



**FEDERATION OF AUSTRALASIAN
MANDOLIN ENSEMBLES
INCORPORATED
(FAME)**

**RULES
OF
ASSOCIATION**

DATE: 30 OCTOBER 2007

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1. Name

The name of the incorporated association is **Federation of Australasian Mandolin Ensembles Inc.** (in these Rules referred to as "FAME").

2. Definitions

(1) In these Rules, unless the contrary intention appears-

"**Act**" means the **Associations Incorporation Act 1981**;

"**committee**" means the Committee of Management of FAME;

"**financial year**" means the year ending on 31 October

"**general meeting**" means a general meeting of members convened in accordance with rule 13.

"**mandolin orchestra**" means an ensemble or orchestra of plucked instruments

"**member**" means a member of FAME;

"**ordinary member of the committee**" means a member of the committee who is not an officer of FAME under Rule 22;

"**Regulations**" means regulations under the Act;

"**relevant documents**" has the same meaning as in the Act.

(2) In these Rules, a reference to the Secretary of FAME is a reference--

(a) if a person holds office under these Rules as Secretary of FAME--to that person; and

(b) in any other case, to the Public Officer of FAME.

3. Alteration of the rules

These Rules may be amended provided the proposed amendment has been approved by a Special Resolution of FAME in a General Meeting.

4. Purpose and aims of FAME

(1) The aims of FAME are to:

(a) Promote community involvement in the formation of mandolin orchestras;

(b) Encourage such orchestras to achieve the highest musical standards possible;

(c) Promote the training of players and conductors;

(d) Encourage musicians to compose and arrange music for mandolin orchestras; and

(e) **Promote joint activities among mandolin orchestras in Australia and New Zealand.**

5. Membership, entry fees and subscription

- (1) A person who applies and is approved for membership as provided in these Rules is eligible to be a member of FAME on payment of the annual subscription payable under these Rules.
- (2) A person must not be admitted to membership unless-
 - (a) he or she applies for membership in accordance with sub-rule (5); and
 - (b) the admission as a member is approved by the committee.
- (3) Individuals may be admitted to membership of FAME as a Member or any other category as may be determined by a Special Resolution of FAME at a General Meeting.
- (4) Members have full voting rights and receive all the benefits provided by FAME to its members.
- (5) An application of for membership of FAME must-
 - (a) be made in writing in the form set out in Appendix 1; and
 - (b) be lodged with the Secretary of FAME.
- (6) As soon as practicable after the receipt of an application, the Secretary must refer the application to the committee.
- (7) The committee must determine whether to approve or reject the application.
- (8) If the committee approves an application for membership, the Secretary must, as soon as practicable-
 - (a) notify the applicant in writing of the approval for membership; and
 - (b) request payment within 28 days after receipt of the notification of the sum payable under these Rules as the first year's annual subscription.
- (9) The Secretary must, within 28 days after receipt of the amounts referred to in sub-rule (7), enter the applicant's name in the register of members.
- (10) An applicant for membership becomes a member and is entitled to exercise the rights of membership when the name of the individual person is entered in the register of members.
- (11) If the committee rejects an application, the committee must, as soon as practicable, notify the applicant in writing that the application has been rejected.
- (12) A right, privilege, or obligation of a person by reason of membership of FAME-
 - (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates upon the cessation of membership whether by death or resignation or otherwise.
- (13) The fee for membership is by annual subscription as determined by the committee.

6. Register of members

- (1) The Secretary must keep and maintain a register of members containing-
 - (a) the name and address of each member; and
 - (b) the date on which each member's name was entered in the register.
- (2) The register is available for inspection free of charge by any member upon request.

7. Ceasing membership

- (1) A member of FAME who has paid all moneys due and payable by a member to FAME may resign from FAME by giving one month's notice in writing to the Secretary of their, his or her intention to resign.
- (2) After the expiry of the period referred to in sub-rule (1)--
 - (a) the member ceases to be a member; and
 - (b) the Secretary must record in the register of members the date on which the member ceased to be a member.
- (3) A member who fails to pay the subscription fee due within six months of the date of the Annual General Meeting forfeits their membership, provided however that if the member applies for re-admission at any time within six months thereafter he or she may be readmitted on such terms and conditions as the Committee determines.
- (4) A member who for any cause whatsoever ceases to be a member of FAME shall not have any claim monetary or otherwise upon FAME, its funds or property, except as a creditor.

