

**COMBINED DISTRICTS CONCERT BAND (INC.).
BY-LAWS**

Version 2.0 Jan 2024

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1. INTRODUCTION

These By-laws are written within the framework of *the Act* 2015 and the Association's Rules, and are created to add procedural and administrative direction to the Association.

These By-laws do not replace nor do they override the provisions of *the Act* and the Rules. In the event of any unintended inconsistency between these By-laws and *the Act* or the Rules, precedence must be given to the Rules, and ultimately to *the Act*.

These By-laws do not override State and/or Federal legislation. In the event of any unintended inconsistency between these By-laws and State and/or Federal law, precedence must be given to legislation.

- 1(1) Changes proposed to 'Class 1' By-laws must be ratified by Association members with full voting rights at an Annual General Meeting or General Meeting via a simple majority vote. *[class 1]*
- 1(2) Changes proposed to 'Class 2' and 'Class 3' By-laws are ratified solely by the Committee of Management at a Committee Meeting, via a two-thirds majority vote. *[class 1]*
- 1(3) The Secretary must communicate the ratified changes to the By-laws in writing to all members of the Association no more than four weeks after they were passed at a meeting. *[class 2]*
- 1(4) Ratified changes to By-laws are effective from the date they are communicated to Members in writing as per By-law 1(3). *[class 2]*

Guidance Notes:

By-laws are categorised as 'class 1', 'class 2' or 'class 3' to designate whether the Committee or the wider membership vote to amend them.

Class 1 by-laws relate to broader Association culture and values, and are therefore the decision of eligible Association members.

Class 2 is intended for By-laws related to governance and operational details for the Committee of Management.

Class 3 is intended for By-laws that relate to State and/or Federal legislation, and must remain in alignment with current legislation at all times. NEW Should the committee become aware of a change in legislation, they must update Class 3 By-laws at the earliest opportunity. Examples of Class 3 By-laws include but are not limited to employment or contractual terms, federal privacy law, consumer protection law, and child safety and protection legislation. Changes to Class 3 are restricted to the Committee, NEW and may only be changed in response to associated legislative change(s).

2. MUSICIAN EXPECTATIONS

- 2(1) A member who is also a musician playing in any band(s) of the Association, whether as an Ordinary member, Junior member, or Life Member, must show ongoing musical commitment to the Association-

- a) attend rehearsals and performances to the best of their ability; and
- b) maintain a minimum rehearsal attendance rate of 50%; and
- c) provide advance notice of absence to the Committee (apologies@cdconcertband.org) for rehearsals or performances they cannot attend. Ideally, this is at least one week notice for a rehearsal and two months for a performance; and
- d) take reasonable care of all property of the Association on loan, including but not limited to uniforms, music, and instruments; and
- e) endeavor to practice challenging parts at home. *[class 1]*

2(2) A musician who has not attended sufficient rehearsals prior to an engagement and is deemed unprepared to perform by the Music Director may be asked to excuse themselves from participating in that performance. *[class 1]*

3. COMMITTEE MEMBER CODE OF CONDUCT

Committee members must-

- 3(1) Exercise their powers in accordance with the Rules of the Association-
 - a) ensure decisions made are in good faith, and in the best interests of members and the Association, in a fair, ethical, and transparent manner and in accordance with Rules, By-Laws, and relevant policy or procedure; and
 - b) not make improper use of information or their position for personal gain or to cause detriment to the association. *[class 3 - the Act 2015, Privacy Act 1988]*
- 3(2) Fulfill the duties of their Office competently, with due care and diligence, and to a high-standard of excellence-
 - a) follow the duties of their role as outlined in the Association's Rules, By-Laws and any relevant Policy and procedure for their elected position; and
 - b) complete duties in a timely fashion, communicating to the rest of the Committee if they are unable to complete tasks and duties by their deadline; and
 - c) seek further assistance, education, or clarification from the Committee on processes if their duties are beyond their current knowledge, ability, or understanding. *[class 2]*
- 3(3) Maintain confidentiality for any member's personal information that becomes available to the Committee in the course of operations, only using that information in connection with relevant duties, and/or with written consent of the individual who provided their personal information. *[class 3 - Privacy Act 1988]*
- 3(4) Manage the Association's assets (including but not limited to income, property, grant money, donations) efficiently, effectively, in the best interests of the future of the Association, and in accordance with State and Federal statutes, regulations and policies. This includes not allowing the Association to incur a debt when the Association is insolvent or there are reasonable grounds to believe the Association will become insolvent. *[class 3 - the Act, 2015]*
- 3(5) Disclose the existence and nature of any potential, perceived, or actual conflict of interest that affects the making of a decision, including in relation to managing a

