## ASSOCIATIONS INCORPORATION ACT 1981

# RULES OF ASSOCIATION

## NAME

1. The Incorporated Association is Christians For Biblical Equality (Melbourne) (in these Rules called "the Association").

# DEFINITIONS

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

"Act" means the Associations Incorporation Act 1981;

"Committee" means the committee of management of the Association;

"financial year" means the year ending on 31 December;

"general meeting" means a general meeting of members convened in accordance with Rule 12;

"member" means a member of the Association;

"ordinary member of the committee" means a member of the Committee who is not an officer of the Association under Rule 21;

"Regulations" means regulations under the Act;

"relevant documents" has the same meaning as in the Act;

"Membership Officer" means the member of the Committee appointed to oversee membership of the Association.

(2) In these Rules, a reference to the Secretary of the Association is a reference to the person holding that office under Rule 21

## ALTERATION OF THE RULES

3. These Rules and the statement of purposes of the Association must not be altered except in accordance with the Act.

## MEMBERSHIP, ENTRY FEES AND SUBSCRIPTION

3. (1) A person who applies and is approved for membership as provided in these Rules is eligible to be a member of the Association on payment of the annual subscription payable under these Rules.

(2) A person who is not a member of the Association at the time of the incorporation of the Association (or who was a member at that time but has ceased to be a member) must not be admitted to membership unless-

(a) he or she applies for membership in accordance with sub-rule (3); and

(b) the admission as a member is approved by the Committee.

(3) An application of a person for membership of the Association must-

(a) be made in writing in the form set out in Appendix 1 or via the cbe.org.au web site;

(b) be lodged with the Membership Officer or via the web site;

(c) be accompanied by the annual membership fee.

(4) The Committee may delegate the approval of membership to the Membership Officer.

(5) At each Committee meeting the Membership Officer must refer all applications for membership received since the last meeting to the Committee unless approval of membership has been delegated under sub-rule (4).

(7) The Membership Officer must, within 28 days of an application for membership being approved, enter the applicant's name in the register of members.

(8) An applicant for membership becomes a member and is entitled to exercise the rights of membership when his or her name is entered in the register of members.

(9) If an application is rejected, the Membership Officer must, as soon as practicable, notify the applicant in writing that the application has been rejected and return any money received under sub-rule (3).

(10) A right, privilege, or obligation of a person by reason of membership of the Association-

(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.

(11) The annual subscription is the relevant amount set out in Appendix 1 and is payable in advance prior to the Annual General meeting each year.

## **REGISTER OF MEMBERS**

5. (1) The Membership Officer 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.
- (c) the date on which each member's annual subscription was last received.
- (2) The register is available for inspection free of charge by any member upon request.
- (3) A member may make a copy of entries in the register.

#### CEASING MEMBERSHIP

6. (1) A member of the Association who has paid all moneys due and payable by a member to the Association may resign from the Association by giving one month's notice in writing to the Membership Officer of 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 Membership Officer shall remove from the register of members the name of that person

## DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS

7. (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 the Association, the Committee may by resolution-

(a) fine that member an amount not exceeding \$500; or

(b) suspend that member from membership of the Association for a specified period; or

(c) expel that member from the Association.

(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 the Association under this rule, the Association 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 the Association 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 the Association 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 the Association to be held within 21 days after the date on which the Secretary received the notice.

(8) At a general meeting of the Association 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.

(10) If a member fails to renew their membership by payment of the prescribed fee the committee may rescind that person's membership. This power may be delegated by the committee to the Membership Officer.

#### DISPUTES AND MEDIATION

8. (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 the Association.

(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 the Association; or

(ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).

(5) A member of the Association 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 otherwise at law.

#### ANNUAL GENERAL MEETINGS

9. (1) The Committee may determine the date, time and place of the annual general meeting of the Association.

(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 the Association during the last preceding financial year; and

(c) to elect officers of the Association and the ordinary members of the Committee; and

(d) to receive and consider the statement submitted by the Association 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.

#### SPECIAL GENERAL MEETINGS

10.(1) In addition to the annual general meeting, any other general meeting 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 the Association.

(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.

(5) The Committee must, on the request in writing of members representing not less than 5 per cent of the total number of members, convene a special general meeting of the Association.

(6) The request for a special general meeting must-

(a) state the objects of the meeting; and

(b) be signed by the members requesting the meeting; and

(c) be sent to the address of the Secretary.

(7) If the Committee does not cause a special general meeting to be held within one month after the date on which the request is sent to the address of the Secretary, the members making the request, or any of them, may convene a special general meeting to be held not later than 3 months after that date.

(8) If a special general meeting is convened by members in accordance with this Rule, it must be convened by the Committee and all reasonable expenses incurred in convening the special general meeting must be refunded by the Association to the persons incurring the expenses.

# SPECIAL BUSINESS

11. 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.

