



**Australian and New Zealand  
FORENSIC SCIENCE SOCIETY**

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



# CONSTITUTION

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1. Name: 1.1 The name of the association shall be called THE AUSTRALIAN AND NEW ZEALAND FORENSIC SCIENCE SOCIETY (SOUTH AUSTRALIAN BRANCH, INCORPORATED.), and hereinafter referred to as "*the Branch*".
2. Definitions 2.1 Definitions used in this Constitution are:
- The Act* means the Associations Incorporation Act 1985 (SA)
- The Branch* is the South Australian-based organisation which furthers the purposes of the Australian and New Zealand Forensic Science Society Incorporated and its members (*the Society*) within the state of South Australia, and shall have all the powers conferred by section 25 of *the Act*.
- The Society* is incorporated in the State of Victoria and shall have all the powers conferred by section 46 of the Associations Incorporation Reform Act 2012 (VIC).
- The Rules* means the Rules of Association of *the Society*.
- The Council*, as defined under rule 40 of *the Rules*, will manage and/or direct the business of *the Society*, and may exercise all the powers of *the Society* except those powers that *the Rules* or the Associations Incorporation Reform Act 2012 require to be exercised by general meetings of the members of *the Society*.
- The Executive* as defined under rule 42 of *the Rules* are the office holders of *the Society*.
- The Secretariat* is the administrative arm of *the Executive*.
- The Officers* will act as the executive office holders for *the Branch* and shall be members of *the Committee* delegated to manage the affairs and business of *the Branch*.
3. Object: 3.1 *The Branch* shall be a non-profit making organisation.
- 3.1.1 *The Branch* must not distribute any surplus, income or assets directly or indirectly to its Members unless it satisfies the purpose of *the Branch*.
- 3.1.2 Sub-Clause 3.1.1 does not prevent *the Branch* from paying a Member:
- (a) reimbursement for expenses properly incurred by the member; or
  - (b) for goods or services provided by the member, if this is done in good faith on terms no more favourable than if the member was not a member.
- 3.2 The objects of *the Branch* shall be:
- 3.2.1. To advance the study and application of forensic sciences.
- 3.2.2. 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.

3.2.3. As a means to these ends: to organise meetings, lectures, discussions and demonstrations; to publish and circulate written material for the purpose of publicising the activities and proceedings and projected

activities and proceedings of *the Branch* and/or *the Society*, and to adopt any other appropriate means for the advancement of *the Branch* and of its objects.

3.2.4 To further the purposes of *the Society* and its Members

4. Qualification for Membership:
- 4.1 All persons interested in the study and application of forensic science shall be eligible for membership.
5. Constitution:
- 5.1 This Constitution and Clauses within shall be read in conjunction with the Australian and New Zealand Forensic Science Society Incorporated Rules Of Association.
- 5.2 *The Branch* shall consist of General Members, Professional Members, Student Members, Associate Members, and Life Members.
- 5.3 Associate Members shall not be entitled to vote at Member or General Meetings.
6. Code of Professional Practice
- 6.1 *The Branch* shall adopt the Code of Professional Practice as defined in rule 11 of *the Rules*.
- 6.2 All General, Professional and Life Members shall comply with the Code of Professional Practice of *the Society*.
- 6.3 All General, Professional and Life Members appearing as expert witnesses will, in addition, comply with the court codes or guides for expert witnesses for the relevant jurisdiction.
7. Application for Membership
- 7.1 Every candidate for membership of *the Society* must apply via the online form provided by *the Society* on its website. The candidate shall provide the details of two current financial Members as referees, both of whom shall be personally acquainted with the candidate, to *the Committee*, who can attest to the employment history, forensic experience and character as relevant. These shall be confirmed by *the Secretariat* prior to submission to *the Committee* for approval for Membership. The candidate shall submit the application with an undertaking to be bound by this Constitution, the Code of Professional Practice (if applicable) and *the Rules* if approved.
- 7.2 Upon the acceptance of the application by *the Branch* and upon payment of the first annual subscription, the applicant shall be a Member of *the Branch*.

