

CONSTITUTION

1.0 Preliminary

1.1 Name

The organisation shall be called the Technical and Further Education Teachers Association of New South Wales (hereafter called the Association).

1.2 Definitions

- (a) The “Association” shall mean the Technical and Further Education Teachers Association of New South Wales (TAFE TA).
- (b) The “Commission” shall mean the New South Wales Technical and Further Education Commission.
- (c) The “Federation” shall mean the New South Wales Teachers Federation (NSWTF).
- (d) A “Member” shall mean a member of the Association.
- (e) A “Centre” shall mean any workplace where there are Association members.
- (f) A “Federation Representative” shall mean the person or persons elected by a branch to receive and disseminate material from the Association and the Federation as well as carry out the objects of the Association and the New South Wales Teachers Federation.
- (g) The “AEU” shall mean the Australian Education Union.

1.3 Objects

The objects of the Association shall be to endeavour to:

- (a) Speak with authority on all matters affecting its members.
- (b) Further the interests of Technical and Further Education.
- (c) Encourage and promote co-operation and co-ordination between the various Technical and Further Education institutions.
- (d) Provide for the holding of conferences for the discussion of questions of educational

and industrial interest.

- (e) Initiate and control schemes for the advancement of the intellectual and professional status of its members.
- (f) Promote Technical and Further Education in industry and in the community.
- (g) Encourage “esprit de corps” among members through social and other gatherings.
- (h) Publish matters of interest to members.
- (i) Promote the objects of the New South Wales Teachers Federation.

1.4 Limitations

In the event of a conflict between the Constitution of the Association and the Rules of the Federation Constitution, the latter shall prevail.

2.0 Membership

2.1 Ordinary Members

All members of the Federation employed by the Commission or as determined by the Federation from time to time shall be members of the Association.

2.2 Affiliate members

Affiliate members shall be members of other associations within the New South Wales Teachers Federation, who are accepted in terms of the Rules of the Federation. Affiliate members shall not have the right to vote or hold any position of office within the Association.

2.3 Honorary Members

Honorary members shall be former members of the Association who are elected to honorary membership by resolution of any General Meeting of the Association provided that due notice of the motion for such election has been given in accordance with the Rules of the Association.

2.4 Associate Members

Associate members shall consist of superannuated, retrenched or retired members who have had continuous membership for five years prior to the date of their retirement from the Service or who have had continuous membership since their entry into the Service.

Associate members shall pay fees in accordance with Federation Rules, and shall have the privileges of ordinary members except the power to vote or hold office.

2.5 Honorary

Honorary Life Members shall be members of the Association, who have rendered valuable service to the Association, who are elected to honorary life membership by resolution of any General Meeting of the Association provided that due notice of motion for such election has been given in accordance with the Rules of the Association.

2.6 Financial Standing of Members

- (a) The financial standing of members shall be in accordance with Federation Rules.
- (b) Unfinancial members shall not be eligible to hold office or vote or move, second or speak to motions or represent the Association in any way.

3.0 Branches

3.1 Formation

A branch of this Association may be formed and maintained at any Centre where an enrolment of not less than 10 financial members is obtained. Each branch shall have the power to govern itself as it considers best, provided always that its membership rules and objectives are in accordance with the Constitution and Rules of this Association.

3.2 Additional Branches

Additional branches may be formed at a Centre where numerical or geographical considerations make it desirable and at least ten (10) financial members at that Centre submit an application to the Secretary who shall put the application before the Council for a decision at the earliest possible meeting, the proposal for the additional branch having been placed on the Notice Paper for that meeting.

3.3 Meetings

Each branch shall hold a meeting at least once each term.

3.4 Elections

Branch representatives on the Council and their alternates should be elected in term I each year at an Annual General Meeting of the Branch, due notice having been given in

accordance with the By-Laws. If a Branch has not held such elections by June Council or June 30 whichever comes first then Council positions for that Branch will be deemed vacant for the purposes of funding and shall remain so until the Branch Annual General Meeting takes place and elections are held.

3.5 Notification of Office Bearers, Councillors and Alternates

A branch shall inform the Association Secretary of Branch Office Bearers, Councillors and their Alternates within fourteen (14) days of their election.

3.6 Centre Representative (where a branch does not exist)

At any centre where the number of members is insufficient to form a branch, a Federation Representative shall be elected by the members at that Centre to receive and forward all communications from and to the New South Wales Teachers Federation, and the Technical and Further Education Teachers Association.

