

BY-LAW

Membership application procedures

(By-law Made Pursuant to Clauses 9 10, 13, 15, 17, 18, 20, 21 and 36 of the [Constitution](#))

By-law to provide for the procedure for processing of Dietitians Australia (DA) 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*); and
- c. Members without Australian Recognised Dietetic Qualifications (Clause 15 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 applications will be processed throughout the year.

2. Application for Membership – based on the *Constitution* Clauses 10.1 and 10.2 and 15.

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.

2.2 Persons without Australian recognised Dietetic Qualifications (Affiliates)

- (a) Applications for membership from persons without Australian recognised Dietetic Qualifications shall demonstrate that they are members of their national dietetic organisation and/or part of a statutory regulation scheme and are in good standing.
- (b) Applicants who have met the requirements of Clause 15 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.
- (c) Special Terminating Clause – existing Associate members (as at November 2015) who hold the AN Credential will be permitted to join the affiliate category of membership and remain upon payment of the required annual fee until such time as they fail to renew and/or fail to fulfil the requirements of the AN credential. When the last of these non-member ANs has left DA membership, this clause will terminate.

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.

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- (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 and 15 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.
- 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

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.