



FLIGHT NURSES AUSTRALIA INCORPORATED

CONSTITUTION

Flight Nurses Australia Incorporated Constitution

Adopted:

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1. PRELIMINARY

1.1 Background

Flight nursing within Australia has a long a proud history. The first flight nurse commenced flying with the RFDS in 1945. Since 1938, however, nurses employed by hospitals were seconded to the role. Traditionally flight nurses have worked full time for fixed wing aeromedical organisations as the sole practitioners for the majority of patients transported by their services. These flight nurses have been responsible for the establishment of operational, clinical and professional standards.

Since the 1980's there has been an increase in the number of nurses practicing flight nursing as an extension of their role within hospital based retrieval services, hospital transport services and international repatriation organisations. With this continued growth in the number of flight nurses, and scope of their practice, it has become apparent that national standards relating to professional qualifications, aeromedical and clinical training, clinical practice, safety and communications need to be established.

1.2 Glossary of Terms

AGM- Annual General Meeting.

Associate Member- is a student nurse who has a special interest in Flight Nursing and is a current financial associate member of the Association.

Committee / Committee Member- the FNA Committee is elected from the FNA membership.

Competence- the combination of skills, knowledge, attitudes, values and abilities that underpin effective performance in a profession.

Competency Standards- are core standards that describe the current practice of nurses. These standards can be developed at the standard expected of those completing their education (i.e. Australian & Midwifery Council National (ANMC) Competency Standards for the Registered Nurse, Midwife & Nurse Practitioner) or they can reflect standards beyond that minimum level (i.e. Competency Standards for the Advanced Nurse)

Director General- means the Commissioner for Fair trading, Department of Commerce.

Executive Committee- means the President, Vice President, Secretary and Treasurer of the Association. Also known as Office Bearers

Executive Meeting- The Executive Committee shall meet as often as necessary to plan and address urgent business matters of the Association in addition to Committee Meeting

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Financial Year- the year ending 30 June.

Flight Nurse- shall mean a registered nurse employed in any state or territory of Australia, or in any country within the South-West Pacific Region, employed to implement the science and skill of nursing in the aviation transport environment.

FNA- Flight Nurses Australia

FNA Inc. - Flight Nurses Australia Incorporated

Meeting- The committee shall meet as often as necessary to conduct the business of the Association and not less than three (3) times in a 12month period at a time and place the Executive determines including the AGM.

Member- A nurse who practices or have a special interest in Flight Nursing and is a current financial member of the Association

Nurse- includes the following:

- Registered Nurse
- Nurse Practitioner

Office Bearers- means the President, Vice President, Secretary and Treasurer. This group forms the executive committee

Public Officer - is a FNA Committee Member who is a New South Wales resident. This enables the registration of FNA Inc. with the NSW Registry of Co-Operatives

Returning Officer- is a position a person other than a Committee Member holds in the event of elections and ballot

RFDS- Royal Flying Doctor Service

Sub-Committee- is a small group comprised of committee members, working on specific tasks as delegated by the Executive.

the Act- means the Associations Incorporation Act 2009

the Regulation- means the Associations incorporation regulation 2010

2 Governance

2.1 Objectives

The objectives of the Association are:

- 2.1.1 To uphold the role of the Flight Nurse as valuable member of any Aeromedical Crew.
- 2.1.2. To facilitate and promote flight nurse knowledge, through continuing education by way of newsletters and electronic publications as well as Work shops/Seminars/ Conferences
- 2.1.3. To provide a forum for communication and co-operation amongst Flight Nurses, and other medical and non medical personnel.
- 2.1.4. To develop national standards for the practice of Flight Nurses in the Australian Region, and promote the delivery of quality care to our patients.
- 2.1.5. To promote research that relates to the impact of health delivery in the aviation/ transport environment.
- 2.1.6 To act as an advisory body for the aeromedical information relating to nursing practice in the aviation/transport environment.

2.2 Conflicts of Interest

The FNA Committee Members undertake to declare any conflicts of interest that may arise due to duality of roles. Conflicts of interest may arise from political or commercial interest and close personal relationships

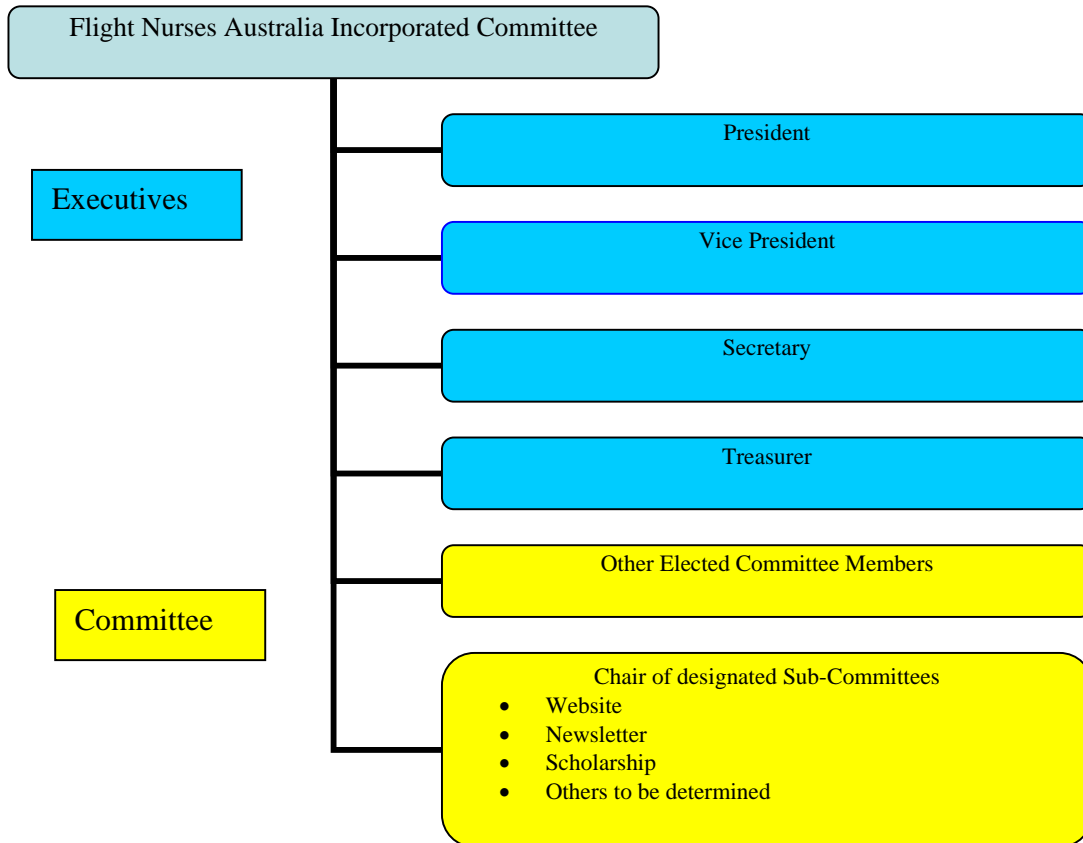
An interest is a commitment, goal or values arising out of a social relationship or practice. A duality of interest and conflicts of interest are very normal consequences of the complexities of professional and personal relationships and are not something to be concerned about. They only become a problem if they are not disclosed and those dealing with the person with the duality or conflict are not aware that there may be other factors potentially impacting upon the person's capacity to act in good faith. With disclosure, the parties can evaluate the risk of that duality or conflict of interest to the matters at hand and make a decision as to the most appropriate actions to take, if any.

