



Constitution of the National Association of Specialist Obstetricians and Gynaecologists Inc

Incorporated in the Australian Capital Territory: A03897
ABN: 26 275 756 266

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PART 1.1 PRELIMINARY

1. Name

The name of the Association shall be “The National Association of Specialist Obstetricians and Gynaecologists”.

2. Charitable Purpose and Objects

1. Charitable Purpose

The Association is established as a charity with the principal aim of advancing the health and wellbeing of women and their families in Australia. This is achieved by promoting safe, high-quality and sustainable obstetric and gynaecological care.

2. Objects

In pursuit of its charitable purpose, the Association will:

- a) Advance women’s health by promoting excellence in obstetric and gynaecological practice, patient safety and clinical quality through education, research and professional development.
- b) Collect, analyse and disseminate data relating to maternity and gynaecological outcomes to support transparency, inform evidence-based policy and drive continuous improvement in patient care.
- c) Advocate for system-wide reforms that enhance collaboration between the public and private sectors, promote equitable access to specialist care and ensure sustainable models of funding and service delivery.
- d) Foster collaboration among obstetricians, gynaecologists, midwives, nurses and allied health professionals to provide safe, coordinated and patient-centred care.
- e) Provide independent, evidence-based advice to governments, regulators and the public to improve health policy, patient outcomes and workforce sustainability.
- f) Engage in educational and outreach activities that empower women to make informed choices about their maternity and gynaecological care, including understanding options, safety and affordability.
- g) Operate on a not-for-profit and politically independent basis, applying all income and resources solely towards the advancement of these charitable purposes.

3. No Private Benefit

The assets and income of the Association must be applied solely towards the furtherance of its Charitable Purpose and Objects and must not be distributed directly or indirectly to any Member, except as genuine compensation for services rendered or expenses properly incurred on behalf of the Association.

3. Application of Certain Acts

The following Acts apply to the Association’s Constitution as if the Constitution were an instrument made under the Act:

- a) the *Electronic Transactions Act 2001*; and
- b) the *Legislation Act 2001*.

PART 1.2 MEMBERSHIP

4. Membership Classes

All members of the Association are bound by this Constitution and all proper directions of the Council. Membership classes are as follows:

4. Full Member

Medical specialists registered to practise as Obstetricians and Gynaecologists in Australia.

- a) Annual subscriptions renew each year from the date of first membership and can be paid annually, quarterly or monthly.
- b) Life subscriptions cover the member through their remaining practising years and into retirement. Life subscriptions must be paid in full during the first 12 months of membership.

5. New Fellow

Medical specialists registered to practise as Obstetricians and Gynaecologists in Australia who are in their first two years of practice.

6. Associate Member

Medical specialists registered to practise as GP Obstetricians in Australia.

7. Trainee Member

Medical practitioners enrolled in a recognised Australian-based Obstetrics and Gynaecology training program.

8. Retired Member

Former Obstetric & Gynaecology specialists who are no longer active in practice.

9. Supporter:

Other medical practitioners, allied health professionals, academics or any individuals who wish to support the Charitable Purpose and Objects of the Association.

5. Application for Membership

1. Applications for membership under any of the classes listed must be made online through the NASOG website.
2. Applicants must:
 - a) provide their name and contact details; and
 - b) confirm that they support the Association's Charitable Purpose and Objects; and
 - c) confirm that they agree to comply with the Association's Constitution and the Act.
3. Upon payment of the relevant subscription, the applicant is considered to be a member of the Association.

6. Membership Subscriptions

1. Membership subscription amounts are set annually by the Council.
2. Subscription amounts are paid according to the membership class.
3. Life Members pay a one-off subscription.
4. All other Members and Supporters pay a subscription amount annually, quarterly or monthly, based on the anniversary of their membership start date.

7. Rights of Members

1. Full Members and New Fellows:

- a) may attend all General Meetings of the Association;
- b) may vote on all matters brought before a General Meeting;
- c) may be nominated for any office of the Association; and
- d) have access to member-specific rates for Association events and other benefits as determined by Council.

