail or on line.
  - (b) must be lodged with the secretary or president of ACEA
  - (c) must include payment of the prescribed fee as per Section 8
- (2) the secretary must, on payment by the nominee of the amounts referred to in clause (1) (c), enter the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of ACEA.

### **4 Cessation of membership**

A person or organisation ceases to be a member of ACEA if the person:

- (a) Dies; or
- (b) Resigns membership; or
- (c) Is expelled from ACEA; or
- (d) Is non-financial over 3 months post due date

### **5 Membership entitlements not transferable**

- (1) A right, privilege or obligation which a person or organisation has by reason of being a member of ACEA:
  - (a) is not capable of being transferred or transmitted to another person or organisation, and
  - (b) terminates on cessation of the person's or organisation's membership.

### **6 Resignation of membership**

- (1) A member of ACEA is not entitled to resign that membership except in accordance with this rule.
- (2) A member of ACEA who has paid all amounts payable by the member to ACEA in respect of the member's membership may resign from membership of ACEA by giving written notice to the secretary.
- (3) If a member of ACEA ceases to be a member under clause (2), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

## **7 Register of members**

- (1) The secretary of ACEA must establish and maintain a register of members of ACEA specifying the name and address of each person who is a member of ACEA together with the date on which the person became a member.
- (2) The register of members must be kept at the principal place of administration of ACEA and must be open for inspection, free of charge, by any member of ACEA at any reasonable hour.
- (3) A member of ACEA, in accordance with the Right to Information and Information privacy legislation, may obtain a copy of any part of the register on payment of a fee of \$1 for each page or, if some other amount is determined by the ACEA Executive Committee, that other amount.

## **8 Fees and subscriptions**

- (1) A member of ACEA must, on admission to membership, and in subsequent years, pay to ACEA an annual membership fee of:
  - (a) \$ 50 for a person, or
  - (b) if some other amount is determined by the ACEA Executive Committee, that other amount.
- (2) The annual membership fee covers financial membership for a period of 12 months of initial registration and due for renewal on that anniversary date
- (3) .

## **9 Members' liabilities**

- (1) The liability of a member of ACEA to contribute towards the payment of the debts and liabilities of ACEA or the costs, charges and expenses of the winding up of ACEA is limited to the amount, if any, unpaid by the member in respect of membership of ACEA as required by rule 8.

## **10 Resolution of internal disputes**

- (1) Disputes between members (in their capacity as members) of ACEA, and disputes between members and ACEA, are to be referred to a community justice centre for mediation in accordance with the *Community Justice Centres Act 1983*.
- (2) At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

## **11 Disciplining of members**

- (1) A complaint may be made to the ACEA Executive Committee by any person that is a member of ACEA:
  - (a) has persistently refused or neglected to comply with a provision or provisions of these rules, or
  - (b) has persistently and wilfully acted in a manner prejudicial to the interests of ACEA.
- (2) On receiving such a complaint, the ACEA Executive Committee:
  - (a) must cause notice of the complaint to be served on the member concerned; and
  - (b) must give the member at least 14 days from the time the notice is served within which to make submissions to the ACEA Executive Committee in connection with the complaint, and
  - (c) must take into consideration any submissions made by the member in connection with the complaint.
- (3) The ACEA Executive Committee may, by resolution, expel the member from ACEA or suspend the member from membership of ACEA if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved.
- (4) If the ACEA Executive Committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the ACEA Executive Committee for having taken that action and of the member's right of appeal under rule 12.
- (5) The expulsion or suspension does not take effect:
  - (a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
  - (b) if within that period the member exercises the right of appeal, unless and until ACEA confirms the resolution under rule 12(5),whichever is the latter.

## **12 Right of appeal of disciplined member**

- (1) A member may appeal to ACEA in general meeting against a resolution of the ACEA Executive Committee under rule 11, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.

- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to reply for the purposes of the appeal.
- (3) On receipt of a notice from a member under clause (1), the secretary must notify the ACEA Executive Committee which is to convene a general meeting of ACEA to be held within 28 days after the date on which the secretary received the notice.
- (4) At a general meeting of ACEA convened under clause (3):
  - (a) no business other than the question of the appeal is to be transacted, and
  - (b) the ACEA Executive Committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
  - (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (5) If at the general meeting ACEA passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

## **Part 3 The ACEA Executive Committee**

### **13 Powers of the ACEA Executive Committee**

- (1) The ACEA Executive is to be called the ACEA Executive Committee and, subject to the Act, the Regulation and these rules and to any resolution passed by ACEA in general meeting:
  - (a) is to control and manage the affairs of ACEA, and
  - (b) may exercise all such functions as may be exercised by ACEA, other than those functions that are required by these rules to be exercised by a general meeting of members of ACEA, and
  - (c) has power to perform all such acts and do all such things as appear to the ACEA Executive Committee to be necessary or desirable for the proper management of the affairs of ACEA.

### **14 Constitution and membership**

- (1) Subject in the case of the first members of the ACEA Executive Committee to section 21 of the Act, the ACEA Executive Committee is to consist of the office-bearers of ACEA each of whom is to be elected prior to, and announced at, the biennial ACEA conference under rule 15.
- (2) The office-bearers of ACEA are to be:
  - (a) the president

- (b) the vice-president
  - (c) the treasurer
  - (d) the secretary
  - (e) the researcher;
  - (f) the international representative,
  - (g) the communications and information representative, and
  - (h) the Youth Justice Representative.
- (3) "Each member of the ACEA Executive Committee is, subject to these rules, to hold office from the conclusion of the AGM for a one year term following the date of the member's election. Each member of the ACEA Executive is eligible for re-election to a maximum of 2 two year terms. In the event of a casual vacancy occurring in the membership of the ACEA Executive Committee, the ACEA Executive Committee may appoint a member of ACEA to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the biennial ACEA conference next following the date of the appointment.

## **15 Election of members**

- (1) Nominations of candidates for election as office-bearers of ACEA:
  - (a) must be made in writing by a financial member of ACEA and be seconded by another financial member of ACEA in the form set out in Appendix 2 to these rules
  - (b) must be delivered to the secretary of ACEA at least 7 days before the date fixed for the holding of the election.
- (2) All nominees for election as an office-bearer must be a financial member at the time of their nomination for the nomination to be accepted.
- (3) If insufficient nominations are received to fill all vacancies on the ACEA Executive Committee, the candidates nominated are taken to be elected and are confirmed at the biennial ACEA conference.
- (4) Any vacant positions remaining on the ACEA Executive Committee are taken to be casual vacancies and may be filled in accordance with rule 18.
- (5) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected and are confirmed at the biennial ACEA conference.
- (6) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (7) The ballot for the election of office-bearers of the ACEA Executive Committee is to be conducted prior to the biennial ACEA conference in such usual and proper manner as the ACEA Executive Committee may direct.

## **16 Secretary**

- (1) The secretary of ACEA must, as soon as practicable after being appointed as secretary, lodge notice with ACEA of his or her address.

- (2) It is the duty of the secretary to keep minutes of:
  - (a) all appointments of office-bearers of the ACEA Executive Committee,
  - (b) the names of members of the ACEA Executive Committee present at an ACEA Executive Committee meeting or a general meeting, and
  - (c) all proceedings at ACEA Executive Committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

## **17 Treasurer**

- (1) It is the duty of the treasurer of ACEA to ensure:
  - (a) that all money due to ACEA is collected and received and that all payments authorised by ACEA are made, and
  - (b) that correct books and accounts are kept showing the financial affairs of ACEA, including full details of all receipts and expenditure connected with the activities of ACEA.

