

**CONSTITUTION  
OF THE  
FEDERATION OF ETHNIC COMMUNITIES' COUNCILS  
OF AUSTRALIA (INC)  
(FECCA)**

**As amended at FECCA AGM on 31 October 2009**

**1. NAME.**

The name of the Association is the FEDERATION OF ETHNIC COMMUNITIES COUNCILS OF AUSTRALIA (FECCA) INC.

**2. RECITALS**

FECCA is an Association duly incorporated under the Association Incorporation Act 1991 of the Australian Capital Territory and is :

- a) without political or sectarian affiliation;
- b) opposed to all forms of discrimination;
- c) established on a Non-profit basis to represent and promote the interests of its members.

**3. OBJECTIVES OF THE ASSOCIATION:**

- a) To promote, foster and improve Australia's multicultural society by recognising its diverse cultural and linguistic backgrounds.
- b) To enrich and enhance the well being of the Australian community through the fullest participation and involvement of people of diverse cultural and linguistic backgrounds, especially those who have experienced the migration process.
- c) To represent the needs, aspirations and achievements of people of diverse ethnic backgrounds and to promote and develop the skills and knowledge of members of FECCA.
- d) To promote and address the issues affecting ethnic communities within the context of the Australian community.
- e) To play an effective and ongoing role as an advocate and policy analyst on behalf of all multicultural communities which make up the Australian community.
- f) To be an effective catalyst in identifying issues for further research and development and to implement the result of such research.
- g) To practice and promote the view that in our multicultural society all residents of Australia and their institutions should embrace cultural and linguistic pluralism.
- h) To practice and promote the principle that all elements of Australian society should recognise that the right to express one's own culture and beliefs, involves a reciprocal responsibility to accept the rights of others to express their views and values within acceptable legal and political practices as reflected in Australia's democratic framework.
- i) Within a multicultural framework that promotes inclusiveness, social cohesion, community harmony, human rights, social justice, cultural diversity and heritage factors – FECCA's

role is to foster community capacity building, particularly to enhance the productive functioning of culturally and linguistically diverse communities within the broader community;

To support the establishment of services such as institutions for the care of people from culturally and linguistically diverse backgrounds who are sick, aged, infirm, have a disability or face severe disadvantage; and

To organise, advance, promote and encourage relief, welfare and educational work among ethnic groups whether within individual groups or by joint action and co-operation between such groups on issues of common interest.

#### **4. NON-PROFIT CLAUSE.**

The assets and income of FECCA shall be applied solely for the furtherance of its objectives, and no portion thereof shall be distributed directly or indirectly to the members of the Association except as bona fide compensation for services rendered and expenses incurred on behalf of the organisation.

#### **5. APPLICATION OF SOCIAL JUSTICE PRINCIPLES.**

FECCA shall apply the principles of Social Justice, Access and Equity to all its policies, programs, services and activities.

#### **6. COMPOSITION OF FECCA.**

FECCA shall comprise of a Council and an Executive.

#### **7. CONSTITUENTS OF FECCA.**

Constituents shall be

- a) affiliated Multicultural/Ethnic Communities Councils, not more than one per State or Territory. They shall be -
  - the Australian Capital Territory Multicultural Council;
  - the Ethnic Communities Council of New South Wales;
  - the Multicultural Council of the Northern Territory;
  - the Ethnic Communities Council of Queensland;
  - the Multicultural Communities Council of South Australia;
  - the Multicultural Council of Tasmania;
  - the Ethnic Communities Council of Victoria; and
  - the Ethnic Communities Council of Western Australia.
- b) *Regional Councils, defined as follows:*
  - (i) A Regional Council must be an incorporated body affiliated to and a financial member of the State or Territory M/ECC in which it's principal office is located
  - (ii) A Regional Council must be a regional peak organization whose members are the multicultural community organizations within a defined geographical area outside the capital city's metropolitan area of the State or Territory.
  - (iii) A Regional Council must have a membership of a minimum of three (3) incorporated organizations (each representing a distinct multicultural community) with a total membership of not less than 60 individual members resident within the defined geographical area.