- complaint or grievance, and abstain from participating and voting in that specific decision-making process. *[class 3 - the Act, 2015]*
- 3(6) Demonstrate ongoing commitment to being a Committee member-
- a) attend all scheduled meetings to the best of their ability, and provide advance notice for any meeting they cannot attend; and
 - b) prepare for, and contribute to meetings when they attend, for example, by reading the agenda, previous minutes, Treasurer's report and other communications circulated prior to the meeting. *[class 2]*
- 3(7) Support and encourage a safe environment that protects the health and well-being of anyone involved with the Association while they are fulfilling their duties. This includes maintaining an open and honest environment where people feel able to raise concerns and grievances, and can reasonably expect those concerns to be resolved. *[class 2]*
- 3(8) Resolve Association issues, grievances, complaints, concerns, and/or breaches of the Rules, By-Laws and relevant policies in a prompt, impartial, and fair manner, and in alignment with processes detailed in the Rules and By-Laws. *[class 3 - the Act, 2015]*
- 3(9) Report unlawful acts that a member performed while engaging in Association activities to relevant Australian State and/or Federal authorities, especially if the Child Safety Policy, or the Discrimination and Harrassment Policy is violated. *[class 3]*
- 3(10) In the event of a problem, dispute, or legal challenge, Committee members cannot claim ignorance about the Rules, By-Laws, Policies, and activities of the Association. All Officers are required to be fully informed by keeping up-to-date with matters, attending meetings, reading agendas and minutes, and asking questions. *[class 3 - the Act, 2015]*
- 3(11) Official communications mandated by the Rules or By-Laws of the Association shall be delivered to members in hard-copy format, via email, or by physical mail. Social media including but not limited to Facebook groups, Facebook pages, Apps, and Messenger are not considered appropriate primary communication channels for official matters conducted under the Rules or By-laws of the Association. *[class 2]*

Guidance note: If a Committee member makes a business judgement in good faith for a proper purpose they will not be liable for an offence even if the outcome for the Association is not ideal, as a breach of a duty is usually accompanied by deliberate wrongdoing, misconduct, gross negligence or wilful abuse of that Officer's position.

4. FINANCES OF THE ASSOCIATION

- 4(1) The Treasurer must submit a written 'Treasurer's Report' to the Committee at each Committee meeting that contains-
- a) the bank balance of the Cheque Account as at the close of the previous month, along with a breakdown of each transaction (income and expenses) that includes the date payment was received, the reason payment was received, the amount received, and from whom; and
 - b) total income and expenses as at the close of the previous month from the Uniform Account; and
 - c) a financial breakdown of any performance or fundraiser (e.g. income, expenses, net profit/loss) that occurred since the previous Committee meeting; and
 - d) total cash on hand (undeposited cash) with each cash income item accounted for; and

