



ROYAL ASSOCIATION OF JUSTICES SA INC

BY-LAWS

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ROYAL ASSOCIATION OF JUSTICES SA INC.

BY-LAWS

BY-LAW DEFINITIONS

- 1.1. Words defined in the Rules shall have the same meaning when used in these By-Laws unless the contrary intention appears.
- 1.2. All words in these By-Laws implying masculine include feminine.

BY-LAW 1 - MEMBERSHIP BY-LAW

1.1. Membership

- 1.1.1. Any person who has been appointed as a Justice of the Peace for South Australia may apply to be a member of the Association.
- 1.1.2. Application for membership shall be on the appropriate form contained in the Schedules of these By-Laws and shall be accompanied by the appropriate fees.
- 1.1.3. The Council shall consider all applications for membership and the applicant will be notified in writing of his acceptance of membership or otherwise.
- 1.1.4. The Council reserves that right under its Rules and these By-Laws to accept or reject any application.
- 1.1.5. Membership will apply from the date membership is granted until 30 days after the last day of the current financial year of the Association.
- 1.1.6. Members are required to apply to renew their membership each year.
- 1.1.7. Where a Member's membership lapses, the Member can apply in writing to be reinstated and such application may be dealt with at the next meeting of the Council.
- 1.1.8. The Council will prescribe the fees and charges for all membership applications each year, in time to enable all Members to be notified of the fees and charges to be financial in time for the Annual General Meeting.
- 1.1.9. Honorary Memberships may be granted to such persons as the Council may decide from time to time in accordance with its Rules and Part 3 below.
- 1.1.10. Life Membership may be granted to such persons as the Council may decide from time to time in accordance with its Rules and Part 3 below
- 1.1.11. Retired Members are as defined in Clause 6.1.2 of the Rules of the Association.
- 1.1.12. Members may resign at any time in writing, but such resignation will only become effective when all legally binding debts and other commitments to the Association have been met to the satisfaction of the Council.
- 1.1.13. The Council shall advise the Member in writing when the resignation has been accepted.

1.2. Life Membership

- 1.2.1. In order to qualify for nomination for Life Membership, a Member:-
 - 1.2.1.1. Must have been a financial Member continuously for a minimum of ten (10) years.

- 1.2.1.2. must have, in the opinion of the Council, provided valuable service to the Association in one or more of the following areas:
- 1.2.1.3. holding of Office within the Association either as a Councillor, Committee Office holder and giving service in the governance of the Association,
 - 1.2.1.3.1. assisting Members achieve high levels of performance through training,
 - 1.2.1.3.2. providing exemplary community service through their work as a Justice,
 - 1.2.1.3.3. providing specialised services for the benefit of Members,
 - 1.2.1.3.4. providing other services to the Association that the Council deems worthy of vesting Life Membership to the recipient.
- 1.2.2. Proposals to grant Life Membership of the Association shall be:-
 - 1.2.2.1. Nominated and seconded by two Ordinary Members or Life Members (who currently hold a commission),
 - 1.2.2.2. in writing setting out the nominee's details, including the areas above that the Proposer deems to qualify the Member, a brief synopsis of the reasons why the Proposer considers the Life Membership should be conferred,
 - 1.2.2.3. on the form as prescribed in the Schedules of these By-Laws,
- 1.2.3. Applications for Life Membership shall be considered by the Council against the criteria contained in the Rules and these By-Laws and a recommendation shall be made to a General Meeting.
- 1.2.4. If the application is received after 30 June, on any year, the application will be put to the Annual General Meeting in the following year.
- 1.2.5. Life Members:-
 - 1.2.5.1. as long as they retain their commission, are eligible to nominate and be elected to the Council,
 - 1.2.5.2. Shall be invited guests to all functions conducted by the Council on behalf of the Association,
 - 1.2.5.3. issued with the Association Life Member badge and certificate.
- 1.2.6. No more than two applications for Life Membership will be entertained by the Association in any one year.

1.3. Honorary Membership

- 1.3.1. The Council may recommend, from time to time, to the Association the conferring of an Honorary Membership to an individual who has been a friend, benefactor, or supporter of the Association.
- 1.3.2. The recipient of the Honorary Membership may not be a Member of the Association.
- 1.3.3. An Honorary Member:-
 - 1.3.3.1. is entitled to attend all General Meetings of the Association but may not address the meeting unless invited to by the Chairman of the meeting,
 - 1.3.3.2. has no voting right at any meeting of the Association.
 - 1.3.3.3. shall be an invited guest of the Association and be admitted free to all meetings and functions conducted by the Council.
 - 1.3.3.4. shall be issued with the Honorary Membership certificate.

BY-LAW 2 - STANDING COMMITTEES

2.1. Standing Committees

- 2.1.1. The role of committees is to research, develop and prepare material and documents for the consideration and approval of the Council and provide approved services to the Members of the Association.
- 2.1.2. No committee is authorised to act outside of the delegations granted to it by the Council.
- 2.1.3. No material shall be distributed by any committee on or on behalf of the Association unless that material has been previously approved by the Council and endorsed for distribution.
- 2.1.4. May consist of a minimum of four (4) Members including the Convenor all of whom are to be appointed by the Council.
- 2.1.5. The Council shall appoint the Convenor to Standing Committees.
- 2.1.6. The Committee shall elect the Secretary.
- 2.1.7. The Convenor shall hold office for the duration of the term of the Council that appointed him unless replaced at the direction of the Council.
- 2.1.8. A quorum shall comprise half the appointees plus one.
- 2.1.9. Shall meet as often as required by the Council.
- 2.1.10. Standing Committees may appoint sub-committees to undertake research on behalf of the Standing Committee to assist it in undertaking its tasks.
- 2.1.11. A sub-committee:
 - 2.1.11.1. Shall have a chairman appointed by the Standing Committee who is a member of the Standing Committee and who is responsible for reporting to the Committee.
 - 2.1.11.2. May consist of Members as well as non members of the Association where in the opinion of the Standing Committee such persons have the necessary skills to assist the Association.
 - 2.1.11.3. Shall cease to exist once its task or tasks have been completed.
- 2.1.12. All Standing Committees shall be required to submit their annual budget requirements (if any) for consideration by the Council each year.
 - 2.1.12.1. Budget submissions should be submitted to the Council no later than 31 January of each year.

2.2. Policy and Strategy Committee

- 2.2.1. The Policy and Strategy Standing Committee may make recommendations to the Council on the following:-
 - 2.2.1.1. The Constitution, By-Laws and Policies of the Association and any amendments required to retain their relevance.

- 2.2.1.2. Strategic directions affecting the Association.
- 2.2.1.3. Potential risks to the Association from whatever source.
- 2.2.1.4. Risk mitigation and duty of care strategies.
- 2.2.1.5. Programmes developed by the Association or Committees.

2.3. The Finance Committee

- 2.3.1. The Finance Standing Committee will make recommendations to the Council on the following:
 - 2.3.1.1. Financial matters including accounting policies and practices, investment options and statutory reporting requirements.
 - 2.3.1.2. Preparation of Budgets and their impacts on Association funds.
 - 2.3.1.3. Financial aspects of proposals and other initiatives.
 - 2.3.1.4. Submit at least twice a year a budget review including implications as to funds and assets.
 - 2.3.1.5. The sustainability and funding implications of programmes submitted to the Council for its consideration and adoption by other Committees of the Council.
 - 2.3.1.6. The level of subscriptions to be imposed annually.
 - 2.3.1.7. Recommend the appointment of suitably qualified auditors, none of whom shall be a Member of Council.
 - 2.3.1.8. Shall prepare and submit written monthly financial statement including the profit and loss position, comparison with approved budget expenditure projections
 - 2.3.1.9. The Association's accruing assets and liabilities.

