



# Australian Meteorological & Oceanographic Society

## Current AMOS rules – as of 19 March 2009

### Statement of Purposes

1. The name of the incorporated association is Australian Meteorological and Oceanographic Society Inc. (“the Society”).
2. The aims of the Society are:
  - (a) to promote, develop and disseminate knowledge of meteorology, oceanography and related subjects; and
  - (b) to represent and promote the interests of members in respect of matters connected with meteorology, oceanography and related subjects and to present, in general terms, the views of members on those matters.
3. For the purpose of furthering the aims set out above, the Society shall have the power:
  - (a) to subscribe to, become a member of or cooperate with any other association or organisation, whether incorporated or not, whose aims are similar to those of the Society;
  - (b) to invest and deal with the monies of the Society not immediately required in such manner as may from time to time be thought fit;
  - (c) to accept bequests and take any gift of money or property;
  - (d) to print and publish any newspapers, periodicals, books, leaflets or other material that the Society may think desirable;
  - (e) to do all such other things as are incidental or conducive to the attainment of the aims and the exercise of the powers of the Society; and
4. The Society does not have as its purpose financial gain for its members and any profits or other accretions to the Society shall be used in furthering the aims of the Society.

### Name

1. The name of the incorporated association is Australian Meteorological and Oceanographic Society Inc. (in these rules called “the Society”).

### Interpretation

- 2.1. In these rules, unless the contrary intention appears:-
  - “Council” means the Committee of Management of the Society.
  - “Financial year” means the year ending on 31 December.
  - “General Meeting” means a general meeting of members convened in accordance with Rule 10.
  - “Member” means a member in any category of membership of the Society.
  - “Eligible member” means a member eligible to vote in accordance with these Rules.
  - “Ordinary Member of Council” means a member of the Council who is not an officer of the Society under Rule 24.
  - “Executive” means the officers of the Society.
  - “The Act” means the Associations Incorporation Act 1981 as amended or replaced from time to time.
  - “The Regulations” means regulations under the Act.
- 2.2. Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Interpretation of Legislation Act 1984 and the Act as in force from time to time.

## **Application for membership**

3.1. A person who applies and is approved for membership as provided in these rules is eligible to be a member of the Society on payment of the annual subscription payable under these rules.

3.2. Membership consists of six categories of members:-

(a) **Member:** available to any individual.

(b) **Student Member:** available to any student enrolled at least half-time in an accredited educational institution.

(c) **Corporate Member:** available to any corporation, school or other organization. Each corporate member shall nominate one person who, after being approved by Council, shall act on behalf of the corporate member in all dealings with the Society.

(d) **Fellow:** available to a member who has approved professional qualifications in meteorology, oceanography or related subjects. The requisite level of qualifications shall be determined by Council and must be approved by a general meeting.

(e) **Retired Member:** available to any member who has retired from full-time employment.

(f) **Honorary Member:** a person who has made an outstanding contribution to meteorology or oceanography over a substantial period of years or who has provided exceptional long-term service and support to the Society. An honorary membership is proposed by the Council and must be approved by a general meeting. Honorary members are not expected to pay fees and may receive Society publications of their choice. An honorary membership cannot be proposed if the number of honorary members exceeds two percent of the total number of members. An honorary member remains a member of the Society for life, unless he/she resigns in accordance with rule 6.

3.3. A person or organization who is not a member of the Society shall not be admitted to membership unless an application is made as provided in clause 3.4.

3.4. An application of a person or organization for membership of the Society:-

(a) shall be made in writing in such form as Council may determine from time to time, and

(b) shall be lodged with the Secretary.

(c) shall be accompanied by the sum payable under these rules as the first year's annual subscription.

3.5. The Secretary shall advise the Council of the application for membership at or before its next meeting.

3.6. The Council may, by majority resolution not later than 60 days after the date of an application made in accordance with clause 3.4, reject an application for membership.

3.7. Unless Council rejects an application in accordance with clause 3.6, the Secretary shall, 60 days after the date of the original application, enter the applicant's name in the register of members. Upon the name being so entered, the applicant becomes a member of the Society.

3.8. If Council rejects an application for membership, the sum paid under sub-clause 3.4(c) shall be returned to the applicant.

