



**AUSTRALIAN BRAVERY ASSOCIATION
NATIONAL EXECUTIVE INCORPORATED
Associations Incorporation Regulations ACT**

RULES OF THE AUSTRALIAN BRAVERY ASSOCIATION

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Document Review: The National Secretary will coordinate an annual review of this document by the National Executive. The National Secretary will bring forward any recommendations for changes which the National Executive has determined require a Special Resolution of the ABA.

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PART A – PRELIMINARIES

1. Name

The name of the incorporated association is the Australian Bravery Association National Executive Incorporated (hereafter called “the Association”) and may be referred to in this document as “the Association”, “Australian Bravery Association” or “ABA”.

2. Vision

The Australian Bravery Association will provide meaningful support to its membership, be an influencer on bravery matters within Australia and be recognised as a valued not-for-profit charity.

3. Aim

The aim of the Australian Bravery Association is to maximize the support available to those members in our community who conduct themselves bravely to save life, property or the environment and thereby experience physical, emotional or other personal hardship.

4. Objectives

The objectives of the Australian Bravery Association are:

- a. to uphold the high principles and prestige of the Australian Bravery/Gallantry Decorations and the former Imperial Bravery/Gallantry Decorations systems; and
- b. to afford focus and means for members of the ABA to conduct commemorative or other functions from time to time; and
- c. to encourage continuous meritorious appointments to the Australian Bravery/Gallantry Decorations system; and
- d. to promote good citizenship by example and service; and
- e. to do such lawful things as would further these objectives. Solely for the purpose of furthering the vision, aim and objectives set out above, the ABA shall have the power to:
 - i. subscribe to become a member of and cooperate with any other association, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the ABA, provided that the Association shall not subscribe to or support with funds any association, club or organisation which does not inhibit the distribution of its income and

property among its members to an extent at least as great as imposed on the ABA under or by virtue of these Rules; and

- ii. enter into any arrangements with any Government or authority that are incidental or conducive to the attainment of the objects and the exercise of the power of the ABA; to obtain from any such Government or authority any rights, privileges and concessions which the ABA may think it desirable to obtain; and to carry out, exercise or comply with any such arrangements, rights, privileges and concessions.

5. Interpretations

a. In these Rules unless a contrary intention appears:

- i. **Financial year** means the same as calendar year ending 31st December.
- ii. **National Executive** means the ABA National Executive.
- iii. **Member** means a member (with no outstanding fees, subscriptions etc) of the ABA with the rights, restrictions and obligations as described in each category (see Part B).
- iv. **Secretary** means the person holding office under these Rules as National Secretary of the ABA or, if no such person holds that office, the Public Officer of the Association.
- v. **The Act** means the [Associations Incorporation Act 1991](#).
- vi. **The Regulation** means the [Associations Incorporation Regulation 1991](#).

b. In these Rules:

- i. A reference to a function includes a reference to a power, authority and duty.
- ii. A reference to the exercise of a function includes, where the function is a power, authority or duty, a reference to the exercise of the power or authority or the performance of the duty.

c. The provisions of the [Legislation Act 2001](#) apply to and, in respect of these Rules, in the same manner as those provisions would so apply if these Rules were an instrument made under the Act.

PART B – MEMBERSHIP**6. Membership Categories****a. Ordinary Member**

Qualifying Criteria	Rights	Eligibility Notes
<p>Has been admitted as a result of the receipt of an award for their brave act; or</p> <p>Is a next of kin to a posthumous or deceased awardee</p>	Full voting rights and eligible for election to any position	<p>Bravery acts considered for recognition are aligned with and similar to the acts accepted as valid under the national honours and awards system. Includes military, emergency services and civilian awards including foreign awards where the acts recognised are similar in style to the national awards; and</p> <p>The organisation making the award is recognised by the National Executive as having the capacity to adequately investigate and assess the validity of the bravery nomination made</p>

b. Associate Member

Qualifying Criteria	Rights
<p>Direct next of kin or close relationship to an Ordinary Member; or</p> <p>Has special qualifications, interest or capacity to support the vision, aim and objectives of the ABA and is accepted by the National Executive</p>	<p>Voting rights less voting on changes to the Rules of the ABA and the total number of Associate Members cannot constitute a majority on the National Executive; and</p> <p>Hold positions of only the Secretary, National Membership Secretary, National Treasurer and any support positions</p>