2.4. The Training Committee

- 2.4.1. The Training Committee shall make recommendations to the Council on the following:
 - 2.4.1.1. The training needs of the Association Members to be able to perform their duties to the highest possible standard.
 - 2.4.1.2. Alternative ways of providing training to the greatest number of Members.
 - 2.4.1.3. Ways and methods available to enable online access to all training material.
 - 2.4.1.4. Sources of funding to expand training provision.

2.5. Publications Committee

- 2.5.1. The Publications Committee shall make recommendations to the Council regarding:
 - 2.5.1.1. The printing and publishing of any information material to the Members.
 - 2.5.1.2. The distribution of 'The Honorary Magistrate' at least four (4) times per calendar year.

- 2.5.1.3. The supervision and distribution of the publication when completed.
- 2.5.2. Where an Editor is appointed:
 - 2.5.2.1. The appointment shall be fixed by the Council.
 - 2.5.2.2. The term of the Editor shall be terminated at the discretion of the Council.
- 2.5.3. The duties and responsibilities of the Editor:
 - 2.5.3.1. Shall include the gathering, arrangement, organisation and collation of all material for publication.
 - 2.5.3.2. May request any Member to prepare a specific article for the publication.
 - 2.5.3.3. In the event that an article is republished from other sources, obtain the appropriate permissions and to acknowledge those sources.
 - 2.5.3.4. Is to design the layout of the publication in consultation and under the direction of the Publications Committee.
 - 2.5.3.5. Is to check the material so the interests of the Association are protected.
 - 2.5.3.6. Is to refer any matters which are doubtful to the Publications Committee for its review.
 - 2.5.3.7. Is to liaise with the printer at all stages of production to ensure quality of the publication is maintained.
- 2.5.4. The Printer shall comply with the directions of the Editor including with any contractual or other agreement.

2.6. The Social Committee

- 2.6.1. The Policy and Strategy Committee shall make recommendations to the Council on the following:
 - 2.6.1.1. Social events and activities to maximise interaction between Members of the Association.
 - 2.6.1.2. Organise Conferences for and on behalf of Members.
 - 2.6.1.3. Ways and means that Members can be involved in the activities of the Association.

BY-LAW 3 – REGIONAL AND SPECIAL INTEREST GROUPS

3.1. General

- 3.1.1. The council may, on the request of a group of Members who wish to form such a group, appoint Regional Groups or Special Interest Groups.
- 3.1.2. Such Groups shall:-
 - 3.1.2.1. Comprise of a minimum of ten (10) Members who are also Members of this Association,
 - 3.1.2.2. Function as committees of the Council.
 - 3.1.2.3. Work collectively towards promoting the work of the Association and improving the education of Justices within their locality or area of interest.
 - 3.1.2.4. Meet regularly or at least 3 times per year. At least one of the meetings shall be an Annual General Meeting aligned to ensure that the Group can meet its obligations in respect to the Association's Annual General Meeting.
- 3.1.3. The Groups and their members are responsible to the Council and are subject to the directions of the Council.
- 3.1.4. The Council shall at all times retain the right to review or revoke any actions of its Groups.
- 3.1.5. The Council shall at all times have the right to withdraw, cancel or vary its recognition of any Group.
- 3.1.6. Groups are required to make recommendations to Council on matters affecting its structure, strategies or constitutional issues but not on day to day administrative matters.
- 3.1.7. Each Group may at its discretion charge membership fee and hold moneys, for its own use, in trust for the Association in an Authorised Deposit-taking Institution account.
- 3.1.8. Where a person is a member of an existing Group and seeks membership to another Group, whether they wish to remain a member of the original or not, the member must provide evidence to the new Group that all outstanding obligations to the current Group have been met.
- 3.1.9. Groups may co-opt non Members to assist them in an advisory capacity.
- 3.1.10. A Group, once formed, shall appoint a management sub-committee comprising the Chairman, Secretary and where moneys are held the treasurer and any other Members as required to form the sub-committee.
- 3.1.11. A quorum of the sub-committee shall comprise half the members of the sub-committee plus one.
- 3.1.12. Groups may, with the permission of the Members, have observers at their meetings. Observers will speak only on the invitation of Chairman

- 3.1.13. No Person shall hold Office within a Group unless they are a Ordinary Member or Life Member of the Association and a financial member of the Group.
- 3.1.14. Groups may, with the prior written approval of the Council, utilise the services of the Registrar and the Honorary Solicitor.
- 3.1.15. All Groups must accept the Rules, By-Laws and Policies of the Association without reserve. Where there is conflict between the Rules, By-Laws or Policies of a Group and the Association, the Association's Rules, By-Laws or Policies shall prevail.
- 3.1.16. The President and the Vice President of the Association shall be ex-officio members of all Groups.
- 3.1.17. Groups may appoint sub-committees to undertake research on behalf of the Group to assist it in undertaking its tasks.
- 3.1.18. Sub-committees appointed by a Group:-
 - 3.1.18.1. Shall have a chairman appointed by the Group who is a member of the Group and who is responsible for reporting to the Group on the findings.
 - 3.1.18.2. May consist of Members as well as non members of the Association where in the opinion of the Group such persons have the necessary skills to assist the Group.
 - 3.1.18.3. Shall cease to exist once its task or tasks have been completed.

3.2. Group Responsibilities

- 3.2.1. Each Group shall:-
 - 3.2.1.1. At the first meeting following its Annual General Meeting, each Group shall appoint a Chairman and Deputy Chairman. If the Group collects subscriptions, it shall also appoint a Treasurer.
 - 3.2.1.2. All meetings of Groups shall follow the procedures outlined in By-Law 4.
 - 3.2.1.3. Provide the Association with copies of its audited accounts, annual report and other associated documents, where applicable, by 31st August following each Group's Annual General Meeting;
 - 3.2.1.4. Adopt the Objectives and such By-Laws which reflect and which are, to the extent permitted or required by the State Acts, generally in conformity with the Association's Rules;
 - 3.2.1.5. Apply its property and capacity solely in pursuit of the Objectives of the Association;
 - 3.2.1.6. In the event that a Group winds up for whatever reason, its assets and property shall revert to the Association;

- 3.2.1.7. At all times act for the joint advantage of the Association and its Members;
 - 3.2.1.8. Do all that is reasonably necessary to enable the Objectives of the Association to be achieved;
 - 3.2.1.9. Act in good faith and loyalty to maintain and enhance the Association, its standards, quality and reputation for the collective and mutual benefit of the Members and the Association;
 - 3.2.1.10. At all times operate with and promote mutual trust and confidence between the Association and its Members in pursuit of the Objectives; and
 - 3.2.1.11. At all times act on behalf of and in the interests of the Members.
- 3.2.2. Each Group shall at the beginning of each year appoint its delegate to attend the Quarterly Meetings.
- 3.2.3. The Group shall also appoint a deputy delegate who will attend in the absence of the delegate.
- 3.2.4. If neither delegate can attend they shall advise their Group who shall appoint another delegate to attend in their absence.

3.3. Meeting of Group Representatives

- 3.3.1. The Association shall host a meeting of Group Representatives at least three (3) times per year.
- 3.3.2. The purpose of these meetings shall be to enable representatives of the Groups to discuss matters of concern to the Groups.
- 3.3.3. Notice of the meetings seeking topics for discussion shall be forwarded to Group Secretaries at least six (6) weeks prior to the meeting.
- 3.3.4. Responses from the Groups on topics to be discussed shall be returned to the Registrar of the Association three (3) weeks prior to the meeting.
- 3.3.5. If no topics are submitted within the prescribed time, or if the topics submitted are not of an urgent nature, the Executive may cancel the meeting but will ensure that the matters are considered at a future meeting or referred to the Council for consideration and action as required.
- 3.3.6. The Council shall appoint a Councillor to be its representative to the Group Meeting and to report the outcomes of the meeting to the Council.
- 3.3.7. The Delegates at the meeting shall appoint one of the Delegates to chair the meeting.
- 3.3.8. All resolutions arising from the meeting requiring Council attention shall be reported to the Council in the form of specific recommendations contained in the Minutes of the meeting or by written communication with the Council.

