

**Constitution of the
Australian Injury Prevention Network (Inc.)**

November 2008

1. NAME

The name of the Incorporated Association is the Australian Injury Prevention Network.

2. INTERPRETATION

2.1 In these Rules, unless the contrary intention appears -

"The Act" means the Associations Incorporation Act 1981, Victoria;

"Association" means the Australian Injury Prevention Network Incorporated;

"Branch" means a branch of the Association established under Rule 6;

"By-laws" means the by-laws made by the Executive Committee under Rule 6;

"Chapter" means a sub branch of a branch, established under Rule 6;

"Committee" means the Executive Committee of the Association established by Rule 7;

"Elected Officer" means one of the persons referred to in Rule 7;

"Treasurer" means the person appointed under Rule 7;

"General Meeting" means a general meeting of members convened in accordance with Rule 13;

"Member" means a person or Organisation admitted to membership under Rule 4;

"Register of Members" means the Register established under Rule 4.

2.2 Words or expressions contained in these Rules shall be interpreted in accordance with the provisions of the Associations Incorporation Regulations 1993 in the State of Victoria.

3. OBJECTS

3.1 To advance the knowledge and practise of the prevention of injury at local, state, national and regional levels by -

(a) Providing opportunities for the exchange of information between practitioners, researchers, and policy makers from all sectors and disciplines through published and electronic communication.

(b) Providing opportunities for regular contact between these personnel through the conduct of a regular (annual) meeting and other special interest meetings as thought appropriate.

(c) Supporting the identification of, and promotion of, good practise in injury research, programs, policy development and evaluation.

(d) Encouraging intersectoral and interdisciplinary collaboration amongst practitioners, policy makers and researchers through regular cross-disciplinary meetings and collaborative programs.

(e) Drawing on the strengths of the multiplicity of approaches to the prevention of injury including public health, transport, occupational health and safety, local government and of the justice sector and promoting the transfer of knowledge between the many disciplines of safety.

(f) Advocating for the development and implementation of appropriate injury prevention legislation, policies, practises and programs at local, State and national levels.

(g) Promoting the application at local level of the World Health Organisation criteria for safe communities.

(h) Advocating for and encouraging existing training programs in injury prevention to include in their objectives and curriculum, the principles and practice of community based approaches to injury prevention.

(i) Supporting the development of a strong culture of cooperation between injury prevention practitioners, researchers and policy formulators.

- (j) Organising conferences at a national level.
- (k) Representing and advocating for Injury Prevention as a national non-government organisation.
- (l) To be the peak organization for injury prevention in Australia.

3.2 For the purpose of giving effect to the foregoing objects, the Association may, subject to these Rules -

- (a) hold or arrange for the holding of periodical meetings of its members;
- (b) receive subscriptions from members;
- (c) apply for and accept money by way of grant, gift, bequest or otherwise for anyone or more of the objects of the Association;
- (d) undertake or direct or grant sums of money out of the Association's funds for research or study or the promotion of injury prevention;
- (e) invest the moneys of the Association not immediately required in such securities as may from time to time be determined;
- (f) receive, obtain and hold lands, money, securities and other property real or personal;
- (g) execute any special trusts in connection with moneys or property received, obtained and held by the Association;
- (h) apply the capital and income of the funds and property of the Association or any part thereof, subject to such trusts (if any), for or towards those objects;
- (i) print or publish or assist in or promote the printing of any newspapers, periodicals, books, monographs, articles, leaflets or other literary undertakings or produce or publish or assist in or promote the production of any film, electronic tape, whether sound or visual, and video material that the Association may think desirable for the promotion of its objects and distribute such publications as it may think fit;
- (j) enter into any arrangement or agreement or become a member of or subscribe to or affiliate with any other Organisation, having objects altogether or in part similar to those of the Association;
- (k) borrow or lend money in such manner as the Association may think fit and guarantee loans as the Association may think fit;
- (l) purchase or otherwise acquire and undertake all or any of the property, assets, liabilities and engagements of any other association or company having objects altogether or in part similar as those of the Association;
- (m) purchase, apply for or otherwise acquire copyrights, privileges, exemptions, certificates, licenses, patents, trademarks or the like which may be deemed necessary or convenient for any or all of the objects of the Association and transfer and otherwise deal with the same;
- (n) insure against all risks, liabilities and eventualities as may seem advisable and apply the proceeds of any claim under any insurance in such manner for such purpose as shall be thought fit;
- (o) employ such persons as the Association may deem necessary and pay such sums to such employees, whether by way of remuneration or bonus, as the Association may deem reasonable and proper;
- (p) do all such other lawful things as are incidental or conducive to the attainment of those objects or any of them; and
- (q) carry out anyone or more of those objects independently or exclusively of the remaining objects in any part of Australia or elsewhere.

