

# **THE WILDERNESS SOCIETY (TASMANIA) INC.**

## **CONSTITUTION**

(Incorporating amendments November 2022)

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# THE WILDERNESS SOCIETY (TASMANIA) INC.

## CONSTITUTION

(Incorporating amendments November 2011)

### 1) Name

- (a) The name of the association will be “The Wilderness Society (Tasmania) Inc.”

### 2) Definitions

- (a) “Association” means The Wilderness Society (Tasmania) Inc.
- (b) “Act” means the *Associations Incorporation Act 1964*.
- (c) “Member” means a member of the Association referred to in Rule 8 hereof.
- (d) “Committee” means the Management Committee referred to in Rule 10(a) hereof and elected or otherwise appointed pursuant to the rules of this Constitution.
- (e) “General Meeting” includes the Annual General Meetings and any other General Meetings held pursuant to the rules of this Constitution
- (f) “Working Guidelines” means the working guidelines of the Association referred to in Rule 7 hereof.
- (g) “Public Officer” means the public officer of the Association as appointed according to Section 14 of the Act.
- (h) References to the “Convenor”, “Secretary”, “Treasurer” and “Committee Member” are references to the officers referred to in Rule 10(b) hereof and elected or otherwise appointed pursuant to the rules of this Constitution

### 3) Model Rules

- (a) The model rules under the Act do not apply to the Association.

### 4) Office

- (a) The office of the Association will be at 130 Davey Street Hobart in Tasmania, or at any other place in Tasmania the Committee may determine.

### 5) Basic Objectives

- (a) The basic objectives of the Association are:
  - i) To protect, promote and restore wilderness and natural processes in Tasmania;
  - ii) To take action in Tasmania to protect, promote and restore wilderness and natural processes across Australia for the ongoing evolution of life on earth;

- iii) To contribute to national initiatives to protect, promote and restore wilderness and natural processes across Australia for the ongoing evolution of life on earth

## **6) Additional Objectives and Purposes**

- (a) In addition to the basic objectives of the Association, the objectives and purposes of the Association will include:
  - i) The purchase, taking on lease or in exchange, and the hiring or otherwise acquiring of any real or personal property necessary or convenient for any of the objectives or purposes of the Association;
  - ii) the buying, selling and supplying of, and dealing in, goods of all kinds;
  - iii) the construction, maintenance and alteration of buildings or works necessary or convenient for any of the objectives or purposes of the Association;
  - iv) the accepting of any gift, whether subject to a special trust or not, for any one or more of the objectives or purposes of the Association;
  - v) the taking of such steps from time to time as the Committee or the Members in General Meeting consider expedient for the purpose of procuring contributions to the funds of the Association, whether by way of donations, subscriptions, or otherwise;
  - vi) the printing and publishing of such newspapers, periodicals, books, leaflets, or other documents as the Committee or the Members in General Meeting consider desirable for the promotion of the objectives and purpose of the Association;
  - vii) to undertake education of the public at large as to matters comprised in the objects of the Association;
  - viii) to undertake research as to matters comprised in the objects of the Association and make the same available to the public at large;
  - ix) the borrowing and raising of money in such manner and on such terms as the Committee may think fit or as may be approved or directed by resolution passed at a General Meeting;
  - x) subject to the provisions of the *Trustee Act 1898*, the investment of any moneys of the Association not immediately required for any of its objectives or purposes in such manner as the Committee may from time to time determine;
  - xi) the making of gifts, subscriptions or donations to any of the funds, authorities or institutions to which *section 78(1)(a) of the Income Tax Assessment Act 1936* of the Commonwealth relates
  - xii) the establishment and support, or aiding in the establishing or support, of any other association formed for any of the basic objectives of the Association;

- xiii) the purchase or acquisition, and undertaking, of all or any part of the property, assets, liabilities and engagements of any association with which the Association may at any time become amalgamated in accordance with the provisions of the Act and rules of the Association; and
- xiv) the doing of all such lawful things as are incidental or conducive to the attainment of the basic objectives of the Association or of any of the objectives and purposes specified in the foregoing provisions in this Rule.

