

**PUBLIC LIBRARIES  
WESTERN AUSTRALIA  
INC.**

**CONSTITUTION**

**PUBLIC LIBRARIES WESTERN AUSTRALIA INCORPORATED**

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**1. Title**

The name of the Organisation is Public Libraries Western Australia Incorporated (thereafter in this Constitution called “the Organisation”)

**2. Aims**

To promote and advance the interests of public libraries for both staff and Local Government; to foster, protect and promote the interests of users of public libraries; to provide a forum for the discussion of library issues; and to foster, encourage and enhance cooperation with other Organisations with similar aims and objectives.

**3. Objectives**

- 3.1 Provide an effective conduit and forum for cooperation between local government bodies and to advise local government on matters concerning library and information service to ensure an effective public library service for the people of Western Australia.
- 3.2 Advise the Library Board, State and Federal governments and other relevant bodies on matters pertaining to library and information services and all issues associated therewith from a local government perspective.
- 3.3 Contribute to development of policy and facilitate effective management and administration of libraries within local government and to input to policy decisions made at any level that will impact on the provision of public library services.
- 3.4 Input to the setting and maintenance of standards for public library service in Western Australia.
- 3.5 Input to strategic direction setting for public library service in Western Australia through a range of means including representation on relevant committees.
- 3.6 Affiliate with and enter into association, partnerships or consortiums with other associations and Organisations involved in the provision of library services.
- 3.7 Foster, facilitate and provide continuing education, professional development and social networking opportunities for members.
- 3.8 Lobby for improved funding for library and information services.
- 3.9 Promote the value and importance of the public library for leisure, pleasure and inspiration as well as learning.

#### **4. Membership**

- 4.1 To be institutional of libraries, funded by local government, providing public library services to the Western Australian community.
- 4.2 Local Governments will be represented by their Library Managers or their nominated representative.
- 4.3 The Secretary shall, on behalf of the Association, keep and maintain in an up to date condition a register of the members of the Association and their postal or residential addresses and, upon the request of a member of the Association, shall make the register available for the inspection of the member and the member may make a copy of or take an extract from the register but shall have no right to remove the register for that purpose.
- 4.4 The register must be so kept and maintained at the Secretary's place of residence or at such other place as the members at a general meeting decide.
- 4.5 The Secretary must cause the name of an institution which ceases to be a member under rule 5 to be deleted from the register of members referred to in sub-rule 4.3.

#### **5. Subscriptions**

- 5.1 Members shall be required to pay subscriptions as resolved by the membership at the Annual General Meeting.
- 5.2 Subscriptions shall apply for a financial year, i.e. ending of the 30th June.
- 5.3 Notice requiring payment of annual subscription shall be served by the Secretary within one (1) month after the Annual General Meeting.
- 5.4 A member shall not be deemed un-financial until the subscription is three months in arrears.

#### **6. Executive**

- 6.1 Officers shall be President (who shall be a library manager), Vice President, Secretary, and Treasurer. They and not less than four (4) or more than eight (8) other elected members shall be the Executive. At least one Officer and one member shall be non-metropolitan. The officers are elected for one year at the Annual General Meeting and may stand for re-election for a further two (2) one year terms.
- 6.2 Only nomination forms signed by the nominee and one other member and submitted to the Secretary prior to the Annual General Meeting will be accepted.
- 6.3 Should the number of persons nominated for the Executive exceed the number of vacancies then there must be an election by ballot.

- 6.4 In the event that the number of persons nominated for election does not exceed the number of vacancies then those persons should be duly elected.
- 6.5 In the event that the vacancies are not filled then nominations may be accepted from the floor at the Annual General Meeting.
- 6.6 A ballot for the election of the Executive is to be conducted at the Annual General Meeting in such usual and proper processes. An email ballot for the election of the Executive is to be conducted for those members unable to attend the Annual General Meeting. The Executive will arrange the vote for positions by an independent person with the results to be announced together with the outcome of the ballot conducted at the Annual General Meeting.
- 6.7 Any vacancy occurring on the Executive shall be filled by appointment by the Executive. Such appointees shall hold office until the next Annual General Meeting, and shall be eligible for election to the Executive.
- 6.8 Any members of the Executive absent for three (3) consecutive meetings of the Executive without leave of absence shall be declared to have forfeited office. The vacancy this created shall be filled by appointment by the Executive.
- 6.9 The Executive shall be responsible to the membership and shall present an Annual Report, including a Financial Statement, to each Annual General Meeting.
- 6.10 The Executive shall meet between General Meetings as required.
- 6.11 A quorum for meetings of the Executive shall consist of one more than half the members of the Committee, one (1) of whom shall be the President or the vice-President.

## **7. Sub-Committees**

- 7.1 A Sub-committee may be appointed by the Executive, or by the General Meeting of members to perform a defined task.
- 7.2 The period of office of such Sub-committees shall be at the discretion of the Executive or the membership.
- 7.3 The membership of any Sub-committees may include:
  - Staff of member libraries
  - Officers from State Library of Western Australia
  - Representatives of relevant library groups or other Organisations.

Sub-committees shall meet as required to fulfill their requirements or as directed by the Executive. Sub-committees will report to the Executive.

- 7.4 The quorum at any subcommittee meeting shall be one half of the number of members, one (1) of whom shall be the subcommittee chairperson.
- 7.5 Decisions at any subcommittee meeting shall be by consensus. If consensus cannot be reached, the issue under debate shall be referred back to the body (either Executive or General Meeting) under whose auspices the subcommittee was formed, for determination by vote.
- 7.6 The Executive has a philosophy of encouraging library staff from all levels to participate in sub-committees.

