

LALC MEMBER SUSPENSION PROCESS*

A LALC member whose conduct is considered detrimental to the best interests of the LALC may be suspended from attending LALC meetings

The term of a suspension can be up to three (3) years.
A LALC can also revoke a suspension at any time.

If you are suspended, you may not attend meetings or vote in LALC elections or on any other LALC matter. You cannot nominate to change your voting rights to another LALC during the period you are suspended either.

Where the suspension of a LALC member is proposed, the following steps should be taken to afford the member procedural fairness.

If a LALC determines a member's actions or behaviour is detrimental to the land council, a members' meeting to discuss a proposal to suspend should be called by the LALC CEO.

A meeting notice with a suspension proposal listed as an agenda item (no members names are advertised) should be published in a local newspaper allowing *at least seven (7) clear days notice*[#].

If at the meeting, members resolve to proceed with the suspension process, a letter sent by Registered Mail should be sent to affected member/s (marked Private & Confidential) clearly outlining the grounds for suspension and specific incidents described where necessary

If a Code of Conduct has been adopted by the land council, reference should be made to members' adherence to this code in the letter.

In the same letter, the member proposed for suspension should be given the opportunity to address a meeting of members or provide a written submission which is read to the meeting if they wish to defend their position.

The Registrar, ALRA can assist LALCs in adopting a Code of Conduct.

At the meeting where the suspension is next discussed and voted upon, the relevant resolutions should be put to the meeting and passed by a majority of members.

The resolutions must be clearly worded and transcribed carefully in the meeting minutes

In the event of an appeal against a suspension, meeting notices and minutes are crucial documents which the Registrar, ALRA, will request from the LALC in the course of an enquiry.

The CEO should also change the member's status on the LALC membership roll as "suspended". The start and end dates of the suspension period should also be noted on the roll.

Where a suspension of a member has been proposed and passed at a valid meeting, the LALC CEO should inform the affected member in a letter, of their suspension. The letter should outline the resolution taken at the meeting to suspend the start and end dates of the suspension period and how the member's rights will be affected as a result of this action.

The LALC CEO must also notify the Registrar, ALRA in writing, of the details of the suspension. The Registrar will note this information on the LALC's consolidated membership roll.

A LALC member can, at any time during the suspension process, appeal to the Registrar, ALRA if they feel the grounds of the proposed suspension is not warranted.

A member who has been suspended can also appeal to the Registrar if they feel they haven't been afforded procedural fairness.

A LALC can also request advice from the Registrar with regard to the correct procedure to suspend a member.

* The framework for the suspension of a LALC member is set out in s.57 of the ALRA 1983 and a process set out in Sch 2 of the ALRR 2002 by which to undertake the suspension.

The day of the meeting notice (advertisement) and the meeting day cannot be counted in the period of notice, therefore the total period of time is not less than 9 days.