8. Discipline, suspension and expulsion of members

- (1) Subject to these Rules, if the committee is of the opinion that a member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a member or prejudicial to the interests of FAME, the committee may by resolution--
 - (a) suspend that member from membership of FAME for a specified period; or
 - (b) expel that member from FAME.
- (2) A resolution of the committee under sub-rule (1) does not take effect unless--
 - (a) at a meeting held in accordance with sub-rule (3), the committee confirms the resolution; and
 - (b) if the member exercises a right of appeal to FAME under this rule, FAME confirms the resolution in accordance with this rule.
- (3) A meeting of the committee to confirm or revoke a resolution passed under sub-rule (1) must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the member in accordance with sub-rule (4).
- (4) For the purposes of giving notice in accordance with sub-rule (3), the Secretary must, as soon as practicable, cause to be given to the member a written notice-

- (a) setting out the resolution of the committee and the grounds on which it is based; and
 - (b) stating that the member, or his or her representative, may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after the notice has been given to that member ; and
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that he or she may do one or both of the following-
 - (i) attend that meeting;
 - (ii) give to the committee before the date of that meeting a written statement seeking the revocation of the resolution;
 - (e) informing the member that, if at that meeting, the committee confirms the resolution, he or she may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to FAME in general meeting against the resolution.
- (5) At a meeting of the committee to confirm or revoke a resolution passed under sub-rule (1), the committee must-
- (a) give the member , or his or her representative, an opportunity to be heard; and
 - (b) give due consideration to any written statement submitted by the member ; and
 - (c) determine by resolution whether to confirm or to revoke the resolution.
- (6) If at the meeting of the committee, the committee confirms the resolution, the member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to FAME in general meeting against the resolution.
- (7) If the Secretary receives a notice under sub-rule (6), he or she must notify the committee and the committee must convene a general meeting of FAME to be held within 21 days after the date on which the Secretary received the notice.
- (8) At a general meeting of FAME convened under sub-rule (7)--
- (a) no business other than the question of the appeal may be conducted; and
 - (b) the committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and
 - (c) the member, or his or her representative, must be given an opportunity to be heard; and
 - (d) the members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- (9) A resolution is confirmed if, at the general meeting, not less than two-thirds of the members vote in person, or by proxy, in favour of the resolution. In any other case, the resolution is revoked.

9. Disputes and mediation

- (1) The grievance procedure set out in this rule applies to disputes under these Rules between-
 - (a) a member and another member; or
 - (b) a member and FAME.
- (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 of the parties.
- (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.
- (4) The mediator must be-
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement-
 - (i) in the case of a dispute between a member and another member, a person appointed by the committee of FAME; or
 - (ii) in the case of a dispute between a member and FAME, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- (5) A member of FAME can be a mediator.
- (6) The mediator cannot be a member who is a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (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.
- (9) The mediator must not determine the dispute.
- (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.

10. Annual general meetings

- (1) The committee may determine the date, time and place of the annual general meeting of FAME, provided that the annual general meeting is held within a period of not more than fifteen months after the previous annual general meeting.
- (2) The notice convening the annual general meeting must specify that the meeting is an annual general meeting.
- (3) The ordinary business of the annual general meeting shall be-

- (a) to confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting; and
 - (b) to receive from the committee reports upon the transactions of FAME during the last preceding financial year;
 - (c) to elect the officer-bearers of the Association; and
 - (d) to receive and consider the statement submitted by FAME in accordance with section 30(3) of the Act.
- (4) The annual general meeting may conduct any special business of which notice has been given in accordance with these Rules.

