













- (a) no business other than the question of the appeal is to be transacted, and
  - (b) the ACEA Executive Committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
  - (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (5) If at the general meeting ACEA passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

## **Part 3 The ACEA Executive Committee**

### **13 Powers of the ACEA Executive Committee**

- (1) The ACEA Executive is to be called the ACEA Executive Committee and, subject to the Act, the Regulation and these rules and to any resolution passed by ACEA in general meeting:
- (a) is to control and manage the affairs of ACEA, and
  - (b) may exercise all such functions as may be exercised by ACEA, other than those functions that are required by these rules to be exercised by a general meeting of members of ACEA, and
  - (c) has power to perform all such acts and do all such things as appear to the ACEA Executive Committee to be necessary or desirable for the proper management of the affairs of ACEA.

### **14 Constitution and membership**

- (1) Subject in the case of the first members of the ACEA Executive Committee to section 21 of the Act, the ACEA Executive Committee is to consist of the office-bearers of ACEA each of whom is to be elected prior to, and announced at, the biennial ACEA conference under rule 15.
- (2) The office-bearers of ACEA are to be:
- (a) the president
  - (b) the vice-president
  - (c) the treasurer
  - (d) the secretary
  - (e) the researcher; and
  - (f) the Juvenile Justice Representative.
- (3) Each member of the ACEA Executive Committee is, subject to these rules, to hold office until the conclusion of the biennial ACEA conference following the date of the member's election, but is eligible for re-election.





- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

## **17 Treasurer**

- (1) It is the duty of the treasurer of ACEA to ensure:
  - (a) that all money due to ACEA is collected and received and that all payments authorised by ACEA are made, and
  - (b) that correct books and accounts are kept showing the financial affairs of ACEA, including full details of all receipts and expenditure connected with the activities of ACEA.

## **18 Casual vacancies**

- (1) For the purposes of these rules, a casual vacancy in the office of a member of the ACEA Executive Committee occurs if the member:
  - (a) dies, or
  - (b) ceases to be a member of ACEA, or
  - (c) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
  - (d) resigns office by notice in writing given to the secretary, or
  - (e) is removed from office under rule 19, or
  - (f) becomes a mentally incapacitated person, or
  - (g) is absent without the consent of the ACEA Executive Committee from all meetings of the ACEA Executive Committee held during a period of 6 months.

## **19 Removal of member**

- (1) ACEA in general meeting may by resolution remove any member of the ACEA Executive Committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the ACEA Executive Committee to whom a proposed resolution referred to in clause (1) makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representation be notified to the members of ACEA, the secretary or the president may send a copy of the representations to each member of ACEA or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

## 20

### **Meetings and quorum**

- (1) The ACEA Executive Committee must meet at least 4 times in each period of 12 months at such place and time as the ACEA Executive Committee may determine.
- (2) Additional meetings of the ACEA Executive Committee may be convened by the president or by any member of the ACEA Executive Committee.
- (3) Oral or written notice of a meeting of the ACEA Executive Committee must be given by the secretary to each member of the ACEA Executive Committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the ACEA Executive Committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under clause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the ACEA Executive ACEA Executive Committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 3 members of the ACEA Executive Committee constitute a quorum for the transaction of the business of a meeting of the ACEA Executive Committee.
- (6) No business is to be transacted by the ACEA Executive Committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the ACEA Executive Committee:
  - (a) the president or, in the president's absence, the vice-president is to preside, or
  - (b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the ACEA Executive Committee as may be chosen by the members present at the meeting is to preside.

## 21

### **Delegation by ACEA Executive Committee to sub-ACEA Executive Committee**

- (1) The ACEA Executive Committee may, by instrument in writing, delegate to one or more sub-ACEA Executive Committees (consisting of such member or members of ACEA as the ACEA Executive Committee thinks fit) the exercise of such of the functions of the ACEA Executive Committee as are specified in the instrument, other than:
  - (a) this power of delegation, and
  - (b) a function which is a duty imposed on the ACEA Executive Committee by the Act or by any other law.



