

**ASSOCIATIONS  
INCORPORATION  
ACT (1981)  
(Victoria)**

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Schedule 4

**RULES**

of the

**CLIMATE AND HEALTH  
ALLIANCE**

**INCORPORATED**

**ASSOCIATION**

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## REGULATION 18

### 1 Name

The name of the incorporated association is Climate and Health Alliance (in these Rules called "the Alliance").

### 2. Aim

The Alliance's aim is the restoration of a healthy and ecologically sustainable natural environment for all species, including humans.

### 3. Purpose

The Alliance's purpose is to promote the protection of the natural environment to enhance sustainability and health and wellbeing for all species, including humans.

### 4. Objectives

In particular, the Alliance will:

- (1) **Advocate** for effective public policy and community responses to promote a healthy ecology and society through the prevention of environmental degradation, including from climate change and from threats to air and water and soil, in order to protect and promote the health and wellbeing of the community and of biodiversity upon which humans depend;
- (2) **Collaborate** with others to identify and remove structural barriers to the protection of a healthy environment, including effective responses to climate change and the preservation of biodiversity; and to support the development of environmentally responsible and sustainable practices in health care;
- (3) **Engage and inform** health professionals, policy makers, and the community through the provision of information and education about the importance of environmental protection for health and wellbeing, including with regard to the risks from climate change and in relation to appropriate responses to protect and promote ecosystem and human health;
- (4) **Share** information and resources about health and the natural environment and climate issues through a network of individuals and organisations;
- (5) **Establish and maintain** a public fund to be called **Healthy Futures Fund** for the specific purpose of supporting the environmental objects/purposes of the Climate and Health Alliance.\*

\* The **Healthy Futures Fund** is established to receive all gifts of money or property for this purpose and any money received because of such gifts must be credited

to its bank account. The Fund must not receive any other money or property into its account and it must comply with subdivision 30-E of the Income Tax Assessment Act 1997.

## 5 Definitions

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

**committee** means the committee of management of the Alliance;

**delegate** means a person who has been delegated the authority to act on behalf of an office bearer, or the Committee of Management of the Alliance;

**financial year** means the year ending on 30 June;

**general meeting** means a general meeting of members convened in accordance with rule 12;

**member** means a member of the Alliance;

**ordinary member of the committee** means a member of the committee who is not an officer of the Alliance under rule 21;

**Regulations** means regulations under the Act;

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

**the Act** means the **Associations Incorporation Act 1981**.

(2) In these Rules, a reference to the Secretary of an Association is a reference—

(a) if a person holds office under these Rules as Secretary of the Alliance—to that person; and

(b) in any other case, to the public officer of the Alliance.

## 6 Alteration of the rules

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

## 7 Membership, entry fees and subscription

(1) An organisation that applies and is approved for membership as provided in these Rules is eligible to be a member of the Alliance on payment of the entrance fee and annual subscription payable under these Rules.

(2) An organisation that is not a member of the Alliance at the time of the incorporation of the Alliance (or was a member at that time

but has ceased to be a member) must not be admitted to membership unless—

- (a) it applies for membership in accordance with subrule (3); and
  - (b) the admission as a member is approved by the committee.
- (3) An application of an organisation for membership of the Alliance must—
- (a) be made in writing in the form set out in Appendix 1; and
  - (b) be lodged with the Secretary of the Alliance.
- (4) As soon as practicable after the receipt of an application, the Secretary must refer the application to the committee.
- (5) The committee must determine whether to approve or reject the application.
- (6) If the committee approves an application for membership, the Secretary must, as soon as practicable—
- (a) notify the applicant in writing of the approval for membership; and
  - (b) request payment within 28 days after receipt of the notification of the sum payable under these Rules as the entrance fee and the first year's annual subscription.
- (7) The Secretary must, within 28 days after receipt of the amounts referred to in subrule (6), 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 their name is entered in the register of members.
- (9) If the committee rejects an application, the committee must, as soon as practicable, notify the applicant in writing that the application has been rejected.
- (10) A right, privilege, or obligation of a person by reason of membership of the Alliance—
- (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 4 and is payable in advance on or before 1 July in each year.

(12) Friends of the Climate and Health Alliance

Individuals who support the Statement of Purpose of the Climate and Health Alliance who wish to join the Climate and Health Alliance can do so by joining the “*Friends of CAHA*”.

An application for membership of the *Friends of CAHA* the Alliance must—

- (a) be made in writing in the form set out in Appendix 1; and
- (b) be lodged with the Secretary of the Alliance.

