

November 2020

RULES & BY-LAWS OF WAITARA PUBLIC SCHOOL PARENTS & CITIZENS ASSOCIATION INCORPORATION

To accompany the Prescribed or Standard Constitution

1. The rules are made under the constitution of Waitara Public School Parents and Citizens Association.
2. The association is formed for the benefit of the students of the school, which will;
 - (a) Participate as much as possible in the activities of the school and communicate with all members of the school community;
 - (b) Co-operate in the activities of the Federation of Parents and Citizens Associations of the New South Wales; and
 - (c) Promote the interests of public education.
3. The financial year of the association shall close on 30th September each year.
4. The Annual General Meeting of the Association shall be held following the last general meeting of each year, in conjunction with the completion of the ordinary general meeting for that month. The agenda of the Annual General Meeting shall include the Annual Report, Audited Financial Report, setting the annual subscription (membership fee) of the association for the ensuing year, reviewing the by-laws and policies of the association.

No person will serve more than three consecutive years in the same position.

5. Two general meetings of the association shall be held on each term as per agreed schedules between the P&C's president and the principal.
6. Any person eligible for membership may become a member or renew membership ("the person") by paying the required membership fee of \$1.00 to the Treasurer, at any general meeting (physical meeting). If a general meeting is to be held virtually (i.e. using an online meeting), the person may pay the membership fee of \$1.00 and submit the membership registration online form prior to the virtual general meeting. Membership will remain current until the close of the following Annual General Meeting. The Secretary shall be responsible for maintaining an up-to-date register of membership.
 - (a) As a member of Waitara Public School P&C Association to participate in P&C run functions and to up hold the Values of the School.
 - (b) All members must declare at the start of the meeting any potential or perceived conflict of interest for any agenda item or shall disclose should an item of business arise to which there is a potential or perceived conflict of interest.

- (c) Any member who knows there is a potential or perceived conflict of interest of another member has the responsibility to disclose that there is a potential or perceived conflict of interest.
 - (d) If a member declares a conflict of interest the meeting shall decide on the participation in the activity or vote.
- 7. The Officers of the P&C Association will be responsible for dealing with employment related statutory responsibilities as well as staff management and performance once a resolution of the P&C Association has been to employ staff.
- 8. Employees of Waitara Public School P&C Association are ineligible to hold Executive positions or participate in the debate or voting in relation to any aspect related to their employment.
- 9. If a meeting for which due notice has been given does not achieve a quorum within 15 minutes of the advertised starting time the Secretary will, or in the absence of a Secretary remaining members of the Executive will call a further meeting. Failing that any five members of the P&C Association may call a further meeting with a lapse of not more than 28 days of term time to carry on the business of the P&C Association.
- 10. All meetings will be conducted in accordance with the rules, policies of the P&C Association and with the appropriate By-Laws of the Federation "Standing Orders for the Conduct of All Meetings".

The order of business shall follow that for Federation Council, Standing Order 1C. Unfinished business on notice at the previous meeting shall be dealt as "1C (c) Matters arising from the Minutes".

As well as the provisions of the Federation Standing Order 6 "Notice of Motion" a group of members of the Association equal to the quorum for the meeting may require that particular items of new business without notice be placed on notice for the next meeting

- 11. Each meeting of the P&C Association will be conducted as follows;
 - Welcome and formal opening of meeting
 - Apologies
 - Minutes of the previous meeting (Receipt/Amendments/Adoption)
 - Business arising from the previous meeting Minutes
 - Correspondence
 - Reports (including Treasurer/sub-committee/Principal's/representative)
 - General Business
 - Meeting Close
- 12. The P&C Association may elect representatives who will be responsible to represent the P&C Association on committees or at events. Members who are elected to represent the P&C

Association are required to produce a written report to the next general meeting of the P&C Association.

13. A general meeting of the P&C Association may declare any Officer who has been absent for three consecutive meetings without an apology being received and accepted by the meeting, to have vacated their position and to have created a casual vacancy to be dealt with by means of Rule 6 of the P&C Association constitution.
14. Any motion to expend P&C Association monies must be placed on the agenda for the meeting at which it is to be considered, the running costs of the sub-committees should be considered when dispersing monies. No financial decisions will be considered by the P&C Association, without having a treasurer's report presented and endorsed to the meeting.
15. The P&C Association may confer the honour of Life Membership or Outstanding Service on a member of the P&C Association or a volunteer who has made a significant contribution to the work of the Association by resolution of the membership. Life Members may attend and speak at meetings but are not entitled to vote or to hold office unless they are also ordinary members.
16. The P&C Association may remove an honour the P&C Association has bestowed if the recipient of such honour and has been convicted of committing an offence that may be punishable by law.

