

ACT Red Hill Bush Regenerators Incorporated

Rules

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Part 1.1 Preliminary

1 Definitions for rules

In these rules:

Note A definition applies except so far as the contrary intention appears (see Legislation Act, s 155).

financial year means the year ending on 30 June.

Fund means the ~~gift~~ public fund established in accordance with Object 9 of the association, as set out in these Rules as amended on ~~Sunday 3 September 2023~~ **Sunday 3 March 2024**.

member means a member, however described, of the association.

ordinary committee member means a member of the committee who is not an office-bearer of the association as mentioned in section 12 (1) (a).

secretary means the person holding office under these rules as secretary of the association or, if no such person holds that office, the public officer of the association.

the Act means the *Associations Incorporation Act 1991*.

the regulation means the *Associations Incorporation Regulation 1991*.

1A Application of Legislation Act 2001

The *Legislation Act 2001* applies to these rules in the same way as it would if they were an instrument made under the Act.

1B Objects of the association

- (1) To develop awareness in the community of the value of local native vegetation and wildlife in the Red Hill reserve;
- (2) To promote the conservation, regeneration, planting, maintenance, and protection of the native and remnant vegetation of the Red Hill reserve;
- (3) To restore and improve the condition of degraded land within the reserve through measures including revegetation;
- (4) To increase the local population of the endangered daisy *Rutidosia leptorhynchoides*;
- (5) To involve citizens and community groups at all levels in planning and maintaining revegetation programs within the reserve;
- (6) To carry out revegetation activities which are consistent with the future ecological and recreational needs of the community;
- (7) To enhance the practical and theoretical skills of the community pertaining to the establishment, protection, planning and maintenance of vegetation;
- (8) To seek the support of other organisations, businesses and the community generally for the beforementioned objects of the Association; and

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- (9) To establish and maintain a ~~gift~~ public fund to be called the ACT Red Hill Regenerators Fund (the Fund).~~for the specific purpose of supporting the environmental objects/purposes of the ACT Red Hill Bush Regenerators Incorporated. The Fund is established to receive all gifts of money or property for this purpose and any money received because of such gifts must be credited to its bank account. The Fund must not receive any other money or property into its account and it must comply with subdivision.~~

Part 1.2 Membership

2 Membership qualifications

A person is qualified to be a member if—

- (a) the person is a person mentioned in the Act, section 21 (2) (a) or (b) and has not ceased to be a member of the association at any time after incorporation of the association under the Act; or
 - (b) the person—
 - (i) has applied for membership in accordance with section 3 (1); and
 - (ii) has been approved for membership of the association by the president, secretary and treasurer of the association.
 - (c) the reasons for rejecting a person’s application include, but are not limited to, where the applicant
 - (i) has an affiliation with a group which does not demonstrate values compatible with those of the association; or
- (ii) has previously been disciplined by or expelled from the association.

3 Application for membership

- (1) An application of a person for membership of the association—
 - (a) must be made by the applicant in writing in the form set out in Appendix 1 or by sending an email with name, address, phone number and email address to the treasurer;
 - (b) must be lodged with the treasurer of the association together with evidence of payment to the association.
- (2) As soon as is practicable after receiving the application and payment, the treasurer must refer the nomination to the president and secretary. The president, treasurer and secretary must decide whether to approve or to reject the application.
- (3) When the president, treasurer and secretary decide to approve or reject an application for membership, the treasurer must as soon as practicable after that decision notify the applicant of that approval or rejection.
- (4) The treasurer must, on approval of the applicant, within the period mentioned in subsection (3), enter the applicant’s name in the register of members and, on the name being so entered, the applicant becomes a member of the association.

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4 Membership entitlements not transferable

A right, privilege or obligation that a person has because of being a member of the association—

- (a) cannot be transferred or transmitted to another person; and
- (b) terminates on cessation of the person's membership.

