

Rules of
The Montessori Teachers Association of Western Australia

1. NAME

The name of the Association will be "The Montessori Teachers Association of Western Australia (Inc.)" (hereinafter referred to as the Association.)

2. OFFICE

The Office of the Association (hereinafter referred to as ("the Office")) will be situated in Perth or such other place in Western Australia as may be decided by resolution of its Members.

3. OBJECTS

The objects for which the Association is established are to:

1. Provide ongoing Professional Development for Montessori teachers in order to expand knowledge and expertise and promote their professional standing.
2. Further community and professional awareness of Montessori Education.

4. IMPLEMENTATION OF OBJECTS

The objects of Rule 3 shall be pursued by all lawful means, more particularly by:

1. Promoting contact and communication between Montessori teachers.
2. Liaising with and co-operating with other appropriate organisations.
3. Collating and providing information relevant to its members.
4. Promoting and organising discussion groups, workshops, inservice courses. etc.
5. Co-ordinating local development of educational materials relevant to Montessori classrooms.
6. Being involved in community education projects.

5. POWERS

The Association shall have the following powers in addition to and without prejudice to any other powers herein expressed or implied, or expressed or implied under or by virtue of the provisions of the Associations Incorporation Act 1895-1969 as amended from time to time.

- (a) To do all such things as are necessary to incorporate the Association under the provisions of the Associations Incorporation Act 1895-1969 as amended.
- (b) To raise, receive, have, hold, administer and dispose of monies in the form of subscriptions, donations, legacies, bequests or as a consequence of fund-raising activities of all types or otherwise received from any other source whatsoever.
- (c) To apply for and enter into arrangements and conclude

- agreements in relation to grants of any public monies to assist the Association in the furtherance of its objects.
- (d) To borrow or raise money at interest for any purpose whatsoever as the Association in General Meeting may approve.
 - (e) To purchase, take on lease, exchange, hire or acquire and hold any real or personal property.
 - (f) To pay for any real or personal property acquired or to be acquired by the Association for cash, or to allow the whole or any portion of the purchase money to remain owing on mortgage or otherwise, upon such terms as the Association in General Meeting may approve.
 - (g) To sell, lease, let, mortgage or charge any real or personal property belonging to or to belong to the Association as the Association in General Meeting may approve.
 - (h) To construct, maintain and alter any buildings or works necessary or convenient for the purpose of the Association.
 - (i) To employ, instruct and dismiss such staff as from time to time may be required for the purpose of the Association.
 - (j) To do such other acts, matters, and things as are incidental or conducive to the attainments of its objects.

6. MEMBERSHIP

- (a) The number of Members of the Association is unlimited.
- (b) The following persons shall be eligible to be Members of the Association upon payment of the yearly subscription.
 - 1. Teachers employed in a Montessori School.
 - 2. Teacher's Assistants employed in a Montessori School.
 - 3. Teacher's Aides employed in a Montessori School.
 - 4. Montessori Trained Teachers not currently employed in a Montessori School.
 - 5. Students enrolled in a Montessori Training Course.
- (c) The Secretary shall on behalf of the Association maintain a Register of Members, in accordance with Section 27 of the Act, at his or her place of residence.
The Secretary shall cause the name of a person who dies or ceases to be a member under Rule 6 (b) or 11 to be deleted from this register.

7. INTERESTS OF MEMBERS

- (a) No member shall be disqualified from obtaining or continuing his/her membership of the Association by reason of the fact that s/he is an employee of the Association or has been remunerated by the Association for any business or other act done in the conduct of the Association.
- (b) Any Member of the Association who is in any way, whether directly or indirectly, interested in any contract or proposed contract with the Association shall, as soon as the relevant facts have come to his/her knowledge, declare the nature of his interest to the Committee and shall if required by the Committee withdraw from all discussions and voting on such contract.

8. MEETINGS

- (a) The Annual General Meeting of the Members of the Association shall be held not more than fifteen (15) months after the last Annual General Meeting to:
 - (i) consider and if thought fit to receive and adopt the Committee's report and the audited financial statements.
 - (ii) elect up to but not more than six members of the Executive Committee for the ensuing year.

