



***The Rules of
The Richard Wagner Society Inc.***

Adopted by special resolution at the Annual General Meeting
held on 28 October 2013
and approved by Consumer Affairs Victoria
on 4 December 2013

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PART 1 – PRELIMINARY

No.	Rule
1.1	<p>Name of the Society The name of the Society is "The Richard Wagner Society Incorporated".</p> <p>Note Under section 23 of the Act, the name of the Society and its registration number must appear on all its business documents.</p>
1.2	<p>Principal Purpose of the Society The principal purpose of the Society is: <i>The promotion of the music of Richard Wagner in Australia.</i></p>
1.3	<p>Financial year The financial year of the Society is each period of 12 months ending on 30 June.</p>
1.4	<p>Definitions In these Rules—</p> <p><i>absolute majority</i>, of the Committee, means a majority of the committee members currently holding office and entitled to vote at the time (as distinct from a majority of committee members present at a committee meeting);</p> <p><i>Chairperson</i>, of a general meeting or committee meeting, means the person chairing the meeting as required under rule 5.5;</p> <p><i>Committee</i> means the Committee having management of the business of the Society;</p> <p><i>committee meeting</i> means a meeting of the Committee held in accordance with these Rules;</p> <p><i>committee member</i> means a member of the Committee elected or appointed under Division 3 of Part 5 which is concerned with the election of Committee members;</p> <p><i>disciplinary appeal meeting</i> means a meeting of the members of the Society convened under rule 3.24(3);</p> <p><i>disciplinary meeting</i> means a meeting of the Committee convened for the purposes of rule 3.23;</p> <p><i>disciplinary subcommittee</i> means the subcommittee appointed under rule 3.21;</p> <p><i>financial year</i> means the 12 month period specified in rule 1.3;</p> <p><i>fund subcommittee</i> means a Fund subcommittee formed from members of the Society who because of their tenure of some public office or their position in the community, have a degree of responsibility to the community as a whole.</p> <p><i>general meeting</i> means a general meeting of the members of the Society convened in accordance with Part 4 (General Meetings of the Society) and includes an annual general meeting, a special general meeting and a disciplinary appeal meeting;</p> <p><i>member</i> means a member of the Society;</p> <p><i>member entitled to vote</i> means a member who under rule 3.7(2) is entitled to vote at a general meeting;</p> <p><i>productions of the works of Richard Wagner</i> means any type of performance of the works of Wagner that is consistent with the purposes and objects of the Society including preparatory activities such as training, mentoring and rehearsals even if these activities take place outside Australia.</p> <p><i>special resolution</i> means a resolution that requires not less than three-quarters of the members voting at a general meeting, to vote in favour of the resolution;</p>

No.	Rule
	<p>the Act means the Associations Incorporation Reform Act 2012 and includes any regulations made under that Act;</p> <p>the Fund means the public fund managed by the Society.</p> <p>the Registrar means the Registrar of Incorporated Associations.</p> <p>office of the Society means the postal address of the Secretary of the Society.</p>
1.5	<p>Principal Activities</p> <p>In order to achieve its principal purpose, the Society will carry out the following activities:</p> <ol style="list-style-type: none"> (1) Encourage the presentation of the music of Richard Wagner in Australia; (2) Increase the knowledge and appreciation of the life and works of Richard Wagner and his contemporaries; (3) Encourage and assist singers and musicians who display interest in and ability or potential ability to perform the music of Richard Wagner; (4) Arrange lectures, concerts, social gatherings, film and record evenings and to engage in any other activities which may promote interest in and understanding of Richard Wagner and his works; and (5) Raise funds for or in connection with any of the foregoing.

PART 2 – POWERS OF ASSOCIATION

No.	Rule
2.1	<p>Powers of the Society</p> <p>(1) Subject to the Act, the Society has power to do all things incidental or conducive to the attainment of its purposes.</p> <p>(2) Without limiting subrule (1), the Society may—</p> <ul style="list-style-type: none"> (a) acquire, hold and dispose of real or personal property; (b) open and operate accounts with financial institutions; (c) invest its money in any security in which trust monies may lawfully be invested; (d) raise and borrow money on any terms and in any manner as it thinks fit; (e) secure the repayment of money raised or borrowed, or the payment of a debt or liability; (f) appoint agents to transact business on its behalf; (g) enter into any other contract it considers necessary or desirable. <p>(3) The Society may only exercise its powers and use its income and assets (including any surplus) for its purposes.</p>
2.2	<p>Not for profit organisation</p> <p>(1) The Society must not distribute any surplus, income or assets directly or indirectly to its members.</p> <p>(2) Subrule (1) does not prevent the Society from paying a member—</p> <ul style="list-style-type: none"> (a) reimbursement for expenses properly incurred by the member; or (b) for goods or services provided by the member— <p>if this is done in good faith on terms no more favourable than if the member was not a member.</p>

PART 3 – MEMBERS, DISCIPLINARY PROCEDURES AND GRIEVANCES

No.	Rule
	Division 1 — Membership
3.1	Minimum number of members The Society must have at least 5 members.
3.2	Who is eligible to be a member Any person who supports the purposes of the Society is eligible for membership.
3.3	Application for membership (1) Applications for membership may be made in such manner as the Committee may from time to time approve. (2) A joining fee may be required with an application for membership.
3.4	Consideration of application for membership (1) Applications shall, if the Committee from time to time so determines, be subject to the approval of the Committee. (2) If applicable under subrule (1), the Secretary must notify the applicant in writing of its decision as soon as practicable after the decision is made. (3) Should the Committee reject an application, the Treasurer must return any money accompanying the application to the applicant. (4) No reason need be given for the rejection of an application.
3.5	New membership (1) If an application for membership is approved by the Committee— (a) the resolution to accept the membership must be recorded in the minutes of the committee meeting; and (b) the Secretary (or a delegate of the Secretary) must, as soon as practicable, enter the name and address of the new member, and the date of becoming a member, in the register of members. (2) A person becomes a member of the Society and, subject to rule 3.7(2), is entitled to exercise his or her rights of membership from the date, whichever is the later, on which— (a) the Committee approves the person's membership; or (b) the person pays the joining fee.
3.6	Annual subscription and fee on joining (1) The subscriptions payable by Ordinary, Joint, Foundation and Corporate Members, the periods in respect of which they are payable and the due date for payment shall be fixed by the Committee from time to time. (2) If a new member joins after the start of a financial year, then: (a) if the member joins in the first 9 months of the financial year the membership start date is back-dated to the start of the current financial year; but (b) if the member joins in the last 3 months of the financial year the membership start date is forward-dated to the start of the next financial year. (3) A member who fails to pay the appropriate subscription within 3 months of the due date shall cease to be a member on the expiry of that period but may, if the Committee so decides from time to time, be entitled to receive until the expiration of a period fixed by the Committee notices of meetings of and of events arranged by the Society.
3.7	General rights of members (1) A member of the Society who is entitled to vote has the right— (a) to receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules; and (b) to submit items of business for consideration at a general meeting; and (c) to attend and be heard at general meetings; and (d) to vote at a general meeting; and (e) to have access to the minutes of general meetings and other documents of the Society as provided under rule 7.4; and (f) to inspect the register of members. (2) A member is entitled to vote if— (a) more than 10 business days have passed since he or she became a member of the Society; and (b) the member's membership rights are not suspended for any reason.
3.8	Types of Membership The membership of the Society shall consist of Ordinary Members, Joint Members, Student Members, Foundation Members, Corporate Members, Honorary Members and Life Members.

