

Constitution of the Australian Government Libraries Information Network (AGLIN)

1. Name

The Australian Government Libraries Information Network, hereinafter called AGLIN, is an association of Australian Government public sector information services.

2. Definitions

In this document:

“AGLIN” means the Australian Government Libraries Information Network, an association of Federal public sector information services.

“financial year” means the year ending on 30 June.

“information service” means an organisational unit primarily established to provide information services to the staff of its parent organisation – e.g. library, archive or knowledge management unit.

“Member” means a financial member, however described, of AGLIN.

“Secretary” means the person holding office under these rules as national secretary of AGLIN or, where no such person holds that office, AGLIN’s public officer.

“the Act” means the Associations Incorporation Act 1991 (ACT)

3. Objectives

The objectives of AGLIN shall be to:

- A. promote cost-effective and efficient information services to Australian Government organisations;
- B. promote improved access to information by Australian Government organisations and their staff;
- C. develop and implement cooperative schemes and resource sharing activities among members;
- D. serve as a forum to consider and reach consensus on issues and policies which affect members;
- E. represent the interests and concerns of members in wider government forums;
- F. encourage improvement and promote best practice in the management of member information services; and
- G. foster and facilitate the dissemination of Australian Government publications to the wider Australian community.

4. AGLIN Structure and Management

- 4.1 The National Executive shall manage the affairs of AGLIN at the national level.
- 4.2 The National Executive may establish State and Territory AGLIN Committees, which shall have such powers, duties, functions and responsibilities as are defined by or delegated to them by the National Executive.
- 4.3 State and Territory Committees shall undertake activities that are consistent with the objectives of AGLIN. They shall notify National Executive of these activities on a regular and ongoing basis.
- 4.4 State and Territory Committees may provide advice to the National Executive.
- 4.5 The National Executive may establish Task Forces, as required, to advise on issues of interest. Task forces so established shall have such powers, duties, functions and responsibilities as are defined by or delegated to them by the National Executive.
- 4.6 Task Forces shall undertake activities that are consistent with the objectives of AGLIN. They shall notify National Executive of these activities on a regular and ongoing basis.
- 4.7 Task Forces may provide advice to the National Executive.

5. National Executive

- 5.1 AGLIN will consist of a body of Members, oversighted by a National Executive.
- 5.2 The National Executive controls and manages the affairs of AGLIN. It has power to perform all acts and do all things that appear to the National Executive to be necessary or desirable for the proper management of the affairs of AGLIN.
- 5.3 The National Executive shall comprise of employees of Members, with no more than one representative from any Member, except as indicated in clause 5.7, eligible to serve.
- 5.4 The National Executive shall consist of a minimum of six and a maximum of ten representatives elected by and from AGLIN's total membership. Of these members, a maximum of three shall be representatives of Associate Members.
- 5.5 The National Executive shall include a Convener, Treasurer and Secretary as office holders who shall reside or work in the same city. These positions shall be open to all Executive Members and shall be determined by a ballot amongst the Executive at its first meeting. A Public Officer, who may be any member of the National Executive that resides in the ACT, shall also be determined.
- 5.6 A person is not eligible to simultaneously hold more than one position on the National Executive except where one of the positions is that of Public Officer.
- 5.7 The National Library of Australia shall be entitled to appoint one non-voting representative to the National Executive in addition to any employee elected in accordance with clause 5.4.
- 5.8 Members of the National Executive shall hold office from the conclusion of the annual general meeting at which they are elected until the conclusion of the following annual general meeting. In the event of a National Executive member being appointed after an annual general meeting, the term of office will expire at the next annual general meeting. If eligible, members of the National Executive whose term expires may offer themselves for re-election.
- 5.9 Should any National Executive member resign or fail to attend three consecutive meetings of the National Executive, their position may be declared vacant.
- 5.10 Should any vacancy occur on the National Executive, other than in the normal course of elections, the National Executive shall fill such vacancy by co-option and the Member shall hold office until the next Annual General Meeting.
- 5.11 Within one month of any changes to the membership of the National Executive, or the change of address for a National Executive Member, notice is to be lodged by the Secretary with the ACT Registrar-General.

