

**Constitution of the North Gippsland Football Netball League Inc. (Adopted 21st November 2001)
Amended 14th August 2019 Adopted at AGM held November 2019**

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**Constitution of the North Gippsland Football Netball League Inc. (Adopted 21st November 2001)
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1. Name

The incorporated association shall be called the NORTH GIPPSLAND FOOTBALL NETBALL LEAGUE INCORPORATED (hereafter called "the League").

2. Statement of Purposes/Objects

To promote, advance, foster and cultivate the games of Australian Football and Netball in the Gippsland region and to assist in the advancement of the community by means of development of a sense of fair play and a love of Sport.

In addition, the Objects of the League consist of the doing of any lawful thing incidental or conducive to the attainment of the Objects or Purposes of the League.

3. Powers

Subject to the "ACT" the League may do all things necessary or convenient for carrying out its Objects or Purposes.

4. Definitions

(1) In these rules, unless the contrary intention appears:

"ACT" means Victorian Associations Incorporation Act 1981.

"AGM" means Annual General Meeting of Members convened in accordance with Rules 15, 16 & 19.

"Board" means The Board of Management.

"By-Laws" means Local Football and Netball Rules of the North Gippsland Football Netball League.

"Club" means any Member Club duly admitted to membership.

"Eligible Members" means Members entitled under these Rules to vote at Annual or Special General Meetings.

"Financial Year" means the year ending on 30th September.

"LA" means League Administrator.

"NV" means Netball Victoria.

"Member" means a Member of the League and includes the Board, Clubs and Life Members.

"NGFNL" means North Gippsland Football Netball League Inc.

"Rules" means Constitution of the North Gippsland Football Netball League.

"Statement of Purposes/Objects" means purposes for which the incorporated association (NGFNL) has been established.

"SGM" means a Special General Meeting of Members, convened in accordance with Rule 15.

"The Regulations" means Regulations under the Act.

"AFL Victoria Country" means "Australian Football League Victoria Country".

(2) In these Rules, a reference to the League Administrator of the League is a reference:

(a) to a person who holds office under these Rules as LA; and

(b) in any other case, to the Public Officer of the League.

(3) Words

or expressions contained in these Rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1958 and the Act as in force from time to time.

(4)

Words or expressions contained in these Rules shall be interpreted to include the male and female gender.

5. Membership of the League

(1) The membership of the League shall consist of Clubs affiliated with the League in accordance with these Rules, the Members of the Board and Life Members.

(2) A Club that applies and is approved for membership in accordance with these Rules will be a Member of the League upon payment of the annual affiliation fee and/or entrance fee for Clubs.

6. Admission of New Clubs

Any incorporated Club desirous of fielding a team or teams in the competition run by the League may apply for membership of the League at a SGM only on the following conditions;

(1) That the Club or Clubs so admitted agrees to pay such entrance fees as may be fixed by the League or set out in the By-Laws

(2) Any application shall be in writing and shall state:-

(a) that the Club is incorporated.

(b) the name and number of teams to be entered in the competition.

(c) the names of the current office bearers and addresses for service of notices.

(d) the current financial status of the Club.

(e) the names of the Club delegate and their deputy to represent the Club at Annual and SGMs.

(3) That such Clubs shall use a properly enclosed ground and netball court approved by the League on which to play its matches and such other grounds/courts as may be approved by the League.

(4) That the Club lodges its application with the League Administrator at least twenty-one (21) days prior to the Special General Meeting to be convened for the purpose.

(5) Upon affiliation, Clubs are bound to accept all decisions of the League, Independent Tribunal and Appeal Board.

(6) Admission to the League will be subject to a three-quarters majority vote by Eligible Members in attendance or voting by proxy at the Special General Meeting convened for the purpose.

7. Resignation, Suspension or Expulsion of Member Clubs

(1) A Member Club of the League who has paid all affiliation fees due may resign from the League by first giving one-month notice in writing to the LA of their intention to resign. Upon the expiration of that period of notice, and subject to the approval of AFL Victoria Country, the Member shall cease to be a Member Club.