2. Trainee Members:

- a) may attend all General Meetings of the Association as observers;
- b) may stand for election as the Trainee representative on Council; and
- c) have access to member-specific rates for Association events and other benefits as determined by Council.

3. All other categories:

- a) may attend all General Meetings of the Association as observers; and
- b) have access to member-specific rates for Association events and other benefits as determined by Council.

8. Member Complaints and Dispute Resolution

A Member may make a written complaint concerning the operation, governance or conduct of the Association. The Council must ensure the complaint is investigated and responded to within a reasonable period, in accordance with principles of procedural fairness.

9. Cessation of Membership

A person's membership ends if:

- a) the person has not paid their membership subscription within 30 days of written notice of non-payment; or
- b) the person dies; or
- c) the person resigns under section 10; or
- d) the person's membership is cancelled as a result of disciplinary action under part 1.3; or
- e) the incorporation of the Association is cancelled; or
- f) the Association is wound up.

10. Resigning Membership

1. A member may resign their membership of the Association by giving written notice.
2. The resignation takes effect:
 - a) on the day the resignation is received; or
 - b) on a specific date stated in the notice of resignation.
3. Despite the above, a person who resigns remains liable for any annual membership subscription owed at the time the resignation takes effect.

11. Membership is Not Transferable

A member's rights and liabilities:

- a) are not transferable; and
- b) end when the member's membership ends.

12. Liability of Members

In the event of winding up the Association, the liability of each member to contribute towards payment of debts and liabilities, or the costs, charges and expenses of winding up, is limited to any outstanding subscriptions and levies owed by that member as per section 6.

PART 1.3 DISCIPLINARY PROCEDURE

13. Grounds for Disciplinary Action

1. If the Council has reasonable grounds to believe that a member has:
 - a) been guilty of conduct unbecoming a Member; or
 - b) engaged in conduct prejudicial to the interests, Charitable Purpose and/or Objects of the Association; or
 - c) refused or neglected to comply with this Constitution; or
 - d) acted in such a manner as to make their expulsion desirable in the interests of the Association.
2. The Council shall appoint a member of the Council to investigate the matter.

14. Natural Justice Protections

Before and disciplinary action is determined, the Member must:

- a) receive written notice of the allegations; and
- b) be given access to all material relied upon; and
- c) be provided reasonable opportunity to respond; and
- d) be entitled to be accompanied by a support person.

15. Investigation of Conduct

1. The investigating Council member shall prepare a report which is to be tabled at a Council meeting to which the Member in question is invited to be present.
2. At the Council meeting the Member (if present) may:
 - a) state their case in reply; or
 - b) request an adjournment of the meeting in order that they prepare a case and bring forward evidence to support their case.
3. Upon a request for an adjournment, the Council shall adjourn the matter for an agreed period of not less than fourteen (14) days.
4. After the Member has concluded their case, or if no reply is made, the investigating Council member's report is to be tabled and discussed.

16. Disciplinary Procedure - Outcome

Following review of the reports the Member will be expelled if a majority of not less than 75% of the Council members present and entitled to vote, vote to expel the Member.

17. Right of Appeal

A member who is expelled or otherwise disciplined may appeal the decision.

- a) The appeal must be lodged in writing with the Secretary within 28 days of written notice of the decision.
- b) The appeal must be determined at the next General Meeting held at least 14 days after receipt of the appeal.
- c) The Member must be given the opportunity to make written or oral submissions before the vote.
- d) The General Meeting may confirm, vary or overturn the decision by majority vote.
- e) The appealed decision does not take effect until the appeal is determined or withdrawn.

PART 1.4 GOVERNANCE

18. The Council

1. The Council governs the Association and acts as its Board for legal purposes. It is responsible for strategy, oversight, and compliance.
2. The Council shall comprise up to 11 Councillors elected by Association members:
 - a) one representative from each state and territory;
 - b) one representative for O&G specialists in regional practice;
 - c) one representative for salaried O&G specialists; and
 - d) one representative for trainee O&G specialists.
3. Up to 2 optional appointed skills-based Councillors with relevant expertise in clinical medical practice, advocacy, finance, governance or health economics.
4. The Council may invite representatives of other associations or O&G groups to attend meetings as observers when appropriate.