3.9. A right, privilege, or obligation of a person by reason of membership of the Society:-

(a) may not be transferred or transmitted to another person; and

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

3.10. Each member in good standing, in whatever category, shall have the same rights, privileges and obligations by reason of membership of the Society, unless otherwise specified in clause 3.2.

3.11. There shall be no entrance fee.

### **Annual subscription**

4.1. The annual subscription for each category of member shall be determined by Council for each financial year.

4.2. The annual subscription is payable in advance on or before 1 January in each year. Membership lapses if annual subscriptions are not paid within three months of becoming payable. If a lapsed member subsequently pays the annual subscription for the current year, their membership shall be restored unless the Council determines otherwise within 60 days of such payment.

### **Register of members**

5. The Secretary shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of each member and the register shall be available for inspection by members at an address nominated by the Secretary.

### **Cessation of membership**

6.1. A member ceases to be a member of the Society if he/she:

- (a) dies;
- (b) resigns in accordance with clauses 6.2 and 6.3;
- (c) allows their membership to lapse under sub-clause 4.2; or
- (d) is expelled from the Society under rule 7.

6.2. A member of the Society who has paid all moneys due and payable by that member to the Society may resign from the Society by giving one month's notice in writing to the Secretary of intention to resign. Upon the expiration of that period of notice, the member shall cease to be a member.

6.3. Upon the expiration of a notice given under clause 6.1, the Secretary shall make in the register of members an entry recording the date on which the member by whom the notice was given, ceased to be a member.

### **Disciplinary action**

7.1. Subject to these rules, the Council may, if it is of the opinion that a member:

- (i) has refused or neglected to comply with these rules; or
- (ii) has been guilty of conduct unbecoming a member or prejudicial to the interest of the Society;

may by resolution:-

- (a) expel a member from the Society; or
- (b) suspend a member from membership for a specified period.

7.2. A resolution of the Council under clause 7.1:-

- (a) does not take effect unless the Council, at a meeting held not earlier than 14 and not later than 28 days after the service on the member of a notice under clause 7.3 confirms the resolution in accordance with this clause; and
- (b) where the member exercises a right of appeal to the Society under this clause does not take effect unless the Society confirms the resolution in accordance with this clause.

7.3. Where the Council passes a resolution under clause 7.1, the Secretary shall, as soon as practicable, cause to be served on the member a notice in writing:-

- (a) setting out the resolution of the Council and the grounds on which it is based;
- (b) stating that the member may address the Council at a meeting to be held not earlier than 14 and not later than 28 days after service of the notice;
- (c) stating the date, place and time of that meeting;
- (d) informing the member that one or more of the following actions may be taken:-
  - (i) the member may attend that meeting;
  - (ii) the member may give to the Council before the date of that meeting a written statement seeking the revocation of the resolution;

(iii) not later than seven days after the time of the meeting, the member may lodge with the Secretary a notice of intent to appeal against the resolution to the Society at a general meeting.

7.4. At a meeting of the Council held in accordance with clause 7.2, the Council:-

- (a) shall give to the member an opportunity to be heard;
- (b) shall give due consideration to any written statement submitted by the member; and
- (c) shall by resolution determine whether to confirm or to revoke the resolution.

7.5. Where the Secretary receives a notice under clause 7.3, the Secretary shall notify the Council and the Council shall convene a general meeting of the Society to be held within 28 days after the date on which the Secretary received the notice.

7.6. At a general meeting of the Society convened under clause 7.5:-

- (a) no business other than the question of the appeal shall be transacted;
- (b) the Council may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
- (c) the member shall be given an opportunity to be heard; and
- (d) the members present shall vote by secret ballot on the question whether the resolution should be confirmed or revoked.

7.7. If at the general meeting:-

- (a) two-thirds of votes in person or by proxy of eligible members are cast in favour of the confirmation of the resolution, the resolution is confirmed; and
- (b) in any other case, the resolution is revoked.

### **Annual General Meeting**

8.1. The Society shall in each calendar year convene an annual general meeting of its members to be held not later than five months after the end of the financial year, on such day as the Council determines.