c. Life Member

Qualifying Criteria	Rights	Eligibility Notes
Elected by a two-thirds majority of the general membership of the ABA at an annual general meeting	Retains identical voting rights as for the category of membership that the individual held prior to being awarded life membership	Awarded for long and distinguished service to the ABA and to the attainment of its vision, aim and objectives; and Maximum number of Life Memberships, current at any one time, shall not exceed five percent (5%) of the total general membership

d. Honorary Member

Honorary membership is available to recognise an individual who possesses qualifications or skills which will enhance the attainment of the ABA's vision, aim and objectives. There are two categories:

i. Category One

Qualifying Criteria	Rights	Eligibility Notes
Open to an individual who is a Level 1 Bravery or Gallantry award recipient under the Australian Bravery/Gallantry or former Imperial Bravery/Gallantry Decorations systems	Full voting rights; and Membership fees waived	By invitation only from the National Executive

ii. Category Two

Qualifying Criteria	Rights	Eligibility Notes
Open to an individual who has accepted an invitation by the National Executive	If entitled to Ordinary Membership, a Category Two Honorary Member is entitled to vote at general meetings and National Executive meetings	Maximum number, current at any one time, shall not exceed five percent (5%) of the general membership

e. **Supporter of the Brave**

Supporter of the Brave is a nominal title and is not an ABA membership category. Conferment of the title is accompanied by the presentation of an appropriate Certificate.

Qualifying Criteria	Rights	Eligibility Notes
Acts or efforts that provide substantial support to the vision, aims and objectives of the ABA	No voting rights; and Membership fees waived	Available to an individual, group or body; and By invitation only from the National Executive

7. **Membership Qualifications**

A person is qualified to be a member of the ABA if the person:

- a. has submitted an application for membership (see Section 8 below) complete with supporting documentary evidence of an approved bravery award (as determined by the National Executive from time to time) if applicable and includes the first year's membership fee; and
- b. has been approved for membership of the ABA by the National Executive.

8. **Nomination for Membership**

- a. A nomination of a person for membership of the ABA must:
 - i. be made in writing in the *appropriate form for each category*; and
 - ii. be lodged with the National Membership Secretary.
- b. As soon as practicable after receiving a completed nomination for membership, the National Membership Secretary must, in the case of a nomination for Ordinary Membership, verify the authenticity of the award and any other relevant documentation, approving or rejecting the application. In the event that verification is proving difficult or the National Membership Secretary suspects that the award may be fraudulent, the National Membership Secretary will forward the application and any other relevant documentation to the National Executive to decide whether the nomination should be accepted or rejected.
- c. The National Membership Secretary must, as soon as practicable following verification, notify the nominee of the outcome and advise all elected members of the National Executive. If approved, the application is to be processed, appropriate

membership fees received and banked, and a receipt issued. If the nomination is rejected, all monies received are to be returned to the nominee.

- d. The National Membership Secretary is to enter the new member's details in the Register of Members and file copies of the application and any other relevant documentation in the Membership Files, and on the name being so registered, the individual becomes a member (under the appropriate category) of the ABA.
- e. The National Membership Secretary is to provide an updated membership list to the National President, Deputy National President, National Secretary and the National Treasurer a minimum of four occasions during the 12 months period between annual general meetings.

9. Membership Entitlements not Transferable

A right, privilege or obligation that a person enjoys due to them being a member of the ABA:

- a. cannot be transferred or transmitted to another person: and
- b. terminates on cessation of the person's membership.

10. Cessation of Membership

A person ceases to be a member of the ABA if that person:

- a. dies; or
- b. resigns their membership; or
- c. is expelled; or
- d. fails to renew the required membership for three consecutive years.

11. Resignation of Membership

- a. A member is not entitled to resign from membership except in accordance with this Section.
- b. A member who has paid all amounts due to the ABA may resign from membership by first giving notice (of not less than one (1) month or a shorter period determined by the National Executive) in writing to the National Membership Secretary of the member's intention to resign and, at the end of the notice period, the member ceases to be a member.

- c. If a person ceases to be a member, the National Membership Secretary is to make an appropriate entry in the Register of Members recording the date that the member ceased to be a member.

