

THE CONSTITUTION OF THE NATIONAL ASSOCIATION OF SERVICES AGAINST SEXUAL VIOLENCE

October 2003

1. NAME

The name of the Association shall be the National Association of Services Against Sexual Violence (hereafter called 'the Association' or NASASV).

2. PURPOSE

The National Association of Services Against Sexual Violence is composed of workers and services against sexual violence who provide services for victim/survivors of sexual violence.

NASASV believes that the structures, systems and attitudes in society are both a consequence of and reinforce gendered and other power disparities. This results in the perpetuation of sexual violence which is primarily perpetrated by men against women and children.

Therefore, the role of the Association is to challenge and attempt to change those attitudes, systems and structures that negatively impact on survivors of sexual violence, furthering the shared aims of its members and their service users, with the ultimate goal of eliminating sexual violence in the community.

3. OBJECTS

- (A) To co-ordinate the sharing of information, skills and resources between services and state networks on all aspects of service provision and co-ordination.
- (B) To assist governments in developing policies for building safer communities.
- (C) To lobby and negotiate with Commonwealth, State and Territory governments, government departments and other relevant organisations on issues of common concern to sexual assault service providers and those who are affected by sexual violence.
- (D) To promote an understanding of sexual violence in the context of gender and power relations.
- (E) To promote equity of access to services for all survivors of sexual violence, recognising that women and children are the most predominant survivors of such violence, paying particular attention to those most marginalised on the basis of their race, culture, gender, disability, age, language, sexual orientation and geographic location.
- (F) To promote community awareness of sexual violence and its personal and social consequences at a state, national and international level and to support and facilitate the community education and community development role of services at a local level.
- (G) To undertake research relating to service provision for survivors of sexual violence.
- (H) To provide information on training developments and resources to services and to promote high quality training and skills development for workers through liaison with relevant national and state training bodies and participation in the development of accredited training.
- (I) To monitor the range and diversity of service models and promote, through the development of best practice models, the best possible services for survivors.

- (J) To organise and facilitate national meetings, conferences and seminars.
- (K) To undertake any other activities necessary to fulfil the purpose of the organisation.

4. POWERS

To carry out these purposes and not for any other purpose, the Association is empowered to:

- (A) engage, contract or employ by any means the services of persons in any manner and whether or not qualified or skilled in any particular field;
- (B) conduct research programs related to sexual violence and to provide such amenities and facilities as in the opinion of the Association are necessary or desirable for the conduct of such research programs;
- (C) print and publish such newspapers, periodicals, books, leaflets, or other documents as the Association may think desirable for the promotion of the Objects of the Association;
- (D) enter into arrangement with any Government or other authority that may seem conducive to the rights, privileges and concessions which the Association may think it desirable to obtain;
- (E) provide ongoing training and support for paid and unpaid workers and to provide such amenities and facilities as in the opinion of the Association are necessary and desirable for the conduct of such training and support;
- (F) occupy any real property or to take on lease or licence and real property;
- (G) carry out the construction, maintenance, and alteration of building or works necessary or convenient for any of the objects of the Association;
- (H) invest any moneys of the Association not immediately required for any of its objects in such a manner as the Association may from time to time determine subject to the provisions of the Trustee Ordinance 1957;
- (I) open and operate on any current account at a bank or other financial institution or to conduct any other lawful activity with them;
- (J) draw, make, accept, endorse, discount, execute and issue bills of exchange, drafts or other negotiable or transferable instrument;
- (K) enter into any partnership or to collaborate with, or otherwise enter into arrangement for sharing of information, union of interests, cooperation, joint adventure, reciprocal concession or otherwise with any person, body corporate, health centre, institution or hospital carrying on or engaged in or about any transaction or activity which the Association is authorised to carry on or engage in;
- (L) accept any gift, whether subject of a special trust or not, for any one or more of the objects of the Association;
- (M) take such steps from time to time as the Association may deem expedient for the purpose of procuring contributions to the funds of the Association whether by way of donations, subscriptions or otherwise;
- (N) establish and support or aid in the establishment or support, of any other Association formed for any of the basic objects of the Association; and

- (O) do anything lawful necessary to the attainment of the Association's objects and powers.

5. INTERPRETATION

In this Constitution wherever appearing:

'constitution' means this document and any amendments;

'financial year' means the period of twelve months ending on 30 June in each year;

'member' means a member of the Association.

6. MEMBERSHIP

- (A) The membership of the Association shall be State and Territory Sexual Assault Services and Rape Crisis Centres, or individual workers where their primary purpose is to provide services to survivors of sexual violence and who are linked into State and Territory networks of such services where such networks exist. Members will sign an application form stating that they are subscribing to the objects and principles of the Association and will pay the prescribed fee, if any.
- (B) Associate membership is open to those services and individuals who provide related services to victim/survivors of sexual violence but who are not part of the direct network of service provision; or to individuals and organisations with an interest in the issues or who have a public advocacy role that is consistent with the Objects of the Association. These services and individuals will sign the application form stating that they are subscribing to the Objects and Principles of the Association and will pay the prescribed fee, if any.
- (C) Associate members shall be entitled to receive newsletters and any other relevant documents of NASASV but are not entitled to vote.
- (D) NASASV shall have the right to refuse membership to any organisation or individual.

