



BY-LAW 1

MEMBERSHIP

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This By-law is made by the Gymnastics Australia (GA) Board under clause 22 of the GA Constitution. It is subject to and is to be interpreted in accordance with the GA Constitution. It is subject to and is to be interpreted in accordance with the GA Constitution. It is binding on GA and all members of GA.

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1. Introduction

Gymnastics Australia takes pride in its Members as individuals and associations who endeavour to model and uphold the beliefs, values and reputation of the sport of Gymnastics in Australia.

As a part of Gymnastics Australia’s ongoing commitment to safeguarding children, young people, and all Members, Gymnastics Australia may make enquiries into an individual or associations’ conduct or operations.

This By-law sets out the procedures relating to the categories of membership of GA under the GA Constitution clauses 5.6, 5.7, 5.8 and 5.9.

2. Definitions

Affiliation Fee	means the annual fee set by the Association Member payable to the club for affiliation.
Association Member	means the Association Member to which a club is affiliated. Association Members are defined in the GA Constitution clause 5.2, 5.3 and 5.4.
Club 10 Accreditation	means the star category within the Club 10 accreditation program achieved by the Club.
Gymnastics Australia (GA)	means Gymnastics Australia Limited.
National Affiliation Standards	means the requirements for affiliation published by the Association Member and GA for each year (as detailed in the club affiliation application form).
Member	means any member defined under the four categories of membership – Association Member, Participant Member, Technical Member and Honorary Member.
Official Position	means employment, directorship, or committee/commission membership.
Participant Member	means a Member admitted to GA in accordance with clause 5.7 of the GA Constitution.
Technical Member	means a coach or judge who has successfully completed one or more GA NCAS/NOAS registered accreditation courses and paid the prescribed GA and Association Member fee and who has been admitted to GA In accordance with clause 5.8 of the GA Constitution.
Updating Policy	means GA's Updating Policy, which can be found on GA’s website and may be updated or amended from time to time.

3. Membership Procedures

3.1 Club Members

3.1.1 Club Affiliation

Subject to the club paying the prescribed Affiliation Fee, meeting the National Affiliation Standards and the relevant Association Member requirements, Association Members will affiliate the club and will provide the club the services and resources and any nominated benefits offered on an annual basis by GA and the Association Member. Upon affiliation the club will become a Club Member.

3.1.2 Affiliation Fee

The Club Member will pay the Affiliation Fee to the Association Member within the time prescribed by the Association Member.

3.1.3 Membership Requirements

The Club Member shall comply with the:

- a) National Affiliation Standards (as detailed in the club affiliation application form) and agrees and undertakes that at the time of applying for affiliation the club does comply with those standards; and
- b) GA Constitution including By-laws and Policies.

3.1.4 Eligibility of Club Membership

Eligibility of Club Membership will be managed in accordance with the GA Constitution.

3.2 Participant Members

3.2.1 Membership

Subject to the participant paying the prescribed GA and Association Member fees and the club providing the required membership details, Participant membership of GA and the Association Member will be granted. Participant Member benefits will be provided on an annual basis by GA and the Association Member.

3.2.2 Membership Fee

The Participant Member will pay the whole of the fee prescribed by GA and Association Member for the relevant year of membership regardless of any portion of the year having expired.

The membership fee is payable for the calendar year (i.e. 1 January – 31 December), with members eligible to join or renew at any time during the year.

3.2.3 Membership Requirements

The Participant Member shall at all times comply with the GA Constitution including By-laws and Policies.

3.2.3 Eligibility of Participant Membership

Eligibility of Participant Membership will be managed in accordance with the GA Constitution.

3.3 Technical Members

3.3.1 Membership

Subject to the prospective technical member paying the prescribed GA and Association Member fees and meeting all accreditation requirements, technical membership of GA and the Association Member will be granted. Services and resources will be made available on an annual basis by GA and the Association Member.

3.3.2 Membership Fee

The Technical Member will pay the whole of the prescribed GA and Association Member fee to GA regardless of any portion of the year having expired.

