

**The Christian Counsellors Association of Australia (Vic) Inc
Rules and Statement of Purposes**

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Rules and Statement of Purposes

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Statement of Purpose

**RULES OF AN INCORPORATED ASSOCIATION CHRISTIAN
COUNSELLORS ASSOCIATION OF AUSTRALIA (VIC) INC**

PREAMBLE

Christian Counsellors Association Australia (Vic) Inc is a member association of Christian Counsellors Association Australia Inc, and subject to decisions made by that association's committee of management so long as such decisions are not in contravention of this constitution or legislation passed from time to time by State or Federal Parliament.

NAME

1. The name of the Incorporated Association is "Christian Counsellors Association of Australia (Vic) Inc" (in these Rules called "the Association").

INTERPRETATION

2. In these Rules, unless the contrary intention appears:-
 - "Committee" means the Committee of management of the Association.
 - "Financial Year" means the year ending on 30 June.
 - "General Meeting" means a general meeting of members convened in accordance with Rule 38.
 - "Member" means a member of the Association.
 - "Ordinary Member of the committee" means a member of the committee who is not an officer of the association under Rule 32
 - "Public Officer" means the Public Officer as defined in the Act.
 - "The Act" means the *Associations Incorporation Act 1981*.
 - "The Regulations" means Regulations under the Act.
 - "National Association" means Christian Counsellors Association Australia Inc.
3. Words or expressions contained in these Rules shall be interpreted in accordance with the *Interpretation of Legislation Act 1984* and the Act as in force from time to time.

REGISTERED OFFICE

4. The Registered office of the Association shall be 2 Daphne Street Bentleigh in the state of Victoria, or elsewhere as may be determined from time to time by the Committee

MEMBERSHIP

5. The members of the Association are:
 - 5.1 Persons who have been approved for membership of the association by the Committee of Management of the association in accordance with rule 6.
 - 5.2 Only those persons who have fulfilled all the training requirements established by the National Association for the level of Provisional Member or Member, or such nomenclature current at the time of application for the equivalent level of membership, shall be permitted to apply for Membership.
 - 5.3 Only persons who are admitted as such are permitted to make reference to their membership of Christian Counsellors Association Australia, or Christian Counsellors

Association Australia (Vic) Inc in any manner which may be deemed to infer a professional standing as a counsellor. Any such reference shall be in the manner approved by the National Association.

5.4 Other persons may be admitted as Associates of the Association by application in accordance with rule 7., however such Associates shall not be considered to be members of the Association and shall have no voting rights nor shall they refer to their association with Christian Counsellors Association Australia Inc., or Christian Counsellors Association Australia (Vic) Inc. in any manner which may be deemed to infer a professional standing as a counsellor.

6. Application for Membership:

6.1 Application for membership of the Association must be made either in writing or electronically using the application form available from the National Association web site or by request from the Association Secretary; and must be sent to the Secretary of the Association at the postal address on the application form, with payment of the application fee as set out on the application form.

6.2 The Committee may admit to membership any person who meets the criteria for membership established by the National Association and amended from time to time, and who accept the Constitution and Rules of the Association and pays the current Application fee.

6.3 If the committee determines to approve an application for membership, the secretary must notify the applicant of that approval as soon as practicable and request that they pay within 28 days of receipt of this notification, the sum payable as an annual subscription fee.

6.4 A certificate of membership shall be forwarded to the person on receipt of the said payment.

6.5 The secretary must, on receipt of payment by the applicant of the amounts referred to in clause 6.3 within the period referred to in that clause, enter the applicant's name in the register of members and, on the name being so entered, the applicant becomes a member of the association

6.6 The Committee may refuse any application for membership and shall not be required to give reasons for such refusal.

7. Application for Associate:

7.1 Application for Associate of the Association must be made either in writing or electronically using the application form available from the National Association web site or by request from the Association Secretary; and must be sent to the Secretary of the Association at the postal address on the application form, with payment of the application fee as set out on the application form.

7.2 The Committee may admit to Associate any person who meets the criteria for Associate established by the National Association and amended from time to time, and who accept the Constitution and Rules of the Association and pays the current Application fee.

