



AUSTRALIAN LABOUR LAW ASSOCIATION

RULES

AUSTRALIAN LABOUR LAW ASSOCIATION INC.

Centre for Employment and Labour Relations Law
Melbourne Law School
The University of Melbourne
VICTORIA 3010
Telephone: **+61 3 8334 8924**
Fax: **+61 3 9349 4623**



CONTENTS

1.	NAME	1
2.	AIMS & PURPOSES	1
3.	DEFINITIONS	1
4.	INTERIM PROVISIONS	2
5.	ORGANISATION AND STRUCTURE	2
6.	ALTERATION OF THE RULES	3
7.	MEMBERSHIP, ENTRANCE FEES AND SUBSCRIPTION	3
8.	REGISTER OF MEMBERS	4
9.	CEASING MEMBERSHIP	4
10.	DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS	4
11.	DISPUTES AND MEDIATION	6
12.	ANNUAL GENERAL MEETING	7
13.	SPECIAL GENERAL MEETING	7
14.	SPECIAL BUSINESS	8
15.	NOTICE OF GENERAL MEETINGS	8
16.	QUORUM AT GENERAL MEETINGS	8
17.	PRESIDING AT GENERAL MEETINGS	9
18.	ADJOURNMENT OF MEETINGS	9
19.	VOTING AT GENERAL MEETINGS	9
20.	POLL AT GENERAL MEETINGS	10
21.	MANNER OF DETERMINING WHETHER RESOLUTION CARRIED	10
22.	NATIONAL COMMITTEE OF MANAGEMENT	10
23.	OFFICE HOLDERS	11
24.	ORDINARY MEMBERS OF THE NATIONAL COMMITTEE	11
25.	ELECTION OF OFFICERS AND ORDINARY NATIONAL COMMITTEE MEMBERS	12
26.	VACANCIES	12
27.	MEETINGS OF THE NATIONAL COMMITTEE	13
28.	NOTICE OF NATIONAL COMMITTEE MEETINGS	13
29.	QUORUM FOR NATIONAL COMMITTEE MEETINGS	13
30.	PRESIDING AT NATIONAL COMMITTEE MEETINGS	13
31.	VOTING AT NATIONAL COMMITTEE MEETINGS	13
32.	ADDITIONAL NATIONAL COMMITTEE MEETING PROVISIONS	14

33.	REMOVAL OF NATIONAL COMMITTEE MEMBER	14
34.	MINUTES OF MEETINGS	15
35.	FUNDS	15
36.	SEAL	15
37.	NOTICE TO MEMBERS	15
38.	WINDING UP	16
39.	CUSTODY AND INSPECTION OF BOOKS AND RECORDS	16



AUSTRALIAN LABOUR LAW ASSOCIATION

RULES OF THE AUSTRALIAN LABOUR LAW ASSOCIATION

(as amended at Special General Meeting, 12 February 2003)

1. NAME

The name of the association is the Australian Labour Law Association Incorporated.

2. AIMS & PURPOSES

The Association is formed for the following purposes:

- (a) to promote the study of, and exchange of ideas about, labour law and social security in Australia and at the international level;
- (b) to provide lawyers and others working in the fields of labour law and social security with a forum for discussion and debate;
- (c) to provide services for its members;
- (d) to hold regular meetings, seminars and conferences to facilitate the attainment of these aims and purposes;
- (e) to print or publish newspapers, newsletters, periodicals and other printed material considered desirable and related to the aims and purposes of the Association;
- (f) to purchase take on lease or licence or hire or otherwise acquire real or personal property of any kind in furtherance of the aims and purposes of the Association and to sell exchange or otherwise dispose of any real or personal property on such terms as may be considered expedient;
- (g) to lend borrow or raise or secure the payment of money in such manner as the Association may think fit upon such terms and conditions as shall be deemed expedient;
- (h) to seek affiliation with the International Society for Labour Law and Social Security; and
- (i) to do all such other acts and things as may be incidental or conducive to the above objects or any of them.

The assets and income of the Association shall be applied solely in furtherance of its above-mentioned objects and no portion shall be distributed directly or indirectly to the members of the Association except as bona fide compensation for services rendered or expenses incurred on behalf of the Association. This clause operates with effect from the formation of the Association on 29 November 2000.



