



**The Country Fire Service  
Volunteers Association**

*"Representing the interests of CFS Members"*

# **COUNTRY FIRE SERVICE VOLUNTEERS ASSOCIATION**

## **CONSTITUTION**

Revision 6 / October 2018

CONSTITUTION

**COUNTRY FIRE SERVICE  
VOLUNTEERS ASSOCIATION**

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CONSTITUTION OF THE

# COUNTRY FIRE SERVICE VOLUNTEERS ASSOCIATION

## PREAMBLE

The Country Fire Service Volunteers Association Incorporated (formerly the South Australian Volunteer Fire Brigades Association) was formed in 1984 as a result of the coming together of regional Fire Fighting Associations. The Association is recognised in the SA Fire and Emergency Services Act 2005, Section 69 which states:

14 [1] The Country Fire Service Volunteers Association Incorporated (formerly the South Australian Volunteer Fire Brigades Association) is recognised as an association that represents the interests of members of CFS organisations.

[2] The Association may take such steps as may be reasonably available to it to advance the interests of members of CFS organisations.

[3] The Association –

[a] is a body corporate; and

[b] has full juristic capacity to exercise any powers that are by their nature capable of being exercised by a body corporate.

## REVISION INDEX

<u>Date</u>	September 1 2007	<u>Revision 3</u>
	October 13 2009	<u>Revision 4</u>
	October 21 2012	<u>Revision 5</u>
	October 10 2018	<u>Revision 6</u>

## CONSTITUTION

1. NAME:

The Association shall be known as the “Country Fire Service Volunteers Association Incorporated” and is hereinafter referred to as “the Association.”

The name of the association may be changed by resolution at an Annual General Meeting or Special General meeting. The rules applying to constitutional change will apply.

2. DEFINITIONS:

In this constitution unless the contrary intention appears –

The **Act** means the SA Fire and Emergency Services Act (2005) as amended, and its successors.

“**Committee**” means the Management Committee of the Association;

“**Country Fire Service**” or “CFS” means the Country Fire Service constituted under the Act,

“**SAFECOM Board**” means the Board as constituted by Section 11 of the Act

“**SAFECOM Advisory Board**” means the Board as constituted by Section 18 of the Act

“**Auxiliary**” means the South Australian Volunteer Firefighters Auxiliary a fully registered subsidiary of the Association

“**Delegate**” means a member appointed by a CFS organisation to represent that organisation at meetings of the Association;

“**Executive**” means the Executive Committee of the Association;

“**General Meeting**” means a general meeting of the delegates of the Association convened in accordance with the constitution;

“**Member**” means a volunteer member of a CFS organisation;

“**The Regulations**” mean the regulations made pursuant to section 148 of the Act.

“**CFS Organisation**” means –

[a] a Branch

[b] a Brigade; or

[c] Group;

**“Branch”** means a branch as constituted and defined by Article 7

**“Branch Delegate”** means a delegate appointed by a Branch

**“Brigade”** means a brigade as constituted and recognised in accordance with part 3 Regulation 6 of the Regulations

**“Brigade Delegate”** means a delegate appointed by a CFS Brigade

**“Group”** means a group of two or more Brigades as constituted and recognised in accordance with part 3 Regulation 14 of the regulations

**“Group Delegate”** means a delegate appointed by a CFS Group

3. POWERS:

The Association shall have all the powers conferred by Section 69 of the Act.

4. AIMS AND FUNCTIONS:

4.1 The aim of the Association is to represent the interests of all members of the CFS

4.2 The functions of the Association are to:

4.2.1 Make recommendations to the CFS Executive and other appropriate authorities on matters of concern to Volunteer Fire Brigades and to represent and progress the interests and welfare of the Volunteer Fire Brigades.

4.2.2 Recommend to the CFS Executive and other appropriate authorities various measures for consideration in the development and efficiency of the CFS.

4.2.3 Provide nominations to the SAFECOM Board, SAFECOM committees, CFS Committees, the CFS Foundation or other committees of other appropriate authorities as required from time to time.

4.2.4 Appoint delegates to meetings of The Council of Australasian Volunteer Fire Associations (CAVFA).

4.2.5 Any other function consistent with the aim of the Association.

4.3 The Association may at a General meeting adopt rules and/or regulations for the proper conduct of its affairs.

5. MEMBERSHIP:

- 5.1 Any registered volunteer member of a CFS Brigade as defined by part 3 Regulation 6 of the Fires Regulations is deemed by virtue of section 69 of the Act a member of the Association.
- 5.2 Life Membership being the highest level of membership of the Association
  - 5.2.1 will be awarded to members by the Management Committee in recognition by the Association for sustained and meritorious service to the Association
  - 5.2.2 can only be awarded to individual who is or was at some stage, a registered member of a Brigade
- 5.3 Branches may nominate individuals for the Association's Certificate of Merit, for sustained and meritorious service at Branch level.
- 5.4 Branches may issue Certificates of Appreciation.

