

# Local Government Works Association of Western Australia Incorporated



## MISSION STATEMENT

*To provide a central organisation for Supervisory Officers  
in Local Government and Associated Works, to  
enable networking,  
co-operation, mutual assistance and  
fellowship.*

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## STATEMENT OF PURPOSE OF THE ASSOCIATION

1. The purpose for which the Local Government Works Association of Western Australia Incorporated is established to:
  - a) afford the opportunity to Members for the interchange of ideas, discuss matters calculated to assist our Members, promote, protect and support the interest of its Members; and
  - b) foster a friendly and social relationship between our Members serving in various Shires, Towns and Cities within the State of Western Australia.
2. Solely for the purpose of furthering the purposes set out above the Association shall have power to:
  - a) have an association with any other group, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Association.
  - b) print and publish any newspapers, periodicals, books or leaflets that the Association may believe desirable for the promotion of its objectives, and;
  - c) make donations for patriotic charitable or community purposes.

## RULES & CONSTITUTION

### NAME

1. The name of the incorporated Association is Local Government Works Association of Western Australia Incorporated (in these rules and constitution).

### INTERPRETATION

2. In these rules and constitution, unless the contrary intention appears:
  - “Committee” means the Executive Committee of the Association.
  - “Financial year” means the year ending with the last day of June.
  - “Meeting” means a meeting of members convened in accordance with rule 6, 7 & 8 of the Constitution.
  - “Member” means a member of the Association.
  - “Ordinary Member of the Committee” means a member of the Committee who is not an Officer of the Association under rule 5 (item (i), (ii), (iii), (iv), (v)) of the Constitution.
  - “The Act” means the Associations Incorporations Act 2015.
  - “The Regulations” means the regulations under the Act.
3. In these rules, a reference to the President or Administration Officer of the Association is a reference:
  - a) Where a person holds office under these rules as President or Administration Officer of the Association – to that person: and
  - b) In any other case, to be the Public Officer of the Association.
4. Words or expressions contained in these rules and constitution shall be interpreted in accordance with the provisions of the Associations Incorporations Act 2015 and the Act as in force from time to time.

**CONSTITUTION OF THE LOCAL GOVERNMENT WORKS  
ASSOCIATION OF WESTERN AUSTRALIA INCORPORATED**

**1. NAME**

The name of the Association shall be the “Local Government Works Association of Western Australia Incorporated” (hereinafter called the “Association”).

**2. OBJECTIVES OF THE ASSOCIATION**

A. The objectives of the Association shall be to:

- (i) provide a central Organisation of Supervisors and Works Officers associated with Local Government and other associated works.
- (ii) promote co-operation, mutual assistance and good friendship between them and throughout Local Government.
- (iii) arrange, convene and hold such Conferences, Events and Meetings as may be considered necessary by the Association or its Executive Committee from time to time for discussing subjects relating to Local Government.
- (iii) print and distribute papers to its members from time to time. These would include records, extracts and any special information sheets relating to the aims of the Association, and;
- (iv) generally: to do all things necessary to promote and protect the interests and welfare of its members, to assist them in the discharge of their functions and duties and to do all such other things as are incidental thereto or the Association may think conducive to above objects, or any of them.

B. maintain and conduct the Association as a non-political, non-industrial and non-profit organisation.

C. ensure the property and income of the Association shall be applied solely towards the promotion of the objectives or purposes of the Association and no part of the property or income may be paid or be otherwise distributed (directly or indirectly) to members of the Association, except in good faith in the promotion of those objectives or purposes.

**3. MEMBERSHIP**

**A. MEMBERSHIP APPLICATION**

Membership shall be open to a person or organisation/company who Co-ordinates, Supervises, Managers resources, employees engages in/or associated with Local Government or associated works.

