



CONSTITUTION

Of

The Mathematical Association
Of Western Australia (Inc.)

Proposed for AGM May 2017

Constitution Table of Contents

1.	NAME	3
2.	DEFINITIONS	3
3.	OBJECTS AND POWERS OF THE ASSOCIATION	5
4.	AFFILIATION	6
5.	MEMBERS	
	5.1 MEMBERSHIP	6
	5.2 SUBSCRIPTIONS	8
	5.3 ENTITLEMENTS	8
	5.4 OBLIGATIONS	10
	5.5 TERMINATION	10
	5.6 SUSPENSION OR EXPULSION OF MEMBERS	11
6.	EXECUTIVE COMMITTEE	
	6.1 EXECUTIVE	12
	6.2 RESPONSIBILITIES OF THE EXECUTIVE	12
7.	CHAIRPERSON OF MEETINGS	14
8.	COMMITTEE	
	8.1 COMMITTEE STRUCTURE	14
	8.2 DUTIES OF COMMITTEE	15
	8.3 AAMT COUNCILLORS	15
	8.4 COMMITTEE MEETINGS	15
	8.5 QUORUM OF COMMITTEE	16
	8.6 SUBCOMMITTEES	16
	8.7 ELECTIONS	16
	8.8 CASUAL VACANCIES IN MEMBERSHIP OF COMMITTEE	17
9.	FINANCIAL YEAR	18
10.	EXTERNAL FINANCIAL REVIEWER	18
11.	GENERAL MEETINGS	
	11.1 ANNUAL GENERAL MEETING	19
	11.2 SPECIAL GENERAL MEETINGS	19
	11.3 QUORUM OF GENERAL MEETINGS	20
	11.4 VOTING AT GENERAL MEETINGS	20
	11.5 ADJOURNMENT PROCEDURE - SPECIAL AND ANNUAL GENERAL MEETINGS	21
	11.6 MINUTES OF GENERAL AND COMMITTEE MEETINGS OF THE ASSOCIATION	21

12.	ALTERATION OF CONSTITUTION	22
13.	DISPUTE RESOLUTION PROCEDURE	22
14.	DISSOLUTION OF ASSOCIATION	23
15.	LIABILITIES	23
16.	USE OF COMMON SEAL	24
17.	INDEMNITY	24
18.	CONFIDENTIALITY	24

History of The Mathematical Association of Western Australia (Inc.)

1. NAME

The name of the Association shall be 'The Mathematical Association of Western Australia (Inc).'

2. DEFINITIONS

In this constitution...

- 2.1 **'AAMT'** means the Australian Association of Mathematics Teachers.
- 2.2 **'Act'** means the Associations Incorporation Act 2015.
- 2.3 **'annual general meeting'** means the meeting of members to which all members must be invited.
- 2.4 **'any general meeting'** means any ordinary, special or annual general meeting of members.
- 2.5 **'appointing member'** means a member who appoints another member on the appropriate proxy form for the purpose of voting at annual and special general meeting
- 2.6 **'assembly'** means the body of members present at any general meeting.
- 2.7 **'Association'** means the Mathematical Association of Western Australia (Inc.).
- 2.8 **'ballot'** means a vote in writing.
- 2.9 **'casual vacancy'** means that one or more positions on the Committee has become vacant for any of the reasons set out in the constitution.
- 2.10 **'category'** means the class of membership according to the constitution.
- 2.11 **'chairperson'** means the person presiding at a Committee or general meeting.
- 2.12 **'Committee'** means the Committee of the Mathematical Association of Western Australia (Inc.)
- 2.13 **'convene'** means to call together for a formal meeting.
- 2.14 **'ECAWA'** means Educational Computing Association of WA (Inc).
- 2.15 **'Executive Committee'** means the President, Immediate Past President, President Elect, Treasurer and Executive Officer.
- 2.16 **'financial year'** means the period commencing on 1 January and ending on 31 December of each year.
- 2.17 **'individual member'** means a person who is interested in mathematics education and the objects of this constitution who meets all of the obligations of individual membership in accordance with this constitution.

- 2.18 **'institutional member'** means any school or education institution interested in mathematics education and the objects of this constitution which meets all of the obligations of institutional membership in accordance with this constitution.
- 2.19 **'ordinary resolution'** means a resolution on matters that do not require a special resolution as defined in this constitution.
- 2.20 **'proxy'** means the member who has been duly appointed in writing by another member to vote on his or her behalf at an annual or a special general meeting.
- 2.21 **'proxy form'** means that form provided by the Association for the purpose of appointing a proxy and setting out the limitations or otherwise of the proxy.
- 2.22 **'proxy vote'** means the vote cast by a proxy on behalf of another member on the particular matters nominated on the proxy form.
- 2.23 **'Returning Officer'** means the person who has been appointed by the committee to be responsible for ensuring the election is conducted in a fair and impartial manner.
- 2.24 **'rising vote'** means a ballot by means of collection and counting of tokens signifying voting Intention.
- 2.25 **'Scrutineer'** means a person appointed by a candidate in an election who observes the voting and/or the counting of ballot papers, in order to check that election rules are followed.
- 2.26 **'simple majority'** means the number of votes cast in the affirmative is greater than the number of votes cast in the negative.
- 2.27 **'special general meeting'** means a general meeting of members, other than the annual general meeting, to which all members must be invited for the purpose of dealing with one or more motions-on-notice.
- 2.28 **'special resolution'** means a resolution dealing with matters such as but not limited to:
- Amendment/s to the Constitution.
 - Suspension or modification of a part of the constitution.
 - Removal of any member of the Committee from office.
- 2.29 **'STEM'** means Science, Technology, Engineering and Mathematics.
- 2.30 **'STAWA'** means the Science Teacher's Association of WA (Inc).
- 2.31 **'The Executive Officer'** means the Executive Officer referred to in Section 6 and on whom all legal documents are served.
- 2.32 **'The Immediate Past President'** means the Immediate Past President referred to in Section 6.
- 2.33 **'The President'** means the President referred to in Section 6.
- 2.34 **'The President Elect'** means the President Elect referred to in Section 6.
- 2.35 **'the Office'** means premises kept by the association for the purposes of the business of the Association.
- 2.36 **'The Treasurer'** means the Treasurer referred to in Section 6.