Subscription or levy

- (E) The annual subscription or any other levy of NASASV shall be determined by resolution of the Annual General Meeting.

Liability

- (F) the members of the Association shall not be liable to contribute towards payment of the debts or liabilities of the Association or the costs, charges or expenses of winding up the Association.

Cessation of membership

- (G) Membership may be terminated by:
- i. The member giving written notice of resignation
 - ii. The member failing to pay the subscription by the due date and within a month of having been sent a reminder notice.
 - iii. The Board may, by resolution, expel or suspend a member if it concludes that the member has persistently refused or neglected to comply with a provision of these rules; or has persistently and wilfully acted in a manner prejudicial to the interests of

NASASV, but in so doing the Board shall act at all times in accordance with the rules of Natural Justice.

7. MANAGEMENT OF THE ASSOCIATION: THE BOARD

The affairs of the Association shall be managed by a national NASASV Board. The Board, subject to the Associations incorporations Act of 1991, the regulations, these rules, and to any resolution passed by NASASV in a general meeting shall:

- (A) exercise all functions as may be exercised by NASASV other than those functions that are required by these rules to be exercised by NASASV in a general meeting;
- (B) perform all such acts and do all things as appear to the Board to be necessary or desirable for the proper management of the affairs of NASASV;
- (C) employ at its discretion an Executive Officer/Coordinator or other persons to carry out the day to day secretarial and financial activities of NASASV;
- (D) direct the activities of the national office of NASASV and its employees;
- (E) review the processes of consultation between and information sharing of members;
- (F) appoint an Executive Committee from existing Board members comprising the Chair, Co-Chair and the Treasurer.

Role and Responsibilities of Executive Committee

- (G) The Executive Committee has the power to make day to day administrative decisions and urgent policy decisions (including media matters). The Executive Committee is subject to the Board which may withdraw any particular matter from the Executive Committee's domain.
- (H) Where the situation is urgent, it is acceptable for the Chairperson to liaise with one other Executive Committee member to ensure that NASASV is able to provide an appropriate and timely response.

Composition of the Board

- (I) The membership of the Board shall be 2 representatives from each State and Territory. Members of the Board must be women to reflect the purpose and philosophy of the Association. Membership shall take into account representation from the diversity of the sector and the Australian community.
- (J) Members will be elected/nominated by their State/Territory sectors and their appointments will be confirmed at an Annual General Meeting.
- (K) In addition, the Board shall have the power to co-opt women onto the Board from time to time.

Rights of Board members

- (L) Each Board member is entitled to attend all general meetings and all Board meetings.

Sub-Committees

- (M) The Board shall establish such Sub-Committees as are necessary to conduct its business and fulfil its objects. The Board may delegate any of its powers to such Sub-Committees and make rules for regulating the proceedings of the Sub-Committees.
- (N) The term of office of members of Sub-Committees is at the discretion of the Board.
- (O) The NASASV Board shall have the power to co-opt non-voting individuals onto Sub-Committees.

Chairperson

- (P) The NASASV Board will elect a Board member to act as Chairperson of the Association at the first Board meeting after the Annual General Meeting.
- (Q) The Chairperson, in consultation with the Vice Chairperson shall prepare the Agenda for Board meetings and the Annual General Meeting.
- (R) Facilitation of Board meetings will be shared between the Chair and the Vice Chairperson.
- (S) The Chairperson will facilitate the Annual General Meeting.
- (T) The Chairperson acts as the public face of NASASV, along with the Executive Officer, if there is an Executive Officer employed.
- (U) The Chairperson shall act as Spokesperson unless an alternative Spokesperson has been appointed by the Board. The Spokesperson shall make statements in accordance with NASASV's feminist philosophy and previously agreed policy or in an emergency in consultation with at least two members of the Board.

Vice Chairperson

- (V) The NASASV Board will elect a Board member to act as Vice Chairperson of the Association at the first Board meeting after the Annual General Meeting.
- (W) The Vice Chairperson will assist the Chairperson in their duties and in their absence, the Vice Chairperson shall undertake the responsibilities of the Chairperson as set out in s7 (O – U).
- (X) Where both the Chairperson and the Vice Chairperson are absent, the members present at a properly constituted meeting may elect an acting Chairperson for the time being.

Treasurer

- (Y) The Board will elect a Board member to act as Treasurer of the Association at the first Board meeting after the Annual General Meeting.
- (Z) The Treasurer of the Association shall oversee:
 - i. the provision for the collection and receipt of all moneys due to the Association and the making of all payments authorised by the Association; and
 - ii. the keeping of correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.

iii. the Treasurer shall present audited accounts to the Annual General Meeting.

