AHCWA Membership Application Information Sheet

**About This Information Sheet:**

The information is provided to assist Organisations that may be considering applying for Membership to AHCWA. This information sheet does not form part of the AHCWA Constitution and it is recommended that any Organisation considering membership read the Constitution carefully before making a final decision.

We have also developed a flow chart that may assist Organisations to determine which Membership class is appropriate for them.

**Definitions:**

There are a number of terms in the AHCWA Constitution that are defined by the Constitution. All applicants must read and understand the definitions that AHCWA has applied to terms as it is these definitions that will be applied when determining eligibility for Membership. Most of the definitions are contained in Schedule 1 (Dictionary) of the Constitution.

The main definitions are relating to Membership are provided here. It is recommended that applicants read the definitions within the Constitution.

**Aboriginal Community Control** has its genesis in Aboriginal peoples’ right to self-determination. By definition, organisations controlled by Government to any extent are excluded. By definition, organisations which adopt a vertical approach to health, inconsistent with the Aboriginal holistic definition of health as defined by the National Aboriginal Health Strategy are excluded (NACCHO – Broome Conference – December 1995).

**Aboriginal Community Controlled Health Service** means a legal entity that:

(a) through the operation of its governing document, requires at least 75% of its Members to be Aboriginal and/or Torres Strait Islander people;

(b) through the operation of its governing document, requires at least 75% of its Directors (or equivalent) to be Aboriginal and/or Torres Strait Islander people; and

(c) delivers Comprehensive Primary Health Care in the State of Western Australia to the community that controls it.

**Aboriginal Community Health Related Organisation** means a legal entity that:

(a) has Directors (or equivalent) that are elected by Members;

(b) requires in its governing document that a majority of its Members be Aboriginal and/or Torres Strait Islander people;

(c) requires in its governing document that the majority of its Directors (or equivalent) be Aboriginal and/or Torres Strait Islander people;

(d) has a majority of its Members residing within the region in which it provides services;

(e) provides Aboriginal Health Related Services in the State of Western Australia; and

(f) has rules in its governing document that prevent the distribution of funds to its Members and Directors (or equivalent).

**Aboriginal Health Related Services**means a service:

(a) provided by an Aboriginal Community Controlled Health Service; or

(b) provided by an Aboriginal Community Controlled Health Related Organisation that:

 (i) is a specialty service or specialty services (which may include the provision of maternal and child health services, alcohol and other drug services, disease prevention services, men’s or women’s health services, aged and disability services, mental health services and dental services); and

 (ii) is delivered in pursuance of the achievement of Aboriginal health.

**Associate Member** means a Member admitted into Membership as an Associate Member in accordance with Rule 4.2(a).

**Comprehensive Primary Healthcare** means:

(a) meeting the health and well-being needs of Aboriginal and/or Torres Strait Islander people through comprehensive, holistic, place-based and culturally safe care throughout the life course;

(b) systematically addressing the broader determinants of the health and well-being of Aboriginal and/or Torres Strait Islander people; and

(c) empowering Aboriginal and/or Torres Strait Islander individuals, families and communities to optimize their health and well-being.

In this definition ‘well-being’ includes physical, mental, spiritual, cultural and emotional well-being.

**Ordinary Member** means a Member admitted into Membership as an Ordinary Member in accordance with Rule 4.2(a).

**About Membership of AHCWA:**

Organisations may be either Members or Associate Members. The provisions for how an Organisation may become a Member are contained in Section 4 of the AHCWA Constitution.

**Membership**

Section 4 deals with Membership.

4.1 Members of the Company

(a) The Members of the Company are:

 (i) those noted as such in the Members Register; and

 (ii) the applicants that have been admitted as Members of the Company in accordance with Rule 4.2 and have not since ceased to be a Member.

(b) If an applicant is admitted as a Member of the Company, the Secretary must ensure:

 (i) the applicant is given notice of admission as a Member of the Company; and

 (ii) the name and details of the applicant are entered in the Members’ Register in accordance with Rule 4.6.

(c) The Secretary must ensure each applicant not admitted as a Member of the Company is informed of this decision. The Directors may, but are not required to, provide reasons for the decision not to admin an applicant into Membership.

(d) The region a Member belongs to is based on the location within which it delivers services, with reference to the Region Map.