2.3 Privacy & Confidentiality

The FNA Committee Member undertakes to ensure: the protection of personal information about members, if held; the information may be assessed by the member; and the information is accurate and appropriate for the purpose for which it is collected.

3. STRUCTURE

3.1 FNA Organisational Structure



3.2 Structure

3.2.1 The structure of the FNA Committee is represented in the diagram above and is made up of the following:

- President
- Vice President
- Secretary
- Treasurer
- Elected members of the Committee, a minimum of five

3.2.2 The roles of the committee provide leadership and support the strategic aims and operations of the Organisation.

3.2.3 At least one Committee Member must be a resident of NSW, and serve as the Public Officer for the Organisation. This is enabling the registration of FNA Inc. with the NSW Registry of Co-Operatives

3.3 Creation & Conduct of Sub-Committees

- 3.3.1 The sub committees that are established are linked to key strategic areas that have been identified by the FNA as requiring national focus and energy invested in order to ensure a strong nursing presence and voice in those areas.
- 3.3.2 Strategic areas may change over time and the name and constitution of the Sub-Committees will be adapted to meet these changes.
- 3.3.3 The Chairpersons of each Sub-Committee will be a member of the FNA Committee and will be nominated because of their ability to make the following contribution to FNA and the Sub-Committee:
- Leadership skills and experience
 - Knowledge, skills and experience with the particular issues that the Sub-Committee is dealing.
 - An interest in pursuing these ideas at a national level for FNA
 - Time to contribute to active participation for a project
 - Energy to drive the agenda of the strategic area of that Sub-Committee

4. Membership

4.1 Criteria for Membership of FNA

- 4.1.1 Membership shall be limited to registered nurses/ Nurse Practitioner who practice or have a special interest in Flight Nursing.
- 4.1.2 The number of members shall be unlimited
- 4.1.3. Individuals wishing to become members of the Association shall apply to the Committee for nomination in writing or electronically via the website for membership
- 4.1.4 A nomination for membership must be made by a member of FNA and lodged with the secretary of FNA.
- 4.1.5. At the next meeting of the Committee after receipt of any nomination for membership, such shall be considered by the Committee, who shall determine upon the admission or rejection of the applicant. This shall either be done in the scheduled meeting or interim approval is sought electronically from the committee until the next meeting is held. The Committee is not required to supply reasons for accepting or rejecting an application for membership
- 4.1.5 When an applicant has been accepted or rejected for membership, the Secretary shall notify the applicant written notice as soon as practicable.
- 4.1.6 If the committee approved the nomination, request the nominee to pay the membership fee within 28 days.
- 4.1.7 The Secretary must on payment by the nominee enter or cause to be entered the nominees name in the register of members. Hence the nominee becomes a member of FNA
- 4.1.8 Members shall then be supplied with a copy of the Rules and shall abide by them.

4.2 Associate Membership of FNA

- 4.2.1 Associate members shall be limited to nursing students who have an interest in Flight Nursing
- 4.2.2 The number of associate members shall be unlimited
- 4.2.3 Individuals wishing to become associate members of the Association shall apply to the Committee for nomination in writing or electronically via the website for associate membership.
- 4.2.4 Associate membership fee will be at 50% of the full membership rate until the person meets the criteria of a Registered Nurse
- 4.2.5 A nomination for associate membership must be made by a member of FNA and lodged with the secretary of FNA.
- 4.2.6 At the next meeting of the Committee after receipt of any nomination for associate membership, such shall be considered by the Committee who shall determine upon the admission or rejection of the applicant. This shall either be done in the scheduled meeting or interim approval is sought electronically from the committee until the next meeting is held. The Committee is not required to supply reasons for accepting or rejecting an application for associate membership
- 4.2.7 When an applicant has been accepted or rejected for membership, the Secretary shall notify the applicant written notice as soon as practicable.
- 4.2.8 If the committee approves the nomination, request the nominee to pay the associate membership fee within 28 days.
- 4.2.9 The Secretary must on payment by the nominee enter or cause to be entered the nominees name in the register of members. Hence the nominee becomes an associate member of FNA
- 4.2.10 Accepted Associate Members shall then be supplied with a copy of the Rules and shall abide by them.
- 4.2.11 An Associate Member shall be granted observer status and shall not have the right to vote on matters related to FNA

4.3 Annual Confirmation of Membership

- 4.3.1 Members shall pay annual membership fees as are determined by the Association at an AGM. These fees will be due and payable in advance on the first day of July. If the member fails to pay the prescribed fee by the first day of October a reminder notice of fees due will be sent to the member by post
- 4.3.2 If fees are not received by the 1st December of each year the Membership of FNA will be revoked.
- 4.3.3 Non financial members details will be retained on an archived membership file for that Calendar year.