## **18 Casual vacancies**

- (1) For the purposes of these rules, a casual vacancy in the office of a member of the ACEA Executive Committee occurs if the member:
  - (a) dies, or
  - (b) ceases to be a member of ACEA, or
  - (c) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
  - (d) resigns office by notice in writing given to the secretary, or
  - (e) is removed from office under rule 19, or
  - (f) becomes a mentally incapacitated person, or
  - (g) is absent without the consent of the ACEA Executive Committee from all meetings of the ACEA Executive Committee held during a period of 6 months.

## **19 Removal of member**

- (1) ACEA in general meeting may by resolution remove any member of the ACEA Executive Committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the ACEA Executive Committee to whom a proposed resolution referred to in clause (1) makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the

representation be notified to the members of ACEA, the secretary or the president may send a copy of the representations to each member of ACEA or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

## **20 Meetings and quorum**

- (1) The ACEA Executive Committee must meet at least 4 times in each period of 12 months at such place and time as the ACEA Executive Committee may determine.
- (2) Additional meetings of the ACEA Executive Committee may be convened by the president or by any member of the ACEA Executive Committee.
- (3) Oral or written notice of a meeting of the ACEA Executive Committee must be given by the secretary to each member of the ACEA Executive Committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the ACEA Executive Committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under clause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the ACEA Executive ACEA Executive Committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 3 members of the ACEA Executive Committee constitute a quorum for the transaction of the business of a meeting of the ACEA Executive Committee.
- (6) No business is to be transacted by the ACEA Executive Committee 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 is to stand adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the ACEA Executive Committee:
  - (a) the president or, in the president's absence, the vice-president is to preside, or
  - (b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the ACEA Executive Committee as may be chosen by the members present at the meeting is to preside.

## **21 Delegation by ACEA Executive Committee to sub-ACEA Executive Committee**

- (1) The ACEA Executive Committee may, by instrument in writing, delegate to one or more sub-ACEA Executive Committees (consisting of such member or members of ACEA as the ACEA Executive Committee thinks fit) the exercise of such of the

functions of the ACEA Executive Committee as are specified in the instrument, other than:

- (a) this power of delegation, and
  - (b) a function which is a duty imposed on the ACEA Executive Committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-ACEA Executive Committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-ACEA Executive Committee in accordance with the terms of the delegation.
  - (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
  - (4) Despite any delegation under this rule, the ACEA Executive Committee may continue to exercise any function delegated.
  - (5) Any act or thing done or suffered by a sub-ACEA Executive Committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the ACEA Executive Committee.
  - (6) The ACEA Executive Committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
  - (7) A sub-ACEA Executive Committee may meet and adjourn, as it thinks proper.

## 22

### Voting and decisions

- (1) Questions arising at a meeting of the ACEA Executive Committee or of any sub-ACEA Executive Committee appointed by the ACEA Executive Committee are to be determined by a majority of the votes of members of the ACEA Executive Committee or sub-ACEA Executive Committee present at the meeting.
- (2) Each member present at a meeting of the ACEA Executive Committee or of any sub-ACEA Executive Committee appointed by the ACEA Executive Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to rule 20(5), the ACEA Executive Committee may act despite any vacancy on the ACEA Executive Committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the ACEA Executive Committee or by a sub-ACEA Executive Committee appointed by the ACEA Executive Committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the ACEA Executive Committee or sub-ACEA Executive Committee.

## 23

### Constitution and membership

- (1) The ACEA Advisory Council is to consist of:
  - (a) the office-bearers of ACEA (the ACEA Executive Committee); and
  - (b) the state/territory representatives.
- (2) The state/territory representatives of ACEA are to be:
  - (a) New South Wales representative
  - (b) Queensland representative
  - (c) Victorian representative
  - (d) Tasmanian representative
  - (e) South Australian representative
  - (f) Western Australian representative
  - (g) Northern Territory representative
  - (h) New Zealand representative
  - (i) Indigenous representative and
  - (j) Australian Capital Territory representative.
- (3) Each state/territory representative is, subject to these rules, to hold office until the conclusion of the biennial ACEA conference following the date of the member's election but is eligible for re-election.
- (4) In the event of a casual vacancy occurring in the office of state/territory representative, the ACEA Executive Committee may appoint a member of ACEA from that state/territory to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the biennial ACEA conference next following the date of the appointment.

