



**WIMMERA
REGIONAL LIBRARY
CORPORATION**

your local library

**WIMMERA REGIONAL
LIBRARY CORPORATION**

LOCAL LAW NO. 1 - 2017

MEETING PROCEDURE LOCAL LAW

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WIMMERA REGIONAL LIBRARY CORPORATION

MEETING PROCEDURE LOCAL LAW

Local Law No. 1

PART 1 - PRELIMINARY

1.1 TITLE

- 1.1.1 This Local Law will be known as the Wimmera Regional Library Corporation Local Law No. 1 and referred to below as this Local Law.

1.2 OBJECTIVES OF THIS LOCAL LAW

- 1.2.1 The objectives of this Local Law are to:
- a. provide a mechanism to facilitate a formal meeting procedure to ensure effective and efficient Board decisions are made;
 - b. regulate and control the procedures governing the conduct of meetings including the notice required for meetings and the keeping of minutes;
 - c. regulate and control the use of the Corporation's seal;
 - d. provide for the administration of the Board's powers and functions.

1.3 POWER TO MAKE THIS LOCAL LAW

- 1.3.1 This Local Law is made under the provisions of Part 5 of the *Local Government Act 1989*.

1.4 OPERATIONAL DATE OF THIS LOCAL LAW

- 1.4.1 This Local Law shall come into operation from the day following publication in the Victorian Government Gazette.

1.5 DATE THIS LOCAL LAW CEASES OPERATION

- 1.5.1 Unless this Local Law is revoked earlier, its operation will cease ten years after it became operative.

1.6 DEFINITIONS

1.6.1 In this Local Law, the words listed below have the meaning indicated:

Act	Means the <i>Local Government Act 1989</i>
Authorised Officer	Means a person appointed as an authorised officer pursuant to the Local Law and section 224 of the Act
Board	Means the governing body of the Wimmera Regional Library Corporation
Board Meeting	Includes Ordinary and Special meetings of the Board
Chairperson	The person who chairs a meeting of the Board or Special Committee of the Board
Chief Executive Officer	Means the person appointed by the Corporation as Chief Executive Officer in charge of the Library service generally
Committee	Means a committee appointed by the Board
Corporation	Means Wimmera Regional Library Corporation established by an agreement made under section 196 of the Act
Formal Motion	Means a motion which relates to a procedural matter only and which is not designed to produce any substantive result but used merely as a formal procedural measure
Member	Refers to a person who is entitled to vote at a meeting of the Board or a Special Committee of the Board
Member Councils	Refers to the Councils which constitute the Corporation
Minister	Means the Minister responsible for administering the Act
Quorum	Means the minimum number of Board Members or of a Special Committee of the Board required by this Local Law to be present in order to constitute a valid meeting of the Board or the Special Committee respectively
Penalty Unit	Means that monetary amount set down in the Victorian <i>Penalties and Sentencing Act 1991</i>
Present	means attendance at a meeting either in person or by electronic means of communication
Replica	In relation to the common seal of the Corporation means any representation which purports to be, looks like or is capable of being mistaken for the common seal whether fixed to or printed on a document or advertisement or sign and includes any use of a symbol resembling the common seal which is capable of misleading a person into believing it is used with the authority of the Corporation
Senior Officer	Has the meaning ascribed to it in section 3 of the Act

Suspension of Standing Orders	Means the suspension of the provisions of this Local Law to facilitate full discussion on an issue without formal constraints
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PART 2 – BOARD MEETINGS

2.1 DATES AND TIMES OF MEETING

- 2.1.1 The date, time and place of all Board meetings are to be fixed by the Board from time to time and reasonable notice must be provided to the Members.
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2.2 THE BOARD MAY ALTER MEETING DATES

- 2.2.1 The Board may change the date, time and place of any Board meeting which has been fixed and must provide reasonable notice of the changes to the Members.
-

2.3 SPECIAL BOARD MEETINGS

- 2.3.1 A special meeting of the Board:
- a. may be arranged by resolution of the Board; and
 - b. must be called by the Chief Executive Officer if he or she receives written notice of the requirement for a special meeting by the Chairperson or any three Members.
-

2.4 NOTICE OF MEETING

- 2.4.1 A notice of meeting incorporating or accompanied by an agenda of the business to be dealt with must be served on every Member:
- a. for an ordinary meeting at least 48 hours before the meeting;
 - b. for a special meeting within a reasonable time before the meeting; and
 - c. for a special committee meeting within a reasonable time before the meeting.
-