6. VOTING

- 6.1 Delegates may vote in the manner set out in the Regulations in the manner laid down for a CFS group or brigade
- 6.2 All members of the Committee (excepting the Executive Officer) shall be entitled to vote at meetings of the committee
- 6.3 All branch delegates elected at branch general meetings to attend the general meetings of the State Association shall be entitled to vote at those general meetings
- 6.4 All executive Members (excepting the Executive officer) shall be entitled to vote at the Executive meetings

7. BRANCHES:

- 7.1 Branches shall be established constituted by delegates appointed by the Brigades and Groups with in its geographical region.
- 7.2 A Branch cannot be formed without the approval of the Committee.
- 7.3 The Committee shall determine the geographical region for each Branch

- 7.4 Each Branch shall appoint one delegate to the Committee and delegates to represent it at general meetings of the Association, as determined by Article 16.3
- 7.5 Branches will be subject to the Rules for the conduct of Branches as provided for in the Rules made under this constitution
8. Deleted October 13 2009
9. OFFICE BEARERS:
- 9.1 The Office Bearers of the Association shall be the President, the Vice-President, the Deputy Vice -President and the Executive Officer. (if he or she is not a paid employee) who need not be delegates.
- 9.2 The Executive Officer of the Association may be a paid employee whose terms and conditions of employment shall be determined by the Executive.
- 9.2.1 The officer bearers shall be nominated by each branch at a meeting of that branch
- 9.2.2 Branches shall be given two months prior notice to nominate office bearers
- 9.2.3 Nominations shall be received four weeks prior to the Association AGM, in writing and shall include the nominator, the seconder, acceptance by the nominee and a short resume of the nominee
- 9.2.4 All nominations, including resumes, shall be circulated to branch delegates at least two weeks prior to the AGM
- 9.2.5 If an office bearer resigns before his or her term expires, or the position becomes vacant, the position shall be filled by the Committee at its discretion.
- 9.3 Any Branch Delegate's positions vacated by reason of appointment to an office shall be filled by the branch that they represent.
10. TERM OF OFFICE:
- 10.1 The President, the two Vice-Presidents and the Executive Officer (where he or she is not a paid employee) shall hold office for two years and shall be elected at an Annual General Meeting. The two Vice Presidents shall be elected on alternate years.

- 10.2 All other members of committees shall be appointed annually at an Annual General Meeting.
- 10.3 All office bearers and members of committees may be reappointed at an Annual General Meeting.
- 10.4 Where the Executive Office is a paid employee the term of office shall be as set in his or her contract of employment.

11. FINANCE:

- 11.1 The Association may provide that a subscription be levied on branches, the amount to be determined at the Annual General Meeting.
- 11.2 The financial year shall be first July to the thirtieth of June of the following year.
- 11.3 The Executive Officer shall have charge of the finances and shall present an audited statement of the affairs of the Association to the Annual General Meeting.
- 11.4 All monies shall be banked in an account opened for that purpose in a reputable bank.
- 11.5 The President, Executive Officer and two other members of the Executive shall be the sole cheque signatories with two of the four to sign cheques.

12. AUDIT

- 12.1 At each annual general meeting the Delegates present are to appoint a properly qualified person as auditor of the Association.
- 12.2 The auditor is to hold office until the next annual general meeting and is eligible for re-appointment.
- 12.3 If an appointment is not made at an annual general meeting, the Committee is to appoint an auditor for the current financial year.

13. THE COMMITTEE:

- 13.1 The management of the business and affairs of the Association shall be vested in the Committee.



13.2 The Committee of the Association shall be comprised of the President, the Vice president and the Deputy Vice-President the Executive Officer and one delegate from each branch. The Immediate Past President shall also sit on the committee for one term of two years in an ex-officio capacity.

13.2.1 The Committee in addition to any powers and authorities conferred by these rules may exercise all such powers and do all such things as are within the object of the Association, and are not by the Association and the Act or by this constitution required to be done by the Association in general meetings. The Committee shall have authority to interpret the meaning of the constitution and any other matter relating to the affairs of the Association on which this constitution is silent.

