

AGM 2012

amendments to Rules of Association (constitution) and Board Charter

preamble

in response to the Australian Communications and Media Authority (ACMA) letter of Renewal of Community Broadcasting Service Licence 1150683 (Joy Melbourne Inc.), ACMA decided to renew our licence but noted there were areas of our operations that could be improved.

ACMA stated:

1. "ACMA expects community broadcasting licences to be open, accessible and transparent as it assists them to meet their licence conditions under the Act, in particular the obligation to encourage members of the community they serve to participate in the operations of the licensee and in the selection and provision of programs under the licence."
2. "Provisions in a licensee's constitution which specify the grounds on which a membership application may be rejected, require the Board to provide reasons for rejection of membership applications, set out disciplinary procedures and appeal rights for rejected applicants and disciplined members enable a licensee to meet this obligation."

amendments

The following two amending resolutions address the above requests to create greater openness, accessibility and transparency in our constitution to assist in meeting our licence conditions under the Act; and third is proposed to incorporate a recent change in the Incorporation Associations Reform Act.

agenda item 9.1

motion:	to amend Rule 4.10 Membership, entry fees and subscription (in response to ACMA re licence renewal)
current:	Rule 4.10 if the Board rejects an application or resolves to reject an application referred to it from the membership committee, the Board must ensure that the applicant is notified in writing of the rejection of the application.
proposed:	Rule 4.10 if the Board rejects an application or resolves to reject an application referred to it from the membership committee, the Board must ensure that the applicant is notified in writing of the rejection of the application: a) specifying the grounds on which a membership has been rejected b) providing reasons for the rejection of membership application to the applicant c) advising of appeal rights for rejected applicants or disciplined members.

agenda item 9.2

motion:	to amend Rule 8 Discipline, suspension and expulsion of members (in response to ACMA re licence renewal)
current:	Rule 8.1 (a) fine that member an amount not exceeding five hundred dollars (\$500.00)
proposed:	Rule 8.1 (a) require that member to undergo a mediated process to facilitate them to return to full participation in the operations of Joy Melbourne Inc.

agenda item 9.3

motion:	to replace "Public Officer" in all its occurrences with "Secretary" (in response to Incorporated Associations Reform Act)
current:	"Public officer"
proposed:	replace "Public Officer" in all its occurrences with "Secretary" in Rules of Association: Rules 2.1, 4.3(a), 4.9, 6.3, 7.1, 11.9, 13.1, 13.2(b), 20.1, 22.10, 23.1(d), 25.1(d), 26.1(c), 31.4, 38.1 Appendix 6 - Board Charter Amendments - 5.2(d), 7.1, 14, 14.1

proposed by: Anthony VITALE

supported by: Greg ADKINS