



CONSTITUTION

HOSPICE VOLUNTEERS SOUTH TAS INCORPORATED

SEPTEMBER 2015

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1. THE ASSOCIATION

1.2. NAME OF THE ASSOCIATION

The name of the Association is:
“Hospice Volunteers South Tas Incorporated”.

1.3. DEFINITION OF HOSPICE VOLUNTEERS

Hospice Volunteers South Tas Incorporated is an organisation that supports the optimum well-being of those living with and affected by life-limiting illness; support is provided in hospital and community settings.

2. INTERPRETATION OF THE CONSTITUTION

In these rules, unless the context otherwise requires:

- a) “accounting records” has the same meaning as in the *Act*;
- b) “Act” means the *Associations Incorporation Act, 1964*;
- c) “Association” means the association referred to in rule 1;
- d) “association” has the same meaning as in the *Act*;
- e) “annual general meeting” means an annual general meeting of the Association held under rule 8;
- f) “auditor” means the person appointed auditor of the Association under rule 7;
- g) “authorised deposit-taking institution” means a body corporate that is an authorised deposit-taking institution for the purposes of the *Banking Act 1959* of the Commonwealth;
- h) “basic objects of the association” means the objectives and purposes of the Association as stated in an application under section 7 of the *Act* for the incorporation of the Association;
- i) “committee” is the Management Committee referred to in rule 9;
- j) “financial year” has the same meaning as in the *Act*;
- k) “general meeting” means:
 - i. the annual general meeting, and
 - ii. any special general meeting;
- l) “officer of the Association” means a person elected as an officer of the Association at an annual general meeting or appointed as an officer of the Association under rule 9.2;
- m) “ordinary business of the annual general meeting” means the business specified in subrule 8.1e);
- n) “ordinary committee member” means a member of the Management Committee other than an officer of the Association;
- o) “manager” means the manager of the Association;
- p) “public officer” means the public officer of the Association;
- q) “secretary” means the corporate secretary of the Association;
- r) “special committee meeting” means a meeting of the committee that is convened under subrule 9.6c) by the president or any 4 of the members of the committee;
- s) “special general meeting” means any general meeting of the Association, other than the annual general meeting;
- t) “special resolution” has the same meaning as in the *Act*;
- u) “treasurer” means the treasurer of the Association;
- v) “Hospice Volunteers” means Hospice Volunteers South Tas Incorporated; and
- w) “volunteers” are individuals who donate their time in the community, hospitals or other care facilities on behalf of Hospice Volunteers.

3. ASSOCIATION OFFICE

The office of the Association is to be at such place or places as the committee from time to time determines.

4. OBJECTS AND PURPOSE OF THE ASSOCIATION

4.1. PURPOSE OF THE ASSOCIATION

To work in partnership with others to:

- a) provide a free, reliable volunteer service;
- b) support the needs of those living with and affected by life-limiting illness; and
- c) raise community awareness of hospice and palliative care.

4.2. BASIC OBJECTS OF THE ASSOCIATION

- a) To foster the development of hospice care;
- b) To foster awareness of the needs of people living with and affected by life-limiting illness;
- c) To foster community participation in meeting the needs of people living with and affected by life-limiting illness;
- d) To promote the optimum use and development of community resources for hospice care;
- e) To promote the establishment, maintenance and development of services and facilities for hospice care;
- f) To promote community and professional education in hospice care;
- g) To promote research in and evaluation of all aspects of hospice care; and
- h) To facilitate an exchange of ideas and information between members.

4.3. POWERS OF THE ASSOCIATION

In addition to the basic objects of the Association, the objects and purposes of the Association include the establishment and support, or aiding in the establishment or support, of any other association formed for any of the basic objects of the Association.

