



South Pacific Educators in Vision Impairment Inc

An incorporated association in NSW

INC9889733

CONSTITUTION

Ratified June 2016

Website: <http://www.spevi.net>

Table of Contents

South Pacific Educators in Vision Impairment Inc.....	1
An incorporated association in NSW.....	1
INC9889733	1
CONSTITUTION	1
June 2016	1
SPEVI CONSTITUTION	4
PART 1 - PRELIMINARY	4
PART 2 - MEMBERSHIP	5
PART 3 MANAGEMENT.....	8
PART 3A - THE COMMITTEE OF MANAGEMENT	8
Clause 13. Powers of the Committee of Management	8
Clause 14. Composition and Membership of the Committee of Management.....	9
Clause 15. Election of Committee of Management Members.....	9
Clause 16. Duties of the Committee of Management.....	9
Clause 17. Vacancies.....	11
Clause 18. Removal of national or state/territory Office Bearers.....	11
Clause 19. Voting at Committee of Management Meetings.....	11
Clause 20. Management.....	12
PART 3B - Branch Management	12
Clause 21. Structure at Branch level	12
Clause 22. Election of Branch Councillors	12
Clause 23. Appointment of Branch Councillors.....	12
Clause 24. Tenure of Branch Councillors.....	13
Clause 25. Branch Communication.....	13
Clause 26. Branch finance	13
PART 4 - GENERAL MEETINGS	13
Clause 27. Annual General Meeting.....	13
Clause 28. Annual general meetings - calling of and business at.....	13
Clause 29. Special general meetings - calling of.....	14
Clause 30. Notice of general meeting	14
Clause 31. Quorum for meetings.....	14
Clause 32. Presiding member at general meetings	15
Clause 33. Adjournment of general meetings.....	15
Clause 34. Making of decisions at general meetings	15
Clause 35. Voting at general meetings	16
Clause 36. Appointment of proxies	16
PART 5 - MISCELLANEOUS	16
Clause 37. Insurance.....	16
Clause 38. Funds – Source	16
Clause 39. Funds - Management.....	17
Clause 40. Alteration to objects	17
Clause 41. Custody of books.....	17
Clause 42. Inspection of books.....	17
Clause 43. Service of Notices.....	17
Clause 44. Dissolution	18
Clause 45. Public Officer.....	18
APPENDIX A	19

Form of Appointment of Proxy.....	19
To be lodged with the SPEVI National Secretary two days prior to the AGM or general meeting.....	19
APPENDIX B	20
Nomination Form - Committee of Management	20
APPENDIX C	21
Nomination Form – Branch Councillor	21
To be lodged with the SPEVI National Secretary two days prior to the AGM or general meeting.....	21
APPENDIX D	22
Nomination Form – Honorary SPEVI Life Member Award	22
APPENDIX E.....	24
Privacy Policy	24
APPENDIX F.....	25
Format for sending in reports to the Committee of Management.....	25

SPEVI CONSTITUTION

PART 1 - PRELIMINARY

Clause 1. Definitions

In this constitution, unless a contrary intention appears:

- 1.1 “Act” means the NSW Associations Incorporation Act 2009;
- 1.2 “Branch” means a sub-section of SPEVI comprising the total membership in any State or Territory;
- 1.3 “Branch Councillor” or “Councillor” means an elected member representing the branch interests and elected in accordance with Clauses 22-24;
- 1.4 “Financial year” means the year ending 31 March;
- 1.5 “Committee of Management” means the Committee of Management as defined in Clauses 13-16;
- 1.6 “President” means the national president of SPEVI elected in accordance with Clause 15;
- 1.7 “Treasurer” means the national treasurer of SPEVI elected in accordance with Clause 15;
- 1.8 “Vice-president” means the national vice-president of SPEVI elected in accordance with Clause 15;
- 1.9 “Secretary” means the national secretary elected in accordance with Clause 15;
- 1.10 “Public Officer” means the public officer appointed in accordance with Clause 45;
- 1.11 “SPEVI” means South Pacific Educators in Vision Impairment Incorporated.

Clause 2. Aims

- 2.1 To be recognised as the professional body of educators whose speciality is in matters pertaining to the education of persons with vision impairment in Australia, New Zealand, and Pacific Island Countries.
- 2.2 To advocate on behalf of members, persons with vision impairment and parents/carers for equitable education access and participation, in accordance with international and national disability anti-discrimination legislation.
- 2.3 To encourage the highest standards in the educators of persons with vision impairment by promoting research and professional training for general and specialist teachers.
- 2.4 To promote and facilitate the interchange of information and collaboration among educators, professionals, parent groups and the broader community concerning education and equal opportunity for persons with vision impairment.

