

LYMPHOEDEMA PRACTITIONERS EDUCATION GROUP OF VICTORIA INCORPORATED

Registered Number: A0032720W ABN: 88 501 760 147

RULES

I hereby certify that this document is a true copy of the Rules of the Lymphedema Practitioners Education Group of Victoria Inc. current as at the/...../ 2007.

.....
Secretary

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RULES OF LYMPHOEDEMA PRACTITIONERS EDUCATION GROUP OF VICTORIA INCORPORATED

1. Name

- 1.1 The name of the incorporated association is The Lymphoedema Practitioners Education Group of Victoria Incorporated.

2. Interpretation

- 2.1 In these Rules unless the contrary intention appears:

- (a) **Act** means the *Associations Incorporation Act 1981 (Vic)*.
- (b) **Association** means the Lymphoedema Practitioners Education Group of Victoria Incorporated.
- (c) **annual subscription** means the amount set out in Appendix 2 of these Rules.
- (d) **Committee** means the Committee of management of the Association.
- (e) **compulsory levy** means the amount set out in Appendix 2 of these Rules.
- (f) **entry fee** means the amount set out in Appendix 2 of these Rules.
- (g) **financial member** means a member who has paid all amounts due to the Association under Appendix 2 of the Rules.
- (h) **financial year** means the year ending on 30 June.
- (i) **general meeting** means a general meeting of members convened in accordance with Rule 10.
- (j) **member** means a:
 - (i) Full Member; or
 - (ii) an Associate Member; or
 - (iii) an Institutional Member,
 of the Association.
- (k) **Nomination Subcommittee** means the subcommittee that may be formed under Rule 18.2(c).
- (l) **ordinary member of the Committee** means a member who is appointed to the Committee but who is not an officer of the Association under Rule 16.
- (m) **Purposes** means the statement of purposes which accompanied the Association's application for its incorporation (or any altered statement of purpose approved by the Registrar in accordance with section 22 of the Act).

- (n) **Register** means the Register of members of the Association.
- (o) **Regulations** means regulations under the Act.
- (p) **Secretary** means the person who holds that office under Rule 16 and by virtue of that office is also the public officer of the Association.

2.2 Words or expressions contained in these Rules shall be interpreted in accordance with the provisions of the *Interpretation of Legislation Act 1984* (Vic) and the Act as in force from time to time.

3. **Alteration of the Rules or Purposes**

3.1 These Rules and the Purposes of the Association shall not be altered except in accordance with the Act¹.

4. **Application for membership**

4.1 A person who is approved for membership as provided in these Rules is eligible to be a member of the Association on payment of any entrance fee, annual subscription or compulsory levy set out under Appendix 2 of these Rules.

4.2 A person who is not a member of the Association at the time of the incorporation of the Association (or who was such a member at the time but has ceased to be a member) shall not be admitted to membership unless:

- (a) the person applies for membership in accordance with Rule 4.3; and
- (b) the admission as a member is approved by the Nomination Subcommittee.

4.3 An application of a person for membership of the Association:

- (a) shall be made in writing in the form set out in Appendix 1; and
- (b) shall be lodged with the Secretary of the Association.

4.4 As soon as is practicable after receipt of an application, the Secretary shall refer the application to the Nomination Subcommittee.

4.5 Within a reasonable time of receipt of an application, the Nomination Subcommittee shall determine whether to approve or reject the application taking into account any membership criteria set out in these Rules.

4.6 Once the Nomination Subcommittee arrives at a decision regarding an application for membership, the Secretary may, within a practicable time, provide the applicant with:

- (a) notification of the decision in writing, which may be by post or via electronic transmission; and
- (b) in satisfaction of any amounts due under Appendix 2 will:

¹ Section 22 of the Act provides that an incorporated association may, by special resolution, alter its statement of purposes or its rules. Section 29 of the Act defines a special resolution.

6.

