

ECOLE FRANCAISE DE MELBOURNE

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1 NAME

The name of the incorporated association is "ASSOCIATION DES PARENTS D'ÉLÈVES DE L'ÉCOLE FRANÇAISE DE MELBOURNE" (in these rules called "the Association").

2 DEFINITIONS

- 2.1 In these Rules, unless the contrary intention appears:
- "Committee" means the Committee of Management of the Association.
 - "Financial Year" means the year ending December 31st.
 - "General Meeting" means a general meeting of members convened in accordance with Rule 13.
 - "Member" means a member of the Association.
 - "Honorary Member" means a member as designated in Rule 4.1
 - "Benefactor Member" means a benefactor as designated in Rule 4.4.
 - "Officer" means a person as designated in rule 21.1.
 - "Ordinary Member of the Committee" means a member of the Committee who is not an officer of the Association under Rule 21.1.
 - "École Française de Melbourne" means the system of classes administered and/or organised by the Association.
 - "The Act" means the Association Incorporation Act 1981
 - "The Regulations" means regulations under the Act.
- 2.2 In these rules, a reference to the secretary of an association is a reference:
- a. where a person holds office under these Rules as secretary of the Association-to that person; and
 - b. in any other case, to the President of the Association.
- 2.3 Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Interpretation of the Legislation Act 1984.

3 ALTERATION OF RULES AND STATEMENT OF PURPOSES

These rules and the statement of purposes of the Association shall not be altered except in accordance with the Act which requires that such alteration must be made by special resolution and therefore be passed by a majority of no less than three fourth of such members of the Association as are entitled under its rules to vote or vote by proxy.

4 MEMBERSHIP

- 4.1 Each parent or guardian (each family being entitled to two memberships), of a pupil or pupils of the "ÉCOLE FRANÇAISE DE MELBOURNE" is eligible for membership on payment of the annual subscription and a financial contribution to the "ÉCOLE FRANÇAISE DE MELBOURNE" payable under these rules.
- 4.2 A right, privilege, or obligation of a person by reason of his membership of the Association:
- a. is not capable of being transferred or transmitted to another person; and
 - b. terminates upon cessation of his membership whether by death or resignation or otherwise as defined in Rule 7-1.
- 4.3 Honorary Membership
- 4.3.1 Honorary membership shall be awarded by the Committee to whomever for whatever period of time it determines and on whatever basis it deems fit. An Honorary member shall not be required to pay the annual subscription nor the financial contribution to the "ÉCOLE FRANÇAISE DE MELBOURNE".
Honorary Members shall include:
- a. the French Ambassador;
 - b. the French General Consul in Melbourne or his local representative;
 - c. the Cultural Counsellor of the French Embassy;
 - d. the Delegates to the "Conseil Supérieur des Français de l'Étranger » ;
 - e. the President of the Victorian Section of the French Chamber of Commerce and Industry;
 - f. the French Linguistic Attaché of Victoria;
 - g. the Director of Studies of the Alliance Française de Melbourne;
 - h. the full time teachers of the " École Française de Melbourne".
- All for the time being.
- 4.3.2 In addition to being an Honorary Member, the French Consul-General in Melbourne is also appointed Honorary President ex-officio.

- 4.4 The Benefactor Members of the Association shall be appointed by resolution of the Committee and are those benefactors that have donated a minimum of \$500.00 to the Association. Should the Benefactor Member be a Company or other artificial legal person, it must nominate a natural person to represent it. This person shall have all the rights and privileges accorded to a member of the Association for such time until his nomination is revoked.

5 ANNUAL SUBSCRIPTION AND FINANCIAL CONTRIBUTION

- 5.1 The annual subscription is \$5 per member or such amount as the Committee determines and is payable in advance prior to the date of the Annual General Meeting or March 31, whichever is earlier.
- 5.2 The amount of the financial contribution is to be determined by the Committee and is payable each school term.
- 5.3 In the case of two memberships in one family, the two members are jointly liable for the payment of the annual contribution. In case of non-payment of the annual contribution and of the subscription, both members lose their rights to membership. If one of the two members of one family pays the entire annual contribution, both members are reputed to have paid the annual contribution.

6 REGISTER OF MEMBERS

The Secretary shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name of each member and the register shall be available for inspection by members at the address of the President and/or of the Secretary.