(2) Upon the expiration of a notice given under Rule 7. (1) the LA shall make in the register of Members an entry recording the date on which the Member by whom notice was given, ceased to be a Member.

(3) Subject to these rules, if the Board is of the opinion that a Member Club;

(a) has refused or neglected to comply with these Rules; or

(b) has been guilty of conduct unbecoming a Member or prejudicial to the interests of the League; then the Board may by

resolution:-

(i) suspend a Member Club from the League for a specified period and/or

(ii) fine a Member Club in accordance with the Regulations or

(iii) expel a Member Club from the League.

(4) A resolution of the Board under Rule 7. (3)

(a) does not take effect unless the Board at a meeting held not earlier than fourteen (14) and not later than twenty-eight (28) days after the service on the Member of a notice under Rule 7. (5) confirms the resolution in accordance with this clause; and

(b) where the Member exercises a right of appeal to the League under this clause does not take effect unless the League confirms the resolution in accordance with this clause. (5) Where

the Board passes a resolution under Rule 7. (3) the LA shall as soon as practicable, cause to be served on the Member a notice in writing:-

(a) setting out the resolution of the Board and the grounds on which it is based;

(b) stating that the Member may address the Board at a meeting to be held not earlier than fourteen (14) and not later than twenty-eight (28) days after service of the notice;

(c) stating the date, place and time of that meeting;

(d) informing the Member that they may do one or more of the following:-

i) attend that meeting

ii) give to the Board before the date of that meeting a written statement seeking the revocation of the resolution

iii) not later than 24 hours before the date of the meeting, lodge with the LA a notice to the effect that they wish to appeal to the League at a SGM against the resolution.

(6) At a meeting of the Board held in accordance with Rule 7. (4), the Board;

(a) shall give to the Member an opportunity to be heard;

(b) shall give due consideration to any written statement submitted by the Member; and;

(c) shall by resolution determine whether to confirm or to revoke the resolution.

(7)

Where the LA receives a notice under Rule 7. (5) they shall notify the Board and the Board shall convene a SGM of the League to be held within twenty-one (21) days after the date on which the LA received the notice.

- (8) At a SGM of the League convened under Rule 5. (7);
- (a) no business other than the question of the appeal shall be transacted;
 - (b) the Board may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
 - (c) the Member shall be given an opportunity to be heard; and
 - (d) the Members present shall vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- (9) If at the SGM:-
- (a) subject to three-quarters (3/4) majority vote by Eligible Members in attendance or voting by proxy, Eligible Members vote in favour of the confirmation of the resolution, the resolution is confirmed; and (b) in any other case, the resolution is revoked.

8. Amendments to the Rules of Constitution

- (1) Amendments to the Rules of Constitution shall be in accordance with the Act.
- (2) Any alteration to these Rules or the Statement of Purposes/Objects as per rule 2, shall only be made at an Annual or SGM
- (3) Rules of Constitution may only be amended or proclaimed subject to three-quarters (3/4) majority vote by Eligible Members in attendance or voting by proxy on the resolution
- (4) The Constitution of the League and any Rules or By-Laws made under the Constitution, must be in accordance with the Constitution and By-Laws of the AFL Vic Country and Netball Victoria.

9. Amendment & Proclamation of By-Laws

- (1) The By-Laws shall be adopted at the AGM each year and altered in accordance with Rule 8. (2)
- (2) The Football & Netball By-Laws may be altered at a meeting of the Board after one month's notice to Clubs and on a simple majority. Where a minimum of three (3) clubs advise their opposition or request an amendment to the proposed change to the By-Law, then the matter will be referred to an SGM and decided on a simple majority of Members eligible to vote. The Board may refer and proposed By-Law changes to an SGM for a simple majority of eligible Members present.
- (3) A Club or Clubs may make suggestions to the Board for the alteration of the By-Laws by notice in writing to be delivered to the LA at least twenty-one (21) days before the next Board meeting. The Club or Clubs making the suggestion shall be invited to speak at the next Board meeting.