6. Election of National Executive Members

- 6.1 The National Executive shall be elected by the Members, as represented at the Annual General Meeting.
- 6.2 Nominations of candidates for election to the National Executive:
 - (a) shall be made in writing, signed by employees of two financial members of AGLIN, and accompanied by the written consent of the candidate (which may be endorsed on the nomination form); and
 - (b) shall be delivered to the Secretary not less than seven days before the date fixed for the Annual General Meeting at which the election is to take place.
- 6.3 If insufficient nominations are received to fill all vacancies on the National Executive, the candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.
- 6.4 If insufficient further nominations are received, any vacant positions remaining on the National Executive shall be deemed to be vacancies.
- 6.5 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be taken to be elected.

- 6.6 If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- 6.7 The ballot for the election of National Executive members shall be conducted at the Annual General Meeting in such manner as the meeting chair may direct.

7. Meetings of the National Executive

- 7.1 The Executive shall meet at least four times in each term of office.
- 7.2 At all meetings of the Executive, three members shall be considered a quorum, at least one of whom must be an office holder as defined in clause 5.5.
- 7.3 Non-voting observers from any State or Territory may attend National Executive meetings.
- 7.4 Decisions on any issue except the dissolution of AGLIN shall be determined by a simple majority of Executive Members present.
- 7.5 The Secretary must keep minutes of
 - (a) all elections and appointments of office-bearers and ordinary committee members; and
 - (b) the names of members of the committee present at a committee meeting or a general meeting; and
 - (c) all proceedings at committee meetings and general meetings.

8. Membership

- 8.1 There shall be two categories of member – Full and Associate. Both apply at an organisational, rather than individual, level.
- 8.2 A Full Member is defined as an information service the parent body of which is:
 - (a) required to submit a financial report to Federal Parliament under the provisions of either the *Financial Management and Accountability Act 1997* or the *Commonwealth Authorities and Companies Act 1997*; or
 - (b) a statutory or non-statutory body, company, incorporated association or trust that the Australian Government controls or has an interest in, at a formal level, including through holding shares or an ability to appoint directors.
- 8.3 Other information services, organisations and associations may be admitted as Associate Members if:
 - (a) they formally commit to AGLIN objectives;
 - (b) they pay the nominated membership fee; and
 - (c) they are approved for Associate Membership by the National Executive.
- 8.4 The staff of non-members may participate in AGLIN events or arrangements at the discretion of the National Executive.
- 8.5 The National Executive may expel from AGLIN any member whose conduct in the opinion of the National Executive is discreditable or injurious to the aims and objectives of AGLIN.
- 8.6 Before any Member is expelled, they shall be given the opportunity to defend themselves and to justify or explain their conduct at a meeting of the National Executive. Provided that a quorum is established, and the majority of the National Executive members present when the Member's case is considered are of the opinion that the Member should be expelled, then the National Executive may expel that Member.
- 8.7 Should a representative of a Member decline to appear before the National Executive meeting in accordance with paragraph 8.6, the National Executive is empowered to consider the matter and act as though the Member had appeared before the National Executive.

9. Membership fees

- 9.1 The annual membership fees of AGLIN shall be determined by the National Executive of AGLIN and ratified at the Annual General Meeting.
- 9.2 The annual membership fee is payable in full on or before 1 July in each financial year, or when a Member joins on during a financial year.

10. Finances

- 10.1 The AGLIN financial year shall run from 1 July each year until 30 June in the following year.
- 10.2 The Convener may approve expenditure of AGLIN funds on any one item, up to a limit determined each year by the National Executive. All expenditure approval is to be placed before the next meeting of National Executive for information. No expenditure of AGLIN funds over the agreed limit on any one item shall be committed without the prior approval of three National Executive members.
- 10.3 The Treasurer shall cause proper books of account to be kept with respect to all activities undertaken by AGLIN, and collect and receive all amounts owing to the association and make all payments authorised by the National Executive.
- 10.4 By 31 October each year, the Treasurer shall produce and have audited a statement of financial performance for the preceding financial year and other financial statements. A professionally qualified accountant shall be used to conduct the audit.
- 10.5 Where a profit arises in any financial year, the profit shall be retained and used in subsequent years to further the objectives of AGLIN.