4.0 Regions

4.1 Formation

In general, a Region of this Association may be formed and maintained to include a group of branches and/or centres which are outside 160 radial kilometres of Sydney or if within this radius, branches may apply to Council for recognition as a Region.

4.2 Alteration to Composition of Regions

Any alternation to the composition or name of Regions shall be determined by the Council. Notice of Motion to alter the composition or name of a Region may originate from a Region, a Branch within a Region, or the Council.

4.3 Government of Regions

Each Region shall have the power to govern itself as it considers best, provided always that its membership, rules and objects are in accordance with the Constitution and Rules of this Association.

4.4 Meetings

Each Region should hold a meeting at least once each term.

4.5 Elections

Regional Office Bearers, Councillors and their Alternates should be elected at an Annual Regional Meeting in accordance with Rule 9.6 and they shall hold office for a period of twelve (12) months. Regions should endeavour to involve all of their members to obtain the widest possible representation.

4.6 Notification of Office Bearers, Councillors and Alternates

Each Region shall inform the Association Secretary of Regional Office Bearers, Representatives to Council and their Alternates within fourteen (14) days of their election.

5.0 Annual General Meeting

5.1 Date of Annual General Meeting

There shall be an Annual General Meeting on a date determined by the second Council each year.

5.2 Notice of Motion

Notices of Motion for the Annual General Meeting must be in writing and in the hands of the Secretary not later than six (6) weeks prior to the Annual General Meeting. The Secretary shall notify all members of any such Notices of Motion at least twenty eight (28) days prior to the Annual General Meeting.

5.3 Elections

The following shall be elected at the Annual General Meeting, written consent being necessary from absent candidates.

(a) Five Floor Members.

(b) A Returning Officer, an Assistant Returning Officer and four scrutineers. The Returning Officers shall not be eligible to be Members of the Executive Committee.

6.0 Council

6.1 Duties

There shall be a Council which shall, as far as practicable, immediately carry out all instructions conveyed by resolution of any general meeting, or ballot of members, and shall not in any way rescind, revoke, annul or amend any such resolution or conveyed instruction. Otherwise, except as hereinafter provided, the Council shall be vested with the

full management of the Association and shall exercise all the authority ordinarily exercised by a general meeting of the Association.

The Council shall meet at least four (4) times each year.

6.2 Composition

(a) The Executive Committee

(b) Branch and Regional Representatives elected on the basis of one (1) representative per seventy-five (75) financial members, or part thereof.

Note: For the purposes of this rule, members who are financial as of March 31 in the preceding year shall form the membership of each appropriate Branch or Region.

(c) Five (5) Representatives, who shall be elected at the Annual General Meeting, preference for one of the positions to be for a Teacher-in-Training if they nominate.

(d) Federation Administrative and Presidential Officers who are members of TAFE TA.

(e) TAFE TA members who have been elected as full-time members of any statutory body established to administer the provision of educational facilities in New South Wales, provided they were Federation endorsed candidates for such positions.

(f) The NSW member of the AEU National TAFE Council Executive.

(g) Two (2) Aboriginal members, elected biennially from Aboriginal members of TAFE TA (on Aboriginal Members Roll).

6.3 Alternate Councillors

(a) Should a Council member other than an Office Bearer or Floor Member be unable to attend a Council meeting, a Branch or Region may be represented by an Alternate Councillor duly elected by the Branch or Region.

(b) An Alternate Councillor shall during the meeting, exercise all the powers of a Council member.

6.4 Attendance at Meetings

Should a Council member be absent for three consecutive meetings without leave, the position shall be deemed to be vacant and be filled in accordance with Rule 9.8.

6.5 Quorum — See By-Law 4.2

7.0 Special Meetings

(a) The Executive Committee may convene a Special General Meeting whenever it thinks

fit and also shall convene a Special General Meeting should such a request be made by a decision of the Council or in writing signed by no fewer than hundred (100) financial members.

(b) A Special Council meeting shall be convened if such is requested in writing by twenty (20) Council members.

(c) At any Special Meeting the Business shall be confined to that specified in the notice calling such meeting.