8.2. The annual general meeting shall be specified as such in the notice convening it.

8.3. 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 reports from the Council upon the transactions of the Society during the last preceding financial year;
- (c) to receive and consider the statement submitted by the Society in accordance with the Act, on the financial status and transactions of the Society; and

8.4. The annual general meeting may transact special business of which notice is given in accordance with these rules.

8.5. The annual general meeting shall be in addition to any other general meetings that may be held in the same year.

### **Special General Meeting**

9.1. All general meetings other than the annual general meeting shall be called special general meetings.

9.2. The Council may, whenever it thinks fit, convene a special general meeting of the Society.

9.3. The Council shall, on the requisition in writing of not less than ten members convene a special general meeting of the Society.

9.4. The requisition for a special general meeting shall state the objects of the meeting and shall be signed by the members making the requisition and be sent to the address of the Secretary and may

consist of several documents in a like form, each signed by one or more of the members making the requisition.

9.5. If the Council does not cause a special general meeting to be held within two months after the date on which the requisition is sent to the address of the Secretary, the members making the requisition, or any of them, may convene a special general meeting to be held not later than three months after that date.

9.6. A special general meeting convened by members in pursuance of these rules shall be convened in the same manner as nearly as practicable as that in which those meetings are convened by the Council and all reasonable expenses incurred in convening the meeting shall be refunded by the Society to the persons incurring the expenses.

### **Notice of general meeting**

10.1. The Secretary of the Society shall, at least 21 days before the date fixed for holding a general meeting of the Society, send to each member of the Society at the address appearing in the register of members, a notice in writing stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

10.2. No business other than that set out in the notice convening the meeting shall be transacted at the meeting.

10.3. A member desiring to bring any business before a general meeting may give notice of that business in writing to the Secretary, who shall include that business in the notice calling the next general meeting after the receipt of the notice.

### **Proceedings at general meetings**

11.1. All business that is transacted at a special general meeting 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.

11.2. 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.

11.3. Ten members personally present (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.

11.4. If within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present, the following shall apply:

- (i) a general meeting convened upon the requisition of members shall be dissolved; or
- (ii) all other general meetings shall be dissolved or adjourned to a specified time not more than one week hence at the discretion of the Chair. If at the adjourned meeting, no quorum is present, the meeting shall be dissolved.

### **Chairing of general meetings**

12.1. The President, or in the absence of the President, the Vice-President, shall preside as Chair at each general meeting of the Society.

12.2. If the President and the Vice-President are absent from a general meeting, the members present shall elect one of their number as Chair at the meeting.

### **Adjournment of general meetings**

13.1. The Chair 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.

13.2. Where a meeting is adjourned for 14 days or more, a like notice of the adjourned meeting shall be given as in the case of the general meeting.

13.3. Except as provided in clause 13.1 and 13.2, it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

#### **Voting at general meetings**

14. A question arising at a general meeting of the Society shall be determined on a show of hands by a simple majority with a declaration by the Chair. Unless a poll is demanded at or before the declaration by the Chair an entry of the declaration in the Minute Book of the Society is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

#### **Voting eligibility at general meetings**

15.1. Upon any questions arising at a general meeting of the Society, an eligible member has one vote only.

15.2. All votes shall be given personally or by proxy. In appointing a proxy a member may direct that proxy in casting their vote on the election of office-bearers or any other issue.

15.3. In the case of an equality of voting on a question, the Chair of the meeting is entitled to exercise a second or casting vote.

#### **Polls at general meetings**

16.1. If at a meeting a poll on any question is demanded by not less than five members, it shall be taken at that meeting in such manner as the Chair may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.

16.2. A poll that is demanded on the election of a Chair or on a question of an 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 Chair may direct.

#### **Proxies at general meetings**

17.1. Each member shall be entitled to appoint another member as proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.

17.2. The notice appointing the proxy shall be in such form as Council may determine from time to time.

#### **Ordinary meetings**

18.1. Ordinary meetings of the Society shall be held for the reading and discussion of papers on meteorology, oceanography and related subjects and for discussion on these subjects.

18.2. Ordinary meetings shall be held at such times and such places as the Council may decide and shall be conducted as prescribed by Council.

18.3. No question relating to the direction or management of the Society shall be discussed at an ordinary meeting and no motions shall be made relating to these matters.

#### **Centres**

19.1. Upon receipt of a written request from not less than ten members in the same region or state, Council may, at its discretion, delimit the region and create a Centre to further the aims of the Society in that region.