- e) a copy of all receipts for outgoing expenses of the Association *[class 2]*.
- 4(2) If an individual has used personal funds to secure goods or services on behalf of the Association, they must present a receipt to the Treasurer to be reimbursed *[class 2]*.
- 4(3) Payments above \$500 require a simple majority vote from the Committee for pre-approval-
 - a) proof of payment must be received by the Treasurer from the member approved to pay for such goods or services from their personal funds on behalf of the Association; and
 - b) an Executive Officer must continue to be a signatory on a Committee approved release of funds, regardless of their personal opinion or vote on the matter. *[class 2]*
- 4(4) The Auditor appointed at the Annual General Meeting must be independent, and cannot be-
 - a) a present member of the Committee; or
 - b) a member of the Association; or
 - c) an employee, supplier of goods or services or a servant of the Association; or
 - d) an employer, partner or family member of a member of the Association's Committee. *[class 2]*
- 4(5) If the Auditor finds problems in the financial records that suggest dishonesty, the Association shall obtain prompt legal advice and attend to any immediate matters such as freezing accounts, securing assets, investigation, contacting the police and/or the insurer. *[class 3 - the Act, 2015]*

Guidance Note: Irregularities in financial statements can occur for many different reasons. They include: a lack of understanding in preparation of the financial statements, a lack of understanding in assessing financial statements, poor recording keeping or controls over money in and out of the organisation, or dishonesty. The Committee should pay attention to the regular financial reports issued over the course of the financial year, to detect irregularities at the earliest possible stage.

5. MEETING PROCEEDINGS

- 5(1) A member speaking about a motion should not be interrupted unless-
 - a) there is a procedural motion passed to stop debate; or
 - b) the Chairperson interrupts in the interest of orderly conduct; or
 - c) there is a point of order. *[class 2]*
- 5(2) A member may challenge the speaker's right to continue by raising a point of order. A point of order must address one of the following-
 - a) the speaker is addressing issues outside the subject matter of the motion; or
 - b) fair rules of debate are not being followed; or
 - c) time limits have been reached; or
 - d) a quorum is not present; or
 - e) the language is offensive or abusive. *[class 2]*

- 5(3) If a point of order is raised such as under 5(2) above, the original debate should be suspended while the Chairperson listens to the reasons why the point of order has been raised and invites discussion about the issue. It is the task of the Chairperson to rule on the point of order and their decision is final. *[class 2]*
- 5(4) An ordinary resolution is moved and passed when-
- a) a member communicates a clear and concise proposal for a decision or action (*i.e.* a 'motion') to the meeting; then
 - b) the Chairperson asks if a second member at the meeting agrees to 'second' the motion so it can be put before the others present for consideration; then
 - c) there is a reasonable opportunity for members to discuss and speak both for and against the motion before votes are cast; then
 - d) the Chairperson reads the motion aloud and invites the members to vote; then
 - e) if the motion is supported by the requisite majority it is declared as 'passed' by the Chairperson; and
 - f) the resolution is formally documented in the minutes along with the name of the 'proposer' and 'seconded'. *[class 2]*
- 5(5) Resolutions can be withdrawn or cancelled at that same meeting by using the same process outlined in By-law 5(4) for moving and adopting a resolution. *[class 2]*

Guidance note: A motion that is not 'seconded' will lapse.

Guidance note: It is good practice for the Chairperson to ensure that the business of the meeting is effectively addressed in the allocated time, which may involve limiting the time members get to speak, ensuring everyone has an opportunity to speak, and managing dominant members so quieter members can share their views.

- 5(6) An Acknowledgement of Country must be delivered at the beginning of every Association-run event, including but not limited to Annual General Meetings, General Meetings, concerts, and fundraising events. If a Welcome to Country is delivered, an Acknowledgement of Country is not required. *[class 1]*

Guidance note: The Acknowledgement of Country does not have to be delivered by the Chairperson or host. There is no specific wording that should be used, however, the Acknowledgement should be sincere and research should be done on the Country that is being acknowledged

COMMITTEE MEETINGS

- 5(7) A Committee meeting shall be held within the four weeks after the General Meeting at which a new Committee was elected. *[class 2]*
- 5(8) Committee meeting business, which includes voting upon motions, is permitted to be conducted via *simultaneous and instantaneous* communication channels such as a telephone call, VoIP, or online platforms with *synchronous audio-visual capability* such as Zoom, Skype, Facetime, or Discord, subject to regular 'in-person' meeting Rules. *[class 2]*
- 5(9) Informal Committee discussions may be conducted via asynchronous 'group chat' communication channels such as Messenger, WhatsApp, and Slack, however, these channels may not be used to vote on formal motions. *[class 2]*

