

**CATE**Careers and Transition Education  
Association (Aotearoa) Inc.

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## **Constitution of the National Careers and Transition Education Association (Aotearoa) Inc**

**November 2016**

### **1. Name**

The name of the Society shall be the Careers and Transition Education Association (Aotearoa) Inc.

### **2. Purpose**

The purpose of the Association shall be to:

1. Support members in the promotion of a co-ordinated integrated approach to careers guidance and successful transitions onto post-school pathways.
2. Establish and maintain networks between members for the sharing of information and for professional development through meetings, workshops, conferences and electronic media.
3. Engage in discussion with government, government departments and other relevant bodies in relation to career pathways.
4. Encourage the development of resources for careers and transition educators.
5. Encourage a closer liaison between school and post school education, training and employment.
6. Hold such finances as considered necessary for the furtherance of the purpose of the organisation.
7. Honour the spirit of partnership as expressed in the Treaty of Waitangi.

### **3. Membership**

Membership of the association shall be those who fulfil the following:

1. Is working in the area of careers education, advice and guidance and transition education.
2. Agrees with the purposes of the association.
3. Pays the annual subscription.
4. Adheres to the Code of Ethics/Teachers' Ethics and the Constitution

Affiliate Membership may be available to any formalised body of persons who has, to the satisfaction of the National Executive Committee, an interest in Careers and Transition Education.



#### 4. Termination of Membership

A person shall cease to be a member:

1. upon delivering to the Secretary her/his resignation in writing. A member resigning through the financial year shall not be entitled to any refund of the annual membership subscription.
2. by failing to pay any subscription or levies, after the expiration of twenty eight days and notice in writing.
3. if a resolution has been passed at a general or executive meeting that the member has failed to comply with the code of ethics and/or has been guilty of acts or conduct prejudicial to the interests of the Association.

The member must be given at least twenty-eight days notice in writing of the nature of the charges against her/him and shall be given the opportunity to reply to the charges.

#### 5. Life Membership

**National:**

1. National Life membership may be bestowed on a CATE member who has rendered outstanding service to the Association at National level.
2. A National life member shall retain all her/his Professional membership rights and privileges, but shall no longer be required to pay any annual membership subscription.
3. Nominations for National Life Membership shall be forwarded to the National Executive who shall determine whether the nomination shall be forwarded to the Annual General Meeting for approval. This nomination must be presented to the National Executive 3 weeks before the National Executive meeting. (cf Clause 8.3 of the Constitution.)

**Regional:**

1. A region may bestow life membership on a CATE member who has rendered outstanding service to his/her region.
2. A Regional life member shall retain all her/his Professional membership rights and privileges of that region, but shall no longer be required to pay any annual membership subscription.
3. Each region shall decide its own process for the awarding of life membership as long as it meets the requirement of the CATE Constitution and code of Ethics.

#### 6. National Executive Committee

1. The Association shall be governed by a committee consisting of:
  - President, Secretary, Treasurer (from here known as the Executive Officers) who are elected at the Annual General Meeting, and
  - one elected representative from each region, to be elected at that region's Annual General Meeting.

2. The Executive Officers where practicable should come from the same region.
3. Members of this Committee must be full financial members of the association.
4. The National Executive Committee will:
  - Conduct all business of the association and undertake any other functions as may be necessary to further the purposes of the association in accordance with this Constitution.
  - Prepare and file all legal and financial documents and accounts as may be required
  - Facilitate the organisation of the annual conference.
  - Determine any disputes arising out of the interpretation of the Constitution.
5. The National Executive Committee shall have the power to:
  - Appoint agents to manage and control the funds and property of the Association.
  - Communicate regularly with members.
  - Represent the members in matters related to careers and transition education providing they fall within the Constitution and Code of Ethics/Teachers' Ethics (cf Clause 10.2 also)

NOTE: No Regional Association shall make a statement purporting to be on behalf of the National Association without the authority of the National Executive Officers

## 7. Subscription Levies and the Financial Year

1. The financial year shall begin July 1 each year and close on June 30 in each year.
2. There shall be an annual levy, set at the Annual General Meeting, to be paid by each Regional Association, based on their membership to the National Association. This money will be used for Ordinary Operation Costs and expenses related to meetings of the National Executive Committee and/or the Executive Officers.\*
3. The Regional Associations will set an Annual Subscription at their AGM, this money will be held in the region to meet the costs of regional activities.
4. The Executive Officers may, with the consent of 60% of Respondents, obtained by special ballot, levy a special purpose subscription from all its members.

