

Rules of the Australian Vintage Radio Society Incorporated

1. The name of the incorporated Society is:
 AUSTRALIAN VINTAGE RADIO SOCIETY INCORPORATED ⁽¹⁾ (In these rules called 'the Society').

DEFINITIONS

2. (1) In these rules, unless the contrary intention appears:—
- "Committee" means the Committee of Management of the Society.
 "Financial year" means the year ending on 30 June.
 "General Meeting" means a general meeting of members convened in accordance with Rule 11.
 "Member" means a member of the Society.
 "Ordinary Member of the Committee" means a member of the Committee who is not an officer of the Society under Rule 21.
 "The Act" means the *Associations Incorporation Act* 1981.
 "The Regulations" means regulations under the Act.
- (2) In these Rules, a reference to the Secretary of the Society is a reference:—
 (a) where a person holds office under these Rules as Secretary of the Society—to that person; and
 (b) in any other case, to the Public Officer of the Society.
- (3) Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the *Acts Interpretation Act* 1958 and the Act in force from time to time.

APPLICATION FOR MEMBERSHIP

3. (1) A person who applies and is approved for membership as provided in these rules is eligible to be a member of the Society on payment of the entrance fee and annual subscription payable under these rules.
- (2) A person who is not a member of the Society at the time of the incorporation of the Society (or who was such a member at that time but has ceased to be a member) shall not be admitted to membership:—
 (a) unless he/she lodges an application as provided in sub-clause (3); and
 (b) his/her admission as a member is approved by the Committee.
- (3) The 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 Society along with the appropriate fees.
- (4) As soon as is practicable after the receipt of an application, the Secretary shall refer the application to the Committee.
- (5) Upon the application being referred to the Committee, the Committee shall determine whether to approve or to reject the application.
- (6) The Committee may reject an application for membership of the Association if they have reasonable grounds to believe that he/she would not abide by the rules and aims of the Association.
- (7) Upon an application being approved, (or not approved), by the Committee, the Secretary shall, with as little delay as possible, notify the applicant in writing that he/she has been approved, (or not approved), for membership of the Society.
- (8) If approved, the Secretary shall, within the period referred to in sub-clause (7), enter the applicant's name in the register of members kept by him/her and, upon the name being so entered, the applicant becomes a member of the Society.
- (9) A right, privilege, or obligation of a person by reason of his membership of the Society:—
 (a) is not capable of being transferred or transmitted to another person;
 (b) terminates upon the cessation of his membership whether by death or resignation or otherwise.
- (10) The classes or categories of membership shall be as follows:—
 (i) Full Member.
 (ii) Life Member.
 (iii) Honorary Member.
- (a) The Society may grant Life Membership to members who have given outstanding service to the Society. Any such Life Member shall have all rights of a Full Member, save that he or she shall not be required to pay any further membership fees. Appointment of Life Members is to be limited to a total of two within any calendar year.
- (b) The Society may appoint Honorary Members whose membership must be reviewed at each Annual General Meeting. No Honorary Member shall be required to pay annual membership fees, and is not entitled to hold office on the Committee, and shall have no voting power.

⁽¹⁾ An incorporated Society must have the word "Incorporated" as the last word in its name.

ENTRANCE FEE AND ANNUAL SUBSCRIPTION

4. (1) The entrance fee payable by members joining the Society shall be recommended by the Committee, based on budget estimates of income and expenditure, and voted on at the Annual General Meeting. .
- (2) The annual subscription payable by members of the Society shall be recommended by the Committee, based on budget estimates of income and expenditure, and voted on at the Annual General Meeting. The Subscription rate set at the AGM will come into effect from the start of the following financial year.
The annual subscription is payable in advance on or before the 1st day of July in each year.

REGISTER OF MEMBERS

5. The Secretary shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name of each member. The register shall, within the limitations of Privacy Laws in force at the time, be available for inspection by members at the address of the Public Officer.