- (iv) The Executive reserves the right to verify membership of regional bodies in ways it sees fit.
- c) FECCA shall also admit Associate members as the Executive may from time to time decide, provided that such members are national or multi-regional incorporated bodies whose Constitutions are compatible with the Objectives of FECCA.
- d) Associate Members shall have speaking rights only.

## **8. COUNCIL**

- a) Council shall be the policy making body of FECCA; it may deliberate and resolve any issue placed before it from any one of FECCA's members or affiliated organisations that is not inconsistent with the objectives of FECCA;
- b) Council shall comprise:
  - i. a total number of 47 delegates with the following numbers from the affiliated State/Territory Multicultural/Ethnic Communities Councils:
    - New South Wales: nine (9)
    - Victoria: eight (8)
    - Western Australia: five (5)
    - Queensland: five (5)
    - South Australia: five (5)
    - Tasmania: five (5)
    - Northern Territory: five (5)
    - Australian Capital Territory: five (5)
  - ii. one (1) delegate from each affiliated Regional Council without any limitations on the total number of Regional Councils from any State or Territory, provided always that the respective Regional Council meets the requirements set down in this Constitution.
- b) Council shall meet at least once every Association Year.

## **9. EXECUTIVE.**

There shall be an Executive comprising

- a) the Elected Officers being the Chairperson, two Senior Deputy Chairpersons at least one of whom shall be a woman, Hon. Secretary, Hon. Treasurer, Young FECCA Chair, Disabilities Issues Chair, Women's Chair, Regional Chair, **New and Emerging Communities Chair** and the immediate Past Chairperson of the Federation, ex-officio;
- b) the eight (8) Chairpersons/President, referred to as Deputy Chairs, of the respective State and Territory Constituents plus the elected representative/s of the affiliated Regional Councils or their proxies;
- c) One Elected regional representative provided that if there are more than 20 Regional Councils then two (2) representatives shall be elected, but a no time shall both representatives elected be drawn from the same State or Territory;
- d) The Executive shall meet at least once per year "in camera" (ie face to face) and at least two additional times either "ex camera" or "in camera" (ie via teleconferencing or

video conferencing or face to face) and shall exercise the powers and functions of the Council between Council meetings.

#### **10. ELECTION OF OFFICERS.**

- a) Any person may be nominated for election to any Elected Officers position by a delegate from any of the Constituent Councils;
- b) Nominations for all Elected Officer positions shall be submitted to the Returning Officer one (1) calendar month prior to the relevant Council Meeting.
- c) The nomination must clearly indicate the name of the nominee, the proposer and the seconder, the position for which the person has been nominated and the nominee's agreement.
- d) The nomination shall include a statement from the appropriate M/ECC's that all three persons (nominee, proposer and seconder) are financial members of a Constituent Council of FECCA or a financial member of an organisation which is a financial member of a Constituent Council.
- e) An officer or staff member of a State, Territory or Regional M/ECC or FECCA, must retire or resign from that position on election as Chairperson of FECCA.
- f) FECCA Elected Officers shall be elected for a term of two calendar years and may not serve more than two consecutive terms in any one position. No person may serve as an Elected Officer for more than four consecutive terms. This Constitutional requirement will come into effect at the 2005 AGM.
- g) Elections for all Officer positions are to be held biennially (every two years) with this system to take effect at the 2003 AGM.

#### **11. DUTIES OF ELECTED OFFICERS**

- a) Chairperson shall:
  - i. preside at general meetings of the Council and the Executive;
  - ii. have the right to delegate the Chair for all or part of any meeting;
  - iii. be ex officio member of all committees, networks and task forces of FECCA;
  - iv. be the spokesperson on behalf of FECCA;
  - v. have the discretion to delegate the making of public statements to chairpersons/co-ordinators of FECCA committees, networks or task forces.
- b) Senior Deputy Chairperson shall :
  - i. be responsible to the Executive for the efficient functioning of
  - ii. all sub-committees ;
  - iii. be ex officio member of all sub-committees;
  - iv. generally assist the Chairperson;
  - v. carry out other tasks delegated by the Chairperson or the FECCA Executive;
  - vi. in the case of incapacity, absence or resignation of the Chairperson, the Executive will elect one of the Senior Deputy Chairperson to carry out all duties of the Chairperson until the Chairperson can resume the duties of the Chair or a new Chairperson is elected.
- c) Hon. Secretary shall:

- i. cause Minutes to be made of the proceedings of all meetings of the Council and the Executive, including the names of members present and record apologies;
  - ii. ensure that such Minutes are signed by the Chairperson of the Meeting at which the proceedings were held or by the Chairperson of the succeeding meeting;
  - iii. ensure that Notices and Agenda as required under this constitution are duly issued;
  - iv. cause Minutes to be made of all appointments of Office bearers and members of Executive;
  - v. notify, as set out under the Associations Incorporation Act of 1991 of the Australian Capital Territories, the appropriate authorities of all Constitutional amendments and changes in FECCA's office bearers within the required time;
  - vi. carry out other tasks delegated by the Chairperson or the FECCA Executive.
- d) Hon Treasurer shall:
- i. ensure that all money due to FECCA is collected and received;
  - ii. ensure that all payments authorised by the FECCA are made;
  - iii. be responsible for ensuring that correct books and accounts are kept showing the financial details of all receipts and expenditure connected with the activities of FECCA;
  - iv. ensure that these books and accounts are available for the auditor;
  - v. ensure that financial statements and balance sheets, duly audited, are presented to members, prior to the Annual General Meeting;
  - vi. carry out other tasks delegated by the Chairperson or the FECCA Executive.
- e) Women's Chair, Young FECCA Chair, Regional Chair, Disabilities Issues Chair and **New and Emerging Communities Chair** shall:
- i. raise issues of concern to, and advocate on behalf of, their specific portfolio
  - ii. convene national policy networks, with participants from all states and territories. These national networks are used to consult and to develop national responses to issues affecting specific portfolio areas.

## **12. HEADQUARTERS.**

The administrative office of the FECCA shall be located in the Australian Capital Territory.

## **13. MEETINGS.**

- a) Meetings of Council shall be held annually in a place to be determined by the Executive;
- b) Meetings of Executive shall be held in the Australian Capital Territory or at any other place from time to time as determined by the Executive or Chairperson. It may adjourn or otherwise appoint and regulate its meetings as it thinks fit.
- c) The Chairperson may at any time call a meeting of the Executive and/or the Council of FECCA;
- d) The Hon Secretary shall, at the request of any three (3) Constituent members, call a meeting of the Executive and/or Council of FECCA.
- e) The Hon Secretary shall give not less than twenty one (21) days notice of all meetings to the Constituent members of the Council/Executive specifying the place, the day and

hour of the meeting and the general nature of the business to be dealt with at the meeting.

- f) A notice may be given to the Constituent members by sending
  - i. it by post to the registered address of the member or if there is no registered address, to the address last known to the Executive. where the Notice is sent by post, service of the notice shall be deemed to be effective by properly addressing, prepaying and posting a letter or an envelope containing the Notice, on the day after the date of its posting and in any other case the time at which the letter would be delivered in the ordinary course of the post; or
  - ii. by fax to the registered address and facsimile number last given to the Executive where the Notice is sent, showing confirmation of time and date of delivery of the Notice sent by facsimile transmission; or
  - iii. by Email to the registered address and Email address last given to the Executive where the notice is sent, showing confirmation of time and date of delivery of Notice sent by Email transmission.
- g) Resolutions to change the constitution or Policy must be duly proposed and seconded by Constituent financial members or Elected Officers of FECCA, and written notice be given, of which financial Constituent members shall be in possession of not less than sixty (60) days in advance of the Annual General Meeting.
- h) The Executive may at any time convene a Special General Meeting of the Council subject to the above.

#### **14. PROXIES**

##### **a) Council -**

A delegate may vote in person or by proxy. A proxy must be a member of a financial organisation of the respective delegate's State or Territory M/ECC or a financial member of a Constituent Council. The instrument appointing the proxy shall be in writing and counter signed by an office bearer of the relevant State or Territory M/ECC which elected the delegate. A copy should be available to the Council and the original lodged with the Honorary Secretary prior to any exercising of the proxy.

##### **b) Executive -**

When Chairpersons/ Acting Chairpersons, Presidents/Acting Presidents of State and Territory M/ECCs as well as the Regional member nominate a proxy to attend an Executive meeting in their absence from Executive meetings, the name of this proxy is to be forwarded, in writing, to the Hon Secretary by the commencement of the Executive meeting.