19.2. Upon creation of a Centre, the Secretary shall send to all members in the same region as the Centre, notifying them that they are now affiliated with the Centre.

19.3. Council shall have the power to dissolve a Centre at any time if the Centre ceases to meet its responsibilities as outlined in Rule 20.

#### **Centres - governance**

20.1. The officers of a Centre shall include, but not be limited to, a Chair, Secretary and Treasurer. The officers shall be members of the Society, elected annually by simple majority of the members present at a Centre meeting.

20.2. Within one year of its creation, a Centre shall prepare rules for its operation which are acceptable to Council.

20.3. Notices of all meetings of a Centre shall be sent to all members affiliated with the Centre.

20.4. By 28 February of each year, the Chair of each Centre shall submit to the Secretary a written report of the Centre's activities and finances during the previous financial year.

20.5. Council shall provide annual funds to permit each Centre to carry on activities related to the aims of the Society. At no time shall the total liabilities of a Centre exceed its total assets.

#### **Special interest groups**

21.1. Upon receipt of a written request from not less than ten members, Council may, at its discretion, create a Special Interest Group. A Special Interest Group shall consist of members of the Society, not necessarily co-located, who are interested in a particular aspect of meteorology, oceanography or related subjects or who are interested in establishing close links with similar aims outside Australia and who wish to join together to further their interest.

21.2. Upon creation of a Special Interest Group, the Secretary shall send notices to all members, notifying them of the creation of the Special Interest Group.

21.3. Any member of the Society may affiliate with a Special Interest Group.

21.4. Council shall have the power to dissolve a Special Interest Group at any time if the Special Interest Group fails to meet its responsibilities as outlined in Rule 22.

#### **Special Interest Groups - governance**

22.1. The officers of a Special Interest Group shall include, but not be limited to, a Chair, Secretary and Treasurer. The officers shall be members of the Society elected annually by simple majority of the respondents to a mail ballot sent out to all members affiliated to the Group.

22.2. Within one year of its creation, a Special Interest Group shall prepare rules for its operation which are acceptable to Council.

22.3. Notices of all meetings of a Special Interest Group shall be sent to all members affiliated with the Group.

22.4. By 28 February of each year, the Chair of each Special Interest Group shall submit to the Secretary a written report of the Group's activities and finances during the previous financial year.

22.5. Council may, at its discretion, provide funds to assist a Special Interest Group in carrying out its activities related to the Society's aims. Council may raise these funds by levying a Special Interest Group membership fee. At no time shall the total liabilities of a Special Interest Group exceed its total assets.

## **Council**

23.1. The Council is responsible for the overall direction and management of the Society.

23.2. The Council:-

- (a) shall control and manage the business and affairs of the Society;
- (b) may, subject to these rules, the regulations and the Act, exercise all such powers and functions as may be exercised by the Society other than those powers and functions that are required by these rules to be exercised by general meetings of the members; and
- (c) subject to these rules, the regulations and the Act, has the power to perform all such acts and things as appear to the Council to be essential for the proper management of the business and affairs of the Society.

## **Officers of the Society**

24.1. The officers of the Society shall be:-

- (a) a President;
- (b) a Vice-President;
- (c) a Treasurer;
- (d) a Secretary.

24.2. The Council shall consist of:-

- (a) the officers of the Society;
- (b) six ordinary members;
- (c) the immediate past President; and
- (d) the Chairs of each Centre and Special Interest Group.

24.3. The provisions of rule 26, so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons as officers or ordinary members of Council.

24.4. Each officer and ordinary member shall hold office for a normal term from the date of the annual general meeting at which they were elected to the date of the annual general meeting in the second calendar year following their election, but is eligible for re-election subject to the provisions of clause 24.5.

24.5. The President and Vice-President shall not hold the same office for more than two consecutive years. The Secretary and Treasurer shall not hold the same office for more than six consecutive years.

24.6. In the event of a casual vacancy in any office, the Council may appoint one of its members to the vacant office and the member so appointed may continue in office for the remainder of the normal term.

24.7. In the event of a casual vacancy occurring for an ordinary member of Council, the Council may appoint a member of the Society to fill the vacancy and the member so appointed may continue on Council for the remainder of the normal term.