10. Election of Board of Management

- (1) Nominations for election to the Board shall be by way of application, and;
 - (a) shall be made in writing on the prescribed application form, signed by two Member Clubs of the League and accompanied by the written consent of the candidate (which may be endorsed on the application form); and,
 - (b) shall be delivered to the LA of the League not less than twenty-one (21) days before the date fixed for the holding of the AGM. Applications may be taken at the AGM if a full board has not been duly filled via the twenty-one (21) day application process
- (2) The election for positions on the Board shall be conducted at the AGM in such usual and proper manner as the Board may direct.
- (3) It is not necessary for a Board candidate to be a current Member of the League or a member of an affiliated Club. However, if elected to the Board that person must cease to hold any executive position with any Member Club.

11. Operation of the Board of Management

- (1) A Board of Management constituted as provided in Rule 10. (3) shall manage the affairs of the League.
- (2) The Board of Management:-
 - (a) shall control and manage the business and affairs of the League.
 - (b) may, subject to these Rules, the regulations and the Act, exercise all such powers and functions that are required by these Rules to be exercised by SGMs of the Members of the League; and
 - (c) subject to these Rules, the regulations and the Act, has power to perform all such acts and things as appear to the Board to be essential for the proper management of the business and affairs of the League.
- (3) The Board shall consist of no less than six (6) and no more than nine (9) persons:-
 - (a) up to nine (9) of whom, known as Directors, shall be honorary and shall be elected in accordance with Rule 10 with one (1) being duly elected as President and one (1) being duly elected as Vice-President. At the discretion of the board an honorarium may be paid for extra-ordinary duties deemed appropriate in accordance with the running of the League.
 - (b) (b) A League Administrator who shall be appointed by the Board in accordance with Rule 13.
 - (c) (c) A Finance Director, who shall be appointed by the Board in accordance with Rule 14.
- (4) Each elected Board Member shall be elected for a period of two (2) years, with half of such members to be elected each year.
- (5) In the event of a casual vacancy on the Board referred to in Rule 10. (3) (a) the Board may appoint a person to the vacant position and the person so appointed may continue in the position until the expiration of the term of the position filled.
- (6) For the purposes of these rules, the position of a Board Member becomes vacant if the member:-
 - (a) ceases to be a Member of the League;
 - (b) becomes an insolvent under administration within the meaning of the Companies (Victoria) Code; or
 - (c) resigns their office by notice in writing given to the LA in accordance with these rules.
- (7) After the AGM, the Board shall meet and appoint from its elected members, a President upon such terms as agreed by the Board and a Vice-President; both of whom shall hold office until the next AGM.
- (8) All Board members and officials properly appointed in accordance with these Rules shall be indemnified from the funds of the League against the cost of any legal proceedings taken against them or any one of them, in consequence of the performance of their duties, provided they have acted reasonably and in accordance with these Rules.
- (9) The Board shall have control of all premiership matches played between its Clubs and of any matches played by representative teams selected from its Clubs.

12. Removal of a Member of the Board

- (1) The League at a SGM may by resolution remove any Member of the Board before the expiration of their term of office and appoint another Member in their stead to hold the position until the expiration of the term of the first mentioned Members.
- (2) Where the Member to whom a proposed resolution referred to in Rule 12. (1) makes representation in writing to the LA or President of the League (not exceeding a reasonable length) and requests that it be notified to the members of the League, the LA or the President may send a copy of the representations to each Member of the League or, if they are not so sent, the Member may require that they be read out at the SGM.

13. League Administrator

- (1) The League Administrator appointed by the Board, shall carry out the functions designated in these Rules.
- (2) The LA shall be appointed by the Board on such honorarium, allowances and/or remuneration as the Board from time to time determines.
- (3) The LA shall retain office in accordance with the terms and conditions as agreed between the LA and the Board.
- (4) The LA is not eligible to be an elected Member of the Board.
- (5) The LA shall cause to be kept minutes of the resolutions of each AGM or SGM and of each Board Meeting, in books provided for that purpose, together with a record of the names of persons present at each meeting and is to provide a copy of such minutes to all Members of the League within seven (7) days of the meeting.
- (6) The LA shall be responsible for the engagement and supervision of, all persons required to be appointed or employed by the League subject to Board approval.
- (7) The LA is not eligible to vote at Board Meetings
- (8) The LA or nominated Board Member shall act as the Public Officer of the League

