



Australian
Music
Therapy
Association

CONSTITUTION OF THE AUSTRALIAN MUSIC THERAPY ASSOCIATION

An association incorporated in Victoria.

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PART 1—PRELIMINARY

1 Name

The name of the incorporated association is "The Australian Music Therapy Association".

2 Purposes

The purposes of the association are to protect and promote the interests of music therapy and music therapists (RMTs). This will include, but not be limited to:

2.1: Advancing the profession of music therapy in order to promote the health and wellbeing of the community by:

2.1.1 Establishing and maintaining professional standards of practice for Registered Music Therapists in Australia

2.1.2 Establishing and maintaining standards of education and training in music therapy

2.1.3 Establishing and maintaining standards of ethical conduct for all members of the association

2.1.4 Encouraging and promoting research in music therapy

2.1.5 Encouraging and developing a body of literature furthering the practice of music therapy

2.2: Serving as a primary organisational body for music therapists and providing service to its members by:

2.2.1 Providing and promoting a central body of information on all aspects relating to music therapy

2.2.2 Representing the interests of Registered Music Therapists in matters relating to government legislation, employment and salary scales

2.2.3 Encouraging and assisting Registered Music Therapists in their practice as clinicians through continuing professional development and other activities

2.2.4 Promoting music therapy and providing education about music therapy to other professional disciplines and the community

2.2.5 Seeking solutions to problems affecting the practice of music therapy in Australia

3 Financial year

The financial year of the Association is each period of 12 months ending on 30 June.

4 Definitions

In these Rules—

absolute majority, of the Board, means a majority of the board members currently holding office and entitled to vote at the time (as distinct from a majority of committee members present at a committee meeting);

associate member means a member referred to in rule 14(1);

Chair, of a general meeting or board meeting, means the person chairing the meeting as

required under rule 46;

Board means the Board Governance which has management of the business of the Association;

board meeting means a meeting of the Board Governance held in accordance with these Rules;

board member means a member of the Board Governance elected or appointed under Division 3 of Part 5;

disciplinary appeal meeting means a meeting of the members of the Association convened under rule 23(3);

disciplinary meeting means a meeting of the Board Governance or at its direction the Ethics Committee, convened for the purposes of rule 22;

disciplinary subcommittee means the subcommittee appointed under rule 20;

financial year means the 12 month period specified in rule 3;

general meeting means a general meeting of the members of the Association convened in accordance with Part 4 and includes an annual general meeting, a special general meeting and a disciplinary appeal meeting;

member means a member of the Association;

member entitled to vote means a member who under rule 13(2) is entitled to vote at a general meeting;

secretary: Being a Victorian Incorporated Association, the role of Secretary includes lodging an annual statement with Consumer Affairs Victoria (CAV) within a month after the AGM, applying to CAV to change the Association's name or rules, adding or removing delegates of the Association and notifying CAV of a change to the Association's registered address, their appointment as secretary or any changes to their details or a special resolution to wind up the Association or distribute its assets.

minutes secretary: means the Minutes Secretary to the Board Governance;

special resolution means a resolution that requires not less than three-quarters of the members voting at a general meeting, whether in person or by proxy, to vote in favour of the resolution;

the Act means the **Associations Incorporation Act 1991** and includes any regulations made under that Act;

the Registrar means the Registrar of Incorporated Associations.

PART 2—POWERS OF ASSOCIATION

5 Powers of Association

- (1) Subject to the Act, the Association has power to do all things incidental or conducive to achieve its purposes.
- (2) Without limiting sub rule (1), the Association may—

- (a) acquire, hold and dispose of real or personal property;
 - (b) open and operate accounts with financial institutions;
 - (c) invest its money in any security in which trust monies may lawfully be invested;
 - (d) raise and borrow money on any terms and in any manner as it thinks fit;
 - (e) secure the repayment of money raised or borrowed, or the payment of a debt or liability;
 - (f) appoint agents to transact business on its behalf;
 - (g) enter into any other contract it considers necessary or desirable.
- (3) The Association may only exercise its powers and use its income and assets (including any surplus) for its purposes.

6 Not for profit organisation

- (1) The Association must not distribute any surplus, income or assets directly or indirectly to its members.
- (2) Subrule (1) does not prevent the Association from paying a member—
 - (a) reimbursement for expenses properly incurred by the member; or
 - (b) for goods or services provided by the member—
 if this is done in good faith on terms no more favourable than if the member was not a member.

PART 3—MEMBERS, DISCIPLINARY PROCEDURES AND GRIEVANCES

Division 1—Membership

7 Minimum number of members

The Association must have at least 5 members.

8 Who is eligible to be a member

The following are eligible to be members:

1. Qualified music therapists who have undertaken an approved course or equivalent (as decided by the Registration Committee) and who comply with the requirements for continuing professional development, and who are working or not working in music therapy.
2. Retired music therapists who had previously qualified under clause 1.8.1.
3. Students of approved music therapy course
4. Anyone interested in the profession of music therapy.

9 Application for membership

- (1) To apply to become a member of the Association or to change membership status within the Association, a person must submit a written application to the AMTA Administrator using the appropriate authorised form. This includes the requirement to state that the person—

- (a) wishes to become a member of the Association or to change their membership type within the Association; and
- (b) supports the purposes of the Association; and
- (c) agrees to comply with these Rules.

And includes the requirement to provide any relevant documentation.

(2) The application—

- (a) must be signed by the applicant; and
- (b) may be accompanied by the joining fee.

10 Consideration of application

- (1) As soon as practicable after an application for membership is received, the Administrator must forward the applications as follows:
 - (a) If application for Registered Music Therapist: to the Chair, Registration who will review the application, in consultation with the Registration Committee, based on the guidelines in the Manual of Administrative Procedures. The Chair, Registration then makes a recommendation to the Board, which must decide by resolution whether to accept or reject the application.
 - (b) If application for other membership types: application is reviewed by administration and a recommendation made to the Board according to compliance with the categories outlined in the Constitution.
- (2) The Board must notify the applicant in writing of its decision as soon as practicable after the decision is made.
- (3) If the Board rejects the application, it must return any money accompanying the application to the applicant.
- (4) No reason need be given for the rejection of an application.

11 New membership

- (1) If an application for membership is approved by the Board —
 - (a) the resolution to accept the membership must be recorded in the minutes of the committee meeting; and
 - (b) the Public Officer must, as soon as practicable, enter or cause to be entered the name and address of the new member, and the date of becoming a member, in the register of members.
- (2) A person becomes a member of the Association and, subject to rule 13(2), is entitled to exercise his or her rights of membership from the date, whichever is the later, on which—
 - (a) the Committee approves the person's membership; or
 - (b) the person pays the joining fee.

12 Annual subscription and fee on joining

- (1) At each annual general meeting, the Association must determine—

- (a) the amount of the annual subscription for the following financial year; and
 - (b) the date for payment of the annual subscription.
- (2) The Association may determine a scale of fees for different membership classes.
- (3) The Association may determine that any new member who joins after the start of a financial year must, for that financial year, pay a fee equal to—
- (a) the full annual subscription; or
 - (b) a pro rata annual subscription based on the remaining part of the financial year; or
 - (c) a fixed amount determined from time to time by the Association.
- (4) The rights of a member (including the right to vote) who has not paid the annual subscription by the due date are suspended until the subscription is paid.

13 General rights of members

- (1) A member of the Association who is entitled to vote has the right—
- (a) to receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules; and
 - (b) to submit items of business for consideration at a general meeting; and
 - (c) to attend and be heard at general meetings; and
 - (d) to vote at a general meeting; and
 - (e) to have access to the minutes of general meetings and other documents of the Association as provided under rule 75; and
 - (f) to inspect the register of members.
- (2) A member is entitled to vote if—
- (a) the member is a member other than a student member or an associate member; and
 - (b) more than 10 business days have passed since he or she became a member of the Association; and
 - (c) the member's membership rights are not suspended for any reason.

