



## THE CONSTITUTION

A **constitution** is defined as:

- (a) a set of fundamental principles or established precedents according to which a state or other organization is governed. These rules together make up, i.e. constitute, what the entity is; or
- (b) the fundamental and entrenched rules governing the conduct of an organization or nation state, and establishing its concept, character, and structure. It is usually a short document, general in nature and embodying the aspirations and values of its writers and subjects.

A constitution is therefore a very significant document for any organisation – it sets out the what, why, where and when of everything that the organisation must, wants and can do. It doesn't have to be a detailed document, but it must at least set out the principles and guidelines which govern the way the organisation operates.

It is the document which guides the office bearers and committee in relation to their responsibilities and what they are accountable for. It also sets out the requirements in relation to membership – how one becomes a member, what prerequisites there are for membership (for example, under the new legislation, you must be a registered JP), what your responsibilities are as a member and how you can have a say in what and how the organisation undertakes its activities.

The current constitution of the Society was registered in 2007. It is therefore lacking in what could be called “best practise” for contemporary organisations. It is also inconsistent in a number of ways with the “model rules” which are a recommended constitution provided under Tasmanian Legislation found [here](#).

So it was certainly time for a review of the constitution, and the Society's committee is recommending a new one for consideration at the upcoming Special General Meeting (more details to be provided soon). The draft has been reviewed by our legal consultant and suggested changes from him have been incorporated.

The main issues addressed in the draft document relate to the following areas:

1. There have been no changes to the future roles of the Society, although it is recognised that, under the new legislation, it is probable that the Society will have a more significant responsibility for professional development.
2. The draft constitution is not dictating what subcommittees we have (the committee replaces the current council in name only). The committee can then decide what subcommittees it wants and who should lead and be on them. The subcommittees don't have to be comprised of committee members.
3. The Editor is no longer a specific position – again this would be a role allocated to a person or subcommittee.
4. On the above basis, a committee of 8 is sufficient – 5 office bearers and 3 committee members. Other members may then be requested to supplement the subcommittees.
5. All committee positions will be subject to annual election at the AGM. There will be no limits on the time someone can serve in those positions, except for the president whose term is limited to three consecutive years. This means, of course, a president could be 'out of office' for one year and then return for a maximum of another three years.
6. In relation to membership of the Society, it is essential that we have proof of their status as a registered JP, as well as being financial, to be involved in the Society's decision making.

7. The Society can continue appoint life and associate members if it wishes.
8. The liability of members if the Society is wound up is clarified.
9. The use of electronic and other communication methods are now allowed for all Society and committee meetings, including the usage of electronic banking.
10. The quorums at General Meetings is set at 8. This is to ensure that a quorum is more likely to be attained than has been in the past.

The current Society Council has agreed that the above and other minor changes will make the Constitution more contemporary. It will also enable the Society to respond more quickly to changes in the legislative and regulatory environment, and to provide more relevant services and activities to its membership and the public in general.

A copy of the proposed constitution will be available to read online soon. If you have any queries about the draft constitution when posted, please feel free to contact either myself on 0418 122 494 or [dHUDSON@tsjpi.asn.au](mailto:dHUDSON@tsjpi.asn.au); or the society directly on [admin@tsjpi.asn.au](mailto:admin@tsjpi.asn.au).

Thank you – and we hope to see you at the upcoming very important Special General Meeting.

David Hudson JP

Public Officer