



AUSTRALIAN ARMY BAND CORPS ASSOCIATION Inc.
AOO43172D

BY-LAWS
(as at 13 October 2020)

These By-laws are written specifically for the AABC Assn Inc. by virtue of Rule 42.

1. To be read in conjunction with the Model Rules for an Incorporated Association, but where a perceived contradiction or inconsistency occurs, the Model Rules will prevail.

2. Definitions

- a) **'Annual Fee'** is the sum of money as determined by the Annual General Meeting for membership.
- b) **'Financial Year'** means from 01 July to 30 June.
- c) **'Committee of Management' (CoM)** means those persons elected annually to administer the affairs of the club, per Rule 44.
- d) **Sub-Committee** is established as needed by the CoM.
- e) **'Ordinary Member of Committee'** (if needed) is a person or persons elected annually, to assist the CoM in the execution of their duties.
- f) **'Member'** means a current or former member of Australian Army Bands.
- g) **'Associate Member'** means any person not qualified to be a member but is willing to abide by the Rules and By-Laws of this Association.
- h) **'Life Member'** means a person who has given outstanding service to the association, is nominated and approved by committee and voted on by the membership.
- i) **Spouse or Recognised Partner of Life Member** is entitled to Special Membership.
- j) **'Special Member'** is any member or former member upon reaching their 90th Birthday.
- k) **'State Representatives'** are those persons appointed by the committee to manage the affairs of said region and/or reunion and report to the CoM as required.
- l) **'Chaplain'** is appointed by the CoM (see By-law 16).
- m) **'Patron'** is appointed by the (see By-law 15).
- n) **'Joining Fee'** if required, is determined at the AGM.
- o) **'Voting'** is limited to Members, Life Members and Special Members.
- p) **Working Group** is a group established by State or Regional Representatives.
- q) **AABCA** is the Australian Army Band Corps Association.

3. Administration

- a) The Annual General Meeting (AGM) will elect for the next 12 months the Officers of the Association; being the President, Vice President, Secretary and Treasurer; and
- b) Ordinary Member(s) if required.
- c) The minutes of the AGM are to be taken by the Secretary or another member so appointed.
- d) The Annual Fee for membership and Associate Membership will be confirmed at the AGM
- e) Non-payment of fees by the date shown on the membership renewal notice means suspension of voting rights until the outstanding fees are paid.

- f) If only one member is nominated for any vacant position, the Chairperson of the meeting must declare the member elected to the position.
- g) If more than one member is nominated for a vacant position, a ballot must be held in accordance with Rule 54.
- h) All reports presented at the Annual General Meeting must be in a written format and handed to the Secretary after ratification by the meeting.
- i) The secretary is to attach all reports to the Minutes of the AGM.

4. Procedure at meetings

- a) All meetings will afford each member to be heard if they so desire.
- b) All meetings debating any issue will be subject to a simplified parliamentary procedure.¹
- c) The Chairperson will be the final arbiter on matters of procedure.

5. Membership - Under Part 3, Division 1 of The Model Rules.

- a) Membership of Australian Army Band Corps Assn. Inc. (the Association) will comprise four categories:
 - i. **Members** - have full voting privileges being current or former members of Australian Army Bands; and
 - ii. **Life Members** - with full voting privileges; and
 - iii. **Associate members** - not qualified to be a member may apply to join the Association as an Associate Member, but:
 - a. Pay an annual fee as determined at the AGM;
 - b. May be asked to serve on a sub-committee; and
 - c. Has no voting privileges.
 - iv. **Special Members:**
 - a. Current or former members of the Assn; and
 - b. Upon reaching their 90th Birthday become Special Members; and
 - c. Are entitled to vote; and
 - d. Do not pay any fees.
 - e. The Recognised Partner of a Life Member will become a Special Member upon the death of the Life Member, but they will not be entitled to vote.