- 2.5 To encourage the use of appropriate mainstream and assistive technologies, resources and optical and non-optical aids, in the education of persons with vision impairment, and to promote teacher education programs in the use and care of existing and new techniques and technology.

Clause 3. Structure

- 3.1 SPEVI will operate at two levels:
- 3.1.1 National, by means of the Committee of Management; and
 - 3.1.2 State/territory, by means of a Branch comprising Councillors and members who reside in the state or territory.

PART 2 - MEMBERSHIP

Clause 4. Membership

- 4.1 Membership of SPEVI will be available to any individual interested in the education of persons with vision impairment who agrees to abide by this constitution.
- 4.2 Membership may be gained through the following process:
- 4.2.1 Completion of an application for SPEVI membership/renewal form (available on the SPEVI website), and submission to the national Secretary or Membership Secretary;
 - 4.2.2 agreement to the conditions set out in this Constitution;
 - 4.2.3 payment of a biennial fee determined by the Committee of Management; and
 - 4.2.4 membership approval by the Committee of Management.
- 4.3 The Applicant's details are to be entered in the register of members that is held by the national Secretary or Membership Secretary and, upon the name being so entered, the Applicant shall become a member of SPEVI. Member information will be stored and used in accordance with the SPEVI Privacy Policy (see Appendix E).

Clause 5. Membership Categories

5.1 Category 1: Full Membership – General

- 5.1.1 This category is open to educators and other professionals who have an interest in education of persons with vision impairment.
- 5.1.2 This category of membership includes discounted registration at SPEVI biennial conferences, a single vote at meetings, and a copy of SPEVI's annual journal.

5.2 Category 2: Full Membership – Qualified Specialist Teacher (VI) plus Professional Learning

- 5.2.1 This category is open to specialist teachers with tertiary qualifications in education of persons with vision impairment, who complete a mandatory minimum requirement of 15 hours of professional learning in vision impairment every two years.
- 5.2.2 Applicants are required to complete the relevant SPEVI documentation for professional learning in vision impairment. Professional learning may include face-to-face or online lectures, workshops and courses, and engagement in accredited professional learning events.

- 5.2.3 This category of membership includes discounted registration at SPEVI biennial conferences, a single vote at meetings, and a copy of SPEVI's annual journal.
- 5.2.4 This category of membership is open to SPEVI Honorary Life members who meet the tertiary qualification requirements and wish to complete the mandatory professional learning requirements.
- 5.2.5 For information about mandatory professional learning requirements, members are referred to the *Australian Charter for the Professional Learning of Teachers and School Leaders*, and the *Australian Professional Standards for Teachers* (Australian Institute for Teaching and School Leadership 2012; 2014).

5.3 Category 3: Associate Membership

- 5.3.1 This category is open to full time students, parents of individuals with vision impairment, school volunteers and school ancillary staff.
- 5.3.2 This category of membership includes discounted registration at SPEVI biennial conferences and a copy of SPEVI's annual journal. Associate members are not entitled to vote at meetings.

5.4 Category 4 Honorary Life Membership

- 5.4.1 Honorary life membership may be offered by the Committee of Management in recognition of a member's outstanding contribution to the field of education of individuals with vision impairment.

Clause 6. Honorary Life Membership

- 6.1 The Annual General Meeting may make a special award recognising a member's outstanding contribution to the field of education of individuals with vision impairment, to be known as an Honorary Life Membership of SPEVI.
- 6.2 Nomination for Honorary Life Membership must be submitted by two members to the Committee of Management at least 30 days prior to an Annual General Meeting (See Nomination Form Appendix D).
- 6.3 No more than three Honorary Life Memberships shall be conferred at an Annual General Meeting.
- 6.4 The number of Honorary Life Members of SPEVI shall not exceed fifteen.
- 6.5 Honorary Life Members shall not be required to pay Membership Fees or SPEVI Conference registration.
- 6.6 Honorary Life Members shall have full membership rights and privileges.

Clause 7. Membership entitlements not transferable

- 7.1 A right, privilege or obligation which a person has by reason of being a member of SPEVI:
 - 7.1.1 is not capable of being transferred or transmitted to another person; and
 - 7.1.2 terminates upon cessation of the person's membership.