## 8. Membership Categories

- 8.1 A person seeking entry as a Member of *the Society* must satisfy the following criteria:
- 8.1.1. Provide two referees acceptable to *the Committee* of the respective *Branch*, or if that is not possible, provide a letter clearly stating their suitability for membership to the Society,
  - 8.1.2. Possess high ethical standards, and
  - 8.1.3. Demonstrate to *the Committee*, the ability to satisfy the criteria for one of the following membership categories:

### 8.2 General Member:

- 8.2.1. Current or previous employment in a forensic discipline or employment in a field related to forensic science; and
- 8.2.2. Has a qualification from an accredited tertiary institution or equivalent relevant forensic experience.

### 8.3 Life Member

- 8.3.1. A General or Professional Member who has made an outstanding and sustained contribution to a *Branch* or *the Society* may be elected as a Life Member. Life Members shall have continuous membership unless that membership is terminated pursuant to Division 2 of the Rules of Association;
- 8.3.2. A nomination for a General or Professional Member to be made a Life Member shall be submitted by a *Branch* or the Executive to *the Council* not less than six weeks prior to *the Society* Annual General Meeting. The nomination must be made without the knowledge of the nominee;
- 8.3.3. If the nomination is supported by *the Council*, the Executive will then inform the nominee and obtain their written approval for the nomination to be considered at the next scheduled *Society* Annual General Meeting.
- 8.3.4. If the Member agrees, a proposal is put to the next scheduled *Society* Annual General Meeting that the nominee be elected a Life Member of *the Society*.
- 8.3.5. Life Members shall have continuous membership and shall not be required to pay annual subscriptions.

### 8.4 Professional Member

- 8.4.1. A General Member who:
  - (i) has been a General Member for a continuous period of at least three years or has made an equivalent professional contribution to a forensic-related field; and
  - (ii) is recognised as a professional in a forensic-related field; and
  - (iii) has a qualification from an accredited tertiary institution or has equivalent relevant forensic experience and formal training; and
  - (iv) has successfully applied for professional membership on the relevant application form.

8.4.2 After every three financial years of professional membership, a Professional Member shall attest in writing to *the Council* that they continue to meet the requirements of professional membership.

### **8.5 Student Member**

8.5.1. Is currently enrolled full-time at an accredited tertiary institution; and has an active interest in forensic science.

### **8.6 Associate Member**

8.6.1. An individual who is not eligible for the previous categories of membership but has an active interest in a field of forensic science.

## **9. Admission to Membership:**

9.1 The approval of candidates shall be by *the Committee* and no person shall be admitted to membership of *the Branch* until so approved. A candidate who received a majority of the votes of the members of *the Committee* present and voting, shall be declared approved. In the case of a tied vote, the President shall have the casting vote.

9.2 Each person granted membership or continued membership of *the Branch* shall:

9.2.1. Be bound by the Rules of Association of *the Society* and Constitution of *the Branch*.

9.2.2. Become liable for such fees, levies, subscriptions and other liabilities as may be fixed by *the Branch* and/or *the Society*.

9.3 Every candidate for membership who has been duly approved by *the Committee* shall be so informed by the Secretary and the Secretary shall forward a copy of this Constitution and Code of Professional Practice (if applicable), to that Member with a request for payment of the Member's first annual subscription.

9.4 At the discretion of *the Committee* the following items may be an immediate bar to membership;

9.4.1. Conviction for a crime for which the penalty available was not less than one years imprisonment,

9.4.2. Expulsion from any professional organisation on ethical grounds,

9.4.3. Conviction for perjury,

9.4.4. Dismissal from any employment for dishonesty or corruption,

9.4.5. Falsification of any document supporting another person's application to join *the Society*,

9.4.6. De-registration for misconduct from any professional register, or

9.4.7. Any other matter of sufficient ethical seriousness as determined by *the Committee*.

9.5 The rights of a Member are not transferable except in the case of proxy voting (section 31) and these rights end when membership ceases.

