



# **BYLAWS OF THE AKA INC.**

**Version 1.2 October 2014**

These Bylaws are intended to be used as an adjunct to and should be read in conjunction to the Rules of Association adopted by the Australian Kinesiology Association Inc as of August 28th 2014.

Amendments and updates to these Bylaws may be made according to the exercise of the decision-making authority of the Management Committee under the above named Rules of Association.



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## RULE 5 MEMBERSHIPS

### Rule 5.1 - Types

#### d) Fellow member:

- means a person who has been a Member for at least 15 continuous years and has been recognised by the Committee as having made a significant consistent contribution to the Association during that period. 17/10/14
- requires continuing payment of membership fees at the rate of Associate memberships. 17/10/14
- Fellow members are permitted to use the initials FMAKA or the words "Fellow Member of AKA" in full on any advertising or promotional material such as business cards. 17/10/14

### Rule 5.5 - Subscriptions

#### a) Certificates of Membership

- When the initial Practitioner Membership subscription is received and approved by the Management Committee a membership certificate will be issued by the office personal. 17/10/14
- Currency of membership can be confirmed by the website. 17/10/14
- Additional certificates may be issued upon request and payment of an administration fee determined by the office. 17/10/14

#### b) Membership Periods:

- Membership periods are annual and membership is current from 1st July to 30th June of the following year. 17/10/14
- Current Membership fees and rates will be available from the Administration office and/or the website. 17/10/14

### Rule 5.15 - Membership Renewals

- The AKA Office Administration will invite members to renew their membership approximately 2 months in advance of expiry of current membership 17/10/14
- It is the member's responsibility to ensure that the Administration personnel for the Association is kept updated with their current contact details including email, postal address and telephone. 17/10/14
- In the event of non-receipt of invitation to apply renew membership, the member's responsibility is to contact the Administration team regarding the situation. 17/10/14

## Rule 5.16 - Member Obligations

### AKA Logo, Website & Social Media Promotion

- a) A policy on the use of the AKA logo and other image items is available from the AKA Administration office. Such policy allows use of the AKA logo and image items without special request by professional members and instructor members in relation to their advertising of kinesiology matters only. 17/10/14
- b) External bodies, or members who wish to use the AKA logo and other image items for non-kinesiology purposes, may request MC approval in writing to use the AKA logo and other image items. 17/10/14

## **RULE 6 THE COMMITTEE**

### Rule 6.1 – Powers and Duties

- On being accepted onto the Management Committee the member is required to complete immediately (within one month of accepting office) an ASIC Form 490 to be named as a director on the ASIC register.
- The Secretary is required to submit the changes on Form 490 within 30 days to avoid late fees.
- The member is required to sign a Confidentiality Form and return to Head Office before attendance at their first Committee Meeting.
- Newly elected Management Committee shall undertake timely familiarisation with the AKA Rules of Association, Bylaws, Code of Conduct for their first meeting to be held approximately 30 days from date of appointment to the Management Committee
- The Management Committee is to develop, and or monitor and re-evaluate the Association's Strategic Plan at least once annually.
- It is the member's responsibility to ensure another form is completed upon their resignation, removal or end of term and sent to the AKA Head Office

17/10/14

### Rule 6.4 - Public officer and Officers

#### Public Officer

An incorporated association must appoint a public officer. The public officer must be a person of or above the age of 18 years and be a resident of South Australia. Ideally the person will be closely associated with the association. The public officer performs an important role within an incorporated association, acting as the central contact person for the association. Any notice or other document can be served on an incorporated association by serving it on its public officer. The public officer must

sign most of the forms and returns lodged with Consumer and Business Services. Failure to have a public officer is a breach of the Act and can mean penalties being levied against the association. In most cases, the public officer is a member of the association, however this is not a requirement. It is common for a public officer to have other responsibilities within the association, such as being a member of the committee of management.

17/10/14

## All Office Bearers and Committee/Board Members

In all the positions, the person elected is expected to:

- be committed to the vision, mission and values of the AKA.
- provide strategic direction, including agreeing and monitoring strategic plans
- have excellent communication and interpersonal skills
- be focused, reliable and self-motivated and a team player
- be understanding of and commitment to the AKA's mission & values
- exercise impartiality and fairness
- exercise due care and diligence
- act honestly and in good faith
- maintain confidentiality 17/10/14
- not make improper use of his or her position
- work autonomously and as part of a team
- keep informed of the activities of the AKA and the wider issues that affect its work

17/10/14

## President Role

This position is head of the Executive Committee, and effectively has ultimate responsibility and management of the association.

