

Special Resolution 2: Amendments relating to Membership

That Section 6 of the AUSIT Constitution relating to membership be amended as shown in the table that forms part of Special Resolution 2.

For your information: main changes proposed

- Updating criteria for new membership.
- Clarifying when part of a meeting may be closed.
- Deleting some outdated provisions regarding resignations.
- Updating and clarifying issues about membership fees.
- Updating who is (and is not) involved in the approval process.
- Updating when membership lapses on non-payment of annual fees.
- Removing some duplication of information.
- Clarifying issues relating to accessing the Register of Members.

Section / Clause	Proposed amendments	Original text with amendments	Explanation	Text after amendment
6.1.1 [Membership structure]	<ul style="list-style-type: none"> After the words 'membership categories by' <u>delete</u> the word 'establishing' and in its place <u>insert</u> the word 'incorporating'. 	establish membership categories by establishing <u>incorporating</u> their details in the by-laws.	<ul style="list-style-type: none"> Avoids awkward (and inexact) further repetition of 'establish'. 	... establish membership categories by incorporating their details in the by-laws.
6.3.1 [Member level]	<ul style="list-style-type: none"> In sub-clause (a), make the following changes: <ul style="list-style-type: none"> after 'qualifications' <u>delete</u> the words 'and experience in' and in their place <u>insert</u> 'in, and practice of,' after 'NAATI' <u>delete</u> the words 'accreditation or recognition, tertiary' and in their place <u>insert</u> 'credentials, post-secondary' after 'determined' <u>delete</u> the words 'by the National Council according to the rules laid down from time to time by the Institute in General Meeting' and in their place <u>insert</u> 'in the relevant by-laws' 	relevant qualifications and experience in <u>in, and practice of</u> , translating and/or interpreting, such as NAATI accreditation or recognition, tertiary <u>credentials, post-secondary</u> qualifications from a state / government accredited institution in Australia or overseas, or other qualifications and experience as determined by the National Council according to the rules laid down from time to time by the Institute in General Meeting <u>in the relevant by-laws</u> from time to time	<ul style="list-style-type: none"> Aligns the criteria in the Constitution with those now established in By-law F. 'Credentials' have now been defined; and 'post-secondary' clarifies the inclusion of Diploma and Advanced Diploma qualifications. This wording in effect describes the process of making or amending a by-law, which is now covered in detail in Clause 8.4 (and which is the document in which membership criteria are set out in detail and more readily amended). 	relevant qualifications in, and practice of, translating and/or interpreting, such as NAATI credentials, post-secondary qualifications from a state / government accredited institution in Australia or overseas, or other qualifications and experience as determined in the relevant by-laws from time to time

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6.4.2 [Admission]	<ul style="list-style-type: none"> In sub-clause (b), <u>delete</u> the words 'the local Branch Committee, or'. In the same sub-clause, <u>delete</u> the words 'The National Council may also appoint an officer or officers'. In the same sub-clause, <u>delete</u> the words 'assist in the processing of' and in their place <u>insert</u> 'process and approve'. <u>Delete</u> in toto sub-clause (4). In renumbered sub-clause (d), <u>delete</u> the words 'the approval has not been objected to in accordance with sub-clause (4) and' 	<p>(b)The Admissions Body shall be the local Branch Committee, or any person or committee authorised by the National Council. The National Council may also appoint an officer or officers to assist in the processing of process and approve membership applications.</p> <p>The local Branch Committee, if not acting in the role of Admissions Body, and the National Council shall have the right to review and reverse any such decision. If several differing decisions are made, the decision by the National Council shall prevail.</p> <p>(d)Any applicant only becomes a member if the approval has not been objected to in accordance with sub-clause (4) and the Admissions Body has approved the application and all membership and joining fees have been paid.</p>	<ul style="list-style-type: none"> With the appointment of a National Membership Officer to process and approve all new membership applications, Branch Committees no longer need to be involved in this activity (although the proposed wording allows for Branch Committees to regain this role if deemed appropriate in the future). Branch Committees and National Council are no longer involved in approving applications or objecting to approvals. The reference to objections by a Branch Committee or National Council is no longer relevant (see previous explanation). 	<p>(b)The Admissions Body shall be any person or committee authorised by the National Council to process and approve membership applications.</p> <p>(d)Any applicant only becomes a member if the Admissions Body has approved the application and all membership and joining fees have been paid.</p>
6.4.4 [Re-application for membership]	<ul style="list-style-type: none"> <u>Delete</u> the word 'lapsed' and in its place <u>insert</u> the word 'ceased'. <u>Delete</u> the word 'will' and in its place <u>insert</u> the word 'shall'. <u>Delete</u> the word 'apply' and in its place <u>insert</u> the word 're-apply'. 	<p>A member whose membership has lapsed ceased under Clause 6.6 (b), or who has resigned under Clause 6.6 (c), and who seeks to renew membership will shall be required to apply re-apply for membership under Clause 6.4.1.</p>	<ul style="list-style-type: none"> Aligns the terminology with that used in clause 6.6(b). Expresses the correct legal effect. More accurately describes the process, and aligns the text with the heading. 	<p>A member whose membership has ceased under Clause 6.6 (b), or who has resigned under Clause 6.6 (c), and who seeks to renew membership shall be required to re-apply for membership under Clause 6.4.1.</p>