A nomination of a person for membership of the Association:

- 1) Shall be made on the appropriate application – Schedule Form 1, accompanied by the fees, which will be fixed from time to time at the Annual General Meeting. Such applications will be firstly dealt with by the Executive Committee to determine eligibility.
- 2) Each member shall pay to the Treasurer, annually on or before 31st December, or such other date as the Committee from time to time determines all subscription fees due.
- 3) Shall be lodged with the Administration Officer of the Association.
- 4) Retired persons previously having qualified shall remain eligible to be members.
- 5) Once admitted to full membership, a member shall be entitled to indefinitely retain his/her membership status, provided that he/she always remains financial, and that he/she is not subject to expulsion through Section 15 of the Constitution.
- 6) As soon as is practicable, after receipt of the nomination, the Administration Officer shall refer the nomination to the committee.
- 7) Upon a nomination being referred to the Committee, the Committee shall determine whether to approve or reject the nomination.
- 8) Any person who has rendered service to the association beyond the bounds of normal duties, may be elected to Honorary/Life Membership by a majority at a general meeting. The Committee may from time to time accept such persons as they see fit.
- 9) A member whose subscription is not paid within 3 months after the relevant due date fixed by the Committee, as under sub-clause (2) ceases on the expiry of the period to be a member of the LGSA of WA Inc, unless the Executive Committee decides otherwise.
  - i. Membership automatically ceases upon failure to pay the annual subscription, if a member is convicted of an indictable offence.
  - ii. Members whose subscription are in arrears are not entitled to vote
- 10) Any person, whose application has been rejected by the Association, shall be entitled to appeal in writing against the rejection thereof, to the next “General Meeting” of the association, and a three quarters majority of members present at such meeting, may by resolution, uphold such appeal.

- 11) Nominations for “Honorary/Life Membership” shall be on the recommendation of the Executive Committee, submitted to the Annual General Meeting of the Association, and shall be confirmed by a three-fourths majority of voting members present. The nominations for “Honorary/Life Membership” shall be made on the appropriate printed Schedule Form 5.

Such “Honorary/Life Members” having power to vote at all meetings.

**B. FULL MEMBERSHIP: -**

Those eligible for “Full Membership” shall be:

- 1) A person who co-ordinates, supervises and manages resources and employees, or engages in, or is associated with Local Government or it’s associated works.
- 2) All “Full Members” of the Association to have power to vote at all meetings.

**C. ASSOCIATE MEMBERSHIP:-**

- 1) All Supervisory personnel not being employed in Local Government, but other areas directly associated with Local Government, shall be eligible for Associate Membership. Such membership entitles full participation in meetings and activities of the Association, but carries with it no power to vote.
- 2) Any Associate Member who is a financial member and who has filled out the appropriate nomination form for a vacancy on the Committee, passed through the Annual General Meeting process and has been elected for the position that has been applied for, shall have all the benefits conferred upon it by the Executive Committee as a “Full Member”.

**D. CORPORATE MEMBERSHIP: -**

- 1) Public Authorities and Organisations, Business Houses or those persons whose interests are connected with the work of the Association, may be admitted at the discretion of the Executive Committee as Corporate Members of the Association. Such Corporate Members may appoint representatives who shall be entitled to attend meetings of the Association and take part in discussions, but with no power to vote.
- 2) Any Corporate Member who has a financial membership status, and who has filled out the appropriate nomination form for a vacancy on the Committee, passed through the Annual General Meeting election process and has been elected to the position that has been applied for, shall have all the benefits conferred upon it by the Executive Committee as a “Full Member”.

- 3) At any one time, there will be a maximum of any three (3) Corporate Members permitted to hold positions on the Committee of the Local Government Works Association of Western Australia Inc, and those positions are not either the President, Vice President or the Treasurer's position on the Executive Committee, but may be any of the following: Administration Officer or Committee person status, unless otherwise decided at an Annual General Meeting, and by two thirds majority of voting members at that Meeting.
- 4) Honorary/Life members from the Private Sector (if elected through the due process) has earned the right to sit on the Committee in any nominated position, if a position is deemed available.

**E. INTERSTATE AFFILIATION: -**

Recommendations to affiliate with kindred associations interstate shall be referred to the General Meetings for adoption by a majority vote.