3.4. Association Conferences

- 3.4.1. The Association shall hold an Annual Conference.
- 3.4.2. The Association shall designate a number of regions in the State.
- 3.4.3. The annual Conference shall be held in each of the regions in rotation.
- 3.4.4. Groups within each region shall be consulted in regard to venue, timing and possible specific areas of interest as the theme for the Conference.
- 3.4.5. In order to ensure the smooth organisation of the Conference the Council shall establish a working committee to liaise and manage the Conference.
- 3.4.6. The Conference committee shall comprise members of the Council and the respective regional groups and shall present a budget to the Council for its consideration and approval.
- 3.4.7. The Council will promote and advertise the conference.

BY-LAW 4 - MEETING PROCEDURES

4.1. General Meetings.

- 4.1.1. The Chairman of the meeting shall have the authority to determine every question of order at all Association meetings.
- 4.1.2. In dealing with the business of the meeting the Chairman will proceed strictly in accordance with the agenda, unless the meeting resolves to amend or change the order of business by a simple majority.
- 4.1.3. All procedural motions take precedence and must be dealt with before proceeding with any other business or motion on the table.
- 4.1.4. In the absence of any directions within this By-Law, reference on outstanding issues shall be referred to **“How to Chair and Run Meetings”** by Nina Valentine, Penguin books 2007 as revised from time to time.

4.2. Procedural Matters

- 4.2.1. Suspension of Standing orders
 - 4.2.1.1. Standing orders may be suspended from time to time to enable a freer debate to take place in respect to a particular topic, particularly if a topic requires:-
 - 4.2.1.1.1. A speaker to speak more than once or an issued to be debated in a more detailed manner than Standing Orders allow.
 - 4.2.1.1.2. An item of importance which is not on the Agenda papers but is not able to be deferred until other business has been considered.
 - 4.2.1.1.3. An extension to the closing time of the meeting to properly consider matters which cannot be deferred or adjourned to a future meeting.
 - 4.2.1.1.4. That the meeting hear a visiting speaker or issue to be heard out of the order of business on the Agenda
 - 4.2.1.2. Standing Orders may be suspended by a motion put, seconded and carried by a simple majority of the meeting.
- 4.2.2. Moving 'into Committee'
 - 4.2.2.1. A meeting may, for the purpose of discussing matters more informally, resolve to go 'into Committee'.
 - 4.2.2.2. If the meeting wishes to go into Committee it must resolve to suspend Standing Orders and to go into Committee.
 - 4.2.2.3. If the resolution is carried that part of the meeting will no longer operate as a formal meeting until it is resolved to return to Standing Orders. Whilst 'In Committee' Council Members may with the authority of the Chairman speak on a topic on more than one occasion.

- 4.2.2.4. Any recommendations which arise from the 'In Committee' meeting must then be ratified once the meeting has resolved to return to the normal meeting procedures.
- 4.2.3. Moving 'In Camera'
 - 4.2.3.1. Meetings of the Council, Groups and Committees are generally held as open meetings.
 - 4.2.3.2. From time to time, it is appropriate for a matter to be considered in closed session. These matters may include:-
 - 4.2.3.2.1. Receiving legal advice.
 - 4.2.3.2.2. Receiving sensitive commercial advice on issues directly involving the Association.
 - 4.2.3.2.3. Receiving complaints regarding the conduct of a Member, Group or Committee which could if proved lead to suspension or removal of that Member, Group or Committee from the Association.
 - 4.2.3.2.4. Receiving information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
 - 4.2.3.2.5. Matters affecting the security of the Association, Members or employees of the Association, or Association property, or the safety of any person.
 - 4.2.3.2.6. Information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial.
 - 4.2.3.2.7. Information the disclosure of which;
 - 4.2.3.2.7.1. would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Association, or a person engaged by the Association); and,
 - 4.2.3.2.7.2. Would, on balance, be contrary to the public interest.
 - 4.2.3.3. In moving a motion to go into Camera, the mover must state the reason as outlined above for moving into Camera and shall state who shall be present at the meeting.

- 4.2.3.4. Once the motion to go 'Into Camera" has been carried, the Chairman shall ensure that all persons not authorised to be in the meeting are removed and the doors properly closed.
 - 4.2.3.5. Once the matter which is the subject of "In Camera' consideration has been concluded there shall be a motion:-
 - 4.2.3.5.1. That the meeting shall return to its normal procedure.
 - 4.2.3.5.2. Detailing the matters that are to remain confidential and the time that the matters are to remain confidential.
 - 4.2.3.5.3. To invite the public back to the meeting.
 - 4.2.3.6. The resolutions regarding:-
 - 4.2.3.6.1. The meeting moving 'Into Camera',
 - 4.2.3.6.2. The length of time that the matters considered in camera will remain confidential, and,
 - 4.2.3.6.3. The resolution to go out of camera shall be recorded in the normal minutes of the meeting.
 - 4.2.3.7. The Registrar/Secretary where applicable shall retain any other motions regarding the matters considered 'In Camera' in a separate set of minutes marked 'Confidential' until they are able to be made public.
- 4.2.4. Point of Order.
- 4.2.4.1. A Point of Order can be raised by any member entitled to vote or be heard at a meeting to bring to the attention of the Chairman that an incorrect procedure is being proposed at a meeting.
 - 4.2.4.2. A Point of Order against a speaker may only be raised on the basis:-
 - 4.2.4.2.1. That the matter that the speaker is raising is irrelevant to the matter under debate.
 - 4.2.4.2.2. That the speaker is not speaking to the motion.
 - 4.2.4.2.3. The speaker is using abusive and/or inappropriate language.
 - 4.2.4.2.4. That the speaker is breaking the Rules of the Association such as (but not exclusively) proposing a course of action which is contrary to that already adopted by the Association or its Rules and By-Laws.
 - 4.2.4.2.5. That the speaker is in breach of Standing Orders or Rules of Debate.
 - 4.2.4.3. Immediately a Point of Order is raised the Chairman shall suspend the debate before the meeting.

- 4.2.4.4. The seeker of the Point of Order shall have the right to speak to his Point of Order. No other person is permitted to speak.
- 4.2.4.5. When either upholding the point or rejecting it, the Chairman gives the reason for his decision and gives instructions relative to the matter of the debate that was suspended.
- 4.2.5. Voting
 - 4.2.5.1. Voting at all meetings by eligible Members shall be by a show of hands unless otherwise required by the Rules.
 - 4.2.5.2. The Chairman will exercise his right of a 'deliberate vote' as required by the Rules of the Association.
 - 4.2.5.3. In the event that there is a tied vote the Chairman will exercise a Casting Vote.
 - 4.2.5.4. In exercising a Casting Vote, the Chairman should always attempt (although he cannot be compelled to do so) to retain the 'status quo'.
 - 4.2.5.5. Nothing in these By-Laws, unless prohibited by the Rules, can prohibit a member eligible to vote a matter before a meeting from moving that a vote on that particular matter be the subject of a secret vote.
 - 4.2.5.6. Before a secret vote can be taken, a motion;
 - 4.2.5.6.1. must be put to the meeting prior to the matter, the subject of a request for a secret vote, being voted on,
 - 4.2.5.6.2. must be seconded, and carried.
 - 4.2.5.7. If a motion for a secret vote is carried then the Chairman must appoint a returning officer to count the votes and ensure that each member, eligible to vote does so before declaring the motion before the chair either carried or rejected and indicating the numbers for and against the motion.
- 4.2.6. Proxy Vote
 - 4.2.6.1. Proxy votes will be permitted but only in accordance with Clause 11.2 of the Rules of the Association.
 - 4.2.6.2. If Proxy votes have been received on any matter before the meeting the Registrar will advise the meeting accordingly prior to any vote being taken and those votes will be added to those present at the meeting.
 - 4.2.6.3. Proxy votes will only count in respect to the motion notified to the Members. Any amendment to the motion, the subject of the Proxy vote, will nullify the Proxy vote unless the amendment is defeated and the original motion is voted on.