7 CESSATION OF MEMBERSHIP

- 7.1 A member of the Association who has paid all moneys due and payable by him to the Association ceases to be a member of the Association when his child or children are no longer pupils of the "ÉCOLE FRANÇAISE DE MELBOURNE.
- 7.2 Upon cessation under sub-rule (1), the secretary shall make in the register of members an entry recording the date on which the member ceases to be a member.

8 DISCIPLINE OF MEMBERS

- 8.1 Subject to these rules if the Committee is of the opinion that the member –
- o has refused or neglected to comply with the rules or
 - o has been guilty of conduct unbecoming a member or prejudicial to the interests of the Association, the Committee may by resolution:
 - a. expel a member of the Association,
 - b. suspend a member from membership of the Association for a specified period; or
 - c. fine a member in accordance with the Regulations.
- 8.2 A resolution of the Committee under sub-rule (1):
- a. does not take effect unless the Committee, at a meeting held no earlier than 14 days and no later than 28 days after the service on the member of a notice under sub-rule (3) confirms the resolution in accordance with this rule; and
 - b. where the member exercises a right of appeal to the Association under this rule does not take effect unless the Association confirms the resolution in accordance with this rule.
- 8.3 Where the Committee passes a resolution under sub-rule (1), the secretary shall, as soon as practicable, cause to be served on the member a notice in writing,
- a. setting out the resolution of the committee and the grounds on which it is based,
 - b. stating that the member may address the Committee at a meeting to be held not earlier than 14 days and no later than 28 days after service of notice;
 - c. stating the date, place and time of that meeting; and
 - d. informing the member that he may do one or more of the following:
 - e. attend the meeting
 - f. give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution; and
 - g. no later than 72 hours before the date of the meetings, lodge with the secretary a notice to the effect that he wishes to appeal to the Association in general meeting against the Resolution.
- 8.4 At a meeting of the Committee held in accordance with sub-rule (2), the Committee shall:
- a. give to the member an opportunity to be heard;

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- b. give due consideration to any written statement submitted by the member; and
 - c. by resolution determine whether to confirm or to revoke the resolution.
- 8.5 Where the secretary receives a notice under sub-rule (3), he shall notify the Committee and the Committee shall convene a general meeting of the Association to be held within twenty-one days after the date on which the secretary received the notice.
- 8.6 At a general meeting of the Association convened under sub-rule (5)-
- a. no business other than the question of the appeal shall be transacted;
 - b. the Committee 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.
- 8.7 If at a general meeting-
- a. two-thirds of the members present vote in person or by proxy in favour of the confirmation of the resolution, the resolution is confirmed; and
 - b. in any other case, the resolution is revoked.

9 ANNUAL GENERAL MEETING

- 9.1 The Association shall in each calendar year, no later than March 31 convene an annual general meeting of its members.
- 9.2 Subject to sub-rule 10 (1) the annual general meeting shall be held on such day as the Committee determines.
- 9.3 The annual general meeting shall be specified as such in the notice convening it.
- 9.4 The ordinary business of the annual general meeting shall be:
- a. to confirm the minutes of the preceding annual general meeting and of any general meeting held since that general meeting.
 - b. to receive from the Committee reports upon the transactions of the Association during the last preceding financial year.
 - c. to elect members of the Committee (as per rule 20.3); and

- d. to receive and to consider the statement submitted by the Association in accordance with section 30(3) of the Act.
- 9.5 The annual general meeting may transact special business of which notice is given in accordance with these Rules and specifically in accordance with Rule 13.
- 9.6 The annual general meeting shall be in addition to any other general meetings that may be held in the same year.

10 SPECIAL GENERAL MEETINGS

- 10.1 All general meetings other than the annual general meeting shall be called special general meeting.
- 10.2 The Committee may, whenever it thinks fit, convene a special general meeting of the Association and, where, but for this sub-rule, more than fifteen months would elapse between annual general meetings, shall convene a special general meeting before the expiration of that period.
- 10.3 The committee shall, on the requisition in writing of members representing not less than thirty per cent of the total number of members, convene a special general meeting of the Association.
- 10.4 The requisition for a special general meeting shall state the objects of the meeting and shall be signed by the members making the requisition and be sent to the address of the secretary and may consist of several documents in a like form, each signed by one or more of the members making the requisition.
- 10.5 If the Committee does not cause a special general meeting to be held within one month after the date on which the requisition is sent to the address of the Secretary, the members making the requisition, or any of them, may convene a special general meeting to be held no later than 1 month after that date.
- 10.6 A special general meeting convened by members 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 Committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Association to the persons incurring the expenses.

