
**ST PHILIP'S CHRISTIAN COLLEGE
PORT STEPHENS
PARENT TEACHER FELLOWSHIP
CONSTITUTION**



For the Whole of Their Life

17th October 2006

Incorporating Amendment 1

Table of Contents

1	NAME	4
2	INTERPRETATION	4
3	RELATIONSHIP WITH THE COUNCIL	5
4	OBJECT	5
5	FUNCTIONS OF THE AFFILIATED COMMITTEE	6
6	MEMBERSHIP	6
6.1	Eligibility	6
6.2	Membership Register	6
6.3	Cessation	7
7	OFFICE BEARERS, THE EXECUTIVE AND THE EXECUTIVE COMMITTEE	7
7.1	Office Bearers	7
7.2	The Executive	7
7.3	The Executive Committee	7
7.4	The President	8
7.5	The Vice-President	8
7.6	The Secretary	8
7.7	The Deputy Secretary	9
7.8	The Treasurer	10
7.9	The Deputy Treasurer	10
8	MEETINGS	10
8.1	General Meetings	10
8.2	Bi-Annual Expenditure Meeting	11
8.3	Annual General Meeting	11
8.4	Executive Committee Meeting	11
8.5	Voting	11
9	PROCEEDINGS	11
9.1	Meetings	11
9.2	Conflict of Interest	12
10	ELECTIONS	12

11	MINUTES	12
12	TERM OF OFFICE	13
13	VACANCIES	13
14	ACCOUNTS TO BE KEPT AND OTHER FINANCIAL MATTERS	13
15	AUDIT	14
16	REPORTING	14
17	RECORDS	14
18	AMENDMENT OF THE CONSTITUTION	14
19	PUBLIC ACCESS	15
20	DISSOLUTION	15
21	PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS	15
	HISTORY	16

ST PHILIP'S CHRISTIAN COLLEGE PORT STEPHENS PARENT TEACHER FELLOWSHIP CONSTITUTION

1. NAME

The name of the association is "ST PHILIP'S CHRISTIAN COLLEGE PORT STEPHENS PARENT TEACHER FELLOWSHIP"

2. INTERPRETATION

In this constitution, unless the contrary intention appears:

'affiliate' means to bring or receive into close connection as a member or branch

'committee' means a self-constituted organization for the promotion of a common object

'Affiliated Committee' means the St Philip's Christian College Port Stephens Parent Teacher Fellowship, affiliated with the St Philip's Christian College Port Stephens School Council.

'financial year' means the year ending 30 June.

'majority' means more than half of the total number.

'member' means any person who is for the time being registered as a member of the St Philip's Christian College Port Stephens Parent and Teacher Fellowship.

'membership' means all persons who comprise the Affiliated Committee in accordance with this constitution.

'parent' in relation to the college means the parent of a child attending the college and the parent of a child enrolled, but not yet attending, at the college.

'parent of a child' includes:

- (1) a person who has legal custody or guardianship of the child; and
- (2) a person standing *in loco parentis* to the child.

But does not include a parent of the child where another parent or person has legal custody or guardianship of the child to the exclusion of that parent.

‘Principal’ means the head teacher of the college.

‘PTF’ means the St Philip’s Christian College Port Stephens Parent Teacher Fellowship.

‘Public Officer’ means a person appointed to be the official contact for the Affiliated Committee. The public officer's address may be used as an official address for the service of documents on the Affiliated Committee. The position of public officer must always be filled. Under the law, a change in public officer must be notified within 28 days of the Affiliated Committee becoming aware of the change. If the Affiliated Committee becomes incorporated the Public Officer has additional requirements in accordance with the NSW Office of Fair Trading. www.fairtrading.nsw.gov.au

‘registered members’ means the registered members of the Affiliated Committee.

‘college community’ means all parents, students and staff of the college and all other persons who have a legitimate interest or connection with the college.

‘special resolution’ of the Affiliated Committee means a resolution, for the purpose of amending the constitution passed by a duly convened meeting of the Affiliated Committee if:

- (1) at least 21 days written notice has been given to all members specifying the intention to propose the resolution as a special resolution; and
- (2) it is passed, at the meeting, by a majority of not less than three quarters of members as vote in person at that meeting.

