



# ACS National Regulations



March 2023

**ACS National Regulations**  
Australian Computer Society  
March 2023

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# 1. Preliminary

## 1.1. Interpretation

- In these National Regulations, unless a contrary intention appears:
- the definitions contained in Rule 1 of the Rules apply,
- "Accredited Course" means a course of study accredited by the Society under the ACS Course Accreditation Scheme,
- "ACS Course Accreditation Scheme" means the criteria for accrediting courses of study in ICT and the requirements for making and processing applications for accreditation approved from time to time by Management Committee,
- "Associate" means the Grade of that name and a member of that Grade,
- "Certification Program" means the program of certification of members conducted under that name by the Society,
- "Core Body of Knowledge" means the knowledge of information technology described as such in the most recent version of "The ACS Core Body of Knowledge for ICT Professionals", published by Management Committee,
- "Fellow" means the Grade of that name and a member of that Grade,
- "Guidelines for Certification" means the criteria for certifying the knowledge of ICT and/or Industry Experience of members and the requirements for making and processing applications for certification approved most recently by Management Committee,
- "Guidelines for Membership" means the criteria for admission to Grades and for classification to special categories and the requirements for making and processing applications for admission to Grades and for classification to special categories approved most recently by Management Committee,
- "ICT" means information and communication technology,
- "Industry Experience" means experience in ICT described as such in the Guidelines for Membership,
- "Member" means the Grade of that name and a member of that Grade,
- "overseas applicant" means a person who is not a citizen or permanent resident of Australia,
- "Relevant Professional Experience" means professional experience in ICT described as such in the Guidelines for Membership,
- "Returning Officer" means the person so elected or appointed under NR8,
- "Senior Member" means the Grade of that name and a member of that Grade.

## 1.2. Transitional

1.2.1. All Branch Regulations cease to have any effect from and including 1 January 2006.

1.2.2. All persons, things and circumstances appointed or created and continuing by or under any such Branch Regulations immediately before 1 January 2006, will be treated as being appointed or created and continuing by or under the National Regulations.

# 2. Membership

## 2.1. Grades and Division

2.1.1. The Grades are:

- a. Fellow
- b. Senior Member
- c. Member
- d. Associate

2.1.2. The Fellows, Senior Members and Members, together, but excluding members classified into the special categories of Honorary Fellow and Honorary Member (unless the Honorary Member was a member before classification as an Honorary Member), comprise Professional Division.

## 2.2. Qualifications for Admission to Grades

#### 2.2.1. Fellow

To be eligible for admission as a Fellow, a person must:

- a. have made a distinguished contribution to the field of ICT in Australia; and
- b. be a Member; and
- c. satisfy the criteria for admission of Fellows set out in the Guidelines for Membership.

#### 2.2.2. Senior Member

To be eligible for admission as a Senior Member, a person must:

- a.
  - i. have undertaken a significant amount of postgraduate academic training and/or professional development, or
  - ii. have undertaken a significant amount of demanding and challenging Industry Experience in a position of major responsibility, or
  - iii. whilst not having undertaken a significant amount as required by NR2.2.2.a.i. or NR2.2.2.a.ii. individually, have undertaken an acceptable amount, in aggregate, of postgraduate academic training and/or professional development and/or demanding and challenging Industry Experience in a position of major responsibility, and
- b. be a member, and
- c. satisfy the criteria for admission of Senior Members set out in the Guidelines for Membership.

#### 2.2.3. Member

To be eligible for admission as a Member, a person must:

- a. satisfy the Society that he or she has acquired the Core Body of Knowledge; and
- b. have the requisite Relevant Professional Experience; and
- c. satisfy the criteria for admission of Members set out in the Guidelines for Membership.

#### 2.2.4. Associate

To be eligible for admission as an Associate, a person must:

- a. be over the age of 16 years; and
- b. be engaged in or training for ICT practice which, either directly or indirectly, calls upon his or her ICT knowledge, skills and experience; and
- c. satisfy the criteria for admission of Associates set out in the Guidelines for Membership.

### 2.3. Procedure for Admission to a Grade

2.3.1. An application for admission to a Grade from a non-member is an application for admission to the Society, and if:

- a. the application is from an overseas applicant it must be for admission to Overseas Group, or
- b. the application is from a person other than an overseas applicant, it may be for admission to any Branch.

2.3.2. Application for admission to a Grade must be made in accordance with the Guidelines for Membership by:

- a. the person affected, or
- b. by any other person with the consent of the person affected.

2.3.3. Applications for admission to a Grade will be processed in accordance with the Guidelines for Membership.

### 2.4. Accredited Courses

2.4.1. Management Committee is responsible for publishing and keeping current:

- a. "The ACS Core Body of Knowledge for ICT Professionals" and
- b. "The ACS List of Accredited Courses".

2.4.2. Management Committee must:

- a. incorporate, into the publication referred to in NR2.4.1(a), a definition of Core Body of Knowledge, and
- b. ensure that Core Body of Knowledge is defined to be at bachelor degree level, and
- c. ensure that each Accredited Course listed in the publication referred to in NR2.4.1(b) conforms with the ACS Course Accreditation Scheme most recently published by the Society

### 2.5. Post Nominals

- 2.5.1. A Fellow is entitled to use after his or her name:
- a. the designation Fellow of the Australian Computer Society Inc., and
  - b. the abbreviated designation FACS.
- 2.5.2. A Senior Member is entitled to use after his or her name:
- a. the designation Senior Member of the Australian Computer Society Inc., and
  - b. the abbreviated designation MACS(Snr).
- 2.5.3. A Member is entitled to use after his or her name:
- a. the designation Member of the Australian Computer Society Inc., and
  - b. the abbreviated designation MACS.
- 2.5.4. An Associate is entitled to use after his or her name:
- a. the designation Associate of the Australian Computer Society Inc., and
  - b. the abbreviated designation AACS.
- 2.5.5. A member who satisfies the requirements of the Guidelines for Certification for a certified technologist is entitled to use after his or her name:
- a. the designation Certified Technologist, and
  - b. the abbreviated designation CT.
- 2.5.6. A member who satisfies the requirements of the Guidelines for Certification for a certified professional is entitled to use after his or her name:
- a. the designation Certified Professional, and
  - b. the abbreviated designation CP.
- 2.5.7. A member who satisfies the requirements of the Guidelines for Certification for a certified specialist in an area of specialisation is entitled to use after his or her name:
- a. the designation Certified Specialist (*area of specialisation*), and
  - b. the abbreviated designation CS(*area of specialisation*).

## 2.6. Special Categories of Membership

2.6.1. The special categories of membership of the Society are:

- a. Honorary Life Member,
- b. Honorary Fellow
- c. Honorary Member,
- d. Certified Computer Professional
- e. Continuing Member,
- f. Retired Member,
- g. Unemployed Member, and
- h. Student.

## 2.7. Pre-requisites for Classification into a Special Category

2.7.1. Honorary Life Member

To be eligible for classification as an Honorary Life Member, a member must have rendered:

- a. exceptional and distinguished service to the Society, or
- b. long and valued service to the Society by playing an active and commendable part in the affairs of the Society for at least 10 years. In this respect, service to a society which later became part of the Society may be recognised, or
- c. both 2.7.1.a. and 2.7.1.b.

2.7.2. Honorary Fellow

A person who is not a member may be classified as an Honorary Fellow by Management Committee if such classification satisfies the relevant criteria set out in the Guidelines for Membership.