## **8. Meetings**

- 8.1 The Annual General Meeting shall be held at least once in a calendar year and not more than three (3) months after the close of the financial year (30<sup>th</sup> June).
- 8.2 The business of the Annual General Meeting shall be:
  - to receive the President's report for the previous financial year;
  - to receive the Treasurer's report and the audited financial statements for the previous financial year;
  - together with the financial budget for the current financial year;
  - to elect or re-elect the Executive;
  - to conduct other business placed in the agenda;
  - to set membership fees for the forthcoming financial year.
- 8.3 Motions for discussion shall be lodged in writing with the Secretary at least 28 days prior to the Annual General Meeting.
- 8.4 At least 21 days' notice shall be given to each member of the Annual General meeting.
- 8.5 At least six (6) other General Meetings shall be held each year.
- 8.6 Extraordinary Meetings may be called at the discretion of the Executive or on the request of not less than twenty five percent (25%) of Members.
- 8.7 Members shall be given not less than seven (7) days notice of any Extraordinary Meetings or changes in dates of General Meetings.
- 8.8 A quorum for General Meetings shall consist of ten members or more than one half of the members, whichever is the fewer.
- 8.9 In the event that a quorum is not met at a General Meeting, at the discretion of the Chair, meetings may continue without a quorum, but the resolutions from such a meeting must be ratified at the next General Meeting.

## **9. Voting Rights**

- 9.1 Each financial member shall be entitled to one vote.
- 9.2 Voting rights shall be restricted to the officially nominated representatives. A member may, when necessary, send a nominated representative who shall be entitled to vote on behalf of that member. A nominated person must generally be of managerial level, be the person in charge of the library service, or their delegated representative.
- 9.3 Voting shall be by a show of hands except that:
- Any contested election at an Annual General Meeting shall be by secret ballot
  - The meeting may by show of hands require any other vote to be by secret ballot
- 9.4 In the event of a tied vote the motions shall be recorded as not passed.
- 9.5 Any items raised during a meeting that require a voting decision must be listed as a business item on the agenda for the next meeting.
- 9.6 Persons with special interests or knowledge considered relevant to the Organisation may be invited to attend any meeting and to speak at the discretion of the President but such persons shall not vote.

## **10. Records**

- 10.1 The Secretary shall co-ordinate the correspondence of the Organisation.
- 10.2 The Secretary shall keep full and correct minutes of all General and Executive meetings. Minutes of all General Meetings shall be made available to all members.
- 10.3 Sub-committees shall keep sufficient meeting records to ensure that performance can be reported appropriately.
- 10.4 The Secretary shall have custody of all books, records and registers of the Organisation, excepting only those required by this Constitution to be kept and maintained by the Treasurer.
- 10.5 Any Member may at any reasonable time inspect without charge the books, records and registers of the Organisation.

## **11. Finance**

- 11.1 The Treasurer shall manage in the Organisation's name, a bank account, the signatories to which shall be the President, the Vice-President and the Treasurer. Payments made from the account shall be cash or by cheque signed by 2 authorised signatories. Major or unusual expenditures shall be authorised in advance by the Committee or a General Meeting.

- 11.2 The Treasurer shall receive all payments and issue receipts for these, shall arrange payment for all accounts which have been approved for payment by the Executive, and shall keep proper records of all such receipts and payments.
- 11.3 Any member who incurs out of pocket expenses in carrying out an authorized task on behalf of the Organisation shall, upon presentation to the Executive of receipts or other documentation acceptable to the Executive, be re-imbursed.
- 11.4 An auditor for the ensuing financial year shall be appointed at the Annual General Meeting, to audit the books of the Organisation.
- 11.5 The books shall be audited by the appointed auditor at least once in the financial year, before the Annual General Meeting.
- 11.6 If the appointed auditor is unavailable to complete the audit an alternative auditor shall be appointed by the Executive.
- 11.7 The assets and income of the Organisation shall be applied solely towards achieving the objects of the Organisation. No part of those assets or income may be paid or otherwise distributed, directly or indirectly, to members of the Organisation, except where such payment accords with the objectives of the Organisation.

## **12. Common Seal of Association**

- 12.1 The Association must have a common seal on which its corporate name appears in legible characters.
- 12.2 The common seal of the Association must not be used without the express authority of the Committee and every use of that common seal must be recorded in the minute book referred to in rule 10.
- 12.3 The affixing of the common seal of the Association must be witnessed by any two of the Chairperson, the Secretary and the Treasurer.
- 12.4 The common seal of the Association must be kept in the custody of the Secretary or of such other person as the Committee from time to time decides.

## **13. Amendments**

This Constitution may be repealed, altered or amended by special resolution and passed by a majority of 75% of members present and voting at a General Meeting of which not less than seven days' written notice including notice of the proposed repeal, alteration or amendment has been distributed to all members.

## **14. Dissolution**

- 14.1 The Organisation may be dissolved at any time by resolution of not less than three quarters of the Members present at a General Meeting called for that purpose, provided that not less than twenty eight (28) days notice of such meeting is provided to Members.
- 14.2 If upon dissolution of the Organisation there shall remain, after the satisfaction of all debts and liabilities, any assets whatsoever, the same shall not be paid to, nor distributed among, members of the Organisation, but shall be given or transferred to an association or associations, incorporated under the Associations Incorporation Act 1987, having objects similar, wholly or in part, to the objects of the Organisation, or to some charitable body.
- 14.3 Such incorporated association or charitable body shall be as determined by a resolution of the Members of the Association when authorizing and directing the Executive, under Section 33(3) of the Associations Incorporation Act 1987, to prepare a distribution plan for the surplus assets of the Organisation.

In the event of the dissolution of the Organisation, the Commissioner of Taxation shall be advised of the date of dissolution within 30 days of the dissolution.