No.	Rule
3.9	<p>Ordinary Members</p> <p>(1) An Ordinary Member shall be a natural person who has completed the application form prescribed by the Committee from time to time and (subject to rule 3.6) has paid the appropriate subscription.</p> <p>(2) An Ordinary Member shall be eligible for election to the Committee and shall be entitled to one vote at all meetings of the Society.</p>
3.10	<p>Joint Members</p> <p>(1) Joint Members shall be any two natural persons who have completed the application form prescribed by the Committee from time to time and (subject to rule 3.6) have paid the appropriate subscription.</p> <p>(2) Each Joint Member shall be eligible for election to the Committee and each shall be entitled to one vote at all meetings of the Society.</p>
3.11	<p>Student Members</p> <p>(1) A Student Member shall be a natural person who is a full-time student of a recognised educational institution, who has completed the application form prescribed by the Committee from time to time and (subject to rule 3.6) has paid the appropriate subscription.</p> <p>(2) A Student Member shall not be eligible for election to the Committee but shall be entitled to one vote at all meetings of the Society.</p>
3.12	<p>Foundation Member</p> <p>(1) A Foundation Member shall be a natural person who has completed the application form prescribed by the Committee from time to time and (subject to rule 3.6) has paid the appropriate subscription.</p> <p>(2) A Foundation Member shall be eligible for election to the Committee and shall be entitled to one vote at all meetings of the Society.</p>
3.13	<p>Corporate Members</p> <p>(1) A Corporate Member shall be a body corporate who has completed the application form prescribed by the Committee from time to time and (subject to rule 3.6) has paid the appropriate subscription.</p> <p>(2) A Corporate Member may from time to time by notice in writing to the Secretary appoint and remove a representative being a natural person who shall be eligible for election to the Committee and shall be entitled to one vote at all meetings of the Society.</p>
3.14	<p>Honorary Members</p> <p>(1) An Honorary Member shall be a person who has agreed to become such at the invitation of the Committee. Such membership shall extend for a period to be agreed upon but shall not exceed 5 years.</p> <p>(2) An Honorary Member shall not be required to pay any subscription and the Committee may at any time and from time to time as it thinks fit excuse an Honorary Member from payment for attendance at events arranged by the Society.</p> <p>(3) An Honorary Member shall not be eligible for election to the Committee and shall be entitled to speak but not to vote at any meeting of the Society.</p>
3.15	<p>Life Members</p> <p>(1) A Life Member shall be a person who has consented to be such and who upon the recommendation of the Committee is declared a Life Member by the Society in general meeting.</p> <p>(2) A Life Member shall remain a member until death or earlier resignation and shall not be required to pay any subscription nor make any payment for attendance at any event arranged by the Society.</p> <p>(3) A Life Member shall not be eligible for election to the Committee and shall be entitled to speak but not to vote at any meeting of the Society.</p>
3.16	<p>Rights not transferable</p> <p>The rights of a member are not transferable and end when membership ceases.</p>
3.17	<p>Ceasing membership</p> <p>(1) The membership of a person ceases on resignation, expulsion or death.</p> <p>(2) If a person ceases to be a member of the Society, the Secretary (or a delegate of the Secretary) must, as soon as practicable, enter the date the person ceased to be a member in the register of members.</p>

No.	Rule
3.18	<p>Resigning as a member</p> <p>(1) A member may resign by notice in writing given to the Society.</p> <p>(2) A member is taken to have resigned if—</p> <ul style="list-style-type: none"> (a) the member's annual subscription is more than 3 months in arrears; or (b) where no annual subscription is payable— <ul style="list-style-type: none"> (i) the Secretary has made a written request to the member to confirm that he or she wishes to remain a member; and (ii) the member has not, within 3 months after receiving that request, confirmed in writing that he or she wishes to remain a member.
3.19	<p>Register of members</p> <p>(1) The Secretary (or a delegate of the Secretary) must keep and maintain a register of members that includes—</p> <ul style="list-style-type: none"> (a) for each current member— <ul style="list-style-type: none"> (i) the member's name; (ii) the address for notice last given by the member; (iii) the date of becoming a member; (iv) the membership category to which the member belongs; (v) any other information determined by the Committee; and (b) for each former member, the date of ceasing to be a member. <p>(2) A member may request the Secretary to restrict access to the personal information about the member on the register of members. Such a request may seek to restrict access so that the personal information is available only to—</p> <ul style="list-style-type: none"> (a) the secretary and members of the committee; or (b) the secretary and members of the committee other than a specified member or specified members of the committee. <p>(3) A member must not use information about another member obtained from the register of members of the Society to contact or send materials to the other member.</p> <p>(4) A member must not disclose information about another member obtained from the register of members of the Society knowing that the information is likely to be used to contact or send materials to the other member.</p> <p>(5) Subrules (3) and (4) do not apply if the use or disclosure of the information—</p> <ul style="list-style-type: none"> (a) is directly related to the management or the purposes of the Society; and (b) is not prohibited by the rules of the Society.
Division 2 — Disciplinary action	
3.20	<p>Grounds for taking disciplinary action</p> <p>The Committee may take disciplinary action against a member in accordance with this Division if it is determined that the member—</p> <ul style="list-style-type: none"> (a) has failed to comply with these Rules; or (b) refuses to support the purposes of the Society; or (c) has engaged in conduct prejudicial to the Society.
3.21	<p>Disciplinary subcommittee</p> <p>(1) If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.</p> <p>(2) The members of the disciplinary subcommittee—</p> <ul style="list-style-type: none"> (a) may be Committee members, members of the Society or anyone else; but (b) must not be biased against, or in favour of, the member concerned.

No.	Rule
3.22	<p>Notice to member about disciplinary action</p> <p>(1) Before disciplinary action is taken against a member, the Secretary must give written notice to the member—</p> <ul style="list-style-type: none"> (a) stating that the Society proposes to take disciplinary action against the member; and (b) stating the grounds for the proposed disciplinary action; and (c) specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the disciplinary meeting); and (d) advising the member that he or she may do one or both of the following— <ul style="list-style-type: none"> (i) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting; (ii) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and (e) setting out the member's appeal rights under rule 3.24. <p>(2) The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.</p>
3.23	<p>Decision of disciplinary subcommittee</p> <p>(1) At the disciplinary meeting, the disciplinary subcommittee must—</p> <ul style="list-style-type: none"> (a) give the member an opportunity to be heard; and (b) consider any written statement submitted by the member. <p>(2) After complying with subrule (1), the disciplinary subcommittee may—</p> <ul style="list-style-type: none"> (a) take no further action against the member; or (b) subject to subrule (3)— <ul style="list-style-type: none"> (i) reprimand the member; or (ii) suspend the membership rights of the member for a specified period; or (iii) expel the member from the Society. <p>(3) The disciplinary subcommittee may not fine the member.</p> <p>(4) The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.</p>
3.24	<p>Appeal rights</p> <p>(1) A person whose membership has been suspended or who has been expelled from the Society under rule 3.23 may give notice to the effect that he or she wishes to appeal against the suspension or expulsion. An appeal against suspension will be handled through the grievance procedure. An appeal against expulsion will be handled through a disciplinary appeal meeting.</p> <p>(2) The notice must be in writing and given—</p> <ul style="list-style-type: none"> (a) to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or (b) to the Secretary not later than 48 hours after the vote. <p>(3) If a person has given notice under subrule (2), a disciplinary appeal meeting must be convened by the Committee as soon as practicable, but in any event not later than 21 days, after the notice is received.</p> <p>(4) Notice of the disciplinary appeal meeting must be given to each member of the Society who is entitled to vote as soon as practicable and must—</p> <ul style="list-style-type: none"> (a) specify the date, time and place of the meeting; and (b) state— <ul style="list-style-type: none"> (i) the name of the person against whom the disciplinary action has been taken; and (ii) the grounds for taking that action; and (iii) that at the disciplinary appeal meeting the members present must vote on whether the decision to expel the person should be upheld or revoked.