2.5 LEAVE OF ABSENCE

- 2.5.1 It will not be necessary for a notice of meeting or agenda to be served on any Member who has been granted leave of absence, unless the Member has requested the Chief Executive Officer in writing to continue to give notice of any meeting to be held during the period of his or her absence.
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2.6 POSTPONEMENT OF MEETINGS

- 2.6.1 In the case of an emergency, the Chief Executive Officer or, in his or her absence, a senior officer, may postpone a meeting of the Board, provided reasonable attempts are made to notify every Member.
- 2.6.2 The Chief Executive Officer or senior officer must submit a full written report of the circumstances requiring his or her action to the next ordinary meeting of the Board.

2.7 REMOTE PARTICIPATION IN BOARD MEETINGS

- 2.7.1 A Member may participate in a Board meeting by:
- a. telephone;
 - b. video link;
 - c. Skype; or
 - d. such other electronic means of communication as the Board determines from time to time.
- 2.7.2 When there is a Member or Members participating in a Board meeting by one of the electronic means of communication described in sub-clause 2.7.1:
- a. not less than three Members must be present at the Board Meeting in person; and
 - b. section 79 of the Act will continue to apply to the Member or Members so participating by electronic means of communication, and will be observed by the Member or Members if, after disclosing a conflict of interest in accordance with section 79(2) of the Act, they:
 - i. cease being able to hear and see those Members present at the Board meeting in person; and
 - ii. remain unable to hear and see those Members present at the Board meeting in person while the item in respect of which they have disclosed a conflict of interest is deliberated and then voted upon, and do not resume participation in the Board meeting until contacted by the Chairperson and advised that their participation in the Board meeting may resume.
- 2.7.3 A Member of the Board who attends a meeting by means of electronic communication described in sub-clause 2.7.1 must not leave the meeting by terminating those means of electronic communication unless the Member of the Board has previously notified the Chair of his or her intention to do so.

PART 3 – QUORUMS

3.1 QUORUM FOR MEETINGS

- 3.1.1 A quorum for an ordinary meeting or special meeting of the Board, or any meeting of a special committee of the Board, will be a majority of the Members of the Board or special committee (as the case may be).

Note: If there are twelve Members of the Board, a quorum of the Board is seven Members.

3.2 INABILITY TO GAIN A QUORUM

- 3.2.1 If after thirty (30) minutes of the scheduled starting time of any meeting or adjournment a quorum cannot be obtained, those Members present, or if there are no Members present, the Chief Executive Officer, or in his or her absence, a senior officer may adjourn the meeting for a period not exceeding 28 days from the date of the adjournment.
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3.3 INABILITY TO MAINTAIN A QUORUM

- 3.3.1 If during any meeting or any adjournment of the meeting, a quorum cannot be achieved and maintained, those Members present, or if there are no Members present, the Chief Executive Officer, or in his or her absence, a senior officer may adjourn the meeting for a period not exceeding 28 days from the date of the adjournment.
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3.4 INABILITY TO ACHIEVE OR MAINTAIN A QUORUM DUE TO CONFLICTS OF INTEREST OF MEMBERS

- 3.4.1 If, during any meeting or adjournment, a quorum cannot be achieved or maintained due to the number of declarations of conflicts of interest by Members, the Chief Executive Officer, or in his or her absence, a senior officer may adjourn the meeting for a length of time sufficient to enable an exemption for the affected Members to be obtained from the Minister.
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3.5 NOTICE FOR ADJOURNED MEETING

- 3.5.1 The Chief Executive Officer may provide written notice of an adjourned meeting but where that is not practicable because time does not permit that to occur then provided a reasonable attempt is made to contact each member, notice by telephone, facsimile, in person or by some other means will be sufficient.

PART 4 – MINUTES

4.1 KEEPING OF MINUTES

- 4.1.1 The Chief Executive Officer is responsible for arranging the keeping of minutes on behalf of the Board.

4.2 NO DEBATE ON CONFIRMATION OF MINUTES

- 4.2.1 No discussion or debate on the confirmation of minutes will be permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.

4.3 OBJECTION TO CONFIRMATION OF MINUTES

- 4.3.1 If a Member is dissatisfied with the accuracy of the minutes, then he or she must:
- a. state the item or items with which he or she is dissatisfied; and
 - b. propose a motion clearly outlining the alternative wording to amend the minutes.