14 Membership types

Membership types and rights are outlined in Appendix I. Any additional status awarded in addition to membership is also outlined in Appendix I.

15 Rights not transferable

The rights of a member are not transferable and end when membership ceases.

16 Ceasing membership

- (1) The membership of a person ceases on resignation, expulsion or death.
- (2) If a person ceases to be a member of the Association, the Public Officer must, as soon as practicable, or cause for this to be done as soon as practicable, enter the date the person ceased to be a member in the register of members.

17 Resigning as a member

- (1) A member may resign by notice in writing given to the Association.
- (2) A member is taken to have resigned if the member's annual subscription is more than 12 months in arrears.

18 Register of members

- (1) The Public Officer must keep and maintain, or cause to be kept and maintained, a register of members that includes—
 - (a) for each current member—
 - (i) the member's name;
 - (ii) the address for notice last given by the member;
 - (iii) the date of becoming a member;
 - (iv) membership class;
 - (v) any other information determined by the Board; and
 - (b) for each former member, the date of ceasing to be a member.
- (2) Any member may, at a reasonable time and free of charge, inspect the register of members, subject to Clause 74 (2).

Division 2—Disciplinary action

19 Grounds for taking disciplinary action

The Association may take disciplinary action against a member in accordance with this Division if it is determined that the member—

- (a) has failed to comply with these Rules; or
- (b) refuses to support the purposes of the Association; or
- (c) has engaged in conduct prejudicial to the Association; or
- (d) has failed to comply with the Association's codes and bylaws, including the Code of Ethics

20 Disciplinary subcommittee

- (1) If the Board is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Board must determine if this is an ethics violation or not.

If it is an ethics violation then it should be referred to the Ethics Committee, which will follow its process as outlined in the Manual of Administrative Procedures.

If it is not an ethics violation then a disciplinary subcommittee will be convened to hear the matter and determine what action, if any, to take against the member.
- (2) The members of the disciplinary subcommittee—
 - (a) may be Board members, members of the Association or anyone else; but
 - (b) must not be biased against, or in favour of, the member concerned.

21 Notice to member

- (1) Before disciplinary action is taken against a member, the Public Officer must give, or

cause to be given, written notice to the member—

- (a) stating that the Association proposes to take disciplinary action against the member; and
 - (b) stating the grounds for the proposed disciplinary action; and
 - (c) specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the ***disciplinary meeting***); and
 - (d) advising the member that he or she may do one or both of the following—
 - (i) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
 - (ii) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
 - (e) setting out the member's appeal rights under rule 23.
- (2) The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

22 Decision of subcommittee

- (1) At the disciplinary meeting, the disciplinary subcommittee must—
 - (a) give the member an opportunity to be heard; and
 - (b) consider any written statement submitted by the member.
- (2) After complying with subrule (1), the disciplinary subcommittee may—
 - (a) take no further action against the member; or
 - (b) subject to subrule (3)—
 - (i) reprimand the member; or
 - (ii) suspend the membership rights of the member for a specified period; or
 - (iii) expel the member from the Association.
- (3) The disciplinary subcommittee may not fine the member.
- (4) The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.

23 Appeal rights

- (1) A person whose membership rights have been suspended or who has been expelled from the Association under rule 22 may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.
- (2) The notice must be in writing and given—
 - (a) to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or
 - (b) to the Public Officer or their nominee not later than 48 hours after the vote.
- (3) If a person has given notice under subrule (2), a disciplinary appeal meeting must be

convened by the Committee as soon as practicable, but in any event not later than 21 days, after the notice is received.

- (4) Notice of the disciplinary appeal meeting must be given to each member of the Association who is entitled to vote as soon as practicable and must—
 - (a) specify the date, time and place of the meeting; and
 - (b) state—
 - (i) the name of the person against whom the disciplinary action has been taken; and
 - (ii) the grounds for taking that action; and
 - (iii) that at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

24 Conduct of disciplinary appeal meeting

- (1) At a disciplinary appeal meeting—
 - (a) no business other than the question of the appeal may be conducted; and
 - (b) the Board must state the grounds for suspending or expelling the member and the reasons for taking that action; and
 - (c) the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
- (2) After complying with subrule (1), the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.
- (3) A member may not vote by proxy at the meeting.
- (4) The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

Division 3—Grievance procedure

25 Application

- (1) The grievance procedure set out in this Division applies to disputes under these Rules between—
 - (a) a member and another member;
 - (b) a member and the Board;
 - (c) a member and the Association.
- (2) A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

26 Parties must attempt to resolve the dispute

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

27 Appointment of mediator

- (1) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 26, the parties must within 10 days—
 - (a) notify the Board of the dispute; and
 - (b) agree to or request the appointment of a mediator; and
 - (c) attempt in good faith to settle the dispute by mediation.
- (2) The mediator must be—
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement—
 - (i) if the dispute is between a member and another member—a person appointed by the Board; or
 - (ii) if the dispute is between a member and the Board or the Association—a person appointed or employed by the Dispute Settlement Centre of Victoria.
- (3) A mediator appointed by the Board may be a member or former member of the Association but in any case must not be a person who—
 - (a) has a personal interest in the dispute; or
 - (b) is biased in favour of or against any party.

28 Mediation process

- (1) The mediator to the dispute, in conducting the mediation, must—
 - (a) give each party 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 throughout the mediation process.
- (2) The mediator must not determine the dispute.

29 Failure to resolve dispute by mediation

If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

PART 4—GENERAL MEETINGS OF THE ASSOCIATION

30 Annual general meetings

- (1) The Board must convene an annual general meeting of the Association to be held within 5 months after the end of each financial year.
- (2) The Board may determine the date, time and place of the annual general meeting.
- (3) The ordinary business of the annual general meeting is as follows—
 - (a) to confirm the minutes of the previous annual general meeting and of any special general meeting held since then;

- (b) to receive and consider—
 - (i) the annual report of the Board on the activities of the Association during the preceding financial year; and
 - (ii) the financial statements of the Association for the preceding financial year submitted by the Board in accordance with Part 7 of the Act;
 - (c) to elect the members of the Board;
 - (d) to confirm or vary the amounts (if any) of the annual subscription and joining fee.
- (4) The annual general meeting may also conduct any other business of which notice has been given in accordance with these Rules.

31 Special general meetings

- (1) Any general meeting of the Association, other than an annual general meeting or a disciplinary appeal meeting, is a special general meeting.
- (2) The Committee may convene a special general meeting whenever it thinks fit.
- (3) No business other than that set out in the notice under rule 33 may be conducted at the meeting.

32 Special general meeting held at request of members

- (1) The Board must convene a special general meeting if a request to do so is made in accordance with subrule (2) by at least 10% of the total number of members.
- (2) A request for a special general meeting must—
 - (a) be in writing; and
 - (b) state the business to be considered at the meeting and any resolutions to be proposed; and
 - (c) include the names and signatures of the members requesting the meeting; and
 - (d) be given to the Public Officer or their nominee.
- (3) If the Board does not convene a special general meeting within one month after the date on which the request is made, the members making the request (or any of them) may convene the special general meeting.
- (4) A special general meeting convened by members under subrule (3)—
 - (a) must be held within 3 months after the date on which the original request was made; and
 - (b) may only consider the business stated in that request.
- (5) The Association must reimburse all reasonable expenses incurred by the members convening a special general meeting under subrule (3).

33 Notice of general meetings

- (1) The Public Officer or their nominee (or, in the case of a special general meeting convened under rule 32(3), the members convening the meeting) must give to each member of the Association at least 21 days' notice of a general meeting.
- (2) The notice must—

- (a) specify the date, time and place of the meeting; and
 - (b) indicate the general nature of each item of business to be considered at the meeting; and
 - (c) if a special resolution is to be proposed—
 - (i) state in full the proposed resolution; and
 - (ii) state the intention to propose the resolution as a special resolution; and
 - (d) comply with rule 34(5).
- (3) This rule does not apply to a disciplinary appeal meeting.
- (4) The accidental omission to give any such notice to any of the members or the casual non receipt (where all efforts were made to distribute the notice, but the member did not receive it) by any member shall not invalidate a resolution at any meeting.