- 5(10) A member may attend a Committee meeting only if invited to do so by the Committee (Rule 16(4)). Their invitation must be approved by a simple majority vote of the Committee. *[class 2]*

6. GRIEVANCES AND COMPLAINTS

- 6(1) Members have the right to raise concerns about the Association and seek the support of other members to effect change *i.e.* Members shall not be punished solely for speaking-up about an issue. *[class 1]*
- 6(2) Grievances shall relate to issues including but not limited to the conduct of individual members, the functioning of the Committee, how the Association operates, membership, and non-compliance with the Rules of the Association. *[class 1]*
- 6(3) Unsubstantiated, vexatious or frivolous grievances will not be tolerated by the Association. Examples include, but are not limited to, grievances lodged with ill-intent, to defame, to harass, to blackmail a member and/or the Committee, to oppress a member, to deliberately embarrass or seek retribution against a member, or to postpone the productivity of the Committee for political reasons. If the majority of the Committee agree that a grievance is vexatious or frivolous in nature, the behaviour of the individual lodging the grievance may be deemed as a breach of the Rules and By-laws regarding membership conduct, and the member lodging the grievance may be subject to disciplinary action. *[class 2]*
- 6(4) Unlawful and/or criminal allegations are beyond the scope of the Committee, and will be reported to the Police if the complainant consents to further professional investigation. *[class 2]*

RESOLVING GRIEVANCES, COMPLAINTS & DISPUTES

- 6(5) These principles of procedural fairness and natural justice shall be followed by all members, including Committee members, when resolving a grievance-
- a) the grievance is addressed in a timely and direct manner by the involved parties, and resolved at the earliest possible stage of the grievance; and
 - b) all reasonable effort is taken by the parties involved to participate and cooperate in the resolution process; and
 - c) the respondent is informed about the nature of any allegations against him or her; and
 - d) the respondent is given a reasonable opportunity to respond to the allegation and to put his or her case forward; and
 - e) the Committee shall consider the respondent's submissions regarding the grievance before taking disciplinary action; and
 - f) the aggrieved is kept informed about the respondent's reply to their allegations; and
 - g) the Committee shall make reasonable inquiries or investigations to ensure that their decision is based upon factual findings, sound reasoning, and logically probable evidence; and
 - h) the Committee shall act fairly and without bias in making decisions; and
 - i) the Committee shall ensure that no person involved in the resolution process has a conflict of interest; and
 - j) the Committee shall ensure that any disciplinary action, if warranted, is proportional to the seriousness of the current grievance; and
 - k) the respondent has the right to appeal against a decision. *[class 2]*

6(6) The resolution of a grievance does not automatically necessitate disciplinary action. The nature and seriousness of the current grievance determines the course of action. *[class 2]*

6(7) If there is a conflict of interest between the person lodging the complaint or the accused named in the complaint and a current Committee member, that Committee member must abstain from direct involvement and from any decisions made towards the resolution process. *[class 3 - the Act, 2015]*

Guidance note: Examples of a conflict of interest include, personal relationships e.g. being their Mother/Father, guardian, caregiver, spouse, boyfriend/girlfriend, sibling, or financial e.g. being involved in a business or having financial or investment stakes potentially impacted by the outcomes of the grievance.

6(8) A grievance escalated to the Committee for resolution shall be formalised in writing on a complaint documentation form-

- a) the Committee must record the relevant details of the complaint in writing; and
- b) If the member would like their name to be redacted from communications between the Committee and the person they are lodging the grievance against, they must make this known in writing when initially submitting their grievance. *[class 2]*

Guidance Note: Remaining anonymous may limit the ability of the Committee to investigate the full extent of a member's concerns with the respondent, to decide on an appropriate course of action.