Clause 8. Cessation of membership

- 8.1 A person ceases to be a member of SPEVI if the person:
 - 8.1.1 becomes non-financial for three months;

- 8.1.2 resigns from membership of SPEVI;
- 8.1.3 is convicted of an indictable offence;
- 8.1.4 is expelled from SPEVI; or
- 8.1.5 dies.

Clause 9. Resignation of membership

9.1 A member who has paid all amounts to SPEVI may resign from membership of SPEVI by notifying the Committee of Management of his/her intention to resign and, upon the expiration of the period of notice, the member ceases to be a member. No refund is claimable by the member from SPEVI.

9.2 Where a person ceases to be a member, the national Secretary or Membership Secretary must make an appropriate entry in the register of members recording the date of cessation, and ensure removal from the SPEVI contact list.

Clause 10. Members' liabilities

10.1 The liability of a member to contribute towards the payment of the debts and liabilities of SPEVI, together with the costs, charges and expenses of the winding up of SPEVI, is limited to the amount, if any, unpaid by the member in respect of membership fees payable to SPEVI by that member.

Clause 11. Disciplining of members

11.1 A complaint may be made to the Committee of Management by any person that a member of the association:

11.1.1 has refused or neglected to comply with a provision or provisions of this constitution, or

11.1.2 has wilfully acted in a manner prejudicial to the interests of the association.

11.2 The committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.

11.3 If the committee decides to deal with the complaint, the committee:

11.3.1 must serve a "just cause" notice of complaint on the member concerned, and

11.3.2 must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and

11.3.3 must take into consideration any submissions made by the member in connection with the complaint.

11.4 The committee may, by resolution, expel the member from the association or suspend the member from membership of the association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.

11.5 If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, initiate written notice to be given to the member of the

action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under clause 12.

- 11.6 The expulsion or suspension does not take effect:
 - 11.6.1 until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
 - 11.6.2 if within that period the member exercises the right of appeal, unless and until the association confirms the resolution under clause 12, whichever is the later.

Clause 12. Right of appeal of disciplined member

- 12.1 A member may appeal to the association in general meeting against a resolution of the Committee of Management under clause 30, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- 12.2 The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- 12.3 On receipt of a notice from a member under article 12.1, the secretary must notify the committee which will then convene a general meeting of the association to be held within 28 days after the date on which the secretary received the notice.
- 12.4 At a general meeting of the association convened under article 12.3:
 - 12.4.1 no business other than the question of the appeal is to be transacted, and
 - 12.4.2 the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
 - 12.4.3 the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- 12.5 The appeal is to be determined by a simple majority of votes cast by members of the association who are in attendance at the meeting.

PART 3 MANAGEMENT

PART 3A - THE COMMITTEE OF MANAGEMENT

Clause 13. Powers of the Committee of Management

- 13.1 SPEVI is managed at the national level by a Committee of Management which, subject to the Act, this constitution and to any resolution passed by SPEVI in general meeting:
 - 13.1.1 Will control and manage the affairs of SPEVI;
 - 13.1.2 May exercise all such functions as may be exercised by SPEVI, other than those functions that are required by this constitution to be exercised by SPEVI in general meeting; and
 - 13.1.3 Has power to perform all such acts and do all such things as are necessary or desirable for the proper management of the affairs of SPEVI.

Clause 14. Composition and Membership of the Committee of Management

- 14.1 The Committee of Management will be elected at the Annual General Meeting and will assume office immediately following the Annual General Meeting, or at an alternative date determined at the Annual General Meeting. The Committee of Management will include the positions of:
 - 14.1.1 President;
 - 14.1.2 Vice-President and/or immediate Past President;
 - 14.1.3 Secretary;
 - 14.1.4 Treasurer; and
 - 14.1.5 Such other positions as may be required from time to time.
- 14.2 The members of the Committee of Management will hold office for two years and may seek re-election.

Clause 15. Election of Committee of Management Members

- 15.1 Nominations of candidates for election to the Committee of Management:
 - 15.1.1 must be made in writing, signed by one member of the association and accompanied by the written consent of the candidate (see Nomination Form Appendix B), and
 - 15.1.2 must be delivered to the national Secretary of the association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- 15.2 If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
- 15.3 If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- 15.4 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- 15.5 If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- 15.6 The ballot for the election of Committee of Management members is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
- 15.7 A person nominated as a candidate for election as a Committee of Management member must be a member of the association.