- (iii) consider and if thought fit to approve any amendment to these Rules.
 - (iv) appoint an Auditor
 - (v) transact such business as may be brought before the meeting in conformity with the Rules made hereunder or which the Committee may consider relevant.
- (b) An Extraordinary General Meeting may be called at any time by direction of the Committee to consider any business determined by the Committee or shall be called by the Secretary within twenty-one (21) days after receipt by the Secretary of a requisition to that effect signed by not less than forty percent (40%) of the members of the Association specifying the business to be transacted at such a meeting.
- (c) Notice of all Annual General Meetings and Extraordinary General Meetings shall be given not less than twenty-one (21) days prior to the date of the Meeting, specifying the place, the day, and the hour of the Meeting, and in the case of special business, the general nature of that business. In case of any proposed amendment to the rules or dissolution of the Association, Rules 20 & 21 shall apply. The accidental omission to give Notice of a Meeting to, or the non-receipt of Notice of a Meeting by any Member shall not invalidate the proceedings at any Meeting.
- (d) A Notice in accordance with the Rules may be given by the Association to any Member either personally or by sending it by post to the address within Western Australia supplied by the member for the giving of notices.
- (e) Notice of every General Meeting shall be given to every Member except those members who have no registered address within Western Australia for the giving of notices to them. No other persons shall be entitled to receive Notices of General Meetings.
- (f) No business shall be transacted at any Annual or Extraordinary General Meeting unless a quorum of not less than one third (1/3) of the Members is present at the commencement of such business. If within thirty (30) minutes from the time appointed for the meeting, a quorum is not present the Meeting shall stand adjourned to such place, date, and time as the Chairman of the Meeting for the time being shall then decide provided that no such Meeting shall stand adjourned for a period of more than fourteen (14) days following the date of the adjournment but also provided that notice of the adjourned meeting shall be given not less than seven (7) days prior. If at such adjourned Meeting a quorum is not present, those present shall constitute a quorum and may proceed to transact the business for which the Meeting was called.
- (g) The Chairman for the time being shall take the chair at all Annual or Extraordinary General and Committee Meetings. In the absence of the Chairman or if the Chairman is unwilling to act, the Vice-Chairman shall take the chair. In the absence of the Vice-Chairman or if the Vice-Chairman is unwilling to act, the chair shall be taken by some other Committee member chosen by the meeting in the absence or unwillingness of all

Committee members the meeting shall elect one of its members to take the chair.

9. VOTES OF MEMBERS

- (a) Subject to conditions (i) & (ii) below, each Member present at a General Meeting shall be entitled to one vote.
- (i) No member shall be entitled to vote at any General Meeting unless all monies presently payable by them to the Association have been paid.
- (ii) Any Member may appoint any other Member as proxy by writing in the form set out as the Committee may from time to time approve. Such forms must be deposited at the Office of the Association not less than forty-eight (48) hours before the time announced for the Meeting at which the proxy proposes to vote, otherwise the form shall be treated as invalid.
- (b) At all Meetings of Members voting shall be by secret ballot or by show of hands as stipulated by the Chairman of the Meeting for the time being. Resolutions shall be carried by majority of votes. In the event of an equality of voting on any question the Chairman of the Meeting for the time being may exercise a deliberative vote only provided that he will, wherever practicable, cast this vote in favour of the status quo.

10. FINANCIAL YEAR

The Financial Year of the Association shall commence on 1st January and end on 31st December in any given year.

11. FINANCES

The finances of the Association will be drawn from gifts, fundraising, contributions and fees, the amounts of such fees being decided or modified at the Annual General Meeting of the Members and being due and payable in advance.

(a) All monies received shall be deposited in the Association's bank account at such bank as shall be determined from time to time by the committee.

(b) Cheques, or if a Savings account, the withdrawal forms drawn on such account, shall be signed by two of the following- the Treasurer, the Chairman, the Secretary, one other member of the Committee specifically so nominated by the committee.

(c) Notwithstanding the provisions of this Rule, the Committee may by resolution from time to time authorise the Treasurer to retain such sum or sums by way of petty cash as it shall deem appropriate and to make expenditure therefrom upon and subject to such conditions as the Committee shall lawfully prescribe.

12. INCOME AND PROPERTY

The income and property of the Association wheresoever derived shall be applied solely towards the promotion of the Association and no portion thereof shall be paid or transferred directly or indirectly by way of profit to the Members provided that nothing herein shall prevent the payment in good faith of remuneration to any officer of the Association or other person in return for any services actually rendered to the Association.

13. MANAGEMENT OF THE ASSOCIATION

The Executive Committee

(a) The management of the Association shall be vested in an Executive Committee (referred to as "the Committee") consisting of the six members elected at the Annual General Meeting in any particular year. The committee shall elect from its members a Chairman, Vice-Chairman, the honorary Secretary and the honorary Treasurer (referred to as the "Officers of the Committee").

(b) The Committee shall be entitled to exercise all or any of the powers of the Association, subject only to any directions given to it by resolution of a General Meeting of the members thereof.

(c) The election of the Committee members shall be at the Annual General Meeting (generally in accordance with Rule 8) from all nominations received.