**4. REGISTER OF MEMBERSHIP: -**

- A. The register of Membership of the Association kept by the Executive Committee, shall contain the following particulars with respect to each Member: -
  - (i) Full Name
  - (ii) Residential address
  - (iii) Position Status
  - (iv) Employer / Company Name
  - (v) Employer / Company Address
  - (vi) Date on which Name was entered in the register
  - (vii) Date on which Membership ceased and the reasons therefore
- B. The register shall be kept in the custody of the Administration Officer or Treasurer and be open for inspection by any member at any reasonable time.

**5. EXECUTIVE COMMITTEE**

- A. The affairs of the Association shall be managed exclusively by the Executive Committee, elected from the "Financial Membership". Consisting of: -
  - (i) President
  - (ii) Vice President
  - (iii) Treasurer
  - (iv) Maximum three (3) Corporate Members from Financial Corporate Membership
  - (v) Six (6) Committee Members



- (vi) If the Administration Officer is elected from the financial Local Government membership - and therefore not in a paid position - the general Committee Members will be reduced to five (5)
  - (vii) The immediate Past President, unless appointed to another position, shall be an ex-Officio Member of the Executive Committee
- B. Such positions will be filled by election at the Annual General Meeting by a majority vote of those entitled to vote at such Annual General Meetings. The term of office of any such member shall be two (2) years.
- C. In any one year, only one (1) half of the Executive Committee shall be due for re-election, and the President and Administration Officer must retire on opposite years.
- D. The Executive Committee shall have the power to appoint any "Financial Member" to fill a casual vacancy that may occur on the Committee. Any person appointed to fill a casual vacancy shall hold office as a member of the Executive Committee for the unexpired term of the person whose office is being filled.
- E. Not less than 14 days notice shall be given of all Special Meetings of the Executive Committee. If a meeting of the Executive Committee cannot be conveniently arranged, the President may obtain the opinion of Executive Committee members, and may act, or authorise any officer to act in accordance with the opinion of the majority so obtained.
- F. The Executive Committee may establish such Sub-Committees as it deems necessary, and delegate powers and functions to such Sub-Committees. It may invite persons who are not members of the Executive Committee to be members of such Sub-Committees. A delegation of powers or functions by the Executive Committee shall not derogate from the power of the Executive Committee itself, to act in any matter. Upon completion of the stated functions, the Sub-Committee shall be disbanded.
- G. If any Member of the Executive Committee or Sub-Committees of the Executive Committee, without leave of the Executive Committee absents themselves from three (3) consecutive meetings of the Executive Committee or other Committees, the Executive may by resolution declare that office vacant.
  - a. Acceptance of an apology shall be deemed to grant such leave
  - b. Committee may be allowed to participate with the use of technology

**6. ANNUAL GENERAL MEETING: -**

The Annual General Meeting shall be held within six (6) months of the end of the financial year, at a specified date and time as decided by the Executive Management Committee of the Local Government Works Association of Western Australia Inc.

The business of the Meeting will be: -

- A. The consideration of the reports and statements of audited accounts, to be presented by the Executive Committee.
- B. The election of members of the Executive Committee as herein before provided.
- C. Any other business or matters which in the opinion of the President, or of the meeting, as calculated to promote or assist the objectives of the Association.
- D. Visitors may be admitted to the Annual General Meeting at the discretion of the President, but shall not be permitted to enter into, or take part in, any of the discussions or deliberations, unless invited to do so by the Chair.
- E. All members shall be circulated not less than one (1) calendar month prior to the Annual General Meeting, with the Agenda, and seeking nominations to the positions vacant on the Executive Committee.
- F. A nomination form shall show the name and position of the retiring member and his intentions to re-nominate or not, for election.
- G. Nominations must be on the appropriate form and returned to the Administration Officer of the Association, seven (7) clear days prior to the Annual General Meeting. In the event of no nominations being received by the Administration Officer, the President may call for nominations from the floor at the Annual General Meeting.
- H. Where there is more than one (1) nomination for any Committee position, a secret ballot will be held, and the President shall appoint two (2) scrutineers to carry out such ballot.
- I. Questions arising at an Executive Committee meeting, shall be decided by a majority of votes. If a majority is not reached the motion will be deemed lost.
- J. The Executive Committee shall submit to each Annual General Meeting, a report of the activities of the Association during the preceding year, together with a financial report duly certified as correct by the Treasurer.