- (i) accept and process any payment provided by the applicant with the membership application if the applicant is approved for membership; or
- (ii) request in writing payment within 28 days from an applicant approved for membership who does not provide payment with their membership application; or
- (iii) return or rescind any payments from an applicant rejected for membership.

4.7 The Secretary must, within 28 days after receipt of the amounts referred to in Rule 4.6(b), enter the applicant's name in the Register.

4.8 An applicant for membership becomes a member and is entitled to exercise the rights of membership when the person's name is entered on the Register.

4.9 A right, privilege, or obligation of a person by reason of being a member:

- (a) is not capable of being transferred or transmitted to another person; and
- (b) terminates upon the cessation of the person being a member, whether by death, resignation or otherwise.

4.10 The annual subscription is set out in Appendix 2 and is payable in advance or within 60 days of the end of the financial year.

5. Categories of membership

5.1 There are 3 categories of membership, being a Full Member, an Associate Member and an Institutional Member.

5.2 A person is eligible to be a Full Member if he or she:

- (a) is a natural person;
- (b) is a health professional with at least one tertiary qualification requiring a minimum of 4 years full-time study to obtain, or any other such qualification which the Nomination Subcommittee resolves is acceptable for the purpose of this Rule;
- (c) has completed a course of instruction as prescribed by the Committee from time to time, which accords with the guidelines for training of the Australian Lymphology Association; and
- (d) holds current registration as a practitioner in the field of health practice relevant to the tertiary qualification under Rule 5.2(b).

5.3 A person is eligible to be an Associate Member if he or she:

- (a) is a natural person;
- (b) is currently registered by their respective professional body; and

- (c) is practicing in the field of lymphoedema or has demonstrated an interest in, or understanding of, lymphology as determined by the Nomination Subcommittee for the purposes of this Rule.

5.4 A person is eligible to be an Institutional Member if they:

- (a) are a legal person comprised of an association of persons, whether incorporated or not; or
- (b) are a legal person established by Statute; and
- (c) have demonstrated an interest in, or understanding of, lymphology as determined by the Nomination Subcommittee.

5.5 A person admitted as an Associate Member by the Nomination Subcommittee may appeal to the Committee to be admitted as a Full Member if they can provide the appropriate documentation which demonstrates that their training and knowledge is equivalent to that required of a Full Member. A letter of appeal with supporting paperwork will be presented to the Committee at the next meeting for review.

5.6 Upon an appeal under Rule 5.5, the Committee shall determine whether to approve or to reject the appeal. The Secretary shall send a letter informing the appellant of the outcome of the appeal.

5.7 Notwithstanding any other provision of these Rules, an Associate Member shall not be entitled to vote on any question arising at any meeting of members of the Association but may, with the prior approval of the Chairperson of the meeting, participate in debate on any question which arises.

5.8 Notwithstanding any other provision of these Rules, an Institutional Member, or its representative, shall not be entitled to vote upon any question arising at any meeting of members of the Association but may, with the prior approval of the Chairperson of the meeting, participate in debate on any question which arises.

6. Register of members

6.1 The Secretary shall keep and maintain a Register containing:

- (a) the full name, category of membership, postal address and email address of each member (if applicable); and
- (b) the date on which each member's name was entered in the Register.

6.2 The Register shall be available for inspection by members at the address of the public officer.

7. Annual general meeting

- 7.1 The Association shall in each calendar year, within 4 months of the close of the financial year, convene an annual general meeting of its members² save that it shall not be necessary to hold an annual general meeting in the year of incorporation.
- 7.2 The annual general meeting shall be held on such day and time and at such place as the Committee determines.
- 7.3 The annual general meeting shall be specified as such in the notice convening it.
- 7.4 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 reports upon the transactions of the Association during the last preceding financial year;
 - (c) to elect officers of the Association and the ordinary members of the Committee; and
 - (d) to receive and consider the statement submitted by the Association in accordance with section 30(3) of the Act.
- 7.5 The annual general meeting may transact special business of which notice is given in accordance with these Rules.
- 7.6 The annual general meeting shall be in addition to any other general meetings that may be held in the same year.