4.4 Resignation of Membership

- 4.4.1 A member of the Association who has paid all amounts due in respect of that member's membership may resign from the Association by giving two weeks notice in writing to the Secretary of the member's intention to resign.
- 4.4.2 The member shall continue to be liable for any annual fees due in that financial year and any arrears due and unpaid at the date of resignation

4.4.3. Details of the date of resignation will be recorded in the Register of Members.

4.5 Register of Members

4.5.1. A Register of FNA Members shall be kept by the Public Officer and shall include:

- The applicant's name,
- Address,
- Email address
- Phone number, and or mobile phone number
- Date on which the person became a member
- The date of cessation, expulsion or resignation of membership.
- Reasons for cessation of membership
- Any name changes

4.5.2. The register of members must be kept in New South Wales at FNA's official address.

4.5.3 The Register of Members shall be kept by the Secretary, Treasurer, and Public Officer

4.5.4 A copy will be provided to the Chair of the Publication/ Newsletters Sub-Committee.

4.5.5 Membership and Associate Membership entitlements are not capable of being transferred or transmitted to another person and terminates on cessation of the person's membership or associate membership

4.5.6 The register must be open for inspection, free of charge, by any member of FNA at any reasonable hour.

4.5.7 A member FNA may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.

4.5.8 If a member requests that any information contained on the register about the member (other than the members name) not be made available for inspection, that information must not be made available for inspection.

4.5.9 A member must not use information about a person obtained from the register to contact or send material to the person, other than for:

- (a) the purposes of sending the person a newsletter, a notice in respect to a meeting or other event relating to FNA or other material relating to FNA, or
- (b) any other purpose necessary to comply with a requirement of the Act or Regulation.

4.5.10. A person shall cease to be a member of the Association, if the person:

- Dies
- Resigns that membership by giving two weeks written notice
- Is expelled from the Association.
- Fails to pay annual membership fee within 6 months after the fee is due

4.6 Disciplining of Members

- 4.6.1. A complaint may be made to the Committee of FNA by any person that:
- Has refused or neglected to comply with a provision or provisions of this constitution, or
 - Has willfully acted in such a manner prejudicial to the interests of FNA.
- 4.6.2 The Committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- 4.6.3 If the Committee decides to deal with the complaint, the Committee:
- (a) must cause notice of the complaint to be served on the member concerned, and
 - (b) must give the member at least 14 days from the time the notice is served within which to make submissions to the Committee in connection with the complaint, and
 - (c) must take into consideration any submissions made by the member in connection with the complaint.
- 4.6.4 The Committee may, by resolution, expel the member from the Association or suspend the member from the membership of FNA if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances
- 4.6.5. If the Committee expels or suspends a member, the Secretary must, within 7 days after the action is taken, notice to be given to the member of the action taken, of the reasons given by the committee for having taken action and of the member's right of appeal in clause 4.6
- 4.6.6 The expulsion or suspension does not take effect:
- (a) until the expiration of the period which the member is entitled to appeal against the resolution concerned, or
 - (b) if within that period the member exercises the right of appeal, unless and until FNA confirms the resolution under clause 4.6
- whichever is the later

4.7 Right of Appeals

- 4.7.1 Should a member appeal to FNA at a general meeting against a resolution of the Committee under clause 4.5, they shall lodge with the Secretary in writing notice to the effect within 7 days of the service of notice.
- 4.7.2 The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- 4.7.3 On receipt of a notice from a member, the Secretary must notify the Committee which is to convene a general meeting of FNA within 28 days after the date on which the Secretary received notice.
- 4.7.4 At a general meeting of FNA convened under 4.6.3:
- (a) not business other than the question of the appeal is to be transacted, and
 - (b) the Committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and

- (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- 4.7.5 The appeal is to be determined by simple majority of votes cast by members of FNA

5. The Committee

5.1 Powers

Subject to the Act, the Regulation and the FNA constitution and to any resolution passed by the association in general meeting, the Committee:

- (a) is to control and manage the affairs of the association, and
- (b) may exercise all such functions as may be exercised by the Association, other than those functions which are required by this constitution to be exercised by a general meeting of members of the Association, and
- (c) has the power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Association

5.2 Committee Membership

- 5.2.1 The Committee shall consist of the Office Bearers of the Association and five other members of the Association each of whom is to be elected at the annual general meeting under clause 5.4.
- 5.2.2 The Office Bearers of the Association shall be a President, Vice-President, Secretary and Treasurer. The Office Bearers shall also be known as the Executive Committee
- 5.2.3 The Committee members shall be representative of Flight Nursing in the Australian Region, or shall have a particular interest in Flight Nursing.
- 5.2.4 A committee member may hold up to 2 offices (other than both the president and vice-president offices).
- 5.2.5 Each member of the Committee is, subject to this constitution, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.

5.3 Term of Office Executive and Committee Members

- 5.3.1 The President shall hold office for a period of 2 two years, on an odd year, and shall be elected at the AGM, holding office from that date until the conclusion of the AGM in 2 two years. The outgoing President shall then be eligible for election for a Committee position
- 5.3.2 The Vice-President shall hold office for a period of two years, on an odd year, and shall progress into the President's position and the end of the Presidents term of office. The Vice President will work closely with the President and in an election year will be expected to run for President. This will facilitate a smooth transition of new leadership.

- 5.3.3 On the odd year when the Vice President progresses to the President's Office, the Vice President's position shall be open for election.
- 5.3.4 The Secretary and Treasurer shall hold office for a period of two years, on an even year, and shall be elected at the AGM.
- 5.3.5 Half the members of the Committee positions shall be vacated at each AGM and shall hold office from that date until the conclusion of the AGM at the end of two years.
- 5.3.6 The Retiring President and Retiring Committee members are eligible for re-election.
- 5.3.7 Any casual vacancy occurring in the membership of the committee, the committee may appoint a member of FNA to fill the vacancy within one month. The appointed member will hold office subject to the constitution until the conclusion of the next AGM.
- 5.3.8 The Association may be by ordinary resolution passed at a General Meeting, increase or reduce the number of members on the Committee.
- 5.3.9 The President has the power to co-opt members to join the Committee and/or assist the Committee in its activities

5.4 Election of Committee Members and Executive

- 5.4.1 Any member of the Association may nominate for membership of the Committee or Executive.
- 5.4.2 Nominations shall be in writing, signed by two members of the Association and written consent of the nominee which must be endorsed on the nomination form and must be delivered to the Secretary at least 7 days before the date fixed for the holding of the AGM at which the election is to take place
- 5.4.3 If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated are taken to be elected and further nominations are to be received at the AGM.
- 5.4.4 If insufficient further nominations are received, any vacant positions remaining on the Committee are taken to be casual vacancies.
- 5.4.5 In the event of one nomination being received for a particular office, the nominee shall be deemed to have been elected.
- 5.4.6 If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- 5.4.7 A member may be nominated for more than one office, however, the member may hold the one office of his/her choice.