No.	Rule
3.25	<p>Conduct of disciplinary appeal meeting</p> <p>(1) At a disciplinary appeal meeting—</p> <ul style="list-style-type: none"> (a) no business other than the question of the appeal may be conducted; and (b) the Committee must state the grounds for expelling the member and the reasons for taking that action; and (c) the person who has been expelled must be given an opportunity to be heard. <p>(2) After complying with subrule (1), the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to expel the person should be upheld or revoked.</p> <p>(3) A member may not vote by proxy at the meeting.</p> <p>(4) The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.</p>
	<p>Division 3 — Grievance procedure</p>
3.26	<p>Application of grievance procedure</p> <p>(1) The grievance procedure set out in this Division applies to disputes under these Rules between—</p> <ul style="list-style-type: none"> (a) a member and another member; (b) a member and the Committee; (c) a member and the Society. <p>(2) A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.</p>
3.27	<p>Parties must attempt to resolve the dispute</p> <p>The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.</p>
3.28	<p>Appointment of mediator</p> <p>(1) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 3.27, the parties must within 10 days—</p> <ul style="list-style-type: none"> (a) notify the Committee of the dispute; and (b) agree to or request the appointment of a mediator; and (c) attempt in good faith to settle the dispute by mediation. <p>(2) The mediator must be—</p> <ul style="list-style-type: none"> (a) a person chosen by agreement between the parties; or (b) in the absence of agreement— <ul style="list-style-type: none"> (i) if the dispute is between a member and another member—a person appointed by the Committee; or (ii) if the dispute is between a member and the Committee or the Society—a person appointed or employed by the Dispute Settlement Centre of Victoria. <p>(3) A mediator appointed by the Committee may be a member or former member of the Society but in any case must not be a person who—</p> <ul style="list-style-type: none"> (a) has a personal interest in the dispute; or (b) is biased in favour of or against any party. <p>(4) If a mediator is to be appointed by the committee, the mediator must be appointed no later than 14 days after the committee has considered the grievance.</p>
3.29	<p>Mediation process</p> <p>(1) The mediator to the dispute, in conducting the mediation, must—</p> <ul style="list-style-type: none"> (a) give each party 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 throughout the mediation process. <p>(2) The mediator must not determine the dispute.</p> <p>(3) The mediation process starts as soon as the mediator has been appointed.</p> <p>(4) Once the mediation process has started, the parties will be given 6 months to settle the dispute. If settlement is not reached at the end of that period, the mediation is deemed to have failed.</p>
3.30	<p>Failure to resolve dispute by mediation</p> <p>If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.</p>

PART 4 – GENERAL MEETINGS OF THE SOCIETY

No.	Rule
4.1	<p>Annual general meetings</p> <p>(1) The Committee must convene an annual general meeting of the Society within 5 months after the end of each financial year.</p> <p>(2) Despite subrule (1), the Society may hold its first annual general meeting at any time within 18 months after its incorporation.</p> <p>(3) The Committee may determine the date, time and place of the annual general meeting.</p> <p>(4) The ordinary business of the annual general meeting is as follows—</p> <ul style="list-style-type: none"> (a) to confirm the minutes of the previous annual general meeting and of any special general meeting held since then; (b) to receive and consider— <ul style="list-style-type: none"> (i) the annual report of the Committee on the activities of the Society during the preceding financial year; and (ii) the financial statements of the Society for the preceding financial year submitted by the Committee in accordance with Part 7 of the Act; (c) to elect members to vacant positions on the Committee. <p>(5) The annual general meeting may also conduct—</p> <ul style="list-style-type: none"> (a) any other business of which the committee has given notice at the time of the despatch of the notice of the meeting; and (b) any other business brought forward by a member of which at least 14 days' notice has been given addressed to the Secretary.
4.2	<p>Special general meetings</p> <p>(1) Any general meeting of the Society, other than an annual general meeting or a disciplinary appeal meeting, is a special general meeting.</p> <p>(2) The Committee may convene a special general meeting whenever it thinks fit.</p> <p>(3) No business other than that set out in the notice under rule 4.4 may be conducted at the meeting.</p> <p>(4) Despite subrule (3), general business may be considered at the meeting if it is included as an item for consideration in the notice under rule 4.4 and the majority of members at the meeting agree.</p>
4.3	<p>Special general meeting held at request of members</p> <p>(1) The Committee must convene a special general meeting if a request to do so is made in accordance with subrule (2) by at least 10% of the total number of members.</p> <p>(2) A request for a special general meeting must—</p> <ul style="list-style-type: none"> (a) be in writing; and (b) state the business to be considered at the meeting and any resolutions to be proposed; and (c) include the names and signatures of the members requesting the meeting; and (d) be given to the Secretary. <p>(3) If the Committee does not convene a special general meeting within one month after the date on which the request is made, the members making the request (or any of them) may convene the special general meeting.</p> <p>(4) A special general meeting convened by members under subrule (3)—</p> <ul style="list-style-type: none"> (a) must be held within 3 months after the date on which the original request was made; and (b) may only consider the business stated in that request. <p>(5) The Society must reimburse all reasonable expenses incurred by the members convening a special general meeting under subrule (3).</p>