#### **15. QUORUM.**

##### **a) Council -**

A quorum of the Council shall comprise one quarter of the delegates entitled to attend that meeting in person or by proxy which must include delegates from State, Territory or Regional M/ECCs for no less than five (5) States **or** Territories.

##### **b) Executive -**

A quorum of Executive shall be at least six (6) members representing at least four (4) States, Territories or Regional affiliates Councils.

## **16. VOTING AT MEETINGS.**

- a) Questions arising at any meeting of the Executive shall be decided by a simple majority of the votes of those present and voting;
- b) The decision of the majority shall be binding on all members of the Executive;
- c) Questions arising at any meeting of the Council shall be decided by a simple majority of the votes of those present and voting.
- d) The decision of the majority shall be binding on all delegates at the Council.
- e) On any matter where a vote is taken the Chairperson shall have a deliberative vote.
- f) For the election of FECCA Officers the Returning Officer shall conduct ballots for elections using the optional preferential system of counting votes.
- g) Once the result of the ballots for Elected Officers has been declared by the Returning Officer the results shall be recorded by the Hon Secretary and the ballot papers destroyed.

## **17. AMENDMENTS TO THE CONSTITUTION.**

- a) This Constitution may be amended by a resolution passed by three-quarters-(3/4) of delegates and Elected Officers present and voting at any Annual General or Special General Meeting, provided that at least sixty (60) days notice of the proposed amendment shall have been given.
- b) An amendment to the Constitution does not take effect until an instrument certified under the seal of the Association to be a true copy of the resolution affecting the amendment has been lodged in the office of the Registrar of the Australian Capital Territory and the fee prescribed has been paid.

## **18. VACANCY.**

- a) Where a vacancy occurs in any Officer positions, the Executive of the Federation shall be convened to fill the casual vacancy and the person so elected by Executive shall hold office until the next meeting of the Council and thereafter, if qualified, may present him/herself for election for the remainder, if any, of the term of the Officer replaced.
- b) The office of a member of the Executive shall become vacant -
  - i. upon his/her decease;
  - ii. if he/she becomes bankrupt or makes any arrangement or composition with his creditors generally;
  - iii. if he/she becomes mentally ill or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;
  - iv. in the case of any of the deputy Chairpersons holding office under clause 9(b), if he/she ceases to be the President/Chairperson of Constituent of FECCA.

## **19. COMMITTEES**

The Executive may of its own volition or on the recommendations of the Council of FECCA appoint committees, networks, working parties or task forces of FECCA whenever it deems fit and may co-opt any fit and proper person for that purpose while ensuring that gender balance is maintained at all times.

## **20. POLICY.**

- a) Before any new policy is initiated in the name of the Federation, there shall be full consultation between the Chairperson and all other members of Executive.
- b) In a matter in which ample time for consultation exists, full details of the question and of the action contemplated shall be conveyed in writing by the Chairperson to each deputy Chairperson and Elected Officer setting out a definite time limit for the receipt of his/her opinion. The Chairperson shall at the expiration of the time limit, determine the decision favoured by the majority and such decisions shall be binding on the Chairperson.
- c) Should circumstances not permit full consultation with the Deputy Chairpersons, the Chairperson shall consult all Elected Officers by telephone and in their absence with a Deputy Chairperson in their place and unless there is unanimity between those consulted, no action is to be taken.

## **21. FINANCIAL YEAR.**

The Financial Year shall conclude on 30 June of each year, and an audited financial statement be presented to the next ensuing Annual General Meeting.

## **22. ANNUAL SUBSCRIPTIONS.**

Annual subscription fees for all constituent and associate members shall be determined by Council.

## **23. FUNDS AND ACCOUNTS.**

- a) All moneys received by FECCA shall be deposited promptly to the credit of FECCA's bank account. Receipts for moneys received shall also be issued promptly.
- b) All accounts shall be presented to an Executive Meeting and full details of all accounts paid shall be entered in the Minute Book.
- c) All payments made by FECCA in excess of an amount as determined by Executive shall be paid by cheque signed by any two of the Chairperson, Senior deputy Chairperson, Hon Secretary, Hon Treasurer and the Executive Officer/Director.

