

**FEDERATION OF PARENTS AND FRIENDS**  
**ASSOCIATIONS**  
**FOR THE DIOCESE OF MAITLAND-NEWCASTLE**

**CONSTITUTION**

**AS AMENDED 2 December 2020**

**RATIFIED BY BISHOP WILLIAM WRIGHT 4 December 2020**

**NAME:**

1. The name of the Federation shall be the Federation of Parents and Friends Associations for the Diocese of Maitland-Newcastle. (Hereinafter referred to as the Federation).

**PATRON**

2. The Patron of the Federation will be the Bishop of Maitland-Newcastle, The Most Reverend Michael Malone, D.D., and the foundation Patron being the Most Rev. L.M. Clarke, D.D.

**AIMS AND OBJECTIVES**

3. The aims and objectives of the Federation shall be: -
  - (a) To collaborate with the Bishop, the Catholic Schools Office and its agencies and the Council for Catholic School Parents (NSW & ACT) to promote and foster the development of parent organisations, so as to strengthen the participation of all parents in Catholic schools in the Diocese.
  - (b) To promote and advance Catholic Education and its excellence.
  - (c) To assist in the formation and organisation of Catholic Parents and Friends' Associations or Parent Engagement Groups throughout the diocese, and if requested so to do, to give advice

and assistance to such Associations or Groups in the conduct of their affairs.

- (d) To promote a wider interest in the principles and methods of education in general and of Catholic education in particular and to foster interest in and to conduct educational research.
- (e) To give public expression and initiate action on matters affecting education including the following:-
  - (i) Funding of schools.
  - (ii) Legislation relating to education.
  - (iii) Community involvement.
  - (iv) Consultation on issues concerning Catholic Schools.
- (f) To promote the exchange of ideas and information between member associations.
- (g) To promote Christian faith and morals.
- (h) To arrange for the provision of funds for the carrying out of the aims and objectives of the Federation.

#### **LIMITATIONS OF SCOPE**

- 4. (a) The Federation shall have no control over the conduct of the Catholic education system as such or of any school.
- (b) The Federation shall in no way seek to control the administration, the finance or the management of any member Association.
- (c) A formal request for advice, assistance or direction made in accordance with Article 3(c) shall be in writing to the Council and signed with the names and addresses of four (4) members of that Association who have attended at least four (4) association meetings in the preceding 12 months, such attendance to be verified by the minutes of the meetings

#### **MEMBERSHIP**

- 5. The Members of the Federation shall be associations, the members of which are parents of children at Catholic schools and their friends, and which have aims and objectives consistent with those of the Federation, provided that no school shall be represented by more than one member association.
- 5.5 The Federation may confer the honour of life-membership on any member who has made an outstanding contribution to the Association or who has contributed to the Association for a period of

at least seven (7) years. Life members may attend and speak at meetings of the Association but shall not be entitled to vote on any issue unless they are also eligible for membership under Clause 5.

## **FINANCE**

6. The finances of the Federation are raised through the school system as a charge to parents on the term school fees as is currently approved by the Catholic Schools Office. The collection of this charge shall be through the same system as school fee collections to be forwarded to the Catholic Schools Office and then in turn to the Federation Executive. Any variation to this method of collection may only be determined by vote at the Annual General Meeting of delegates.

## **EXECUTIVE**

7. The management of the Federation shall be vested in an Executive Council [hereinafter referred to as "the Council"] consisting of thirteen (13), twelve (12) elected delegates, and the elected President. The Council shall include the following executive positions: -

- (a) The President.
- (b) Two Vice-Presidents.
- (c) The Secretary.
- (d) The Treasurer.

All members of the Council shall retire annually but will be eligible for re-election.

The President shall be elected by popular vote at the Annual General Meeting provided, however, that the person elected to that position may remain in the office for five consecutive years only at a time.

At the first Council meeting after the Annual General Meeting all executive positions except that of the President will be declared vacant. The Council shall elect from its members the two Vice-Presidents, a Secretary and a Treasurer.

Of the thirteen (13) Officers of the Council there shall be only one Delegate elected from any one member association unless there be only, or less than, thirteen (13) nominees for the positions. Nothing in this Constitution shall permit a variation to that stipulation.

Nothing in this Constitution shall prevent any two Delegates from any one member association from standing for election. In the event of one such Delegate being elected, the votes cast for the other Delegate shall be disregarded unless there is a tied vote for the two such Delegates, in which case the member association shall decide which of its two Delegates is to take his or her seat on the Council.

### **PROCEEDINGS OF THE COUNCIL**

8. (a) The Council shall meet at least eight (8) times in any calendar year at such time and place as the Council may from time to time determine.
- (b) Written notice of each meeting shall be served on each member of the Council no later than seven (7) days prior to the meeting. Failure by any member of the Council to receive due notice of any meeting shall not invalidate the proceedings of the meeting.

