

A natural person who is a member of a State Member, AWL Member, Affiliate Member or other organisation which participates in water polo activities sanctioned or conducted under the auspices of the Company.

(iv) **Life Members:**

- (1) Those persons whose names have been recorded in the Register as having been admitted as Life Members prior to the date this Constitution is adopted; together with
- (2) such other persons who are subsequently admitted to Life Membership in accordance with the provisions of this Constitution and any relevant Policy.

For the avoidance of doubt, Life Membership may not be granted posthumously.

(v) **AWL Members:**

Those organisations whose names are recorded in the Register from time to time as being the current AWL Members.

9 FORM OF APPLICATION

An application for Membership in all categories other than Life Membership, and a nomination in the case of Life Membership, must:

- (a) Be in writing in a form approved by the Directors.
- (b) Be signed:
 - (i) by the applicant; and
 - (ii) completed in accordance with clauses 12(a) to 12(d) in respect of a nomination for Life Membership.
- (c) Specify the category of Membership in respect of which the application is made.
- (d) Be accompanied by such documents, information or evidence confirming compliance with relevant legislation to establish the qualification for Membership in the particular category as required by this Constitution.
- (e) Be accompanied by the requisite membership application fee, annual membership fee and/or any other amount determined by the Board.

10 REQUIREMENTS AND OBLIGATIONS OF MEMBERS

- (a) The following requirements apply in respect of State and AWL Members:

Further to any other provision of this Constitution, each State Member and AWL Member will be either a public company limited by guarantee incorporated under the *Corporations Act*, or an incorporated association

In respect of all categories of Membership except for Life Membership the process for admission to Membership of the Company is as set out in clauses 11(a) to 11(e) below:

- (a) The Directors must consider an application for Membership at the next meeting of the Board after its receipt by the Secretary and determine, subject to this Constitution, the admission or rejection of the applicant.
- (b) The Directors may require any applicant for Membership to give such information as they require before admitting the applicant to Membership of the Company.
- (c) If an application for Membership is rejected the:
 - (i) Board must give the applicant feedback on the basis for the rejection of an application upon such request being made to the Secretary within 28 days of notice being given to the applicant pursuant to clause 11(c)(ii).
 - (ii) Secretary must notify the applicant in writing of the rejection of the application within a reasonable period of time.
 - (iii) Secretary must return within 28 days to the applicant any amount paid to the Company in accordance with clause 9(e).
- (d) If an application for Membership is accepted the Secretary must enter the name and details of the Member into the Register.
- (e) The Directors can require a Member to execute additional documents once that Member has been admitted to Membership and remains a Member to give effect to this Constitution, applicable Policies or conditions of admission as a Member.

12 LIFE MEMBERSHIP

In addition to meeting the requirements of clause 9, the process for admission to Life Membership of the Company is as follows:

- (a) A person who is to be considered for admission to Life Membership must be nominated for Life Membership by a proposer and a seconder, each of whom must be a Member for a continuous period of not less than thirty-six (36) months up to the date of nomination.
- (b) The nomination for Life Membership must be signed by the nominee and by each of the proposer and the seconder.
- (c) The nomination form must be submitted to the Company accompanied by a statement which contains all relevant information and particulars necessary in order for the Board to consider whether the nominee qualifies to be appointed as a Life Member in accordance with this Constitution and any relevant Policies.
- (d) Nominations for Life Membership must be received by the Company by the last day of the financial year of the Company in any financial year if the nomination is to be considered by the Board before the next Annual General Meeting of the Company. Any nomination received after the deadline specified in this clause but before the next Annual General Meeting shall not be considered by the Board until after that Annual General Meeting. In that case the nomination (if approved by the Board) shall be considered by the Members at the second Annual General

Meeting after the date which the nomination is received by the Company.