33 Proxies

- (1) A member may appoint another member as his or her proxy to vote and speak on his or her behalf at a general meeting other than at a disciplinary appeal meeting.
- (2) The appointment of a proxy must be in writing and signed by the member making the appointment.
- (3) The member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf, otherwise the proxy may vote on behalf of the member in any matter as he or she sees fit.
- (4) The Board has approved a form for the appointment of a proxy (appendix V) but the member may use any other form that clearly identifies the person appointed as the member's proxy and that has been signed by the member.
- (5) Notice of a general meeting given to a member under rule 33 must—
 - (a) state that the member may appoint another member as a proxy for the meeting; and
 - (b) include a copy of the form that the Board has approved for the appointment of a proxy (appendix V).
- (6) A form appointing a proxy must be given to the Chairperson of the meeting or their nominee no later than 48 hours before the commencement of the meeting.
- (7) A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Association no later than 48 hours before the commencement of the meeting.

35 Use of technology

- (1) A member not physically present at a general meeting may be permitted to participate in the meeting by the use of technology that allows that member and the members present at the meeting to clearly and simultaneously communicate with each other.
- (2) For the purposes of this Part, a member participating in a general meeting as permitted under subrule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

36 Quorum at general meetings

- (1) No business may be conducted at a general meeting unless a quorum of members is present.
- (2) The quorum for a general meeting is the presence (physically, by proxy or as allowed under rule 35) of 10% of the members entitled to vote.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of a general meeting—
 - (a) in the case of a meeting convened by, or at the request of, members under rule 32—the meeting must be dissolved;
 - (b) in any other case—
 - (i) the meeting must be adjourned to a date not more than 21 days after the adjournment; and
 - (ii) notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all members as soon as practicable after the meeting.
- (4) If a quorum is not present within 30 minutes after the time to which a general meeting has been adjourned under subrule (3)(b), the members present at the meeting (if not fewer than 3) may proceed with the business of the meeting as if a quorum were present.

37 Adjournment of general meeting

- (1) The Chairperson of a general meeting at which a quorum is present may, with the consent of a majority of members present at the meeting, adjourn the meeting to another time at the same place or at another place.
- (2) Without limiting subrule (1), a meeting may be adjourned—
 - (a) if there is insufficient time to deal with the business at hand; or
 - (b) to give the members more time to consider an item of business.
- (3) No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.
- (4) Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with rule 33.

38 Voting at general meeting

- (1) On any question arising at a general meeting—
 - (a) subject to subrule (3), each member who is entitled to vote has one vote; and
 - (b) members may vote personally or by proxy; and
 - (c) except in the case of a special resolution, the question must be decided on a majority of votes.
- (2) If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.

- (3) If the question is whether or not to confirm the minutes of a previous meeting, only members who were present at that meeting may vote.
- (4) This rule does not apply to a vote at a disciplinary appeal meeting conducted under rule 24.

39 Special resolutions

A special resolution is passed if not less than three quarters of the members voting at a general meeting (whether in person or by proxy) vote in favour of the resolution.

40 Determining whether resolution carried

- (1) Subject to subsection (2), the Chairperson of a general meeting may, on the basis of a show of hands, declare that a resolution has been—
 - (a) carried; or
 - (b) carried unanimously; or
 - (c) carried by a particular majority; or
 - (d) lost—and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.
- (2) If a poll (where votes are cast in writing) is demanded by three or more members on any question—
 - (a) the poll must be taken at the meeting in the manner determined by the Chairperson of the meeting; and
 - (b) the Chairperson must declare the result of the resolution on the basis of the poll.
- (3) A poll demanded on the election of the Chairperson or on a question of an adjournment must be taken immediately.
- (4) A poll demanded on any other question must be taken before the close of the meeting at a time determined by the Chairperson.

41 Minutes of general meeting

- (1) The Board must ensure that minutes are taken and kept of each general meeting.
- (2) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- (3) In addition, the minutes of each annual general meeting must include—
 - (a) the names of the members attending the meeting; and
 - (b) proxy forms as compliant with rule 34(6); and
 - (c) the financial statements submitted to the members in accordance with rule 30(3)(b)(ii); and
 - (d) the certificate signed by two committee members certifying that the financial statements give a true and fair view of the financial position and performance of the Association; and
 - (e) any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

PART 5—BOARD

Division 1—Powers of Board

42 Role and powers

- (1) The business of the Association must be managed by or under the direction of a Board.
- (2) The Board may exercise all the powers of the Association except those powers that these Rules or the Act require to be exercised by general meetings of the members of the Association.
- (3) The Board may—
 - (a) appoint and remove staff;
 - (b) establish committees consisting of members with terms of reference it considers appropriate.

43 Delegation

- (1) The Board may delegate to a member of the Board, a committee or staff any of its powers and functions other than—
 - (a) this power of delegation; or
 - (b) a duty imposed on the Board by the Act or any other law.
- (2) The delegation must be in writing and may be subject to the conditions and limitations the Committee considers appropriate.
- (3) The Board may, in writing, revoke a delegation wholly or in part.

Division 2—Composition of Board and duties of members

44 Composition of Board

The Board consists of—

- (a) a President; and
- (b) a Vice-President; and
- (c) a Minutes Secretary; and
- (d) a Treasurer; and
- (e) a President Elect (if the President is in their last year of their final term).

45 General Duties

- (1) As soon as practicable after being elected or appointed to the Board, each committee member must become familiar with these Rules and the Act.
- (2) The Board is collectively responsible for ensuring that the Association complies with the Act and that individual members of the Board comply with these Rules.
- (3) Board members must exercise their powers and discharge their duties with reasonable care and diligence, and in accordance with their position description.
- (4) Board members must exercise their powers and discharge their duties—

- (a) in good faith in the best interests of the Association; and
 - (b) for a proper purpose.
- (5) Board members and former board members must not make improper use of—
- (a) their position; or
 - (b) information acquired by virtue of holding their position—
- so as to gain an advantage for themselves or any other person or to cause detriment to the Association.
- (6) In addition to any duties imposed by these Rules, a board member must perform any other duties imposed from time to time by resolution at a general meeting.

46 President and Vice-President

- (1) Subject to subrule (2), the President or, in the President's absence, the Vice-President is the Chairperson for any general meetings and for any committee meetings, as outlined in Appendix II.
- (2) If the President and the Vice-President are both absent, or are unable to preside, the Chairperson of the meeting must be—
 - (a) in the case of a general meeting—a member elected by the other members present; or
 - (b) in the case of a board meeting—a board member elected by the other board members present.

47 Minutes Secretary

- (1) The Minutes Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.
- (2) The Minutes Secretary must—
 - (a) maintain or cause to be maintained the register of members in accordance with rule 18; and
 - (b) keep custody or supervise the keeping of custody of all documents and securities of the Association in accordance with rules 72 and 75; and
 - (c) subject to the Act and these Rules, provide members with access or supervise the provision of access to the register of members, the minutes of general meetings and other books and documents; and
 - (d) perform or supervise the performance of any other duty or function imposed on the Minutes Secretary by these Rules.
- (3) The Minutes Secretary must give or cause to be given to the Registrar notice of his or her appointment within 14 days after the appointment.

4) Being a Victorian Incorporated Association, the role of Secretary includes lodging an annual statement with Consumer Affairs Victoria (CAV) within a month after the AGM, applying to CAV to change the Association's name or rules, adding or removing delegates of the Association and notifying CAV of a change to the Association's registered address, their appointment as secretary or any changes to their details or a special resolution to wind up the Association or distribute its assets.