2.7.3. Honorary Member

A member or a person who is not a member may be classified as an Honorary Member by Management Committee or a Branch Executive Committee if such classification satisfies the relevant criteria set out in the Guidelines for Membership.

#### 2.7.4. Certified Computer Professional

To be eligible for classification as a Certified Computer Professional a member must:

- a. be a member of Professional Division,
- b. satisfy the requirements of the Guidelines for Certification for a certified professional or certified specialist, and
- c. satisfy the relevant criteria set out in the Guidelines for Membership.

#### 2.7.5 Continuing Member

To be eligible for classification as a Continuing Member, a member must be a member of a Branch who:

- a. expects to be out of Australia for at least 12 months, and
- b. satisfies the relevant criteria set out in the Guidelines for Membership.

#### 2.7.6. Retired Member

To be eligible for classification as a Retired Member, a member must:

- a. have been a member for at least 10 years,
- b. have retired from regular employment, and
- c. satisfy the relevant criteria set out in the Guidelines for Membership.

#### 2.7.7. Unemployed Member

To be eligible for classification as an Unemployed Member, a member must:

- a. have been a member for at least 2 years, during which period, the member must not have been a member of a special category, and
- b. be unemployed, and
- c. expect to be out of employment for at least 12 months, and
- d. satisfy the relevant criteria set out in the Guidelines for Membership.

#### 2.7.8. Student

To be eligible for classification as a Student, a member must:

- a. be enrolled in a full-time course of study meeting the requirements set out in the Guidelines for Membership, and
- b. satisfy the relevant criteria set out in the Guidelines for Membership.

## 2.8. Manner and Effect of Classification into Special Categories

### 2.8.1. Honorary Life Member

2.8.1.1. A nomination for classification as Honorary Life Member must be initiated and endorsed by:

- a. a Branch Executive Committee, or
- b. Management Committee, or
- c. any committee of Management Committee, to which responsibility for such nomination has been delegated.

2.8.1.2. Management Committee may appoint such number of Honorary Life Members in any calendar year as it determines.

2.8.1.3. The initiating committee must supply to the Chief Executive Officer the nomination and supporting documentation at least 8 weeks before the Management Committee meeting which is to consider the nomination.

2.8.1.4. Classification of a member as an Honorary Life Member must be by Management Committee by an affirmative vote by a 2/3 majority.

2.8.1.5.

- a. Subject to 2.8.1.5.b an Honorary Life Member is not required to pay any fees.
- b. An Honorary Life Member must pay any fee relating to conferences, seminars or other professional
  - a. activities of the Society other than admission fees.

2.8.1.6. Management Committee may award a suitably inscribed object to a member on classification as an Honorary Life Member.

## 2.8.2. Honorary Fellow

2.8.2.1. Classification of a person who is not a member as an Honorary Fellow must be by Management Committee by an affirmative vote by a 2/3 majority.

2.8.2.2. Honorary Fellows are elected for such period as the electing committee determines.

- a. Management Committee electing the Honorary Fellow determines the privileges to which the
  - i. Honorary Fellow is entitled but, in every case, subject to 2.8.2.2.b Honorary Fellows are not required to
  - ii. pay any fees.
- b. Honorary Fellows must pay any fee relating to conferences, seminars or other professional activities of the Society other than admission fees, unless otherwise determined, and must pay any charge relating to fee recovery.

## 2.8.3. Honorary Member

2.8.3.1. Classification of a member or a person who is not a member as an Honorary Member must be by Management Committee or Branch Executive Committee by an affirmative vote by a 2/3 majority and, if by a Branch Executive Committee, must be reported to Management Committee at the next meeting

2.8.3.2. Honorary Members are elected for such period as the electing committee determines.

2.8.3.3.

- a. Management Committee or the Branch Executive Committee electing the Honorary Member determines the privileges to which the Honorary Member is entitled but, in every case, subject to 2.8.3.3.b Honorary Members are not required to pay any fees.
- b. Honorary Members must pay any fee relating to conferences, seminars or other professional activities of the Society other than admission fees, unless otherwise determined, and must pay any charge relating to fee recovery.

## 2.8.4. Certified Computer Professional

2.8.4.1. A member wanting to be classified as a Certified Computer Professional must submit an application to the Chief Executive Officer.

2.8.4.2. The Chief Executive Officer may classify that member as a Certified Computer Professional.

2.8.4.3. Certified Computer Professionals must notify the Chief Executive Officer of any change in their ongoing qualification for the classification as set out in the Guidelines for Membership.

## 2.8.5. Continuing Member

2.8.5.1. A member wanting to be classified as a Continuing Member must submit an application to the Chief Executive Officer.

2.8.5.2. The Chief Executive Officer may classify that member as a Continuing Member during the member's period of absence from Australia.

2.8.5.3. Continuing Members are entitled to the goods and services, if any, as set out in the Guidelines for Membership.

## 2.8.6. Retired Member

2.8.6.1. A member wanting to be classified as a Retired Member must submit an application to the Chief Executive Officer.

2.8.6.2. The Chief Executive Officer may classify a member as a Retired Member.

2.8.6.3. Retired Members are entitled to the goods and services, if any, as set out in the Guidelines for Membership.

#### 2.8.7. Unemployed Member

2.8.7.1. A member wanting to be classified as an Unemployed Member must submit an application to the Chief Executive Officer.

2.8.7.2. The Chief Executive Officer may classify that member as an Unemployed Member for the member's period out of employment.

2.8.7.3. Unemployed Members are entitled to the goods and services, if any, as set out in the Guidelines for Membership.

2.8.7.4. Unemployed Members must notify the Chief Executive Officer of any change in their employment status.

#### 2.8.8. Student

2.8.8.1. A member wanting to be classified as a Student must submit an application to the Chief Executive Officer.

2.8.8.2. The Chief Executive Officer may classify a member as a Student.

2.8.8.3. Students are entitled to the goods and services, if any, as set out in the Guidelines for Membership.

#### 2.8.9. Ongoing Qualification for Classification

2.8.9.1. A member classified as a Certified Computer Professional, Continuing Member, Unemployed Member or Student must submit proof of ongoing qualification for the classification as set out in the Guidelines for Membership when renewing membership.

2.8.9.2. A member who fails to submit such proof of ongoing qualification required under NR2.8.9.1 will cease to be classified into the relevant special category with effect from that membership renewal date.

### **2.9. Membership Forms**

Any forms to be used in relation to membership must comply with all requirements of Management Committee.

### **2.10. Register of Members**

2.10.1. The register of members must contain the following about each member:

- a. any information required by the Act, and
- b. any other information considered relevant by Management Committee.

2.10.2. Each member of a Branch must notify the Honorary Secretary of the member's Branch of an address for correspondence and all notices sent to that address are considered to have been delivered.

2.10.3. Each member of Overseas Group and each Honorary Member must notify the Chief Executive Officer of an address for correspondence and all notices sent to that address are considered to have been delivered.

2.10.4. Each member must:

- a. supply the information required for the purposes of the register of members on request, and
- b. advise of any changes to the information supplied.

### **2.11. Transfer of Membership**

2.11.1. Any member of a Branch may transfer to another Branch without incurring any additional fee for the current year, provided that the member has paid all fees due in that year.

2.11.2. A member of Overseas Group may transfer to a Branch only with the approval of the Chief Executive Officer.



## **2.12. Membership Certificates**

2.12.1. A certificate of membership is issued to each Fellow, Senior Member, Member and Associate as soon as practicable after admission to that Grade.