7.3 Associates are not Members and shall have no voting rights

7.4 The Committee may refuse any application for Associate and shall not be required to give reasons for such refusal.

CESSATION OF MEMBERSHIP

8. Cessation of Membership or Associate shall be as follows:
 - 8.1 A Member, or an Associate, ceases to be a member, or Associate, of the Association if their membership is cancelled, withdrawn, or they are expelled in accordance with these rules, or through failure to pay the annual fee as determined by the Committee from time to time, or resignation received in writing by the Secretary.
 - 8.2 On cessation of Membership, or Associate, of the Association whether by cancellation, expulsion or withdrawal or resignation, they shall not directly or indirectly hold themselves out to be associated with the Association and must not refer to the name "Christian Counsellors Association Australia" or CCAA or any nomenclature which may be confused with the Association, in any document or promotion.
9. Subject to these Rules, the Committee may by resolution-
 - 9.1 expel or suspend a Member or Associate from the Association; or
 - 9.2 warn a Member or Associate that they may be expelled if they continue to act in the specified manner of which the Committee disapproves; if it is of the opinion that the Member or Associate:-
 - 9.3 has refused or neglected to comply with these Rules or the by-laws of the Committee;
or
 - 9.4 has been guilty of conduct unbecoming a Member or Associate or prejudicial to the interests of the Association.
or
 - 9.5 has breached the ethical guidelines of the Association and is deemed to be unfit for Membership or Associate
10. If the Committee passes a resolution under sub-clause 9.1, the Secretary shall, as soon as practicable, cause to be served on the Member a notice in writing-
 - 10.1 setting out the resolution of the Committee and the grounds on which it is based;
 - 10.2 stating that such Member or Associate may appeal in writing to the Committee within 28 days after service of the notice;
 - 10.3 The Committee shall make determination regarding the appeal.
 - 10.4 The decision of the Committee is final.
11. At the next meeting of the Committee, the Committee-
 - 11.1 shall give due consideration to any written statement submitted by the Member or Associate; and
 - 11.2 shall by resolution determine whether to confirm or to revoke the resolution.
12. On expulsion or if a Member or Associate withdraws, all moneys paid to the Association by the Member or Associate shall remain the property of the Association.
13. If a Member or Associate wishes to withdraw from the Association he or she must notify the Secretary. On receipt of such notification, the secretary shall remove the name from the Register of Members and notify the Committee at the next scheduled meeting.

REGISTER OF MEMBERS

14. The Secretary shall keep and maintain a register of members in which is registered the name, contact address and date of joining of each Member and the register shall be available for inspection by a Member upon request.

DISPUTES AND MEDIATION

15. The grievance procedure set out in this rule applies to disputes under these Rules between a Member and another Member; or a Member and the Association.
- 15.1 The parties to the dispute, must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all the parties.
- 15.2 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- 15.3 The mediator must be:-
- (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement:-
 - (i) in the case of a dispute between a Member and another Member, a person appointed by the Committee;
 - or
 - (ii) in the case of a dispute between a member and the Association, a person who is appointed by the National Association.
- 15.4 The mediator cannot be a member of the Association who is a party to the dispute.
- 15.5 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- 15.6 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.
- 15.7 The mediator must not determine the dispute.
16. If the mediation process does not result in the dispute being resolved, the National Association shall be requested to appoint three suitable Arbiters, at least two of whom shall have no membership of the Association. The decision of the Arbiters shall be final. Notwithstanding, this procedure is not intended to deny any party the right at any time to resolve the dispute otherwise at law.

ENTRANCE FEE AND ANNUAL SUBSCRIPTION

17. The joining fee shall be that established by the National Association and shall be paid when application for Membership or Associate is made.
18. The annual subscription fee shall be that set by the National Association and current as at 30 June of each year and must be paid on invoice.

COMMITTEE

19. The affairs of the Association shall be managed by a Committee

- 19.1 The Committee shall consist of no more than 12 and no less than five Members or Associates appointed by the Annual General Meeting following nomination in writing on the appropriate form.
- 19.2 Each Committee Member shall hold office from the conclusion of the annual general meeting of the Association at which he or she is appointed until the conclusion of the second annual general meeting after taking office or until such appointment is revoked or the person resigns from the Committee.
- 19.3 Any casual vacancy may be filled by nomination by the Committee. Such position shall be held until the next Annual General Meeting following such nomination, at which time the nominee may be nominated and appointed for a two year term.
- 19.4 Office Bearers as defined by clause 32 shall be members of the Committee