10. Subscriptions:
- 10.1 *The Council* shall determine and administer the annual subscription fees for any General, Professional, Student, and Associate Members (including any one-off joining fee), as it sees fit. On payment of any subscription fee the Member shall be entitled to all the privileges of *the Society*.
- 10.2 Capitation fees shall be payable by each *Branch* to *the Council* for each General, Professional, Student, and Associate Member who is financial at the time that the fees are paid.
- 10.3 No capitation fees shall be payable for Life Members.
11. Members in arrear:
- 11.1 If any Member shall fail to pay the annual subscription on or before the first day of July 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*. They shall cease to be a Member of *the Society* and the date the person ceased to be a member shall be added to 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.
12. Ceasing Membership:
- 12.1 The membership of a person ceases on failure to pay membership fees by the end of the relevant financial year, or on resignation, expulsion or death.
- 12.2 Upon cessation of membership the Secretary of *the Branch* must, as soon as practicable, enter the date the person ceased to be a Member in the Register of Members.
- 12.3 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 Branch*.
13. Expulsion of any Member:
- 13.1 *The Committee*, if at any time it shall be of the opinion that it is in the best interests of *the Society* or *the Branch* to require any Member to withdraw from *the Branch*, may do so 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 Council*, where a decision is to be made pursuant to Division 2 of the Rules of Association.
14. Effect of ceasing to be a Member:
- 14.1 Any person shall, upon ceasing to be a Member of *the Society*, forfeit all right to and claim upon *the Society*, *the Branch* and their property and funds.

15. Grievance procedure:
- 15.1 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*,
  - (c) a Member and *the Branch*.
- 15.2 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.
- 15.3 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:
- (i) notify the Committee of the dispute;
  - (ii) hold a meeting in the presence of a mediator;
  - (iii) attempt in good faith to settle the dispute by mediation.
- 15.4 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 Branch*, a person who is a mediator appointed or employed by a recognised Dispute Resolution Service.
- 15.5 A Member of *the Branch* can be a mediator.
- 15.6 The mediator cannot be a Member who is a party to the dispute or is biased in favour of or against any of the parties involved.
- 15.7 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, pursuant to section 40 of *the Act*.
- 15.8 The mediator must not determine the dispute.
- 15.9 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute otherwise at law.



15.10 Pursuant to section 61 of *the Act*, an application to the Court may be made by any Member who believes that the affairs of *the Branch* are being conducted in a manner that is oppressive or unreasonable. The Court may make an order in response to this application.

16. Committee:

16.1 The affairs and business of *the Branch* (except as otherwise provided by this Constitution) shall be delegated to a *Committee* of not more than seven Members ("Ordinary Committee Members") who shall be elected at the Annual General Meeting of *the Branch*.

In addition thereto, the President, Vice-President, Secretary, Treasurer, Editor, Publicity Officer and Merchandising Officer will be "*the Officers*" and shall be Members of *the Committee*.

16.2 *The Committee* has the management and control of the funds and other property of *the Branch*.

16.3 *The Committee* must exercise their powers and discharge their duties with reasonable care and due diligence.

16.4 *The Committee* shall have the authority to interpret the meaning of these rules and any other matter relating to the affairs of *the Branch* on which these rules are silent.

17. Election of Officers and Ordinary Committee Members:

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

17.2 Any two Members may propose any other Member, as a 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.

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

17.4 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.

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

17.6 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.

17.7 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.

17.8 If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.

17.9 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.

17.10 Every General, Professional, Student, and Life Member of *the Branch*, 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.

