



ART CONSULTING ASSOCIATION OF AUSTRALIA

CONSTITUTION

1 NAME

The name of the unincorporated association is

ART CONSULTING ASSOCIATION OF AUSTRALIA (ACAA)

2 OBJECTIVES

The Art Consulting Association of Australia is a professional industry association representing and linking art consultants nationally.

The purposes and objectives of the Association are:

- to represent, promote and further the interests of art consulting as a professional endeavour in Australia
- to develop, maintain and promote a set of ethical standards in relation to the conduct of art consultants and valuers
- to enhance the professional standing of the association by requiring its members to possess a high standard of knowledge and maintain strict ethical standards in the conduct of their business affairs
- to promote honesty and integrity in dealings between art consultants, museums, dealers and art collectors and thereby develop stronger ties between consultants, artists, their agents, arts bodies, and Government
- to assist in the development and promotion of a national standard for the authentication of works of art
- to bring together members of the Association for the mutual improvement and higher education of one another
- to promote, support or oppose legislative or other measures affecting the business interests of Members and the welfare of artists and organisations that represent them
- to play an educative role in the wider community through the Association's website, and related materials and events, such as flyers, member talks and press releases
- to promote the role of artists and community organisations in the preservation and maintenance of the Australian cultural life
- to collect, maintain and circulate to Members statistics and other information in regard to the national and international art market, or any legislation affecting it
- to print, publish, issue and/or circulate such papers, pamphlets, periodicals, books, circulars and other written material as may appear to be conducive to any of these objectives

- to do all such other things as are incidental or conducive to the attainment of the objectives and the exercise of the powers of the Association
- to provide information and links to those seeking the services of an art consultant
- to grow its membership and remain the peak art body providing a platform and voice for the art consulting industry

3 MEMBERSHIP

The maximum number of Members is unlimited.

The Members of the Association are:

- Any person who is admitted to membership of the Association under the Constitution and who pays the annual membership fee determined and notified by the Executive Committee from time to time
- Any person who conducts a professional, specialist art consulting business that demonstrates a commitment to the ethical industry standards established by the Association and to the specialist role of the consultant as professional independent advisor shall be eligible to apply to be admitted as a member of the Association
- At first instance any person wishing to apply for membership shall forward an application to the ACAA Administrator, who will forward the applicant's membership request to the Executive Committee
- The Executive Committee shall consider each application for membership and if reasonably satisfied that the applicant is eligible for membership may admit the person as a Member of the Association
- When an applicant has been accepted for membership the President shall notify the applicant of the decision of the Executive Committee
- Members shall be entitled to attend and vote at all General Meetings of the Association and shall have one vote
- Members shall have the right to nominate Executive Committee Members
- A Member shall cease to be a Member of the Association if he or she resigns, is expelled or fails to renew his or her membership. Failure to renew membership within 30 days of receipt of renewal notification will instigate appeals for payment by the Administrator or Treasurer. Membership will be suspended after three unresponsive appeals and subject to cancellation by the Executive Committee at the next meeting

- Any Member of the Association may resign his or her membership by written notice to the President and the Member's resignation shall be deemed to take effect from the date of serving of the notice on the President
- Any Member who resigns shall not be entitled to any refund of membership fees already paid
- The Executive Committee may temporarily suspend Members. Such temporary suspension shall apply until the Member in question has fulfilled his or her obligations or has satisfied the Executive Committee's requirements with regards to rectifying his or her breaches of conduct and the revocation of suspension shall have retrospective effect if necessary
- A Member shall cease to be a Member of the Association if he or she ceases to operate an art consulting business, or engages in a commercial contract or full-time employment that raises a potential conflict of interest
- Members who resign may apply to remain in the Association as an Associate Member, and will be able to promote their Associate Member status in their business documents/profiles
- Valuer Members who resign must also return the ACAA valuer seal insert (if acquired), and will no longer be entitled to promote/use the ACAA valuer number in their business documents/profiles. Resigning Valuer Members may apply to remain in the Association as an Associate Member, with attendant benefits/exclusions