- a) The purchase, taking on lease or in exchange, hire or other acquisition of any real or personal property necessary or convenient for any of the objects or purposes of the Association;
- b) The buying, selling and supplying of, and dealing in, goods of all kinds;
- c) The construction, maintenance or alteration of any building or works necessary or convenient for any of the objects or purposes of the Association;
- d) The acceptance of a gift for any of the objects or purposes of the Association;
- e) The taking of any step the committee or the members of the Association at a general meeting determine expedient for the purpose of procuring contributions to the funds of the Association;
- f) The printing or publication of any newspaper, periodical, book, leaflet or other document the committee or the members of the Association at a general meeting determine desirable for the promotion of any of the objects or purposes of the Association;
- g) The borrowing and raising of money in any manner and on terms:
 - i. the committee thinks fit, or
 - ii. approved or directed by resolution passed at a general meeting;
- h) Subject to the provisions of the *Trustee Act 1898*, the investment of any moneys of the Association not immediately required for any of its objects or purposes, in any manner determined by the committee;
- i) The making of a gift, subscription or donation to any of the funds, authorities or institutions to which section 78A of the *Income Tax Assessment Act 1936* of the Commonwealth relates;
- j) The purchase or acquisition, and undertaking of all or any part of the property, assets, liabilities and engagements of any association with which the Association is amalgamated in accordance with the provisions of the *Act* and the rules of the Association;
- k) The employment of any person or persons who may reasonably be required, upon such terms, conditions and remuneration as the officers of the Association may from time to time decide, to further the objects and purposes of the Association; and
- l) The doing of any lawful thing incidental or conducive to the attainment of the basic objects of the Association or any of the objects and purposes specified in this rule.

5. MEMBERS

5.1. GENERAL

- a) Applicants for membership must be nominated by the manager of the Association or by a current committee member.
- b) A nominated applicant for membership is eligible to become a member of the Association if his/her application is approved by the committee.
- c) Applications for membership must:
 - i. be made in writing by the nominee and include his/her signed written consent to be a member;
 - ii. include a nomination signed by the manager or a committee member; and
 - iii. be lodged with the secretary.
- d) As soon as practicable after the receipt of a nomination, the secretary must notify the committee, for approval of the application.
- e) If a nomination is approved by the committee:
 - i. the nominee is notified in writing, by the manager that s/he has been approved for membership of the Association;
 - ii. the new member must pay the current annual subscription (5.5); and
 - iii. the nominee's name is entered in a register of members.
- f) A person:
 - i. becomes a member of the Association when his or her name is entered in the register of members; and
 - ii. ceases to be a member of the Association when his or her name is removed from the register of members.
- g) Members:
 - i. have voting rights at member meetings; and
 - ii. are eligible for election to the committee.
 - iii. Volunteers automatically become members, for the duration of their volunteer commitment.

5.2. HONORARY LIFE MEMBERS

- a) The committee may award honorary life membership to those persons who have made an outstanding contribution to the Association.
- b) A nomination for a person to be considered for honorary life membership should be:
 - i. made in writing and signed by two members of the Association;
 - ii. accompanied by the written consent of the nominee; and
 - iii. ratified by the committee and reported to a general meeting of the Association.
- c) Honorary life membership does not itself confer voting rights as in 5.1g); life members will only have voting rights if they are existing members of the Association.

5.3. RESIGNATION OF A MEMBER

- a) A member of the Association may resign from the Association by delivering, emailing or sending by post, a letter of resignation to the secretary.
- b) On receipt of a notice of resignation from a member, or at the request of the committee (rule 5.4), the name of the member is to be removed from the register of members.
- c) Membership ceases if a member fails to renew his/her membership.
- d) Any right, privilege or obligation of a person as member of the Association:
 - i. cannot be transferred to another person; and
 - ii. terminates on the cessation of the membership.

5.4. EXPULSION OF MEMBERS

- a) The committee may expel a member from the Association if, in the opinion of the committee, the member is guilty of conduct detrimental to the interests of the Association.
- b) The expulsion of a member does not take effect until the later of the following:
 - i. the fourteenth day after the day on which a notice is served on the member under subrule 5.4c); or
 - ii. if the member exercises his or her right of appeal under this rule, the conclusion of the special general meeting convened to hear the appeal.
- c) If the committee expels a member from the Association, the public officer of the Association, without undue delay, is to serve on the member a notice in writing:
 - i. stating that the committee has expelled the member;
 - ii. specifying the grounds for the expulsion; and
 - iii. informing the member of the right to appeal against the expulsion under rule 5.4.1.