- 2.37 **‘three-fourths majority’** means not less than three-fourths of the votes cast in the affirmative by members present and voting or voting by proxy (i.e. 75% or greater).

3. OBJECTS AND POWERS OF THE ASSOCIATION

3.1 OBJECTS

- 3.1.1 To effect improvements in mathematics education principally in Western Australian schools, universities, colleges and other educational institutions.
- 3.1.2 To disseminate knowledge related to mathematics and mathematics education principally in Western Australian schools, universities, colleges and other educational institutions.
- 3.1.3 To promote and protect the interests and welfare of all members in matters relating to 3.1.1 and 3.1.2.
- 3.1.4 To enable members to act in a body in any dealings with any other organisation in matters relating to 3.1.1 and 3.1.2.
- 3.1.5 To speak on behalf of and represent the views of members generally.
- 3.1.6 To encourage and facilitate social activities and promote good fellowship among members.
- 3.1.7 The assets and income of the Association shall be applied solely in furtherance of its above-mentioned Objectives and no portion shall be distributed directly or indirectly to the Members of the organisation except as bona fide compensation of services rendered or expenses incurred on the behalf of the organisation.

3.2 POWERS

The Association shall have all the powers conferred by the Act as amended including the power to:

- 3.2.1 Purchase, lease, hire or otherwise acquire property, including real estate, and to hold, deal with, develop and dispose of such property to the benefit of the Association;
- 3.2.2 administer any property on trust;
- 3.2.3 open and operate bank accounts;
- 3.2.4 invest or otherwise deal with monies of the Association in such manner as from time to time is deemed beneficial to and is authorized by the Association;
- 3.2.5 apply for, accept, and administer grants appropriate to the Association’s Objectives;
- 3.2.6 borrow money upon such terms and conditions as the Association thinks fit;
- 3.2.7 give such security for the discharge of liabilities incurred by the Association as the Association thinks fit;
- 3.2.8 appoint agents to transact any business of the Association on its behalf;

- 3.2.9 enter into any contract it considers necessary or desirable; and
- 3.2.10 do all such things as are conducive or incidental to the attainment of the Objectives of the Association.

4. AFFILIATION

The Association shall be affiliated with AAMT. The amount required for the purpose of paying affiliation fees shall be deducted from each member's annual subscription. The payment of this amount shall provide membership of AAMT together with all privileges of membership. These monies shall be separately accounted for by the Treasurer.

5. MEMBERS

5.1 MEMBERSHIP

- 5.1.1 Membership of the Association shall be open to any person or educational organisation or institution that supports the Objectives of the Association and will be recognised upon receipt of the completed membership form and the accompanying fee.
- 5.1.2 The categories of membership of the Association shall be:

5.1.2.1 Individual Members

- 5.1.2.1.1 Any person interested in mathematics or mathematics education.
- 5.1.2.1.2 Such membership shall be maintained by payment of an annual subscription.

5.1.2.2 Institutional Members

- 5.1.2.2.1 Any school or institution interested in mathematics or mathematics education.
- 5.1.2.2.2 Such membership shall be maintained by payment of an annual subscription.
- 5.1.2.2.3 An institution may nominate one representative to have voting rights and exercise the other rights of an individual member.
- 5.1.2.2.4 Institutional membership does not guarantee registration at activities conducted by the Association.

5.1.2.3 Life Members

- 5.1.2.3.1 Upon the recommendation of the Committee, Life Membership may be conferred upon any individual person who has rendered outstanding service to the Association.
- 5.1.2.3.2 Such membership shall be approved by an annual or other general meeting of the Association.
- 5.1.2.3.3 Such membership carries all the responsibilities, rights and obligations of individual membership as per 5.1.2.3.4.
- 5.1.2.3.4 Life members shall pay no annual membership fee.

5.1.2.4 Reciprocal Members

- 5.1.2.4.1 Any individual person, school, institution or organisation being a member of another AAMT affiliated mathematical association.
- 5.1.2.4.2 Such membership shall be maintained by payment of an annual subscription.
- 5.1.2.4.3 **Cross-curricular institutional membership** for Primary schools only.
Any primary school that has purchased an institutional cross-curricular membership through MAWA, STAWA, ECAWA or other professional teaching organisation. Such members shall have all the rights and privileges of institutional members of MAWA.

5.1.3 Within the categories described in 5.1.2.1, members may be further described as follows:

5.1.3.1 Full Members

Individual members as defined in 5.1.2.1 above who are not full time students or retired persons.

5.1.3.2 Student Members

Individual persons, as defined in Section 5.1.2.1, who at the time of membership are engaged in full time study.

5.1.3.3 Retired Members

Individual persons, as defined in Section 5.1.2.1, who at the time of membership have retired from full time active employment.

- 5.1.4 For the purposes of the constitution, voting rights shall be enjoyed by persons admitted to membership as individual members, life members or nominated representatives of institutional members.