12. Fees, Subscriptions etc

- a. The National Membership Secretary is to ensure that membership and annual renewal fees, for each category of membership, are reviewed at least annually by the National Executive. Any proposed increases are to be voted on by the membership of the Association by way of a Special Resolution. The National Membership Secretary is responsible for ensuring that the current fees, subscriptions etc are reflected in the appropriate membership forms.
- b. The annual renewal fee is payable:
 - i. except as provided for by Section 12b ii below, prior to 1st January in each calendar year; or
 - ii. if a person becomes a member on or after 1st January in any calendar year, before 1st January in each succeeding calendar year.
 - iii. The *Membership Renewal Application Form* is to be used.
- c. A nominee for membership, who is experiencing financial hardship, may make a request for all or part of the initial membership fee to be waived. This request must be submitted in writing to the National President (through the National Membership Secretary) and will be considered by the National Executive. The outcome of any such request is to be notified to the nominee by the National Membership Secretary.
- d. An existing member, who is experiencing financial hardship, may make a request for the annual renewal fee to be waived. This request must be submitted in writing to the National Membership Secretary and will be considered by the National Executive. The outcome of any such request is to be notified to the member by the National Membership Secretary.
- e. The recipient of the annual Brave Youth of the Year Award is not liable for membership fees for the initial five years, including the year in which the award was made.

13. Members' Liabilities

The liability of a member to contribute towards the payment of the debts and liabilities of the ABA or the costs, charges and expenses of the winding up of the Association, is limited to the

amount (if any) unpaid by the member in relation to membership of the ABA as required by Section 12 above.

14. Disciplining of Members

- a. If the National Executive is of the opinion that a member:
 - i. has persistently refused or neglected to comply with a provision of these Rules; or
 - ii. has persistently and wilfully acted in a manner prejudicial to the interests of the ABA;the National Executive may, by resolution:
 - iii. expel the member from the ABA; or
 - iv. suspend the member from the rights and privileges of membership of the ABA that the National Executive may decide for a specified period.
- b. A resolution of the National Executive under Section 14a above is of no effect unless the National Executive, at a meeting held not earlier than fourteen (14) days and not later than twenty-eight (28) days after service on the member of a notice under Section 14c below, confirms the resolution in accordance with this Section.
- c. If the National Executive passes a resolution under Section 14a above, the Secretary must, as soon as practicable, serve a written notice on the member:
 - i. setting out the resolution of the National Executive and the grounds on which it is based; and
 - ii. stating that the member may address the National Executive at a meeting to be held not earlier than fourteen (14) days and not later than twenty-eight (28) days after service of the notice; and
 - iii. stating the date, place, manner and time of that meeting; and
 - iv. informing the member that they may do either or both of the following:
 1. participate in the meeting;
 2. submit to the National Executive, at or before the date of that meeting, written representations relating to the resolution.

- d. Subject to the *Act [Section 50]*, at a meeting of the National Executive mentioned in Section 14b above, the National Executive must:
 - i. give to the member mentioned in Section 14a above an opportunity to make oral representations; and
 - ii. give due consideration to any written representations submitted to the National Executive by that member at or before the meeting; and
 - iii. by resolution decide whether to confirm or to revoke the resolution of the National Executive made under Section 14a above.
- e. If the National Executive confirms a resolution under Section 14d above, the Secretary must, within seven (7) days after that confirmation, by written notice inform the member of that confirmation and of the member's right of appeal under Section 15 below.
- f. A resolution confirmed by the National Executive under Section 14d above does not take effect:
 - i. until the end of the period within which the member is entitled to appeal against the resolution if the member does not exercise the right of appeal within that period; or
 - ii. until the Association confirms the resolution in accordance with Section 15d below if within that period the member exercises the right of appeal.

15. Right of Appeal of a Disciplined Member

- a. A member may appeal to the ABA, in a general meeting, against a resolution of the National Executive that is confirmed under Section 14d above, within seven (7) days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.
- b. On receipt of a notice under Section 15a above, the Secretary must notify the National Executive which must convene a general meeting of the ABA to be held within twenty-one (21) days after the date when the Secretary received the notice or as soon as possible after that date.
- c. Subject to the *Act [Section 50]*, at a general meeting of the ABA called under Section 15b above:
 - i. no business other than the question of the appeal may be transacted; and

- ii. the National Executive and the member must be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
 - iii. the members present must vote by secret ballot on the question of whether the resolution made under Section 14d above should be confirmed or revoked.
- d. If the meeting passes a special resolution in favour of the confirmation of the resolution made under Section 14d above, that resolution is confirmed.

PART C – NATIONAL EXECUTIVE**16. Powers**

The National Executive, subject to the *Act*, the *Regulation*, these Rules, and to any resolution passed by the ABA in general meeting:

- a. controls and manages the affairs of the ABA; and
- b. may undertake all functions that may be exercised by the ABA other than those functions that are required by these Rules to be exercised by the ABA in general meeting; and
- c. has power to perform all acts and do all things that appear to the National Executive to be necessary or desirable for the proper management of the affairs of the ABA.