## NOTICE OF GENERAL MEETINGS

12.(1) The Secretary of the Association, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a general meeting of the Association, must cause to be sent to each member of the Association, 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-

(a) by prepaid post to the address appearing in the register of members; or

(b) by electronic means; or

(c) if the member requests, by facsimile transmission.

(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.

## QUORUM AT GENERAL MEETINGS

13.(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) Five 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 Chair 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 3) shall be a quorum.

#### PRESIDING AT GENERAL MEETINGS

14.(1) The Chair of the Committee or in the Chair's absence, the Deputy Chair, shall preside as Chair at each general meeting of the Association.

(2) If the Chair and the Deputy Chair of the Committee are absent from a general meeting, or are unable to preside, the members present must select one of their number to preside as Chair.

#### ADJOURNMENT OF MEETINGS

15.(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 12.

(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.

#### VOTING AT GENERAL MEETINGS

16.(1) Upon any question arising at a general meeting of the Association, 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 Chair 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 the Association have been paid.

#### POLL AT GENERAL MEETINGS

17.(1) If at a meeting a poll on any question is demanded by not less than 3 members, it must be taken at that meeting in such manner as the Chair 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 Chair 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 Chair may direct.

## MANNER OF DETERMINING WHETHER RESOLUTION CARRIED

18. If a question arising at a general meeting of the Association is determined on a show of hands-

(a) a declaration by the Chair that a resolution has been-

(i) carried; or

- (ii) carried unanimously; or
- (iii) carried by a particular majority; or
- (iv) lost; and

(b) an entry to that effect in the minute book of the Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

#### PROXIES

19.(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-

(a) for a meeting of the Association convened under Rule 7(7), in the form set out in Appendix 2; or

(b) in any other case, in the form set out in Appendix 3.

#### COMMITTEE

20.(1) The affairs of the Association shall be managed by the Committee.

(2) The Committee-

(a) shall control and manage the business and affairs of the Association; and

(b) may, subject to these Rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the Association; 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 the Association.

(3) Subject to Section 23 of the Act, the Committee shall consist of-

- (a) the officers of the Association; and
- (b) up to eight ordinary members

- each of whom shall be elected at the annual general meeting of the Association in each year.

(4) Each member of the committee shall sign to indicate their agreement with the Purposes of the Association, and adherence to the Basis of Faith as outlined in Appendix 4 and Rule 37.

## OFFICE BEARERS

21.(1) The officers of the Association shall be-

(a) a Chair;

- (b) a Deputy Chair of the Committee;
- (c) a Treasurer; and
- (d) a Secretary.

(2) The provisions of Rule 23, so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any other offices referred to in sub-rule (1).

(3) Each officer of the Association shall hold office until the annual general meeting next after the date of his or her election but is eligible for re-election.

(4) In the event of a casual vacancy in any office referred to in sub-rule (1), the committee may 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.

## ORDINARY MEMBERS OF THE COMMITTEE

22.(1) Subject to these Rules, each ordinary member of the Committee shall hold office until the annual general meeting next after the date of election 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 the Association to fill the vacancy and 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.

## ELECTION OF OFFICERS AND ORDINARY COMMITTEE MEMBERS

23.(1) Nominations of candidates for election as officers of the Association or as ordinary members of the Committee 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 1 day before the date fixed for the holding of the annual general meeting.

(2) A candidate may only be nominated for one office, or as an ordinary member of the committee, prior to the annual general meeting.

(3) 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.

(4) 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.

(5) If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.

(6) 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.

## VACANCIES

24. The office of an officer of the Association, or of an ordinary member of the Committee, becomes vacant if the officer or member-

(a) ceases to be a member of the Association; 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.

## MEETINGS OF THE COMMITTEE

25.(1) The Committee must meet at least 4 times in each year at such place and such times as the Committee may determine.

(2) Special meetings of the Committee may be convened by the Chair of the Committee or by any 4 members of the Committee.

#### NOTICE OF COMMITTEE MEETINGS

26.(1) Written notice or electronic transmission of notice of each Committee meeting must be given to each member of the Committee at least 2 business days before the date of the meeting.

(2) Written notice or electronic transmission of notice must be given to members of the Committee of any special meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.

## QUORUM FOR COMMITTEE MEETINGS

27.(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) in the case of a special meeting-the meeting lapses;

(ii) in any other case-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.

## PRESIDING AT COMMITTEE MEETINGS

28. At meetings of the Committee-

(a) the Chair or the Deputy Chair of the Committee presides; or

(b) if the Chair and the Deputy Chair of the Committee are absent, or are unable to preside, the members present must choose one of their number to preside.

# VOTING AT COMMITTEE MEETINGS

29.(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.

# REMOVAL OF COMMITTEE MEMBER

30.(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 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 Chair of the Association (not exceeding a reasonable length) and may request that the representations be provided to the members of the Association.

(3) The Secretary or the Chair may give a copy of the representations to each member of the Association or, if they are not so given, the member may require that they be read out at the meeting.