19. Office Bearers

1. Office Bearers must be elected by Council from among the elected Councillors.
2. The election takes place at the first Council meeting following the Annual General Meeting. Office Bearer roles include:
 - a) President.
 - b) Vice President.
 - c) Secretary.
 - d) Treasurer.
 - e) Two Executive Committee members.
3. Functions of the President
 - a) Chairs Council and General Meetings.
 - b) Performs any other functions as required by the Act, the Constitution, the Council or Members to achieve the Association's Charitable Purpose and Objectives.
4. Functions of the Vice President
 - a) Acts as President if the President is unavailable.
 - b) Performs any other functions as required by the Act, the Constitution, the Council or Members to achieve the Association's Charitable Purpose and Objectives.
5. Functions of the Secretary
 - a) Oversees administration of regulatory obligations.
 - b) Performs other functions as required by the Act, the Constitution, the Council or Members to achieve the Association's Charitable Purpose and Objectives.
6. Functions of the Treasurer
 - a) Oversees finances and financial obligations as specified in the Act.
 - b) Performs other functions as required by the Act, the Constitution, the Council or Members to achieve the Association's Charitable Purpose and Objectives.

7. Functions of the Executive Committee Members
 - a) Provide support to other office bearer roles as requested.
 - b) Performs other functions as required by the Act, the Constitution, the Council or Members to achieve the Association's Charitable Purpose and Objectives.

20. Terms

1. Elected Councillors serve two-year terms.
2. Appointed Councillors serve one-year terms.
3. Maximum of three consecutive terms (six years) for Councillors.
4. Office Bearers may serve up to two consecutive terms (four years) in the same role.
5. Time served in an appointed skills-based role counts toward total term limits.

21. Expanded Duties of Councillors

Council members must:

- a) act in good faith in the best interests of the Association and for a proper purpose; and
- b) act with reasonable care and diligence; and
- c) not improperly use their position or information obtained through their role; and
- d) disclose and manage actual or perceived conflicts of interest; and
- e) ensure the Association complies with all applicable laws and ACNC Governance Standards.

22. Council Elections

1. Twenty-eight (28) days before each Annual General Meeting, the Secretary must call for nominations for vacant Council positions from eligible members.
2. Nominations must:
 - a) be submitted via an online form on the NASOG website; and
 - b) include names and contact details of two nominating members; and
 - c) include the consent of the nominee; and
 - d) be received no later than 21 days before the Annual General Meeting.
3. Nominations are not accepted if the member is disqualified by the Act or if disciplinary action has been taken against them in the past two years.
4. If only one nominee is put forward for a position, they are declared elected at the Annual General Meeting.
5. If more than one, a vote is held.
6. If no nominees, the existing Council member is invited to remain or Council appoints a member to the position.
7. All Councillors take office immediately after the Annual General Meeting.
8. Casual vacancies are filled until the next Annual General Meeting by a representative chosen by Council.

23. Eligibility of Responsible Persons

A person is not eligible to be appointed or remain as a Councillor if the person:

1. is disqualified from managing corporations under the Corporations Act 2001 (Cth);
2. is an undischarged bankrupt; or
3. has been convicted of a serious offence (as defined by the Australian Charities and Not-for-profits Commission Act 2012 (Cth)), unless ACNC approval is obtained.

24. Powers of the Council

The Council manages the affairs of the Association. Subject to the Constitution and the Act, the Council may:

1. Control and manage the business and affairs of the Association in line with its Charitable Purpose and Objectives.
2. Authorise the distribution of assets or income as appropriate.
3. Perform all acts necessary for the proper management of the Association, including policy and procedure determination.
4. Make, repeal and amend Bylaws governing the Association.
5. Exercise Association powers, except those reserved for Members in a General Meeting.
6. Delegate powers as deemed appropriate.
7. Appoint custodians or nominees for Association property.
8. Execute deeds for trust appointments.
9. Employ or contract persons for management and other functions.
10. Appoint and dismiss staff in accordance with relevant legislation.

