

# CHRISTIAN COUNSELLORS ASSOCIATION (WA) INC.

## CONSTITUTION

Changes are made in underlined italics

### **1. NAME**

The name of the incorporated association is the “Christian Counsellors Association (Western Australia) Incorporated” which may be abbreviated to “CCAA (WA) Inc”, in these rules called “the Association”.

### **2. INTERPRETATION**

In these rules, unless the contrary intention appears:

- a. ‘Executive’ means the office bearers of the Association;
- b. ‘Financial Year’ means the year ending on 30 June;
- c. ‘General Meeting’ means a general meeting of members convened in accordance with rule 12.
- d. ‘member’, designated by a small ‘m’ means a member of the Association who may be an Associate, a Provisional Member or a Member; ‘Member’, designated by a capital ‘M’ means a person who meets the national requirements to join the register of CCAA (WA) Inc
- e. ‘Ordinary Member of the Committee’ means a member of the Committee who is not an officer of the Association under rule 11;
- f. ‘The Act’ means the Associations Incorporation Act 1987 as amended;
- g. ‘The Regulations’ means regulations under the Act;
- h. ‘The Association’ means the Association referred to in rule 1.

### **3. PURPOSES**

The aims of the Association are:

- a. To provide an association for Christians who are involved in counselling
- b. To strive for the integration of relevant knowledge from all available sources;
- c. To advance Christian approaches to counselling;
- d. To provide peer group support for Christians involved in counselling
- e. To offer professional support, and opportunities for training for members of the Association;
- f. To disseminate information on relevant counselling resources;
- g. To formulate standards of practice and accreditation;
- h. To conduct meetings, workshops and seminars for members of the Association and the general public;
- i. To consult and co-operate with other bodies of like aims;
- j. To do anything else that may be necessary and desirable for the accomplishment of the foregoing aims.
- k. To seek affiliation in a national structure;
- l. To seek affiliation with the equivalent body in other states.

#### **4. QUALIFICATION FOR MEMBERSHIP**

The Executive may admit to membership any person who accepts the constitution and rules of the Association, pays the current annual subscription, and meets any other requirements laid down by the Association.

a. The grades of membership within the Association are:

1. Clinical Member
2. Member
3. Provisional Member
4. Associate

b. Subscribers: Persons or Organisations, who wish to be associated with the Association, receive its newsletters and attend its meetings, but have no rights to vote on association business.

#### **5. APPLICATION FOR MEMBERSHIP**

- a. Application for membership shall be made in writing on the membership application form. Admission to each grade of membership shall be determined by the Membership Committee in accordance with the applicant's qualifications and membership by-laws.

#### **6. REGISTER OF MEMBERS**

- a. The Secretary shall keep a register of members of the Association. The register shall contain information about each member's: name, address, date of joining, whether the membership fee has been paid, a record of resignation/termination/reinstatement where applicable, and any other information the Executive may require.
- b. The register will be available for inspection at all reasonable times by any member who previously applies to the secretary for such inspection.

#### **7. TRANSFER OF MEMBERSHIP**

- a. Persons requesting transfer of membership from another organisation to CCA at an equivalent level of membership will be asked to provide the same information as that specified in the appropriate CCA application forms.

#### **8. RESIGNATION OF MEMBERS**

- a. A member who delivers notice in writing of his/her resignation from the Association to the Secretary or another Committee Member ceases on that delivery to be a member.
- b. A person who ceases to be a member under sub rule a) 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 that cessation.

#### **9. EXPULSION OF MEMBERS**

After due notice and enquiry, and subject to appeal to the Association, the Executive may:

- a. Expel a member from the Association; or

- b. Suspend a member from membership of the Association, if the member has failed to pay monies owing to the Association, or if the Executive is of the opinion that a member has been guilty of conduct unbecoming of a member or prejudicial to the interests of the Association.
- c. A person whose application for membership has been rejected by the Membership Committee or whose membership has been terminated may within one month of receiving written notification thereof, lodge with the Secretary written notice of their intention to appeal against the decision of the Executive Committee.
- d. Upon receipt of a notification of intention to appeal against rejection or termination of membership the Secretary shall convene, within three months of the date of receipt by the Secretary of any such notice, a meeting of the Executive shall be called to determine the appeal. At any such meeting the applicant shall be given the opportunity to fully present their case and the Membership Committee or those members thereof who rejected the application for membership or terminated the membership subsequently shall likewise have the opportunity of presenting its or their case. The appeal shall be determined by the vote of the Executive members present at such meeting.
- e. Unresolved appeals will be directed to the National Council of CCAA and ultimately to the Psychotherapists and Counsellors Federation of Australia (PACFA).
- f. Where a person, whose application is rejected, does not appeal against the decision of the Executive Committee within the time prescribed by these Rules or so appeals but the appeal is unsuccessful, the Secretary shall forthwith refund the amount of any fee paid.