11 SPECIAL BUSINESS

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 ordinary business of the annual general meeting shall be deemed to be special business.

12 CONVENING OF GENERAL MEETINGS

- 12.1 The secretary of the Association shall, at least 21 days before the date fixed for holding a general meeting of the Association, cause to be sent to each member of the Association at his address appearing in the register of members, a notice by pre-paid post stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 12.2 No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
- 12.3 A member desiring to bring any business before a meeting may give notice of that business in writing to the secretary, who shall include that business in the notice calling the next general meeting after the receipt of the notice.

13 QUORUM AT GENERAL MEETINGS

- 13.1 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. In the computation of the quorum, Honorary Members as listed in Rule 4.3.1a) to 4.3.1.g) are explicitly excluded
- 13.2 Thirty per cent of members, personally present or represented by a proxy (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- 13.3 If within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present-
- a. the meeting if convened upon the requisition of members, shall be dissolved, and
 - b. in any other case, shall stand adjourned to the same day in the next week at the same time and (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
- c. if at the adjourned meeting is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being no less than 4) shall be a quorum.

14 PRESIDING AT GENERAL MEETINGS

- 14.1 The President, or in the President's absence, the Vice-President, shall preside as Chairperson at each general meeting of the Association.
- 14.2 If the President and the Vice-President are absent from a general meeting, the members present shall elect one of their members to preside as Chairperson at the Meeting.

15 ADJOURNMENT OF MEETINGS

- 15.1 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.
- 15.2 Where a meeting is adjourned for 14 days or more, a like notice of the adjourned meeting shall be given as in the case of the general meeting.
- 15.3 Except as provided in sub-rules 16.1 and 16.2, it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

16 VOTING AT GENERAL MEETINGS

- 16.1 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, and an entry to that effect in the Minute Book of the Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

16.2 Upon any question arising at a general meeting of the Association, a member has one vote only.

16.3 All votes shall be given personally or by proxy.

16.4 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.

17 POLL AT GENERAL MEETINGS

17.1 If at a meeting a poll on any question is demanded by not less than three 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.

17.2 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 a time before the close of the meeting as the Chairperson may direct.

18 PROXIES

18.1 Each member shall be entitled to appoint another member as his proxy by notice given to the secretary before the time of the meeting in respect of which the proxy is appointed.

18.2 The Notice appointing the proxy shall be in the form set out in Appendix 1.

18.3 A member can only hold a maximum of four (4) proxies for other members.

19 COMMITTEE OF MANAGEMENT

19.1 The affairs of the Association shall be managed by a Committee of management constituted as provided in sub-rule 20.3.

19.2 The Committee-

- a. shall control and manage the business and affairs of the Association.
- b. 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 general meetings of the members of the Association; and

- c. 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.
- d. shall have the right to co-opt two supplementary members

19.3 Subject to section 23 of the Act, the Committee shall consist of-

- a. the officers of the Association; and
 - b. if elected no more than 3 ordinary members
 - c. a majority of parents-
- one half of whom shall be elected at the annual general meeting of the Association each year.

20 OFFICE HOLDERS

20.1 The officers of the Association shall be:

- a. a President
- b. a Vice-President
- c. a Treasurer; and
- d. a Secretary.

- 20.2 The provisions of Rule 22, so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in sub-rule 21.1
- 20.3 Each officer in the Association shall hold office until the next annual general meeting 2 years after the date of his election but is eligible for re-election.
- 20.4 In the event of a casual vacancy in any office referred to in sub-rule (1) the Committee may appoint one of its members to the vacant office and the member so appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of his appointment.

21 ELECTION OF OFFICERS AND ORDINARY COMMITTEE MEMBERS - RULES

- 21.1 At the Annual General Meeting in every year one-half of the Committee members for the time being, or, if their number is not two nor a multiple of two, then the number nearest one-half, and any other Committee member not in such one-half who has held office for 2 years or more, must retire from office.
- 21.2 Each ordinary member of the Committee shall, subject to these rules, hold office until the next annual general meeting 2 years after the date of his election but is eligible for re-election.
- 21.3 The Committee members to retire at the Annual General Meeting must be those who have been the longest in office since their last election, but as between committee members who were elected the same day, those to retire (unless they otherwise agree among themselves) be determined by lot.
- 21.4 No committee member shall hold office for a period in excess of two years or until the second annual general meeting following his appointment, whichever is the longer, without submitting himself for re-election.
- 21.5 In the event of a casual vacancy occurring in the office of an ordinary member of the Committee, the Committee may appoint a member of the Association to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of his appointment, PROVIDED ALWAYS that if one or more members of the Committee resign during the term of office and the remaining number or members is less than four (4), a Special General Meeting must be duly convened for the election of a new Committee.

