

Royal Military College of Australia Association Incorporated
ABN 11 227 497 608



BY-LAWS
11 OCTOBER 2011

Brigadier
Commandant

By-Law 1 MEMBERSHIP

1. Membership entitlements not transferable

A right, privilege or obligation that a person has by reason 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.

2. Cessation of membership

A person ceases to be a member of the Association if the person:

- (a) dies;
- (b) resigns membership; or
- (c) is expelled from the Association.

3. Resignation of membership

- (1) A member may resign from membership of the Association by first giving notice (of not less than one month or, if the Board has determined a shorter period, that shorter period) in writing to the Secretary of the member's intention to resign and, at the end of the period of notice, the member ceases to be a member.
- (2) If a person ceases to be a member, the Secretary must facilitate the making of an appropriate entry in the register of members recording the date the member ceased to be a member.

4. Fees, subscriptions and register of members

There shall be no entrance fee, subscription, or other charge, as a condition of membership.

5. Member's 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 \$1.00.

6. Disciplining of members

- (1) If the Board is of the opinion that a member:
 - (a) has persistently refused or neglected to comply with a provision of this Constitution; or
 - (b) has persistently and willfully acted in a manner prejudicial to the interests of the Association;the Board may, by resolution:
 - (c) expel the member from the Association; or

- (d) suspend the member from the rights and privileges of membership of the Association for a specified period decided by the Board
- (2) A resolution of the Board under subrule 6(1) is of no effect unless the Board, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under subrule 6(3), confirms the resolution in accordance with this rule.
- (3) If the Board passes a resolution under subrule 6(1), the Secretary must, as soon as practicable, serve a written notice on the member:
 - (a) setting out the resolution of the Board and the grounds on which it is based; and
 - (b) stating that the member may address the Board 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 Board at or before the date of that meeting written representations relating to the resolution.
- (4) Subject to section 50 of the Act, at a meeting of the Board mentioned in subrule 6(2), the Board must:
 - (a) give to the member mentioned in subrule 6(1) an opportunity to make oral representations; and
 - (b) give due consideration to any written representations submitted to the Board by that member at or before the meeting; and
 - (c) by resolution decide whether to confirm or to revoke the resolution of the Board made under subrule 6(1).
- (5) If the Board confirms a resolution under subrule 6(4), the Secretary must, within seven days after that confirmation, by written notice inform the member of that confirmation and of the member's right of appeal under rule 11.
- (6) A resolution confirmed by the Board under subrule 6(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 subrule 6(4).

7. Right of appeal of disciplined member

- (1) A member may appeal to the Association in a general meeting against a resolution of the Board that is confirmed under rule 6(4), within seven days

after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.

- (2) On receipt of a notice under subrule 7(1), the Secretary must notify the Board 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 section 50 of the Act, at a general meeting of the Association called under subrule 7(2):
 - (a) no business other than the question of the appeal may be transacted; and
 - (b) the Board 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 Board members present must vote by secret ballot on the question of whether the resolution made under rule 6(4) should be confirmed or revoked.
- (4) If the meeting passes a special resolution in favour of the confirmation of the resolution made under rule 6(4), that resolution is confirmed.

By-Law 2 EXECUTIVE OFFICER

8. The Executive Officer, with one or more assistants appointed by the Commandant, will be responsible for the day-to-day running of the Association. The Executive Officer will ensure :
 - (1) the safe-keeping, custody and storage of all records, books, and other documents relating to the Association in accordance with the Act, the Regulation and this Constitution;
 - (2) that Minutes are kept of:
 - (a) all appointments of office-bearers and directors; and
 - (b) the names of members of the Board present at a Board meeting or a general meeting; and
 - (c) all proceedings at Board meetings and general meetings; and
 - (3) that Minutes of proceedings at a meeting are signed by the person presiding at the meeting or by the person presiding at the next succeeding meeting;
 - (4) the collection and receipt of all amounts owing to the Association and make all payments authorised by the Association;
 - (5) the retention of 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;

- (6) that source funding from various benefactors is maintained and is reflective of their respective origins; and
- (7) the proper execution of the Association's operational and administrative actions as directed by the Board from time to time.

By-Law 3 DUNTROON SOCIETY

9. The Duntroon Society is an association of individuals, who are grouped for convenience into Branches that currently exist in the Australian Capital Territory, New South Wales, Queensland, South Australia (includes Northern Territory members), Victoria (includes Tasmanian members), West Australia and New Zealand (which is autonomous). A Royal Military College Branch has been established for administrative purposes and to hold members not allocated to other Branches.

10. The Duntroon Society Committee provides a central forum for alumni and is comprised of:

- (1) the Chairman who is a Director on the Board and is appointed by the Commandant of the Royal Military College of Australia;
- (2) the convenors of all the branches of the Society in Australia and New Zealand, each of whom has a proxy;
- (3) up to three members appointed by the Chairman, selected so as to ensure, as far as possible, that the governing body includes representatives of RMC and the former OCS, OTU and WRAAC OCS; and
- (4) the Editor of the Society's Newsletter ex-officio or his representative.

11. Each Branch will appoint one of its members to be its Convenor, by such means and for such period as it determines. Each Branch may appoint a secretary and treasurer by such means and for such periods as it determines. Each Branch may establish a bank account and make whatever administrative arrangements as are necessary for efficient operation.

12. The Duntroon Society Committee at its discretion may create a branch of the Society in any State or Territory of the Commonwealth where no branch exists, and, provided that satisfactory financial arrangements can be made, in another country where no branch exists.

13. With the concurrence of the established branch in an Australian State or in New Zealand, the Duntroon Society Committee may create a sub-branch of that branch in a remote location where, in its opinion, there are enough ordinary members to warrant a sub-branch. Representatives of sub-branches will not be members of the Duntroon Society Committee.

14. The Duntroon Society Committee may from time to time honour members by bestowing the award of Fellow of the Society. Nominations may be made by any member

and should be forwarded to the Duntroon Society Committee for consideration and approval. Endorsement by the Commandant will be sought as a matter of courtesy.

15. The Duntroon Society Committee will be responsible for the maintenance of the membership records of the Society

By-Law 4 HERITAGE COMMITTEE

16. The Chairman of the Heritage Committee is a Director on the Board and is appointed by the Commandant of the Royal Military College of Australia. The composition of the Committee is not specified but usually comprises the Chairman, the Secretary (ex-officio the Archivist), two or more volunteer members and one military member of staff, currently, but not necessarily, the SO2 Protocol and Visits.

17. The Heritage Committee will:

- (1) formulate College policy and advise the College on heritage matters;
- (2) identify, collect, conserve, present and publish historical material pertaining to the College and predecessor officer training establishments; and
- (3) facilitate and coordinate heritage related visits to the College by the public and external institutions.