‘student’ is a person attending the college, or enrolled but not yet attending the college.

3. RELATIONSHIP WITH THE COUNCIL

- 3.1 The St Philip’s Christian College Port Stephens Parent and Teacher Fellowship is affiliated with the St Philip’s Christian College Port Stephens School Council.
- 3.2 The Affiliated Committee will maintain effective communication about its activities with the School Council.

4. OBJECT

The object of the St Philip’s Christian College Port Stephens Parent and

Teacher Fellowship is to support the involvement of the college community within the college.

5. FUNCTIONS OF THE AFFILIATED COMMITTEE

- 5.1 The St Philip's Christian College Port Stephens Parent Teacher Fellowship will perform the following functions:
 - 5.1.1 Provide a means of contact between home and the college.
 - 5.1.2 Stimulate an active interest in college life.
 - 5.1.3 Foster fellowship amongst the college community.
 - 5.1.4 Develop and maintain an interest in the welfare of students at the college.
 - 5.1.5 Assist with matters concerning the College, at the request of the Principal, the School Council or the Board of Governors.
- 5.2 The Affiliated Committee must be responsible for the proper care and maintenance of any property owned by the Affiliated Committee.
- 5.3 The Affiliated Committee may raise funds for college related purposes.
- 5.4 The Affiliated Committee may do all those acts and things incidental to the exercise of these functions.

6. MEMBERSHIP

6.1 Eligibility

- 6.1.1 A person is eligible for membership if that person is a parent, teacher or other person who has a legitimate interest or connection with the college, is interested in the welfare of students at the college and is prepared and able to support the activities of the parent group.
- 6.1.2 All parents and teachers automatically become members and shall be provided with a copy or have access to a copy of the St Philip's Christian College Port Stephens Parent and Teacher Fellowship Constitution.

6.2 Membership Register

- 6.2.1 Membership will be determined as those members whose names are recorded in the membership register for the current year.
- 6.2.2 As all parents and teachers automatically become members, parent's and teacher's names will not be recorded in the

membership register but may be accessed from college records.

6.3 Membership Rights

6.3.1 Each member has the right to attend and vote at general meetings of the members.

6.4 Cessation

6.4.1 A member ceases to be a member if the member:

- (1) dies, or
- (2) resigns by written notice to the Secretary, or
- (3) ceases to be a parent of a child attending or enrolled at the college, or
- (4) ceases to be a teacher at St Philip's Christian College Port Stephens.

7. OFFICE BEARERS, THE EXECUTIVE AND THE EXECUTIVE COMMITTEE

7.1 Office Bearers

7.1.1 The office bearers are:

- (1) the President,
- (2) the Vice-President,
- (3) the Secretary and Deputy, and
- (4) the Treasurer and Deputy,

who will be elected by the members at the Annual General Meeting.

7.2 The Executive

7.2.1 The Executive shall consist of:

- (1) the President,
- (2) the Vice-President,
- (3) the Secretary and Deputy,
- (4) the Treasurer and Deputy, and
- (5) the Principal.

7.3 The Executive Committee

7.3.1 The Executive Committee shall comprise the Executive and other such persons as appointed by the Executive to assist

when necessary.

- 7.3.2 Routine account payments should be approved by a majority of the Executive Committee.
- 7.3.3 The Executive Committee is to report to the members, at each General Meeting, all business undertaken during the period since the last General Meeting.
- 7.3.4 The Executive Committee is responsible for planning the dates and content of PTF meetings and from time to time inviting guest speakers to educate parents on topical issues associated student education or student welfare.
- 7.3.5 The Executive Committee is to appoint an auditor at the end of the financial year to audit the Treasurer's books.

7.4 The President

- 7.4.1 The President must call and preside at general meetings of the members and the Executive Committee.
- 7.4.2 The President must facilitate full and balanced participation by members present at a meeting and decide upon the manner in which meetings are conducted and matters of order.
- 7.4.3 The President should appoint all sub-committees, subject to the approval of the Executive Committee.
- 7.4.4 The President shall be an ex-officio member of all committees.
- 7.4.5 The President must report the proceedings and operations of the Affiliated Committee at the Annual General Meeting, for the period since the previous Annual General Meeting.
- 7.4.6 If the President is absent or unable to preside at a meeting, the Vice-President or, in his absence, a member appointed by the members present at the meeting must preside.

