

PENRITH INTERNATIONAL FRIENDSHIP CONSTITUTION

1 PREAMBLE

- 1.1 There shall be formed a committee of the Penrith City Council (herein called the “Council”) under s 355 and s 377 of the Local Government Act 1993 called the PENRITH INTERNATIONAL FRIENDSHIP COMMITTEE (herein called “International Friends”).
- 1.2 There shall also be formed a committee called the Penrith International Friendship Executive (herein called the “Executive”).
- 1.3 The International Friends and the Executive have been formed pursuant to the fostering of friendship, communication and understanding between people internationally.

2 AIM

- 2.1 Foster friendship, communication and understanding between people internationally.
- 2.2 To encourage and facilitate the participation of the people of Penrith in cultural, educational, sporting and social activities with international links established by the City.

3 OBJECTIVES

- 3.1 Develop strategies to effectively reach the aims of the International Friends.
- 3.2 Support established international links undertaken by the Council

3.3 Raise funds to support strategies developed

4 MEMBERSHIP

4.1 Membership of the International Friends shall be open to any person with an interest in the conduct of the City of Penrith's international friendly relationships.

4.2 A register of International Friends shall be maintained and shall include all present at the previous Annual General Meeting and any other person who requests they be included on the register for each 12 month period.

5 ANNUAL SUBSCRIPTION

5.1 The annual subscription for members shall be for the period November to October.

5.2 The annual subscription for the following 12 months shall be recommended at the Annual General Meeting for subsequent approval by Council. An annual subscription shall be recommended for each of the following membership groups -

- (a) Individual
- (b) Pensioner
- (c) Full-time students 16 years and over
- (d) Corporate
- (e) Family - shall include up to two parents and/or guardians and children who are 16 years and under or full-time students between the ages of 17 and 25.

6 EXECUTIVE

The management of International Friends' role under this constitution shall be vested in the Executive.

6.1 The Executive shall be elected at the Annual General Meeting.

6.2 The Executive is an elected group of up to ten members of the International Friends.

- 6.3** Membership of the Executive is for one (1) year, and representatives are eligible for re-election.
- 6.4** The Chairperson of the Executive shall be a member appointed by the Mayor
- 6.5** At the AGM the following Executive Members shall be elected:
- (a) Vice Chairperson
 - (b) Secretary
 - (c) Treasurer
 - (d) Publicity Coordinator
 - (e) Up to 5 (five) General Members
- 6.6** Any casual vacancy occurring among the Executive may be filled by a person who meets the normal requirements of a member of the Executive. The person shall be appointed by the Executive to fill such a vacancy and shall hold office for the unexpired term of the member so replaced.
- 6.7** Responsibility of the Executive Members shall be as follows:
- (a) Chairperson
 - i) Chair meetings
 - ii) Represent and act as spokesperson for the International Friends
 - (b) Vice Chairperson
 - i) To act in the capacity of Chairperson in the absence of the Chairperson.
 - (c) Secretary
 - i) Attend to correspondence concerning activities of the International Friends
 - ii) Take minutes of all meetings
 - iii) Prepare agenda items for meetings
 - iv) Arrange for notice of meetings
 - (d) Treasurer
 - i) Keep a record of all fund raising monies raised and expended

- ii) Develop budgets for funds raised and expended
- iii) Arrange banking of funds into the appropriate Council trust account
- iv) Arrange for the preparation of an audited financial statement to the AGM. This statement shall be prepared by an appropriate Council officer or as instructed by an appropriate Council officer.
- v) Co-ordinate fund raising activities
- (e) Publicity Coordinator
 - i) Communicate the aims and objectives of the International Friends to the community
 - ii) Communicate activities of the International Friends to the community
- (f) General Member
 - i) Attend meetings
 - ii) Assist in the organisation and implementation of activities

6.8 Responsibilities of Council Officers shall be as follows:

- (a) Local Economic Development Program Manager
 - i) To ensure the International Friends and Executive complies with constitutional requirements
 - ii) Report to Council any necessary matters concerning the International Friends
 - iii) Authorise the expenditure of any funds voted by Council
- (b) City Partnerships Officer and delegated assistants
 - i) Administration and organisation of activities relating to Council's sister city roles as articulated in Clause 7.6.
 - ii) Provide assistance to the Secretary of the Executive. This assistance may include typing of minutes, distribution of agendas and minutes, and assistance with the organisation of activities within the community based programme. Assistance will be dependent upon the availability of the Promotions Officer taking into account other responsibilities of the position. Assistance requested in regard to the community programme shall be detailed in the activity plan prepared by the Executive.