48 Treasurer

- (1) The Treasurer must either themselves or under their delegation and supervision:
 - (a) receive all moneys paid to or received by the Association and issue receipts for those moneys in the name of the Association; and
 - (b) ensure that all moneys received are paid into the account of the Association by the end of the month after receipt; and
 - (c) make any payments authorised by the Board or by a general meeting of the Association from the Association's funds; and
 - (d) ensure payments are approved by at least 2 board members.
- (2) The Treasurer must—
 - (a) ensure that the financial records of the Association are kept in accordance with the Act; and
 - (b) coordinate the preparation of the financial statements of the Association and their certification by the Board prior to their submission to the annual general meeting of the Association.
- (3) The Treasurer must ensure that at least one other board member has access to the accounts and financial records of the Association.

Division 3—Election of Board members and tenure of office

49 Who is eligible to be a Board member

A member is eligible to be elected or appointed as a Board member if the member is a Registered Music Therapist (RMT), Inactive RMT or Retired RMT.

50 Positions to be declared vacant

- (1) This rule applies to—
 - (a) the first annual general meeting of the Association after its incorporation; or
 - (b) any subsequent annual general meeting of the Association, after the annual report and financial statements of the Association have been received.
- (2) The Chairperson of the meeting must declare all the relevant positions on the Board vacant in accordance with Appendix II and hold elections for those positions in accordance with rules 51 to 53.

51 Nominations

- (1) Prior to the election of each position, the Chairperson of the meeting must call for nominations to fill that position. Nominations must be supplied to the Chairperson or their nominee no later than 48 hours before the day of the meeting.
- (2) An eligible member of the Association may—
 - (a) nominate himself or herself; or

- (b) with the member's consent, be nominated by another member.
- (3) A member who is nominated for a position and fails to be elected to that position may be nominated for any other position for which an election is yet to be held.

52 Election of President etc.

- (1) At the annual general meeting, separate elections must be held for each of the vacant positions as outlined in Clause 55.
- (2) If only one member is nominated for the position, the Chairperson of the meeting must declare the member elected to the position.
- (3) If more than one member is nominated, a ballot must be held in accordance with rule 53.
- (4) On his or her election, the new President may take over as Chairperson of the meeting.

53 Ballot

- (1) If a ballot is required for the election for a position, the Chairperson of the meeting must appoint a member to act as returning officer to conduct the ballot.
- (2) The returning officer must not be a member nominated for the position.
- (3) Before the ballot is taken, each candidate may make a short speech in support of his or her election.
- (4) The election must be by secret ballot.
- (5) The returning officer must give a voting form to:
 - (a) each member present in person; and
 - (b) each proxy appointed by a member.
- (6) If the ballot is for a single position, the voter must mark on the ballot paper the name of the candidate for whom they wish to vote.
- (7) If the ballot is for more than one position—
 - (a) the voter must mark on the ballot paper the name of each candidate for whom they wish to vote;
 - (b) the voter can only select from the candidates outlined on the voting form.
- (8) Ballot papers that do not comply with subrule (7)(b) are not to be counted.
- (9) Each ballot paper on which the name of a candidate has been marked counts as one vote for that candidate.
- (10) The returning officer must declare elected the candidate or, in the case of an election for more than one position, the candidates who received the most votes.
- (11) If the returning officer is unable to declare the result of an election under subrule (10) because 2 or more candidates received the same number of votes, the returning officer must—
 - (a) conduct a further election for the position in accordance with subrules (4) to (10) to decide which of those candidates is to be elected; or
 - (b) with the agreement of those candidates, decide by lot which of them is to be elected.

(12)The ballot paper may be in physical format or electronic.

54 Term of office

- (1) Terms of office for the Association are outlined in Appendix IV.
- (2) When an office bearer reaches their maximum term in a position they may stand for election to another role.
- (3) When an office bearer reaches their maximum term in a position they may re-stand for the same position at the following AGM, ie 12 months after standing down from that position, presuming that position is vacant.
- (4) Subject to subrule (3) and rule 55, a committee member holds office until the relevant positions of the Board are declared vacant at the next annual general meeting, in accordance with Appendix II.
- (5) A committee member may be re-elected in accordance with Appendix II.
- (6) A general meeting of the Association may—
 - (a) by special resolution remove a committee member from office; and
 - (b) elect an eligible member of the Association to fill the vacant position in accordance with this Division.
- (7) A member who is the subject of a proposed special resolution under subrule (3)(a) may make representations in writing to the President of the Association (not exceeding a reasonable length) and may request that the representations be provided to the members of the Association.
- (8) The President 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 at which the special resolution is to be proposed.

55 Vacation of office

- (1) A board member may resign from the Board by written notice addressed to the Board.
- (2) A person ceases to be a board member if he or she—
 - (a) ceases to be a member of the Association; or
 - (b) fails to attend 3 consecutive board meetings (other than special or urgent committee meetings) without leave of absence under rule 66; or
 - (c) otherwise ceases to be a board member by operation of the Act.

56 Filling casual vacancies

- (1) The Board may appoint an eligible member of the Association to fill a position on the Board that—
 - (a) has become vacant under rule 55; or
 - (b) was not filled by election at the last annual general meeting.
- (2) Any individual who fills the role as a casual vacancy must stand for election at the next AGM and their term of office will be deemed to have commenced at that AGM, unless they filled the position in the first six months after the previous AGM when their term will be deemed to have started at that previous AGM.

- (3) If the position of Minutes Secretary becomes vacant, the Board must appoint a member to the position within 14 days after the vacancy arises.
- (4) Rule 55 applies to any committee member appointed by the Board under sub rule (1) or (2).
- (5) The Board may continue to act despite any vacancy in its membership.

Division 4—Meetings of Board

57 Meetings of Board

- (1) The Board must meet at least 4 times in each year at the dates, times and places determined by the Board.
- (2) The date, time and place of the first board meeting must be determined by the members of the Board as soon as practicable after the annual general meeting of the Association at which the members of the Board were elected.
- (3) Special board meetings may be convened by the President or by any 4 members of the Board.

58 Notice of meetings

- (1) Notice of each board meeting must be given to each board member no later than 7 days before the date of the meeting.
- (2) Notice may be given of more than one board meeting at the same time.
- (3) The notice must state the date, time and place of the meeting.
- (4) If a special board meeting is convened, the notice must include the general nature of the business to be conducted.
- (5) The only business that may be conducted at the meeting is the business for which the meeting is convened.

59 Urgent meetings

- (1) In cases of urgency, a meeting can be held without notice being given in accordance with rule 89 provided that as much notice as practicable is given to each committee member by the quickest means practicable.
- (2) Any resolution made at the meeting must be passed by an absolute majority of the Board.
- (3) The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

60 Procedure and order of business

- (1) The procedure to be followed at a meeting of a Board must be determined from time to time by the Committee.
- (2) The order of business may be determined by the members present at the meeting.

61 Use of technology

- (1) A board member who is not physically present at a board meeting may participate in the meeting by the use of technology that allows that board member and the board

members present at the meeting to clearly and simultaneously communicate with each other.

- (2) For the purposes of this Part, a board member participating in a board meeting as permitted under subrule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

62 Quorum

- (1) No business may be conducted at a Board meeting unless a quorum is present.
- (2) The quorum for a board meeting is the presence (in person or as allowed under rule 61) of a majority of the board members holding office.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of a board meeting—
 - (a) in the case of a special meeting—the meeting lapses;
 - (b) in any other case—the meeting must be adjourned to a date no later than 14 days after the adjournment and notice of the time, date and place to which the meeting is adjourned must be given in accordance with rule 58.

63 Voting

- (1) On any question arising at a board meeting, each board member present at the meeting has one vote.
- (2) A motion is carried if a majority of board members present at the meeting vote in favour of the motion.
- (3) Subrule (2) does not apply to any motion or question which is required by these Rules to be passed by an absolute majority of the Board.
- (4) If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.
- (5) Voting by proxy is not permitted.

64 Conflict of interest

- (1) A board member who has a material personal interest in a matter being considered at a board meeting must disclose the nature and extent of that interest to the Board.
- (2) The member—
 - (a) must not be present while the matter is being considered at the meeting; and
 - (b) must not vote on the matter.
- (3) This rule does not apply to a material personal interest—
 - (a) that exists only because the member belongs to a class of persons for whose benefit the Association is established; or
 - (b) that the member has in common with all, or a substantial proportion of, the members of the Association.

