



Rules for Australian Sign Language Interpreters' Association (South Australia)
Incorporated

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Part 1 General

1. Name

The name of the incorporated association is Australian Sign Language Interpreters' Association (South Australia) Incorporated referred to herein as ASLIA (SA). ASLIA (SA) is established for the purposes set out in the Statement of Objects

2. Definitions

Accreditation means formal interpreter accreditation through an authorised body, such as the National Accreditation Authority for Translators and Interpreters (NAATI).

ASLIA means the Australian Sign Language Interpreters' Association.

ASLIA (SA) means the Australian Sign Language Interpreter' Association (South Australia Incorporated

Auslan means Australian Sign Language, which is recognised as the natural and preferred language of the Australian Deaf community.

Certification Certification is an acknowledgement that an individual has demonstrated the ability to meet the professional standards required by the interpreting industry in Australia under NAATI. This is the ongoing standard of practise from 2017 onwards.

Committee means the management committee of ASLIA (SA)

Deaf includes any person identifying as D/deaf or having a hearing loss who uses sign language. The first letter in the word "Deaf" is capitalised when referring to the Deaf Community, Deaf Culture or when referring to Deaf people who consider themselves part of the Deaf community. It is not capitalised when referring to physical deafness.

Director of the Board or Board Director means any person who currently sits on the Board of ASLIA, being either an *Executive Director* or an *Ordinary Board Director*.

General Meeting means an Annual General Meeting or a Special General Meeting of ASLIA (SA), referred to in Part 4.

Member means current financial member of ASLIA (SA) and membership has a corresponding meaning.

NAATI means the authority for the certification, accreditation, and recognition of interpreters and translators in Australia, the *National Accreditation Authority for Translators and Interpreters*

Public Officer means the designated Public Officer of ASLIA (SA) as defined in the Act

Recognition means formal recognition through an authorised body, such as the National Accreditation Authority for Translators and Interpreters (NAATI).

Resolution means a resolution requiring not less than a 51 per cent majority to be passed.

Secretary means:

the person holding office under this constitution as Secretary of ASLIA (SA), or if no person holds that office - the Public Officer of ASLIA (SA).

Special resolution means a resolution of a General Meeting which is:

passed by at least 75 per cent of members who are entitled to vote and who vote in person or by proxy at a General Meeting of which not less than 21 days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules; or passed in the manner consistent with *The Act*.

The Act means the Associations Incorporation Act 1985 (SA)

The Regulation means the Associations Incorporation Regulations 2008 (SA)

3. The objects of ASLIA (SA) are:

- i. To promote recognition of the professional status of interpreters.
- ii. To promote, foster, and improve the skill and professionalism of Auslan Interpreters.
- iii. To assist in the upgrading of interpreting skills for current students, up and coming interpreters, and practicing interpreters.
- iv. To maintain communication with interpreting service stakeholders, including consumers and those who engage interpreting services.
- v. To support, advocate and protect the rights of interpreters (in areas of health, personal safety, and working conditions).
- vi. To actively engage with any relevant government or other organisation, agency, group or individual to pursue of the interpreting industry objectives led by members and the profession as a whole.
- vii. To promote a collaborative and effective relationship between the deafness sector and interpreting services industry, through consultation

- and sharing of ideas with Deaf community organisations and other entities and organisations with an interest in the sector.
- viii. To collate, disseminate and provide relevant information to ASLIA (SA) members.

Part 2 Membership

4. Membership

- i. A person who wishes to become a member of ASLIA (SA) must first become a member of ASLIA.
- ii. The criteria for membership of ASLIA (SA) and classes of membership are those described in the constitution of ASLIA.
- iii. A member of ASLIA whose permanent residence is in South Australia automatically becomes a member of ASLIA (SA)

5. Entitlements of Membership

- i. Ordinary Individuals and Honorary Life Members shall:
 - a. Have the right to hold office
 - b. Have the right to vote at General Meetings
 - c. Have the right to receive general circulars of information and minutes of General Meetings
 - d. Participate in ASLIA (SA) events and receive member discounts on any associated registration fees.
- ii. Associate Individuals and Ordinary Corporate members shall:
 - a. Have the rights outlined in clause 5.i.(c) and (d),

6. Cessation of membership

- i. A person ceases to be a member of ASLIA SA if the person:
 - a. dies, or
 - b. resigns membership, or
 - c. is expelled from ASLIA, or
 - d. fails to pay the annual membership fee under clause 10 within 1 month after the fee is due, or
 - e. being an ordinary corporate member, is wound up and dissolved.

