

**The Australian and New Zealand Forensic Science Society
(South Australian Branch Inc.)**



CONSTITUTION

1. Name:
- 1.1 The name of the association shall be called THE AUSTRALIAN AND NEW ZEALAND FORENSIC SCIENCE SOCIETY (SOUTH AUSTRALIAN BRANCH, INC.), and hereinafter referred to as "the Society".
- 1.2 The Society shall have all the powers conferred by section 25 of the Associations Incorporation Act 1985.
2. Object:
- 2.1 The Society shall be a non-profit making organisation.
- 2.2 The objects of the Society shall be:
- 2.2.1. To advance the study and application of forensic sciences.
- 2.2.2. To facilitate association of, and collaboration and interchange of information between, persons who are, or have been, occupationally involved in forensic activities or in scientific investigation, or have a legitimate and bona fide interest in forensic sciences.
- 2.2.3. As a means to these ends: to organize meetings, lectures, discussions and demonstrations; to publish and circulate written material for the purpose of publicizing the activities and proceedings and projected activities and proceedings of the Society; and to adopt any other appropriate means for the advancement of the Society and of its objects.
3. Qualification for membership:
- 3.1 All persons interested in the study and application of forensic science shall be eligible for membership.
4. Constitution:
- 4.1 This Constitution and Clauses within shall be read in conjunction with the Australian and New Zealand Forensic Science Society Rules Of Association.
- 4.2 The Society shall consist of Full Members, Student Members, Associate Members, Honorary Members and Interim Honorary Members. Persons of distinction in forensic science shall be eligible for election as Honorary Members (see Clause 7.3). The number of Honorary Members shall be limited to ten.
- 4.3 Associate Members shall not be entitled to vote at Member or General Meetings.
5. Code of Ethics
- 5.1 The Society shall adopt a Code of Ethics.
- 5.2 All Full and Honorary Members shall comply with the Code of Ethics of the Australian and New Zealand Forensic Science Society.
6. Application for membership
- 6.1 Every candidate for membership of the Society shall be proposed by one member of the Society and seconded by another member of the Society, both of whom shall be personally acquainted with the candidate and shall vouch for his/her fitness for membership. Proposals must be on the forms provided by the Society and must be signed by the proposer and seconder. The candidate shall also sign the proposal form and shall give all particulars required by the Society with an undertaking to be bound by this Constitution, the Code of Ethics (if applicable), and Rules of Association of the Society if elected.

7. Membership Categories

7.1 A person seeking entry as a Member of the Society must satisfy the following criteria:

7.1.1. Provide two referees acceptable to the Committee, one of whom is a member of the Society who can attest to employment history, forensic experience and character as relevant,

7.1.2. Possess high ethical standards, and

7.1.3. Demonstrate to the Committee, the ability to satisfy the criteria for one of the following membership categories:

7.2 Full Member:

7.2.1. Current employment in a forensic discipline or employment related to forensic science; or

7.2.2. A relevant tertiary qualification or relevant forensic experience.

7.3 Honorary Member

7.3.1. A Full Member who has made an outstanding contribution to the Society over a period of time may be elected as an Honorary Member by an Annual General Meeting.

7.3.2. A proposal for the election of a person as an Honorary Member shall be submitted to the Committee not less than six weeks prior to the Annual General Meeting.

7.4 Student Member

7.4.1. Currently enrolled at a Tertiary Institution or University in a relevant area of study, and

7.4.2. Demonstrate an active interest in a field of forensic science.

7.5 Associate Member

7.5.1. An active interest in a field of forensic science; or

7.5.2. An individual who is, or becomes, a member of an affiliated association, under the rules of that association, provided that they satisfy the criteria prescribed by Clause 8.4, or

7.6 Persons elected or appointed to act in a specified capacity of the Society.

8. Admission to membership:

8.1 The election of candidates shall be by the Committee and no person shall be admitted to membership of the Society until so elected. A candidate who received a majority of the votes of the Members of the Committee present and voting, shall be declared elected. In the case of a tied vote, the President shall have the casting vote.