No.	Rule
4.4	<p>Notice of general meetings</p> <p>(1) Notice of the annual general meeting shall be given in writing to all Members at least 21 days prior to the date fixed for the meeting by the Committee. If any election is required, nomination forms shall be despatched with the said notice.</p> <p>(2) Notice of a general meeting where a special resolution is to be proposed at the meeting shall be given in writing to all Members at least 21 days prior to the date fixed for the meeting by the Committee.</p> <p>(3) Notice of any other general meeting shall be given in writing to all Members at least 14 days prior to the date fixed for the meeting by the Committee.</p> <p>(4) The notice must—</p> <ul style="list-style-type: none"> (a) specify the date, time and place of the meeting; and (b) indicate the general nature of each item of business to be considered at the meeting; and (c) if a special resolution is to be proposed— <ul style="list-style-type: none"> (iii) state in full the proposed resolution; and (iv) state the intention to propose the resolution as a special resolution. <p>(5) This rule does not apply to a disciplinary appeal meeting.</p>
4.5	<p>Proxies at general meetings</p> <p>Proxies are not permitted at any general meeting of the Society.</p>
4.6	<p>Use of technology at general meetings</p> <p>The use of communications technology at a general meeting is not permitted. All members who wish to participate in the meeting must be physically present.</p>
4.7	<p>Quorum at general meetings</p> <p>(1) No business may be conducted at a general meeting unless a quorum of members is present.</p> <p>(2) The quorum for a general meeting is the presence of 10% of the members entitled to vote.</p> <p>(3) If a quorum is not present within 30 minutes after the notified commencement time of a general meeting—</p> <ul style="list-style-type: none"> (a) in the case of a meeting convened by, or at the request of, members under rule 4.3—the meeting must be dissolved; (b) if a meeting convened by, or at the request of, members is dissolved under this subrule, the business that was to have been considered at the meeting is taken to have been dealt with. If members wish to have the business reconsidered at another special meeting, the members must make a new request under rule 4.3. (c) in any other case— <ul style="list-style-type: none"> (i) the meeting must be adjourned to a date not more than 21 days after the adjournment; and (ii) notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all members as soon as practicable after the meeting. <p>(4) If a quorum is not present within 30 minutes after the time to which a general meeting has been adjourned under subrule (3)(b), the members present at the meeting (if not fewer than 3) may proceed with the business of the meeting as if a quorum were present.</p>
4.8	<p>Adjournment of general meeting</p> <p>(1) The Chairperson of a general meeting at which a quorum is present may, with the consent of a majority of members present at the meeting, adjourn the meeting to another time at the same place or at another place.</p> <p>(2) Without limiting subrule (1), a meeting may be adjourned—</p> <ul style="list-style-type: none"> (a) if there is insufficient time to deal with the business at hand; or (b) to give the members more time to consider an item of business. <p>(3) No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.</p> <p>(4) Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with rule 4.4.</p>

No.	Rule
4.9	<p>Voting at general meeting</p> <p>(1) On any question arising at a general meeting—</p> <p style="padding-left: 20px;">(a) subject to subrule (3), each member who is entitled to vote has one vote; and</p> <p style="padding-left: 20px;">(b) except in the case of a special resolution, the question must be decided on a majority of votes.</p> <p>(2) If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.</p> <p>(3) If the question is whether or not to confirm the minutes of a previous meeting, only members who were present at that meeting may vote.</p> <p>(4) This rule does not apply to a vote at a disciplinary appeal meeting conducted under rule 3.25.</p>
4.10	<p>Special resolutions</p> <p>(1) A special resolution is passed if not less than three quarters of the members voting at a general meeting vote in favour of the resolution.</p> <p>(2) In addition to certain matters specified in the Act, a special resolution is required—</p> <p style="padding-left: 20px;">(a) to remove a committee member from office ;</p> <p style="padding-left: 20px;">(b) to alter these Rules, including changing the name or any of the purposes of the Association.</p> <p>(3) The Society may in general meeting from time to time adopt additional regulations for the conduct of meetings (not to be inconsistent with these Rules) and may vary or negate regulations so adopted.</p>
4.11	<p>Determining whether resolution carried</p> <p>(1) Subject to subsection (2), the Chairperson of a general meeting may, on the basis of a show of hands, declare that a resolution has been—</p> <p style="padding-left: 20px;">(a) carried; or</p> <p style="padding-left: 20px;">(b) carried unanimously; or</p> <p style="padding-left: 20px;">(c) carried by a particular majority; or</p> <p style="padding-left: 20px;">(d) lost—</p> <p>(2) and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.</p> <p>(3) If a poll (where votes are cast in writing) is demanded by three or more members on any question—</p> <p style="padding-left: 20px;">(a) the poll must be taken at the meeting in the manner determined by the Chairperson of the meeting; and</p> <p style="padding-left: 20px;">(b) the Chairperson must declare the result of the resolution on the basis of the poll.</p> <p>(4) A poll demanded on the election of the Chairperson or on a question of an adjournment must be taken immediately.</p> <p>(5) A poll demanded on any other question must be taken before the close of the meeting at a time determined by the Chairperson.</p>
4.12	<p>Minutes of general meeting</p> <p>(1) The Committee must ensure that minutes are taken and kept of each general meeting.</p> <p>(2) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.</p> <p>(3) In addition, the minutes of each annual general meeting must include—</p> <p style="padding-left: 20px;">(a) the names of the members attending the meeting; and</p> <p style="padding-left: 20px;">(b) the financial statements submitted to the members in accordance with rule 4.1(4)(b)(ii); and</p> <p style="padding-left: 20px;">(c) the certificate signed by two committee members certifying that the financial statements give a true and fair view of the financial position and performance of the Society; and</p> <p style="padding-left: 20px;">(d) any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.</p> <p>(4) The minutes of a general meeting must be retained for an indefinite period.</p>

PART 5 – MANAGEMENT COMMITTEE

No.	Rule
Division 1 — Powers of the Committee	
5.1	<p>Role and powers of the Committee</p> <p>(1) The business of the Society must be managed by or under the direction of a Committee.</p> <p>(2) The Committee may exercise all the powers of the Society except those powers that these Rules or the Act require to be exercised by general meetings of the members of the Society.</p> <p>(3) The Committee may—</p> <ul style="list-style-type: none"> (a) appoint and remove staff; (b) establish subcommittees consisting of members with terms of reference it considers appropriate.
5.2	<p>Delegation</p> <p>(1) The Committee may delegate to a member of the Committee, a subcommittee or staff, any of its powers and functions other than—</p> <ul style="list-style-type: none"> (a) this power of delegation; or (b) a duty imposed on the Committee by the Act or any other law. <p>(2) The delegation must be in writing and may be subject to the conditions and limitations the Committee considers appropriate.</p> <p>(3) The Committee may, in writing, revoke a delegation wholly or in part.</p>
Division 2 — Composition of Committee and duties of members	
5.3	<p>Composition of the Committee</p> <p>(1) The management of the affairs and of the property of the Society shall be vested in the Committee consisting of:</p> <ul style="list-style-type: none"> (a) a President; (b) a Secretary; (c) a Treasurer; (d) 6 committee members (whose number may be increased to not more than 10 by the Society in a General Meeting). (e) not more than 5 other members of the Society who may be co-opted to the Committee by it from time to time for a period not exceeding two years. <p>(2) The President, Secretary and Treasurer together with one committee member to be elected by the Committee at its first meeting after each annual general meeting shall constitute the Executive.</p>
5.4	<p>General Duties of committee members</p> <p>(1) As soon as practicable after being elected or appointed to the Committee, each committee member must become familiar with these Rules and the Act.</p> <p>(2) The Committee is collectively responsible for ensuring that the Society complies with the Act and that individual members of the Committee comply with these Rules.</p> <p>(3) Committee members must exercise their powers and discharge their duties with reasonable care and diligence.</p> <p>(4) Committee members must exercise their powers and discharge their duties—</p> <ul style="list-style-type: none"> (a) in good faith in the best interests of the Society; and (b) for a proper purpose. <p>(5) Committee members and former committee members must not make improper use of—</p> <ul style="list-style-type: none"> (a) their position; or (b) information acquired by virtue of holding their position— <p>so as to gain an advantage for themselves or any other person or to cause detriment to the Society.</p> <p>(6) In addition to any duties imposed by these Rules, a committee member must perform any other duties imposed from time to time by resolution at a general meeting.</p>
5.5	<p>President</p> <p>At all meetings the chair shall be taken by the President or in the President's absence, the Secretary. In the absence of the President and the Secretary, the Treasurer shall take the chair and if he or she also be absent; a Member chosen by the meeting shall take the chair.</p>