Clause 16. Duties of the Committee of Management

16.1 President

- 16.1.1 The President will preside at all meetings of Committee of Management.

- 16.1.2 The President must ensure that the Constitution of SPEVI is adhered to by office bearers and members.
- 16.1.3 The President will be responsible for issuing statements and entering into contracts in the name of SPEVI with the approval of the members of the Committee of Management.
- 16.1.4 The President will at all meetings of the Committee of Management, when acting as Chairman, have voting rights. In the event of a deadlock, the Chairman may exercise a casting vote in addition to his or her normal vote as a member of the Committee, in order to resolve such deadlock.

16.2 Vice-President and/or Immediate Past President

- 16.2.1 The Vice President and/or Immediate Past President will support the President in addressing the Aims of SPEVI.
- 16.2.2 In the absence of the President, the Vice-President, Immediate Past President or any other Committee of Management member will preside at the meeting and whilst so presiding will have all the powers of the President.

16.3 Secretary

- 16.3.1 The secretary must, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her contact details (postal, email and telephone).
- 16.3.2 It is the duty of the secretary to record and distribute the minutes of: all appointments of office-bearers and members of the committee; the names of members of the committee present at a committee meeting or a general meeting, and all proceedings at committee meetings and general meetings.
- 16.3.3 Minutes of meeting proceedings must be approved by the President or chairperson of the meeting and tabled for acceptance at the next succeeding meeting.

16.4 President and Secretary

- 16.4.1 The President and Secretary will be responsible for convening the annual general meeting; and producing and circulating relevant information to the Committee of Management, Branch Councillors and members;

16.5 Treasurer

- 16.5.1 The Treasurer must ensure that all money due to the association is collected and received and that all payments authorised by the association are made.
- 16.5.2 The Treasurer must ensure that correct books of accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association.
- 16.5.3 Three members of the Committee of Management will be selected from the President, Vice President, Secretary, and Treasurer, and will be authorised to sign cheques and effect electronic payments. Any two of the authorised signatories are required to sign such cheques and effect such electronic payments.
- 16.5.4 The Treasurer must operate on behalf of SPEVI bank account(s) as directed by the Committee of Management.
- 16.5.5 The Treasurer must present a statement of account to each meeting of the Committee of Management and a full statement of accounts and treasurer's report for the previous financial year to the Annual General Meeting.

- 16.5.6 The Treasurer must establish and maintain an effective process for approval of expenditures, and must ensure that any expenditures of SPEVI complies with this process.
- 16.5.7 Should the Treasurer resign during his/her term of office he/she must arrange for an effective handover of all books and records of SPEVI to the new Treasurer.

Clause 17. Vacancies

- 17.1 For the purposes of this constitution, an Office Bearer vacancy occurs if the member:
 - 17.1.1 ceases to be a member of SPEVI;
 - 17.1.2 resigns from the office;
 - 17.1.3 is removed from office pursuant to Article 9.5;
 - 17.1.4 becomes an insolvent under administration within the meaning of the Corporations Law;
 - 17.1.5 is unable to fulfil the duties of office due to illness or disability;
 - 17.1.6 is disqualified from office under section 63(1) of the Act;
 - 17.1.7 is convicted of an indictable offence; or
 - 17.1.8 dies.
- 17.2 Filling Vacancies: In the event of a vacancy arising, the Committee of Management may fill the vacancy by appointing a member of the general membership of SPEVI. The member so appointed will hold office, subject to this constitution, until the conclusion of the Annual General Meeting next following the date of appointment.

Clause 18. Removal of national or state/territory Office Bearers

- 18.1 SPEVI may, in general meeting by resolution, remove any Office Bearer from the office before the expiry of the member's term of office.

Clause 19. Voting at Committee of Management Meetings

- 19.1 All motions of the Committee of Management must be decided by a majority of votes of members eligible to vote at the meeting.
- 19.2 Voting will be by show of hands, or vocally in the case of a teleconference, unless a division is called for. A division may be called by any member eligible to vote at the meeting concerned.
- 19.3 When a division is taken, the numbers of those who vote respectively for and against the motion must be recorded in the minutes. Names may be recorded at the request of the member who called for a division.
- 19.4 At any meeting of the Committee of Management, if three members request a secret ballot, it must be held.
- 19.5 Provided that the Proxy form (SEE Appendix A) is presented prior to the commencement of the meeting of the Committee of Management.
- 19.6 Any act or thing done or suffered, or purporting to have been done or suffered by the Committee of Management is valid and effectual notwithstanding any defect

that may afterwards be discovered in the appointment or qualification of any member of the Committee of Management.

