

**TASMANIAN ASSOCIATION OF VOCATIONAL REHABILITATION
PROVIDERS INCORPORATED**

(TAVRP INC)

RULES

**Changes as per Special General Meeting
Held on 07.05.15**

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RULES

Name

1. The name of the association shall be **TASMANIAN ASSOCIATION OF VOCATIONAL REHABILITATION PROVIDERS INC.** (in these rules called "the Association"). The acronym TAVRP Inc. is commonly used in practice.

Interpretation

2. (1) In these rules, unless the contrary intention appears:

"Act" means the *Associations Incorporation Act 1964 (TAS)*;

"Annual subscription" refers to the period commencing 1st January to 31st December;

"Associate" means an individual holding membership of the Association at the category of "Associate Member" and who does not have voting rights;

"Association" means Tasmanian Association of Vocational Rehabilitation Providers Inc;

"Committee" means the Committee of Management of the Association;

"Committee Member" means a member of the Committee to whom paragraph (a), (b) of sub-clause (1) of rule 26 relates;

"Fellow" means an individual holding membership of the Association at the category of "Fellow" and who has voting rights;

"Financial year" means the year ending 30 June;

"Full Member" means an individual holding membership of the Association at the category of "Full Member" and who has voting rights;"

General Meeting" means a General Meeting of members convened in accordance with rule 14;

"Life Member" means an individual holding membership of the Association at the category of "Life Member" and who has voting rights;

"Member" means an individual holding membership of the Association at the category of "Student Member", "Associate Member", "Provisional Member", "Full Member", "Fellow" or Life Member

“Membership” means the entire group of Members
“Provisional Member” means an individual holding membership of the Association at the category of “Provisional Member” who has voting rights;
“Ratified Document” means any document which is officially adopted by the Committee and recorded in these rules after being passed by Members according to Clause 38;
“Student Member” means an individual holding membership of the Association at the category of “Student Member” and who does not have voting rights;
“Vocational Rehabilitation” means the process of delivering services as defined under “Occupational Rehabilitation” in the Association’s *Code of Principle’s and Practice*.

- (2) In these rules, expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography, and other modes of representing or reproducing words in visible form.
- (3) Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the *Acts Interpretation Act 1931* and the Act as in force on the date on which the Association adopts these rules.

Registered Address

3. The registered address of the Association shall be at the residential address of the Public Officer, or, such other place as the Committee may, from time to time determine.

Objects and Purposes of the Association

4. (1) In this rule, “basic objects of the Association” means the objects and purposes of the Association, as set out in First Schedule. These are as stated in the application under subsection (2) of section 7 of the Act for the Incorporation of the Association lodged with the Commissioner pursuant to that section.
- (2) The objects of the Association shall be the basic objects of the Association as defined above; in furtherance of these basic objects, the Association shall be deemed to have all the powers of a natural person, including owning property and engaging employees.

Membership

5. (1) Membership shall be open to all individuals who subscribe to the purposes of the Association, meet the required qualifying criteria, as per sub clause (4), and pay the prescribed entry and annual fees. No restrictions shall be imposed on any person by virtue of religious or political beliefs, sex, nationality, race or age but the Committee shall have the right to refuse membership to any individual at its discretion.
- (2) Those persons listed in the Second Schedule hereto are deemed to be Members as at incorporation.
- (3) The Association shall consist of Members
- (4) It is possible for a person to belong to the Association in one of the following categories:
- Life Member
 - Fellow
 - Full Member
 - Provisional Member
 - Associate Member or
 - Student Member
- (i) *Qualifying criteria for "Life Member"*
- *A person to whom the Association has conferred Life Membership based upon that person having given outstanding service to the Association*
 - *That person has all the rights of a Full Member and is exempt from paying annual membership subscriptions*
 -
- (ii) *Qualifying criteria for "Fellow"*
- Professional, tertiary qualification in a health related field, which has an integral involvement in Vocational Rehabilitation. Examples of such fields are: Occupational Therapy, Audiology, Physiotherapy, Medicine, Psychology, Nursing, Social Work, Rehabilitation Counseling; and
 - Proven experience for a minimum of five (5) years' full time, or equivalent, in managing the Vocational Rehabilitation process. Such a process must focus on the integration of, and

