CONSTITUTION OF

THE ASSOCIATION OF PUBLIC SECTOR SUPERANNUANTS INCORPORATED



1 NAME

1.1. The name of the Association shall be "The Association of Public Sector Superannuants Incorporated" (

hereinafter called "the Association").

2 ASSOCIATION'S OFFICE

2.1. The office of the Association shall be at such place as the Committee may from time to time determine.

3 MEMBERSHIP

3.1. The members of the Association shall consist of those persons who being eligible to join have met their financial commitments to the Association.

3.2. To be eligible to join the Association, a person must be in receipt of or be eligible to receive a pension or an annuity from a Commonwealth, State or Territory or such other public sector fund as might from time to time be recommended by the Executive Committee and approved at an Annual General Meeting or a Special General Meeting.

3.3. A member may resign from membership of the Association by giving written notice thereof to the Secretary of the Association.

3.4 Membership may be obtained by completing a Membership Application form available on the association website

4 OBJECTS

The objects of the Association shall be to deal with any matters affecting or likely to affect the welfare of its members and their partners, and in particular to protect and improve the economic and social security of participants in public sector superannuation schemes. This will be pursued by lobbying state and federal governments and their relevant Superannuation schemes.

5 POWERS

The Association shall have all powers conferred by section 25 of the Associations Incorporation Act 1985 “The Act” to further the objects of the association, including power to:

5.1. institute and take action, which is deemed necessary to carry out its objects, and

5.2. raise monies by subscriptions and levies for the purpose of carrying out its objects, and

5.3. disburse, use and invest monies for the purpose of carrying out its objects.

6 EXECUTIVE COMMITTEE

6.1. The affairs of the Association shall be managed by a Committee comprising all the officers of the Association and up to eight ordinary Committee members. The Committee should, as far as possible, include both women and men.

6.la if there are more than 8 nominations of ordinary committee members then those extra nominations (in the order that they are received) shall be invited to stand as observers.

6.1b Observers are permitted to attend executive meetings and at the discretion of the chairperson speak to the meeting, they shall not be permitted to vote.

6.2. The officers of the Association shall be, as far as possible:

(a) President

(b) Vice-President

(c) a secretary

(d) a Treasurer

(e) an Assistant Secretary

(f) a Membership Officer

(g) a Speaker Coordinator. (h) a communications Manager



Notes:

1. It is not obligatory that all posts are filled.
2. A person may hold more than one office.
3. There is a legal requirement that the Association has a Public Officer. The Public Officer is not elected but is appointed by the Committee. The Public Officer also may or may not hold one of the offices of the Association listed above. See Section 23.

6.3. All officers (except the Public Officer) and ordinary Committee members shall be elected at the Annual General Meeting of the Association in each year and shall hold office until the Annual General Meeting next after the date of his/her election; officers and committee members are eligible for re-election.

6.4. The committee should, as far as possible, include both members of the South Australian State pension scheme, and members of one or more of the Commonwealth pension schemes.

6.5. In the event of a casual vacancy occurring, the Committee may appoint a member of the Association to fill the vacancy, and the member so appointed shall hold office until the ensuing annual general meeting.

6.6. The Committee

(a)The affairs of the association shall be managed and controlled by a committee which, in addition to any powers and authorities conferred by these rules, may exercise all such powers and do all such things as are within the objects of the association, and are not by the Act or by these rules required to be done by the association in general meeting.

(b)The committee has the management and control of the funds and other property of the association.

(c) The committee shall have authority to interpret the meaning of these rules and any other matter relating to the affairs of the association on which these rules are silent.

6.7. The office of a committee member shall become vacant if the committee member is expelled from membership or disqualified by the provisions of the legislation concerning the administration and control of incorporated associations.

6.7a. The Executive Committee may from time to time create Standing Subcommittees, the Annual General Meeting must be informed of the existence of such sub-committees and their terms of reference.

6.7b An Advisory Committee may be formed and will meet at least Quarterly.

Its functions shall be.

1. To monitor Laws, policy and Administration for individual schemes, industry Superannuation (SIS), Taxation, and decision review bodies.

2. Identify anomalies in the superannuation environment and act with policy makers and administrators to quantify and mitigate these effects. Simplify the complexity of defined schemes anomalies to a level that supports full comprehension by stakeholders.

