

PROTECTED AREA WORKERS ASSOCIATION OF NSW

1. GENERAL

1.1. Name

The name of the organisation shall be the Protected Area Workers Association of New South Wales, here in after called PAWA.

1.2. AIM

To advance sustainable management practices for the conservation and public enjoyment of our natural and cultural resources. Natural and cultural resource management includes but is not limited to maintaining and enhancing bio-diversity, cultural heritage, landscape enhancement and conservation, environmental interpretation, access and recreation.

1.3. Objectives

1.3.1. The Association shall:

- 1.3.1.1. promote and enhance the professions that collectively manage the protected areas in New South Wales
- 1.3.1.2. provide a forum for professional and social enrichment and foster professional exchange.
- 1.3.1.3. provide education and other training to develop and or improve the knowledge and skills of protected area workers.
- 1.3.1.4. provide a forum for discussion of common concerns of protected area workers, to share knowledge and communicate with the public to promote greater public benefit from their work.
- 1.3.1.5. provide material assistance, education and other training to develop and improve the knowledge, skills, professional standards and the status of protected area workers in developing countries throughout the world.

1.4. Definitions

- 1.4.1. 'Association' means the Protected Area Workers Association of NSW.
- 1.4.2. 'Service' refers to the government and private agencies, departments, services, organisations, collectives, societies, and trusts that manage protected areas, natural and cultural resource systems and or the flora and fauna of New South Wales, the Australian Capital Territory and the Australian government.
- 1.4.3. 'Protected Area Worker' means an employee of a Service who works in a field operations position or who directly supervises or supports the work of staff in field operation positions in New South Wales, the

Australian Capital Territory and on land controlled by the Australian Government.

1.4.4. 'Returning Officer' is a person nominated by the committee for the purpose of conducting a ballot of the Association.

2. MEMBERSHIP and VOTING RIGHTS

2.1. General

Membership to PAWA is open to anyone who is a protected area worker as defined in clause 1.4.3. or who supports the objectives of the Association, membership consist of two tiers, Full Membership and Associate Membership.

2.2. Full Membership shall consist of the following types of membership;

2.2.1. Ordinary membership - Any person employed by a Service as a protected area worker as defined in clause 1.4.3. or such other classification within a Service where the duties performed are equal or similar to that of a protected area worker and who has fully paid their annual subscription.

2.2.2. Retired Membership - Any person who has been employed by a Service as a protected area worker, but is now retired and has paid a subscription equal to 50% of full membership subscription.

2.2.3. Life Membership - Any person identified for long and distinguished service to the Association, annual subscription shall be waived.

2.3. Associate Membership shall consist of the following types of members

2.3.1. Supporting Membership - Any person who supports the objectives of PAWA and has paid a subscription equal to 50% of full membership subscription.

2.3.2. Student Membership - Any person who is actively studying in a course that is designed to educate those who wish to become protected area workers and has paid a subscription equal to 50% of full membership subscription.

2.3.3. Honorary Membership - Any person recognised by the Association for long and distinguished service to the conservation ethic annual subscription shall be waived.

2.4. Register

Names, full contact details and status of all members shall be entered into a Membership Register. The Register is to be kept by the Secretary.

2.5. Transfer of membership

Membership may not be transferred to another person.

2.6. Resignation

Resignation from the Association shall be in writing, addressed to the secretary, and shall be accepted by the Committee, provided that all subscriptions and outstanding fees of the resigning member has been paid to the Association.

2.7. Property Interests

Any person whose membership in the Association has been terminated in any way shall forfeit all interest and rights to any funds or all other property of PAWA.

2.8. Voting rights

2.8.1. Voting rights will only be available to Full Members.

2.8.2. Associate Members will have no voting rights.

2.8.3. While members are expected to be active participants in the decisions of PAWA, voting is not compulsory.

2.9. Proxy

Each member can nominate one proxy for that member if they are unable to attend a meeting. That proxy shall be authorised in writing by the member.

3. SUBSCRIPTIONS

3.1. Annual Subscriptions

3.1.1. The annual subscription to PAWA shall be \$50.00 and shall be due on the 1st day of June each year. Subscriptions are to be paid in advance. The committee may alter annual subscriptions from time to time.