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6.5 [Rights, Privileges, ...]	<ul style="list-style-type: none"> • <u>Create</u> a new sub-clause 6.5.1, headed 'Members of All Levels and Categories', containing the text that precedes the current sub-clause 6.5.1, <u>identify</u> each sub-paragraph separately, and <u>renumber</u> all succeeding sub-clauses accordingly. • <u>Delete</u> new sub-paragraph (f) in toto. 	<p>—</p> <p>No resignation or termination of membership under any rule hereof shall relieve any member from the payment of any subscription or other money due or payable by such member at the time of such resignation or cancellation of membership.</p>	<ul style="list-style-type: none"> • Identifying sub-paragraphs is necessary for reference when required, and the content applies to all membership categories, so should be consolidated into a single list. • As registration for PD events, purchases of webinars, etc is now contingent on electronic payment in advance, this provision is no longer required. 	—
6.5.2 [Members]	<ul style="list-style-type: none"> • After the words 'stand for election' <u>insert</u> the words 'or to nominate or second other members for election'. • <u>Delete</u> the words 'or section'. • At the end <u>insert</u> the words 'except for those parts of a meeting which the chair of that meeting determines to be confidential for personal or commercial reasons'. 	<p>Members shall have the right to stand for election, <u>or to nominate or second other members for election</u>, to any office of the Institute subject only to the rules of those offices and shall have the right to put, second and vote on motions at General Meetings. Members shall further have the right to attend as observers all meetings of the Council and the Committee of their own Branch or Section, <u>except for those parts of a meeting which the chair of that meeting determines to be confidential for personal or commercial reasons.</u></p>	<ul style="list-style-type: none"> • Clarifies that only members can nominate or second persons for election. • [See Special Resolution 1.] • Clarifies that parts of a National Council or Branch Committee meeting may be closed to protect personal or commercial privacy. 	<p>Members shall have the right to stand for election, or to nominate or second other members for election, to any office of the Institute subject only to the rules of those offices and shall have the right to put, second and vote on motions at General Meetings. Members shall further have the right to attend as observers all meetings of the Council and the Committee of their own Branch, except for those parts of a meeting which the chair of that meeting determines to be confidential for personal or commercial reasons.</p>
6.6 [Cessation of Membership]	<ul style="list-style-type: none"> • In sub-clause (b), <u>delete</u> the words '6 months' and in their place <u>insert</u> '1 month'. 	<p>(b) does not renew his or her membership within 6 months <u>1 month</u> of payment falling</p>	<ul style="list-style-type: none"> • Clarifies that persons can no longer access membership benefits after 1 month from 	<p>(b) does not renew his or her membership within 1 month of payment falling due,</p>

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	<ul style="list-style-type: none"> In the final sentence, after the word 'make' <u>insert</u> the words 'or cause to have made'. 	<p>due,</p> <p>... the National Secretary shall make, <u>or cause to have made</u>, an appropriate entry in the Register of Members ...</p>	<p>the due date.</p> <ul style="list-style-type: none"> Aligns with the current reality whereby the National Secretary no longer personally performs this task. 	<p>... the National Secretary shall make, or cause to have made, an appropriate entry in the Register of Members ...</p>
6.6.1 [Resignation]	<ul style="list-style-type: none"> <u>Delete</u> in toto. 	<p>A member of the Institute is not entitled to resign that membership while unfinancial or suspended. Resignation shall be communicated to the National Secretary in writing at least one month before the intended effective date.</p>	<ul style="list-style-type: none"> There appears to be no convincing reason to prevent a member who has been suspended from resigning, as the relationship has broken down in any case; and a member who is unfinancial after one month ceases membership and does not need to resign. There also appears to be no good reason to require one month's notice. 	—
6.6.2 [Cessation due to non-payment]	<ul style="list-style-type: none"> <u>Delete</u> in toto. 	<p>If a member fails to pay the renewal fee in accordance with Clauses 6.6 (b) and 6.10, the membership will be deemed to have lapsed.</p>	<ul style="list-style-type: none"> This has already been dealt with in Clause 6.6(b). 	—
6.6.3 [Expulsion]	<ul style="list-style-type: none"> <u>Delete</u> in toto. 	<p>Where the National Council is of the opinion that a member of the Institute has persistently refused or neglected to comply with a provision or provisions of this Constitution or has persistently and wilfully acted in a manner inconsistent with the Objects or prejudicial to the interests of the Institute, the Council may by resolution expel the member from the Institute subject to the provisions of Clause 6.7.</p>	<ul style="list-style-type: none"> Duplicates Clause 6.7. 	—