- liaison with all parties involved in treating, rehabilitating and returning the worker to optimum health and employment status; and
 - Academic contributions to Vocational Rehabilitation such as recognized scientific presentations, papers, publications, or similar; and
 - Is eligible for full membership of his/her professional association.
- (iii) *Qualifying criteria for “Full Member”*
- Professional tertiary qualifications in a health related field, which has an integral involvement in Vocational Rehabilitation. Examples of such fields are Occupational Therapy, Physiotherapy, Audiology, Medicine, Psychology, Nursing, Social Work and Rehabilitation Counseling; and
 - Proven experience for a minimum of two (2) years’ full time, or equivalent, in managing the Vocational Rehabilitation process. Such a process must focus on the integration of, and liaison with, all parties involved in treating, rehabilitating and returning the worker to optimum health and employment status; and
 - Is eligible for full membership of his/her professional association.
- (iv) *Qualifying criteria for “Provisional Member”*
- Professional tertiary qualifications in a health related field, which has an integral involvement in Vocational Rehabilitation. Examples of such fields are Occupational Therapy, Physiotherapy, Audiology, Medicine, Psychology, Nursing, Social Work and Rehabilitation Counseling; and
 - Less than two (2) years full time, or equivalent, proven experience in managing the Vocational Rehabilitation process. Such a process must focus on the integration of, and liaison with, all parties involved in treating, rehabilitating and returning the worker to optimum health and employment status; and
 - Is eligible for full membership of his/her professional association.

- (v) *Qualifying criteria for "Associate Member"*
 - Work in a role which involves managing the Vocational Rehabilitation process by coordinating a multiple of disciplines in order to achieve Vocational Rehabilitation objectives; or
 - Professional interest in the field of Vocational Rehabilitation.

- (vi) *Qualifying criteria for " Student Member"*
A person undertaking a course of Tertiary study which is integral to the field of Vocational Rehabilitation
Annual proof of Tertiary enrolment is required
A Student Member does not have any voting rights under these Rules but is entitled to participate fully in all the activities of the Association

- (5) An application by a person for membership of the Association shall be made by the applicant in writing, on an Application Form of the Association , nominated by any two of the following, Life Member, Fellow, Full Member or Provisional Member and delivered to the Public Officer or nominated Officer or Servant of the Association.

- (6) Upon a nomination being received, the Public Officer or nominated Officer or Servant of the Association, shall, advise the Committee of the Association with as little delay as possible for them to consider the eligibility of the nominee for membership of the Association. Upon an application being referred to the Committee the Committee shall determine whether to approve or to reject the application. The Committee shall not be required to give any reasons for the rejection of an application. The Committee retains the absolute right to determine membership eligibility and category.

- (7) Upon an application being approved by the Committee, the Public Officer or nominated Officer or Servant of the Association, shall, notify the applicant in writing that the application is approved for membership of the Association and request payment within the period of twenty-eight (28) days, after receipt of the notification of the sum payable under these Rules, of the entrance fee and the first year's annual subscription.

Should the sum payable be not paid in the due time, the Committee, may at its discretion, cancel its acceptance of the applicant for membership of the Association.

- (8) A right, privilege, or obligation of a person by virtue of his membership of the Association -
 - (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates upon the cessation of his membership, whether by death, resignation, or otherwise.

- (9) In the event of the Association being wound up -
 - (a)
 - (i) every Member of the Association; and

 - (ii) every person who, within the period of twelve (12) months immediately preceding the commencement of the winding up, was a Member of the Association;

is liable to contribute to the assets of the Association for payment of the debts or liabilities of the Association and or the costs, charges, and expenses of the winding up and for the adjustment of the rights of the contributories among themselves such sum, not exceeding FIVE DOLLARS (\$5.00) as may be required, but a former Member is not liable so to contribute in respect of any debt or liability of the Association contracted after he ceased to be a member; and
 - (b) if the Association has funds in credit, after paying all liabilities and debts, then these monies shall be transferred to any organization or organizations which has similar objects and which has rules prohibiting the distribution of its assets and income to its Members.

Register of Members

- 6. The Public Officer or nominated Officer or Servant of the Association shall keep and maintain a register of membership

in which shall be entered the full name, address and date of entry of the each Member and the register shall be available for inspection by the membership at the address of the Public Officer or nominated Officer or Servant of the Association.