AUSTRALIAN LABOUR LAW ASSOCIATION

3. DEFINITIONS

- (1) In these rules, unless the contrary intention appears:

"**Act**" means the Associations Incorporation Act 1981 (Vic).

"**Association**" means the Australian Labour Law Association Incorporated.

"**national committee**" means the national committee of management of the Association.

"**financial year**" means the year ending on 30 June.

"**general meeting**" means a general meeting of members convened in accordance with Rule 12.

"**member**" means a member of the Association.

"**ordinary member of the national committee**" means a member of the national committee who is not an officer of the Association under Rule 21.

"**Regulations**" means the regulations under the Act.

"**relevant documents**" has the same meaning as in the Act.

- (2) In these Rules, a reference to the Secretary of an Association is a reference if a person holds office under these Rules as Secretary of the Association - to that person and in any other case, to the public officer of the Association.

4. INTERIM PROVISIONS

- (1) An interim committee, whose membership will be determined by the founding members of the Association, will oversee the introduction of these Rules, the appointment of office bearers (as provided for in these Rules), and the management of the affairs of the Association until the first annual general meeting of the Association is held.
- (2) The first annual general meeting shall be held at a date no later than the first anniversary of the founding of the Association.

5. ORGANISATION AND STRUCTURE

- (1) The national committee may determine at any time to establish chapters, branches or divisions of the Association based on regional or professional or other criteria.
- (3) Chapters, branches or divisions so established will operate in accordance with these Rules and under the governance, supervision and control of the national committee.
- (4) Chapters or divisions established under these Rules will not be formed as a separate entity to the Association, nor will they be eligible in their own right to membership of the Association.



AUSTRALIAN LABOUR LAW ASSOCIATION

6. ALTERATION OF THE RULES

These Rules and the aims and purposes may only be altered by special resolution as provided for in these Rules.

7. MEMBERSHIP, ENTRANCE FEES AND SUBSCRIPTION

- (1) Membership is open to all natural persons, who because of their scholarly work or professional activities, are interested in furthering the aims and purposes of the Association.
- (2) A person who applies and is approved for membership as provided in these Rules is eligible to be a member of the Association on payment of the annual subscription of twenty dollars (\$20.00) or such other amount as may be determined by the national committee from time to time.
- (3) The national committee may require payment by all applicants of an entrance fee not greater than \$20.00 unless a greater amount is approved by ordinary resolution of a general meeting of the Association.
- (4) A person may be admitted to membership if:
 - (a) he or she applies for membership in accordance with sub-rule (5); and
 - (b) the admission as a member is approved by the national committee.
- (5) An application of a person for membership of the Association must:
 - (a) be made in writing substantially in the form set out in Appendix 1; and
 - (b) be lodged with the Secretary of the Association.
- (6) As soon as is practicable after the receipt of an application, the Secretary must refer the application to the national committee.
- (7) The national committee must determine whether to approve or reject the application.
- (8) If the national committee approves an application for membership, the Secretary must:
 - (a) as soon as practicable, notify the applicant in writing of the approval for membership;
 - (b) request payment within 28 days after receipt of the notification of the sum payable under these Rules as the annual subscription and the entrance fee (if any); and
 - (c) within 28 days after receipt of the annual subscription and entrance fee (if any), enter the applicant's name in the register of members.



AUSTRALIAN LABOUR LAW ASSOCIATION

- (9) An applicant for membership becomes a member and is entitled to exercise the rights of membership when his or her name is entered in the register of members.
- (10) If the national committee rejects an application, it must, as soon as practicable, notify the applicant in writing that the application has been rejected.
- (11) A right, privilege or obligation of a person by reason of membership of the Association:
 - (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates upon the cessation of membership whether by death or resignation or otherwise.
- (12) The annual subscription is payable in advance on or before 1 July in each year.
- (13) A member admitted pursuant to this rule shall be deemed to have accepted and be bound by these Rules.

8. REGISTER OF MEMBERS

- (1) The secretary must keep and maintain a register of members containing:
 - (a) the name and address of each member; and
 - (b) the date on which each member's name was entered in the register.
- (2) The register is available for inspection free of charge by any member upon request.
- (3) A member may make a copy of entries in the register.

