
Constitution for Association of Science Education Technicians – NSW Incorporated

To be known as ASET – NSW INC

November 2025

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Part A – Preliminary

1. Name of the Incorporation

The name of the Incorporated Association is “**Association of Science Education Technicians – NSW Incorporated**”, referred to herein as the “**Association**”.

2. Definitions

In this constitution:

- a) the “**Act**” means the Associations Incorporation Act 2009
- b) the “**Regulation**” means the Associations Incorporation Regulation 2010
- c) the “**Committee**” means the committee of management of the Association
- d) the “**Ordinary committee member**” means a member of the committee who is not an office-bearer of the Association
- e) “**Financial year**” means the year ending on 30 June of the Australian financial calendar year
- f) “**Annual general meeting**” means an annual general meeting (AGM) of members convened in accordance with Clause 37 of the Act and Clause 23 of the Regulation
- g) “**General meeting**” means a general meeting of the Association other than an annual general meeting
- h) “**Secretary**” means:
 - the person holding office under this constitution as Secretary of the Association, or
 - if no such person holds that office – the Public Officer of the Association
- i) “**Public Officer**” means :
 - the individual designated to manage the entity's official correspondence and tax affairs, acting as a key contact for the [Australian Taxation Office \(ATO\)](#) and state/territory regulatory bodies.

- Their responsibilities include ensuring accurate record-keeping, submitting tax exemption forms for not-for-profit status, and fulfilling regulatory compliance for the organization.
- Any Office Bearer positions in Committee can also hold this position

3. Objects

The mission of ASET-NSW Inc is to promote the profession of Science Education Technicians in science departments of educational institutions in NSW and the ACT.

To achieve our mission, we will:

- support members in their professional needs
- facilitate Professional Training, Education and Development
- assist in communicating ideas and information
- be a voice for our members' professional interests

3.1 The Association shall have the powers conferred by section 25 of the Act.

PART B – THE COMMITTEE

4. Composition and Membership of the Committee

The Committee consists of up to eight (8) members, namely:

- a) six (6) elected Committee Members; and
- b) up to two (2) appointed Ordinary Committee Members

5. Office-Bearers

5.1. The office-bearers are Chairperson, Vice-Chairperson, Treasurer and Secretary.

- a) Office-bearers are appointed by the Committee at its first meeting after each AGM, or to fill vacancies as they arise.
- b) Office-bearers hold office until the first Committee meeting after the following AGM or until they cease to be Committee members.
- c) A committee member may hold up to 2 offices (other than both the Chairperson and Vice-Chairperson offices)

- 5.2. Any member of the committee, living in NSW, can be appointed as the Public Officer pursuant to the Act.

6. Secretary

- 6.1. The Secretary must keep minutes of:
- a) all Committee and General Meeting proceedings;
 - b) appointments of office-bearers; and
 - c) names of Committee members present at each meeting.
- 6.2. Minutes must be sent to Chairperson for approval within 48 hours and signed off before being added to files for future reference

7. Treasurer

The Treasurer must ensure that:

- a) all monies due to the Association are collected and received.
- b) all authorised payments are made; and
- c) correct books and accounts are kept, showing full details of receipts and expenditure
- d) must present an audited account conducted by an independent auditor at the first meeting of each calendar year

8. Public Officer

Public Officer is responsible for :

- a) notifying Fair Trading of any change in the association's official address within 28 days.
- b) collecting all association documents from former committee members and delivering the documents to the new committee member
- c) returning all association documents to a committee member within 14 days, upon vacating office
- d) acting as the official contact for the association, including taking delivery of documents served on the association and bringing them to the attention of the committee as soon as practicable
- e) custody of any documents as required by the constitution

9. Powers of the Committee

Subject to the Act, the Regulation and this Constitution, and to any resolution of the Association in General Meeting, the Committee:

- a) controls and manages the affairs of the Association.
- b) may exercise all functions of the Association other than those required by this Constitution to be exercised by a General Meeting; and
- c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the association.

10. Elected Committee Members

- a) may serve for maximum of three (3) years, from the end of the AGM at which they are elected until the end of the second following AGM.
- b) At each AGM, all the elected members will vacate the positions.
- c) Members may be re-elected to the same position providing that they haven't served the three-year term in accordance with clause 10 a) of this constitution
- d) does not serve more than ten (10) consecutive years, unless extended by special resolution at an AGM.