Resignation of Members

7. (1) A Member, may at any time, by giving one (1) month's notice in writing to the Public Officer or nominated Officer or Servant of the Association, resign their membership of the Association, but, shall continue to be liable for any annual subscription and all arrears due and unpaid at the date of the resignation and for all other monies owing to the Association by the Member.
- (2) Upon the expiration of the notice given under sub-clause (1), the Public Officer or nominated Officer or Servant of the Association shall make in the register of members an entry recording the date, on which the Member, by whom the notice was given, ceased to hold membership.

Agreed Principles of Conduct of the Association

8. In addition to adhering to the Purposes and Objects of the Association previously mentioned, all Members of the Association also agree:-
 - (1) To abide by the majority decision of the membership, however, a specific request may be made for a minority view to be documented; and
 - (2) To support the elected representatives of the Association in public on agreed matters; and
 - (3) To undertake not to engage in private individual negotiations on matters or issues which have been agreed to as being of common interest to other Members and on which a common platform has been established, without the prior knowledge of the Association. Individual Members, , or groups thereof, who wish to negotiate separately on such issues must first advise the Association in writing in advance, with at least seven (7) working days notice, of their desire to make a separate approach and provide a reasonable explanation of the need for this action; and

- (4) To abide by the Association's ratified documents: –
- (a) *Code of Principles and Practice* – Ratified 1/06/2006;
 - (b) *Competency Standards & Guidelines for Occupational Rehabilitation Professionals* – Ratified 1/6/2006;
 - (c) *Code of Conduct* – Ratified 23/7/2009.

Income and Property of the Association

9. (1) The income and property of the Association, however derived, shall be applied solely towards the promotion of the objects and purposes of the Association and no portion thereof shall be paid or transferred, directly or indirectly, by dividend, bonus or otherwise, to any Member of the Association.
- (2) The Association shall not -
- (a) appoint a person who is a Member of the Committee to any office for which there is payable any remuneration by way of salary, fees, or allowances; or
 - (b) pay to any person who is a Member of the Committee any remuneration or other benefits money or money's worth (other than the repayment of out- of-pocket expenses).
- (3) Nothing in the foregoing provisions of this rule prevents the payment in good faith to a servant or Member of the Association of -
- (a) remuneration in return for services actually rendered to the Association by the servant or Member or for goods supplied to the Association by the servant or Member in the ordinary course of business;
 - (b) interest at a rate not exceeding seven and half per cent (7.5%) on moneys lent to the Association by the servant or Member; or

- (c) a reasonable and proper sum by way of rent for premises let to the Association by the servant or Member.

Accounts

- 10. (1) True accounts shall be kept -
 - (a) of all sums of money received and expended by the Association and the matter in respect of which the receipt or expenditure takes place; and
 - (b) of the property, credits and liabilities of the Association, and
 - (c) subject to any reasonable restrictions as to time and manner of inspecting them that may be imposed by the Association for the time being, those accounts shall be open to the inspection of the membership of the Association.
- (2) The Treasurer or nominated Officer or Servant of the Association shall faithfully keep all general records, accounting books, and records of receipts and expenditure connected with the operations and business of the Association in such form and manner as the Committee may direct.
- (3) The accounts, books, and records referred to in sub-clause (1) and (2) of this rule shall be kept at the Treasurer's office or home or at such other place as the Committee may decide.

Treasurer and Accounts

- 11. (1) The Treasurer of the Association shall, on behalf of the Association receive all moneys paid to the Association and if not already issued issue a combined tax invoice and receipt.
- (2) The Committee shall cause to be opened with such bank as the Committee selects a banking account in the name of the Association into which all moneys received shall be paid by the Treasurer as soon as possible after receipt thereof.
- (3) The Committee may receive from the Association's bank or bankers for the time being the cheques drawn by the Association on any of its accounts with the bank or bankers

and may release and indemnify the bank or bankers from and against all claims, actions, suits or demands that may be brought against the bank or bankers arising directly or indirectly out of those cheques or the surrender thereof to the Association.

- (4) Except with the authority of the Committee, no payment of a sum exceeding One Hundred Dollars (\$100.00) shall be made from the funds of the Association otherwise than by cheque drawn on the Association's bank account, but the Committee may provide the Treasurer with a sum to meet urgent expenditure, subject to the observance of such conditions in relation to the use and expenditure thereof as the Committee may impose.
- (5) No cheques shall be drawn on the Association's bank account except for the payment of expenditure that has been authorised by the Committee.
- (6) All cheques, drafts, bills of exchange, promissory notes, and other negotiable instruments shall be signed by the Treasurer or, in his absence, by such other member of the Committee as the Committee may nominate for that purpose, and shall be countersigned by the Public Officer or at least one other officer of the Association.