7. Membership entitlements not transferable

A right, privilege or obligation which a person has by reason of being a member of ASLIA SA:

- I. is not capable of being transferred or transmitted to another person, and

- II. terminates on cessation of the person's membership.

8. Resignation of membership

- i. A member whose permanent residence is in South Australia who resigns from ASLIA in accordance with that constitution is deemed to have resigned from ASLIA (SA)
- ii. A member of ASLIA whose permanent residence ceases to be in South Australia shall be deemed to have ceased being a member of ASLIA (SA).

9. Register of members

- i. The Public Officer must establish and maintain a register of all classes of members of ASLIA (SA) (in electronic form) specifying the name and postal, residential or email address of each person who is a member of ASLIA (SA) together with the date on which the person became a member. ASLIA shall forward the required information to ASLIA (SA) for individual and ordinary corporate members who reside, or are based in South Australia.
- ii. The register of members must be kept in SA:
 - a. at the main premises of ASLIA (SA), or
 - b. if ASLIA (SA) has no premises, at ASLIA (SA)'s Public Officer's address.
 - c. it must be convertible into hard copy, and
 - d. the requirements in sub-clauses 9.1 and 9.2 apply as if a reference to the register of members is a reference to a current hard copy of the register of members.
- iii. The register of members must be open for inspection, free of charge, by any member of ASLIA (SA) at any reasonable hour.
- iv. A member of ASLIA (SA) may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.
- v. If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.
- vi. A member must not use information about a person obtained from the register to contact or send material to the person, other than for:
 - a. the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to ASLIA (SA) or other material relating to ASLIA (SA), or
 - b. any other purpose necessary to comply with a requirement of the Act or the Regulation.

10. Fees and subscriptions

- i. All fees and subscriptions, and the terms on which they shall be paid, shall be set by ASLIA.
- ii. ASLIA shall disburse a proportion of each individual or corporate subscription to ASLIA (SA) on receipt of an invoice for the agreed amount.
- iii. ASLIA shall be entitled to retain for its own purposes the remainder of each subscription unless the Board has endorsed other arrangements with ASLIA (SA).

11. Members' liabilities

The liability of a member of ASLIA (SA) to contribute towards the payment of the debts and liabilities of ASLIA (SA) or the costs, charges and expenses of the winding up of ASLIA (SA) is limited to the amount, if any, unpaid by the member in respect of membership of ASLIA (SA).

12. Resolution of disputes

- i. Disputes between members must first follow the ASLIA Grievance Policy as ratified by the Board.
- ii. The dispute resolution procedure for ASLIA (SA) applies to disputes under these Rules between - (a) a member and another member (b) a member and the ASLIA (SA) committee.
- iii. The parties to the dispute must meet and discuss the matter in dispute and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- iv. If the parties are unable to resolve the dispute at the meeting the parties may choose to meet and discuss the dispute before an independent third person agreed to by the parties.
- v. In this rule 'member' includes any person who was a member not more than six months before the dispute occurred.

13. Disciplining of members

Any complaint about members of ASLIA (SA) must be made to the Board of ASLIA. The Board will deal with the complaint in accordance with the ASLIA constitution.

Part 3 THE COMMITTEE

14. Powers and duties

The affairs of the ASLIA (SA) shall be managed and controlled by a committee which, in addition to any powers and authorities conferred by these rules, may exercise all such powers and do all such things as are

within the objects of the association, and are not by the Act or by these rules required to be done by the association in general meeting.

- i. The committee has the management and control of the funds and other property of the association.
- ii. The committee shall have authority to interpret the meaning of these rules and any other matter relating to the affairs of the association on which these rules are silent.
- iii. The committee shall appoint a public officer as required by the Act.

15. Chairperson

- i. The Chairperson shall act as spokesperson for the Association
- ii. In accordance with the ASLIA constitution the Chairperson automatically becomes a Board Director.
- iii. Works with the Chairperson to engage with the membership, the Deaf community and other stakeholders in order to implement ASLIA's strategic plan.

16. The Vice-Chairperson

The Vice-Chairpersons role is to (If this position is filled):

- i. Deputise for the Chairperson, in his/her absence.
- ii. Work in partnership with all members of the Committee to individually and collectively meet agreed objectives.