4.4 DEFERRAL OF CONFIRMATION OF MINUTES

- 4.4.1 The Board may defer the confirmation of minutes until later in the meeting or until the next meeting as appropriate.

PART 5 – BUSINESS OF MEETINGS

5.1 THE ORDER OF BUSINESS

- 5.1.1 The order of business of Board meetings will be determined by the Chief Executive Officer to facilitate and maintain open, efficient and effective processed of administration.
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5.2 CHANGE TO ORDER OF BUSINESS

- 5.2.1 Once an agenda has been sent to Members, the order of business for that meeting may only be altered by resolution of the Board.
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5.3 CHIEF EXECUTIVE OFFICER MAY INCLUDE ITEMS ON AN AGENDA

- 5.3.1 The Chief Executive Officer may include any matter on an agenda which he or she thinks should be considered by the meeting.
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5.4 MEETINGS OF SPECIAL COMMITTEES

- 5.4.1 The provision of clause 5.1 to 5.3 apply to meetings of special committees of the Board except that the agenda will be relevant to the issues which are to be raised at the special committee and reference to Members extends to other persons appointed to a special committee under section 88 of the Act and any reference to the Board is to be read as referring to the special committee under section 87 or 88 of the Act.

PART 6 – VOTING AT MEETINGS

6.1 HOW DETERMINED

- 6.1.1 Subject to clause 6.4, in determining a question before a meeting of the Board the Chairperson will first call for those in favour of the motion, then those opposed to the motion and finally those abstaining from voting before finally declaring the result to the meeting.
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6.2 BY SHOW OF HANDS

- 6.2.1 Voting on any matter will be by show of hands.
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6.3 WHEN A DIVISION PERMITTED

- 6.3.1 A division may be requested by any Member on any matter.
- 6.3.2 The request must be made to the Chairperson either immediately prior to or immediately after the vote has been taken but cannot be requested after the next item of business has commenced.
-

6.4 PROCEDURE FOR A DIVISION

- 6.4.1 Once a division has been requested, the Chairperson will call for a show of hands by those Members voting for the motion, then those Members opposed to the motion and finally those Members abstaining from voting.
-

6.5 BETWEEN THE ORIGINAL VOTE AND THE DIVISION

- 6.5.1 No Member is prevented from changing his or her original vote at the voting on the division, and the voting by division will determine the Board's resolution on the issue.
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6.6 NO DISCUSSION ONCE DECLARED

- 6.6.1 Once a vote on a motion has been taken, no further discussion relating to the motion will be allowed unless the discussion is:
- a. for a Member to request that his or her opposition to the motion be recorded in the minutes or a register maintained for that purpose; or
 - b. where a subsequent notice of motion follows a rescission motion.

6.7 APPLICATION TO ALL MEETINGS

- 6.7.1 The provisions of clauses 6.1 to 6.6 apply to meetings of special committees of the Board to the extent that they are relevant to the proceedings of any special committee and reference to a Member in those clauses extends to any member of a special committee.

PART 7 – ADDRESSING THE MEETING

7.1 ADDRESSING THE CHAIRPERSON

- 7.1.1 Any Member or person who addresses the meeting must direct all remarks through the Chairperson.
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7.2 SUSPENSION OF STANDING ORDERS

- 7.2.1 Subject to clause 7.3, the provisions of the Local Law may be suspended for a particular purpose by resolution of the Board.
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7.3 NO MOTIONS MAY BE ACCEPTED DURING SUSPENSION OF STANDING ORDERS

- 7.3.1 No motion may be accepted by the Chairperson or be lawfully dealt with during any suspension of standing orders.
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7.4 INTERRUPTION FOR POINT OF ORDER

- 7.4.1 A Member who is addressing the meeting must not be interrupted unless called to order when he or she must remain silent until the Member raising the point of order has been heard and the question disposed of.