11. Special general meetings

- (1) In addition to the annual general meeting, any other general meetings may be held in the same year.
- (2) All general meetings other than the annual general meeting are special general meetings.
- (3) The committee may, whenever it thinks fit, convene a special general meeting of FAME.
- (4) If, but for this sub-rule, more than 15 months would elapse between annual general meetings, the committee must convene a special general meeting before the expiration of that period.

12. Special business

All business that is conducted at a special general meeting and all business that is conducted at the annual general meeting, except for business conducted under the rules as ordinary business of the annual general meeting, is deemed to be special business.

13. Notice of general meetings

- (1) The Secretary of FAME, at least 14 days before the date fixed for holding a general meeting of FAME, must cause to be sent to each member of FAME, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
- (2) Notice may be sent as per the requirements set out in Clause 36.
- (3) No business other than that set out in the notice convening the meeting may be conducted at the meeting.
- (4) A member intending to bring any business before a meeting may notify in writing, or by electronic transmission, the Secretary of that business, who must include that business in the notice calling the next general meeting.
- (5) Subject to the provisions of the Act the non-receipt of a notice by or the accidental omission to give a notice of any general meeting to any members shall not invalidate any resolution passed at any such meeting.

14. Quorum at general meetings

- (1) No item of business may be conducted at a general meeting unless a quorum of members entitled under these Rules to vote is present at the time when the meeting is considering that item.
- (2) Ten members personally present (being members entitled under these Rules to vote at a general meeting) constitute a quorum for the conduct of the business of a general meeting.
- (3) If, within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present-
 - (i) in the case of a meeting convened upon the request of members--the meeting must be dissolved; and
 - (ii) in any other case – the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or 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 the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members personally present (being not less than 8) shall be a quorum.

15. Presiding at general meetings

- (1) The President, or in the President's absence, the Vice-President, shall preside as Chairperson at each general meeting of FAME.
- (2) If the President and the Vice-President are absent from a general meeting, or are unable to preside, the members present must select one of their number to preside as Chairperson.

16. Adjournment of meetings

- (1) The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.
- (2) No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- (3) If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with rule 13.
- (4) Except as provided in sub-rule (3), it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

17. Voting at general meetings

- (1) Upon any question arising at a general meeting of FAME, a member has one vote only.
- (2) All votes must be given personally or by proxy.

- (3) In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- (4) A member is not entitled to vote at a general meeting unless all moneys due and payable by the member to FAME have been paid, and that his or her annual subscription fee is not in arrears more than one month at the date of the meeting.

18. Poll at general meetings

- (1) If at a meeting a poll on any question is demanded by not less than 10 members, it must be taken at that meeting in such manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- (2) A poll that is demanded on the election of a Chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

19. Manner of determining whether resolution carried

If a question arising at a general meeting of FAME is determined on a show of hands-

- (a) a declaration by the Chairperson that a resolution has been-
 - (i) carried; or
 - (ii) carried unanimously; or
 - (iii) carried by a simple majority; or
 - (iv) lost; and
- (b) an entry to that effect in the minute book of FAME--

is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

20. Proxies

- (1) Each member is entitled to appoint another member as a proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (2) The notice appointing the proxy must be in the form set out in Appendix 2.

21. Committee of Management

- (1) The affairs of FAME shall be managed by the Committee of Management.
- (2) The committee--
 - (a) shall control and manage the business and affairs of FAME; and
 - (b) may, subject to these Rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by FAME other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of FAME; and

- (c) subject to these Rules, the Act and the Regulations, has power to perform all such acts and things as appear to the committee to be essential for the proper management of the business and affairs of FAME.
- (3) The committee shall consist of proportional representation from each of the Australian States and Territories and New Zealand (the ‘Regions’) –
- (a) a Region must have a minimum of 8 members to be eligible for representation on the Committee of Management;
 - (b) members residing in a Region where there are less than 8 members may lodge an application with the Secretary to be represented by another Region;
 - (c) the Committee will notify the member of their decision regarding the member’s application within 14 days of receipt of the application;
 - (d) where the number of members in any Region is between 8 – 20 in number, one representative will be appointed to the Committee of Management;
 - (e) in the event of there being more than 20 members in any Region, two representatives will be appointed to the Committee of Management;
 - (f) each Region is responsible for nominating their respective representative(s) to the Committee and conducting local elections;
 - (g) nominations to the Committee of Management should be received by the Secretary one month prior to the Annual General Meeting.
- (4) The Public Officer is a permanent appointment that is re-confirmed at the Annual General Meeting. The person holding this position is not precluded from holding any of the office-bearers’ positions. The Public Officer is not a member of the Committee of Management, but may be co-opted to assist the committee at its request.