RESIGNATION AND EXPULSION OF MEMBER

6. (1) A member of the Society who has paid all moneys due and payable by him/her to the Society may resign from the Society by first giving one month's notice in writing to the Secretary of his/her intention to resign and upon the expiration of that period of notice, the member shall cease to be a member.
- (2) Upon the expiration of a notice given under sub-clause (1), the Secretary shall make in the register of members an entry recording the date on which the member by whom the notice was given, ceased to be a member.
7. (1) Subject to these rules, the Committee may by resolution:—
 - (a) expel a member from the Society;
 - (b) suspend a member from membership of the Society for a specified period; or
 - (c) fine a member In accordance with The Regulations⁽²⁾ if the Committee is of the opinion that the member—
 - (i) has refused or neglected to comply with these rules; or
 - (ii) has been guilty of conduct unbecoming a member or prejudicial to the interests of the Society.
- (2) A resolution of the Committee under sub-clause (1):—
 - (a) does not take effect unless the Committee, at a meeting held not earlier than 14 and not later than 28 days after the service on the member of a notice under sub-clause (3) confirms the resolution in accordance with this clause; and
 - (b) where the member exercises a right of appeal to the Society under this clause does not take effect unless the Society confirms the resolution in accordance with this clause.
- (3) Where the Committee passes a resolution under sub-clause (1), the Secretary shall, as soon as practicable, cause to be served on the member a notice in writing:—
 - (a) setting out the resolution of the 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 service of the notice;
 - (c) stating the date, place and time of that meeting;
 - (d) informing the member that he 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;
 - (iii) Not later than 24 hours before the date of the meeting, lodge with the Secretary a notice to the effect that he wishes to appeal to the Society in general meeting against the resolution.
- (4) At a meeting of the Committee held in accordance with sub-clause (2), 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.
- (5) Where the Secretary receives a notice under sub-clause (3), he shall notify the Committee and the Committee shall convene a general meeting of the Society to be held within 21 days after the date on which the Secretary received the notice.
- (6) At a general meeting of the Society convened under sub-clause (5):—
 - (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 whether the resolution should be confirmed or revoked.
- (7) If at the general meeting:—
 - (a) two-thirds of the members vote in favour of the confirmation of the resolution, the resolution is confirmed; and
 - (b) in any other case, the resolution is revoked.

(2) The Regulations provide that the Committee of an incorporated association may impose a fine not exceeding \$20.00 on a member who commits a breach of the rules of the incorporated Society.

DISPUTES AND MEDIATION

8. (1) The grievance procedure set out in this rule applies to disputes under these Rules between-
 - (a) a member and another member; or
 - (b) a member and the Society.
- (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.
- (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- (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 of the Society; or
 - (ii) in the case of a dispute between a member and the Society, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- (5) A member of the Society can be a mediator.
- (6) The mediator cannot be a member who is a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must--
 - (a) give the parties to the mediation process every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

ANNUAL GENERAL MEETING

9. (1) The Society shall in each calendar year convene an annual general meeting of its members.⁽³⁾
- (2) The annual general meeting shall be held on such day as the Committee determines.
- (3) The annual general meeting shall be specified as such in the notice convening it.
- (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 Society during the last preceding financial year;
 - (c) to elect officers of the Society and the ordinary members of the Committee; and
 - (d) to receive and consider the statement submitted by the Society in accordance with section 30(3) of the Act.
- (5) The annual general meeting may transact special business of which notice is given in accordance with these rules.
- (6) The annual general meeting shall be in addition to any other general meetings that may be held in the same year.

SPECIAL GENERAL MEETING

10. All general meetings other than the annual general meeting shall be called special general meetings.
11. (1) The Committee may, whenever it thinks fit, convene a special general meeting of the Society and, where, but for this sub-clause, more than 15 months would lapse between annual general meetings, shall convene a special general meeting before the expiration of that period.
- (2) 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 Society.
- (3) The requisition for a special general meeting shall state the objects of the meeting and shall be signed by the members making the requisition and be sent to the address of the Secretary and may consist of several documents in a like form, each signed by one or more of the members making the requisition.
- (4) If the Committee does not cause a special general meeting to be held within one 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.

(3) 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.

- (5) 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 Society to the persons incurring the expenses.