STANDING ORDERS FOR THE CONDUCT OF ANNUAL CONFERENCE, REGIONAL CONFERENCES AND ALL MEETINGS

1. ORDER OF BUSINESS

- A. This section applies to Annual Conference only.
- (a) Such opening address as may be arranged by the Council.
 - (b) The conferring of awards by Federation, such as Life Memberships etc.
 - (c) Admissibility of late delegates.
 - (d) Receipt and adoption of the Annual Report of Federation.
 - (e) Receipt and adoption of the Treasurer's Report, Statement of Receipts and Expenditure and Balance Sheets.
 - (f) Receipt and adoption of a report from the Returning Officer regarding the conduct of the elections for Executive Officers and Councillors.
 - (g) Motions of which notice has been given. In this regard the Chair shall have discretion to put these motions in such order as may be recommended by the Agenda Committee at the opening of the Annual Conference.
 - (h) Such other addresses, discussion periods and the like as may be determined by the Agenda Committee, and to be inserted into the Order of Business on the recommendation of the Agenda Committee.
 - (i) Such other business as the Annual Conference may decide.
 - (j) General Business: Motions without notice may be considered by Annual Conference providing leave is given by a two-thirds majority.
 - (k) Declaration of the poll and introduction of new office bearers.
- B. This section applies to Regional Conferences only.
- (a) Election of the Chair.
 - (b) Such opening address as may be arranged.
 - (c) Reports.
 - (d) Motions of which notice has been given.
 - (e) Such other business as the Conference may decide.
- C. This section applies to meetings of the Council only.
- (a) Opening and apologies.
 - (b) Receipt and adoption of the Minutes of the previous meeting. In this regard the only permissible discussion on the motion for confirmation of the Minutes shall be as to the accuracy of the reporting. Objections on this score must be moved, seconded and voted upon.
 - (c) Matters arising from the Minutes.
 - (d) Reports:
 - (i) Treasurer
 - (ii) Other
 - (e) Correspondence.
 - (f) Motions of which notice has been given.
 - (g) General Business.
 - (h) Notices of Motion.

2. SUSPENSION OF STANDING ORDERS

The operation of Standing Order No. 1 may be suspended for a specific time for a specific purpose upon the carrying of a motion without notice by a two-thirds majority.

3. TIME LIMITS

- A. This section applies to Annual and Regional Conference only.

- (a) For each section of the Agenda, such time as is allocated by the Committee preparing the Agenda.
- (b) For each speaker making a report—5 minutes.
- (c) For each speaker moving a motion—3 minutes.
- (d) For each speaker in debate—2 minutes.
For each mover of a motion speaking in reply — 2 minutes.
- (e) Extension of time, per speaker—2 minutes.
- (f) No speaker to any motion shall be granted more than one extension of time.
- (g) The number of speakers on any motion relating to Constitution or By-Laws shall be limited to six, including the mover and seconder—3 in favour and 3 against, with the mover having the right of reply.

B. This section applies to meetings of the Council only.

- (a) For each speaker making a report—5 minutes.
- (b) For each speaker moving a motion—3 minutes.
- (c) For each speaker in debate—2 minutes.
- (d) For each mover of a motion speaking in reply — 2 minutes.
- (e) Extension of time, per speaker—2 minutes.
- (f) Debates on any motion shall not exceed 30 minutes without the express permission of the meeting.

4. MOTIONS

- (a) All substantive motions shall be moved and seconded.
- (b) A member moving or seconding a motion or any amendment thereto shall have the right to speak only when so moving or seconding, and shall be held to have spoken to the question by reason of such moving or seconding whether they contribute to the debate or not.
- (c) A motion or amendment having been submitted to the meeting may not be withdrawn without the consent of the meeting.
- (d) If two motions are submitted, one proposing that a certain course of action be followed, the other that it not be followed, the issue shall come before the meeting in the affirmative form.
- (e) Before any motion or amendment is put to the meeting, the Chair may require that it be submitted in writing.
- (f) Each delegate in the case of a Conference, or member in the case of Council, shall have the right to speak once only to any motion and to each subsequent amendment with the exception of the mover, who shall have the right of reply but shall not introduce any new matter therein. See also Standing Order 5(f).