5.5 Cessation of Committee Member

- 5.5.1. A member of the Committee shall cease to hold office if the member:
 - (a) dies, or
 - (b) ceases to be a member of the Association, or
 - (c) becomes insolvent under administration, or
 - (d) resigns from office in writing given to the Secretary, or
 - (e) is removed from office under 5.6.1 and 5.6.2

- (f) is absent without consent of the Committee from 3 consecutive meetings of or fails to attend 50 % of the scheduled meetings
- (g) becomes a mentally incapacitated person
- (h) is convicted of a offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
- (i) is prohibited from being a director of a company under direction of the Corporations Act 2001

5.6 Removal of Committee Members and Executive Members

- 5.6.1 The Association in a General Meeting may by resolution remove any member of the Committee from the office of committee membership before the expiration of the members' term of office, and may by resolution appoint another person to hold office until the next AGM.
- 5.6.2 Where a member of the Committee to whom a proposed resolution referred to in 5.6.1 can make representation in writing to the Secretary and President (not exceeding a reasonable length of time) and requests that the representations be notified to the members of the Association. The Secretary or the President may send a copy of the representations to each member of the Association or, if they are not sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

5.7 Conduct of Meetings of the Committee

- 5.7.1 The Committee shall meet as often as necessary to conduct the business of the Association and not less the four (4) times in a 12 month period at such a place and time the Committee determines. Frequency of meetings can be changed by the Executive when deemed appropriate to the needs of the FNA.
- 5.7.2 Committee members must attend all meetings of the Committee held during a period of six months or attend 50% of all meetings. This equates to a minimum of three (3) meetings in a 12 month period. Failure to meet the minimum meeting attendance prevents re-election at the next AGM.
- 5.7.3 Meetings of the Committee may be convened by the President or any members of the Committee
- 5.7.4 Notice of Committee meetings shall be oral, written or electronic and shall be given by Secretary to each member of the Committee at least 48 hours before the time appointed to hold the meeting. Notice of the meeting shall specify the general nature of the business to be discussed at that meeting.
- 5.7.5 A quorum shall not be less than half of the Committee plus one. At least One of the Executive must be in attendance.
- 5.7.6 No business shall be transacted by the Committee unless a quorum is present, and if a quorum fails to be present within half an hour of the time appointed the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week. If at the adjourned meeting a quorum is not present in half and hour of the appointed time, the members present at least 3, are to constitute a quorum.

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- 5.7.7 Meeting shall be held by teleconference, all rules applying to the Committee meetings shall still apply.
- 5.7.8 Questions arising at any meeting of the Committee or sub-committee shall be decided by majority of votes of those present. In the case of equality of votes, the person appointed to the chair the meeting shall have a second or casting vote
- 5.7.9 Any decisions made or actions done by the executive or subcommittee is valid and effectual in the management of the Association.
- 5.7.10 Minutes of each meeting will be documented at each meeting by the Secretary and circulated to the individual Committee Members within three weeks of the meeting.

5.8 **Presiding Member**

At the meeting of the Committee, the President shall chair the meeting. If the President or Vice President is not present, one of the Committee members will be chosen by the Committee present to chair the meeting.

5.9 **Subcommittees**

- 5.9.1 The Executive may delegate any specific tasks to one or more sub-committees, consisting of such members the Executive sees fit. Any sub-committee formed shall conform to the same rules as the Committee in regard of meetings. The sub-committee may meet and adjourn as it thinks proper.
- 5.9.2 Subcommittees shall table progress at Committee meetings

6. **Executive Committee**

6.1 **Executive Roles and Functions**

- 6.1.1 The Executive of the Association shall consist of: President, Vice President, Secretary, and Treasurer, all of whom shall be financial members of the organisation.
- 6.1.2 The Vice-President, Secretary and Treasurer shall retire at the AGM, but are eligible for reelection. The President shall serve a 2 year term of office and shall retire at the AGM held; The Retiring President is eligible to nominate for a position within the FNA Committee.

6.2 **The President**

The President shall act as the Chairperson at each meeting and each Executive meeting and represent the Association as its principal officer when required to do so by the Association or delegate to another committee member

6.3 **The Vice President**

The Vice-President shall act as the President in their absence, represent the Association when required. The Vice President will seek election for President in an election year

6.4 The Secretary

- 6.4.1 The Secretary of FNA must, as soon as possible after being appointed as secretary, lodge a notice with FNA of his or her address.
- 6.4.2 It is the duty of the Secretary to keep minutes of:
- (a) all appointments of Executive and ordinary Committee, and
 - (b) the names of members of the Committee present at all meetings and the AGM, and
 - (c) all proceedings at committee meetings and the AGM
- 6.4.3 Minutes of proceedings at a meeting must be signed by the Chairperson of the meeting or the next succeeding meeting
- 6.4.4 The Secretary shall ensure that all records of the Associations business, including the Constitution, register of members, minutes of all meetings and executive meetings and correspondence be kept. These records will be available to all financial members. The Secretary will be responsible for the notification of meetings, formation of agendas, and prepare a report in co-operation with the President for the General and Annual meetings.
- 6.4.5 Administration Support Officer may support the Secretary in preparing documents, agenda, minutes, newsletters and another Association correspondence. This position may be a paid position.

6.5 The Treasurer

- 6.5.1 It is the duty of FNA Treasurer to:
- (a) ensure that all money due to FNA is collected and or receivable, and is paid into an account in the Association's name.
 - (b) that correct books and accounts are kept showing the financial affairs of the Association, including full details of all receipts and expenditure connected with the activities of FNA
- 6.5.2 The Treasurer shall prepare a Treasurers Report for the General and Annual Meetings
- 6.5.3 The Treasurer will maintain a current \$2 million Public Liability Insurance Policy with an approved insurer. A certificate of currency is submitted with the Annual Financial Statement of the Association.