## 24

### Election of state/territory representatives

- (1) Nominations of candidates for election as state/territory representatives of ACEA:
  - (a) must be made in writing by a financial member of ACEA and be seconded by another financial member of ACEA, both of whom are from the state/territory for which they are making the nomination, in the form set out in Appendix 3 to these rules
  - (b) must be delivered to the secretary of ACEA at least 7 days before the date fixed for the holding of the election.
- (2) All nominees for election as a state/territory representative must be a financial member and a resident of the state/territory for which they are being nominated at the time of their nomination for the nomination to be accepted.
- (3) If insufficient nominations are received to fill all state/territory representative vacancies, the candidates nominated are taken to be elected and are confirmed at the biennial ACEA conference.
- (4) Any vacant state/territory representative positions remaining are taken to be casual vacancies and may be filled in accordance with rule 26.

- (5) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected and are confirmed at the biennial ACEA conference.
- (6) If the number of nominations received exceeds the number of vacancies to be filled, a ballot of the affected state members is to be held.

The ballot for the election of office-bearers and state/territory representatives of the ACEA Executive Committee is to be conducted prior to the biennial ACEA conference in such usual and proper manner as the ACEA Executive Committee may direct.

## **25 Secretary**

- (1) It is the duty of the secretary to keep minutes of all appointments of state/territory representatives of ACEA.

## **26 Casual vacancies**

- (1) For the purposes of these rules, a casual vacancy in the office of a state/territory representative occurs if the member:
  - (a) dies, or
  - (b) ceases to be a member of ACEA, or
  - (c) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
  - (d) resigns office by notice in writing given to the secretary, or
  - (e) is removed from office under rule 19, or
  - (f) becomes a mentally incapacitated person, or
  - (g) is absent without the consent of the ACEA Advisory Council from all meetings of the ACEA Advisory Council held during a period of 6 months.

## **27 Removal of member**

- (1) ACEA in general meeting may by resolution remove any state/territory representative from the office of member before the expiration of the member's term of office and may by resolution appoint another person from that state to hold office until the expiration of the term of office of the member so removed.
- (2) If a state/territory representative of ACEA to whom a proposed resolution referred to in clause (1) makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representation be notified to the members of ACEA, the secretary or the president may send a copy of the representations to each member of ACEA or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

## **28 Meetings and quorum**

- (1) The ACEA Advisory Council is to discuss issues and provide guidance to the ACEA Executive Committee.
- (2) The ACEA Advisory Council does not have any decision making powers.
- (3) The ACEA Advisory Council must meet at least 2 times in each period of 12 months at such place and time as the ACEA Executive Committee may determine.
- (4) Meetings may be held at two or more venues using any technology that gives each of the committee members a reasonable opportunity to participate.
- (5) Additional meetings of the ACEA Advisory Council may be convened by the president or by any member of the ACEA Executive Committee.
- (6) Oral or written notice of a meeting of the ACEA Advisory Council must be given by the secretary to each member of the ACEA Advisory Council at least 48 hours (or such other period as may be unanimously agreed on by the members of the ACEA Advisory Council) before the time appointed for the holding of the meeting.
- (7) Notice of a meeting given under clause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the ACEA Advisory Council members present at the meeting unanimously agree to treat as urgent business.
- (8) Any 5 members of the ACEA Advisory Council (excluding ACEA executive) constitute a quorum for the transaction of the business of a meeting of the ACEA Advisory Council.
- (9) No business is to be transacted by the ACEA Advisory Council 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 is to stand adjourned to the same place and at the same hour of the same day in the following week.
- (10) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (11) At a meeting of the ACEA Advisory Council:
  - (a) the president or, in the president's absence, the vice-president is to preside, or
  - (b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the ACEA Advisory Council as may be chosen by the members present at the meeting is to preside.
- (12) Subject to clause (7), the ACEA Advisory Council may act despite any vacancy on the ACEA Advisory Council.
- (13) Any act or thing done or suffered, or purporting to have been done or suffered, by the ACEA Advisory Council is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the ACEA Advisory Council.

