



ME/CFS Australia (Vic, Tas, NT)

Office Address: Suite 5, 106 Foster Street, Dandenong VIC 3175

Postal Address: PO Box 7100, Dandenong VIC 3175

Office: (03) 9791 3100

Email: admin@mecfs-vic.org.au

Support: (03) 9791 2199

Website: www.mecfs-vic.org.au

ME/CFS Australia (Vic, Tas, NT) By Laws

By Law One: General Society Policies

By Law 1 as adopted by the ME/CFS Australia (Vic, Tas, NT) Committee of Management on 26/07/2011.

Original version endorsed October 2004.

- a. The Society shall conduct its operations in a responsible manner, and shall always seek to uphold the highest ethical standards in every activity it undertakes.
- b. The Society does not promote, recommend or endorse any proven or proposed therapy or treatment for any condition.
- c. The Society does not provide medical advice.
- d. The Society recognises that individuals with ME/CFS may seek medical care and treatment from any of a wide variety of health practitioners, including those who practise alternative or complementary medicine. Because only a qualified medical practitioner can diagnose ME/CFS and because other illnesses can occur in conjunction with ME/CFS, the Society encourages individuals to seek medical diagnosis and care from legally qualified medical practitioners. The Society neither encourages nor discourages individuals from seeking care and treatment from other practitioners.
- e. Individuals shall not be permitted to use their association with the Society to further their financial interests.
- f. The Society does not publish in Emerge or on the website personal testimonies about treatments or therapies in which the author has a financial interest.
- g. The medical information presented in Emerge shall focus on the results, activities and ideas of suitably qualified researchers and clinicians, particularly those of recognised institutions such as universities and hospitals.
- h. All Society's Support Group Leaders and Support Line Volunteers are required to be financial members of the Society. Each Support Group Leader and Support Line Volunteer will be provided with a manual which will guide them in their activities and allow them to understand what policies and procedures are to be undertaken. All Volunteers must submit a CV.
- i. Office volunteers must work under the supervision of the Chief Executive Office (CEO) or an appointed member of staff. Volunteers who are members of the Society can commence working in the office at the discretion of the CEO under the procedures set down by the CEO. All volunteers must submit a CV.
- j. In line with Department of Human Services policy all volunteers who may come into contact with sensitive information must pass a satisfactory police check. This includes Office and Support Line Volunteers and Support Group Convenors.
- k. Researchers, doctors and other professionals who approach the Society wishing to involve Society members in studies or research projects must provide the following information before the request will be considered by the Committee of Management:
 - i. Evidence that the project has been approved by the relevant institutional ethics committee
 - ii. Sufficient information to enable the Committee of Management to understand the objectives and nature of the study



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iii. In the case of students, the following must be supplied: Evidence that the project has been authorised by the relevant academic department

Individual Society members will be invited to participate in studies and research projects only after the above information has been reviewed and approval given by the Committee of Management. The Society will have no further involvement with the study or research project.

The approval of the Committee of Management is required before the Society will incur any cost in relation to any study or research project.

I. Additional policies that the Society holds such as our Privacy Policy are detailed under separate cover.

By Law Two: Privacy Policy Statement

By Law 2 as adopted by the ME/CFS Australia (Victoria) Committee of Management on 26/11/2007.

Original version endorsed October 2004.

ME/CFS Australia (Victoria) is committed to the principles of privacy as set out in the Privacy Amendment (Private Sector) Act 2001. The Society recognises that people are very protective of their personal details and places strict limits on how such information is collected and handled. The Society has developed a set of Privacy Guidelines which will be made available on request to all persons who interact with ME/CFS Australia (Victoria). The Society is committed to ensuring that details of its supporters (being members both financial and non-financial and volunteer helpers) are not released to other parties (except where required to do so by law) without their prior permission.

Privacy Guidelines

Collection of Information

We will limit the collection and use of information provided to us by our members (both past and present) to the minimum necessary for the Society to provide support, information and advocacy for people affected by ME/CFS and to advance the interests and well-being of those people with this disorder.

Wherever possible we will collect personal information directly from the individual rather than from third parties. Individuals about whom personal information is collected are made aware of the fact that they can access the information, and the primary purpose for which the information is collected.

Quality of Information

Reasonable steps are taken to ensure that all personal information collected and used is accurate.

Security of Information

We will safeguard the security and confidentiality of any information our members share with us.