6.6. Register of Executive Committee

- 6.6.1 The names of any members of the Committee of FNA who hold the positions of president, vice-president, secretary or treasurer shall be entered into a register. The register is to include:
- The date on which any such member was elected or appointed to such a position
 - The date on which any such member ceased to hold such a position

7. Public Officer

- 7.1.1 The Executive shall ensure that a member is appointed as Public Officer. The Executive may at any time remove the Public Officer and appoint a new Public Officer provided the person appointed is 18 years of age or older, and a resident of New South Wales and is a member of the Committee
- 7.1.2 The Public Officer shall be Appointed by the Association is responsible for notifying the NSW Department of Fair Trading of any changes in the Association and its financial position.
- 7.1.3 The Public Officer shall be deemed to have vacated their position in the following circumstances:
1. resignation
 2. removal from office by the Committee or at a General Meeting
 3. death
 4. bankruptcy
 5. mental illness
 6. residency outside New South Wales
 7. becomes mentally incapacitated
 8. in such other circumstances as the constitution of the association may provide
- 7.1.4 When a vacancy occurs in the position of Public Officer, the Executive shall within 14 days notify the NSW Department of Fair Trading by the prescribed form and appoints a new Public Officer. All FNA documents are delivered to a committee member of the association within 14 days
- 7.1.5 Except as otherwise provided by this constitution, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to FNA
- 7.1.6 The FNA Committee must fill any vacancy in the office of public officer within 28 days

7.2 Authorised Signatories

- 7.2.1. The public Officer is, by virtue of that office, an authorised signatory for the association
- 7.2.2. The Committee may from time to time appoint additional authorised signatories from among such members as are ordinary residents in Australia, and may at any time revoke any such appointment
- 7.2.3. A person (other than the Public Officer) vacates office as an authorised signatory of:
- (a) his or her appointment as an authorised signatory is revoked, or
 - (b) cease to be a Committee member, or
 - (c) ceases to be an ordinary resident in Australia

8. Meetings

8.1 Annual General Meetings

- 8.1.1 An Annual General Meeting (AGM) of the Association shall be held each year within six months from the end of the financial year of the Association. The date and place of the AGM is determined by the Executive
- 8.1.2 At the AGM the following business shall be transacted:
1. Confirmation of the minutes of the previous AGM and of any special general meeting held since that meeting,
 2. Receipt of the Committee Report on activities of the Association in the last financial year
 3. Election of Office Bearers and other Committee members
 4. Receipt and consideration of the Treasurers Report
- 8.1.3 Fourteen (14) days written notice of all General Meetings (including location, date and time), notices of motions shall be given to all members. In the case of a General Meeting where a special resolution is to be proposed, a notice of the resolutions shall be given to members at least 21 days prior to the meeting. No business shall be transacted at any AGM unless a quorum is present at the time when the meeting proceeds to business. The quorum for an AGM shall be twelve (12) members in person. If within half an hour of the time appointed for an AGM, a quorum is not present, the meeting shall be dissolved. If the meeting is dissolved the Executive shall determine another time, date and place for the meeting. If a quorum is not achieved at the second meeting, those members present shall be a quorum.

8.2. Meetings

8.2.1 Attendance at Meetings

The Committee Members shall undertake to participate in all teleconferences and meetings of the FNA Inc. and any Sub-Committee teleconferences and meetings on which they are represented. Committee members are required to attend a minimum of 50 % of the meetings/ teleconferences or three, whichever is the greater

All FNA Inc. Members are invited to attend the AGM

8.2.2. Preparation for Meetings

The Committee Members are prepared to participate in discussion and progress on Agenda items at each meeting. Sub Committee briefs are tabled at each General Meeting

- 8.2.3 At the first General meeting following the AGM, Committee members are orientated to their roles and versed in the Committee member responsibilities

8.3 Special General Meetings

- 8.3.1 The Committee may, whenever it sees fit, convene a Special General Meeting of the Association.
- 8.3.2 A special General Meeting must be convened by the Committee within two months of receiving a written request to do so from at least five percent of the membership of the Association.
- 8.3.3 A requisition of members for a Special General Meeting:
 - (a) must state the purpose or purposes of the meeting, and
 - (b) must be signed by the members making the requisition, and
 - (c) must be lodged with the Secretary, and
 - (d) may consist of several documents in a similar form, each signed by one or more members making the requisition
- 8.3.4 If the Committee fails to convene a special general meeting to be held within 1 month after the date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date
- 8.3.5 A special general meeting convened by a member, is to be conducted in the same manner as a general meeting convened by a Committee

8.4 Notice

- 8.4.1 Except if the of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the Secretary must, at least 14 days before the date fixed for the holding of the general meeting, give notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- 8.4.2 if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the Secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under clause 8.4.1, the intention to propose the resolution as a special resolution.
- 8.4.3 No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an AGM, business which may be transacted under clause 8.1.2
- 8.4.4 A member desiring to bring any business before a general meeting may give notice in writing of that business to the Secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member

8.5 Making of Decisions

- 8.5.1 A question arising at a general meeting of FNA is to be determined by a
 - (a) show of hands, or
 - (b) if on the motion of the Chairperson or 5 or more members present at the meeting decide that the question should be determined by a written ballot.

- 8.5.2 If the question is to be determined by a show of hands, a declaration by the Chairperson that a resolution has a show of hands carried or carried unanimously, or by a particular majority, or lost, and an entry to that effect shall be minutes of FNA is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution.
- 8.5.2 If the question is to be determined by written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

8.6 Voting at General Meetings

- 8.6.1 On any questions arising at general meeting of FNA a member has only one vote
- 8.6.2 In case of an equality of votes on a question at a general meeting, the Chairperson of the meeting is entitled to exercise a second or casting vote
- 8.6.3 A member is not entitled to vote at any general meeting unless all money due and payable by member has been paid
- 8.6.4 All votes shall be given personally or by proxy.