11. Election of Committee Members

Nominations:

- a) Must be in writing, signed by the proposer and seconder, and accompanied by the candidate's written consent. See Form at appendix 1.
- b) Must be scanned and emailed to the Secretary at least seven (7) days before the AGM.
- c) If nominations exceed vacancies, election is by ballot at the AGM: nomination, seconding, and voting by show of hands, with the Chairperson casting the deciding vote in a tie.
- d) If insufficient nominations are received to fill all vacancies on the committee, nominations may be taken from the floor at the AGM as per Section 36

- e) A candidate must be a financial member of the Association.
- f) A candidate must be employed as a Lab Technician full or part time

12.Appointed Ordinary Committee Members

- a) May be appointed by the Committee to ensure the right mix of skills, experience or expertise.
- b) Must be financial members of the Association.
- c) Hold office for the term determined by the Committee, not exceeding two (2) years, and may be reappointed once that term ends.

13. Casual Vacancies

In the event of a casual vacancy on the Committee, the Committee may appoint any member to fill the vacancy until the end of the original member's term.

14.Voting and Decisions

Questions at Committee or sub-committee meetings are decided by majority vote; the chair has a casting vote in a tie.

- a) The Committee may act despite any vacancy on the committee
- b) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

15. Voting at Committee-Meetings

- a) Each committee member has one vote, cast personally or by proxy (no member holds more than five proxies).
- b) Proxy votes may be sent via email to the secretary 24 hours before any meeting
- c) In a tie, the Chairperson of the meeting has a casting vote.

16. Committee Meetings and Quorum

- a) At meetings, the Chairperson or, in their absence, the Vice-Chairperson presides; if both are absent, members present elect a chair for that meeting.
- b) The Committee meets at least four (4) times each 12-month period at times and places it determines. These may be online or in person.
- c) Additional meetings may be convened by the Chairperson or any two Committee members.
- d) Notice of meetings (oral or written) must be given by the Secretary at least 48 hours beforehand, specifying the general business.
- e) No other business may be transacted unless all present agree to treat it as urgent.
- f) Four (4) Committee members constitute a quorum.
- g) If a quorum is not met within 30 minutes of the scheduled start, the meeting stands adjourned to the same time and place one week later. If still no quorum, the meeting is dissolved (discussion may continue informally but no decisions are binding).

17. Delegation to Sub-Committees

- a) The Committee may establish sub-groups, define their terms of reference, appoint coordinators, and nominate representatives to attend Committee meetings (without voting rights).
- b) No sub-group may speak or act on behalf of the Association without prior Committee approval.
- c) Sub -Group members must be financial members of the Association

18. Removal of Committee Members

- a) The Association may, by resolution at a General Meeting, remove any Committee member before their term ends and appoint another person to serve the remainder of the term.
- b) If the affected member submits written representations (up to a reasonable length) to the Secretary or Chairperson, those representations must be circulated to members or read aloud at the meeting.

Part C – Membership

19. Membership Generally

A person is eligible to be a member of the Association if they meet all the following:

- a) are currently working as laboratory personnel in science education
- b) have paid any membership fees in accordance with Section 22.
- c) have been approved by the Committee

20. Application for Membership

An application for membership must:

- a) be submitted online via the Association's website www.asetnsw.org.au
- b) pay the scheduled fees via online payment or by contacting the Treasurer in line with Section 22.
- c) The Committee has discretion to accept or reject any application in accordance with due process.
- d) Once the Committee accepts an application and the applicant has paid the required fees, the Treasurer must enter the applicant's name in the register of members, at which point the applicant becomes a member.

21. Register of Members

The register of members must be kept in NSW and include the following:

- a) name
- b) name of employing school(s)
- c) address of employing school(s)
- d) email address
- e) date of admission
- f) if applicable, date and reason for termination of membership
- g) any other information as appropriate

22. Fees and Subscriptions

- a) Membership fees are payable annually.
- b) The Committee sets fees each year at its discretion.
- c) Members who are more than three months in arrears cease to be members.
- d) The Committee may reinstate membership upon payment of outstanding fees.

23. Membership Entitlements Non transferable

A right, privilege or obligation which a person has by reason of being a member of the association

- a) Is not capable of being transferred or transmitted to another person, and
- b) Terminates on cessation of the person's membership.