\*Includes costs of printing & stationery, postage, office equipment, auditor's fees and secretarial and treasurer's costs.

## 8. General Meetings

1. An Annual General Meeting of the Association shall be held on a date and in a place determined by the National Executive Committee.
2. The business of the Annual General Meeting shall be to:
  - receive the annual report of the president and regional representatives

- receive the statement of accounts for the financial year ending the preceding June 30, and the auditor's report
  - pass any resolution about such reports or accounts to elected Executive Officers and an auditor
  - elect the National Executive Officers (cf Clause 9)
  - conduct any general business. Meeting procedures shall be those contained in the Association *Procedures Handbook*
3. Notice of every Annual or Special General Meeting shall be posted on the Association Web-site, together with the proposed agenda, not less than twenty-one days before the date of the meeting.
  4. A Special General Meeting may be called by the National Executive Committee or on receipt of a requisition signed by no less than fifty members. A special meeting should be held within forty-two days of receipt of the requisition, which must state the purpose of the meeting.
  5. *Twenty* financial members shall be a quorum at general meetings.

### **9. Election of the National Executive Committee (See also Clause 6.1)**

1. All financial members of the Association shall be eligible for election as Secretary and/or Treasurer
2. Only members of the Association who have served a minimum of two years on the National Executive shall be eligible for election as President.
3. All members present at the AGM may vote in elections for the National Executive Office bearer positions. Each member present has one vote. All Association members within each region may vote for their regional representatives.
4. All National Executive Officers of the National Executive Committee shall be elected for 3 consecutive years of office.
5. The National Executive Office bearers will be regionally based and no region shall provide office bearers for more than three consecutive years.

### **10. Powers of the National Executive Committee**

1. In all its actions the National Executive Committee is expected to act in the best interests of the Association and its members, and in accordance with the Constitution and Code of Ethics.
2. The National Executive Committee may:
  - communicate the Association's view on matters it deems important to the public through the press and other media. The right of communicating such views shall be restricted to the Executive Officers.
  - appoint a financial member or independent agent to manage the Association's web-site, with the final control of the web-site being with the Executive Officers.
  - control the property and funds of the Association.

## 11. National Executive Committee Meetings

1. Meetings shall be held at regular intervals as appropriate. Meetings shall be face to face or teleconference.
2. The date for each committee meeting shall be set at the previous meeting, with an agenda posted at least fourteen days before the meeting.
3. As much of the Association's business as is consistent with efficiency shall be conducted by correspondence or by conference call of at least seven members.
4. A quorum for the meeting, by conference call or face to face, shall be seven members.
5. Formal resolutions from meetings shall be conveyed to absent committee members within seven days of the meeting.

Meeting procedures shall be those contained in the Association *Procedures Handbook*

## 12. Creation Of Vacancies On The National Executive Committee

1. The position held by a National Executive Officer bearer and regional representative shall become vacant:
  - if such member ceases to be a member of the Association.
  - if such member gives the National Executive Officers notice in writing of his/her resignation.
  - if a regional representative or his/her proxy fails to attend two consecutive meetings of the National Executive Committee to which he/she has been duly summoned and does not notify the National Executive Officers on either occasion of his/her inability to attend.
  - if, at any general meeting of the Association, a resolution is passed to the effect that the member does not possess the confidence of the Association, provided that no such motion shall be moved unless the member has been given twenty-one days notice in writing.
2. In the event of a National Executive Officer having ceased to be a member, the National Executive Committee shall appoint a replacement.
3. In the event of a regional representative having ceased to be a member, the Regional Association shall appoint a replacement.
4. In the event of a National Executive Committee member being unable to attend a National Executive Committee meeting, they may be replaced by a person named by their region (Clause 6.3 must apply). This person will have speaking and voting rights.