20. The Committee-

- 20.1 shall control and manage the business and affairs of the Association;
- 20.2 may, subject to these Rules, the Regulations and the Act, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these Rules to be exercised by the Association in a general meeting; and
- 20.3 subject to these Rules, the Regulations and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Association.
- 20.4 The Committee may make by-laws that shall not be inconsistent with these rules, or the rules of the National Association, for the better management of the affairs of the Association including but not limited to:
 - (a) the qualifications and requirements for levels of membership including such educational and practical qualifications as the Committee may deem appropriate;
 - (b) the establishment and regulation of any Board or sub-committee of the Association or of any disciplinary or complaints body of the Association;
 - (c) the establishment and administration of a Code of Ethics for observation by Members;
 - (d) regulate procedures for the hearing of complaints against Members with regard to the due observance of the ethical standards, reputation and the objects of the Association and to prescribe forms of penalty which the Committee deem appropriate; and
 - (e) establish and administer guidelines and standards of supervision for Christian counselling to be observed by Members and Associates practicing counselling.

PROCEEDINGS OF COMMITTEE

21. The Committee shall meet at least four times in each year at such place and such times as the Committee may determine.
22. Special meetings of the Committee may be convened by the President or by half of the Committee
23. A meeting of the Committee may be held as a telephone, email, or video conference and the procedure for such meeting is the same as for a normal Committee meeting except that it is not necessary for the participating members to be present in the same room.
24. If a draft resolution is circulated in writing to all committee members and is signed by not less than three quarters of the Committee such resolution shall be deemed a valid and effectual resolution as if it had been passed at a meeting of the Committee duly convened and held. Such

resolution may consist of several documents in like form each signed by one or more committee members.

25. The quorum at a meeting of the Committee is 3 members or fifty percent of the number of committee members, whichever is greater
26. 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 a place and time as determined by those in attendance, unless the meeting was a special meeting in which case it lapses.
27. At meetings of the Committee-
 - 27.1 the President shall preside; or
 - 27.2 if the President is absent, the Committee shall elect one of their number to preside.
28. Each committee member at a meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question, the matter in question shall be deferred for reconsideration at a later meeting. Should such later meeting also result in an equality of votes on the same question, the vote shall be determined by the casting vote of the President or in the absence of the president, the Chairperson of the meeting.
29. Written notice of each Committee meeting shall be served on each Committee Member by delivering it to the Committee Member or by sending it by email or pre-paid post addressed to him or her at his or her usual or last known place or abode at least three business days before the date of the meeting.
30. The Committee may delegate any of its powers to such sub-committees consisting of Committee Members and such other persons whether or not such persons are Members or Associates as it thinks fit and shall appoint a Chairperson to chair the meeting of the sub-committee. Any sub-committee so formed shall in the exercise of the power so delegated conform to any rules which may be imposed on it by the Committee.
31. A sub-committee may meet and adjourn as it thinks proper.

THE OFFICERS

32. The officers of the Association shall be-
 - 32.1 A President;
 - 32.2 A Treasurer; and
 - 32.3 A Secretary.
33. The officers shall be elected by the Members of the Association at the Annual General Meeting from nominations received in writing on the appropriate form and shall hold office until the second Annual General Meeting following their election unless otherwise determined for a shorter period by the Annual General Meeting at the time of the election.
34. In the event of a casual vacancy in any office referred to in clause 32, the Committee may appoint one of its members to the vacant office and the member so appointed may continue in office until the conclusion of the term of office for which the retiring officer was elected.

VACANCIES

35. For the purposes of these Rules, the office of an officer of the Association or of a Committee Member shall become vacant if he or she ceases to be a Member or Associate of the Association or the officer or Committee Member-
- 35.1 becomes an insolvent under administration within the meaning of the Corporations Law;
 - 35.2 resigns from office by notice in writing given to the Secretary.
 - 35.3 Is found to be in breach of the Association's code of ethics as a result of an official complaint being upheld.

ANNUAL GENERAL MEETING

36. The Association shall in each calendar year convene an annual general meeting.
- 36.1 The annual general meeting shall be held on such day as the Committee determines.
 - 36.2 The annual general meeting shall be specified as such in the notice convening it.
 - 36.3 The ordinary business of the annual general meeting shall be -
 - (a) to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
 - (b) to receive from the Committee reports upon the transactions of the National Association during the last preceding financial year;
 - (c) to elect the officers of the Association;
 - (d) to supply information relative to formal questions that may be raised by any Member in writing at least seven (7) days prior to the date of the Annual General meeting
 - (e) to receive and consider the statement submitted by the Association in accordance with section 30 (3) of the Act.
 - 36.4 The Annual General Meeting may transact special business of which notice is given in writing to the Secretary no later than one calendar month prior to the meeting and signed by two Members.
 - 36.5 The Annual General Meeting shall be in addition to any other general meetings that may be held in the same year.

