

Membership Policy

23 November 2023

Description

Policy governing membership to Mindful Margaret River

Policy

1. **Membership.** Membership of Mindful Margaret River is a privilege that is governed by the Board of Mindful Margaret River at its discretion, in accordance with the organisation's corporate constitution and any decisions made from time to time by the Board. Relevant extracts from the constitution are attached hereto.
2. **Fee.** No annual fee shall be charged for membership of Mindful Margaret River.
3. **Joining.** A member shall be considered to have joined Mindful Margaret River when—
 - 3.1. They apply for membership, providing the required personal details on a designated application form, *and*
 - 3.2. The application is approved by a decision of the Mindful Margaret River Board on the recommendation of the Executive at the next available Board meeting.
4. **Resignation.** A member shall continue to be a member in accordance with s.9, 10 of Mindful Margaret River's constitution. Resignation shall be construed to have occurred if the member—
 - 4.1. Resigns by notifying the secretary in writing, *or*
 - 4.2. For want of any reasonable communication with Mindful Margaret River, the member must be considered to have resigned.
5. **Legacy membership provision.** For the purposes of the transition of Mindful Margaret river to the incorporated organisation, s.73 of the Mindful Margaret River constitution provides that 'It is deemed that ... the duly appointed members of the Taskforce of Mindful Margaret River shall be considered to be appointed members of the association in conformity with these rules.' To this end, the Executive Officer shall communicate with all Taskforce members to ascertain their willingness to continue as members of Mindful Margaret River, and will provide a consolidated list to the Board at the earliest opportunity for recognition as the founding base membership of Mindful Margaret river. Thereafter, membership shall be managed according to this protocol and the constitution.

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Excerpt from MMR Constitution

Division 1 — Membership

Eligibility for membership

- (1) Any person who supports the objects or purposes of the Association is eligible to apply to become a member.
- (2) An individual who has not reached the age of 15 years is not eligible to apply for a class of membership that confers full voting rights.

Guidance Note – Eligibility for membership

- *The by-laws may require members to hold specified educational, trade or professional qualifications.*
- *The association must comply with all legal and regulatory obligations that may apply to the association under any other law when assessing eligibility of an applicant for membership.*

Applying for membership

- (1) A person who wants to become a member must apply in writing to the Association.
- (2) The applicant must specify in the application the class of membership, if there is more than one, to which the application relates.

Dealing with membership applications

- (1) The Board or a duly appointed sub-committee must consider each application for membership of the Association and decide whether to accept or reject the application.
- (2) The Board or duly appointed sub-committee may delay its consideration of an application if the Board or duly appointed sub-committee considers that any matter relating to the application needs to be clarified by the applicant or that the applicant needs to provide further information in support of the application.

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- (3) The Board or duly appointed sub-committee must not accept an application unless the applicant —
 - (a) is eligible under rule 4; and
 - (b) has applied under rule 5.
- (4) The Board or duly appointed sub-committee may reject an application even if the applicant —
 - (a) is eligible under rule 4; and
 - (b) has applied under rule 5.
- (5) The Board or duly appointed sub-committee must notify the applicant of the Board or duly appointed sub-committee's decision to accept or reject the application as soon as practicable after making the decision.
- (6) If the Board or duly appointed sub-committee rejects the application, the Board or duly appointed sub-committee is not required to give the applicant its reasons for doing so.

Becoming a member

An applicant for membership of the Association becomes a member when —

- (a) the Board or duly appointed sub-committee accepts the application; and
- (b) the applicant pays any membership fees payable to the Association under rule 12.

Guidance Note – Becoming a member - The applicant immediately becomes a member, when rule 7 has been fulfilled, and is entitled to exercise all the rights and privileges of membership, including the right to vote (if applicable), and must comply with all of the obligations of membership under these rules.

Act requirement – Member to receive rules – section 36(1)(b) of the Act provides that the association must give each person who become a member of the association of copy of the rules in force at the time their membership commences.

Guidance note – Format of rules provided - It is acceptable for the association to provide a copy of the rules to new members by electronic transmission or providing the details for the website whether the rules may be downloaded. A hard copy must be provided if the member requests that the rules be provided in that manner.

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Classes of membership

- (1) The Association consists of ordinary members and any associate members provided for under subrule (2).
- (2) The Association may have any class of associate membership approved by resolution at a general meeting, including junior membership, senior membership, honorary membership and life membership.
- (3) An individual who has not reached the age of 15 years is only eligible to be an associate member.
- (4) A person can only be an ordinary member or belong to one class of associate membership.
- (5) An ordinary member has full voting rights and any other rights conferred on members by these rules or approved by resolution at a general meeting or determined by the Board.
- (6) An associate member has the rights referred to in subrule (5) other than full voting rights.
- (7) The number of members of any class is not limited unless otherwise approved by resolution at a general meeting.

