

**Constitution of the**

NEPEAN DIVISION OF GENERAL PRACTICE INC.

**Trading as Nepean GP Network**

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According to the NSW Association Incorporation Act, 2009.  
and approved by members on the 2nd of November 2012 and as amended

## PART I

### 1. PRELIMINARY

The legal name of the Incorporated Association is **Nepean Division of General Practice Incorporated** referred to herein as the "**association**" or "**NDGP**".

The NDGP trades as the Nepean GP Network or NGPN

### DEFINITIONS

In this constitution:

**"Act"** means the NSW *Association's Incorporation Act 2009 as amended*;

**"Board"** means the committee of the Association

**"chair"** means the person holding office as chair or chairperson of the association.

**"committee"** means the Board of the association.

**"Director"** means a member of the Board

**"Director-General"** means the Director-General as referred to in the Act;

**"special general meeting"** means a general meeting of the NDGP other than annual general meeting;

**"general practitioner"** is a medical practitioner who provides and coordinates comprehensive medical care for the whole person and who has more than 50% of patient consultations rebated at an unreferred rate.

#### **"Member"**

"a member" means a general practitioner who:

- a) has been active and remains active as a general practitioner in the area as defined by the board covered by the Nepean Division of General Practice boundaries as defined by the Penrith Local Government Area (LGA) for at least one year; and
- b) who does 50% of his-their medical (professional) work in the Penrith LGA or near surroundings as a general practitioner.

~~(c) Grandfather Clause: Full members of the NDGP, as of the 13 October 2006, who fall outside the NDGP boundaries are permitted to remain full members of the NDGP for as long as they fulfil membership requirements.~~

~~(d)(c)~~ -"associate member" means any medical practitioner or registrar who does not meet the "member" criteria. They will have no voting rights at AGM or other Special meetings but will have voting rights on the board if so appointed.

~~(e)(d)~~ "affiliate member" means any person who has been invited by the Board and has links with the medical fraternity and who

does not meet other "member" qualifications. They will have no voting rights and will have their membership status reviewed annually.

(f) "honorary member" means those members, as decided by the Board, who have made a significant contribution to general practice in the area. They will have no voting rights

(g) "ordinary member" means a member of the Board who is not an office- bearer of the NDGP.

**"sub-committee"** means any group created by the board of the association.

**"secretary"** means -

(a) the person holding office under these rules as secretary of the NDGP; or

(b) where no such person holds that office – the public officer of the NDGP;

**"treasurer"** means -

(a) the person holding office as Treasurer of the association; or

(b) Where no such person holds that office – the Company Secretary of the NDGP;

In this constitution:

a reference to any gender includes all genders.

a reference to a Clause or rule is to a clause in this constitution unless otherwise stated.

(a) the singular includes the plural and vice versa.

(b) a reference to a function includes a reference to a power, authority and duty, and

(c) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of a duty.

The provisions of the NSW *Association Act* apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.

## 2. OBJECTS

The objects for which the association is formed are:

(a) To educate, promote and advocate for the professional interests of medical practitioners in general practice.

- (b) To maintain and improve the conditions and welfare of the medical practitioners in general practice in carrying out their duties to the community.
- (c) To consider and discuss matters affecting medical practitioners in general practice.
- (d) to promote the control or prevention of disease in human beings to;
  - 1. the community
  - 11. General Practice
  - iii. other professions and professional bodies, and
  - iv. other branches of the medical profession.
- (e) to further the delivery of quality general practice to the community.
- (f) to facilitate general practice access to good quality local education, support for practice management, and local general practice relevant programs to build the capacity of general practice to provide optimum primary health care to the community.
- (g) to provide the infrastructure to enable better communication for general medical practitioners among themselves, other health care providers and other stakeholders in primary health care, to enable the best possible integrated health care to the community, and enable general practice input into local health planning; and
- (h) to be a conduit between general practice and government and enable general practice advocacy around policy and developments at State and Federal government levels.
- (i) To promote Health Literacy and Healthy lifestyle within the Community through a Community Advisory Committee. This Committee will have a Wellness, Preventive, and coordinated model of care perspective.