5 Cessation of membership

A person ceases to be a member of the association if the person—

- (a) dies or, for a corporation, is wound up; or
- (b) resigns from membership of the association; or
- (c) is expelled from the association.

6 Resignation of membership

- (1) A member is not entitled to resign from membership of the association except in accordance with this section.
- (2) A member who has paid all amounts payable by the member to the association may resign from membership of the association by giving notice of the resignation in writing to the treasurer. The member's resignation will take effect immediately on receipt by the treasurer.
- (3) If a person ceases to be a member, the treasurer must make an appropriate entry in the register of members recording the date the member ceased to be a member.

7 Fee, subscriptions etc

- (1) The life membership fee of the association is \$10 or, if any other amount has been determined by resolution of the committee, that other amount.
- (2) The membership fee is payable on membership application.

8 Members' liabilities

The liability of a member to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount (if any) unpaid by the member in relation to membership of the association as required by section 7.

9 Disciplining of members

- (1) If the committee is of the opinion that a member—
 - (a) has persistently refused or neglected to comply with a provision of these rules; or
 - (b) has persistently and wilfully acted in a manner prejudicial to the interests of the association;the committee may, by resolution—
 - (c) expel the member from the association; or

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- (d) suspend the member from the rights and privileges of membership of the association that the committee may decide for a specified period.
- (2) A resolution of the committee under subsection (1) is of no effect unless the committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under subsection (3), confirms the resolution in accordance with this section.
- (3) If the committee passes a resolution under subsection (1), the secretary must, as soon as practicable, serve a written notice on the member—
 - (a) setting out the resolution of the committee and the grounds on which it is based; and
 - (b) stating that the member may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice; and
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that the member may do either or both of the following:
 - (i) attend and speak at that meeting;
 - (ii) submit to the committee at or before the date of that meeting written representations relating to the resolution.
- (4) Subject to the Act, section 50, at a meeting of the committee mentioned in subsection (2), the committee must—
 - (a) give to the member mentioned in subsection (1) an opportunity to make oral representations; and
 - (b) give due consideration to any written representations submitted to the committee by that member at or before the meeting; and
 - (c) by resolution decide whether to confirm or to revoke the resolution of the committee made under subsection (1).
- (5) If the committee confirms a resolution under subsection (4), the secretary must, within 7 days after that confirmation, by written notice inform the member of that confirmation and of the member's right of appeal under section 10.
- (6) A resolution confirmed by the committee under subsection (4) does not take effect—
 - (a) until the end of the period within which the member is entitled to appeal against the resolution if the member does not exercise the right of appeal within that period; or
 - (b) if within that period the member exercises the right of appeal—unless and until the association confirms the resolution in accordance with section 10 (4).

10 Right of appeal of disciplined member

- (1) A member may appeal to the association in general meeting against a resolution of the committee that is confirmed under section 9 (4), within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.

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- (2) On receipt of a notice under subsection (1), the secretary must notify the committee which must call a general meeting of the association to be held within 21 days after the date when the secretary received the notice or as soon as possible after that date.
- (3) Subject to the Act, section 50, at a general meeting of the association called under subsection (2)—
 - (a) no business other than the question of the appeal may be transacted; and
 - (b) the committee and the member must be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
 - (c) the members present must vote by secret ballot on the question of whether the resolution made under section 9 (4) should be confirmed or revoked.
- (4) If the meeting passes a special resolution in favour of the confirmation of the resolution made under section 9 (4), that resolution is confirmed.

Part 1.3 Committee

11 Powers of committee

The committee, subject to the Act, the regulation, these rules, and to any resolution passed by the association in general meeting—

- (a) controls and manages the affairs of the association; and
- (b) may exercise all functions that may be exercised by the association other than those functions that are required by these rules to be exercised by the association in general meeting; and
- (c) has power to perform all acts and do all things that appear to the committee to be necessary or desirable for the proper management of the affairs of the association.
- (d) Where a dispute arises under the Act or these Rules between a member and another member, or between a member and the association, will institute the dispute resolution procedure at Appendix 2.