7 EXECUTIVE POWERS AND DUTIES

- 7.1** (a) The Executive shall report to the community through meetings of International Friends.
- (b) The International Friends shall provide community input and be the forum for public consultation for the Executive.
- 7.2** The Executive shall provide to the Council community input relating to the formulation of policy on Council's international friendly relationships.
- 7.3** A community based programme of activities shall be undertaken by the Executive. The Executive shall be responsible for the planning and organisation of this programme of activities.
- 7.4** The responsibility for this programme shall include:
- (a) Formulation of an annual programme of activities to be agreed at the Annual General Meeting
- (b) Submission of this plan of activities to the appropriate Council Officer to ensure the activities can occur within Council's budgetary allocation and meet with all Council's legal and other requirements.
- (c) A plan for individual activities
- (d) Organisation and implementation of planned activities
- 7.5** The Executive shall have the power to establish working groups to undertake specific tasks during a specific time frame. Such working groups may include non-members from time to time when specific expertise is not available within the membership. These working groups during their tasks shall be deemed to be Committees of the Council. Any non-member co-opted by a working party shall be deemed to be a member of the Penrith International Friendship Committee during the term of the working party only.

7.6 Formal international relationships will be the responsibility of Council. Certain activities will be required by the Council to maintain and administer these relationships.

The following activities will be the responsibility of Council Officers:

- (a) Correspondence between Mayors
- (b) Inter Council activities
- (c) Civic Delegations
- (d) Official events, eg anniversaries, signing ceremonies
- (e) Liaison with representatives from other cities on Council to Council matters
- (f) Communication with the Executive
- (g) Provision of assistance to the Secretary of the Executive (refer Clause 6.8)

8 AUTHORITY

The powers and duties of the International Friends expressly exclude the following :

- 8.1** The making of any rate; the fixing of any charges or fees, or the borrowing of any monies

- 8.2** The voting of monies for expenditure on the works, services or operations of the Council

- 8.3** The compulsory acquisition, purchase, sale, exchange, leasing or surrender of any land or other property or the granting of any lease of land

- 8.4** The acceptance of tenders

- 8.5** The adoption of the Council management plan

- 8.6** The adoption of a financial statement included in an annual financial report

- 8.7** A decision to classify or reclassify public land

- 8.8** The fixing of an amount or rate for the carrying out by the Council of work on private land or the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the Council for the carrying out of any such work
- 8.9** The review of a determination of an application for approval
- 8.10** The power of the Council to authorise the use of reasonable force for the purpose of gaining entry to premises
- 8.11** To contribute money or otherwise grant financial assistance to persons
- 8.12** Any application or notice to the Governor or the Minister
- 8.13** This power of delegation

9 MEETINGS

9.1 Annual General Meeting (herein called “the AGM”)

- (a) The AGM of the International Friends shall be held during November and is open to any person with an interest in the conduct of the City of Penrith’s international friendly relationships.
- (b) At least 14 days notice of the AGM shall be given and a notice shall be placed in the local media.
- (c) At this meeting the following shall be undertaken -
- i) presentation of the Annual Report
 - ii) presentation of the International Friends Audited Financial Statement
 - iii) approval of the programme of activities including an indication as to the meetings proposed
 - iv) recommendation of annual subscriptions for the following 12 months
 - v) election of the Executive for the ensuing 12 months.
- (d) Election of the Executive shall be by one of the two methods set out below. In both cases voting rights are limited to the Chairperson and members and each

member shall have one vote per person per membership other than Corporate and Family memberships that shall have a maximum of two votes per membership. The persons entitled to be elected to the Executive positions shall be the persons with the most votes.

The two methods are -

- i) written nominations shall be called for at the meeting signed by 2 (two) members other than the nominee and each person at the meeting having a right to vote indicating their preference by a show of hands; or
- ii) written nominations shall be called for at the meeting signed by 2 (two) members other than the nominee and each person at the meeting having a right to vote cast their vote by indicating their preference on a ballot paper and such ballot papers collected and processed by way of secret ballot.