## **7) Working Guidelines**

- (a) There will be Working Guidelines.
- (b) Working Guidelines may be made under this constitution but must not be inconsistent with this constitution and are binding on the Association
- (c) Working Guidelines made pursuant to Rule 7(b) can only be made by a resolution of a General Meeting where notice of the proposed working guideline is provided with the notice calling the meeting
- (d) Working Guidelines may only be changed or repealed by a resolution of a General Meeting where notice of the intention to change or repeal the working guideline is provided with the notice calling the meeting.

## **8) Membership**

- (a) A Member of the Association will be any person who meets the criteria for eligibility for membership (if any) under any relevant Working Guidelines and who makes application in writing, by telephone or other means of communication to join the Association. Membership will commence from the time of whichever is the first event of:
  - i) The recorded receipt of the application by the Secretary of the Association or their delegate, or
  - ii) When the name of the Member is entered onto the database of Members.
- (b) A Member may resign as a Member by giving written notice to the Secretary, or requesting termination of membership by telephone or other means of communication, such resignation taking effect from the time of whichever is the first event of:
  - i) the recorded receipt of the resignation by the Secretary of the Association or their delegate, or
  - ii) when the resignation is entered onto the database of Members.
- (c) A Member is deemed to have resigned if they no longer meet the criteria for eligibility for membership (if any) under any relevant Working Guidelines.
- (d) Subject to these Rules, if the Committee is of the opinion that a Member has refused or neglected to comply with this Constitution, or has been guilty of conduct unbecoming a Member or prejudicial to the interests of the Association, the Committee may by resolution –

- i) suspend that Member from membership of the Association for a specified period, or
  - ii) expel that Member from the Association.
- (e) A resolution of the Committee to suspend or expel a Member can be revoked by a decision of a General Meeting.
  - (f) At a General Meeting called to consider the suspension or expulsion of a Member, the suspended or expelled Member is entitled to have the Committee explain to the meeting the reasons for its decision and the suspended or expelled Member is entitled to make an explanation in reply.
  - (g) A Member who is expelled is not entitled to become a Member again for 12 months, and that application must be approved by the Committee.

## **9) Winding Up**

- (a) In the event of the Association being wound up:
  - i) every Member; and
  - ii) every person who, within the period of twelve months immediately preceding the commencement of the winding up, was a Member, is liable to contribute to the assets of the Association for payment of the debts and liabilities of the Association and for 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 \$1.00 (one dollar) 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 she or he ceased to be a Member.
- (b) No Member is liable to contribute to the assets of the Association for the payment of debts or liabilities of the Association (apart from that provided in Rule 8(a)) or may share either directly or indirectly in the profits or proceeds of the sale of the assets of the Association in the event of its termination or winding up.
- (c) In the event of the Association being dissolved, the amount which remains after such dissolution and the satisfaction of all debts and liabilities will be paid and applied by the Association in accordance with its powers to The Wilderness Society Incorporated or, in the event that The Wilderness Society Incorporated no longer exists, to any organization which has similar objects and which has rules prohibiting the distribution of its assets and income to its members.

## **10) The Committee and Sub-Committees**

- (a) The affairs of the Association will be managed by the Management Committee.
- (b) The Committee consists of:
  - i) the Convenor;

- ii) (Rule deleted)
  - iii) the Secretary;
  - iv) the Treasurer; and
  - v) five other Committee Members.
- (c) (Rule deleted)
- (d) (Rule deleted)
- (e) Committee Members will be elected at the Annual General Meeting.
- (f) The office of any Committee Member becomes casually vacant if the Committee Member:
- i) resigns office in writing addressed to the Committee; or
  - ii) dies; or
  - iii) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration or estate for their benefit; or
  - iv) becomes a represented person within the meaning of the *Guardianship and Administration Act 1995* (Tas) or its equivalent in any other legal jurisdiction in Australia; or
  - v) ceases to be ordinarily resident in Tasmania; or
  - vi) is absent from three consecutive meetings of the Committee without the permission of the other members of the Committee and after the Committee approves the casual vacancy at a subsequent Committee meeting; or
  - vii) ceases to be a Member of the Association;
  - viii) is appointed to fill a vacancy on the Committee, otherwise than an appointment under Rule 10(x);
  - ix) is or becomes a paid employee of the Association;
  - x) is or becomes a member of the governing body of any other organisation in the Wilderness Society Group;
  - xi) is or becomes an elected or appointed representative on any local council or in any parliament in Australia; or
  - xii) subject to the law, is or becomes a member of a registered political party, either State, Territory or Federal.
- (g) If a Committee Member's office becomes vacant for any reason, the Committee may appoint a Member of the Association to fill the vacancy. A notice giving the name and office of the new Committee Member must be placed on a notice board in each office of the Association and forwarded to the email distribution group [tas.office.all@wilderness.org.au](mailto:tas.office.all@wilderness.org.au).
- (h) A Committee Member holds office until the conclusion of the election at the next Annual General Meeting (whether the Committee Member was elected or appointed).
- (i) The Committee:

- i) will control and manage the business affairs of the Association;
  - ii) 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 Meetings;
  - iii) 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 affairs of the Association;
  - iv) will have the right to appoint or dismiss members of staff;
  - v) will have the right to suspend any employee of the Association from employment for such period as is determined or until the next General Meeting whichever is sooner.
- (j) The Committee will meet at least once every two months on a day determined by the Committee.
  - (k) The Committee and any sub-committee may let its members take part in any or all of its meetings by telephone or any other means of communication.
  - (l) A Committee or sub-committee member taking part in a meeting as allowed under Rule 10(k) is taken to be present at the meeting.
  - (m) The Convenor, the Secretary, or any four Committee Members may convene a special meeting of the Committee upon giving 24 hours' written notice. Notice will be given by the giving of notice to each member of the Committee, specifying the general nature of the business to be transacted, and no other business will be transacted at such a meeting.
  - (n) Any four members of the Committee will constitute a quorum for the transaction of the business of the Committee.
  - (o) No business will 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 will lapse.
  - (p) Committee and sub-committee meetings will be conducted and decisions made according to the procedures specified in the Working Guidelines.
  - (q) The Committee may invite to Committee meetings any person to do a specified activity or to provide advice.
  - (r) The Committee may at any time appoint a sub-committee from the Committee as it may think fit and will prescribe the powers and functions thereof.
  - (s) The Committee may appoint any person as members of a sub-committee, and a person so appointed will be entitled to participate in the decision making of that sub-committee.
  - (t) Three appointed members of a sub-committee constitute a quorum at a meeting of the sub-committee unless the quorum is prescribed otherwise by the decision to create or vary a sub-committee.

- (u) The Committee will appoint a Sub-committee convenor who is responsible for calling meetings of the sub-committee and for advising the members of the time and place at which such meetings will be held.
- (v) The decisions of the Committee may be subject to review by a General Meeting.
- (w) A notice providing the names and positions of the current Committee Members should be placed on the notice boards at all offices of the Association and the Association's intranet website. This notice should be kept up-to-date to reflect any changes on the Committee.
- (x) If the position holder of Convenor, Secretary or Treasurer is temporarily absent, the Committee may designate one of its members to act in that role until the position holder returns.
- (y) If the position of Convenor, Secretary or Treasurer is or becomes vacant, the Committee must, within 28 days, designate one of its members to act in that role until the vacancy is filled.

## **11) General Meetings**

- (a) A General Meeting will be held:
  - i) at any time determined by the Committee.
  - ii) within 30 days of a request (made in writing) made by twenty (20) Members being delivered to the Convenor.
  - iii) when otherwise required by these Rules.
- (b) The Public Officer must cause a Notice of Meeting to be provided for any General Meeting of the Association as follows.
  - i) The notice shall specify:
    - (1) the place, day and time for the holding of the General Meeting;
    - (2) the nature of the business to be transacted; and
    - (3) any resolutions proposed by the Members requesting a meeting under Rule **11(a) ii)** and any resolutions proposed by the Committee.
  - ii) The notice shall be given by:
    - (1) sending it in writing to a last known address either electronic or postal, that is held by the Association, for all Members; and
    - (2) prominently displaying it on notice boards at all offices of the Association.
  - iii) The notice shall be given:
    - (1) for a special General Meeting requisitioned by Members under Rule **11(a) ii)** at least 21 days prior to the meeting;
    - (2) for any other General Meeting at least 14 days prior to the meeting.



