

# Frankston People's Council

## Constitution

### PRELIMINARY

This Constitution is to establish and set the rules of operation for the Frankston People's Council

#### 1. NAME

The name of the Entity is the "Frankston People's Council"

#### 2. PURPOSE

The purpose of the Frankston Peoples Council is to provide a Constitutionally correct system of local government for we the people of Frankston.

#### 3. DEFINITIONS

- a) Council            This means the Frankston People's Council
- b) Member            This refers to anyone who provides an application to the Council
- c) Executive            This refers to the members of the Council appointed to oversee the operations of the Council on an ongoing basis and will consist initially of the Mayor, Deputy Mayor, Treasurer, Administrator, Operations and Litigation.
- d) Departments      This refers to the areas of operation of the Council, initially being Administration, Treasury and Litigation Department Head. An Operations Department may also be added once the Council commences providing services to Members.

#### 4. POWERS OF THE COUNCIL

- a.            Subject to any valid and legal Act of the Commonwealth of Australia the Council has power to do all things incidental or conducive to achieve its purpose.
- b.            Without limiting sub rule 4(a), the Council may:
  - i.            Have the authority to communicate with people and entities
  - ii.           Receive funds and make payments relevant to the operations of the Council.
  - iii.           Provide services to members of the Council as authorised by the Executive.
  - iv.           Deal with outside businesses and authorities to perform services for Members.
- c.            The Council shall not charge any taxes or rates on the members of the Council.

## **5. MEMBERSHIP**

a. An individual can become a member by completing an application.

b. Application for Membership

To become a member of the Council people must provide:

i. Their name, address, contact details as prescribed in the Membership form.

ii. An application fee as prescribed by the Executive.

c. The Council must maintain a register of members.

## **6. EXECUTIVE**

a. The Executive is to consist of the Mayor, Deputy Mayor and the head of each Department.

b. Meetings must have a quorum of at least three Executives

c. Each Executive member will have equal voting rights. If there are equal votes on a motion, the Mayor or Deputy Mayor can have a casting vote.

## **ROLES AND RESPONSIBILITIES OF DEPARTMENTS**

### **7. Administration**

This Department is to provide the following:

a) Correspondence to Members and external parties as well as keep Minutes of the Executive and any Public Meetings.

b) Maintain a register of Members.

c) Maintain a Privacy Policy

### **8. Litigation**

The Litigation is responsible for any lawful matters to be dealt with by the Council

### **9. Treasury**

The Treasury is responsible for

1. Recording receipts and payments

2. Maintaining bank account(s) of the Council

3. Reporting to the Executive and Members on the financial position of the Council.

### **10. Operations**

The Operations Department is responsible for providing services to the Members of the Council.

## **11. CHANGES TO THE CONSTITUTION**

- a. The Constitution of the Council can be amended by a majority vote of the Members of the Council.
- b. Any amendment to the Constitution of the Council must be documented by way of a written resolution.

## **12. WINDING UP OF THE COUNCIL**

The Executive will determine the winding up procedures of the Council should this be deemed necessary.