4.2.7. Postal Votes

- 4.2.7.1. All postal votes must be returned to the 'Returning Officer'
- 4.2.7.2. Postal voting information must be forwarded to eligible Members by the Association and must conform to the following:-
 - 4.2.7.2.1. Detailed information as to the matter being the subject of the postal vote and any instructions for the conduct of the vote.
 - 4.2.7.2.2. A self addressed envelope which will contain the postal address for returning the envelope to the Returning Officer. This envelope on the reverse side will clearly have the name, JP identification number and signature of the person exercising the vote.
 - 4.2.7.2.3. A second envelope clearly marked 'Voting Paper' and no other identification.
 - 4.2.7.2.4. The voting slip on which the person will mark legibly his preference on the question the subject of the vote.
- 4.2.7.3. In casting his vote the Member must:-
 - 4.2.7.3.1. Legibly indicate his preference on the voting slip.
 - 4.2.7.3.2. Place the voting slip into the envelope marked 'Voting Paper' and seal it.
 - 4.2.7.3.3. Place the sealed envelope marked 'Voting Paper' into the self addressed envelope and seal it.
 - 4.2.7.3.4. The Member must then write his name, JP identification number and signature on the reverse of the self addressed envelope and return it to the Returning Officer by the nominated time and day.

4.2.8. Motions

- 4.2.8.1. Motions adopted by a Council shall be binding on the Council for the duration of its term of office. No motion shall purport to bind a future Council.
- 4.2.8.2. A motion is a proposal put to the meeting by a Member for the consideration of the meeting.
- 4.2.8.3. All decisions of a meeting must be recorded as motions of the meeting.
- 4.2.8.4. All motions must be moved and seconded before being debated.
- 4.2.8.5. The exact wording of the motion must be recorded in the minutes of the meeting.

- 4.2.8.6. The wording of a motion must only have a 'single' clause and cannot have other clauses included by use of words like 'or', and 'and'.
 - 4.2.8.7. A motion carried at a meeting cannot be revisited during that meeting or in future meetings during the term of the Council or a General Meeting unless a motion to rescind has been adopted.
 - 4.2.8.8. With the exception of the mover of the motion all other speakers may only speak once to the motion (see right of reply).
 - 4.2.8.9. A seconder to a motion may indicate to the chair that he intends to second a motion 'for the purpose of debate' but reserves the right to speak to the motion at a later time.
 - 4.2.8.10. A seconder is not bound to vote for the motion.
 - 4.2.8.11. A chairman cannot move or second a motion.
- 4.2.9. Right of Reply
- 4.2.9.1. The mover of a motion has the right after all debate has been concluded to reply to the matters raised in the debate.
 - 4.2.9.2. In replying to the matters raised the mover of a motion must:-
 - 4.2.9.2.1. Only address or rebut the issues raised in the debate.
 - 4.2.9.2.2. Not introduce any new information or any extraneous matters.
 - 4.2.9.3. If the motion has been amended, the 'right of reply' is given at the close of the discussion of the amendment.
- 4.2.10. Amendments
- 4.2.10.1. An amendment can be moved during a debate on any motion before the chair if the person moving the amendment has not spoken previously to the motion.
 - 4.2.10.2. Amendments to a motion must:-
 - 4.2.10.2.1. Add to the motion and be relevant to it.
 - 4.2.10.2.2. Not distort the intent of the motion.
 - 4.2.10.2.3. Not be negative to the motion.
 - 4.2.10.3. An amendment must be moved and seconded before it can be debated.
 - 4.2.10.4. No more than two amendments on any motion can be accepted by the chairman.
 - 4.2.10.5. If an amendment is lost a second amendment may be put and will be considered as a new amendment and dealt with as above.

- 4.2.10.6. Each amendment is treated as a separate entity, so all present can speak to each amendment
 - 4.2.10.7. The mover of an amendment does not have 'right of reply'. The right of reply is reserved only for the mover of the original motion.
 - 4.2.10.8. Where amendment is lost, the original motion is put to the vote.
 - 4.2.10.9. If an amendment is carried, it then becomes the motion and is then put to the vote in the normal way. The original motion is no longer relevant but must be recorded in the minutes of the meeting.
 - 4.2.10.10. At any time during the debate on a motion or an amendment a Member may advise the chairman that if the motion and amendments are lost that the Member will foreshadow an alternative motion. If the motion and amendment is subsequently lost that Member will have the first right to put his foreshadowed motion.
- 4.2.11. Notice of Motion.
- 4.2.11.1. Notices of Motion must be given as required by the Rules.
 - 4.2.11.2. Any eligible Member may submit a Notice of Motion for any meeting provided:-
 - 4.2.11.2.1. It is in writing and is given to the registrar or secretary of the meeting in time to be placed on the agenda of a meeting.
 - 4.2.11.2.2. The notice clearly states the motion to be discussed at a future meeting.
 - 4.2.11.3. If a Notice of motion is received in time, it must be placed on the Agenda of the meeting.
 - 4.2.11.4. The motion on the Agenda paper must be seconded at the meeting it is presented before it can be debated.
- 4.2.12. Rescission of Motion
- 4.2.12.1. Any Member of Council may seek to rescind or vary a resolution passed by the Council during that Council's term of office.
 - 4.2.12.2. In order to rescind a motion it will be necessary:-
 - 4.2.12.2.1. to give fourteen days notice in writing detailing the motion to be rescinded, unless the Council decides otherwise, and
 - 4.2.12.2.2. for at least two thirds of the Council Members to be present at the meeting.
 - 4.2.12.3. A vote in favour of the motion to rescind shall be by simple majority of those present.

- 4.2.12.4. If the conditions outlined in 4.2.12.2.1 and 4.2.12.2.2 above are not complied with the rescission motion will be placed on the agenda for the next meeting of the Council.
 - 4.2.12.5. No further action on the motion proposed to be rescinded will be taken until the matter of the rescission is finalised.
 - 4.2.12.6. All Council Members shall, if they are present at the meeting, cast a vote to the motion before the Chairman.
 - 4.2.12.7. If a Council Member leaves the meeting at any time, the time of his absence shall be recorded as shall the time of his return.
 - 4.2.12.8. In the event that there are an equal number of votes for and against a motion the Chairman shall have a casting vote in addition to his normal vote. In exercising his casting vote the Chairman should, (although not compelled to) cast the vote in favour of retaining the status quo.
- 4.2.13. Recording of Vote
- 4.2.13.1. A Member, immediately after a motion has been declared and before the Chairman has moved to any other item on the agenda, may seek to have his vote on the matter just before the Chair, noted in the minutes

4.3. Procedural Motions

- 4.3.1. Motion of Dissent.
 - 4.3.1.1. Any person with voting rights may challenge the Chairman's ruling and move a motion of dissent; provided the motion is moved before the next order of business is commenced.
 - 4.3.1.2. Once a motion of dissent has been moved and seconded the Chairman shall immediately vacate the Chair and an acting Chairman shall be appointed for the purpose of dealing with the motion of dissent.
 - 4.3.1.3. Only the mover of the motion and the Chairman are permitted to speak to the motion.
 - 4.3.1.4. At the conclusion of their debate the acting Chairman shall put the motion and will declare the vote for or against the motion.
 - 4.3.1.5. If the motion of dissent is upheld, the Chairman resumes the chair and reverses the previous decision. If the motion of dissent is lost, the Chairman carries on with the business in hand.
- 4.3.2. Motion to Defer.
 - 4.3.2.1. A motion to defer consideration of a matter on the agenda must be put before any motion on the matter is moved.
 - 4.3.2.2. A motion to defer may be to a later time in the meeting, or to a different meeting.