The returning officer in both cases shall be the Mayor or his or her nominee or in their absence a person elected by the meeting

9.2 Executive Meetings

- (a) The Executive shall meet independently of the International Friends at least once every two months or at such shorter intervals as the Executive deems necessary.
- (b) No meeting of the Executive shall be held or will be deemed to be properly held unless notice of the meeting is forwarded to all members at least 3 (three) days before the meeting. At least 48 hours before the meeting the agenda must be available to members
- (c) Any member can requisition the Chairperson to place an issue on the agenda. Such requisition must be forwarded to the Chairperson in writing at least 4 (four) days before the notice of the meeting is normally sent.

9.3 Special Meetings

- (a) Any two (2) members of the Executive may, at any time, convene a Special Meeting of the Executive. All members of International Friends shall be notified in writing prior to such meeting.
- (b) No special Meeting of the Executive shall be held or will be deemed to be properly held unless notice of the meeting is forwarded to all members at least 3 (three) days before the meeting. At least 48 hours before the meeting the agenda must be available to members.

9.4 Meetings of Executive with International Friends

- (a) The Executive shall at least twice yearly (or at such frequency as determined by the Executive) call a meeting of the International Friends to inform them of the activities of the Executive and to request any assistance required by the Executive to implement the programme of activities.
- (b) No meeting of the Executive with International Friends shall be held or will be deemed to be properly held unless notice of the meeting is forwarded to all those listed on the register of International Friends at least 3 (three) days before the meeting. At least 48 hours before the meeting the agenda must be available to members.
- (c) Any member can requisition the Chairperson to place an issue on the agenda. Such requisition must be forwarded to the Chairperson in writing at least 4 (four) days before the notice of the meeting is normally sent.

9.5 Meeting Procedures

- (a) All meetings shall be conducted in accordance with the normal code of Council meeting practice.
- (b) Quorum -
 - i) At the AGM and Meetings of Executive with International Friends the quorum shall be 9 members of International Friends.
 - ii) At Executive Meetings and Special Meetings the quorum shall be fifty percent (50%) of the Executive Members plus one (1).No business shall be transacted unless a quorum is present.

- (c) If a quorum is not present within half an hour after the time set down for the meeting to commence, then the meeting shall be adjourned to a time and date set down by the members present.
- (d) Voting rights are limited to members of the International Friends.
 - i) At the AGM and Meetings of Executive with International Friends members shall have one vote per person per membership other than Corporate and Family memberships that shall have a maximum of two votes per membership.
 - ii) At Executive Meetings and Special Meetings the Executive shall have one vote per Executive member.
- (e) All votes shall be cast in person.
- (f) A proper record of minutes shall be kept and such record shall be forwarded to Council.

10 VACATION OF OFFICE

A member of the Executive is deemed to have vacated office under the following circumstances.

10.1 On the death of an office bearer

10.2 An office bearer resigns by notice in writing to the Executive.

10.3 An officer bearer is absent without leave on three (3) consecutive occasions.

11 REMOVAL FROM OFFICE OF MEMBERS OF THE EXECUTIVE

11.1 The Executive may by resolution remove any member of the Executive from the office of the member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member provided always the Executive has complied with the following.

11.2 A member may be removed from the Executive if, in the opinion of the Executive, after affording such member an opportunity of offering the Executive an explanation of

his/her conduct either verbally or in writing, the conduct of the member is such as to be detrimental to the best interests of the Executive, provided that:

- i) Such removal shall not be effective unless it is confirmed by a two thirds majority of Executive Members at a Special Meeting convened to consider the removal.
- ii) Such Special Meeting is held within a period of one month from the date of the decision of the Executive to remove the member.
- iii) At such Special Meeting, the member, whose removal is under consideration, shall be afforded the opportunity to offer an explanation of his/her conduct verbally or in writing
- iv) The voting at such Special Meeting shall be by secret ballot
- v) It shall be in the power of the Executive to exclude such member from participation in the affairs of the Executive until such Special Meeting shall be held
- vi) The member to be removed is given seven (7) days notice of the Special Meeting and is given notice of the purpose of the meeting
- vii) Prior to requesting the Council to endorse the Executive's recommendation the International Friends shall be informed of the resolution which the Executive requires the Council to endorse
- viii) The Council endorses the actions of the Executive
- ix) The member is given the right to be represented by an advocate of the members choice.

12 DISSOLUTION

12.1 Council may withdraw the delegation at its discretion and dissolve the Committee by resolution of Council.

12.2 If the International Friends is dissolved, all remaining funds and assets shall be returned to Penrith City Council.

This Constitution was adopted the fourth day of March 1996.

Amendments to this Constitution were adopted the sixteenth day of August 1999.