24. Life Membership

24.1 Life Membership may be granted to individuals who are either past or retiring members and who have made a significant contribution to the Association. Such recognition is intended to honour members whose dedication and service have had a lasting impact on the organization.

24.2 Life members shall be non-financial members of the Association. Despite not being required to pay membership fees, life members retain the right to vote at any meeting of the Association.

25. Resignation of Membership

25.1 A member may resign by giving written notice to the Secretary or Public Officer.

25.2 Any resigning member remains liable for outstanding subscriptions, which are recoverable as a debt due to the Association.

26. Cessation of Membership

A person ceases to be a member if they:

- a) cease to be employed as a lab technician, unless they are a Life Member

- b) resign membership
- c) are expelled from the Association
- d) fails to pay the annual membership fee under clause 22 (c) within three months after it is due
- e) die

27. Members' Liabilities

A member's liability to contribute to the Association's debts or winding-up costs is limited to any unpaid portion of their membership fees as required by clause 22.a

28. Resolution of Disputes

28.1 Any dispute between members, or between a member and the Association, must be referred to a Community Justice Centre for mediation under the Community Justice Centres Act 1983.

28.2 If not resolved within three months, the dispute proceeds to arbitration.

28.3 The Commercial Arbitration Act 1984 governs any arbitration.

29. Disciplining of Members

29.1 A member may lodge a complaint with the Committee if another member breaches the constitution or acts against the Association's interests.

29.2 The Committee may dismiss complaints if it deems trivial or vexatious.

29.3 If the Committee chooses to proceed, it must:

- a) serve notice of the complaint on the member concerned
- b) allow at least 14 days for the member to make submissions to committee in connection with the complaint
- c) consider any submissions received

30. Committee Decision on Disciplinary Action

30.1 Following its consideration of the complaint and any submissions received in relation to that complaint, the Committee may, by resolution:

- a) expel the member from the Association; or
- b) suspend the member's membership for a specified period.

30.2 The Committee may exercise the powers set out in subclause (a) only if it is satisfied that:

- a) the facts alleged in the complaint have been substantiated; and
- b) the expulsion or suspension of the member is justified in all the circumstances.

31. Notification of Disciplinary Action

31.1 If the Committee decides to expel or suspend a member, the Secretary is required, within seven days of the decision, to provide the member with written notice.

31.2 This notice must include the following information:

- a) the specific action taken by the Committee (expulsion or suspension of membership).
- b) the reasons provided by the Committee for taking such action; and
- c) notification of the member's right to appeal the decision in accordance with Section 33

32. Effectiveness of Expulsion or Suspension

32.1 The expulsion or suspension of a member by the Committee does not become effective immediately upon the passing of the resolution. Instead, the following applies:

32.2 If the member does not lodge an appeal: The expulsion or suspension will only take effect once the period for lodging an appeal, as specified in clause 14, has expired.

32.3 If the member lodges an appeal: The expulsion or suspension will only take effect when the Association confirms the Committee's resolution in accordance with the procedures outlined in Section 31.

33. Right of Appeal of Disciplined Member

33.1 A disciplined member may appeal by giving written notice to the Secretary within seven days of receiving the Committee's decision.

33.2 The notice may include grounds for the appeal.

33.3 Upon receipt, the Secretary must:

- a) convene a general meeting within 28 days solely to hear the appeal
 - b) allow both sides to present their cases orally or in writing
 - c) conduct a secret ballot of attending members on whether to confirm or revoke the Committee's resolution
 - d) determine the appeal by simple majority of votes cast by members of the association in attendance
-

PART D – GENERAL MEETINGS OF MEMBERS

34. Holding of Annual General Meetings

34.1 The Committee must hold its First Annual General Meeting (AGM):

- a) within eighteen (18) months after its registration in accordance with section 37 of the Act
- b) Within five (5) months after the end of its first Financial Year
- c) within 6 months after the close of the association's financial year

34.2 At least twenty-one (21) days' written notice of any Annual General Meeting must be given to all members stating the:

- a) place, date and time of the meeting
- b) nature and order of business
- c) the order of the business at the meeting shall include the accounts and reports of the committee and the auditors, the appointment of auditors and committee members if required, any other business requiring consideration of the Association in an Annual general meeting.