17. Secretary

- i. The Secretary shall lodge notice of his/her address with ASLIA promptly after his/her appointment.
- ii. The Secretary must keep proper records of:
 - a. all appointments of office-bearers and ordinary members;
 - b. the names of members present at Committee meetings and at General Meetings; and
 - c. all proceedings at Committee meetings and General Meetings.
- iii. The Secretary shall ensure that Minutes or proceedings from any Committee or General Meetings are distributed and available for review by Committee members attending the next Committee Meeting or members attending the next General Meeting. Once the minutes are approved and passed at a subsequent meeting, the Secretary shall ensure the minutes are signed by the Chairperson or Public Officer of the meeting where minutes of the previous meeting have been approved and passed.

18. Treasurer

The Treasurer shall ensure that:

- i. all money due to ASLIA(SA) is collected –and that all payments authorised by ASLIA(SA) are made; and
- ii. proper books and accounts are established and maintained according to the Act to record the financial affairs of ASLIA(SA) including all receipts and expenditure connected with its activities.

19. The Public Officer

- i. The Public Officer shall perform all duties as required by the Act.

20. Representative for Board Director

- i. In accordance with the ASLIA constitution, ASLIA (SA) must choose a second representative as Board Director from the current membership.

21. Membership of the Committee

- i. The Committee will be elected from amongst the Ordinary Individual and Honorary Life members of ASLIA (SA). Committee members are elected on individual merit and do not represent any interpreting agency, or Deaf or other stakeholder group.
- ii. The Committee members term of office will be two years, after which time they shall be required to be renominated.
- iii. Once elected the Committee will choose office bearers (chair, treasurer, secretary) by an agreed process.
- iv. Committee members must be a financial member of ASLIA at the date of nomination.
- v. The Committee will consist of a minimum of 3 and up to a maximum of 7 members.
- vi. Nominations shall be taken in writing to the secretary before the commencement of the AGM or as prescribed by the committee when the AGM is announced (with 14 days notice). If insufficient nominations are received to fill all vacancies on the Committee, the nominated candidates will be deemed to be elected effective from the conclusion of the Annual General Meeting.
- vii. If the number of nominations received equals the number of vacancies to be filled, the persons nominated will be deemed to be elected effective from the conclusion of the Annual General Meeting.
- viii. If the number of nominations received exceeds the number of vacancies to be filled, an election shall be held by poll.
- ix. A retiring committee member shall be eligible to stand for re-election.
- x. The committee may appoint a person to fill a casual vacancy, and such a committee member shall hold office until the next annual general meeting of the association.
- xi. A casual vacancy in the office of a committee member occurs if the member:

- a. dies, or
- b. ceases to be a member of ASLIA, or
- c. is or becomes an insolvent under administration within the meaning of the *Corporations Act 2001* (Cth), or
- d. resigns office by notice in writing given to the Secretary, or
- e. is removed from office under clause 22 or
- f. becomes a mentally incapacitated person, or
- g. is absent without the consent of the committee from 3 consecutive meetings of the committee, or
- h. is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
- i. is prohibited from being a Director of a company under Part 2D.6 (Disqualification from managing corporations) of the *Corporations Act 2001* (Cth).

22. Removal of a Committee member

- i. A committee member may be removed:
 - a. by resolution at a general meeting; or
 - b. in the public interests of its members and following due processes, by a majority decision of the Committee.
- ii. The committee member referred to in a resolution can make representations in writing to the Secretary (or in the case where resolution concerns the committee member holding the position of Secretary, representations shall be made to the Chairperson), including the option of requesting that the representations be communicated to its members and a Special General Meeting called within 14 days of their removal.
- iii. Pending the outcome of a vote by a General Meeting on a resolution for removal of a committee member, s/he shall not be entitled to attend meetings of the committee or to exercise any function as a committee member until the outcome is known.

23. Committee meetings and quorum

- i. The Committee must meet at least twice every year (including the AGM) at the place and time that the committee may determine.
- ii. A committee meeting may be held at one or more venues using any technology that gives each the committee members a reasonable opportunity to participate.
- iii. A committee member who participates in a committee meeting using technology is taken to be present at the meeting and, if the committee member votes at the meeting, is taken to have voted in person.
- iv. Additional meetings of the committee may be convened by the Chairperson as required.

- v. Verbal, signed or written notice of a meeting (including electronic form) must be given by the Secretary and distributed to the committee with at least 48 hours (or any other period that may be unanimously agreed on by the committee) before the time appointed for the holding of the meeting.
- vi. A majority of the committee (over 50%) will constitute a quorum for the transaction of the business of a meeting of the committee.
- vii. No business is to be transacted by the committee 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 is to stand adjourned to the same place and at the same hour of the same day in the following week.
- viii. If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- ix. At a meeting of the committee: the Chairperson or, if the Chairperson's absent or unwilling to act, one of the remaining committee members chosen by the committee present at the meeting, is to preside.