7. **ORDINARY GENERAL MEETING: -**

- A. The Association shall hold at least three (3) General Meetings a year, one (1) of which shall be the Annual General Meeting. This is at the discretion of the Executive Committee.
- B. The business of any such meeting shall include matters set out in the notice convening the meeting, and any considerations of any other business.
- C. General Meetings to be held throughout the State when and where possible (circumstances allowing), this is to be at the discretion of the Executive Committee.
- D. Questions arising at a meeting shall be decided by a majority of votes. If a majority is not reached the motion will be deemed lost.

8. **SPECIAL GENERAL MEETINGS: -**

- A. Special General Meetings may be convened by the President or in his / her absence the Vice President, on receipt of a written request signed by not less than five (5) Full financial members, stating the objectives of the proposed meeting, and to be signed by the person requesting the Special Meeting.
- B. All such requests are to be sent to the Administration Officer, who shall acknowledge receipt of such, and inform that person of the date of the Special Meeting, which shall be within thirty (30) days of receipt of such request, if warranted.
- C. Notice of a Special General Meetings will be sent to all full financial members as per the Membership Register by the Administration Officer of the Association. The notice being at least fourteen (14) days prior to date set down for such a meeting.

9. **QUORUMS: -**

- A. Executive Committee Meetings: -  
Seven (7) Members of the Executive Committee to be present to transact any business.
- B. Annual General Meetings and Special General Meetings  
Fifteen (15) % of the total number of members eligible to vote and for whom are present at such meetings.
- C. No business shall be transacted at any of the above meetings unless a quorum is present.

**10. VOTING AT MEETINGS: -**

A. To vote at any Association meetings, members who under the rules of the Association are entitled to vote, may do so by the following methods by:

- (i) voting in person.
- (ii) proxy vote (another member voting for you, with your written permission).
- (iii) vote (your written vote sent in by mail).

B. Proxies of Members of the Association.

A member (in this rule called “The Appointing Member”) may appoint in writing, another member who is a person, to be the proxy of the appointing member and to attend and vote on behalf of that appointing member at any General Meeting.

C. Postal votes are to reach the Administration Officer, seven (7) days prior to the meeting requiring such a vote.

**11. FINANCIAL PROCEDURE: -**

A. The Treasurer shall keep a proper record of a financial nature, relating to all books, accounting records, credit card use, documents and statements, and shall collect all fees and annual subscriptions relevant to the Association, and all the property credits and liabilities for which the Association is held responsible, and shall cause such accounts to be audited.

B. The financial year of the Association will commence on the first day of July and end on the last day of June of the following year.

C. All monies received by the Association shall be deposited as soon as practicable by the Treasurer and/or Administration Officer, in a current bank account, opened in the name of the Association at a bank approved by the Executive Committee. Withdrawals from the current account as authorised by the Executive Committee from time to time shall be by electronic transfer, cheque, signed by the Treasurer, President, Vice President or any other member of the Executive Committee as nominated by the Executive Committee.

D. An Auditor shall be appointed at the Annual General Meeting.

E. Annual Association subscriptions shall be as determined at the Annual General Meeting.

- F. The Association may raise funds by subscription or levies and / or any other means approved by the Executive Committee, for which funds, together with any other monies received, shall be applied to any or all of the objectives or purposes of the Association.
- G. All members must be financial to be able to vote, and all subscriptions are due ninety (90) days following the Annual General Meeting.
- H. The Association can make payments of wages or other remuneration to members. These payments may be made if they represent remuneration for services actually provided to the Association.