25. Meetings of Council

1. The Council holds at least four ordinary meetings per year.
2. The Executive Committee may meet separately as needed.
3. Meeting dates for the next year are set after each Annual General Meeting.
4. Meetings can be face-to-face or electronic.
5. The President or, if absent, the Vice President, acts as Chair. If both are absent, another Council member presides.
6. Written notice of each meeting is sent by electronic means at least seven days prior.
7. A special Council meeting may be called by the President for urgent business.
8. Matters may be resolved outside meetings by circular electronic communication such as email or chat platforms.

26. Quorum of the Council

1. A quorum is four (4) Council members.
2. No business is transacted without a quorum. If not present within half an hour of the scheduled time, the meeting is postponed.

27. Voting at Council Meetings

1. Decisions are made by majority vote.
2. Each Council member has one vote.
3. In the event of a tie, the Chair has a casting vote.

28. Cessation of Membership of the Council

1. A Council member's office is vacated if:
 - a) The Councillor is no longer practising in Obstetrics and Gynaecology.
 - b) The Councillor resigns in writing via email to the President.
 - c) The Councillor ceases to be eligible under this Constitution or the Act.

29. Bylaws

1. The Council may make, repeal or amend Bylaws if deemed expedient for administration or to advance the Charitable Purpose and Objectives.
2. All Bylaws and amendments must be consistent with the Constitution.
3. All Bylaws are binding on Members.
4. The composition, roles and terms of reference for Committees and Sub-Committees are detailed in Bylaws.

30. Committees

1. The Council may establish Committees (and sub-committees) for specific projects.
2. Committees must act in accordance with Council directions and report their proceedings at Council meetings.
3. Committee Chairs are Council members appointed by Council.
4. Committees have no more than five members, all appointed by Council.
5. If the Chair is not present within ten minutes of the meeting time, committee members present may choose a Chair.
6. Committees meet and adjourn at the Chair's direction.
7. Decisions are by majority vote; in the case of a tie, the Chair has a casting vote.
8. Standing Committees and sub-committees are specified in the Association's Bylaws.

31. State Committees

1. State representatives on Council may form State Committees to address relevant issues and challenges related to obstetrics and gynaecology practice in their state.
2. State Committees may run events and develop advocacy positions with Council agreement.
3. Event and activity funding must be approved by Council and administrative requirements coordinated through the Association leadership.

32. Conflict of Interest – Register and Management

1. The Association must maintain a Conflict-of-Interest Register in which all Councillors and relevant Committee members record actual, potential or perceived conflicts.
2. Any person with a conflict must disclose the nature of the conflict as soon as practicable, must not be present during discussion of the matter unless permitted by the Chair and must not vote on the matter.
3. The Council must manage conflicts in accordance with principles of transparency, procedural fairness and the best interests of the Association.

PART 1.5 ANNUAL AND OTHER GENERAL MEETINGS

33. Annual General Meeting

1. An Annual General Meeting must be held within six months of the end of the most recent financial year.
2. The Annual General Meeting is specified as such in the meeting notice.
3. Ordinary business at the Annual General Meeting includes:
 - a) Confirming minutes of the previous Annual General Meeting and any Special General Meetings held since.
 - b) Receiving the President's report on the Association's affairs since the previous Annual General Meeting.
 - c) Considering any member resolution with at least twenty-one days' notice, after Council motions.
 - d) Receiving and considering the audited Statement of Accounts for the most recent financial year.
 - e) Electing auditors for the coming financial year, if required by the Act or regulations of the Australian Charities and Not-for-Profits Commission.
 - f) Provide an opportunity for member Q&A.