The assets and income of the association shall be applied solely in furtherance of the abovementioned objects and shall not be distributed to the members of the association except as bona fide reimbursement or compensation for services rendered or expenses incurred while participating in activities to further the above mentioned objects.

## **PART II**

### **MEMBERSHIP**

#### **3. MEMBERSHIP QUALIFICATIONS**

- 3.1 A person is qualified to be a member of the NDGP if, but only if –
- (a) the person is a natural person who –
  - (a) has been nominated for membership of the NDGP as provided by rule 4; and
  - (b) has been approved for membership of the NDGP by the Board of the NDGP.

#### 4. NOMINATION FOR MEMBERSHIP

- 4.1 A nomination of a person for membership either as a member or associate member of the NDGP
- (a) shall be made by a member of the NDGP ~~in writing~~ in the form set out, as the ~~Board may~~ Board may determine; and
  - (b) shall be lodged with the secretary of the NDGP.

~~4.2~~ The Board may determine that an application may be made or lodged by email or other electronic means.

~~4.2.3~~ As soon as practicable after receiving a nomination for membership, the secretary shall refer the nomination to the Board which shall determine whether to approve or to reject the nomination.

~~4.3.4~~ Where the Board determines to approve a nomination for membership, the secretary shall, as soon as practicable after that determination, notify the nominee of that approval and request the nominee to pay within the period of 28 days after receipt by the nominee of the notification the sum payable under these rules by a member as entrance fee and annual subscription.

~~4.4.5~~ The secretary shall, on payment by the nominee of the amounts referred to in clause 4.3 within the period referred to in that clause, enter the nominee's name in the register of members and, upon the name being so entered, the nominee becomes a member of the NDGP.

#### 5. CESSATION OF MEMBERSHIP

- 5.1 A person ceases to be a member of the NDGP if the person –
- (a) dies; or
  - (b) resigns that membership; or
  - (c) is expelled from the NDGP; or
  - (d) ceases to fulfil "member" requirements.
  - (e) fails to pay the annual membership fee (as determined by the Board) under rule 9 within ~~3~~5 months after the fee is due.

#### 6. ~~6.~~ MEMBERSHIP ENTITLES NOT TRANSFERABLE

- 6.1. A right, privilege or obligation which a person has by reason of being a

member of the NDGP -

- (a) is not capable of being transferred or transmitted to another person; and
- (b) terminates upon cessation of the person's membership.

## 7. RESIGNATION OF MEMBERSHIP

7.1 A member of the NDGP is not entitled to resign that membership except in accordance with this rule.

7.2 A member of the NDGP may resign from membership of the association by first giving to the secretary written notice of at least 1 month (or such other period as the committee may determine) of the members' intention to resign and, on the expiration of the period of notice, the member ceases to be a member.

7.3 Where a member of the NDGP ceases to be a member pursuant to clause 7.2, and in every other case where a member ceases to hold membership, the secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

7.4 A member of the association who resigns is still liable for any annual membership fee not paid.

## 8. REGISTER OF MEMBERS

8.1 The public officer of the NDGP shall establish and maintain a register of members of the NDGP ~~specifying the name and postal or residential address of each person who is a member of the NDGP together with the date on which the person became a member.~~

### 8.2 The register:

- (a) may be in written or electronic form, and
- (b) must include, for each member:
  - (i) the member's full name, and
  - (ii) a residential, postal or email address, and
  - (iii) the date on which the person became a member, and
  - (iv) if the person ceases to be a member - the date on which the person ceased to be a member, and
- (c) must be kept in New South Wales:
  - (i) at the association's main premises, or
  - (ii) if the association has no premises - at the association's official address.

8.3 The register of members must be open for inspection, free of charge, by any member of the association at any reasonable hour.

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

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

8.6 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 of a meeting or other event relating to the association, or
- (b) any other purpose necessary to comply with a requirement of the Act or the Regulation.

**Note: There are no other proposed changes to the Current Constitution until Clause 14, “the Board” and ongoing**

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