17. Constitution and Membership

- a. The National Executive consists of the office-bearers of the ABA, each of whom must be elected under Section 18 below or appointed in accordance with Section 17d below.
- b. Subject to Section 6 above, office-bearers shall at all times be drawn from the membership of the ABA and shall consist of the following members:
 - i. National President; and
 - ii. Deputy National President; and
 - iii. up to eight State or Territory Presidents; and
 - iv. National Treasurer; and
 - v. National Secretary; and
 - vi. National Membership Secretary; and
 - vii. Public Officer.
- c. Each member of the National Executive holds office, subject to these Rules, until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.

- d. If there is a vacant State/Territory President's position, that position will be filled where possible from the State or Territory to whom the representative belonged. Any temporary appointment will endure at the discretion of the National Executive but no later than the next annual general meeting where the appointment is to be determined by the normal election process.

18. Election of National Executive Members

- a. Nominations of candidates for election as office-bearers of the ABA:
 - i. must be made in writing, signed by two (2) members of the ABA and accompanied by the written consent of the candidate (which may be endorsed on the *Nomination Form*); and
 - ii. must be given to the Secretary on or before the date and time fixed for the annual general meeting at which the election is to take place.
- b. If insufficient nominations are received to fill all vacancies on the National Executive, candidate nominations may be taken from the floor at the annual general meeting.
- c. If insufficient further nominations are received, any vacant positions remaining on the National Executive are taken to be vacancies.
- d. If the number of nominations received is equal to the number of vacancies to be filled, the individuals nominated are taken to be elected.
- e. If the number of nominations received exceeds the number of vacancies to be filled, a ballot must be held.
- f. The ballot for the election of office-bearers must be conducted at the annual general meeting in the way the National Executive may direct.
- g. A person is eligible to simultaneously hold more than one (1) position on the National Executive.

19. National Secretary

- a. The Secretary must, as soon as practicable after being appointed, notify the ABA of their address.
- b. The Secretary must keep appropriate records of:
 - i. all elections and appointments of office-bearers; and

- ii. the names of members present at a National Executive meeting or a general meeting; and
 - iii. all proceedings at National Executive meetings and general meetings.
- c. Records of proceedings at a meeting must be signed by the person presiding at the meeting or by the person presiding at the next succeeding meeting.

20. National Treasurer

The National Treasurer must:

- a. collect and receive all amounts owing to the ABA and make all payments authorised by the Association; and
- b. keep correct accounts and books showing the financial affairs of the ABA with full details of all receipts and expenditure connected with the activities of the Association.

21. Vacancies

For these Rules, a vacancy in the office of a member of the National Executive arises if the member:

- a. dies; or
- b. ceases to be a member of the ABA; or
- c. resigns the office; or
- d. is removed from office under Section 22 below; or
- e. becomes bankrupt or personally insolvent; or
- f. suffers from mental or physical incapacity; or
- g. is disqualified from office under the *Act [Section 63(1)]*; or
- h. is subject to a disqualification order under the *Act [Section 63A]*; or
- i. is absent, without the consent of the National Executive, from all meetings of the National Executive held during a period of six (6) months.

22. Removal of Members

The ABA, in general meeting, may by resolution, subject to the [Act \[Section 50\]](#), remove from office any member who holds an appointment on the National Executive before the end of that member's term of office.

23. Meeting and Quorum

- a. The National Executive must meet at least once in each calendar year at the place and time that the National Executive may decide.
- b. Additional meetings of the National Executive may be called by any member of the National Executive.
- c. Oral or written notice of a meeting of the National Executive must be given by the Secretary to each member of the National Executive at least forty-eight (48) hours (or any other period that may be unanimously agreed on by the members of the National Executive) before the time appointed for the holding of the meeting.
- d. Notice of a meeting, given under Section 23c above, must specify the general nature of the business to be transacted at the meeting and no business other than that business may be transacted at the meeting, except business that the National Executive members present at the meeting unanimously agree to treat as urgent business.
- e. Any five (5) members of the National Executive constitute a quorum for the transaction of the business of a meeting of the National Executive.
- f. No business may be transacted by the National Executive unless a quorum is present and, if within thirty (30) minutes after the time appointed for the meeting, a quorum is not present, the meeting stands adjourned to the same place and at the same hour of the same day in the following week in the same manner.
- g. If at the adjourned meeting a quorum is not present within thirty (30) minutes after the time appointed for the meeting, the meeting is dissolved.
- h. At meetings of the National Executive:
 - i. the National President or, in the absence of the National President, the Deputy National President shall preside; or
 - ii. if the National President and the Deputy National President are absent one of the State/Territory Presidents of the National Executive may be chosen by the members present to preside.