Clause 20. Management

- 20.1 No member of the Committee of Management shall be appointed to any salaried office of SPEVI or any office of SPEVI paid by fees, and no remuneration or other benefit in money or money's worth shall be given to any member of the Committee of Management except repayment of reasonable out-of-pocket expenses.

PART 3B - Branch Management

Clause 21. Structure at Branch level

- 21.1 SPEVI is managed at the state/territory level by Branch Councillors.
- 21.2 Branch Councillors, are elected or appointed as determined in the following schedule:
- | | |
|------------|---------------|
| ACT | 1 Councillor |
| NSW | 3 Councillors |
| Victoria | 3 Councillors |
| Tasmania | 1 Councillor |
| WA | 2 Councillors |
| SA | 3 Councillors |
| Queensland | 3 Councillors |
| NT | 1 Councillor |
| NZ | 3 Councillors |
| Pacific | 1 Councillor |

Clause 22. Election of Branch Councillors

- 22.1 To elect a Branch Councillor:
- 22.1.1 the nomination must be made in writing, signed by one member of the relevant Branch and accompanied by the written consent of the candidate (see nomination form Appendix C);
- 22.1.2 the nomination must be delivered to the entire Branch membership for endorsement not less than seven days before the date fixed for the meeting of that Branch at which the election is to take place;
- 22.1.3 the nomination must also be delivered to the national Secretary not less than two days before the date fixed for the Annual General Meeting at which the election is to take place;
- 22.1.4 the name of the nominee is to be put to the Annual General Meeting as a resolution which must be made in writing, signed by one member of the general membership and accompanied by the written consent of the candidate (see nomination form Appendix C).

See Item 24 on tenure.

Clause 23. Appointment of Branch Councillors

- 23.1 Branch Councillors may, by resolution, be appointed at the Annual General Meeting from the membership of SPEVI (see clause 22).

Clause 24. Tenure of Branch Councillors

- 24.1 Each Councillor shall, subject to this Constitution, hold office for two years until the conclusion of the second Annual General Meeting that follows the date of the member's election. Branch Councillors are eligible for re-election.

Clause 25. Branch Communication

- 25.1 Meetings may be convened at a time and place nominated by branch councillors.

Clause 26. Branch finance

- 26.1 The Branches will not maintain separate bank accounts. Branch finances will be administered at National level, showing separate information relating to each Branch. Branch Councillors will be able to bank funds into SPEVI's national account and to request payments from the Committee of Management. The Branch Councillors will be responsible for submitting quarterly Reports to the Committee of Management (based on Appendix F), and in accordance with a schedule determined from time to time by the Committee of Management.

PART 4 - GENERAL MEETINGS

Clause 27. Annual General Meeting

- 27.1 An Annual General Meeting (AGM) will be called by the Committee of Management, to be held within six months of the 31st March year-end, in compliance with the Act.
- 27.2 AGMs may be held by teleconference if desired.
- 27.3 In addition, an Operational Annual General Meeting may be held at the time and location of the Biennial Conference if desired.

Clause 28. Annual general meetings - calling of and business at

- 28.1 The annual general meeting of the association is, subject to the Act and to clause 27, to be convened on such date and at such place and time as the committee thinks fit.
- 28.2 In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
- to confirm the minutes of the preceding annual general meeting and the minutes of any special general meeting/s held since the preceding annual general meeting,
 - to receive from the Committee of Management reports on the activities of the association during the preceding financial year,
 - to elect office-bearers of the association; and
 - to receive and consider any financial statements or reports required to be submitted to members under the Act.
- 28.3 An annual general meeting must be specified as such in the notice convening it.

Clause 29. Special general meetings - calling of

- 29.1 The Committee of Management may, whenever it thinks fit, convene a special general meeting of the association.
- 29.2 The committee must, on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of the association.
- 29.3 A requisition of members for a special general meeting:
- must state the purpose or purposes of the meeting, and
 - must be signed by the members making the requisition, and
 - must be lodged with the secretary, and
 - may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- 29.4 If the committee fails to convene a special general meeting within one month after that date on which a requisition of members for the meeting is lodged with the national Secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than three months after that date.
- 29.5 A special general meeting convened by a member or members as referred to in articles 29.3 and 29.4, must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.