34. Special General Meetings

1. The Council may call a general meeting as needed.
2. The Council must call a general meeting if at least 10% of voting members request it in writing to the Secretary, stating the purpose and the names of the requesting members are listed.
3. If a Special General Meeting is not held within one month of the request, those requesting may convene the meeting within three months of the request.

35. Notice of Meeting

Notice of meetings must be sent to members via electronic means 21 days prior to the scheduled date.

36. Quorum for General Meetings

1. No business is transacted at a General Meeting unless a quorum of eligible voting members is present.
2. Ten (10) members present in person or virtually and eligible to vote constitute a quorum.
3. If a quorum is not present within half an hour:
 - a) For an Annual General Meeting, the meeting is adjourned to a time within one month as determined by the Chair.
 - b) For a Special General Meeting, the meeting lapses.

37. Chair

The President, or if absent, the Vice President, presides as Chair at all General Meetings. If neither is present, Council must choose a Member to preside as Chair.

38. Voting at General Meetings

1. Questions are decided by a show of hands, either in person or on an electronic device.
2. Except for Special Resolutions, decisions are made by majority vote of members present and entitled to vote.
3. A Special Resolution requires compliance with Clause 40.2.
4. Each Full Member has one vote. In the case of a tie, the Chair has a casting vote.
5. Votes may be cast personally or by proxy.

39. Proxies

Each eligible Member may appoint another Member as proxy:

- a) using the method identified in the Notice of Meeting; and
- b) submitted no later than 24 hours before the relevant General Meeting.

40. Amendment to the Constitution

1. The Constitution may only be amended by Special Resolution, subject to the Act.
2. A Special Resolution requires a 75% majority of Full Members entitled to vote, present in person or by proxy, with at least 21 days written notice of the meeting and the proposed amendment.
3. Details of the change(s) must be included in the notice to members.
4. A copy of the Special Resolution must be lodged with the Registrar of Incorporated Associations within one month of passing the resolution. The amendment is effective upon lodgement.
5. Any alteration must not allow the Association to act to trade or secure pecuniary gain for Members.

PART 1.6 FINANCIAL MATTERS

41. Financial Year

The financial year of the Association runs from 1 July to 30 June of the following year.

42. Auditor

1. Audits are conducted as required by the Act.
2. An auditor is appointed by the Annual General Meeting when necessary.

43. Funds Source

1. The Association's funds may only come from:
 - a) Annual membership fees under section 6.
 - b) Donations.
 - c) Other sources as decided by the committee, subject to the Act and Association resolutions.
2. The Council must ensure all money is deposited into the Association's account promptly and receipts are issued as soon as practicable unless impractical.

44. Funds Use and Management

1. The Council determines the annual budget and annual membership subscriptions before each financial year.
2. If required, audit of the Statement of Accounts is to be completed 14 days before the Annual General Meeting.
3. If required by law, an auditor is elected or re-elected at the Annual General Meeting and must meet all legal qualifications and requirements.
4. Funds may only be used for the Association's Charitable Purpose and Objectives as determined by Council or by resolution at a General Meeting.
5. Payments from Association accounts are made electronically and must be authorised by two signatories.
6. The Council may delegate payment functions as appropriate to Council members or persons employed or engaged by the Association.

45. Council Members' Expenses

With approval from the President and Treasurer, Council members are entitled to reimbursement for reasonable travel and other expenses properly incurred in performing their Council duties. Actual entitlements are detailed in Association Bylaws.

46. Prohibition on Remuneration

Council members must not receive any remuneration for holding office, other than reimbursement for reasonable expenses properly incurred in the performance of their duties.

PART 1.7 MISCELLANEOUS

47. Common Seal and Execution of Documents

1. The Association does not have a common seal.
2. Any document requiring execution by the Association must be signed by two authorised Council members, or by one authorised Council member and the Public Officer.
3. The Council may, by resolution, authorise a person to execute documents on behalf of the Association, either generally or in relation to specific matters.
4. Electronic signatures are taken to be equivalent to physical signatures.
5. The Secretary (or delegate) must maintain a record of all documents executed by or on behalf of the Association.

