

CONSTITUTION OF THE HOME EDUCATORS NETWORK INC.

1. NAME

The name of the organisation is “The Home Educators Network Incorporated”.

2. INTERPRETATION

“The Administration Team means, and comprises, the persons referred to in Clause 8(a).

“THEN” means “The Home Educators Network Incorporated”.

3. OBJECTIVES

The objectives of the Network are:

- (a) To establish a network of as many home educators and support groups as possible, providing an avenue of communication.
- (b) To create a resource pool for home educators.
- (c) To provide access to relevant information for home educators.
- (d) To endeavour to fulfill the expressed needs of home educating adults and children.
- (e) To encourage positive local support for home educators of all creeds and philosophies.
- (f) To place emphasis on offering support and information to all parents and guardians actively educating their children under Section 21 of the Education Act 1989.
- (g) To make representation in political areas relevant to home education on behalf of the general membership to maintain the present conditions for home educating.

4. POWERS

THEN has all the powers of a natural person so long as it exercises those powers in good faith and to further the objects of THEN. These powers include the investment of the funds of THEN and the borrowing of money. The power of borrowing money may only be exercised by THEN at an Annual General Meeting or a Special General Meeting.

5. NON PROFIT STATUS

- (a) THEN shall not engage in any activities involving private pecuniary profit for its members.

(b) Nothing shall prevent THEN from making reimbursements, paying remuneration or other benefits or advantages of whatever nature to a member. They must be reasonable and not exceed what would be normal in the circumstances and provided that the member is not able by virtue of their capacity as a member, to materially influence in any way the amount or nature of the reimbursement, remuneration or other benefit.

6. MEMBERSHIP AND MEMBERSHIP FEES

(a) Any person or family who is involved in home education, or intends to be involved or is interested in home education, may join as a member.

(b) Applications for membership should be in writing on an approved Application for Membership form and the membership fee shall be paid by internet banking or bank deposit: or via the official THEN website using the Online Subscription Form and the fee payable by internet banking or bank deposit. The applicant shall be deemed to have read and agreed to the objectives of THEN set out in Clause 3 of the constitution.

(c) The Administration Team will accept any application for membership if Clauses 6(a) and 6(b) have been complied with.

(d) THEN shall set the membership fees at any Annual General Meeting and charge such fees.

(e) Membership shall cease upon resignation. Members who fail to pay outstanding membership fees within two months of the due date shall be deemed to have resigned.

(f) Membership fees shall fall due on the first of January each year. Membership shall be for the calendar year that fees are paid in.

7. OFFICERS

The officers of THEN shall consist of a Coordinator, Secretary and Treasurer and any other positions deemed necessary by THEN at an Annual General Meeting. The functions of the officers are:

(a) Coordinator - to ensure that all meetings are facilitated
- to complete an annual report

(b) Secretary - to ensure that all correspondence is attended to.
- to ensure minutes are kept of the business of THEN and Administration Team meetings.
- to make available a copy of these minutes at all Administration Team meetings.

(c) Treasurer - to keep accounts of the funds and assets of THEN.
- to prepare a statement of accounts for the preceding year for submission to the Annual General Meeting and the reviewer.

(d) To carry out other such functions as deemed necessary by THEN in meeting or by the Administration Team.

8. THE ADMINISTRATION TEAM

(a) The Administration Team consists of:

(i) the officers of THEN;

(ii) three members appointed at any Annual General Meeting or, upon any resignation between Annual General Meetings, appointed by the Administration Team;

(iii) any other members who wish to join and/or participate in Administration Team activities.

(b) Administration Team meetings shall be held at least once every three months at a time and place set at the prior meeting (which shall constitute notice to Administration Team members) or as the Administration Team may from time to time agree. In the case of an emergency Administration Team meeting one day's verbal notice may be given.

(c) The quorum for all Administration Team meetings shall be five members in attendance, of whom at least three will be officers or appointed members of the Administration Team.

(d) The functions of the Administration Team are:

(i) To ensure that the stated objects of THEN are put into practice.

(ii) To call the Annual General Meeting and any Special General Meetings.