2.12.2. Each certificate of membership must be in the form most recently approved by Management Committee.

## **2.13. Rights of Members**

2.13.1. Subject to NR2.13.2, NR2.13.3 and NR2.13.4, all members, other than members of Overseas Group, Honorary Fellows and Honorary Members, who were not members before classification as Honorary Members, may:

- a. attend, speak and vote at general meetings of the Society and at general meetings of the member's Branch, and
- b. be eligible for election or appointment to Congress and the Branch Executive Committee of the member's Branch, and
- c. be eligible for election or appointment as a National Officer Bearer and a Branch Office Bearer of the member's Branch.

2.13.2. Only members of Professional Division are eligible for election or appointment to Congress or as Branch Office Bearers.

2.13.3. At least one half of the ordinary committee members of a Branch Executive Committee must be members of Professional Division.

2.13.4. Students may not vote at general meetings of the Society or at Branch general meetings.

## **2.14. Re-admission of Former Members**

2.14.1. A person who ceases to be a member may apply for re-admission and may be re-admitted to the Society on payment of the current membership fee, any re-admission fee notified and, unless waived by the Chief Executive Officer, any unpaid fees.

2.14.2. Any re-admission of a person to the Society is at the discretion of the Chief Executive Officer.

2.14.3. A member re-admitted pursuant to NR2.14. is:

- a. not entitled to any goods or services retrospectively, and
- b. subject to NR2.14.3.c., to be admitted to such Grade and, subject to satisfying the requirements of the Guidelines for Certification at the time of application for readmission, Certification, not higher than the Grade and Certification equivalent to that held by the person at the time membership ceased, as is decided by the Chief Executive Officer.
- c. if the person seeking re-admission had resigned because continued membership was incompatible with an appointment taken up by the member involving service to the Society, to be re-admitted to the equivalent of the Grade and Certification previously held, without regard to the then current requirements for admission to that Grade and Certification.

## **3. Fees**

3.1. Each member must pay an annual membership fee which is payable each year on the first day of the month in which the anniversary of the member's admission to the Society falls, subject to NR3.2.

3.2. For members of the Society on the date of introduction of these National Regulations, the annual membership fee is payable each year on either 1 January or 1 July as selected by the member, or, in the absence of a selection by the member, as selected by the Chief Executive Officer.

3.3. The annual membership fee for a member (other than a member of Overseas Group or a member whose membership is classified into a special category) will comprise:

- a. a capitation component - set by Management Committee for each Grade
- b. a branch component - set by Management Committee for each Branch.

3.4. The annual membership fee, if any, for a member of Overseas Group and a member whose membership is classified into a special category will be set by Management Committee.

3.5. Capitation components and branch components must be determined by Management Committee by an affirmative vote by a 2/3 majority.

3.6. No part of any membership fee is refundable.

3.7. Subject to NR3.6, Management Committee may determine if any fee is refundable.

3.8. Unless Management Committee decides otherwise, the time for the purposes of R5.1.d is 3 months from the due date for payment.

## 4. ACS Code of Professional Ethics

### 4.1 Preamble

The ACS's commitment is to a community served by an ethical and trustworthy ICT profession, and it strives to protect the public interest. To do this, the ACS seeks to promote the highest standards of ethics and technical knowledge, education and service excellence in its members and the wider profession in the practice of ICT to ensure the community overall benefits from the use of technology.

The use of information and communications technologies (ICT) has transformed society. ICT is used in every field of human endeavour, and its pervasiveness and impact are increasing. ICT is critical to the professions, employment, social interaction, recreation, and to the quality of life.

The competent application of ICT technical skills is necessary for the well-being of contemporary society; therefore the technical knowledge and skills of ICT professionals are important. But the way they are applied is what distinguishes a professional. Professionals are expected to promote good while working within ethical constraints.

While individuals and wider society are dependent on ICT, they may have limited understanding of, or control over, the systems upon which they rely. It is therefore beneficial to the well-being of society that those who plan, build, deploy and maintain these systems act at all times in an ethical and professional manner. As ICT professionals have specialist knowledge and expertise, they have a contingent responsibility for others in society.

ICT professionalism encompasses the values and principles that the profession and society expect from ACS members. This Code provides guidance to help practitioners inform their behaviour within the ICT sphere and enable them to make proactive decisions in complex situations, in the context of a rapidly changing profession.

This Code is based on a set of values and principles that are expected to underpin the professional conduct of ACS members. It establishes just what it is that the ACS values in its members' behaviour, and the role of the ACS in supporting its members in view of the increased complexity and frequency of ethical issues raised in society over ICT developments. This Code, while influenced by legal requirements and informed by society's expectations, goes beyond these to declare our values as they relate to our role in helping shape the society in which we live, and to address behaviours which are aimed at building and maintaining public trust in ICT professionals and the ACS as the professional society for ICT workers.

This Code is not intended to be exhaustive. It does not cover every possible situation that may be faced by members. It does, however, establish fundamental values, standards and supporting material to guide the professional behaviour of ACS members and others working in ICT, both now and in the future, as circumstances and technologies change. Accordingly, members are expected to exercise judgement in every professional situation they face, guided by the ethical values and principles contained in this Code.

This Code has been developed by the ACS Professional Ethics Committee, which has taken account of input from members as well as considering the Codes of other comparable societies. Members may have obligations under other Codes of Ethics, but these should not detract from your obligations under this Code.

## 4.2 Values

ICT professionals are expected to practise the core values of honesty, trustworthiness, respect for others, and respect for the profession in alignment with their ICT-based role, context and capabilities.

### 4.2.1 Honesty

Honesty is a founding principle for healthy interactions between people and the design and function of ICT systems. As an ACS member, you are expected to:

- a. Be honest, open and truthful in all interactions with employers, employees, clients, stakeholders, and the public.
- b. Not misrepresent any action, situation or capability - of yours, your colleagues, your employer, or others with whom you interact, whether directly, indirectly or by omission.
- c. Not remain silent when you detect unprofessional conduct.

### 4.2.2 Trustworthiness

Trustworthiness is a critical principle in upholding public welfare and human dignity as an ICT professional. As an ACS member, you are expected to:

- a. Be accountable for all you undertake. Be prepared to take responsibility for failures as well as successes. Do what you say you are going to do; accept constructive criticism.
- b. Practise integrity. Be consistent in your views, words and actions. Declare and manage any conflicts of interest. Do not allow the undue influence of others or bias to prevent you complying with this Code.
- c. Be proactive in developing life-long learning practices to stay current with changes to ICT knowledge, skills and professional standards that may impact your ability to perform your role and responsibilities in a trustworthy manner.
- d. Respect the privacy, confidentiality and integrity of any personal or proprietary information that comes into your possession, including data relating to individuals or other stakeholders.
- e. Communicate your own capabilities clearly when accepting, performing and delivering work, including potential learning and growth gaps that may need to be addressed.
- f. Not undertake work for which you do not have the necessary skills and knowledge.
- g. Be competent in all that you attempt to undertake. Strive for quality and highlight resource constraints which may affect outcomes.
- h. Develop systems which are robust, secure and user-friendly.

### 4.2.3 Respect

#### 4.2.3.1 Respect for Others

Respect for others is an essential principle that underpins the interactions of an ICT professional. As an ACS member, you are expected to minimise harm to any stakeholders from your professional activities and:

- a. For unavoidable harm, develop mitigation strategies.
- b. Be respectful of the views and opinions of others. Respect their differences and take into account others' points of view.
- c. Be impartial and fair and do not discriminate unfairly against people in interpersonal interactions or in the design and function of systems.
- d. Model and encourage inclusivity in all your work.
- e. Support and contribute to a healthy workplace, that is respectful and supportive of others.
- f. Identify and mitigate any risks to others associated with your work.
- g. Respect others' intellectual property.