(d) Nominations shall be called for by means of a Notice to all Members at least twenty-one (21) days before the Annual General Meeting and shall close with the Secretary fortyeight (48) hours before the time of the meeting.

(e) If at any election there shall be less nominations than vacancies to be filled additional nominations may be called for and accepted at the Meeting at which the election is to take place.

(f) Elected members of the Committee shall hold this office until the date of the next Annual General Meeting and shall be eligible for re-election upon completion of this term.

Committee Meetings

(g) The Committee shall meet not less than four (4) times per year provided that the period between any Committee meetings shall in no circumstance be more than fifteen (15) weeks.

Casual Vacancies on the Committee

(h) The Committee may, by resolution, fill any casual vacancies on the Committee with a Member of the Association who, when so elected, shall retain office until the next Annual General Meeting.

Powers to Co-opt

(i) The Committee shall have:
the power to co-opt to the Committee any Member or Members of the Association to assist in the conduct of the business of the Committee as it may deem necessary, provided always that the numbers of co-opted Members entitled to vote shall be two less than the numbers of elected Members.

Any person so co-opted shall only retain office until the next Annual General Meeting but can thereafter again be co-opted.

Quorum

(k) No business shall be transacted at any Committee meeting unless a quorum of not less than two thirds (2/3) of the Committee are present and able to vote.

14. DISQUALIFICATION OF MEMBERS OF THE EXECUTIVE COMMITTEE

The office of any member of the Committee shall be vacated if they:

(a) without the consent of the Association given in General Meeting holds any office of profit under the Association or

(b) resigns their office by notice in writing to the Association

or (c) is directly or indirectly interested in any contract with the Association and fails to declare the nature of this interest in accordance with Rule 7.

15. THE AUDITOR

The Auditor shall:

- (a) Be elected Annually at the Annual General Meeting to audit the annual statement of accounts and balance sheet.
- (b) Certify the same before they are presented to the Annual General Meeting.
- (c) Be either a member of a recognised accountancy society or a bank manager provided that he shall not be an officer, Member or employee of the Association, nor related to any serving member of the Committee.
- (d) Be eligible for re-election from year to year.

16. AFFILIATION

The Committee may:

- (a) Make application for affiliation with such organisations and associations as has been approved by a simple majority of Members present at a General Meeting of the Association provided that no such affiliation may be made which would limit members beyond that defined in Rule 6.
- (b) Elect representatives to attend meetings of such organisations aforesaid.

17. AMENDMENT TO THE RULES

Any amendment to the Rules shall require a majority of at least three-fourths of the members present and entitled to cast votes in the General Meeting of Members convened for that purpose.

18. DISSOLUTION

The Association may be wound up voluntarily by a resolution passed by a majority of not less than three-fourths of such Members as being entitled to do so, vote in person or by proxy, at a General Meeting at which not less than twenty eight (28) days notice specifying the intention to propose the resolution as a special resolution has been duly given. If upon the winding up of the Association there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to, transferred or distributed amongst the Members of the Association. It shall be given to some other association, institution or body having objects similar wholly or in part to the objects of the Association, as described in Rule 4, provided that the association, institution or body shall prohibit the distribution of its income and property among its members, or it shall be paid to or transferred to some charitable object; which association, institution, body or object shall be determined by the Members of the Association at or before the time of winding up. On default of any such resolution such payment, transfer or distribution shall be determined by a Judge of the District Court.

19. COMMON SEAL

- (a) The Association shall have a Common Seal which shall remain in the custody of the Secretary.
- (b) The Common Seal of the Society shall only be be affixed to any instrument by authority or by resolution of the Committee.
- (c) There shall be three sealholders appointed by the Committee

from its own members. The Common Seal shall be affixed by and in the presence of two of the sealholders who shall each sign the instrument to attest the proper affixing of the seal thereto.

20. INTERPRETATION OF THE RULES

(a) The decision of the Committee on the construction or interpretation of these Rules made thereunder shall be conclusive and binding on all Members unless and until the same shall be overruled by an Annual or Extraordinary General Meeting called for that purpose.

(b) In each and every Rule the masculine gender shall include the female gender.

21. CIRCUMSTANCE NOT PROVIDED FOR

If any circumstance shall arise as to which these Rules are silent or are incapable of taking effect or being implemented according to its strict provisions the Committee shall, subject to any direction from time to time given to it by resolution of an Annual or Extraordinary General Meeting, have power to determine what action may be taken to best give effect to the objects of the Association and ensure its efficient administration and every act of the Committee bona-fide resolved upon pursuant to this Rule shall be as valid and effectual as is specifically authorised herein.