6. Life Membership

- a) The association may grant Life Membership to any member considered worthy of special recognition for service to the Association.
- b) Any member can make a recommendation in writing to the CoM outlining the reasons for nomination.
- c) The written nomination must be with the Secretary at least 30 days before the next AGM.
- d) All nominations are to be considered for approval by the CoM; but
- e) The CoM may forward only one nomination for Life Membership at each AGM.
- f) Any nomination approved by the CoM is to be voted on at the next Annual General Meeting and must be ratified by 80% of members present; and

¹ Robert's Rules

- i. Persons afforded Life Membership are not required to pay annual subscriptions.
- ii. Have full voting privileges
- iii. May serve in any capacity on any committee

7. Annual Fees

- a) The CoM may determine from time to time if any joining fee is payable.
- b) Members and Associate Members are liable for annual fees as determined by the Annual General Meeting.
- c) Life Members and Special Members are not required to pay an annual fee.
- d) Any person not eligible for full membership may be an Associate Member and is bound by the Rules and By-laws of this Association and any proclamations of the CoM.
- e) Non-payment of fees by the date shown on the membership renewal notice means voting rights will be suspended until such time as outstanding fees are paid.
- f) Any person whose fees are 12 months or more in arrears will be considered to have resigned; and
 - i. May be required to pay any monies owed to the Assn; and
 - ii. Can be granted membership renewal at the discretion of the CoM.
- g) All membership categories are entitled to receive Noteworthy, the Association Newsletter.

8. Sub-Committees

- a) The CoM has authority to form and dissolve sub-committees.
- b) All sub-committees are responsible to the CoM.

9. State and Regional Committees

- a) The CoM may authorise the establishment of State and regional sub-committees which are responsible to the CoM for representing the interests of the Association in those States and regions.
- b) State and regional sub-committees are to be chaired by the authorised State or regional representative and are to operate under the Rules of the Association.
- c) State and regional sub-committees can make decisions on matters affecting their State or Region.
- d) State and regional sub-committees can form working groups who can only make recommendations to the State or Regional sub-committee.
- e) State and regional sub-committees are to report as required to the CoM on activities.

10. Notice to members - Under Rule 32 and Rule 33, any notice that is required to be given to a member on behalf of the Association, 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.

11. Winding-up – According to The Act and Rule 76:

- a) The Association shall not be wound up or amalgamated except at a special general meeting of the Association convened for that purpose.
- b) A Special Resolution carried by a majority of at least seventy five percent of the votes recorded in respect of that resolution is required.
- c) In the event of winding-up or the cancellation of the incorporation of the Association, the assets of the Association must be disposed of in accordance with the provisions of the Act and Rule 76.

12. Patron

- a) The CoM may appoint a suitable person to be a Patron of the Association.
- b) The Patron shall be entitled to attend any meeting or activity of the Association.
- c) The Patron has no voting privileges unless they are a member.
- d) The Patron cannot serve on any committee unless they are a member.
- e) The Patron is entitled to receive the Newsletter.

13. Chaplain

- a) The CoM may appoint a suitably qualified person to be Chaplain of the Association.
- b) The Chaplain shall be entitled to attend any meeting or activity of the Association.
- c) The Chaplain is entitled to receive the Newsletter.
- d) The Chaplain has no voting privileges unless they are a member
- e) The Chaplain cannot serve on any committee or sub-committee unless they are a member

14. Register of Members. According to Rule 18 the Secretary is to record and maintain the following member details:

- a) The email address of each member; and
- b) The phone number of each member; and
- c) The class of membership of each member; and
- d) The date of birth of each member.

15. Newsletter (NOTEWORTHY)

- a) The Association may publish a newsletter in such form and containing such matter as the CoM determines and is to be made available to each category of membership either by post, electronic transmission or via the Association website.
- b) A back catalogue of newsletters is to be maintained on the Association website.

16. Website

- a) The Association may produce and maintain a website containing such matter as determined by the CoM.
- b) A person(s) will be appointed to maintain and keep up-to-date any website of the Association.

- c) The website is for the exclusive access and use by any of the membership categories including the Patron and Chaplain

17. Social Media.

- a) Any social media platform bearing the name or part thereof, of the Association must be approved and monitored by the CoM.
- b) The CoM has the right to appoint moderators of any social media platforms bearing the name or part thereof of the Association.
- c) AABCA Inc Social Media platforms are for the exclusive access and use by any of the membership categories including the Patron and Chaplain.

18. Limitation of rights and liabilities of members

- a) When approved by the Act or the Rules of this incorporated Association, a member of the CoM or a member of the Association is not liable to contribute towards the payment of:
 - i. The debts and liabilities of the Association; or
 - ii. The costs, charges and expenses of the winding up of the Association.
- b) Unless expressly provided by the Act or the Rules of this Association, membership of the Association must not be taken to confer on a person any right, title or interest (whether legal or equitable) in the property of the Association.

19. Amendments to By-Laws

- a) These By-laws can be repealed or amended, but such changes shall not be effective until approved by a majority vote of members of the association present at a meeting, or by proxy, in accordance with the Model Rules for an Incorporated Association.