4. MEMBERSHIP

- 4.1 Any natural person or Organisation which is supportive of any one or more of the objects of the Association is eligible to be a member of the Association and may apply for membership to the Committee in the prescribed manner.
- 4.2 Where the Committee admits a person or Organisation to membership, the Treasurer or a nominee shall, with as little delay as possible, notify the applicant, in writing, that he, she or it has been approved for membership of the Association and, upon receipt of the sum payable by the applicant as the appropriate joining fee (if any) and appropriate subscription (if any), or, if none, forthwith shall enter the applicant's name, address and other prescribed particulars in a Register of Members to be kept by the Secretary/Treasurer, where upon the applicant becomes a member of the Association.
- 4.3 Where a member is an Organisation, it may from time to time appoint one delegate, and each such delegate shall have the powers, rights and privileges of attending, speaking, being elected to chair and voting at meetings and of nominating other persons for election or being nominated or and elected as an Elected Officer or member of the Committee as if the delegate were the member.
- 4.4 Each Organisation which is a member shall be responsible for notifying the Treasurer or nominee of the name of the delegate of that Organisation and the period, if any, for which the delegate has been appointed and the person thus notified as the delegate shall remain the delegate of the Organisation for the period notified or, if no period is notified, until the Organisation notifies the Treasurer of the name of another delegate.
- 4.5 A member of the Association may, at any time, resign from the Association by delivering or sending by post to the Treasurer a written notice of resignation.
- 4.6 Upon receipt of a notice under sub-rule 4.5 of this rule, the Treasurer or a nominee shall remove the name of the member by whom the notice was given from the Register of Members, whereupon that person or Organisation ceases to be a member of the Association.
- 4.7 A right, privilege or obligation of a person or Organisation by virtue of membership of the Association -
 - (a) is not capable of being transferred or transmitted to another person or organisation; and
 - (b) terminates upon the cessation of his, her or its membership, whether by death, resignation, or otherwise.
- 4.8 A member of the Association is not liable to contribute to the payment of the liabilities of the Association on a winding-up.
- 4.9 The Committee may admit as a Life Member of the Association any member who in its opinion has rendered conspicuous service to the Association. Life members shall be entitled to all the rights and privileges of membership without payment of subscriptions or other fees.
- 4.10 All members shall notify the Treasurer in writing of their address for the purpose of the giving of notice to the member under these Rules and of any change of that address and the Treasurer or nominee shall forthwith enter that address or change of address in the Register of Members.

5. MEMBERSHIP FEES AND SUBSCRIPTIONS

- 5.1 The Committee shall determine from time to time the amount of the joining fee and annual subscription payable by each member and the Treasurer shall give notice to each member of any change to the amount of the fee or subscription within one month after any such change.
- 5.2 The subscription shall be due and payable on the first day of the financial year to which it relates.
- 5.3 Where a member has not paid the annual subscription due in respect of any financial year within three months from the due date, the Treasurer may then or any time thereafter while the annual subscription remains unpaid remove the name of the member from the Register of Members and shall do so if the subscription remains unpaid for a further period of three months, whereupon that person or Organisation ceases to be a member of the Association.

6. BRANCHES

- 6.1 Members resident within any State or Territory of Australia may with the consent of the Committee establish a branch of the Association in that State or Territory.
- 6.2 Where a branch is established each member of the Association whose address in the Register of Members is within the area of a branch shall be a member of that branch for so long as the member's address remains within the area of that branch. No member may be a member of more than one branch at any one time.
- 6.3 Branches shall make rules for their governance, provided that those rules:
- (a) do not conflict with the objects of the Association as set out in Rule 3, or with any other provision, of these Rules;
 - (b) are approved by the Committee; and
 - (c) comply with any by-laws relating to branches.
- 6.4 Members of a branch may establish chapters in the prescribed manner and in accordance with any by-laws relating to chapters of branches.