- 4.3.2.3. A motion to defer must be seconded before it can be debated.
- 4.3.2.4. Debate on a motion to defer must only relate to the reasons for the deferment if any are given. No debate on the matter is allowed.
- 4.3.3. Motion to Adjourn.
 - 4.3.3.1. A motion to adjourn can only be moved once there is a motion on a matter on the table.
 - 4.3.3.2. The mover of a motion to adjourn must give reasons for the adjournment and must indicate the date and time at which the matter is to be reconsidered.
 - 4.3.3.3. A motion to adjourn must be seconded before it can be considered.
 - 4.3.3.4. The proposer of the original motion has the right to reply to a motion to adjourn.
- 4.3.4. Motion “that a motion be put”.
 - 4.3.4.1. A Member who has not previously spoken to the motion, may at any point in a debate of a motion before the Chairman move a motion that ‘the motion be put’.
 - 4.3.4.2. No seconder is required for such a motion and the Chairman must immediately ask the question of the meeting.
 - 4.3.4.3. If carried, the original motion must be immediately be put to the meeting without further debate.
 - 4.3.4.4. If the motion is lost then debate on the matter before the chair shall continue to its conclusion.
- 4.3.5. Motion “that a matter lay on the table”.
 - 4.3.5.1. If any member of a meeting does not wish to have a matter considered at the present meeting but is unable to determine when the matter should be considered, that member may move that a matter on the agenda “lay on the table”.
 - 4.3.5.2. Such a motion must be seconded
 - 4.3.5.3. If the motion is passed then the matter is laid on the table and must continue to be laid on the table at every meeting thereafter until the meeting decides by a further motion that it wishes to consider the matter that is lying on the table.
 - 4.3.5.4. If that motion is carried the matter then can be considered as an ordinary matter before the meeting and be resolved as appropriate.

4.4. Council Meetings

- 4.4.1. The Council shall meet at least 6 times per year and at such other times as the Council determines.
- 4.4.2. If the President is present he shall preside at all meetings.
- 4.4.3. If the President is absent or vacates the Chair to debate an issue before the Chair or he is the subject of the debate, the Vice President shall preside in his stead.
- 4.4.4. If both the President and the Vice President are absent, a Chairman shall be elected from the Members present.
- 4.4.5. The conditions applying to the President in Subclause 4.2.5 above shall apply to the Vice President.
- 4.4.6. The Council shall determine from time to time what notice is necessary to call a Council meeting.
- 4.4.7. A copy of the minutes of all Council meetings shall be distributed to all Councillors and Committees.
- 4.4.8. The Business Agenda for Council Meetings shall include, but is not limited to the following:-
 - Present
 - Apologies.
 - Leave of Absence
 - Confirmation of the minutes of the previous meeting.
 - Business arising from the minutes.
 - Business held over from the previous meeting.
 - Motions on notice.
 - Committee Reports.
 - Correspondence.
 - New Business
 - General business.
 - Date and Time of next meeting
 - Close of meeting.
- 4.4.9. A summary list of correspondence to be considered at the meeting shall accompany the agenda for the meeting. Any member who wishes to have an item of correspondence discussed at the meeting shall notify the Registrar prior to the meeting.
- 4.4.10. A quorum shall consist of half the Members of Council, taken as the rounded down whole number, plus one (1).
- 4.4.11. All Members shall have the right to speak once only on any motion before the Chair.
- 4.4.12. No Member will be allowed to speak for more than 5 minutes on any motion before the chair.
- 4.4.13. The Council will review all delegations annually.
- 4.4.14. The Council shall prepare and present its annual accounts to the Annual General Meeting in accordance with the Rules of the Association.

BY-LAW 5 – MEMBER PRIVACY

5.1. General

- 5.1.1. The Royal Association of Justices S.A. Inc. recognises the right of Members to retain privacy in so far as it is practical under the Rules of the Association.
- 5.1.2. With the exception of a Member's personal information that is necessary for the Association or Group to perform its functions, no other information is required to be supplied by a Member.
- 5.1.3. Without the prior consent of the Member no information except the Member's name, suburb and contact phone number shall be released.
- 5.1.4. The Registrar is the Privacy Officer of the RAJSA Inc. and shall hold all Membership data of the Association.

5.2. Collection of Information

- 5.2.1. Pursuant to Part 6 of the Rules, the Association only collects the minimum personal data of Members to ensure that it meets its lawful obligations as an Incorporated Organisation.
- 5.2.2. With the exception of a Member's name, suburb and phone number (being a condition of becoming a Justice of the Peace) the Association shall not release in anyway whatsoever any additional data it holds of its Members unless:
 - 5.2.2.1. the Members have given their personal consent; or,
 - 5.2.2.2. it is required or authorised by law; or,
 - 5.2.2.3. the Association has outsourced a function to an outside body and it is necessary for that body to have access to additional data to undertake its contract of service. Data under this clause will be limited to the minimum requirement to fulfil that specific function.

5.3. Security of data

- 5.3.1. All Members personal data shall be retained in the offices of the Association or, where appropriate, with the relevant Group Secretary.
- 5.3.2. Access to a Member's personal data where it held by the Registrar is restricted to the following persons:-
 - 5.3.2.1. The President and the Vice President of the Association.
 - 5.3.2.2. Authorised Employees of the Association.
- 5.3.3. Access to a Member's personal data where it held by a Group is restricted to the following persons:-
 - 5.3.3.1. The chairman, secretary and treasurer of that group.
- 5.3.4. An individual Member may view his or her personal data at a time and place convenient to them and the Registrar or Group Secretary and may alter or update the data held.

5.4. Complaints

- 5.4.1. Complaints or concerns regarding Member personal data held by the Registrar shall be in the first instance be directed in writing to the Registrar.
- 5.4.2. If no action is taken by the Registrar the Member may refer the matter to the Council of the Association.
- 5.4.3. Complaints or concerns regarding a member's personal data held by a Group shall be in the first instance be directed in writing to the Group Secretary.
- 5.4.4. If no action is taken by the Group Secretary the member may refer the matter to the Group for determination.
- 5.4.5. If the member is still not satisfied by the Groups action, the member may then refer his or her complaint to the Registrar for determination.

5.5. Membership applications

- 5.5.1. All Applications for Membership are to incorporate a Consent and Privacy statement.

BY-LAW 6 – ASSOCIATION LOGO AND BADGE

6.1. Logo

- 6.1.1. The Logo of the Association shall be as set out below.
- 6.1.2. The Logo shall only be used with the express approval of the Council and only under such terms and conditions authorised by the Council.

6.2. Use of the Association's Logo

- 6.2.1. The logo of the Association will only be used on official documents, identity cards, badges and memorabilia authorised by the Council.
- 6.2.2. If any Member permits the use of the Association's logo knowing that it has not been authorised by the Association he shall be guilty of conduct unbecoming a Member and be liable to action under the Rules of the Association.

6.3. Logo Colours

- 6.3.1. The approved logo of the Association shall conform to the standard colours as detailed within in this By-Law.



