

Castlemaine Historical Society Inc. (CHSI)
A0009493B

Extract from CHSI Constitution

4. Membership, entry fees and subscription

- (1) The membership shall comprise the following classes:
 - (a) **ordinary members**, who shall be natural persons and who have been approved in accordance with the provisions within these Rules; and
 - (b) **life members**, who shall be natural persons and who have provided service to the Association which the executive committee members declare to be outstanding and whose nominations as life member have in each instance been approved by resolution passed at a general meeting on notice of motion and shall **NOT** be required to pay a membership fee; and
 - (c) **associate members**, who shall be natural persons and whom the executive committee nominates with the consent of those persons as associate members, and have in each instance been approved by resolution at a meeting of the executive committee, such resolution shall include a statement specifying the period of associate membership and that during that period the associate member is **not** required to pay a fee; and
 - (d) **corporate members**, being corporations incorporated pursuant to the Companies Code, or associations incorporated pursuant to the Act, or non incorporated associations, desiring to further the objects of the Castlemaine Historical Society Incorporated.
- (2) The Association by resolution passed at a general meeting, may create an additional class of membership and may dissolve any class of membership then existing.
- (3) Associate members and corporate members shall not be entitled to vote at any meetings of the Association whether in person or by proxy.
- (4) A person, corporation or association who applies, and is approved for a class of membership as provided in these Rules is eligible to be a member of the Association on payment of the annual subscription payable under these Rules.

- (5) A person who is not a member of the Association at the time of the Incorporation of the Association (or who was a member at that time but has ceased to be a member) must not be admitted to membership unless -
 - (a) he or she applies for membership in accordance with sub-rule (6); and
 - (b) the admission as a member is approved by the committee.
- (6) An application of a person, corporation or association for membership of the Association must –
 - (a) be made in writing in the form set out in Appendix 1 (*of the Associations Incorporation Regulations 1998*); and
 - (b) be lodged with the Secretary of the Association.
- (7) As soon as practicable after the receipt of an application, the Secretary must refer the application to the committee.
- (8) The committee must determine whether to approve or reject the application.
- (9) If the committee approves an application for membership, the Secretary must, as soon as practicable -
 - (a) notify the applicant in writing of the approval for membership; and
 - (b) request payment within 28 days after receipt of the notification of the sum payable under these Rules as the first year's annual subscription.
- (10) The Secretary must, within 28 days after receipt of the amount referred to in sub-rule (9), enter the applicant's name in the register of members.
- (11) An applicant for membership becomes a member and is entitled to exercise the rights of membership attributable to the class of membership to which the member belongs, when his, her or it's name is entered in the register of members.
- (12) If the committee rejects an applicant, the committee must, as soon as practicable, notify the applicant in writing that the application has been rejected.
- (13) A right, privilege, or obligation of a person, corporation or association by reason of membership of the Association -
 - (a) is not capable of being transferred or transmitted to another person, corporation or association and;

(b) terminates upon the cessation of membership whether by death or resignation or otherwise.

(14) There is no entrance fee.

(15) (a) Annual subscription to be determined at the annual general meeting for the subsequent year; and

(b) subscription is due and payable on 1st March each year.

5. Register of members

(1) The Secretary must keep and maintain a register of members containing –

(a) the name and address of each member; and

(b) the date on which each member's name was entered in the register.

(2) The register is available for inspection free of charge by any member upon request.

(3) A member may make a copy of entries in the register.

6. Ceasing membership

(1) A member of the Association who has paid all moneys due and payable by a member to the Association may resign from the Association by giving one month's notice in writing to the Secretary of his, her or its intention to resign.

(2) After the expiry of the period referred to in sub-rule (1) –

(a) the member ceases to be a member; and

(b) the Secretary must record in the register of members the date on which the member ceased to be a member.

7. Discipline, suspension and expulsion of members

(1) Subject to these Rules, if the committee is of the opinion that a member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a member or prejudicial to the interests of the Association, the committee may by resolution -

(a) fine that member an amount not exceeding \$500, or

- (b) suspend that member from membership of the Association for a specified period; or
 - (c) expel that member from the Association.
- (2) A resolution of the committee under sub-rule (1) does not take effect unless -
 - (a) at a meeting held in accordance with sub-rule (3), the committee confirms the resolution; and
 - (b) if the member exercises a right of appeal to the Association under this rule, the Association confirms the resolution in accordance with this rule.
- (3) A meeting of the committee to confirm or revoke a resolution passed under sub-rule (1) must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the member in accordance with sub-rule (4).
- (4) For the purposes of giving notice in accordance with sub-rule (3), the Secretary must, as soon as practicable, cause to be given to the member a written notice -
 - (a) setting out the resolution of the committee and the grounds on which it is based; and
 - (b) stating that the member, or his, her or its representative, may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after the notice has been given to that member; and
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that he, she or it may do one or both of the following –
 - (i) attend that meeting;
 - (ii) give to the committee before the date of the meeting a written statement seeking the revocation of the resolution; and
 - (e) informing the member that, if at that meeting, the committee confirms the resolution, he, she or it may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he, she or it wishes to appeal to the Association in general meeting against the resolution.

- (5) At a meeting of the committee to confirm or revoke a resolution passed under sub-rule (1), the committee must -
 - (a) give the member, or his, her or its representative, an opportunity to be heard; and
 - (b) give due consideration to any written statement submitted by the member; and
 - (c) determine by resolution whether to confirm or to revoke the resolution.
- (6) If at the meeting of the committee, the committee confirms the resolution, the member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he she or it wishes to appeal to the Association in general meeting against the resolution.
- (7) If the Secretary receives a notice under sub-rule (6), he or she must notify the committee and the committee must convene a general meeting of the Association to be held within 21 days after the date on which the Secretary received the notice.
- (8) At a general meeting of the Association convened under sub-rule (7) -
 - (a) no business other than the question of the appeal may be conducted; and
 - (b) the committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and
 - (c) the member, or his, her or its representative, must be given an opportunity to be heard; and
 - (d) the members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- (9) A resolution is confirmed if, at the general meeting, not less than two-thirds of the members vote in person, or by proxy, in favour of the resolution. In any other case, the resolution is revoked.

8. Disputes and mediation

- (1) The grievance procedure set out in this rule applies to disputes under these Rules between –
 - (a) a member and another member; or

- (b) a member and the Association.
- (2) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
 - (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
 - (4) The mediator must be -
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement -
 - (i) in the case of a dispute between a member and another member, a person appointed by the committee of the Association; or
 - (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice)
 - (5) A member of the Association can be a mediator.
 - (6) The mediator cannot be a member who is a party to the dispute.
 - (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
 - (8) The mediator, in conducting the mediation, must -
 - (a) give the parties to the mediation process every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
 - (9) The mediator must not determine the dispute.
 - (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.