5.4.1. APPEAL AGAINST EXPULSION

- a) A member may appeal against an expulsion under rule 5.4 by delivering or sending by post to the public officer of the Association, a requisition in writing demanding the convening of a special general meeting for the purpose of hearing the appeal, within 14 days after the service of a notice under subrule 5.4c).
- b) On receipt of such a requisition, the public officer is to immediately notify the committee of its receipt.
- c) The committee is to convene a special general meeting, to be held within 21 days after the day on which the requisition is received.
- d) At a special general meeting convened for the purpose of hearing an appeal under this rule:
 - i. no business other than the question of the expulsion is to be transacted;
 - ii. the committee may place before the meeting details of the grounds of the expulsion and the committee's reasons for the expulsion;
 - iii. the expelled member must be given an opportunity to be heard; and
 - iv. the members of the Association who are present are to vote by secret ballot on the question of whether the expulsion should be lifted or confirmed.
- e) If at the special general meeting a majority of the members present vote in favour of the lifting of the expulsion:
 - i. the expulsion is lifted; and
 - ii. the expelled member is entitled to continue as a member of the Association.
- f) If at the special general meeting a majority of the members present vote in favour of the confirmation of the expulsion:
 - i. the expulsion takes effect; and
 - ii. the expelled member ceases to be a member of the Association.

5.4.2. DISPUTES

- a) A dispute between a member of the Association, in his/her capacity as a member, and the Association is to be determined by arbitration in accordance with the provisions of the *Commercial Arbitration Act 2011*.
- b) This rule does not affect the operation of rule 5.4.

5.5. ANNUAL SUBSCRIPTION

- a) The annual subscription of the Association shall be determined by members of the Association at the annual general meeting or at a special general meeting.
- b) The annual subscription of a member of the Association is due and payable on or before the first day of each financial year of the Association.
- c) The financial year of the Association is the period beginning on the first day of July in one year and ending on the thirtieth day of June in the following year.
- d) If the annual subscription amount is not received from a member by the first day of July as required by subrule 5.5b), the member receives a notice:
 - i. signed by the public officer; and
 - ii. advising the person that s/he is no longer a financial member of the Association.
- e) If the member fails to pay all arrears of subscription within 14 days after receiving the notice as per 5.5d) his/her membership will automatically cease.
- f) If the person wishes to become a member again s/he will be required to re-apply as per rule 5.1.

6. INCOME AND PROPERTY OF THE ASSOCIATION

- a) The income and property of the Association is to be applied solely towards the promotion of the objects and purposes of the Association.
- b) No portion of the income or property of the Association is to be paid or transferred to any member of the Association.
- c) The Association may pay a servant or member of the Association:
 - i. remuneration in return for services rendered to the Association, or for goods supplied to the Association, in the ordinary course of business of the servant or member; or
 - ii. remuneration that constitutes a reimbursement for out-of-pocket expenses reasonably incurred by the servant or member for any of the objects or purposes of the Association; or
 - iii. a reasonable amount by way of rent for premises, let to the Association.
- d) The Association may not pay a person any amount under 6c) above, unless the committee has first approved that payment.
- e) The Association may not:
 - i. appoint or nominate a person, who is a member of the committee, to any office where remuneration by way of salary, fees or allowances is payable to the holder of that office ; or
 - ii. pay to any such person any remuneration or other benefit in money or money's worth, other than repayment of out of pocket expenses [6c)ii above].

6.1. ACCOUNTS OF RECEIPTS AND EXPENDITURE

- a) True accounts are to be kept of:
 - i. all money received and expended by the Association and the matter in respect of which the money was received or paid; and
 - ii. the property, credits and liability of the Association.
- b) The accounts are to be open to inspection by the members of the Association at any reasonable time, and in any reasonable manner, determined by the committee.
- c) The treasurer of the Association is to ensure that all general records, accounting books and records of receipts and payments, connected with the operations and business of the Association are kept in the form and manner the committee determines.
- d) The accounts, books and records are to be kept at the Association's office or at any other place the committee determines.