14. Finance Director or Treasurer

- (1) The Finance Director shall act as the Treasurer of the League.
- (2) The Finance Director shall be appointed by the Board on such honorarium, allowances and/or remuneration as the Board from time to time determines.
- (3) The Finance Director of the League:
 - (a) shall collect and receive all moneys due to the League and make all payments authorised by the Board on behalf of the League; and
 - (b) shall keep correct accounts and records showing the financial affairs of the League with full details of all receipts and expenditure connected with the activities of the League.
- (4) The accounts and records referred to in Rule 14. (3) (b) shall be available for inspection by Members.
- (5) The Finance Director is only eligible to vote at Board Meetings if they are an elected Director.
- (6) A properly qualified **Accountant/Bookkeeper** who shall not be a Director shall be appointed by the Board to review the League finances as required.

14a. Purchases/Expenditure/Payments.

- (1) That all Purchases/Expenditure/Payments up to the value of \$500 as a one-off payment must be approved by the League Administrator and the President of the League.
- (2) All Purchases/Expenditure/Payments over \$500 or of an ongoing nature (including amounts up to \$500) must be approved by the Board.

15. Notice of Meetings

- (1) The LA shall, at least fourteen (14) days before the date fixed for holding a Special or Annual General Meeting of the League, cause to be sent to each Member and Member Club, a notice stating the place, date and time of the meeting and the nature of the business to be transacted.
- (2) No business other than that set out in the notice convening the meeting shall be transacted at the meeting.

16. Annual General Meetings

- (1) The AGM shall be held in November in each year unless otherwise decided by the League
- (2) The AGM shall be specified as such in the notice convening it.
- (3) The ordinary business of the AGM shall be:
 - (a) a roll call of all persons present.
 - (b) to confirm the minutes of the last preceding AGM.
 - (c) to receive from the Board reports related to the operation of the League during the last preceding Financial Year including the Audited Financial Report.
 - (d) to elect the Board of Management of the League.
 - (e) to receive and consider the statement submitted by the League in accordance with Section 30 (3) of the Act.
- (4) The AGM may transact special business of which notice is given in accordance with these rules and received by the LA twenty-one (21) clear days before the date of the AGM.
- (5) The AGM shall be in addition to any SGM that may be held in the same year.

17. Special General Meetings

- (1) All General Meetings other than the AGM shall be called SGMs.
- (2) The Board may, whenever it thinks fit, convene a SGM of the League.
- (3) The Board shall convene at least two (2) SGMs each year for the purpose of reporting on the progress of the League's activities.
- (4) The Board shall, however, on the requisition in writing of Member Clubs representing not less than one-quarter (1/4) of the total number of Member Clubs, convene a SGM of the League.
- (5) A requisition for a SGM shall state the objects of the meeting and shall be signed by the Member Clubs making the requisition and be sent to the address of the LA and may consist of several documents in a like form, each signed by one or more of the Member Clubs making the requisition.
- (6) If the Board does not cause a SGM to be held within one month after the date on which the requisition is sent to the address of the LA, the Member Clubs making the requisition, or any of them, may convene a SGM to be held not later than three (3) months after that date.
- (7) A SGM convened by Member Clubs in pursuance of these Rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Board and all reasonable expenses incurred in convening the meeting shall be refunded by the League to the person incurring the expenses.
- (8) At least seven (7) clear days' notice of a SGM shall be given. Such notice shall be in writing by the LA and shall set out the object and nature of business and the place time and date of the meeting.
- (9) At SGM of the League the order of business shall be;
 - (a) Roll call of all persons present
 - (b) Resolution of the business for which the meeting was convened