Part 4 General meetings

24. Provision of interpreters at general meetings

Sign language interpreter(s) shall be provided at all General Meetings, if required.

25. Attendance of observers at general meetings

Observers may attend general meetings at the invitation of the Chairperson.

26. Annual General meetings

- i. The committee shall call an annual general meeting in accordance with the Act and these rules.
- ii. The first annual general meeting shall be held within 18 months after the incorporation of the association, and thereafter within five months after the end of its financial year.
- iii. The order of the business at the meeting shall be:
 - a. The confirmation of the minutes of the previous annual general meeting and of any special general meeting held since that meeting
 - b. The consideration of the accounts and reports of the committee and the auditor's report (if auditor's report is required)
 - c. The election of committee members
 - d. The appointment of auditors (if required).
 - e. Any other business requiring consideration by the association in general meeting.

27. Special general meeting

- i. The committee may call a special general meeting of the association at any time.
- ii. Upon a requisition in writing of not less than 5% of the total number of members of the association, the committee shall, within one month of the receipt of the requisition, convene a special general meeting for the purpose specified in the requisition.
- iii. Every requisition for a special general meeting shall be signed by the relevant members and shall state the purpose of the meeting.
- iv. If a special general meeting is not convened within one month, as required by clause 27.ii above, the requisitionists, or at least 50% of their number, may convene a special general meeting. Such a meeting shall be convened in the same manner as as soon as practical as a meeting convened by the committee.

28. Notice of general meetings

- i. At least 14 days notice of any general meeting shall be given to members. The notice shall set out where and when the meeting will be held, and particulars of the nature and order of the business to be transacted at the meeting.
- ii. Notice of a meeting at which a special resolution is to be proposed shall be given at least 21 days prior to the date of the meeting.
- iii. A notice may be given by the association to any member by serving the member with the notice personally, or by sending it by post to the address appearing in the register of members or electronically (preferred)

29. Proceedings at general meetings

- i. 5% of membership present personally, via electronic form or by proxy, who are entitled to vote, shall constitute a quorum for the transaction of business at any general meeting.
- ii. If within 30 minutes after the time appointed for the meeting a quorum of members is not present, a meeting convened upon the requisition if members shall lapse. In any other case, the meeting shall stand adjourned to the same day in the next week, at the same time and place and if at such adjourned meeting a quorum is not present within 30 minutes of the time appointed for the meeting the members present shall form a quorum.
- iii. The chairperson shall preside as chairperson at a general meeting of the association.
- iv. If the chairperson is not present within five minutes after the time appointed for holding the meeting, or he or she is present but declines to take or retires from the chair, the members may choose a committee member or one of their own number to be the chairperson of that meeting.

30. Voting at general meetings

- i. Subject to these rules, every member of the association has only one vote at a meeting of the association.
- ii. Subject to these rules, a question for decision at a general meeting, other than a special resolution, must be determined by a majority of members who vote in person or by proxy, at that meeting.
- iii. Unless a poll is demanded by at least five members, a question for decision at a general meeting must be determined by a show of hands.

31. Poll at general meetings

- i. If a poll is demanded by at least five members or exceeding nominations for the committee, it must be conducted in a manner specified by the person presiding and the result of the poll is the resolution of the meeting on that question.
- ii. A poll demanded for the election of a person presiding or on a question of adjournment must be taken immediately, but any other poll may be conducted at any time before the close of the meeting.

32. Special and ordinary resolutions

- i. A special resolution is as defined in the Act.
- ii. An ordinary resolution is a resolution passed by a simple majority at a general meeting.

33. Proxies

- i. A member shall be entitled to appoint in writing a natural person who is also a member of the association to be their proxy, and attend and vote at any general meeting of the association.
- ii. A proxy shall be a member of ASLIA (SA) who is entitled to vote at the meeting for which the proxy is given.
- iii. The instrument appointing a proxy shall be in or to the effect of the following:
 - a. *I _____ of _____ being a member of the Australian Sign Language Interpreters' Association and entitled to vote at General Meetings of its members hereby appoint _____ of _____ as my proxy to vote for me at the Annual/Special General Meeting of ASLIA (SA) to be held on _____ (Date) and at any adjournment thereof.*
 - b. *Signed on _____ (date) _____ Signature of Member (Unless otherwise instructed, the proxy may vote as s/he thinks fit.)*
- iv. The instrument appointing a proxy or other authority by which it is signed shall be deposited with the Secretary before the commencement of the meeting or the taking of the poll for which it is

given is held and shall not otherwise be treated as valid unless the meeting otherwise decides.