PART 8 – MOTIONS

8.1 CHAIRPERSON'S DUTY

8.1.1 Any motion or amendment which:

- a. is defamatory;
 - b. is objectionable in language or nature;
 - c. is outside the powers of the Board;
 - d. is not relevant to the item of business on the Agenda and has not been admitted as urgent business;
 - e. purports to be an amendment but is not
- must not be accepted by the Chairperson

8.2 MOVING A MOTION

8.2.1 The procedure for any motion is:

- a. the mover must state the motion without speaking to it;
- b. unless the motion is a formal motion, it must be seconded by a Member other than the mover;
- c. if a motion is not seconded and is not a formal motion, the motion will lapse for want of a seconder;
- d. if the motion is seconded, the Chairperson must ask: 'Is the motion opposed?';
- e. if no Member indicates opposition, the motion must be declared to be carried without being voted on and will be treated as being passed unanimously;
- f. if a Member indicates opposition, then the Chairperson must request:
 - i. the mover to address the Board on the motion; and
 - ii. the seconder to address the Board on the motion (who may, without speaking on the motion, reserve his or her address until later in debate); and
 - iii. any Member opposed to debate the motion; and
 - iv. any other Member for and against the motion to debate in turn.

8.3 RIGHT OF REPLY

8.3.1 The mover of an original motion which has not been amended may once debate has been exhausted, have a right of reply to matters raised during debate.

8.3.2 After the right of reply has been taken, the motion must be immediately put to the vote without further discussion or debate.

8.4 NO RIGHT OF REPLY FOR AMENDMENTS

8.4.1 No right of reply is available where an amendment is before the Board.

8.5 MOVING AN AMENDMENT

8.5.1 A Motion having been moved and seconded may be amended by leaving out, inserting or adding words which must be relevant to the original motion and framed so as to complement it as an intelligible and consistent whole.

8.6 WHO MAY PROPOSE AN AMENDMENT

8.6.1 An Amendment may be proposed or seconded by any Member, other than the mover or seconder of the original motion.

8.7 WHO MAY DEBATE AN AMENDMENT

8.7.1 A Member may address the meeting once on any amendment, whether or not they have spoken to the original motion but debate must be confined to the terms of the amendment.

8.8 HOW MANY AMENDMENTS MAY BE PROPOSED

8.8.1 Any number of amendments may be proposed to a motion but only one amendment may be accepted by the Chairperson at any one time. No second or subsequent amendment, whether to the original motion or an amendment of it, can be taken into consideration until the previous amendment has been dealt with.

8.9 AN AMENDMENT ONCE CARRIED

8.9.1 If the amended motion is carried, it then becomes the question before the Chair.

8.10 FORESHADOWING MOTIONS

- 8.10.1 At any time during debate, a Member may foreshadow a motion to inform the Board of his or her intention to move a motion at a later stage in the meeting, but this does not extend any special right to the foreshadowed motion.

8.11 WITHDRAWAL OF MOTIONS

- 8.11.1 Before any motion is put to the vote, it may be withdrawn with leave of the Board.

8.12 SEPARATION OF MOTIONS

- 8.12.1 Where a motion contains more than one part, a Member may request the Chairperson to put the motion to the vote in separate parts.

8.13 CHAIRPERSON MAY SEPARATE MOTIONS

- 8.13.1 The Chairperson may decide to put any motion to the vote in several parts.

8.14 MOTIONS IN WRITING

- 8.14.1 The Chairperson may require any motion to be submitted in writing.

8.15 DEBATE MUST BE RELEVANT TO THE MOTION

- 8.15.1 Debate must always be relevant to the question before the Chair, and if not, the Chairperson may request the speaker to confine debate to the subject motion.
- 8.15.2 If after being requested to confine debate to the motion before the Chair, the speaker continues to debate irrelevant matters, the Chairperson may require the speaker to not speak further in respect of the matter then before the Chair.

PART 9 – SPEAKING TIME

9.1 SPEAKING TIMES

- 9.1.1 Unless a motion for an extension of time has been carried, the maximum speaking times will be:
- a. the mover of a motion – three minutes;
 - b. the mover of a motion when exercising his or her right of reply – three minutes;
 - c. any other Member – three minutes.
-

9.2 WHEN AN EXTENSION CAN BE PROPOSED OF SPEAKING TIMES

- 9.2.1 A motion for an extension of speaking time must be proposed:
- a. immediately before the speaker commences debate;
 - b. during the speaker's debate;
 - c. immediately after the speaker has concluded debate.
-

9.3 NO EXTENSION AFTER NEXT SPEAKER COMMENCED

- 9.3.1 A motion for an extension of speaking time cannot be accepted by the chairperson if another speaker has commenced his or her debate.
-

9.4 LENGTH OF EXTENSION

- 8.4.1 Any extension of speaking time must not exceed three minutes.