18. Board Meetings

- (1) A Board Meeting shall be held as may be determined by the Board
- (2) A minimum of six (6) Board Meetings shall be held in each year.
- (3) Meetings of the Board may be convened by the President or by any 4 of the members of the Board.
- (4) Reasonable notice shall be given to members of the Board of any special Board meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.
- (5) Two-thirds (2/3) of the members of the Board constitute a quorum for the transaction of the business of a meeting of the Board.
- (6) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting shall stand adjourned to the same place at the same hour of the same day in the following week unless the meeting was a SGM in which case it lapses.
- (7) At meetings of the Board:-
 - (a) the President or in their absence the Vice-President shall preside; or
 - (b) if the President and Vice-President are absent, such one of the remaining members of the Board as may be chosen by the members present shall preside.
- (8) Questions arising at a meeting of the Board or of any sub-committee appointed by the Board shall be determined on a show of hands or, if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.
- (9) Each Member, with the exception of the LA, present at a meeting of the Board or of any sub-committee appointed by the meeting (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question the person presiding may exercise a second or casting vote.

19. Proceedings of AGM & Special General Meetings

- (1) All business that is transacted at a SGM and all business that is transacted at the AGM with the exception of that specially referred to in these Rules as being the ordinary business of the AGM shall be deemed to be special business.
- (2) No items of business shall be transacted at an AGM or SGM unless a quorum of members entitled under these Rules to vote is present during the time when the meeting is considering that item.
- (3) Two-thirds (2/3) of Eligible Members present constitute a quorum for the transaction of the business of an AGM or SGM.
- (4) If within half an hour after the appointed time for the commencement of a AGM or SGM, a quorum is not present, the meeting if convened upon the requisition of Members shall be dissolved and in any other case shall stand adjourned to the same day in the next week at the same time (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 and 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 present (being not less than half(1/2) the eligible Members) shall be a quorum.
- (5) The President or in their absence the Vice-President, shall preside as Chairperson at each AGM or SGM of the League.
- (6) If the President and the Vice-President are absent from the meeting, the Members present shall elect one of their number to preside as Chairperson at the meeting.
- (7) The Chairperson of the meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (8) Where a meeting is adjourned for fourteen (14) days or more, a like notice of the adjourned meeting shall be given as in the case of the AGM or SGM.
- (9) Except as provided in Rule 19. (7) and Rule 19. (8), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.
- (10) A question arising at an AGM or SGM of the League shall be determined on a show of hands and unless before or on the declaration of the show of hands a poll is demanded, a declaration by the Chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, and an entry to that effect in the Minute book of the League is evidence of the fact without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

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- (11) Upon any question arising at an AGM or SGM of the League, a Member has one vote only.
- (12) However, notwithstanding the provisions of Rule 19. (11), in the event of a vote being required on the objects of an AGM or SGM, the Members of the Board, as a whole, shall only have one vote.
- (13) All votes shall be given personally or by proxy.
- (14) In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- (15) If at any meeting a poll on any question is demanded by not less than three (3) Members, it shall 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.
- (16) A poll that is demanded on the election of a Chairperson or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairperson may direct.
- (17) A Member Club is not entitled to vote at any AGM or SGM unless all monies due and payable to the League have been paid.
- (18) Each Member shall be entitled to appoint another Member as their proxy by notice given to the LA no later than twenty-four hours before the time of the meeting in respect of which the proxy is appointed.
- (19) Life Members shall not be permitted to vote at League meetings unless they are Member club representatives.

20.Meeting Venue

All meetings of the League shall be held at a venue decided by the Board.

21.Notices to Members

- (1) A notice may be served by or on behalf of the League upon any Member either personally or by sending it by post/**email** to the Member at their address shown in the Register of Members.
- (2) Where a document is properly addressed pre-paid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.

22. Correspondence

Letters and communications to the League shall be addressed to the LA and all letters and communications relating to the affairs of the Clubs shall be addressed to the Secretary of such Club.

23. Register of Members

- (1) The LA shall keep and maintain a register of Clubs in which shall be entered the full name, address and date of entry of the name of each Club
- (2) The LA shall keep and maintain a register of current Board Members and Life Members
- (3) The register shall be available for inspection by Clubs at the address of the LA

24. Custody of Records, Books & Documents

Except as otherwise provided in these Rules, the LA shall keep in their custody or under their control all books, documents and securities of the League

The books and documents of the Incorporated Association may be inspected by Member Clubs upon giving the LA reasonable notice.