**12. PUBLICITY: -**

No Member of the Association other than the President or Administration Officer shall purport to speak to the media on behalf of the Association, or supply information to the media as to the policies or procedures of the Association. Notwithstanding the foregoing, the Vice President shall be free to speak on behalf of the Association on matters relating to sponsorship issues and forthcoming events.

**13. MINUTES OF MEETINGS: -**

- A. The minutes of all meetings conducted, shall be recorded and shall show the accurate recording of all business transacted, and the members present thereat, and which shall be signed by the Chairperson and Administration Officer, who shall certify as to the correctness thereof.
- B. The Administration Officer shall keep all books, documents, registers (not of a financial type) of the Association.
- C. Minutes of all General meetings shall be posted to all financial members as per the membership register, "only" if requested by that member.
- D. Any member may, upon giving reasonable notice to the Administration Officer, inspect without charge, the books, records, documents and registers of the Association, and may copy any information down, but shall not remove any of these items from the meeting or office bearer.

**14. RESIGNATIONS: -**

- A. A member who delivers notice in writing of his / her resignation from the Association to the Administration officer or another Committee Member, ceases on that delivery date to be a Member.

**15. EXPULSION: -**

- A. No member of the Association shall act to the detriment of the Association.

B. A member who does so, may be expelled by the Executive Committee, provided that he / she is given a reasonable opportunity to make a written or verbal submission to the Executive Committee before such action is taken.

C. A member who is expelled, may within one (1) month, appeal to a General Meeting of the Association, and the majority decision of the General Meeting shall be final.

**16. AMENDMENT TO THE CONSTITUTION: -**

This Constitution may be altered or added to, from time to time, by resolution of not less than seventy five percent (75%) of the voting members present at a General Meeting of the Association, provided that the notice convening the meeting shall specify the proposed amendment or amendments, and shall be circulated to members not less than fourteen (14) days prior to the date of the meeting.

**17. COMMON SEAL: -**

A. The Association shall have a Common Seal, on which its corporate name shall appear in legible characters.

The Corporate name being: -

Local Government Works Association of Western Australia Incorporated.

To be commonly used as “LG Works”

B. The Common Seal shall not be used without the express authority of the Executive Committee.

C. The affixing of the Common Seal shall be witnessed by any two (2) of the President (or in his / her absence the Vice President), the Administration Officer and / or the Treasurer.

D. The Common Seal of the Association shall be kept in the custody of the Administrative Officer or of such other person as the Executive Committee from time to time decides.

**18. DISSOLUTION: -**

A. The Association may be dissolved at any time by resolution of not less than seventy five percent (75%) of the members present at a General Meeting, provided that at least twenty eight (28) days notice of any such resolution is given.

- B. If upon the dissolution of the Association, there shall remain after the satisfaction of all debts and liabilities, any property whatsoever, the same shall not be paid to, nor distributed among members of the Association, but shall be given, or transferred to some other Association having objectives similar, wholly or in part, to the objectives of the Local Government Works Association, or to some charitable Organisation or Organisations, or to whom the majority vote of the Association decide.
  
- C. Which Association or Organisation, or person, shall be determined by the members of the Association, at, or before time of dissolution of the Association.
  
- D. In the event of the winding up or dissolution of the Association, the Commissioner of Taxation shall be advised of the date of dissolution within 30 days of the dissolution.

**19. INTERPRETATION: -**

The Association shall be the “Sole Authority” for the interpretation and meaning of any clauses contained within its Constitution, Rules, Regulations, Rules of Debate or Articles of Association.

Dated this ..... of .....2020  
date month

**THE COMMON SEAL OF THE  
LOCAL GOVERNMENT WORKS ASSOCIATION  
OF WESTERN AUSTRALIA INC.  
WAS HEREUNTO AFFIXED BY THE  
AUTHORITY OF THIS CONSTITUTION**

**IN THE PRESENCE OF: -**

..... (PRESIDENT)

..... (VICE PRESIDENT)

..... (ADMINISTRATION OFFICER)