

HAM COLLEGE (INC.)

23rd July, 2007

CONSTITUTION

Article 1. NAME

The name of the Association shall be “Ham College Incorporated”., hereinafter referred to as “the College”.

Article 2. AIMS

The aims of the College shall be:

To associate persons interested in the furtherance of the hobbies of Amateur Radio (often referred to as “Ham Radio”) and Electronics, primarily, but not exclusively, via the provision of educational services. Such services may include the provision of training courses, lectures, examinations, publications, demonstrations, and similar activities.

To provide information and advice, and to facilitate discussions on technical and regulatory matters pertaining to Amateur Radio and Electronics.

To provide for affiliation to, and/or co-operation with, other organisations with compatible aims.

Article 3. MEMBERSHIP

Full membership shall be restricted to qualified and/or experienced technical teachers who are supportive of the aims of the College.

Associate membership shall be restricted to inexperienced technical teachers who are supportive of the aims of the College. Also assessors or invigilators who are qualified by the Wireless Institute of Australia to conduct Amateur Radio Examinations on behalf of the Australian Communications and Media Authority and who are supportive of the aims of the College

Exceptionally, the Committee may offer membership to an otherwise-ineligible person judged to be a potential asset to the College.

Membership shall not be limited in number.

Every full member shall be entitled to one vote on any issue put before the membership.

Article 4. GOVERNMENT

The affairs of the College shall be managed by a Committee consisting of no less than four persons, who must be qualified amateur radio operators, except the Secretary/Treasurer, who need not hold an amateur qualification.

Chairman
Secretary
Treasurer
Co-Ordinator of Studies
Co-Ordinator of Enrolments
Co-Ordinator of Academic Standards

Subject to direction by any General Meeting (as defined in Rule 4, hereunder), the Committee shall have power to appoint sub-committees, and to deal with all matters that may affect the College.

Officer bearers shall be elected at each Annual General Meeting, by and from the Full Members.

Each officer so elected shall hold office from the end of the AGM at which they were elected, until the end of the next AGM.

No person shall hold the same office for more than four consecutive years.

A casual vacancy occurs in the office of a Committee member and that office becomes vacant if the Committee member-

- (a) dies;
- (b) resigns by notice in writing delivered to the Chairperson or, if the Committee member is the Chairperson, to the Vice-Chairperson and that resignation is accepted by resolution of the Committee;
- (c) is convicted of an offence under the Act;
- (d) is permanently incapacitated by mental or physical ill-health;
- (e) is absent from more than-
 - (i) 3 consecutive Committee meetings; or
 - (ii) 3 Committee meetings in the same financial year without tendering an apology to the person presiding at each of those Committee meetings; of which meetings the member received notice, and the Committee has resolved to declare the office vacant;
- (f) ceases to be a member of the Association; or
- (g) is the subject of a resolution passed by a general meeting of members terminating his or her appointment as a Committee member.

Each Officer shall, upon vacating office, deliver to their successor all books, accounts, receipts, papers, correspondence, documents of any kind, and funds which may be in their possession or under their control, forming part of the assets and property of the College.

Article 5. INCOME AND PROPERTY

The income and property of the College, whence-so-ever derived:

shall be applied solely towards the promotion of the aims of the College. No portion thereof shall be distributed by any means, to any person, except in return for services rendered to the college as approved by the committee.

If any Member of the College pays or receives any dividend, bonus or other profit in contravention of the terms of the preceding paragraph of this document, then their liability shall be unlimited.

RULES

1. MEMBERSHIP:

Persons wishing to apply for membership should do so in writing, and must include:

Proof of identity

Contact details

Details of relevant qualifications and/or experience

Applications shall be dealt with by the Committee, which shall recommend to the next General Meeting the admission, or otherwise, of the applicant. This General Meeting shall then, by majority vote, decide the membership.

2. SUBSCRIPTIONS:

The annual subscription shall be as determined by a General Meeting and shall be payable, in advance, prior to the Annual General Meeting.

A member who is more than three months in arrears may have their membership determined by the Committee.