#### 4.2.3.2 Respect for the Profession

Respect for the Profession is an abiding principle that governs the roles and responsibilities of ICT professionals. As an ACS member, you are expected to:

- a. Endeavour to educate the public about the benefits and drawbacks of ICT systems, and how to make considered choices about ICT systems.
- b. Contribute to the public discourse on ICT matters affecting the dignity and wellbeing of people and communities within the scope of your ICT role and capabilities.
- c. Seek to enhance, in the professional choices you make, the environmental sustainability of ICT systems and the overall quality of life of those affected by them. Ensure that the public interest is defended.
- d. Encourage and support advancing the ICT knowledge and competence of others in the Profession.
- e. Contribute to advancing ICT capabilities and systems for the greater good.
- f. Acknowledge and participate in addressing ICT industry challenges.
- g. Support the ongoing development of an open, diverse, and inclusive ICT industry.

- h. Leverage collective ICT knowledge and advance the standing and respect afforded to the ICT Profession and the ACS in representing ICT professionals.

## 5. Disciplining of Members

### 5.1. Hearing by Disciplinary Hearing Panel

#### 5.1.1.

- a. As soon as practicable after a complaint has been referred to it under R7.3.2, the Disciplinary Hearing Panel must notify the complainant, the accused member and the Chief Executive Officer in writing of the time, date and place for the hearing, which must be no sooner than 21 days after the date that the notice is sent.
- b. No later than 7 days before the date notified for the hearing under NR5.1.1(a), the complainant must send to the accused member a copy of any documents that the complainant proposes to rely on at the hearing.
- c. The complainant must not seek to rely at the hearing on any documentary or other evidence not forming part of the complaint without leave of the chairman of the Disciplinary Hearing Panel.

5.1.2. For the purposes of R7.4.1(a), the complainant, the accused member and the Disciplinary Hearing Panel must try to resolve the matter without proceeding to a hearing using any method of dispute resolution thought appropriate by the Disciplinary Hearing Panel and agreed to by the complainant and the accused member.

5.1.3. All hearings of the Disciplinary Hearing Panel, which the accused member has the right to attend, must be held in a capital city within the accused member's Branch if the accused member so requests no later than 21 days after the notification under R7.2.6(b) is sent.

5.1.4 Nothing in NR5.1 entitles the accused member to attend any meeting or deliberation of the Disciplinary Hearing Panel, other than a hearing under NR5.1.3, without leave of the chairman of the Disciplinary Hearing Panel and such meeting or deliberation may be held at such time, such date and at such place or such places linked by simultaneous communication as the chairman of the Disciplinary Hearing Panel decides.

#### 5.1.5. At any hearing:

- a. the complainant must present to the Disciplinary Hearing Panel the evidence and the submissions relied on to substantiate the complaint;
- b. the accused member must be given the opportunity to cross-examine the complainant and the complainant's witnesses;
- c. at the conclusion of the presentation of the complainant's evidence and submissions, the Disciplinary Hearing Panel must decide whether that evidence and those submissions are sufficient to substantiate the complaint;
- d. if the Disciplinary Hearing Panel decides the evidence and submissions are not sufficient to substantiate the complaint, it must dismiss the complaint;
- e. if the Disciplinary Hearing Panel decides the evidence and submissions are sufficient to substantiate the complaint, the accused member must be given the opportunity to give any explanation or defence and to call evidence to support such explanation or defence (if any);
- f. The complainant is not entitled to cross-examine the accused member without leave of the chairman of the Disciplinary Hearing Panel which may be granted generally or in relation to specific questions or issues but is entitled to cross-examine the accused member's witnesses;
- g. the members of the Disciplinary Hearing Panel may at any time question the complainant, the accused member or any person attending the hearing;
- h. when in the opinion of the chairman of the Disciplinary Hearing Panel, all relevant matters have been considered, the Disciplinary Hearing Panel must deliberate and, as soon as practicable, decide:
  - i. whether the complaint is proved, and
    - i. Whether the complaint is approved, and
    - ii. if proved, the disciplinary action, if any, to be imposed on the accused member under R7.1.2;
- j. attendance at any hearing must be limited to:
- k. the members of the Disciplinary Hearing Panel and their advisers; and
  - i. the members of the Disciplinary Hearing Panel and their advisers; and
  - ii. the complainant;
  - iii. the accused member and any representatives appointed by the accused member; and
  - iv. the executive officer appointed under NR5.1.7;
- l. persons giving evidence may only be present while they give evidence unless the Disciplinary Hearing Panel decides that they ought to be present at other times.

5.1.6. The Disciplinary Hearing Panel may retain a lawyer to advise it about the hearing of any complaint.

5.1.7.

- a. The Chief Executive Officer must appoint an executive officer to perform administrative tasks relating to the hearing of the complaint by a Disciplinary Hearing Panel.
- b. In performing those administrative tasks, the executive officer will be instructed by and will report to the chairman of the Disciplinary Hearing Panel.

5.1.8. Subject to the Rules and the National Regulations, the Disciplinary Hearing Panel may set its procedures for conducting a hearing of any complaint.

## **5.2. Hearing by Appeal Panel**

5.2.1. As soon as practicable after an appeal has been referred to it under R7.9.1 the Appeal Panel must notify the complainant, the accused member and the Chief Executive Officer in writing whether it intends to conduct a hearing under R7.10.1(b) and, if so, the time, date and place for any such hearing, which must be no sooner than 14 days after the date that the notice is sent.

5.2.2. A hearing conducted by an Appeal Panel must be for the purpose of assisting the Appeal Panel to review the conduct of the hearing by and decision of the Disciplinary Hearing Panel and must not be a re-hearing of the complaint.

5.2.3. All hearings of an Appeal Panel, which the accused member has the right to attend, must be held in a capital city within the accused member's Branch if the accused member so requests under R7.8.2(f).

5.2.4. Nothing in NR5.2 entitles the accused member to attend any meeting or deliberation of the Appeal Panel, other than a hearing under NR5.2.3, without leave of the chairman of the Appeal Panel and such meeting or deliberation may be held at such time, on such date and at such place or such places linked by simultaneous communication as the chairman of the Appeal Panel decides.

5.2.5. At any hearing:

- a. the members of the Appeal Panel may at any time question the complainant, the accused member or any person who attended the hearing conducted by the Disciplinary Hearing Panel;
- b. the complainant and the accused member must be given the opportunity to make submissions in response to any such questioning but only at a time and date or times and dates decided by the Appeal Panel;
- c. when in the opinion of the chairman, all relevant matters have been considered, the Appeal Panel must conclude the hearing and finalise the review.
- d. attendance at any hearing must be limited to:
  - i. the members of the Appeal Panel and their advisers, and
  - ii. the complainant, and
  - iii. the accused member and any representatives appointed by the accused member, and
  - iv. the executive officer appointed under NR5.2.7;
- e. persons being questioned may only be present while they are being questioned unless the Appeal Panel decides that they ought to be present at other times.

5.2.6. The Appeal Panel may retain a lawyer to advise it about the hearing of any complaint.

5.2.7.

- a. The Chief Executive Officer must appoint an executive officer to perform administrative tasks relating to the review conducted by an Appeal Panel
- b. In performing those administrative tasks, the executive officer will be instructed by and will report to the chairman of the Appeal Panel.