(13) As soon as practicable after the receipt of an application, the Secretary must refer the application to the committee.

(14) The committee must determine whether to approve or reject the application.

(15) If the committee approves an application for membership, the Secretary must, as soon as practicable—

- (a) notify the applicant in writing of the approval for membership; and
- (b) request payment within 28 days after receipt of the notification of the sum payable under these Rules as the entrance fee and the first year's annual subscription.

(16) The annual subscription is the relevant amount set out in Appendix 4 and is payable in advance on or before 1 July in each year.

(17) By signing the Statement of Purpose, and paying an annual fee, organisations will:

- (a) be listed as members of the Alliance
- (b) undertake to encourage others to promote action on climate change as a health issue
- (c) undertake to reduce their organisational environmental impact
- (d) contribute to development and future directions of the Alliance and the issues on which it *engages and informs, advocates, shares and collaborates*.
- (e) be contacted with news of important events or publications

## **8 Register of members**

(1) The Secretary must keep and maintain a register of members containing—

- (a) the name and address of each member; and
  - (b) the date on which each member's name was entered in the register.
- (2) The register is available for inspection free of charge by any member upon request.
- (3) A member may make a copy of entries in the register.

## **9 Ceasing membership**

- (1) A member of the Alliance who has paid all moneys due and payable by a member to the Alliance may resign from the Alliance by giving one month's notice in writing to the Secretary of their intention to resign.
- (2) After the expiry of the period referred to in subrule (1)—
- (a) the member ceases to be a member; and
  - (b) the Secretary must record in the register of members the date on which the member ceased to be a member.

## **10 Discipline, suspension and expulsion of members**

- (1) Subject to these Rules, if the committee is of the opinion that a member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a member or prejudicial to the interests of the Alliance, the committee may by resolution—
- (a) suspend that member from membership of the Alliance for a specified period; or
  - (b) expel that member from the Alliance; or
  - (c) fine that member an amount not exceeding \$500
- (2) A resolution of the committee under subrule (1) does not take effect unless—
- (a) at a meeting held in accordance with subrule (3), the committee confirms the resolution; and
  - (b) if the member exercises a right of appeal to the Alliance under this rule, the Alliance confirms the resolution in accordance with this rule.
- (3) A meeting of the committee to confirm or revoke a resolution passed under subrule (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 subrule (4).

- (4) For the purposes of giving notice in accordance with subrule (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 their 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 they 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; and
  - (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 Alliance in general meeting against the resolution.
- (5) At a meeting of the committee to confirm or revoke a resolution passed under subrule (1), the committee must—
  - (a) give the member, or their 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 they wish to appeal to the Alliance in general meeting against the resolution.
- (7) If the Secretary receives a notice under subrule (6), they must notify the committee and the committee must convene a general

meeting of the Alliance to be held within 21 days after the date on which the Secretary received the notice.

- (8) At a general meeting of the Alliance convened under subrule (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 their 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.

## **11 Disputes and mediation**

- (1) The grievance procedure set out in this rule applies to disputes under these Rules between—
  - (a) a member and another member; or
  - (b) a member and the Alliance.
- (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 Alliance; or
    - (ii) in the case of a dispute between a member and the Alliance, a person who is a mediator appointed or

employed by the Dispute Settlement Centre of Victoria  
(Department of Justice).

- (5) A member of the Alliance can be a mediator.
- (6) The mediator cannot be a member who is a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must—
  - (a) give the parties to the mediation process every opportunity to be heard; and
  - (b) allow due consideration by all parties of any written statement submitted by any party; and
  - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

## **12 Annual general meetings**

- (1) The committee may determine the date, time and place of the annual general meeting of the Alliance.
- (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 Alliance during the last preceding financial year; and
  - (c) to elect officers of the Alliance and the ordinary members of the committee; and
  - (d) to receive and consider the statement submitted by the Alliance 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.

### **13 Special general meetings**

- (1) In addition to the annual general meeting, any other general meetings may be held in the same year.
- (2) All general meetings other than the annual general meeting are special general meetings.
- (3) The committee may, whenever it thinks fit, convene a special general meeting of the Alliance.
- (4) If, but for this subrule, 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 Alliance.
- (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 in the same manner so far as possible as a meeting convened by the committee and all reasonable expenses incurred in convening the special general meeting must be refunded by the Alliance to the persons incurring the expenses.