### **Requires a person who:**

- is focused and reliable
- is self-motivated and action oriented
- can handle conflicting interests and needs
- understands business compliance and ethical issues
- understands association management issues
- can motivate and manage people
- can keep people focused, and accountable
- can delegate and manage tasks/activities

- can undertake supervision of sub-committee activities
- can represent the association on other National and related boards / committees e.g., NMRC
- can act as spokesperson of the association
- can work well with people from inside and outside the organisation
- is sufficiently detail-oriented to understand compliance and financial issues
- is adept at understanding and managing membership/associated business growth issues
- ideally has previous experience in committee/business management

17/10/14

### **Essential Criteria**

- strong interpersonal and communication skills both verbal and written 17/10/14
- be well organised with strong administrative skills 17/10/14
- ability to lead, supervise other committees and work as part of a team
- ability to professionally represent board to public, media and other committees
- ability to work under pressure and meet deadlines
- excellent computer and software skills especially MS Office Word & Excel
- strong understanding of board management, finance and accounting processes
- ability to produce and present timely reports for statutory & committee/board requirements
- knowledge and application of board/corporate governance issues
- knowledge of Kinesiology and or Natural Health practitioner environment

17/10/14

### **Desirable Criteria**

- ability to manage projects & people
- knowledge of business, marketing and/or other relevant skills
- knowledge of fund raising strategies
- knowledge of legal and business compliance issues
- knowledge of ASQA, VET Training and RTO issues
- knowledge of Health Training Package/s

17/10/14

## Secretary Role

The secretary must undertake his/her functions in a timely way and is responsible for the following:

- liaise with the Chairperson to plan meetings
- receive agenda items from committee, prepare agenda, circulate agendas and reports
- check quorum is present at meetings
- take accurate minutes and circulate accordingly within 14 days of meeting
- ensure relevant parties required for future meetings have been organised
- keep up-to-date contact details for the management committee and members of the assoc.
- file minutes and reports for easy access and keep a record of the associations' activities
- have necessary documents at meetings i.e., governing documents, members lists, minutes etc.
- ensure governing documents ie. constitution, incorporation, legal requirements are met as relevant
- ensure elections are in line with stipulated procedures
- ensure organisation's activities are in line with its objects
- ensure legal requirements are met where relevant
- disseminate motions/actions from minutes to head office as required for record keeping
- send notices within deadlines as required
- file committee correspondence received and copies of replies sent
- report the activities of the organisation to members, media and the public as directed
- prepare a report of the organisation's activities for the year, for the Annual General Meeting
  - may direct AKA office personnel to perform relevant duties as required.

17/10/14

### Essential Criteria

- strong interpersonal and communication skills both verbal and written
- strong organisational and administrative skills
- ability to work under pressure and meet deadlines autonomously and as part of a team
- computer and software skills especially MS Office, Word, Excel

- ability to produce/present reports in appropriate format for statutory/committee requirements
- capacity to prepare minutes in accordance with current company act guidelines
- understanding of upholding governing documents
- ability to maintain effective computer records
- understand business and association compliance issues/terminology
- knowledge of Kinesiology and/or Natural Health practitioner environment
- knowledge and application of board/corporate governance issues
- capacity to undertake the Company Secretary function

17/10/14

#### **Desirable Criteria**

- ability to manage projects & people
- good problem solving skills
- knowledge of business, marketing and/or other relevant skills
- knowledge of fund raising strategies
- knowledge of legal compliance issues
- knowledge of ASQA, VET Training and RTO issues
- knowledge of Health Training Package/s

17/10/14

#### **Treasurer Role**

This position is part of the executive committee, and would suit a person who has a strong eye for detail, thrives on responsibility, and has the capacity to:

- analyse numbers
- keep control of financial situations
- keep aware of statutory and compliance issues
- advise the committee accordingly
- manage a business as a whole.