34.3 For Special Resolutions, the notice must include the full text of the proposed resolution.

34.4 Notice may be served by electronic means to the email address recorded in the Register of Members.

34.5 Notice by email is deemed served on the date it is sent.

34.6 The Association bears all reasonable costs of convening and conducting General Meetings.

35. Proceedings at Annual General Meeting

35.1 A quorum for an Annual General Meeting is ten (10) members present in person, including at least four (4) Committee members and two (2) non-Committee members.

35.2 If a quorum is not present within thirty (30) minutes of the scheduled start:

- a) If the meeting was requisitioned by members, it is dissolved;
- b) Otherwise, the meeting stands adjourned to the same day and time in the following week (same place unless the Chair specifies otherwise at adjournment).

35.3 If upon reconvening no quorum is present within thirty (30) minutes, the meeting is dissolved—but members present may discuss matters informally (no binding decisions) and carry recommendations forward to the next meeting.

35.4 At every Annual General Meeting:

- a) The Chairperson presides; or
- b) If the Chairperson is absent, the Vice-Chairperson; or
- c) If both are absent, a committee member chosen by those present.

35.5 When a meeting is adjourned for thirty (30) days or more, notice of the adjourned meeting must be given as if it were an original meeting.

35.6 Each Annual General Meeting must contain the items below as a minimum and they must be sent out to members 21 days prior to the AGM.

- a) Chairperson Report
- b) Secretary Report – including Membership numbers
- c) Treasurers Report – Including Financial Statements

36. Voting at an Annual General Meeting

36.1 Every resolution is decided by voting with a show of hands unless a poll is demanded by the Chairperson or by at least three (3) members before or immediately after the show of hands.

36.2 Declaration by the Chairperson that a resolution has been carried, lost or tied is conclusive evidence of the result, without proof of voting counts.

36.3 If a recount is called by the Chairperson or by three (3) members, a fresh show-of-hands vote must be held and tallied.

36.4 Ordinary Resolutions require a simple majority of votes cast.

36.5 Special Resolutions require at least three-quarters (75 %) of votes cast by members personally or by proxy.

37. Proxies for Annual General Meetings

37.1 A member entitled to vote may appoint another member as their proxy by completing the notice form at Appendix 2 and lodging it with the Secretary at least 48 hours before the meeting.

37.2 A proxy may vote on all matters the member could vote on, and the proxy holder must vote as directed by the appointing member.

38. Voting Restrictions Due to Unpaid Subscriptions

38.1 A member, or any proxy acting on behalf of a member, shall not be entitled to cast a vote at any general meeting of the Association if the member has any outstanding subscription fees, except in relation to fees for the current financial year.

38.2 For the avoidance of doubt, all subscription payments relating to previous financial years must be paid in full before the member or their proxy is eligible to vote.

PART E – MISCELLANEOUS

39. Insurance

The Association must affect and maintain insurance

40. Funds – Source

40.1 The funds of the Association may be derived from:

- a) professional development day fees, conference fees and annual subscriptions of members.
- b) donations, grants and bequests; and
- c) any other sources approved by resolution of the Association in General Meeting or determined by the Committee.

40.2 All money received by the Association must be deposited, without deduction, as soon as practicable to the credit of the Association's bank or other authorised deposit-taking institution account.

40.3 The Association must, as soon as practicable after receiving any money, issue an appropriate receipt.

41. Funds – Management

41.1 Subject to any General Meeting resolution, the Committee controls and applies the Association's funds solely to further the objectives of the Association.

41.2 All negotiable instruments (withdrawals, drafts, bills of exchange, promissory notes, etc.) must be signed by any two (2) of the following, each of whom must be either a Committee member or an employee authorised by the Committee:

- a) Chairperson or Vice Chair
- b) Treasurer;
- c) Secretary; or
- d) any other person(s) the Committee may from time to time appoint.

42. Change of Name, Objects and Constitution

Any alteration to the Association's name, objects or Constitution requires a Special Resolution at a General Meeting and must be registered with the

Director-General of NSW Fair Trading by the Public Officer or a Committee member in accordance with section 10 of the [Act](#), as soon as reasonably practicable.

43. Custody of Books

Except as otherwise provided in this Constitution, the Public Officer must keep in his or her custody or under his or her control all records, books and other documents relating to the Association.