- (c) If the Committee does not hold a General Meeting within 30 days of receiving a request for a meeting in accordance with Rule **11(a)ii)** the Members requesting the General Meeting may hold and run a General Meeting in accordance with the requirements for holding a General Meeting in these rules.
- (d) No item of business will 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. A quorum for such meetings will be twelve (12) Members.
- (e) Any General Meeting will be open to all Members each of whom will have the right to participate in discussion and decision making at such meeting
- (f) The Committee may permit Members to take part in a General Meeting by telephone or other means of communication provided each Member can be sufficiently identified as a Member.
- (g) A Member taking part in a General Meeting as permitted under Rule **11(f)** is taken to be present at the meeting for all purposes, including determining whether a quorum is present.
- (h) If within one 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, will be dissolved; and in any other case it will stand adjourned to the same day in the next week, at the same time and (unless another place is specified by the Chairperson 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 one hour after the time appointed for the commencement of the meeting, the meeting will be dissolved.
- (i) The Members in a General Meeting may appoint or dismiss the Convenor, Secretary, Treasurer, other Committee Member or any other officer of the Association.
- (j) The Members in a General Meeting may at any time appoint a sub-committee as they may think fit and will prescribe all the powers and functions thereof.
- (k) The Members in a General Meeting may appoint as members of a sub-committee such persons as they think fit, whether or not those persons are Members of the Association, and a person so appointed will be entitled to vote at meetings of that sub-committee

## **12) Annual General Meetings**

- (a) The Association will in each year hold an Annual General Meeting.
- (b) The Annual General Meeting will be held on such day (being not later than six months after the close of the financial year of the Association) as the Committee may determine.

- (c) The Annual General Meeting will be in addition to any other General Meeting that may be held in the same year.
- (d) The Annual General Meeting will be specified as such in the Notice of Meeting as specified in Rule 11)(b).
- (e) .Rule deleted.
- (f) The ordinary business of the Annual General Meeting will be:
  - i) to confirm the minutes of the last preceding Annual General Meeting and of any General Meeting held since that meeting;
  - ii) to receive from the Committee, auditor and servants of the Association, reports upon the transactions of the Association during the last preceding financial year;
  - iii) to elect the Committee;
  - iv) to appoint an auditor
- (g) The Annual General Meeting may transact special business of which notice is given in accordance with these rules.
- (h) The rules for the conduct of the Annual General Meeting are the same as those for a General Meeting unless otherwise specified.

### **13)National Membership**

- (a) The Wilderness Society (Tasmania) Incorporated is a member of The Wilderness Society Ltd.
- (b) The Association must not resign as a member of The Wilderness Society Ltd without the approval of a General Meeting where notice of the intention to resign membership of The Wilderness Society Ltd is provided with the notice calling the meeting.

### **14)Finance and Accounts**

- (a) The income and property of the Association, however derived, will be applied solely towards the promotion of the objectives and purposes of the Association and no proportion thereof will be paid or transferred, directly or indirectly, by dividend bonus or otherwise, to any Member, except as bona fide compensation for services rendered or expenses incurred on behalf of the Association.
- (b) True accounts will be kept:
  - i) 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
  - ii) of the property, credits and liabilities of the Association, and 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 will be open to the inspection of the Members.

- (c) The Treasurer must cause to be kept faithfully 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.
- (d) The accounts, books and records referred to in Rules 14(b) and 14(c) will be kept at the Association's office or at such other place as the Committee may decide.
- (e) The Treasurer must ensure that:
  - i) all money paid to the Association is received on behalf of the Association; and
  - ii) A receipt is issued as soon as practicable for any money received on behalf of the Association where miscellaneous moneys may be combined into one receipt.
- (f) The Committee will cause to be opened with such bank, building society or credit union as the Committee selects a banking account in the name of the Association into which all moneys received will be paid by the Treasurer or other officer of the Association, as soon as practicable after receipt thereof, taking into account the value of moneys held.
- (g) 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.
- (h) Except with the authority of the Committee, including authority delegated through the Working Guidelines, no payment of a sum exceeding one hundred dollars (\$100.00) will be made from the funds of the Association otherwise than by cheque or electronic transaction drawn on the Association's bank account, but the Committee may provide any person with a sum to meet urgent expenditure subject to the observation of such conditions in relation to use, and expenditure thereof, as the Committee may impose.
- (i) No cheques or electronic transactions will be drawn on the Association's bank account except for the payment of expenditure that has been authorised by the Committee, Convenor, Secretary, Treasurer or Member or employee of the Association named by the Committee for the purpose.
- (j) Each cheque, draft, bill of exchange, promissory note or other negotiable instrument must be signed by two persons who have been authorised by the Committee.
- (k) Each electronic withdrawal transaction must be approved by two persons who have been authorised by the Committee.