- 6.3.2. The basis for the specified colours is the Standards Association of Australia - Australian Standard 2700-1985, Colour Standards for General Purposes publication.
- 6.3.3. The colour name and AS2700 number, where included, shall be used in the respective parts of the badge as indicated in the appendices.
- 6.3.4. The Colour scheme of the logo shall be as follows:



No.	Colour	C	M	Y	K
(i)	Maroon(Pms32 Red [Coca cola])	0	99	100	0
(ii)	Embossed Gold	0	22	90	0
(iii)	Embossed Gold	0	22	90	0
(iv)	Gold	0	22	90	0
(v)	Gold	0	22	90	0
(vi)	Pantone 282 EC	100	80	0	60

BY-LAW 7 – CERTIFICATES AND AWARDS

7.1. Service Certificates

- 7.1.1. An Ordinary or Life Member who has given not less than:-
 - 7.1.1.1. Ten (10) years continuous service as a Member of the Association will be granted a Bronze Long Service certificate by the Association.
 - 7.1.1.2. Twenty (20) years continuous service as a Member of the Association will be granted a Silver Long Service certificate by the Association.
 - 7.1.1.3. Thirty (30) years continuous service as a Member of the Association will be granted a Gold Long Service certificate by the Association.
 - 7.1.1.4. Forty (40) years continuous service as a Member of the Association will be granted a suitably inscribed plaque commemorating his length of service to the community.
 - 7.1.1.5. Fifty (50) years of continuous service as a Member of the Association will be granted a suitably inscribed plaque and a specially struck medalion commemorating his length of service to the community.
- 7.1.2. The Registrar will, prior to the anniversary of each Member qualifying for a long Service award, report to the Council and recommend the level of certificate to be issued.
- 7.1.3. The number of Long Service Awards that may be granted by the Association in any one calendar year shall not be limited.
- 7.1.4. In granting the awards, the recipients will only receive certificates or plaques for their next anniversary. No retrospective certificates or plaques will be presented.

7.2. Certificate of Appreciation

- 7.2.1. The Association may award a Certificate of Appreciation to any person or corporation considered to be worthy of special recognition for services rendered to the Association or its Members.
- 7.2.2. The Certificate may be awarded to a Member or a non-Member.

7.3. Certificate of Outstanding Service

- 7.3.1. The Association may award a Certificate of Outstanding Service to any corporation, company, association, society or other body that has given outstanding service to the Association for a period of not less than five (5) years.

7.4. Certificate of Merit and Gold Badge

- 7.4.1. The highest award that may be given by the Association to a person, who is not a Member, is a Certificate of Merit and Gold Badge.
- 7.4.2. Such an award shall not be made to a person who is eligible to apply to become a Member.

- 7.4.3. Such an award shall only be made to a person if, in the opinion of the Association, such person has rendered outstanding service or has been awarded Honorary Membership of the Association.
- 7.4.4. The procedure to be followed in making nominations for awards of Certificates of Merit and Gold Badges shall be determined by the Council taking into account but not limited by the following:-
 - 6.4.4.1. The service provided at the person's personal time.
 - 6.4.4.2. The nature of the service to the Association and the benefit derived by its Members.
 - 6.4.4.3. The quality of service provided.
- 7.4.5. The maximum number of such awards that may be made in any financial year shall shall not exceed five (5).

BY-LAW 8 – SUBSCRIPTIONS

- 8.1. The Council shall determine the annual membership subscription, joining and rejoining fees prior to the end of each financial year.
- 8.2. Fee increases announced each year shall be no greater than the limit imposed by Clause 6.5.1. of the Rules of the Association.
- 8.3. There will be no registration fee payable in respect of Life or Honorary Members of The Association.
- 8.4. Subscriptions unpaid after 1 October, in each year render the Member an unfinancial Member with loss of all rights.
- 8.5. Any Member who remains unfinancial after the 1st day of January in each year shall, after being given one months notice in writing, be removed from the Register of Members.
- 8.6. The notice referred to in Clause 8.5 above shall be forwarded to the Member's last known address.

BY-LAW 9 – ACTIONING OF COMPLAINTS

9.1. Complaints Referred to Council

- 9.1.1.1. All complaints against a Member or a Group of Members shall only be received if they are notified to the Registrar in written form.
- 9.1.1.2. All such written complaints shall be referred to the Council by the Registrar at the earliest meeting available.
- 9.1.1.3. All complaints received and forwarded to the Council shall be dealt with in confidence until the matter is resolved, at which time the Council may determine to:-
 - 9.1.1.3.1. Keep the matter confidential indefinitely.
 - 9.1.1.3.2. Keep the matter confidential for a specific period of time.
 - 9.1.1.3.3. Make its findings and any disciplinary action it has taken public.
- 9.1.1.4. The Registrar shall, within ten working days of the determination of the Council advise in written form, both parties to the complaint of the Council's decision.
- 9.1.1.5. The decision of the Council shall be final and binding on all parties to the complaint.

9.2. Minor Complaints

- 9.2.1. If a complaint is of a minor nature and does not refer to matters contained in Clause 6.7.2. of the Rules of the Association the matter may be investigated and resolved by the Council in a manner it thinks fit.
- 9.2.2. Prior to making its decision the Council, through the Registrar, shall advise, the person the subject of the complaint in written form, of the complaint. The notification shall include the details and nature of the complaint.
- 9.2.3. The person shall be invited to submit, in written form, a response to the complaint.
- 9.2.4. The Council shall at its discretion refer the matter to the Executive for investigation and a recommendation to the Council.

9.3. Complaints Referred to Tribunal

- 9.3.1. If the subject of the complaint is a matter referred to in Clause 6.7.2 of the Rules, the matter must be referred to a Tribunal for investigation and recommendations to the Council.
- 9.3.2. The Tribunal shall comprise:
 - 9.3.2.1. Either a single person from a panel of Association Members who have experience as a Judge or Magistrate; or,

- 9.3.2.2. A panel of three persons, comprising the Chairman who shall be a person described in 9.3.2.1 and two other Members independent of the Council.
- 9.3.3. The Tribunal once convened shall determine the time and place of any hearing of representations.
- 9.3.4. The Registrar shall, within 5 working days after the Tribunal has been convened, advise in written form:-
 - 9.3.4.1. The complainant of the Tribunal's formation and the date on which the complaint is to be heard.
 - 9.3.4.2. The party, the subject of the complaint that the complaint has been received, the Tribunal's formation and further advise them of:
 - 9.3.4.2.1. The nature and details of the complaint.
 - 9.3.4.2.2. The time and place of the hearing of the complaint.
 - 9.3.4.2.3. Their right to make either written or personal representations on their own behalf; or,
 - 9.3.4.2.4. Their right to be represented by another person acting on their behalf to the Tribunal.
- 9.3.5. Once the parties to the complaint have been heard, the Tribunal will consider its findings and shall report to the next meeting of the Council:
 - 9.3.5.1. Its findings on the complaint.
 - 9.3.5.2. If it finds the complaint justified, its recommendations as to the form of penalty it considers appropriate.
- 9.3.6. Once the report of the Tribunal has been received by the Council, it must consider that report at its first available meeting and must resolve to:-
 - 9.3.6.1. Accept the recommendations of the Tribunal; or,
 - 9.3.6.2. Vary those recommendations and give reasons for the variations.

BY-LAW 10 – BANKING

- 10.1. All cheques, promissory notes, banker's drafts, bills of exchange and other negotiable instruments paid by the Association shall be signed by two signatories and in the case of cheques in excess of \$1000.00 at least one of the signatories shall be a Councillor.
- 10.2. If a cheque is under \$1,000.00 and has been authorised in the budget, the Registrar and a staff member shall be authorised to sign the cheque.
- 10.3. The Registrar shall ensure that the following personnel are at all times authorised to sign cheques on behalf of The Association.
 - 10.3.1. The President, Vice President and Treasurer.
 - 10.3.2. The Registrar.
 - 10.3.3. One other staff person who is not associated with the creation of invoices and shall be endorsed by the Council.
- 10.4. All authorised signatories shall be required to sign the "Acknowledgement of Responsibilities and Statement of Requirements for The Association Inc. Cheque Signatories" before authorisation of their appointment is transmitted to the Bank.

BY-LAW 11 – ADMINISTRATION STAFF

11.1 General

11.1.1 All staff shall be employed by the Council under a fixed term contact approved by the Council.

11.1.1 All staff of The Association, other than the Registrar, shall be responsible to the Registrar for their work allocation and performance.

11.2 The Registrar

11.2.1 The Registrar shall be responsible to and report to the Council on matters relating to:

11.2.1.1 Corporate management of the Association and the organisation.

11.2.1.2 Issues which will affect the safe and proper management of the Association.

11.2.1.3 Changes to membership and any trends which appear relevant for the Council to consider and take action on if appropriate.