12 Constitution and membership

- (1) The committee consists of—

- (a) the office-bearers of the association; and
- (b) 3 ordinary committee members;

each of whom must be elected under section 13 or appointed in accordance with subsection (4).

- (2) The office-bearers of the association are—

- (a) the president; and
- (b) the vice-president; and
- (c) the treasurer; and
- (d) the secretary.

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- (3) Each member of the committee holds office, subject to these rules, until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.
- (4) If there is a vacancy in the membership of the committee, the committee may appoint a member of the association to fill the vacancy and the member so appointed holds office, subject to these rules, until the conclusion of the next annual general meeting after the date of the appointment.

13 Election of committee members

- (1) Nominations of candidates for election as office-bearers of the association or as ordinary committee members—
 - (a) must be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the nomination form); and
 - (b) must be given to the secretary of the association not less than 7 days before the date fixed for the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations may be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the people nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot must be held.
- (6) The ballot for the election of office-bearers and ordinary committee members must be conducted at the annual general meeting in the way the committee may direct.
- (7) A person is not eligible to simultaneously hold more than 1 position on the committee.

14 Secretary

- (1) The secretary of the association must, as soon as practicable after being appointed as secretary, notify the association of his or her address.
- (2) The secretary must keep minutes of—
 - (a) all elections and appointments of office-bearers and ordinary committee members; and
 - (b) the names of members of the committee present at a committee meeting or a general meeting; and
 - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the person presiding at the meeting or by the person presiding at the next succeeding meeting.

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15 Treasurer

- (1) The treasurer of the association must—
 - (a) collect and receive all amounts owing 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.

16 Vacancies

For these rules, a vacancy in the office of a member of the committee happens if the member—

- (a) dies; or
- (b) ceases to be a member of the association; or
- (c) resigns the office; or
- (d) is removed from office under section 17 (Removal of committee members);
or
- (e) suffers from mental or physical incapacity; or
- (f) is disqualified from office under the Act, section 63 or section 63B; or
- (g) is subject to a disqualification order under the Act, section 63A; or
- (h) is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.

17 Removal of committee members

The association in general meeting may by resolution, subject to the Act, section 50, remove any member of the committee from the office of member of the committee before the end of the member's term of office.

18 Committee meetings and quorum

- (1) The committee must meet at least two times in each calendar year at the place and time that the committee may decide.
- (2) Additional meetings of the committee may be called by any member of the committee.
- (3) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or any other period that may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.

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- (4) Notice of a meeting given under subsection (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business may be transacted at the meeting, except business that the committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) No business may be transacted by the committee unless a quorum is present and, if within half an hour after the time appointed for the meeting a quorum is not present, the meeting stands adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, the meeting is dissolved.
- (8) At meetings of the committee—
 - (a) the president or, in the absence of the president, the vice-president presides; or
 - (b) if the president and the vice-president are absent—1 of the remaining members of the committee may be chosen by the majority of members present to preside.

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19 Delegation by committee to subcommittee

- (1) The committee may, in writing, delegate to 1 or more subcommittees (consisting of the member or members of the association that the committee considers appropriate) the exercise of the functions of the committee that are specified in the instrument, other than—
 - (a) this power of delegation; and
 - (b) a function that is a function imposed on the committee by the Act, by any other Territory law, or by resolution of the association in general meeting.
- (2) A function, the exercise of which has been delegated to a subcommittee under this section may, while the delegation remains unrevoked, be exercised from time to time by the subcommittee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to any conditions or limitations about the exercise of any function, or about time or circumstances, that may be specified in the instrument of delegation.
- (4) Despite any delegation under this section, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a subcommittee acting in the exercise of a delegation under this section has the same force and effect as it would have if it had been done or suffered by the committee.
- (6) The committee may, in writing, revoke wholly or in part any delegation under this section.
- (7) A subcommittee may meet and adjourn as it considers appropriate.