- 8.2 Each person or body granted membership or continued membership of the Society shall:
- 8.2.1. Be bound by the Rules of Association of the Society and Constitution of the South Australian Branch, and where a Full or Honorary Member, be bound by the Code of Ethics of the Society.
 - 8.2.2. Become liable for such fees, levies, subscriptions and other liabilities as may be fixed by the Society.
- 8.3 Every candidate for membership who has been duly elected by the Committee shall be so informed by the Secretary and the Secretary shall forward a copy of this Constitution and Code of Ethics (if applicable), to that Member with a request for payment of the Member's first annual subscription.
- 8.4 At the discretion of the Committee the following items may be an immediate bar to membership;
- 8.4.1. Conviction for a crime for which the penalty available was not less than one years imprisonment,
 - 8.4.2. Expulsion from any professional organization on ethical grounds,
 - 8.4.3. Conviction for perjury,
 - 8.4.4. Dismissal from any employment for dishonesty or corruption,
 - 8.4.5. Falsification of any document supporting another persons application to join the Society,
 - 8.4.6. De-registration for misconduct from any professional register, or
 - 8.4.7. Any other matter of sufficient ethical seriousness as determined by the Committee.
9. Subscriptions:
- 9.1 The Committee shall determine the annual subscription fees for any Full, Associate, or Student membership (including any one off joining fee), as it sees fit. Such determination shall be made at a duly convened Committee Meeting comprising at least a quorum of Members (as specified in Clause 22.2). Any motion to alter any membership fees must be provided to all Members of the Committee (Officers and Ordinary Committee members) at least one month prior to the said meeting, to enable suitable discussion on the motion. On payment of any subscription fee the Member shall be entitled to all the privileges of the Society.
10. Members in arrear:
- 10.1 If any Member shall fail to pay the annual subscription on or before the first day of September next after it has become due, notice shall be sent calling their attention thereto and a late fee incurred, at the discretion of the Committee. If full payment is still not forthcoming within six months from the posting of such notice, they shall cease to be a Member of the Society and their name shall be removed from the register of members. But if at any time they shall give to the Committee a satisfactory explanation, they may at the discretion of the Committee and upon payment of arrears and re-payment of the joining fee, be re-admitted to membership.
11. Honorary Members
- 11.1 Honorary Members shall have continuous membership and shall not be required to pay annual subscriptions.

12. Interim Honorary Members: 12.1 The Committee may invite as Interim Honorary Members during temporary residence in South Australia, persons of high achievement or distinction in the field of forensic science. Members may send to the Secretary the names of persons suggested for invitation. Interim Honorary Members shall not be required to pay any subscription.
13. Privileges - Honorary Members: 13.1 Honorary members and Interim Honorary Members shall be entitled to all the benefits and privileges of membership except that they shall not be qualified to be Officers or Members of the Committee or to claim any share of the property of the Society upon its dissolution.
14. Resignation of Members: 14.1 Any Member may resign their membership by giving to the Secretary notice in writing to that effect. At the time of lodging a notice of resignation, any Member shall, at the discretion of the Committee, remain liable for all fees, levies and subscriptions incurred up to the time the notice of resignation was received by the Society.
15. Expulsion of any Member: 15.1 The Committee may, if at any time it shall be of the opinion that, in the interests of the Society, require any Member to withdraw from the Society within a time specified. The notification shall be by letter, and in default of such withdrawal the Committee shall submit the question of such expulsion to a Committee meeting to be held within six weeks after the date of such letter. Notification is also to be communicated in writing to the National Executive, where a decision is to be made pursuant to Rule 15 of the Rules of Association.
16. Effect of ceasing to be a Member: 16.1 Any person shall, upon ceasing to be a Member of the Society, forfeit all right to and claim upon the Society and its property and funds.
17. Grievance procedure: 17.1 The grievance procedure set out in this rule applies to disputes under this Constitution and the Rules of Association between-
- (a) a Member and another Member; or
 - (b) a Member and the Society.
- 17.2 The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- 17.3 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- 17.4 The mediator must be-
- (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement-
 - (i) in the case of a dispute between a Member and another Member, a person appointed by the Committee, or

(ii) in the case of a dispute between a Member and the Society, a person who is a mediator appointed or employed by a recognised Dispute Resolution Service.