Under the Constitution of ME/CFS Australia (Victoria) members are able to apply to the Society to inspect the register of financial Society members. Any person seeking these details will first be required to give a written undertaking that the use of this list be restricted to Society activities (and state what that activity will be), and not be used for any other purposes, e.g. commercial gain. If the

Committee then considers that the register will be used for a legitimate Society purpose, a list will be made available at the society office for perusal. The register and list referred to for this purpose is a



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reference to the list of names of current financial members only. No other component will be available for inspection.

Accessibility of Information

Information held about an individual is accessible at no charge to that individual on request (except where the request is frivolous or vexatious). We will permit only authorised persons, being paid or casual employees or volunteer helpers to have access to personal information.

If a member or other person wishes to contact one of our members the normal procedure would be to take the contact details of the caller and pass the information onto the member. It is then up to the member if they wish to make contact.

All volunteers and employees must undertake a satisfactory police check.

Confidentiality

We will ensure that all authorised persons are made fully aware of our Privacy Guidelines. Those authorised persons who have access to personal information in the course of their duties do not disclose it to any third party.

We will not reveal any personal information to any external organisation unless we have been authorised to do so by the person in question, or are required by law.

We will thoroughly investigate any suspected lapses or infringements of privacy.

By Law Three: Duties of Officers

By Law 3 as adopted by the ME/CFS Australia (Vic, Tas, NT) Committee of Management on 26/07/2011.

Original version endorsed November 2007.

(1) The President:

- (a) shall be the official spokesperson for the Society on matters of policy;
- (b) shall where practicable represent the Society on formal occasions and at meetings with senior politicians and other persons of high office;
- (c) shall preside as Chairperson at each general meeting, Committee meeting and Executive Committee meetings;
- (d) shall present a report to the Annual General Meeting; and
- (e) may undertake other duties as agreed with the Committee or Executive Committee from time to time.

(2) The Vice-President:

- (a) shall keep abreast of Society matters and activities of the President with a view to undertaking the duties of the President as and when required;
- (b) shall monitor the Corporate Plan and guide Society activities and goals in accordance with this Plan; and
- (c) may undertake other duties as agreed with the Committee or Executive Committee from time to time.



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(3) The Secretary:

- (a) shall ensure to his/her satisfaction that there shall be kept the minutes of the resolutions and proceedings of each general meeting and committee meetings in accordance with the Rules of the Society;
- (b) shall ensure to his/her satisfaction that there shall be kept and maintained the Membership Register in accordance with Rule 5;
- (c) shall ensure to his/her satisfaction that there shall be sent notices of general meetings to members in accordance with Rule 12;
- (d) shall ensure all books, documents and securities of the Society are kept in accordance with Rule 36;
- (e) shall prepare the Committee meeting agenda and circulate one week prior to the meetings;
- (f) shall ensure the minutes are circulated within a reasonable timeframe following each committee meeting along with an action list if the Committee deem it appropriate; and
- (g) shall undertake additional tasks as agreed to from time to time by the Committee of Management.

(4) The Treasurer:

- (a) shall ensure to his/her satisfaction that there shall be a satisfactory system in place to collect all moneys due to the Society and make payments authorised by the Society in accordance with Rule 32;
- (b) shall ensure to his/her satisfaction the keeping of correct accounts and books showing the financial affairs of the Society in accordance with Rule 32;
- (c) shall ensure the accounts of the Society are audited by a qualified Auditor or Auditors appointed by the Society ;
- (d) shall prepare an annual budget and review this periodically against income and expenditure;
- (e) shall present periodic reports to meetings of the Committee on the financial status of the Society;
- (f) shall present an annual audited financial report to the Annual General Meeting; and
- (g) may undertake other duties as agreed with the Committee from time to time.

(5) The Journal Editor:

- (a) shall co-ordinate the production of the Journal of ME/CFS Australia (Victoria) Emerge;
- (b) shall chair the editorial committee of the Emerge; and
- (c) may undertake other duties as agreed with the Committee from time to time.

(6) The Public Officer:

- (a) shall be responsible for ensuring that the operations of the Society are undertaken in accordance with the Victorian Associations Incorporation Act 1981;
- (b) shall present a report to the Annual General Meeting;
- (c) shall lodge an annual report, including a copy of the audited annual financial report, with the Registrar of Incorporated Associations;



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(d) shall advise the Registrar of Incorporated Associations of amendments to the Rules of Association and other matters as required under the Associations Incorporation Act 1981;

(e) shall be responsible for the custody of the Common Seal of the Society; and

(f) shall be responsible for ensuring that the reporting requirements of the Australian Taxation Office are undertaken and forwarded as appropriate.

