



Association for Tertiary Education Management Inc  
ABN 72 682 233 729

## NOTICE OF ANNUAL GENERAL MEETING

Notice is hereby given that the 35<sup>th</sup> Annual General Meeting of the Association for Tertiary Education Management Inc. will be held by e-mail during Monday 30 May to Tuesday 31 May 2011 after a consultation process as follows:

**Tuesday 4 May:** circulation of Agenda and attachments.

**Friday 7 May to Wednesday 26 May:** a question and answer process where members can direct questions to the President and get answers. All questions and answers will be summarised and published on the ATEM web site.

**Friday 28 May:** Voting papers will be distributed by our mini-survey facility so that members can vote on each motion. Voting will be open on **Monday 30 May** at 9.00 am (AEST) and remain open until **Tuesday 31 May** at midnight (AEST).

## AGENDA

### 1. MINUTES OF THE 2010 ANNUAL GENERAL MEETING

The Minutes of the meeting held by email on 31 May 2010 can be seen on the web at this address. <http://www.atem.org.au/about-us/facts-figures/meetings>

Motion: That the Minutes be accepted.

### 2. FINANCIAL REPORT TO 31 DECEMBER 2010

The audited consolidated financial reports are at the address below.

<http://www.atem.org.au/about-us/facts-figures/financials>

The Auditor has not yet completed the entire audit. When he does his report will be included at the above URL.

Motion: That the Financial Statements be accepted.

### 3. CONSOLIDATED BUDGET 2011

The Consolidated Budget is at this address:

<http://www.atem.org.au/about-us/facts-figures/financials>

Motion: That the Consolidated Budget 2011 be approved.

### 4. DECLARATION OF POLL BY RETURNING OFFICER

The Results of the Poll are as follows. Nominations were received for the following three vacancies:

President

Vice-President

Association Treasurer

All were declared to be elected unopposed by the Returning Officer.

Motion: That the report be noted.

**5. ANNUAL REPORT 2010**

The Annual Report is up on the web at this address:

<http://www.atem.org.au/about-us/facts-figures/annual-report>

Motion: That the Annual Report for 2010 be received.

**6. CONSTITUTIONAL AMENDMENTS**

The ATEM Council has resolved to recommend the attached amendments to the Constitution.

Motion: That the Constitutional Amendments be adopted.

**7. APPOINTMENT OF AUDITOR**

Motion: That Keith France of Parkhill Accounting be appointed Auditor.

Heather Davis  
Association Secretary  
5 May 2011

**Proposed amendment to two Constitutions  
ATEM Council and AGM, and  
Aotearoa Regional Committee and AGM  
April 2011**

**1. Background**

VP Tony Heywood and RC Kate Rawlings have been working separately with members of the ATEM Secretariat to review both Constitutions for ATEM Inc. and ATEM Aotearoa.

Their work has been combined into a revision of both Constitutions described below. Some of the revisions are substantive and may be just "tidying up".

In both cases the rationale for the substantive changes is at the beginning of that section and it is followed by the amended Constitutions using Track Changes.

**2. Recommendation**

It is recommended that both documents are referred to the ATEM Council before being presented to the ATEM AGM.

It is recommended that the changes to the Aotearoa document are referred to the Aotearoa Professional Development Committee before being presented to the ATEM Aotearoa AGM.

## **Proposed ATEM Constitutional Changes**

### **1. Removal of an Elected or Appointed Officer**

At its meeting in October 2010 Council noted that there is no current provision in the Constitutions for removal from office of members of regional committees, including Regional Chairs, or their Institutional Co-ordinators who fail to meet statutory obligations. There are already provisions in the Constitution(s) to deal with other members of Council who fail to meet their statutory obligations. These provisions are included in the section headed "Disciplinary Powers" (Section 6.2 in the Australian Constitution. The New Zealand Constitution does not have disciplinary powers).

It has only been necessary to use this power once in the history of ATEM. With the devolution of responsibilities down from Council to both Regional Committees and Institutional Coordinators, it is felt that disciplinary powers should also be extended to these persons.

The proposed change to the constitutions will remedy this oversight. Two new clauses are proposed below in red.

#### **(7) VACATION OF OFFICE**

(7.1) A person stops being an officer or member of the Council who resigns or otherwise ceases to be a member of the Association.

(7.2) Except in the case of a person holding office or membership of the Council by virtue of being a Regional Chair, the Council may remove a person from office or membership of the Council.

**(7.3) In the case of a person holding office or membership of the Regional Committee, the Council may remove a person from office or membership of the Regional Committee.**

(7.4) Except in the case of a Regional Chair, if a casual vacancy arises in the Council the remaining members of Council must appoint a member to fill the vacancy.

(7.5) If a casual vacancy arises in a Regional Committee or a position is unfilled by election, its remaining members must, appoint one of their number to fill the vacancy;

(7.6) A person filling a casual vacancy holds office until the end of the term of the person replaced.

#### **ATEM Aotearoa Constitution**

#### **(9) VACATION OF OFFICE**

9.1 A person stops being an officer or member of the Regional Committee who resigns or stops being a member of the Association.

9.2 Except in the case of the Chair, the Association Council may remove a person from office or membership of the Regional Committee.

**(9.3) In the case of a person holding office or membership of the Regional Committee, the Council may remove a person from office or membership of the Regional Committee.**

9.4 If a casual vacancy arises in the Regional Committee excepting that of the Chair or Immediate Past Chair, the remaining members of the Regional Committee must appoint a member to fill the vacancy.

9.5 A person filling a casual vacancy holds office until the end of the term of the person replaced.

### **2 Voting out of Session**

Council also considered item 8.5(d) of the Constitution which governs voting out of session (Flying Minutes). The clause does not define what happens if a person requested to vote out of session does not vote.

It reads as follows:

(d) A resolution in writing signed by two thirds of the members of the Council takes effect as if it had been passed at a meeting of the Council.

It is proposed that the following clause be adopted.

(d) A circular resolution agreed to by two thirds of the members of the Council takes effect as if it had been passed at a meeting of the Council. A failure to vote on a circular resolution shall be taken as an abstention.

### **3. Numerous Small Changes**

There are many other small changes in the track changes which can be found on the attached track change pages.