



**CONSTITUTION OF THE
AUSTRALIAN INJECTING & ILLICIT DRUG
USERS LEAGUE (AIVL) INCORPORATED**

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CONTENTS

PART 1 – PRELIMINARY

- 1 Name
- 2 Definitions
- 3 Objectives of the Association
- 4 Powers

PART 2 – MEMBERSHIP

- 5 Membership Qualifications
- 6 Criteria for Membership Levels
- 7 Application for Membership
- 8 Duration of Membership
- 9 Appealing a Decision on Membership
- 10 Cessation of Membership
- 11 Membership Entitlements not Transferable
- 12 Resignation of Membership
- 13 Register of Members
- 14 Fees and Subscriptions
- 15 Members' Liabilities
- 16 Resolution of Internal Disputes
- 17 Disciplining of Members
- 18 Right of Appeal of Disciplined Member

PART 3 – THE BOARD

- 19 Powers of the Board
- 20 Constitution and Membership
- 21 Election of Members
- 22 Secretary
- 23 Treasurer
- 24 Casual Vacancies
- 25 Removal of Member
- 26 Meetings and Quorum
- 27 Delegation by the Board to Sub-Committee
- 28 Voting and Decisions
- 29 Emergency Decisions of the Board

PART 4 – GENERAL MEETINGS

- 30 Annual General Meetings – Holding of
- 31 Annual General Meetings – Calling of and Business at
- 32 Special General meetings – Calling of
- 33 Notice
- 34 Procedure
- 35 Presiding Member
- 36 Adjournments
- 37 Making of Decisions
- 38 Special Resolution
- 39 Voting
- 40 Delegates
- 41 Appointment of Proxies

PART 5 – MISCELLANEOUS

- 42 Insurance
- 43 Funds – Source
- 44 Funds – Management
- 45 Charitable Trust
- 46 Alteration of Objects and Rules
- 47 Common Seal
- 48 Custody of Books
- 49 Inspection of Books
- 50 Service of Notices
- 51 Public Officer
- 52 Auditor
- 53 Winding Up

APPENDICES

- Application for Membership
- Criteria for Membership
- Nomination for the AIVL Board
- Appointment of Proxy
- Role of Delegates
- Role of Office Bearers
- Role of General Representatives (non-Delegates)

PART 1 – PRELIMINARY

1. Name

The name of the incorporated association is the Australian Injecting & Illicit Drug Users League Incorporated abbreviated in the rules as AIVL.

2. Definitions

(1) In these rules:

Director-General means the Director-General of the Department of Fair Trading.

Association means the Australian Injecting & Illicit Drug Users League Incorporated (AIVL).

Financial Year means the period from 1 July to 30 June each year.

Member means an organisation, network or project entered into the register of members in accordance with Rule 7(4) as provided for in Part 2 (5) *Membership Qualifications*.

Delegate means the person(s) from each of the State and Territory member chosen to represent those members at specific AIVL events and activities as provided for in Part 4 *General meetings*.

The Board means the Office Bearers of AIVL as provided for in Part 3 *The Board*.

Constitution means the rules as set out in this document and any pursuant documents.

Secretary means:

- (a) the person holding office under these rules as secretary of the association; or
- (b) if no such person holds that office – the public officer of the association.

Special General meeting means a general meeting of the association other than an Annual General Meeting.

Special Resolution is defined in Rule 38.

The Act means the *Associations Incorporation Act 2009*.

The Regulation means the *Associations Incorporation Regulation 2010*.

Harm Reduction means a range of comprehensive and non-judgmental approaches aimed at reducing the potential harms associated with illicit drug use.

Drug User Self-Organisation means organisations, networks and projects that are run by and for people who use illicit drugs and people on medication assisted treatment.

Peer-based means being committed to, and demonstrating through actions, processes, strategies and structures that empower and support the participation of self-identified current illicit drug users within the, organisation, network, or project. Given AIVL's primary focus on injecting drug use and blood borne virus prevention, and given the level of harm and marginalisation experienced by injecting drug users, current injecting drug using peers will be given priority in relation to peer opportunities that have relevance for injecting drug users.

(2) In these rules:

- (a) a reference to a function includes a reference to a power, authority and duty; and
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(3) The provisions of the Interpretation Act 1987 apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

3. Objectives of the Association

Preamble:

The Australian Injecting & Illicit Drug Users League (AIVL) is the national peak organisation for the State and Territory Drug User Organisations and represents issues of national significance for illicit drug users and people on medication assisted treatment.

The organisational philosophy of AIVL is user-centred and supports the right of people who use illicit drugs and people on medication assisted treatment to self-organise and form peer-based structures and processes in order to reduce drug related harm. AIVL operates within a health promotion framework as articulated in the Ottawa Charter for Health Promotion (1986) which defines health promotion as "the process of enabling people to increase control over and to improve their health". The Charter outlines five strategies for achieving the above process which are:

- Building healthy public policy;
- Creating supportive environments;
- Strengthening community action;
- Developing personal skills; and
- Reorienting health services.

With this overall framework in mind, AIVL undertakes a broad range of health promotion and disease prevention activities and programs. One of the primary aims of the organisation is to prevent and reduce the transmission of blood borne viruses amongst people who inject illicit drugs such as hepatitis B and C and HIV and to ameliorate the negative impact of such conditions amongst those already infected.

Although AIVL represents and addresses issues affecting all people who use illicit drugs and those on medication assisted treatment, AIVL and its member organisations will maintain a priority focus on people who inject drugs and the issues that affect them due to the higher levels of harm and marginalisation routinely experienced by people who inject drugs.

AIVL takes a non-judgmental approach to drug use and recognises the fundamental role that drug use has played historically within society. AIVL believes that people who use illicit drugs and people on medication assisted treatment have the right to be treated with dignity and respect and be able to live their lives free from discrimination, stigma and health and human rights violations.

As an organisation, AIVL is committed to achieving fundamental reform of the current drug laws and a re-orientation of the health system in relation to issues affecting people who use illicit drugs and people on medication assisted treatment.

The objectives for which the association is established are (in no order of priority):

1. To provide an avenue through which the interests of people who use illicit drugs and people on medication assisted treatment can be represented at the national level.
2. To maintain an effective, efficient, well-funded organisation which is primarily accountable to its membership.
3. To address and represent the health needs of people who use illicit drugs and people on medication assisted treatment at the national level through a health promotion and disease prevention approach.
4. To prevent the transmission of blood borne communicable diseases such as HIV/AIDS, hepatitis C, hepatitis B, etc, among people who inject illicit drugs.
5. To promote and represent the health and support needs of people with hepatitis C and/or HIV/AIDS who inject drugs or are on medication assisted treatment.
6. To promote the provision of high quality, accessible and relevant services to people who use illicit drugs and people on medication assisted treatment throughout Australia.
7. To challenge social and legal barriers to the health and well-being of people who use illicit drugs and people on medication assisted

treatment in Australia including, ensuring that users have access to the resources and means to reduce drug related harm.