24. Use of Technology

- a. A National Executive member who is not physically present at a National Executive meeting may participate in the meeting by the use of technology that allows that National Executive member, and the National Executive members present at the meeting, to clearly and simultaneously communicate with each other.
- b. For the purposes of this Part, a National Executive member participating in a committee meeting, as permitted under Section 24a above, is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

25. Delegation to Sub-Committee

- a. The National Executive may, in writing, delegate to one or more sub-committees (consisting of member[s] of the ABA that the National Executive considers appropriate) the exercise of the functions of the National Executive that are specified in the instrument, other than:
 - i. this power of delegation; and
 - ii. a function that is a function imposed on the National Executive by the [Act](#), by any other Territory law, or by resolution of the ABA in general meeting.
- b. A function, the exercise of which has been delegated to a sub-committee under this Section may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- c. A delegation under this Section may be made subject to any conditions or limitations about the exercise of any function, or about time or circumstances, which may be specified in the instrument of delegation.
- d. Despite any delegation under this Section, the National Executive may continue to exercise any function delegated.
- e. Any act or thing done or suffered by a sub-committee, acting in the exercise of a delegation under this Section, has the same force and effect as it would have if it had been done or suffered by the National Executive.
- f. The National Executive may, in writing, revoke wholly or in part any delegation under this Section.
- g. A sub-committee may meet and adjourn as it considers appropriate.

26. Voting and Decisions

- a. Questions arising at a meeting of the National Executive, or of any sub-committee appointed by the National Executive, are decided by a majority of the votes of members of the National Executive or sub-committee present at the meeting.
- b. Subject to Section 27 below, each member present at a meeting of the National Executive, or of any sub-committee appointed by the National Executive (including the person presiding at the meeting) is entitled to one (1) vote but, if the votes on any question are equal, the person presiding is to exercise a second or casting vote.
- c. Voting by proxy is not permitted.
- d. Members must be 18 year of age or older to vote in National Executive meetings.
- e. Subject to Section 23e above, the National Executive may act despite any vacancy on the National Executive.
- f. Any act or thing done or suffered, or purporting to have been done or suffered, by the National Executive or by a sub-committee appointed by the National Executive, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the National Executive or sub-committee.

27. Appointment of Ex-Officio and Honorary Positions

- a. The National Executive may appoint persons to Ex-Officio and Honorary positions in order to fulfill the ABA's vision, aim and objectives and provide advice to the National Executive.
- b. Honorary positions may include, but are not limited to:
 - i. Honorary Chaplain; and
 - ii. Honorary Psychologist; and
 - iii. Honorary Surgeon; and
 - iv. Honorary Veterinarian; and
 - v. National Information and Communications Technology Coordinator; and
 - vi. Newsletter Coordinator; and

- vii. Merchandising Officer; and
 - viii. National Conference Coordinator; and
 - ix. National Fundraising Coordinator.
- c. The term of appointment to Ex-Officio and Honorary positions is determined by the National Executive. Appointees may be removed by the National Executive at any time.
- d. The National Executive may invite Ex-Officio and Honorary appointees to attend and participate in National Executive meetings subject to the following provisions:
- i. Ex-Officio and Honorary appointees are not to be included when determining the number of members needed for a quorum or counted when determining if a quorum is present; and
 - ii. subject to Section 6d above, Ex-Officio and Honorary appointees do not have the right to vote in National Executive meetings.

PART D – GENERAL MEETINGS

28. Annual General Meetings – Holding of

- a. With the exception of the first annual general meeting of the ABA, the Association must, at least once in each calendar year and within five (5) months after the end of each calendar year, call an annual general meeting of its members.
- b. The ABA must hold its first annual general meeting:
 - i. within eighteen (18) months after its incorporation under the [Act](#); and
 - ii. within five (5) months after the end of the first financial year of the ABA.
- c. Sections 28a and b above have effect subject to the powers of the Registrar-General under the [Act \[Section 120\]](#) in relation to extensions of time.

29. Annual General Meetings – Calling of and Business at

- a. The annual general meeting of the ABA must, subject to the [Act](#), be called on the date and at the place and time that the National Executive considers appropriate.
- b. In addition to any other business that may be transacted at an annual general meeting, the business of an annual general meeting **must**:
 - i. confirm the minutes of the last annual general meeting and of any general meeting held since that meeting; and
 - ii. receive from the National Executive reports on the activities of the ABA during the last financial year; and
 - iii. elect members of the National Executive, including office-bearers; and
 - iv. receive and consider the statement of accounts and the reports that are required to be submitted to members under the [Act \[Section 73\(1\)\]](#).
- c. An annual general meeting must be specified as such in the notice calling it in accordance with Section 30 below.
- d. An annual general meeting must be conducted in accordance with the provisions of this Part.