17/10/14

#### **Functions:**

- Oversee Financial activities and general good governance of the organisation
- Create Budgets – annually
- Report on budget activity as compared to actual results – annually/monthly
- Work with Admin staff to ensure internal controls, legalities and financial compliance is established, maintained and implemented consistently



- Report to committee on monthly and yearly financial activities
- Recommend appropriate financial delegations
- Co-ordinate and recommend appointment of auditor
- Sign off on annual audited books
- Ensure that statutory requirements are met

17/10/14

### **Essential Criteria**

- strong interpersonal and communication skills both verbal and written
- strong organisational and administrative skills
- ability to work as part of a team
- strong understanding of financial and accounting processes
- ability to direct and guide financial/administrative processes to maximise efficiencies and compliance
- ability to work under pressure and meet deadlines
- excellent computer and software skills especially MS Office Word & Excel
- ability to produce and present timely reports in appropriate format for statutory and committee requirements
- ability to explain and interpret financial/compliance requirements to other board members
- ability to liaise with other financial/business professionals as required eg auditor
- understand business and association compliance issues & terminology
- knowledge of Kinesiology and/or Natural Health practitioner environment

17/10/14

### **Desirable Criteria**

- ability to manage projects & people
- knowledge of business, marketing and/or other relevant skills
- knowledge of fund raising strategies
- knowledge of legal compliance issues
- knowledge of ASQA, VET Training and RTO issues
- knowledge of Health Training Package/s

17/10/14

## **Ordinary Board Member Role**

### **Responsibilities**

- ensure the AKA complies with its governing document e.g. constitution

- ensure the AKA makes efficient use of resources, in particular that all monies are applied to its objects, agreed plans and budgets.
- understand the financial position of the AKA
- ensure the AKA's finances are properly managed, in collaboration with the Treasurer
- ensure the AKA operates within its agreed accounting policies, in collaboration with the Treasurer
- ensure adequate financial resources for the AKA, in collaboration with the Treasurer
- contribute to fundraising strategies
- ensure the AKA is properly insured against all reasonable liabilities
- effectively support the Chair person, Secretary and Treasurer of the AKA
- attend meetings of the Board plus Face-to-Face meeting and AGM/Conference (Board meetings are usually by phone/skype on a monthly basis, with a Face-to-Face meeting once a year prior to the AGM and Annual Conference. The new Board may review the frequency and time of meetings.)
- liaise with State marketing hubs and communicating as required to the Board

17/10/14

### **Essential Criteria**

- Strong interpersonal and communication skills
- Good organisational and administrative skills
- Ability to work as part of a team
- Ability to work under pressure and meet deadlines
- Excellent computer skills

17/10/14

### **Desirable Criteria**

- ability to manage projects
- knowledge of business, marketing and/or other relevant skills
- knowledge of financial issues
- knowledge of fund raising strategies

17/10/14

## Rule 6.9 - Subcommittees

- Subcommittees may comprise both Management Committee members and other persons with relevant interest, expertise and experience, who meet with Management Committee approval.
- Subcommittees will have no decision-making power or authority unless specifically stated by the Management Committee at the time of setting up the subcommittee.
- In some circumstances, the Management Committee will be called upon to ratify decisions made by the subcommittee
- Subcommittee findings to be reported to the Management Committee for consideration and determination of decision.
- All subcommittees report at one week prior to the MC meeting

17/10/14

## Sub Committee Roles

### AKA - PRB

The Australian Kinesiology Association Practitioner Registration Board (AKAPRB) is a subcommittee of the Management Committee. The AKAPRB supervises and oversees issues relating to Practitioner Registration including the following:

- a) Practitioner Register,
- b) Practitioner Registration Requirements,
- c) Collaborate with MC on levels of Professional Practitioner Registration,
- d) Develop, document and or monitor PRB policies and procedures
- e) Train new PRB members
- f) Determine the Practitioner Register Application fees and update as required by MC ratification
- g) An amount relating to 80% of the PRB application (net of GST) is paid to the PRB member assessing the application for registration. This processing will be required in cases where the application requires workshop model qualifications to be assessed. Applications relating to HLT qualifications are processed by AKA office personnel. 17/10/14

### AKA – CAB (Course Accreditation Board)

The Australian Kinesiology Association Course Accreditation Board (AKACAB) is a subcommittee of the MC. The AKACAB will supervise and oversee issues relating to Course Accreditation including the following:

- a) Maintain register (including active web-accessible register) of Accredited Courses for membership levels and CPE requirements showing date of original ratification, renewal due date, relevant actions
- b) Accreditation of Courses for the purposes of AKA practitioner registration

- c) Oversee and apply submission criteria for the accreditation of Courses (Kinesiology and non-Kinesiology)
- d) Allocate the category and hours for courses,
- e) Updating and maintaining the CAB procedure manual ,
- f) Updates, forms and procedures for registration and renewal of accredited courses, authorships, and continuing accreditation,
- g) Develop criteria to assess validity including research and prior verification, of proposed courses,
- h) Maintaining the register of submitted research relating to and underlying the course content of accredited courses, both new and renewed,
- i) Forwarding accredited courses to the MC for ratification,
- j) The CAB updates its policies and procedures to align with the National Training package requirements,
- k) Course submission fees are proposed by the CAB to be ratified by the MC,
- l) Structuring renewal and submission fees to include a minimum administration fee as per the agreed and ratified decision made between the CAB and the MC.