Clause 30. Notice of general meeting

(annual and special general meetings)

- 30.1 Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- 30.2 If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under article 30.1, the intention to propose the resolution as a special resolution.
- 30.3 No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under article 28.2.
- 30.4 A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

Clause 31. Quorum for meetings

- 31.1 A quorum for annual and special General Meetings will be five members.

- 31.2 A quorum for a meeting of the Committee of Management will be three Members.
- 31.3 No business may be transacted by the Committee of Management unless a quorum is present and if within half an hour after the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place, time and day in the following week.
- 31.4 If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, the meeting will be dissolved.

Clause 32. Presiding member at general meetings

- 32.1 The President, or in the absence of the President, the Vice-President, must preside at each general meeting.
- 32.2 If the President and the Vice-President are absent from a general meeting, the members present may elect one Committee of Management member to preside at the meeting.

Clause 33. Adjournment of general meetings

- 33.1 The person presiding at a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 33.2 Where a general meeting is adjourned for fourteen days or more, the Secretary must give written or oral notice of the adjourned meeting to each member stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 33.3 Except as provided in Articles 33.1 and 33.2, notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

Clause 34. Making of decisions at general meetings

- 34.1 A question arising at a general meeting is to be determined by:
- a show of hands; or
 - vocally, if by teleconference; or
 - a written ballot, if on the motion of the chairperson or if five or more members present at the meeting decide that the question should be so determined.
- 34.2 If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously, or carried by a particular majority or lost, or an entry to that effect in the minutes of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

- 34.3 If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

Clause 35. Voting at general meetings

- 35.1 Subject to Article 34.1, upon any question arising at a general meeting a full member has one vote only.
- 35.2 All votes must be given personally or by proxy and no member may hold more than five proxies (see Appendix A).
- 35.3 In the case of an equal number of “for and against” votes on a question at a general meeting, the person presiding is entitled to exercise a second or casting vote.
- 35.4 A member or proxy is not entitled to vote at any general meeting unless all money due and payable by the member or proxy to SPEVI has been paid.

Clause 36. Appointment of proxies

- 36.1 Each member is entitled to appoint another member as proxy by notice given to the Secretary no later than two days prior to the meeting in respect of which the proxy is appointed.
- 36.2 The notice appointing the proxy must be in the form set out in Appendix A of this constitution.

PART 5 - MISCELLANEOUS

Clause 37. Insurance

- 37.1 The Committee of Management may arrange Professional Indemnity and/or Public Liability insurance as it deems fit.

Clause 38. Funds – Source

- 38.1 The funds of SPEVI shall be derived from annual membership subscriptions of members, donations and, subject to any resolution passed by the SPEVI in general meeting and subject to section 114 of the Act, such other sources as the Committee of Management determines.
- 38.2 All monies received by SPEVI shall be deposited as soon as practicable and without deduction to the credit of SPEVI’s bank account.
- 38.3 SPEVI shall, as soon as practicable after receiving any money, issue an appropriate receipt.
- 38.4 The biennial membership fee for Australian, New Zealand and Pacific Island residents will be set at each Operational Annual General Meeting.

Clause 39. Funds - Management

- 39.1 The income and assets of SPEVI must be applied solely towards the promotion of the objectives of SPEVI and no portion thereof can be paid or transferred, directly or indirectly, by way of dividend, bonus or otherwise, howsoever by way of profit to members or relatives of members of SPEVI. The Accounts of SPEVI will be maintained in such a way as to show the extent to which SPEVI's income, expenditure, assets and liabilities relate to each State.
- 39.2 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two authorised signatories, who shall be members of the Committee of Management.
- 39.3 SPEVI may not acquire any real property at any time.
- 39.4 SPEVI may, at the discretion of the Committee of Management direct the placing of moneys which form part of the funds of SPEVI into secure interest-bearing deposit accounts made available by major Australian banks.

Clause 40. Alteration to objects

- 40.1 Neither the aims of SPEVI referred to section 29 of the Act nor Article 2 of this Constitution shall be altered except in accordance with the Act.

Clause 41. Custody of books

- 41.1 Subject to the Act, the Regulations and this Constitution, the Secretary must keep in his or her custody or under his or her control all records, books, and other documents relating to SPEVI, except for the financial records which shall be kept, maintained and controlled by the Treasurer.

Clause 42. Inspection of books

- 42.1 The records, books and other documents of SPEVI must be open to inspection at a mutually-convenient place, free of charge, by a member of SPEVI by arrangement at any reasonable hour.