## **Part 5 General meeting**

### **29 Annual general meetings – holding of**

- (1) ACEA must, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of ACEA, convene an annual general meeting of its members.
- (2) An annual general meeting is to be held within the biennial ACEA conference, or in the non-biennial conference year, at a date to be determined by the ACEA Executive Committee, as part of one of the ACEA Executive Committee meetings.

### **30 Annual general meetings – calling of and business at**

- (1) The annual general meeting of ACEA is, subject to the Act and to rule 29, to be convened on such date and at such place and time as the ACEA Executive Committee thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
  - (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
  - (b) to receive from the ACEA Executive Committee reports on the activities of ACEA during the last preceding financial year, and
  - (c) elect the ACEA Executive Committee and State and Territory representatives at the annual general meeting.
  - (d) to receive and consider the statement which is required to be submitted to members under section 26(6) of the Act.
- (3) An annual general meeting must be specified as such in the notice convening it.

### **31 Special general meetings – calling of**

- (1) The ACEA Executive Committee may, whenever it thinks fit, convene a special general meeting of ACEA.
- (2) The ACEA Executive Committee must, on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of ACEA.
- (3) A requisition of members for a special general meeting:
  - (a) must state the purpose or purposes of the meeting, and
  - (b) must be signed by the members making the requisition, and
  - (c) must be lodged with the secretary, and
  - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the ACEA Executive Committee fails to convene a special general meeting to be held within 1 month after that date on which a

requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.

- (5) A special general meeting convened by a member or members as referred to in clause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the ACEA Executive Committee and any member who consequently incurs expenses is entitled to be reimbursed by ACEA for any expense so incurred.

## **32 Notice**

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of ACEA, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of ACEA, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under rule 24(2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

## **33 Procedure**

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) Five members present in person (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.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
  - (a) if convened on the requisition of members, is to be dissolved, and
  - (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to

members given before the day to which the meeting is adjourned) at the same place.

- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least three) is to constitute a quorum.

### **34 Presiding member**

- (1) The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of ACEA.
- (2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

### **35 Adjournment**

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of ACEA stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

### **36 Making of decisions**

- (1) A question arising at a general meeting of ACEA is to be determined through a vote of attendees and the outcome of the vote is to be recorded in the minute book of ACEA.

### **37 Special resolution**

- (1) A resolution of ACEA is passed as a special resolution if it is passed by a majority which comprises at least three quarters of the votes that are cast :
  - (a) At a meeting of ACEA members, or
  - (b) By a postal vote ballot conducted by ACEA, or
  - (c) In such manner as the Director General may directby members of the ACEA who, under the ACEA Constitution, are entitled to vote on the proposed resolution.

### **38 Voting**

- (1) On any question arising at a general meeting of ACEA a member has one vote only.
- (2) All votes must be given personally. Voting by proxy is not permitted.
- (3) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (4) A member is not entitled to vote at any general meeting of ACEA unless all money due and payable by the member to ACEA has been paid, other than the amount of the annual subscription payable in respect of the then current year.

## **Part 6 Miscellaneous**

### **39 Insurance**

- (1) The association may effect and maintain insurance.

### **40 Funds – source**

- (1) The funds of ACEA are to be derived from conference fees, annual membership fees, donations and, subject to any resolution passed by ACEA in general meeting, such other sources as the ACEA Executive Committee determines.
- (2) All money received by ACEA must be deposited as soon as practicable and without deduction to the credit of ACEA's bank account.
- (3) The ACEA must, as soon as practicable after receiving any money, issue an appropriate receipt.