3.1.2. Members may pay regular instalments by way of automatic deposit into the Association's bank account. Maximum period between instalment payments is one calendar month. Members with voting entitlements who pay by regular automatic deposit are deemed to have current membership for the purpose of voting provided their payments are up to date at the time of voting

3.2. Overdue

A member whose annual subscription is more than three months overdue shall cease to be a member, unless so determined by the committee of PAWA.

3.3. Funds

All members will serve without pay, but, after approval by the Committee, may be reimbursed for actual expenses incurred while attending to PAWA business.

4. OFFICE BEARERS AND COMMITTEE MEMBERS

4.1. Committee

The Committee will comprise the office bearers and may include up to six other full members as determined from time to time by the committee.

4.2. Office Bearers

The Officers of the Association shall be:

4.2.1. The Chairperson

4.2.2. The Vice-Chairperson

4.2.3. The Secretary

4.2.4. The Treasurer

4.2.5. The Extension Officer

4.2.6. The Public Officer

4.3. Committee Members

4.3.1. The PAWA committee will appoint the position of Public Officer.

4.3.2. The committee will be selected by the popular vote of full members. Only full members may be elected to the committee.

4.4. Term and Selection of Office and Committee Members

4.4.1. The office bearers and committee members of PAWA shall be elected at the Annual General Meeting (AGM) and shall take office at the conclusion of the election during the AGM at which they are elected. They shall hold office for the period of two years. Half the committee positions will be vacated and new members elected every 12 months on a rotating basis between positions to ensure continuity within the committee.

4.4.2. Nomination of committee members shall occur at least one month before the AGM to allow for dissemination of information on nominated members and postal voting from remote areas. Where insufficient nominations have been received at least one month before an AGM, nominations for unfilled positions will be accepted from members at the time of the AGM.

4.5. Vacation Of Office

The position of an Officer Bearer or Committee member of PAWA becomes vacant if the Officer or Committee member:

4.5.1. Dies;

4.5.2. Resigns their office by writing to the Secretary;

4.5.3. Fails to do their duties of office after being required to do so by the Committee;

4.5.4. Fails to pay all arrears of subscriptions due by them within 30 days after they have received notice in writing signed by the Secretary or Treasurer stating that they have ceased to be a financial member of PAWA.

4.6. Chairperson

If the position of Chairperson becomes vacant, the Vice-Chairperson shall undertake the duties for the remainder of the term of Office and the position of Vice-Chairperson shall be filled as per clause 4.7.

4.7. Committee Member Vacancy

Should a vacancy occur on the Committee, the committee may elect a full member to act in that office for the remainder of that term.

5. MEETINGS

5.1. There shall be a minimum of one meeting a year and the Committee may call other meetings as required.

5.2. The secretary shall provide written notice of AGMs to all members at least two months prior to the date of the meeting. This notice shall be by way of email to each member (or other nominated means in lieu of email), the newsletter and the website.

5.3. A quorum at Committee meetings shall consist of either chair or vice plus two other committee members. A quorum of the AGM shall be a quorum of the Committee plus seven other full members.

5.4. Attendance at meetings or AGM shall not be restricted to the members' physical attendance. Attendance can be in the form of teleconferencing or other means agreed by the PAWA Committee as may occur through technological developments.

6. AMENDMENTS TO CONSTITUTION

Motions to amend the Constitution may be moved by any full member, seconded and supported by two other full members

- 6.1.** Proposed motions shall be forwarded in writing to the secretary who will circulate the motion to all members at least one month prior to an AGM or referendum being held.
- 6.2.** Any amendment can be made by a referendum of full members at any time and need not be restricted to AGMs. If a referendum proposal has been put to the vote and failed, the same or similar proposal cannot be put before the membership for voting for at least 12 months.
- 6.3.** An amendment is passed by referendum if it receives two-thirds majority (minimum 66%) of responding full members.
- 6.4.** Any referendum put to full members shall have a time limit clearly identified for returns.
- 6.5.** The Committee shall appoint the scrutineer, to assist the Returning Officer for such referendum matters.
- 6.6.** Voting may be carried out by methods as decided upon by the committee. This may include but not be limited to; a show of hands, email responses, on the voices, or such combination of these methods as deemed by the committee from time to time.

7. AUDIT OF ACCOUNTS

- 7.1.** A qualified accountant shall be appointed to report on the financial transactions of PAWA, and shall prepare a report for presentation at the AGM.

