

# DIETITIANS ASSOCIATION OF AUSTRALIA

## BY-LAW

### MEMBERSHIP APPLICATION PROCEDURES

(By-law Made Pursuant to Clauses 10, 13, 15, 17, 19, 21 and 36 of the [Constitution](#))

Revised July 2010

By-law to provide for the procedure for processing of Dietitians Association of Australia (DAA) membership applications for the following classes of members:

- (a) Members with Dietetic Qualifications (Clauses 10.1 and 10.2 of the *Constitution*);
- (b) Student Members (Clause 13 of the *Constitution*);
- (c) Members without Australian Recognised Dietetic Qualifications (Clause 15.1 and 15.3 of the *Constitution*); and
- (d) Associate Student Members (Clause 17.1 of the *Constitution*).

#### 1. General

All applications for membership shall be in writing on standard forms and shall be lodged with the Membership Officer together with any prescribed supporting documents. Membership application forms will be processed throughout the year.

#### 2. Application for Membership – based on the *Constitution* Clauses 10.1 and 10.2, 15.1 and 15.3

##### 2.1 Persons with Dietetic Qualifications

All applications for membership which have met the requirements of Clauses 10.1 and 10.2 of the *Constitution* and the applicant has provided the appropriate documentation and paid the required membership fee shall be processed, approved by the Chief Executive Office and entered into the membership database. The names of the applicants shall be listed on the next agenda of the Board for information. The Chief Executive Officer shall notify the applicant of membership.

##### 2.2 Persons without Australian recognised Dietetic Qualifications

- (a) Applications for membership from persons without Australian recognised Dietetic Qualifications where the applicant has provided the appropriate documentation will be referred to the Associate Membership Assessment Advisory Committee to determine if they meet the requirements of Clause 15.1 of the *Constitution*.
- (b) Indigenous applicants who have graduated from the approved Nutrition Degree at Batchelor Institute (NT) during or after 2008 will be deemed to have met requirements for Associate membership
- (c) Applicants who have met the requirements of Clause 15.1 will be notified and upon payment of the required membership fee shall be processed, approved by the Chief Executive Office and entered into the membership database. The names of the applicants shall be listed on the next agenda of the Board for information. The Chief Executive Office shall notify the applicant of membership.
- (d) Assessment of applications from persons described by Clause 15.3 is devolved to the Chief Executive Officer.

### **3. Reinstatement of Membership**

- 3.1 This Clause deals with reinstatements. There are two categories of reinstatements:
- (a) reinstatement of members who were previously accepted for membership which was resigned or has lapsed.
  - (b) reinstatement of members whose membership status was withdrawn due to disciplinary action.
- 3.2 Applicants wishing to reinstate their membership under Clause 3.1(a) of this By-law and have met the requirements of Clause 10.1, 10.2, 15.1 and 15.3 of the *Constitution* and who have provided the appropriate renewal information and paid the required membership fee and reinstatement fee shall be processed, approved by the Chief Executive Officer and entered into the membership database. The names of the applicants shall be listed on the next agenda of the Board for information. The Chief Executive Officer shall notify the applicant of reinstatement of membership.
- 3.3 All applicants wishing to reinstate their membership under Clause 3.1(b) of this By-law must have fulfilled all requirements attached to the suspension of membership and served the appropriate suspension period as determined by the Board. If the conditions have been met the processes under clause 3.2 shall apply. A permanent record of the sanction will be maintained on the member's database record.

### **4. Appeal Process for Applicants**

- 4.1 A Notice of Resolution to the unsuccessful applicant shall:
- (a) be in writing;
  - (b) set out the resolution and the reasons for the resolution;
  - (c) be sent to the applicant at the address shown in the application;
  - (d) specify the time, being not less than 28 days from the date that the notice is sent to the applicant, within which the applicant may appeal; and
  - (e) be advised that the applicant is responsible for their own costs, if any, associated with the appeal.
- 4.2 The applicant may within the time specified in the notice:
- (a) provide further documentation or information for assessment;
  - (b) request a hearing.
- 4.3 If an applicant for reinstatement (Clause 3.1 (b)) responds to the Notice of Resolution in accordance with Clause 4.2 of the By-law the Complaints Committee shall conduct the appeal process.
- 4.4 The Hearing and Assessment Panel of the Complaints Committee shall evaluate all documentation in relation to the application.
- 4.5 The Hearing and Assessment Panel shall:
- (a) confirm the resolution to reject the reinstatement application;
  - (b) recommend to the Board that the application for reinstatement be accepted; or
  - (c) grant the applicant a hearing.
- 4.6 If the applicant is granted a hearing the applicant shall be given at least 21 days notice in writing of the time and format of the hearing. The hearing may be in person, teleconference or video conference.

- 4.7 Applicants are responsible for their own costs associated with the hearings.
- 4.8 The Chairperson of the Complaints Committee may
- (a) question the applicant;
  - (b) call witnesses;
  - (c) request further information; and
  - (d) institute any other procedure to ensure a fair hearing.
- 4.9 The applicant may question witnesses.
- 4.10 The applicant may have an advisor present, but the advisor will not be able to address the Hearing and Assessment Panel.
- 4.11 The Vice- President shall recommend to the Board that the application for membership or reinstatement:
- (a) is accepted; or
  - (b) is rejected.
- 4.12 The President shall notify the applicant of the Board's decision.

## **5. Student Membership and Associate Student Membership**

### **5.1 Student Membership**

All applications for Student Membership which have met the requirement of Clause 13 and the applicant has provided the appropriate documentation and paid the required membership fee shall be processed, approved by the Chief Executive Officer and entered into the membership database. The names of the applicants shall be listed on the next agenda of the Board for information. The Chief Executive Officer shall notify the applicant of membership.

### **5.2 Associate Student Membership**

All applications for Associate Student Membership from a person enrolled in a course of study in human nutrition where the applicant has provided the appropriate documentation will be referred to the Associate Membership Assessment Advisory Committee to determine if they meet the requirements of Clause 17.1 of the *Constitution*.

Indigenous applicants who are enrolled in the approved Nutrition Degree at Batchelor Institute (NT) as of 2008 will be deemed to have met requirements for Associate student membership

Applications which have met the requirements of Clause 17.1 of the *Constitution* will be informed of their eligibility for Student Association membership and upon payment of the required membership fee, shall be processed, approved by the Chief Executive Officer and entered into the membership database. The names of the applicants shall be listed on the next agenda of the Board for information. The Chief Executive Officer shall notify the applicant of membership.

**6. Associate Membership Assessment Advisory Committee**

- 6.1 The Board shall appoint an Associate Membership Assessment Advisory Committee.
- 6.2 The Associate Membership Assessment Advisory Committee shall comprise:
  - (a) one Director of the Board; and
  - (b) Three to five members (must be APDs if eligible for APD status) nominated by the Board with knowledge of assessment of tertiary level knowledge and skills.
  - (c) Other members may be co-opted by the Board
- 6.3 The Chairperson shall be appointed by the Board from the Advisory Committee.
- 6.4 People with specific expertise may be co-opted to advise the Advisory Committee on a specific issue.