9. CEASING MEMBERSHIP

- (1) A member may resign from the Association by giving one month's notice in writing to the Secretary of his or her intention to resign.
- (2) After the expiry of the period referred to in sub-rule (1):
 - (a) the member ceases to be a member; and
 - (b) the Secretary must record in the register of members the date on which the member ceased to be a member.
- (3) A member remains liable, notwithstanding a resignation, to and in respect of the Association, where the liability was incurred prior to the resignation taking effect.

10. DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS

- (1) Subject to these Rules, if the national committee is of the opinion that a member has refused or neglected to comply with these Rules, or has been guilty of conduct



AUSTRALIAN LABOUR LAW ASSOCIATION

unbecoming a member or prejudicial to the interests of the Association, it may by resolution:

- (a) suspend that member from membership of the Association for a specified period; or
 - (b) expell that member from the Association.
- (2) A resolution under sub-rule (1) does not take effect unless:
- (a) at a meeting held in accordance with sub-rule (3), the national committee confirms the resolution; and
 - (b) if the member exercises a right of appeal to the Association under this rule, the Association confirms the resolution in accordance with this rule.
- (3) A meeting of the national committee to confirm or revoke a resolution passed under sub-rule (1) must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the member in accordance with sub-rule(4).
- (4) For the purposes of giving notice in accordance with sub-rule (3), the Secretary must, as soon as practicable, cause to be given to the member a written notice:
- (a) setting out the resolution of the national committee and the grounds on which it is based; and
 - (b) stating that the member, or his or her representative, may address the national committee at a meeting to be held not earlier than 14 and not later than 28 days after the notice has been given to that member; and
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that he or she may do one or both of the following:
 - (i) attend that meeting;
 - (ii) give to the national committee before the date of that meeting a written statement seeking the revocation of the resolution;
 - (e) informing the member that, if at that meeting, the national committee confirms the resolution, he or she may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Association in general meeting against the resolution.
- (5) At a meeting of the national committee to confirm or revoke a resolution passed under sub-Rule (1), it must:
- (a) give the member, or his or her representative, an opportunity to be heard; and



AUSTRALIAN LABOUR LAW ASSOCIATION

- (b) give due consideration to any written statement submitted by the member; and
 - (c) determine by resolution whether to confirm or to revoke the resolution.
- (6) If at the meeting of the national committee, the national committee confirms the resolution, the member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Association in general meeting against the resolution.
- (7) If the secretary receives a notice under sub-rule (6), he or she must notify the national committee and the national committee must either convene a general meeting of the Association to be held within 21 days after the date on which the Secretary received the notice or place the matter on the agenda for the next annual general meeting of the Association.
- (8) At a general meeting of the Association convened under sub-rule (7):
- (a) the national committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and
 - (b) the member, or his or her representative, must be given an opportunity to be heard; and
 - (c) the members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- (9) A resolution is confirmed if, at the general meeting, an ordinary resolution to that effect is carried. In any other case, the resolution is revoked.

11. **DISPUTES AND MEDIATION**

- (1) All disputes between the Association and any of its members, or between a member and another member, shall be resolved in accordance with this rule.
- (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 dispute must be referred to and decided by the national committee at the next meeting of the national committee and any resolution passed thereon by a majority of the national committee shall be final and binding on all the parties to such dispute.
- (4) On any reference of a dispute to the national committee the Association shall be represented by a member appointed by the national committee, provided that that member has not had any direct involvement in the incidents or events which form the substance of the dispute.



AUSTRALIAN LABOUR LAW ASSOCIATION

12. ANNUAL GENERAL MEETING

- (1) The national committee may determine the date, time and place of the annual general meeting of the Association.
- (2) The notice convening the annual general meeting must specify that the meeting is an annual general meeting.
- (3) The ordinary business of the annual general meeting shall be:
 - (a) to confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting; and
 - (b) to receive from the national committee reports upon the transactions of the Association during the last preceding financial year; and
 - (c) to elect officers of the Association and the ordinary members of the national committee; and
 - (d) to receive and consider the statement submitted by the Association in accordance with section 30(3) of the Act.
- (4) The annual general meeting may conduct any special business of which notice has been given in accordance with these Rules.