8.0 Executive Committee

8.1 Composition

There shall be an Executive committee comprising fourteen (14) members as listed hereunder:

1. President
2. Vice President
3. Secretary
4. Assistant Secretary
5. Treasurer
6. TAFE TA Women's Co-ordinator
7. Part-Time/Casual Representative
8. Seven (7) Executive Members
9. One Aboriginal member, elected biennially from Aboriginal members of TAFE TA (on Aboriginal Members Roll)

8.2 Duties

The Executive Committee shall:

(a) Exercise all or any of the powers and carry out and perform all or any of the duties and functions which under this Constitution may be exercised, carried out or performed by the Council subject always to the necessity of its conforming to such directions as may be imposed on it from time to time by the Council, and subject always to the authority of the Council to amend or reverse a decision of the Executive Committee.

(b) During its first meeting determine who shall act as Chairperson in the absence of the President, or if the President vacates the chair during any Association meeting.

- (c) Report to Council all its acts since the previous Council meeting.
- (d) Executive shall meet at least six (6) times each year.
- (e) Be represented at all Regional meetings as determined by the President and Secretary.

8.3 The Executive Committee may refer any matter to Council.

9.0 Elections

9.1 Election of Executive Committee

The Executive Committee shall be elected biennially by postal ballot of all financial members of the Association.

9.2 Election of NSW member of the AEU National TAFE Council Executive

The NSW member of the AEU National TAFE Council Executive shall be elected according to the AEU rules.

9.3 Election of Delegates to New South Wales Teachers Federation Council

(a) Delegates to the NSW Teachers Federation Council shall be elected in accordance with the NSW Teachers Federation Constitution.

9.4 Election of Delegates or Representatives for Employer or Other Committees, Tribunals and Boards

(a) Such other delegates or representatives for Employer or other Committees, Tribunals and Boards shall be elected at the first Council each year.

(b) The Returning Officer shall call for nominations for such positions by publication of a notice at least fourteen (14) days prior to the first Council meeting.

(c) Nominations of candidates shall be submitted on a TAFE TA nomination form or similar and be in the hands of the Returning Officer by 10.30 am on the day of first Council.

9.5 Election of Branch Representatives of Council

Such elections shall be in accordance with Rule 3.4.

9.6 Election of Regional Representatives on Council

Regional Representatives and their Alternates shall be elected in term 1 each year at an Annual Regional meeting, due notice having been given in accordance with the By-Laws. If a Region has not held such elections by June 30, Council positions for that Region will be deemed vacant for the purposes of funding and remain so until the Annual General Meeting takes place and elections are held.

9.7 Method of Election

All elections shall be by the Preferential System.

9.8 Casual Vacancies

1. Executive Committee

- (a) Any casual vacancy occurring on the Executive Committee shall be filled by the Council.
- (b) The Secretary shall notify the membership of such vacancy and call for nominations within the next fourteen (14) days.
- (c) Nominations shall close twenty one (21) days following the date of posting advice of the vacancy.
- (d) The election shall be held at the Council meeting immediately following the closing of nominations.

2. Council (Branch and Regional Representatives)

Any casual vacancy occurring in the position of Branch or Regional representatives on Council shall be filled by the Branch or Region.

3. Other Vacancies

Any casual vacancy occurring in an elected position not covered elsewhere in these Rules shall be filled by the Council provided that notice of the election has been placed on the Business Paper. In urgent situations, to enable attendance at meetings required before the next Council, Executive (or if this is not possible, the President in consultation with the Secretary) may nominate a suitable temporary replacement, pending the Council election.

10.0 Alteration to Rules

- (a) The Constitution or any section of the Constitution may be formulated, altered, amended or repealed by a vote of a two-thirds majority of members recording votes in person at an

Annual General Meeting or a Special General Meeting called for the purpose.

(b) Notices of Motion of any proposal to formulate, alter, amend or repeal the Constitution or any section of the Constitution may originate only from the Council, Region or Branches.

(c) Notices of Motion referred to in 10(b) must be in writing and be in the hands of the Secretary not later than 6 (six) weeks prior to the Annual General Meeting or the Special General Meeting called for the purpose in question and must appear on the Notice Paper calling the particular meeting.

(d) All members shall be notified of any proposed alteration to the Rules, at least 28 days prior to the holding of the Annual General Meeting or the Special Meeting called for the purpose in question.

(e) Proposed alterations must be put to the meeting in the form in which they appear on the Notice Paper and no amendment to the motion shall be accepted.

11.0 By-Laws

(a) The Council, subject to review by the Annual General Meeting, may make by-laws not inconsistent with these rules.