8. INTERNATIONAL, NATIONAL AND STATE AFFAIRS

- 8.1.** The general welfare of nature conservation and cultural heritage is a concern to PAWA members. The merits of any public question involving such welfare shall be proper subjects of fair and intelligent study and discussion before any meeting of PAWA for the enlightenment of its members in forming their individual opinion.
- 8.2.** PAWA will be apolitical.
- 8.3.** PAWA will be non-industrial.
- 8.4.** PAWA will affiliate with the Australian Ranger Federation and the International Ranger Federation.

9. BYLAWS

9.1. PAWA shall adopt bylaws not inconsistent with this constitution and that embody additional provisions for the efficient and good government and management of PAWA. Such bylaws may be amended from time to time as herein provided.

9.2. Bylaws may be adopted or modified by simple majority vote of the membership that casts a vote.

10. RESPONSIBILITIES OF OFFICE BEARERS

10.1. The Chairperson shall:

- 10.1.1.** Be spokesperson of PAWA
- 10.1.2.** Interpret the Constitution
- 10.1.3.** Represent PAWA on the policies of PAWA
- 10.1.4.** Be chairperson at Committee meetings.

10.2. The Vice-Chairperson shall:

- 10.2.1.** Act as the deputised Chairperson in the Chairpersons absence.
- 10.2.2.** Act as the main facilitator for communications between PAWA and any body that PAWA may become affiliated with.

10.3. The Secretary shall:

- 10.3.1.** Keep minutes of all AGM's, Committee meetings and extraordinary committee meetings.
- 10.3.2.** Make available, upon request by a member, minutes of AGM's, Committee meetings and extraordinary Committee meetings.
- 10.3.3.** Make available, upon request by a member, a copy of the Constitution.
- 10.3.4.** Present incoming correspondence to Committee Meetings.
- 10.3.5.** Be responsible for outgoing correspondence passed by motion at Committee meetings.
- 10.3.6.** Keep proper record of incoming and outgoing correspondence.
- 10.3.7.** Keep the Membership Register.

10.4. The Treasurer shall:

- 10.4.1.** Establish a bank account bearing the name of PAWA.

- 10.4.2. Pay into the account all monies paid to PAWA.
- 10.4.3. Issue receipts for all monies paid to PAWA.
- 10.4.4. Pay all accounts passed for payment by motion at Committee meetings.
- 10.4.5. Keep a proper record of the receipts and payments of PAWA.
- 10.4.6. Present a financial report to each Committee meeting and AGM.
- 10.4.7. Make available financial records of the Association requested by the Accountant.

10.5. The Extension Officer shall:

- 10.5.1. Publish and distribute PAWA newsletter.
- 10.5.2. Actively promote and advertise PAWA.
- 10.5.3. Establish and maintain a website and its contents.
- 10.5.4. Keep the membership informed of PAWA activities and events.

11. INTERPRETATION

Throughout this Constitution, pronouns of either masculine or feminine shall include each other.

12. MEMBER'S LIABILITIES

The liability of a member of PAWA to contribute towards the debts and liabilities of PAWA or the costs, charges and expenses of the winding up of the association is limited to the amount of the annual subscription as outlined in clause 3.1 and any other outstanding fee as owed to PAWA by an individual member.

13. DISCIPLINING OF MEMBERS

13.1. A complaint may be made to the committee by any person that a member of PAWA:

- 13.1.1. has persistently refused or neglected to comply with a provision of these rules, or
- 13.1.2. has persistently and wilfully acted in a manner prejudicial to the interests of PAWA.

13.2. On receiving such a complaint, the committee:

- 13.2.1. must cause notice of the complaint to be served on the member concerned: and
 - 13.2.2. must give the member at least 14 days from the time of the notice is served within which to make submissions to the committee in connection with the complaint, and
 - 13.2.3. must take into consideration any submissions made by the member in connection with the complaint.
- 13.3. The committee may, by resolution, expel the member from PAWA, suspend the member from membership of the association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved.
- 13.4. If the committee expels or suspends a member, the secretary must within seven days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken the action and of the member's rights of appeal under clause 13.6.
- 13.5. The expulsion or suspension does not take effect:
- 13.5.1. until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
 - 13.5.2. if within that period the member exercises the right of appeal, unless and until the association confirms the resolution under clause 13.6.3.4 whichever is the latter.