8.7 Proxy Votes

- 8.7.1 Each member is entitled to appoint another financial member as proxy giving notice to the Secretary in writing prior to the commencement of the meeting
- 8.7.2 No member may hold more than five proxy votes
- 8.7.3 The notice appointing the proxy will be formal set out in Schedule 2.
- 8.7.4 In the event of the member desiring to vote for or against any resolution, that member will instruct the appointed proxy. Unless otherwise instructed, the proxy may vote as they think fit

9. Voting

9.1 Conduct of Electronic Ballots

- 9.1.1 A electronic ballot for the passing by members FNA for an ordinary resolution or a special resolution shall be conducted by the Committee
- 9.1.2 The details of the proposal on which the ballot is to be held is to be set out in a statement and
- 9.1.3 Fix the dates of ballots to members and the dates for the closing of the ballot
- 9.1.4 Appoint a Returning Officer for the ballot
- 9.1.5 Every ballot must be conducted by the Returning Officer appointed by the Committee

9.2 Returning Officers

- 9.2.1 A Committee member of FNA may not be appointed as a Returning Officer
- 9.2.2 The Returning officer may be assisted in the performance of their role by any person appointed by the Returning Officer who would be also eligible to be a Returning Officer

9.3 Preparation of Voting Roll and Electronic Ballot Document

- 9.3.1 The Returning Officer must prepare a roll of the full names and addresses of the members of FNA who are eligible to vote.
- 9.3.2 A person is only entitled to vote if their name appears on the roll.
- 9.3.3 The Returning Officer must cause electronic or postal ballot (in the circumstance that a member does not have or supply an email address) papers to be prepared;
- In or to the effect of Schedule 3 FNA Electronic or Postal Ballot Paper, or
 - In such other form as the Committee determines.
- 9.3.4 Each ballot paper must:
- Be initialed by the Returning Officer or an appointed assistant, or
 - Bear a mark that identifies it as a genuine ballot paper.
- 9.3.5 The Returning Officer must, at least 14 days(or 21 Days in the case of a special resolution) before the date fixed for the closing of the ballot, send by post or electronically deliver to every member entitled to vote in the ballot one set of the following materials:
- (a) one ballot paper,
 - (b) an envelope referred to as an outer envelope addressed to the Returning Officer and the reverse side of which is noted or printed the name and address of the member,
 - (c) a small envelope referred to as the inner envelope in which the ballot paper is to be enclosed
 - (d) a copy of a statement prepared by the board setting out the terms of the resolution,
 - (e) in the case of a special resolution- a copy of a statement to the effect that the resolution is intended to be passed as a special resolution.

9.4 Duplicate Ballot Papers

- 9.4.1 The Returning Officer may send a duplicate ballot paper to any voter if the Returning Officer is satisfied:
- (a) that the voter has not received a ballot paper, or
 - (b) that the ballot paper received by the voter has been lost, spoilt or destroyed and that the voter has not already voted.
- 9.4.2 If a duplicate ballot paper is sent, the relevant outer envelope is to be marked with the word “Duplicate”.

9.5 Voting

- 9.5.1 A member casts a vote in the ballot by:
- (a) marking his or her vote on the ballot paper according to the instructions on the ballot paper, and
 - (b) sending the ballot, in the envelopes provided, to the Returning Officer.

9.6 Safe Keeping of Ballot Papers

- 9.6.1 The Returning Officer must provide a ballot box that must be secured immediately before the ballot papers are delivered to members in accordance with clause 9.3.5 and must remain secured until the close of the ballot.
- 9.6.2 The Returning Officer must place the outer envelopes in the ballot box not later than the time and date fixed on the ballot paper for the closing of the ballot.

9.7 Counting of Votes

- 9.7.1 As soon as practicable after the closing date of the ballot, the Returning Officer must, in the presence of scrutineers as may be appointed by the Committee, open the ballot box and deal with the contents in accordance to clause 9.3.5
- 9.7.2 The Returning Officer must:
- (a) examine the outer envelopes, and
 - (b) If a duplicate outer envelope has been issued and the original outer envelope is received, reject the original envelope and mark it “rejected”. and
 - (c) mark the voter’s name on the roll by drawing a line through the name, and
 - (d) remove the inner envelopes from the outer envelopes, and
 - (e) when all the inner envelopes have been dealt with in the above manner, open all unrejected inner envelopes and take the ballot papers from them.
- 9.7.3 The ballot papers must be scrutinized by the returning officer who must reject as informal any ballot paper that;
- (a) is not duly initialed by the Returning officer or appointed assistant or does not bear a mark that identifies it as a genuine ballot paper, or
 - (b) is so imperfectly marked that the intention of the voter cannot be ascertained by the Returning officer, or
 - (c) has a mark or writing not authorised by 9.3.4 that, in the opinion of the Returning Officer, will enable the voter to be identified, or
 - (d) has not been marked as prescribed on the ballot paper itself.

9.8 Statement by the Returning Officer

- 9.8.1 The Returning Officer must count all votes cast and make out and sign a statement of:
- (a) the number of formal votes cast in favour of the proposal, and
 - (b) the number of formal votes cast against the proposal, and
 - (c) the number of informal votes cast, and
 - (d) the number of envelopes marked “rejected”, and
 - (e) the proportion of the formal votes cast in favour of the proposal
- 9.8.2 On the declaration of the Returning Officer of the result of the postal ballot, the Committee must cause an entry to be made in the minutes showing the particulars referred to in 9.8.1(a to e)
- 9.8.3 The Returning Officer must forward a copy of the statement to the chairperson of the committee who must announce the result of the ballot at the next general meeting.

9.9 Notification of Result of Ballot Paper for Special Resolution

In the case of a special resolution, FNA must cause the result of the ballot to be notified in writing to its members as soon as practicable after the ballot.

9.10 Retention of Ballot Papers

9.10.1 The returning officer must retain:

- (a) all ballot papers formal or otherwise
- (b) all rejected outer envelopes, and
- (c) all rolls

used in connection with the conduct of the postal ballot, locked in the ballot box.

9.10.2 The Returning Officer must retain those items for a period of not less than 8 weeks after the date fixed as the closing date of the ballot unless directed in writing by the Committee to retain those items for a longer period.

10 Funding and Financial Management

10.1 The funds of the Association shall be derived from the fees of members, donations, grants and such other sources approved by the Committee.