NOTICE OF MEETING

12. 1) The Secretary of the Society shall, at least 14 days before the date fixed for holding a general meeting of the Association, cause to be sent to each member of the Society at his address appearing in the register of members, a notice by pre-paid post stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
 - (2) No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
 - (3) 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.

PROCEEDINGS AT MEETINGS

13. (1) All business that is transacted at a special general meeting and all business that is transacted at the annual general meeting with the exception of that specially referred to in these rules as being the ordinary business of the annual general meeting shall be deemed to be special business.
 - (2) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering that item.
 - (3) 5 members personally present (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
 - (4) If within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case 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.
14. (1) The President, or in his absence, the Vice-President, shall preside as Chairman at each general meeting of the Society.
 - (2) If the President and the Vice-President are absent from a general meeting, the members present shall elect one of their number to preside as Chairman at the meeting.
15. (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.
 - (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.
 - (3) Except as provided in sub-clauses (1) and (2), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.
16. A question arising at a general meeting of the Society 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 Society is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.
17. (1) Upon any question arising at a general meeting of the Society, a member has one vote only.
 - (2) All votes shall be given personally by members present at the meeting and entitled to vote.
 - (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.
18. (1) If at a meeting a poll on any question is demanded by not less than three members, it shall be taken at that meeting in such 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.
 - (2) A poll that is demanded on the election of a Chairman or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairman may direct.
19. A member is not entitled to vote at any general meeting unless all moneys due and payable by him to the Society have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

COMMITTEE OF MANAGEMENT

20. (1) The affairs of the Society shall be managed by a Committee of Management constituted as provided in Rule 22.
- (2) The Committee:—
- (a) shall control and manage the business and affairs of the Society;
 - (b) may, subject to these rules, the regulations and the Act, exercise all such powers and functions as may be exercised by the Society other than those powers and functions that are required by these rules to be exercised by general meetings of the members of the Society; and
 - (c) subject to these rules, the regulations and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Society.
21. (1) The officers of the Society shall be:—
- (a) a President;
 - (b) a Vice-President;
 - (c) a Treasurer;
 - (d) a Secretary;
- (2) The provisions of Rule 23 so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in sub-clause (1).
- (3) Each officer of the Society shall hold office until the annual general meeting next after the date of his election but is eligible for re-election.
- (4) In the event of a casual vacancy in any office referred to in sub-clause (1), the Committee may appoint one of Its members to the vacant office and the member so appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of his appointment
22. (1) Subject to section 23 of the Act the Committee shall consist of:—
- (a) the officers of the Society; and
 - (b) at least 2 but not more than 3 ordinary members each of whom shall be elected at the annual general meeting of the Society in each year.
- (2) Each ordinary member of the Committee shall, subject to these rules, hold office until the annual general meeting next after the date of his election but is eligible for re-election.
- (3) 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 Society to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of his appointment.

ELECTION OF OFFICERS AND VACANCY

23. (1) Nominations of candidates for election as officers of the Society or as ordinary members of the Committee:—
- (a) shall be made in writing, signed by two members of the Society and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
 - (b) shall be delivered to the Secretary of the Society not less than 7 days before the date fixed for the holding of the annual general meeting.
- (2) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
- (3) 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.
- (4) If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- (5) The ballot for the election of officers and ordinary members of the Committee shall be conducted at the annual general meeting in such usual and proper manner as the Committee may direct.
- (6) A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for another office for election at the same election.
24. For the purposes of these rules, the office of an officer of the Society or of an ordinary member of the Committee becomes vacant if the officer or member:—
- (a) ceases to be a member of the Society;
 - (b) becomes an insolvent under administration within the meaning of the Companies (Victoria) Code; or
 - (c) resigns his office by notice in writing given to the Secretary.

PROCEEDINGS OF COMMITTEE

25. (1) The Committee shall meet at least 3 times in each year at such place and such times as the Committee may determine.
- (2) Special meetings of the Committee may be convened by the President or by any 4 of the members of the Committee.
- (3) Notice shall be given to members of the Committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.
- (4) Any 4 members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee, provided that at least 3 such members are officers of the Society
- (5) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting shall stand adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a special meeting in which case it lapses.
- (6) At meetings of the Committee:—
- (a) the President or in his absence the Vice-President 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.
- (7) Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall be determined on a show of hands or, if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.
- (8) Each member present at a meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (9) Written notice of each committee meeting shall be served on each member of the Committee by delivering it to him at a reasonable time before the meeting or by sending it by prepaid post addressed to him at his usual or last known place of abode at least two business days before the date of the meeting.
- (10) Subject to sub-clause (4) the Committee may act notwithstanding any vacancy on the Committee.

