

5. Members

5.1 How to become a member

A person becomes a member if:

- (a) The person wants to become a member and applies in writing to the Corporation using the membership application form attached at Schedule 2;
- (b) The person is eligible for membership under rule 5.2(a) and satisfies the eligibility criteria under rule 5.2(b);
- (c) The directors accept the application; and
- (d) The person's name is entered on the register of members.

5.2 Who can apply to become a member (eligibility criteria)

A person who is eligible to apply for membership must be an individual who is:

- at least 15 years of age; and
- a Taungurung Person.

A **Taungurung Person** is a person who:

- (a) is born of at least one parent with Aboriginal ancestors who were associated¹ with Taungurung country during the mid-nineteenth century, and who are listed in Schedule 3; and
- (b) has activated their inheritance as a Taungurung Person through:
 - (i) self-identifying as a Taungurung Person; and
 - (ii) having an active association with Taungurung country, which is demonstrated by participating in at least one of the following activities:
 - 1) taking an active role in the Corporation or other entities that represent Taungurung interests; or
 - 2) taking part in group activities and events (such as meetings or cultural gatherings); or
 - 3) participating in the transmission of Taungurung knowledge to younger generations and other traditional owner groups; and
- (c) is recognized and accepted by other Taungurung people:
 - (i) as a member of the Taungurung; or
 - (ii) through demonstrating to the satisfaction of the Board how they satisfy rules 5.2(a) and 5.2(b).

¹ 'Association' is defined as a connection through birth, place of burial or some other connection, including by adoption

5.3 Deciding membership applications

- (a) The directors will consider and decide membership applications.
- (b) The directors must not accept an application for membership unless the applicant:
 - applies according to rule 5.1(a); and
 - meets the eligibility criteria for membership.
- (c) The directors can refuse to accept a membership application even if the applicant has complied with all the eligibility requirements.
- (d) If the directors refuse to accept a membership application they must notify the applicant in writing of their decision, and the reasons for their decision.
- (e) Where the Board is not certain of an applicant's eligibility they may appoint a panel to consider the application.

5.4 Junior members and full members

- (a) An applicant who is between 15 and 18 years of age may be accepted as a junior member. A junior member will automatically become a full member upon turning 18.
- (b) An applicant who is over 18 years of age may be accepted as a full member.

5.5 Entry on the Register of Members

- (a) If the directors accept a membership application, the applicant's name must be entered on the Register of Members within 14 days.
- (b) If the applicant applies for membership after notice has been given for the holding of a general meeting and the meeting has not yet been held when the directors consider the application, then the Corporation must not enter the person on the register of members until after the general meeting has been held (i.e. the applicant does not become a member until after the general meeting and cannot exercise their rights as a member until they have had their name entered on the register).

5.6 Member's rights

- (a) Each member has rights under the Act and these rules, including the right to:
 - (i) subject to rule 8.12, attend, speak and vote at general meetings of the Corporation;
 - (ii) be elected or appointed as a director (unless otherwise ineligible);
 - (iii) not be removed as a member unless the directors and the Corporation have complied with the rules governing the removal of a member;
 - (iv) put forward resolutions to be voted on at general meetings of the Corporation in accordance with the provisions of rule 8;
 - (v) ask the directors to call a general meeting of the Corporation in accordance with rule 8;
 - (vi) access the following books and records of the Corporation:
 - the register of members;
 - the minute books;
 - the Corporation's rule book; and
 - certain reports prepared by or for the directors of the Corporation, in accordance with the Act; and

- (vii) ask the directors to provide access to any other records or books of the Corporation.
- (b) Members do not have the right to share in the profits of the corporation or take part in the distribution of the corporation's assets if it is wound up.
- (c) If a member believes that their rights have been breached or ignored by the directors, the member can use the dispute resolution process contained in this rule book in conjunction with any dispute resolution or grievances and complaints policy adopted by the Corporation.