8. Special general meeting

- 8.1 In addition to the annual general meeting, any other general meetings may be held in the same year.
- 8.2 All general meetings other than the annual general meeting shall be called special general meetings.
- 8.3 The Committee may, whenever it thinks fit, convene a special general meeting of the Association and, where, but for this sub-clause, more than 15 months would elapse between annual general meetings, shall convene a special general meeting before the expiration of that period.
- 8.4 The Committee shall, on the requisition in writing of members representing not less than 5% of the total number of members, convene a special general meeting of the Association.
- 8.5 The requisition for a special general meeting shall:
- (a) state the objects of the meeting;

² Section 30 of the Act provides that an incorporated association shall, at least once in each calendar year, convene a general meeting to be called an annual general meeting.

- (b) be signed by the members making the requisition;
- (c) be sent to the address of the Secretary; and
- (d) may consist of several documents in a like form, each signed by one or more of the members making the requisition.

8.6 If the Committee does not cause a special general meeting to be held within 1 month 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 3 months after that date.

8.7 A special general meeting convened by members 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 the expenses.

9. Special Business

9.1 All business that is conducted at a special general meeting and all business that is conducted at the annual general meeting, except for business conducted under these Rules as being ordinary business of the annual general meeting in accordance with Rule 7.4, is deemed to be special business.

10. Notice of general meetings

10.1 The Secretary of the Association shall, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a general meeting of the Association, cause to be sent to each member of the Association at his address appearing in the register a notice stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

10.2 Notice of a general meeting may be sent to members by post or electronic transmission to the mailing address or email address appearing on the Register.

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

10.4 A member desiring to bring any business before a 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.

11. Quorum at general meetings

11.1 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.

11.2 5 Full Members personally present constitute a quorum for the transaction of the business of a general meeting.

11.3 If within half an hour after the appointed time for the commencement of a general meeting, a quorum satisfying the requirements of Rule 11.2 is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairman 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 the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than 3) shall be a quorum PROVIDED that a majority of the members actually present must be Full Members.

12. Presiding at general meetings

12.1 The President, or in his absence, the Vice-President, shall preside as Chairman at each general meeting of the Association.

12.2 If the President and the Vice-President are absent from a general meeting, the members present shall elect 1 of their number to preside as Chairman at the meeting.

13. Adjournment of general meetings

13.1 The Chairman 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 Rules 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.

14. Voting at general meetings

14.1 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 show of hands a poll is demanded, a declaration by the Chairman that a resolution has, on a show of hands, been carried or 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.

14.2 Upon any question arising at a general meeting of the Association, each Full Member shall:

- (a) have only one vote; and
- (b) give their vote personally.

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

- 14.4 If at a meeting a poll on any question is demanded by not less than 3 members, it shall be taken at the meeting in such a manner as the Chairman may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- 14.5 A poll that is demanded on the election of a Chairman or on a question of an adjournment shall be taken immediately 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.
- 14.6 A member is not entitled to vote at any general meeting unless he is a financial member on the date the meeting is held.
- 14.7 There shall be no voting by proxy.

15. Committee of management

- 15.1 The affairs of the Association shall be managed by a Committee of management constituted as provided in Rules 15.2 and 15.3.
- 15.2 The Committee:
- (a) shall control and manage the business and affairs of the Association;
 - (b) may, subject to these Rules, the Regulations and the Act, exercise all such powers and functions available to the Association, other than those powers and functions required by these Rules to be exercised by general meetings of the members of the Association; and
 - (c) subject to these Rules, the Regulations and the Act, has power to perform all acts as appear to the Committee to be essential for the proper management of the business and affairs of the Association. Without limiting the generality of the foregoing, such acts and things may include the formation of subcommittees and divisions of membership whether by domicile, vocational experience or expertise, academic qualification or otherwise.
- 15.3 Subject to section 23 of the Act, the Committee shall consist of:
- (a) the officers of the Association; and
 - (b) not fewer than 4 and not more than 10 ordinary members, the precise number of ordinary members being determined at the annual general meeting of the Association each year, each of whom shall be elected at the annual general meeting of the Association in each year PROVIDED that the majority of members so elected to the Committee shall be Full Members.