18. Vacancies on Committee:

18.1 The office of a Committee Member shall become vacant if the Member is:

- (i) Disqualified from being a Committee Member by *the Act*
- (ii) Expelled as a Member under this Constitution
- (iii) Permanently incapacitated by ill health
- (iv) Absent without apology from more than four meetings in a financial year

18.2 *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.

19. Election of Officers:

19.1 *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/or 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 20. 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.

19.2 Notwithstanding anything hereinbefore contained and in addition to the Ordinary Committee Members, the immediate Past President shall be an Ordinary Committee Member.

20. Meetings of Committee:

20.1 *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 Branch*.

20.2 A quorum of not less than 50 percent of *the Committee*, including at least one *Officer*, must be present for a Committee Meeting to commence or proceed. No business may be conducted unless a quorum is present.

20.3 Minutes shall be taken of all resolutions and proceedings of *the Committee* and shall be open to inspection by any Member of *the Branch* applying to the Secretary therefore.

20.4 The minutes taken pursuant to this Clause must be confirmed by the Committee at a subsequent meeting.

20.5 Where minutes are taken and agreed they shall, until the contrary is proved, be evidence that the meeting was convened and duly held, that all

proceedings held at the meeting shall be deemed to have been duly held, and that all appointments made at a meeting shall be deemed to be valid.

- 20.6 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 a day in the following week.
- 20.7 *The Committee* may act notwithstanding any vacancy on *the Committee*.
- 20.8 Questions arising at any meeting of the Committee shall be decided by a majority of votes, and in the event of equality of votes the chairperson shall have the casting vote in addition to a deliberative vote.

21. Duties of Officers:

- 21.1 The **Branch President** shall:
- 21.1.1. Be the official representative of *the Branch of the Society* at any function to which *the Branch* is invited or requested to be represented.
  - 21.1.2. Manage and direct the day to day business of *the Branch* and supervise the work of the *Officers* and Sub-Committees of *the Branch*.
  - 21.1.3. Be the Chairperson of meetings of *the Branch*.
  - 21.1.4. Have the casting vote where voting is tied at a General or Committee Meeting, but otherwise not vote.
- 21.2. The **Branch Vice-President** shall assume the powers, duties and responsibilities of the Branch President in their absence.
- 21.3. The **Branch Secretary** shall attend to the clerical and administrative work of *the Branch* and undertake the following duties:
- 21.3.1. Arrange, as directed, all meetings of *the Branch* and record and keep minutes of the proceedings of those Meetings.
  - 21.3.2. Keep proper files and records of *the Branch's* correspondence, reports and other documents.
  - 21.3.3. Receive and distribute, within approved procedures, correspondence and reports requiring actions or decisions from Members.
  - 21.3.4. Maintain a current *Branch* Register of Members, including a list of affiliated associations.
- 21.4 The **Branch Treasurer** shall:
- 21.4.1. 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* and issue numbered official receipts for all monies received.

- 21.4.2. Ensure that all moneys received are paid into the account of *the Branch* as soon as practicable after receipt.
  - 21.4.3. Make any payments authorised by *the Committee* or by a general meeting of *the Branch* from *the Branch's* funds.
  - 21.4.4. Ensure cheques are signed by an authorised signatory.
  - 21.4.5. Keep in his/her custody, or under his/her control:
    - (i) *The Branch* financial records for the current financial year; and
    - (ii) Any other financial records as authorised by *the Committee*.
  - 21.4.6. Maintain true and accurate books and accounts of *the Branch* and close and balance the books as at 30<sup>th</sup> day of June each year and present such books and other information required for audit, pursuant to Clause 36. The Treasurer shall present the audited balance sheet to *the Branch* Annual General Meeting.
- 21.5 The **Branch Merchandising Officer** shall:
- 21.5.1. Co-ordinate the ordering, sale, distribution, and pricing of ANZFSS merchandise.
  - 21.5.2. Research and propose designs, analyse sales trends and adjust product line offering accordingly.
  - 21.5.3. Monitor and maintain stock inventory levels, and submit inventory reports to *the Committee*.
- 21.6 The **Branch Publicity Officer** shall:
- 21.6.1. Manage, co-ordinate and update information and membership on social media platforms.
  - 21.6.2. Liaise with the ANZFSS web designer to manage and update information on the web page.
  - 21.6.3. Manage and co-ordinate the distribution of printed material or electronic updates to external groups.
  - 21.6.4. Seek appropriate approval and post announcements via internal and external organisational/agency intranets or other media platforms.
  - 21.6.5. Collate and archive photographs taken for ANZFSS promotional, record-keeping, or advertising purposes.
- 21.7 The **Branch Editor** shall:
- 21.7.1. Obtain publication approval of newsletter content from presenters for distribution via online or other channels.
  - 21.7.2. Prepare quarterly newsletters and other publications as required.
  - 21.7.3. Attend Branch meetings and prepare a summary of each presentation for newsletter publication.