## **24. AUDITOR.**

- a) The Auditor or the Auditors shall be appointed by the Council at an Annual General meeting. In the event of a casual vacancy occurring, the Executive shall have the power to fill the vacancy until the next General Meeting.
- b) Audits shall be conducted at regular intervals of not more than twelve months;
- c) An auditor shall not be an office bearer or closely related to an office bearer of FECCA;
- d) An auditor shall be independent of the person dealing with the daily accounting and financial transactions of FECCA;
- e) Notice of intention to nominate an auditor to replace the current auditor shall be given to the Hon Secretary at least twenty one (21) days before the Annual General Meeting. The Secretary shall send a copy of the nomination to the current auditor at

least seven (7) days before the Annual General Meeting. The current auditor shall be entitled to attend the Annual General Meeting, at his/her own expense, if he/she so wishes be heard at such Annual General Meeting.

## **25. INSURANCE**

FECCA shall at all times maintain reasonable insurance cover in respect of

- i. Public Liability;
- ii. Workers Compensation;
- iii. Any other risk deemed appropriate by Executive.

## **26. DISCLOSURE OF INTEREST**

- a) A member of Executive or Council who has interests in any contract or arrangement made or proposed to be made with FECCA, or is a member of a group or organisation which is negotiating with FECCA, shall disclose that interest at the first meeting of the Executive at which the contract or arrangement is first taken into consideration if the interest then exists; or, in any other case, at the first meeting of the Executive after the acquisition of the interest.
- b) If a member of the Executive becomes interested in a contract or arrangement after it is made or entered into, the member shall disclose that interest of the first meeting of FECCA after the member becomes so interested.

## **27. WINDING UP CLAUSE.**

- a) In the event of the winding up of FECCA, the winding up will be conducted in accordance with Act Part VII of the Associations Incorporation 1991 of the Australian Capital Territory.
- b) The liability of the members in the winding up is restricted to any amounts unpaid on their membership subscriptions and the assets of FECCA remaining after winding up shall be transferred to a similar organisation incorporated under the Associations Incorporation Act 1991 of the Australian Capital Territory.

## **28. FECCA BUILDING.**

The ownership of the property known as FECCA House situated at unit 1, 4 Phipps Pl, Deakin, ACT, is vested in the Federation of Ethnic Communities Councils of Australia Inc (FECCA);

## **29. DISPUTE RESOLUTION.**

The parties agree that if any dispute arises under this Constitution the parties shall, in the first instance, negotiate in good faith. In the event that such negotiations are not successful, the parties agree to refer the dispute for informal dispute resolution to an independent party agreed to by the parties, or in the absence of any agreement, to a person appointed by the parties, or in the absence of any agreement, to a person appointed by the President of the Law Society of the Australia Capital Territory. Such a referral shall be without prejudice to any other right or entitlement available to either Party.

### **30. GOVERNING LAW.**

This Constitution is made pursuant to and is governed by the laws of the Australian Capital Territory.

### **31. FORUM.**

The appropriate forum shall be any court of competent jurisdiction located in the Australian Capital Territory.

### **32. LIFE MEMBERSHIP.**

The Council shall have the power to confer Honorary Life Membership. Life members will not, however, have voting rights.

## APPENDIX 1

### DEFINITIONS

**Chair person** - person elected at the set AGM for a period of two years. Primary spokesperson for the Association.

**Elected Officers** - those persons elected at the set AGM for a period of two years and responsible for the functioning of the Association between AGMs. They shall have voting rights on all issues except the election of Officers.

Elected Officers means the Chairperson, two Senior Deputy Chair-persons at least one of whom shall be a woman, Hon Secretary, Hon Treasurer, Women's Chair to be held by a woman, Young FECCA Chair, to be held by a person no older than 30 years of age, Disability Issues Chair, reserved for a person with a disability, Regional Chair reserved for a person who lives in a regional or rural area of Australia and who is a current financial member of a Regional Council affiliated with FECCA and **New and Emerging Communities Chair reserved for a person from new and emerging communities.**

**Financial Member** means a Constituent Council referred to in clause 7 of this Constitution which have paid their affiliation fee for the coming year of the Association at least one working day before the AGM

**Delegate** - an individual with voting rights who has been elected to represent a Constituent Council at the Association's AGM.