## **10. SUBSCRIPTIONS OF MEMBERS**

- a. The fees for each grade of membership shall be such sums as determined by the Executive from time to time.
- b. Each member shall pay to the Treasurer, annually on or before 1<sup>st</sup> July or such other dates as the Executive shall determine, the amount of the subscription determined under sub-rule a).
- c. Subject to sub-rule d), a member whose subscription is not paid within 3 months after the relevant date fixed by sub-rule b) ceases on the expiry of that period to be a member, unless the Executive decides otherwise.
- d. A member is a financial member for the purposes of these rules if his/her subscription is paid on or before the relevant date fixed by sub-rule b) or within 3 months thereafter.

## **11. COMMITTEE OF MANAGEMENT**

- a. Subject to any policies and procedures laid down by a general meeting of the Association, the affairs of the Association shall be managed by a Committee of Management, herein called the Committee, consisting of at least four (4) members, which will consist of :
  - 1. The Executive: A minimum of three (3) office bearers who are President

Secretary

Treasurer

2. A minimum of one (1) ordinary member.

All of whom, shall be members of the Association elected to membership of the Committee at an Annual General Meeting or appointed under sub-rule g) or h).

- b. At the first Annual General Meeting held after the incorporation of the Association, four (4) of the five (5) Committee members, shall be chosen by ballot, to cease being members of the Committee, but shall be eligible for re-election to the Committee.
- c. With the exception of those referred to in sub-rule b), members of the Committee shall hold office until the second Annual General Meeting after their election, but shall be eligible for re-election.
- d. Nominations for election to the Committee must be received by the secretary, in writing 21 days prior to the Annual General Meeting, signed by the Nominator and the Nominee.
- e. Sub-rule d) shall not apply to a person who is eligible for re-election under sub-rule b) and
- f. No person shall be elected to the Committee unless he/she receives at least fifty percent of the votes of those present and voting at the election.
- g. Elections for membership of the Committee shall normally be held at the Annual General Meeting, but casual vacancies may be filled
  - By the Committee and persons so elected shall hold office only until the expiration of the term of their predecessor in office.
  - The Committee may form sub-committees and co-opt members to them and/or itself, but such co-opted members shall not have a vote which is binding on the Committee or the Association.
  - The office of President, Vice President, Secretary and Treasurer shall be appointed by the Committee, at the first Committee meeting, following the Annual General Meeting.
  - The Committee shall meet not less than six (6) times a year
  - The quorum for a meeting of the Committee shall be a majority of members.
  - The President shall preside at meetings of the Committee or, in his/her absence. any other member chosen by the Committee.
  - Each member present at a Committee meeting (including the presiding member) shall be entitled to one vote; in the event of an inequality of votes on any question, the matter shall be deferred for reconsideration at a later meeting.
  - Except as otherwise provided by these Rules and subject to resolutions of the members of the Association carried at any general meeting the Executive Committee shall have:
    1. The general control and management of the Ministration of the affairs, property and funds of the Association; and
    2. Authority to interpret the meaning of these Rules and any matter relating to the Association on which these Rules are silent.
- h. The Executive Committee may exercise all the powers of the Association to:

1. Borrow or raise or secure the payment of money in such manner as the members of the Association may think fit and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the Association's property, both present and future, and to purchase, redeem or pay off any such securities;
  2. Borrow money from members at a rate of interest not exceeding interest at the rate for the time being charged by bankers in Perth for overdrawn accounts on money lent, whether the term of the loan be short or long, and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association, and to provide and pay off any such securities; and
  3. Invest in such manner as the members of the Association may from time to time determine.
- i. In addition to the provisions of sub-rule c), members of the Executive may resign at any time, or be removed by resolution of the Association at a general meeting.