Auditor

12. (1) At each Annual General Meeting of the Association, the Members present shall appoint a person as the auditor of the Association.
- (2) A person so appointed shall hold office until the Annual General Meeting next after that at which he is appointed, and is eligible for re-appointment.
- (3) The first auditor of the Incorporated Association may be appointed by the Committee before the first Annual General Meeting, and, if so appointed, shall hold office until the first Annual General Meeting, unless previously removed by a resolution of the members at a General Meeting, in which case the members at the meeting may appoint an auditor to act until the first Annual General Meeting.
- (4) If an appointment is not made at an Annual General Meeting the Committee shall appoint an auditor of the

Association for the then current financial year of the Association.

- (5) Except as provided in sub-rule (3) of this rule, the auditor may only be removed from office by special resolution.
- (6) If a casual vacancy occurs in the office of auditor during the course of a financial year of the Association, the Committee may appoint a person as the auditor and the person so appointed shall hold office until the next succeeding Annual General Meeting.

Examination of Accounts

13. (1) Once at least in each financial year of the Association, the accounts of the Association shall be examined by the auditor.
- (2) The auditor shall certify as to the correctness of the accounts of the Association and shall report thereon to the members present at the Annual General Meeting.
- (3) In his report, and in certifying to the accounts, the auditor shall state: -
 - (a) whether he has obtained the information required by him;
 - (b) whether, in his opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Association according to the information at his disposal and the explanations given to him and as shown by the books of the Association; and
 - (c) whether the rules relating to the administration of the funds of the Association have been observed.
- (4) The Public Officer or nominated Officer or Servant of the Association shall cause to be delivered to the auditor a list of all accounts, books, and records of the Association.
- (5) The auditor: -
 - (a) has a right of access to the accounts, books, records, vouchers and documents of the Association;

- (b) may require from the servants of the Association such information and explanations as may be necessary for the performance of his duties as auditor;
- (c) may employ persons to assist him in investigating the accounts of the Association; and
- (d) may, in relation to the accounts of the Association, examine any member of the Committee or any servant of the Association.

Annual General Meeting

- 14.** (1) The Association shall in each calendar year, hold an Annual General Meeting.
- (2) The Annual General Meeting shall be held on such day (being not later than three months after the close of the financial year of the Association) as the Committee may determine.
- (3) The Annual General Meeting shall be in addition to any other General Meetings that may be held in the same year.
- (4) The Annual General Meeting shall be specified as such in the notice convening it.
- (5) The ordinary business of the Annual General Meeting shall be -
- (a) to confirm the minutes of the last preceding Annual General Meeting and of any General Meeting held since that meeting;
 - (b) to receive from the Committee, auditor, and servants of the Association reports upon the transactions of the Association during the last preceding financial year;
 - (c) to elect the officers of the Association and the Committee members;
 - (d) to appoint the auditor and determine his remuneration;
 - (e) to determine the remuneration of servants of the Association; and

- (f) to set the level of subscription and joining fees for the following year.
- (6) The Annual General Meeting may transact special business of which notice is given in accordance with these rules.
- (7) All General Meetings other than the Annual General Meeting shall be called Special General Meetings.
- (8) A quorum for the purposes of the Annual General Meeting is eight (8) Members with voting rights

Special General Meeting

- 15.** (1) The Committee may, whenever it thinks fit, convene a Special General Meeting of the Association.
- (2) The Committee shall, on the requisition in writing of not less than five (5) Members, convene a Special General Meeting of the Association.
 - (3) A requisition for a Special General Meeting shall state the objects of the meeting and shall be signed by the requisitionists and forwarded to the Secretary of the Association, and, may consist of several documents in the like form, each signed by one or more of the requisitionists.
 - (4) If the Committee does not cause a Special General Meeting to be held within twenty one (21) days from the date on which a requisition therefore is received by the Secretary of the Association, the requisitionists, or any of them, may convene the meeting; but any meeting so convened shall not be held after three months from the date of the deposit of the requisition.
 - (5) A Special General Meeting convened by requisitionists in pursuance of these rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee, and all reasonable expenses incurred in convening the meeting shall be refunded by the Association to the persons incurring them.