Clause 43. Service of Notices

- 43.1 For the purpose of this constitution, a notice may be served by or on behalf of SPEVI upon any member either personally or by communicating it to the member at the member's address shown in the register of members.
- 43.2 Where a properly-addressed document is sent to a person it will, unless the contrary is proved, be deemed for the purposes of this constitution to have been served on the person at the time at which the letter or other communication would have been delivered in the ordinary course of business.
- 43.3 Insofar as permitted by legislation, electronic mail is acceptable for the serving of notices.

Clause 44. Dissolution

- 44.1 SPEVI may only be dissolved in accordance with the provisions of the Act. In the event of SPEVI being dissolved, after the payment of all outstanding debts and liabilities, SPEVI must distribute any surplus in accordance with Clause 65 of the Act.

Clause 45. Public Officer

- 45.1 The Committee of Management must appoint a Public Officer at the Annual General Meeting. The Public Officer must be a resident of NSW. Such Public Officer will have no voting rights unless also a Branch Councillor.

APPENDIX A

Form of Appointment of Proxy

I
(full name)

of
(address)

being a member of the South Pacific Educators in Vision Impairment Inc

hereby appoint
(full name of proxy)

of
(address)

being a member of the South Pacific Educators in Vision Impairment Inc as my proxy to vote for me on my behalf at the meeting of the South Pacific Educators in Vision Impairment Inc (annual general meeting or other general meeting as the case may be) to be held on day of20....., and at any adjournment of that meeting.

My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution (insert details)
(* To be inserted if desired)

.....
(Signature of member appointing proxy)

Date:

NOTE: A proxy vote may not be given to a person who is not a member of SPEVI.

To be lodged with the SPEVI National Secretary two days prior to the AGM or general meeting.

APPENDIX B

Nomination Form - Committee of Management

For the position of
(position title)

The SPEVI Committee of Management invites you to nominate a colleague for the position of [*add title of position*] for the term of [*add biennial period or specific time period*]. The responsibilities of the [*add title of position*] includes:

Summary of responsibilities
[TO BE ADDED]

Members of the SPEVI Committee of Management have the opportunity to lead the direction and activities of SPEVI at the national levels, and to influence national and international policy in the field of vision impairment. Membership offers the opportunity to develop professional networks and friendships with like-minded colleagues and families supporting children and youth with blindness or low vision.

Nominee's Consent:

Nominee's name ...

Preferred contact details (email, address, or phone) ...

I, (*add name*) hereby consent to being nominated for the position of(office) of SPEVI Inc. for the biennial period of [*add biennial period or specific time period*].

Nominee's signature and date

Proposer:

Name

Preferred contact details (email, address, phone)

.....

Proposer's signature and date

To be lodged with the SPEVI National Secretary seven days prior to the AGM or general meeting.

APPENDIX C

Nomination Form – Branch Councillor

The SPEVI Committee of Management invites you to nominate a colleague for the position of SPEVI Branch Councillor for your state/territory for the two-year term of

.....

(SPEVI Biennial period)

The number of Councillors for each Branch is outlined in the 2015 SPEVI Constitution (available on the SPEVI website). Branch Councillors must be financial members of SPEVI.

The position of SPEVI Councillor offers leadership opportunities in the field of vision impairment at national and local levels. Activities of SPEVI Councillors include:

- promoting the vision, mission and aims of SPEVI as a professional association;
- advocating at local and national levels for the rights of SPEVI members and persons with vision impairment;
- organising regular meetings or professional learning opportunities for local SPEVI members; and
- representing the views of SPEVI members at meetings of the Committee of Management and LIVES group (Leaders in Vision Education Services).

The position of SPEVI Councillor provides the opportunity to develop professional networks and friendships with others in the vision impairment field in Australia, New Zealand and Pacific Island countries. SPEVI Councillors can influence the direction and activities of SPEVI at national and branch levels, and Councillors are provided with the opportunity to have a say in national and international policy and SPEVI activities.

Nominee's Consent:

Nominee's name ...

Preferred contact details (email, address, or phone) ...

I, (*add name*) hereby consent to being nominated for the position of(office) of SPEVI Inc. for the biennial period of [*add biennial period or specific time period*].

Nominee's signature and date

Proposer:

Name

Preferred contact details (email, address, phone)

.....

Proposer's signature and date

To be lodged with the SPEVI National Secretary two days prior to the AGM or general meeting.