13. SPECIAL GENERAL MEETING

- (1) In addition to the annual general meeting, one or more general meetings may be held in the same year.
- (2) All general meetings other than the annual general meeting are special general meetings.
- (3) The national committee may, whenever it thinks fit, convene a special general meeting of the Association.
- (4) If, but for this sub-rule, more than 15 months would elapse between annual general meetings, the national committee must convene a special general meeting before the expiration of that period.
- (5) The national committee must, on the request in writing of members representing not less than 5 per cent of the total number of members, convene a special general meeting of the Association.
- (6) The request for a special general meeting must:
 - (a) state the objects of the meeting; and
 - (b) be signed by the members requesting the meeting; and



AUSTRALIAN LABOUR LAW ASSOCIATION

- (c) be sent to the address of the Secretary.
- (7) If the national committee does not cause a special general meeting to be held within one month after the date on which the request is sent to the address of the Secretary, the members making the request, or any of them, may convene a special general meeting to be held not later than 3 months after that date.
- (8) If a special general meeting is convened by members in accordance with this rule, it must be convened in the same manner so far as possible as a meeting convened by the national committee and all reasonable expenses incurred in convening the special general meeting must be refunded by the Association to the persons incurring the expenses.

14. SPECIAL BUSINESS

All business that is conducted at a special general meeting and all business that is conducted at the annual general meeting, except for business conducted under the rules as ordinary business of the annual general meeting, is deemed to be special business.

15. NOTICE OF GENERAL MEETINGS

- (1) The secretary of the Association, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a general meeting of the Association, must cause to be sent to each member of the Association, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
- (2) Notice may be sent:
 - (a) by electronic transmission; or
 - (b) if the member requests, by facsimile transmission or prepaid post to the address appearing in the register of members.
- (3) No business other than that set out in the notice convening the meeting may be conducted at the meeting.
- (4) A member intending to bring any business before a meeting may notify in writing, or by electronic transmission, the Secretary of that business, who must include that business in the notice calling the next general meeting.

16. QUORUM AT GENERAL MEETINGS

- (1) No item of business may be conducted at a general meeting unless a quorum of members entitled under these Rules to vote is present at the time when the meeting is considering that item.
- (2) Five members personally present (being members entitled under these Rules to vote at a general meeting) constitute a quorum for the conduct of the business of a general meeting.



AUSTRALIAN LABOUR LAW ASSOCIATION

- (3) If, within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present:
 - (a) in the case of a meeting convened upon the request of members - the meeting must be dissolved; and
 - (b) in any other case - the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) 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 personally present (being not less than 3) shall be a quorum.

17. PRESIDING AT GENERAL MEETINGS

- (1) The President, or in the President's absence, the Vice-President, shall preside as Chairperson at each general meeting of the Association.
- (2) If the President and the Vice-President are absent from a general meeting, or are unable to preside, the members present must select one of their number to preside as Chairperson.

18. ADJOURNMENT OF MEETINGS

- (1) The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.
- (2) No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- (3) If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with Rule 12.
- (4) Except as provided in sub-rule (3), it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

19. VOTING AT GENERAL MEETINGS

- (1) Upon any question arising at a general meeting of the Association, a member has one vote only.
- (2) All votes shall be given personally or by proxy.
- (3) In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.



AUSTRALIAN LABOUR LAW ASSOCIATION

- (4) A special resolution is passed at a meeting if, of the entitled members of the Association who vote in person (or by proxy) at the meeting, not less than three quarters vote in favour of the resolution.
- (5) A member is not entitled to vote at a general meeting unless all moneys due and payable by the member to the Association have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

20. POLL AT GENERAL MEETINGS

- (1) If at a meeting a poll on any question is demanded by not less than 3 members, it must be taken at that meeting in such manner as the Chairperson 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 Chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

21. MANNER OF DETERMINING WHETHER RESOLUTION CARRIED

- (1) If a question arising at a general meeting of the Association is determined on a show of hands:
 - (a) a declaration by the Chairperson that a resolution has been:
 - (i) carried; or
 - (ii) carried unanimously; or
 - (iii) carried by a particular majority; or
 - (iv) lost; and
 - (b) an entry to that effect in the minute book of the Association:

is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

22. NATIONAL COMMITTEE OF MANAGEMENT

- (1) The affairs of the Association shall be managed by the national committee of management.
- (2) The national committee:
 - (a) shall control and manage the business and affairs of the Association; and