7.5 The Vice-President

- 7.5.1 The Vice-President shall assist the President, perform the duties of the President in his/her absence and carry out other duties as assigned by the President.

7.6 The Secretary

- 7.6.1 The Secretary is to be the Public Officer. If this position is unfilled then one other member of the Executive must be nominated and registered as the Public Officer.
- 7.6.2 The Secretary must give notice of meetings in accordance

with the provisions of this constitution.

7.6.3 The Secretary must ensure that the minutes of meetings are recorded and available to members.

7.6.4 The Secretary is responsible for the maintenance and safekeeping of:

- (1) official records of the business of the Affiliated Committee and a register of minutes of meetings.
- (2) copies of notices, a file of correspondence and records of other documents and reports made by or on behalf of the Affiliated Committee.
- (3) the Register of Members.
- (4) the constitution and providing copies as requested.

7.6.5 The Secretary must ensure that:

- (1) a copy of the current constitution is available for public inspection at the school during normal school hours, and
- (2) if the constitution is changed or amended that a copy of the new constitution together with a covering letter and contact details are forwarded to the:

Australian Taxation Office
Non-Profit Centre
PO Box 1130
PENRITH NSW 2740

7.6.6 The Secretary must also ensure that following the Annual General Meeting an update of the PTF's Office Bearers is forwarded to the Australian Taxation Office on Form NAT2943 – Change of Registration Details, available as a download from the Australian Taxation Office website <http://www.ato.gov.au>. This should be included as an agenda item at the Annual General Meeting.

7.6.7 The Secretary must register the Affiliated Committee for GST within 21 days of the annual turnover meeting the GST registration threshold in accordance with Australian Taxation Office guidelines.

7.7 The Deputy Secretary

7.7.1 The Deputy Secretary shall assist the Secretary, perform the duties of the Secretary in his/her absence and carry out other duties as assigned by the Secretary.

7.8 The Treasurer

7.8.1 The Treasurer:

- (1) is responsible for the payment of and receipt of all monies flowing into and out of PTF funds.
- (2) must keep a record of all receipts and disbursements.
- (3) shall make available such records for inspection when requested by any member of the Executive.
- (4) shall report on the finances, to the members, at each General Meeting.
- (5) must present audited accounts to the members at the Annual General Meeting.
- (6) must not write cheques or release funds without the consent of the Executive Committee.
- (7) should review annually the Income Tax Concession awarded by the Australian Taxation Office by carrying out a self assessment available on the Australian Taxation Office website at <http://www.ato.gov.au>
- (8) must monitor, on a monthly basis, the annual turnover of the Affiliated Committee and advise the Executive if the annual turnover reaches the GST registration threshold in accordance with Australian Taxation Office guidelines.

7.9 The Deputy Treasurer

- 7.9.1 The Deputy Treasurer shall assist the Treasurer, perform the duties of the Treasurer in his/her absence and carry out other duties as assigned by the Treasurer.

8 MEETINGS

8.1 General Meetings

- 8.1.1 General Meetings of members will be held each month of the school terms or as determined by the members.
- 8.1.2 All members are eligible to attend General Meetings and vote on any matters proposed for resolution.
- 8.1.3 The President must call and preside at General Meetings of the members.
- 8.1.4 At least one month written notice of the meeting must be given to members. The notice must give the date, time and

place of the meeting.

8.2 Bi-Annual Expenditure Meeting

- 8.2.1 Bi-Annual Expenditure Meetings will be held in May and November to allocate excess funds to college projects. These meetings should be held concurrently with the General Meeting for that month.
- 8.2.2 At least 30 days written notice must be given to members to allow sufficient time to prepare proposals for submission.