5. AMENDMENTS

- (a) One amendment only shall be considered at a time.
- (b) The mover of an amendment has no right of reply.
- (c) More than one amendment may be moved by the same person provided that each such amendment refers to a different part of the motion.
- (d) Amendments shall be taken in the order in which they affect the terms of the motion.
- (e) An amendment must be relevant to the substantive motion. It may not be a simple negation of the motion, and if its effect is to negate the motion it must include an alternative course of action.
- (f) The mover of the original motion may exercise the right of reply only at the end of the debate on the first amendment and may not move an amendment but may speak to all amendments and may speak to the first amendment without prejudice to the normal right of reply.
- (g) Following the putting of the first amendment further amendments may be dealt with, having regard to sub-clauses 4(c)-(f). When all amendments have been disposed of, the original Motion (in its now possibly amended form) shall be put.

6. NOTICES OF MOTION

A. This section applies to Annual Conference only.

Notices of motion shall be received and placed on the Agenda in accordance with By-Law 3.

B. This section applies to Regional Conferences only.

Notices of motion shall be received and placed on the Agenda in accordance with By-Law 8.

C. This section applies to meetings of the Council only.

(a) All notices of motion except notices of rescission shall be in writing and must be presented to the Council at a meeting previous to the one at which they are to be dealt with.

(b) Motions of which notice have been given shall be dealt with in the order in which they are received by the General Secretary.

7. RECOMMITTAL

(a) Any motion may be recommitted at the same meeting at which it was carried provided the motion for recommitment is carried by a two-thirds majority.

(b) Such recommitment shall take the form of putting the question to the vote again, and no further debate of any kind shall be allowed.

8. RESUBMISSION

Either two Council meetings shall have been held or a two-thirds majority of members present and entitled to vote shall be in favour before any matter already decided by Council can be resubmitted.

9. RESCISSION

(a) Notice in writing must be given to the General Secretary of intention to move for rescission of any Resolution of Council. Such notice shall be signed by no fewer than three members of Council and shall be given at least two weeks before the meeting at which it is to be dealt with, and shall be placed on the business paper for that meeting.

(b) When notice of rescission has been received, action to implement the original motion shall be deferred until the rescission motion has been resolved, but this sub-clause shall not apply to resolutions which were themselves the subject of a notice of motion.

10. PROCEDURAL MOTIONS

(a) Any substantive motion that is before the meeting shall be disposed of before a further substantive motion is moved.

(b) The following procedural motions may be moved: received, and put to the meeting during the course of a debate on a substantive motion:

(i) For permission to withdraw a motion or amendment;

(ii) That the question be now put;

(iii) To proceed to next business;

(iv) To defer consideration of the matter for a stated time (adjournment of debate);

(v) To refer the matter elsewhere;

(vi) To discuss the action of a member who has been named by the Chair;

(vii) To extend the time limit;

(viii) That the motion or communication lie on the table;

(ix) To go into committee of the whole;

(x) To divide the Motion into separate parts;

Motions (i) to (iii) shall have precedence in the order given. All procedural motions except (b) (ii) and (b) (iii) may be debated.

- (c) The Chair shall have discretion to refuse the following procedural motions:
 - (ii) That the question be now put;
 - (iii) To proceed to next business;
 if it is considered that there has been inadequate opportunity for debate on the motions to which they refer AND
 - (b) (vii) To extend the time limit;
 - (b) (viii) That the motion or communication lie on the table.
- (d) It shall not be permissible for anyone who has spoken in the debate to move the following procedural motions:
 - (b) (ii) That the question be now put;
 - (b) (iii) To proceed to next business;
 - (b) (v) To refer elsewhere;
 - (b) (viii) That the motion or communication lie on the table.
- (e) If procedural motion (b) (ii) That the question be now put is carried, the mover of the original motion shall have the right of reply before the motion is put subject to the provision of Clause 5(f).