24.8. Council may co-opt additional members of Council for specific duties.

## **Executive**

25.1. The Executive shall consist of the officers of the Society.

25.2. Between meetings of the Council, the Executive is responsible for ensuring that every reasonable action is taken to accomplish the aims of the Society, subject to the direction of Council. Specifically the Executive has responsibility for:

- (a) execution of the day-to-day business of the Society;
- (b) implementation of the decision of Council as directed; and
- (c) other matters as delegated by the Council to the Executive.

### **Election of officers and ordinary members**

26.1. Council shall, not later than October 31 each year, send to each member a request for nominations for election to such positions on Council as fall vacant at the following year's Annual General Meeting.

26.2. Nominations of eligible members for election as officers of the Society or as ordinary members of Council:-

(a) shall be made in writing, signed by two eligible members of the Society and accompanied by the written consent of the candidate.

(b) shall be delivered to the Secretary by a date, determined by Council, which shall be no later than the date on which notice of the Annual General Meeting is sent to members in accordance with sub-clause 10.1.

26.3. The notice to members of the Annual General Meeting shall include a list of all nominations received by the closing date.

26.4. In the case of no more than one nomination for each position, the candidates shall be declared to be elected unopposed. Otherwise, a ballot for election shall be held.

26.5. In the event of a ballot being required, it shall be conducted at the Annual General Meeting, with members able to exercise a vote either in person or by proxy appointed in accordance with sub-clause 15.2. The ballot shall be conducted so that each eligible member may cast the same number of votes for each position as there are vacancies for that position. The candidates with the largest numbers of votes shall be declared elected. In the event of a tie for any position, the winner shall be chosen by lot.

### **Vacancy of an office**

27. For the purpose of these rules, the office of an officer of the Society or of an ordinary member of the Council becomes vacant if the officer or ordinary member:-

(a) ceases to be a member of the Society;

(b) is disqualified from office under the Act or any other legislation;

(c) resigns office by notice in writing given to the Secretary; or

(d) is removed from office in accordance with rule 33.

### **Proceedings of Council meetings**

28.1. The Council shall meet at least four times in each year at such place and such times as the Council may determine.

28.2. Special meetings of the Council may be convened by the President, Vice-President or by any four of the members of Council.

28.3. Notice shall be given to members of the Council 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.

28.4. Any four members of the Council, including at least one member of the Executive, constitute a quorum for the transaction of the business of a meeting of the Council.

28.5. 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 a time and place to be determined by the presiding member, being not more than one week hence.

28.6. At meetings of the Council:-

(a) the President or, in the absence of the President, the Vice-President shall preside; or

(b) if the President and the Vice-President are absent, such one of the remaining members of the Council as may be chosen by the members present shall preside.

28.7. Questions arising at a meeting of the Council or of any sub-committee appointed by the Council 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.

28.8. Each member present at a meeting of the Council or of any sub-committee appointed by the Council (including the person presiding at the meeting) is entitled to one vote and, in the event of any equality of votes on any question, the person presiding may exercise a second or casting vote.

28.9. Written notice of each Council meeting shall be served on each member of the Council by delivering it to the Council member at a reasonable time before the meeting or by notification in writing addressed to the member at his/her usual or last known place of abode or of employment at least five business days before the date of the meeting.

28.10. Subject to clause 28.4 the Council may act notwithstanding any vacancy on Council.

28.11. Meetings may take place with members of Council present either in person or by telephone or other communications facility.

### **President**

29. The President:-

- (a) shall represent or speak officially for the Society on all occasions of major import;
- (b) shall perform such other duties as specified in these rules, the regulations or the Act; and
- (c) may delegate responsibility and authority for specific duties in accordance with the needs of the Society.

### **Vice-President**

30. The Vice-President shall assume the duties of the President in the absence of the President.

### **Secretary**

31.1. The Secretary of the Society shall:-

- (a) keep minutes of the resolutions and proceeding of each general meeting and each Council meeting in books provided for that purpose together with a record of the names of persons present at Council meetings;
- (b) keep in his/her custody or under his/her control all books, documents and securities of the Society, except as otherwise provided in these rules; and
- (c) perform such other duties of the Secretary as specified in these rules, the regulations or the Act.

