

# **INDUSTRIAL RELATIONS SOCIETY OF WESTERN AUSTRALIA**

## **CONSTITUTION**

### **NAME:**

- 1 The name of the Society shall be “The Industrial Relations Society of Western Australian Incorporated”.

### **OBJECTS:**

- 2 The objects of the Society shall be to organise and foster discussion, research, education and publication within the field of industrial relations.

### **POWERS:**

- 3 The Society shall have power to do all things as are incidental and conducive to the attainment of the objects of the Society.

### **MEMBERSHIP:**

- 4 The Foundation Members of the Society shall be the persons who attend the meeting at which this Constitution is approved and who wish to become members, or who, if unable to attend, indicate their desire of joining within one calendar month of this meeting.
- 5 Subsequent admission to membership shall be with the approval of the Committee on the following conditions:-
  - (a) Every applicant for membership shall submit a signed application to the Secretary containing such information as shall be required by the Committee.
  - (b) The application shall be referred to the Committee which may either approve or reject it. Provided, however, that in considering such an application, the Committee shall take into account the desirability of maintaining a reasonable balance within the Society between members of management and trade unions, the government services, the professions and academic staff of tertiary institutions.
  - (c)(i) If the application is approved, the applicant shall become a member of the Society and be entitled to all the benefits and privileges of membership and be bound by the Constitution and Rules of the Society.
  - (c)(ii) A member shall be furnished with a copy of the Society’s Constitution and Rules upon written request to the Secretary.
  - (d) A bona fide member of any other Australian Industrial Relations Society, resident in Western Australia, shall be admitted to membership of this Society upon application.
- 6 Membership of the Society is not restricted to the groups mentioned in sub-clause (b) of clause 5 and may amongst others include:

- (a) Any student resident in Western Australia.
- (b) Any institution, organisation or society on such terms and conditions as the Committee thinks fit.

6A The Secretary shall on behalf of the Association cause the register of members to be kept in accordance with section 27 of the Associations incorporation Act 1987, and that register shall be kept and maintained at his or her place of residence.

The Secretary shall cause the name of a person who ceases to be a member to be deleted from the register of members.

*(Clause 6A added by General Meeting 16 March 2000)*

### **SUBSCRIPTIONS:**

- 7 (a) The annual subscription for members (other than student members or affiliated institutions, organisations or societies) shall be such amount as the Society shall at a General Meeting determine.
- (b) The annual subscription for student members, or affiliated institutions, organisations or societies shall be such amount as the Committee shall determine. Provided, however, that such amount may be altered by the Society at a General Meeting.
- (c) All annual subscriptions shall become payable a calendar month after any person, institution, organisation or society becomes a Foundation Member, or is subsequently admitted to membership, and thereafter on or before the thirty-first day of January in each year.

*(Clause 7 amended by General Meeting 27 February 2008)*

### **TERMINATION OF MEMBERSHIP:**

- 8 Any Member may resign from membership by giving to the Secretary notice in writing to that effect. Such notice shall take effect one calendar month after it is received by the Secretary. Provided however, that any member so resigning shall remain liable for any unpaid subscriptions or other amounts due from that member to the Society.
- 9 Any member who has their annual subscription in arrears for a period of three months or more following issue of renewal notices may have their membership terminated or suspended by the Committee. Any Member may be expelled or suspended from membership of the Society for conduct which, in the opinion of the Committee, is prejudicial to the interests of the Society.

*(Clause 9 amended by General Meeting 16 March 2000)*

- 10 No Member shall be expelled or suspended from the Society unless at least two thirds of the members present at the meeting of the Committee considering the matter vote in favour of the expulsion or suspension.
- 11 Any Member who is expelled or suspended from membership by the Committee may appeal in writing to an Extraordinary General Meeting.

- 12 A Member who is expelled or suspended may be heard in person at the Extraordinary General Meeting or may be represented by an agent who may be a legal practitioner.
- 13 The Extraordinary General Meeting shall have power to confirm the decision of the Committee, to vary it or to overrule it.
- 14 Any person, institution, organisation or society shall, upon ceasing to be a Member of the Society, forfeit all right to claim upon the Society and its property or funds.

#### **THE COMMITTEE:**

- 15 The entire management of the Society (except as otherwise provided by this Constitution) shall be deputed to the Committee. In particular, but without restricting the generality of the foregoing, the Committee shall have power to carry on the work of the Society between General Meetings, including the organisation of the meetings, discussion groups and conferences, the organisation of research and the publication of material, the collection and expenditure of the funds of the Society and the arrangement for affiliation or federation with similar societies. Provided, however, that any act or decision of the Committee may be reviewed by any General Meeting of the Society. Provided further, that any affiliation or federation, as aforesaid, must be confirmed by a General Meeting.
- 16 The Committee shall be elected at the first General Meeting and thereafter at the Annual General Meeting of the Society and shall consist of a President, two Vice-Presidents, a Secretary, a Treasurer, an Editor and no more than twelve other members and shall include at least two members who come from management, two from unions, two from academic staff of tertiary institutions, two from the professions and two from the government services. In addition, the Immediate Past President shall have membership of the Committee.

*(amended with effect 18 September 2002)*

- 17 The Committee shall have power to fill any casual vacancy on the Committee until the next Annual General Meeting.