65 Minutes of meeting

- (1) The Board must ensure that minutes are taken and kept of each board meeting.

- (2) The minutes must record the following—
 - (a) the names of the members in attendance at the meeting;
 - (b) the business considered at the meeting;
 - (c) any resolution on which a vote is taken and the result of the vote;
 - (d) any material personal interest disclosed under rule 64.

66 Leave of absence

- (1) The Board may grant a committee member leave of absence from board meetings for a period not exceeding 3 months.
- (2) The Board must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the board member to seek the leave in advance.

PART 5—COMMITTEES

Division 1—Powers of Committees

67 Role and powers

- (1) Committees are convened or disbanded by the Board as outlined in the Manual of Administrative Procedures. The list of committees is in Appendix II.

68 Delegation

- (1) The Board delegates to the committees the power to undertake their responsibilities as outlined in their position descriptions and in the Manual of Administrative Procedures
- (2) The delegation must be in writing and may be subject to the conditions and limitations the Board considers appropriate.
- (3) The Board may, in writing, revoke a delegation wholly or in part.

Division 2—Composition of Committees and duties of members

69 Composition of Committee

The Committee consists of a chair who is appointed by the Board and may include members as per the directions in the Manual of Administrative Procedures and Appendix II.

70 General Duties

- (1) As soon as practicable after being appointed to the Committee, each committee member must become familiar with these Rules and the Act, their position description and the Manual of Administrative Procedures.
- (2) Committee members must exercise their powers and discharge their duties with reasonable care and diligence, and in accordance with their position description and the Manual of Administrative Procedures.
- (3) Committee members must exercise their powers and discharge their duties—
 - (a) in good faith in the best interests of the Association; and

- (b) for a proper purpose.
- (4) Committee members and former committee members must not make improper use of—
 - (a) their position; or
 - (b) information acquired by virtue of holding their position—so as to gain an advantage for themselves or any other person or to cause detriment to the Association.
- (5) In addition to any duties imposed by these Rules, a committee member must perform any other duties imposed from time to time by the Board Governance.

71 Committee Chair

- (1) The Committee chair is the Chairperson for any committee meetings.
- (2) If the Committee chair is absent, or unable to preside, the Chairperson of the meeting must be a committee member elected by the other committee members present.

Division 3—Appointment of Committee members and tenure of office

72 Who is eligible to be a Committee member

A member is eligible to be appointed as a committee member if the member is a Registered Music Therapist (RMT), Retired RMT or Inactive RMT.

73 Positions to be declared vacant

- (1) This rule applies to—
 - (a) the first annual general meeting of the Association after its incorporation; or
 - (b) any subsequent annual general meeting of the Association, after the annual report and financial statements of the Association have been received.
- (2) The Chairperson of the meeting must declare all the relevant positions on the Committees vacant in accordance with Appendix II which outlines the terms of office for committee chairs and members.

74 Nominations

- (1) Prior to the filling of each vacant position, the chair of the committee must call for nominations to fill that position. Nominations must be supplied to the chair or their nominee no later than 48 hours before the day of the general meeting.
- (2) An eligible member of the Association may—
 - (a) nominate himself or herself; or
 - (b) with the member's consent, be nominated by another member.
- (3) A member who is nominated for a position and fails to be appointed to that position may be nominated for any other position for which an election is yet to be held.

75 Term of office

- (1) The term of office for a Chair of a Committee or member of a committee is two years, with a maximum of three consecutive terms, being a total of six consecutive years.
- (2) When an office bearer reaches their maximum term in a position they may nominate for

- appointment to another role.
- (3) When an office bearer reaches their maximum term in a position they may re-nominate for the same position at the following AGM, ie 12 months after standing down from that position, presuming that position is vacant.
 - (4) The Board Governance of the Association may—
 - (a) by special resolution remove a committee member from office; and
 - (b) appoint an eligible member of the Association to fill the vacant position in accordance with this Division.
 - (5) A member who is the subject of a proposed special resolution under subrule (3)(a) may make representations in writing to the President of the Association (not exceeding a reasonable length) and may request that the representations be provided to the members of the Association.
 - (6) The President 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 at which the special resolution is to be proposed.

76 Vacation of office

- (1) A Chair of a Committee may resign by written notice addressed to the Board.
- (2) A person ceases to be a committee chair if he or she—
 - (a) ceases to be a Registered Music Therapist; or
 - (b) fails to attend 3 consecutive committee meetings (other than special or urgent committee meetings) without leave of absence under rule 66; or
 - (c) otherwise ceases to be a committee member by operation of the Act.

77 Filling casual vacancies

- (1) The Board may appoint an eligible member of the Association as Chair of a Committee that—
 - (a) has become vacant under rule 55; or
 - (b) was not filled by appointment at the last annual general meeting.
- (2) Any individual who fills the role as a casual vacancy will be deemed to have commenced their term at the next AGM, unless they filled the position in the first six months after the previous AGM when their term will be deemed to have started at that previous AGM.
- (3) Rule 53 applies to any committee member appointed by the Board under sub rule (1) or (2).
- (4) The Committee may continue to act despite any vacancy in its membership.

Division 4—Meetings of Committee

78 Meetings of Committee

- (1) The Committee may meet as many times in each year as it requires, at the dates, times and places determined by that Committee.

- (2) The date, time and place of the first committee meeting must be determined by the members of the Committee as soon as practicable after the annual general meeting of the Association at which the members of the Committee were appointed.

79 Notice of meetings

- (1) Notice of each committee meeting must be given to each committee member no later than 7 days before the date of the meeting.
- (2) Notice may be given of more than one committee meeting at the same time.
- (3) The notice must state the date, time and place of the meeting.
- (5) The only business that may be conducted at the meeting is the business for which the meeting is convened.

80 Urgent meetings

- (1) In cases of urgency, a meeting can be held without notice being given in accordance with rule 59 provided that as much notice as practicable is given to each committee member by the quickest means practicable.
- (2) Any resolution made at the meeting must be passed by an absolute majority of the Committee.
- (3) The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

81 Procedure and order of business

- (1) The procedure to be followed at a meeting of a Committee must be determined from time to time by the Committee.
- (2) The order of business may be determined by the members present at the meeting.

82 Use of technology

- (1) A committee member who is not physically present at a committee meeting may participate in the meeting by the use of technology that allows that committee member and the committee members present at the meeting to clearly and simultaneously communicate with each other.
- (2) For the purposes of this Part, a committee member participating in a committee meeting as permitted under subrule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

83 Quorum

- (1) No business may be conducted at a Committee meeting unless a quorum is present.
- (2) The quorum for a committee meeting is the presence (in person or as allowed under rule 62) of a majority of the committee members.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of a committee meeting the meeting may proceed, but any decisions would need to be ratified at a further meeting at which a quorum is present.

84 Voting

- (1) On any question arising at a committee meeting, each committee member present at the

meeting has one vote.

- (2) A motion is carried if a majority of committee members present at the meeting vote in favour of the motion.
- (3) Subrule (2) does not apply to any motion or question which is required by these Rules to be passed by an absolute majority of the Committee.
- (4) If votes are divided equally on a question, the Chair of the meeting has a second or casting vote.
- (5) Voting by proxy is not permitted.

85 Conflict of interest

- (1) A committee member who has a material personal interest in a matter being considered at a committee meeting must disclose the nature and extent of that interest to the Committee.
- (2) The member—
 - (a) must not be present while the matter is being considered at the meeting; and
 - (b) must not vote on the matter.
- (3) This rule does not apply to a material personal interest—
 - (a) that exists only because the member belongs to a class of persons for whose benefit the Association is established; or
 - (b) that the member has in common with all, or a substantial proportion of, the members of the Association.