20 Voting and decisions

- (1) Questions arising at a meeting of the committee or of any subcommittee appointed by the committee are decided by a majority of the votes of members of the committee or subcommittee present at the meeting.
- (2) Each member present at a meeting of the committee or of any subcommittee appointed by the committee (including the person presiding at the meeting) is entitled to 1 vote but, if the votes on any question are equal, the person presiding may exercise a second or casting vote.

Part 1.4 General meetings

21 Annual general meetings—holding of

- (1) With the exception of the first annual general meeting of the association, the association must, at least once in each calendar year and within 5 months after the end of each financial year of the association, call an annual general meeting of its members.
- (2) The association must hold its first annual general meeting—
 - (a) within 18 months after its incorporation under the Act; and
 - (b) within 5 months after the end of the first financial year of the association.

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- (3) Subsections (1) and (2) have effect subject to the powers of the registrar-general under the [Act](#), section 120 in relation to extensions of time.

22 Annual general meetings—calling of and business at

- (1) The annual general meeting of the association must, subject to the Act, be called on the date and at the place and time that the committee considers appropriate.
- (2) In addition to any other business that may be transacted at an annual general meeting, the business of an annual general meeting is—
 - (a) to confirm the minutes of the last annual general meeting and of any general meeting held since that meeting; and
 - (b) to receive from the committee reports on the activities of the association during the last financial year; and
 - (c) to elect members of the committee, including office-bearers; and
 - (d) to receive and consider the statement of accounts and the reports that are required to be submitted to members under the [Act](#), section 73 (1).
- (3) An annual general meeting must be specified as such in the notice calling it in accordance with section 24 (Notice).
- (4) An annual general meeting must be conducted in accordance with the provisions of this part.

23 General meetings—calling of

- (1) The committee may, whenever it considers appropriate, call a general meeting of the association.
- (2) The committee must, on the requisition in writing of not less than 5% of the total number of members, call a general meeting of the association.
- (3) A requisition of members for a general meeting—
 - (a) must state the purpose or purposes of the meeting; and
 - (b) must be signed by the members making the requisition; and
 - (c) must be lodged with the secretary; and
 - (d) may consist of several documents in a similar form, each signed by 1 or more of the members making the requisition.
- (4) If the committee fails to call a general meeting within 1 month after the date when a requisition of members for the meeting is lodged with the secretary, any 1 or more of the members who made the requisition may call a general meeting to be held not later than 3 months after that date.
- (5) A general meeting called by a member or members mentioned in subsection (4) must be called as nearly as is practicable in the same way as general meetings are called by the committee and any member who thereby incurs expense is entitled to be reimbursed by the association for any reasonable expense so incurred.

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24 Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, send by email to each member at the member's address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least seven days before the date fixed for the holding of the general meeting, send notice to each member in the way provided in subsection (1) specifying, in addition to the matter required under that subsection, the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice calling a general meeting may be transacted at the meeting except, for an annual general meeting, business that may be transacted under section 22 (2).
- (4) A member desiring to bring any business before a general meeting may give written notice of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

25 General meetings—procedure and quorum

- (1) No item of business may be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) Five members present in person (who are entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within 30 minutes after the appointed time for the start of a general meeting a quorum is not present, the meeting if called on the requisition of members is dissolved and in any other case stands adjourned to the same day in the following week at the same time and (unless another place is specified at the time of adjournment by the person presiding at the meeting or communicated 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 a quorum is not present within 30 minutes after the time appointed for the start of the meeting, the members present (being not less than 3) constitute a quorum.

26 Presiding member

- (1) The president, or in the absence of the president, the vice-president, presides at each general meeting of the association.
- (2) If the president and the vice-president are absent from a general meeting, the members present must elect 1 of their number to preside at the meeting.