17.5 A Member of the Society can be a mediator.

17.6 The mediator cannot be a Member who is a party to the dispute.

17.7 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

17.8 The mediator, in conducting the mediation, must—

(a) give the parties to the mediation process every opportunity to be heard; and

(b) allow due consideration by all parties of any written statement submitted by any party; and

(c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

17.9 The mediator must not determine the dispute.

17.10 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute otherwise at law.

18. Committee:

18.1 The affairs and business of the Society (except as otherwise provided by this Constitution) shall be delegated to a Committee of not more than eight Members ("Ordinary Committee Members") who shall be elected at the Annual General Meeting. In addition thereto, the President, Vice President, Secretary, Treasurer, Editor and Merchandising Officer ("the Officers") shall be Members of the Committee.

19. Election of Officers and Ordinary

Committee Members:

19.1 The election of the Ordinary Committee Members and the Officers shall take place at the Annual General Meeting of the general body of Members.

19.2 Any two Members may propose any other Member as candidate for election as an Ordinary Committee Member or Officer by notice in writing to the Secretary signed by the proposers and candidate which notice shall reach the Secretary not less than two weeks prior to the Annual General Meeting.

19.3 Neither the proposer nor seconder of a nomination may be the nominee.

19.4 Ordinary Committee Members shall be appointed by an election for a period of one year and shall be eligible for re-election. If there are more candidates than positions for Ordinary Committee Members, an election shall take place to fill the vacant positions.

19.5 A candidate may only be nominated for one office, or as an Ordinary Member of the Committee, prior to the Annual General Meeting.

19.6 If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations may be received at the Annual General Meeting.

19.7 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

- 19.8 If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.
- 19.9 The ballot for the election of Officers and Ordinary Members of the committee must be conducted at the Annual General Meeting in such manner as the Committee may direct.
- 19.10 Every Full, Student and Honorary (including Interim Honorary) Member of the Society, except the Chairperson of that meeting, shall be entitled to vote for as many candidates as there are vacancies to be filled and no more. The candidates up to the number of vacancies who shall receive most votes shall be declared elected, and in the case of two or more candidates receiving an equal number of votes, the Chairperson of the meeting shall have the casting vote.

20. Vacancies on
Committee:

- 20.1 The Committee shall have power to appoint a Member to fill any casual vacancy on the Committee until the next Annual General Meeting. Any Member so appointed shall retire at the next Annual General Meeting but shall be eligible for election as a Member of the Committee at such meeting.

21. Election of
Officers:

- 21.1 Officers shall hold office for a period of one year and shall be eligible for re-election PROVIDED THAT the office of President and Vice President shall not be held by one person for more than two consecutive years, but a President or Vice President shall on retirement be eligible for election to a different office. Notwithstanding this, should there be no nominations received for the positions of President and Vice President, the incumbent Officer shall be provided with an option to serve a further term. If other nominations are received, an election for the position(s) shall be held pursuant to Clause 19. If the vacating President or Vice President has served an immediate term of two consecutive years, they shall not be eligible to contest the election for a further term.
- 21.2 Notwithstanding anything hereinbefore contained and in addition to the Ordinary Committee Members, the immediate Past President shall be an Ordinary Committee Member.

22. Meetings of
Committee:

- 22.1 The Committee shall, unless otherwise resolved by the Committee, meet at least once in every 2 calendar months to arrange the affairs and conduct the business of the Society.
- 22.2 A quorum of not less than 50 percent of the Committee, including at least one member of the Executive, must be present for a Committee Meeting to commence or proceed. No business may be conducted unless a quorum is present.
- 22.3 Minutes shall be taken of all resolutions and proceedings of the Committee and shall be open to inspection by any member of the Society applying to the Secretary therefore.
- 22.4 If within half an hour of the time appointed for the meeting a quorum is not present--
- (i) in the case of a special meeting--the meeting lapses;
 - (ii) in any other case--the meeting shall stand adjourned to the same place and the same time and day in the following week.