PART 10 – POINTS OF ORDER

10.1 CHAIRPERSON TO DECIDE POINTS OF ORDER

- 10.1.1 The Chairperson will decide all points of order by stating the provision, rule, practice or precedent which he or she considers applicable to the point raised without entering into any discussion or comment.

10.2 CHAIRPERSON MAY ADJOURN TO CONSIDER A POINT OF ORDER

- 10.2.1 The Chairperson may adjourn the meeting to consider a point of order otherwise he or she must rule on it as soon as it is raised.
- 10.2.2 All other matters before the Board are to be suspended until the point of order is decided.

10.3 FINAL RULING ON A POINT OF ORDER

- 10.3.1 The decision of the Chairperson in respect to a point of order raised will not be open for discussion and will be final and conclusive unless the majority of Members present move a motion of dissent.
- 10.3.2 A motion of dissent on a point of order must contain the provision, rule, practice or precedent in substitution for the Chairperson's ruling.
- 10.3.3 A motion of dissent in relation to a point of order is not a motion of dissent in the Chairperson and the Chairperson must at all times remain in the Chairperson and he or she will maintain his or her right to a second vote.
- 10.4.4 A motion of dissent on a point of order will take precedence over all other business and if carried must be acted on instead of the ruling given by the Chairperson.

10.4 PROCEDURE FOR POINT OF ORDER

- 10.4.1 A Member raising a point of order must:
- a. state the point of order; and
 - b. the section, clause, paragraph or provision constituting the point of order.

10.5 VALID POINTS OF ORDER

- 10.5.1 A Member raising a point of order must:
- a. a procedural matter;
 - b. a Member who is or appears to be out of order; or

- c. any act of disorder.

10.6 CONTRADICTION OR OPINION

- 10.6.1 Rising to express a mere difference of opinion or to contradict a speaker will not be treated as a point of order

10.7 ADJOURNMENT AND RESUMPTION OF MEETING

- 10.7.1 The Chairperson or the Board may adjourn any meeting until a time and place to be determined at the time of the adjournment.
- 10.7.2 For the purpose of stating the time to which the meeting is adjourned, that time may be indicated as at the adjournment or conclusion of another meeting or event.

10.8 FORMAL MOTIONS

- 10.8.1 Unless otherwise prohibited, a formal motion may be moved at any time and must be dealt with immediately by the Chairperson.
- 10.8.2 Formal motions are not required to be seconded.
- 10.8.3 The mover of a formal motion must not have moved, seconded or spoken to the question for the Chair or any amendment of it.
- 10.8.4 A formal motion cannot be moved by the Chairperson.
- 10.8.5 Unless otherwise provided, debate on a formal motion is not permitted and the mover does not have a right of reply.
- 10.8.6 Unless otherwise provided, a formal motion cannot be amended.

10.9 LAYING THE QUESTION ON THE TABLE

- 10.9.1 A motion may be moved 'That the (question, letter, document, report etc.) lay on the table'
—
- 10.9.2 The motion in sub-clause 10.9.1:
 - a. is a formal motion which may be debated and, if carried, has the effect of adjourning any further debate on the matter currently before the Board until such time (if any) as the Board resolves to take the question from the table; and
 - b. if carried in respect to an amendment, has the effect that both the original motion and the amendment will be adjourned; and
 - c. prevents debate on the matter currently before the Board proceeding until a motion to take the question from the table is passed.

10.10 PROCEEDING TO THE NEXT BUSINESS

10.10.1 A motion may be moved 'That the meeting proceed to the next business' –

10.10.2 The motion in sub-clause 10.10.1:

- a. is a formal motion which cannot be moved during the election of Chairperson; and
- b. if carried in respect to an original motion, requires the Chairperson to direct the meeting to the next item of business; and
- c. if carried in respect to a formal motion, disposes of the formal motion immediately and permits debate upon the original motion to proceed; and
- d. if carried in respect to an amendment, disposes of the amendment immediately and permits debate upon the original motion to proceed but no similar amendment may be moved at that meeting or any adjournment of it.