30. General Meetings – Calling of

- a. The National Executive may, whenever it considers appropriate, call a general meeting of the ABA.
- b. The National Executive must, on the requisition in writing of not less than fifteen percent (15%) of the total number of members, call a general meeting of the ABA.
- c. A requisition of members for a general meeting:
 - i. must state the purpose(s) of the meeting; and
 - ii. must be signed by the members making the requisition; and
 - iii. must be lodged with the Secretary; and
 - iv. may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- d. If the National Executive fails to convene a meeting within thirty (30) days after the date when a requisition of members for the meeting is received by the Secretary, any one or more of the members who made the requisition may call a meeting to be held not later than ninety (90) days after that date.
- e. A general meeting, called by a member or members mentioned in Section 30d above, must be convened as nearly as is practicable in the same way as general meetings are convened by the National Executive and any member who thereby incurs expense is entitled to be reimbursed by the ABA for any reasonable expense so incurred.

31. Notice

- a. Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the ABA, the National Membership Secretary must, at the request of the Secretary and at least fourteen (14) days before the date fixed for the holding of the meeting, send by prepaid post or by electronic medium to each member at the member's address appearing in the Register of Members, a notice specifying the place, manner, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- b. If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the ABA, the National Membership Secretary must, at the request of the Secretary and at least twenty-one (21) days before the date fixed for

the holding of the general meeting, send notice to each member in the way provided in Section 31a above specifying, in addition to the matter required under that Rule, the intention to propose the resolution as a special resolution.

- c. No business other than that specified in the notice calling a general meeting may be transacted at the meeting except, for an annual general meeting, business under Section 29b above.
- d. A member desiring to bring any business before a general meeting may give written notice of that business to the Secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

32. Procedure and Quorum

- a. No item of business may be transacted at a general meeting unless a quorum of members entitled under these Rules to vote is present during the time the meeting is considering that item.
- b. Twenty (20) members present in person or connected simultaneously via technology (who are entitled under these Rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- c. If within thirty (30) minutes after the appointed time for the start of a general meeting a quorum is not present or connected simultaneously via technology, the meeting, if called on the requisition of members, is dissolved and in any other case stands adjourned to the same day in the following week at the same time and (unless another place is specified at the time of adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place and/or by the same technological means.
- d. If at the adjourned meeting a quorum is not present within thirty (30) minutes after the time appointed for the start of the meeting, the members present or connected simultaneously via technology (being not less than three (3)) constitute a quorum.

33. Use of Technology

- a. A member who is not physically present at a general meeting may participate in the meeting by the use of technology that allows that member and the members present at the meeting to clearly and simultaneously communicate with each other.
- b. For the purposes of this Part, a member participating in a general meeting, as permitted under Section 33a above, is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

34. Presiding Member

- a. The National President or, in the absence of the National President, the Deputy National President shall preside; or
- b. if the National President and the Deputy National President are absent, one of the State/Territory Presidents may be chosen by the members present to preside.

35. Adjournment

- a. The person presiding at a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- b. If a general meeting is adjourned for fourteen (14) days or more, the National Membership Secretary must, at the request of the Secretary, give written or oral notice of the adjourned meeting to each member of the ABA stating the place or means, date and time of the meeting and the nature of the business to be transacted at the meeting.
- c. Except as provided in Sections 35a and b above, notice of an adjournment of a general meeting, or of the business to be transacted at an adjourned meeting, is not required to be given.

36. Making of Decisions

- a. A question arising at a general meeting of the ABA is to be decided on a show of hands or by a declaration of name and decision by each individual present or connected simultaneously via technology. The name and vote cast are to be repeated by the presiding member so that all can hear the decision made by each member. At the end of the process, unless before or on the declaration of the show of hands a poll is demanded, a declaration is to be made by the person presiding that a resolution has been carried or carried unanimously or carried by a particular majority or lost. An entry in the minute book of the ABA, reflecting the declaration, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- b. At a general meeting of members of the ABA, a poll (where votes are cast in writing) may be demanded by the person presiding or by not less than three (3) members present in person, connected simultaneously via technology or by proxy at the meeting.