6.2. BANKING AND FINANCE

- a) On behalf of the Association, the treasurer is to ensure:
 - i. all money paid to the Association is received; and
 - ii. official receipts are issued immediately after the receipt of such monies.
- b) The committee is to open an account in the name of the Association:
 - i. with an authorised deposit-taking institution; and
 - ii. into which all money received is to be paid as soon as possible after its receipt.
- c) Payments from the Association's account shall only be made for expenditures that have been authorised by the committee. Having been approved:
 - i. payments must be confirmed by the manager; and then
 - ii. may be paid by cash, transfer of money by electronic transfer, bill pay or Bpay or similar means, by the treasurer.
- d) Any cheque, draft, bill of exchange, promissory note or other negotiable instrument is to be:
 - i. signed by the treasurer or, in the treasurer's absence, by any other member, or members of the committee, appointed by the committee for that purpose; and
 - ii. countersigned by a committee nominee, who is not the signor under c)i, above.
- e) The committee shall enable the treasurer or his/her representative to keep a sum of money to meet urgent expenditure needs, subject to an amount and conditions set by the committee.
- f) Any payments in excess of that authorised amount require the prior approval of any of the two persons appointed by the committee for that purpose.
- g) The day to day oversight of financial management is delegated by the committee to the manager.

6.3. BUDGET

- a) An annual budget is to be prepared prior to the commencement of the financial year, linked to strategic and operational plans.
- b) Regular financial reporting of income and expenditure against the budget must be approved by the committee.
- c) The committee must instigate a system of controls to safeguard the organisation's assets and manage internal risk.

7. AUDITOR

- a) At each annual general meeting, the members of the Association present at the meeting are to appoint a person as the auditor of the Association.
- b) The Auditor must not be:
 - i. the public officer, or a member of the committee of the Association; or
 - ii. a servant of the Association; or
 - iii. a partner, employer, or employee of the public officer, or of a member of the committee of the Association.
- c) If an auditor is not appointed at an annual general meeting, the committee is to appoint a person as the auditor of the Association for the current financial year.
- d) The auditor is to hold office until the next annual general meeting and is eligible for re-appointment.
- e) If a casual vacancy occurs in the office of auditor, the committee is to appoint a person to fill the vacancy until the next annual general meeting.

7.1. AUDIT OF ACCOUNTS

- a) The auditor is to examine the accounts of the Association at least once in each financial year of the Association.
- b) The auditor is to:
 - i. certify the correctness of the accounts of the Association; and
 - ii. provide a written report to the members present at the annual general meeting.
- c) In the report and in certifying to the accounts, the auditor is to:
 - i. specify the information, if any, that he or she has required under subrule 7.1e) and obtained;
 - ii. state whether, in his or her opinion, the accounts are properly drawn up, so as to exhibit a true and correct view of the financial position of the Association, according to the information at his or her disposal; and
 - iii. state whether the rules relating to the administration of the funds of the Association have been observed.
- d) The treasurer is to organise delivery to the auditor of a list of all the accounts, books and records of the Association.
- e) The auditor may:
 - i. have access to the accounts, books, records, vouchers and documents of the Association;
 - ii. require from the servants of the Association any information the auditor considers necessary for the performance of his or her duties;
 - iii. employ any person to assist in auditing the financial affairs of the Association; and
 - iv. examine any member of the committee, or any servant of the Association, in relation to the accounts, books and records of the Association.

7.2 ANNUAL RETURNS

7.2.1. OFFICE OF CONSUMER AFFAIRS AND FAIR TRADING (CAFT)

- a) The Association is obliged to file an annual return, informing the Office of Consumer Affairs and Fair Trading (CAFT) of changes in the organisation and its financial situation.
- b) The annual return must contain:
 - i. an income and expenditure statement;
 - ii. a list of names and residential addresses of the committee members; and
 - iii. an auditor's report confirming the accuracy of the income and expenditure statement.
- c) Annual returns can be lodged:
 - i. electronically;
 - ii. by post; or
 - iii. in person.
- d) The public officer must notify the Office of Consumer Affairs and Fair Trading of any changes in the rules of the organisation and the passing of special resolutions.