**Association's Year** -the twelve months which elapse between two consecutive AGMs.

**Annual General Meeting** -the annual meeting of the Association which must be held before 30<sup>th</sup> November of each calendar year.

**Financial Year** - the period between 1<sup>st</sup> July of one year and 30<sup>th</sup> June of the following year.

**Public Officer** - a person appointed/elected to be the Public Officer, as defined in the Associations Incorporation Act 1991 of the Australian Capital Territory, of the Association.

## **APPENDIX 2.**

### **Conduct of Annual General Meeting of Council.**

1. The Minutes of the previous AGM must be moved and seconded before any issues arising from the Minutes can be discussed.
2. When discussing matters arising out of the Minutes each questioner is entitled to his/her original question plus two supplementary questions.
3. Motions from the floor of the Council AGM must be in writing, moved and seconded by accredited delegates and presented to the Chair of the Meeting.
4. Any substantive motion that is before the Meeting shall be disposed of before a further substantive motion is moved.
5. Substantive motions shall be moved and seconded;
  - i. a delegate moving or seconding a motion or any amendment thereto shall have the right to speak only when so moving or seconding, and shall be held to have spoken to the question by reason of such moving or seconding whether they contributed to the debate or not;
  - ii. a motion or amendment having been submitted to the meeting may not be withdrawn without the consent of the meeting;
  - iii. if two motions are submitted, one proposing that a certain course of action be followed, the other that it not be followed, the issue shall come before the meeting in the affirmative form;
  - iv. each delegate shall have the right to speak once only to any motion and subsequent amendment with the exception of the mover, who shall have the right of reply but shall not introduce any new matter therein.
6. One amendment only shall be considered at a time;
  - the mover of an amendment has no right of reply;
  - more than one amendment may be moved by the same person provided that each such amendment refers to a different part of the motion;
  - amendments shall be taken in the order in which they affect the terms of the motion;
  - an amendment must be relevant to the substantive motion. It may not be a simple negation of the motion.;
  - the mover of the original motion may exercise the right of reply. The mover may not move an amendment but may speak to all amendments without prejudice to the normal right of reply, including amendments debated subsequent to the exercise of the right of reply;
  - following the putting of all amendments, moved and seconded, the original motion, in its now possibly amended form, shall be put.
7. Points of Order must be clearly indicated with debate being confided to the mover of the Point of Order and the Chair.
8. Procedural motions may be moved and seconded from the floor.
9. The following procedural motions may be moved, received, and put to the meeting during the course of debate on a substantive motion :
  - i. for permission to withdraw a motion or amendment;
  - ii. that the question be now put;
  - iii. to proceed to next business;
  - iv. to defer consideration of the matter for stated time (adjournment of debate);
  - v. to refer the matter elsewhere;
  - vi. to discuss the action of a member who has been named by the Chair;
  - vii. to extend the time limit;
  - viii. that the motion or communication lie on the table;

- ix. to go into committee of the whole;
- x. to divide the motion into separate parts.

Motions i. to iii. Shall have precedence in the order given. All procedural motions except 7-ii and 7-iii may be debated.

- 10. the Chair shall have discretion to refuse the following procedural motions:
  - that the question be now put;
  - to proceed to next business;
  - if it is considered that there has been inadequate opportunity for debate on the motion to which they refer AND
  - to extend the time limit;
  - that the motion or communication lie on the table;
- 11. it shall be permissible for anyone who has spoken in the debate to move the following procedural motions:
  - that the question be now put;
  - to proceed to next business;
  - to refer elsewhere;
  - that the motion or communication lie on the table.
- 12. if the procedural motion - "that the question be now put" is carried, the mover of the original motion shall have the right of reply before the motion is put.