SPECIAL GENERAL MEETING

37. All general meetings other than the annual general meeting shall be called Special General Meetings.
- 37.1 The Committee may, whenever it thinks fit, convene a Special General Meeting of the Association and where, but for this sub-clause, more than fifteen months would elapse between Annual General Meetings, shall convene a Special General Meeting before the expiration of that period.
 - 37.2 The Committee shall convene a Special General Meeting of the Association:
 - (a) Where two thirds of the Committee agree to such a Special General Meeting or
 - (b) Where more than fifteen months would elapse between Annual General Meetings.
 - 37.3 The motion for a Special General Meeting shall state the objects of the meeting
 - 37.4 Such Special General Meeting shall be held within two months after the date on which the decision was made.

NOTICE OF MEETING

38. The Secretary of the Association shall, at least 14 days before the date fixed for holding a General Meeting of the Association, cause to be sent to each Member by pre-paid post, email, or in the Associations newsletter, a notice stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
39. No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
40. A Member desiring to bring any business before a meeting shall give notice of that business in writing at least one calendar month prior to the meeting to the Secretary, who shall include that business in the notice calling the next general meeting after the receipt of the notice.

PROCEEDINGS AT GENERAL MEETINGS

41. All business that is transacted at a Special General Meeting and all business that is transacted at the Annual General Meeting with the exception of that specially referred to in these Rules as being the ordinary business of the Annual General Meeting shall be deemed to be special business.
42. No item of business shall be transacted at a General Meeting unless a quorum of Members entitled under these Rules to vote is present during the time when the meeting is considering that item. Any Proxy or postal vote received in writing prior to the meeting shall be considered part of the quorum
43. The quorum at a general meeting shall be six Members present in person or by proxy or by postal vote.
44. If within half an hour after the appointed time for the commencement of a General Meeting, a quorum is not present, the meeting shall be adjourned to the same day in the next week at the same time and at the same place (unless another place is specified by the Chairperson at the time of the adjournment) 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 3) shall be a quorum.
45. The President shall preside as Chairperson at each general meeting of the Association
46. If the President is absent from a general meeting, the Committee present shall elect one of their number to preside as Chairperson at the meeting.
47. The Chairperson of a general 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.
48. Where a meeting is adjourned for fourteen days or more, a like notice of the adjourned meeting shall be given as in the case of the general meeting.
49. Except as provided in clauses 47 and 48, it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.
50. A question arising at a general meeting of the Association 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, an entry to that effect shall be made in the Minute Book of the Association as evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

50. 50.1 Upon any question arising at a general meeting of the Association, a Member has one vote only.
50.2 All votes shall be given personally or by proxy.
50.3 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.
51. If at a meeting a poll on any question is demanded by not less than two 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.
52. 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 question shall be taken at such time before the close of the meeting as the Chairperson may direct.
53. A Member shall only be entitled to appoint another Member proxy and such appointment shall be made by notice in writing given to the Secretary prior to the commencement of the meeting in respect of which the proxy is appointed.

SECRETARY

54. The Secretary of the Association shall keep minutes of the resolutions and proceedings of each General Meeting and each Committee meeting in books provided for that purpose together with a record of the names of persons present.

TREASURER

55. The Treasurer of the Association—
55.1 shall collect and receive all moneys due to the Association and make all payments authorised by the Association; and
55.2 shall keep correct accounts and books showing the financial affairs of the National Association with full details of all receipts and expenditure connected with the activities of the Association.

CHEQUES

56. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed, by two signatories to the Bank account. Where transactions are made by Internet Banking, such transaction shall be approved by two signatories to the Bank account.

SEAL

57. The Common Seal of the Association shall be kept in the custody of the Secretary.
58. The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures either of two Committee Member or of one Committee Member and of the Public Officer of Association.

ALTERATION OF RULES AND STATEMENT OF PURPOSES

59. This Constitution and its Objectives may only be altered or rescinded or additional rules made by a decision of an Annual General Meeting or a Special General Meeting called for such purpose.
60. Notice of any proposed alteration to this Constitution or the Association Objectives shall be conveyed in writing from the Committee to each Member of the Association at least twenty one days (21) prior to the meeting at which such alterations shall be considered.
61. The notice shall state the date, time and place of such meeting and be either delivered personally to the Members, posted to the last known address, or sent by email.
62. The proposed alteration may only be placed before a meeting of the Members if the Committee decides unanimously to do so.
63. Any alteration to this Constitution or Association objectives must be passed by a special resolution at a properly convened meeting of the Members of the Association, who vote in person or by proxy at the meeting, with no less than three-quarters ($\frac{3}{4}$) of the Members voting in favour of the resolution.
64. All alterations must be made in accordance with the Associations Incorporation Act, being submitted to the Registrar, by the Public Officer, within 28 days of the special resolution made by the Members, and do not come into effect until approved by the Registrar.