Membership is valid for a 12-month period, commencing from the date of first registration with GA as per 3.3.1. Members will then be eligible to renew on the 12 months anniversary of first registration, subject to completion of satisfactory updating requirements as per GA's Updating Policy.

3.3.3 Membership Requirements

The Technical member shall at all times comply with the GA Constitution including By-laws and Policies.

3.3.4 Refusal of Technical Membership

- 3.3.4.1 In accordance with Clause 5.8 a) of the Constitution, the directors of GA (**Board**) may refuse to accept a person as a Technical Member (in their discretion).
- 3.3.4.2 The GA CEO may make a written recommendation to the GA Board to assist the Board's determination of an application for Technical Membership.
- 3.3.4.3 In considering an application for Technical Membership, the Board may consider, among other things:
- a) if the applicant has been convicted of an indictable offense or has an indictable offense charge pending before the courts; or
 - b) if the applicant has previously committed a breach and/or repeated breaches of the GA Constitution or the constitution of the Association Member of which they are a member, or any related policy or policies; or
 - c) if the applicant has previously had disciplinary proceedings brought against them by another national or state sporting organisation, or international sporting federation, or
 - d) if the applicant has previously committed a breach of the Federation Internationale De Gymnastique (FIG) or the Gymnastics Ethics Foundation (GEF) rules, policies or procedures; or
 - e) if the applicant has previously served a sanction for violating an anti-doping rule under the World Anti-Doping Code or National Australian Anti-Doping Policy; or
 - f) if the applicant's previous conduct or history is contrary to the principles and values of GA including those set out in the GA Constitution, its policies or procedures;
 - g) if the applicant poses a risk of bringing GA or the sport of Gymnastics into disrepute;
 - h) if the applicant poses a risk to children or Members of GA; or
 - i) any written recommendation from the GA CEO; and
 - j) any other matter that the directors consider appropriate (acting reasonably) in assessing the applicant's application for Technical Membership.

The above is a non-exhaustive list of matters that the Board may consider when assessing an application for Technical Membership and is not to be taken as fettering the discretion granted to the Board under the Constitution.

Show Cause Process

- 3.3.4.4 If the Board intends to refuse an application for Technical Membership, the directors must:
- a) provide a written notice to the applicant notifying the applicant of the Board's intent to refuse Technical Membership which details the reasons for refusal;
 - b) afford the applicant the opportunity to submit a response detailing why their Technical Membership application should not be refused,

(Intent to Refuse Notice).

- 3.3.4.5 An Intent to Refuse Notice must specify a reasonable timeframe for which the applicant may provide the Board with its submission (which should be no earlier than 10x business days from receiving the Intent to Refuse Notice) (**Response Date**).
- 3.3.4.6 The Board will consider any submission from the applicant provided the submission is received by the Board by the Response Date. Submissions received after that time will not be considered.
- 3.3.4.7 The Board will make its determination as soon as reasonably practicable after receiving the applicant's submission (if any) and will notify the applicant in writing of its determination.
- 3.3.4.8 Subject to any applicable appeals process, the Board's determination under clause 3.3.4.7 will be final.

3.4 Honorary Members

3.4.1 Membership

An individual who holds an Official Position with GA or an Association Member, or who holds an administrative position in Gymnastics with GA, will be eligible for membership of GA as an Honorary Member of GA under clause 5.9 of the GA Constitution.

3.4.2 Membership Requirements

The Honorary Member shall at all times comply with the GA Constitution including By-laws and policies.

3.4.3 Eligibility of Honorary Membership

- 3.4.3.1 Eligibility of Honorary Membership is subject to the provisions of the GA Constitution.

4. Attendance at General Meetings

4.1 Members

In accordance with the GA Constitution clauses 5.6(b), 5.7(b), 5.8(b) and 5.9(b), Members are permitted to attend any General Meeting on written application to GA in the online form provided by Gymnastics Australia in the Notice of Meeting, as endorsed by their Association

Member. Such application must be received by GA 28 days prior to the date of the General Meeting.

4.2 Exemption

Directors of GA are exempt from provisions of clause 4.1.

5. Changes to the By-Law

Amendments to this By-law can only be made under clause 22.1 of the GA Constitution.

