

# PACIFIC ASSOCIATION OF WOMEN JUDICIAL OFFICERS (PAWJO)

## RULES

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### 1. NAME

The name of the Association shall be the "The Pacific Association of Women Judicial Officers" herein called the "Association".

### 2. INTERPRETATION

In these Rules, unless the contrary intention appears:

- (i) 'Attendance' at a meeting including for the purpose of achieving any meeting quorum, includes online attendance.
- (ii) 'Court' includes all levels of Pacific Courts including superior, magistrates and lay judiciary/community-level courts.
- (iii) 'Member' includes any person who meets the membership criteria in Article 5 and has paid the annual registration fee or is included in payment of a fee by their court.
- (iv) 'Office-bearer' of the Association refers to the President, Vice President, Secretary and Treasurer roles
- (v) 'Pacific jurisdictions' - Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, Vanuatu. Other countries can be added through a decision of an Annual or Special General Meeting.
- (vi) 'Sub-regions' include Melanesian, Polynesian and Micronesian Pacific country groups.

### 3. OBJECTIVES

The objectives of the Association are to:

- (i) Promote gender competent and gender responsive Pacific Courts.
- (ii) Empower and promote Pacific women judicial officers to attain their full potential and provide them with evidence-based opportunities for professional development, mentoring and collaboration.
- (iii) Promote women judicial officers' wellbeing and support members' needs, including during times of crisis, disaster or other public emergencies.
- (iv) Promote access to justice for all in Pacific countries, including through in-person and technology-assisted community engagement, focusing on women, remote communities and vulnerable social groups.
- (v) Provide a platform for raising national, Pacific and international issues regarding the roles of Pacific judiciaries to support the rule of law, access to justice for all and respect for Pacific cultural diversity at a regional level and to build partnerships with similar organisations to exchange ideas, best practices, and solutions for shared challenges.

#### **4. PRINCIPLES FOR INTERPRETING THE RULES**

- (i) The Association takes an intentionally inclusive approach to Association membership to encourage and support the participation of the maximum number of women judicial officers from Pacific jurisdictions.
- (ii) The Association aims to ensure that the perspectives and inputs of members from all Pacific jurisdictions and sub-regions are considered in the steerage and activities of the Association. Some specific jurisdiction and sub-regional minimum requirements are therefore reflected in the procedures of these Rules to enable and ensure the opportunity for the full and equal participation of women judicial officers from small and large Pacific jurisdictions alike.

#### **5. MEMBERSHIP**

- (i) Membership is open to women judges, magistrates or lay judicial officers currently serving in one or more Pacific jurisdictions.
- (ii) The Executive Committee shall exercise absolute discretion in conferring such membership.

#### **6. REGISTRATION FEE**

- (i) A member shall pay an annual registration fee. The fee may be paid either at an individual rate, or via an annual registration fee paid by the member's court, charged at a flat rate based on categorisation of the court having a 'small', 'medium' or 'large' number of women judicial officers. A fee paid by a court will cover annual membership for all women judicial officers from that court who seek membership.
- (ii) Annual registration fees will be initially determined by the Executive Committee and thereafter confirmed or changed by the Annual General Meeting.
- (iii) A member may resign from the Association at any time by giving notice to the Secretary.

#### **7. EXECUTIVE COMMITTEE**

The Executive Committee shall comprise of the:

- (i) President
- (ii) Vice President
- (iii) Treasurer
- (iv) Secretary
- (v) Two (2) Melanesian group representatives
- (vi) Two (2) Polynesian group representatives
- (vii) Two (2) Micronesian group representatives
- (viii) Any member sitting on ad hoc basis.
- (ix) All members of the Executive Committee must be from different Pacific courts.

#### **8. ELECTION OF EXECUTIVE COMMITTEE**

- (i) The election of the Executive Committee shall be by secret-ballot implemented through secure online and 'paper-based' modalities to ensure access to voting by all members; and
- (ii) Only members as prescribed in these Rules shall be eligible to stand for election

- or hold office; and
- (iii) Candidates for office-bearer roles and other Executive Committee roles must be nominated by another member and consent to their nomination.

## **9. POWERS OF THE EXECUTIVE COMMITTEE**

The Executive Committee shall have the powers to —

- (i) Manage the affairs of the Association;
- (ii) Make rules and regulations;
- (iii) Appoint and set terms and conditions of sub committees as and when required.

## **10. TENURE OF OFFICE**

- (i) The term of office for the Executive Committee shall be two (2) years with a maximum of two terms for Office-Bearers and a maximum of three terms in total, including Executive Committee roles.
- (ii) Where a vacancy exists, an election shall be immediately conducted, except within the last six (6) months of a term of office.

## **11. FUNCTIONS OF EXECUTIVE COMMITTEE**

- (i) The President shall:
  - a. Chair all meetings, except where she is absent or has a conflict of interest regarding a matter to be discussed;
  - b. Represent the Association generally;
  - c. Ensure efficient and effective operations of the Association.
- (ii) The Vice President shall:
  - a. Assist the President and assume all powers and functions of the President during her absence or other incapacity due to a conflict of interest.
- (iii) The Secretary shall:
  - a. Act as the public relations officer for the Association;
  - b. Be responsible for the efficient administration of the Association;
  - c. Shall work with the Association Secretariat to ensure the following:
    - (i) Maintain and update records and Membership Register;
    - (ii) Circulate agenda, meeting minutes and resolutions to all Members prior to meetings or as required;
    - (iii) Record minutes of meetings;
    - (iv) Arrange and coordinate special meetings upon direction from the President.
- (iv) The Treasurer shall:
  - a. Act as the financial officer for the Association;
  - b. Work with the Association Secretariat to keep all financial records; and
  - c. Work with the Association auditor to present Association financial reports annually or as and when required.
- (v) Association Secretariat:
  - (i) The Association Secretariat is the Pacific Justice Sector Programme (PJSP) with this appointment to be reviewed at each Annual General Meeting.