22.5 The Committee may act notwithstanding any vacancy on the Committee.

23. Duties of Officers:

23.1 The Branch President shall:

- 23.1.1. Be the official representative of the Branch of the Society at any function to which the Society is invited or requested to be represented.
- 23.1.2. Manage and direct the day to day business of the Branch of the Society and supervise the work of the Officers and Sub-Committees of the Branch.
- 23.1.3. Be the Chairperson of meetings of the Branch of the Society.
- 23.1.4. Have the casting vote where voting is tied at a General or Committee Meeting, but otherwise not vote.

23.2. The Branch Vice-President shall assume the powers, duties and responsibilities of the Branch President in his absence.

23.3. The Branch Secretary shall attend to the clerical and administrative work of the Branch and undertake the following duties:

- 23.3.1. Arrange, as directed, all meetings of the Branch of the Society and record and keep minutes of the proceedings of those Meetings.
- 23.3.2. Keep proper files and records of the Branch of the Society's correspondence, reports and other documents.
- 23.3.3. Receive and distribute, within approved procedures, correspondence and reports requiring actions or decisions from members.
- 23.3.4. Maintain a current Register of Branch Members, including a list of affiliated associations.

23.4 The Branch Treasurer shall:

- 23.4.1. Receive, collect, hold and disburse, as approved by the Committee, all monies, documents, notes, assets, chattels or other things which are the property of the Branch of the Society and issue numbered official receipts for all monies received.
- 23.4.2. Maintain true and accurate books and accounts of the Branch of the Society and close and balance the books as at 31st day of July each year and present such books and other information required for audit, pursuant to Clause 35. The Treasurer shall present the audited balance sheet to the Annual General Meeting.

24. Sub-Committees:

24.1 The Committee may from time to time appoint from among its Members such Sub-Committees as the Committee may deem necessary or expedient and may delegate or refer to such Sub-Committees such of the powers and duties of the Committee as the Committee may determine. Such Sub-Committees shall periodically report their proceedings to the Committee and shall conduct their business in accordance with the directions of the Committee.

25. Annual General Meeting:
- 25.1 The Annual General Meeting of the Society shall be held in the month of August in each year upon a date and at a time and a place to be fixed by the Committee, for the following purposes.
- 25.1.1. To receive the reports of such of the Officers as shall be determined by the Committee;
- 25.1.2. To receive the reports of any other Members as shall be determined by the Committee
- 25.1.3. To receive the reports of any Sub-Committees
- 25.1.4. To receive the accounts for the preceding financial year and an estimate of the receipts and expenses for the current financial year;
- 25.1.5. To elect the Officers;
- 25.1.6. To fill the vacancies in the Committee;
- 25.1.7. To decide on any resolution which may be duly submitted to the meeting as hereinafter provided.
26. Notice of Business: 26.1 Any Member desirous of moving any resolution at the Annual General Meeting shall give notice thereof in writing or electronic transmission to the Secretary not less than one month before the date of such meeting.
27. Special General Meeting:
- 27.1 The Committee may at any time for any special purpose call a Special General Meeting and it shall do so forthwith upon the requisition in writing of 20% of the voting membership, which requisition shall state the purpose for which the meeting is required.
- 27.2 If the Committee does not call such a Meeting within one month of the request then a Member, who was party to the request, may do so. The Meeting shall be held not more than three months after the date of original request and shall be run as close as possible to the guidelines for other General Meetings.
28. Convening General Meetings:
- 28.1 Two weeks at least before the Annual General Meeting or any Special General Meeting, a written notice thereat shall be sent to every Member and no business other than that of which notice has been so given shall be brought forward at such meeting.
- 28.2 In addition to the business to be transacted, the notice shall specify the date, time and place of the meeting and in the case of an Annual General Meeting, the names of the Committee Members who shall be retiring at such Annual General Meeting and the names of the candidates to fill such vacancies. The notice shall also contain a printed balloting list containing in alphabetical order all the names of such candidates, if there are more candidates than vacancies.
29. Proceedings at General Meetings:
- 29.1 At all General Meetings of the Society the President, and in his absence a Member elected by the Committee, shall take the Chair. Every Member (excluding Associate Members and the Chairperson), present shall be entitled to one vote upon every motion, and in case of an equality of votes the Chairperson shall have the casting vote.