13.2.2 Committee shall appoint a public officer as required by the Association and the Act.

13.3 The Committee shall meet at least twice a year. Meetings of the Committee shall be convened by the Executive Committee.

13.4 Proxies shall be allowed with the approval of the Branch President.

#### 14. THE EXECUTIVE

14.1 The Executive shall consist of the President, the Vice President and the Deputy Vice-President, the Executive Officer and three other members of the Committee. The Immediate Past President shall also sit on the committee for one term of two years in an ex-officio capacity. The Executive is to conduct the business of the Association between meetings of the Committee, at which meetings they are to appraise the Committee of decisions taken and to make recommendations for consideration of the Committee.

#### 15. SUB-COMMITTEES

15.1 The Association, the Committee or Executive may each individually appoint from time to time any committees it considers necessary.

15.2 All committees shall report to General Meetings.

16. GENERAL MEETINGS OF THE ASSOCIATION:

16.1 The Annual General Meeting shall be held no later than the thirty first of October.

16.2 A Special General Meeting shall be convened at any time upon receipt by the President or the Executive Officer of a request signed by the delegates of any two branches or when decided upon by the Executive.

16.3 Branches shall be represented at all general and annual general meetings by delegates in the following manner

- One to five hundred registered volunteers of members brigades in each branch, one delegate
- Five hundred and one to two thousand members, two delegates
- Two thousand and one to three thousand members, three delegates
- Over three thousand, four delegates

16.4 Observers may attend General Meetings and shall make their presence known to the Chairman at or before the commencement of the meeting and observers may be granted approval by the Chairman to speak.

16.5 At least one week notice of all meetings of the Association and Committees shall be given to all members entitled to attend, and a copy of the agenda for that meeting shall be circulated together with the notice of the meeting.

16.6 Proxies shall be allowed with the approval of the Branch President.

17. QUORUM:

A quorum at any meeting of the Association or its committees shall be one half plus one (with any fraction being ignored) of those persons entitled to attend and vote.

18. RULES OF DEBATE:

As delegates and members are honorary officers with a common desire to make recommendations with the minimum of official procedure, meetings can achieve most when conducted on a friendly discussion

basis, keeping in mind as a matter of experience that the business of the Association shall be conducted according to the usual rules of conduct of meetings with questions, motions and speaking being directed through the Chairman and only business before the chair being debated.

The conduct of meetings shall be subject to the meeting rules adopted at a General meeting of the Association

19. MINUTES:

The Executive Officer of the Association shall ensure that minutes are kept of all meetings of the Association and of its committees and for this purpose the Executive Officer may make use of such assistance as is provided by the CFS staff or other appointee.

20. SEAL:

The Executive Officer shall be the Public Officer of the Association and shall hold the common seal.

The common seal shall be used only with the authority of the Executive and shall be affixed in the presence of the Public Officer.

This deed, instrument or other document to which the seal is to be affixed shall be countersigned by the Public Officer and the Chairman of the meeting which authorised the sealing.

The following form of attestation shall be used in the affixation of the seal of the Association:

The Seal of the Country Fire Service Volunteers  
Association Incorporated  
was hereunder affixed this  
  day of   200  
pursuant to a resolution of

21. ALTERATIONS TO CONSTITUTION:

This constitution may only be amended or added to by a two thirds majority vote at any General Meeting of the Association provided that two months notice of any proposed alteration is given to the Executive Officer and is circularised to all members entitled to vote prior to the meeting at which it is to be discussed.

22. WINDING UP:

The Association may be wound up in the manner provided for in the Act.

In the event of the Association being wound up, any surplus assets remaining after the payment of the Association's liabilities shall be transferred to another organization in Australia which is a public benevolent institution for the purposes of any Commonwealth Taxation Act.

23. PROHIBITION AGAINST SECURING PROFITS FOR MEMBERS

The assets and income of the Association shall be applied exclusively to the promotion of its objects and no portion shall be paid or distributed directly or indirectly to members except as bona fide remunerations for services rendered or expenses incurred on behalf of the Association.

24. SA VOLUNTEER FIEFIGHTERS AUXILIARY

The Committee may use its discretionary power in support of the South Australia Volunteer Firefighters Auxiliary which is a fully registered subsidiary of the Association.

The Committee may gift to the Auxiliary any funds received by the Association through donations; fundraising; sponsorship agreements; and bequests; or derived by other method, but excluding funds received under the Association Grant Agreement with the Minister for Emergency Services.

These fund may be allocated on the basis that the Auxiliary will progress the Association's work in representing and advancing the interests of CFS volunteers.