



DISPUTES RESOLUTION AND DISCIPLINARY POLICY

1. Purpose

This policy outlines the procedures for resolving disputes and managing complaints or disciplinary matters within **The Celebrants Network Inc.** (the Association). It ensures that all members are treated fairly and that conflicts are resolved in accordance with Associations Constitution, *Community Justice Centres Act 1983* and the *Commercial Arbitration Act 2010*.

2. Establishment of the Dispute and Discipline Sub-Committee

To assist the Committee in managing disputes and disciplinary matters, the Association will establish a **Dispute and Discipline Sub-Committee**.

2.1 Composition

- The Sub-Committee shall be formed based on the matter and may consist of:
 - **One (1) OR two (2) Member** of the Association (not current Committee members), and
 - **One (1) OR two (2) Committee Members**, appointed by the Committee.

2.2 Appointment and Term

- Members of the Sub-Committee will be appointed by resolution of the Committee for a term or until the individual dispute is resolved.
- The Committee may fill any casual vacancy in the Sub-Committee as needed.
- The Sub-Committee will elect its own Chair from among its members.

2.3 Role and Authority

- The Sub-Committee is responsible for:
 - Managing and assessing complaints and disputes referred under the Constitution and this policy.
 - Facilitating communication between the parties involved.
 - Making recommendations to the Committee regarding resolution, mediation, or disciplinary action.

The Sub-Committee has authority to:

- Seek additional information from parties involved.
- Recommend referral to mediation or arbitration where appropriate.
- Recommend disciplinary action to the Committee in accordance with Section 13 of this policy.

3. Resolution of Disputes

3.1 Internal Resolution

A dispute between:

- a member and another member (in their capacity as members), or
- a member or members and the Association,

should first be addressed through the Association's internal resolution process facilitated by the Sub-Committee.

3.2 Mediation

If the dispute cannot be resolved internally, it must be referred to **mediation** in accordance with the *Community Justice Centres Act 1983*.

- The Sub-Committee will coordinate the referral to a Community Justice Centre.
- The mediation process must commence as soon as practicable after referral.

3.3 Arbitration

If the dispute is not resolved by mediation within **three (3) months** of referral, the matter must be referred to **arbitration** in accordance with the *Commercial Arbitration Act 2010*.

- Any individual costs associated with mediation or arbitration are borne by the individual members involved.



4. Disciplining of Members

4.1 Grounds for Complaint

A complaint may be made to the Committee by any person that a member of the Association has:

- (a) persistently refused or neglected to comply with a provision or provisions of this Constitution; or
- (b) wilfully acted in a manner prejudicial to the interests of the Association.

4.2 Preliminary Review

- The Committee may refer the complaint to the Sub-Committee for initial assessment.
- The Committee may refuse to deal with a complaint if it considers it to be trivial or vexatious.

4.3 Notice and Response

If the Committee decides to deal with a complaint, it must:

- (a) cause notice of the complaint to be served on the member concerned;
- (b) give the member at least **14 days** from the time the notice is served to make written submissions to the Committee; and
- (c) take into consideration any submissions made by the member.

4.4 Determination

- After considering the complaint and any submissions, the Committee may, by resolution, **expel** the member or **suspend** their membership if satisfied that the allegations have been proven and the action is warranted.

4.5 Notification

- The Secretary must, within **7 days** after the action is taken, cause written notice to be given to the member stating:
 - the action taken; and
 - the reasons for the decision.

4.6 Right of Appeal

- The expulsion or suspension will not take effect until at least **7 days** after the notice is given.
- During that time, the member may lodge a **written appeal** against the decision.

4.7 Appeal Process

- An appeal lodged under this clause will be managed as a **Resolution of Disputes** under Section 3 of this policy.

5. Record Keeping

- All complaints, dispute proceedings, mediation outcomes, and disciplinary decisions must be documented and retained by the Secretary for a minimum of **seven (7) years**.

6. Confidentiality

All members involved in a dispute or disciplinary process must maintain strict confidentiality regarding all proceedings, evidence, and outcomes.

7. Review of Policy

This policy shall be reviewed every **two (2) years** by the Committee to ensure continued compliance with relevant legislation and best practice governance standards.

8. Contact

For any concerns, queries, or feedback, please contact:

Email: secretary@celebrants.org.au

Website: www.celebrants.org.au

This policy was last updated on 28 October 2025