5.2 SUBSCRIPTIONS

- 5.2.1 The Committee will from time to time determine the fees for membership of the Association.
- 5.2.2 Annual subscriptions shall be due one year after the date of payment of current subscription.
- 5.2.3 A person exercises all the rights and obligations of a member for the purposes of the constitution if his or her subscription is paid on or before the relevant date fixed by or under sub-Section 5.2.2 or within four weeks thereafter, or such other time as the Committee allows.
- 5.2.4 Subject to Section 5.2.3 a member whose subscription is not paid within 4 weeks after the relevant date fixed by or under sub-Section 5.2.2 ceases on the expiry of that period to be a member, unless the Committee decides otherwise.

5.3 ENTITLEMENTS

Any alteration to the entitlements, fees, and other obligations on members will be put to the annual general meeting or a special general meeting of members called for that purpose.

5.3.1 Register of members

5.3.1.1 Members are entitled to: inspect, copy or take an extract from the Register of Members but not remove the register for that purpose and inspect, copy or take an extract from a list of names and contact addresses of the current office-holders of the Association. A statutory declaration must be completed by the member.

5.3.1.2 The Association is entitled to charge a fee for providing any copy.

5.3.2 Inspection of books

5.3.2.1 Any individual member wishing to examine the books of accounts, register of members or any similar documents of the Association may do so at all reasonable times at a place and for a period of time as determined by the Committee.

5.3.2.2 Application for examination shall be made in writing to the Executive Officer who shall, at the time and place determined by the Committee, produce such books and documents

- 5.3.3 Any ten individual members together have the right to appeal any decision of the Committee to a special general meeting by written notification signed by all ten and delivered to the Executive Officer requesting a special general meeting be called and specifying the particulars of the matter or matters to be brought before that meeting.
- 5.3.4 Any ten individual members together have the right to notify the Executive Officer in writing, signed by all ten, that a special general meeting of members must be convened within 28 days of such notice and specifying the particulars of the matter or matters to be brought before that special general meeting.
- 5.3.5 All amendments to the constitution of the association are to be detailed by special resolution passed by a majority of 75% if the membership present and entitled to vote at a general meeting of the association
- 5.3.6 Individual members are entitled to exercise their right to vote or not at any general meeting of the Association.
- 5.3.7 Individual members have the right to:
- (a) nominate, or be nominated, for Committee and/or Executive position/s and to vote for himself or herself in accordance with the constitution
 - (b) put forward ordinary motions for deliberation at any general meeting in accordance with the constitution
 - (c) second another member's motion
 - (d) move an amendment to a motion currently before any general meeting
 - (e) debate any motion, in accordance with the constitution of debate, put to the assembly at any general meeting
 - (f) make enquiries, ask questions, request information from the Committee/Executive through the Executive Officer
 - (g) hold office in accordance with the constitution
 - (h) serve on any sub-committees
 - (i) have meetings conducted properly and in an orderly manner
 - (j) vote, or not, according to the constitution, and change his or her vote before the motion is put to the assembly or, with the permission of the assembly, after the results have been announced
 - (k) request a rising vote by calling for a division
 - (l) request that a vote at any general meeting be conducted by secret ballot
 - (m) raise a point of order (at the time, not later) if it is believed that the Constitution is being violated
 - (n) appeal a ruling of the chairperson

5.4 OBLIGATIONS

- 5.4.1 Members are responsible for the provision to the Association of:
- (a) their contact details, that is, name of the member, postal and/or residence address, phone number, fax number (if available), and e-mail address to be recorded in the Association's membership database and
 - (b) any change to any of the member's contact details must be notified in writing to the MAWA Office Manager.
- 5.4.2 Members must demonstrate respect for the authority of the Chairperson at all times during meetings of the Association.
- 5.4.3 Members must conduct themselves with decorum and respect the rights of others at all times during meetings of the Association and when representing the Association in any capacity.
- 5.4.4 Members must act in a manner that is conducive to the attainment of the Objects of the Association and never to its detriment.
- 5.4.5 Each member must pay to the Association, on or before the due date, the amount of any fee, charge or levy as determined by Section 5.2.
- 5.4.6 Members are required by the constitution to declare a pecuniary or conflict of interest in any matter put to the assembly at any general meeting or Committee meeting, must leave the room while a debate on that matter is taking place, and abstain from voting on that matter.
- 5.4.7 This constitution binds every member and the Association to the same extent as if every member and the Association had signed and sealed this Constitution and agreed to be bound by all of its provisions

5.5 TERMINATION

Membership of the Association may be terminated upon

- 5.5.1 Receipt by the MAWA Office of a notice in writing from a member of his or her resignation from the Association. Such person remains liable to pay to the Association the amount of any subscription due and payable by that person to the Association but unpaid at the date of termination; or
- 5.5.2 Non-payment by a member of his or her subscription within four weeks of the renewal date for subscriptions to be paid, unless the Committee decides otherwise in accordance with Section 5.2.3, or
- 5.5.3 Expulsion of a member in accordance with Section 5.6.