(7) Ordinary Committee members:

(a) shall choose an area of the organisation's activities and be the primary link with that activity;

(b) shall present regular reports to the Committee on behalf of their activity; and

(c) may undertake other duties as agreed with the Committee from time to time.

8) Chief Executive Officer

The role of the Chief Executive Officer (CEO) is to work with the Committee of Management to strategically position the Society and to ensure the smooth operation of the organisation in line with Society policy and Strategic and Business Plans.

The CEO's Position Description shall be referred to for full details regarding Responsibilities, Key Functions and Tasks, Resource Management, Human Resource Management, Financial and Legal Management and Lobbying and Liaison with Funding Bodies. The Chief Executive Officer is responsible directly to the Committee of Management. The CEO will provide monthly reports to the Committee of Management and participate in relevant sub committees and other Committee of Management meetings as required.

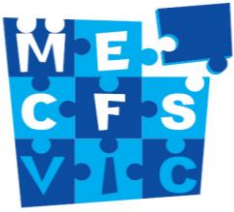
In the event that the position of CEO becomes vacant, the Committee of Management shall seek a new CEO or appoint an appropriate sub-committee to oversee staff and volunteers in the interim.

At all times the following duties must also be carried out and records maintained for the:

- Management of membership and subscriptions as set out in Clause 4A of the Rules of Association
- Register of Members and Ceasing Membership as set out in Clauses 5 & 6 of the Rules of Association
- Administration and support to the President and Executive in the execution of Annual General Meetings & Special General Meetings as set out in Clauses 9 through 19 of the Rules of Association
- Administration of elections as set out in Clause 23 of the Rules of Association
- Management of the Society Funds as set out in Clause 32 of the Rules of Association, save with respect to requirements of sub rule 2, the current authorities are to prevail
- Execution of Notices to Members as set out in Clause 34 of the Rules of Association
- Custody and Inspection of Books and Records as set out in Clause 36 of the Rules of Association in accordance with the Security and Privacy legislation of Victoria
- Management of the office facilities and equipment to maintain their security and ongoing operation
- Others as may be specified from time-to-time

(9) The Support Group Coordinator

- Shall be the conduit which information is given to and is received from Support Groups. This is in addition and complements the Support newsletter which may be edited by another person;
- Shall provide reports to the CEO, as to the situation with regard to the Support Groups, such as their activities, issues and any concerns;
- The Coordinator shall ensure that new support group convenors are:



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- Issued with a Support Group manual;
- Understand the policies of the Society; and
- Offered a \$50 start up “seed funding” to a new group once it is shown that the group intends to operate on a long term basis.
- Ensure the convenors are current financial members of the Society; and
- Provide support for the Convenors if possible and when necessary.

(10) The Support Line Coordinator

- Shall ensure training is offered to Support Line Volunteers appropriate to offering peer support to those who ring in;
- Shall ensure each Volunteer is issued with a Support Line Manual;
- Shall provide regular reports to the CEO with regard to any issues and concerns which may arise;
- Ensure Support Line Volunteers are financial members of the society;
- Oversee a roster and wherever possible cover all shifts with Volunteers;
- If there are gaps in the roster then an appropriate system of referral to the office for assistance should be arranged so that calls are returned as quickly as possible; and
- Ensure appropriate procedures are in place for information to be given to Support Line Volunteers so they know of any new information and any requests from phone calls can be handled and referred as appropriate.

By Law Four: Membership Classes

By Law 4 as adopted by the ME/CFS Australia (Victoria) Committee of Management on 26/11/2007.

Membership and Subscriptions Rule 4A (4)

Definitions of Membership Classes

This By Law is intended to clarify the different classes of membership which the Society may offer from time to time. It is understood that not all classes may be offered immediately and a gradual introduction of the options to the general public will occur as resources allow. This includes necessary adjustments to software used in the member register and using up the existing stocks of printed material etc.

Ordinary Membership

The term ordinary membership is a standard and well understood term used where a member is a single natural person to whom no concession or special privilege applies. Each Ordinary Member is entitled to one vote.

If an application is received with two persons' names (eg husband and wife) appearing on the form, it will be regarded as one membership and only entitled to one vote.

Fees are set for this class and all other fees are set by relationship to this fee.