16. Officers of the Association

- 16.1 The officers of the Association shall be:
- (a) a President;
 - (b) a Vice-President;

- (c) a Treasurer; and
- (d) a Secretary, who may also hold the office of Vice-President.

16.2 Each officer of the Association shall, subject to these Rules, hold office until the annual general meeting next after the date of his or her election, but is eligible for re-election.

17. Ordinary members of the Committee

17.1 Each ordinary member of the Committee shall, subject to these Rules, hold office until the annual general meeting next after the date of his or her election, but is eligible for re-election.

17.2 In the event of a casual vacancy occurring in the office of an ordinary member of the Committee, 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 or her appointment.

17.3 The Committee may, from time to time, co-opt for a period of time up to the next annual general meeting of the Association a member or members as a Committee member where it determines such a person or persons may be able to provide particular skills or representation which it believes would be valuable or convenient to the operations of the Committee. A person or persons so co-opted may be supernumerary to the provisions of Rule 15.3(a) PROVIDED that the requirements of Rule 15.3(b) are otherwise observed.

18. Subcommittees

18.1 A subcommittee formed by the Committee under Rule 15.2(c) (**Subcommittee**) shall:

- (a) have its membership fixed by the Committee, including the appointment of a presiding person;
- (b) have its terms of reference fixed by the Committee;
- (c) report to the Committee as often as thought fit by the person presiding or as required by the Committee;
- (d) subject to these Rules and any directions given by the Committee, be able to regulate its own proceedings; and
- (e) continue to exist at the discretion of the Committee.

18.2 A Subcommittee may be formed by the Committee to:

- (a) advise the Committee of the educational standards of lymphoedema practitioners, both members of the Association and those who wish to become lymphoedema practitioners (**Education Subcommittee**);
- (b) design and distribute a newsletter on behalf of the Association (**Newsletter Subcommittee**); and

- (c) approve or reject applications, and must be formed of at least two members of the Committee (**Nomination Subcommittee**).

18.3 A Subcommittee must:

- (a) have its terms of reference fixed by the Committee in accordance with the educational objectives of the Association as a whole;
- (b) be presided over by a member of the Committee who shall be appointed by the Committee, and who shall report to the Committee as often as a Subcommittee thinks fit, or as required by the Committee; and
- (c) regulate its own proceedings, subject to these Rules and any directions given by the Committee.

19. Meetings of the Committee

- 19.1 The Committee must meet at least 3 times in each year at such place and such times as the Committee may determine.
- 19.2 Special meetings of the Committee may be convened by the President or by any 4 members of the Committee.

20. Notice of Committee meetings

- 20.1 Notice of each Committee meeting must be given to each member of the Committee at least 2 business days before the date of the meeting.
- 20.2 Notice of a Committee meeting may be sent to each member of the Committee by post or electronic transmission to the mailing address or email address appearing on the Register.

21. Election of members of the Committee

- 21.1 Nominations of candidates for election as officers of the Association or as ordinary members of the Committee shall be called for at the annual general meeting.
- 21.2 If insufficient nominations are received to fill all the vacancies on the Committee, the candidates nominated shall be deemed to be elected and the balance of the vacancies will be held over as casual vacancies.
- 21.3 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.
- 21.4 If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- 21.5 The election of officers of the Committee shall be conducted at the annual general meeting in such usual and proper manner as the Committee may direct.
- 21.6 A nomination of a candidate for election under this Rule 21 is not valid if the candidate has been nominated for another office for election at the same election, save that a candidate

may be nominated for the position of Vice-President and the office of Secretary in the same election.

- 21.7 A nomination of a candidate for election under this Rule 21 is not valid unless the candidate is a financial member of the Association on the date the nomination is delivered to the Secretary.