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27 Adjournment

- (1) The person presiding at a general meeting at which a quorum is present may, with the consent of the majority of 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.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in subsections (1) and (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.

28 Making of decisions

- (1) A question arising at a general meeting of the association is to be decided 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 person presiding 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 association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (2) At a general meeting of the association, a poll may be demanded by the person presiding or by not less than 3 members present in person at the meeting.
- (3) If the poll is demanded at a general meeting, the poll must be taken—
 - (a) immediately if the poll relates to the election of the person to preside at the meeting or to the question of an adjournment; or
 - (b) in any other case—in the way and at the time before the close of the meeting that the person presiding directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

29 Voting

- (1) Subject to subsection (3), on any question arising at a general meeting of the association a member has 1 vote only.
- (2) All votes must be given personally.
- (3) If the votes on a question at a general meeting are equal, the person presiding is entitled to exercise a second or casting vote.
- (4) A member is not entitled to vote at any general meeting of the association unless all money due and payable by the member to the association has been paid, other than the amount of the annual subscription payable for the then current year.

30 Appointment of Proxies

- (1) Members are not entitled to nominate a proxy.

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Part 1.5 Miscellaneous

31 Funds—source

- (1) The funds of the association must be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting and subject to the Act, section 114, any other sources that the committee decides.
- (2) **Subject to provisions of these Rules that govern the Fund, all** money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank account.
- (3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt. An email acknowledging payment will be considered a receipt in the case of membership and other income unless more formal acknowledgment is required.
- (4) **For the avoidance of doubt, funds of the association that are gifts and deductible contributions are to be dealt with under the provisions of these Rules that apply to the Fund.**

31A **Not for profit**

The assets and income of the association shall be applied solely to further its objects and no portion shall be distributed directly or indirectly to the members of the association except as genuine compensation for services rendered or expenses incurred on behalf of the association.

32 Funds—management

- (1) Subject to any resolution passed by the association in general meeting, the funds of the association must be used for the objects of the association in the way that the committee decides.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be approved by any 2 members of the committee authorised to do so by the committee.

32A **Conduit Policy**

Any allocation of funds or property to other persons or organisations will be made in accordance with the established purposes of the association and not be influenced by the preference of the donor. The association will not pass a donation of money or property to other organisations, bodies or persons as a condition of a donation.

33 Alteration of objects and rules

Neither the objects of the association mentioned in the Act, section 29 nor these rules may be altered except in accordance with the Act.

34 Common seal

The association does not have a common seal.

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35 Custody of books

Subject to the Act, the regulation and these rules, the secretary must keep in his or her custody or under his or her control all records, books, and other documents relating to the association.

36 Inspection of books

The records, books and other documents of the association must be open to inspection at a place in the ACT, free of charge, by a member of the association at any reasonable hour. The secretary will determine the place, date and time.

37 Service of notice

For these rules, the association may serve a notice on a member by sending it by email to the member at the member's address shown in the register of members.

Note For how documents may be served, see the Legislation Act, pt 19.5.

38 Surplus property

- (1) At the first general meeting of the association, the association must pass a special resolution nominating—
 - (a) another association for the Act, section 92 (1) (a); or
 - (b) a fund, authority or institution for the Act, section 92 (1) (b);in which it is to vest its surplus property in the event of the dissolution or winding up of the association.
- (2) An association nominated under subsection (1) (a) must fulfil the requirements specified in the Act, section 92 (2).

39 Requirements for the Gift Public Fund

- (1) The Fund is to be maintained and used only for the specific purpose of supporting the Objects of the ACT Red Hill Bush Regenerators Incorporated.
- (2) The Fund is established to receive all gifts and deductible contributions of money or property made for the purpose mentioned in subsection 39(1).
- (3) Any money received by the association because of such gifts or deductible contributions must be credited to the Fund.
- (4) The Fund must not receive any other money or property.