- (b) the state/territory representatives.
- (2) The state/territory representatives of ACEA are to be:
    - (a) New South Wales representative
    - (b) Queensland representative
    - (c) Victorian representative
    - (d) Tasmanian representative
    - (e) South Australian representative
    - (f) Western Australian representative
    - (g) Northern Territory representative; and
    - (h) Australian Capital Territory representative.
  - (3) Each state/territory representative is, subject to these rules, to hold office until the conclusion of the biennial ACEA conference following the date of the member's election, but is eligible for re-election.
  - (4) In the event of a casual vacancy occurring in the office of state/territory representative, the ACEA Executive Committee may appoint a member of ACEA from that state/territory to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the biennial ACEA conference next following the date of the appointment.

## **24 Election of state/territory representatives**

- (1) Nominations of candidates for election as state/territory representatives of ACEA:
  - (a) must be made in writing by a financial member of ACEA and be seconded by another financial member of ACEA, both of whom are from the state/territory for which they are making the nomination, in the form set out in Appendix 3 to these rules
  - (b) must be delivered to the secretary of ACEA at least 7 days before the date fixed for the holding of the election.
- (2) All nominees for election as a state/territory representative must be a financial member and a resident of the state/territory for which they are being nominated at the time of their nomination for the nomination to be accepted.
- (3) If insufficient nominations are received to fill all state/territory representative vacancies, the candidates nominated are taken to be elected and are confirmed at the biennial ACEA conference.
- (4) Any vacant state/territory representative positions remaining are taken to be casual vacancies and may be filled in accordance with rule 26.
- (5) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected and are confirmed at the biennial ACEA conference.
- (6) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (7) The ballot for the election of office-bearers and state/territory representatives of the ACEA Executive Committee is to be

conducted prior to the biennial ACEA conference in such usual and proper manner as the ACEA Executive Committee may direct.

## **25 Secretary**

- (1) It is the duty of the secretary to keep minutes of all appointments of state/territory representatives of ACEA.

## **26 Casual vacancies**

- (1) For the purposes of these rules, a casual vacancy in the office of a state/territory representative occurs if the member:
  - (a) dies, or
  - (b) ceases to be a member of ACEA, or
  - (c) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
  - (d) resigns office by notice in writing given to the secretary, or
  - (e) is removed from office under rule 19, or
  - (f) becomes a mentally incapacitated person, or
  - (g) is absent without the consent of the ACEA Advisory Board from all meetings of the ACEA Advisory Board held during a period of 6 months.

## **27 Removal of member**

- (1) ACEA in general meeting may by resolution remove any state/territory representative from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a state/territory representative of ACEA to whom a proposed resolution referred to in clause (1) makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representation be notified to the members of ACEA, the secretary or the president may send a copy of the representations to each member of ACEA or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

## **28 Meetings and quorum**

- (1) The ACEA Advisory Board is to discuss issues and provide guidance to the ACEA Executive Committee.
- (2) The ACEA Advisory Board does not have any decision making powers.



















## Appendix 3



# **State/Territory Representative Nomination Form**

### State/Territory (Tick One)

ACT	<input type="checkbox"/>	SA	<input type="checkbox"/>
NSW	<input type="checkbox"/>	TAS	<input type="checkbox"/>
NT	<input type="checkbox"/>	VIC	<input type="checkbox"/>
QLD	<input type="checkbox"/>	WA	<input type="checkbox"/>

Nominated by \_\_\_\_\_ (Print Name)

.....Signature

Seconded by \_\_\_\_\_ (Print Name)

.....Signature

I (Print name) .....hereby accept the  
above nomination

.....Signature

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Only financial ACEA members of the nominated State/Territory shall be entitled to be nominated and must be nominated and seconded by a financial ACEA member of that State/Territory

Nominations for the position of State/Territory Representatives will need to be received by **[Insert Date]**. Fax or email as per *Nominations/Voting – ACEA Office Bearers* procedure.

**President, ACEA**