8. RESPONSIBILITIES OF THE BOARD MEMBERS

Board members shall have the following responsibilities:

- (A) to set priorities and plan the activities of NASASV;
- (B) represent the views and concerns of the NASASV membership; and
- (C) to report back to State and Territory Networks Against Sexual Violence as appropriate.

9. CASUAL VACANCIES

The Board may appoint a woman from the NASASV membership from the State, Territory or group of the outgoing representative to fill any vacancy on the Board for the balance of the term of the outgoing representative.

10. LENGTH OF TERM

Board members shall be elected for a period of three years. The term of the Chair person, Vice Chairperson and Treasurer will be for three years

11. RESPONSIBILITIES OF THE BOARD

In addition to the responsibilities imposed on the Board elsewhere in these rules the Board must:

- (A) submit to members annually:
 - i. a report on its activities and plans;
 - ii. an audited account of the administration of funds of NASASV for the preceding financial year.
- (B) undertake to report regularly and responsibly to constituencies.

12. MEETINGS

Board meetings

- (A) The Board shall meet as often as required to conduct the business of NASASV through face to face meetings or teleconferences, and not less than twice in each calendar year.
- (B) A quorum for the Board is three out of the seven State and Territories represented.

General Meetings

- (B) An Annual General Meeting shall be held every year no later than 5 months after the close of the financial year as a face to face meeting or by teleconference.
- (C) Notification shall be by sending each member at least 21 days before the meeting a notice of the time and place of the meeting and any matters to be voted on.
- (D) A quorum at general meeting shall be 5% of the membership of the Association.

- (E) A Special General Meeting may be called by a petition of five members of the Board.
- (F) The Executive Officer/Coordinator if appointed shall attend all Board meetings, general meetings and special general meetings with full speaking rights but has not voting rights.
- (G) The procedures to be followed at any meeting are those which are agreed by a majority of those attending to be fair and proper for the conduct of the meetings.

Voting

- (H) Members, whether individuals or organisations, are entitled to one vote each. Associate members do not have a vote.
- (I) All questions and decisions arising at any NASASV meeting shall be decided by consensus. Where no consensus is obtained there will be a show of hands. A majority vote of three-quarters or more of members participating in the meeting shall be the decision of the meeting.
- (J) All votes shall be given personally or by proxy but no member may hold more than 5 proxies.
- (K) A member or proxy is not entitled to vote at any general meeting of the association unless all money due and payable by the member or proxy to the association has been paid, other than the amount of the annual subscription payable in respect of the current year.
- (L) Each member shall be entitled to appoint another member as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (M) The notice appointing the proxy shall be in the form provided by NASASV.

13. FINANCES

- (A) The financial year of the NASASV shall be the year ending the thirtieth day in June.
- (B) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by at least two persons nominated by the Board for that purpose.
- (C) A qualified person shall be appointed as auditor at each Annual General Meeting of NASASV.

14. PUBLIC STATEMENTS

Public statements on behalf of NASASV may only be made by The Chair person or their designate authorised for that purpose by the Board or as delegated.

15 PUBLIC OFFICER

The Board of the Association shall appoint a woman resident of the Australian Capital Territory to be Public Officer of the Association, and if the office becomes vacant shall, within fourteen days after it becomes vacant, appoint a woman resident of the Australian Capital Territory to fill the vacancy.

The office of the Public Officer becomes vacant if the woman holding that office:

- i. dies;

- ii. becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent creditors or compounds with her creditors;
- iii. resigns her office by writing under her hand addressed to the Board;
- iv. is removed as Public Officer by resolution of the NASASV Board; or
- v. ceases to be a resident of the Australian Capital Territory.

16. AMENDMENT OF THE RULES

- (A) The Rules may be amended by a special resolution passed at a General Meeting of which members have had at least 21 days notice. That notice of the meeting is to be accompanied by a notice of intention to alter the Rules.
- (B) A special resolution must be passed by a three-quarters majority of the members entitled to vote.

17. COMMON SEAL

- (A) The common seal of the Association shall be kept in the custody of the Chairperson of the Board
- (B) The seal shall not be affixed to any instrument except by the authority of the Board and the affixing of the common seal shall be attested by the signature of two members of the Board.

18. CUSTODY AND INSPECTION OF BOOKS

- (A) All records, books and other documents relating to NASASV shall be kept in the custody or under the control of a delegate of the Board.
- (B) All records, books and other documents of NASASV shall be open to inspection by any member of NASASV, free of charge at any reasonable hour and at the place where these records and documents are usually kept or at any other place mutually agreed between the member and a delegate of the Board.

19. GRIEVANCE AND DISCIPLINARY PROCEDURES

In the event of a grievance or disciplinary matter NASASV will use the grievance procedures set out in the NASASV Policy.

20. WINDING UP

- (A) NASASV may be voluntarily wound up if the Association has by special resolution resolved that it be wound up.
- (B) Any property remaining after the Association is wound up shall be given by the Board to an organisation with similar Objects or to the funding body if required.