86 Minutes of meeting

- (1) The Committee must ensure that minutes are taken and kept of each committee meeting.
- (2) The minutes must record the following—
 - (a) the names of the members in attendance at the meeting;
 - (b) the business considered at the meeting;
 - (c) any resolution on which a vote is taken and the result of the vote;
 - (d) any material personal interest disclosed under rule 64.

87 Leave of absence

- (1) The Committee may grant a committee member leave of absence from committee meetings for a period not exceeding 3 months.
- (2) The Committee must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the committee member to seek the leave in advance.

PART 6—STATE BRANCHES

Division 1—Powers of State Branch Committees

88 Role and powers

- (1) State Branches are convened or disbanded by the Board as needs arise. The list of State Branches is in Appendix II
 - (2) A State with less than 10 members may, with the approval of the Board, combine all the roles in fewer people, including all the roles being undertaken by one person.
- (2) The Board delegates to the state branches the power to undertake their responsibilities as outlined in their position descriptions and in the Manual of Administrative Procedures
- (3) The delegation must be in writing and may be subject to the conditions and limitations the Board considers appropriate.
- (4) The Board may, in writing, revoke a delegation wholly or in part.

Division 2—Composition of State Branch Committees and duties of members

89 Composition of State Branch Committee

The State Branch Committee consists of a:

- Chair
- Minutes Secretary
- Treasurer
- Any other members as the State Branch Chair deems appropriate.

90 General Duties

- (1) As soon as practicable after being elected or appointed to the State Branch Committee, each state branch committee member must become familiar with these Rules and the Act, their position description and the Manual of Administrative Procedures.
- (2) The State Branch Committee is collectively responsible for ensuring that the Association’s members in that State comply with the Act and that individual members of the State Branch Committee comply with these Rules.
- (3) State Branch Committee members must exercise their powers and discharge their duties with reasonable care and diligence, and in accordance with their position description and MAP.
- (4) State Branch Committee members must exercise their powers and discharge their duties—
 - (a) in good faith in the best interests of the Association; and
 - (b) for a proper purpose.
- (5) State Branch Committee members and former state branch committee members must not make improper use of—
 - (a) their position; or
 - (b) information acquired by virtue of holding their position—
 so as to gain an advantage for themselves or any other person or to cause detriment to the Association.
- (6) In addition to any duties imposed by these Rules, a state branch committee members must perform any other duties imposed from time to time by resolution at a general

meeting.

91 State Branch Committee Chair

- (1) The State Branch Committee chair is the Chairperson for any state branch committee meetings.
- (2) If the State Branch Committee chair is absent, or unable to preside, the Chairperson of the meeting must be a state branch committee member elected by the other state branch committee members present.

Division 3—Appointment of State Branch Committee members and tenure of office

92 Who is eligible to be a State Branch Committee member

A member is eligible to be appointed as a state branch committee member if the member is a Registered Music Therapist (RMT), Retired RMT or Inactive RMT and is registered in the membership database as being a member based in that state or territory. Each State Branch may also have one student representative on the State Branch Committee.

93 Positions to be declared vacant

- (1) This rule applies to—
 - (a) the first annual general meeting of the Association after its incorporation; or
 - (b) any subsequent annual general meeting of the Association, after the annual report and financial statements of the Association have been received.
- (2) The Chairperson of the meeting must declare all the relevant positions on the Committees vacant in accordance with Appendix II and hold elections for those positions in accordance with rules 51 to 53.

94 Nominations

- (1) Prior to the filling of each vacant position, the Chairperson must call for nominations to fill that position. Nominations must be supplied to the Chairperson or their nominee no later than 48 hours before the day of the meeting.
- (2) An eligible member of the Association may—
 - (a) nominate himself or herself; or
 - (b) with the member's consent, be nominated by another member.
- (3) A member who is nominated for a position and fails to be elected to that position may be nominated for any other position for which an election is yet to be held.

95 Election of Chairperson etc.

- (1) At the annual general meeting, separate elections must be held for each of the vacant positions as outlined in Clause 53.
- (2) If only one member is nominated for the position, the Chairperson of the meeting must declare the member elected to the position.
- (3) If more than one member is nominated, a ballot must be held in accordance with rule 53.
- (4) On his or her election, the new President may take over as Chairperson of the meeting.

96 Election of State Branch Committee members and Conduct of the Ballot

- (1) The annual general meeting of the State Branch must follow the same processes for the election of State Branch Committee members and conduct of the ballot as is followed by the Board Governance.

97 Term of office

- (1) The term of office for a Committee member of a State Branch is two years, with a maximum of three consecutive terms, being a total of six consecutive years.
- (2) When an office bearer reaches their maximum term in a position they may re-nominate for the same position at the following AGM, ie 12 months after standing down from that position, presuming that position is vacant.
- (3) When an office bearer reaches their maximum term in a position they may nominate for appointment to another role.
- (4) In a State which has a Representative that Representative may not re-nominate at the end of their maximum term, but may nominate at the following AGM, presuming that position is vacant.
- (5) A general meeting of the State Branch may—
 - (a) by special resolution remove a committee member from office; and
 - (b) appoint an eligible member of the Association to fill the vacant position in accordance with this Division.
- (6) A member who is the subject of a proposed special resolution under subrule (3)(a) may make representations in writing to the President of the Association (not exceeding a reasonable length) and may request that the representations be provided to the members of the Association.
- (7) The Minutes Secretary or the Chairperson 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 at which the special resolution is to be proposed.

98 Vacation of office

- (1) A state branch committee member may resign as from their position on the State Branch Committee by written notice addressed to the Board.
- (2) A person ceases to be a state branch committee chairperson or committee member if he or she—
 - (a) ceases to be a member of the Association; or
 - (b) fails to attend 3 consecutive committee meetings (other than special or urgent committee meetings) without leave of absence under rule 66; or
 - (c) otherwise ceases to be a committee member by operation of the Act.

99 Filling casual vacancies

- (1) The State Branch Committee may appoint an eligible member of the Association as a member of that State Branch Committee that—
 - (a) has become vacant under rule 55; or
 - (b) was not filled by election at the last annual general meeting.

- (2) Any individual who fills the role as a casual vacancy will be deemed to have commenced at the next AGM, unless they filled the position in the first six months after the previous AGM when their term will be deemed to have started at that previous AGM
- (3) Rule 54 applies to any state branch committee member appointed by the State Branch Committee under sub rule (1) or (2).
- (4) The State Branch Committee may continue to act despite any vacancy in its membership.

Division 4—Meetings of State Branch Committee

100 Meetings of State Branch Committee

- (1) The State Branch Committee may meet as many times in each year as it requires, at the dates, times and places determined by that Committee.
- (2) The date, time and place of the first State Branch Committee meeting must be determined by the members of the State Branch Committee as soon as practicable after the annual general meeting of the State Branch of the Association at which the members of the State Branch Committee were appointed.

101 Notice of meetings

- (1) Notice of each State Branch Committee meeting must be given to each State Branch Committee member no later than 7 days before the date of the meeting.
- (2) Notice may be given of more than one State Branch Committee meeting at the same time.
- (3) The notice must state the date, time and place of the meeting.
- (4) The only business that may be conducted at the meeting is the business for which the meeting is convened.

102 Urgent meetings

- (1) In cases of urgency, a meeting can be held without notice being given in accordance with rule 58 provided that as much notice as practicable is given to each committee member by the quickest means practicable.
- (2) Any resolution made at the meeting must be passed by an absolute majority of the State Branch Committee.
- (3) The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

103 Procedure and order of business

- (1) The procedure to be followed at a meeting of a State Branch Committee must be determined from time to time by the State Branch Committee.
- (2) The order of business may be determined by the members present at the meeting.

104 Use of technology

- (1) A state branch committee member who is not physically present at a state branch committee meeting may participate in the meeting by the use of technology that allows that state branch committee member and the state branch committee members present at the meeting to clearly and simultaneously communicate with each other.