A Member of the League may obtain from the League Administrator a copy of any part of the register on payment of a fee to cover printing and administrative costs as fixed by the League or set out in the By-Laws

Permission must be obtained by the League from any Member prior to any of their information in the form of copies being forwarded upon request to another Member of the League.

25. Receipts, Expenses and Fees

- (1) All receipts from finals and other matches arranged by the League and all receipts from other sources and projects authorised by the League shall be paid to the credit of the League and the League shall meet all duly authorised expenses incurred in connection with such matters and projects.
- (2) Each Club shall pay such annual or other fees, fines or levies as determined by the League.
- (3) The League shall bear the expenses of any League or Club Official reasonably incurred while on business approved by the League.
- (4) No Club or person shall commit the League to any expense unless authorised by the League

26. Surplus Funds

At the end of the season and after all such expenses are met, the League may consider the payment to each Club of an equal dividend from the balance in hand and shall have the power to retain a proportion of such monies for any purpose it may deem fit, provided that all surplus funds paid to Clubs as herein provided shall be applied to these Clubs towards the Clubs purposes and no person shall profit thereby.

27. Entrance Fees or Annual Subscriptions

- (1) There shall be no entrance fee or annual subscription fee for Board Members or Life Members.
- (2) The Board, prior to the AGM, will decide the annual affiliation fee and/or entrance fee for Clubs
- (3) Such Annual subscription shall become payable prior to the first home and away game of the forthcoming season.

28. League Funds

The funds of the League shall be derived from entrance fees, annual subscriptions, donations and other such sources as the League determines.

29. Finance Signatories

All cheques, electronic fund transfer, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed or authorised by any two of the following officers; The President, the Vice President, the LA, the Finance Director, or a nominated Board Member approved by the Board.

30. Seal

- (1) The Common Seal of the League shall be kept in the custody of the LA
- (2) The Common Seal shall not be affixed to any instrument except by the authority of the League
- (3) The fixing of the Common Seal shall be attested by the signatures of any two of the Officers referred to in Rule 29.

31. Independent Tribunal

The Board shall appoint an Independent Tribunal annually.

32. Life Members

- (1) The League shall have power to elect at an AGM or a SGM not more than two Life Members in a calendar year who in its opinion have rendered outstanding service to the League and the Game.
- (2) Such Life Members shall only be elected subject to three-quarters majority vote by Eligible Members in attendance or voting by proxy giving their consent.
- (3) The League shall issue a badge to each Life Member, such badge to provide the Life Member admittance without charge to any approved match under control of the League.

33. AFL Victoria Country and Netball Victoria Affiliation

The League shall affiliate with AFL Victoria Country and Netball Victoria annually.

34. Winding-Up Or Cancellation

In the event of the winding-up or cancellation of the Incorporation of the League, the assets of the League shall be disposed of in accordance with the provisions of the Act.

35. Disputes and Mediation

- (1) The grievance procedure set out in this Rule applies to disputes under these Rules between;
 - (a) A Member Club and another Member Club; or
 - (b) A Member Club and the League
- (2) The parties to the dispute must meet and discuss the matter in dispute, and if possible, resolve the dispute within fourteen (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 ten (10) days, hold a meeting in the presence of a mediator.
- (4) The mediator must be;
 - (a) A person chosen by agreement between these parties; or
 - (b) In the absence of agreement;
 - (i) In the case between a Member and another Member a person appointed by the Board; or
 - (ii) In the case between a Member and the League, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice and Community Safety).
- (5) A Member of the League 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 the Law.

36. Use of Technology

- (1) A person not physically present at a meeting, this being a General Board Meeting, SGM or AGM may be permitted to participate in the meeting by the use of technology that allows that Member & the Members present to clearly and simultaneously communicate with each other.
- (2) For the purposes of this part, a Member participating in a meeting as a permitted under Rule 16,17,18 and 19 is taken to be present at the meeting and, if the Member votes at the meeting, is taken to have voted in person.
- (3) Any motion distributed prior to a meeting whether it be a General Board Meeting, SGM or AGM, maybe voted on through an email which will then be tabled at the meeting and be counted as a valid vote for or against the motion.