Publication of Notice of General Meeting

16. The Public Officer of the Association shall, at least ten (10) days before the date fixed for holding a General Meeting of the Association cause notice to be given to all Members specifying the place, day and the time for the holding of the meeting, and the nature of the business to be transacted thereat.

Transaction of Special Business

17. (1) All business that is transacted at Special General Meetings and all business that is transacted at the Annual General Meeting, with the exception of that specially referred to in these rules as being the ordinary business of the Annual General Meeting, shall be deemed to be special business.
 - (2) (a) No item of business shall be transacted at a General Meeting unless a quorum of Members entitled under these rules to vote is present during the time when the meeting is considering that item.
 - (b) For the purpose of determining whether a quorum is present, a person attending as a proxy shall be deemed to be a Member.
 - (3) Eight (8) Members personally present or by proxy or attorney (being Members entitled under these rules to vote thereat) constitute a quorum for the transaction of the business of a General Meeting.
 - (4) If within half an hour after the appointed time for the commencement of a General Meeting a quorum is not present, the meeting, if convened upon the requisition of Members, shall be dissolved; and in any other case it shall stand adjourned to the same day in the next week, at the same time and (unless another place is specified by the President at the time of the adjournment or by written notice to Members given before the day to which the meeting is adjourned) at the same place, and if at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the meeting shall be dissolved.

Chairperson of Meetings

18. (1) The President of the Committee, or in his/her absence, the Vice- President, shall preside as Chairperson at every General Meeting of the Association.

- (2) If the President and Vice-President are absent from a General Meeting, the members present shall elect one of their number to preside as Chairperson thereat.

Adjournment of Meetings

19. (1) The Chairperson of a General Meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
 - (2) When a meeting is adjourned for fourteen (14) days or more, the like notice of the adjourned meeting shall be given as in the case of the original meeting.
 - (3) Except as provided in the foregoing provisions of this rule, it is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

How Vote to be Taken and Recorded

20. A question arising at a General Meeting of the Association shall be determined on a show of hands and unless before or on the declaration of the result of the show of hands a poll is demanded, a declaration by the Chairperson that a resolution has, on a show of hands, been carried unanimously, or carried by a particular majority, or lost and an entry to that effect in the minute book of the Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

Voting and Proxies

21. (1) Upon any question arising at a General Meeting of the Association, a Member (excluding Associate or Student Members who have none) has one (1) vote only.
 - (2) All votes shall be given personally or by proxy.
 - (3) In the case of an equality of voting on a question the Chairperson of the meeting is entitled to exercise a second or casting vote.

- (4) An instrument appointing a proxy shall be in writing under the hand of the appointer.
- (5) An instrument appointing a proxy may specify the manner in which the proxy is to vote in respect of a particular resolution and, where an instrument of proxy so provides the proxy is not entitled to vote in the resolution except as specified in the instrument.
- (6) An instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a poll.
- (7) An instrument appointing a proxy shall be in the following form or in a form that is as similar to the following form as the circumstances allow: -

Tasmanian Association of Vocational Rehabilitation Providers Inc.

I _____ of _____ being a Member of the above named Association, hereby appoint _____ of _____ or, in his absence, _____ of _____ as my proxy to vote for me on my behalf at the *Annual General/*Special General Meeting of the Association to be held on the _____ day of _____ and at any adjournment of that meeting.

*This form is to be used *in favour of/*against the resolution.

Signed this _____ day of _____ ,

*Strike out whichever is not desired.

Poll and Subsequent Resolution

- 22. If at a meeting a poll on any question is demanded it shall be taken at that meeting in such manner as the Chairman may direct and the result of the poll shall be deemed to be the resolution of the meeting on that question.

Poll on Election of Chairman or on Adjournment

- 23. A poll that is demanded on the election of a Chairman, or on a question of adjournment, shall be taken forthwith, and, a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairman may direct.

Committee of Management

- 24.** (1) The affairs of the Association shall be managed by a Committee of Management constituted as provided in rule 25.
- (2) The Committee -
- (a) shall control and manage the business and affairs of the Association;
 - (b) may, subject to these rules, exercise all such powers and functions as may be exercised by the Association, other than those powers and functions that are required by these rules to be exercised by General Meeting of Members of the Association; and
 - (c) subject to the Act and these rules, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Association.