48. Public Officer

1. The Council appoints a Public Officer who must reside in the Australian Capital Territory.
2. If the office becomes vacant, Council must appoint a replacement within 14 days.
3. The Public Officer may hold other Association offices.
4. The Public Officer may be removed by a majority resolution at a General Meeting.

49. Custody of Books and Records

1. The Secretary (or delegate) must keep secure custody of all books, records, documents and securities of the Association, whether held physically or electronically, except those required by law to be held by another office bearer.
2. Records must be stored in Australia and retained in accordance with statutory requirements.

50. Inspection of Books and Records

1. A Member may, upon written request, inspect the Association's books and records, including minutes, registers and financial statements, except where access is restricted by law, confidentiality, privacy or commercial sensitivity.
2. The Council may impose reasonable conditions on access, including supervision requirements, timing and format.
3. Copies may be provided on request, subject to reasonable fees for reproduction.

51. Indemnity & Insurance

The Association indemnifies Council members, committee members, employees and contractors acting in good faith on behalf of the Association. Insurance is maintained as required by law.

52. Political Neutrality & Advocacy Safeguard

The Association must not promote or oppose any political party or candidate for public office. Advocacy activities undertaken must remain in line with the Association's Charitable Purpose.

53. Whistleblower Protection

1. The Association will provide safe, confidential and accessible mechanisms for reporting misconduct, impropriety or breaches of this Constitution or the law.
2. A person who makes a disclosure in good faith must not suffer detriment, discrimination, retaliation or disadvantage as a result of making the disclosure.
3. The Council must ensure that any disclosure is managed confidentially, investigated appropriately and resolved in accordance with principles of natural justice.

54. Compliance with All Laws

The Association must comply with all applicable Commonwealth, State and Territory laws, including but not limited to the Fair Work Act 2009 (Cth), Privacy Act 1988 (Cth), Work Health and Safety legislation, taxation laws and charity regulation laws.

55. Dissolution of the Association

1. Subject to the Act, the Association may be dissolved if a Special Resolution to voluntarily wind up is passed at a General Meeting.
2. Upon winding up, any surplus assets are transferred to another registered charity with similar purposes.

PART 1.8 DEFINITIONS AND INTERPRETATION

56. Definitions

Unless a contrary intention appears, the following definitions apply:

the Act: Associations Incorporation Act 1991 (ACT), as amended.

Annual Return: Statement in accordance with Section 79(1)(a) of the Act.

the Association: The National Association of Specialist Obstetricians and Gynaecologists.

Chair: The President of the Association, elected in accordance with this Constitution.

Committee: Has the same meaning as Council under the Act.

Constitution: This constitution as amended from time to time.

Council: The Council of the Association, elected as per these rules.

Council Meeting: means a meeting of the Council held at a time and place determined under this Constitution, whether in person, by electronic means, or by a combination of both.

Electronic Means: includes email, videoconference, electronic messaging, online voting systems and other digital communication platforms approved by the Council.

Eligible Voting Member: means a Full Member or New Fellow who is financial and not suspended under this Constitution.

Executive Committee: The Executive Committee appointed by Council under this Constitution.

Executive Officer: The person employed or contracted by the Association, as defined in the Bylaws.

General Meeting: An Annual General Meeting or Special General Meeting of members.

Member: Any member of the Association.

Notice: includes notice given by electronic means.

Register: The register of Members kept by the Executive Officer under this Constitution.

Section: Obstetricians and Gynaecologists in provincial or salaried practice.

Special Resolution: A resolution passed as per Clause 32b.

Statement of the Accounts: Accounts giving a true and fair account of:

- The income and expenditure for the most recent year;
- The assets and liabilities at the end of that year;
- Any mortgages, charges, or securities affecting Association property at the end of that year.

Trainee: An individual formally selected for training and currently in an approved post in an RANZCOG-accredited training programme.

Training post: A post in Obstetrics and Gynaecology accredited by the College in an approved training program.

Words importing one gender include all genders, and words in the singular include the plural and vice versa.