21.7.4 Ensure appropriate photographs are taken for addition to the newsletter.

22. Sub-Committees: 22.1 *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 those 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*.
23. Annual General Meetings: 23.1 The Annual General Meeting of *the Branch* shall be held within five months after the end of the financial year on a date and at a time and a place to be fixed by *the Committee*, for the following purposes:
- 23.1.1. To receive the reports of such of *the Officers* as shall be determined by *the Committee*;
  - 23.1.2. To receive the reports of any other Members as shall be determined by *the Committee*
  - 23.1.3. To receive the reports of any Sub-Committees
  - 23.1.4. To receive the financial statements for the preceding financial year;
  - 23.1.5. To receive the reports of any auditors;
  - 23.1.6. To elect *the Officers*;
  - 23.1.7. To fill the vacancies in *the Committee*;
  - 23.1.8. To decide on any business of which notice has been given in accordance with this Constitution.
24. Notice of Business: 24.1 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.
25. Special General Meetings: 25.1 Any general meeting of *the Branch* other than an Annual General Meeting or a disciplinary appeal meeting is a Special General Meeting
- 25.2 *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,
- 25.3 The request for a Special General Meeting must:
- (i) Be in writing
  - (ii) State the business to be considered at the meeting and any resolutions to be proposed
  - (iii) Include the names and signatures of the Members requesting the meeting; and
  - (iv) Be given to the Secretary.
- 25.4 If *the Committee* does not call such a Meeting within one month of the

request then the requisitionists, or at least 50% of their number, 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.

25.5 A Special General Meeting shall only consider the business stated in the request or reason for meeting.

26. Convening General Meetings:

26.1 The Secretary (or, in the case of a Special General Meeting convened under Clause 25, the members convening the meeting) must give to each member of *the Society*:

(a) at least 21 days' notice of a general meeting if a special resolution is to be proposed at the meeting; or

(b) at least 14 days' notice of a general meeting in any other case.

26.2 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.

27. Proceedings at General Meetings:

27.1 At all General Meetings of *the Branch*, the President, and in their 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.

27.2 A Member is not entitled to vote at a General Meeting unless all moneys due and payable by the Member to *the Branch* have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

27.3 *The Committee* must ensure that minutes are taken and kept of each Committee Meeting.

27.4 The minutes must record the following:

(a) the names of the Members in attendance at the meeting;

(b) the business considered at the meeting;

(c) any resolution on which a vote is taken and the result of the vote;

and

(d) any material personal interest disclosed under Clause 28.

27.5 *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.