11. General Meetings

- 11.1 The National Executive shall convene an Annual General Meeting of AGLIN members once in each calendar year and within **five** months after the end of each financial year.
- 11.2 The National Executive may convene any other General Meeting of AGLIN members at any time.
- 11.3 The National Executive shall convene a General Meeting within 21 days of receiving a request in writing from not less than 5% of the total number of Members and provide a minimum of fourteen days notice of said meeting to all Members.
- 11.4 Five members and at least one member of the National Executive shall constitute a quorum for the business of a General Meeting.
- 11.5 At a General Meeting, a question shall be determined by a simple majority of voting members present.
- 11.6 In addition to any other business that may be transacted at an Annual General Meeting, the business of an annual general meeting is to:
 - (a) confirm the minutes of the last Annual General Meeting and of any General Meeting held since that meeting;
 - (b) receive from the Committee, reports on the activities of the association during the last financial year;
 - (c) elect members of the National Executive;
 - (d) receive and consider the statement of accounts;
- 11.7 An Annual General Meeting must be specified as such in the notice calling it with a minimum of twenty one days notice of said meeting provided to all Members.

12. Voting Rights

- 12.1 Full Members shall be entitled to cast one vote in any ballot, regardless of how many employees of that Member may be present.
- 12.2 Associate Members are not eligible to vote.

13. Annual returns

- 13.1 At each Annual General Meeting, the following documents must be presented by the committee for the consideration of the meeting:
- (a) the audited statement of AGLIN's accounts for the most recently ended financial year of the association;
 - (b) a copy of the auditor's report to the association in relation to AGLIN's accounts for that financial year;
 - (c) a report signed by two members of the National Executive stating:
 - (i) the name of each member of the committee of the association during the most recently ended financial year of the association and, if different, at the date of the report;
 - (ii) the principal activities of the association during the most recently ended financial year and any significant change in the nature of those activities that occurred during that financial year; and
 - (iii) the net profit or loss of the association for the most recently ended financial year.
- 13.2 Within the first six months of each financial year, the Secretary must lodge with the ACT Registrar-General:
- (a) a statement of particulars relating to AGLIN in the form approved under section 126 (Approved forms) of the Act;
 - (b) a copy of the audited statement and auditor's report as described in 13.1 of those accounts;
 - (c) any prescribed documents; and
 - (d) a statement by 2 members of the Executive Committee certifying compliance with the provisions of the Act that apply in relation to that year in relation to:
 - (i) the preparation of the annual statement of the association's accounts; and
 - (ii) the auditing of the accounts and the presentation of the audited statement of accounts at the Annual General Meeting of the association;

14. Constitution

- 14.1 A proposal to amend this Constitution must be endorsed by the National Executive. One month's notice of the proposal shall be given to members. Three-quarters or more of the members returning a valid ballot in the affirmative shall pass the resolution.
- 14.2 Neither the objects of the association referred to in Section 29 of the Act nor these rules shall be altered except in accordance with the Act.
- 14.3 Within one month of the passing of any amendments to this Constitution, details are to be lodged by the Secretary with the ACT Registrar-General.

15. Winding up

- 15.1 AGLIN may be wound up by a ballot in which all Full Members are eligible to vote. Three-quarters or more of the Members returning a valid ballot shall approve the winding up resolution. This resolution shall include a proposal for the distribution of assets. The proposal must specify that the assets be distributed to a non-profit-making body or association with objectives that are similar to the objectives of AGLIN.
- 15.2 An officer or a member of AGLIN shall not be taken, only because of being a member or officer, to be liable to contribute to the payment of any debts or other liabilities incurred by AGLIN, or to the costs, charges or expenses incurred in the course of winding up AGLIN.

16. Common Seal

- 16.1 The common seal of the association shall be kept in the custody of the Treasurer.
- 16.2 The common seal shall not be affixed to any instrument except by the authority of the National Executive and the affixing of the common seal shall be attested by two members of the National Executive.