AUSTRALIAN LABOUR LAW ASSOCIATION

- (b) may, subject to these Rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the Association; and
 - (c) subject to these Rules, the Act and the Regulations, has power to perform all such acts and things as appear to the national committee to be essential for the proper management of the business and affairs of the Association.
- (3) Subject to section 23 of the Act the national committee shall consist of:
- (a) the officers of the Association; and
 - (b) two ordinary members or such greater number of members as the national committee determines from time to time

each of whom shall be elected at the annual general meeting of the Association in each year.

23. OFFICE HOLDERS

- (1) The officers of the Association shall be:
- (a) a President;
 - (b) a Vice-President;
 - (c) a Treasurer; and
 - (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 referred to in sub-rule (1).
- (3) Each officer of the Association shall hold office until the conclusion of the annual general meeting next after the date of his or her election but is eligible for re-election.
- (4) In the event of a casual vacancy in any office referred to in sub-rule (1), the national committee may appoint one of its members to the vacant office. Alternatively, the national committee may conduct an election to fill the casual office. The member so appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of the appointment.

24. ORDINARY MEMBERS OF THE NATIONAL COMMITTEE

- (1) Subject to these Rules, each ordinary member of the national committee shall hold office until the conclusion of the annual general meeting next after the date of election but is eligible for re-election.



AUSTRALIAN LABOUR LAW ASSOCIATION

- (2) In the event of a casual vacancy occurring in the office of an ordinary member of the national committee, the national committee may appoint a member of the Association to fill the vacancy. Alternatively, the national committee may conduct an election to fill the casual vacancy. The member so appointed or elected shall hold office, subject to these Rules, until the conclusion of the annual general meeting next following the date of the appointment.

25. ELECTION OF OFFICERS AND ORDINARY NATIONAL COMMITTEE MEMBERS

- (1) Nominations of candidates for election as officers of the Association or as ordinary members of the national committee must be:
- (a) made in writing, signed by two members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
 - (b) delivered to the Secretary of the Association not less than 7 days before the date fixed for the holding of the annual general meeting.
- (2) A candidate may only be nominated for one office, or as an ordinary member of the national committee, prior to the annual general meeting.
- (3) If insufficient nominations are received to fill all vacancies on the national committee, the candidates nominated shall be deemed to be elected and further nominations may be received at the annual general meeting.
- (4) 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.
- (5) If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.
- (6) The ballot for the election of officers and ordinary members of the national committee must be conducted at the annual general meeting in such manner as the national committee may direct.

26. VACANCIES

The office of an officer of the Association, or of an ordinary member of the national committee, becomes vacant if the officer or member:

- (a) ceases to be a member of the Association; or
- (b) becomes an insolvent under administration within the meaning of the Corporations Law; or
- (c) resigns from office by notice in writing given to the secretary.



AUSTRALIAN LABOUR LAW ASSOCIATION

27. MEETINGS OF THE NATIONAL COMMITTEE

- (1) The national committee must meet at least 3 times in each year at such place and such times as the national committee may determine.
- (2) Special meetings of the national committee may be convened by the President or by any 4 members of the national committee.

28. NOTICE OF NATIONAL COMMITTEE MEETINGS

- (1) Written notice of each national committee meeting must be given to each member of the national committee at least 2 business days before the date of the meeting.
- (2) Written notice must be given to members of the national committee of any special meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.

29. QUORUM FOR NATIONAL COMMITTEE MEETINGS

- (1) Any 4 members of the national committee constitute a quorum for the conduct of the business of a meeting of the national committee.
- (2) No business may be conducted unless a quorum is present.
- (3) If within half an hour of the time appointed for the meeting a quorum is not present:
 - (a) in the case of a special meeting - the meeting lapses.
 - (b) in any other case - the meeting shall stand adjourned to the same place and the same time and day in the following week.
- (4) The national committee may act notwithstanding any vacancy on the national committee.

30. PRESIDING AT NATIONAL COMMITTEE MEETINGS

At meetings of the national committee:

- (a) the President or, in the President's absence, the Vice-President presides; or
- (b) if the President and the Vice-President are absent, or are unable to preside, the members present must choose one of their number to preside.