(iii) To ensure proper accounts of THEN are kept.

(iv) To authorise all payments and investments.

(v) To enter into such agreements and contracts as are required from time to time.

(vi) Such other functions as the Administration Team or THEN in meeting may from time to time decide.

(vii) To fill any casual vacancies of officers that may arise during the year.

(e) Administration Team meetings are open to all members and for the purposes of the Incorporated Societies Act 1908 meetings of the Administration Team are deemed to be general meetings.

9. THE ANNUAL GENERAL MEETING

(a) The Annual General Meeting shall be held not later than the 1st of March in each year (at such time and place as shall be fixed by the Administration Team) for the following purposes:

(i) to confirm the minutes of the last Annual General Meeting.

(ii) to receive from the Administration Team a report of the proceedings, and a statement of accounts, of the preceding year.

(iii) to elect the officers for the ensuing year. Nominations for officers will be given verbally by any member at the Annual General Meeting, and accepted by them and seconded by any other member in the same manner.

(iv) to elect the appointed members of the Administration Team, who may be nominated and accepted in the same manner as officers.

(v) notwithstanding sub-clauses (iii) and (iv) above, nominations, acceptances and seconding of officers and appointed members of the Administration Team may be given in writing by any members who will be absent from the Annual General Meeting. (vi) to appoint an auditor.

(vii) to pass any resolutions.

(b) The quorum for an Annual General Meeting of THEN shall be 10% of financial members of THEN present.

(c) If no quorum is reached, the Annual General Meeting may be adjourned to any time not exceeding thirty days thereafter, the new date to be fixed by the Administration Team.

(d) At least 14 days notice must be given in writing of the Annual General Meeting to all financial members. Notice in writing may be by notice in the newsletter or by email to each member

10. SPECIAL GENERAL MEETINGS

(a) A Special General Meeting may be convened by the Administration Team whenever it thinks fit.

(b) The Administration Team must convene a Special General Meeting upon requisition in writing to the secretary by 10% of the members at that time.

(c) The Secretary shall give at least 14 days notice of such a General Meeting to all members. This notice of meeting may be by notice in the newsletter.

(d) The notice shall specify the business to be considered at the Special General Meeting and only that business shall be considered at the Meeting.

(e) The quorum for a Special General Meeting shall be 10% of financial members of THEN present.

11. FINANCIAL

(a) The financial year of THEN shall run from 1 January to 31 December or such other period as maybe determined by the Annual General Meeting.

(b) The Treasurer shall open, maintain and operate such bank accounts as the Administration Team authorise and shall maintain a receipt and cheque book. The treasurer shall issue receipts for all cash payments received. Payments by internet or bank deposit shall be deemed receipted. The Treasurer shall make payments by cheque or internet payment on presentation of an invoice.

All cheques drawn and all internet payments shall be signed or electronically authorised by the treasurer and one other officer or other member or persons approved by the Administration and following approval for payment by the Administration Team.

(c) The treasurer shall prepare for the Annual General Meeting each year an annual financial report, including a balance sheet and statements of income and expenditure.

(d) The accounts of THEN shall be reviewed by a reviewer who shall be appointed each year by the Annual General Meeting provided that the Administration Team may appoint a reviewer in the case of resignation between Annual General Meetings.

12. DISSOLUTION OF THEN

(a) THEN may be dissolved by resolution by a majority of the members entitled to vote at a Special General Meeting convened for that purpose and the resolution is confirmed at a further Special General Meeting held not earlier than thirty days after the date on which the resolution so to be confirmed was passed.

(b) Upon dissolution any surplus assets shall be distributed to any non-profit organisation with similar aims to THEN.

(c) In no circumstances will the surplus assets be distributed, either directly or indirectly, to members.

13. THE SEAL

The seal of THEN shall be in the custody of the secretary or other such person nominated by the Administration Team. The seal shall only be used with the authority of a resolution by the Administration Team. The secretary and one other officer must sign their names alongside the THEN seal whenever it is used.