31.2. The records of the Society referred to in clause 31.1 shall be available for inspection by members.

### **Treasurer**

32.1. The Treasurer of the Society:-

- (a) shall collect and receive all moneys due to the Society and make all payments authorised by the Society; and
- (b) shall keep correct accounts and books showing the financial affairs of the Society with full details of all receipts and expenditure connected with the activities of the Society.

32.2. The accounts and books referred to in clause 32.1 shall be available for inspection by members.

### **Removal of a member of Council**

33. The Society in general meeting may by resolution remove any member of the Council before the expiration of the normal term of office and appoint another member instead to hold office until the expiration of the term of the first-mentioned member.

## **Payments**

34. All payments made by the Society, including but not limited to cheques written and payable on accounts held by the Society, shall be authorised by two members of the Executive or such other persons as are authorised by Council.

## **Seal**

35.1. The Common Seal of the Society shall be kept in the custody of the Secretary.

35.2. The Common Seal shall not be affixed to any instrument except by the authority of the Council and the affixing of the Common Seal shall be attested by the signatures either of two members of the Executive or of one member of the Council and of the Secretary.

## **Alteration of rules and statement of purposes**

36. These rules and the statement of purposes of the Society shall not be altered except by Special Resolution.

## **Special resolution**

37.1. A resolution of the Society is a Special Resolution if it is passed by a majority of not less than three-fourths of members voting in person or by proxy at a general meeting, of which notice specifying the intention to propose the resolution as a Special Resolution was given in accordance with these rules.

37.2. At any meeting at which a Special Resolution is submitted, a declaration by the Chair that the resolution has been carried shall be conclusive evidence of the fact unless a poll is demanded.

## **Notices**

38.1. Where a notice is required to be sent to a member in writing, it may be sent by any of the following means:

- (a) delivering it to that member in person;
- (b) sending it to the last known address of the member by pre-paid post;
- (c) sending a facsimile to the member, where the member has supplied the Society with a facsimile number; or
- (d) sending an electronic mail message to the member, where the member has supplied the Society with a suitable address.

38.2. Where a document is properly addressed pre-paid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.

## **Winding up and disposal of assets**

39. In the event of the winding up of the Society, all its remaining assets after payment of liabilities shall, subject to any trusts affecting any of those assets, be dealt with or disposed of in accordance with a Special Resolution of members or, in the absence of such a Special Resolution, be distributed to one or more associations in Australia having similar aims by the Registrar of Incorporated Associations.

## **Funds**

40. The funds of the Society shall be derived from annual subscriptions, donations and such other sources as the Council determines.

## **Copyright**

41.1. Each paper presented to the Society and accepted for publication in full or in abstract and the copyright thereof shall be the property of the Society if there is no previous arrangement with its author to the contrary.

41.2. The Council, in such cases as it determines, may release or surrender the rights of the Society in respect of any such paper or the copyright thereof.

41.3. The right of publishing all such papers and the reports of the proceedings and discussions at meetings of the Society shall be reserved to the Council which may, as it determines, give its consent to publication.

## **By-laws**

42. The Council shall, by majority resolution, have the power to enact such by-laws as are consistent with these Rules and are necessary for the effective operation of the Society.

## **Public Officer**

43. Council shall, from time to time, appoint a Public Officer to perform such duties as are required under the Act. The Public Officer must be eligible for appointment under the Act.

## **Disputes and mediation**

44.1. The grievance procedure set out in this rule applies to disputes under these Rules between-

- (a) a member and another member; or
- (b) a member and the Society.

44.2. The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.

44.3. If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.

44.4. The mediator must be-

- (a) a person chosen by agreement between the parties; or
- (b) in the absence of agreement-
  - (i) in the case of a dispute between a member and another member, a person appointed by Council; or
  - (ii) in the case of a dispute between a member and the Society, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).

44.5. A member of the Society can be a mediator.

44.6. The mediator cannot be a member who is a party to the dispute.

44.7. The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

44.8. The mediator, in conducting the mediation, must--

- (a) give the parties to the mediation process every opportunity to be heard; and
- (b) allow due consideration by all parties of any written statement submitted by any party; and
- (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

44.9. The mediator must not determine the dispute.

44.10. If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