7.2.2 AUSTRALIAN CHARITIES AND NOT-FOR-PROFITS COMMISSION (ACNC)

- a) The Association is registered as a charity with ACNC.
- b) The Association must report to the Commission annually, in the manner determined by the Commission.

8. MEETINGS

8.1. ANNUAL GENERAL MEETING

- a) The Association is to hold an annual general meeting each year.
- b) The annual general meeting is to be held on any day (being not later than 3 months after the end of the financial year of the Association), determined by the committee.
- c) The annual general meeting is to be in addition to any other general meetings that may be held in the same year.
- d) The notice convening the annual general meeting is to specify the purpose of the meeting.
- e) The ordinary business of an annual general meeting is to be as follows:
 - i. to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
 - ii. to receive from the committee, auditor and servants of the Association, reports on the transactions of the Association during the last preceding financial year of the Association;
 - iii. to elect the officers of the Association and ordinary committee members;
 - iv. to appoint the auditor and determine his or her remuneration; and
 - v. to determine the remuneration of servants of the Association.
- f) An annual general meeting may transact special business of which notice is given in accordance with these rules (8.3).
- g) 10 members entitled to vote constitute a quorum for the transaction of the business of the annual general meeting.

8.2. SPECIAL GENERAL MEETINGS

- a) All general meetings, other than the annual general meeting shall be called special general meetings.
- b) The committee may convene a special general meeting of the Association at any time.
- c) The committee, on the requisition in writing of at least 10 members of the Association, is to convene a special general meeting of the Association.
- d) A requisition for a special general meeting:
 - i. is to state the objects of the meeting;
 - ii. is to be signed by each of the requisitionists;
 - iii. is to be deposited at the office of the Association; and
 - iv. may consist of several documents, each signed by one or more of the requisitionists.
- e) If the committee does not cause a special general meeting to be held within 21 days from the day on which a requisition is deposited or received by pre-paid post at the office of the Association, any one or more of the requisitionists may convene the meeting within 3 months after the day of the deposit of the requisition.
- f) A special general meeting that is convened by requisitionists, is to be convened in the same manner, as nearly as practicable, as the manner in which a special general meeting would be convened by the committee (rule 8).
- g) All reasonable expenses incurred by requisitionists in convening a special general meeting are to be refunded by the Association.

8.3. NOTICES OF GENERAL MEETINGS

- a) Written notice of the time and place of each general meeting and its agenda is to be served on each member of the Association.
- b) At least 14 days notice is to be given.
- c) The notice is to be sent to the postal address or email address provided by the member for such purposes.
- d) A standard proxy form should be included with the notice of meeting.

8.4. BUSINESS AND QUORUM AT GENERAL MEETINGS

- a) All business transacted at a general meeting, other than the ordinary business of an annual general meeting [8.1e)], is special business.
- b) Business is not to be transacted at a general meeting unless a quorum of members of the Association entitled to vote is present at the time the meeting considers that business.
- c) 10 members (being members entitled to vote) constitute a quorum for the transaction of the business of a general meeting.
- d) If a quorum is not present within one hour after the time appointed for the commencement of a general meeting, the meeting:
 - i. if convened on the requisition of members of the Association, is dissolved; or
 - ii. in any other case, is to be adjourned to:
 - (i) the same day in the next week,
 - (ii) the same time, and
 - (iii) the same place, or
 - (iv) at any other place specified by the chairperson.

8.5. CHAIRPERSON AT GENERAL MEETINGS

- a) At each general meeting of the Association, the chairperson is to be:
 - i. the president; or
 - ii. in the absence of the president, the vice-president.
- b) In the absence of the president and the vice-president, the members present are to elect one of their number to preside as chairperson.

8.6. ADJOURNMENT OF GENERAL MEETINGS

- a) The chairperson of a general meeting at which a quorum is present may adjourn the meeting with the consent of the members of the Association who are present and entitled to vote at the meeting.
- b) No business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- c) If a meeting is adjourned for 14 days or more, notice of the adjourned meeting is to be given in the same manner as the notice of the original meeting (8.3).
- d) If a meeting is adjourned for less than 14 days, it is not necessary to give any notice of the adjournment or of the business to be transacted at the adjourned meeting.