5.7 Members' responsibilities

Each member has the following responsibilities:

- (a) to comply with the Act and this rule book;
- (b) to notify the corporation of any change of their address within 28 days;
- (c) to comply with any code of conduct adopted by the Corporation;
- (d) to treat other members and directors with respect and dignity; and
- (e) not to behave in a way that significantly interferes with the operation of the Corporation or of Corporation meetings.

5.8 Liability of members

The members are not liable to contribute to the property of the Corporation on winding up.

5.9 How a person stops being a member

- (a) A person will stop being a member if:
 - (i) the person resigns as a member; or
 - (ii) the person dies; or
 - (iii) the person's membership to the Corporation is cancelled.
- (b) A person ceases to be a member when the member's name is removed from the register of members as a current member and placed on the register of former members.

5.10 Resignation of a member

A member may resign by giving a resignation notice to the Corporation. Notice must be given in writing. The Corporation must remove the member's name from the register of members within 14 days after receiving the resignation notice.

5.11 Process for cancelling membership

5.12.1 Cancelling membership if member is not or ceases to be eligible

- (a) The directors may, by resolution, cancel the membership of a member if the member
 - (i) is not eligible for membership; or
 - (ii) has ceased to be eligible for membership
- (b) Before cancelling the membership, directors must give the affected member notice in writing stating that:
 - (i) the directors intend to cancel the membership for the reasons specified in the notice;

- (ii) the member has 14 days to object to the cancellation of the membership; and
- (iii) the objection must be in writing and given to the corporation within the period of 14 days from the day that the notice is given.
- (c) If the member does not object, the directors must cancel the membership.
- (d) If the member does object the directors must not cancel the membership and only the Corporation, by resolution in a general meeting, may cancel the membership.
- (e) If a membership is cancelled, the directors must give the member a copy of the resolution (being either the resolution of the directors or the resolution of the general meeting) as soon as possible after it has passed

5.12.2 Membership may be cancelled if member cannot be contacted

- (a) Membership may be cancelled by special resolution in a general meeting of the Corporation if the Corporation:
 - (i) has not been able to contact that member at their address entered on the register of members for a continuous period of two years before the meeting; and
 - (ii) has made two or more reasonable attempts to contact the member during that 2 year period but has been unable to.
- (b) If the Corporation cancels the membership, the directors must send that person a copy of the resolution at their last known address as soon as possible after the resolution has been passed

5.12.3 Membership may be cancelled if a member misbehaves

- (a) The Corporation may cancel a member's membership by special resolution in a general meeting if the general meeting is satisfied that the member has behaved in a way that significantly interfered with the operation of the Corporation or of Corporation meetings, or has breached any code of conduct put in place by the Corporation.
- (b) If the Corporation cancels a membership under this rule, the directors must give that person a copy of the resolution as soon as possible after it has been passed

5.12.4 Amending register of members after a membership is cancelled

Within 14 days of a member's membership being cancelled, the Corporation must remove the person's name from the register of members of the Corporation and place their name on the register of former members.

6. The register of members and former members

6.1 Corporation to maintain register of members and register of former members

- (a) The Corporation must set up and maintain a register of members. The Corporation must also set up and maintain a register of former members.
- (b) The Corporation is able to maintain the register of member and register of former members in one document.

6.2 Information on the register of members

The register of members must contain the following information about members:

- (a) the member's name (given and family name) and address. The register may also contain any other name by which the member is or was known; and

- (b) whether they are a full member or a junior member; and
- (c) the date on which the member's name was entered on the register (including, where applicable, the date on which the junior member's name was entered on the register, and any subsequent date on which the junior member became a full member).

6.3 Information on the register of former members

- (a) The register of former members must contain the following information about each individual who stopped being a member within the last 7 years:
 - (i) the member's name (given and family name) and address; and
 - (ii) the date on which the individual stopped being a member.
- (b) The register must also contain any other name by which the individual is or was known.

6.4 Location and inspection of register

- (a) The register must be kept at the corporation's document access address or registered office. It must be available at the annual general meeting.
- (b) If the Registrar requests a copy of the register of members, or the register of former members, it must be provided within 14 days or such longer period as the Registrar specifies.