

2020 By-Laws of the Retirement Village Residents Association NSW Inc. (hereafter “Association” or “RVRA”)

Note: By laws cover the day to day operation of the Association and must conform to the aims and intent of the Constitution of the RVRA. These by laws are those approved by the Board on February 20, 2020.

By-Law 1 - Membership

If two members of the RVRA are joint members, then each member is entitled to the same membership rights, privileges and obligations of a single member. However, joint members shall receive only one copy of any material that is published or issued from time to time, by the Association.

By-Law 2 – The Board

- (1) No more than two members of the same retirement village may hold Board membership.
- (2) The office-bearers of the Board shall be the President, Vice-President, Secretary and Treasurer (hereafter collectively referred to as The Executive Committee).
- (3) No person shall be appointed to the Board unless and until that person has signed the then-applicable Code of Ethics and Conduct Agreement and the Confidentiality Agreement
- (4) A quorum of the Board shall be four elected members of the Board
- (5) The President shall chair all meetings of the Association. If the President is absent the Vice-President shall be chair. In the event of both President and Vice-President being absent the Chair for that meeting shall be elected by those board members present.
- (6) The Chair of a meeting of the Board or any meetings of committees organised under the auspices of the Board shall
 - a. in the event of a tied vote will be entitled to exercise a second or casting vote, and
 - b. rule on any procedural matters or queries as to the meaning of clauses of the Constitution raised at all meetings of the Association.
- (7) During the President’s period of absence, the Vice-President is authorised to exercise the same functions and shall have the same authority and obligations as the President. Board members are to be informed of the absence of the President in advance or as soon as possible in the event of unplanned absences.
- (8) Any of the Executive Committee or the Public Officer may authorise

- a. external correspondence on behalf of the association, including ordinary mail, emails and any form of electronic correspondence
 - b. any member of the Board to respond to queries and comments from members of the association.
- (9) The Secretary is to prepare a list of correspondence inwards and outwards in the form of ordinary mail, emails and any other form of electronic correspondence for presentation at each meeting of the Board.
- (10) At the discretion of the President, on any occasion where the Board is requested, and agrees, to provide a representative to attend a meeting with a body or persons external to the Board, such Board member is to be accompanied by another member of the Board or, where appropriate, by an RVRA member who has been approved by the Board.
- (11) With regard to the responsibilities of Board members; Board members are required to adhere to the undertakings they signed on nomination for the Board – namely:
- a. Attend a Board meeting when called in Sydney or alternative location as determined;
 - b. Undertake a commitment to, and be responsible for, a specific area of the work of the Board as agreed;
 - c. As and when required, respond promptly to requests from the Board and inquiries from members of the RVRA
 - d. Carry out other Board duties as required.
- (12) With regard to the confidentiality of Board business:
- a. The Board and each Board member will ensure that the confidentiality of the business of the Board and that of the members who contact the RVRA for assistance, is upheld.
 - b. To assist in maintaining confidentiality, call reports, attached to the minutes and provided to Fair Trading NSW, will not identify the person who has made the enquiry, but will refer to his/her village only.

By-Law 3 - Fees, subscriptions

- (1) In accordance with clause 3.(7) of the constitution, the Board will review annually each January, entrance fees and subscriptions for the following financial year and advise changes, if any, to the amounts payable and the dates for payment thereof, to members in the April Newsletter.
- (2) A member appointed as an honorary life member of the Association shall be exempt from payment of any annual subscription.

By-Law 4 – Engagement of Consultants and contractors

- (1) The Board may engage the services of any person or business entity as a consultant or contractor, to carry out work beneficial to the Association.
- (2) These services
 - a. must be services rendered to the Association in a professional or technical capacity other than in the capacity as a member of the Association, and:
 - b. their scope, costs and terms of engagement must be approved by the Executive Committee.
- (3) The consultant or contractor will be responsible to the Board through the Secretary

By-Law 5 -Village Contacts

The Board may authorise the Secretary or another member of the Board or staff of the Association to establish a list of contact persons in retirement villages who have agreed to assist from time to time in providing information or resources to deal with matters arising in respect of the work of the Association.