10.2 Members shall pay such fees as determined by the Association at a General Meeting

10.3 All money received by the Association shall be deposited as soon as practicable, after receiving any money and without deduction to the credit of the FNA bank account or other authorised deposit- taking account

10.4 As soon as practicable after receiving any money, issue an appropriate receipt

10.5 All cheques shall be signed by the Treasurer and/or one other member of the Executive authorised to do so by the Executive. In the absence of another member being available within 30 minutes drive of the Treasurer, tax invoices and a completed expenses form shall be forward to an appointed member of the Executive to endorse the expenditure by date and signing all documents and returning to the Treasurer to complete the transaction

10.6 The funds of the Association shall be used only for pursuance of the Objectives of the Association in such a manner as the Committee determines. The funds shall not be paid or transferred to members by way of dividend, profit or bonus.

10.7 Financial Statements

10.7.1 For the purpose of section 47(2) of the Act, the financial statements prepared by Tier 2 associations such as FNA must include the following:

- (a) an income and expenditure statement and a balance sheet that sets out the appropriately classified individual sources of income and individual expenses incurred in the operation of the association and the assets and liability of the association,
- (b) details of any mortgages, charges and other securities affecting property owned by the association,
- (c) a separate income and expenditure statement and balance sheet for each trust for which the association is the trustee.

11 Auditing

- 11.1 A qualified Auditor may be appointed to audit the Association's accounts annually if the gross receipts of FNA are valued under \$250,000 and current assets are valued under \$500,000. Once this amount is reached auditing of financial statement is a mandatory requirement in accordance to the Act
- 11.2 The FNA Financial & Audit Report is presented at the Annual General Meeting by the Treasurer.

12 Special Resolutions

- 12.1 A special resolution must be passed by a General Meeting of the Association to effect the following changes:
- (a) a change in the Association's name;
 - (b) a change in the Association's rules;
 - (c) a change in the Association's objectives;
 - (d) a change in the Association's logo;
 - (e) an amalgamation with another association;
 - (f) to voluntarily wind-up the Association and distribute its property.
- 12.2 A resolution is passed by FNA as a special resolution
- (a) at a meeting of FNA of which 21 days notice has been given to its members no later than 21 days before on which the meeting is held, or
 - (b) in a postal ballot conducted by FNA, or
 - (c) in such other manner as the Director-General may direct,
- If it is supported by at least three quarters of the votes cast by members of FNA who, under the constitution, are entitled to vote on the proposed resolution.
- 12.3 A notice referred to in clause 12.2 (a) must include the terms of the resolution and statement to the effect that the resolution is intended to be passed as a special resolution
- 12.4 A postal ballot referred to in clause 12.2(b) may only be conducted in relation to resolutions of a kind as detailed in clause 9 through to 9.4.12.2
- 12.5 A direction under 12.2(c), may not be given unless the Director-General is satisfied that, in the circumstances, it is impracticable to require votes to be cast in a manner provided under clause 12.2 (a) and (b).

13 SEAL

The Common Seal of the Association shall be kept in the custody of the Secretary, and shall only affix to a document with the approval of the committee. The stamping of the Common Seal shall be witnessed by the Secretary and one member of the Committee appointed by the Committee for the purpose.

14 MISCELLANEOUS

14.1 Insurance

The association may effect and maintain insurance

14.2 Member's Liability

14.2.1 The members of the Association shall have no liability to contribute towards the payment of debts and liabilities of the Association or the costs, charges and expenses of the winding-up of the Association except to the amount of any unpaid membership fees.

14.3 Service of Notices

14.3.1 For the purpose of this constitution, a notice may be served on or given to a person:

- (a) by delivering it to the person personally
- (b) by sending it by prepaid post to the addressee of the person, or
- (c) by sending it by facsimile transmission or electronically to an address specified by the person for giving or serving the notice

14.3.2 For the purposes of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:

- (a) in the case of a notice given personally, on the date on which it is received by the addressee, and
- (b) in the case of notice by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
- (c) in the case of a notice sent by facsimile or electronic form, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date

14.4 Interpretation of the Constitution

14.4.1 In the instance of a question arising not provided for in this Constitution of the Association or as to the interpretation, the majority decision of the Executive shall be taken and acted upon.

14.5 Change of Name, Objects and Constitution

14.5.1 An application to the Director-General for registration of a change in the Association's name, objects or constitution in accordance to section 10 of the Act is to be made by the public officer or a committee member.

14.6 Transfer of Registration

14.6.1 Application for Transfer of Registration Declaration

FNA may apply to the Director General for a transfer of registration declaration must include the following:

Flight Nurses Australia Incorporated Constitution

- (a) a statement in writing as to whether the entity to which the FNA intends to transfer is subject to rules that prohibit a distribution of profits to that entity's members
- (b) if FNA receives funding, evidence in writing that FNA's funding bodies have been advised of the proposed transfer,
- (c) a statement in writing declaring that FNA's creditors are not likely to be materially prejudiced by the transfer,
- (d) a statement in writing declaring that the law of the Commonwealth will adequately provide for the continuation of FNA's legal personality after the transfer,
- (e) any documents required to be lodged under section 45 or 49 of the Act 2009 by FNA for the 3 financial years before the application is made that have not been lodged in accordance with those sections of the Act.

14.7 Resolution of Disputes

- 14.7.1 A dispute between a member and another member (in their capacity as members) of FNA, or a dispute between a member or members and FNA are to be referred to a community justice centre for mediation under the Community Justice Centres Act 1983.
- 14.7.2 If a dispute is not resolved by mediation within 3 months of the referral to a community justice centre, the dispute is to be referred to arbitration.
- 14.7.3 The Commercial Arbitration Act 1984 applies to any such dispute referred to arbitration.