22. Office holders

- (1) The officers of FAME shall be--
- (a) a President;
 - (b) a Vice-President;
 - (c) a Treasurer; and
 - (d) a Secretary.
- (2) The office-holders form the Executive of the committee and shall be responsible for the day-to-day administrative affairs of FAME.
- (3) Each officer of FAME is eligible for re-election.
- (4) In the event of a casual vacancy in any office referred to in sub-rule (1), the committee will appoint one of its members to the vacant office and the member appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of the appointment.

23. Ordinary members of the committee

- (1) Each ordinary member of the committee shall hold office for one year but is eligible for re-election.

- (2) In the event of a casual vacancy occurring in the office of an ordinary member of the committee, the committee may appoint a member of FAME, from the same Region as represented by the person vacating office, to fill the vacancy.
- (3) The member appointed shall hold office, subject to these Rules, until the conclusion of the annual general meeting next following the date of the appointment.

24. Election of officers

- (1) The office-bearers of FAME are chosen from amongst the Regional representatives.
- (2) Nominations of candidates for election as officers of FAME must be--
 - (a) 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) delivered to the Secretary of the Association not less than 7 days before the date fixed for the holding of the annual general meeting.
- (3) A candidate may only be nominated for one office prior to the annual general meeting.
- (4) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations may be received at the annual general meeting.
- (5) 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.
- (6) If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.
- (7) The ballot for the election of officers and ordinary members of the committee must be conducted at the annual general meeting in such manner as the committee may direct.

25. Vacancies

The office of an officer of FAME, or of an ordinary member of the committee, becomes vacant if the officer or member--

- (a) ceases to be a member of FAME; or
- (b) becomes an insolvent under administration within the meaning of the Corporations Law; or
- (c) resigns from office by notice in writing given to the Secretary; or
- (d) is absent, without special leave given by the committee, for more than six months from meetings of the committee held during that period; or
- (e) is personally, or directly or indirectly in any contract or proposed contract with FAME and the member of the committee fails to declare such interests as provided for under rule (34).

26. Meetings of the committee

- (1) The committee must meet at least twice a year at such place and such times as the committee may determine. The Executive will meet more frequently, as and when required, to deal with routine business of FAME.
- (2) Special meetings of the committee may be convened by the President or by any 4 members of the committee.
- (3) A member of the committee may participate in a meeting of the committee by means of a conference telephone, closed circuit television or other communications equipment allowing all persons participating in the meeting to hear each other at the same time. Any member of the committee participating in such a meeting shall be deemed to be personally present at such meeting.

27. Notice of committee meetings

Written notice of each committee meeting must be given to each member of the committee at least 10 business days before the date of the meeting.

28. Quorum for committee meetings

- (1) Any 4 members of the committee constitute a quorum for the conduct of the business of a meeting of the committee.
- (2) No business may be conducted unless a quorum is present.
- (3) If within half an hour of the time appointed for the meeting a quorum is not present--
 - (i) the meeting shall stand adjourned to the same place and the same time and day in the following week.
- (4) The committee may act notwithstanding any vacancy on the committee.

29. Presiding at committee meetings

At meetings of the committee-

- (a) the President or, in the President's absence, the Vice-President presides; or
- (b) if the President and the Vice-President are absent, or are unable to preside, the members present must choose one of their number to preside.

30. Voting at committee meetings

- (1) Questions arising at a meeting of the committee, or at a meeting of any sub-committee appointed by the committee, shall be determined on a show of hands or, if a member requests, by a poll taken in such manner as the person presiding at that meeting may determine.
- (2) Each member present at a meeting of the committee, or at a meeting 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.