### **41 Funds – management**

- (1) Subject to any resolution passed by ACEA in general meeting, the funds of ACEA are to be used in pursuance of the objects of ACEA in such manner as the ACEA Executive Committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the ACEA Executive Committee or employees of ACEA, being members or employees authorised to do so by the ACEA Executive Committee.

### **42 Alteration of objects and rules**

- (1) The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of ACEA.

### **43 Custody of books**

- (1) Except as otherwise provided by these rules, the secretary must keep in his or her custody or under his or her control all records, books and other documents relating to ACEA.

#### **44 Inspection of books**

- (1) The records, books and other documents of ACEA must be open to inspection, free of charge, by a member of ACEA at any reasonable hour.

#### **45 Service of notices**

- (1) For the purpose of these rules, a notice may be served on or given to a person:
  - (a) by delivering it to the person personally, or
  - (b) by sending it by pre-paid post to the address of the person, or
  - (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
  
- (2) For the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served:
  - (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
  - (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
  - (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

# Appendix 1



# ACEA

Australasian Corrections  
Education Association

Create the Opportunity

ACEA Inc  
PO BOX 149  
Darlinghurst NSW 1300  
[www.acea.org.au](http://www.acea.org.au)  
ABN 77 652 087 085

## Membership Application/Renewal

Please print, complete and post this application along with a cheque made out to ACEA Inc to the above postal address.

**1 year membership per calendar year: \$50**

*Donations may also be made to the above address. A receipt will be forwarded for taxation purposes.*

**Application**  **Renewal**  **(Tick One)**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Organisation: \_\_\_\_\_

Postal Address: \_\_\_\_\_

State: \_\_\_\_\_ Post Code: \_\_\_\_\_ Country: Australia

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Special Interest Areas (please circle)

Adult Prisoners

Juvenile Justice Detainees

Male Prisoners

Female Prisoners

Research and Evaluation

Community Offender Services

Language, Literacy, Numeracy

Offenders with a Disability

Vocational Education and Training

Support Programs

Indigenous Detainees / Prisoners

Post Release Programs

*Supporting ideas and values for education and training in correctional settings*

## Appendix 2



# Office Bearers Nomination Form

### Tick One

- President
- Vice-President
- Treasurer
- Secretary
- Researcher
- International
- Youth Justice

Nominated by \_\_\_\_\_ (Print Name)

.....Signature

Seconded by \_\_\_\_\_ (Print Name)

.....Signature

I (Print name) ..... hereby accept the above nomination

.....Signature

---

Only a financial member of ACEA shall be entitled to be nominated and must be nominated and seconded by a financial ACEA member.

Nominations for the position of Office Bearers will need to be received by **[Insert Date]**. Fax or email as per *Nominations/Voting* – *ACEA Office Bearers* procedure.

**President, ACEA**

## Appendix 3



# **State/Territory/ Country / Cohort** **Representative Nomination Form**

### State/Territory/ Country/ Cohort (Tick One)

ACT	<input type="checkbox"/>	SA	<input type="checkbox"/>
NSW	<input type="checkbox"/>	TAS	<input type="checkbox"/>
NT	<input type="checkbox"/>	VIC	<input type="checkbox"/>
QLD	<input type="checkbox"/>	WA	<input type="checkbox"/>
New Zealand	<input type="checkbox"/>	Indigenous	<input type="checkbox"/>

Nominated by \_\_\_\_\_ (Print Name)

.....Signature

Seconded by \_\_\_\_\_ (Print Name)

.....Signature

I (Print name) .....hereby accept the  
above nomination

.....Signature

---

Only financial ACEA members of the nominated State/Territory shall be entitled to be nominated and must be nominated and seconded by a financial ACEA member of that State/Territory

Nominations for the position of State/Territory Representatives will need to be received by **[Insert Date]**. Fax or email as per *Nominations/Voting – ACEA Office Bearers* procedure.

President, ACEA