SECRETARY

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

TREASURER

27. (1) The Treasurer of the Society:—
- (a) shall collect and receive all moneys due to the Society and make all payments authorised by the Society; and
- (b) shall keep correct accounts and books showing the financial affairs of the Society with full details of all receipts and expenditure connected with the activities of the Society.
- (2) The accounts and books referred to in sub-clause (1) shall be available for inspection by members.

REMOVAL OF MEMBER OF COMMITTEE

28. (1) The Society in 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 stead to hold office until the expiration of the term of the first-mentioned member.
- (2) Where the member to whom a proposed resolution referred to in sub-clause (1) makes representations in writing to the Secretary or President of the Society (not exceeding a reasonable length) and requests that they be notified to the members of the Society, the Secretary or the President may send a copy of the representations to each member of the Society or, if they are not so sent, the member may require that they be read out at the meeting.

CHEQUES

29. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two of the President, Vice-President or Treasurer.

SEAL

30. (1) The Common Seal of the Society shall be kept in the custody of the Secretary.
- (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 two members of the Committee or of one member of the Committee and of the Public Officer of the Society.

ALTERATION OF RULES AND STATEMENT OF PURPOSES

31. These rules and the statement of purposes of the Society shall not be altered except in accordance with the Act.⁽⁴⁾

NOTICES

32. Except for the requirement in rule 12, any notice that is required to be given to a member on behalf of the Society, under these Rules, may be given by-
- (a) delivering the notice to the member personally; or
 - (b) sending it by prepaid post addressed to the member at that member's address shown in the register of members; or
 - (c) Facsimile transmission, if the member has requested that the notice be given to him or her in this manner; or
 - (d) electronic transmission, if the member has requested that the notice be given to him or her in this manner.

WINDING UP OR CANCELLATION

33. In the event of the Society being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes which is not carried on for the profit or gain of its individual members.⁽⁵⁾

CUSTODY OF RECORDS

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

FUNDS

35. The funds of the Society shall be derived from entrance fees, annual subscriptions, donations and such other sources as the Committee determines.

⁽⁴⁾ Section 22 of the Act provides that an incorporated Society may, by special resolution, alter its statement of purposes or its rules. Section 29 of the Act defines a special resolution.

⁽⁵⁾ See Part VIII of the Act for Winding Up and Cancellation.

APPENDIX 1

Membership Application

AUSTRALIAN VINTAGE RADIO SOCIETY INC.

(Incorporated in Victoria - *****)

P.O. Box 3099, Syndal L.P.O., Victoria, 3150, Australia.

I desire to become a member of the AVRS Inc. and agree to be bound by the rules of the Society.

Full Name: _____

Postal Address: _____

_____ Postcode. _____

Telephone: _____

E-mail: _____

Signature: _____ Date: _____

BACKGROUND/EXPERIENCE IN RADIO/ELECTRONICS (IF ANY):

AREAS OF SPECIAL INTEREST:

Subscription rates:

	Australia and New Zealand	All other Overseas Countries
Joining Fee	AU\$*	AU\$*
Annual Subscription.	AU\$*	AU\$*
Total.	AU\$*	AU\$*

Australian residents please pay by Cheque/Money Order payable to 'AVRS.'

All overseas applicants, please pay by Bank Draft, payable to 'AVRS.'

The membership year is from July 1st to June 30th.

Please tick this box if you do **NOT** want your contact details,
ie Name, 'phone No. and address, disclosed to other members.

Please send this application form with your remittance to The Treasurer at the above address.

* Insert amounts determined from time to time in accordance with Rule 4.

OFFICE USE ONLY

DATE REC	ANNUAL SUB	J FEE	TREASURER	DBASE	RENEW