## **12. MEETINGS**

- a. The Association shall in each calendar year hold an Annual General Meeting and such other meetings as may be determined by the Committee or requested in writing by not less than ten members.
- b. The Annual General Meeting shall be held within three months of the close of the Association's financial year.
- c. The business of the Annual General Meeting shall include:
  - ❑ receiving the Executive's report on the financial and other affairs of the association since the previous Annual General Meeting;
  - ❑ the election of the Committee members to fill vacant positions;
  - ❑ any other business requiring consideration by the Association in a general meeting.
- d. Unless the meeting specifically permits, no new business shall be introduced unless it has been considered by the Committee or one month's notice has been given to the Secretary.
- e. Notice of general meetings shall be given to each member fourteen clear days before the date of the meeting. The secretary shall cause to be sent to each financial member of the Association a notice by pre-paid post stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- f. The quorum for a general meeting shall be twice the number of members at present on the Executive plus one, present in person or by proxy. If a quorum is not present within half an hour of the appointed time, the meeting shall stand adjourned to the same time and place in the following week, or such other time and place as the Committee

determines. The reconvened meeting may transact business provided at least five (5) members are present.

- g. General meetings shall be chaired by the President or, in his/her absence, by another member chosen by the meeting.
- h. All financial members may vote and, if the vote is tied, the Chairperson has the casting vote.
- i. Voting shall be by show of hands or a division of members unless at least one-fifth of the members present request a secret ballot.
- j. Except as in Rule *16 b* every matter shall be decided by a majority of the votes of the voting members present.

### **13. FUNDS AND PROPERTY**

- a. The funds of the Association shall be derived from annual subscriptions, donations, payment for public meetings/seminars/workshops and such other sources, as the Committee may determine.
- b. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments drawn on the Association's account, shall be signed by two members of the Executive.

The income and property of the Association, shall be used and applied solely in promotion of the Association's objectives under the exercise of its powers.

### **14. DUTIES OF THE SECRETARY AND TREASURER**

- a. The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Committee meeting and general meeting, to be entered in a book, that shall be open for inspection at all reasonable times, to any financial member, who previously applies to the secretary for that inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every Committee meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding Committee meeting, verifying their accuracy. Similarly, the minutes of every general meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding general meeting, and the minutes of the Annual General Meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding Annual General Meeting.
- b. The Treasurer shall:
  - 1. collect and receive all monies due to the Association and make all payments authorised by the Association;
  - 2. keep correct books of accounts showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association;
  - 3. as soon as practicable after the end of each financial year cause to be prepared a statement containing the particulars of:
    - (1) the income and expenditure for the financial year just ended; and
    - (2) the assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of that year.

- c. The books of account referred to in sub-rule b) shall be available for inspection at all reasonable times by any financial member who previously applies to the treasurer for that inspection.
- d. The Secretary shall keep in his/her custody or under his/her control all books, documents and securities of the Association except as provided above or decided otherwise by the Committee and shall be available for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection.
- e. The common seal of the Association shall be kept in the custody of the Secretary.
- f. The common seal shall not be affixed to any instrument except by the authority of the Executive and the affixing of the common seal shall be attested by the signatures of two members of the Executive.

**15. BY-LAWS**

The Executive may, from time to time, make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the Association and any by-law may be set aside by a general meeting of members.

**16. ALTERATION OF THIS CONSTITUTION AND RULES**

- a. Subject to the provisions of the Associations Incorporation Act, these rules may be amended, rescinded or added to from time to time by a special resolution carried at any general meeting, provided that such amendment, rescission or addition shall be valid, and subsequently approved by the Ministry of Fair Trading, Perth.
- b. A special resolution, referred to in sub-rule a), requires two months' notification to all financial members of the intended proposal and must be passed by at least three-quarters of those present and voting on the resolution.

**17. DISTRIBUTION OF SURPLUS ASSETS**

If, on the winding up of the Association, any property of the Association remains after satisfaction of the debts and liabilities of the Association and the costs, charges and expenses of the winding up, that property shall be distributed to another association incorporated under the act having objectives similar to those of the Association, or to charitable purposes, as determined by resolution of the members when authorising and directing the Committee under section 33 (3) of the act to prepare a distribution plan for the distribution of the surplus property of the Association.