7. ELECTED OFFICERS

- 7.1 From the members of the Association the following officers shall be selected -
- (a) a President;
 - (b) a Treasurer;
 - (c) a Secretary;
 - (d) a person representing the views and concerns of Aboriginal or Torres Strait Islander people; and
 - (e) five other members as decided at the annual general meeting.
- 7.2 The provisions of Section 23 of the Act so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in sub-clause 7.1.

- 7.3 Each officer of the Association shall hold office for 2 years from the 1 January following the annual general meeting until 31 December following the second annual general meeting after the date of his or her election. The President shall be voted in, in opposite years to the Treasurer and Secretary. The President, Treasurer and Secretary shall not hold the position for more than two consecutive terms (4 years) in the one position and all committee members shall spend no more than three consecutive terms (6 years) on the executive in any position. Once three consecutive terms on the executive have been reached a person must spend a full term (2 years) off the executive before being eligible for re-election.
- 7.4 In the event of a casual vacancy in any office referred to in sub-clause 7.1, the Committee may appoint one of its members to the vacant office and the member so appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of the appointment.
- 7.5 The Committee, subject to Section 23 of the Act shall consist of the officers of the Association.
- 7.6 Where possible, representation on the committee should represent a mix of members from different States and Territories with a minimum of four jurisdictions. (There must be one member of the executive who is entitled to be the public officer (i.e. must live in the State of incorporation – Victoria).

8. ELECTIONS TO EXECUTIVE COMMITTEE

- 8.1 Nominations of candidates for election as officers of the Association -
- (a) shall be 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) shall be delivered to the Secretary of the Association not less than twenty-one days before the date fixed for the holding of the annual general meeting.
- 8.2 If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
- 8.3 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- 8.4 If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- 8.5 The ballot for the election of officers shall be conducted at the annual general meeting in such usual and proper manner as the Committee may direct.

9. VACANCIES OF OFFICE

- 9.1 For the purposes of these rules, the office of an officer of the Association becomes vacant if the officer -
- (a) ceases to be a member of the Association;
 - (b) becomes an insolvent under administration within the meaning of the Companies Code; or
 - (c) resigns from office by notice in writing given to the Secretary;
 - (d) is expelled.

10. DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS

- 10.1 The Association in general meeting may by resolution remove any member of the Committee before the expiration of the member's term of office and appoint another member in his or her stead to hold office until the expiration of the term of the first-mentioned member.
- 10.2 Where the member to whom a proposed resolution referred to in sub-clause 10.1 makes representations in writing to the Secretary or President of the Association (not exceeding a reasonable length) and requests that they be notified to the members of the Association, the Secretary or the President may send a copy of the representations to each member of the Association or, if they are not so sent, the member may require that they be read out at the meeting.
- 10.3 If the Committee considers that a member should be expelled from membership of the Association because his or her conduct is detrimental to the interests of the Association, the Committee shall communicate, either orally or in writing, to the member -
- (a) notice of the proposed expulsion and of the time, date and place of the Committee meeting at which the question of that expulsion is to be decided; and
 - (b) particulars of the conduct not less than 30 days before the date of the Committee meeting referred to in part 10.3 (a).
- 10.4 At the Committee meeting referred to in a notice under part 10.3, the Committee may, having afforded the member concerned a reasonable opportunity to be heard by, or to make representations in writing to, the Committee, expel or decline to expel that member from membership of the Association and shall, forthwith after deciding whether or not so to expel that member, communicate that decision in writing to that member.
- 10.5 Subject to part 10.2, a member who is expelled under part 10.2 from membership of the Association ceases to be a member 7 days after the day on which the decision to expel him or her is communicated to him or her under part 10.2.
- 10.6 A member who is expelled under 10.2 from membership of the Association shall, if he or she wishes to appeal against that expulsion, give notice in writing to the Secretary of his or her intention to do so within the period of 7 days referred to in part 10.5.
- 10.7 When notice is given under part 10.4 –
- (a) the Association in a general meeting may, after having afforded the member who gave that notice a reasonable opportunity to be heard by, or to make representations in writing to, the Association in the general meeting, confirm or set aside the decision of the Committee to expel that member; and
 - (b) the member who gave that notice does not cease to be a member until the decision of the Committee to expel him or her is confirmed under part 10.5.