No.	Rule
5.6	<p>Secretary</p> <p>(1) The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.</p> <p>(2) The Secretary (or a delegate of the Secretary) must—</p> <ul style="list-style-type: none"> (a) maintain the register of members in accordance with rule 3.19; and (b) keep custody of the common seal (if any) of the Society and, except for the financial records referred to in rule 6.3(3), all books, documents and securities of the Society in accordance with rules 7.1 and 7.4; and (c) subject to the Act and these Rules, provide members with access to the register of members, the minutes of general meetings and other books and documents; and (d) perform any other duty or function imposed on the Secretary by these Rules. <p>(3) The Secretary must give to the Registrar notice of his or her appointment within 14 days after the appointment.</p>
5.7	<p>Treasurer</p> <p>(1) The Treasurer must—</p> <ul style="list-style-type: none"> (a) receive all moneys paid to or received by the Society and issue receipts when required by law or requested by a member for those moneys in the name of the Society; and (b) ensure that all moneys received are paid into the account of the Society within 5 working days after receipt; and (c) make any payments authorised by the Committee or by a general meeting of the Society from the Society's funds; and (d) ensure cheques are signed by at least 2 committee members. <p>(2) The Treasurer must—</p> <ul style="list-style-type: none"> (a) ensure that the financial records of the Society are kept in accordance with the Act; and (b) coordinate the preparation of the financial statements of the Society and their certification by the Committee prior to their submission to the annual general meeting of the Society. <p>(3) The Treasurer must ensure that at least one other committee member has access to the accounts and financial records of the Society.</p>
Division 3 — Election of Committee members and tenure of office	
5.8	<p>Who is eligible to be a Committee member</p> <p>A member is eligible to be elected or appointed as a committee member if the member—</p> <ul style="list-style-type: none"> (a) is 18 years or over; and (b) is entitled to vote at a general meeting.
5.9	<p>Positions to be declared vacant</p> <p>At the first annual general meeting of the Society an election shall be held for each position on the Committee. At each annual general meeting thereafter an election shall be held in respect of each position on the Committee then being or falling vacant.</p>
5.10	<p>Nominations</p> <p>(1) Nominations for all positions on the Committee must be received at the office of the Society no later than 14 days before the annual general meeting.</p> <p>(2) Each nomination must be signed by the candidate, a nominator and a seconder who shall all be Members at the time of nomination.</p> <p>(3) A member may nominate for more than one position but can only be elected to one position.</p> <p>(4) A candidate may choose to submit a written statement in support of his or her nomination.</p> <ul style="list-style-type: none"> (a) Each statement will be no more than one page in length and must be submitted with the candidate's nomination form. (b) Statements will be reviewed and approved by the committee. (c) Once all the statements have been approved, the Secretary will send a copy of each statement to members no later than 7 days before the date of the annual general meeting at which the election is to be held.

No.	Rule
5.11	<p>Election of President etc.</p> <p>(1) When an election is held at the annual general meeting, separate elections must be held for each of the following positions—</p> <ul style="list-style-type: none"> (a) President; (b) Secretary; (c) Treasurer. <p>(2) If only one member is nominated for the position, the Chairperson of the meeting must declare the member elected to the position.</p> <p>(3) If more than one member is nominated, a ballot must be held in accordance with rule 5.13.</p> <p>(4) On his or her election, the new President may take over as Chairperson of the meeting.</p>
5.12	<p>Election of ordinary members of the Committee</p> <p>(1) There will be 6 ordinary members of the committee.</p> <p>(2) The annual general meeting may by resolution decide to increase the number of ordinary members of the committee to not more than 10.</p> <p>(3) A single election may be held to fill all of those positions.</p> <p>(4) If the number of members nominated for the position of ordinary committee member is less than or equal to the number to be elected, the Chairperson of the meeting must declare each of those members to be elected to the position.</p> <p>(5) If the number of members nominated exceeds the number to be elected, a ballot must be held in accordance with rule 5.13.</p>
5.13	<p>Ballot</p> <p>(1) If a ballot is required for the election for a position, the Chairperson of the meeting must appoint a member to act as returning officer to conduct the ballot.</p> <p>(2) The returning officer must not be a member nominated for the position.</p> <p>(3) Before the ballot is taken, a candidate will not be permitted to make any statements in support of his or her election.</p> <p>(4) The election must be by secret ballot.</p> <p>(5) The Secretary shall prepare ballot papers to be handed out to each member present. Every ballot paper shall show clearly the position to be filled and the names of the candidates. Not more than one position may be included on one ballot paper and every ballot paper shall be initialled by the returning officer.</p> <p>(6) If the ballot is for a single position, the voter must indicate their preferred candidate by placing a mark against the name of the candidate for whom they wish to vote. The returning officer must accept a completed ballot paper as a valid vote if the voter's intentions are clear.</p> <p>(7) If the ballot is for more than one person to fill a position, the voter must indicate their preferred candidates by placing a mark against the name of each candidate for whom they wish to vote. The voter may choose to vote for fewer candidates than the number of positions to be filled and the vote will still be valid. The returning officer must accept a completed ballot paper as a valid vote if the voter's intentions are clear.</p> <p>(8) The returning officer must reject a completed ballot paper as an informal vote if the voter has selected more candidates than the number of positions to be filled or if in any other way the voter's intentions are not clear.</p> <p>(9) Each ballot paper on which the name of a candidate has been selected counts as one vote for that candidate.</p> <p>(10) The returning officer must declare elected the candidate or, in the case of an election for more than one position, the candidates who received the most votes.</p> <p>(11) If the returning officer is unable to declare the result of an election under subrule (10) because 2 or more candidates received the same number of votes, the returning officer must—</p> <ul style="list-style-type: none"> (a) conduct a further election for the position in accordance with subrules (4) to (10) to decide which of those candidates is to be elected; or (b) with the agreement of those candidates, decide by lot which of them is to be elected.