14. DECISION MAKING/VOTING

(a) Voting at the Annual General Meeting, any Special General Meeting or Administration Team meeting shall be done by either voice, show of hands or ballot, whichever the Coordinator finds appropriate. However:

(i) any member may, immediately after a vote by voice, request that the vote will be by show of hands, which request must then be carried out by the Coordinator.

(ii) any member may, before voting, request that voting be by ballot which request must then be carried out by the Coordinator.

- (b) Each financial member shall have one vote.
- (c) The Coordinator does not have a casting vote.

15. CHANGES TO THE CONSTITUTION

(a) The Constitution may be altered, added to or rescinded at any Annual General Meeting or Special General Meeting, provided that at least 14 days notice in writing of the proposed change must be given to all financial members. Notice in writing may be by notice in the newsletter.

(b) No addition or alteration or recission of the Constitution shall be approved if it affects Clauses 5(a), 5(b), 12(b) or 12(c).

16. EXPULSION OF A MEMBER

(a) A member may be expelled for conduct that is contrary to the objectives of THEN and/or is in serious breach of the Constitution of THEN. The Administration Team may at any time pass a resolution that written notice be given to a member setting out the conduct complained of and that it is proposed the member be expelled. After the resolution is passed the Secretary shall call a Special General Meeting to consider the matter and at the same time send the written notice to the member which shall include notice of the time and place of the special general meeting and that the member may bring a support person to the meeting. Particulars of the conduct shall be put to the meeting and the member, and the member's support person, shall be given a fair right of reply and to participate in consideration of the matter. After consideration by the meeting it may vote, by a majority, to expel the member.

(b) The Administration Team may suspend a member prior to the Special General Meeting called to consider their expulsion.

17. GENERAL

(a) The registered office of THEN shall be at such a place as the Administration Team shall from time to time decide.

(b) The constitution and financial records shall be available for inspection by any member of THEN at any meeting.

AMENDMENT TO THE CONSTITUTION of THE HOME EDUCATORS NETWORK INC. 22 MARCH 1999

THE CONSTITUTION IS CHANGED by deleting Clause 3(g) and substituting the following:

‘3(g) To make representation in political areas relevant to home education on behalf of the general membership to maintain, promote and improve upon the present conditions for home education.’

AMENDMENTS TO THE CONSTITUTION of THE HOME EDUCATORS NETWORK INC. 20 MARCH 2012

THE CONSTITUTION IS CHANGED by deleting Clause 6(b) and substituting the following:

6(b) Applications for membership should be in writing on an approved Application for Membership form and the membership fee shall be paid by internet banking or bank deposit: or, via the official THEN website using the Online Subscription form and the fee payable by internet banking or bank deposit. The applicant shall be deemed to have read and agreed to the objectives of The Home Educators Network INC. as set out on the website. (And set out in Clause 3 above).

THE CONSTITUTION IS CHANGED by deleting Clause 6(f) and substituting the following:

6(f) Membership fees shall fall due on the first of January each year. Membership shall be for the calendar year that fees are paid in.

THE CONSTITUTION IS CHANGED by deleting Clause 7(c) and substituting the following:

7(c) Treasurer - to keep account of the funds and assets of THEN.
- prepare a statement of accounts for the preceding year for submission to the Annual General Meeting and the reviewer.

THE CONSTITUTION IS CHANGED by deleting Clause 9(d) and substituting the following:

9(d) At least 14 days notice must be given in writing of the Annual General Meeting to all financial members. Notice in writing may be by notice in the newsletter or by email to each member

THE CONSTITUTION IS CHANGED by deleting Clause 11(b) and substituting the following:

11(b) The Treasurer shall open, maintain and operate such bank accounts as the Administration Team authorise and shall maintain a receipt and cheque book. The treasurer shall issue receipts for all cash payments received. Payments by internet or bank deposit shall be deemed receipted. The Treasurer shall make payments by cheque or

internet payment on presentation of an invoice.

THE CONSTITUTION IS CHANGED by deleting Clause 11(d) and substituting the following:

11(d) The accounts of THEN shall be reviewed by a reviewer who shall be appointed each year at the Annual General Meeting provided that the Administration Team may appoint a reviewer in the case of resignation between Annual General Meetings.