

Australian Subcontractors Association

A.C.N

RULES OF MEMBERSHIP

1. Membership of the Association shall consist of an unlimited number of Members who meet the eligibility criteria set by the Committee from time to time and any additional requirements published by the Committee.
2. Full Membership is only available to Subcontractors.
3. In addition the Committee may offer:
 - a. Associate Membership to persons or corporations who, while not eligible for Full Membership, are carrying on a business within, or outside of, Australia suitable for affiliation with the Association.
 - b. Life Membership to a natural person who is a Member or representative of a Member and who has made a long and outstanding contribution to the Association or to Subcontracting generally.
4. Associate Members and Life Members do not have voting rights and are not eligible to stand for election or to appoint a representative for election to any office within the Association (except in the case of a Life Member who is also eligible to be a Full Member or who is a representative of a corporate Full Member). The Committee may also prescribe other provision of these Articles that will either not apply to, or be varied in relation to, Associate Members.
5. The Committee may establish categories or subcategories of Members based on the size or type of business or any other objectively determined criteria.
6. Every applicant for membership must:
 - a. be nominated by two (2) Full Members who are financial members, and
 - b. be made in writing, be in the form, and include the required signatures and declarations that the Committee from time to time prescribes, and
 - c. be accompanied by the application fee and the required annual subscription fee, and
 - d. contain an undertaking that if admitted the applicant agrees to be bound by the Memorandum and Articles of Association, the Code of Ethics of the Association and any Rules from time to time published by the Committee including The observance of all arrangements and agreements negotiated on our behalf with other Associations, Federal Government, State Governments, or others; and
 - e. abide by all laws and legislation relevant to the members residing state or territory.
7. The Committee is authorised to inquire into any matter relating or incidental to an applicant as it deems appropriate and may, in its absolute discretion, do any or all of the following:
 - a. refer the matter to some or all other Members to provide them with a period of time not exceeding 21 days to lodge an objection to the application,
 - b. require the applicant to furnish such further information as the Committee may require, or
 - c. require the applicant to attend an interview.
8. After completing such inquiries as it deems appropriate, the Committee may, in its absolute discretion, determine whether to admit or reject the applicant and must notify the applicant accordingly. The Committee is not obliged to give any reasons for rejecting any application.
9. When an applicant has been accepted for membership the Committee shall send the applicant

confirmation of acceptance of membership, a copy of the Code of Ethics and any Rules published by the Committee and any other documents the Committee considers appropriate.

10. A Member having any change of directors, change of name or trading name, or any change in legal structure or beneficial ownership of shares so that there is a change in the controlling interest of the Member, must notify the Association of the change in writing within one (1) month, and the Committee may at its absolute discretion require such Member to lodge a new membership application and to meet the membership criteria then applicable, or take such other action as it sees fit.
11. The Committee shall from time to time determine:
 - a. The application fee and/or annual subscription fee for each Member, and
 - b. The time(s) subscription fees become due and payable.
12. An applicant is permitted to use the Association's Logo from that the time the applicant receives confirmation of acceptance subject to such terms as the Committee may impose including by way of Rules. When a Member resigns, the Member must immediately cease using the Association's Logo and must cease to represent, and not by any act or omission represent, that he is a Member.

CESSATION OF MEMBERSHIP

13. Members may resign their membership by giving notice in writing to the Committee.
14. Membership shall cease automatically:
 - a. For a sole trader on death or if the Member is declared bankrupt or his estate is brought under any laws relating to mental health,
 - b. For a partnership, upon dissolution of the partnership or if a Receiver of a partnership assets is appointed, and
 - c. For a company or other business entity upon the appointment of an administrator or liquidator or provisional liquidator, or if a receiver or receiver and manager of its assets is appointed or if it enters into any scheme or arrangement or composition with its creditors or is placed under official management or other form of insolvency administration.
15. Membership may also be terminated or suspended by the Committee:
 - a. If any Member fails to pay the annual subscription or any other monies due within one (1) month after it becomes due, and upon having been given notice in writing by the Secretary to pay the same, it remains unpaid for seven (7) days after that notice; or
 - b. Pursuant to disciplinary action by the Committee; or
 - c. If in the opinion of the Committee the Member has ceased to carry on business of a nature making him eligible for membership or has otherwise ceased to comply with the criteria for membership set forth in Rules published by the Committee; or
 - d. If the Member commences legal action against the Association.
16. Any resignation or other termination or suspension of membership shall not relieve a Member from his liability to pay any money due by him to the Association. On the termination or suspension of membership for any reason neither the Member, nor the representative of such Member, shall have any interest in the Association or its property, nor shall such Member or representative have or be entitled to claim any rights or privileges of membership of the Association.
17. The Committee shall have the power in its absolute discretion to either expel any Member or declare his membership terminated or suspend his membership either for a fixed period or indefinitely or to impose a fine upon or issue a reprimand to any Member if in the opinion of the Committee:

- a. The Member has committed a breach of these Articles or of any Rules or Code of Ethics published from time to time by the Committee.
- b. The Member has acted in a manner detrimental or prejudicial to the interests of the Association or which may tend to bring the Association into contempt or disrepute.
- c. The Member obtained his membership by improper means or without the required qualifications.
- d. The Member is not or is no longer desirable as a Member of the Association.

The Committee shall not be required to give reasons for any decisions it may make under this Article.