Officers of the Association

- 25.** (1) The Officers of the Association shall be the -
- (a) President
 - (b) Vice-President
 - (c) Treasurer
 - (d) Secretary; and
 - (e) Public Officer.
- (2) The provisions of sub-rules (2), (3) and (4) of rule 27 so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in sub-rule (1) of this rule.
- (3) The President, Vice-President and Secretary may hold office for two (2) years subject to re-conformation of their tenure of their offices at the mid term Annual General Meeting held after their election.
- (4) (Deleted 2003)
- (5) Each Officer of the Association shall hold office until the Annual General Meeting next after the date of his election and is eligible for re-election for a further term.

- (6) In the event of a casual vacancy in any office mentioned in sub-rule (1) of this rule, the Committee may appoint one of its Members to the vacant office, and the Member so appointed may continue in office up to and including the conclusion of the Annual General Meeting next following the date of his appointment.

The Committee

- 26.** (1) The Committee
 - (a) shall consist of the Officers of the Association; and
 - (b) three (3) other Members (the "Ordinary Committee Members"); whom shall be elected at the Annual General Meeting of the Association in each year.
- (2) The Ordinary Committee Members shall, subject to these rules, hold office until the Annual General Meeting next after the date of his election, but is eligible for re-election.
- (2) In the event of a casual vacancy occurring in the office of the Ordinary Committee Member, the Committee may appoint a Member of the Association to fill the vacancy and the Member so appointed shall hold office subject to these rules until the conclusion of the Annual General Meeting next following the date of his appointment.

Nominations for Elections of Officers

- 27.** (1) Nominations of candidates for election as Officers of the Association -
 - (a) shall be made in writing signed by two Members (excluding Associate or Student Members) of the Association accompanied by the written consent of the candidate (which may be endorsed on the form of nomination);
 - (b) shall be financial Members of the Association; and
 - (c) shall be delivered to the Public Officer or nominated Officer or Servant of the Association at least one (1)

day before the date fixed for the holding of the Annual General Meeting.

- (2) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.
- (3) Deleted 23.09.11
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (5) If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- (6) The ballot for the election of Officers shall be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct.

Vacancy in Offices

28. For the purposes of these rules, the office of an Officer or Committee Member of the Association becomes vacant if the Officer or Committee Member -

- (1) dies;
- ((2) becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with his creditors, or makes any assignment of his estate for their benefit;
- (3) becomes of unsound mind;
- (4) resigns his office by writing under his hand addressed to the Committee;
- (5) ceases to be resident in the State of Tasmania;
- (6) fails, without leave granted by the Committee, to attend three consecutive meetings of the Committee; or
- (7) ceases to be a Member of the Association.

Committee Meetings

29. (1) The Committee shall meet at least once in every three (3) months at such place and at such times as the Committee may determine.
- (2) The Chairman or any four (4) of its Members may convene special meetings of the Committee.
- (3) Notice shall be given to Members of the Committee of any special meeting, specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.
- (4) Any four (4) Members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- (5) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same place and at the same hour of the same day in the following week or as otherwise agreed between the Committee, unless the meeting was a special meeting, in which case it lapses.
- (6) At meetings of the Committee -
- (a) the President or in his absence the Vice-President; or
 - (b) if the President and the Vice-President are absent, such one of the remaining Members of the Committee as may be chosen by the Members present, shall preside.
- (7) Questions arising at meetings of the Committee or of any Sub-Committee appointed by the Committee shall be determined on a show of hands or, if demanded by a Member, by a poll taken in such manner as the person presiding at the meeting may determine.
- (8) Each elected person present at a meeting of the Committee or of any Sub-Committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question; the person presiding may exercise a second or casting vote.

- (9) Written notice of each Committee meeting shall be served on each Member of the Committee by delivering it to him at a reasonable time before the meeting or by sending it by post in a prepaid letter addressed to him at his usual or last known place of abode or by facsimile to his usual or designated facsimile number or by email to his usual or designated email address, in time to reach him in due course before the date of the meeting.