4.2 Becoming a Member

(a) To become a Member of the Company, an applicant must:

 (i) satisfy the eligibility criteria for the relevant class of Membership as described in the table at Schedule 2;

 (ii) complete and lodge a Membership Application in such form as determined by the Directors from time to time which, for the avoidance of doubt, may include applying using the Internet;

 (iii) ensure that all information provided when applying for Membership of the Company is true and accurate and is not misleading or deceptive;

 (iv) pay any joining or annual fee that may be required under Rule 4.7;

 (v) by a resolution of Directors, be assesses as satisfying the relevant eligibility criteria as described in the table at Schedule 2. The Directors may resolve to refuse an application for Membership if they determine that the applicant does not meet the eligibility criteria for the class of Membership applied for;

 (vi) subject to being assessed as eligible in accordance with Rule 4.2(a)(vi), be admitted into the relevant Membership class by resolution of the Members entitled to vote at a general meeting. Subject to Rule 4.2(b) a resolution about whether to admit the applicant into Membership must be put to the Members at the next General Meeting (which may be an Annual General Meeting) following the resolution of Directors under Rule 4.2(a)(v) by including a resolution in the Notice for that meeting; and

 (vii) satisfy such other Membership criteria as the Directors may resolve from time to time, acting reasonably.

(b) The Directors may, at their complete discretion, choose to postpone the assessment of all (but not some) Membership applications received less than 60 days prior to the next General Meeting of Members (including by modifying any application delegations or processes relating to assessment Membership).

**Schedule 2 – Details about Ordinary Members and Associate Members**

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| Topic | Ordinary Members | Associate Members |
| Membership Eligibility | To be eligible to become an Ordinary Member of the Company an applicant must:* be an Aboriginal Community Controlled Health Service;
* have similar purposes to the Charitable Purpose; and
* be nominated for Membership by an existing Ordinary Member in the same Region where the applicant is located, or in the event that there are no existing Ordinary Members that is geographically closest to the nominee.
 | To be eligible to become an Associate Member of the Company an applicant must:* be an Aboriginal Community Controlled Health Related Organisation; and
* be nominated for membership by an existing Ordinary Member in the same Region where the applicant is located, or in the event that there are no existing Ordinary Members in the Region where the applicant is located then by an existing Ordinary Member that is geographically closest to the nominee.
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| Membership Rights | Ordinary Members have the right to:* receive notices of and to attend and be heard (through one or both of its Representatives) at any general meeting of the Company;
* vote on resolutions of Members;
* propose a resolution to be considered at a general meeting in accordance with rule 6.2(c);
* call a general meeting in accordance with rule 6.2(a)(ii);
* elect a person to chair a Members’ meeting in accordance with rule 6.5(c);
* nominate, approve, appoint or elect director in accordance with rules 8.2(a), 8.2(b), 8.2(c), 8.3(c), 8.3(f)(iii), 8.4(b)(iv), 8.4(c), 8.4(d)(ii), 8.14(b), 8.14(c) (as applicable);
* have one of its director or its most senior employee nominated, elected or appointed as Region Appointed Director or executive Director in accordance with rules 8.5(a) and 8.5(b) (as applicable);
* sign a written resolution to remove a Region Appointed Director in accordance with rule 8.6(a)(vii);
* receive a distribution of the Company’s assets the Company is wound up or loses its deductable gift recipient endorsement in accordance with rules 10 and 11; and
* inspect the records of the Company in accordance with rule 13.2 (b)
 | Associate Members have the right to:* receive notices of and to attend and be heard (through one or both of its Representatives) at any general meeting of the Company; and
* Inspect the records of the Company in accordance with rule 13.2(b).

Associate Members do not have the right to:* vote on resolutions of Members;
* propose a resolution to be considered at a general meeting;
* call a general meeting;
* elect a person to chair a Members’ meeting;
* nominate, approve, appoint or elect Directors;
* have one of its Directors or its most senior employee nominated, elected or appointed as a director;
* sign a written resolution to remove a Region Appointed Director; or
* receive a distribution of the Company’s assets if the Company is wound up or loses its deductible gift recipient endorsement.
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| Voting Rights | Each Ordinary Members has the right to exercise two votes:* on a Show of Preference at a meeting of Members; and
* on a poll at a meeting of

Members in accordance with rule 6.7(d).Ordinary Members may also vote on Members’ resolutions in writing in accordance with rule 6.9 | Associate Members do not have a right to vote. |