

FACT SHEET 8: VOTING RIGHTS

There is often confusion and misinterpretation of the rules governing voting rights. Any attempt to ignore or tamper with the set rules will, inevitably, lead to dissent and division among the “old” and “new” members. Below are a few commonly asked questions.

Who is eligible to vote at a P&C Association meeting?

All members of an association are entitled to vote. Membership eligibility is prescribed in the association’s constitution.

Membership involves the payment of an annual membership fee, which will be stipulated in the by-laws but must not be less than 50 cents.

All associations should maintain a current list of members. Life Members (unless they have paid the membership fee) and observers do not vote.

Can new members vote?

The voting rights of new members are sometimes vexatious because ongoing members feel that it is unfair for “first-timers” to come to a meeting, pay the association’s annual membership fee, and enjoy full and immediate voting rights on all matters, including highly controversial issues. P&C Associations often assert that such an arrangement allows a meeting to be easily and unfairly stacked by single-issue one-night stand members.

The prescribed and standard constitutions both insist that the register of members “shall be updated *after* each general meeting by the Secretary or the Secretary’s nominee.” New members are then eligible to vote at the *next* meeting. This constitutional clause was calculated to stop first-timers from enjoying the benefits of full voting rights immediately.

What about new parents? Shouldn’t they be encouraged to participate?

The membership register should be updated at the *end* of the Annual General Meeting which is the last meeting in the association’s calendar. Usually the first general meeting of the year will follow the AGM on the same night. The general meeting is a *separate* meeting from the AGM and new parents may participate and vote at the general meeting providing they paid their membership before the close of the AGM.

Can the Chairperson vote?

A Chairperson possesses normal voting rights. Typically, however, a Chairperson often abstains from voting in order to preserve the impartiality of his/her position. The current prescribed and standard constitutions make no provision for the chair to exercise a casting vote in the event of an equality of voting. Consequently, in the event of an equality of voting the motion should be lost.

Are proxy votes or absentee votes acceptable?



No. Under common law special provision must be made in an association's constitution to provide for proxies. No provision exists in the prescribed or standard constitutions for proxy votes. Absentee votes are proxy votes by another name and are similarly unacceptable.

What does ex officio member mean?

"Ex officio" is simply a Latin term which means "by virtue of his or her office" and refers to the fact that a school principal is *automatically* a member of an association because he/she is the school's principal. He or she is not required to pay the normal annual membership fee or to meet other constitutional membership requirements.

Can a principal as an ex officio member vote?

Ex officio members have full voting rights. An ex officio member is not eligible to stand for election. Consequently, an ex officio member is often asked to act as an association's Returning Officer.

Can students vote?

No. The *Education Act 1990* defines a P&C Association as "an association consisting of parents of children attending any government school together with other residents of the district served by the school who are interested in the welfare of the school."

Can the membership of the P&C Association be incorporated in the school "fees"?

Federation advises against this practice. So called "school fees" or 'voluntary contributions' are not compulsory in government schools and those who choose not to pay the fee or contribution or are unable to do so may still wish to become members of the P&C Association. It may mean that an organisation has problems, at times, getting a quorum at meetings given the prescribed and standard constitutions' requirement which states that, "Where the association has a current membership of 50 or more, the quorum at all meetings of that association shall be 11 members".