40 Winding-Up or Revocation of deductible gift recipient status

If the association is wound up or its endorsement as a deductible gift recipient is revoked (whichever occurs first), any surplus of the following assets shall be transferred to another organisation with similar objects, which is charitable at law, to which income tax deductible gifts can be made:

- (a) gifts of money or property for the principal purpose of the association;

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- (b) contributions made in relation to an eligible fundraising event held for the principal purpose of the association; and
- (c) money received by the association because of such gifts and contributions.

(1) Informing the Department

The association must inform the Department responsible for the environment as soon as possible if:

- (a) it changes its name or the name of the Fund; or
- (b) there is any change to the membership of the management committee of the Fund; or
- (c) there has been any departure from the model rules for public funds located in the guidelines to the Register of Environmental Organisations.

(2) Ministerial Rules

The association agrees to comply with any rules that the Treasurer and the Minister with responsibility for the environment may make to ensure that gifts made to the Fund are only used for its principal purpose.

(3) Not for Profit

The income and property of the association shall be used and applied solely in promotion of its objects and no portion shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or by way of profit to members, director, or trustees of the association.

(4) Conduit Policy

Any allocation of funds or property to other persons or organisations will be made in accordance with the established purposes of the association and not be influenced by the preference of the donor.

Winding Up

In the case of the winding up of the Fund, any surplus assets are to be transferred to another fund with similar objectives that is on the Register of Environmental Organisations.

(5) Statistical Information

Statistical information requested by the Department on donations to the Fund will be provided within four months of the end of the financial year.

An audited financial statement for the association and the Fund will be supplied with the annual statistical return. The statement will provide information on the expenditure of Fund monies and the management of Fund assets.

40 — Operation of the Public Fund

ACT Red Hill Bush Regenerators Incorporated

- ~~(5) The objective of the Fund is to support the association's environmental purposes.~~
- ~~(6) Members of the public are to be invited to make gifts of money or property to the Fund for the environmental purposes of the association.~~
- ~~(7) Money from interest on donations, income derived from donated property, and money from the realisation of such property is to be deposited into the Fund.~~
- ~~(8) A separate bank account is to be opened to deposit money donated to the Fund, including interest accruing thereon, and gifts to it are to be kept separate from other funds of the association.~~
- ~~(9) Receipts are to be issued in the name of the Fund and proper accounting records and procedures are to be kept and used for the Fund.~~
- ~~(10) The Fund will be operated on a not-for-profit basis.~~
- ~~(11) A committee of management of no fewer than three persons will administer the Fund. The committee will be appointed by the association. A majority of the members of the committee are required to be 'responsible persons' as defined by the Guidelines to the Register of Environmental Organisations.~~



Application for membership of association

(see s 3 (1))

Applicant

I, (full name)

of (address)

.....

Email

Apply to become a member of the ACT Red Hill Bush Regenerators Inc., and I agree to be bound by the rules of the association.

..... (signature) (date)

I, (full name)
being a member of the Executive of ACT Red Hill Bush Regenerators Inc. approve the applicant for membership. This approval is subject to Part 1.2 s3 (3) of the association's Rules.

.

..... (signature) (date)

Office Use

Application accepted on.....(date)

Lifetime membership fee (\$10) paid.....yes/no

- (i) Preferably, email to info@redhillregenerators.org.au; or
- (ii) post to The Secretary, ACT Red Hill Bush Regenerators Inc, at the address shown on our website: redhillregenerators.org.au



**RED HILL BUSH REGENERATORS INC
DISPUTE RESOLUTION POLICY AND PROCEDURES**

Introduction

What is a dispute?

A dispute exists when one or more people disagree about something and matters remain unresolved.

In accordance with *the Incorporated Associations Act 2019* Part 4 s65B, the Red Hill Bush Regenerators Inc (RHR) is required to have a dispute resolution procedure to assist in resolving the dispute.

What is dispute resolution?