5.6 SUSPENSION OR EXPULSION OF MEMBERS

- 5.6.1 If the Committee considers that a member should be suspended or expelled from membership of the Association because his or her conduct is detrimental to the interests of the Association, the Committee must communicate, either orally or in writing, to the member-
- (a) notice of the proposed suspension or expulsion and of the time, date and place of the Committee meeting at which the question of that suspension or expulsion will be decided; and
 - (b) particulars of that conduct, not less than 30 days before the date of the Committee meeting referred to in paragraph(a).
- 5.6.2 At the Committee meeting referred to in a notice communicated under Section 5.6.1, the Committee may, having afforded the member concerned a reasonable opportunity to be heard by, or to make representations in writing to, the Committee, suspend or expel or decline to suspend or expel that member from membership of the Association and must, forthwith after deciding whether or not to suspend or expel that member, communicate that decision in writing to that member.
- 5.6.3 Subject to Section 5.6.5, a member has his or her membership suspended or ceases to be a member 14 days after the day on which the decision to suspend or expel a member is communicated to him or her under Section 5.6.2.
- 5.6.4 A member who is suspended or expelled under Section 5.6.2 must, if he or she wishes to appeal against that suspension or expulsion, give notice to the Executive Officer of his or her intention to do so within the period of 14 days referred to in Section 5.6.3. When notice is given under Section 5.6.4-
- (a) the Association in a general meeting, must either confirm or set aside the decision of the Committee to suspend or expel the member, after having afforded the member who gave that notice a reasonable opportunity to be heard by, or to make representations in writing to, the Association in the general meeting; and
 - (b) the member who gave that notice is not suspended or does not cease to be a member unless and until the decision of the Committee to suspend or expel him or her is confirmed under this Section.

6. EXECUTIVE COMMITTEE

6.1 EXECUTIVE

- 6.1.1 The Executive of the association shall consist of The President, President Elect or Immediate Past President, the Treasurer and the Executive Officer (non-voting).
- 6.1.2 The Executive shall meet when and how they deem fit, as agreed by consensus within the Executive
- 6.1.3 A person elected to the position of President upon election holds office as President Elect for a period of 12 months following their election. At the next Annual General Meeting, they shall be appointed to the position of President.
- 6.1.4 At the Annual General Meeting twenty-four (24) months following taking up office as President that person shall relinquish office as President to become Immediate Past President in which position they shall continue until the next Annual General Meeting.
- 6.1.5 Any person, having held the office of President, may, following a lapse of four (4) years from the date of first appointed as President, seek re-election as President-Elect.
- 6.1.6 All Executive Committee members shall be individual or life members of the association.
- 6.1.7 A report on all deliberations of the Executive shall be provided to the Committee at the next Committee meeting

6.2 RESPONSIBILITIES OF THE EXECUTIVE

6.2.1 The President shall:

- 6.2.1.1 Preside at all meetings of the Committee and General Meetings of the Association and ensure that business is conducted with propriety and order;
- 6.2.1.2 Prepare and present the president's Report to the Annual General Meeting;
- 6.2.1.3 Have a deliberative vote and, in case of equality of votes have the casting vote; and
- 6.2.1.4 Have authority to speak on behalf of the Association and to act as the principal representative of the Association at all times subject to the prior approval or subsequent ratification by the Committee.

6.2.2 The President Elect or Immediate Past President shall:

- 6.2.2.1 Stand in the place of the President when the President is not available; and
- 6.2.2.2 Undertake other duties as required by this Constitution or as directed by the Committee.

6.2.3 The Treasurer shall:

- 6.2.3.1 Chair the Finance Sub-Committee;
- 6.2.3.2 Ensure that Budgets and statements are prepared and a report on the finances of the Association is given at each meeting of the Committee;
- 6.2.3.3 Prepare and present the Association's financial report for the previous financial year to the Annual General Meeting;
- 6.2.3.4 Present the externally reviewed accounts to the Annual General Meeting of the Association; and undertake other duties as required by this Constitution or as directed by the Committee.

6.2.4 The Executive Officer shall:

- 6.2.4.1 The Executive Officer shall attend meetings of the Committee to advise on the day to day operation of the Association, its activities and programs and be responsible for the day to day management and administration of the Association.
- 6.2.4.2 Ensure that all meetings as required under this Constitution are called and conducted in accordance with this Constitution;
- 6.2.4.3 Prepare and present a report to the Annual General Meeting;
- 6.2.4.4 Prepare an agenda for all meetings and ensure in so far as is reasonably possible and in accordance with the Constitution that all Members of the Association or Committee (as appropriate) are advised in good time of all matters to be raised
- 6.2.4.5 Ensure the maintenance and distribution of proper minutes of meetings;
- 6.2.4.6 Receive, attend to, dispatch and maintain records of all correspondence to and from the Association;
- 6.2.4.7 Ensure the proper care and use of the Association Seal and maintain the Seal Register Book;
- 6.2.4.8 Ensure the Database of Members is maintained;
- 6.2.4.9 Ensure that all monies received are properly paid into the correct accounts held by the Association;
- 6.2.4.10 Ensure that records of all receipts, payments and other financial transactions of the Association are correctly maintained; and
- 6.2.4.11 Undertake other duties as required by this Constitution or as directed by the Committee.

7. CHAIRPERSON OF MEETINGS

- 7.1 The President of the Association shall chair general meetings of the Association and Committee.
- 7.2 In the event of the absence of the President from such a meeting, the Immediate Past President or President Elect must preside at the meeting
- 7.3 In the event of the absence of all Presidents from such a meeting the President should nominate another elected member of the Committee to represent them as chair for that meeting.

