

The Wireless Institute of Australia

Regulations

Advisory Committees

1. Power

Clause 18.12 of the Constitution provides:

Advisory Committees

- (a) *There shall be an Advisory Committee initially in respect each area previously the responsibility of a Division to advise the Board in respect of matters previously the responsibility of that Division and on any other matters considered by the Board to be relevant to promoting the objects of the Institute.*
- (b) *The first members of each Advisory Committee shall be the members of the Council or other governing body of each Division on the Adoption Date who agree to be a member of an Advisory Committee.*
- (c) *Commencing on the third anniversary of the Adoption Date and every 3 years thereafter the Members living in the area for which an Advisory Committee is responsible shall elect the members of that Advisory Committee.*
- (d) *In addition to the members appointed in accordance with (b) and (c) of this provision the Board may from time to time appoint to each Advisory Committee one additional person whom the Board believes is interested in promoting the objects of the Institute, and may at any time remove that person from his or her position on an Advisory Committee.*
- (e) *The Board may make such regulations as it thinks fit to define new areas to be covered by further Advisory Committees and governing the election, activities and proceedings of the Advisory Committees.*

2. Definitions

All words defined in the Constitution (other than the word "Member" which shall have the meaning ascribed to that term by paragraph 8 below) shall have the same meaning in these Regulations.

3. Cessation of initial Advisory Committees

Each of the positions on each Advisory Committee appointed to clauses 18.12 (a) and (b) of the Constitution shall become vacant on 31 September 2007 and thereafter, subject to the Constitution, all of the positions on all the Advisory Committees defined by these Regulations shall be filled in accordance with these Regulations.

4. Advisory Committee for each Area

From 1 October 2007 there shall be an Advisory Committee elected in accordance with these Regulations in respect of each of the following areas (the “Areas”) namely each of the States, the Australian Capital Territory and the Northern Territory.

5. Functions

The functions of each Advisory Committee shall be:

- (a) To provide advice and information to the Board or to any person authorised by the Board to seek advice or information in relation to any matter identified by the Board or by a person so authorised;
- (b) To promote amateur radio, the WIA and membership of the WIA by means including but not limited to:
 - (i) Maintaining such stock of forms, brochures and other material as is determined from time to time by the Board and in such numbers and subject to such procedures as the Board shall define from time to time;
 - (ii) Establishing and manning or causing to be manned stands and stalls at appropriate gatherings of radio amateurs or at functions or events promoting amateur radio generally;
 - (iii) Promoting and selling and causing to be promoted and sold WIA membership, WIA books and products at stands and stalls and otherwise;
- (c) Making available and encouraging others to make available local news for WIA broadcasts and releases;
- (d) Liaising with affiliated clubs as requested by the Board and at the request of and for the Board arrange and organise conferences of affiliated clubs from such part of such Areas as is identified by the Board, and
- (e) Undertake such other tasks and functions as are agreed from time to time.

6. Change of Functions

The WIA may add or withdraw any function other than the function of advising the Board either generally or in relation to a particular Advisory Committee.

7. Nominated Member

Pursuant to Clause 18.12 (d) of the Constitution the Board may from time to time appoint or remove one member to each Advisory Committee, and in these Regulations such member is referred to as the Nominated Member. The Board may appoint the

first Nominated Members any time after these Regulations are adopted by the Board.

8. Composition of each Advisory Committee

Each Advisory Committee shall consist of three elected members and one Nominated Member. In these Regulations the elected members of an Advisory Committee are referred to as "Members". Members and Nominated Members must be members of the WIA and must reside in the Area of the relevant Advisory Committee

9. Term

Each Member of each Advisory Committee shall hold office from 1 October in the year in which he or she is elected until the third anniversary of that date.