(b) Notice of any proposals to make or amend a by-law shall be given at a regular Council meeting.

(c) The Association Secretary shall, within twenty-one (21) days of the adoption thereof notify all Branches of all new by-laws and amendments to existing by-laws.

12.0 Financial Provisions

12.1 Cheques

All cheques for the payment of debts owed by the Technical and Further Education Teachers Association of NSW shall be signed by the President or Secretary and countersigned by the Treasurer, provided that, should absence with leave of the Treasurer prevent countersigning, cheques may be countersigned by the TAFE TA Women's Co-ordinator or the Assistant Secretary.

12.2 Financial Year

The financial year shall be from January 1 to December 31.

BY-LAWS

1.0 Specific Duties of individual members of the Executive Committee and NSW Member of the AEU National TAFE Council Executive

1.1 President

The President shall:-

- (a) Chair the meetings of the Association
- (b) Be entitled to sign cheques in accordance with Rule 12.1.

1.2 Vice-President

The Vice-President shall give all reasonable assistance as required by the President in carrying out the duties of the President's office.

1.3 Secretary

The Secretary shall:

- (a) Attend to all correspondence and other matters relative to the business of the Association.
- (b) Notify members and/or Council members of the time and place of all meetings.
- (c) Deliver on demand all such books, documents and correspondence held by the Secretary, being the property of the Technical and Further Education Teachers Association of NSW, when called upon to do so by the Council.
- (d) Keep in a Minute Book a record of business transacted at all official meetings of the Technical and Further Education Teachers Association of NSW.
- (e) Be entitled to sign cheques in accordance with Rule 12.1.
- (f) Carry out the duties of an Association Secretary in accordance with By-Law 5 (five) of the Federation's Constitution.

1.4 Assistant Secretary

- (a) The Assistant Secretary shall give all reasonable assistance as required by the Secretary in carrying out the duties of the Secretary's office.
- (b) The Assistant Secretary shall be entitled to sign cheques in accordance with Rule 12.1.

1.5 Treasurer

The Treasurer shall be directly and personally responsible for:

- (a) The keeping of proper books of accounts and other financial records.
- (b) The receipt of all monies, other than subscriptions, the issuing of receipts for same and the prompt banking of such monies.
- (c) The presentation of a financial statement to each Council meeting.
- (d) The countersigning of all cheques except as provided in Rule 12.1.
- (e) The carrying out of all such lawful duties as required of the Treasurer by the Technical and Further Education Teachers Association of NSW.
- (f) The delivery to the Auditors or Council on demand of any or all books, monies, or other property of the Technical and Further Education Teachers Association of NSW which are in the Treasurer's possession.

1.6 NSW Member of the AEU National TAFE Council Executive

The Executive Member shall attend all meetings of the AEU National TAFE Council and Executive and shall accept nomination as a delegate to the AEU Federal Conference. If the member cannot attend the whole or any part of a meeting then the member shall seek advice from the President and Secretary on how to allocate the member's proxy vote.

1.7 TAFE TA Women's Co-ordinator

The Women's Co-ordinator shall:

- (a) Co-ordinate a Women's Action Group which shall be open to all women members of the Association.
- (b) Call regular meetings of the group.
- (c) Ensure that accurate minutes of the meeting are kept.
- (d) Provide a regular report from the Women's Action Group to the Council.
- (e) Ensure that motions from the Women's Action Group are debated at Council.
- (f) Ensure regular reports and/or discussions are given on Federation's campaigns at Women's meetings to further the understanding and involvement of women members in the activities of the Association/Federation.
- (g) Encourage women to attend and participate in Association meetings.

(h) Be entitled to sign cheques in accordance with Rule 12.1.

1.8 Executive Members

The seven (7) Executive Members shall carry out such duties as reasonably determined and delegated by the Executive Committee, these duties to include:

- (a) Co-ordination of Association research and publicity.
- (b) Co-ordination of the activities and maintenance of records of Association representatives on Employer or other committees, tribunals and boards.
- (c) Co-ordination of Association Sub-Committees.

1.9 Attendance at Meetings

Each member of the Executive Committee and the NSW member of the AEU National TAFE Council Executive shall attend all meetings of the Association/Council and Executive. Should an Executive member or the NSW member of the AEU National TAFE Council Executive be absent for more than one meeting of the TAFE TA Council in one year or more than one meeting of Executive in one year without leave, which may be granted in retrospect, the position shall be deemed to be vacant and filled in accordance with Rule 9.8.