### **ELECTION OF THE COUNCIL**

9. Elections shall be held at the Annual General Meeting and shall be by secret ballot.

Delegates only may be elected to positions on the Council.

Annexed to this Constitution are directions to the Returning Officer to effect a ballot according to the principles espoused hereunder. As such directions are mechanical and procedural only, their amendment may be effected by decision of the Council and not in the manner required for amendment of this Constitution.

### **LOCAL GOVERNMENT QUOTA**

10. Of the twelve (12) Councillors on the Council a minimum of four (4) positions shall be filled by delegates of member associations from Local Government areas other than The City of Newcastle, The City of Lake Macquarie and the City of Maitland, but if there are less than four (4) nominees from those other Local Government areas then, and only then, shall those or any of those positions be filled by delegates of member associations from the three Local Government areas named. This is referred to hereafter as "The Local Government Quota".

### **PRIMARY SCHOOL QUOTA**

11. Of the twelve (12) Councillors on the Council a minimum of (4) positions shall be filled by delegates of member associations from primary schools but in the event of there being less than four nominees from those member associations, then, and only then, shall those or any of those positions be filled by delegates of member associations from secondary schools. This is referred to hereafter as “the primary school quota”.

### **SECONDARY SCHOOL QUOTA**

12. Of the twelve (12) Councillors on the Council a minimum of four (4) positions shall be filled by delegates of member associations from secondary schools but in the event of there being less than four nominees from those member associations, then, and only then, shall those or any of those positions be filled by delegates of member associations from primary schools. This is referred to hereafter as “The secondary school quota”.

### **RETURNING OFFICER**

13. A returning officer and as many scrutineers as may be required shall be appointed at the Annual General Meeting. The returning officer shall not be a member of the Council.

### **NOTIFICATION TO THE COUNCIL OF ASSOCIATION OFFICE BEARERS**

14. Each member association shall notify the Council in writing of the names and addresses of its President, Secretary and those of its delegates to this Federation.

### **NOMINATIONS FOR COUNCIL POSITIONS**

15. Nominations may be made in writing, moved and seconded by delegates to the Federation of member associations or from the floor of the Annual General Meeting.

### **SUBSTITUTE DELEGATES**

16. In the absence of a delegate or delegates of a member association the said association may appoint substitute delegates for the purpose of the meeting or Annual General Meeting but such substitute delegate or delegates shall not attend meetings of the Council other than as an observer.

Substitute delegates shall have the same rights as a delegate otherwise, save and except that such substitutes shall not be eligible for election to the Council.

Substitute delegates shall produce a letter of authority to act in that capacity duly signed by the Chairman of the meeting at which the substitute delegate was appointed.

#### **DELEGATES – OBSERVERS – REPRESENTATION AT MEETINGS/ ANNUAL GENERAL MEETING**

17. Each member association may be represented at the Annual General Meeting and General meetings of the Federation by two delegates who shall have one vote each, and by as many others who may wish to attend as observers.

Such observers shall have no rights beyond that of observing the proceedings of the conference and/or acting as returning officers or as scrutineers save and except that such observers may be given leave to speak by the President or Chairman.

#### **CASUAL VACANCIES**

18. The Council shall have the power to fill any casual vacancy on the Council provided that such appointment is consistent with the principles outlined in clauses 10,11 and 12 of this Constitution. Any person so appointed shall be a delegate of a member association and shall hold the office until the next Annual General Meeting when he or she shall retire but shall be eligible for re-election.

#### **SUB-COMMITTEES**

19. The Council shall form, from Council members and others co-opted from Association membership, such sub-committees as it shall deem necessary for carrying out the works of the Federation. Each Committee so formed shall have clear Terms of Reference which it will present in written form to the Council within the time decided on when it was formed. The Council will also make clear to the Committee the expected frequency of reports and the manner in which they are to be presented.

#### **MEMBERS OF THE COUNCIL / QUORUM**

20. A majority of the total current Council members shall constitute a quorum of the Council. Meetings of the Council shall be held at least

twice in each school term. The Parent Resource Officer will be an ex-officio member of the Council.

Delegates or committee members who are not members of the Council may attend Council meetings as observers and may be given leave to speak by the President or the Chairman. A report of the meeting of the Council shall be presented at the next general meeting.