5.2.8. Subject to the Rules and the National Regulations, the Appeal Panel may set its procedures for conducting a hearing.

## **5.3. Expenses**

5.3.1. Expenses properly incurred by the Disciplinary Committee, any Disciplinary Hearing Panel or any Appeal Panel must be paid from National Funds.

5.3.2. If disciplinary action is imposed by a Disciplinary Hearing Panel and upheld on an appeal (if any) then the reasonable out-of-pocket expenses of the complainant as certified by the Chief Executive Officer must be paid or reimbursed from National Funds to the extent that they are not met pursuant to an order under R7.4.2 and R7.10.3.

5.3.3. If a complaint is dismissed by a Disciplinary Hearing Panel or an Appeal Panel, the reasonable out-of-pocket expenses of the accused member as certified by the Chief Executive Officer must be paid or reimbursed from National Funds to the extent that they are not met pursuant to an order under R7.4.2 and R7.10.3.

## 6. Congress and Management Committee Meetings

### 6.1. Expenses of Meetings

6.1.1. The cost of fares, accommodation and other expenses reasonably incurred and claimed by a Congress member, Management Committee member or other member invited to attend by resolution of Congress or Management Committee in attending a meeting of Congress or Management Committee must be paid or reimbursed from National Funds.

6.1.2. No Congress member or Management Committee member may be paid any fee for acting as a Congress member, Management Committee member or National Office Bearer.

### 6.2. Conduct of Business Without a Meeting

6.2.1. Instead of convening a meeting of Management Committee, the President may send to Management Committee members questions to be voted on without a meeting.

6.2.2. Management Committee members may vote by sending a reply to the President or the Chief Executive Officer. Such reply must indicate clearly whether the Management Committee member is voting in favour of or against the resolution or abstaining.

6.2.3. Questions and replies may be oral or written.

6.2.4. A Management Committee member whose reply does not give the clear indication required under NR6.2.2 or is not received by the President or the Chief Executive Officer within 14 days after the date of distribution of the questions is taken to have abstained.

6.2.5. If required by the President, or if required by a majority of Management Committee members, questions may be put to Congress between Congress meetings by the President sending the questions to each Congress member, other than any Coopted Congress Members.

6.2.6. Congress members, other than Coopted Congress Members, may vote by sending a reply to the President or the Chief Executive Officer. Such reply must indicate clearly whether the Congress member is voting in favour of or against the resolution or abstaining.

6.2.7. NR6.2.3 applies to the sending of questions to Congress members and Congress members sending replies to the President or the Chief Executive Officer.

6.2.8. A Congress member whose reply does not give the clear indication required under NR6.2.6 or is not received by the President or the Chief Executive Officer within 14 days after the date of distribution of the questions is taken to have abstained.

6.2.9. A resolution made by Management Committee or Congress in the manner provided for in NR6.2 is as valid and effective as if passed at a meeting provided that the number of replies received, for the question,:

- a. under NR6.2.2, is greater than the quorum that would have been required for a meeting of Management Committee held on the date on which the question was sent to Management Committee members, or
- b. under NR6.2.6, is greater than the quorum that would have been required for a meeting of Congress held on the date on which the question was sent to Congress members.

6.2.10 A question put to Management Committee or Congress in the manner provided for in NR6.2 lapses if the number of replies received for the question is less than the number required under NR6.2.9.

### 6.3. Chief Executive Officer

The Chief Executive Officer is responsible for:

- a. making and keeping minutes of all meetings of Congress and Management Committee and all General Meetings of the Society;
- b. making and keeping proper records of resolutions of Congress and Management Committee made under NR6.2;
- c. sending all notices required by the Act, Regulations, the Rules and the National Regulations.

## 7. Branches and Overseas Group

7.1. The Branches of the Society are:

- a. Canberra
- b. Victoria
- c. Queensland
- d. South Australia
- e. Western Australia
- f. Tasmania
- g. New South Wales
- h. Northern Territory

7.2. Regulations for Overseas Group may only be made or altered by Management Committee and if:

- a. they are consistent with the Act and Regulations, the Objects, Rules and National Regulations, and
- b. approved by Management Committee prior to adoption.

## 8. Branch Executive Committees

### 8.1. Functions

8.1.1. Subject to the Act, the Regulations, the Objects, the Rules and the National Regulations, each Branch Executive Committee:

- a. controls and manages its Branch, and
- b. may exercise only the functions delegated to it by Management Committee.

8.1.2. Subject to the Act, the Regulations, the Objects, the Rules and the National Regulations, Management Committee must delegate to each Branch Executive Committee all functions as may reasonably be required to enable such Branch Executive Committee to control and manage its Branch.

8.1.3. Management Committee may at its discretion revoke or change any delegation of functions to any Branch Executive Committee.

### 8.2. Constitution

8.2.1. Each Branch Executive Committee must consist of the Branch Office Bearers and such number of ordinary committee members as has most recently been determined by the Branch Executive Committee and notified to Management Committee, being no more than 10 ordinary committee members.

8.2.2. No Branch Executive Committee member may be paid any fee for acting as such.

8.2.3. Each Branch Executive Committee member must be a member of the applicable Branch.

8.2.4. A Branch Executive Committee may co-opt as many non-voting committee observers as it may determine.

### 8.3. Branch Office Bearers and Returning Officer

8.3.1. The office bearers of a Branch are:

- a. Chairman,
- b. Vice-Chairman or such number of Vice-Chairmen as has most recently been determined by the Branch Executive Committee and notified to Management Committee,
- c. Immediate Past Chairman,
- d. Branch Honorary Secretary,
- e. Branch Honorary Treasurer,

8.3.2. The Branch Honorary Secretary is responsible for:

- a. making and keeping minutes of all meetings of Branch Executive Committee and Branch general meetings;
- b. forwarding all notices relating to Branch matters required by the Rules or National Regulations to be forwarded to Branch members.

8.3.3. Each Branch must elect a Returning Officer.

8.3.4. The Returning Officer must be a member of the appointing Branch or an employee of the Society but must not be, at any time during the term of the position;

- a. a Congress member, Management Committee member or a Branch Executive Committee member, or

- b. a candidate for election as Congress member, Management Committee member or Branch Executive Committee member.

8.3.5. The Returning Officer is responsible for conducting the election of the Branch Executive Committee of the appointing Branch in accordance with the Rules and National Regulations.

8.3.6. If the position of Returning Officer becomes vacant, the Branch Executive Committee of the appointing Branch must appoint a replacement and the person so appointed holds the position until the end of the current term.

8.3.7. The Branch Honorary Secretary is responsible for supplying all necessary information and assistance that may be requested by the Returning Officer to enable the carrying out of the function of Returning Officer of the Branch.

#### **8.4. Election of Branch Executive Committee Members and Returning Officer**

8.4.1. For a Branch with terms of office under NR8.5.1 commencing on 1 January, in September or October each year, as determined by the Branch Executive Committee, and, for a Branch with terms of office under NR8.5.1 commencing on 1 July, in March or April each year, as determined by the Branch Executive Committee:

- a. the Returning Officer of the Branch must request from all Branch members nominations for each position on Branch Executive Committee, and
- b. the Chairman of the Branch must request from all Branch members nominations for the position of Returning Officer for the Branch.

8.4.2. The request must specify:

- a. the procedure for nomination,
- b. the applicable term of office for each position to be filled,
- c. the closing date for nominations, which must be at least 2 weeks after the request is sent to members,
- d. the attendance record at Branch Executive Committee meetings of current Branch Executive Committee members, and must be accompanied by a nomination form.