Concession Membership

This class of membership is for those who seek reduction in fees payable because of reduced circumstances eg pension, student welfare or other government benefit card. Each concessional member is entitled to one vote and the fee will be set at 50% of the ordinary fee.

If an application is received with two persons' names (eg husband and wife) appearing on the form, it will be regarded as one membership and only entitled to one vote.



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Unfinancial Membership

This class of membership is granted for one year only with a new application required each year for consideration of extension beyond the first year. If a member finds themselves in financial hardship, application may be made to the Society for consideration to allow continued receipt of journal and member discounts. This may be a waiving of the yearly fee or a significant reduction in the amount.

Unfinancial memberships have no voting entitlement.

Honorary Life Membership

Once awarded, this entitles the member to receive all entitlements of an ordinary member.

Paid Life Membership

This class of membership is for those who wish to pay a once off fee of 20 times the ordinary membership fee. Payment of this fee will entitle the member to receive member discounts and Journals for their natural lifetime. This is also regarded as one membership with one entitlement to vote.

Health Practitioner Membership

Members of the health services may wish to become members to ensure familiarity with current trends. However they may wish to be specifically identified as a professional membership so that they can be identified appropriately for activities designed specifically for them.

This is also regarded as one membership with one entitlement to vote.

Corporate Membership

Commercial organisations which may wish to receive multiple copies of our Journal and member discounts may apply for Corporate membership. Payment of a fee 5 times the ordinary fee will entitle the corporation to up to three copies of each journal and nominating three people to attend functions at member discounted prices. This is open to negotiation for increased requirements. This is also regarded as one membership with one entitlement to vote.

Reciprocal Membership

Similar organisations who are unable to afford memberships of multiple organisations who wish to share their journals with us in return for receiving our journal may apply for a reciprocal membership. The fee for this is Nil and the only entitlement is to receive our journal.

Associations Membership

Other not for profit services such as Community information services, Community Health Centres and counselling centres etc that wish to receive our journal may apply for an Associations Membership. This entitles them to receive our journal and the fee will be set at 50% of the ordinary fee. They do not have voting rights.

Class	Fee	Voting Rights	Member Discounts	Emergent Entitlement
Ordinary membership	\$40 (currently)	1	1	1



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Concession membership	50%	1	1	1
Unfinancial membership	Nil	Nil	1	1
Honorary life membership	Nil	1	1	1
Paid life membership	20 times ordinary fee (one-off payment)	1	1	1
Corporate membership	5 times ordinary fee (yearly)	1	3	3
Health practitioner membership	Same as ordinary fee	1	1	1
Reciprocal membership	Nil	Nil	Nil	1
Associations membership	50%	Nil	Nil	1

Fee

The amount payable each year unless otherwise stated

Voting Rights

The number of votes each class is entitled to at elections and AGMs

Member Discounts

These are reduced rates which members of the Society are entitled to as a result of being a member. (eg: Discounts on items for sale such as books and Christmas cards and entry to Society seminars etc)

Emerge Entitlement

The number of copies of each issue of Emerge, which each class is entitled to receive.

By Law Five: Honorary Membership

By Law 5 as adopted by the ME/CFS Australia (Victoria) Committee of Management on 26/11/2007.

a. General

Honorary Life Membership may be conferred on a person in recognition of outstanding service to the Society. Such service may be given to the Society as a whole or to any of its support activities. It is expected that such service would be exceptional in terms of effort over an extended period and in terms of influencing the development of the Society.



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b. Nomination and appointment procedure

(1) Nominations for Honorary Life Membership may be made by any member of the Society. Such nomination must outline the services contributed to the Society and an explanation of the significance of this contribution in the development of the Society.

(2) Nominations shall be reviewed by the Committee, which shall determine whether the nominee should be appointed as an Honorary Life Member.

(3) The appointment of an Honorary Life Member should be formally announced at an appropriate public occasion such as an Annual Seminar or the Annual General Meeting.

(4) Until the time of the public announcement, all deliberations with respect to nomination and appointment of Honorary Life Members shall be confidential among those involved in this process.

By Law Six: Elections

By Law 6 as adopted by the ME/CFS Australia (Victoria) Committee of Management on 26/11/2007.

In accordance with Rule 23 Election of Executive Officers and Ordinary Committee Members this By Law has been approved to give better effect to those Rules which provide for the election of the Committee by postal ballot in order to facilitate the proper and effective administration of the Society.