- 27.6 An ordinary resolution is a resolution passed by a simple majority at a General Meeting
- 27.7 A special resolution is defined in section 3 of *the Act*.
28. Conflict of Interest:
- 28.1 A *Committee* member who has a material personal interest in a matter being considered at a Committee Meeting must disclose the nature and extent of that interest to *the Committee*.
- 28.2 The Member:
- (a) must not be present while the matter is being considered at the meeting; and
  - (b) must not vote on the matter.
- 28.3 If there are insufficient Committee Members to form a quorum because a member who has a material personal interest is disqualified from voting on a matter, a General Meeting may be called to deal with the matter. This does not apply to a material personal interest that:
- (a) exists only because the Member belongs to a class of persons for whose benefit *the Society* is established; or
  - (b) the Member has in common with all, or a substantial proportion of, the Members of *the Society*.
- 28.4 Pursuant to section 55 of *the Act*, the income and capital of *the Branch* shall be applied exclusively to the promotion of the Objects of *the Branch* and no portion shall be paid or distributed directly or indirectly to Members or their associates except as bona fide remuneration of a Member for services rendered or expenses incurred on behalf of *the Branch*.
29. Quorum at General Meetings:
- 29.1 No business may be conducted at a General Meeting unless a quorum of Members is present.
- 29.2 The quorum at all General Meetings shall be as follows:
- 29.1.1. For motions proposing any repeal addition to or amendment of this Constitution, thirty per cent of the Members entitled to vote;
  - 29.1.2. For motions relating to the expulsion of any Member, thirty per cent of the Members entitled to vote;
  - 29.1.3. All other business, except where otherwise stated, twenty per cent of the Members entitled to vote.
- 29.3 If a quorum is not present within 30 minutes after the notified commencement time of a general meeting:
- (a) In the case of a meeting convened by, or at the request of, Members under Clause 25, the meeting must be dissolved; or
  - (b) In any other case:
    - (i) the meeting must be adjourned to a date not more than 21 days after the adjournment; and

(ii) notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all Members as soon as practicable after the meeting.

30. Proxies:
- 30.1 An individual Member, or Committee Member, who cannot attend a Meeting may authorise in writing another Member to cast his/her vote at that Meeting.
  - 30.2 This authority may be specific or general.
  - 30.3 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.
31. Voting:
- 31.1 General, Professional, Student, and Life Members shall be entitled to vote at Meetings.
  - 31.2 A Member is entitled to vote if more than ten days has passed since they became a Member of *the Branch* and their membership rights are not suspended for any reason.
  - 31.3 No Member shall have more than one vote on a motion.
  - 31.4 Voting shall be by show of hands, unless a poll or a ballot is requested by at least five Members.
  - 31.5 Members may vote personally or by proxy.
  - 31.6 Each motion or resolution shall be decided by a majority of votes of Members present and eligible to vote, unless otherwise specified in this Constitution.
  - 31.7 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.
  - 31.8 If a poll is demanded by at least five Members, it must be conducted in a manner specified by the person presiding and the result of the poll is the resolution of the Meeting on that question.
  - 31.9 A poll demanded for the election of a person presiding or on a question of adjournment must be taken immediately, but any other poll may be conducted at any time before the close of the meeting.
32. Amendments:
- 32.1 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.
33. Financial year
- 33.1 The financial year of *the Branch* shall end on the 30<sup>th</sup> day of June in each year, to which date the accounts of *the Branch* shall be balanced.



34. Financial records
- 34.1 *The Branch* must keep financial records that:
- (a) correctly record and explain its transactions, financial position and performance; and
  - (c) enable financial statements to be prepared as required by legislation.
- 34.2 *The Branch* must retain the financial records for seven years after the transactions covered by the records are completed.
35. Auditor of Accounts:
- 35.1 The accounts of *the Branch* shall be audited at least once every two years by an appropriately qualified auditor. Such auditor shall not be a Member of *the Branch* 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. Branch Meetings:
- 36.1 *The Branch* shall hold a minimum of four (4) meetings per year ("Branch Meetings") (other than meetings hereinbefore referred to), at such times as shall be determined by *the Committee*. The purpose of the Branch 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 Branch 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 Branch Meeting.
- 36.3 *The Committee* may use technology to record Branch Meetings for dissemination and/or distribution via restricted channels. Presenters will be canvassed as to whether they are permitted or desire to have their presentation recorded and made available. *The Committee* will abide by these wishes in all circumstances.
37. Journal:
- 37.1 *The Branch* 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. Register of Members:
- 38.1 *The Branch* shall maintain a Register of Members which shall be kept in the custody, or under the control of, the Secretary of *the Society* or their delegate.
- 38.2 The Register will include:
- (a) For each current Member:
    - (i) the Member's name;
    - (ii) the address for notice last given by the Member;
    - (iii) the date of becoming a Member;
    - (iv) the category of the Member; and
    - (v) any other information determined by *the Council*;