4 ASSOCIATE MEMBERS

- Associate Members can, and then only, use the membership designation 'Associate Member, ACAA'
- Associate Members will be subject to the same scrutiny of ethics and renewal conditions as Members
- Associate Members will not have voting rights at General Meetings including the AGM
- Associate Membership is also available to individuals who may not yet fulfil the requirements of membership. In this case, applicants must satisfy the Executive Committee that they are working towards joining the ACAA as a full member and, at the time of application, meet the ACAA's standards and codes of practice
- New Associate Members will be able to promote their Associate Member status in their business documents/profiles
- Fees for Associate Members are set at 50% of standard Member rates

5 ANNUAL GENERAL MEETINGS

- The following business shall be transacted at an Annual General Meeting of the Association:
 - Confirmation of the minutes of the last Annual General Meeting
 - President's report
 - Treasurer's report
 - Nomination and Election of new Executive Committee Members
 - Any other business on the agenda for the Annual General Meeting
- The agenda of an AGM shall be sent out with the Notice for that Meeting
- Any Member who wishes to bring any business before a General Meeting must give notice in writing of that business to the President not less than one week prior to the date of that meeting
- No business shall be transacted unless 25% of Members, including a majority of the Executive Committee, is present at the time when the meeting proceeds to business. In this context, 'present' is defined as: a) being in attendance, or b) present via teleconference, or c) present by proxy. Proxies shall be limited to 1 per person, and must be handled by an executive member
- The President shall preside as Chairperson at every AGM, or if there is no President, or he or she is not present, then the Members present shall elect one of their number to be Chairperson of the meeting
- Only Members who have paid their annual membership fee prior to the General Meeting may vote at a General Meeting
- Resolutions put to the vote at any AGM shall be decided on a show of hands
- In the case of an equality of votes the Chairperson of the meeting at which the show of hands takes place shall be entitled to a second or casting vote

6 EXECUTIVE COMMITTEE and SUB-COMMITTEE MEMBERS

- The Executive Committee may delegate any of its powers to a committee or consisting of such member or members of the Executive Committee as they think fit; any sub-committee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the Executive Committee
- A sub-committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present, and in the case of any equality of votes the Chairperson shall have a second or casting vote

- Minutes shall be taken of all business transacted at each meeting of the Executive Committee. The minutes will be presented for approval at the next Executive Committee meeting and signed by the President or Chairperson of that meeting if accepted as a true and correct record
- The Executive Committee shall meet at least once a year
- An Executive Committee meeting may be convened at the request of the President or at the request of a majority of Executive Committee Members and may be conducted by telephone or video link-up
- Any Executive Committee Member who is absent from three consecutive meetings of the Executive Committee without a valid excuse acceptable to the President shall be deemed to have resigned his or her position on the Executive Committee and his or her position shall become vacant

7 CONFLICTS of INTEREST

- A member of the Executive Committee who in any way whether directly or indirectly, has any material interest in a contract or proposed contract with the Association shall declare the nature of that interest at a meeting of the Executive Committee
- The President shall record such a declaration in the minutes of the meeting at which it was declared
- The Executive Committee, with the interested member abstaining from the deliberations, shall determine whether the interested member may:
 - be included in any meeting of the Executive Committee at which such contract proposed contract or arrangement is being considered
 - vote in respect of any contract, proposed contract or arrangement in which he or she has an interest
 - enter into any contract, proposed contract or arrangement in which he or she has an interest

8 REGISTER of MEMBERS

- The Administrator shall keep and maintain current a register of all Members and Associated Members
- The register shall contain the full name, address, contact details and date of entry into the Association for each Member, as well as dates of resignations and commencements and endings of Associated Memberships

9 ACCOUNTS

- The Executive Committee shall cause proper accounting to be kept via the Treasurer, who shall distribute copies of accounts to Executive Committee Members before presenting the financial report at each Annual General Meeting

10 NOTICES

- Notice of every Annual General Meeting shall be given to every Member

11 CHEQUES, BILLS, ETC

- All cheques, drafts, bills of exchange, promissory notes, electronic payments and other negotiable instruments shall be signed by at least two persons authorised by the Executive Committee for this purpose, one of whom is the Treasurer. **END**