### **15) Appointment of Auditor**

- (a) At each Annual General Meeting, the Members must appoint as the Association's auditor:
  - i) a registered company auditor (within the meaning of paragraph 24(1)(a) of the Act); or
  - ii) a person approved by the Commissioner for Corporate Affairs under paragraph 24(1)(b) of the Act.
- (b) The auditor will hold office until the Annual General Meeting next after that at which the auditor is appointed, and is eligible for reappointment.
- (c) If an appointment is not made at an Annual General Meeting, the Committee will appoint an auditor of the Association for the then current financial year of the Association.
- (d) The auditor may be removed from office only by special resolution of a General Meeting. Notice of intention to propose the special resolution must be given as if the resolution were a resolution to alter the Constitution, in accordance with Rule 20.
- (e) 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 will hold office until the next succeeding Annual General Meeting.

### **16) Auditor's Report**

- (a) Once at least in each financial year of the Association, the accounts of the Association will be examined by the auditor.
- (b) The auditor will certify as to the correctness of the accounts of the Association and will report thereon to the Members present at the Annual General Meeting.
- (c) In the auditor's report, and in certifying to the accounts, the auditor will state:
  - i) whether the auditor has obtained the information required by the auditor;
  - ii) whether in the auditor's opinion, the accounts are properly drawn up, free of material mis-statement, so as to exhibit a true and fair view of the financial position of the Association according to the information at the auditor's disposal and the explanations given to the auditor as shown by the books of the Association; and
  - iii) whether the rules relating to the administration of the funds of the Association have been observed.
- (d) The Treasurer will cause to be delivered to the auditor a list of all accounts, books and financial records of the Association.
- (e) The auditor:

- i) has a right of access to the accounts, books, records, vouchers and documents of the Association;
- ii) may require from the servants of the Association such information and explanations as may be necessary for the performance of her or his duties as auditor;
- iii) may employ persons to assist in investigating the accounts of the Association; and
- iv) may, in relation to the accounts of the Association, examine any member of the Committee or any servant of the Association.

#### **17) Disclosure of Interests**

- (a) A member of the Committee who is interested in any contract or arrangement made or proposed to be made with the Association will disclose her or his interest at the first meeting of the Committee at which the contract or arrangement is first taken into consideration if the interest then exists, or, in any other case, at the first meeting of the Committee after the acquisition of the interest.
- (b) If a member of the Committee becomes interested in a contract or arrangement after it is made or entered into, the member will disclose the interest at the first meeting of the Committee after the member becomes so interested.
- (c) No member of the Committee will vote as a member of the Committee in respect of any contract or arrangement in which the member is interested.

#### **18) Financial Year**

- (a) The financial year of the Association is the period beginning on the first day of July in each year and ending on the thirtieth day of June next following.

#### **19) Seal**

- (a) The seal of the Association will be in the form of a rubber stamp, inscribed with the name of the Association encircling the word "Seal".
- (b) The seal of the Association will not be affixed to any instrument except by the authority of the Committee, and the affixing thereof will be attested by the signatures either of two members of the Committee or of one member of the Committee and of the Public Officer 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.
- (c) The seal will remain in the custody of the Public Officer.