A casual vacancy occurs in the office of a Committee member and that office becomes vacant if the Committee member

- (a) dies;
- (b) resigns by notice in writing delivered to the Chairperson or, if the Committee member is the Chairperson, to the Vice-Chairperson;
- (c) is convicted of an offence under the Associations Incorporation Act 1987;
- (d) is permanently incapacitated by mental or physical ill-health;
- (e) is absent from more than 3 Committee meetings in the same financial year, of which he or she has received notice, without tendering an apology to the person presiding at each of those Committee meetings; or
- (f) ceases to be a member of the Industrial Relations Society of WA

*(Clause 17 amended by General Meeting 16 March 2000)*

- 18 The Committee shall have power to co-opt any member to the Committee or a sub-committee and such co-opted member shall have the right to speak but shall not have the right to vote at meetings of the Committee or sub-committee as the case may be.
- 19 The Committee shall remain in office until the conclusion of the following Annual General Meeting.
- 20 The Committee shall meet at least three times a year. The Secretary shall notify each member of the Committee of the time and place of such meetings. Five members of the Committee shall constitute a quorum.
- 21 The Committee may from time to time appoint such sub-committees as they may think fit and depute to them such of the powers and duties as the Committee may determine.

The members of sub-committees shall be members of the Society.

Each Committee member has a deliberate vote. A question arising at a Committee meeting shall be decided by a majority of votes, but, if there is an equality of votes, the person presiding at the Committee meeting shall have a casting vote in addition to his or her deliberative vote.

Subject to these rules, the procedure and order of business to be followed at a Committee meeting shall be determined by the Committee members at the Committee meeting.

A Committee member having any direct or indirect pecuniary interest referred to in section 21 and 22 of the Associations Incorporated Act 1987 shall comply with those sections.

*(Clause 20 amended by General Meeting 16 March 2000)*

- 22 The Committee may appoint a Patron.

#### **GENERAL MEETINGS:**

- 23 The meeting at which this Constitution is adopted shall be the first General Meeting. In each succeeding year the Annual General Meeting shall be held not later 31 March in any year. The purpose of the General Meeting, shall be:-
- (a) To receive from the outgoing Committee a report, an audited balance sheet and statement of accounts of the preceding year.
  - (b) To elect the Committee and appoint an auditor for the ensuing year.
  - (c) Generally to deal with such matters relating to the Objects of the Society as appear necessary.
- 24 The Committee shall convene such General Meetings as it thinks fit to carry on the business of the Society.
- 25 The Committee may, at any time and for any special purpose, call a Special General Meeting of the Society and shall do so on the written request of at least ten financial members.

- 26 The Annual General Meetings, General Meetings and Special General Meetings shall be held at such times and places as the Committee shall determine. Such meetings shall be convened by sending to each financial member, at least fourteen days before the meeting, a written notice specifying the time and place of the meeting together with an agenda of the business to be discussed.

*(Clause 26 amended by General Meeting 16 March 2000)*

- 27 At all General Meetings of the Society the President, or in his or her absence a Vice-President, shall take the chair. Every financial member, and one accredited representative of each affiliated institution, organisation or society, shall be entitled to one vote upon every motion. An ordinary resolution put to the vote shall be decided by a majority of votes cast on a show of hands. In the event of equality of votes the Chairperson shall have a casting vote. A special resolution put to the vote shall be decided by a majority of not less than three quarters of those who are entitled to vote and who vote in person.
- 28 The quorum at all General Meetings shall be fifteen financial members of whom at least nine shall not be members of the Committee.

#### **FINANCE:**

- 29 The financial year of the Society shall end on the thirty-first day of December in each year, to which day the accounts of the Society shall be balanced.
- 30 All moneys of the Society shall be paid into a bank account to be kept in the name of the Society and all cheques drawn thereon shall be signed by the Treasurer and either by the President or the Secretary.

#### **AUDITOR**

- 31 (a) An Auditor shall be appointed by the Annual General Meeting.
- (b) No member of the Committee shall be eligible to be appointed as Auditor.
- (c) The Auditor shall audit the accounts of the Society as soon as practicable after the thirty-first day of December in each year.

#### **INCOME AND PROPERTY:**

- 32 The income and property of the Society shall be applied solely towards the promotion of the Objects of the Society and no portion of the income or property shall be paid, transferred or distributed directly or indirectly to the members of the Society, provided that nothing shall prevent the payment in good faith of remuneration to any member or employee or agent of the Society in return for services actually rendered to the Society.

#### **SOCIETY NOT TO USED FOR BUSINESS:**

- 33 No member shall give the address of the Society in any advertisement or use the address of the Society for business purposes.

#### **COMMON SEAL:**

- 34 (a) The common seal of the Society shall be held in the custody of the President.

- (b) The common seal shall be used or affixed to any document after authority has been given by the Committee.
- (c) The affixation of the common seal shall be witnessed by the President or a Vice-President and one other member of the Committee.

**AMENDMENT OF THE CONSTITUTION:**

- 35 The Constitution of the Society may be added to, amended or repealed by a three-quarters majority of members present and voting at any Annual General Meeting, General Meeting or Special Meeting, provided that written notice, of the proposed addition, amendment or repeal has been sent to all financial members of the Society at least fourteen days before the meeting.

*(Clause 35 amended by General Meeting 16 March 2000)*

**DISSOLUTION:**

- 36 The Society may be dissolved or wound up by a resolution passed by a majority of three-quarters of the members present at any General Meeting or Special Meeting called for the purpose.
- 37 If upon the dissolution or winding up of the Society there remains, after the satisfaction of all debts and liabilities, any property of any kind, the same shall not be paid to or distributed among members of the Society but shall be given or transferred to an incorporated association of a non-profit nature to be approved by the Minister of the Western Australian Government who is responsible for incorporated associations.