8. To promote and protect the health and human rights of people who use illicit drugs and people on medication assisted treatment in Australia.
9. To offer developmental national activities designed to improve the capacity and effectiveness of the State and Territory Drug User Organisations throughout Australia.
10. To form strategic alliances and partnerships to address issues affecting people who use illicit drugs and people on medication assisted treatment at the national level.
11. To maintain an active public voice on issues affecting people who use illicit drugs and people on medication assisted treatment at the national level.
12. To operate as a genuine partner in research undertaken on issues affecting people who use illicit drugs and people on medication assisted treatment in Australia.
13. To link and collaborate with like-minded organisations outside Australia to promote the principles and objectives of AIVL on an international level.
14. To support like-minded organisations, networks or projects in the Asia Pacific region to ensure users have access to the resources and means to reduce drug related harm and promote health.

4. Powers

So far as authorised or permitted by the Act and the Regulation, and in order to carry out the objectives of the association, the association shall have the power to do anything whatsoever that a person not under a legal disability could do and which is lawful for an Association to do, and in particular, but without limitation, the following powers:

- (a) to purchase, take on lease or in exchange, and to hire or otherwise acquire any real property or personal property providing such activities are accordance with conditions as set out in funding agreements or contracts;
- (b) to buy, sell and supply, and deal in, goods of all kinds solely for furthering the objectives of the Association and providing such activities are in accordance with conditions as set out in funding agreements or contracts;
- (c) to construct, maintain and alter buildings or works providing such activities are in accordance with conditions as set out in funding agreements or contracts;
- (d) to accept any gift, whether subject to special trust or not providing the acceptance of such a gift is in accordance with conditions as set out in funding agreements;

- (e) to take such steps from time to time as the Board or the Delegates at a general meeting may deem expedient for the purpose of procuring contributions to the funds of the Association, whether by way of donations, grants, subscriptions or otherwise;
- (f) to print and publish such educational resources, publications, periodicals, books, reports or other documents as the Board or the Delegates at a general meeting may think desirable;
- (g) to borrow and raise money in such a manner and on such terms as the Board may think fit or may be approved by resolution passed at a general meeting and to secure the repayment of money so raised or borrowed or the payment of a debt or liability of the Association by giving mortgages, charges or securities upon or over all or any of the real or personal property of the Association providing such activities are accordance with conditions as set out in funding agreements or contracts;
- (h) to invest any monies of the Association in such a manner as the Board may from time to time determine providing such activities are accordance with conditions as set out in funding agreements or contracts;
- (i) to make gifts, subscriptions or donations to any of the funds, authorities or institutions authorised under Commonwealth taxation legislation at any given time and providing such activities are accordance with conditions as set out in funding agreements or contracts;
- (j) to employ such persons as the Board or the Delegates at a general meeting may deem desirable or expedient, providing the employment of such persons are accordance with conditions as set out in funding agreements or contracts;
- (k) to enter into arrangements with any governments or authorities, municipal, territorial, state, local or otherwise that may seem to the Board or to Delegates at a general meeting conducive to the objectives of the Association;
- (l) to establish support, or aid in the establishment and support, of associations, institutions, funds, trust, schemes and conveniences calculated to benefit employees of the Association and their dependents, and to make payment towards insurance in relation to any of those purposes;
- (m) to establish and support, or aid in the establishment and support, of any other association formed or in support of the objectives of the Association;
- (n) do all such other lawful things as are incidental or conducive to the attainment of the objectives of the Association or the exercise of any of the powers specified in the forgoing provisions of this Sub rule.

PART 2 – MEMBERSHIP

5. Membership Qualifications

As a national, representative organisation, AIVL does not permit individuals to become members of the association. Membership of AIVL is therefore limited to organisations, networks and projects that meet one of the following three levels of membership:

(a) **Level One** – this level of AIVL membership will be limited to:

Formally constituted, non-government state and territory drug user organisations (based on membership criteria below).

(b) **Level Two** – this level of AIVL membership will be limited to:

Locally identified, self-organised networks of people with a history of injecting and/or illicit drug use who identify as peers and are recognised as such by their community of peers (based on membership criteria below).

(c) **Level Three** – In the absence of Level One or Level Two members as described above, or with the agreement of existing Level One and/or Level Two members in the state or territory concerned, the AIVL Board will consider recognising Level Three membership status for:

An identified local project, service or non-government organisation which is providing services for illicit drug users and people on medication assisted treatment within a peer-based, harm reduction framework, such as, but not limited to, state and territory AIDS Councils or drug user projects being auspiced by a non-government organisation or other service (based on membership criteria below).

6. Criteria for Membership Levels

(a) **Level One Membership** – Organisations seeking Level One AIVL membership must submit a membership application (see appendices) to the Board demonstrating their ability to meet the following Level One membership criteria:

- that the organisation is legally incorporated
- that the organisation operates on a user self-organisation framework
- that the work and practices of the organisation are clearly based on recognised harm reduction and peer-based approaches
- that the organisation is committed to achieving and maintaining peer representation at all levels of the organisation including but not limited to:
 - that the organisation actively recruits illicit drug users and/or people on medication assisted treatment as members of the organisation;
 - that the Board of Management (or equivalent) is elected from the membership and includes a majority of people with a history of injecting and/or illicit drug use who identify as peers and are recognised as such by their community of peers;
 - that self-identified current illicit drug users and/or people on medication assisted treatment are actively encouraged to apply for and hold paid staffing positions, with a priority given to injecting drug users as appropriate;

- that the organisation has a demonstrated commitment to improving the health and well-being of illicit drug users and/or people on medication assisted treatment in their state or territory
- that the organisation's aims and objectives are consistent with AIVL's organisational aims and objectives.

(b) **Level Two Membership** – Local Drug User Networks seeking Level Two AIVL membership must submit a membership application (see appendices) to the Board demonstrating their ability to meet the following Level Two membership criteria:

- that the network is either legally incorporated or, that it can demonstrate a regular and consistent pattern of communication and group activity, suitable to their local area, over a six month period;
- that the network must have a minimum of five (5) regular and active participants over a minimum six month period;
- that the network operates on, and is formed around, a user self-organisation framework;
- that the network has a set of aims and objectives committed to improving the health and well-being of illicit drug users and/or people on medication assisted treatment and is based on recognised harm reduction and peer-based approaches;
- that the network is committed to actively recruiting local illicit drug users and/or people on medication assisted treatment to the network;
- that the network, within the context of their local environment, has a long term commitment to developing into a formally constituted and incorporated drug users organisation; and
- that the network's aims and objectives are consistent with AIVL's organisational aims and objectives.

(c) **Level Three Membership** – Local projects, service and non-government organisations seeking Level Three AIVL membership, must submit a membership application (see appendices) to the AIVL Board demonstrating their ability to meet the following membership criteria:

- that the project, service or organisation provides services to local illicit drug users and/or people on medication assisted treatment with a recognised harm reduction, peer-based framework;
- that the project, service or organisation has a demonstrated commitment to, wherever possible, providing resourcing and support to assist local illicit drug users and/or people on medication assisted treatment to self-organise and establish independent networks and/or organisations;
- that the project, service or organisation demonstrates a commitment to involving local illicit drug users and/or people on medication assisted treatment in the planning and delivery of their programs and services;
- that the project, service or organisation has a demonstrated commitment to improving the health and well-being of illicit drug users and/or people on medication assisted treatment in their state or territory;
- that, if the organisation is an incorporated association with a Board of Management elected from the membership, there is

- clear evidence that local illicit drug users and/or people on medication assisted treatment are actively encouraged and supported to participate directly in the management of the organisation; and
- that the aims and objectives of a project, service or organisation are consistent with AIVL’s organisational aims and objectives.