1. Rule 23 (1) indicates that nominations must be delivered to the Society not less than 42 days before the date of the AGM. Two financial members of the Society who are eligible to vote (as per By Law 4 Membership Classes), in addition to the person nominating must sign the nomination form. Nomination forms will be as set out in Appendix 1 to this By Law.

2. Nomination forms are to be available from the office immediately following the distribution of the annual general meeting notice to the members (which may be included in Emerge or as a separate mail out). Nomination forms are to be forwarded to the member as soon as reasonable within the current office hours after a request has been made.

3. Only members eligible to vote as per the membership classes in By Law 4 and who have fully paid their renewal fees and any arrears at the time of nomination are eligible for election.

4. Accompanying the nomination form, each person agreeing to be nominated will also provide a written statement of no more than 300 words and provide one recent small size (eg passport size) photograph of the candidate in support of their candidature. This written statement and photograph will be used in the event that a ballot is required. If no written statement or photo is received, then in the event of the postal ballot being required, it will be written that "no written statement or photograph for this candidate was received at the time of nomination".

5. It would be preferable to save time preparing the documents etc for mail out to email this accompanying statement as a word document and a photo of no more than 500 Kilobytes in jpg format to the Society offices or to the returning officer as the Committee may decide.

6. Where there is a candidate for the position of Society President then such candidate may set out in an additional statement of no more than 500 words in the form of a letter or other equivalent document the opinion of that presidential candidate regarding the candidature of any one or more candidates for election to any office bearer position or any ordinary member position on the Committee of Management, including views regarding the suitability, competence and compatibility to work co-operatively as part of a team supported by the presidential candidate in the best interests of the Society



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as a whole. This statement must be completed and forwarded to the Society within two working days of the close of nominations

7. In addition, if the current Committee so determines, the Committee is able to include a 500 word statement to assist members in understanding its position and the current circumstances which may not be readily apparent to members.

8. The method of voting is in accordance with optional proportional representation method of the Proportional Representation Society of Australia. The Proportional Representation Manual of the Proportional Representation Society of Australia shall constitute the reference manual for the Society elections.

9. The Society should endeavour to obtain at least one copy of the current Proportional Representation Manual and make it available for inspection at reasonable times at the office of the Society at the request of a member.

10. In accordance with the requirements of Rule 16 (2) and 16 (4) and Rule 19 the proxy form to be used by Members of ME/CFS Australia (Victoria) either for the purposes of a postal ballot or for the purposes of voting at a general meeting of the Society shall be as set out in Appendix 2 to this By Law.

11. If there is any provision in any other By Law of the Society which is inconsistent with the provision contained in this By Law then this By Law is to prevail.

By Law Seven: Membership Approval

By Law 7 as adopted by the ME/CFS Australia (Victoria) Committee of Management on 19/1/2010.

The Society may refuse membership or renewal of membership if it deems the person applying is not of suitable character to be a member of the Society because he or she is known to not act in the best interests of the Society. Such applicants will have their fee returned to them. A separate register will be kept listing those persons who have been refused membership or renewal of their membership. This register shall be referred to before receipts are written.

Any decision of the Committee made pursuant to this provision shall be final and the Committee shall not be required to assign any reasons for its decision and no appeal whatsoever shall lie from such a decision.

By Law Eight: Register of Members

By Law 8 as adopted by the ME/CFS Australia (Victoria) Committee of Management on 19/1/2010.

This By Law clarifies Rule 5(3): Unless a member has signed a written permission for the staff to reveal 'additional' details, such information may only be revealed in accordance with current legislation concerning privacy.

By Law Nine: Voting at General Meetings

By Law 9 as adopted by the ME/CFS Australia (Victoria) Committee of Management on 19/1/2010.

This By Law clarifies Rule 16(4): A member who has not renewed his/her membership by the due date shall have ninety (90) days in which to do so before membership shall be deemed to have ceased. Such member shall receive two reminders to pay their subscription within the 90 day period.

By Law Ten

By Law 10 as adopted by the ME/CFS Australia (Victoria) Committee of Management on 25/5/2010.



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Clarification of Rule 13(2) - that the definition of 'members personally present' includes any Member attending via electronic means (up to the limits of existing electronic capacity).

By Law Eleven

By Law 11 as adopted by the ME/CFS Australia (Vic, Tas, NT) Committee of Management on 26/07/2011.

Rule 4A part (3) also allows for members to join at any time of the year and that membership renewals be on a rolling twelve monthly basis.