- 21.6 Any Committee member appointed under rule 22-5 holds office until the next annual general meeting and is then eligible for re-election but is not to be taken into account in determining the Committee members who are to retire by rotation at that meeting.

22 ELECTION OF COMMITTEE - PROCEDURES

- 22.1 Candidates for election on the Committee shall make application in writing or by telephone to the secretary of the Association no less than fourteen (14) days before the date fixed for the holding of the annual general meeting.
- 22.2 If insufficient applications are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further applications shall be received at the annual general meeting.
- 22.3 If the number of applications received is equal to the number of vacancies to be filled, the candidates shall be deemed to be elected.
- 22.4 If the number of applications exceeds the number of vacancies to be filled, a secret ballot shall be held.
- 22.5 The ballot for the election of the members of the Committee shall be conducted at the annual general meeting in such usual and proper manner as the Committee may direct.
- 22.6 The newly elected Committee then elects the officers among its own members.

23 VACANCIES OF COMMITTEE MEMBERSHIP

For the purposes of these Rules, the office of an officer of the Association or of an ordinary member of the committee becomes vacant if the officer or member-

- a. ceases to be a member of the Association;
- b. becomes an insolvent under administration within the meaning of the Companies (Victoria) Code; or
- c. resigns his office by notice in writing given to the secretary.

24 MEETING OF COMMITTEE

- 24.1 The Committee shall meet at least 3 times in each year at such place and such times as the President may determine.
- 24.2 Special meetings of the Committee may be convened by the President or by any four of the members of the Committee.

25 NOTICE OF COMMITTEE MEETINGS

Written notice of each Committee meeting shall be served on each member of the Committee by delivering it to him at a reasonable time before the meeting or by sending it by pre-paid post addressed to him at his usual or last known place of abode or by electronic mail at least two business days before the date of the meeting

Notice shall be given to members of the Committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.

26 QUORUM FOR COMMITTEE MEETINGS

- 26.1 Any four members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- 26.2 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 and the same hour of the same day in the following week unless the meeting was a special meeting in which case it lapses.
- 26.3 Subject to sub-rule (1) the Committee may act notwithstanding any vacancy on the Committee.

27 PRESIDING AT COMMITTEE MEETINGS

- 27.1 At meetings of the Committee-
- a. The President, or in the absence of the President, the Vice-President shall preside; or
 - b. if the President and the Vice-President are absent, such one of the remaining members of the Committee as may be chosen by the members present shall preside.

28 VOTING AT COMMITTEE MEETINGS

- 28.1 Questions arising at the meeting of the Committee or of any sub-committee appointed by the Committee 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.
- 28.2 Each member present at the meeting of 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 person presiding may exercise a second or casting vote.

29 REMOVAL OF COMMITTEE MEMBER

- 29.1 The Association in general meeting may by resolution remove any member of the Committee before in his stead to hold office until expiration of the term of the first-mentioned member.
- 29.2 Where the member to whom a proposed resolution referred to in sub-rule (1) makes representations in writing to the secretary or President of the Association (not exceeding a reasonable length) and requests that they be notified to the members of the Association, the secretary or the President may send a copy of the representations to each member of the Association or, if they are not sent, the member may require that they be read out at the meeting.

30 MINUTES OF MEETING

The Secretary of the Association shall keep minutes of the resolutions and proceedings of each general meeting in books provided for the purpose together with a record of the names of the persons present at the Committee meetings.

31 FUNDS

- 31.1 The Treasurer of the Association must :
- a. collect and receive all moneys due to the Association and make all payments authorised by the Association; and

- b. keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.
- 31.2 The accounts and books referred to in sub-rule (b) shall be available for inspection by members.
- 31.3 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments including financial authorities may be signed by any one of the officers of the Committee and such other officers or officers delegates agents or attorneys as the Committee by resolution deems fit.
- 31.4 No payment shall be made without the authority previously obtained by the Committee.
- 31.5 The funds of the Association shall be derived from annual subscriptions, Australian and French Government grants, donations, contributions and other fees and such and all other sources as the Committee deems fit.