- (e) The Board shall meet within 30 days after the end of each financial year to consider all nominations for Life Membership received by the last day of the financial year just ended.
- (f) At that meeting referred to in clause 12(e) the Board shall consider each nomination for Life Membership and determine, in respect of each nomination, whether or not the person nominated satisfies the qualification criteria set out in this Constitution and any relevant Policies.
- (g) In respect of each nominee who satisfies the qualification criteria the Board shall decide by ordinary resolution whether or not to recommend that the nominee be elected by the Annual General Meeting as a Life Member. In respect of each nominee approved by the Board, the Board shall recommend to the next Annual General Meeting that the person should have Life Membership conferred on them.
- (h) At the next Annual General Meeting following the Board meeting referred to in clause 12(e) a ballot of the Members Present and entitled to vote shall be conducted in respect of the appointment of Life Members.
- (i) Not more than three (3) candidates for Life Membership shall be appointed to Life Membership at each Annual General Meeting.
- (j) The following voting procedures shall apply in respect of the appointment of Life Members:

Three (3) or Less Candidates for Life Membership:

- (i) That ballot will be conducted on the basis that each Member Present and entitled to vote shall be asked to cast a vote in the affirmative or the negative on the question of whether each nominee recommended by the Board in accordance with clause 12(g) shall be admitted to Life Membership of the Company.
- (ii) A person shall be conferred with Life Membership of the Company provided that at least seventy-five (75) percent of the Members Present and entitled to vote at the Annual General Meeting vote in the affirmative on the question of whether a nominee for Life Membership shall be admitted to Membership of the Company in that category.

In Excess of Three (3) Candidates for Life Membership:

- (iii) That ballot will be conducted on the basis that each Member Present and entitled to vote shall be asked to cast a vote in the affirmative or the negative on the question of whether each nominee recommended by the Board in accordance with clause 12(g) shall be admitted to Life Membership of the Company.
- (iv) A person shall be conferred with Life Membership of the Company provided that:
 - (1) at least seventy-five (75) percent of the Members Present and entitled to vote at the Annual General Meeting vote in the affirmative on the question of whether that nominee for Life Membership shall be admitted to Membership of

the Company in that category; and

- (2) subject to clause 12(i)(iv)(3), that person receives the highest, second highest or third highest number of affirmative votes cast in the vote conducted at the Annual General Meeting; but
- (3) if more than one (1) candidate for Life Membership ties on a number of affirmative votes such that admitting all of those tying candidates would cause more than three (3) candidates to be admitted to Life Membership before considering candidates with less affirmative votes then none of those tying candidates (and no candidate with less affirmative votes) will be admitted to Life Membership by that ballot.

13 NOTIFICATION BY MEMBERS

Each Member must promptly notify the Secretary in writing of any change in the Member's qualification to be a Member of the Company.

14 REGISTER OF MEMBERS AND PAYMENTS BY MEMBERS

- (a) The Register must be kept in accordance with the *Corporations Act*.
- (b) The following must be entered in the Register in respect of each Member:
 - (i) the full name of the Member;
 - (ii) the address, facsimile number and electronic mail address, if any, of the Member;
 - (iii) the date of admission to and cessation of Membership; and
 - (iv) such other information as either the Board requires, or which is required by the Law to be kept.
- (c) Each Member must notify the Secretary in writing of any change in that Member's name, address, facsimile number or electronic mail address, or any other information supplied in accordance with clause 14(b), within one (1) month after the change.
- (d) Application, subscription and annual fees in respect of Membership in any category may be determined by the Board; however, the Board shall not determine that any such amount is payable by Life Members or, in the case of AWL Members, that any such amount exceeds ten dollars (\$10).
- (e) In the event that the Board determines to apply subscription fees or annual fees to Membership generally or Membership in a particular category then each Member who is affected by that determination shall pay that fee within thirty (30) days after the commencement of the financial year of the Company to which the imposition of fees applies.

15 DISCIPLINE OF MEMBERS AND CESSATION OF MEMBERSHIP RIGHTS