8.7. DETERMINATION OF QUESTIONS ARISING AT GENERAL MEETINGS

- a) A question arising at a general meeting of the Association is to be determined by a show of hands.
- b) A declaration by the chairperson that a resolution has, on a show of hands, been lost or carried, or carried unanimously or carried by a particular majority, together with an entry to that effect in the minute book of the Association, is evidence of that fact, unless a poll is demanded on or before that declaration.
- c) Notice of the passing of a special resolution (e.g. amendments to the Constitution) must be registered with the Office of Consumer Affairs and Fair Trading by the public officer within one month after the passing of the resolution.

8.8. VOTES

- a) On any question arising at a general meeting of the Association, a member of the Association (including the chairperson) has one vote only.
- b) All votes are to be given personally or by proxy.
- c) In the case of an equality of votes, the chairperson has a second or casting vote.

8.8.1. PROXY VOTES

- a) Proxy votes must be:
 - i. in writing;
 - ii. signed by the member giving the proxy; and
 - iii. signed by the member accepting the proxy.
- b) The authority given by the member giving the proxy must be specified in detail: i.e. whether the appointed proxy member is able to vote any way the proxy decides or if s/he is bound to vote exactly as instructed by the member in the affirmative or negative on a particular resolution.
- c) Proxies must be delivered to the office of the Association in person or by prepaid post at least 48 hours prior to any meeting.

8.9. TAKING OF A POLL

- a) A poll that is demanded on the election of a chairperson, or on a question of adjournment, is to be taken immediately.
- b) A poll that is demanded on any other question may be taken at any time before the close of the meeting as determined by the chairperson.
- c) If, at a general meeting, a poll on any question is demanded:
 - i. the poll is to be taken at that meeting in the manner the chairperson determines; and
 - ii. the result of the poll is taken to be the resolution of the meeting on that question.

9. MANAGEMENT COMMITTEE

9.1. GENERAL

- a) The affairs of the Association are to be managed by a committee of management constituted as provided in this rule 9.
- b) The committee:
 - i. is to control and manage the business and affairs of the Association;
 - ii. may exercise all the powers and perform all the functions of the Association, other than those powers and functions that are required by these rules to be exercised and performed by members of the Association at a general meeting; and
 - iii. has power to do anything that appears to the committee to be essential for the proper management of the business and affairs of the Association.

9.2. OFFICERS OF THE ASSOCIATION

- a) The officers of the Association are:
 - i. one president;
 - ii. one vice-president;
 - iii. one treasurer;
 - iv. one secretary; and
 - v. one public officer, who may hold another office.
- b) Each officer of the Association is to hold office until the annual general meeting next after the date of election.
- c) Officers of the Association should be rotated after serving a 3 year term.
- d) An officer who has served a 3 year term may serve for another 3 years but may not occupy the role for more than 6 years.
- e) If a casual vacancy in an office referred to in subrule 9.2a) occurs, the committee may appoint one of its members to fill the vacancy until the next annual general meeting after the appointment.
- f) If the position of public officer becomes vacant, the committee must appoint a person to fill the vacancy within 14 days of it becoming vacant.

9.3. COMPOSITION OF THE COMMITTEE

- a) The Committee consists of:
 - i. the officers of the Association; and
 - ii. at least 3 other members;
- b) An ordinary committee member is to hold office until the annual general meeting next after the date of election and is eligible for re-election.
- c) If a casual vacancy occurs in the office of ordinary committee member, the committee may elect a member of the Association to fill the vacancy until the next annual general meeting after the election.

9.4. ELECTION OF MEMBERS TO THE COMMITTEE

- a) A candidate for election as an officer of the Association, or as an ordinary committee member, must be a member of the Association.
- b) A nomination of a candidate for election as an officer of the Association, or as an ordinary committee member, is to be:
 - i. made in writing, signed by 2 members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the nomination form);
 - ii. delivered to the secretary of the Association at least 10 days before the day on which the annual general meeting is to be held; and
 - iii. approved by the committee.
- c) If all vacancies on the committee cannot be filled:
 - i. the approved candidates are taken to be elected; and
 - ii. further nominations are to be received at the annual general meeting.
- d) If the number of approved nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- e) If the number of approved nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- f) The ballot for the election of officers and ordinary committee members is to be conducted at the annual general meeting in a proper manner, as determined by the committee (rule 8.7).
- g) The committee will provide all newly elected members with a thorough induction into the affairs of both the committee and the Association.