13.6. Right of Appeal

A member may appeal to the association in general meeting against a resolution of the committee, provided they lodge a notice of appeal in writing to the secretary within 7 days of receiving the notice of the committees decision to suspend or expel the member.

- 13.6.1. The notice will include the grounds on which member will rely for the appeal.
- 13.6.2. On receipt of the notice of appeal under clause 13.6.1, the secretary must notify the committee, which will convene a general meeting of the association, which is to be held within 28 days after the date on which the Secretary received the notice.
- 13.6.3. At a general meeting of the association convened under clause 13.6.2;
 - 13.6.3.1. no business other than the question of the appeal is to be transacted, and
 - 13.6.3.2. the committee and the member must be given the opportunity to state their respective cases orally or in writing or in both, and

13.6.3.3. the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

13.6.3.4. If the general meeting of the association passes a special resolution in favour of the confirmation of the committee's decision to suspend or expel a member, the committee's decision is confirmed.

14. SERVICE OF NOTICES

14.1. For the purposes of these rules, a notice may be served on or given to a person:

14.1.1. by delivering it to the person personally, or

14.1.2. by sending it by pre paid post to the address of the person, or

14.1.3. by sending it by facsimile transmission or email or other form of electronic transmission to an address specified by the person for the giving or serving the notice

14.2. For the purposes of these rules, a notice is taken, unless the contrary is proved, to have been given or served:

14.2.1. in the case of a notice given or served personally, on the date on which it is received by the addressee, and

14.2.2. in the case of a notice sent by pre paid post, on the day it would have been delivered in the ordinary course of post, and

14.2.3. in the case of a notice sent by facsimile transmission, email or other form of electronic transmission, on the date it was sent, or if the machine from which it was sent produces a report indicating that the notice was sent on a later date, on that date.

15. RESOLUTION OF INTERNAL DISPUTES

15.1. Disputes between members in their capacity as members of the association and disputes between members and the association are to be referred to a community justice centre for mediation in accordance with the Community Justice Centres Act 1983.

15.2. At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are the dispute between them and supply copies to the mediator.

16. FUNDS - SOURCES

- 16.1.** The funds of PAWA are to be derived from annual subscription, donations by members and non members, corporate donation and the holding of special events for the purpose of raising funds for the association's activities and objectives and such other sources as determined by the committee or general meeting.
- 16.2.** All moneys received by the association must be deposited as soon as practicable and without deduction to the credit of PAWA's bank account.
- 16.3.** The association must as soon as practicable after receiving any money, issue an appropriate receipt.

17. FUNDS – MANAGEMENT

- 17.1.** Subject to any resolution passed by the association in general meeting, the funds of PAWA are to be used in pursuance of the objects of the association in such manner as the committee determines.
- 17.2.** All cheques, drafts, bill of exchange, promissory notes, and other negotiable instruments must be signed by any 2 members of the committee, being members of the committee authorised to do so by the committee.
- 17.3.** The assets and income of the organisation shall be applied solely in furtherance of its above-mentioned objects and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.
- 17.4.** In the event of the organisation being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes which is not carried on for the profit or gain of its individual members.

18. COMMON SEAL

- 18.1.** The common seal of PAWA must be kept in the custody of the Public Officer
- 18.2.** The common seal must not be affixed to any instrument except by the authority of the committee and the affixing of the common seal must be attested by the signatures of either 2 members of the committee or of 1 member of the committee and of the public officer or secretary.

19. CUSTODY OF BOOKS

Except as otherwise provided herein, the public officer must keep in their custody or under their control all records, books and other documents of PAWA.

20.INSPECTION OF BOOKS

The records, books and other documents of PAWA are to be made available for inspection, free of charge, by a member of PAWA at any reasonable hour and location. The requesting member will be required to inspect the books and records at the location they are normally held.

21.INSURANCE

PAWA may effect and maintain insurance

Constitutional Amendments

1 February 2008

1. Clause 1.4.2. The words "the Australian Capital Territory and the Australian government." inserted.
2. Clause 1.4.3. The words "in New South Wales, the Australian Capital Territory and on land controlled by the Australian Government." inserted.
3. Clause 4.4.2. The words "Where insufficient nominations have been received at least one month before an AGM, nominations for unfilled positions will be accepted from members at the time of the AGM." inserted.
4. Clause 17.3 added
5. Clause 17.4 added