- (2) For the purposes of this Part, a state branch committee member participating in a state branch committee meeting as permitted under subrule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

105 Quorum

- (1) No business may be conducted at a State Branch Committee meeting unless a quorum is present.
- (2) The quorum for a state branch committee meeting is the presence (in person or as allowed under rule 61) of a majority of the state branch committee members.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of a state branch committee meeting the meeting may proceed, but any decisions would need to be ratified at a further meeting at which a quorum is present.

106 Voting

- (1) On any question arising at a state branch committee meeting, each state branch committee member present at the meeting has one vote.
- (2) A motion is carried if a majority of state branch committee members present at the meeting vote in favour of the motion.
- (3) Subrule (2) does not apply to any motion or question which is required by these Rules to be passed by an absolute majority of the State Branch Committee.
- (4) If votes are divided equally on a question, the Chair of the meeting has a second or casting vote.
- (5) Voting by proxy is not permitted.

107 Conflict of interest

- (1) A state branch committee member who has a material personal interest in a matter being considered at a state branch committee meeting must disclose the nature and extent of that interest to the State Branch Committee.
- (2) The member—
 - (a) must not be present while the matter is being considered at the meeting; and
 - (b) must not vote on the matter.
- (3) This rule does not apply to a material personal interest—
 - (a) that exists only because the member belongs to a class of persons for whose benefit the Association is established; or
 - (b) that the member has in common with all, or a substantial proportion of, the members of the Association.

108 Minutes of meeting

- (1) The State Branch Committee must ensure that minutes are taken and kept of each state branch committee meeting.
- (2) The minutes must record the following—
 - (a) the names of the members in attendance at the meeting;

- (b) the business considered at the meeting;
- (c) any resolution on which a vote is taken and the result of the vote;
- (d) any material personal interest disclosed under rule 64.

109 Leave of absence

- (1) The State Branch Committee may grant a state branch committee member leave of absence from state branch committee meetings for a period not exceeding 3 months.
- (2) The State Branch Committee must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the state branch committee member to seek the leave in advance.

PART 7—FINANCIAL MATTERS

110 Source of funds

The funds of the Association may be derived from joining fees, annual subscriptions, donations, fund-raising activities, grants, interest and any other sources approved by the Board.

111 Management of funds

- (1) The Association must open an account or accounts with a financial institution from which all expenditure of the Association is made and into which all of the Association's revenue is deposited.
- (2) Subject to any restrictions imposed by a general meeting of the Association, the Board may approve expenditure on behalf of the Association.
- (3) The Board may authorise the Treasurer to expend funds on behalf of the Association (including by electronic funds transfer or cheque) up to a specified limit without requiring approval from the Board for each item on which the funds are expended. The limits are in accordance with Appendix VI.
- (4) All drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 Board members.
- (5) All funds of the Association must be deposited into the financial account of the Association no later than the end of the month after receipt.

112 Financial records

- (1) The Association must keep financial records that—
 - (a) correctly record and explain its transactions, financial position and performance; and
 - (b) enable financial statements to be prepared as required by the Act.
- (2) The Association must retain the financial records for 7 years after the transactions covered by the records are completed.
- (3) The Treasurer must keep in his or her custody, or under his or her control—
 - (a) the financial records for the current financial year; and
 - (b) any other financial records as authorised by the Board.

113 Financial statements

- (1) For each financial year, the Board must ensure that the requirements under the Act relating to the financial statements of the Association are met.
- (2) Without limiting subrule (1), those requirements include—
 - (a) the preparation of the financial statements;
 - (b) if required, the review or auditing of the financial statements;
 - (c) the certification of the financial statements by the Board;
 - (d) the submission of the financial statements to the annual general meeting of the Association;
 - (e) the lodgement with the Registrar of the financial statements and accompanying reports, certificates, statements and fee.

PART 8—GENERAL MATTERS

114 Registered address

The registered address of the Association is—

- (a) the address determined from time to time by resolution of the Board; or
- (b) if the Board has not determined an address to be the registered address—the postal address of the Public Officer.

115 Notice requirements

- (1) Any notice required to be given to a member or a board member under these Rules may be given—
 - (a) by handing the notice to the member personally; or
 - (b) by sending it by post to the member at the address recorded for the member on the register of members; or
 - (c) by email or facsimile transmission.
- (2) Sub rule (1) does not apply to notice given under rule 60.
- (3) Any notice required to be given to the Association or the Board may be given—
 - (a) by handing the notice to a member of the Board; or
 - (b) by sending the notice by post to the registered address; or
 - (c) by leaving the notice at the registered address; or
 - (d) if the Board determines that it is appropriate in the circumstances—
 - (i) by email to the email address of the Association or the Public Officer; or
 - (ii) by facsimile transmission to the facsimile number of the Association.

116 Custody and inspection of books and records

- (1) Members may on request inspect free of charge—
 - (a) the register of members;

- (b) the minutes of general meetings;
 - (c) subject to subrule (2), the financial records, books, securities and any other relevant document of the Association, including minutes of Committee meetings.
- (2) The Board may refuse to permit a member to inspect records of the Association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association.
 - (3) The Board must on request make copies of these rules available to members and applicants for membership free of charge.
 - (4) Subject to subrule (2), a member may make a copy of any of the other records of the Association referred to in this rule and the Association may charge a reasonable fee for provision of a copy of such a record.
 - (5) For purposes of this rule—

relevant documents means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the Association and includes the following—

 - (a) its membership records;
 - (b) its financial statements;
 - (c) its financial records;
 - (d) records and documents relating to transactions, dealings, business or property of the Association.

117 Winding up and cancellation

- (1) The Association may be wound up voluntarily by special resolution.
- (2) In the event of the winding up or the cancellation of the incorporation of the Association, the surplus assets of the Association must not be distributed to any members or former members of the Association.
- (3) Subject to the Act and any court order made under the provisions of the Act, the surplus assets must be given to a body that has similar purposes to the Association and which is not carried on for the profit or gain of its individual members.
- (4) The body to which the surplus assets are to be given must be decided by special resolution.

118 Common seal

- (1) The common seal of the association must be kept in the custody of the administration office of the association.
- (2) The common seal must not be attached to any instrument except by the authority of the Board and the attaching of the common seal must be attested to by the signatures of either of two members of the committee or of one member of the committee and the public officer.

119 Alteration of Rules

These Rules may only be altered by special resolution of a general meeting of the Association.



Appendix I: Membership types and rights

The Association has the following membership classes which receive the benefits as outlined. These benefits may change from time to time as directed by the Board. Membership fees are set for the following membership year at each annual general meeting.

Definition of membership types:

Registered Music Therapist	An individual who has successfully completed an accredited music therapy course or equivalent (as determined by the Registration Committee) and maintains their professional development in compliance with AMTA's CPD program.
Associate	Anyone with an interest in music therapy who doesn't fit in any of the other membership types.
Student	A student studying part or full time in an accredited music therapy course.
Complimentary	A free membership awarded by the Board.
Inactive RMT	An RMT as per above who is not practicing as a music therapist but who intends to return to the profession. An Inactive RMT must maintain their CPD at the same level as an RMT.
Retired RMT	An RMT who has completely retired from practicing as a music therapist. There is no obligation to continue CPD in order to maintain this membership.

Additional status:

In addition to the above membership types and at the direction of the Board, a member can be accorded an honorary life membership. Honorary life membership is accorded to an individual who has provided exemplary service and/or leadership to the profession. This provides the individual with a reduced membership fee, should one be applicable. The reduction is by the same sum as the associate membership fee. That is: if the individual is an RMT then their annual membership fee should be the RMT fee *less* the amount of associate member fee. If the individual is a complimentary member then no fee is payable.

Benefits for each membership type:

	<i>Membership subscription inc GST F2019</i>	<i>Vote</i>	<i>Hold office</i>	<i>Receive publications</i>	<i>Attend events</i>	<i>Access RMT section of website</i>
Registered Music Therapist	\$337.00	Yes	Yes	Yes	Yes	Yes
Associate	\$165.00	No	No	Yes	Yes	No
Student – enrolled in accredited course	\$57.00	No	No	Yes	Yes	No
Complimentary	\$0.00	No	No	Yes	Yes	No
Inactive RMT	\$248.00	Yes	Yes	Yes	Yes	Yes
Retired RMT	\$165.00	Yes	Yes	Yes	Yes	No

Last updated: March 2020

Appendix II: Committees and authorised roles

Committees:

The following are the committees convened by the Association, their required composition and scope.