3. NOMINATION OF COMMITTEE MEMBERS:

- (a) All nominations of Committee Members for official positions must be in writing and be proposed and seconded by financial members. The consent of an absent nominee must be obtained in writing prior to the start of the meeting.
- (b) If there are more than the required number of nominations, an election will be held. The system of voting required, to be decided at the Annual General Meeting by financial members present.

4. MEETINGS:

Notice for all meetings may be given by post or in the W.A. Note's column in Amateur Radio magazine or by an insert in Amateur Radio magazine or through an item on the Wireless Institute of Australia, W.A. news broadcast, or any combination of the above.

Ordinary General Meetings shall be held at regular intervals at which not less than six members shall constitute a quorum. The Committee shall meet as deemed necessary, at which not less than three Committee Members shall constitute a quorum.

5. SPECIAL GENERAL MEETINGS:

Notice of a desired Special General Meeting shall be given by three members signing the requisition to the Secretary. The Secretary shall then, within seven days, give at least fourteen day's notice prior to the date appointed for such meeting. Furthermore the Secretary shall notify financial members of the date fixed for the Special General Meeting, and the nature thereof. Six members shall constitute a quorum.

6. ANNUAL GENERAL MEETING:

The Annual General Meeting shall be held during the month of August, on a day and at a time determined by the Committee. For the purpose of receiving brief reports from office bearers and for the election of President, Secretary, Treasurer, Co-ordinator of Studies, Co-ordinator of Enrolments, Co-ordinator of Academic Standards, the election of Office bearers for the following 12 months and for general business

Seven days notice of such meeting shall be given to financial members. Six financial members shall constitute a quorum. Any person may be coopted onto the committee or sub-committees, for a specific reason, at the discretion of the committee.

A Returning Officer shall be appointed by the meeting, to oversee the election of the new Committee.

6. ALTERATION OF, ADDITION TO, OR SUSPENSION OF RULES:

The Constitution or Rules shall not be altered except at the Annual General Meeting or at a Special General Meeting called for this purpose.

Twenty-one day's notice of any alteration must be lodged with the Secretary, who, if subsequent to the Annual General Meeting shall convene a Special General Meeting, shall give notice of such meeting stating the aims of same to the members, not less than fourteen days before the date fixed for the meeting. Six members shall constitute a quorum.

No addition to, alteration of, or suspension of constitution or rules shall take effect unless agreed to by a three-fourths majority of financial members voting.

Financial members not present at such a meeting may exercise a vote by proxy in writing.

7. BY-LAWS:

Subject to confirmation at the next General Meeting, the Committee shall have the power to frame, amend or rescind Bylaws if considered necessary for facilitating work and in the furtherance of the aims of the College. Such Bylaws are to be as far as possible consistent with the constitution and rules.

The Committee shall interpret and construe the rules and Bylaws in respect to all matters and things arising thereunder.

8. DISCIPLINE:

Upon the complaint of two or more members of the College, in writing to the Secretary, a Member may, by two-thirds majority vote of the Committee at a meeting, be admonished, suspended or expelled for conduct considered to be injurious to the welfare, progress or character of the College.

The Committee, at such meetings, shall investigate the circumstances connected with the case, and their finding or

decision shall be forwarded in writing by the Secretary to the Member who shall be given at the same time at least seven days notice to attend the next Committee Meeting for the purpose of being heard in reply to the finding of the Committee.

The final result shall be decided by two-thirds majority of the Committee.

Annual fees during suspension and pending final decision of the Committee shall be payable by any suspended Member.

Any Member affected by the decision of the Committee in respect to any matter or thing may appeal irrespective thereof to the general members. Such appeal shall be given within one week from the date of the Committee's finding, and shall be dealt with at the next general meeting.

9. RESIGNATIONS:

Any Member whose subscription is not in arrears may resign their membership on giving notice in writing thereof to the Secretary who shall report same to the Committee at their next meeting when such resignation shall be dealt with. On acceptance by the Committee of such resignation, such member will forfeit their College membership and all rights and privileges attached thereto.

10. AUDITOR:

The accounts of the College, shall be audited by two auditors to be appointed by the Members of the College at the Annual General Meeting each year.