8. COMMITTEE

8.1 COMMITTEE STRUCTURE

- 8.1.1 The Committee shall consist of up to 12 individual or life members of the Association, in addition to the members of the Executive as defined in section 6.1.
- 8.1.2 The Committee shall sub-committees, as per Section 8.6 with responsibilities for at least the following activity areas of the Association:
 - 8.1.2.1 Professional Development for Primary and Secondary school members including, but not limited to conferences, workshops, conventions and expos.
 - 8.1.2.2 Resource development and publication to meet the needs of students and teachers for both hardcopy and online - learning, teaching and assessment materials. This includes the maintenance of the association library, historical records and the publication of appropriate journals – as determined by the Committee.
 - 8.1.2.3 Membership services and promotion – to plan the promotion of membership benefits to new and experienced teachers (and to institutions). To develop new services/membership categories and to facilitate community liaison and foster relationships with key education stakeholders.
 - 8.1.2.4 Student activities to foster the enjoyment and challenge of mathematics for students, teachers and the society at large. These activities may include, but are not limited to, Have Sum Fun (HSF), Have Sum Fun On Line (HSF Online), the Western Australian Mathematics Problem Solving Program (WAMPSP) and the National Mathematics Summer School (NMSS).
- 8.1.3 The duties of each member of the Committee shall be agreed at the first Committee meeting following the Annual General Meeting.
- 8.1.4 Each sub-committee is to present a report on actions and the results of these actions on behalf of the Association, to each Committee meeting.

8.2 DUTIES OF COMMITTEE

The Committee, in addition to the powers hereinafter specifically conferred upon it, shall have control of the finances of the Association and all such administrative powers as may be necessary or expedient for properly carrying out the objects and functions of the Association in accordance with the constitution of the Association and the 2015 Act.

8.3 AAMT COUNCILLORS

8.3.1 ONE (1) member of the Executive Committee will be appointed as an AAMT Councillor. Another committee member shall be designated to assist the appointed AAMT councillor with the duties required.

8.3.2 The AAMT councillor shall be appointed for a term of TWO (2) years and may seek reappointment to the role, but may not serve more than two terms consecutively.

8.4 COMMITTEE MEETINGS

8.4.1 The Committee shall meet as from time to time as determined, at least six times per year and the President, or at least half the members of the Committee, may at any time convene a meeting of the Committee.

8.4.2 The Executive Officer shall send notice, in writing to all Committee members, of Committee meetings at least SEVEN (7) days prior to such meetings. Such notice shall show the date, time and place of meeting together with an agenda listing the items of business to be transacted.

8.4.3 All members of the Association will be informed as to the date and location of scheduled meetings at least seven (7) days in advance.

8.4.4 Each Committee member has a deliberative vote.

8.4.5 A question arising at a Committee meeting must be decided by a majority of votes, but, if there no majority, the person presiding at the Committee meeting will have a casting vote in addition to his or her deliberative vote.

8.4.6 As required by the Act, a Committee member having any direct or indirect pecuniary interest in a contract, or proposed contract, made by, or in the contemplation of, the Committee (except if that pecuniary interest exists only by virtue of the fact that the member of the Committee is a member of a class of persons for whose benefit the Association is established), must as soon as he or she becomes aware of that interest, disclose the nature and extent of his or her interest to the Committee; not take part in any deliberations or decision of the Committee with respect to that contract and at the request of the chair, leave the room whilst such deliberations are in progress.

8.4.7 Section 8.4.6 does not apply with respect to a pecuniary interest that exists only by virtue of the fact that the member of the Committee is an employee of the Association.

8.4.8 The Executive Officer must cause every disclosure made under Section 8.4.6 by a member of the Committee to be recorded in the minutes of the meeting of the Committee at which it is made.

8.5 QUORUM OF COMMITTEE

At all Committee meetings, half the number of Committee members plus 1, shall form a quorum.

8.6 SUBCOMMITTEES

8.6.1 Sub-committees shall be formed by the Committee to supervise and conduct the activities of the Association, as required.

8.6.2 Each sub-committee shall have as chairperson a member of the Committee and include other relevant Committee members together with such other persons as may be deemed necessary for the efficient working of the sub-committee.

8.6.3 Membership of sub-committees shall be determined by the Committee as required.

8.6.4 Minutes of sub-committee meetings shall be reported at the next Committee meeting.

8.6.5 Any activity to be undertaken by any sub-committee in the name of or at the expense of the Association shall have the prior approval of the Committee.

8.7 ELECTIONS

8.7.1 For the election of Executive and Committee voting shall be by preferential voting of those individual members present and voting or voting by proxy.

8.7.2 Nominations for Executive and Committee must be received by the Executive Officer at least SEVEN (7) days prior to the Annual General Meeting. All nominations must be in writing and show the names of the nominee, proposer and seconder. The term 'in writing' includes fax and electronic mail. All nominees, proposers and seconders shall be individual members, life members or nominated representatives of institutional members.

8.7.3 Individual members, life members or nominated representatives of institutional members who are eligible for election may

- (a) propose or second himself or herself for election or re-election; and
- (b) vote for himself or herself.

8.7.4 Executive and Committee elected at an Annual General Meeting shall hold those offices from the conclusion of that meeting until the conclusion of the next Annual General Meeting, subject to the provisions of Sections 5.6 and 14 or unless voted out of office by a special general meeting of the Association.

8.7.5 Any casual vacancy in the Executive or Committee may be filled by the Committee provided that any person so appointed shall hold office so long as the person in whose place they are elected would have held office. Members are to be notified of such appointment at the earliest opportunity.

8.7.6 A general meeting of the Association has the power to render null and void any action taken under 8.7.5 above and to elect person(s) to casual vacancies.

8.7.7 If the number of persons nominated in accordance with Section 8.1.5 or election to membership of the Committee does not exceed the number of vacancies in that membership to be filled

- (a) the Executive Officer must report accordingly to; and
- (b) the President must declare those persons to be duly elected as members of the Committee at the annual general meeting concerned.