No.	Rule
5.14	<p>Term of office</p> <p>(1) The President shall be elected for a period of two years and shall be eligible for re-election to that office for a further two years but once he or she has served two consecutive terms he or she shall not be eligible for re-election to that office until two years shall have elapsed.</p> <p>(2) The Secretary shall be elected for a period of two years and shall remain eligible for re-election.</p> <p>(3) The Treasurer shall be elected for a period of two years and shall remain eligible for re-election.</p> <p>(4) Committee members shall be elected for a period of two years and shall remain eligible for re-election.</p> <p>(5) A general meeting of the Society may—</p> <p style="padding-left: 20px;">(a) by special resolution remove a committee member from office; and</p> <p style="padding-left: 20px;">(b) elect an eligible member of the Society to fill the vacant position in accordance with this Division.</p> <p>(6) A member who is the subject of a proposed special resolution under subrule (5)(a) may make representations in writing to the Secretary or President of the Society (not exceeding a reasonable length) and may request that the representations be provided to the members of the Society.</p> <p>(7) The Secretary or the President may give a copy of the representations to each member of the Society or, if they are not so given, the member may require that they be read out at the meeting at which the special resolution is to be proposed.</p>
5.15	<p>Vacation of office</p> <p>(1) A committee member may resign from the Committee by written notice addressed to the Committee.</p> <p>(2) A person ceases to be a committee member if he or she—</p> <p style="padding-left: 20px;">(a) ceases to be a member of the Society; or</p> <p style="padding-left: 20px;">(b) fails to attend 3 consecutive committee meetings (other than special or urgent committee meetings) without leave of absence under rule 5.26; or</p> <p style="padding-left: 20px;">(c) otherwise ceases to be a committee member by operation of section 78 of the Act.</p>
5.16	<p>Filling casual vacancies</p> <p>(1) The Committee may appoint an eligible member of the Society to fill a position on the Committee that—</p> <p style="padding-left: 20px;">(a) has become vacant under rule 5.15; or</p> <p style="padding-left: 20px;">(b) was not filled by election at the last annual general meeting.</p> <p>(2) If the position of Secretary becomes vacant, the Committee must appoint a member to the position within 14 days after the vacancy arises.</p> <p>(3) Rule 5.14 applies to any committee member appointed by the Committee under subrule (1) or (2).</p> <p>(4) The Committee may continue to act despite any vacancy in its membership.</p>
Division 4 — Meetings of Committee	
5.17	<p>Meetings of the Committee</p> <p>(1) The Committee must meet at least 4 times in each year at the dates, times and places determined by the Committee.</p> <p>(2) The date, time and place of the first committee meeting must be determined by the members of the Committee as soon as practicable after the annual general meeting of the Society at which the members of the Committee were elected.</p> <p>(3) Special committee meetings may be convened by the President or by any 4 members of the Committee.</p>
5.18	<p>Notice of committee meetings</p> <p>(1) Notice of each committee meeting must be given to each committee member no later than 7 days before the date of the meeting.</p> <p>(2) Notice may be given of more than one committee meeting at the same time.</p> <p>(3) The notice must state the date, time and place of the meeting.</p> <p>(4) If a special committee meeting is convened, the notice must include the general nature of the business to be conducted.</p> <p>(5) The only business that may be conducted at the meeting is the business for which the meeting is convened.</p>

No.	Rule
5.19	<p>Urgent meetings of the Committee</p> <p>(1) In cases of urgency, a meeting can be held without notice being given in accordance with rule 5.18 provided that as much notice as practicable is given to each committee member by the quickest means practicable.</p> <p>(2) Any resolution made at the meeting must be passed by an absolute majority of the Committee.</p> <p>(3) The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.</p>
5.20	<p>Procedure and order of business at committee meetings</p> <p>(1) The procedure to be followed at a meeting of a Committee must be determined from time to time by the Committee.</p> <p>(2) The order of business may be determined by the members present at the meeting.</p> <p>(3) Between meetings of the Committee the affairs of the Society shall, subject to any directions given by the Committee from time to time, be managed by the Executive which shall at all times be responsible to the Committee.</p> <p>(4) The Executive shall meet upon such occasions and conduct its proceedings in such manner as it shall from time to time think fit.</p>
5.21	<p>Use of technology at committee meetings</p> <p>(1) A committee member who is not physically present at a committee meeting may participate in the meeting by the use of technology that allows that committee member and the committee members present at the meeting to clearly and simultaneously communicate with each other.</p> <p>(2) For the purposes of this Part, a committee member participating in a committee meeting as permitted under subrule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.</p>
5.22	<p>Quorum at committee meetings</p> <p>(1) No business may be conducted at a Committee meeting unless a quorum is present.</p> <p>(2) The quorum for a committee meeting is the presence (in person or as allowed under rule 5.21) of a majority of the committee members.</p> <p>(3) If a quorum is not present within 30 minutes after the notified commencement time of a committee meeting—</p> <p style="padding-left: 20px;">(a) in the case of a special meeting—the meeting lapses;</p> <p style="padding-left: 20px;">(b) in any other case—the meeting must be adjourned to a date no later than 14 days after the adjournment and notice of the time, date and place to which the meeting is adjourned must be given in accordance with rule 5.18.</p>
5.23	<p>Voting at committee meeting</p> <p>(1) On any question arising at a committee meeting, each committee member present at the meeting has one vote.</p> <p>(2) A motion is carried if a majority of committee members present at the meeting vote in favour of the motion.</p> <p>(3) Subrule (2) does not apply to any motion or question which is required by these Rules to be passed by an absolute majority of the Committee.</p> <p>(4) If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.</p> <p>(5) Voting by proxy is not permitted.</p>
5.24	<p>Conflict of interest</p> <p>(1) A committee member who has a material personal interest in a matter being considered at a committee meeting must disclose the nature and extent of that interest to the Committee.</p> <p>(2) The member—</p> <p style="padding-left: 20px;">(a) must not be present while the matter is being considered at the meeting; and</p> <p style="padding-left: 20px;">(b) must not vote on the matter.</p> <p>(3) If there are insufficient committee members to form a quorum because a member who has a material personal interest is disqualified from voting on a matter, a general meeting may be called to deal with the matter.</p> <p>(4) This rule does not apply to a material personal interest—</p> <p style="padding-left: 20px;">(a) that exists only because the member belongs to a class of persons for whose benefit the Society is established; or</p> <p style="padding-left: 20px;">(b) that the member has in common with all, or a substantial proportion of, the members of the Society.</p>

No.	Rule
5.25	Minutes of committee meeting (1) The Committee must ensure that minutes are taken and kept of each committee meeting. (2) The minutes must record the following— (a) the names of the members in attendance at the meeting; (b) the business considered at the meeting; (c) any resolution on which a vote is taken and the result of the vote; (d) any material personal interest disclosed under rule 5.24. (3) The minutes of a committee meeting must be retained for an indefinite period.
5.26	Leave of absence (1) The Committee may grant a committee member leave of absence from committee meetings for a period not exceeding 3 months. (2) The Committee must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the committee member to seek the leave in advance.