Each chair can hold the position for two years, for a total of three consecutive terms. Committee members can hold the position for two years, for a total of three consecutive terms. Terms are deemed to commence at the AGM. If a member fills a casual vacancy then their term is deemed to have commenced at the previous AGM if they were appointed during the first six months of the term, or the following AGM if appointed during the last six months of the term.

Registration Committee

Composition: No less than three RMTs representing different States or Territories of Australia. The chair of the committee is appointed by the Board. The chair submits a list of recommendations for committee members which is approved by the Board. If a recommended individual is not approved, the Board need not provide an explanation.

Scope: It is the responsibility of the Registration Committee to implement the registration procedures outlined in MAP, and from time to time to review those procedures and made recommendations for change to the Board.

Communications Committee

(includes print and electronic publications, but not the Australian Journal of Music Therapy)

Composition: The chair of the committee is appointed by the Board. The chair submits a list of recommendations for committee members which is approved by the Board. If a recommended individual is not approved, the Board need not provide an explanation. The communications committee may consist of only the chair.

Scope: To work with others to develop a communications strategy, to produce or cause to be produced the communications of the Association, and from time to time to review those communications and make recommendations for change to the Board.

Ethics Committee

Composition: No less than three RMTs representing different States or Territories of Australia. The chair of the committee is appointed by the Board. The chair submits a list of recommendations for committee members which is approved by the Board. If a recommended individual is not approved, the Board need not provide an explanation.

Scope: It is the responsibility of the Ethics Committee to implement the ethics-related responsibilities as outlined in MAP, and from time to time to review those procedures and made recommendations for change to the Board. The Ethics Committee functions as the disciplinary committee of AMTA.

Continuing Professional Development

Composition: No less than seven RMTs, each with no less than two years' experience in music therapy. The chair of the committee is appointed by the Board. The chair submits a list of recommendations for committee members which is approved by the Board. If a recommended individual is not approved, the Board need not provide an explanation.

Scope: It is the responsibility of the CPD Committee to implement the CPD responsibilities as outlined

in MAP, and from time to time to review those procedures and made recommendations for change to the Board.

Education Committee

Composition: One representative from each of the AMTA accredited music therapy courses, plus one member representing a State in which a course exists. The chair of the committee is appointed by the Board. The chair submits a list of recommendations for committee members which is approved by the Board. If a recommended individual is not approved, the Board need not provide an explanation.

Scope: It is the responsibility of the Education Committee to implement the education responsibilities as outlined in MAP, and from time to time to review those procedures and made recommendations for change to the Board

Government Relations Committee:

Composition: The chair of the government relations committee is the president of AMTA. One representative from each State or territory is recommended by the president and approved by the Board. This representative is a senior RMT who can represent the organisation at the highest levels of government.

Scope: It is the responsibility of the Government Relations Committee to implement the responsibilities as outlined in MAP, and from time to time to review those procedures and make recommendations for change to the Board

National Conference Committee

Composition: The chair of the national conference committee is an RMT who advises the State organising committee, which changes each year and is largely or entirely drawn from local RMTs for the host State for the conference.

Scope: It is the responsibility of the chair to point a convenor each year, work with the convenor to appoint a committee and then to advise the State organising committee as they develop and implement the conference and PDS.

Authorised roles:

The following are authorised roles appointed by the Board:

- PDS Liaison: provides guidance and support to each year's PDS Convenor.
- Liaison with the Australian Health Professionals Association (AHPA)
- Editor, Australian Journal of Music Therapy. The editor is appointed by the Board for a two year term and is responsible for the publication and academic standards of the journal in accordance with MAP. There is no maximum term for this role. The editor appoints a review panel, which may include an assistant editor.

The representative for Australia (and New Zealand) at the World Federation of Music Therapy (WFMT) is appointed by the WFMT with reference to the Board of AMTA.

These committees and authorised roles may change from time to time.

Appendix III: Membership application process

The membership application process is as follows:

Position of applicant	Application process
Completed an accredited course with the last 12 months	Using the forms provided apply at one of the three application dates specified on the website.
All other membership classes	Using the forms provided, can apply at any time during the year.

Appendix IV: Office bearers of the Board Governance

These are the terms and processes supporting the election to the Board Governance:

Role	Election process
President	<p>The president has a three year term and can hold a maximum of two consecutive terms (total of six consecutive years). <i>End of first term if the president intends to stand again:</i> As the president's first term of office ends and if the president intends to stand again, the position is declared vacant and nominations are sought from members. If there is more than one nominee then there is an election.</p> <p><i>Prior to standing down either at the end of the maximum term or at any other point in their term:</i></p> <p><i>If standing down at an AGM:</i> As part of the process for the AGM prior to the one where the president is standing down nominations are called for the role of president. This person is elected at the AGM preceding the one where the president intends to stand down and the elected person is titled President Elect.</p> <p><i>If standing down mid term:</i> if there is a President Elect, then the President Elect becomes the President, and their term as President is deemed to have commenced at the following AGM. If there is no President Elect, the Vice President becomes the Acting President. The role is then declared vacant at the following AGM.</p>
President Elect	<p>Nominees for the presidency are presented to members at the AGM preceding the AGM where the president's terms will end. The individual who receives the most votes at the AGM is declared to be the President Elect and they join the Board Governance for the final year before the president stands down. There is no further election for them to become president; this is automatic at the following AGM, when the president stands down. Thereafter the president election process is applied. The one year as President Elect is not included in the maximum term that the President can undertake.</p>
Vice President, Treasurer and Minutes Secretary	<p>These roles have a term of two years each, with a maximum of three consecutive terms (total six consecutive years). As each term of office ends, their positions are declared vacant and nominations sought from members. If the office bearer had completed less than their maximum term they can nominate for a second. If the maximum number of terms has been reached, the individual can nominate at the following AGM (ie twelve months after), should the position become vacant. An office bearer who has reached their maximum term in that role can nominate for a different office, should one be vacant.</p>

All nominations are sent to the Public Officer or, if the Public Officer so directs, to the Secretariat. It is presumed that the Public Officer will direct that this will be the Secretariat because that is more practical.

APPENDIX V PROXY FORM

The form that should be used for a proxy vote is as follows:

PROXY VOTING FORM

(Date)

I	(full name)	
of	(street)	
	(suburb)	
	(state)	(postcode)

Being a fully paid up member of the Australian Music Therapy Association appoint the chair of the general meeting of the association (annual general meeting or other general meeting, as the case may be) as my proxy. This proxy is for the meeting as shown below and at any adjournment of that meeting.

This meeting is to be held on	(date)
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My proxy is authorised to vote as they decide

My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution/s as follows: (Insert details with).

Signature	
Date	

This proxy must be returned to the AMTA Secretariat no later than **48 hours** before the meeting commences.

Safe delivery of this proxy form to the contact addresses above is the responsibility of the sender. Non receipt of this form will not invalidate any voting decisions made at the meeting.

APPENDIX VI LIMITS FOR PAYMENT

The following limits for payment are agreed:

Payments up to	Who needs to sign the payment (EFT or cheque)
\$10,000	Administrator and Treasurer
Over \$10,000	Administrator, Treasurer and one other Board member
<i>Caveat: expenses related to the National Conference and PDS</i>	
All expenses	Administrator, Treasurer and SOC Convenor

Note: this doesn't mean that these individuals have to sign the cheques or approve the EFT payment. This means that these individuals must approve for these payments to be made. That approval can be by email or writing (for example signature on appropriate paperwork). Those payments can then be made by the Administrator and Treasurer. No payments can be made until approved by the individuals shown above.