31. VOTING AT NATIONAL COMMITTEE MEETINGS

- (1) Questions arising at a meeting of the national committee, or at a meeting of any sub-committee appointed by the national committee, shall be determined on a show of hands or, if a member requests, by a poll taken in such manner as the person presiding at that meeting may determine.



AUSTRALIAN LABOUR LAW ASSOCIATION

- (2) Each member present at a meeting of the national committee, or at a meeting of any sub-committee appointed by the national 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.

32. ADDITIONAL NATIONAL COMMITTEE MEETING PROVISIONS

- (1) The business of the national committee may be transacted and decisions of the national committee may be taken when members of the national committee attend at two or more locations and all of such locations are interconnected by audio means or audio visual means so that members of the national committee attending at one location can hear what is said by members of the national committee attending at all other locations. The attendance of members of the national committee at two or more locations in accordance with this sub-clause shall be considered to be a meeting of the national committee for the purposes of these rules.
- (2) If the Secretary or President, prior to or during a meeting of the national committee, has sent the terms of a proposed resolution to a member of the national committee by letter, telex, lettergram or facsimile transmission, that member may record a vote in respect of that resolution without attending the meeting, by letter, telex, lettergram or facsimile transmission addressed to the President or other person presiding at the meeting and received by the President or other person presiding at the meeting before the close of the meeting. When a member of the national committee records a vote on any question in the manner provided by this paragraph, he or she shall be counted for the purpose of ascertaining a quorum of the national committee in respect of that question and his or her vote shall be counted for the purpose of ascertaining a majority of votes in respect of that question.
- (3) A resolution in writing signed by or approved in writing by all the members of the national committee shall be as valid and effectual as a resolution passed at a duly convened meeting of the national committee.

33. REMOVAL OF NATIONAL COMMITTEE MEMBER

- (1) The Association in general meeting may, by resolution, remove any member of the national committee before the expiration of the member's term of office and appoint another member in his or her place to hold office until the expiration of the term of the first-mentioned member.
- (2) A member who is the subject of a proposed resolution referred to in sub-rule (1) may make representations in writing to the Secretary or President of the Association (not exceeding a reasonable length) and may request that the representations be provided to the members of the Association.
- (3) The Secretary or the President may give a copy of the representations to each member of the Association or, if they are not so given, the member may require that they be read out at the meeting.



AUSTRALIAN LABOUR LAW ASSOCIATION

34. MINUTES OF MEETINGS

The Secretary of the Association must keep minutes of the resolutions and proceedings of each general meeting, and each national committee meeting, together with a record of the names of persons present at national committee meetings.

35. FUNDS

(1) The Treasurer of the Association must:

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

(2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the national committee.

(3) The funds of the Association shall be derived from entrance fees, annual subscriptions, donations and such other sources as the national committee determines.

36. SEAL

(1) The common seal of the Association must be kept in the custody of the Secretary.

(2) The common seal must not be affixed to any instrument except by the authority of the national committee and the affixing of the common seal must be attested by the signatures either of two members of the national committee.

37. NOTICE TO MEMBERS

Except for the requirement in Rule 12, any notice that is required to be given to a member, by or on behalf of the Association, under these Rules may be given by:

- (a) delivering the notice to the member personally; 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 or notices be given to him or her in this manner; or
- (d) electronic transmission, if the member has requested that the notice or notices be given to him or her in this manner.



AUSTRALIAN LABOUR LAW ASSOCIATION

38. WINDING UP

The Association may be wound up and dissolved on a resolution to that effect being passed at a general meeting of the Association convened for that special purpose; in the event of the Association being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to any association with similar purposes which is not carried on for the profit or gain of its individual members. This rule operates with effect from the formation of the Association on 29 November 2000.

39. CUSTODY AND INSPECTION OF BOOKS AND RECORDS

- (1) Except as otherwise provided in these Rules, the Secretary must keep in his or her custody or under his or her control all books, documents and securities of the Association.
- (2) All accounts, books, securities and any other relevant documents of the Association must be available for inspection free of charge by any member upon request.
- (3) A member may make a copy of any accounts, books, securities and any other relevant documents of the Association.