11. RECORDS:

All records of the college shall be available for inspection, but not removal, at any reasonable time by any member of the college. Other persons may inspect the records at the discretion of the committee.

12. DISSOLUTION (WINDING-UP OF THE COLLEGE)

The College may be dissolved or wound-up by a resolution of not less than three-fourths of the financial membership of the current year's standing at any General Meeting or at a Special General

Meeting called for such purpose. One calendar month's notice of any proposed winding-up shall be given to Members.

If upon the dissolution or winding-up of the College there remains, after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to, transferred or distributed amongst the members of the College. Such assets shall be given to some other Amateur Radio association, institution, or body, having aims similar, wholly, or in part, to the aims of the College, provided that the association, institution or body is incorporated under the Act; and shall prohibit the distribution of its income and property among its members, it shall be determined by the members of the College at or before the time of dissolution or winding-up.

In default of any such resolution, payment, transfer or distribution shall be determined by a Judge of the District Court. Financial members not present at such meeting may exercise a vote by proxy in writing.

13. COLLEGE'S LIABILITY:

All debts and liabilities of the College shall be liquidated out of the general funds of the College.

14. DUTIES OF OFFICERS:

(a) Chairman:

The Chairman shall preside at all social functions and General Meetings and shall give rulings when required. The President shall have full powers at meetings to expel a Member from a meeting should they deem it necessary.

(b) Secretary:

The Secretary shall in all things shall act under supervision and direction of the Committee.

The Secretary shall record minutes of all properly convened meetings, the results of all contests, exhibitions, competitions, social events, etc., and conduct the official correspondence of the College.

The Secretary shall maintain a register, consisting of name and postal address of all members of the college.

The Secretary shall maintain a register of all physical assets of the college, whether owned, donated or on loan and their status and physical location.

The Secretary shall be responsible for notifying all constitutional changes to the statutory authorities.

The Secretary shall prepare a report of the previous year's (April 1st - March 31st) transactions for publication and circulation amongst the Committee at least seven days prior to its presentation at the Annual General Meeting, and generally perform and carry on as they shall think fit all duties appertaining to such office, and for the progress and betterment of the College and its Members.

(c) Treasurer

The Treasurer in all things shall act under supervision and direction of the Committee.

The Treasurer shall keep a cash day-book and enter therein all monetary transactions pertaining to the College.

The Treasurer shall collect from time to time all subscriptions and other monies due and payable to the College, and deposit such monies with such bank or

banks as from time to time may be decided upon by the Committee, in the name and to the credit of the College. They shall pay all accounts authorised by the Committee out of the general funds of the College by cheque signed by any two of: Chairman, Treasurer and one other committee member as nominated by the committee.

No account is to be paid without a valid receipt or by the direction of the committee.

The Treasurer shall submit at every General Meeting of the College a statement of receipts and expenditure for the preceding months since the previous report, together with a list of accounts for payment for the period prior to such meeting, and shall check all cash book entries and certify as to the bi-monthly reconciliation of the cash day-book with the bank statements.

The Treasurer shall furnish to the Annual General Meeting a report of the College's balance sheet, as at the 31st of March, covering the financial transactions of the College during the preceding year.

(d) The Co-ordinator of Studies:

The Co-ordinator of Studies act under supervision and direction of the Committee.

The Co-ordinator of Studies shall, on an on-going basis review all courses content with regard to the appropriate syllabus and submit any changes to the Co-ordinator of Academic Standards.

The Co-ordinator of Studies shall, on an ongoing basis and in conjunction with the instructors, review all presentations, training aids and study guides to ensure that they meet the necessary requirements of the college.

The Co-ordinator of Studies shall maintain a complete copy the latest version of all presentations, training aids and study guides.

The Co-ordinator of Studies shall ensure all training staff are competent and trained in accordance with College policy.

The Co-ordinator of Studies shall present to the committee a proposed list of courses, course dates and examination dates for the following year by the 1st December each year.

The Co-ordinator of Studies shall in, conjunction with the Co-ordinator of Enrolments, determine the requirements for additional courses throughout the year.