8.4.3. A nomination must be in writing and in the form most recently approved by the Branch Executive Committee of the applicable Branch and include the information required by the form and may include a statement of not more than 200 words covering both the nominee's professional background and any other information that the nominee wishes to place before Branch members.

8.4.4. The nomination form must be signed by the nominee as acceptance of the nomination and by the proposer who must be a member of the applicable Branch but must not be the Returning Officer of the Branch or the nominee.

8.4.5. Unless there are more nominees for any position than there are vacancies for that position:

- a. in the case of Branch Executive Committee positions, the Returning Officer must declare the nominees elected, and
- b. in the case of the Returning Officer position, the Chairman must declare the nominee elected.

8.4.6. If there are more nominees for any position than there are vacancies for that position;

- a. in the case of a Branch Executive Committee position, the Returning Officer must conduct an election for that position, and
- b. in the case of the Returning Officer position, the Chairman must conduct an election for that position.

8.4.7. Unless the Branch Executive Committee determines otherwise, such election will be conducted by a ballot, other than at a meeting, with its closing date at least one month but no more than two months before the date on which the terms of office for the positions commence.

8.4.8. The closing date for an election must be at least three weeks after notice of the election, ballot papers and voting instructions are sent to Branch members in such form and by such method as Management Committee may from time to time approve.

8.4.9. Unless the Branch Executive Committee determines otherwise, Branch members may vote by postal vote or by such secure electronic voting as Management Committee may from time to time approve

8.4.10. The ballot must be determined by preferential voting.

8.4.11. The Returning Officer must determine the election of the Branch Executive Committee in the following sequence of positions:

- a. Chairman,
- b. Vice-Chairman or Vice-Chairmen, if more than one,



- c. Branch Honorary Secretary,
- d. Branch Honorary Treasurer,
- e. ordinary committee members.

8.4.12. Subject to NR2.13.3., if such number of nominees, who are not members of Professional Division, are elected as ordinary committee members so that, if 1 more was elected, the number of ordinary committee members who are not members of Professional Division would amount to more than half of the total number of ordinary committee members of the Branch Executive Committee, the Returning Officer must disregard votes for any other nominees who are not members of Professional Division.

8.4.13. If the ballot results in equal votes for 2 or more nominees for any position, the election will be determined by random selection:

- a. in the case of a Branch Executive Committee position, conducted by the Returning Officer, and
- b. in the case of the Returning Officer position, conducted by the Chairman.

8.4.14. The Returning Officer must inform Branch Executive Committee of the outcome of the election of Branch Executive Committee members.

8.4.15. The Chairman must inform Branch Executive Committee of the outcome of the election of the Returning Officer.

### **8.5. Term of Office**

8.5.1. The term of office for every Branch Executive Committee member of a Branch and for the Returning Officer of that Branch:

- a. commences on either the next 1 January or the next 1 July after the election as has most recently been determined by the Branch Executive Committee prior to the election, and
- b. is for 1 year or 2 years as has most recently been determined by the Branch Executive Committee prior to the election.

8.5.2. No person is eligible to be elected as Branch Chairman of the Branch for consecutive terms totalling more than 4 years unless prior approval is obtained from Management Committee.

### **8.6. Grounds for a Branch Executive Committee Member's Office Becoming Vacant**

8.6.1. The position of a Branch Executive Committee member will become vacant if the Branch Executive Committee member:

- a. dies, or
- b. suffers from mental or physical incapacity, or
- c. ceases to be a member, or
- d. is disqualified from office under either Subsection 63(1) or Subsection 63(2) of the Act, or
- e. fails to attend 3 consecutive Branch Executive Committee meetings, without leave granted by the Branch Executive Committee, or
- f. in the case of a Branch Office Bearer, after 30 days' notice of the proposed resolution has been given to the Branch Office Bearer, is voted out of office by the Branch Executive Committee on an affirmative vote, by a 2/3 majority, or
- g. resigns in writing to the Chairman of the Branch or Branch Honorary Secretary.

### **8.7. Casual Vacancies**

8.7.1. If the position of Branch Office Bearer becomes vacant, the Branch Executive Committee must appoint a replacement.

8.7.2. If the position of an ordinary committee member becomes vacant, the Branch Executive Committee may appoint a replacement.

8.7.3. Any person appointed pursuant to NR8.7 holds the position until the end of the current term of that position.

### **8.8. Quorum**

8.8.1 The quorum for a Branch Executive Committee meeting is present only if 5 or at least 50% of Branch Executive Committee members, whichever is less, a majority of whom must be members of Professional Division, are present.

8.8.2. No item of business may be dealt with at a Branch Executive Committee meeting if a quorum is not present during the time that the meeting is considering the item.

8.8.3. For the purposes of NR8.8, “present” means present in person or by suitable means of simultaneous communication.

### **8.9. Branch Executive Committee Meetings**

8.9.1. The Branch Executive Committee must meet at least 5 times in each calendar year at places and times to be decided by the Branch Executive Committee

8.9.2. Additional meetings of Branch Executive Committee:

- a. may be convened by the Chairman at any time,
- b. must be convened by the Chairman if requested in writing by at least 5 Branch Executive Committee members.

8.9.3. Written notice of every Branch Executive Committee meeting must be sent to each of its Branch Executive Committee members at least 7 days before the date of the meeting.

8.9.4. At Branch Executive Committee meetings:

- a. the Chairman or, if the Chairman is absent, the Vice-Chairman must chair the meeting,
- b. if the Chairman and the Vice-Chairman are absent, the Branch Executive Committee members present must elect one of their number to chair the meeting,

### **8.10. Voting at Branch Executive Committee Meetings**

8.10.1. On all matters:

- a. each Branch Executive Committee member who is not an employee of the Society, has 1 vote, and
- b. no Branch Executive Committee member, who is an employee of the Society, may vote.

8.10.2. Unless the Rules or National Regulations require otherwise, voting on Branch Executive Committee business must be by simple majority and, if the votes are equal, the motion will lapse.

### **8.11. Conduct of Branch Executive Committee Business Without a Meeting**

8.11.1. Instead of convening a meeting of Branch Executive Committee, the Chairman may send to Branch Executive Committee members questions to be voted on without a meeting.

8.11.2. Branch Executive Committee members may vote by sending a reply to the Chairman or the Branch Honorary Secretary. Such reply must indicate clearly whether the Branch Executive Committee member is voting in favour of or against the resolution or abstaining.

8.11.3. Questions and replies may be oral or written.

8.11.4. A Branch Executive Committee member whose reply does not give the clear indication required under NR8.11.2 or is not received by the Chairman or the Branch Honorary Secretary within 14 days after the date of distribution of the questions is taken to have abstained.

8.11.5. Resolutions made by Branch Executive Committee in the manner provided for in NR8.11 are as valid and effective as if passed at a meeting and must be recorded in the minutes of the next Branch Executive Committee meeting.

### **8.12. Right to Participate in Meetings**

8.12.1. The Chairman and Branch Honorary Secretary of a Branch are each entitled to:

- a. receive notice of, and
- b. attend, and
- c. speak at, and
- d. if not an employee of the Society, vote at
- e. every meeting held as a result of the Branch Executive Committee of that Branch delegating any of its functions.

8.12.2. The Chairman and Branch Honorary Secretary may each appoint any member of their Branch as nominee to exercise all or any of the entitlements under NR8.12.1.