If an organisation is experiencing difficulties in meeting all of the above criteria, but has documented that they have genuinely attempted to do so, this will be taken into consideration in the final membership decision.

7. Application for Membership

- (1) An application for membership of the association:
 - (a) must be made in writing on the “**Application for Membership**” form set out in Appendix 1 to these rules;
 - (b) the application form must also be accompanied by a completed “**Criteria for Membership**” form set out in Appendix 2 of these rules;
 - (c) both of these forms must then be lodged with the secretary of the association.
- (2) As soon as practicable after receiving an application for membership, the secretary must refer the application to the Board which is to determine whether to approve or to reject the application. As part of making membership decisions, the Board will consult with any priority members from the states or territories involved and take their perspective on board in making the final decision.
- (3) As soon as practicable after the Board makes that determination, the secretary must:
 - (a) notify the applicant, in writing, that the Board approved or rejected the application (whichever is applicable), and;
 - (b) if the Board approved the application, request the applicant to pay (within the period of 28 days after receipt by the applicant of the notification) the sum that may be payable, from time to time, under these rules by a member as an admission fee and annual subscription; or
 - (c) if the Board rejected the application, the applicant must be informed in writing of the reasons why the application has been rejected.
- (4) The secretary must, upon payment by the applicant of the amounts referred to in clause 3(b), within the period referred to in that provision, 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.

8. Duration of Membership

- (1) Once approved, AIVL membership is ongoing however at its discretion the AIVL Board can review a member’s eligibility for continued AIVL

membership at any time if there are concerns the member may no longer meet one or more membership criteria.

- (2) All membership reviews must be carried out against the membership criteria for the relevant membership level as outlined in Rule 6 above.
- (3) Prior to undertaking the review, the member must be notified in writing of the AIVL Board's intention to conduct a membership review and the reasons and timeframe for the review.
- (4) Members subject to a review will be provided with an opportunity to participate in the review and respond to the review findings. A reasonable period of no less than 14 days will be allowed for the member's response to the review.
- (5) After consideration of any response provided by the member concerned, the AIVL Board will make a final decision on the member's continued AIVL membership and this decision will be binding on all parties.
- (6) In accepting ongoing AIVL membership, members agree to proactively notify the AIVL Board of any major changes to their organisation, network or program/project that could have implications for their ongoing membership eligibility.

9. Appealing a Decision on Membership

An applicant, who has had their application rejected in the first instance by the Board, can appeal that decision.

- (1) An applicant may appeal to the association against a membership decision within 10 days of notification that their membership has been rejected by lodging with the Secretary a written appeal.
- (2) On receipt of a written appeal from an applicant, the secretary must notify the Board which will review the decision at the next meeting.
- (3) The Board will make a final decision on the issue under dispute. The Executive Committee's decision will be binding on all parties concerned.

10. Cessation of Membership

A member will cease to be a member of the association and its name shall thereupon be removed from the Register of Members if the member:

- (a) resigns in accordance with Rule 12;
- (b) is dissolved either in accordance with its constitution or any relevant legislation;
- (c) is removed from the membership by a Special Resolution of a general meeting at which the member shall be given the opportunity to state why it should not be removed;
- (d) non-payment of membership fees in accordance with Rule 14(2); or
- (e) is no longer eligible for membership in accordance with Rule 8.

11. Membership Entitlements Not Transferable

A right, privilege or obligation which a member has through membership of the association:

- (a) is not capable of being transferred or transmitted to another organisation, network, project or service; and
- (b) terminates on cessation of membership.

12. Resignation of Membership

- (1) A member of the association is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the association who has paid all amounts payable by the member to the association in respect of the member's membership may resign from membership of the association by first giving to the secretary written notice of at least one month (or such other period as the Board may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (3) If a member of the association ceases to be a member under clause (2) and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the Register of Members recording the date on which the member ceased to be a member.

13. Register of Members

- (1) The public officer of the association must establish and maintain a Register of Members of the association specifying the name and address of each member together with the date on which they became a member of the association.
- (2) The Register of Members must be kept at the principal place of administration of the association and must be open for inspection, free of charge, by any member of the association at any reasonable hour.
- (3) A member of the association may obtain a copy of any part of the register from the principle place of administration of the association.

14. Fees and Subscriptions

- (1) The Delegates at a general meeting or the AIVL Board may establish, and may from time to time vary, annual membership fees including waiving membership fees for poorly funded members or all members so long as establishing such a levy is not discriminatory and shall not cause undue hardship.
- (2) The exercise by any member of its rights under these rules shall be conditional upon previous payment by that member of such fees as are currently applicable and due for membership of the association.

- (3) The secretary of the association will notify members in writing that such currently applicable fees are due for payment of membership to the association, at least 14 days prior to the due date for such fees.

15. Member's Liabilities

The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount, if any, unpaid by the member in respect of membership of the association as required by rule 14.

16. Resolution of Internal Disputes

- (1) The first step in resolving disputes between members of the association in their capacity as members (between one member and another) and disputes between members and the association (between a member and AIVL), will be for each party to meet to discuss the reasons for the dispute and attempt to resolve them.
- (2) If a resolution cannot be reached following a meeting between the parties concerned, step two will involve the association organising a formal mediation process utilising an independent mediator with recognised conflict resolution expertise (AIVL would always seek to access a free community based mediation service before paying for such a service).
- (3) At least 7 days before a mediation process is to commence, the parties concerned are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.
- (4) In the unlikely event that a resolution cannot be reached through a formal mediation process, the Board will make a final decision on the issues under dispute. The Board's decisions will be binding on all parties concerned.