PART 6 – FINANCIAL MATTERS

No.	Rule
6.1	<p>Source of funds for the Society The funds of the Society may be derived from joining fees, annual subscriptions, donations, fund-raising activities, grants, interest and any other sources approved by the Committee.</p>
6.2	<p>Management of the funds of the Society</p> <ol style="list-style-type: none"> (1) The Society must open an account with a financial institution from which all expenditure of the Society is made and into which all of the Society's revenue is deposited. (2) Subject to any restrictions imposed by a general meeting of the Society, the Committee may approve expenditure on behalf of the Society. (3) The Committee may authorise the Treasurer to expend funds on behalf of the Society (including by electronic funds transfer) up to a specified limit without requiring approval from the Committee for each item on which the funds are expended. (4) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 committee members. (5) All funds of the Society must be deposited into the financial account of the Society no later than 5 working days after receipt. (6) With the approval of the Committee, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction. (7) Subject to Part 10 of the Act, the assets and income of the Society shall not be given or transferred in any way to any Member save in the exercise of the following powers of the Committee: <ol style="list-style-type: none"> (a) The Committee may employ and remunerate such staff (whether or not Members) as it may require from time to time to assist it in managing the affairs of the Society, including a General Secretary who if employed shall be directly responsible to the Executive. (b) The Committee may make payment by way of remuneration to any Member or other person for services rendered or goods supplied, pay rent to any Member or other person and reimburse any Member or other person for expenses incurred in performance of any act authorised by the Committee. (c) The Committee may remunerate the lawyers, accountants and other advisors of the Society whether or not Members.
6.3	<p>Financial records of the Society</p> <ol style="list-style-type: none"> (1) The Society must keep financial records that— <ol style="list-style-type: none"> (a) correctly record and explain its transactions, financial position and performance; and (b) enable financial statements to be prepared as required by the Act. (2) The Society must retain the financial records for 7 years after the transactions covered by the records are completed. (3) The Treasurer must keep in his or her custody, or under his or her control— <ol style="list-style-type: none"> (a) the financial records for the current financial year; and (b) any other financial records as authorised by the Committee.
6.4	<p>Financial statements of the Society</p> <ol style="list-style-type: none"> (1) For each financial year, the Committee must ensure that the requirements under the Act relating to the financial statements of the Society are met. (2) Without limiting subrule (1), those requirements include— <ol style="list-style-type: none"> (a) the preparation of the financial statements; (b) if required, the review or auditing of the financial statements; (c) the certification of the financial statements by the Committee; (d) the submission of the financial statements to the annual general meeting of the Society; (e) the lodgement with the Registrar of the financial statements and accompanying reports, certificates, statements and fee.

PART 7 – GENERAL MATTERS

No.	Rule
7.1	<p>Common seal</p> <p>(1) The Society may have a common seal.</p> <p>(2) If the Society has a common seal—</p> <ul style="list-style-type: none"> (a) the name of the Society must appear in legible characters on the common seal; (b) a document may only be sealed with the common seal by the authority of the Committee and the sealing must be witnessed by the signatures of two committee members; (c) the common seal must be kept in the custody of the Secretary.
7.2	<p>Registered address</p> <p>The registered address of the Society is—</p> <ul style="list-style-type: none"> (a) the address determined from time to time by resolution of the Committee; or (b) if the Committee has not determined an address to be the registered address—the postal address of the Secretary.
7.3	<p>Notice requirements</p> <p>(1) Any notice required to be given to a member or a committee member under these Rules may be given—</p> <ul style="list-style-type: none"> (a) by handing the notice to the member personally; or (b) by sending it by post to the member at the address recorded for the member on the register of members; or (c) by email transmission; or (d) by such other means that the Committee may decide to allow. <p>(2) Subrule (1) does not apply to notice given under rule 5.19.</p> <p>(3) A member can nominate how he or she wishes to receive:</p> <ul style="list-style-type: none"> (a) annual general meeting and special general meeting documents; and (b) membership renewals and reminders; and (c) other correspondence such as notices of meetings and events; and (d) the Newsletter. <p>(4) For each category, the choice will be:</p> <ul style="list-style-type: none"> (a) by Post; or (b) by Email; or (c) by such other means that the Committee may decide to allow. <p>(5) Any notice required to be given to the Society or the Committee may be given—</p> <ul style="list-style-type: none"> (a) by handing the notice to a member of the Committee; or (b) by sending the notice by post to the registered address; or (c) by leaving the notice at the registered address; or (d) if the Committee determines that it is appropriate in the circumstances— <ul style="list-style-type: none"> (i) by email to the email address of the Society or the Secretary; (ii) by such other means that the Committee may decide to allow.

No.	Rule
7.4	<p>Custody and inspection of books and records</p> <p>(1) Except as otherwise provided in these Rules or by the Committee, the Secretary shall keep in his or her custody under his or her control the books, documents and securities of the Society.</p> <p>(2) Except as otherwise provided in the following subrules, members may on request inspect free of charge—</p> <ul style="list-style-type: none"> (a) the register of members; (b) the minutes of general meetings; (c) subject to subrule (3), the financial records, books, securities and any other relevant document of the Society, including minutes of Committee meetings. <p>(3) The Committee may refuse to permit a member to inspect records of the Society that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Society.</p> <p>(4) The Committee must on request make copies of these rules available to members and applicants for membership free of charge.</p> <p>(5) The full membership register will be made available to members of the committee only.</p> <p>(6) A member of the Society can inspect the membership list by submitting a request to the Secretary. The Secretary (or a delegate of the Secretary) will provide access to a subset of the membership data in order to protect members' privacy. This membership list will show the names of current members only. Other information about a member such as address, phone number, email address and payment details will not be shown.</p> <p>(7) A member of the Society can inspect any of the Society's financial records by submitting a request to the Treasurer. Any documents which are commercial-in-confidence will not be made available.</p> <p>(8) A member of the Society can inspect any of the other records of the Society by submitting a request to the Secretary. Any documents which are commercial-in-confidence will not be made available.</p> <p>(9) All reasonable requests from members to inspect any records of the Society will be dealt with within 7 days or as mutually agreed.</p> <p>(10) There will no charge to a member who wishes to inspect any documents unless there is a cost to the Society in which case the member may be asked to cover that cost.</p> <p>(11) Subject to subrule (3), a member may make a copy of any of the other records of the Society referred to in this rule and the Society may charge a reasonable fee for provision of a copy of such a record except for the provisions of the subrules below.</p> <p>(12) Copies of the membership register will be made available to members of the committee only.</p> <p>(13) If a member of the Society asks for a copy of the membership list, the request will be denied on the grounds that this would be a breach of members' privacy.</p> <p>(14) A member of the Society can request a copy of any of the Society's financial records by submitting a request to the Treasurer. Any documents which are commercial-in-confidence will not be made available. The Treasurer will provide a copy of the requested records in printed form or electronic form.</p> <p>(15) A member of the Society can request a copy of any of the other records of the Society by submitting a request to the Secretary. Any documents which are commercial-in-confidence will not be made available. The Secretary (or a delegate of the Secretary) will provide a copy of the requested records in printed form or electronic form.</p> <p>(16) All reasonable requests from members for copies of documents will be dealt with within 30 days or as mutually agreed.</p> <p>(17) Depending on the volume of documents to be copied, a request from a member may be referred to the committee to decide whether the member will be asked to pay a fee to cover the cost of copying.</p> <p>(18) For purposes of this rule—</p> <p>relevant documents means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the Society and includes the following—</p> <ul style="list-style-type: none"> (a) its membership records; (b) its financial statements; (c) its financial records; (d) records and documents relating to transactions, dealings, business or property of the Society.