10. Vacancies

If any vacancy occurs in any Advisory Committee (other than of a Nominated Member) for any reason, that vacancy must be filled within three calendar months (or such longer period as the Board may otherwise resolve) by the Board. The person filling the vacancy must be a member of the WIA and must reside in the Area of that Advisory Committee and is appointed for the remainder of the term of office of the Member who created the vacancy.

11. Chairperson

Each Advisory Committee shall elect one of their number to be the Chairperson, who shall also be responsible for keeping records of all conclusions of the Advisory Committee and keeping the Board informed of the activities of and conclusions reached by that Advisory Committee.

12. Conduct of Business

Each Advisory Committee shall regulate its own business, and may conduct its business by meeting in person, or by phone or other instantaneous communication device or by communicating by email or other means.

13. Communication

Ordinarily communication to and from the Board shall be through the WIA Secretary.

14. Disqualification of a Member or a Nominated Member

The office of Member or Nominated Member becomes vacant if:

- (a) the Member or Nominated Member dies, or becomes unable for whatever reason to carry out his or her functions;
- (b) the Member or Nominated Member becomes an insolvent under administration or makes any composition or arrangement with his or her creditors or any class of them;

- (c) the Member or Nominated Member resigns office by notice in writing to the Board or refuses to act;
- (d) the Member does not take part in any activities of the Advisory Committee for a continuous period of six months without special leave of absence from the Board and the Board resolves that the Members office will be vacated;
- (e) the period for which the Member is appointed expires; or
- (f) the Member or Nominated Member ceases to be a member of the WIA.

15. Election of Members

Members shall be elected in accordance with the following provisions of these Regulations.

16. Returning officer

The Board shall appoint a Returning Officer for the election of all Members of each Advisory Committee (who shall be a WIA member and who is ineligible to be a candidate to be a Member of an Advisory Committee) not later than the 1st day of April 2007 and the 1st day of April in each third year thereafter, and who will conduct the election in accordance with the procedure set out in these Regulations.

17. Returning Officer to Call for Nominations

- (a) The Returning Officer must give notice of the forthcoming election by publication in the May issue of Amateur Radio and call for nominations for elected members of each Advisory Committee. The notice of election must provide that nominations are to reach the Returning Officer at the WIA national office no later than the 22nd of June in the year in which the election is to be held. The Returning Officer must treat mail received either by postal delivery or by clearance from a post office box on the 23rd day of June (or the first day after 23rd June that is not a public holiday) as having been received in time, but the Returning Officer is not required to make more than one postal box clearance on the 23rd day of June (or such later day that is not a public holiday). For the avoidance of doubt, nominations received by facsimile or electronic means are not acceptable.
- (b) Every nomination for Advisory Committee Member must be in writing and must be signed by the nominee giving the nominee's consent to nomination and signifying the nominee's candidature and willingness to perform and carry out the functions identified in paragraph 5 and shall be accompanied by the details referred to in paragraph 18 (b).

- (c) The Returning Officer shall take such steps and makes such inquiries as are necessary to enable him or her to be reasonably satisfied as to the eligibility and validity of each nomination.
- (d) If the Board fails to appoint a Returning Officer in any year, the Secretary shall act as Returning Officer and conduct the election without further appointment or direction than this provision.