11.2.1.4 Changes to legislation and other government services which may impact on Members and the Association.

11.2.1.5 Staff development issues.

11.2.1.6 Such other matters which the Council may from time to time direct to the Registrar.

11.2.2. The Registrar shall also be responsible for:

11.2.2.1. The preparation and distribution, after approval by the Council, of the Annual Report to the Members of the Association.

11.2.2.2. The ongoing regular review of subordinate staff performance. In undertaking such reviews the Registrar must consult with appropriate committees with which the staff member has been involved and must follow the general principles outlined for the Staff Review Panel below.

11.2.2.3. Staff development and training

11.2.2.4. Development of proper records management and equipment control for the organisation.

11.2.2.5. Occupational, Health, Safety and Welfare of staff reporting to him.

11.2.3. All staff of The Association, other than the Registrar, shall be responsible to the Registrar for their work allocation and performance.

11.3. Staff Review Panel

- 11.3.1. A Review Panel will be established at the first meeting after each Annual General Meeting at which elections are held.
- 11.3.2. The Review Panel shall comprise at least the Executive and up to two other Council Members.
- 11.3.3. The Role of the Review Panel is to:
 - 11.3.3.1. Set, in consultation with the Registrar, a time frame for regular performance reviews of the Registrar.
 - 11.3.3.2. Staff reviews must be held at least on a six (6) monthly basis.
 - 11.3.3.3. Establish performance criteria by which performance will be measured.
 - 11.3.3.4. Make recommendations to the Council regarding remuneration of the Registrar at appropriate times.
 - 11.3.3.5. Report their findings and recommendations to the Council.

11.4. Staff Entitlements

- 11.4.1 The Association shall maintain a separate bank account to hold funds as provision for accrued staff entitlements for Long Service Leave, Annual Leave and accrued hours in lieu of overtime.
- 11.4.2 During the month prior to the end of the financial year, staff entitlements at the end of that financial year will be calculated including:-
 - 11.4.2.1 Annual Leave accrued in excess of 1 years entitlement and
 - 11.4.2.2 Long Service Leave accrued for employees with in excess of 5 years service and
 - 11.4.2.3 The value of accrued recorded hours due to staff members for time worked in excess of standard employment hours and
 - 11.4.2.4 The on-costs related to the above.
- 11.4.3 Prior to the end of the financial year, sufficient funds will be transferred from the Association operating bank account to the Association Staff Entitlements bank account to bring the balance of the account to an amount at least equal to the total calculated in accordance with clause 8.4.2.
- 11.4.4 Withdrawals from the Association Staff Entitlements bank account shall be affected only with the prior approval of the Council and only for the express purpose of payments to staff members for their accrued entitlements.

BY-LAW 12 – HONORARIA

- 12.1 At the last Council meeting scheduled prior to despatch of Notices of the Annual General Meeting in each year the Council will consider any proposals for the granting of Honoraria in respect of services rendered to The Association in the preceding financial year.
- 12.2 Honoraria may be paid to the President, Vice President, Treasurer and/or other persons undertaking work on behalf of the Association on a voluntary basis.
- 12.3 The Registrar will prepare proposals in respect of any recommendations approved by the Council for consideration by the Annual General Meeting.

BY-LAW 13 – OUT OF POCKET AND TRAVEL EXPENSES

- 13.1. Out of pocket expenses will be paid to those persons undertaking work on behalf of the Association where there is a need for them to expend moneys to undertake that task.
- 13.2 Travel claims will be calculated as follows:
 - 13.2.1.1 Only journeys of 100 km return or more will be eligible to be claimed.
 - 13.2.2 The reimbursement will be calculated at 30 cents per km irrespective of the size of the vehicle used
 - 13.2.3 Where accommodation is required the maximum claim is \$100 per night.
- 13.3. Out of pocket expenses and travel expenses claims, using the RAJ claim forms must be submitted to the registrar. Any application for reimbursement must include:-
 - 13.3.1. Details of the expense incurred and the purpose of the expense.
 - 13.3.2. If in respect to travel, the actual mileage incurred, and the date the travel was undertaken.
 - 13.3.3. A signature and statement from the applicant, and Chair of the responsible sub c/tee, that the expenses sought were in fact approved expenses, authorized by the Council / sub c/tee.

BY-LAW 14 – ASSOCIATION SPOKESMAN

- 14.1. The spokesman for the Association shall be the President unless Council determines that a person better qualified to speak on a particular subject is more appropriate for that specific subject.

APPENDICES – FORMS

1. Membership Application Form

POSTAL ADDRESS:

GPO Box 2851,
ADELAIDE SA 5001
Telephone (08) 8224 0377
Fax (08) 8224 0322



OFFICE ADDRESS:

Level 14, Education Centre,
31 Flinders Street,
ADELAIDE SA 5000
ABN 22 508 700 110

MEMBERSHIP APPLICATION

I hereby apply for Membership to the Royal Association of Justices of S.A. Inc.

Part A: (Mandatory details)

(Mr. Mrs. Miss. Ms.)
(Indicate Preference) (Given Names) (Surname)

D.O.B:...../...../..... JP I/D Number:..... Home Telephone:.....

Residential Address:.....

..... Post Code:.....

Postal Address: (if different to above).....

..... Post Code:

Part B: (Voluntary details)

Mobile Number: Email Address:.....

Applicant's Occupation:

Employers Name:..... Phone No:.....

Employers Address:..... Post Code:.....

Part C: Privacy statement

The Association only collects the minimum personal data of Members to ensure that it meets its lawful obligations as an Incorporated Organisation.

With the exception of a Member's name, suburb and phone number (being a condition of becoming a Justice of the Peace) the Association shall not release in anyway whatsoever any additional data it holds of its Members unless:

- The Member has given their personal consent; or,
- It is required or authorised by law.

Where the Association has outsourced a function to an outside body and it is necessary for that body to have access to additional data to undertake its contract of service. Data under this clause **will be limited** to the minimum requirement to fulfil that specific function.

Part D:

My signature below confirms my details and that I **ACCEPT** the conditions of Membership of the Association.

Signature:..... Date:/...../.....

2. Annual Membership Subscription Form

POSTAL ADDRESS:

GPO Box 2851,
ADELAIDE SA 5001
Telephone (08) 8224 0377
Fax (08) 8224 0322



OFFICE ADDRESS:

Level 14, Education Centre,
31 Flinders Street,
ADELAIDE SA 5000
ABN 22 508 700 110

ANNUAL MEMBERSHIP SUBSCRIPTION Royal Association of Justices of SA Inc.

1. Our Membership year is from 1st September to 31st August each year.
2. In order to keep our postage costs to a minimum members are requested to:
 - a. Pay their Annual Subscription Fee prior to 31st August in each Year.
 - b. Please ensure **Part A** (below) is filled in when mailing your payment.

Part A: (Mandatory details)

(Mr. Mrs. Miss. Ms.)
(Indicate Preference) (Given Names) (Surname)

D.O.B:...../...../..... J.P. I/D Number..... Home Telephone:.....

Residential Address:

..... Post Code:.....

Postal Address: (if different to above)

..... Post Code:.....

Part B: (Voluntary details)

Mobile Number: Email Address:.....

Applicant's Occupation:

Employers Name:..... Phone No.....

Employers Address:..... Post Code.....

Part C: Privacy statement

The Association only collects the minimum personal data of Members to ensure that it meets its lawful obligations as an Incorporated Organisation.

With the exception of a Member's name, suburb and phone number (being a condition of becoming a Justice of the Peace) the Association shall not release in anyway whatsoever any additional data it holds of its Members unless:

- The Member has given their personal consent; or,
- It is required or authorised by law.

Where the Association has outsourced a function to an outside body and it is necessary for that body to have access to additional data to undertake its contract of service. Data under this clause **will be limited** to the minimum requirement to fulfil that specific function.