No.	Rule
7.5	Winding up and cancellation of the Society (1) The Society may be wound up voluntarily by special resolution. (2) In the event of the winding up or the cancellation of the incorporation of the Society, the surplus assets of the Society must not be distributed to any members or former members of the Society. (3) Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to a body that has similar purposes to the Society and which is not carried on for the profit or gain of its individual members. (4) The body to which the surplus assets are to be given must be decided by special resolution.
7.6	Alteration of Rules (1) These Rules may only be altered by special resolution of a general meeting of the Society. (2) An alteration of these Rules does not take effect unless or until it is approved by the Registrar.

PART 8 – THE PUBLIC FUND

Note: The rules in this Part are the rules of the Special Productions Fund which were adopted by the committee at a special committee meeting held on 20 February 2012.

No.	Rule
8.1	<p>Establishment of the Public Fund The Society has established and maintains a public fund.</p>
8.2	<p>Name of the Public Fund The name of the public fund is <i>The Special Productions Fund</i>.</p>
8.3	<p>Purpose of the Public Fund The purpose of the Fund is to sponsor productions of the works of Richard Wagner.</p>
8.4	<p>Use of Funds from the Public Fund The following activities shall be considered as acceptable as productions of the works of Richard Wagner:</p> <ul style="list-style-type: none"> (a) Fully-staged opera performances of the works of Wagner in Australia. (b) Concert performances of the works of Wagner in Australia. (c) Recitals of Wagner's works in Australia. (d) Preparatory activities such as training, mentoring and rehearsals even if these activities take place outside Australia. (e) Any other performance of the works of Wagner that is consistent with the purposes and objects of the Society.
8.5	<p>Exclusions for the Public Fund Payments from the Fund for the following activities are excluded:</p> <ul style="list-style-type: none"> (a) Performances and recitals which take place outside Australia. (b) Advertising and promotion of productions or individual artists. (c) Hospitality. (d) Fund raising. (e) Other promotional activities.
8.6	<p>Donations to the Public Fund</p> <ul style="list-style-type: none"> (1) Donations to the Fund will be accepted from members of the Society and members of the public. (2) Members of the Society will be invited to donate to the Fund as part of the annual membership renewal process, as part of the notice to members of the annual general meeting and at other times as decided by the Committee. (3) Members of the public will be invited to donate to the Fund through an appropriate notice on the Society's web site.
8.7	<p>Requests from Donors to the Public Fund A donor may request that their donation be used to support a particular project, activity, organisation or artist but the Committee does not have to comply with that request. Applications for funding will be considered on their merits.</p>
8.8	<p>Public Participation in the Fund</p> <ul style="list-style-type: none"> (1) Members of the public will be invited to donate to the Fund. (2) A Fund subcommittee will be established. (3) The Fund subcommittee will consist of at least three (3) members of the Society. (4) A majority of the members of the Fund subcommittee will be "responsible persons" as defined by the Australian Taxation Office in Taxation Ruling TR95/27. (5) The Fund subcommittee will be responsible for compliance, i.e. ensuring that the Fund is fully compliant with the ATO requirements for continued endorsement as a DGR fund.
8.9	<p>Selection Process for Payments from the Public Fund</p> <ul style="list-style-type: none"> (1) Applications for payments from the Fund must be made in writing. (2) Applicants will be encouraged to provide samples of their work, e.g. on CD or DVD. (3) The Committee will assess each application on its merits and will decide whether or not a payment will be made and how much will be given. The Committee's decision will be final. (4) Decisions by the Committee will be by majority vote of the members of the Committee attending the Committee meeting where the application is being considered. (5) The Committee will consider: <ul style="list-style-type: none"> (a) Statements of support from appropriate referees. (b) The applicant's potential. (c) The applicant's willingness to contribute to the activities of the Society and to the presentation of the works of Richard Wagner in Australia.

No.	Rule
8.10	<p>Management of the Public Fund</p> <ol style="list-style-type: none"> (1) Donations will be deposited into the Fund listed on the Register of Cultural Organisations. These monies will be kept separate from other funds of the Society and will only be used to further the principal purpose of the Society. Investment of monies in this Fund will be made in accordance with guidelines for public funds as specified by the Australian Taxation Office. The Fund does not receive any other money or property. (2) The Committee will be responsible for managing the Fund. (3) Payments from the Fund must be authorised by the Committee. (4) The members of the Committee authorised to operate the bank accounts for the Fund will be the same members of the Committee who are authorised to operate the bank accounts of the Society. (5) The Fund subcommittee will meet at least once a year to conduct an annual review of the Fund in accordance with the recommendations of the Australian Taxation Office and report the results of the review to the Committee at the next meeting of the Committee. (6) No monies/assets in the Fund will be distributed to members or office bearers of the Society, except as reimbursement of out-of-pocket expenses incurred on behalf of the Fund or proper remuneration for administrative services. (7) The Department responsible for the administration of the Register of Cultural Organisations will be notified of any proposed amendments or alterations to provisions for the Fund, to assess the effect of any amendments on the Fund's continuing Deductible Gift Recipient status. (8) Receipts for gifts to the Fund must state: <ul style="list-style-type: none"> • the name of the Fund and that the receipt is for a gift made to the Fund; • the Australian Business Number (ABN) of the Society; • the fact that the receipt is for a gift; and • any other matter required to be included on the receipt pursuant to the requirements of the Income Tax Assessment Act 1997.
8.11	<p>Accounting for the Public Fund</p> <p>The Treasurer will:</p> <ol style="list-style-type: none"> (1) Maintain a separate set of accounts for the Fund. (2) Maintain separate bank accounts for the Fund where the name of each bank account will clearly identify the name of the Fund. (3) Ensure that donations made to the Fund are paid into the Fund's bank account in a timely manner. (4) Issue receipts for gifts in accordance with Australian Tax Office requirements including: <ol style="list-style-type: none"> (a) the Australian Business Number (ABN) for the Fund; (b) date the gift was received; (c) name of the organisation; (d) name of the Fund; (e) signature of a person authorised to act on behalf of the Fund; (f) name of the donor; (g) type of gift (money or property) and value; and (h) indication that the Fund is listed on the Register of Cultural Organisations maintained under Subdivision 30-B of the Income Tax Assessment Act 1997. (5) Maintain a register of donors which is available for inspection by members of the Committee. (6) Submit statements to the administrators of the Register of Cultural Organisations in a timely manner and in the form required by law. (7) Present a statement of assets and liabilities for the Fund and a statement of income and expenses for the Fund to the Committee at each Committee meeting. (8) On behalf of the Committee present a statement of assets and liabilities for the Fund and a statement of income and expenses for the Fund to the members of the Society at each annual general meeting of the Society. (9) Ensure records are retained for a minimum of 7 years.

No.	Rule
8.12	<p>Winding Up of the Public Fund</p> <p>If upon the winding-up or dissolution of the Fund, there remains after satisfaction of all its debts and liabilities, any property or funds, the property or funds shall not be paid to or distributed among its members, but shall be given or transferred to some other fund, authority or institution having objects similar to the objects of this Fund, and whose rules shall prohibit the distribution of its or their income among its or their members, such fund, authority or institution to be eligible for tax deductibility of donations under Subdivision 30-B, section 30-100, of the <i>Income Tax Assessment Act 1997</i> and listed on the Register of Cultural Organisations maintained under the Act.</p>

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