By-Law - 6 Regional Groups

- (1) The Board may:
 - a. approve the formation of Regional Groups of the Association within defined geographical boundaries, and
 - b. determine the rules governing the Regional Group
- (2) A Regional Group of the Association may be formed for the purpose of:
 - a. developing and maintaining communications with residents of retirement villages in the respective region,
 - b. conveying decisions of the Association relating to residents in the region,
 - c. providing reports of activities and items of interest to residents in the region
 - d. facilitating communications between residents and the Association about concerns or problems arising within individual retirement villages, and
 - e. undertaking activities that may be determined by the Board to be in the interest of residents.

By-Law 7 - RVRA Expenses Policy

This By-Law applies to all Board members and any member of the Association that may be requested by the Board to represent the Association or carry out a task on behalf of the Association.

- (1) All members of the RVRA are to seek approval from the Board prior to incurring expenses on behalf of the RVRA.
- (2) All members incurring expenses on behalf of the Association must be aware of the need to keep expenses low, without members being out of pocket.
- (3) a. RVRA Board members shall be entitled to an honorarium as determined from time to time pursuant to Clause 4.(12) of the RVRA constitution.
b. In the event that a Board member incurs expenses which are not covered by the honorarium as set out in (3) (a) above, the Board may authorise the reimbursement of those expenses.
- (4) a. Whenever possible, all travel will be on public transport. Where this is not possible (for example, travelling from a residence to the nearest public transport), members may claim mileage (at the rate set by the Australian Taxation Office for mileage allowances) and parking for their car.
b. On a trip where overnight accommodation is needed, members will first check the availability and suitability of rail, bus, or air travel before using their car. If a private car is needed, agreement should first be reached with a member of the Executive Committee. All journeys should be made using economy travel. If, on arrival at the destination it is found that a hired car will be cheaper than a taxi or other public transport, then car hire is acceptable. All members will be entitled to reasonable accommodation and meals. Alcoholic drinks will be to the member's account.
- (5) Level of expenses chargeable.
 - a. Home expenses

Telephone, stationery and postage claims should be substantiated. For example: invoices, receipts or other relevant documentation.

A claim for use of personal devices (such as computer tablets, ipads, laptops, portable computers etc.) for RVRA business will, upon presentation of relevant evidence, be reimbursed to the maximum of \$10.00 in any month.
 - b. Travelling Expenses.
 - i. Car mileage will be recompensed for approved trips; the mileage allowance rate will be subject to an annual review at the Board meeting following the Annual General Meeting but may not exceed the allowance for mileage set by the Australian Taxation Office.
 - ii. Trains, buses, and air travel should be claimed at the lowest available economy rate (for example, Seniors tickets on CityRail).
 - iii. As soon as possible after each AGM the Treasurer will publish the mileage allowance rate applicable for the next twelve months.

By-Law 8 - Duties of Public Officer

- (1) A newly appointed public officer must notify the Director General within 28 days of taking office of his or her appointment. Notification must be in the approved form (Form A9) and will include the following details: his or her full name and date of birth, and address for service of notices, being either the residential address or some other address at which the person can generally be found, and Board confirmation that he or she is now the public officer.
- (2) The public officer must notify the Director General of any change in the Association's official address within 28 days of it changing.
- (3) The official address of the Association must be either the public officer's residential address or the premises occupied by the Association.
- (4) The public officer is responsible for receiving all documents, that belong to the Association, from a former Board member and delivering those documents to the members' successor.
- (5) When a vacancy in the public officer position occurs, the outgoing public officer must deliver all documents belonging to the Association, that are in his or her possession, to a member of the Board within 14 days.
- (6) The public officer must lodge any statements that may be required by the Australian Charities and Not-For-Profit Commission
- (7) The public officer may receive documents on behalf of the Association and must ensure the Board and, where relevant or required by law or practice, the members of the Association is/are aware of the documents as soon as practicable.
- (8) The public officer is responsible for establishing and maintaining the register of members and, except where otherwise provided, for the retention and control of all records, books and other documents relating to the Association.