## 13. Constitution

1. The Association shall keep a copy of the Constitution.
2. The Constitution shall be available to all members on the Association Web-site.
3. A copy of the Constitution shall be available for all members for perusal at all meetings of the Association.

4. This Constitution shall become effective and operate from the Annual General Meeting, November 2016.
5. The Constitution should be reviewed and updated every five years.

#### 14. Amendments to the Constitution

1. The Constitution of the Association shall not be altered, added to or rescinded except at a General Meeting of the Association.
2. Notice of Motion to alter, add to or rescind the Constitution of the Association shall be given in writing to the National Secretary not less than forty-two days before the General Meeting to which such motion is to be submitted. Motions must be presented on the **Remit** template in the *Procedures Handbook*.

#### 15. Control of Funds

1. The control of the property and funds of the Association shall be in the hands of the National Executive Officers on behalf of the National Executive committee.
2. The control of the Association Bank Account is to be transferred from the retiring Executive Officers to the new National Executive Officers within four weeks of the appointment of the latter.
3. Where the financial audit of the Conference exceeds this time, the retiring and newly appointed Executive Officers will ensure an operating budget is available for the new National Executive.
4. Withdrawals from the Association Account shall be made by any two National Executive Officers of the Association.
5. Funds paid out of the Association Account by the National Executive Officers for any purpose other than:
  - travel to National Executive meetings,
  - expenses related to Executive meetings and
  - Ordinary Operation Costs
 are to be approved by members of the full National Executive Committee.
6. The Treasurer shall:
  - record income and expenditure.
  - record all monies received stating the source/purpose of funds.
  - separately record the deposit of each of those sums in the Association Account.
  - promptly bank all monies received.
  - retain receipts for all items of expenditure and shall be available for inspection by the Auditor.
  - maintain a separate register to record the receipt of Regional Associations' subscriptions.
7. The Treasurer shall present to the Annual General Meeting of the Association a properly drawn up statement of income and expenditure for the preceding financial year and a balance sheet at the end of each financial year.

8. Such statement of accounts and balance sheet shall be audited by the auditor elected by the Association who shall be a qualified accountant who identifies himself/herself in the accepted manner of the profession.
9. The Association shall have the power to borrow money and give security in any form determined by the National Executive Committee provided that where the amount exceeds \$5,000.00 the National Executive Committee shall act only with the consent of the

Association obtained by postal/email ballots. Any such borrowing or giving of security shall require a 75% majority of votes and such approving votes must total not less than two thirds of the membership of the Association

## 16. Regional Associations going into Recess

1. In the event that membership of any Regional Association falls below three (3) members and/or the Regional Association fails to comply with sub clauses 11.4 & 11.8 in the *Procedures Handbook*, then that Regional Association shall be deemed to be in recess for the remainder of that financial year and the following financial year. Any current financial member of a Regional Association that is in recess shall have the option for the remainder of that financial year of:
  - becoming an independent member of the Association, or
  - joining another Regional Association that shares a common boundary with the Regional Association that is in recess
2. In the event of a regional association going into recess, the retiring office holders shall forward to the Executive:
  - final financial statements,
  - evidence of closure of account and
  - any monies held in the account.
3. This money will be deposited in an expense account on behalf of the Region, for two years. This money is able to be accessed at any time within the two years upon reactivation of the Regional Association. If after two years the Regional Association has not reactivated it will be deemed to have dissolved and the money will revert to the working account of the National Executive.

## 17. Personal Benefit Clause

1. Any income, benefit or advantage shall be applied to the objectives of the CATE organisation.
2. No member of CATE or any person associated with a member shall participate in or materially influence any decision made by CATE in respect of the payment to or on behalf of that member or associated person of any income, benefit, or advantage whatsoever. Any such income shall be reasonable and relative to that which would be paid in an arm's length transaction (being open market value).
3. The provision and effect of this clause shall not be removed from this document and shall be included and implied into any document replacing this document.

## 17. Winding Up Clause

1. If upon winding up or dissolution of CATE, there remains after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid or distributed among the members of the organisation, but shall be given or transferred to some other organisation or body with similar objects to CATE, that also has an income tax exemption or for some other charitable purpose within New Zealand.
2. The provision and effect of this clause shall not be removed from this document and shall be included and implied into any document replacing this document.