The Co-ordinator of Studies shall maintain a register of teaching members and allocate members to each course.

The Co-ordinator of Studies shall maintain a register of all qualified examination members and allocate members to each examination

(e) Co-ordinator of Enrolments:

The Co-ordinator of Enrolments act under supervision and direction of the Committee.

The Co-ordinator of Enrolments shall maintain a register of all persons applying for any course, those on courses currently being conducted and the dates of scheduled courses.

The Co-ordinator of Enrolments shall, at least three weeks in advance of commencement of any course, advise those on the register of the course dates, cost and any other requirements.

The Co-ordinator of Enrolments shall, in conjunction with the Treasurer, ensure any course fees required are paid by the due date.

The Co-ordinator of Enrolments shall recommend additional courses as necessary to keep waiting lists to a minimum.

The Co-ordinator of Enrolments shall generally perform and carry on as they shall think fit all duties appertaining to such office, and for the progress and betterment of the College and its Members.

(f) Co-ordinator of Academic Standards:

The Co-ordinator of Academic Studies shall act under supervision and direction of the Committee.

The Co-ordinator of Academic Standards shall recommend to the committee the acceptance or otherwise of each new instructor.

15. COMMON SEAL:

The Committee shall have power to provide a Common Seal for the purpose of the College and from time to time destroy the same and substitute a new Seal in lieu thereof. The seal for the time being of the College shall be kept under such custody and control as the Committee or Members in General Meeting shall from time to time prescribe.

In the absence of any prescription, the Seal shall be kept in the custody of the Secretary, and unless otherwise determined by the resolution of a General Meeting, the Common Seal shall not be used except under and by virtue of a minute of the Committee.

A register of all documents to which the Seal has been affixed shall be maintained by the Secretary.

BY-LAWS

1. ORDER OF DEBATE:

Any Member desiring to propose a motion or amendment or to discuss any matter under consideration must rise and address the Chairman.

No member, when speaking, shall be interrupted unless called to order, when they shall sit down, and the Member so calling shall be heard in preference to any other speaker, and the Chairman shall then decide without discussion upon the point of order before the subject is resumed, or any other subject entered upon.

No member may speak to any motion after the same has been put by the Chairman, and has been voted upon.

When two or more members rise to speak, the Chairman shall call upon the member who, in their opinion, rose first in their place.

The mover and seconder, except a seconder pro-forma of any motion or amendment, shall be held to have spoken to the same.

In the discussion, no Member shall be allowed to speak more than once, except strictly in explanation, except the mover of the original motion, who shall have the right of reply.

A Member when speaking must confine their remarks to the subject under debate and avoid personalities.

They shall not use any discourteous language or reflect on any Member whilst in debate.

Any Member feeling dissatisfied with the decision of the Chairman on any point of order, may appeal to the members present, provided the appeal is seconded.

In cases of appeal from the ruling of the Chairman, a temporary Chairman shall be appointed and the question shall be as follows:

"Shall the decision of the Chairman stand as the judgement of the Meeting?" and this question shall be decided without debate.

If, after two speakers have spoken successively on the same side of the question, and no speaker follows on the other side, the Chairman shall submit the motion or amendment to the meeting after affording the mover the right of reply.

No motion that "the question be now put" shall be entertained at any meeting.

A motion having been duly moved and seconded, discussion thereupon may be interrupted by some or all of the following further motions, which in turn must be seconded, but of which no notice shall be required:

- (a) To amend the motion.
- (b) To move the previous question.
- (c) To postpone the question.
- (d) To adjourn the debate.
- (e) To adjourn the meeting.

An amending motion shall not be a mere negative, but must be relevant to the original motion. Such may be moved or seconded by any Member whether they have or have not already spoken on the original motion; cannot be moved after the question is put; gives no right of reply to the mover; cannot be withdrawn without the consent of the meeting. Before a motion to adjourn the debate is put, the mover of the question under debate shall be allowed the right of reply.

No such motion shall be declared carried unless a majority of at least two-thirds of the members present and voting, vote in favour thereof.