- 29.2 A Member is not entitled to vote at a General Meeting unless all moneys due and payable by the Member to the Society have been paid, other than the amount of the annual subscription payable in respect of the current financial year.
- 29.3 The Committee shall be empowered if it thinks fit to make regulations for enabling Members unable to be present to vote by proxy or in writing.

30. Quorum at General Meetings:

- 30.1 The quorum at all General Meetings shall be as follows:
- 30.1.1. For motions proposing any repeal addition to or amendment of this Constitution, thirty per cent of the Members entitled to vote;
- 30.1.2. For motions relating to the expulsion of any Member, thirty per cent of the Members entitled to vote;
- 30.1.3. All other business, except where otherwise stated, twenty per cent of the Members entitled to vote.

31. Proxies:

- 31.1 An individual Member, or Committee Member, who cannot attend a Meeting may authorize in writing another Member to cast his/her vote at that Meeting.
- 31.2 This authority may be specific or general.
- 31.3 Details of the proxy votes must be registered with the Secretary prior to the start of the meeting, recorded in the minutes of the meeting and the originals retained.

32. Voting:

- 32.1 Full Members, Honorary Members and Student Members shall be entitled to vote at Meetings.
- 32.2 No Member shall have more than one vote on a motion.
- 32.3 Voting shall be by show of hands, unless a division or a ballot is requested by any Member.
- 32.4 Each motion or resolution shall be decided by a majority of votes of Members present and eligible to vote, unless otherwise specified in these rules.
- 32.5 The President, or other Member elected as Chairperson for that meeting, shall not vote except to make the casting vote if the vote is tied.

33. Amendments:

- 33.1 No amendment (other than a motion for adjournment) shall be moved to any resolution proposed at any Annual or Special General Meeting unless written notice thereof shall have been sent to the Secretary not less than two weeks prior to the meeting. Copies of such notice shall be available to any Member upon written application to the Secretary.

34. Financial year

- 34.1 The financial year of the Society shall end on the 31st day of July in each year, to which date the accounts of the Society shall be balanced.

35. Auditor of
Accounts:

35.1 The accounts of the Society shall be audited at least once every two years by an appropriately qualified auditor. Such auditor shall not be a Member of the Society and the audit is to be completed not less than two weeks prior to the Annual General Meeting.

35.2 An auditor may be paid or honorary.

36. Society Meetings:

36.1 The Society shall hold a minimum of four (4) meetings per year ("Society Meetings") (other than meetings hereinbefore referred to), at such times as shall be determined by the Committee. The purpose of the Society meetings will be to facilitate the presentation and discussion of papers and the exchange of knowledge relating to the field of forensic science. Except when directed to the contrary by the Committee, Members may introduce visitors to the Society Meetings. Members shall sign their names and write the names of their visitors in an attendance book maintained by the Committee.

36.2 The Committee may invite any learned society to participate in a Society Meeting.

37. Journal:

37.1 The Society may publish a Journal which shall be edited by the Editor. The Committee shall appoint such members as it determines and for such periods as it determines to assist the Editor.

38. Members' Information

38.1 The Society shall maintain a Register of Members which shall be kept in the custody, or under the control of, the Secretary.

38.2 Every Member of the Society shall from time to time communicate his address to the Secretary, and all notices required to be given by these rules shall, if posted by pre-paid post to such address, personally served, or sent to the Member's nominated email address, be deemed to have been duly received on the day following the date of posting.