8.7.8 If a vacancy remains on the Committee after the application of Section 8.7, or when a casual vacancy within the meaning of Section 8.8 occurs in the membership of the Committee

- (a) the Committee may appoint a member to fill that vacancy; and
- (b) a member appointed under this Section will
 - (i) hold office until the election referred to in Section 8.7; and
 - (ii) be eligible for election to membership of the Committee, at the next following annual general meeting.

8.8 CASUAL VACANCIES IN MEMBERSHIP OF COMMITTEE

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 President or, if the Committee member is the President, to the President Elect 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.

9. FINANCIAL YEAR

The financial year of the Association shall be deemed to extend from the FIRST (1st) day of January to the THIRTY FIRST (31st) day of December inclusive in the same calendar year.

10. EXTERNAL FINANCIAL REVIEWER

- 10.1 At the Annual General Meeting of the Association, the meeting shall appoint an appropriately qualified person to conduct an external review of the associations records/books. The external reviewer shall:
- 10.2 Have the power to call for all books, papers, records, vouchers and documents belonging to the Association; and
- 10.3 Submit a report on the financial operations of the Association at the next Annual General Meeting.
- 10.4 Any person or body appointed by the Association as an external reviewer shall be subject to the requirements of the relevant Act, and must not be a member of the Executive nor Committee of the Association.
- 10.5 The external reviewer shall be appointed for ONE (1) year but shall be eligible for re-appointment.

11. GENERAL MEETINGS

11.1 ANNUAL GENERAL MEETING

- 11.1.1 The Annual General Meeting of the Association shall be held on a date and at a time and place determined by the Committee in accordance with Section 23 of the Act.
- 11.1.2 The Executive Officer shall call the Annual General Meeting by giving Members at least FOURTEEN (14) days notice, in writing, of the Annual General Meeting. Such notice shall show the date, time and place of meeting and an agenda listing the items of business to be transacted.
- 11.1.3 At the Annual General Meeting,
- (a) the President shall deliver the annual report on the activities of the Association and on other matters pertinent to the progress and welfare of the Association.
 - (b) the Treasurer shall submit an externally reviewed balance sheet for the preceding financial year.
 - (c) the Executive and Committee for the forthcoming year shall be elected.
 - (d) any other business transacted. Such other business shall be notified in the notice of the meeting.
- 11.1.4 The Committee shall ensure that no less than one General Meeting per year will be held.

11.2 SPECIAL GENERAL MEETINGS

- 11.2.1 The Committee may at any time convene a special general meeting of the Association. All members shall be notified, in writing, of such meeting at least FOURTEEN (14) days prior to the date of meeting. Such notice shall show the date, time and place of meeting together with an agenda listing the items of business to be transacted.
- 11.2.2 The Executive Officer shall, on receiving a requisition signed by at least TEN (10) individual members stating the business for which it is required, convene a special general meeting of the Association. Such meeting shall be held at a place determined by the Executive Officer. Such a meeting shall be held on a date and at a time not more than FORTY (40) days after the receipt of the requisition by the Executive Officer. All financial members shall be notified, in writing, of such meeting at least FOURTEEN (14) days prior to the date of meeting. Such notice shall show the date, time and place of meeting together with an agenda listing the items of business to be transacted. Such business shall be other than that described in Section 11.1 of this Constitution.
- 11.2.3 Should the Executive Officer fail to convene a special general meeting under the provisions of Section 11.2.2, any member who has signed the requisition may convene such meeting by FOURTEEN (14) days notice, in writing, to all members entitled to receive such notice.

- 11.2.4 At any special general meeting only the business shown on the agenda shall be transacted.
- 11.2.5 All members shall be notified of the proceedings of any special general meeting within twenty one (21) days, either electronically and/or in writing.
- 11.2.6 A general meeting of the Association has the power to render null and void any action taken by the Committee.

11.3 QUORUM OF GENERAL MEETINGS

At all annual and special general meetings of the Association, twice the number of Committee members plus 1, individual or life Members shall form a quorum.

11.4 VOTING AT GENERAL MEETINGS

- 11.4.1 Only members defined under Constitution Sections 5.1.3.1 and 5.1.3.3 shall be entitled to vote.
- 11.4.2 Except for matters described under Sections 12, 13 and 14, simple majority voting shall decide any motion or other item of business before a meeting of the Association or Committee.
- 11.4.3 Voting by proxy shall be permitted providing that the member so voting resides not less than FORTY (40) kilometres from the place of meeting, or in the case of illness or temporary absence from the region herein defined. The proxy shall be nominated, in writing, to the Executive Officer at least ONE (1) day prior to the meeting at which the vote is to be cast.
- 11.4.4 A member may appoint another member, who is an individual member and not the chair of the meeting to be the proxy of the appointing member to vote on behalf of the appointing member on those matters specified on the proxy form at a special or an annual general meeting.
- 11.4.4.1 Any appointment of a proxy must be on the Appointment of Proxy form provided by the Association for that purpose, signed by both the appointing member and the proxy, and specify:
- (i) whether the proxy may vote on behalf of the appointing member on all matters coming before the meeting, or
 - (ii) may vote only on matters specified on the Appointment of Proxy form.
- 11.4.4.2 A member attending a general meeting may exercise proxy votes for no more than three people.
- 11.4.5 For the election of Executive and Committee Members any voting required shall be by secret ballot.
- 11.4.6 All other voting shall be by show of hands unless TWO (2) or more members, present and entitled to vote, signify their desire to the contrary when a secret ballot shall be taken.
- 11.4.7 For all voting by secret ballot, the meeting shall appoint a Returning Officer to count the votes and declare to the meeting the result of said ballot. The meeting may also appoint a Scrutineer to supervise the conduct of the ballot.
- 11.4.8 Voting by secret ballot shall be preferential voting, when appropriate.