17. Disciplining of Delegates, Office Bearers and Members

- (1) The actions under this rule apply to:
 - a) State and Territory Delegates
 - b) Office Bearers of the Board
 - c) Members
- (2) A complaint can be made to the Board by any person or organisation that one of the above:
 - a) have persistently refused or neglected to comply with a provision or provisions of these rules, or
 - b) have persistently and wilfully acted in a manner prejudicial to the interests of the association, or

- c) failed to attend three consecutive meetings of the Board or general meetings of the association without apology and without good reason being notified to the secretary of the association.
- (3) On receiving such a complaint, the Board:
- a) must cause a notice of the complaint to be served on the Delegate, office bearer or member concerned; and
 - b) must give the Delegate, office bearer or member at least 14 days from the time the notice is served within which to make submissions to the Board in connection with the complaint; and
 - c) must take into consideration any submissions made by the Delegate, office bearer or member in connection with the complaint.
- (4) If the complaint is about a Delegate from one of the members, the Board and the member organisation concerned will make a joint decision about whether the complaint should be upheld or not and about any subsequent action in relation to the Delegate. If the Delegate wishes to appeal the decision, he/she will have the same right of appeal as set out under rule 18; however, the appeal will be heard by the Board and the member organisation, rather than a Special General Meeting of the association. This to ensure that the bulk of decision making in relation to Delegates remains at a local level.
- (5) If the complaint is about an office bearer of the Board the complaint will be considered by the Board in accordance with rule 25.
- (6) If the complaint is about a member organisation, a Special General Meeting of the association may by a three fourths majority pass a Special Resolution to remove or suspend the member from the association or the office bearer from the Board if, after considering the complaint, it is satisfied that the facts alleged in the complaint have been proved .
- (7) If the member or office bearer is suspended or expelled, the secretary must, within 7 days after the action is taken, cause a written notice to be given to the member or office bearer of the action taken, of the reasons given for having taken that action and of their right to appeal under rule 18.
- (8) The removal or suspension does not take effect:
- a) until the expiration of the period within which the member or office bearer is entitled to appeal against the resolution concerned; or
 - b) if within the period the member or office bearer exercises the right of appeal, unless and until the association confirms the resolution under rule 18(5)
- whichever is the latter.

18. Right of Appeal of a Disciplined Member or Office Bearer

- (1) A member or office bearer may appeal to the association against a resolution under rule 17, within 7 days after notice of the resolution is served on the member or office bearer, by lodging with the secretary a notice to that effect.
- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the member or office bearer intends to rely for the purposes of the appeal.
- (3) On receipt of a notice from an office bearer under clause (1), the secretary must notify the Board which will consider the appeal in accordance with rule 25 (2).
- (4) On receipt of a notice from a member under clause (1), the secretary must notify the Board which is to convene a General Meeting of the association to be held within 28 days after the date on which the secretary received the notice.
- (5) A general meeting of the association convened under clause (3):
 - (a) no business other than the question of the appeal is to be transacted, and
 - (b) the member, office bearer must be given the opportunity to state their case orally or in writing, or both, and
 - (c) the Delegates present are to vote on whether the resolution should be confirmed or revoked.
- (6) If at the general meeting the association passes a special resolution in favour of the confirmation of the resolution, this resolution is final.

PART 3 – THE BOARD

19. Powers of the Board

The Board of Management is to be called the Board of the association and, subject to the Act, the Regulation and these rules and to any resolution passed by the association in general meeting:

- (a) is to control and manage the affairs of the association, and
- (b) may exercise all such functions as may be exercised by the association, other than those functions that are required by these rules to be exercised by a general meeting of the Delegates from the members of the association
- (c) has power to perform all such acts and do such things as appear to the Board to be necessary or desirable for the proper management of the affairs of the association.

20. Constitution and Membership

- (1) The Board is to consist of seven officer bearers of the association, five of whom are to be elected at the Annual General Meeting of the association

under rule 2, and two of whom will be appointed, by elected Board members, and drawn from the general community.

- (2) The office bearers of the association are to be:
 - (a) President (elected)
 - (b) Vice President (elected)
 - (c) Treasurer (elected)
 - (d) Secretary (elected)
 - (e) Member Liaison Officer (elected)
 - (f) two General Members (appointed from the general community).
- (3) Following the Annual General Meeting, the five elected office bearers will undertake a process, as determined by those elected members, to identify and appoint two additional, general Board members who hold values and interests that are consistent with the aims and objectives of the organisation, are willing to uphold these rules and the aims and objectives and are considered to have skills, expertise and/or experience that will make a valuable and/or important contribution to the organisation. This process must be concluded within 60 days of the Annual General Meeting at which the five office bearers were elected. If it is not possible to fill both appointed positions in that time, the vacant position(s) will be declared a casual vacancy and clause (9) in this section will apply.
- (4) No staff member of AIVL or any staff member of an organisation auspiced by AIVL can nominate, be elected or otherwise be appointed to any of the office bearer or general member positions on the AIVL Board.
- (5) AIVL's Executive Officer and an ongoing employee/staff representative, one each from AIVL and CAHMA (in line with rule 20(4)) will be appointed as ex-officio Board members and attend Board meetings in a non-voting capacity.
- (6) Each member of the Board is, subject to these rules, to hold office for two years from the member's election, or appointment in the case of appointed members.
- (7) All elected members are eligible for re-election in accordance with rule 21(10). Appointed members can be reappointed for two consecutive two year terms.
- (8) In the event of a casual vacancy occurring in the elected membership of the Board, the Board may appoint a Delegate from one of the member organisations to fill the vacancy and the Delegate so appointed is to hold office, subject to these rules, until the conclusion of the Annual General Meeting next following the date of the appointment. If the conclusion of this casual appointment falls on the alternate year for the bi-yearly election of Board members, the election will be for a single year term only to allow the position to realign with the bi-yearly election of other Board positions.
- (9) In the event of a casual vacancy occurring in the appointed membership of the Board, the Board may appoint a new member in accordance with clause (3) in this part to fill the vacancy and the person so appointed is to hold office, subject to these rules, until the conclusion of the Annual General

Meeting next following the date of appointment. If the conclusion of this casual appointment falls on the alternate year for the bi-yearly appointment of Board members, the appointment will be for a single year term only to allow the position to realign with the bi-yearly election of other Board positions.

21. Election of Board Members

- (1) Nominations of candidates for election as office-bearers of the association:
 - (a) must be made in writing on the “Nomination for the AIVL Board” form set out in Appendix 3;
 - (b) may be made by any member or staff member from a recognised AIVL member organisation, noting 20(4) above excluding staff of a member organisation auspiced by AIVL; and
 - (c) must be delivered to the secretary of the association prior to the date fixed for the holding of the Annual General Meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the Board, the candidates nominated are taken to be elected and further nominations are to be received at the Annual General Meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the Board are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office bearers of the Board is to be conducted at the Annual General Meeting in such usual and proper manner as the Board may direct.
- (7) Only elected Delegates from the state and territory member organisations are eligible to vote at the Annual General Meeting in the ballot for the election of office bearers.
- (8) If a ballot for any Board position results in a tied vote the ballot is conducted again.
- (9) If the second ballot does not resolve the vote for a Board position, the ballot will be conducted a third time but in addition to the voting Delegates, an odd number (3 or more) of Board members from the previously elected Board will be required to participate in the vote. The Board members cannot be current voting Delegates.
- (10) Office bearers are eligible for re-election for a maximum of two consecutive two year terms in the same position.

22. Secretary

- (1) The secretary of the association must as soon as practicable after being appointed as secretary, lodge notice with the association of his/her address.
- (2) It is the duty of the secretary to keep minutes of:
 - (a) the names of members of the Board present at Board meetings and the names of all Delegates present at general meetings
 - (b) all proceedings at Board meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed off by the President of the Board as soon as the final minutes are available and prior to circulation to other members.

23. Treasurer

- (1) It is the duty of the treasurer of the association to ensure:
 - (a) that all money due to the association is collected and received and that all payments authorised by the association are made; and
 - (b) that correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association.