### **14 Special business**

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

## **15 Notice of general meetings**

- (1) The Secretary of the Alliance, 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 Alliance, must cause to be sent to each member of the Alliance, 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) if the member requests, by facsimile transmission or electronic 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.

## **16 Quorum at general meetings**

- (1) No item of business may be conducted at a general meeting unless a quorum of members entitled under these Rules to vote is present at the time when the meeting is considering that item.
- (2) 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 Chairperson at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the

meeting, the members personally present (being not less than 3) shall be a quorum.

### **17 Presiding at general meetings**

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

### **18 Adjournment of meetings**

- (1) The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.
- (2) No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- (3) If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with rule 12.
- (4) Except as provided in subrule (3), it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

### **19 Voting at general meetings**

- (1) Upon any question arising at a general meeting of the Alliance, 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, vote is lost.
- (4) A member is not entitled to vote at a general meeting unless all moneys due and payable by the member to the Alliance have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

### **20 Poll at general meetings**

- (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 Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.

- (2) A poll that is demanded on the election of a Chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

## **21 Manner of determining whether resolution carried**

If a question arising at a general meeting of the Alliance is determined on a show of hands—

- (a) a declaration by the Chairperson that a resolution has been—
    - (i) carried; or
    - (ii) carried unanimously; or
    - (iii) carried by a particular majority; or
    - (iv) lost; and
  - (b) an entry to that effect in the minute book of the Alliance—
- is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

## **22 Proxies**

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

## **23 Committee of management**

- (1) The affairs of the Alliance shall be managed by the committee of management.
- (2) The committee—

- (a) shall control and manage the business and affairs of the Alliance;
  - (b) will be responsible for the development of public statements on behalf of the membership
  - (c) will appoint the auditors and public officer of the Alliance
  - (d) will nominate a spokesperson or spokespersons to speak on behalf of the Alliance
  - (e) will provide an annual report to the membership
  - (f) may, subject to these Rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Alliance other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the Alliance; and
  - (g) 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 Alliance.
- (3) Subject to section 23 of the Act, the committee shall consist of—
- (a) the officers of the Alliance; and
  - (b) four ordinary members— each of whom shall be elected at the annual general meeting of the Alliance in each year.
  - (c) up to four other persons whose skills and qualifications will assist the committee in its functions.
- (4) Any vacancies in the committee shall be filled according to the results of a postal vote.
- (5) The committee shall provide an annual report to the membership.

## **24 Office holders**

- (1) The officers of the Alliance shall be—
- (a) a President;
  - (b) a Vice-President;
  - (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 of the offices referred to in subrule (1).

- (3) Each officer of the Alliance 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 subrule (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.

## **25 Ordinary members of the committee**

- (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 Alliance 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.

## **26 Election of officers and ordinary committee members**

- (1) Nominations of candidates for election as officers of the Alliance or as ordinary members of the committee must be—
  - (a) made in writing, signed by two members of the Alliance 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 Alliance not less than 7 days 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.

## **27 Vacancies**

The office of an officer of the Alliance, or of an ordinary member of the committee, becomes vacant if the officer or member—

- (a) ceases to be a member of the Alliance; or
- (b) becomes an insolvent under administration within the meaning of the Corporations Act; or
- (c) resigns from office by notice in writing given to the Secretary.

## **28 Meetings of the committee**

- (1) The committee must meet at least 3 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 President or by any 4 members of the committee.

## **29 Notice of committee meetings**

- (1) Written 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 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.

## **30 Quorum for committee meetings**

- (1) Any 4 members of the committee constitute a quorum for the conduct of the business of a meeting of the committee.
- (2) No business may be conducted unless a quorum is present.
- (3) If within half an hour of the time appointed for the meeting a quorum is not present—
  - (i) 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.

### **31 Presiding at committee meetings**

At meetings of the committee—

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

### **32 Voting at committee meetings**

- (1) Questions arising at a meeting of the committee, or at a meeting of any subcommittee 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 committee member present at a meeting of the committee, or at a meeting of any subcommittee 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 vote is lost.

### **33 Removal of committee member**

- (1) The Alliance 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 subrule (1) may make representations in writing to the Secretary or President of the Alliance (not exceeding a reasonable length) and may request that the representations be provided to the members of the Alliance.
- (3) The Secretary or the President may give a copy of the representations to each member of the Alliance or, if they are not

so given, the member may require that they be read out at the meeting.

### **34 Minutes of meetings**

The Secretary of the Alliance 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.

