



ANGELMAN SYNDROME ASSOCIATION OF WESTERN AUSTRALIA (INC)

CONSTITUTION

1. Name

The name of the Association is "Angelman Syndrome Association of Western Australia (Inc)" (hereinafter called "the Association").

2. Objects

The Objects of the Association are:

- 2.1 To educate the families of people with Angelman Syndrome, the medical and educational communities, interested organisations and individuals, and the general public about the diagnosis, treatment, management and prevention of Angelman Syndrome;
- 2.2 To establish support systems for people with Angelman Syndrome, their families and other associated persons
- 2.3 To provide and arrange advocacy on behalf of people with Angelman Syndrome, their families and other associated persons;
- 2.4 To gather and disseminate information about Angelman Syndrome and related matters for the benefit of families of people with Angelman Syndrome and other interested organisations and individuals;
- 2.5 To promote research activities on the diagnosis, treatment, management and prevention of Angelman Syndrome including but not limited to the study of molecular/cytogenetic evaluations genetic imprinting, hypopigmentation, craniofacial and neuro-anatomic associations, appropriate drug therapy, hyperactivity, sleep disorders, family stress and coping mechanism.;
- 2.6 To raise funds for the promotion and attainment of the above objects.

3. Powers

In addition to all the powers conferred by Section 13 of the Associations Incorporation Act, 1987, the Association has the following powers:

- 3.1 to solicit, receive and accept donations, subscriptions, endowments, gifts, grants and loans of money or any other property;
- 3.2 to do all such other things as may be incidental to the attainment of the objects of the Association.

4. Membership

4.1 Family Membership

4.1.1 **Family Membership** shall be available to persons who have attained the age of eighteen (18) years, and who are family members or members of a foster family of a person with Angelman Syndrome, who have applied in writing for membership, whose application for membership has been accepted by the Committee and who have paid the prescribed fees.

4.1.2. For the purposes of Family Membership, family members shall be defined as:

Parents (by birth or by adoption)

Foster Parents

Other family full-time caregivers (being extended family members of aunts, uncles, grandparents, siblings.) or legal guardians.

Siblings over 18 years of age.

4.1.3 Family members may vote at any meeting of the Association.

4.1.4 Family membership may be represented by up to two (2) persons nominated in writing. The nominated persons are the only persons able to vote. Each nominated person has one vote.

4.1.5 **A person with Angelman Syndrome being over 18** years may become a member of the Association in their own right without paying prescribed fee.

4.1.6 Each person admitted to membership shall be:

4.1.6.1 Bound by the Constitution of the Association

4.1.6.2 Entitled to all advantages and privileges of membership.

4.2 **Associate members**

4.2.1 **Associate members** are persons who are not immediate family members or members of a foster family of a person with Angelman Syndrome, who have applied for membership, whose application for membership has been accepted by the Committee and who have paid the prescribed fees.

4.2.2 Associate members may attend meetings of the Association and speak at the discretion of the President but may not vote.

4.3 **Organisation members**

4.3.1 **Organisation members** are organisations which have expressed support for the objects of the Association, applied in writing for membership, which have been accepted as members by the Committee and which have paid the prescribed fees.

4.3.2 An Organisation member may appoint from its members, a representative who may speak on its behalf.

4.3.3 Organisation members are Associate members.

4.4 **Life Membership**

4.4.1 The Management Committee may elect any member who has given outstanding service to the Association. Any member may nominate a person to the Management Committee for consideration for Life Membership.

4.5 Applications for membership

4.5.1 All applications for membership must be directed to the Secretary who must place them before the Committee at its next meeting.

4.5.2 The Committee must consider any membership applications within two (2) months of receiving them

4.6 Membership suspension

4.6.1 Membership may be suspended by at least a two-thirds majority vote at a Committee meeting.

4.6.2 Any suspended member may require the suspension to be reconsidered at a subsequent general meeting. 4.7

- 4.7 Membership ceases upon:
 - 4.7.1 Resignation in writing delivered to an office bearer of the Association
 - 4.7.2 Non-renewal of membership within three months of expiry,
- 4.8 A register of members must be kept that indicates the name and address of members, the date of commencement of membership, the class of membership, whether the prescribed fees have been paid and whether membership has ceased.
- 4.9 Prescribed Fees
 - 4.9.1 The Committee may prescribe an annual membership fee of such amount as it may determine from time to time.
 - 4.9.2 Membership fees are due on 1st July each year or on such other date as the Committee may determine.
 - 4.9.3 New memberships received after 1st April in any year will include twelve (12) months membership and will not be required to pay membership fees until subscriptions are renewed the following year.