32 BUILDING FUND

- 32.1 The Association operates a separate gift fund called 'building fund' that can receive either gifts or deductible contributions, or both. The fund will be used for the sole purpose of purchasing, acquiring, leasing, constructing, improving, maintaining, developing, or altering any houses, buildings, grounds, works or convenience which may seem calculated directly or indirectly to advance the interests of the Association.
- 32.2 Gift fund dissolution: If the building fund is wound up or if the endorsement of the organisation as a deductible gift recipient is revoked, any surplus assets of the gift fund remaining after the payment of liabilities attributable to it, shall be transferred to a fund, authority or institution to which income tax deductible gifts can be made

33 AUDITING

The accounts must be submitted every year to a duly qualified and registered Public or Chartered Accountant in order to prepare the financial statements for the annual general meeting.

34 COMMON SEAL

34.1 The common seal of the Association shall be kept in the custody of the secretary.

34.2 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 signature either of the President or any other officer of the Committee, or the President and the Honorary President.

35 NOTICE TO MEMBERS

35.1 A notice may be served by on or behalf of the Association upon any member either personally or by sending it by post to the member at his address shown in the Register of Members.

35.2 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.

36 RETENTION AND DISPOSAL OF ASSETS AND WINDING UP

36.1 The income and property of the Association shall be used and applied solely in promotion of its purposes and the exercise of its powers as set out herein and no proportion thereof shall be distributed, paid or transferred directly or indirectly, by way of dividend, bonus or otherwise by way of profit to or amongst the members of the Association

- provided that nothing herein contained shall prevent the payment in good faith of interest to any such members in respect of moneys advanced by them to the Association otherwise owing by the Association to them or of remuneration to any officers or servants of the Association or to any members of the Association or other person in return for any services actually rendered to the Association
- provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable and proper rent for premises demised or let to the Association or the provision of services to a member to which he would be entitled in accordance with the purposes if he were not a member.

36.2 If the Association shall be wound up in accordance with the provisions of the Act, and there remains, after satisfaction of all its debts and liabilities, any property, whatsoever, the same shall be given or transferred to some other institution or institutions having purposes similar to the purposes of the Association, and which prohibits the distribution of its income and property amongst its or their members to an extent at least as great as is imposed on the Association under or by virtue of this Rule such institution or institutions to be determined in accordance with a special resolution of the members by the Registrar or if no decision can be reached, the same shall be given or transferred to the French Consulate-General in Melbourne or his local representative which shall provide a receipt.

37 CUSTODY OF BOOKS

Except as otherwise provided in these Rules, the President and/or the French Consulate-General in Melbourne or his local representative shall keep in his or its custody or under his or its control, as the Committee deems fit, all books, documents and securities of the Association.

38 LIABILITY OF MEMBERS

Notwithstanding anything hereinbefore mentioned, the provisions of Section 15 of the Act shall operate absolutely in relation to and in limitation of the liability of the members of the Association without exception.

39 GRIEVANCE PROCEDURE

39.1 The grievance procedure set out in this rule applies to disputes under these Rules between-

- (a) a member and another member; or
- (b) a member and the Association.

39.2 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.

39.3 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 10 days, hold a meeting in the presence of a mediator.

39.4 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 of the Association; or

(ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).

39.5 A member of the Association can be a mediator.

39.6 The mediator cannot be a member who is a party to the dispute.

39.7 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

39.8 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.

39.9 The mediator must not determine the dispute.

39.10 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 at law.

40 THE ACT

Notwithstanding anything hereinbefore mentioned, anything in these Rules which conflicts in whole or in part with the provisions and regulations of the Act shall be null and void and severable only to the extent of the conflict or inconsistency.

Ecole Française de Melbourne

Appendix 1

FORM OF APPOINTMENT OF PROXY

I.....of.....
.....
..... being a member of the Association des Parents
d'Elèves de l'Ecole Française de Melbourne Inc., hereby appoint
..... of
.....being a member of that Incorporated Association, 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 maybe) to be held on the
..... day of 20 and at any adjournment of that
meeting.

Signed _____

The..... day of..... 20 .