22. Vacancy

- 22.1 For the purposes of these Rules, the office of an officer of the Association or of an ordinary member of the Committee becomes vacant if the officer or member:

- (a) ceases to be a member of the Association;
- (b) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* (Cth); or
- (c) resigns his or her office by notice in writing given to the Secretary.

- 22.2 In the event of a vacancy in any office referred to in Rule 16.1, the Committee may appoint an ordinary member of the Committee 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.

23. Quorum for Committee meetings

- 23.1 Any 4 members of the Committee constitute a quorum for the transaction of business of a meeting of the Committee provided that a majority of the quorum actually present must be comprised of Full Members.
- 23.2 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, unless the meeting was a special meeting in which case it lapses.

24. Presiding at Committee meetings

- 24.1 At meetings of the Committee:
- (a) the President or in his absence the Vice-President shall preside; 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.

25. Voting at Committee meetings

- 25.1 Questions arising at a meeting of the Committee or of any subcommittee 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.
- 25.2 Each member present at a meeting of the Committee or of any Subcommittee appointed by the Committee, including the person presiding at the meeting, is entitled to 1 vote and, in

the event of an equality of votes on any question, the person presiding may exercise a second or casting vote. However, no member of the Committee shall be entitled to vote at any meeting of the Committee or a Subcommittee unless he or she is a financial member at the date the meeting is held.

25.3 Subject to Rule 23.1 the Committee may act notwithstanding any vacancy on the Committee.

26. Secretary

26.1 The Secretary of the Association shall keep minutes of the resolutions and proceedings of each general meeting and each committee meeting in a folder provided for that purpose together with a record of the names of persons present at committee meetings.

27. Treasurer

27.1 The Treasurer of the Association:

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

27.2 The accounts and books referred to in Rule 27.1 shall be available for inspection by members.

28. Dispute and Mediation

28.1 The grievance procedure set out in this Rule 28 applies to disputes under these Rules between:

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

28.2 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.

28.3 If all of 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.

28.4 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 the Committee; or
- (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).

28.5 A member of the Association can be a mediator but the mediator cannot be a member who is a party to the dispute.

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

28.7 The mediator, in conducting the mediation, must:

- (a) give the parties to the mediation process every opportunity to be heard;
- (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.

28.8 The mediator must not determine the dispute.

28.9 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.

29. Resignation and expulsion of members

29.1 A member of the Association who has paid all moneys due and payable to the Association may resign from the Association by first giving one months notice in writing to the Secretary of his or her intention to resign.

29.2 A member who resigns from the Association in accordance with Rule 29.1 is not entitled to a refund of all or part of any amount paid to the Association under Appendix 2.

29.3 After the expiry of the notice period under Rule 29.1:

- (a) the member ceases to be a member; and
- (b) the Secretary must record in the Register the date on which the member ceased to be a member.

29.4 A member who has refused or neglected to pay any fee due under Appendix 2 may be served by the Committee with a notice stating that if the amount due is not paid prior to the date specified in the notice (which shall be at least 30 days after the date of service of the notice), the person to whom the notice is addressed shall cease to be a member.

29.5 Upon the expiration of a notice given under Rule 29.4 and in the absence of payment of the amounts due under Appendix 2 as required by the notice, the Secretary shall make in the Register an entry recording the date on which the person to whom the notice was given, ceased to be a member.