### **PROPERTY AND FUNDS**

21. The property of the Federation shall be vested in the members of the Council for the time being. They shall deal with such property as decided by resolution of the Council (of which an entry in the minute book shall be conclusive evidence) and they shall be indemnified against loss and expense out of the property of the Federation.
22. The Council shall have power to use and expend the funds of the Federation in such manner as it thinks fit in accordance with the Constitution and the aims and objectives of the Federation.
23. The major funds of the Federation shall be placed with the Catholic Development Fund. Funds for working capital shall be placed in an account in a bank to be selected by the Council and all operations of the account shall be by cheque. Such accounts shall be operated upon by the Treasurer and either the president or Secretary signing co-jointly.
24. The Treasurer will cause to be kept an accounting record of all financial transactions, together with all vouchers and receipts. At each meeting of the Council the Treasurer shall present an itemised statement of all financial transactions since the previous meeting. Cheques will be issued only on the presentation of such itemised accounts or statements.
25. An auditor shall be appointed by the Annual General Meeting to examine all accounts, vouchers and receipts and to audit the books of the Federation and present a report thereon at the next Annual General Meeting prior to the election of officers.
26. The financial year of the Federation shall end on the last day of March in each year.

### **ANNUAL GENERAL MEETING**

27. The Annual General Meeting shall be held on an annual basis at a time deemed convenient by the Federation Council.
28. Delegates may represent one member association only.

29. Unless otherwise herein laid down all questions at the Annual General Meeting, and General Meetings of delegates shall be decided by a majority of votes and in the event of a tied vote the question shall be taken to have been lost.
30. (a) The business that is transacted at an Annual General Meeting shall include:
- (i) the annual report of the President
  - (ii) the annual financial report of the Treasurer
  - (iii) the report of the Auditor
  - (iv) the election of the new President
  - (v) the election of members of the Council
  - (vi) the election of delegates to committees of the Catholic Schools Office
  - (vii) decisions concerning the methods of funding of the Federation of Parents & Friends Associations, Diocese of Maitland-Newcastle
  - (viii) the appointment of the Auditor
  - (ix) reports from delegates to Committees of the Catholic Schools Office
- (b) The business at The Annual General Meeting shall also include the consideration of such resolutions as shall be brought forward by the Council or be submitted to the Annual General Meeting by the delegates present or notified in advance by any member association.
- (c) Minutes of the resolutions and proceedings of all Annual General Meetings and General Meetings of the Federation delegates are to be made together with a record of the name of persons present at the meetings.
- (d) Copies of the minutes shall be forwarded to each eligible voting delegate.
- (e) Observers shall have no rights beyond that of the proceedings of the meeting and/or acting as returning officer or as scrutineers save and except that such observers may be given leave to speak by the President or Returning Officer.
31. The Annual General Meeting shall have the power to give directions to the Council as to the conduct and management of the business of the Federation and the use of its funds.

### **MEETINGS OF DELEGATES**



32. In addition to the Annual General Meeting there shall be in each year at least two general meetings.
33. Any such general meetings shall have power to give directions to the Council as to the conduct and management of the business of the Federation and the use of its funds.

### **SPECIAL GENERAL MEETINGS**

34. (a) The Council may whenever it thinks fit convene a Special General Meeting.
- (b) The Council shall, at the request in writing of not less than ten (10) of the member associations, convene a Special General Meeting.
- (c) Each delegate of a member Association has the right to attend a Special General Meeting.
- (d) If a delegate of a member Association is unable to attend a Special General Meeting, a substitute delegate may be designated in accordance with the provisions of clause 16.
- (e) No other business shall be conducted at a Special General Meeting other than that specified in the notice concerning the Special General Meeting.

### **NOTICE OF MEETINGS**

35. At least twenty-eight (28) days notice must be given to all member associations of the Annual General Meeting and all meetings of delegates, including Special General Meetings. Notice may be sent by post and forwarded in sufficient time in the normal course of the mail to reach member associations at least twenty-eight (28) days prior to the Annual General Meeting or meeting of delegates.

### **LOSS OF MEMBERSHIP**

36. Upon withdrawal of membership by any member association such association shall forfeit all right to and claim upon the Federation and its property and funds.

### **UNFINANCIAL MEMBER ASSOCIATIONS**

37. Delegates from unfinancial member associations shall not be entitled to vote at any meeting.

### **NOTICES**

38. All notices which it may be necessary to give to member associations shall be deemed to have been duly given if posted by pre-paid cost to the address of the member association as recorded in the books of the Federation.

### **AMENDMENT OF CONSTITUTION**

39. Any proposed amendment to the Constitution will be presented to the Annual General Meeting or to a special meeting called for that purpose. No Constitutional amendment shall be effective unless passed by a majority of two-thirds of those delegates present.
40. At least twenty-eight (28) days notice must be given to member associations of any proposed amendment which is to be debated. Notice may be sent by post and forwarded in sufficient time in the normal course of the mail to reach member associations at least twenty-eight (28) days prior to the conference.