18. Conduct of Ballot

- (a) The Returning Officer must arrange for the preparation of ballot papers and ballot envelopes which together with details of candidates in accordance with paragraph 18 (b) must be posted as an enclosure to the August issue of Amateur Radio in the year of the election to every WIA member entitled to vote with an Amateur Radio address in the relevant Area. Members who do not receive Amateur Radio shall be entitled to vote and may request the Returning Officer to send voting papers to them.
- (b) The details shall be provided by each candidate with the nomination for that Member and shall state the age, occupation, callsign and such other biographical details or other information as the candidate wishes but in all not to exceed 250 words.
- (c) In the ballot for Members the member must strike out the names of the candidate or candidates not voted for leaving on the ballot paper, unstruck out, the name or names of the candidates or candidate for whom the member does wish to vote. A member may vote for fewer candidates than there are to be elected, but must not vote for more than that number, or all the member's votes will be invalid.
- (d) It is the duty of the member to place the completed ballot paper in the ballot envelope addressed to the Returning Officer but otherwise unmarked. This envelope in turn must be placed in a further envelope also addressed to the Returning Officer but bearing the member's name address and call sign (if any). Reply Paid envelopes will not be provided for the election of Members of Advisory Committees.
- (e) Upon being satisfied that the person named in the envelope is entitled to vote, the Returning Officer must remove the interior envelope and place it in the ballot ensuring always that the envelope is unmarked and that the voter cannot be identified, placing the envelopes in an appropriately sealed container.
- (f) The ballot is to close on the 7th September, and all ballot papers must be posted or otherwise delivered to reach the Returning Officer at the WIA national office by that date. The Returning Officer is to treat mail received either by postal delivery or by clearance from a Post Office box on the first day following that day that is not a public holiday as being received in time, but the Returning Officer is not required to make more than one postal box clearance on that day or the day following the dosing of the ballot.

- (g) The Returning Officer shall be responsible for retaining full and verifiable records such that the number of ballot papers distributed to members can be reasonably reconciled with the number of ballot papers printed and the number of ballot papers retained.
- (h) If a candidate dies or withdraws from the ballot after ballot papers have been printed, then the ballot shall proceed and all votes for that candidate shall be disregarded.
- (i) If a candidate dies or withdraws from the ballot before ballot papers have been printed, the ballot must proceed with ballot papers without the name of the deceased or withdrawn candidate, unless the number of candidates remaining after withdrawal or death of a candidate is equal to or less than the number required to be elected, in which case the remaining candidates are to be declared elected unopposed.
- (j) Following the close of the ballot the Returning Officer must appoint two scrutineers (not being candidates in the election) who together with the Returning Officer are to count the votes cast. If any question arises as to a member's entitlement to vote or as to the propriety of any vote the same is to be determined by the Returning Officer. The Returning Officer's decision does not bind any subsequent Inspecting Officer.

19. Declaration of Result

- (a) After the completion of counting but not later than 21st September the Returning Officer must make a written return of the result of the election, showing the number of votes cast for each candidate and must forward a copy of the return to the President, the Secretary and to each candidate and must arrange publication of the result by WIA Release and in Amateur Radio.
- (b) If more than one candidate receives the same number of votes, the Returning Officer must decide by lot in the presence of two scrutineers which of the candidates is to be returned.

20. Positions Not Filled at an Election

- (a) If there are insufficient nominations for Member of an Advisory Committee, the Returning Officer must declare the persons nominated to be elected unopposed.
- (b) The Board, following the declaration of the result of the election must make appointments to fill any position for which there were insufficient nominations, in accordance with paragraph 10 of these Regulations, as though the unfilled positions were casual vacancies.
- (c) Where following an election a candidate dies or indicates to the President in writing that he or she does not intend to take office, the Board must fill the vacancy so created as a casual vacancy.

21. Enquiry Following Election

- (a) Within fourteen days of the declaration of a result any candidate may ask the Board to conduct an enquiry into the election, stating precisely the reasons for seeking any enquiry, whereupon the Board, or in cases of urgency, the President acting alone may appoint an Inspecting Officer to report to the Board on the conduct of the election.
- (b) The Inspecting Officer must be a person who was not a candidate in the election and preferably, who has previously held an office in the Institute or a Division. It is the duty of the Inspecting Officer to consider any complaints made and report forthwith in writing to the Board.
- (c) Upon receiving the report of the Inspecting Officer the Board may:
 - (i) annul the result of the election and call new elections giving all necessary directions as to all times for conducting a further ballot.
 - (ii) alter the declaration of the result it satisfied that a clear error has been made, or
 - (iii) declare that notwithstanding any irregularities the result of the election has not been affected, and confirm the declaration of the result.