1.10 Procedures for Executive Committee Election

1. The Executive Committee shall be elected from members of TAFE TA Council by secret preferential ballot of all financial members of the Association, other than honorary life members not otherwise qualified to vote, voting by post.
2. Executive Committee members shall hold office for a two-year term commencing on the first College day in the year following their election.
3. The Association Returning Officer shall have authority to appointment an Assistant Returning Officer and each candidate shall have the right to appoint two (2) scrutineers.
4. Nominations shall be called by the Returning Officer on or before August 8 in the year of election, notice of which shall appear in the Federation journal. Nominations shall close on the second last Friday of Term 3 in the year of an election.
5. Nominations shall be in writing signed by two (2) financial members of the Association with the written consent of the nominee enclosed thereon.
6. Where only one nomination is received to fill any position the Returning Officer shall thereupon declare the person nominated elected.
7. Members qualified to vote shall be those who are shown in the records of the Federation as being financial members of the Association at the time nominations are called. Associate members shall not be eligible to vote.
8. Not later than the second Friday in Term 4 in the year of the election, the Returning Officer shall post a ballot paper to each financial member.

9. Only ballot papers received by the Returning Officer by 4.00pm on the fourth Friday in November in the year of election shall be counted in the ballot.

10. Any member who does not receive a ballot paper may appeal to the Returning Officer who, if satisfied that such member was financial on or before nominations were called in the year of the election, shall issue a ballot paper.

11. The Returning Officer shall declare the results of the ballot as soon as practicable.

12. The Returning Officer may make such regulations as he/she deems necessary to ensure the secrecy and the proper conduct of the ballot including an appropriate period for withdrawal of nominations.

13. Any accidental or unavoidable omission or error in the carrying out or observance of this rule shall not invalidate an election unless such omission or error is shown to have affected the result of the election.

2.0 Duties Of Representatives on Employer or other Committees, Tribunals, Boards

2.1 TAFE TA members who are elected to represent the Association/Federation shall provide written reports on a regular basis to the Council and, if not Council members, shall attend Council at the request of the Secretary or Council. These representatives shall abide by the decisions of TAFE TA, including those of Council, Executive and other Special meetings of representatives, including caucus meetings. If a representative does not abide by such decisions, then this representative should vacate this position immediately unless a reason is provided and is found acceptable to the Council/Executive/or Special Meeting.

3.0 Notice Of Meetings

3.1 At least seven (7) days notice of any special, general, branch or regional meeting must be given to members before such meetings, except in the case of an emergency meeting when the time of notice shall be not less than 24 hours.

3.2 At least seven (7) days notice must be given of any Council meeting, but this notice may be dispensed with at the option of the President and Secretary in urgent cases.

4.0 Quorum

4.1 At any General Meeting, fifty (50) members present and eligible to vote shall form a quorum.

4.2 At any Council Meeting, twenty (20) members present and eligible to vote shall form a quorum.

4.3 At any Executive Committee Meeting five (5) members present and eligible to vote shall form a quorum.

4.4 At any Branch or Regional Meeting, twelve (12) financial members or 25 per cent of the

membership of the Branch or Region, whichever is the fewer, shall form a quorum.

4.5 A meeting shall lapse if a quorum is not present within half an hour of the time set down for the meeting to begin.

5.0 Standing Orders

Council shall have power to frame standing orders for the conduct of meetings including:

- (a) Council
- (b) Annual General Meeting
- (c) Special General Meetings
- (d) Mass Meetings

6.0 Regional Funding

6.1 Payment – Regional Councillors

Regional Representatives who attend meetings of the Council shall be reimbursed for travelling expenses.

6.2 Payment to Members Attending Regional Meetings

Members attending Regional Meetings shall be entitled to claim reimbursement for travel in excess of 100 kilometres return journey at the rate set by Council.

The Association Treasurer shall make payment upon receipt of a claim endorsed by the Executive member or Organiser attending the meeting.

6.3 Payment – Branch Councillors

Representatives of branches within 160 radial kilometres of Sydney who attend meetings of the Council shall be entitled to reimbursement for travelling expenses.