APPENDIX D

Nomination Form – Honorary SPEVI Life Member Award

Eligibility Guidelines

The prestigious SPEVI Life Member Award recognises a member of SPEVI for his/her substantial contributions to the Association and the profession of specialist teacher of students with vision impairment.

In nominating an individual for the SPEVI Life Member Award, please consider his/her contributions in one or more of the following areas:

- Contributions to SPEVI that are well and above those expected of SPEVI members
- Leadership, commitment and long term effort in the field of education for students with vision impairment
- Promotion of SPEVI and the practice of specialist teachers in vision impairment at international, national or local levels
- Provision of high quality mentoring, professional learning, or career guidance to colleagues who are new to the profession, and/or to tertiary students who are entering the profession
- Use of innovative or creative approaches to the provision of educational programs and services for students with vision impairment
- Initiation of research in the field of vision impairment, or application of research to professional practice

General Information

- All nominees, nominators and seconders must be financial members of SPEVI.
- Life membership entitles the individual to free attendance at any SPEVI activity, including SPEVI conferences.
- There is a ceiling on the number of Life Members the Association may have.
- Life Members continue to serve the aims and objectives of SPEVI.
- In choosing to nominate an individual for the SPEVI Life Member Award, the nominator must ensure that the proposed recipient meets one or more of the eligibility guidelines described above.

To be lodged with the SPEVI National Secretary 30 days prior to the AGM or general meeting.

APPENDIX D (Cont.) Nomination Form – SPEVI Life Member Award

Part 1 Details of First Nominator

Full name and title

Professional affiliation

Contact details (mailing address, phone, email):

.....

.....

(Signature of member

Date:

Part 2 Details of Second Nominator

Full name and title

Professional affiliation

Contact details (mailing address, phone, email):

.....

(Signature of member and date)

Part 3 Details of Proposed Awardee (Nominee)

Full name and title

Professional affiliation

Contact details (mailing address, phone, email):

.....

(Signature of member and date)

Statement by accepting nominee:

I,accept the nomination as above.

Signature Date

Part 4 Details of service to the profession

Nominators to provide details of the nominee’s service which are considered particularly worthy of recognition.

APPENDIX E

Privacy Policy

SPEVI Inc is an Association incorporated under the laws of NSW, Australia – Registration number INC9889733.

Your privacy is important to us. SPEVI is committed to upholding the spirit of the New Zealand Privacy Act (1993), the Australian Privacy Act (1988), and Australian Privacy Principles (2012).

Collecting and keeping your information safe

SPEVI collects and stores the information that you provide on the SPEVI Membership Form for the following specific purposes:

- To comply with the Australian and New Zealand Privacy Acts and Privacy Principles. These laws regulate the handling of personal information about individuals, including the collection, use, storage and disclosure of personal information, and access to and correction of that information.
- To enable SPEVI to maintain effective business and accounting standards.
- SPEVI does not supply information about members to marketing organisations or third parties without your consent, unless required by law.

How SPEVI uses your personal information

- To facilitate communication between the SPEVI Committee of Management, SPEVI State/Territory Councillors, and SPEVI members,
- To manage distribution of the SPEVI journal and other information to members,
- To inform members about the activities of the Association, and
- To provide information to government and regulatory authorities, as required or authorised by law.

How can you access your personal information?

- SPEVI members have the right to access their personal information, free of charge, subject to some exceptions allowed by the law.
- For privacy and security reasons, requests for information must be submitted in writing to the SPEVI Membership Secretary (contact details below). Written requests must include the member's name and current address.

Help us ensure we hold accurate information

SPEVI takes all reasonable precautions to ensure that the personal information we collect is accurate, complete and up-to-date. However, the accuracy of information depends to a large extent on the information you provide. For this reason, please inform the Membership Secretary of any changes or errors in your personal information, such as your name, postal address and email address.

APPENDIX F

Format for sending in reports to the Committee of Management

Branch:

Current Branch Councillors:

.....

Branch Activities for period to 20__ to 20__

(Preferred format in bullet points.)

e.g.

- Professional Development:
- Guest Speakers and / or Topics:
- Date, venue, numbers attended, cost.
- Fundraising
- Information / presentation for posting on the SPEVI website

Recommendations to the Committee of Management:

Nominated Councillors for the period 20__ to 20__ (please list for each Councillor)

Name:

Organisation:

Contact details (mailing address, phone, email):

.....