Interest on Matter before Committee

30. (1) A Member of the Committee who is interested in any contract or arrangement made or proposed to be made with the Association shall disclose his interest at the first meeting of the Committee at which the contract or arrangement is first taken into consideration, if his interest then exists, or, in any other case, at the first meeting of the Committee after the acquisition of his interest.
- (2) If a Member of the Committee becomes interested in a contract or arrangement after it is made or entered into he shall disclose his interest at the first meeting of the Committee after he becomes so interested.
- (3) No Member of the Committee shall vote as a Member of the Committee in respect of any contract or arrangement in which he is interested and if he does so vote his vote shall not be counted.

Appointment of Sub-Committees

31. (1) The Committee may at any time appoint a Sub-Committee from the Committee as it may think fit and shall prescribe the powers and functions thereof.
- (2) The Committee may co-opt as Members of a Sub-Committee such persons as it thinks fit, regardless of their level of membership of the Association but an Associate or Student Member so co-opted is not entitled to vote.
- (3) Three (3) appointed Members of a Sub-Committee constitute a quorum at a meeting of the Sub-Committee.
- (4) The Public Officer of the Association is responsible for calling meetings of a Sub-Committee.

- (5) Written notice of each Sub-Committee shall be served on each Member of the Sub-Committee by delivering it to him at a reasonable time before the meeting or by sending it by post in a pre-paid letter addressed to him at his usual or last known place of abode or by facsimile to his usual or designated facsimile number or by email to his usual or designated email address in time to reach him in due course before the date of the meeting.
- (6) The President, Vice-President, Treasurer and Secretary constitute an Executive Committee which may issue instructions to the Public Officer and the servants of the Association in matters of urgency connected with the management of the affairs of the Association during the intervals between meetings of the Committee and where any such instructions are issued shall report thereon to the next meeting of the Committee.

Entrance Fee and Annual Subscription

- 32.** (1) The annual subscription payable by Members shall be determined at the Annual General Meeting, upon the recommendation of the Committee, for the following year.
- (2) The annual subscription is payable on or before the 1st of January each year.
- (3) The entrance fee payable upon acceptance of an application for membership shall be determined at the Annual General Meeting, upon recommendation of the Committee, for the following year.
- (4) If the annual subscription of a Member shall remain unpaid for a period of three (3) calendar months after it becomes due, then the Member may, after Notice of Default is sent to the Member by the Secretary or Treasurer, be debarred by resolution of the Committee from all privileges of membership and the Member's name may be removed by the Committee from the Register of Members. This is provided that the Committee may reinstate the Member and restore the Member's name to the Register of Members upon payment of all arrears; if the Committee thinks fit to do so. This is conditional upon the full payment of arrears being made not later than 1 full working day prior to the meeting of the Committee, as advised to the Member.

Service of Notices

- 33.** A notice may be served by or on behalf of the Association upon any Member either personally or by sending it through the post in a prepaid letter addressed to the Member at his usual or last known place of abode or by facsimile to his usual or designated facsimile number or by email to his usual or designated email address.

Expulsion of Members or Associates

- 34. (1)** Subject to these Rules, if the Committee is of the opinion that a Member:-
- (a) has refused or neglected to comply with these Rules or the Association's ratified documents as listed in Rule 8 Sub-clause 4; or
 - (b) has been guilty of conduct, which in the opinion of the Committee, is unbecoming a Member, or prejudicial to the interests of the Association, the Committee may by resolution: -
 - (i) expel a Member from the Association;
 - (ii) suspend a Member from membership of the Association for a specified period; or
 - (iii) censure a Member
- (2) A resolution of the Committee under sub-clause (1): -
- (a) does not take effect unless the Committee, at a meeting held not earlier than fourteen (14) days, and not later than twenty-eight (28) days, after the service of a Notice under sub-clause (3) on the Member confirms the resolution in accordance with this clause; and
 - (b) where a Member exercises a right of appeal to the Association under sub-clause (3), the resolution does not take effect unless the Association confirms the resolution in accordance with this clause.
- (3) Where the Committee passes a resolution under sub-clause (1) the Secretary shall, within seven (7) working days, cause to be served on the Member a notice in writing:-