44. Inspection of Books

The following documents must be open to inspection, free of charge, by any member of the Association at any reasonable hour:

- a) records, books and other financial documents;
 - b) this Constitution; and
 - c) minutes of all Committee and General Meetings.
-

45. Service of Notices

45.1 For the purposes of this Constitution, a notice may be served on a person:

- a) by electronic transmission (e.g. email) to an address specified by the person.
- b) by pre-paid post to the address in the Register of Members; or
- c) personally

45.2 A notice is deemed served:

- a) if by electronic transmission, on the date the transmission is sent
- b) if by post, on the 5th business day after posting; and
- c) if served personally, on the date of delivery

46. Winding Up

The Association may be wound up in accordance with the Act.

Application of Surplus Assets

If, on winding up, there remain surplus assets (as defined in the Act), those assets must, by resolution of a General Meeting, be transferred to another not-for-profit organisation whose objects are like those of this Association, or to a fund, authority or institution nominated by the members.

47. Not-for-Profit

The income and assets of the Association must be applied solely to the promotion of its objects, and no portion may be distributed directly or indirectly to members, except as bona fide compensation for services rendered or reimbursement of expenses properly incurred on behalf of the Association.

PART F – TRANSITIONAL RULES

1. Continuation of Existing Committee

On adoption of this Constitution, the current Committee members (including all office-bearers) shall continue in office and be deemed Elected Committee Members under this Constitution.

2. Staggered Retirement

- 2.1 At the first Annual General Meeting following adoption of this Constitution, elections must be held for three (3) of the Elected Committee positions, in accordance with rules 17 and 16:
- 2.2 The three (3) Committee Members to retire at that first AGM shall be determined by lot, unless they agree otherwise among themselves.
- 2.3 At the second Annual General Meeting following adoption, the remaining Elected Committee Members shall retire and stand for re-election as per the normal electoral provisions.

3. Non-Count of Pre-Constitution Service

Any continuous period of service on the Committee prior to the commencement of this Constitution shall **not** count towards the maximum consecutive term limit under rule 16.3.c.

4. Sunset Clause for Transitional Provisions

Once all Committee Members appointed under clause 3 above have either retired or completed their applicable terms, this Part F shall be of no further effect and may be removed from the Constitution.

Appendix 1



**Association of Science
Education Technicians NSW** Supporting -
Monitoring - Training - Facilitating For Labbies by
Labbies

ASET NSW Inc. COMMITTEE NOMINATION FORM

YEAR OF NOMINATION	
NOMINEE'S NAME :	
NOMINEE'S SCHOOL :	
SIGNATURE AND DATE : (Indicating Nominee's willingness to accept position)	
I am a current financial member of ASET	☐ Yes ☐ No If no, you are not eligible to nominate for a Committee position
Phone :	
Email :	
SECONDER'S NAME : (You must be a current financial member of ASET NSW)	
SECONDER'S SCHOOL :	

Rules for nomination

1. All nominees must be current financial members of ASET-NSW Inc.
2. All nominations must have the consent of the nominee.
3. Nominations must be submitted to the current Secretary via email/in person by the COB (5pm) 7 days before the AGM.
4. Nominations may be also made at the AGM if insufficient nominations are received to fill all vacancies
5. Please print, fill in relevant fields, sign, scan and return form to the Secretary
ASET-NSW Inc : secretaryasetnsw@gmail.com

<u>Nominee</u> ASET Member No.: Eligibility check: Date and time form received:	<u>Secunder</u> ASET Member No.: Eligibility check:
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Appendix 2

ASET-NSW Inc Form of Appointment of Proxy

I, _____
(Name)

Of _____
(Address)

being a member of the ASET-NSW Inc., Membership No _____

Appoint _____
(Name of Proxy holder)

Of _____
(Address)

Membership No. (of Proxy Holder) _____

Being a member of that Incorporated Association, as my proxy to vote for me on my behalf at the Annual / Special general / General * (***Delete which is not applicable**) meeting of the Association to be

held on:

(Date of meeting)

and at any adjournment of that meeting.

My proxy is authorised to vote as I have directed below in respect of the following resolution(s):

In favour of / against (delete whichever is not applicable)

_____ (Signature)

_____ (Date)