NOTICES

65. A notice may be served by or on behalf of the Association upon any Member personally; or by sending it by post to the Member at the address shown in the Register of Members; or by sending it by fax or electronic mail if the Member has notified an address applicable to that system.
66. 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.
67. Where a document is sent by fax or electronic mail it shall be deemed to have been received when the sender receives acknowledgment that the addressee has personally seen it, or on the first business day after the date of sending.

WINDING UP OR CANCELLATION

68. The Association shall not make any distribution to its members, whether in money, property or in any other way, of any assets belonging to the Association. This does not prevent the payment in good faith of remuneration of any officers or servants of the Association for any services actually rendered.
69. If upon the winding up or of the cancellation of the incorporation of the Association there remains any property after satisfaction of all its debts and liabilities, such property must be given to the National Association or if the National Association is wound up, transferred to some other institution or institutions having objects similar in whole or in part to the objects of the Association and which prohibits the distribution of any surplus to at least the same extent as

is required by these rules. The institution or institutions must be nominated by special resolution of the Members at the time of winding up.

CUSTODY OF RECORDS

70. Except as otherwise provided in these Rules, the Secretary shall keep in his or her custody or under his control all books, documents and securities of the Association.
71. The accounts of the Association shall be available for inspection and copying by any Member of the Association upon request.

FUNDS

72. The funds of the Association shall be derived from
 - 72.1 Application fees as determined by the National Association
 - 72.2 Annual subscriptions payable by each Member the amount of which shall be determined by the National Association from time to time; and
 - 72.3 Donations, seminar fees, product sales, and any other legitimate sources as the Committee determines.
73. The Committee shall appoint a suitable independent person in accordance with the requirements of the Associations Incorporation Act to assess the financial records at the end of financial year

PROPERTY OWNERSHIP

74. The Association shall have all power of property ownership and may hold, purchase or take on lease any land, and may sell, exchange, mortgage, lease or build upon the same, (with power to alter and pull down buildings and again rebuild), and otherwise deal with the same as fully and effectively as a private person may do.
75. The Committee shall have authority and power to make rules and regulations consistent with this Constitution and the Act, for the administration, management, provision and disposal of all money, revenues, legacies, donations and documents of every description received by or under the control of the Association or any Officer of the Association.

Appendix 1

FORM OF APPOINTMENT OF PROXY

I,of.....
(Name) (Address)

being a Member of the Christian Counsellors Association Australia (Vic) Inc.

appoint of.....
(Name) (Address)

being a member of the Christian Counsellors Association Australia (Vic) Inc. as my proxy to vote for me on my behalf at the general meeting of the Association (Annual General Meeting or Special General Meeting, as the case may be) to be held on

..... 20 and at any adjournment of that meeting.

My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution (insert details).

Signed.....

Dated.....

NOMINATION FORM

I,
(Name)

being a Member of the Christian Counsellors Association Australia (Vic) Inc.

Nominate
(Name)

being a Member or Associate of the Christian Counsellors Association Australia (Vic) Inc. for the position of:

- President
- Secretary
- Treasurer
- Committee Member

Signed Date

I,
(Name)

being a Member of the Christian Counsellors Association Australia (Vic) Inc. Second this nomination

Signed Date

I, Accept nomination.
(Name)

Signed Date

STATEMENT OF PURPOSE

The aims of the Association are:

1. To provide an umbrella association for Christians who are involved in counselling;
2. Strive for the integration of relevant knowledge from all available sources;
3. To advance Christian approaches to counselling;
4. To provide peer group support for Christians involved in counselling;
5. To offer professional support, supervision, and opportunities for training for members of the Association;
6. To collect, evaluate and disseminate information on relevant human and other resources;
7. To formulate standards of practice and accreditation;
8. To conduct workshops and seminars for members of the Association and the general public;
9. To consult and co-operate with other bodies of like aims;
10. To apply for incorporation under the Associations Incorporations Act;
11. To do all such other things that may be necessary and desirable for the accomplishment of the foregoing aims.