6(9) A reasonable length of time shall be allowed to elapse in order to resolve a grievance, based on the complexity and severity of the complaint, and the depth of investigation required for a fair and judicious process. *[class 2]*

6(10) Following investigation of the grievance, the Committee must offer suggestions as to how the grievance could be resolved. A record of the grievance, the process of resolving it, the date it was resolved, and the outcome shall be kept in writing and stored by the Committee indefinitely for future reference. *[class 2]*

6(11) Disputes about the interpretation or application of the Association's Rules or By-laws shall be dealt with by the Association using internal dispute resolution processes. *[class 2]*

6(12) If it is alleged there has been a breach of the Act itself, a formal complaint can be made to Consumer Protection. All reasonable attempts to resolve complaints, whether informally or through the grievance resolution process in the Association's Rules and By-laws, should be made prior to lodging a formal complaint with Consumer Protection. *[class 3 - the Act, 2015]*

7. DISCIPLINARY ACTION

7(1) If a member of the Association is acting contrary to Association Rules, By-laws and/or Policies they may be subject to the following corrective actions-

- a) informal chat with a Committee Member to remind the member of the Association's expectations; or

- b) informal discussion with a Committee Member who is advocating on behalf of an aggrieved member about appropriate behaviour. *[class 1]*
- 7(2) If a member continues to violate the behaviour expectations outlined in the Rules, By-Laws and/or Policies after a minimum of two meaningful attempts by the Association to rectify that member's behaviour, or if the member engages in egregious behaviour that violates the Rules or the Act or is unlawful, then formal disciplinary action may be enacted. *[class 1]*
- 7(3) Formal disciplinary actions in order of severity may include-
- a) a written formal warning issued from the Committee to the member;
 - b) time-period restrictions from holding any position on the Committee;
 - c) an ongoing ban from being appointed any position on the Committee;
 - d) temporary suspension of membership status;
 - e) permanent termination of membership status (expulsion);
 - f) being reported to the relevant authorities if the behaviour is also unlawful or criminal in nature. *[class 2]*
- 7(4) Suspension or expulsion shall be seen as an extreme and last-resort disciplinary action, and should be executed only when other actions for resolving a grievance have been exhausted, or if the Rules or the law have been egregiously violated. *[class 1]*
- 7(5) Formal disciplinary action is determined by the Committee, subject to the Rules, By-Laws and relevant Policy of the Association. *[class 2]*

Guidance note: Members, including general Committee members, are generally not liable for the debts or liabilities of the Association, however the Committee is not immune from personal liability. If a Committee member acts in bad faith or contrary to the Rules of the Association, he or she may personally be criminally prosecuted or be the subject of civil proceedings.

8. POLICIES OF THE ASSOCIATION

- 8(1) The Association shall have the following Policy documents at a *minimum*-
- a) Privacy Policy; and
 - b) Child Safety & Protection Policy; and
 - c) Discrimination and Harassment Policy *[class 3]*
- 8(2) These policies in By-law 8(1) must comply with current State and Federal Laws, and be reviewed and updated by the Committee as necessary. *[class 3]*
- 8(3) A current copy of these policies must be made available to all members of the Association. Copies may be emailed, posted, in hard-copy, or available via digital download from an official Association website. *[class 2]*
- 8(4) The Secretary must communicate changes to Policy in writing to all members of the Association no more than four weeks after they were passed at a meeting. *[class 2]*
- 8(5) Ratified changes to Policy are effective from the date they are communicated to Members in writing as per By-law 8(4). *[class 2]*

9. MUSIC DIRECTOR

- 9(1) The Music Director of the Association shall collaborate and communicate with the Committee when proposing changes that affect the future and direction of the Association. *[class 2]*
- 9(2) A contract between the Music Director and the Association must be negotiated between the Executive Committee and the Music Director, and signed by the Music Director, President, and Secretary of the Association prior to the commencement of their appointment. *[class 2]*
- 9(3) The Music Director contract must include the following details-
- a) the commencement date and expiry date of the contract; and
 - b) a list of the responsibilities of the Music Director; and
 - c) the Honorarium amount, payment schedule, and terms of payment; and
 - d) whether there are performance measures and a probationary period for their ongoing appointment to the position; and
 - e) conditions under which their appointment of Music Director may be terminated; and
 - f) attendance expectations at rehearsals, performances, camp, and committee meetings. *[class 2]*
- 9(4) The Music Director and any Assistant Music Director or Conductor for the Association must show the Committee a current Working with Children check prior to their engagement. *[class 2]*
- 9(5) The Association shall make provision for a set budgeted amount for the Music Directors' Honorarium. If the Music Director is not in attendance at rehearsal or performance, the Honorarium is deducted to reimburse a suitable professional replacement. *[class 2]*