### **35 Electronic signatures**

Where communication is received by a known email from a member that requires the signature of that member with regard to administrative matters for the Alliance the email may be deemed by the Convenor or the Secretary of Alliance to qualify as a signature.

### **36 Funds**

- (1) The Treasurer of the Alliance or delegate must—
  - (a) collect and receive all moneys due to the Alliance and make all payments authorised by the Alliance; and
  - (b) keep correct accounts and books showing the financial affairs of the Alliance with full details of all receipts and expenditure connected with the activities of the Alliance.
- (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 Alliance shall be derived from entrance fees, annual subscriptions, donations and such other sources as the committee determines.
- (4) The Alliance shall establish a **Healthy Futures Fund** for the purposes of supporting the environmental purposes of the Alliance.
  - (a) The objective of the Fund is to support the organisation's purposes, namely: to promote the protection of the natural environment to enhance sustainability and health and wellbeing for all species, including humans.
  - (b) Members of the public are to be invited to make gifts of money or property to the fund for the environmental purposes of the organisation.

- (c) Money from interest on donations, income derived from donated property, and money from the realisation of such property is to be deposited into the fund.
  - (d) A separate bank account is to be opened to deposit money donated to the fund, including interest accruing thereon, and gifts to it are to be kept separate from other funds of the organisation.
  - (e) Receipts are to be issued in the name of the fund and proper accounting records and procedures are to be kept and used for the fund.
  - (f) The fund will be operated on a not-for-profit basis.
  - (g) A committee of management of no fewer than three persons will administer the fund. The committee will be appointed by the organisation. A majority of the members of the committee are required to be 'responsible persons' as defined by the Guidelines to the Register of Environmental Organisations.
- (5) The organisation must inform the Department responsible for the environment as soon as possible if:
- it changes its name or the name of its public fund; or
  - there is any change to the membership of the management committee of the public fund; or
  - there has been any departure from the model rules for public funds located in the Guidelines to the Register of Environmental Organisations.
- (6) The organisation agrees to comply with any rules that the Treasurer and the Minister with responsibility for the environment may make to ensure that gifts made to the fund are only used for its principal purpose.
- (7) Statistical information requested by the Department on donations to the Public Fund will be provided within four months of the end of the financial year. An audited financial statement for the organisation and its public fund will be supplied with the annual statistical return. The statement will provide information on the expenditure of public fund monies and the management of public fund assets.

### **37 Seal**

- (1) The common seal of the Alliance must be kept in the custody of the Secretary or delegate.
- (2) The common seal must not be affixed to any instrument except by the authority of the committee and the affixing of the common seal must be attested by the signatures either of two members of the committee or, of one member of the committee and of the public officer of the Alliance.

### **38 Notice to members**

Except for the requirement in rule 12, any notice that is required to be given to a member, by or on behalf of the Alliance, 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 them in this manner; or
- (d) electronic transmission, if the member has requested that the notice be given to them in this manner.

### **39 Conduit Policy**

Any allocation of funds or property to other persons or organisations will be made in accordance with the established purposes of the organisation and not be influenced by the preference of the donor.

### **40 Winding up**

In case of the winding-up of the Fund, any surplus assets are to be transferred to another fund with similar objectives that is on the Register of Environmental Organisations.

### **41 Distribution of assets on revocation of endorsement or winding up**

- (a) If the Association is a Deductible Gift Recipient and is wound up, or in the event that the Association is endorsed as a Deductible Gift Recipient and the endorsement is revoked by the Commissioner of Taxation, the following assets remaining after satisfying the Association's liabilities and expenses must be transferred to one or more funds, authorities or institutions that is on the Register of Environmental Organisations and to which income tax deductible gifts may be made :
  - (i) Gifts of money or property for the Principal Purpose received during any time that the Association is endorsed as a Deductible Gift Recipient;
  - (ii) Contributions described in item 7 or 8 of the table in section 30-15 of the ITAA 97 in relation to a fund-raising event (as defined by section 995-1 of the ITAA 97) held for that purpose during any time that the

- Association is endorsed as a Deductible Gift Recipient; and
- (iii) Money received by the Association because of such gifts or contributions during any time that the Association is endorsed as a Deductible Gift Recipient.
- (b) Any assets remaining after complying with clause (a) above:
- (i) must not be paid or distributed to the Members, and
  - (ii) will be given or transferred to such other fund, authority, institution or Association which
    - (A) has similar objects to those of the Association as described in this Constitution, and
    - (B) prohibits the distribution of income, profit or assets to its Members, and
    - (C) is on the Register of Environmental Organisations.
- (c) The identity of the fund authority institution or Association will be decided by the Members by ordinary resolution on or before the time of such winding up or dissolution. If the Members fail to decide, the fund, authority, institution or Association shall be determined by application to the Supreme Court in the State of incorporation.