9.5. VACATING OFFICE

- a) For the purpose of these rules, the office of an officer of the Association, or of an ordinary committee member, becomes casually vacant if the officer or committee member:
- i. dies; or
 - ii. becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration or estate for their benefit; or
 - iii. becomes a represented person within the meaning of the *Guardianship and Administration Act 1995*; or
 - iv. resigns office in writing; or
 - v. ceases to be ordinarily resident in Tasmania; or
 - vi. is absent from 3 consecutive meetings of the committee without the permission of the other members of the committee; or
 - vii. obstructs the business of the committee, as determined by a majority of committee members; or
 - viii. is guilty of conduct detrimental to the interests of the committee or the Association, in the opinion of the majority of the committee; or
 - ix. ceases to be a member of the Association; or
 - x. fails to pay all arrears of subscription within 14 days after receiving a notice in writing signed by the public officer of the Association, stating that the officer or committee member has ceased to be a financial member of the Association (rule 5.5).

9.6. MEETINGS OF THE COMMITTEE

- a) The committee is to meet once in each month as practicable and at any place and time the committee determines.
- b) Meetings may be face to face, or via electronic media, as determined by the committee.
- c) Special meetings of the committee may be convened by the president or any 4 members of the committee.
 - i. Notice shall be given to members of the committee of any special meeting of the committee, specifying the general nature of the business to be transacted; and
 - ii. no business other than that of which notice is given shall be transacted at a special meeting of the committee.
- d) Business is not to be transacted at a meeting of the committee unless a quorum is present.
- e) Any four members of the Committee constitute a quorum for transaction of business of a meeting of the Committee, provided that one office bearer and one non-office bearer are present.
- f) If a quorum is not present within half an hour after the time appointed for the meeting, the meeting is to be:
 - iii. adjourned to the same day in the next week at the same time and at the same place; or
 - iv. dissolved if it is a special committee meeting.
- g) At each meeting of the committee, the chairperson is to be:
 - i. the president; or
 - ii. in the absence of the president, the vice-president.
 - iii. In the absence of the president and the vice-president, the members present are to elect one of their number to preside as chairperson.
- h) On any question arising at a meeting of the committee, or a sub-committee, a member of the committee (including the chairperson) has one vote only; except:
 - i. in the case of an equality of votes; when
 - ii. the chairperson has a second or casting vote.
- i) Written notice of the time, place and agenda of each meeting of the committee is to be served on each member of the committee by:
 - i. giving it to the member during business hours before the day on which the meeting is to be held; or
 - ii. leaving it, during business hours before the day on which the meeting is to be held, at the member's postal or residential address or place or address of business or employment last known to the server of the notice; or
 - iii. sending it by post to the person's postal or residential address or address of business or employment last known to the server of the notice in sufficient time for it to be delivered to that address in the ordinary course of post before the day on which the meeting is to be held; or
 - iv. faxing it to the member's fax number; or
 - v. emailing it to the member's email address.

9.7. DISCLOSURE OF INTERESTS

- a) When an individual becomes a member of the committee or a sub-committee, s/he must:
 - i. complete a form disclosing any direct or indirect pecuniary interest or conflict of interest which may relate to the affairs of the Association and how the interest relates (e.g. ownership of assets used by the Association); and
 - ii. provide the form to the secretary.
- b) The completed form will be provided to all members of the relevant committee and must be updated immediately if there are any changes.
- c) If a member of the committee or a member of a sub-committee has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, by the committee or sub-committee, the member is, as soon as practicable after the relevant facts come to the member's knowledge, to disclose the nature of the interest to the committee.
- d) If, at a meeting of the committee or a sub-committee, a member of the committee or sub-committee votes in respect of any matter in which that member has a direct or indirect pecuniary interest, that vote is not to be counted.