ASSISTANT

- 9(6) An Assistant has the same attendance expectations as musicians of the Association, specifically they must attend rehearsals and performances and play as a musician in the band when not actively being an assistant. *[class 2]*
- 9(7) The Assistant reports directly to the Music Director of the Association. *[class 2]*
- 9(8) If the Assistant fills in for the Music Director for an entire rehearsal or entire performance in the Music Director's absence, they are entitled to receive compensation for their time. The Assistant is not entitled to an Honorarium as per the Music Director. The Assistant is considered to be a 'training' or 'mentorship' opportunity to develop conducting ability under an experienced Music Director only. *[class 2]*

CONDUCTOR

- 9(9) A Conductor may be appointed to lead rehearsals when the Music Director is not available-
- a) the conductor should be a professionally trained musician and an experienced conductor with excellent ability and knowledge in the field of music; and

- b) the decision to appoint a conductor on a contractual basis is the purview of the whole Committee, with input from the Music Director on appropriate candidates; and
- c) the conductor is entitled to receive compensation from the Association for their time upon receipt of a tax invoice; and
- d) the conductor reports directly to the Music Director of the Association. *[class 2]*

Guidance Note: additional band examples include a Junior Band, Training Band, Swing Band or a Stage Band. Temporary ensembles created solely for a specific performance at the request of an organiser, such as a brass quartet, are not included as a 'band'.

10. SUBSCRIPTIONS OF MEMBERS OF THE ASSOCIATION

- 10(1) The current subscription fees for each membership type are-
- a) Ordinary member - \$240 per calendar year, or \$60 per quarter;
 - b) Junior member - \$240 per calendar year, or \$60 per quarter;
 - c) Life member - \$0 per calendar year;
 - d) Junior Delegate member - \$0 per calendar year. *[class 2]*
- 10(2) An 'early bird' discount of \$20 off the annual subscription fee (\$220 due) is available to members who pay their fees for the financial year in full within three months of the start of the calendar year e.g. by the 31st of March. *[class 2]*
- 10(3) A 'family discount' of \$20 off the annual subscription fee per member is available for members who have one or more immediate family members in the Association (\$220 due per member). The family discount can be claimed in conjunction with the early bird discount offered under By-law 10(2). The early bird discount applies only to family members who pay their fees for the financial year in full within three months of the start of the calendar year under By-law 10(2) (\$200 due per member). *[class 2]*
- 10(4) The Committee reserves the right to offer special dispensation and other discount amounts on subscription fees. *[class 2]*
- 10(5) A member may pay their full subscription fees on an incremental payment plan if they are subject to unique financial circumstances. The Treasurer must put the details of this incremental payment plan in writing and have both themselves as Treasurer, and the member, sign this payment agreement. When both the payment agreement is signed, and the first payment is received by the Treasurer of the Association, the member has 'financial' member status and all the rights so entailed. *[class 2]*
- 10(6) If a member cannot afford the full subscription fees due to exceptional circumstances, they must communicate this to the Treasurer, who will discuss their fees with the Committee. The Committee may agree to offer alternate subscription arrangements-
- a) once the alternate subscription arrangements are approved by the Committee, the details must be put in writing and signed by both the Treasurer and the member; and
 - b) when the alternative subscription arrangement is signed, and the first payment is received by the Treasurer of the Association, that member has 'financial' member status and all the rights so entailed. *[class 2]*

