

Corporations Act 2001 (Cth)  
Public Company Limited by Guarantee

**New South Wales  
State Emergency Service  
Volunteers Association Ltd.  
ACN 163 753 535**

**REGULATIONS RELATING TO  
THE APPLICATION FOR AND ACCEPTANCE OF  
NSW SES VOLUNTEERS AS ASSOCIATE MEMBERS**

**Associate member Regulations**

*Version #1: Issued 24/11/2012*

*Version #2: Issued 27/06/2015*

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# NSW State Emergency Service Volunteers Association

## Associate member Regulations

These regulations are made by the Company pursuant to Clause 53(d) and 53(e) of the Constitution of the NSW SES Volunteers Association (“the Constitution”) and will become effective from the date of issue.

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### 1. Definitions

In these Regulations:

**Area Regulations** has the meaning set out in the Constitution.

**Associate member** has the meaning set out in the Constitution.

**Associate member Regulations** has the meaning set out in the Constitution.

**Board** has the meaning set out in the Constitution.

**Company** has the meaning set out in the Constitution.

**Constitution** means the Constitution of the Company.

**Corporations Act** means the Corporations Act 2001 (Commonwealth).

**Director** has the meaning set out in the Constitution.

**Manuals, Regulations, Policies and Procedures** has the meaning set out in the Constitution.

**Prior Member** means a person who was a member of New South Wales State Emergency Service Volunteers Association Inc (being the same legal entity as the Company when registered under the Associations Incorporation Act 2009 (NSW) and prior to its registration under the Corporations Act).

**SES and NSW SES** has the meaning set out in the Constitution.

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### 2. Eligibility

- (a) Subject to Clause 2(b), any NSW SES Volunteer is eligible to apply to become an Associate member of the Company.
  - (b) An applicant to become an Associate member must satisfy the following requirements:
    - (i) Qualify as an Associate member as set out in the Constitution.
    - (ii) Any requirements specified in the Manuals, Regulations, Policies and Procedures specified as eligibility or application requirements.
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### 3. Prior Members

Each Prior Member will be treated by the Company as an Associate member of the Company provided that the Prior Member complies with the Associate member Regulations and the Manuals, Regulations, Policies and Procedures.

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## 4. Applications

- (a) Each applicant to become an Associate member must sign and deliver to the Company an application in the form which the Board determines, and pay any initial fee which the Board determines.
- (b) The Board determines in their absolute discretion whether an applicant may become an Associate member. The Board is not required to give any reason for the rejection of any application to become an Associate member.
- (c) If an application to become an Associate member is accepted by the Board, the Company must give written notice of the acceptance to the applicant.
- (d) If an application to become an Associate member is rejected by the Board, the Company must give written notice of the rejection to the applicant and refund in full the fee (if any) paid by the applicant.
- (e) Failure by the Company to comply with any notice requirement in Clause 4(c) or 4(d) does not invalidate the decision regarding an application.

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## 5. Voting Rights

Associate members may vote in the election process of appointing their Area Representative or electing Officers of the Company in accordance with the Area Regulations and the Constitution or as permitted by the Board.

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## 6. Annual Subscription Fee

- (a) Associate members must pay any annual subscription fee in accordance with this Clause 6 in the manner, at the time and at the place specified in the notice of the fee.
- (b) The Company may by resolution of the Board require the payment of an annual subscription fee payable by an Associate member, on any terms and at any times as the Board resolves in respect of each individual Associate member. For the avoidance of doubt, the annual subscription fee payable by an Associate member:
  - (i) Will not in the ordinary course be disclosed to other Members or Associate members;
  - (ii) May vary from year to year;
  - (iii) May be different to the annual subscription fee payable by another Member or Associate member and may be payable at different times; or
  - (iv) May be nil.
- (c) The Company must give notice of the annual subscription fee to the applicable Associate members who are required to pay the fees at least 10 Business Days before the due date for payment. The notice must specify the amount of the fee, the time or times and any place of payment and any other information as the Board resolves.
- (d) The non-receipt of a notice of a fee by, or the accidental omission to give notice of a fee to, any Associate member does not invalidate the fee.

- (e) An Associate member ceases to be entitled to any of the rights or privileges of membership if any annual subscription payable by the Associate member in accordance with this Clause 6 remains unpaid for two months after it becomes payable and a notice of default is given to the Associate member pursuant to a resolution of the Board. However, the rights or privileges of membership may be reinstated on payment of all arrears if the Board (in its absolute discretion) so resolves.
- (f) If an Associate member has not paid all arrears of annual subscriptions or other arrears payable by the Associate member in accordance with Clause 6(e) or, if paid, the Associate member's rights and privileges are not reinstated by the Board in accordance with Clause 6(e), each of the following applies in respect of that Associate member:
  - (i) The Associate member remains liable for all the obligations and liabilities of membership for six months after the date of notification under Clause 6(e).
  - (ii) The Associate member ceases to be an Associate member at the end of the six month period. Despite that cessation of membership, the former Associate member will remain liable for all amounts it owes to the Company that remain unpaid as at the date of cessation of membership.

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## **7. Compliance Obligations**

Associate members must comply with the Associate member Regulations and the Manuals, Regulations, Policies and Procedures.

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## **8. Nature of Membership**

The rights, privileges and benefits of being an Associate member are personal and not transferable whether by operation of law or otherwise.