10. SUB-COMMITTEES

- a) The committee may:
 - i. appoint a sub-committee from the committee;
 - ii. prescribe the powers and functions of that sub-committee; and
 - iii. co-opt any person to a sub-committee, even if that person is not a member of the Association
- b) If a person co-opted to a sub-committee is not a member of the Association, s/he does not have voting rights at sub-committee meetings.
- c) A quorum for the transaction of the business of a meeting of a sub-committee is 2 appointed members entitled to vote.
- d) Each sub-Committee is to appoint a meeting convenor who will:
 - i. organise the meeting;
 - ii. give notice of the meeting and its agenda [subrule 9.6i)]; and
 - iii. be responsible for the proper conduct of meetings.
- e) Any question arising at a meeting of a sub-committee is to be determined:
 - i. on a show of hands; or
 - ii. if demanded by a member, by a poll taken at that meeting in the manner the chairperson determines (refer to rule 8.9).
- f) On any question arising at a meeting of a sub-committee, a member of the sub-committee (including the chairperson) has one vote only.
- g) Sub-committees must regularly report their progress to meetings of the committee.

10.1. EXECUTIVE COMMITTEE

- a) The president, the vice-president, the treasurer, and secretary constitute the executive committee.
- b) During the period between meetings of the committee, the executive committee (or the president and 2 others) may issue instructions to the public officer, staff and members of the Association in relation to matters of urgency, connected with the management of the affairs of the Association.
- c) The executive committee is to report on any instructions issued under subrule b) above, to the next meeting of the committee.

11. SERVICE OF NOTICES AND REQUISITIONS

- a) Except as otherwise provided by these rules, a document may be served under these rules on a person by:
 - i. giving it to the person; or
 - ii. leaving it at, or sending it by post to, the person's postal or residential address or place or address of business or employment last known to the server of the document; or
 - iii. faxing it to the person's fax number; or
 - iv. emailing it to the person's email address.

12. SEAL OF THE ASSOCIATION

- a) The seal of the Association is to be in the form of a rubber stamp inscribed with the name of the Association encircling the word "Seal".
- b) The seal is not to be affixed to any instrument except by the authority of the committee.
- c) The affixing of the seal is to be attested by the signatures of:
 - i. two members of the committee; or
 - ii. one member of the committee and the public officer of the Association or any other person the committee may appoint for that purpose.
- d) If a sealed instrument has been attested under c) above, it is presumed, unless the contrary is shown, that the seal was affixed to that instrument by the authority of the committee.
- e) The seal is to remain in the custody of the public officer of the Association.

13. RULES OF THE ASSOCIATION

- a) These rules may be amended only by resolution passed by a majority of financial members voting at a special general meeting, convened in accordance with rule 8.
- b) Notice of the proposed amendment/s shall be included in the notice calling the special general meeting.
- c) An amendment to the objects and purposes shall not be effective until approved by the Commissioner.
- d) The Association's constitution and policies shall be reviewed every third year.

14. DISSOLUTION OF THE ASSOCIATION

- a) The Association may be dissolved by the passage of a special resolution at a special general meeting, called for that purpose and conducted in accordance with rule 8.
 - b) Every member of the Association and every person who, within the period of 12 months immediately preceding the commencement of the winding up, was a member of the Association is liable to contribute:
 - i. to the assets of the Association for payment of the debts or liabilities of the Association; and for
 - ii. the costs, charges and expenses of the winding up; and
 - iii. the adjustments of the rights of the contributories among themselves.
 - c) Any liability under subrule 14b) is not to exceed \$1.
 - d) A former member is not liable to contribute in respect of any debt or liability of the Association contracted after he or she ceased to be a member.
 - e) The committee shall arrange that, prior to dissolution of the Association, the assets of the Association shall be got in and realised to:
 - i. ensure all debts are paid in full; and
 - ii. any balance then remaining may be transferred to other such organisation or organisations having objects and purposes similar to the Association as resolved by two thirds of the members present personally at a special general meeting convened under rule 8.
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