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6.7.4 [Appeal]	<ul style="list-style-type: none"> After the words 'given the opportunity' <u>insert</u> the words 'at the General Meeting'. 	The Council and the member shall be given the opportunity <u>at the General Meeting</u> to state their respective cases ...	<ul style="list-style-type: none"> Clarifies where this will be done. 	The Council and the member shall be given the opportunity at the General Meeting to state their respective cases ...
6.10.1 [Fees and Subscriptions]	<ul style="list-style-type: none"> In the first sub-paragraph, <u>delete</u> the words 'member of the Institute shall, upon admission to membership status' and in their place <u>insert</u> the words 'person shall, before admission to membership of the Institute'; and after the word 'Council' <u>insert</u> the words 'and in addition shall pay to the Institute an annual subscription of \$2 or such other amount as may be determined from time to time by the National Council, the amount to be calculated pro-rata for persons joining part-way through a membership year' In the second sub-paragraph, <u>delete</u> the words 'In addition to a joining fee, a member' and in their place <u>insert</u> the word 'Members'. 	<p>A member of the Institute shall, upon admission to membership status, <u>person shall, before admission to membership of the Institute,</u> pay to the Institute a joining fee of \$1 or such other amount as may be determined from time to time by the National Council, <u>and in addition shall pay to the Institute an annual subscription of \$2 or such other amount as may be determined from time to time by the National Council, the amount to be calculated pro-rata for persons joining part-way through a membership year.</u></p> <p>In addition to a joining fee, a member <u>Members</u> of the Institute shall pay to the Institute an annual subscription of \$2 or such other amount as may be determined from time to time by the National Council.</p>	<ul style="list-style-type: none"> The original sub-paragraphs conflate the situation of a person joining with that of a continuing member; the amended sub-paragraphs separate the two situations, and also provide for pro-rata fees on joining. 	<p>A person shall, before admission to membership of the Institute, pay to the Institute a joining fee of \$1 or such other amount as may be determined from time to time by the National Council, and in addition shall pay to the Institute an annual subscription of \$2 or such other amount as may be determined from time to time by the National Council, the amount to be calculated pro-rata for persons joining part-way through a membership year.</p> <p>Members of the Institute shall pay to the Institute an annual subscription of \$2 or such other amount as may be determined from time to time by the National Council.</p>
6.10.2 [Effect of non-payment ...]	<ul style="list-style-type: none"> From the heading, <u>delete</u> all words after 'Non-payment by' and in their place insert 'a General Meeting date'. 	Effect of Non-payment by the Date of the Annual General Meeting or the Holding of Any Extraordinary General Meeting <u>a General Meeting date</u>	<ul style="list-style-type: none"> Excessively long heading. 	Effect of Non-payment by a General Meeting date
6.11 [Register]	<ul style="list-style-type: none"> In the first sub-paragraph after the word 'keep' <u>insert</u> the words 'or cause to be 	The National Secretary or the Executive Officer, where appointed, shall keep <u>or cause to</u>	<ul style="list-style-type: none"> Aligns with present realities of how membership records are kept and who actually 	The National Secretary or the Executive Officer, where appointed, shall keep or cause to

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	<p>kept in electronic form'.</p> <ul style="list-style-type: none"> In the second sub-paragraph delete the word 'Council' and in its place <u>insert</u> 'Institute'; after the word 'email' <u>insert</u> the words 'or equivalent electronic'; and after the words 'the purpose of' <u>insert</u> the words 'for the purpose of administration of the Institute and of'. In the fourth sub-paragraph, after the word 'kept' <u>insert</u> the words 'in electronic form'; delete the word 'inspection' and in its place <u>insert</u> 'access'; and delete the words 'at any reasonable hour' and in their place insert the words 'provided that such access shall be made available only with a format and content and in a manner which does not breach the individual privacy of other members on the Register'. 	<p><u>be kept in electronic form</u> a Register of all members ...</p> <p>Each member shall furnish the Council <u>Institute</u> with contact details including an email <u>or equivalent electronic</u> address ... <u>for the purpose of administration of the Institute and of</u> compiling ...</p> <p>The Register of Members shall be kept <u>in electronic form</u> at the principal place of administration of the Institute and shall be available for <u>access</u>, free of charge, by any member of the Institute at any reasonable hour, <u>provided that such access shall be made available only with a format and content and in a manner which does not breach the individual privacy of other members on the Register.</u></p>	<p>keeps them.</p> <ul style="list-style-type: none"> This information is not in fact provided to the Council. Identifying 'administration' as a primary purpose of collecting data limits the reasons for which it can be disclosed. Acknowledges the realities of how records are kept and accessed; and also acknowledges that members provide their personal details (including email addresses and other contact information) for the purpose of administration, and that disclosure of such details is now subject to the Australian Privacy Principles. 	<p>be kept in electronic form a Register of all members ...</p> <p>Each member shall furnish the Institute with contact details including an email or equivalent electronic address... for the purpose of administration of the Institute and of compiling ...</p> <p>The Register of Members shall be kept in electronic form at the principal place of administration of the Institute and shall be available for access, free of charge, by any member of the Institute, provided that such access shall be made available only with a format and content and in a manner which does not breach the individual privacy of other members on the Register.</p>

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