31. Removal of committee member

- (1) FAME 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 place to hold office until the expiration of the term of the first-mentioned member.
- (2) A member who is the subject of a proposed resolution referred to in sub-rule (1) may make representations in writing to the Secretary or President of FAME (not exceeding a reasonable length) and may request that the representations be provided to the members of FAME.
- (3) The Secretary or the President may give a copy of the representations to each member of FAME or, if they are not so given, the member may require that they be read out at the meeting.

32. Minutes of meetings

The Secretary of FAME must keep minutes of the resolutions and proceedings of each general meeting, and each committee meeting, together with a record of the names of persons present at committee meetings.

33. Funds

- (1) The Treasurer of FAME must-
 - (a) collect and receive all moneys due to FAME and make all payments authorised by FAME; and
 - (b) keep correct accounts and books showing the financial affairs of FAME with full details of all receipts and expenditure connected with the activities of FAME.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two authorised members of the committee, subject to sub-rule (3).
- (3) The Committee may decide to use electronic bank transfer facilities, in which case an approval to transfer funds must be signed by two authorised members of the committee.
- (4) The funds of FAME shall be derived from annual subscriptions, donations, workshop or festival fees, and such other sources as the committee determines.
- (5) The committee shall ensure proper accounting and other records be kept and shall distribute copies of a profit and loss account and balance sheet before each annual general meeting.

34. Application of income

- (1) The assets and income of the organisation shall be applied solely in the furtherance of its aims and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.
- (2) A member of the committee shall not vote in respect of any contract or proposed contract with FAME in which she or he is directly or indirectly financially interested

unless the member first declares her or his interest in writing, and if the member does so vote the vote shall not be counted.

35. Working parties and other roles

- (1) The committee, at its discretion, may appoint working parties or advisory committees consisting of such persons as the committee thinks fit. Working parties and advisory committees shall be authorised by the committee to perform tasks consistent with the aims of FAME and its rules.
- (2) The committee may from time to time co-opt persons to such roles as determined by the committee to fulfil the aims of FAME.

36. Notice to members

Any notice that is required to be given to a member, by or on behalf of FAME, under these Rules 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; or
- (d) electronic transmission.

37. Winding up

- (1) In the event of the winding up or the cancellation of the incorporation of FAME, the assets of FAME must be disposed of in accordance with the provisions of the Act.
- (2) In the event of the organisation being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes which is not carried on for the profit or gain of its individual members.

38. Custody and inspection of books and records

- (1) Except as otherwise provided in these Rules, the Secretary must keep in his or her custody or under his or her control all books, documents and securities of FAME.
- (2) All accounts, books, securities and any other relevant documents of FAME must be available for inspection free of charge by any member upon request.
- (3) A member may make a copy of any accounts, books, securities and any other relevant documents of FAME.

APPENDIX 1

**APPLICATION FOR MEMBERSHIP OF THE
FEDERATION OF AUSTRALASIAN MANDOLIN
ENSEMBLES INC.**

I
(insert name of individual person),

of
(insert address of individual)

desire to become a Member of **FAME**.

In the event of my admission as a member, I agree to be bound by the rules of FAME for the time being in force.

Date of application:.....

.....
Signature

Please provide as much of the following contact details as possible:

Postal address (if different from above):

.....

Day phone number:.....

Evening phone number:

Mobile:

Fax number:.....

Email:

APPENDIX 2

FORM OF APPOINTMENT OF PROXY

I,
(name)

of
(address)

being a Member of **FAME**
appoint

.....
(name of proxy holder)

of

.....
(address of proxy holder)

being also a Member of FAME, as my proxy to vote for me on my behalf at the
annual/special* general meeting of FAME to be held on

..... (date of meeting)

and at any adjournment of that meeting.

My proxy is authorised to vote in favour of/against* the following resolution (insert details
of resolution).

.....
.....
.....

Signed:

Date:

* Delete if not applicable

APPENDIX 3

SCHEDULE OF FEES

Fee	Amount *
Annual Members fee	determined by the Committee each year at the Annual General Meeting