3. Assist members to understand their scheme and guide them to formal scheme or industry resources for assistance.

7 SUBSCRIPTIONS AND LEVIES

7.1. Each member shall contribute to the funds of the Association, subscriptions as determined by the members at the annual general meeting.



7.2. Separate rates shall be set for annual membership and life membership. In the event of the death of a member who has paid an annual or life membership fee the corresponding membership rights shall pass to that person's surviving spouse or putative spouse as defined in the South Australian superannuation legislation.

7.3. Subscription rates shall remain in operation for the whole of a financial year and may only be altered by providing notice of motion in writing to the Secretary at least eight weeks prior to the annual general meeting, together with agreement to the alteration being recorded at that annual general meeting. If agreed to, the amended rate shall be effective immediately. All fees in advance paid prior to the annual general meeting shall be valid for the relevant period.

7.4. Honorary life membership may be granted by resolution at the annual general meeting to members whose service is considered to have been worthy of such an award. To be eligible for the distinction, a member must have served for a minimum of five years on the Executive Committee and receive the recommendation of the Committee.

7.5. If, in the opinion of the Committee, it is at any time necessary to augment the funds of the Association, or to provide funds to meet any extraordinary expenditure lawfully incurred, or for any special purpose consistent with the objects of the Association, the Committee shall have power to impose a levy or levies upon all or any of the members of the Association, provided that in any one financial year, the levy or levies imposed on each member shall not exceed in amount one year's subscription.

8 FUNDS

8.1. The funds shall be banked in a separate banking account in the name of the Association and used under the direction of the Committee and shall be operated upon by the President, the Vice-President, the Treasurer, the Secretary and the Membership Officer, and such other members of the Committee that the Committee may approve., provided that all cheques shall be sufficiently endorsed if signed by any two of these officers. Also, funds may be transferred electronically provided the transfer is authorised by two of these officers.

8.2. An Annual Financial Statement shall be presented to the annual general meeting.

8.3. The income and property of the Association shall be applied solely towards the promotion of the objects of the Association, and no portion thereof shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise, howsoever by way of profit, to members or relatives of members of the Association, provided that nothing herein shall prevent the payment in good faith of remuneration to any officer or servant of the Association or to any member of the Association for any service actually rendered to the Association, or reasonable and proper rental for premises let by any member to the Association.

9 FINANCIAL YEAR

The financial year of the Association shall be the period beginning on the first day of January in each year and ending on the thirty-first day of December next following.

10 GENERAL MEETINGS

10.1. Regular General meetings shall be held at such time and place as the Committee determines.

10.2. An annual general meeting shall be held in February of each year and shall be in addition to any other general meetings that may be held. All members shall be advised of the date and time of the Annual General Meeting at least two weeks in advance of the meeting. The ordinary business of the annual general meeting shall be to

(1) confirm the minutes of the preceding annual general meeting,

(2) receive reports from the President and the Treasurer.

(3) receive an annual financial statement,

(4) elect the officers and the ordinary Committee members for the ensuing year, and

(5) transact any special business of which notice is given in accordance with these rules.



10.3 A special general meeting may be convened by the Secretary upon direction from the President of the Committee or upon a written request signed by not less than twelve members, who must state clearly the purpose of such meeting. No business other than that for which the special general meeting is convened shall be brought forward at this meeting. At least three weeks' notice shall be given to members before a Special General Meeting is held.

10.4 Thirty members personally present (being members entitled under these rules to vote thereat) constitute a quorum for the transaction of the business of any general meeting or Special General Meeting.

11. NOTICE OF PROPOSED ELECTIONS TO THE COMMITTEE

11.1. Notice of all persons seeking election to the Committee at the annual general meeting shall be given to the Secretary by 5 p.m., Central Standard Time, on or before 21 January in every year. The notice of the annual general meeting shall contain the names of all persons seeking election to the Committee, which notice shall be given to all members at least three weeks in advance of the meeting.

11.2. When no nomination has been received for an office of the Association, the Chairperson shall ask for nominations from the floor of an Annual general Meeting and shall accept any such nomination.

12 COMMITTEE MEETINGS

12.1. The Committee shall meet at such place and at such times as the Committee may determine. Meetings are held monthly except for December and January. Notice of meetings is provided to committee members a month in advance.

12.2. Special meetings of the Committee may be convened by the President or any four of its members. Notice shall be given to the members of the Committee of any special meeting specifying the general nature of the business to be transacted, and no other business shall be transacted at such a meeting.