Dispute resolution refers to the processes by which disputes are brought to an end. This can occur through:

- A negotiated outcome, where the parties concerned sort out things themselves, or
- The assistance of the committee or a person appointed by the committee, or
- A mediated outcome, where the parties use the services of an independent mediator to help them arrive at their own agreement.
- An arbitrated outcome, where the parties use the services of an independent arbitrator to make a recommendation.

RHR dispute resolution policy

RHR's dispute resolution procedure aims to be suitable for the nature of the RHR arrangements and activities. This policy is established in the context of RHR's constitution, objects and committee decisions as taken from time to time.

If a member has initiated a dispute resolution procedure in relation to a dispute between the member and the association, the Association will not take disciplinary action under rule 10 against the member, or their representative, until the dispute resolution procedure has been completed.

Principles guiding dispute resolution

The outcome of the dispute is determined by an unbiased decision-maker.

The process shall be:

- Transparent in that procedures are made known to all members.
- Quick so that inaction does not become an issue;
- Fair, with all relevant parties being consulted to cover all sides of the story;
- Compliant with natural justice, such as the right to a fair hearing; and
- Handled sensitively and where possible and appropriate, be resolved in a confidential context in order to minimise impact on members not affected by the dispute.



Scope of the policy and procedures

The policy and procedures relate to disputes between:

- one or more members of the Association
- a member and the Association.

Any dispute between the RHR and an external person, company etc will be resolved by the RHR Committee.

Dispute resolution processes

A member who is a party to the dispute may appoint any person to act on behalf of the member in the dispute resolution procedure.

The process will generally have the following stages unless otherwise agreed between the disputing parties:

- 1) The disputing parties meet as often as necessary to discuss the grievance and document the issues and contentious matters. The parties must try to resolve the grievance.
- 2) Failing resolution within 4 weeks, a member who is a party to the dispute may make a written request to the committee to appoint a person or persons to hear and determine the dispute. Further information may be sought by the Committee. If the dispute is between one member or more and the Association, the Committee may independently decide to make such an appointment.
- 3) The Committee may, in the first instance and without undue delay, appoint a mediator to attempt to resolve the dispute. If the matter is resolved, the Committee will notify the relevant parties in writing that the matter has been resolved.
- 4) If the matter is not resolved or the Committee decides not to appoint a mediator, the Committee shall, without undue delay, give all parties involved in the dispute a notice in writing:
 - a) outlining the general nature of the dispute
 - b) identifying the independent decision-maker/s appointed to hear and determine the dispute, and stating the date, time and place at which the dispute resolution hearing shall take place.
- 5) The independent decision-maker/s shall, within 21 days of hearing the dispute, notify in writing each party to the dispute and the Committee about their finding and give their reasons for the finding.
- 6) Once a member has received this notification, they may appeal against the finding to a General Meeting by delivering or sending by email to the Secretary, within 7 days after this notification is sent, a request in writing for the convening of a General Meeting for the purpose of hearing an appeal against the finding made by the mediator or arbitrator.
- 7) Upon receipt of the request, the Secretary shall notify the Committee of its receipt and the Committee shall call a General Meeting of members to be held within 21 days after



the request is received by the Secretary. Should the dispute be between a member and the Committee, the Committee may also make an appeal to a General Meeting.

- 8) At a General Meeting convened for the purpose of deciding the matters raised in the request for this meeting:
 - a) no business other than the appeal against the decision made by the decision-maker shall be transacted;
 - b) the member or Committee appealing the decision may place before the meeting details of the dispute and the grounds upon which the appeal is being made;
 - c) all parties to the dispute and, if appropriate, the mediator/arbitrators, shall be given an opportunity to be heard; and
 - d) the members present, except for any members who were parties to the dispute or appointed decision-maker/s, shall vote on the question of whether the decision appealed should be overturned, varied, or confirmed.
- 9) If the member considers their right to natural justice has been denied, they should write to the Committee outlining their grievance within 21 days of the General Meeting and the Committee will respond within 21 days of receiving this correspondence.