6.4 Branch Finance

- (a) Expenses incurred in any financial year shall be reimbursed by the Association Treasurer upon receipt of a branch endorsed financial statement. The limit of reimbursement shall be determined by Council.
- (b) Upon request, the Council shall advance to each branch a sum of money known as the 'Branch Imprest' to meet branch expenses.
- (c) Payment of expenses beyond the limit determined in 6.4(a) above shall be at the discretion of the Council.
- (d) Compulsory levies may not be struck by branches.

STANDING ORDERS

of TAFE TA
Council

1. Attendance Sheet

Members of Council shall record their presence at meetings of the Council by signing an Attendance Sheet; such sheet shall be placed by the Secretary in a convenient position at each meeting of Council. Any member failing to sign the Attendance Sheet shall be deemed to be not properly present at the meeting. Only those members who have signed the Attendance Sheet shall be deemed to be in attendance for the purpose of travelling and/or other expenses.

2. Order of Business

The Order of Business of the Council and the Annual General Meeting shall be determined by the Executive and/or Council providing:

- (i) References from the Annual General Meeting must be dealt with not later than the April Council following the Annual General Meeting.
- (ii) Council may alter the Order of Business at any meeting by a majority vote.
- (iii) General Business must be the item dealt with after lunch, followed by a period of question time.

3. Suspension of Standing Orders

Any member may move the suspension of the Standing Orders to discuss a definite matter of urgent importance to the Association, such to be submitted to the Chairperson **in writing within the first half hour of any meeting or any adjourned meeting of Council.** The meeting shall decide whether the matter is sufficiently urgent to merit suspension or otherwise. No motion for the suspension of the Standing Orders shall be declared carried unless it has the support of three fifths of those voting.

4. Notices Of Motion

Notices of Motion must be in the hands of the Secretary **at least seven days prior to the Council meeting.**

5. Motions and Amendments

All motions and amendments, except for formal motions, such as adjournment, must be handed to the Chairperson in writing prior to the mover speaking thereon.

6. Committee

(a) Any meeting of Council, either before proceeding to consider any matter, or during the consideration of such matter, may on motion to that effect, resolve itself into committee of the whole for consideration of such matter.

(b) Such motion may be moved without notice, and on being seconded shall be put to the meeting without debate.

(c) The meeting shall be deemed to be in committee only during the consideration of the matters specified in the motion.

(d) While in committee **there shall be no limit to the number of times a member may address the Chair, but a member shall not speak for more than three minutes at any one time.**

7. Councillors must rise and address the Chair

Any Councillor desiring to propose a motion or an amendment or to discuss any matter under consideration, must rise and address the Chairperson.

8. Times for reports, debates and speakers

(a) When an **oral report is given a time limit of eight (8) minutes shall be allowed**, with extension of time subject to the will of Council.

Supplementary reports may be given subject to the will of Council. Such **supplementary reports shall be restricted to three (3) minutes** with extension of time subject to the will of Council.

(b) The mover of a motion **shall be allowed five (5) minutes, subsequent three (3) minutes, and the mover three (3) minutes in reply. Extension of time for speakers shall be one (1) minute duration**, subject in each case to the will of Council to grant an extension in time.

(c) The time for the discussion of each question **shall be limited to fifteen (15) minutes** unless extended by express resolution. The timekeeper shall notify the Chairperson one (1) minute before the close of such fifteen (15) minutes that the time allowed is nearing expiry and the Chairperson shall inform the Council of the fact.

9. Chairperson rising to speak

When the Chairperson rises during the debate, the member then speaking or proposing to speak shall sit down, so that the Chairperson shall be heard without interruption.

10. Point of Order

No member, when speaking, shall be interrupted, unless a point of order is raised, when he/she shall sit down, and the member raising the point shall first state his/her point or order, and the Chairperson may then either hear that member on the point, hear further discussion, or decide at that stage, but such point shall be decided before the debate proceeds.

11. Speakers alternately for and against

After a motion has been duly moved and seconded, speakers shall only be heard alternately against and for the motion, excepting for the purpose of moving or seconding any amendment or further amendment, and failing any member rising for the other side, the motion shall be put, unless otherwise determined by Council.

12. Amendments

The question having been proposed, it may be amended by leaving out, substituting or adding words.

13. Negative amendments

No amendment shall be received by the Chairperson which is a direct negative of the motion.

14. Further amendments

During the debate following the first amendment, it shall be competent for Councillors to move or second further amendments.

15. Right to speak again on amendment

A Councillor who has moved, seconded or spoken on an original motion or amendment shall not move or second an amendment to it, but he/she may speak on an amendment moved and seconded by other Councillors.