8.3 Annual General Meeting

- 8.3.1 An Annual General Meeting must be held in October of each calendar year to:
 - (1) present reports,
 - (2) elect and declare election results for the Office Bearers,

8.4 Executive Committee Meetings

- 8.4.1 The Executive Committee is to meet 'as required' and carry out any business delegated or referred at a General Meeting.
- 8.4.2 Notice of the meeting must be given to all committee members at least 7 days prior to the meeting.

8.5 Voting

- 8.5.1 Voting will be by a show of hands.

9 PROCEEDINGS

9.1 Meetings

- 9.1.1 A quorum for a General Meeting shall consist of 8 members.
- 9.1.2 If at the expiration of 30 minutes after the appointed time for the meeting there is no quorum present, the meeting must stand adjourned to such time and place as those members present determine.
- 9.1.3 Except in the case of a special resolution, a decision of the majority of those members present and eligible to vote is the decision of the Affiliated Committee.
- 9.1.4 The President has a deliberative vote only. In the event of an equality of votes, the President does not have a second or casting vote and the motion will be taken to be defeated.
- 9.1.5 The Affiliated Committee may, at its discretion, allow non-

members who have special interests or knowledge to attend its meetings as observers and, if it agrees, take part in discussions on particular issues. Non-members cannot vote.

- 9.1.6 The Affiliated Committee may from time to time determine procedures to facilitate and expedite its business.

9.2 Conflict of Interest

- 9.2.1 A member who has a direct or indirect pecuniary interest in a contract or proposed contract with the Affiliated Committee must:

- (1) as soon as the member becomes aware of the interest, disclose the nature of the interest to the Affiliated Committee, and
- (2) must not take part in deliberations or decisions of the Affiliated Committee with respect to that contract.

- 9.2.2 A disclosure must be recorded in the minutes of the meeting of the Affiliated Committee.

- 9.2.3 If a member discloses an interest in a contract or proposed contract the member is not liable to account for the profits derived from the contract.

10 ELECTIONS

- 10.1 At the Annual General Meeting the positions of all Office Bearers shall be declared vacant and there upon new Office Bearers shall be elected.
- 10.2 Elections shall be conducted under the Chairmanship of the Principal or his appointed Deputy.
- 10.3 Nominations for positions of Office Bearers will be called from the floor of the Annual General Meeting.
- 10.4 Any member is eligible to hold an Office Bearer position and to vote. The Office Bearer positions should not normally be held by teachers or members of the Board of Governors.
- 10.5 Office Bearers automatically retire if three consecutive general meetings are not attended without apologies.
- 10.6 Any Office Bearer vacancy that occurs prior to an Annual General Meeting may be filled by an election held at a general meeting.

11 MINUTES

- 11.1 Proper minutes of the Annual General Meeting, general meetings and Executive Committee meetings must be recorded and stored on file at the College.

- 11.2 The minutes must be confirmed at the next respective meeting and signed by the chairperson of the meeting at which the proceedings took place or by the chairperson of the subsequent meeting.
- 11.3 Upon reasonable request, the minutes of any meetings must be made available for inspection by any member.

12 TERMS OF OFFICE

- 12.1 The President, Secretary and Treasurer should not normally hold the same position for more than two consecutive years, however, if there are no additional nominations to these positions the Office Bearers may remain 'in situ' until another member nominates for the position at an Annual General Meeting.

13 VACANCIES

- 13.1 A casual vacancy among the Office Bearers, may be filled by election at a general meeting. Any member so elected will hold office until the next Annual General Meeting.

14 ACCOUNTS TO BE KEPT AND OTHER FINANCIAL MATTERS

- 14.1 The St Philip's Christian College Port Stephens Parent Teacher Fellowship is a registered, unincorporated, not for profit business trading as St Philip's - Port Stephens PTF, with an income tax exemption endorsed for a charitable institution. The Australian business number is:

ABN 59 430 978 836

- 14.2 The Affiliated Committee must ensure that proper accounts are kept of its financial affairs and in controlling any account must ensure proper books and accounts are kept of all funds paid to that account, together with details of any dealings involving those funds.
- 14.3 All accounts must be operated on the basis of the designated financial year.
- 14.4 The funds of the Affiliated Committee must only be expended for college related purposes.
- 14.5 The Affiliated Committee may transfer funds as it thinks fit to any college fund.
- 14.6 The Treasurer is to set aside an Emergency Fund of \$250 (\$500 per annum) for small and or emergency items that may be requested of the PTF between Bi-Annual Expenditure Meetings. This may be used at the discretion of a majority of the Executive Committee and subsequently approved at the next General Meeting.
- 14.7 When allocating funds at the Bi-Annual Expenditure Meeting, due

consideration must be given to future fundraising events to ensure sufficient funds will be available to finance the event. A minimum working balance of \$5000 should be maintained even if the aforementioned consideration requires less funding.