### **8.13. Annual Report**

8.13.1. Each Branch Executive Committee is responsible for:

- a. preparing any annual report about the affairs of its Branch; and

- b. assisting and co-operating with the auditor appointed by Management Committee under R14.3.1 in the audit of the accounts of the Society.

## **8.14. General Meetings**

### **8.14.1. Business of General Meetings**

8.14.1.1. In addition to any other business which may be transacted at a general meeting, the business of a general meeting must confirm the minutes of the previous general meeting.

8.14.1.2. A Branch member wanting to propose a resolution at a general meeting of the member's Branch, other than one arising out of the business of the meeting, must deliver a copy of the motion to the Branch Honorary Secretary at least 5 weeks before the date of the meeting.

8.14.1.3. If the Branch Honorary Secretary receives a copy of a motion under NR8.14.1.2, the Branch Executive Committee must include the motion in the business of the first general meeting of the Branch to be held after the expiration of 5 weeks from the date of delivery of the copy of the motion to the Branch Honorary Secretary.

### **8.14.2. Convening of General Meetings**

8.14.2.1. A Branch Executive Committee may convene a general meeting of its Branch at such time, date and place as it decides.

8.14.2.2. A Branch Executive Committee must convene a general meeting if requested by not less than 5% of the total number of Branch members or 25 Branch members, whichever is the lesser.

8.14.2.3. A request from Branch members for a general meeting must:

- a. state the reason for the meeting, and
- b. be signed by the Branch members making the request, and
- c. be lodged with the Branch Honorary Secretary and may consist of several documents in the same form, each signed by one or more of the Branch members making the request.

8.14.2.4. If the Branch Executive Committee fails to convene a general meeting within 2 months after the date on which a request of Branch members for a meeting is lodged with the Branch Honorary Secretary, any Branch members who made the request may convene a general meeting to be held not later than 6 months after the lodgement date.

### **8.14.3. Notice**

8.14.3.1. The Branch Honorary Secretary must send notice of each general meeting of the member's Branch to each Branch member at the member's address shown in the register of members:

- a. at least 21 days before the date fixed for the meeting, if the nature of the business proposed to be dealt with requires a special resolution of the Branch, or
- b. at least 14 days before the date fixed for the meeting, if no special resolution is required.

8.14.3.2. The notice must specify the date, time, place of the meeting, the nature of the business proposed to be dealt with, including any motion, notice of which has been given to the Branch Honorary Secretary under NR8.14.1.2, and, if a special resolution is required, the intention to propose the resolution as a special resolution.

8.14.3.3. Only the business specified in the notice convening a general meeting and business arising may be dealt with at the meeting and the decision of the person chairing the meeting as to whether any item of business is business arising is conclusive.

### **8.14.4. Quorum**

8.14.4.1. No item of business may be dealt with at a general meeting unless a quorum of Branch members entitled to vote is present during the time the meeting is considering the item.

8.14.4.2. 10 Branch members entitled to vote and present in person constitute a quorum at a Branch general meeting.

8.14.4.3. If a quorum is not present within half an hour after the time set for the start of the meeting, then:

- a. if the meeting was convened at the request of Branch members, it lapses, or
- b. If the meeting was not convened at the request of Branch members, it will be adjourned for 24 hours.

8.14.4.4. At an adjourned meeting, if a quorum is not present within half an hour after the time set for the start of the meeting the members present constitute the quorum.

#### 8.14.5. Chairing Member

8.14.5.1. The Chairman, or if the Chairman is absent, the Vice-Chairman must chair a general meeting of the Branch.

8.14.5.2. If the Chairman and the Vice-Chairman are absent from a general meeting, the Branch members present must elect one of their number to chair the meeting.

#### 8.14.6. Adjournment

8.14.6.1. The person chairing a general meeting at which a quorum is present may, with the consent of the majority of Branch members present at the meeting, adjourn the meeting from time to time and place to place, but no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

8.14.6.2. If a general meeting is adjourned for 14 days or more, the Branch Honorary Secretary must give written or oral notice of the adjourned meeting to each Branch member stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

8.14.6.3. Except as provided in NR8.14.6.1. and NR8.14.6.2., notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

#### 8.14.7. Voting at General Meetings

##### 8.14.7.1.

- a. Voting at a Branch general meeting must be determined on a show of hands, unless before or on the declaration of the show of hands a poll is demanded.
- b. A declaration by the person chairing that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Branch is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of or against that resolution.

8.14.7.2. At a Branch general meeting, a poll may be demanded by the person chairing or by not less than 3 Branch members present in person or by proxy at the meeting.

8.14.7.3. Where a poll is demanded at a general meeting, the poll must be taken:

- a. immediately in the case of a poll which relates to the election of the person to chair the meeting, or to the question of an adjournment,
- b. in any other case, in such manner and at such time before the close of the meeting as the person chairing directs, and the resolution of the poll on the matter must be treated as the resolution of the meeting on that question.

8.14.7.4. Subject to NR2.13.4 and NR8.14.7.6, on any question arising at a Branch general meeting, a Branch member has 1 vote.

8.14.7.5. Voting must be in person or by proxy,

8.14.7.6. In the case of an equality of votes on a question at a Branch general meeting, the person chairing is entitled to exercise a second or casting vote.

8.14.7.7. A Branch member, or that Branch member's proxy, may not vote at any Branch general meeting unless all money payable by that member and the proxy to the Society has been paid.

#### 8.14.8. Appointment of Proxies

8.14.8.1 Any Branch member entitled to vote may appoint another member entitled to vote as proxy by notice given to the Branch Honorary Secretary no later than 72 hours before the time of the meeting, in respect of which the proxy is appointed.

8.14.8.2. The notice appointing the proxy must be in the form most recently approved by Management Committee.

### 8.15. Delegation of Functions

8.15.1. A Branch Executive Committee may establish:

- a. chapters, or
- b. sub-committees, or
- c. branch special interest groups

for any purpose consistent with the Objects, Rules and National Regulations which consist of members or members and non-members that the Branch Executive Committee invites to participate.

8.15.2. A Branch Executive Committee may delegate to each such chapter, sub-committee or branch special interest group such functions as may reasonably be required for the purpose for which it is established and must notify Management Committee immediately of any such delegation of its functions.

8.15.3. Management Committee or the Branch Executive Committee may at its discretion revoke or change any delegation of functions by that Branch Executive Committee.

8.15.4. Each chapter, sub-committee or branch special interest group, in acting under any delegated function, must conform to the Rules, National Regulations, and any other requirements of Management Committee or its Branch Executive Committee, or both.

8.15.5. Each chapter, sub-committee and branch special interest group acting under any delegated function must report to its Branch Executive Committee.

8.15.6. Management Committee or the Branch Executive Committee may remove or replace any member of any chapter, sub-committee or branch special interest group acting under any delegated function at any time without having to provide reasons.

8.15.7. Management Committee or the Branch Executive Committee may dissolve any chapter, sub-committee or branch special interest group acting under any delegation function on an affirmative vote by a 2/3 majority or any time without having to provide reasons.

## 9. National Special Interest Groups

### 9.1. General:

A National Special Interest Group (in this regulation "SIG") may be established by Management Committee to:

- a. advance educational, scientific, technical or trade developments or research in a special interest field, or
- b. sponsor conferences, symposia, workshops or national or international conferences on subjects within the scope of a special interest, or
- c. act as a technical representative of or adviser to Management Committee within a special interest field, or
- d. co-operate with other groups or committees of the Society or with other national or international organisations as approved by Management Committee from time to time, or
- e. any combination of 9.1.a, 9.1.b, 9.1.c and 9.1.d.