11. DISPUTES AND MEDIATION

- 11.1 The grievance procedure set out in this rule applies to disputes under these Rules between a member and another member, or between a member and the Association.
- 11.2 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 the parties.
- 11.3 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- 11.4 The mediator must be –
- (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement -
 - (i) in cases of a dispute between a member and another member, be a person appointed by the committee of the Association; or
 - (ii) in cases of dispute between a member and the Association, be a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- 11.5 The mediator can be a member of the Association.
- 11.6 The mediator cannot be a member who is a party to the dispute.
- 11.7 The parties of the dispute must, in good faith, attempt to settle the dispute by mediation.
- 11.8 The mediator, in conducting the mediation, must
- (a) give the parties to the mediation process every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- 11.9 The mediator must not determine the dispute.
- 11.10 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

12. MEETINGS OF THE EXECUTIVE COMMITTEE

- 12.1 The Committee shall meet at least three times in each year by such means, in such places and such times as the Committee may determine.
- 12.2 Special meetings of the Committee may be convened by the President or by any four of the members of the Committee.
- 12.3 Notice shall be given to members of the Committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.
- 12.4 Any four members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.

- 12.5 No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting shall stand adjourned to the place and time decided by the Committee unless the meeting was a special meeting in which case it lapses.
- 12.6 At meetings of the Committee -
- (a) the President or, in the President's absence, the Treasurer shall preside; or
 - (b) if the President and the Treasurer are absent, such one of the remaining members of the Committee as may be chosen by the members present shall preside.
- 12.7 Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall be determined on the voices or, if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.
- 12.8 Each member present at a meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- 12.9 Written notice of each committee meeting shall be served on each member of the Committee by delivering, sending an email, or faxing it to the member at the address shown in the register of members at least seven business days before the date of the meeting.
- 12.10 Subject to sub-clause 12.4 the Committee may act notwithstanding any vacancy on the committee.

13. ANNUAL GENERAL MEETING

- 13.1 The Annual General Meeting of the Council will be held each year to coincide with other national meetings other than for the Association where the objectives of the second mentioned meeting are sympathetic with those of the Association.
- 13.2 An auditor is to be appointed by the members at the Annual General Meeting. Such auditor must not be a member of the Committee. Accounts are to be audited annually.
- 13.3 A quorum for the Annual General Meeting shall consist of seven members and shall be present within thirty minutes of the advertised time for commencement of the meeting.
- 13.4 Members may vote at Annual General Meetings by way of a proxy vote. This proxy vote (in written, signed format) must be presented by a member at the Annual General Meeting.

14. NOTICE OF MEETINGS

- 14.1 Notice of Meetings of the executive committee shall be given at least seven days before that meeting.
- 14.2 Notice of the Annual General Meeting shall be given at least twenty-one days in advance. Notice of Motions to be considered at the Annual General Meeting shall be given at least twenty-one days in advance of the relevant Meeting. All such notices/motions can be delivered to each individual member electronically or in hard copy.

14.3 All Notices of Meeting shall specify the time and place where the meeting is to be held.

15. MINUTES

The Secretary of the Association shall keep the register of members, minutes of the resolutions and proceedings of each general meeting and each committee meeting in books provided for that purpose together with a record of the names of persons present at committee meetings. In addition the Secretary shall keep all other books, documents and securities pertinent to the work of the Association in such a manner that members may inspect any such records upon request.

16. FINANCE

16.1 The Treasurer of the Association -

(a) shall oversee the collection and receiving of all moneys due to the Association and shall make all payments authorised by the Association; and

(b) shall 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.

16.2 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by two members of the Committee.

16.3 The funds of the Association shall be derived from entrance fees, annual subscriptions, donations and such other sources as the Committee determine.

17. AUDIT

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

17.2 All accounts, books, documents and securities of the association shall be available for inspection and copying by any member of the association upon request.

18. COMMON SEAL

18.1 The common seal of the Association shall be kept in the custody of the Secretary.

18.2 The common seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal shall be attested by the signatures either of two members of the committee or of one member of the Committee and of the Public Officer of the Association.

19. CONSTITUTIONAL CHANGE

These rules and the statement of purposes of the Association shall not be altered except in accordance with the Act.

20. NOTICES

- 20.1 A notice may be served by or on behalf of the Association upon any member either personally, by electronic mail, by faxing or by sending it by post to the member at the address shown in the Register of Members.
- 20.2 Where a document is properly addressed, prepaid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered either personally or in the ordinary course of post.

21. WINDING UP

In the event of the winding up or the cancellation of the incorporation of the Association, the assets of the Association shall be disposed of in accordance with the provisions of the Act.