- (4) The expulsion of a Member pursuant to sub-rule (1) of this rule does not take effect -
 - (a) until the expiration of fourteen (14) days after the service on the Member of a notice under sub-rule (3) of this rule; or
 - (b) if the Member exercises his right of appeal under this rule, until the conclusion of the Special General Meeting convened to hear the appeal, whichever is the later date.
- (5) Where the Committee expels a Member from the Association, the Public Officer or nominated Officer or Servant of the Association shall, without undue delay, cause to be served on the Member a notice in writing -
 - (a) stating that the Committee has expelled the Member;
 - (b) specifying the grounds for the expulsion; and
 - (c) informing the Member that if he so desires he may, within fourteen (14) days after the service of the notice on him, appeal against the expulsion as provided in this rule.
- (6) A Member on whom a notice under sub-rule (3) of this rule is served may appeal against the expulsion to a Special General Meeting by delivering or sending by post to the Public Officer or nominated Officer or Servant of the Association within fourteen (14) days after the service of that notice, a requisition in writing demanding the convening of such a meeting for the purpose of hearing his appeal.
- (7) Upon a receipt of a requisition under sub-rule (4) of this rule, the Public Officer or nominated Officer or Servant of the Association shall forthwith notify the Committee of its receipt and the Committee shall thereupon cause a Special General Meeting of Members to be held within twenty-one (21) days after the date on which the Public Officer receives the requisition.
- (8) At a Special General Meeting convened for the purpose of this rule

- (a) no business other than the question of the expulsion shall be transacted;
 - (b) the Committee may place before the meeting details of the grounds of the expulsion and the Committee's reasons for the expulsion;
 - (c) the expelled Member shall be given an opportunity to be heard; and
 - (d) the Members present shall vote by secret ballot on the question whether the expulsion should be lifted or confirmed.
- (9) If at the Special General Meeting a majority of the Members present vote in favour of the lifting of the expulsion, the expulsion shall be deemed to have been lifted and the expelled Member is entitled to continue his membership of the Association.
- (10) If at the Special General Meeting a majority of the Members present vote in favour of the confirmation of the expulsion, the expulsion takes effect, and the expelled Member ceases to be a Member of the Association.

Provisions Regarding Arbitration

- 35.** (1) Subject to this rule, a dispute between a Member of the Association in his capacity as a Member and the Association shall be determined by arbitration in accordance with the provisions of the *Commercial Arbitration Act 1986 (Tas)*.
- (2) Nothing in this rule affects the operation or effect of rule 32.

The Seal of the Association

- 36.** (1) The seal of the Association shall be in the form of a rubber stamp, inscribed with the name of the Association encircling the word "Seal".
- (2) The seal of the Association shall not be affixed to any instrument except by the authority of the Committee and the affixing thereof shall be attested by the signatures either of two (2) Officers of the Association or of one (1) Officer of the Association and of the Public Officer of the Association or such other person as the Committee may

appoint for that purpose and that attestation is sufficient for all purposes that the seal was affixed by authority of the Committee.

- (3) The seal shall remain in the custody of the Public Officer.

Records of the Association

37. Except as otherwise provided in these Rules the Public Officer or nominated Officer or Servant of the Association shall keep in his or her custody or under his or her control all books, documents, records and securities of the Association

Alteration of Rules and Statement of Purposes

38. (1) These Rules and the Statement of Purposes of the Association shall not be altered except by Special Resolution.
- (2) No addition, alteration or amendment shall be made to or in the constitution for the time being in force unless such addition, alteration or amendment shall have been passed by a three-quarter ($\frac{3}{4}$) majority of the total Members eligible to vote, including postal votes, at an Annual General Meeting or Special General Meeting convened for the purpose, provided fourteen (14) days notice of the proposed addition, alteration or amendment has been given to all Members.

THE FIRST SCHEDULE

The objects and purposes of the Association are: -

1. To promote and ensure that the highest standard of professional and ethical vocational rehabilitation services are provided by all Members in Tasmania.
2. To undertake activities to stimulate the effectiveness of service delivery of Members through improvement and development of standards, skills, practices, competence and training of vocational rehabilitation staff and appropriate management techniques
3. To provide a consistent and cohesive voice in negotiations with relevant government bodies, with the aim to provide input to the development of policies and procedures.
4. To provide a forum for communication between agencies and/or individuals involved in the provision of Vocational Rehabilitation Services.
5. To develop appropriate educational and research activities to enhance service provision.
6. To provide and encourage contact, communication and support within the membership.

THE SECOND SCHEDULE

Membership of the Association

The individual membership registered as such with the Tasmanian Association of Vocational Rehabilitation Providers at the time of incorporation of this Association.