- 29.6 Subject to these Rules, if the Committee is of the opinion that a member has refused or neglected to comply with these Rules or has been guilty of conduct unbecoming a member or prejudicial to the interests of the Association, the Committee may by resolution:
- (a) expel the member from the Association;
 - (b) suspend the member from membership of the Association for a specified period; or
 - (c) fine the member in accordance with the Regulations³.
- 29.7 A resolution of the Committee under Rule 29.6:
- (a) does not take effect unless the Committee, at a meeting held not earlier than 14 and not later than 28 days after the service on the member of a notice in accordance with Rule 29.4 confirms the resolution in accordance with this clause; and
 - (b) where the member exercises a right of appeal to the Association, this clause does not take effect unless the Association confirms the resolution in accordance with Rule 29.7(a).
- 29.8 Where the Committee passes a resolution under Rule 29.6, the Secretary shall, as soon as practicable, serve on the member a notice in writing:
- (a) setting out the resolution of the Committee and the grounds on which it is based;
 - (b) stating that the member may address the Committee at a meeting to be held not earlier than 14 and not later than 28 days after the service of the notice;
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that he or she may do one or more of the following:
 - (i) attend that meeting;
 - (ii) give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution; and/or
 - (iii) not later than 24 hours before the date of the meeting, lodge with the Secretary a notice to the effect that he or she wishes to appeal to the Association in general meeting against the resolution.
- 29.9 At a meeting of the Committee held in accordance with Rule 29.7(b), the Committee:
- (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.

³ The Regulations provided that the Committee of an incorporated association may impose a fine not exceeding \$500.00 on a member who commits a breach of the rules of the Incorporated Association.

29.10 Where the Secretary receives a notice under Rule 29.8(d)(iii), he or she shall notify the Committee and the Committee shall convene a general meeting of the Association to be held within 21 days after the date of which the Secretary received the notice.

29.11 At a general meeting of the Association convened under Rule 29.10:

- (a) no business other than the question of the appeal shall be transacted;
- (b) the Committee 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 of whether the resolution should be confirmed or revoked.

29.12 If at a general meeting:

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

30. Removal of a member of the Committee

30.1 The Association in a general meeting may by resolution remove any member of the Committee before the expiration of his term of office and appoint another member in his or her stead to hold office until the expiration of the term of the first-mentioned member.

30.2 Where the member to whom a proposed resolution referred to in Rule 30.1 makes representations in writing to the Secretary or President of the Association (not exceeding a reasonable length) and requests that they be notified to the members of the Association, the Secretary or President may send a copy of the representation to each member of the Association or, if they are not to be sent, the member may require that they be read out at the meeting.

31. Cheques

31.1 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by 2 members of the Committee.

32. Seal

32.1 The Common Seal of the Association shall be kept in the custody of the Secretary.

32.2 The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures either of 2 members of the Committee or of 1 member of the Committee and of the public officer of the Association.

33. Notice to members

- 33.1 Except as required in Rule 10, any notice that is required to be given to a member, by or on behalf of the Association, under these Rules may be given by:
- (a) delivering the notice to the member personally;
 - (b) sending it by prepaid post addressed to the member at that member's address shown in the Register; or
 - (c) electronic transmission sent to the member at that member's email address shown in the Register.

34. Winding up or Cancellation

- 34.1 If, at any annual or other general meeting of members (of which not less than 21 days notice, including notice of the special resolution to be presented to the meeting, has been given), a resolution for the dissolution of the Association shall be passed by a majority of at least three-fourths of the members then present, the Committee shall inform the Registrar accordingly and shall thereupon or at such future date as shall be specified in such resolution, proceed to realise the property of the Association.
- 34.2 Any and all assets remaining after full settlement of all just debts and liabilities incurred by the Association shall be disposed by gift or transfer to such other Association organisation or organisations, having purposes wholly or in part similar to the purposes of this Association as may be specified in the resolution.
- 34.3 If and so far as effect cannot be given to the aforesaid provision, then such remaining assets shall be given or transferred to some charitable purpose or to be decided by the Committee. Such resolution must specify that the net assets remaining after the payment of all liabilities shall be transferred to a fund approved under Section 78 (1) (a) (I) or (II) of the *Income Tax Assessment Act 1936* (Cth), as amended. In all other respects, the winding up and the cancellation of the incorporation of the Association shall be conducted in accordance with the provisions of the Act.

35. Custody of records

- 35.1 Except as otherwise provided in these Rules, the Secretary shall keep in his or her custody or under his or her control all books, documents and securities of the Association.