11.4.9 In the event of equality of voting

- (a) the chair of the meeting must not exercise a casting vote and
- (b) the motion is lost

11.4.10 No person shall be entitled to vote at any meeting unless all monies due from that person to the Association have been paid.

11.5 ADJOURNMENT PROCEDURE – SPECIAL AND ANNUAL GENERAL MEETINGS

11.5.1 When 30 minutes after the time specified on the notice for the holding of a special or annual general meeting have elapsed and a quorum is not present, the meeting stands adjourned to the same time and place on the same day in the following week provided that in the case of an annual general meeting the adjourned meeting will be conducted within four months of the end of the Association's financial year.

11.5.2 When 30 minutes have elapsed from the time appointed for the resumption of an adjourned special or annual general meeting and a quorum is not present, the members who are present in person at the adjourned meeting may proceed with the business of the meeting as if a quorum were present except where a special general meeting was called under Section 11.2.2 the meeting lapses.

11.5.3 At the resumption of an adjourned special or annual general meeting only that business that was left unfinished or on the agenda of the original meeting at the time of the adjournment may be transacted.

11.6 MINUTES OF GENERAL AND COMMITTEE MEETINGS OF THE ASSOCIATION

11.6.1 The Executive Office must cause proper minutes of all proceedings of all general meetings and Committee meetings to be taken and then distributed within 30 days after the holding of each general meeting or Committee meeting, to all those members entitled to attend and vote at such meetings.

11.6.2 The President must ensure that the minutes taken of a general meeting or Committee meeting under 24.1 of the Act are checked and signed as correct by the President or chairperson of that meeting of the general meeting or Committee meeting to which those minutes relate or by the President of the next succeeding general meeting or Committee meeting, as the case requires.

11.6.3 When minutes have been entered and signed as correct under this Section, they are, until the contrary is proved, evidence that

- (a) the general meeting or Committee meeting to which they relate (in this Section called 'the meeting') was duly convened and held;
- (b) all proceedings recorded as having taken place at the meeting did in fact take place at the meeting; and
- (c) all appointments or elections purporting to have been made at the meeting have been validly made.

12. ALTERATION OF CONSTITUTION

- 12.1 Subject to the provisions of Section 17 of the Act, no alterations of, addition to or annulment of, parts of the constitution shall be made except by an annual general meeting or a special general meeting of members.
- 12.2 Any proposal to alter, annul or add to the constitution shall be notified, in writing, to all members at least FOURTEEN (14) days prior to the meeting at which such proposal is to be dealt with.
- 12.3 Any proposed changes to the constitution shall be approved by a THREE-FOURTHS majority of those members present or represented by proxy according to Section 11.4.4.
- 12.4 All members shall be notified, in writing, by the Executive Officer of agreed changes to the Constitution at the earliest opportunity.
- 12.5 The Executive Officer shall within TWENTY-EIGHT (28) days of the special or annual general meeting, notify the Department of Consumer Protection (in accordance with the provisions of the Associations Incorporation Act) and any other relevant statutory authority of any addition, alteration or amendment to the constitution approved by a special or annual general meeting.

13. DISPUTE RESOLUTION PROCESS

- 13.1 The procedure set out in this Section applies to disputes under the Constitution between:
 - (a) a member and another member
 - (b) a member and the Association
 - (c) the Association and any other party.
- 13.2 The parties to the dispute must meet and discuss the matter in dispute and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all parties.
- 13.3 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days of that meeting, hold a meeting in the presence of a mediator.
- 13.4 The mediator must hold accreditation as a mediator by the Institute of Arbitrators and Mediators Australia.
- 13.5 The parties to the dispute must, in good faith, make every attempt to settle the dispute by mediation.
- 13.6 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute otherwise at law.

14. DISSOLUTION OF ASSOCIATION

- 14.1 On application, in writing, to the Committee by at least FIFTY (50) Individual Members or THREEFOURTHS (75%) of the membership, whichever is the smaller number, signifying their desire that the Association be dissolved; a special general meeting shall be called to consider the question.
- 14.2 The Executive Officer shall send a special notice, in writing, to every member of such meeting TWENTY-EIGHT (28) days prior to the date set for the meeting
- 14.3 The date, time and place of meeting shall be determined by the Committee.
- 14.4 No other business shall be transacted at the meeting.
- 14.5 Should the Committee fail to convene a meeting under the provisions of Constitution 14.1, 14.2 and 14.3 above, any individual member who has signed the application may convene such a meeting according to Section 14.2 and set the date, time and place of meeting.
- 14.6 Proxy votes may be received at such a meeting.
- 14.7 A special resolution passed by 75% of members present and eligible to vote by secret ballot at a general meeting of the Association is required to dissolve the association.
- 14.8 In the event of dissolution of the Association surplus funds and property to either an association incorporated under the Act Section 33(2) or for charitable purposes.
The Committee, holding office immediately prior to dissolution, shall supervise the carrying out of the provisions of Section 14.8 above and may appoint an officer(s) for that purpose.
- 14.9 The Executive Officer shall notify, in writing, all members, both individual and institutional, and AAMT of the decision to dissolve the Association. Such notice shall include a statement showing the status of the Association, pecuniary and real, and the disposal of all assets, properties, monies and other funds. Such notice shall be sent within SIXTY (60) days of the dissolution.