17/10/14

### AKA – CC (Complaints Committee)

The Australian Kinesiology Association Complaints Board (AKACC) is a subcommittee of the MC. The AKACC will implement and action the process relating to complaints including the following:

- a) All complaints must be lodged in writing to the AKA Office.
- b) The AKA subcommittee must follow the current AKA procedure for dealing with complaints as per the AKA complaints Procedure
- c) The Subcommittee will follow the process outlined in the Complaints and Appeals policy ratified by the MC subject to Rule 5.8 ( c ) (iv) of the AKA Rules.
- d) A confidential report will be made from the Complaints Committee as necessary for review by the MC. The minimum reporting standard is annually.
- e) This committee will maintain appropriate documentation and other records of issues managed, while maintaining security, privacy and confidentiality of personal and organisational details, unless required to be released by law.
- f) This committee will maintain a central register of complaints and details of enquiries relating to ethical issues referred from the Administration office.
- g) This committee will require all complaints and other referred ethical issues to be provided in written form.

- h) In the event that a written complaint involves an instructor, the modality representative of that instructor or course author will be invited to be actively involved in the resolution process.
- i) In relation to the outcome of the complaint whatever action the AKA decides to take against the member may not necessarily be shared with the complainant.

17/10/14

## AKA - Training Package Review

The Australian Kinesiology Association Training package Review subcommittee) is a subcommittee of the MC. The AKACC will implement and action the process relating to the TP review processes:

- a) A subcommittee is formed with wide representation of industry experts from kinesiology and the wider complementary health industries.
- b) Members of the Training Package Review subcommittee are recruited from members representing workshop model and RTO's.

17/10/14

## Office Administration

- a) The Office Manager will supervise all persons conducting administrative activities.
- b) General administrative decisions will be made by the Office Manager and discussed or ratified by the MC on an as needs basis.
- c) Administration duties include:
  - i. Processing new members and renewals under MC direction
  - ii. Telephone, email and written liaison from and to members, and the public in relation to AKA matters.
  - iii. Provide information to callers, members, public as appropriate.
  - iv. Maintain appropriate insurance cover under MC directions.
  - v. Receiving monies on behalf of the AKA and maintaining low levels of debtors.
  - vi. Making authorised payments on behalf of the AKA and maintaining appropriate levels of creditors.
  - vii. Maintaining efficiency and effectiveness of operations.
  - viii. Referring matters on to MC and other subcommittees as appropriate.
  - ix. Maintaining office spending within budget allocations and authorisation limits.
  - x. providing Updates relating to Administration tasks to the MC at its scheduled meetings.
  - xi. Liaising with the Auditor for preparation of year-end reports and other relevant matters.
  - xii. Forward all incoming correspondence relevant to MC to the Secretary.

- xiii. Maintaining surplus funds in approved deposit interest-bearing accounts.
- xiv. Being one of two required signatories on the AKA operational cheque account.
- xv. Managing and liaising with the Editor of the InTouch magazine for distribution to members.
- xvi. Managing MC approved advertising and marketing campaigns.
- xvii. Liaising and assisting with conference planning
- xviii. Managing and liaison health funds

17/10/14

### **AKA Website & Social Media Promotion**

- a) The AKA website is to be updated and maintained on a timely basis with all relevant and updated information, links, forms and materials for ease of access of the public, course providers and practitioners.
- b) Links to accredited courses are to be available on the AKA website, with requests for reciprocal linkage from those holding such course accreditations.
- c) The website to be hosted by a reputable and reliable hosting organisation. Such hosting to be reviewed at least annually as part of the general business items of the Management Committee.
- d) Maintenance and renewal of the approved domain name for hosting purposes to be managed on a timely basis.

17/10/14

## **RULE 7 GENERAL MEETINGS**

### **Rule 7.1 - Annual General Meeting**

7.1 The Annual General Meeting is a private meeting for members only. Requests for non-members to attend and or participate must be approved by the MC in advance of the meeting.

17/10/14

End of AKA Bylaws Version 1.2 October 2014