

# HumanAbility Ltd

## Membership Policy



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## **1 Purpose**

- 1.1. The purpose of the Membership Policy (this Policy) is to outline the key policies and procedures with which Members must comply, including eligibility, appointment, obligation and rights and powers of members.

## **2 Number of Members**

- 2.1. The numbers of Voting Members and Non-Voting Members (Members) are unlimited.

## **3 Classes of Members**

- 3.1. Members are divided into two (2) classes, namely:
- Voting Members; and
  - Non-Voting Members.

## **4 Eligibility for Membership**

- 4.1. Subject to HumanAbility Ltd's (HumanAbility) Constitution and the ultimate discretion of the HumanAbility Board (the Board), every individual or organisation is eligible to be either a Voting Member or Non-Voting Member. They will be entitled to:
- a) be admitted as either a Voting Member and Non-Voting Member of HumanAbility; and
  - b) remain as either a Voting Member and Non-Voting Member so long as that individual or organisation remains eligible to be either a Voting Member and Non-Voting Member and complies with the Constitution and the By-Laws of HumanAbility.
- 4.2. An individual or organisation is not eligible to be a Voting Member if they are, or are an Officer of, any of the following:
- a) a Commonwealth, State, Territory or local government agency or body (including government business enterprises)
  - b) a Registered Training Organisation
  - c) a Group Training Organisation
  - d) an Employment Service Provider; or
  - e) an Australian Apprenticeship Support Network (AASN) Provider.
- 4.3. An individual or organisation will not be eligible to become a Voting Member if the Board considers the individual is of bad character, or do not align with the purpose of HumanAbility.
- 4.4. An individual or organisation is not entitled to remain a Voting Member of HumanAbility if that individual or organisation ceases to be eligible to be a Voting Member of HumanAbility, in instances where the Constitution and the By-Laws do not otherwise permit that individual or organisation to remain a Voting Member.

## **5 Categories of Voting Members**

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- 5.1. Voting Members will be divided into four (4) categories comprising of individuals or organisations that meet the Member Eligibility Requirements from:
    - a) Children Education and Care Sector
    - b) Health and Human Services Sector
    - c) Aged Care and Disability Sector; and the
    - d) Sports and Recreation Sector.
  - 5.2. Voting Members will include, but not be limited to, the foundation members.
  - 5.3. Voting members can change their nominated representative subject to the approval of the Board and can resign their membership at any time.
  - 5.4. If a voting member resigns their membership, the Board must consider whether to initiate a process for the admission of a new Voting Member to replace them, in the same category of representation.
  - 5.5. Voting membership will be transferable to successor companies/organisations provided that the character and function of the organisation remains unchanged. For example, if an employer was taken over by a larger company with interests largely outside our industry scope, then that larger company may not be eligible. The successor arrangement remains subject to approval of the Board after consideration, where appropriate, by the nominations committee.
  - 5.6. Applicants for membership are required to demonstrate why they should be admitted, based on criteria such as industry coverage, representation, demonstrated engagement in/support for training and workforce development etc. The criteria will be determined by the Board subject to any resolution by a general meeting. The Board will not, in general, admit additional voting members where there are already existing voting members with the same essential character and industry coverage.
  - 5.7. The Board or nominations committee of the Board will assess applications and the Board will admit to membership based on their recommendations.

## **6 Eligibility of Voting Members**

- 6.1. The membership eligibility requirements for Voting Members shall, as a minimum, require:
  - i. The individual or organisation is not identified as any of the following:
    - a) a Commonwealth, State, Territory or local government agency or body (including government business enterprises)
    - b) a Registered Training Organisation
    - c) a Group Training Organisation
    - d) an Employment Service Provider; or
    - e) an AASN Provider.
  - ii. the individual or organisation be supportive of, and have a bona fide interest in, the objects of HumanAbility insofar as they apply to the:
    - a) Children Education and Care Sector
    - b) Health and Human Services Sector
    - c) Aged Care and Disability Sector; or the

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- d) Sports and Recreation Sector.
- and such other matters as set by the Board.

## **7 Categories of Non-Voting Members**

- 7.1. Non-Voting Members will be divided into five (5) categories comprising individuals or organisations that meet the Member Eligibility Requirements from the:
  - a) Children Education and Care Sector
  - b) Health and Human Services Sector
  - c) Aged Care and Disability Sector
  - d) Sports and Recreation Sector; and
  - e) Industry Cluster Organisations other than one in the Children Education and Care, Human and Health Services, Aged Care and Disability, and Sports and Recreation Sectors.