15 Policy Development

- 15.1 The Constitution shall be reviewed every 10 years or more frequently should the need arise.
- 15.2 The review will be conducted by a sub committee and presented to the Committee at nominated meeting and included on the Agenda
- 15.3 Any alterations shall be endorsed by Special Resolution as defined in Section 11
- 15.4 Policy statements can be developed on critical issues. For example: media statements, uniform standards or fatigue management
- 15.5 Any policy statements are developed by a sub committee and presented to the Committee at a nominated meeting and included on the Agenda.
- 15.6 Adoption of Policy Statements will be circulated electronically to all Committee members and adopted by a majority.
- 15.7 Endorsed Policy Statements are published on the
 - 1. FNA website
 - 2. Published in the next FNA newsletter
- 15.8 All Policy Statements will be reviewed every three years. A sub-committee will be convened for this purpose if there is not an appropriate policy sub committee in existence at the time of review

16. Reviews

16.1 Routine evaluation against Governance Standards.

A survey will be conducted every four years to evaluate the conduct of the FNA in accordance with the Governance Standards. The survey will assess the FNA's progress and improvement in working within the Constitution and identify areas where improvement may be required. Issues that will be evaluated include:

1. Progress in the achievement of the FNA's Vision, Purpose & objectives
2. The conduct of the Association against the Codes of Professional Conduct and Ethics
3. The conduct and achievements of the Executive, Committee and any Sub-Committee's in progressing the strategic aims and other business of the Association
4. The conduct of the Association meetings and the progress on actions coming out of meetings
5. Areas of this Constitution and other position statements and standards for review and/or development
6. Satisfaction of the FNA members.
7. Issues and areas for improvement

17. Penalty Notice Offences and Penalties

17.1 For the purposes of section 93 of the Act:

- (a) each offence created by a provision specified in Column 1 of Schedule 4 of the Act is prescribed as a penalty offence, and
- (b) the penalty prescribed for each such offence is the amount specified in Column 2 of Schedule 4 of the Act opposite the relevant provision

Flight Nurses Australia Incorporated Constitution

Schedule 1 Application for Membership

Flight Nurses Australia Incorporated Constitution

Schedule 2 FNA Proxy Form

None at this time

Schedule 3 Flight Nurses Australia Policy Statements

1. Governance principles

The eight principles underpinning these governance standards are:

1. Accountability
2. Transparency
3. Integrity
4. Legality
5. Leadership
6. Stewardship
7. Efficiency
8. Social Responsibility

¹

1. Accountability

The Association and the individuals within them are responsible for their decisions and actions, and where they are subject to external scrutiny by obeying the law.

2. Transparency.

The Association's management is effective at: making necessary information available in a candid, accurate and timely manner, avoiding conflicts, which is necessary to ensure that stakeholders have confidence in the decisions and actions of the Association and the individuals within them.

3. Integrity

The Association embodies ethical values, based on honesty, objectivity and performance measurement; and high standards of propriety and probity underpinning stewardship of funds and resources.

4. Legality

The Association has instituted appropriate processes to ensure it is legally compliant and is preventing fraud and other improper or unlawful behaviour.

5. Leadership

Leaders within the Association are responsible for ensuring implementation, evaluation and improvement of sound governance structures and processes; and enacting and influencing sound governance through their own performance and behaviours.

6. Stewardship

The Association takes responsibility for taking proper care of resources entrusted to it by conducting, supervising, or managing those resources.

¹ Governance Standards for Specialist Nursing and Midwifery Organisations. A report by National Nursing and Nursing Education Taskforce (N3ET), Melbourne. 2006

7. Efficiency

The Association is effective and independent and makes the best use of its resources to achieve the goals of the Association, and engages in risk management.

8. Social Responsibility

The Association places a high priority, when responding to social issues, on non-discriminatory, non-exploitative, and responsible ethical standards with regard to environmental and human rights issues.

2 Governance Standards

Six standards have been identified as integral to governance for nursing and midwifery organisations, they are:

Standard 1

Being clear about the organisation's purpose and outcomes to the membership, stakeholders and wider community.

Standard 2

Performing effectively and demonstrating accountability through clearly defined functions and roles.

Standard 3

Promoting values for the whole organisation and demonstrating the principles of sound governance.

Standard 4

Taking lawful, informed, transparent decisions and managing risk.

Standard 5

Developing the capacity and capability of the board/governing body to be effective.

Standard 6

Engaging the membership, stakeholders and wider community and making accountability real.

3. PHILOSOPHY

3.1 Vision

FNA will be the leading organisation in the Australian region that inspires, promotes Flight Nursing excellence or the Flight Nursing specialty. FNA's vision is to promote Flight Nursing in the Australian Region, representing the specialty of nursing in the aviation/transport environment, to provide a professional identity and promote national recognition for flight nursing as a nursing specialty

3.2 Codes of Conduct & Ethics

- 3.2.1 The Code of Professional Conduct for Nurses in Australia (2003) and the Code of Ethics for Nurses in Australia (2002) are the foundation for the practice of FNA Inc. Members.
- 3.2.2 Relationships between members are underpinned by the following values:
- Honesty
 - Integrity
 - Trust
 - Respect
- 3.3.3 FNA Inc. will encourage mutual respect among the Members involved in its activities.
- 3.3.4 FNA will work collaboratively and encourage collaboration across the profession of flight nursing; with health consumers; and other stakeholders in health and the aviation industry.
- 3.3.5 FNA will assume a leadership role with respect to flight nursing and broader health issues.
- 3.3.6 The Committee Members shall also make the following commitments to meet their obligations when participating in the organisation.

Schedule 4. FNA Electronic or Postal Ballot Paper

Associations Incorporation Regulations 2010(Schedule 3, clause 3(3))

Note:

Before completing this ballot paper, please read the “How to vote” section below.

Flight Nurses Australia Ballot of members to determine the following proposal:.....
.....
.....
.....

Do you support the above proposal? (Please write YES or NO in the box)

The ballot will close at (insert time) on (insert date).

How to vote

1. Read these directions and the ballot paper carefully.
2. If:
 - (a) you are in favour of the proposal- write the word “YES” in the box provided above, or
 - (b) you are not in favour of the proposal- write the word “NO” in the box provided above.
3. After marking the ballot paper, fold it and place it in the inner envelope provided and seal the envelope provided and seal the envelope. Then place the inner envelope in the envelope addressed to the returning officer.
4. Forward this envelope either by post or personal delivery so as to reach the returning officer not later than the time and date set out above.
5. Unless the ballot paper is marked as indicated in 3 above and the details referred to in 2 above are completed in full, your vote may be rejected as informal.

Flight Nurses Australia Incorporated Constitution

Schedule 5 FNA Scholarship Application