- (ii) The role of the Association Secretariat is to support the Association Secretary and Treasurer with regards to:
  - a. Supporting association registrations, membership records and contact lists;
  - b. Managing Association correspondence;
  - c. Supporting Association consultation processes with members, chief justices and others;
  - d. Setting up Association meetings and invitations;
  - e. Taking minutes of Association meetings and distributing;
  - f. Supporting networking between members;
  - g. Assisting with design of Association agendas and materials.

## **12. EXECUTIVE COMMITTEE MEETINGS**

- (i) The Executive Committee shall meet not less than quarterly or four (4) times per year.
- (ii) The quorum at any Executive Committee Meeting shall be five (5) and must include the President or Vice President and at least one (1) representative from each sub-region.

## **13. ANNUAL GENERAL MEETING**

- (i) The Annual General Meeting shall be held annually, before the end of February, except when the Executive Committee decides otherwise.
- (ii) The Secretary shall provide one month's notice of the Annual General Meeting to all members and invite agenda items.
- (iii) Agenda items shall be forwarded to the Secretary 14 days prior to the date of the meeting, including all nominations received for Association office-bearers and other Executive Committee roles.
- (iv) Every member shall vote only once.
- (v) Any person attending the meeting on an ad hoc basis shall not take part in the vote.
- (vi) In the case of an equality of votes, the President shall have a further or casting vote.
- (vii) Members may assign in writing their votes to other members providing the proxy assignment has been provided to the Secretary at least two working days before the Annual General Meeting.
- (viii) The business of the Meeting shall include:
  - (i) Receiving reports from the President on the Association's activities over the year;
  - (ii) Receiving reports from the Treasurer on the finances of the Association;
  - (iii) Electing new office-bearers and other Executive Committee members; and
  - (iv) Considering any other agenda items put forward by members.

## **14. SPECIAL GENERAL MEETING**

- (i) It is the prerogative of the President to call Special General Meetings.
- (ii) All members shall be given 14 days' notice of a Special General Meeting, along with notice of the business to be discussed.

- (iii) All members are entitled to attend and vote at Special General Meetings.

## **15. QUORUM**

- (i) The quorum of any Annual General Meeting or Special General Meeting shall be 20% of the total members of the Association including any proxy voters and additionally, a minimum of 20% of the voting attendees must be from each of the three (3) sub-regions.
- (ii) If the quorum for an Annual General Meeting or Special General Meeting is not met at first instance, then the Annual General Meeting or Special General Meeting will be deferred to the same time and place, one (1) week later, where the quorum will not apply.

## **16. AUDITOR**

- (i) An auditor shall be appointed from a short list produced by the Executive Committee at an Annual General Meeting or Special General Meeting.
- (ii) The auditor can be paid from membership funds or by the Secretariat and if neither are available, the Treasurer will lead a process for the Executive Committee to identify a suitably qualified and independent pro bono auditor.
- (iii) The auditor shall present audit reports at the Annual General Meeting or as and when required.

## **17. FINANCES**

- (i) The financial resources of the Association shall be applied by and at the direction of the Executive Committee solely towards the promotion of the objects of the Association as set forth in these Rules, and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to any member of the Association or Executive Committee, provided that nothing therein shall prevent the repayment of out-of-pocket expenses incurred as a direct result of the carrying out by any Officer, member of the Executive Committee or other authorised persons of duties in connection with the Association's business.
- (ii) The Association shall establish a bank account in its name into which all Association funds must be held.
- (iii) The Executive Committee shall by resolution determine upon whose authorisation withdrawals may be made from the Association's account with their banker.
- (iv) The Association has no powers to take out any form of loan or credit.
- (v) Should the Association be placed into liquidation, the property of the Association shall be transferred to the Pacific Islands Judicial Officers' Association to be used by that Association for the benefit of women Pacific Judicial Officers.
- (vi) The financial year shall run from the 1st day of January to the 31<sup>st</sup> day of December.

## **18. COMPLAINTS PROCESS**

- (i) Any complaint made against a member of the Association (either a general member or an Executive Committee member) must relate to their role or conduct within the Association. Such complaints shall be referred to the Association President or, if the complaint is alleged to involve the President, to the Vice President.

- (ii) The Executive Committee shall establish a complaints sub-committee comprised of five (5) members: two (2) from the Executive Committee including the President or Vice President and three (3) from the general membership selected by the Executive Committee.
- (iii) Any member who is the subject of a complaint shall be given the right to be heard by the complaints sub-committee within a reasonable time.
- (iv) Following hearing of the member who is the subject of the complaint and also of the complainant if they wish at a meeting of the complaints sub-committee, the sub-committee shall prepare for the Executive Committee a document setting out: the complaint; the response of the referred member; a view regarding whether any of the complaint has been substantiated; and any recommendation for follow-up steps to be considered.
- (v) The Executive Committee will consider the sub-committee's findings and recommendations and decide through its usual process what course of action to take. The complainant and the member complained of, will both be notified by the Secretary of the outcome of the complaint and any decision taken by the Executive Committee.
- (vi) If the member complained of is part of the Executive Committee, they will play no role in the above process except to exercise their right to be heard as per (iv).
- (vii) If the referred member is the President, the Vice President will assume the President role until the complaint process has been finalised.

#### **19. AMENDMENT OF THE RULES**

- (i) The Rules may be amended via a vote in a quorate Annual or Special General Meeting by a two-thirds majority of those present or represented.