#### **20) Amendment of this Constitution**

- (a) The provisions of this Constitution (including the objectives of the Association) may be altered by a special resolution at a General Meeting.
- (b) Notice of an intention to propose a resolution to alter a provision of this Constitution must:

- i) be given to the Public Officer 21 days before the General Meeting where the resolution is intended to be proposed; and
- ii) be included in or placed with the Notice of Meeting as specified in Rule 11(b)

## **21) Indemnity & Insurance**

- (a) Every past, present and future Committee Member will be indemnified against a liability to another person incurred in that capacity, unless the liability arises out of conduct involving a lack of good faith.
- (b) Every past, present and future Committee Member will be indemnified out of the property of the Association against any liability incurred by her or him in her or his capacity as a Committee Member in defending any proceedings, whether civil or criminal, in which judgement is given in her or his favour or in which she or he is acquitted or in connection with any application in relation to any such proceedings in which relief is granted to her or him.
- (c) The Association may pay the premiums on any policy of insurance in relation to any liability of a Committee Member and other officer of the Association, to the fullest extent permitted by law.
- (d) In Rule 21(c) “other officer of the Association” means each person exercising authority delegated by the Committee pursuant to this Constitution to the extent of any liability for acts or omissions by any of them in respect of the Association.

## **22) Dispute Resolution and Mediation**

- (a) The grievance procedure set out in this rule applies to disputes between;
  - i) a Member and another Member
  - ii) a Member and the Association
- (b) The parties to the dispute must meet and discuss the matter in dispute and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all the parties.
- (c) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- (d) The mediator must be –
  - i) a person chosen by agreement between the parties; or
  - ii) in the absence of agreement-
    - (1) in the case of a dispute between a Member and another Member, a person appointed by the Committee; or
    - (2) in the case of a dispute between a Member and the Association, a person who is a mediator appointed or employed under the *Commercial Arbitration Act 1986*

- (e) The mediator can be a Member.
- (f) The mediator cannot be a Member who is a party to the dispute.
- (g) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (h) The mediator, in conducting the mediation, must;
  - i) Give the parties to the mediation process every opportunity to be heard; and
  - ii) Allow due consideration by all parties of any written statement submitted by any party; and
  - iii) Ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (i) The mediator must not determine the dispute.
- (j) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the *Commercial Arbitration Act 1986*, or otherwise at law.

### **23)Returning Officer**

- (a) Any election of one or more Committee Members at a General Meeting under Rule **25** must be supervised by a Returning Officer. The Returning Officer is appointed by the Members present at the meeting and must not be a member of the Committee or a candidate for the Committee and must not vote in the election.
- (b) The Returning Officer is to act independently of the Committee for the conduct of the election, to ensure that the election is conducted as fairly and efficiently as practicable, and that the Association acts within these rules and lawfully for the conduct of the election.
- (c) The Returning Officer shall declare the results of the election at the meeting.

### **24)Nominations for Election to the Committee**

- (a) A Member may nominate or be nominated for more than one position but cannot be elected or appointed to more than one position.
- (b) A nomination for election to the Committee is no longer valid if the person nominated:
  - i) withdraws their nomination in writing; or
  - ii) dies; or
  - iii) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration or estate for their benefit; or
  - iv) becomes a represented person within the meaning of the *Guardianship and Administration Act 1995* (Tas) or its equivalent in any other legal jurisdiction in Australia; or
  - v) ceases to be ordinarily resident in Tasmania; or

- vi) ceases to be a Member of the Association.
- (c) At a special General Meeting requisitioned by Members under Rule **11(a)ii**, nominations for the Committee may be proposed and accepted at the meeting.
- (d) In any other case, a nomination for election to the Committee should be:
  - i) signed by another Member of the Association; and
  - ii) accompanied by the written consent of the candidate (which may be endorsed on the nomination); and
  - iii) given to the Public Officer 10 days prior to the beginning of the meeting at which the election is being held.
- (e) In the case of Rule **24(d)**, the Public Officer shall cause the names and brief biographies of all candidates for election to be published on the web site of the Association at least seven (7) days prior to the meeting at which the election is being held.

## **25) Election of Members of the Committee**

- (a) Only Members who have nominated or been nominated according to Rule **24** are eligible for election.
- (b) An election for the Committee is not a decision for the purposes of Working Guideline **3)c)**
- (c) The positions shall be filled in the following order:
  - i) Convener;
  - ii) Secretary;
  - iii) Treasurer;
  - iv) ordinary members of the Committee.
- (d) Subject to these rules and any decision of the General Meeting at which the election occurs, the Committee determines the method of election.

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