- c. If the poll is demanded at a general meeting, the poll must be taken:
 - i. immediately if the poll relates to the election of the person to preside at the meeting or to the question of an adjournment; or
 - ii. in any other case, in the way and at the time before the close of the meeting that the person presiding directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.
- d. The person presiding over a poll shall appoint two (2) scrutineers who shall conduct the poll. The scrutineers shall ensure that ballot material is destroyed following the poll.

37. Voting

- a. Subject to Section 6 above and Section 37c below, on any question arising at a general meeting of members of the ABA, a member has one (1) vote only.
- b. All votes must be given personally or via technology if connected simultaneously or by proxy, but no member may hold more than five (5) proxies.
- c. If the votes on a question at a general meeting are equal, the person presiding must exercise a second or casting vote.
- d. A member or proxy is not entitled to vote at any general meeting of the ABA unless all money due and payable by the member or proxy to the Association has been paid.
- e. Members must be 18 years of age or older to vote in general meetings.

38. Appointment of Proxies

- a. Each member is entitled to appoint another member as proxy by notice given to the Secretary no later than twenty-four (24) hours before the time of the meeting in respect of which the proxy is appointed.
- b. The *Form of Proxy Vote* is to be used.

PART E – MISCELLANEOUS**39. Funds – Source**

- a. The funds of the ABA must be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the Association in general meeting and subject to the *Act [Section 114]*, any other sources that the National Executive decides.
- b. All money received by the ABA must be deposited as soon as practicable and without deduction to the credit of the Association's bank account.
- c. The ABA must, as soon as practicable after receiving any money, issue an appropriate receipt.

40. Funds – Management

- a. The National Executive shall have control of all monies and property belonging to, allocated to or placed at the disposal of the ABA.
- b. All monies due to the ABA shall be paid to the National Treasurer, recorded in proper books of account and held in trust at the disposal of the National Executive. Monies shall be paid out at the direction of the National Executive. The National Treasurer shall report quarterly to the National Executive.
- c. The National Executive shall keep the following accounts:
 - i. **General Account:** into which all income is received and from which transfers are made into the Treasurer's Account. Transfers are to be authorised by the National Treasurer and one (1) other member of the National Executive who holds the appointment of National President, Deputy National President or Secretary; into which all income (usually donations) is paid in respect of specific projects approved by the National Executive; from which expenses directly relating to these projects are made from the funds for the specific project; from which general (indirect) expenses relating to these projects are made from other non-project funds within the General Account.
 - ii. **Treasurer's Account,** which will be used to make payments on a day-to-day basis. This account will be reimbursed only from the General Account and is not to hold more than \$5,000, unless a separate amount has been determined by the National Executive, at any one time. The signatories shall be the National Treasurer, the Secretary, and the State/Territory Presidents, any one (1) of whom is empowered to sign.

- d. If circumstances arise when the ABA has funds surplus to immediate requirements, these shall be invested on such terms and conditions approved by the National Executive and redemption of all investments shall be to the credit of the General Account.

41. Alteration of Objects and Rules

Neither the objects of the ABA mentioned in the *Act [Section 29]* nor these Rules, may be altered except in accordance with the *Act*.

42. Common Seal

- a. The common seal of the ABA must be kept in the custody of the Secretary.
- b. The common seal must not be attached to any instrument except by the authority of the National Executive and the attaching of the common seal must be attested by the signatures of two (2) members of the National Executive.

43. Custody and Inspection of the Books

- a. **Custody.** Subject to the *Act*, the *Regulation* and these Rules, the Secretary and National Treasurer, as appropriate, must keep in their custody, or under their control, all records, books, and other documents relating to the ABA.
- b. **Inspection**
 - i. At the written request of a member of the ABA, arrangements must be made to enable the records, books and other documents to be available for inspection at a place in the ACT nominated by the Secretary. The relevant records, books and other documents, subject to the request, are to be made available within twenty-eight (28) days of the written request being received by the Secretary, and the member advised of the arrangements for their inspection.
 - ii. Any costs associated with arranging for the records, books and documents to be available in the ACT are to be borne by the ABA. The member(s) making the request are responsible for their own travel and all other personal expenses related to the inspection.

44. Service of Notice

Any notice under these Rules that is required to be given to a member, by or on behalf of the ABA, may be given by:

- a. delivering the notice to the member personally; or
- b. sending it by prepaid post addressed to the member at their address shown in the Register of Members; or
- c. electronic transmission, if the member has requested that the notice be given to them in this manner.