Guidance Note - Voting rights of Members

- *Each ordinary member of the Association has one vote at a general meeting of the Association.*
- *Each ordinary member of the Association that is a body corporate has one vote at a general meeting of the Association.*

When membership ceases

- (1) A person ceases to be a member when any of the following takes place —
 - (a) for a member who is an individual, the individual dies;
 - (b) for a member who is a body corporate, the body corporate is wound up;
 - (c) the person resigns from the Association under rule 10;
 - (d) the person is expelled from the Association under rule 15;
 - (e) the person ceases to be a member under rule 12(4).

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- (2) The secretary must keep a record, for at least one year after a person ceases to be a member, of —
 - (a) the date on which the person ceased to be a member; and
 - (b) the reason why the person ceased to be a member.

Resignation

- (1) A member may resign from membership of the Association by giving written notice of the resignation to the secretary.
- (2) The resignation takes effect —
 - (a) when the secretary receives the notice; or
 - (b) if a later time is stated in the notice, at that later time.
- (3) A person who has resigned from membership of the Association remains liable for any fees that are owed to the Association (the **owed amount**) at the time of resignation.
- (4) The owed amount may be recovered by the Association in a court of competent jurisdiction as a debt due to the Association.

Rights not transferable

The rights of a member are not transferable and end when membership ceases.

Division 2 — Membership fees

Membership fees

- (1) The Board must determine the entrance fee (if any) and the annual membership fee (if any) to be paid for membership of the Association.
- (2) The fees determined under subrule (1) may be different for different classes of membership.
- (3) A member must pay the annual membership fee to the treasurer, or another person authorised by the Board to accept payments, by the date (the **due date**) determined by the Board.

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- (4) If a member has not paid the annual membership fee within the period of 3 months after the due date, the member ceases to be a member on the expiry of that period.
- (5) If a person who has ceased to be a member under subrule (4) offers to pay the annual membership fee after the period referred to in that subrule has expired —
 - (a) the Board may, at its discretion, accept that payment; and
 - (b) if the payment is accepted, the person's membership is reinstated from the date the payment is accepted.

Division 3 — Register of members

Register of members

Act Requirements – Register of members

Section 53 of the Act requires an incorporated association to maintain a register of its members and record in the register any change in the membership of the association. Any change to the register must be recorded within 28 days after the change occurs.

Under section 53(2) of the Act the register of members must include each member's name and a residential, postal or email address.

Under section 54 of the Act a member is entitled to inspect the register free of charge. The member may make a copy of, or take an extract from, the register but has no right to remove the register for that purpose.

Under section 56 of the Act the management committee is authorised by to determine a reasonable charge for providing a copy of the register.

- (1) The secretary, or another person authorised by the Board, is responsible for the requirements imposed on the Association under section 53 of the Act to maintain the register of members and record in that register any change in the membership of the Association.
- (2) In addition to the matters referred to in section 53(2) of the Act, the register of members must include the class of membership (if applicable) to which each member belongs and the date on which each member becomes a member.

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- (3) The register of members must be kept at the secretary's place of residence, or at another place determined by the Board.
- (4) A member who wishes to inspect the register of members must contact the secretary to make the necessary arrangements.
- (5) If —
 - (a) a member inspecting the register of members wishes to make a copy of, or take an extract from, the register under section 54(2) of the Act; or
 - (b) a member makes a written request under section 56(1) of the Act to be provided with a copy of the register of members,

the Board may require the member to provide a statutory declaration setting out the purpose for which the copy or extract is required and declaring that the purpose is connected with the affairs of the Association.

Related documents

Mindful Margaret River Community Mental Health and Wellbeing Plan 2023
MMR Communications Policy 2023
MMR Expenditure Policy 2023
MMR Governance Policy 2023

Application

Membership applies to Legacy members and all new members.

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Document and version control table

Strategic outcomes	Mindful Margaret River Community Mental Health and Wellbeing Plan 2023-2025
Responsible parties	Board, Executive Officer, Taskforce members
Authority of original issue	Board MMR
Date of original issue	March 2021
Contact officer	Chair, MMR
Date of next review	December 2024

Version	Date issued	Brief description
1.0	May 2021	Initial issue
1.1	20 July 2021	Ratified by the Board
2.0	21 November 2023	Updated