and

(b) For each former Member, the date and reason(s) for termination of membership.

- 38.3 Every Member of *the Branch* 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 five days following the date of posting.
- 38.4 Members may inspect the records kept about them without fee at a place in South Australia, at any reasonable hour.
- 38.5 *The Branch* will not disclose personal information about other Members apart from the applicant unless:
- 38.5.1 The record subject has expressly or impliedly consented to the disclosure;
- 38.5.2 The disclosure is necessary without consent of the record subject for the operation of *the Branch*;
- 38.5.3 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;
- 38.5.4 The disclosure is required or authorised by or under law;
- 38.5.5 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.
- 38.6 "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. Inspection of books and records:

- 39.1 Members may on request inspect free of charge and at a reasonable hour:
- (a) The minutes of General Meetings
- (b) The financial records or statements, books, securities and other relevant document of the Branch, including minutes of Branch Meetings subject to Clause 39.1(c).
- (c) *The Branch* may refuse to permit a Member to inspect records of *the Branch* that relate to confidential, personal, employment, commercial or legal matters, or where to do so may be prejudicial to the interests of *the Branch* or *the Society*.
- (d) *The Branch* must on request make copies of this Constitution available to Members and applicants for membership free of charge.
- (e) Subject to Clause 39.1(c), a member may make a copy of any of the other records of *the Branch* referred to in this section and *the Branch* may charge a reasonable fee for provision of a copy of such a record.

40. Proceedings - private: 40.1 All meetings of *the Branch* are private and proceedings may not be communicated to any person not a Member of *the Society* without the consent of *the Committee*.
41. Symposium and Awards: 41.1 *The Branch* shall support a state representative to attend the International Symposium on the Forensic Sciences when it coincides with any General Meeting of the Executive Council.
- 41.2 The representative shall be either the President or Vice President of *the Branch*, or other *Officer* as decided by *the Committee*.
- 41.3 *The Branch* 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 Branch* is not obliged to meet these expenses.
- 41.4 *The Branch* 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.
- 41.5 The process of selecting Members to receive awards will be as for Executive-funded Travel Awards and subject to the same basic selection criteria.
- 41.6 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 Executive* meets the amount applied for by Members.
- 41.7 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".
- 41.8 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.
- 41.9 One full travel award comprising Symposium student registration and an amount for airfare and accommodation may be offered each Symposium year to one Branch student application deemed outstanding amongst all those received for that year. This award will be known as the "Ross Vining Memorial Student Scholarship".
- 41.10 The criteria document for the Ross Vining Memorial Student Scholarship is to be read in conjunction with this Constitution and will be the guiding document for selection of recipient.
42. Amendment of Clauses: 42.1 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.

43. Interpretation of Clauses:
- 43.1 *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 Branch* and not provided for by these Clauses or any regulations made thereunder shall be final and binding on the members.
44. Dissolution of Branch:
- 44.1 If at any General Meeting a resolution for the dissolution of *the Branch* 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.
- 44.2 *The Committee* shall thereupon or at such future date as shall be specified in such resolution proceed to realise the property of *the Branch* and after the discharge of all liabilities shall dispose of the surplus assets in accordance with section 43 of *the Act*.
- 44.3 Upon the completion of such division *the Branch* shall be dissolved.
45. Regulations:
- 45.1 *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 Branch*. 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 Branch*.