### **VACATION OF OFFICE (COUNCIL)**

41. The office member of the Council shall become vacant :-
- (a) Upon his/her bankruptcy or insanity, or
  - (b) Upon his/her resignation from office, or
  - (c) Upon his/her failing to attend three consecutive meetings of the Council, without leave being granted, or
  - (d) Upon his/her ceasing to be a delegate of a member association.

A resolution to declare a position vacant under sub-clause (c) shall be carried by a majority of Council members present at the meeting.

Notice of intention to consider such a resolution shall be given by ordinary post to the Councillor concerned so that in the normal course of the mail it should be delivered no less than fourteen (14) days prior to the meeting.

Any person removed from office under sub-clause (c) will be eligible to nominate for election to the Council at any later election.

### **DEFINITIONS**

42. Where used in this Constitution the following expressions shall have the meanings hereby assigned to them:

- (a) **"Catholic Education"** means the process of education which aims at the formation of the whole person in accordance with the beliefs, teachings, traditions and practices of the Catholic Church.
- (b) **"Parents and Friends Associations and PEG"** means individual school Associations and Parent Engagement Groups within the Diocese of Maitland-Newcastle which have been established to represent all parents and friends of students in Catholic Schools in the said Diocese, and is acknowledged as such by the Diocesan Bishop.
- (c) **"CIC"** means the Code of Canon Law (Codex Iuris Canonici) promulgated by Pope John Paul II on 25<sup>th</sup> January 1983.
- (d) **"Committee"** means the Committee to which the Federation sends delegates.
- (e) **"Corporations Law"** means the Corporations Act 1989 of the Commonwealth, the Corporations (New South Wales) Act 1990 and any other enactment which applies to the Corporations Law of New South Wales or of the Commonwealth.
- (f) **"Executive"** means the office bearers of the Council.
- (g) **"Member"** means each individual school Parents and Friends Association and Parent Engagement Group.
- (h) **"Council Member"** means that person/s selected at the Annual General Meeting to be on the Council.
- (i) **"Parents"** means natural, adoptive or foster parents, guardians or care-givers of students attending a Catholic School in the Diocese of Maitland-Newcastle.
- (j) **"Friends"** means persons who share the aims and goals of parents and choose to be involved with schools in the Diocese of Maitland-Newcastle.
- (k) **"Diocese"** means the Diocese of Maitland-Newcastle.
- (l) **"State"** means the State of New South Wales.
- (m) **"Federation"** means the body of Catholic Schools of the Diocese of Maitland-Newcastle bound by this Constitution.

- (n) **“Council meeting attendance”** members will be considered to be present at a Council meeting if they attend either personally or via video or tele-conferencing facilities.

## **DIRECTIONS TO RETURNING OFFICER**

- 1) Election for the position of President shall be conducted first.
- 2) Upon the election of the President, the returning officer shall conduct a ballot for the remaining positions of the Council if there be more nominees than twelve (12).
  - a) The returning officer shall declare elected:-
    - i) The four candidates who are delegates of member associations from primary schools and who polled the highest number of votes.

### **AND THEN**

- ii) The four candidates polling the highest number of votes and who are delegates of member associations from secondary schools.
  - b) If there be insufficient nominees to satisfy either the “primary school quota” or the “secondary school quota” the returning officer shall declare elected the number less than four (4) from the delegates nominated by the member associations so effected and proceed with the election notwithstanding that one or the other of the quota mentioned thus will not be met.
  - c) The returning officer shall then check the credentials of those elected pursuant to either (a) or (b) above to ascertain whether the “local government quota” has been met.

### **IF**

- i) The “local government quota” HAS been met from within those already elected the returning officer shall declare elected to the remaining positions the candidates polling the highest number of votes whose election has not already been declared under the foregoing provisions.

### **BUT IF**

- ii) The “local government quota” HAS NOT been met the returning officer shall declare next elected those candidates sufficient to satisfy this quota polling the highest number of votes and who are delegates of member associations from outside the three local government areas mentioned by name, and shall then declare elected to the then remaining positions those candidates polling the highest number of votes whose election has not already been declared.

BUT IF

- iii) There are insufficient candidates to satisfy “the local government quota” the returning officer shall proceed with the election notwithstanding that this quota will not be met and shall declare elected to the remaining positions the candidates polling the highest number of votes whose election has not already been declared.
  
- iv) By reason the candidate polling an equal number of votes so that the inclusion of such candidates would exceed the appropriate number to be elected in either the “local government quota”, “the primary school quota” or “the secondary school quota”, or to the positions to be filled after satisfying such quotas, those elected shall be decided by drawing from a hat into which has been placed the names of those candidates so polling in equal number of votes.

Candidates thus eliminated in the declaration of those elected to fill any of the three quotas as mentioned shall be eligible for election to those positions remaining to be filled after those quotas have been satisfied.

This direction does not affect the stipulation in clause (7) regarding the election of one delegate per member association to the Council.