16. Members may speak only once on motion or amendment

No member shall speak more than once to a motion or an amendment without the consent of the meeting, and then only providing that he/she address himself/her self to the removal of a misunderstanding in regard to some material part of his/her speech, but no new matter may be introduced therein. Any member proposing a motion or amendment, pro forma, shall be held to have spoken.

17. Question be now put

It shall be in order to move, without discussion, when no other speaker is addressing the Chair: “That the Question be now put.”

On being duly seconded and carried, it shall entail the submission of the motion at once to the Council after the mover has replied. The motion may not be moved by any member who has previously spoken upon the question under discussion.

18. Right of Reply

The mover of the original motion shall have the right of reply.

19. Further Discussion

No further discussion shall be allowed or questions asked after the mover of the original motion has replied.

20. Submission of Motion and/or Amendments

Once the mover has replied, the question shall be submitted to the vote, the amendments being put to the meeting in the order of their submission. The Chairperson shall submit the question and it shall be resolved in the affirmative or negative on the voices. If demanded, a show of hands shall be taken. If a count is further demanded, the door shall be closed and a count of hands shall be taken and the Chairperson shall declare the question resolved in the affirmative or negative.

21. Division

If, after a count of hands has been taken, the question is resolved with a difference of five (5) votes or fewer, and if at least three (3) Councillors signify their desire for a

division by standing within thirty (30) seconds of the declaration of the count, the doors shall remain closed, the meeting shall divide, and a record of the names of the votes for and against shall be taken by the tellers for inclusion in the minutes.

22. Voting on Division

A Councillor, having given his/her voice by show of hands, shall not, on a division being taken, be at liberty to vote with the opposite party.

23. Next Business

When a motion or an amendment is under discussion, it shall be competent for any Councillor, other than those who have already spoken to such motion or amendment, to move that the meeting proceed to the next business. No amendment to this motion shall be accepted, nor shall the mover have a right of reply.

24. Adjournment of Debate

A motion for the adjournment of the debate may be moved only by a Councillor who has not moved, seconded, spoken on or moved or seconded an amendment or formal motion to the question then before the Council. If seconded, it shall supersede the motion or amendment before the meeting and shall be a new question upon which any Councillor may speak, whether he has already spoken on the main question or not. The mover has no right of reply.

25. Dissent from the Chairperson's ruling

Any member dissatisfied with the Chairperson's ruling may move a motion of dissent in the following terms: "That the Chairperson's ruling be dissented from." In such cases, only the mover shall be permitted to speak, except the Chairperson, who may subsequently state his/her reasons for the ruling given. No seconder to the motion is required. The motion shall be put to the meeting by the Chairperson without further discussion in the following form: "The motion is that the Chairperson's ruling be upheld." The Chairperson may vacate the Chair during the discussion of this motion.

26. Chairperson's Privilege

When on the floor of Council the Chairperson shall enjoy the privileges and be subject to the same rules as other members of the Council. He/she shall not return to the Chair until the motion has been resolved.

27. Recommittal

It shall be competent to recommit any motion at the same meeting on an affirmative vote of two-thirds of those present.

28. Rescission Motion

A motion to rescind any motion passed by the Council shall be accepted by the Secretary, provided that it is signed by five (5) members of the Council and that it is in the hands of the Secretary fourteen (14) days prior to the date of the subsequent meeting. Such notice shall be included in the circular convening the meeting.

29. Disobedience of Standing Orders

Any member of the Council who disobeys Standing Orders, or in any way disregards instructions from the Chair, shall, after being warned, be named by the Chairperson. If after being named, any Councillor persists in such conduct, the Chairperson shall call upon an Executive member of the Association to move the suspension of such member. The Councillor concerned shall have the right to speak on the motion, but otherwise it shall be put without discussion. Should the motion be carried by two thirds majority of those present, the offending member shall be suspended for the remainder of the meeting or until an apology is made.

30. Lapse of Meeting

If a quorum is not present within half an hour of the time fixed for a meeting, the meeting shall lapse, and those present shall be given credit for attendance.

31. Time of Meetings

Council meetings shall commence at 9.30am and close at 4.00pm except that the time of closing may be extended by half an hour on a majority vote of those present. A lunch break of at least one hour shall be held.

07055

TAFE TA

Constitution

March 2007

includes

- By-Laws
- Standing Orders
of TAFE TA Council