24. Casual Vacancies

- (1) For the purposes of these rules, a casual vacancy in the office of a Board member occurs if the member:
 - (a) dies, or
 - (b) ceases to be a member or staff member of a member organisation
 - (c) becomes an insolvent under administration within the meaning of the Corporations Law, or
 - (d) resigns office by notice in writing to the secretary, or
 - (e) is removed from office under rule 25, or
 - (f) is absent without the consent of the Board from all meetings of the Board held during a period of 4 months.

25. Removal of Board Member

- (1) The AIVL Board can remove any member of the Board from the office they hold before the expiration of their term of office for reasons outlined in rule 17(2)a of these rules by a unanimous decision of the Committee. They may by resolution appoint another person from one of the member organisations to hold office until the expiration of the term.

- (2) A member of the Board to whom the decision referred to in clause (1) relates can appeal the decision to remove them in writing to the secretary or president. The appeal must be circulated to all Board members within 7 days of receipt and be discussed no later than the next Board meeting. The decision of the Board in relation to the appeal will be final and binding.

26. Meetings and Quorum

- (1) The Board must meet at least 6 times in each period of 12 months at such place and time as the Board may determine.
- (2) Additional meetings of the Board may be convened by the President or by request from at least three other Board members.
- (3) The Board will establish a Finance & Operations Sub-Committee of the AIVL Board that will meet on the alternate month from the full AIVL Board Meeting and be provided with monthly financial reports and will report to the full AIVL Board Meeting under 26(1) at which time all financial reports will be approved by the AIVL Board.
- (4) The national nature of the association will mean that meetings of the Board may consist of deliberations by teleconference, email and other communications technology as appropriate.
- (5) Oral or written notice of the meeting of the Board must be given by the secretary to each member of the Board at least 48 hours (or such other period as may be agreed upon by members of the Board) before the time appointed for the holding of the meeting.
- (6) Notice of a meeting given under 26(3) above must also contain an agenda outlining the business to be transacted at the meeting.
- (7) Any four members of the Board constitute a quorum for the transaction of the business of a meeting of the Board.
- (8) No business is to be transacted by the Board 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 time on the same day of the following week.
- (9) 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.
- (10) At a meeting of the Board:
 - (a) the president, or in the president's absence the vice-president is to preside; or
 - (b) if the president and vice-president are absent, such one of the remaining elected members of the Board as may be chosen by the members present at the meeting is to preside.

- (11) Office Bearers are not entitled to nominate a proxy for any meeting of the Board.

27. Delegation by the Board to Sub-Committee

- (1) The Board may Delegate to one or more Sub-Committees (consisting of such representatives as the Board thinks fit) the exercise of such of the functions of the Board as are specified in writing to the Sub-Committee, other than:
 - (a) this power of delegation; and
 - (b) a function which is a duty imposed on the Board by the Act or by any other law.
- (2) A function the exercise of which has been Delegated to a Sub-Committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the Sub-Committee in accordance with the terms of the delegation.
- (3) A Sub-Committee may meet and adjourn, as it thinks proper.
- (4) The Board may, either verbally or in writing, revoke wholly or in part the Delegated function of the Sub-Committee at any time.
- (5) Sub-Committees may be time limited or ongoing.
- (6) A Sub-Committee of the AIVL Board will be established for each of the organisations auspiced by AIVL. Such Sub-Committees will function as the organisational advisory committee or reference group for each of the auspiced organisations. The role, relationship and reporting requirements of these Sub-Committees will be specified in a Memorandum of Understanding between AIVL and each organisation.

28. Voting and Decisions

- (1) The preferred method of decision making for Board meetings and Sub-Committee meetings will be consensus.
- (2) If a majority vote method of decision making is used at a meeting, every member of the Board or Sub-Committee with voting rights is entitled to one vote. In the event of an equality of votes on any question, then the motion will be taken to be defeated.
- (3) Subject to quorum being present, the Board may act despite any vacancies on the Board.

29. Emergency Resolutions of the Board

- (1) Where in the opinion of the President or two other office bearers, an emergency resolution of the Board is required on any matter and it is deemed impossible to convene a meeting of the Board due to time or other constraints, the resolution of the Board may be sought by email, telephone, fax, post in accordance with the following:

- (a) Preference is given to forwarding the proposal to each Board member in writing either via email, fax or post depending on the available timeframe.
- (b) Votes on the proposal should be returned to the secretary.
- (c) Board members must be given a clear response timeframe (as a rule, 6 business days for post, email and fax) and if their response has not been received by that deadline, they shall be deemed to have abstained from voting.
- (d) If an emergency resolution is sought by telephone the following procedure shall apply:
 - the secretary or President shall seek to make contact by telephone with each Board member;
 - the secretary or President shall read the proposal verbatim to each Board member and shall receive their decision by telephone either immediately or by return call;
 - any Board member so contacted who has not registered their decision within 4 hours of the time of contact will be deemed to have abstained from voting;
 - if the secretary or President is unable to contact any of the Board members by telephone, one of the above written methods of communication must be used and the timeframe extended accordingly;
 - the secretary or President shall tally the votes and that shall become the decision of the Board;
 - for a decision to be made, at least four Board members must cast a vote;
 - the secretary or President shall write a report of the process and the outcome and present this report to be recorded in the minutes of the next formal Board meeting;
 - if the secretary is absent or otherwise unable to perform the duties required under this rule, the assistant secretary shall perform those duties in his or her place.

PART 4 – GENERAL MEETINGS

30. Annual General Meetings – Holding of

- (1) With the exception of the first Annual General Meeting of the association, the association must, at least one each calendar year and within the period of 6 months after the expiration of each financial year of the association, convene an Annual General Meeting of the association.
- (2) The association must hold its first Annual General Meeting:
 - (a) within the period of 18 months after its incorporation under the Act; and
 - (b) within the period of 6 months after the expiration of the first financial year of the association.
- (3) Clauses (1) and (2) have effect subject to any extension or permission granted by the Director-General under section 26(3) of the Act.

31. Annual General Meetings – Calling of and Business at

- (1) The Annual General Meeting is subject to the Act and to rule 30, to be convened on such a date and at such a place and time as the Board thinks fit.
- (2) In addition to any other business that may be transacted at an Annual General Meeting, the business of an Annual General Meeting is to include the following:
 - (a) to confirm the minutes of the last preceding Annual General Meeting and of any special general meeting held since that meeting,
 - (b) to receive from the Board reports on the activities of the association during the last preceding financial year,
 - (c) to elect office bearers of the association to the new Board
 - (d) to receive and consider the statement which is required to be submitted to the members under section 26(6) of the Act.
- (3) An Annual General Meeting must be specified as such in the notice convening it.

32. Special General meetings – Calling of

- (1) The Board may, whenever it thinks fit, convene a special general meeting of the association.
- (2) The Board must, on the requisition in writing of at least 3 of the total number of members, convene a special general meeting of the association.
- (3) A requisition of members for a special general meeting:
 - (a) must state the purposes or purpose of the meeting, and
 - (b) must be signed by the members making the requisition, and
 - (c) must be lodged with the secretary, and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the Board fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than three months after that date.
- (5) A special general meeting convened by a member or members as referred to in clause (4) must be convened as nearly as practicable in the same manner as general meetings are convened by the Board and any member who consequently incurs expenses is entitled to be reimbursed by the association for any expense so incurred.

33. Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an Annual General Meeting, business which may be transacted under rule 21.
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

34. Procedure

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) A simply majority of members present in person constitute a quorum for the transaction of the business at a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
 - (a) if convened on the requisition of members, is to be dissolved, and
 - (b) in any other case, is to stand adjourned to the same day in the following week at the same time and at the same place. (The place cannot be changed unless it is specified at the adjourned meeting by the person presiding at the meeting or communicated in writing to members before the day to which the meeting is adjourned).
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) is to constitute quorum.

35. Presiding Member

- (1) the president, or in the president's absence the vice-president is to preside as chairperson at each general meeting of the association.

- (2) if the president and vice-president are absent, such one of the remaining members of the Board as may be chosen by the members present at the meeting is to preside as chairperson.

36. Adjournment

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of member Delegates present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member Delegate stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

37. Making of Decisions

- (1) A question arising at a general meeting of the association is to 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, or 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.
- (2) At a general meeting of the association, a poll may be demanded by the chairperson or by at least 3 members present in person or by proxy at the meeting.
- (3) If a poll is demanded at a general meeting, a poll must be taken;
 - (a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of adjournment; or
 - (b) in any other case, in such a manner and at such a time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.
- (4) In the case of the annual election of office bearers a secret ballot will be conducted. The ballot will be overseen by an elected Returning Officer and one assistant. The Returning Officer and assistant should be elected by a show of hands and cannot be a nominee or eligible to vote in the elections for office bearers.

38. Special Resolution

A resolution of the association is a special resolution:

- (a) if it is passed by a majority of such members of the association as, being entitled under these rules so to do, vote in person or by proxy at a general meeting of which at least 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules, or
- (b) where it is made to appear to the Director-General that it is not practicable for the resolution to be passed in the manner specified in paragraph (a), if the resolution is passed in a manner specified by the Director-General.

39. Voting

- (1) On any question arising at a general meeting of the association a Delegate from a member organisation has one vote per Delegate only. With two Delegates per state and territory, each state and territory has a total of two votes.
- (2) All votes must be given personally or by proxy but no Delegate may hold more than one proxy.
- (3) In the case of an equality of votes on a question at a general meeting, the motion will be taken to be defeated unless the vote relates to the election of the Board positions when the voting procedure specified in rule 21 (8) & (9) will apply.

40. Delegates

- (1) Each state and territory will be granted two Delegate positions each holding a single vote to represent their interests at general meetings of the association.
- (2) Regardless of the number of recognised member organisations in each state and territory, AIVL will grant two Delegate positions per state and territory.
- (3) If there is more than one recognised AIVL member organisation within a single state or territory, the member organisations within that state or territory will be required to establish a process, endorsed by the AIVL Board, to decide the two individuals who will hold the Delegate positions. No member organisation will hold both delegate positions.
- (4) If there is more than one recognised AIVL member organisation within a single state or territory regardless of the level of membership, the organisation with level 1 membership status will hold the first delegate position over the level 2 and/or level 3 member organisations. The organisation with level 2 membership status will hold a delegate position over the level 3 member organisation.
- (5) If the secretary receives a purported decision where there is reason to believe that the election or vote has not been arrived at by the previously endorsed process, the secretary shall request that all of the member organisations in that state or territory confirm the decision before accepting it as valid.

- (6) If one or more of the member organisations within the state or territory are not satisfied that the previously endorsed process was followed, the Board can require that the process be undertaken again, under the supervision of the Board.
- (7) Delegates are to hold their positions from the period of one AGM until the next AGM.
- (8) Delegates can be selected to hold consecutive terms provided that the Board is satisfied that an AIVL endorsed selection process has been undertaken.
- (9) The secretary must receive confirmation of the names and contact details for the two Delegates from each state and territory at least four weeks prior to the holding of the AIVL General meeting each year. (For emergency changes to Delegates see rule 41 Appointment of Proxy.
- (10) If a selected Delegate resigns, leaves or otherwise vacates their position prior to the end of the term of appointment, the state or territory member organisation(s) concerned will undertake an endorsed process to select a new Delegate to fill the casual vacancy until the end of the original term.
- (11) Delegates must meet all of their responsibilities under the AIVL policy on the Selection Process for AIVL Delegates and the Role of Delegates in Appendix 5 to these rules.

41. Appointment of Proxy

- (1) Each Delegate is to be entitled to appoint another member or staff member of their member organisation as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (2) The notice appointing the proxy is to be in the “**Appointment of Proxy**” form as set out in Appendix 4.

PART 5 – MISCELLANEOUS

42. Insurance

- (1) The association must effect and maintain insurance under section 44 of the Act.
- (2) In addition to the insurance required under clause (1), the association may effect and maintain other insurance.

43. Funds - Source

- (1) The funds of the association are to be derived from grants, donations, membership fees (if applicable), sale of goods and services and subject to any resolution passed by the association in general meeting or such other sources as the Board determines.

- (2) All monies received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank account.
- (3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt.
- (4) Budget submissions to the Commonwealth Government and other funding sources for AIVL national programs, shall be approved by the Board prior to their submission.
- (5) Funding priorities for the next financial year will be considered at the Annual General Meeting each year and recommendations forwarded to the AIVL Executive Officer for research and development.

44. Funds - Management

- (1) Subject to any resolution passed by the association in general meeting, the funds of the association are to be used in pursuance of the objectives of the association in such manner as the Board determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 members of the Board or employees of the association, being members or employees authorised to do so by the Board.
- (3) All payments made by the organisation over the amount of \$10,000 must, in addition to the approved signatories, be approved by the Treasurer or in their absence the President of the Board prior to payment.

45. Charitable Trust

(1) Establishment of the Gift Fund

AIVL will maintain a gift fund which shall be called the "AIVL Incorporated Gift Fund"

- (a) To which gifts or money for that purpose are to be made
- (b) To which money received by AIVL because of those gifts is to be credited, and
- (c) That which does not receive any other money of property

(2) Limits on Use of Gift Fund

AIVL will use the following only for the principle purposes of the association:

- (a) Gifts made to the Gift Fund
- (b) Any money received because of those gifts

(3) Winding Up of the Gift Fund

If the gift fund is wound up, or if the endorsement of AIVL as a Deductible Gift Recipient is revoked, any surplus assets of the Gift Fund remaining after payment of liabilities attributable to it shall be transferred to a fund, authority or institution to which income tax deductible gifts can be made.

(4) Bank Account

AIVL will maintain a separate bank account for the Gift Fund

(5) Gift Fund Forms Part of the Organisation

It is declared that the Gift Fund forms part of the organisation.

46. Alteration to Objectives and Rules

The statement of objectives and these rules may be altered, rescinded or added to only by special resolution of the association.