12.3. Any four members of the Committee constitute a quorum for the transaction of the business of a meeting or special meeting of the Committee.

12.4. In a situation where the President believes that a decision needs to be made as a matter of urgency, he may call a meeting by telephone or videoconference or circulate a resolution to all committee members by facsimile, mail or email. A matter dealt with by circulating a resolution, is decided when a majority of members have indicated their support or opposition to the resolution by returning by facsimile, mail or email a signed copy of the circulating resolution to the President within the timeframe specified in the circulating resolution.

13 CHAIRPERSON

13.1. The President, or in his/her absence, the Vice-President or a person to whom the President delegates his or her authority, shall preside as Chairperson at every meeting of the Association or of the Committee.

13.2. If the President and the Vice-President and any person who the President has nominated as his delegate are all absent from a meeting, the Committee members present (or in the case of a committee meeting, the remaining members of the Committee present) shall elect one of their number to preside as Chairperson thereat.

14 VOTING

14.1. Upon any question arising at a general meeting of the Association or at a committee meeting, a member at a general meeting and each officer and committee member at a committee meeting has one vote only.

14.2. All votes shall be given personally, or by phone or by online attendees of the meeting.

14.3. Each motion put to the vote of the meeting shall be resolved by a simple majority by a show of hands or, if demanded, by secret ballot.

14.4. A secret ballot demanded on any resolutions hall be taken in such manner as the Chairperson shall direct, and the result of the poll shall be deemed to be the resolution of the meeting.

14.5. In the case of an equality of voting on a question, the resolution shall be taken as not passed.

14.6. A member shall not be entitled to appoint another person to be their proxy at any general meeting of the Association.

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14.7. If at a general meeting or a special general meeting at least a quorum of 30 members is present and 2/3 or more of these votes for (or against) a motion, that motion that motion shall be regarded as passed (or defeated). If less than 2/3 vote for a resolution that resolution shall be referred back to the Committee for further consideration.

DUTIES OF OFFICERS

15 PRESIDENT

Note. The President may choose to delegate his powers of conducting committee or general meetings to another person. The duties of the President, or for sections 16.1, 16.2 and 16.3, of any person to whom the President delegates his powers, shall be to

15.1. preside at all general meetings and Committee meetings and preserve order thereat, and upon the minutes being confirmed, shall approve the minutes online.

15.2. enforce the rules, and have control of the meeting at which he or she presides; and use all necessary power to secure and enforce order and expedition in the conduct of the business and good order of the members hereat,

15.3. conduct all meetings in accordance with the Standing Orders as may be from time to time determined by the Committee,

15.4. serve ex-officio as a member of all committees appointed by the Executive Committee, and

15.5. act in all matters of urgency in conjunction with the Secretary.

16 VICE-PRESIDENT

16.1. The duties of the Vice-President shall be to preside over meetings and perform the duties of the President in his/her absence and assist in preserving order.

17 SECRETARY

The duties of the Secretary shall be to

17.1. attend general meetings and Committee meetings in the Association’s cloud account.,

17.2. attend to and keep a copy of all correspondence,

17.3. keep minutes of all meetings and records of other business transacted by the Association,

17.4. convene all general meetings and Committee meetings, and

17.5. discharge all such other duties and services as may be assigned to him or her by the Committee.

18. TREASURER

18.1 The duties of the Treasurer shall be to keep all financial records of the Association, and in particular to

(a) have the charge and custody of all current receipts of money belonging to the Association and ensure the prompt payment of such monies into the appropriate bank account of the Association,

(b) keep a correct account of all monies received and expended,

(c) ensure all payments are made by cheque or electronically, as set out in Section 8.1 above, and

(d) produce any books and records for inspection at all reasonable times when requested by the Committee and supply such information to the Committee regarding financial matters as they may require,



18.2 furnish at each meeting a statement showing the financial position of the Association.

18.3 furnish to the Annual General Meeting of the Association a financial statement as provided for in clause 8, and

18.4 prepare and submit to the Australian Tax Office any statement of income required by law.

19 ASSISTANT SECRETARY

The duties of the Assistant Secretary shall be to

19.1. generally, assist the Secretary in his/her allotted duties, and

19.2. perform any other duties and services assigned to him/her from time to time by the Committee.