5. **Management**

- 5.1 Management of the Association is vested in the Management Committee of not less than five (5) and not more than twelve (12) Family members.
 - 5.2.1 The office bearers of the Association are
President,
Vice President,
Secretary, and
Treasurer

who must be elected at the Annual General Meeting prior to the election of the remainder of the Management Committee members or failing such election must be chosen by the Management Committee from its members at a Management Committee meeting held within one (1) week following the Annual General Meeting.
 - 5.2.2 Each Office Bearing position must be held by separate persons.

- 5.3 Nominations for the positions of office bearers and Management Committee members must be in writing, seconded by a Full member and received by the Secretary at least twenty-eight (28) days prior to the Annual General Meeting.
 - 5.3.1 In the event written nominations are not received by the Secretary, nominations from the floor with consent by the nominated person will be accepted.
- 5.4 The Management Committee must meet as often as is required to conduct the business of the Association and not less than four (4) times each calendar year.
- 5.5 The quorum for meetings of the Management Committee is four (4) members
- 5.6 The President or two (2) other Management Committee members have power to call a Management Committee meeting
- 5.7 Notice of Management Committee meetings must be given at the previous Management Committee meeting or by seven (7) days' written notice distributed to all Management Committee members or in an emergency by such other notice subsequently ratified by the Management Committee.
- 5.8 A Committee member or office bearer ceases to hold office upon:
 - 5.8.1 resignation in writing delivered to an office bearer of the Association;
 - 5.8.2 absence from three (3) successive Management Committee meetings without an explanation acceptable to the Committee;
 - 5.8.3 found not to be a financial member and such membership fees are not paid within one calendar month after notification of financial status.
- 5.9 Vacancies unfilled or arising in the office bearers or other Management Committee members may be filled by the Committee by co-opting members for the remainder of the term.
- 5.10 The Management Committee may function validly so long as its number is not reduced below the quorum.

5.11 Sub-committees

5.11.1 The Management Committee may appoint sub-committees of members and non-members for specific purposes which may meet as they see fit or as directed by the Management Committee and which must report to the Management Committee.

5.11.2 The quorum for a sub-committee meeting is one half the number of sub-committee members.

5.12 The Management Committee may appoint an executive of the office bearers to carry out routine business delegated by the Management Committee and which must report to the subsequent Management Committee meeting.

5.13.1 The positions of office bearers and Management Committee members become vacant at each Annual General Meeting and all office bearers and Management Committee members are eligible for re-nomination notwithstanding clause 5.13.2.

5.13.2 An office bearer may not hold the same office for a period in excess of three consecutive years consecutive years.

6. **General Meetings**

6.1 The first **Annual General Meeting** of the Association must be held within eighteen (18) months of incorporation and thereafter each financial year and not more than four (4) months after the close of the financial year.

6..2 The secretary shall give at least twenty-one(21) days written notice of the Annual General Meeting to members including notice of all business on the agenda.

6.3 All financial members may attend the Annual General Meeting.

6.4 **The quorum at the Annual General Meeting**, shall be a minimum of six members. If, at the end of 30 minutes after the time appointed in the notice for the opening of the meeting, there be no quorum, the meeting shall stand and adjourn for one week. If at such meeting there is no quorum, those members present shall be competent to discharge the business of the meeting.

- 6.5 **The agenda for an Annual General Meeting shall be:**
Opening of Meeting
Apologies
Confirmation of Minutes of previous Annual General Meeting
Presentation of President's Report
Adoption of President's Report
Presentation of Treasurer's Report and Audited financial statements
Adopt the Treasurer's report.
Election of new Management Committee and appointment of Auditor
Vote of thanks to outgoing Management Committee members
Notice/s of Motion
Urgent General Business
Closure
- 6.6 **A Special General Meeting** must be called by the Secretary within twenty-eight (28) days of receipt of a directive of the Management Committee or a written request specifying the business to be conducted at the meeting of at least three of the full members or a suspended member pursuant to clause 4.5.2.
- 6.7 At least fourteen (14) days written notice including notice of all items on the agenda, of any Special General Meeting must be given to all members.

7 **Voting**

- 7.1 **Annual General Meeting and Special General Meeting.**
- 7.1.1 All resolutions and elections must be determined by a simple majority except as otherwise required by this Constitution.
- 7.1.2 The President shall be entitled to a deliberate vote and, in the event of a tied vote, the President shall exercise a casting vote.
- 7.2. Each individual financial member present shall have one (1) vote.
- 7.3 Voting is by a show of hands except that:
- 7.3.1 any contested election at an Annual General Meeting or otherwise must be by secret ballot.
- 7.3.2 The meeting may by show of hands require any vote to be by secret ballot
- 7.3.3 Any full member may be represented **by proxy** evidenced in a manner and in a form determined by the Management Committee

7.4 Persons with special interests or knowledge relevant to the Association may be invited to attend any meeting and to speak at the discretion of the President but may not vote.