47. Common Seal

- (1) The common seal of the association must be kept in the custody of the public officer or as nominated by the Board.
- (2) The common seal must not be affixed to any instrument except by the authority of the Board or their nominee acting with expressly written delegated authority to do so.

48. Custody of Books

Except as otherwise provided by these rules, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to the association.

49. Inspection of Books

The records, books and other documents of the association must be open to inspection, free of charge, by a member of the association at any reasonable hour.

50. Service of Notices

- (1) For the purposes of these rules, a notice may be served on or given to a person:
 - (a) by delivering it to the person personally; or
 - (b) by sending it by pre-paid post to the address of the person; or
 - (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving of the notice.
- (2) For the purpose of these rules, 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 addressee; and
 - (b) in the case of a notice sent by pre-paid post, on the date when delivered in the ordinary course of the post; and
 - (c) in the case of a notice sent by facsimile transmission of some other form of electronic 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.

51. Public Officer

The Board shall appoint a person resident in NSW as the Public Officer of the association who shall perform the duties of the position as required under the Act.

52. Auditor

The Board shall appoint a registered Auditor of the association who shall hold that position until the end of the financial year following his/her appointment, unless sooner replaced.

53. Winding Up

- (1) The association may be wound up as provided for by the Act.
- (2) In the event of the association being wound up, its assets, after outstanding liabilities have been met (including the costs of winding up) shall be distributed to groups and organisations designated by resolution of a general meeting and which are:
 - (a) Formed for the purposes identical or similar to one or all of the purposes of AIVL; and
 - (b) of the same exempt status.

Appendix 1

APPLICATION FOR MEMBERSHIP OF ASSOCIATION

Name of Organisation/Network/Project seeking membership:

.....

Address:

.....

Phone:

Fax:

Email:

Website:

Toll-free:

The organisation/network/project named above hereby applies to become a member of the Australian Injecting & Illicit Drug Users League (AIVL). In the event of our admission as a member, we agree to be bound by the rules of the association for the time being in force and to commit to the achievement of the organisational objectives.

.....
Signature on behalf of organisation/network/project

.....
Position of signatory

.....
Date

Note: Prior to submission of membership application, please ensure that Appendix 2 – **Criteria for Membership** has been completed and attached to this application.

Send to: **Att: Secretary**
 C/- AIVL
 GPO Box 1552
 Canberra ACT 2601

Approved/Rejected:

President

Date

Appendix 2

MEMBERSHIP APPLICATION FORM

Level 1 Membership Status

.....
Name of organisation seeking membership

In applying for membership, address each criterion by outlining how your organisation meets the membership criteria (refer to Rule 2 – **Definitions** and rule 6 – **Criteria for Membership Levels**). Please attach additional pages if required. Please note an application will automatically be rejected if the criteria are not fully addressed, and the application is not accompanied by supporting documentation e.g. copy of incorporation certificate.

Membership Criteria:

The organisation is legally incorporated

The organisation operates on a user self-organisation framework

The work and practices of the organisation are clearly based on recognised harm reduction and peer-based approaches

The organisation is committed to achieving and maintaining peer representation at all levels of the organisation including but not limited to:

the organisation actively recruits illicit drug users and/or people on medication assisted treatment as members of the organisation;

the Board of Management (or equivalent) is elected from the membership and includes a majority of people with a history of injecting and/or illicit drug use who identify as peers and are recognised as such by their community of peers;

that self-identified current illicit drug users and/or people on medication assisted treatment are actively encouraged to apply for and hold paid staffing positions, with a priority given to injecting drug users as appropriate;

The organisation has a demonstrated commitment to improving the health and well-being of illicit drug users and/or and people on medication assisted treatment in their state or territory

The organisation's aims and objectives are consistent with AIVL's organisational aims and objectives.

Appendix 2

MEMBERSHIP APPLICATION FORM

Level 2 Membership Status

.....
Name of network seeking membership

In applying for membership, address each criterion by outlining how your organisation meets the membership criteria (refer to Rule 2 – **Definitions** and rule 6 – **Criteria for Membership Levels**). Please attach additional pages if required. Please note an application will automatically be rejected if the criteria are not fully addressed, and the application is not accompanied by supporting documentation.

Membership Criteria:

The network is either legally incorporated or, that it can demonstrate a regular and consistent pattern of communication and group activity, suitable to their local area, over a six month period

The network must have a minimum of five (5) regular and active members over a minimum six month period

The network operates on, and is formed around, a user self-organisation framework

The network has a set of aims and objectives committed to improving the health and well-being of illicit drug users and/or people on medication assisted treatment and is based on recognised harm reduction and peer-based approaches

The network is committed to actively recruiting local illicit drug users and/or people on medication assisted treatment to the network

The network, within the context of their local environment, has a long term commitment to developing into a formally constituted and incorporated Drug Users Organisation

The network's aims and objectives are consistent with AIVL's organisational aims and objectives.

Appendix 2

MEMBERSHIP APPLICATION FORM

Level 3 Membership Status

.....
Name of project/service/non-government organisation seeking membership

In applying for membership, address each criterion by outlining how your organisation meets the membership criteria (refer to Rule 2 – **Definitions** and rule 6 – **Criteria for Membership Levels**). Please attach additional pages if required. Please note an application will automatically be rejected if the criteria are not fully addressed, and the application is not accompanied by supporting documentation.

Membership Criteria:

The project, service or organisation provides services to local illicit drug users and/or people on medication assisted treatment with a recognised harm reduction, peer-based framework

The project, service or organisation has a demonstrated commitment to, wherever possible, providing resourcing and support to assist local illicit drug users and/or people on medication assisted treatment to self-organise and establish independent networks and/or organisations

The project, service or organisation demonstrates a commitment to involving local illicit drug users and/or people on medication assisted treatment in the planning and delivery of their programs and services

The project, service or organisation has a demonstrated commitment to improving the health and well-being of illicit drug users and/or people on medication assisted treatment in their State or Territory

That, if the organisation is an incorporated association with a Board of Management elected from the membership, there is clear evidence that local illicit drug users and/or people on medication assisted treatment are actively encouraged and supported to participate directly in the management of the organisation

The aims and objectives of a project, service or organisation are consistent with AIVL's organisational aims and objectives.

Appendix 3

NOMINATION FOR THE AIVL BOARD

Name:

Member Organisation:

Address:

.....

Phone:

Fax:

Email:

I hereby nominate for the position of of the Board for the Australian Injecting & Illicit Drug Users League (AIVL). A person who is an undischarged bankrupt cannot legally be a member of the AIVL Board. In nominating for the AIVL Board and signing this form I am declaring that I am not an undischarged bankrupt.

.....

Signature of nominee

.....

Date

I, wish to nominate
Name of nominating delegate

..... for the position of

.....

.....

Signature of nominating delegate

.....

Date

AIVL strongly recommends all nominees to seek the support of their member organisations (including Committees of Management) in nominating for AIVL Board positions.

Note: For further information about nominating for the Board see **Part 3 – The Board** of the rules of the association.

Send to: **Att: Secretary**
 C/- AIVL
 GPO Box 1552
 Canberra ACT 2601

Appendix 4

APPOINTMENT OF PROXY

Name:

Member Organisation:

Address:

.....