34. Minutes

- i. Proper minutes of all proceedings of general meetings of the association and of meetings of the committee, shall be entered within one month after the relevant meeting in minute books kept for the purpose.
- ii. The minutes kept pursuant to this rule must be confirmed by the members of the association or the members of the committee (as relevant) at a subsequent meeting.
- iii. The minutes kept pursuant to this rule shall be signed by the chairperson of the meeting at which the proceedings took place or by the chairperson of the next succeeding meeting at which the minutes are confirmed.
- iv. Where minutes are entered and signed they shall, until the contrary is proved, be evidence that the meeting was convened and duly held, that all proceedings held at the meeting shall be deemed to have been duly held, and that all appointments made at a meeting shall be deemed to be valid.

35. Voting and decisions

Voting at all meetings will be in accordance with the rules of ASLIA.

Part 5 Miscellaneous

36. Insurance

ASLIA (SA) may effect and maintain insurance.

37. Funds - source

- i. The funds of ASLIA (SA) are to be derived from admission fees and annual subscriptions of members, donations and, subject to any resolution passed by ASLIA (SA) in general meeting, any other sources that the committee determines.
- ii. All money received by ASLIA (SA) must be deposited as soon as practicable and without deduction to the credit of ASLIA (SA)'s bank or other authorised deposit-taking institution account.
- iii. ASLIA (SA) must, as soon as practicable after receiving any money, issue an appropriate receipt.

38. Funds - management

- i. Subject to any resolution passed by ASLIA (SA) in general meeting, the funds of ASLIA(SA) are to be used solely in pursuance of the objects of ASLIA (SA) in the manner that the committee determines.
- ii. All cheques, drafts, bills of exchange, promissory notes, electronic funds transfers and other negotiable instruments must be signed and/ or authorised by 2 committee members.

39. Association is non-profit

The income and capital of ASLIA (SA) shall be applied exclusively to the promotion of its objects and no portion shall be paid or distributed directly or indirectly to members or their associates except as bona fide remuneration of a member for services rendered or expenses incurred on behalf of the association.

40. Distribution of property on winding up of association

- i. Subject to the Act and the Regulations, in a winding up of ASLIA (SA), any surplus property of ASLIA (SA) is to be transferred to another organisation with similar objects and which is not carried on for the profit or gain of its individual members.
- ii. In this clause, a reference to the surplus property of an association is a reference to that property of ASLIA (SA) remaining after satisfaction of the debts and liabilities of ASLIA (SA) and the costs, charges and expenses of the winding up of ASLIA (SA).

41. Change of name, objects and constitution

- i. The name, objects or constitution of ASLIA (SA) may not be altered, rescinded or added to other than by a special resolution of the voting members.
- ii. An application for registration of a change in ASLIA (SA)'s name, objects or constitution in accordance with Section 10 of the Act is to be made by the Public Officer.

42. Service of notices

For the purpose of this constitution, a notice may be served on or given to a person:

- i. by delivering it to the person personally, or
- ii. by sending it by pre-paid post to the address of the person, or
- iii. by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- iv. For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:

- a. in the case of a notice given or served personally, on the date on which it is received by the
- b. addressee, and
- c. in the case of a notice sent by pre-paid post, on the date when it would have been delivered
- d. in the ordinary course of post, and
- e. in the case of a notice sent by facsimile transmission or some other form of electronic
- f. transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

43. Financial

- i. The financial year of ASLIA (SA) is:
 - a. the period of time commencing on the date of incorporation of ASLIA SA and ending on the following 30 June, and
 - b. each period of 12 months after the expiration of the previous financial year of ASLIA (SA), commencing on 1 July and ending on the following 30 June.
- ii. The Committee shall cause proper accounting and other records to be kept and shall distribute to members copies of every profit and loss account and balance sheet. The balance sheet and profit and loss account to be laid before each Annual General Meeting shall be made up to a date not more than six (6) months before the date of the meeting.
 - a. The members may, if they think fit, appoint an auditor.

44. By-laws

The committee may, from time to time, make policies and procedures provided they are consistent with these rules.

45. Powers of the Association

The Association shall have all the powers conferred by section 25 of the Act.