20 MEMBERSHIP OFFICER

The duties of the Membership Officer shall be to

20.1. keep a register of all members of the Association, and

20.2. receive and bank membership fees and donations, issue receipts for fees to members in accord with arrangements determined by the Committee and notify the Treasurer of all deposits made into the Association bank account, and

20.3. provide a list of members' addresses when this is required for the dispatch of newsletters or other communications to members.

20.4 may refer to the Committee any membership applicant whose eligibility has reason to question.

21. SPEAKER COORDINATOR

The duties of the Speaker Coordinator shall be to

21.1. arrange for a Guest Speaker for every General Meeting and the Annual General Meeting, and

21.2. meet and greet all Guest Speakers to each meeting and formally introduce them to the meeting, and

21.3. contact the Guest Speaker some days before the General Meeting as a reminder and to enquire if they have any special requirements.

22. COMMUNICATIONS MANAGER

A communication manager shall be appointed by the committee. This position may be delegated to any member with the appropriate skills.

The duties of the communication Manager should include:

22.1. Management of the association website

22.2. Dispatching of communications to members by email from contact data provided by the Membership Officer.

22.3. Monitoring and filing of all incoming emails and directing them to the appropriate committee member.

22.4. Keeping members aware of Association matters.

22.5 Compiling and editing the Superannuant from copy provided by members.

22.6. Sending the Superannuant to members by e-mail or by post.

22.7. Managing the association's online cloud accounts.



23 PUBLIC OFFICER

The Committee shall appoint a Public Officer; the appointment to be recorded on the register of the Association kept by the Office of Consumer and Business Services.

24 THE SEAL

The Association shall have a common seal upon which its corporate name shall appear in legible characters. The seal shall not be used without the express authorisation of the Committee, and every use of the seal shall be recorded in the minutes of the Association. The affixing of the seal shall be witnessed by any two members of the Committee who shall print their names beneath their respective signatures.

25 AMENDMENTS TO THE CONSTITUTION

The constitution of the Association shall not be altered, amended or added to except by resolution to an annual general meeting or at a special general meeting convened for that purpose.

26. EXPULSION OF A MEMBER

26.1 Subject to giving the subject member an opportunity to be heard or to make a written submission, the Committee may resolve to expel a member upon a charge of misconduct detrimental to the interests of the Association. The rules of natural justice will be observed, as required under Section 40 of the Act.

26.2 Particulars of the charge shall be communicated to the member in writing, and served upon the member, either personally, or by registered post at that member's last known address, together with an Advice of Receipt Card for signature by the recipient and return by the postal service to the Secretary.

26.3 The particulars of the charge shall carry an endorsement at the foot thereof specifying a date and place of the expulsion hearing, such date to be not less than 31 days after the personal service or estimated day of postal service.

26.4 In the event that service is established, but the subject member fails to attend at the appointed day and place, or such other day and place as subsequently agreed, the Committee shall proceed to a determination ex parte. The Committee shall thereupon serve a written copy of the determination upon the member and record in the Association Minutes the date and method of service as being either personal or by registered post.

26.5 In the event of an adverse determination, expulsion shall, subject to an appeal pursuant to 26.6 below, take effect 31 days after service of the determination to expel.

26.6 It shall be open to a member to appeal the expulsion to the Association at a General Meeting. The intention to appeal shall be communicated in writing, with specified grounds, to the Secretary or Public Officer of the Association within 14 days after the determination of the Committee has been communicated to the member.

26.7 In the event of an appeal under 26.6 above, the appellant's membership of the Association shall not be terminated unless the determination of the Committee to expel the member is upheld by the members of the Association. In such case expulsion operates from the date of the General Meeting decision.

26.8 The hearing of the appeal shall be notified in the Agenda of the General Meeting, and the General Meeting shall be provided with:

(i) A copy of the particulars of the charge.

(ii) A copy of the determination of the Committee to expel.

(iii) A copy of the member's grounds of appeal.

27 DISSOLUTION

27.1 If upon the winding-up or dissolution of the Association, there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among members of the Association, but shall be distributed to such other body or bodies having similar objects, or to such charitable body or bodies, such as shall prohibit the distribution of income and property to members.



27.2: A member of the committee having a direct or indirect pecuniary interest in a contract or proposed contract with the association must disclose the nature and extent of that interest to the committee as required by the Act and shall not vote with respect to that contract or proposed contract.