## MINUTES OF MEETINGS

31. The Secretary of the Association 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.

## FUNDS

32.(1) The Treasurer of the Association must-

(a) collect and receive all moneys due to the Association and make all payments authorised by the Association; and

(b) 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.

(2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the Committee.

(3) The funds of the Association shall be derived from entrance fees, annual subscriptions, donations and such other sources as the Committee determines.

## SUBSIDIARY GROUPS

33. (1) The Committee may at its discretion form a subsidiary group or unincorporated association to carry out the purposes of the Association.

(2) Any unincorporated association formed under this paragraph shall operate under these rules of operation except as so far as they relate only to an incorporated association.

SEAL

# Paragraph Deleted

# NOTICE TO MEMBERS

34. Except for the requirement in Rule 12, any notice that is required to be given to a member, by or on behalf of the Association, 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, if the member has requested that the notice be given to him or her in this manner; or

(d) electronic transmission.

#### WINDING UP

35. In the event of the winding up or the cancellation of the Incorporation of the Association, any remaining funds after the payment of any outstanding debts shall be transferred to another organisation or charitable fund whose aims are consistent with those of this Association as determined by the Committee. No outstanding funds shall be distributed to members of CBE (Melb).

## CUSTODY AND INSPECTION OF BOOKS AND RECORDS

36.(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 the Association.

(2) All accounts, books, securities and any other relevant documents, of the Association 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 the Association.

## BASIS OF FAITH

37. (1) Core Values

a. We believe the Bible teaches the equality of women and men.

b. We believe God has given each person gifts to be used for the good of Christ's kingdom.

c. We believe Christians are to develop and exercise their God-given gifts in home, church, and society.

d. We believe the Bible teaches that Christians are to oppose injustice.

(2) Statement of Faith

- a. We believe the Bible is the inspired word of God, is reliable, and is the final authority for faith and practice.
- b. We believe in the unity and trinity of God, eternally existing as three equal persons.
- c. We believe in the full deity and full humanity of Jesus Christ.
- d. We believe in the sinfulness of all persons. One result of sin is shattered relationships with God, others, and self.
- e. We believe that eternal salvation and restored relationships are possible through faith in Jesus Christ who died for us, rose from the dead, and is coming again. This salvation is offered to all people.

- f. We believe in the work of the Holy Spirit in salvation, and in the power and presence of the Holy Spirit in the life of believers.
- g. We believe in the equality and essential dignity of men and women of all ethnicities, ages, and classes. We recognize that all persons are made in the image of God and are to reflect that image in the community of believers, in the home, and in society.
- h. We believe that men and women are to diligently develop and use their God-given gifts for the good of the home, church, and society.
- i. We believe in the family, celibate singleness, and faithful heterosexual marriage as God's design.
- j. We believe that, as mandated by the Bible, men and women are to oppose injustice.

Appendix 1			
APPLICATION FOR	MEMBERSHIP		
Christians for Biblical	Equality (Melb) Inc		
First name	Last name		
Address Line 1			
Address Line 2			
City		Postal code	
email address			
Phone No	Mobile No	Fax No	
I would like to join CB	E (Melb)		
Payment of \$15 enclos	ed (Cheques made pay	rable to CBE (Melb)	
or			
by Credit Card as indic	cated below:		
Name on Credit Card:		Expiry date/	
Card Number:			
Signature:			
Appendix 2			
APPOINTMENT OF I	PROXY FOR A MEET	TING OF THE ASSOCIATION	
CONVENED UNDER	RULE 7 (7)		
I,		of	

Name address

being a member of CBE Melbo	ourne (Inc)
appoint	of
Name address	
being a member of that Incorpo	prated Association as my proxy to vote for me on my behalf at the appeal to
the general meeting of the Asso	ociation convened under Rule 7(7), to be held on
and at any adjournment of that	meeting.
I authorize my proxy to vote or	my behalf at their discretion in respect of the following resolution :
Signed:	
Date:	
Appendix 3	
APPOINTMENT OF PROXY	
I,	of
name address	
being a member of CBE Melbo	burne (Inc)
appoint	of
name	address
being a member of that Incorpo	prated Association as my proxy to vote for me on my behalf at the
annual/special* general meetin	g of the Association to be held on and at any
adjournment of that meeting.	
My proxy is authorized to vote	in favor of/ against* the following resolution :

Signed:

Date:

# Appendix 4

## STATEMENT OF PURPOSES

Associations Incorporation Act 1981 – Section 5 (b)

CBE is a non-profit Christian organisation for men and women established to:

- a. promote a biblical basis for gift-based, rather than gender-based, Christian service for men and women of all races, ages and economic classes.
- b. Equip believers by affirming the biblical truth about equality and justice.
- c. To work towards the ideal that all believers, without regard to gender, ethnicity, and class, are free and encouraged to use their God-given gifts in families, ministries, and communities.
- d. to provide a forum, where appropriate:
  for taking counsel together to develop policies and strategies in matters of common concern.
  for articulating gospel distinctives in the area of equality and justice by consultations and publications.