## **42 Non-profit status**

- (1) The assets and income of the organisation shall be applied solely to further its objectives and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.
- (2) The income and property of the organisation shall be used and applied solely in promotion of its objects and no portion shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or by way of profit to members, directors, or trustees of the organisation.

### **43 Custody and inspection of books and records**

- (1) Except as otherwise provided in these Rules, the Secretary must keep in his or her custody or under his or her control all books, documents and securities of the Alliance.
- (2) All accounts, books, securities and any other relevant documents of the Alliance 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 Alliance.

### **44 Privacy**

Membership details are to be used for the purposes of the Alliance only. Dealings of the Alliance shall at all times be consistent with the requirements and obligations of any Commonwealth, State or Territory Privacy Laws as shall be current.

### **45 Alliance positions**

The Alliance will endeavour to ensure that all positions held have the full support of all the members of the Alliance. The Alliance recognises that there will be circumstances in which not all members entirely agree with a position supported by the rest of Alliance members. In these circumstances, the Alliance should make clear that the position is based on the views of the Alliance but may not reflect the full or particular views of all of its members.

**APPENDIX ONE**  
**CLIMATE AND HEALTH ALLIANCE MEMBERSHIP FORM**

NAME OF ORGANISATION: \_\_\_\_\_

CONTACT PERSON: MS/MR/MS/MISS/DR/OTHER: \_\_\_\_\_

FIRST NAME: \_\_\_\_\_ LAST NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ POSTCODE: \_\_\_\_\_

PHONE: \_\_\_\_\_ MOBILE: \_\_\_\_\_

EMAIL: \_\_\_\_\_

REASON FOR JOINING THE CLIMATE AND HEALTH ALLIANCE:

\_\_\_\_\_

DECLARATION REQUIRED FOR MEMBERSHIP:

Name: \_\_\_\_\_ declares my/our support for the CAHA

Statement of Purpose (Aim and Objectives) and agree that:

By signing the Statement of Purpose, and paying an annual fee, I/our organisation will:

- (a) be listed as a member of the Alliance (or, in the case of individuals, as a member of *Friends of CAHA*);
- (b) undertake to encourage others to promote action on climate change and environmental protection as a human health issue;
- (c) undertake to reduce my/our organisational environmental impact;
- (d) contribute to development and future directions of the Alliance and the issues on which it engages and informs, advocates, shares and collaborates;
- (e) be contacted with news of important events or publications.

**APPENDIX 2**

**FORM OF APPOINTMENT OF PROXY FOR MEETING OF ASSOCIATION CONVENED UNDER  
RULE 7(7)**

I,

*(name)*

of

*(address)*

being a member of

*(name of Incorporated Association)*

appoint

*(name of proxy holder)*

of

*(address of proxy holder)*

being a member of that Incorporated Association, as my proxy to vote on my behalf at the  
meeting to be held on—

*(date of meeting)*

and at any adjournment of that meeting.

I authorise my proxy to vote on my behalf at their discretion in respect of the following  
resolution: *[insert details of resolution passed under rule 7(1)]*

Signed

Date

  
  

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**APPENDIX 3**

**FORM OF APPOINTMENT OF PROXY**

I,

*(name)*

of

*(address)*

being a member of

*(name of Incorporated Association)*

appoint

*(name of proxy holder)*

of

*(address of proxy holder)*

being a member of that Incorporated Association, as my proxy to vote on my behalf at the  
\*annual/\*special general meeting of the Association to be held on—

*(date of meeting)*

and at any adjournment of that meeting.

My proxy is authorised to vote \*in favour of/\*against the following resolution: [*insert details of resolution*]

Signed

Date

\*Delete if not applicable

\_\_\_\_\_

**APPENDIX 4**  
**SCHEDULE OF FEES**

Membership fees are paid annually and are due at the end of each financial year.

Information regarding the current fee schedule is available from the CAHA Convenor [convenor@caha.org.au](mailto:convenor@caha.org.au)

Fees will be set by the CAHA Committee of Management and reviewed from time to time.

Revision of fees will occur through consultation with, and the approval of, CAHA members.