8 Finance

8.1 All funds of the Association shall be deposited into the Association's accounts at such bank or recognised financial institution as the Management Committee may determine.

8.2 All accounts due by the Association shall be paid by cheque or by electronic funds transfer (EFT) after having been passed for payment at the Management Committee meeting and when immediate payment is necessary, account/s shall be paid and the action endorsed at the next Management Committee Meeting.

8.3 Major or unusual expenditures must be authorised in advance by the Committee

8.4 The Secretary shall not spend more than a set amount Petty Cash without the consent of the Management Committee and shall keep a record of such expenditure in a Petty Cash Book.

8.5 A statement showing the financial position of the Association shall be tabled at each Management Committee Meeting by the Treasurer.

8.6 The Financial Year of the Association shall commence on 1st July each year. The accounts, books and all financial records of the Association shall be audited each year.

8.7 A statement of Income and Expenditure, Assets and Liabilities shall be submitted to the Annual General Meeting. The auditor's report shall be attached to such financial report.

8.8 The signatories of the Association's bank accounts will be the Treasurer and any one from the following:
President
Vice President
Secretary

8.9 All property and income of the Association will apply solely to the promotion of the objects of the Association and no part of that property or income shall be paid or otherwise distributed, directly, or indirectly, to members, except in good faith in the promotion of these objects.

9. President

- 9.1 The President or in the President's absence the Vice-President, is to chair Committee and General Meetings.
- 9.2 If the President and Vice-President are absent from a meeting or are unwilling to act as chair or if a majority of a meeting so requests, then the meeting may elect another full member to chair that meeting and who shall have one vote.
- 9.3 The President is to act as Spokesperson of the Association unless an alternative spokesperson has been appointed by the Committee or a general meeting. The spokesperson is to make statements in accordance with previously agreed policy or in an emergency following consultation with at least two committee members.

10. Treasurer

- 10.1 The Treasurer must ensure that moneys received are paid into an account authorised by the Committee in the name of the Association within fourteen (14) days of receiving such monies.
- 10.2 The Treasurer must ensure that proper records are kept of all receipts and payments and other financial transactions.
- 10.3 Financial records must be available for inspection by any member.
- 10.4 The Treasurer must ensure that financial statements and budgets are prepared and that a report on the finances is submitted to each Committee meeting.
- 10.5 The Treasurer must present audited accounts to the Annual General Meeting.
- 10.6 The Treasurer shall keep a register of members that indicates the name and address of members, the date of commencement of membership, the class of membership, whether the prescribed fees have been paid and whether membership has ceased.

11. Secretary

- 11.1 The Secretary must give notice of meetings in accordance with the provisions of the Constitution.
- 11.2 The Secretary must ensure that records of the Association are kept including
 - The Constitution and by-laws
 - Policies
 - Minutes of meetings
 - Notices and
 - A file of correspondence

12. Auditor

- 12.1 The Annual General Meeting shall elect or appoint an Auditor or Auditors for the next twelve (12) months.
- 12.2 The Auditor/s shall examine and audit all the books and accounts of the Association annually and have the power to call for all books, papers, accounts, receipts etc of the Association and report thereon to the Annual General Meeting.

13. Patrons

The Association may from time to time elect any number of patrons who may attend any meetings of the Association but may not vote.

14. Common Seal

- 14.1 The Association must have a Common Seal which may be affixed only by resolution of the Committee or a general meeting and in the presence of two (2) Committee members, at least one (1) of whom must be an office bearer.
- 14.2 The President is to ensure the safekeeping of the Common Seal.

15. The Constitution

- 15.1 No alteration, repeal or addition shall be made to the Constitution except at the Annual General Meeting, or General Meeting, called for that purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to members twenty-one (21) days prior to the Annual General Meeting or fourteen (14) days prior to a General Meeting called for such purpose.

- 15.2 Such motions, or any part thereof, shall be of no effect unless passed by a seventy-five percent (75%) majority (Special Resolution) of those present and entitled to a vote at the Annual General Meeting, General Meeting or Management Committee Meeting, as the case may be.
- 15.3 Within one month of the passing of a Special Resolution, the Secretary shall notify the Department of Consumer and Employment Protection of the amendment.

16. Dissolution

If, on the winding up of the association, there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid or distributed amongst the embers or former members, but shall be given or transferred to another association incorporated under the Act which has similar objects and to which income tax deductible gifts can be made as approved by the Commissioner of Taxation and which association shall be determined by resolution of the members.

The original Constitution was adopted at a meeting of families by majority vote on the Twenty-third day of June 2007
Lodged with DOCEP.

Changes to the Constitution were adopted at an extraordinary meeting of members by majority vote on 6th day of June 2008
Lodged with DOCEP and lodged with Australian Tax Office.