#### Time Limits -

- a) For each section of the Agenda, such time as is allocated by the Chair and the Hon Secretary;
- b) For each speaker making a report - 5 minutes;
- c) For each speaker moving a motion - 5 minutes;
- d) For each speaker in debate - 3 minutes;
- e) For each mover speaking in reply - 2 minutes;
- f) Extension of time, per speaker - 2 minutes;
- g) No speaker to any motion shall be granted more than two extensions of time;
- h) The number of speakers on any motion relating to Constitution or any motion shall be limited to six, including the mover and seconder - 3 in favour and 3 against, with the mover having the right of reply.

#### Delegates' Rights and Responsibilities.

- a) A delegate shall stand to speak, address the Chair, and confine debate to the question under discussion, avoiding personalities and unbecoming language.
- b) A delegate when speaking shall not be interrupted except by the Chair or a delegate raising a Point of Order.
- c) A delegate who has spoken may be asked through the Chair to explain certain statements or to clarify statements which have not been clearly understood. A delegate may, with the permission of the Chair, volunteer an explanation where it is considered that the delegate's statement of the facts has been misrepresented. In making these explanations the delegate shall be prohibited from debating the merits or demerits of any proposal. Similarly, in asking for an explanation of any point a delegate shall not be permitted to debate the merits or demerits of any proposal, and the Chair may rule that the questioner has spoken in the debate if this requirement is breached.
- d) A delegate requesting information or wishing to ask a question at a meeting shall do so through the Chair.

- e) Any delegate may rise to a Point of Order against a speaker during debate, and the delegate against whom the Point of Order is raised shall cease speaking and sit down. The delegate raising the point of order shall state the reasons within one minute, then the Chair shall give a ruling without further discussion, and subject to each ruling the delegate who was speaking when the Point of Order to indicate the breach creating the point of Order. The Chair's ruling shall be final unless challenged by a motion of dissent.
- f) A delegate dissatisfied with the Chair's ruling may move a motion of dissent in the following terms :  
"That the Chair's ruling be dissented from".

Immediately a motion of dissent is moved the Chair shall call upon a Senior Deputy Chair, Women's Chair, Young FECCA Chair or if any of these are not able to do so, on any Deputy Chair, to take the Chair. When the mover and the Chair (in that order) have stated their cases, each being allowed three minutes, the Senior Deputy Chair/Deputy Chair shall then put to the vote the question -"That the Chair's ruling be upheld." The motion shall be decided by simple majority. The person occupying the Chair during the debate of the motion shall declare the outcome of the vote, whereupon the Chair shall resume control of the meeting and shall rule in accordance with the outcome of the Motion of Dissent.

#### Chairperson's Rights and Duties.

- a) The Chairperson shall have the right of debate but must first call upon a deputy to take the Chair, and not resume it until the question has been resolved.
  - b) It shall be the duty of the Chair to preserve order so that the business may be conducted in due form and with propriety, and to call to order speakers who violate any rule of debate.
  - c) The Chair shall call the attention of a speaker to continued irrelevance or tedious repetition, and may direct such delegate to discontinue speaking.
  - d) The Chair may name a delegate for disorder, and the meeting shall forthwith discuss what action shall be taken.
  - e) In the case of disorder arising, the Chair shall have the power to adjourn the meeting to a nominated time and place, and upon the Chair being vacated the meeting is thereby terminated.
  - f) When more than one delegate rises at the same time to speak, the Chair shall decide who shall be heard first.
13. Within the time allowed for the debate on a motion, and subject to procedural motions, the Chair shall not put the question while any member who has not spoken wants to be heard. If the time for debate on the motion expires, the Chair shall permit any delegate speaking to exhaust the time allowed for such speaking, shall invite the mover of the motion to exercise the right of reply and shall then put the question.

#### Voting.

Notwithstanding the voting procedures set out in this Constitution

- a) voting on any questions shall be decided, in the first instance, by show of hands.

- b) when a count is called for, the vote for and against shall be counted by a least two tellers appointed by the Chair, and the numbers voting for and against shall be announced by the Chair and recorded in the Minutes;
- c) delegates are entitled at their request to have their dissent or abstention recorded in the Minutes.
  - A simple majority is defined as when more votes are cast for the motion than against.
  - A two-thirds majority is defined as when at least twice as many votes are cast for the motion as against.

These Standing Orders shall be governed by the customary procedures at meetings as specified in the most recent edition of N.E. Renton's *Guide for Meetings and Organisations*.