15 AUDIT

- 15.1 The Affiliated Committee must arrange for any accounts under its control to be audited at least once in every year, as soon as possible after the end of the financial year, or at such other time as determined by the Board of Governors.
- 15.2 The Affiliated Committee may arrange for accounts to be audited at such other intervals as the Affiliated Committee determines, by a person appointed by the Affiliated Committee.
- 15.3 The Affiliated Committee must make available for inspection at any time, by the Auditor-General, any accounts under its control, including all relevant records and papers connected with an account.
- 15.4 The audit of any accounts under the control of the Affiliated Committee will be in accordance with instructions from the Board of Governors and this constitution.

16 REPORTING

- 16.1 The President and Treasurer must report to members at the Annual General Meeting.
- 16.2 Reports presented at the Annual General Meeting must describe the operations, activities and finances of the Affiliated Committee.

17 RECORDS

- 17.1 The Affiliated Committee is responsible for the safe and proper storage of its records.
- 17.2 The Affiliated Committee must make the records available at any time to the Board of Governors, any person authorized by the Board of Governors, any Government agency that has a legal right to inspect the records and allow those records to be removed by any such person.

18 AMENDMENT TO THE CONSTITUTION

- 18.1 This constitution may be altered, modified or substituted at the direction of the Board of Governors.
- 18.2 This constitution may also be amended, altered, modified or substituted by the Affiliated Committee by special resolution and approval in writing by the Board of Governors.

18.3 An amendment to the constitution has no effect until submitted and approved by the Board of Governors.

19 PUBLIC ACCESS TO THE CONSTITUTION

19.1 The Affiliated Committee must keep available for public inspection a copy of its constitution (as in force from time to time) at the school, during normal school hours.

20 DISSOLUTION

20.1 In the event of the organization being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organization with similar purposes which is not carried on for the profit or gain of its individual members.

21 PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS

21.1 The assets and income of the Affiliated Committee must be applied exclusively to the promotion of its objects and no portion will be paid or distributed directly or indirectly to members except for expenses incurred on behalf of the Affiliated Committee.

History

Original Document

Tabled in September 2006 and approved by the members at the Annual General Meeting, 17th October, 2006.

Incorporated by the Board of Governors on

Amendment 1

The following amendments to the original document were approved by the members at the Annual General Meeting, 17th October, 2006.

Table of Contents	Renumbered and History page added.
Para 2 ' <i>parent</i> '	The word school replaced by the word college.
Para 2 ' <i>Public Officer</i> '	New sub paragraph added to define the role of the Public Officer and the need to have a permanent contactable Public Officer to fulfill ATO and The NSW Office of Fair Trading guidelines.
Para 2 ' <i>student</i> '	The word school replaced by the word college.
Para 7.3.2	The words 'a majority of' added to ensure that routine account payments aren't suspended by a dissension of a minority of the Executive Committee.
Para 7.6.1	New sub paragraph added to appoint a Public Officer in accordance with the requirements defined in Para 2.
Para 7.6.2 – 7.6.6	Sub paragraphs renumbered.
Para 7.6.7	New sub paragraph added to ensure GST registration takes place when the ATO threshold for registration is reached.
Para 7.8.1 (8)	New sub paragraph added to ensure GST registration takes place when the ATO threshold for registration is reached.
Para 14.6	The words 'a majority of' and 'Executive' added to clarify that the emergency fund may be used after consultation and approval of the majority of the Executive Committee and not individual members of the Executive Committee.
History	New page added to track changes to the original document.

Incorporated by the Board of Governors on

17th October 2006

Per Greg McKenna
PTF President 18/10/2013