### 9.2. Scope

Each SIG is free to pursue such activities and organize such functions as it determines within the scope, aims and rules set for it by Management Committee, the Rules, the National Regulations, and its own SIG Regulations as approved by Management Committee.

### 9.3. Membership

9.3.1. Members of a SIG must be persons who agree to abide by the SIG Regulations.

9.3.2. Persons who are not members of the Society may be required to pay a higher membership fee than members of the Society.

### 9.4. Organisation

9.4.1. Each SIG must be managed by a national executive committee composed of its office bearers being a chairman, vice-chairman, secretary, treasurer and the immediate past chairman (if available) and such number of ordinary committee members as set down in its SIG Regulations.

9.4.2. The national executive committee of each SIG must be elected by all members of that SIG, but only those members of the SIG, who are also members of the Society, are eligible for election as chairman or vice-chairman. Management Committee has the power of veto over the election of the chairman.

9.4.3. Each SIG may establish local branches in geographically separate areas, each governed by a local executive committee, elected from and by the members of the SIG in that area. The chairmen of the local executive committees must be:

- a. members of the Society,
- b. ex-officio members of the national executive committee,
- c. responsible for liaison with the Branch Executive Committees in their respective areas.

9.4.4. All national and branch executive committees must be elected at intervals of not more than two years.

### **9.5. Finance**

9.5.1. The funds collected by or for each SIG are the property of the Society, with control delegated by Management Committee to the committee of that SIG, for so long as the SIG remains viable, to be spent or otherwise disposed of in accordance with an approved budget. Should any SIG be dissolved, any surplus funds must come under the control of Management Committee.

9.5.2. The annual budgets and the levels of membership fees of each SIG must be approved by Management Committee, before they become effective. Expenditure in excess of the budget of any SIG must first be approved by Management Committee.

9.5.3. The national treasurer of each SIG must ensure that proper records of all income and expenditure of the SIG are kept and at least twice a year or as otherwise required by Management Committee must submit copies of the then current balance sheet and revenue account to Management Committee.

9.5.4. Management Committee may supplement the funds of any SIG, if it so determines.

9.5.5. Each SIG must assist and co-operate with the auditor appointed by Management Committee under R14.3.1 in the audit of the accounts of the Society.

9.5.6. The financial year of each SIG must be the year ending on 30 June, unless otherwise determined by Management Committee.

### **9.6. Administration**

9.6.1. Membership:

The national secretary of each SIG is responsible for ensuring that the membership list of the SIG is kept up to date and that an annual report on the activities of the SIG is prepared and submitted to Management Committee.

9.6.2. Reporting to Management Committee:

The national chairman of each SIG must report at least twice yearly to Management Committee, directly or through a nominated Vice-President.

9.6.3. Public Activities:

- a. No SIG may sponsor exhibitions or enter into any contracts without the approval of Management Committee,
- b. Any SIG may, but only with the approval of Management Committee or at Management Committee's request, make public submissions or representations to Government or other public organisations.

## **10. Funds and Property**

### **10.1. National Funds and National Property**

10.1.1. Management Committee controls and manages National Funds which include:

- a. the capitation component paid or payable by members as part of their annual membership fees, whether those membership fees are paid or payable to Management Committee or to a Branch; and
- b. membership fees paid or payable by members of Overseas Group; and
- c. entrance fees paid by members of Overseas Group on admission; and
- d. the proceeds of the sale of publications produced or underwritten by Management Committee; and
- e. the proceeds of conferences, seminars, meetings and other activities wholly underwritten by Management Committee; and

- f. a share, as agreed with a Branch or Branches, of the proceeds of conferences, seminars, meetings and other activities jointly organised and/or jointly underwritten by the Management Committee and a Branch or Branches; and
- g. any fee which Management Committee may require a new Branch to pay upon admission; the fee must be calculated as the total of the capitation fees that the members of the new Branch would have been required to pay had they been members of the Society at the beginning of the year in which the new Branch is admitted, but Management Committee may, at its discretion, waive any part, or all, of the fee; and
- h. proceeds derived from investment of National Funds; and
- i. any money collected by or for the Society in respect of which control has not been specifically delegated to any Branch; and
- j. any money which comes under the control of Management Committee, under the Rules, National Regulations or otherwise.

10.1.2. Authorisation by a simple majority of all Branch Executive Committees will be required for any expenditure by Management Committee which would or might reasonably be expected to result in the total expenditure by Management Committee for the then current financial year exceeding its income for the same period by more than the balance sheet value of the net assets under the control of Management Committee at the end of the previous financial year.

10.1.3. Subject to supervision by the National Treasurer, the Chief Executive Officer is responsible for:

- a. receiving amounts forming part or all of National Funds; and
- b. paying of all amounts on behalf of the Society, as approved by Management Committee; and
- c. keeping proper records of those receipts and payments; and
- d. preparing a summary at the end of each financial year to enable the preparation of the statement of accounts under sub-section 73(1) of the Act.

10.1.4. Management Committee controls and manages National Property which includes all property in which the Society has an interest and in relation to which there is no current delegation of management and control by Management Committee.

## **10.2. Branch Funds and Branch Property**

10.2.1. Management Committee delegates to each Branch Executive Committee control and management of the Branch Funds and the Branch Property of its Branch.

10.2.2. Branch Funds of a Branch include:

- a. entrance fees paid by new Branch members on admission; and
- b. the branch component paid or payable by Branch members as part of their annual membership fees, whether such membership fees are paid or payable to Management Committee or the Branch; and
- c. the proceeds of conferences, seminars, meetings and other activities and wholly organized and underwritten by the Branch; and
- d. a share, as agreed with the other organizers or underwriters involved, of the proceeds of conferences, seminars, meetings and other activities jointly organized and/or jointly underwritten by the relevant Branch; and
- e. proceeds derived from the investment of Branch Funds; and
- f. any money collected by or for the Branch; and
- g. any money which comes under the control of the Branch Executive Committee under the Rules or National Regulations.

10.2.3. Authorisation by a simple majority of Branch members of the relevant Branch and the consent of Management Committee is required for any expenditure by the Branch Executive Committee of that Branch which would or might reasonably be expected to result in the total expenditure by that Branch for the then current financial year exceeding its income for the same period by more than the balance sheet value of the net assets under the control of the Branch Executive Committee at the end of the previous financial year.

10.2.4. In respect of each Branch, the Branch Honorary Treasurer of that Branch is responsible for:

- a. receiving amounts forming part or all of Branch Funds; and
- b. paying of all amounts on behalf of the Branch as approved by the relevant Branch Executive Committee; and
- c. keeping proper records of those receipts and payments; and
- d. preparing the annual accounts of the Branch in the form required by Management Committee; and
- e. preparing the annual budget request of the Branch for the following financial year in the form required by Management Committee and forwarding it to the Chief Executive Officer by 14 March each year.

10.2.5. Branch Property of a Branch includes all interests in property:

- a. acquired by expenditure of Branch Funds, or
- b. donated specifically to a Branch, or
- c. in relation to which, there is a current delegation of control and management to the Branch Executive Committee by Management Committee.

10.2.6. Unless Management Committee approves otherwise, any cheque, withdrawal form or other document effecting the payment out of Branch Funds must be signed by:

- a. two of the Branch Office Bearers, or
- b. one Branch Office Bearer and one other person specifically authorised by the Branch Executive Committee.