11. DELEGATES' (at Annual/Regional Conferences) AND MEMBERS' (at Council meetings)

RIGHTS AND RESPONSIBILITIES

- (a) A member shall stand to speak, address the Chair, and confine debate to the question under discussion. avoiding personalities and unbecoming language.
- (b) A member when speaking shall not be interrupted except by the Chair or by a member raising a point of order
- (c) A member who has spoken may be asked through the Chair to explain certain statements or to clarify statements which have not been clearly understood. A member may, with permission from the Chair, volunteer an explanation where it is considered that the member's statement of the facts has been misrepresented. In making these explanations the member shall be prohibited from debating the merits or demerits of any proposal. Similarly, in asking for an explanation of any point a member shall not be permitted to debate the merits or demerits of any proposal, and the Chair may rule that the questioner has spoken in the debate if this requirement is breached.
- (d) A member requesting information or wishing to ask a question at a meeting shall do so through the Chair.
- (e) Any member may rise to a point of order against a speaker during debate, and the member against whom the point of order is raised shall cease speaking and sit down. The member raising the point of order shall state the reasons within one minute, then the Chair shall give a ruling without further discussion, and subject to each ruling the member who was speaking when the point of order was raised shall be allowed to proceed. However, before giving a ruling the Chair may ask the member raising the point of order to indicate which of the standing orders is alleged to have been breached. The Chair's ruling shall be final unless challenged by a motion of dissent.
- (f) A member dissatisfied with the Chair's ruling may move a motion of dissent in the following terms: "That the Chair's ruling be dissented from". Immediately a motion of dissent is moved the Chair shall call upon a Deputy to take the Chair. When the mover and the Chair (in that order) have stated their cases, each being allowed three minutes, the Deputy shall then put to the vote the question That the Chair's ruling be upheld '. The motion shall be decided by simple majority. The Deputy shall declare the outcome of the vote, whereupon the Chair shall resume control of the meeting and shall rule in accordance with the outcome of the motion of dissent.

12. CHAIRPERSON'S RIGHTS AND DUTIES

- (a) The Chairperson shall have the right of debate but must first call upon a Deputy to take the Chair, and not resume it until the question has been resolved.
- (b) It shall be the duty of the Chair to preserve order so that the business may be conducted in due form and with propriety, and to call to order speakers who violate any rule of debate.
- (c) The Chair shall call the attention of a speaker to continued irrelevance or tedious repetition, and may direct such member to discontinue speaking.
- (d) The Chair may name a member for disorder, and the meeting shall forthwith discuss what action shall be taken.
- (e) In the case of disorder arising the Chair shall have the power to adjourn the meeting to a nominated time and place, and upon the Chair being vacated the meeting is thereby terminated.
- (f) When more than one member rises at the same time to speak, the Chair shall decide who shall be heard first.
- (g) Within the time allowed for the debate on a motion, and subject to procedural motions, the Chair shall not put the question while any member who has not spoken wants to be heard. If the time for debate on the motion expires, the Chair shall permit any member speaking to exhaust the time allowed for such speaking, shall invite the mover of the motion to exercise the right of reply subject to Clause 5(f), and shall then put the question.

13. VOTING

- (a) All questions except when otherwise specified in the Constitution and By-Laws shall be decided by a simple majority.
- (b) Voting on any question shall be decided on the voices unless a prescribed majority is required or unless a show of hands is called for as soon as the Chair has announced the result.
- (c) When other than a simple majority is required, or when a count has been called for, the vote for and against shall be counted by at least two tellers appointed by the Chair, and the numbers voting for and against shall be announced by the Chair and recorded in the Minutes.
- (d) Upon the request of at least ten members in the case of Annual and Regional Conferences or of five members in the case of Council, a division shall be taken on any question. Upon a division being taken the names of those voting for and against the motion or amendment shall be recorded in the Minutes.
- (e) Members are entitled at their request to have their dissent or abstention recorded in the Minutes.
- (f) A simple majority is defined as when more votes are cast for the motion than against.
- (g) A two-thirds majority is defined as when at least twice as many votes are cast for a motion as against. Abstentions shall be counted as votes against.

14. FURTHER PROCEDURAL AUTHORITY

Any matter not dealt with in these Standing Orders shall be governed by the customary procedures at meetings as specified in the most recent edition of NE. Renton's "Guide for Meetings and Organisations".