36. Funds

- 36.1 The funds of the Association shall be derived from entrance fees, annual subscriptions, compulsory levies, donations and such other sources as the Committee determines.

20.

APPENDIX 1



Lymphoedema Practitioners Education Group of Victoria

Membership Application

New member Membership renewal

Name:

Practitioners Listing Address:

Name of Organisation:

Address:

Office Days /Hours:Postcode.....

Phone: (W).....(Mob).....

Fax:.....Email:.....

The information below will not be printed in the practitioners list:

Postal address for newsletter if different from work:

.....Postcode.....

Email (I request receipt of Association notices by email):

After hours contact (optional): Home..... Mob.....

Please tick box	Member type	Definition	Evidence required	Annual subscription*	GST	Total
[]	FULL	A health professional with: <ul style="list-style-type: none"> • primary qualification in an Allied Health or RN (Div 1) • level 1 lymphoedema training recognised by LPEGV, and in line with ALA training guidelines • current registration in relevant health profession 	<ul style="list-style-type: none"> • Lymphoedema Qualification • Current annual registration of your professional body 	\$30	\$3	\$33
[]	ASSOCIATE	A health professional who: <ul style="list-style-type: none"> • is practising in the field of lymphoedema or has demonstrated an interest in or understanding of lymphoedema • holds current registration of their respective professional body 	<ul style="list-style-type: none"> • Current annual registration to your professional body • Lymphoedema Qualification (if available) 	\$30	\$3	\$33
[]	INSTITUTIONAL	Organisations, institutions or agencies involved in lymphoedema related activities	<ul style="list-style-type: none"> • ABN / ACN 	\$100	\$10	\$110

* = subject to Committee review

Service / Referral Information

Full time Part time Public Private
 Number of new patients you have treated each year 0-5 5-10 10-20 >20
 Referral Criteria (eg: limited to patients of your hospital, geographic area):
 Referral process: Medical letter Allied Health Family/Self referral

Aspects of Complex Decongestive Therapy offered by your service:

.....

Education (individual, groups) Exercise advice / groups Manual lymph drainage
 Bandaging Compression garment prescription
 Home visits Hydrotherapy Other.....
 Additional information about your service/ clinic (e.g. access to multidisciplinary team)

.....

Consent to share information from the LPEGV's Register via the Practitioners List

On approval to become a member of the LPEGV, the information provided in this membership application will form part of the Register of the LPEGV. Access to the Register is governed by the Rules of the LPEGV, the *Associations Incorporation Act 1981* (Vic) and its regulations. Within those requirements, the LPEGV maintains full discretion over the policy governing the dissemination of information from the LPEGV's Register to interested persons, which may include but is not limited to, general medical practitioners, medical specialists and the Lymphoedema Association of Victoria.

I consent to share my information in accordance with the LPEGV's policy:

Signature.....

Date.....

Declaration

I.....wish to become a professional member of the Lymphoedema Practitioners Education Group of Victoria Incorporated. In the event of my admission as a professional member, I agree to be bound by the Rules of the Association for the time being in force. The Rules of the Association are available on request.

Signature.....

Date.....

Please attach copies of evidence required to this completed form, together with your cheque or money order (payable to Lymphoedema Practitioners Education Group of Victoria)

Post to:

LPEGV
Membership Secretary

APPENDIX 2 SCHEDULE OF FEES

The entry fee, which is payable by a member upon an initial application to join the Association but not upon renewal of membership, is \$0 or such amount determined by resolution of the Committee from time to time.

The annual subscription of the Association is:

- (a) \$33 for a Full Member (inclusive of GST) or such amount determined by resolution of the Committee from time to time;
- (b) \$33 for an Associate Member (inclusive of GST) or such amount determined by resolution of the Committee from time to time; and
- (c) \$110 for an Institutional Member (inclusive of GST) or such amount determined by resolution of the Committee from time to time

The compulsory levy is any such amount determined by resolution of the Committee from time to time, but may not exceed \$200 in any financial year.