38.3 Members may inspect the records kept about them without fee at a place in South Australia, at any reasonable hour.

38.4 The Society will not disclose personal information about other members apart from the applicant unless:

38.4.1 The record subject has expressly or impliedly consented to the disclosure;

38.4.2 The disclosure is necessary without consent of the record subject for the operation of the Society;

38.4.3 The person disclosing the information believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and immediate threat to the life or health of the record subject or some other person;

38.4.4 The disclosure is required or authorised by or under law;

38.4.5 The disclosure is reasonably necessary for the enforcement of criminal law, or of a law imposing a pecuniary penalty, or for the protection of the public revenue, or for the protection of the interests of the government, statutory authority or statutory office holder as an employer.

38.5 "Personal Information" means information or an opinion, whether true or not, relating to a natural person or the affairs of a natural person whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

39. Proceedings - private:

39.1 All meetings of the Society are private and proceedings may not be communicated to any person not a Member of the Society without the consent of the Committee.

40. Symposium and Awards

40.1 The Society shall support a state representative to attend the International Symposium on the Forensic Sciences when it coincides with any General Meeting of the National Council.

40.2 The representative shall be either the President or Vice President of the Branch, or other Officer or member of the Branch Executive as decided by the Committee.

40.3 The Society shall meet the expenses of Symposium registration and reasonable accommodation costs for the representative. If the representative has been provided financial support for these costs by another body, the Society is not obliged to meet these expenses.

40.4 The Society may provide a number of travel awards to members in each Symposium year, to facilitate attendance and to present a paper or poster at the Symposium. These awards will be decided by a Sub-Committee of no less than 3 Committee Members, including at least one Officer who will chair the Sub-Committee.

40.5 The process of nominating members to receive awards will be as for National travel awards and subject to the same basic selection criteria.

40.6 The maximum amount to be allocated for travel awards will be decided by the Committee at a meeting prior to the Sub-Committee being formed. Any variance to this amount must be approved by a majority of the Committee (including the Treasurer and President), prior to allocation. The Sub-Committee is not obliged to provide travel awards to the maximum amount if the standard of application is not to a level deemed worthy by the Sub-Committee, or if the support offered by the National Executive meets the amount applied for by members.

40.7 One full travel award comprising Symposium registration and an amount for airfare and accommodation may be offered each Symposium year to one Branch application deemed outstanding amongst all those received for that year. This award will be known as the "Sandy Congdon Memorial Scholarship".

40.8 The criteria document for the Sandy Congdon Memorial Scholarship is to be read in conjunction with this Constitution and will be the guiding document for selection of recipient.

41. Amendment of Clauses:

41.1 These Clauses may be added to, repealed, or amended by resolution at any Annual or Special General Meeting, provided that notice of the resolution to amend the Clauses shall be included in the notice of meeting and no such resolution shall be deemed to have been passed unless it be carried by a majority of at least two-thirds of the Members eligible to vote at the Meeting.

42. Interpretation of Clauses:

42.1 The Committee shall be the sole authority for the interpretation of these Clauses and any regulations made thereunder; and the decision of the Committee upon any question of interpretation or upon any matter affecting the Society and not provided for by these Clauses or any regulations made thereunder shall be final and binding on the members.

43. Dissolution of Society:

43.1 If at any General Meeting a resolution for the dissolution of the Society shall be passed by a majority of the Members present, then such resolution shall, at an Annual or Special General Meeting held not less than two months thereafter at which not less than fifty per cent of the Members shall be present, be confirmed by a resolution passed by a majority of three quarters of the Members eligible to vote.

43.2 The Committee shall thereupon or at such future date as shall be specified in such resolution proceed to realise the property of the Society and after the discharge of all liabilities shall divide the same equally among all Full, Student and Associate Members (but excluding the Honorary Members), and upon the completion of such division the Society shall be dissolved.

44. Regulations:

44.1 The Committee may from time to time make repeal and amend all such regulations (not inconsistent with this Constitution) as it shall think expedient for the internal management and well-being of the Society. All regulations made by the Committee under this Clause shall be binding upon the Members until repealed by the Committee or set aside by a resolution of a General Meeting of the Society.