## **8 Eligibility of Non-Voting and Associate Members**

### **Non-voting members:**

- 8.1. Non-voting Members will be provided the opportunity to have input into the project planning stages for HumanAbility (i.e. which projects will be taken forward). Their nominations will also be prioritised for membership on technical committees for specific projects and relevant industry forums (Industry Leadership, Education, Student, and Small and Regional Service Provider Forums).
- 8.2. Non-Voting members must be a representative association of employers or workers in an industry sector or a direct employer in a relevant industry sector. Non-voting members cannot be an organisation of the type set out at in Section 6.1 (i).

### **Associate Members:**

- 8.3. Associate members are non-voting. Associate members can include Registered Training Organisations, industry or occupational regulators, individuals, or an organisation with an active industry in one or more of the industry sectors covered by the organisation but do not function as industry associations, employers or employee associations.

### **Admission to membership:**

- 8.4. The membership eligibility requirements for Non-Voting Members will require the individual or organisation be supportive of, and have a bona fide interest in, the objects of HumanAbility insofar as they apply to the:
  - a) Children Education and Care Sector
  - b) Health and Human Services Sector
  - c) Aged Care and Disability Sector
  - d) Sports and Recreation Sector; or
  - e) Industry Cluster Organisations other than one in Children Education and Care, Human and Health Services, Aged Care and Disability, and Sports and Recreation Sectors.and such other matters as set by the Board.

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## **9 Rights and Power of Voting Members**

- 9.1. Voting Members are entitled to:
- a) receive notices of meetings of Members
  - b) attend and participate in meetings of Members
  - c) nominate a candidate as a Representative Director
  - d) vote in the election of Directors
  - e) seek election to the Board; and
  - f) exercise any other rights provided in the Constitution.

## **10 Rights and Power of Non-Voting Members**

- 10.1. Non-Voting Members are entitled to:
- a) receive notices of meetings of Members
  - b) attend meetings of Members and participate to the extent provided for in the constitution and by decisions of the Board; and
  - c) exercise any other rights provided for under the Constitution.

## **11 Membership Application Process**

- 11.1. An individual or organisation may apply to become a Member by writing to HumanAbility stating:
- a) that they want and consent to becoming a Member
  - b) the class of membership for which the individual or organisation is applying
  - c) how they comply with any Membership Eligibility Criteria, including providing any supporting evidence; and
  - d) that they agree to comply with HumanAbility's Constitution and the By-Laws (if any) of HumanAbility.
- 11.2. If the Directors approve an application for membership, the Company Secretary must as soon as possible:
- a) enter the applicant on the Register along with the name of their representative; and
  - b) write to the applicant to tell them that their application was approved, and the date that their membership started (which will be the date the applicant was entered on the Register) and the class and category of membership which has been approved by the Board.
- 11.3. If the Directors reject an application for membership, the Company Secretary must write to the applicant as soon as reasonably practicable to tell them that their application was rejected but does not have to give reasons.

## **12 Limited Liability of Members**

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- 12.1. If HumanAbility is wound up, each Member undertakes to contribute to the assets of HumanAbility up to an amount not exceeding \$10.00 for payment of the debts and liabilities of HumanAbility, including the costs of the winding up.

### **13 Resigning as a Member**

- 13.1. A Member may resign from HumanAbility by giving written notice to the Board.

### **14 Membership Not Transferable**

- 14.1. A right, privilege, or obligation which a person has by reason of being a Member:
- a) is not capable of being transferred or transmitted to another person other than is the case with a successor organisation approved by the Board
  - b) remains with that person; and
  - c) expires upon cessation of their membership.

### **15 Notification of membership changes**

- 15.1. HumanAbility will notify the Department of Employment and Workplace Relations of changes in membership.

### **16 Removing a member**

- 16.1. The Board may remove any member who:
- a) who does not comply with HumanAbility's Constitution or any other rules, regulations or policies of HumanAbility; or
  - b) whose conduct in the opinion of the board is contrary to the interests of HumanAbility.
- 16.2. The Board must hold a meeting to expel the member and must give written 21 days prior to this meeting outline:
- a) the allegations against the member
  - b) the proposed resolution for expulsion; and
  - c) the member having an opportunity to address the allegations at the meeting.
- 16.3. HumanAbility will notify the Department of Employment and Workplace Relations of expulsion of a member.