- 10(7) The current uniform deposit required for a member to be issued with uniform items that the Association owns is set at \$50 per member. The \$50 uniform deposit is considered as forfeited (not refundable) if any of the follow conditions apply-
- a) The uniform is not returned to the Association within two weeks of the member's formal resignation or termination;
 - b) The uniform requires significant laundering, ironing, and/or repairs before it can be reissued;
 - c) The uniform is damaged beyond reasonable usage [class 2]
- 10(8) If a member's subscription fees are in arrears for a three month period beyond the due date, they are no longer a member of the Association as per Rule 6(2)(c). However, if the former member would like to rejoin the Association in the same financial year and they contribute a significant amount towards their subscription fees (to be determined on a case-by-case basis by the Committee), they do not have to reapply for membership under the process in Rules 4(2) and 4(3). [class 2]

11. COMMITTEE OF MANAGEMENT

- 11(1) If two or more candidates than the number of open vacant positions nominates for the same position and a secret ballot is needed, a preferential voting system is permitted-
- (a) the Committee may decide by simple majority what preferential voting method to use no later than one week before a secret ballot will be held or one day after nominations for the open positions are closed; and
 - (b) a preferential voting system used by the Committee must be fair, reasonable, practical and produce mathematical results that closely represent the will of the members; and
 - (c) the Secretary must inform the Committee as soon as practical if two or more candidates than vacant positions available have been nominated; and
 - (d) unless the Committee decides otherwise for a single particular election, secret ballots for a single member position (*i.e.* Executive Office) with three or more candidates shall use the Preferential Voting system to fairly resolve the election; and
 - (e) unless the Committee decides otherwise for a single particular election, secret ballots for multiple member positions (*i.e.* General Committee) shall use the Single Transferable Vote method to fairly resolve the election; and
 - (f) if the Committee decides to use an alternative preferential voting system which meets all the requirements or 11(1)(b) for a single particular election, the voting method used in other elections as stipulated in 11(1) (d) and 11(1) (e) shall not change; and
 - (g) if the Committee decides to use an alternative preferential voting system under 11(1)(a), the Secretary must communicate this decision and explain the different voting method to all members as soon as practical. [class 2]
- 11(2) A nominee for a vacant position on the Committee may withdraw their nomination at any time, without prejudice, up to the commencement of the election itself. [class 1]

Guidance Note:

The Australian Electoral Commission had published the method for the Preferential Vote on their website: https://www.aec.gov.au/voting/counting/hor_count.htm Further explanations are available across YouTube

The Australian Electoral Commission had published the method for the Single Transferable Vote on their website: https://www.aec.gov.au/voting/counting/senate_count.htm
Further explanations of the STV are available across YouTube.

SUBCOMMITTEES

- 11(3) To assist the Committee in the conduct of the Association's business, the Committee may, in writing, delegate to one or more subcommittees the exercise of such functions of the Committee as are specified in the delegation other than-
- a) the power of delegation; and
 - b) a function which is a duty required of the Committee by the Act or any other law. *[class 2]*
- 11(4) A subcommittee may consist of the number of members of the Association as the Committee considers appropriate to complete the delegated business. *[class 2]*
- 11(5) Any written delegation under By-law 11(3) may include conditions and limitations, including time-limits and circumstances, as to the subcommittee's exercise of that delegated function. The Committee may, in writing, revoke wholly, or in part, any delegation made under By-law 11(3). *[class 2]*

12. SECRETARY

- 12(1) The Secretary must communicate the amount and details of any bills or payments due by the Association to the Treasurer within one week of receiving the bill or payment, so Association expenses are paid on time. *[class 2]*

13. TREASURER

- 13(1) The Treasurer must ensure that subscription fees are fully paid by each member of the Association by the end of each financial year-
- a) the Treasurer must communicate the financial status of a member as paid or unpaid to the Chairperson of a General meeting prior to the meeting commencing, so that only 'financial' members of the Association may exercise their full voting rights; and
 - b) the Treasurer must inform the Committee and discuss when a member's subscription fees are three months overdue, as this constitutes conditions for termination of membership under the Rules of the Association. *[class 2]*