45. Surplus Property

- a. If, upon the winding up or dissolution of the ABA, there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Association.
- b. Property, subject to Section 45a above, shall be given or transferred to some other institution or institutions having objects similar to the objects of the ABA and which shall prohibit the distribution of its or their income and property amongst its or their members to an extent at least as great as is imposed on the ABA by virtue that, any income and property of the Association whencesoever derived, shall be applied solely towards the promotion of the objects of the ABA as contained in these Rules.
- c. Institution(s), identified under Section 45b above, are to be determined by members of the ABA at or before the time of dissolution, and in default thereof, by such Judge of the Supreme Court of the Australian Capital Territory as may have or acquire jurisdiction in regard to charitable funds and if and so far as effect cannot be given to the aforesaid provisions, then to some charitable or public institution.

46. Affiliation

The ABA may affiliate with other kindred associations. See also Section 4e above.

47. Integrity Checks

- a. The ABA holds a pivotal role in actively supporting the welfare of those in our society who, by their brave acts, suffer physical, emotional or financial hardships. Some of these persons are in a vulnerable position.
- b. The ABA seeks to maximise the support of governments, agencies and a range of institutions to meet its vision, aim and objectives.
- c. The ABA seeks to establish a Foundation and a substantial fund for the purposes of meeting its vision, aim and objectives.
- d. It is of the utmost importance that the credibility of the Association be protected in order to safeguard the ABA itself, as well as its members and those it supports. The

National Executive may require police criminal checks and may make other reasonable inquiries in determining the suitability or otherwise of any applicant for membership.

48. Internal Disputes

- a. In the event of an internal dispute within the membership of the ABA that cannot be resolved by the National Executive or the National President, the following procedure is to be applied:
 - i. an independent person is to be appointed to arbitrate in the dispute; and
 - ii. the parties involved in the dispute are to be brought together to resolve the dispute at the earliest opportunity; and
 - iii. all parties are to be given an equitable and fair opportunity of presenting their respective case; and
 - iv. where the dispute cannot be resolved internally by arbitration or mediation, the matter is to be referred to the Conflict Resolution Service or similar body in the relevant State or Territory if applicable, which provides independent third party alternative dispute resolution.
- b. The National President is responsible for ensuring compliance with this Section and the maintenance of an accurate record of all matters and actions taken relating to the dispute.
- c. If the National President is involved as a party to the dispute or has declared a conflict of interest, other than as a conciliator, then the Deputy National President if non-involved will be responsible for the actions described at Section 48a-b above. If the Deputy National President is also involved as a party to the dispute or has declared a conflict of interest, other than as a conciliator, a non-involved State/Territory President will be elected by non-involved National Executive members. The elected State/Territory President will be responsible for the actions described at Section 48a-b above.
- d. The internal dispute resolution process is not to be used to subvert the rights, responsibilities and decision-making capacity of the general membership acting by majority vote at an annual general meeting.
- e. The internal dispute resolution process is not to be used to subvert the rights, responsibilities and decision-making capacity of the National Executive acting by majority vote at a meeting.

49. Complaints

- a. In the event of a complaint by a member of the public or a member of the ABA that cannot be resolved by the National Executive or the National President, the following procedure is to be applied:
 - i. an independent person is to be appointed to arbitrate the complaint; and
 - ii. the parties involved in the complaint are to be brought together to resolve the complaint at the earliest opportunity; and
 - iii. all parties are to be given an equitable and fair opportunity of presenting their respective case; and
 - iv. where the complaint cannot be resolved internally by arbitration or mediation, the matter is to be referred to the Conflict Resolution Service or similar body in the relevant State or Territory if applicable, which provides independent third-party alternative complaint resolution.
- b. The National President is responsible for ensuring compliance with this Section and the maintenance of an accurate record of all matters and actions taken relating to the complaint.
- c. If the National President is involved as a party to the complaint or has declared a conflict of interest, other than as a conciliator, then the Deputy National President if non-involved will be responsible for the actions described at Section 49a-b above. If the Deputy National President is also involved as a party to the complaint or has declared a conflict of interest, other than as a conciliator, a non-involved State/Territory President will be elected by non-involved National Executive members. The elected National State/Territory President will be responsible for the actions described at Section 49a-b above.
- d. The internal complaint resolution process is not to be used to subvert the rights, responsibilities and decision-making capacity of the general membership acting by majority vote at an annual general meeting.
- e. The internal complaint resolution process is not to be used to subvert the rights, responsibilities and decision-making capacity of the National Executive acting by majority vote at a meeting.

Enclosures (via hyperlink):

- A. [*Membership Forms*](#)
- B. [*National Executive Nomination Form*](#)
- C. [*Form of Proxy Vote*](#)