3. Application for Retired Membership Form

POSTAL ADDRESS:

GPO Box 2851,
ADELAIDE SA 5001
Telephone (08) 8224 0377
Fax (08) 8224 0322



OFFICE ADDRESS:

Level 14 Education Centre,
31 Flinders Street,
ADELAIDE SA 5000
ABN 22 508 700 110

RETIRED MEMBERSHIP APPLICATION

I hereby apply for Retired Membership of the Royal Association of Justices of S.A. Inc. in doing so I acknowledge that I have fulfilled and understand the following criteria:

- I am a financial member of R.A.J. S.A. Inc.
- I have formerly advised The Attorney-General's Department of my retirement as a J.P.
- I no longer holds 'the Office of a J.P.'
- I understand that I cannot hold any 'Office' positions in the Association.
- I understand that as a retired member I have no voting rights in the Association.

Part A: (Mandatory details)

(Mr. Mrs. Miss. Ms.)
(Indicate Preference) (Given Names) (Surname)

D.O.B: J.P. I/D Number Home Telephone:

Residential Address:

..... **Post Code:**

Postal Address: (if different to above)

..... **Post Code:**

Please address my mail 'JP Retired' **YES/NO** (Please indicate clearly.)

Part B: (Voluntary details)

Mobile Phone No.: **E-mail Address:**

Part C: Privacy statement

The Association only collects the minimum personal data of Members to ensure that it meets its lawful obligations as an Incorporated Organisation.

With the exception of a Member's name, suburb and phone number (being a condition of becoming a Justice of the Peace) the Association shall not release in anyway whatsoever any additional data it holds of its Members unless:

- The Member has given their personal consent; or,
- It is required or authorised by law; or,

Where the Association has outsourced a function to an outside body and it is necessary for that body to have access to additional data to undertake its contract of service. Data under this clause **will be limited** to the minimum requirement to fulfil that specific function.

Part D:

My signature below confirms my details and that I ACCEPT the conditions of Membership of the Association.

Signature: **Date:**/...../.....

4. Nomination for Council Form

NOMINATION FOR COUNCIL
CLOSING DATE FOR NOMINATIONS IS FRIDAY 1 AUGUST 20.. (Enter Year)

Part A: (Essential criteria)

The Nominee, Proposer and Secunder must:

- Be current financial members.
- Have been a financial Member for at a minimum of two (2) years previously.

A 'Life Member' may only be a Proposer, Secunder or a Nominee if they retain their Commission as a Justice of the Peace.

A 'Retired Member' cannot be a Nominee, Proposer or Secunder.

Part B: (Proposers and Seconders)

I,....., **JP I/D No:** hereby nominate
..... for the position of Councillor.

Signature: **Date:**/...../.....

I,..... **JP I/D No:** Second the nomination.

Signature: **Date:**/...../.....

Part C: (Nominee)

I,..... **JP I/D No:** accept the nomination.

***PLACE AN X OR A TICK IN THE APPLICABLE BOX:**

I am a Metropolitan resident
(phone prefix 81, 82, 83, 84)

I am a Country resident.

Signature: **Date:**/...../.....

PLEASE NOTE: The Nominee MUST also sign Part D to be eligible.

Part D: (Certain persons not to be members of a committee)

Section 30 of the Associations Incorporation Act 1985 and Amendments:

- (1) A person who is an insolvent under administration must not, without leave of the Commission, be a member of the committee(s) of an incorporated association, or be in any way (whether directly or indirectly) concerned in or take part in the management of an incorporated association.
- (2) A person who has been convicted within or outside the State –
 - (a) on a indictment of an offence in connection with the promotion, formation or management of a body corporate.
 - (b) of an offence involving fraud or dishonesty punishable on conviction by imprisonment for a period of not less than three months; or
 - (c) of an indictable offence;

Must not, within a period of five years after his or her conviction or, if he or she was sentenced to imprisonment, after his or her release from prison, without leave of the Commission, be a member of the committee of an incorporated association, or be in any way (whether directly or indirectly) concerned in or take part in the management of an incorporated association.

I declare that I am not subject to any restrictions outlined above.

Signature of Nominee: **Date:**/...../.....

5. Nomination for Life Membership Form

NOMINATION FOR LIFE MEMBERSHIP

CLOSING DATE FOR NOMINATIONS IS 30 JUNE, 20.. (Enter Year)

Part A: (Essential criteria)

The Proposer and Secunder must:

- Be current financial members.
- Have a minimum of two (2) years financial membership.

The person nominated for Life Membership must have been a financial Member of the Association continuously for a minimum of ten (10) years.

Part B: (Proposer and Secunder)

I,....., **JP I/D No:** hereby nominate

..... for Life Membership.

Signature: **Date:**/...../.....

I,..... **JP I/D No:** Second the nomination.

Signature: **Date:**/...../.....

Part C: (Instructions for submitting a nomination for Life Membership)

1. Life Membership is only bestowed by the Association for outstanding service and valuable service to the Association and to the Members. It is not intended for persons who have undertaken their duties as required by the Act. Other awards exist for long service.
2. In order to be considered for Life Membership a Member must have worked for and on behalf of the Association and its members:
 - 1.1. By assisting Members to achieve high levels of performance through training.
 - 1.2. Providing Justice of the Peace services to institutions such as libraries, day rooms, Council and Court day rooms.
 - 1.3. By holding office on the Council, committee member, Group Officer (e.g. chairman, secretary, treasurer etc.)
 - 1.4. Providing specialized support to the Association for the benefit of the Association and the Members. (e.g. magazine editor, etc).
 - 1.5. Providing other services or assistance not mentioned above.
3. This application form must be accompanied by documentation which outlines:
 - 3.1. Full details of the person nominated, (Name, ID number, Years as a JP, Address etc.).
 - 3.2. Details of Service or work undertaken as outlined above.
 - 3.3. The time over which the work or works, were undertaken and or the positions held (provide details and supporting documentation for each area of work undertaken).
4. Provide any additional information which will support the nomination.

6. Nomination For Group Committee Form

(Insert the Name of the Group Here)

NOMINATION FOR COMMITTEE *(Insert Year Here)*

Note: All nomination forms must be delivered to the Returning Officer *(Insert Name and Address of the Returning Officer Here)* no later than the declared starting time of the meeting.

Part A: (Essential criteria)

The Nominee, Proposer and Secunder must:

- Be current financial members of both the Royal Association of Justices and the Group.
- Not be Retired Members as Defined in the Royal Association of Justices Rules.

Part B: (Proposers and Seconders)

I,....., JP I/D No: hereby nominate

..... for the position of Group Committee.

Signature: **Date:**/...../.....

I,..... JP I/D No: Second the nomination.

Signature: **Date:**/...../.....

Part C: (Nominee)

I,..... JP I/D No: accept the nomination.

Signature: **Date:**/...../.....

PLEASE NOTE: The Nominee MUST also sign Part D to be eligible.

Part D: (Certain persons not to be members of a committee)

Section 30 of the Associations Incorporation Act 1985 and Amendments:

(1) A person who is an insolvent under administration must not, without leave of the Commission, be a member of the committee(s) of an incorporated association, or be in any way (whether directly or indirectly) concerned in or take part in the management of an incorporated association.

(2) A person who has been convicted within or outside the State –

- (a) on a indictment of an offence in connection with the promotion, formation or management of a body corporate.
- (b) of an offence involving fraud or dishonesty punishable on conviction by imprisonment for a period of not less than three months; or
- (c) of an indictable offence;

Must not, within a period of five years after his or her conviction or, if he or she was sentenced to imprisonment, after his or her release from prison, without leave of the Commission, be a member of the committee of an incorporated association, or be in any way (whether directly or indirectly) concerned in or take part in the management of an incorporated association.

I declare that I am not subject to any restrictions outlined above.

Signature of Nominee: **Date:**/...../.....