Phone:

Fax:

Email:

I hereby appoint
full name of proxy

of
name of member organisation

being a member of that AIVL member organisation, 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 theday of.....and at any adjournment of that meeting.
(month and year)

* My proxy is authorised to vote **in favour of / against** (*circle as appropriate*) the resolution(s) (*write the resolution(s) below*) **or** specify permission is given to vote as the proxy is instructed on any/all decisions requiring a vote:

.....
Signature of member appointing proxy

.....
Date

Note: A proxy vote may not be given to a person who is not a member or staff member of an AIVL member organisation.

Send to: **Att: Secretary**
 C/- AIVL
 GPO Box 1552
 Canberra ACT 2601

Appendix 5

ROLE OF DELEGATES

1. To act as the contact person in the state or territory member organisation in particular to disseminate information, co-ordinate feedback or comment on drafts and concepts, etc.
2. To act as an information conduit between AIVL and the member organisations.
3. To vote on behalf of, and represent state or territory member organisations at AIVL general meetings and other AIVL events.
4. May be elected to an office bearer position on the AIVL Board.
5. May be elected to one-off internal AIVL sub-Committees, working groups, etc.
6. May be elected to represent AIVL on external sub-Committees, working groups, steering Committees, etc.
7. May be requested to attend events on behalf of AIVL such as conferences, seminars, etc.

Appendix 6

ROLE OF OFFICE BEARERS

President:

- Make sure that the secretary of the association provides proper notice of meetings and that the AIVL Board meets as specified in the AIVL Constitution.
- Attend and chair all AIVL Board meetings - ensure that decisions are properly understood and recorded.
- Make sure that the secretary provides an agenda for each AIVL Board meeting
- Make sure that constitutional rules are followed (quorums, the AGM is held, etc.)
- Make sure that legal responsibilities of the association are met.
- Be a spokesperson for the AIVL Board and the organisation as required.
- Communicate and consult with the AIVL member organisations.
- Take part in working groups or sub-committees as required.
- Be committed to and uphold the objectives and goals of the association.
- Represent AIVL at AFAO Board meetings including General Committee Meetings and Annual General Meetings, as appropriate: and ensure adequate preparation and research prior to such meetings including: consultation with other AIVL Board members and member organisations, as required

Vice-President:

- Attend all AIVL Board meetings as required.
- Stand in for the President in their absence.
- Takes on roles and responsibilities as delegated by the President.
- Support the President in their role as required.
- Communicate and consult with the AIVL member organisations.
- Take part in working groups or sub-committees as required.
- Be committed to and uphold the objectives and goals of the organisation.
- Represent AIVL at AFAO Board meetings including General Committee Meetings and Annual General Meetings, as appropriate: and ensure adequate

preparation and research prior to such meetings including: consultation with other AIVL Board members and member organisations, as required

Treasurer:

- Attend all AIVL Board meetings as required.
- Ensure that adequate financial management systems are in place.
- Ensure monthly financial reports are prepared and presented to the AIVL Board.
- Ensure that 6 monthly budgets are prepared and presented to the AIVL Board.
- Ensure spending is in line with projected and actual budget.
- Ensure that financial records are audited at the end of each financial year and that financial reports are produced as required by the constitution.
- Communicate and consult with the AIVL member organisations.
- Take part in internal and external working groups or sub-committees, as required.
- Provide input into AIVL documents, educational resources and concepts, as required.
- Attend events and activities on behalf of AIVL as required.
- Be committed to and uphold the objectives and goals of the organisation.
- Represent AIVL at AFAO Board meetings including General Committee Meetings and Annual General Meetings, as appropriate: and ensure adequate preparation and research prior to such meetings including: consultation with other AIVL Board members and member organisations, as required

Secretary:

- Attend all AIVL Board meetings as required.
- Assist the President with the development of agendas for meetings.
- Take the minutes at each AIVL Board meeting and make sure they are typed up, distributed and filed appropriately.
- Ensure that Board correspondence is processed (most organisational correspondence will be processed by the secretariat staff).
- Ensure that a Register of Members is kept and appropriately maintained

(required by the Incorporations Act).

- Communicate and consult with the AIVL member organisations.
- Take part in internal AIVL working groups or sub-committees as required.
- Participate in external committees, working groups, steering and advisory committees, as required.
- Attend events and activities on behalf of AIVL such as conferences, seminars, etc., as required.
- Provide input into AIVL documents, educational resources and concepts, as required.
- Be committed to and uphold the objectives and goals of the organisation.
- Represent AIVL at AFAO Board meetings including General Committee Meetings and Annual General Meetings, as appropriate: and ensure adequate preparation and research prior to such meetings including: consultation with other AIVL Board members and member organisations, as required

Member Liaison Position:

- Attend all AIVL Board meetings as required.
- Work with AIVL delegates from each state and territory to ensure they submit a monthly delegate's report to the AIVL Elist.
- From the delegate's reports and consultation with members compile a verbal brief on key local issues for AIVL members for every AIVL Board meeting.
- Liaise with AIVL member organisations as required on specific issues.
- Act as a link between the AIVL member organisations and the AIVL Board.
- Take part in internal AIVL working groups or sub-committees as required.
- Participate in external committees, working groups, steering and advisory committees, as required.
- Attend events and activities on behalf of AIVL such as conferences, seminars, etc., as required.
- Provide input into AIVL documents, educational resources and concepts, as required.
- Be committed to and uphold the objectives and goals of the organisation.

- Represent AIVL at AFAO Board meetings including General Committee Meetings and Annual General Meetings, as appropriate: and ensure adequate preparation and research prior to such meetings including: consultation with other AIVL Board members and member organisations, as required

General Member Position(s)

- Attend all AIVL Board meetings as required.
- Communicate and consult with the AIVL member organisations.
- Take part in internal AIVL working groups or sub-committees as required.
- Participate in external committees, working groups, steering and advisory committees, as required.
- Attend events and activities on behalf of AIVL such as conferences, seminars, etc., as required.
- Provide input into AIVL documents, educational resources and concepts, as required.
- Be committed to and uphold the objectives and goals of the organisation.
- Represent AIVL at AFAO Board meetings including General Committee Meetings and Annual General Meetings, as appropriate: and ensure adequate preparation and research prior to such meetings including: consultation with other AIVL Board members and member organisations, as required.

Appendix 7

ROLE OF GENERAL REPRESENTATIVES (NON-DELEGATES)

1. May be appointed to act as a proxy for a Delegate to vote on behalf of, and represent state or territory member organisations at AIVL General Meetings and other AIVL events.
2. May be elected to an office bearer position on the AIVL Board.
3. May be elected to one-off internal AIVL sub-committees, working groups, etc.
4. May be elected to represent AIVL on external sub-committees, working groups, steering committees, etc.
5. May be requested to attend events on behalf of AIVL such as conferences, seminars, etc.
6. May be requested to have input into draft AIVL documents, educational resources, concepts, etc.
7. May be involved in assisting Delegates to carry out their responsibilities in relation to dissemination of information, preparation for meetings, etc.