15. LIABILITIES

- 15.1 No member of the Committee or any Sub-committee nor any officer of the Association shall be liable for the acts, receipt, neglect or default of any other member or officer of the Association which brings the Association and its members into disrepute.
- 15.2 All members of the Committee or of any Sub-committee and any officers of the Association shall be indemnified by the Association, and the members thereof, for all losses and expenses incurred by them in or about the discharge of their respective and approved duties.
- 15.3 The provisions of Section 15.2 do not apply for any action of members, officers, Committees or Sub-committees not approved and recognised by the Association.

16. USE OF COMMON SEAL

The Association shall have a seal which shall be kept at a place determined by the Executive Officer. It shall be affixed to such documents as the Committee determines, and as is noted in the minutes, and it shall be used only by the President, Treasurer as well as the Executive Officer who shall countersign every document to which the seal is affixed as evidence of the Authority for its use. A true and correct record shall be kept of all such documents to which the seal is fixed in the Seal Register maintained by the Executive Officer and included in the minutes of the Committee meeting which determined its use.

17. INDEMNITY

- 17.1 Every member of the Association and every Association employee whether part-time or full-time while acting in conformity with this Constitution and in pursuance of legal, express and specific instructions but not otherwise is indemnified by the Association against claims or legal actions brought by any third party against the member or employee and the Association out of its funds must pay and satisfy the costs, losses and expenses incurred by the member or employee.
- 17.2 No Committee Member, member or employee of the Association shall be liable for the acts, receipts, neglects or defaults of any other Committee Member, member or employee or for loss or expense incurred by the Association through the insufficiency or deficiency of any title to any property acquired by or on behalf of the Association for any loss or damage arising from the bankruptcy, insolvency or tortuous acts of any person or persons with whom any monies, security or effects shall be deposited or for any loss or error of judgement, omission, default or oversight on his or her part for any loss, damage or misfortune whatsoever that may occur in relation to the execution of the duties of his or her office or in relation thereto unless the same occurs through his or her own wilful act or wilful neglect.

18. CONFIDENTIALITY

All deliberations and decisions of the Association are strictly private among members. Hence,

- (a) all circulars, reports and newsletters circulated to members are to be treated as confidential and for members only
- (b) no information concerning the affairs of the Association may be communicated to the public or media except by the person appointed by the Association for that purpose
- (c) any infringement of the Constitution will be dealt with under Section 5.5.



History of The Mathematical Association of Western Australia (Inc.)

With special thanks to Barry Kissane for researching and submitting the following article.

This historical note consists of extracts from an article written in 1979 by Larry Blakers, in Number 100 of Sigma, the former MAWA journal:

It is impossible to pinpoint exactly the first discussions concerning the founding of an organisation concerned with the teaching of mathematics, but I remember talking about the possibility of such a development with Frank Gamblen, after I returned from the South Asian Conference on Mathematical Education in early 1956. I also remember that Ernie Bowen, then a lecturer in the Mathematics Department of the University of W.A., was keen to see established here a branch of the Mathematical Association (of Great Britain); he had been a member of the Mathematical Association of Victoria before coming to Perth.

The first formal steps appear to have been taken in 1958. As the result of an informal meeting held on May 22, 1958, I distributed a circular (dated July 18, 1958) "To All Persons Interested in the Teaching of Mathematics". (A copy is appended.) This circular indicated that a provisional decision had been made at the May meeting that steps be taken to form a Western Australian branch of the Mathematical Association (of Great Britain). The meeting of August 6, 1958, which was held in the (old) Physics Lecture Theatre, University of W.A., approved two resolutions which I had foreshadowed in the circular:

"That this meeting approves in principle the proposal to found a Western Australian branch of the Mathematical Association.

That Mr F. Gamblen be appointed provisional President, and asked to convene a provisional committee as soon as possible, with the view to submitting at an early date, concrete proposals (including a draft constitution) to a General Meeting of interested persons."

At that time Frank Gamblen was absent on Study Leave, and I was on the eve of departure for Study Leave. Prior discussions with Frank had indicated his willingness to take on such a responsibility.

It is worth noting that the background paper distributed with the above circular gave a brief history of the Mathematical Association and of its Australian affiliations. The Mathematical Association itself had been formed in 1871 as the “Association for the Improvement of Geometrical Teaching”. At the time of the circular (July 1958) there were three branches in Australia: The Mathematical Association of Victoria, founded in 1906 (as the Melbourne Mathematical Society); the Mathematical Association of New South Wales, founded in 1910; and the Queensland Mathematical Association, founded in 1922.

The General Meeting (foreshadowed in the second resolution passed on August 6, 1958) was held on 26 February, 1959, with Frank Gamblen in the chair. The following office bearers were elected: (Names are shown as they appear in the Minutes.)

- President: Mr F. Gamblen (University)
- Vice-presidents: Mr S. T. Waddell (Technical Education)
- Bro. W. G. Hall (Roman Catholic School)
- Secretary: Dr H. Briner (University) Treasurer: Mr E. W. Bowen (University)
- Committee: Miss J. Chisslett (Independent High School)
- Miss E. Ellershaw (Independent High School)
- Mr J. R. Greenway (Teachers’ Training College)
- Mr F. Samuel (Education Department High School)

The yearly subscription was set at £2 for Full Members and 15/- for Associate Members.

The Mathematical Association was informed (by Dr H. Briner, Secretary, M.A.W.A.) in a letter dated 10 March, 1959, that “a West Australian Branch of your Association has been formed in Perth”.

Thus, the Mathematical Association of Western Australia can be regarded as coming into being from August 6, 1958.

Extra note: In part as a result of the considerable influence of Professor Larry Blakers, the Australian Association of Mathematics Teachers was founded in 1966, as a federation of Affiliated Associations. The Mathematical Association of Western Australia was one of the original Affiliated Associations, and has remained so until the present day.