10.11 THE PREVIOUS QUESTION

10.11.1 A motion may be moved 'That the question be NOT now put'.

10.11.2 The motion in sub-clause 10.11.1:

- a. is a formal motion which cannot be moved while there is an amendment before the Chair or during the election of a Chairperson;
- b. if carried, prevents the original motion to which it relates being dealt with at that meeting or any adjournment of it;
- c. if lost, required that the original or substantive motion to which it relates be put to the vote immediately without any further debate or amendment.

10.11.3 The Chairperson has the discretion to reject a motion for the previous question if the matter is contentious by nature or has not been adequately debated.

10.12 THE CLOSURE

10.12.1 A motion 'That the motion be now put'.

10.12.2 The motion in sub-clause 10.12.1:

- a. is a formal motion if carried in respect to an original motion, requires that the original motion must be put to the vote immediately without any further debate, discussion or amendment;
- b. if carried in respect to an amendment, required that the amendment be put to the vote immediately without further debate or discussion and allows debate on the original motion to continue;

- c. if lost, allows debate to continue unaffected.

10.12.3 The Chairperson has the discretion to reject such a motion for closure if the motion upon which it is proposed has not been sufficiently debated.

10.13 ADJOURNING THE DEBATE

10.13.1 A motion may be moved 'That the motion and amendments now before the meeting be adjourned until'-

10.13.2 The motion in sub-clause 10.13.1:

- a. is a formal motion which cannot be moved while any person is speaking or during the election of a Chairperson;
- b. may be debated but may only be amended in relation to the time, date and place of the proposed adjournment.

PART 11 – NOTICE OF MOTION

11.1 MUST BE LISTED ON AGENDA

- 11.1.1 A notice of motion cannot be accepted by the Chairperson unless it has been listed on the agenda for the meeting at which it is proposed to be moved.
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11.2 PROCEDURE

- 11.2.1 A Member may give notice of motion on any matter he or she wants discussed at a meeting by delivering a notice of motion outlining the subject and the motion proposed for discussion to the Chief Executive Officer.
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11.3 REJECTION OF A VAGUE MOTION

- 11.3.1 The Chief Executive Officer may reject any notice of motion that is too vague, but before rejecting it must give the Member delivering the notice an opportunity to amend it .
- 11.3.2 The Chief Executive Officer must notify the relevant Member of any notice of motion which has been rejected and give the reasons for its rejection.
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11.4 LISTING NOTICE ON AGENDA

- 11.4.1 Unless the notice specifies a particular meeting date, the Chief Executive Officer must list the notice of motion and if more than one, in the order they were received, on the next appropriate meeting agenda.
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11.5 REGISTER OF NOTICES

- 11.5.1 The Chief Executive Officer must cause every notice of motion received to be sequentially numbered and maintained in a register.
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11.6 MAY BE MOVED BY ANY MEMBER AND AMENDED

- 11.6.1 A notice of motion listed on a meeting agenda, may be moved by any Member present and, except where the notice of motion is to confirm a previous resolution of the Board, may be amended.
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11.7 EXCEPT FOR CONFIRMATION OF PREVIOUS RESOLUTION

- 11.7.1 If a notice of motion to confirm a previous resolution of the Board cannot be carried in its original form, it is lost
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11.8 IF LOST

- 11.8.1 Unless the Board resolves to re-list at a future meeting a notice of motion which has been lost, a similar motion must not be put before the Board for at least three months from the date it was last lost.

PART 12 – NOTICE OF AMENDMENT OR RESCISSION

12.1 PROCEDURE

12.1.1 A Member may propose a motion to amend or rescind a decision of the Board provided:

- a. the previous motion has not been acted upon;
- b. a notice is delivered to the Chief Executive Officer outlining:
 - i. the decision proposed to be amended or rescinded;
 - ii. the meeting and date when the decision was made.

12.2 LISTING NOTICE ON AGENDA

12.2.1 Unless the notice specifies a particular meeting date, the Chief Executive Officer must list the notice of amendment or rescission, and if more than one, in the order they were received, on the next appropriate meeting agenda, together with a brief report outlining the criteria required for the motion to be amended or rescinded.

12.3 CRITERIA TO AMEND OR RESCIND A MOTION

12.3.1 For a decision of the Board to be amended or rescinded, the motion for amendment or rescission must be carried by a majority of the votes cast.

12.4 IF LOST

12.4.1 Unless the Board resolves to re-list at a future meeting a notice to amend or rescind which has been lost, a similar motion must not be put before the Board for at least three months from the date it was last put.

12.5 IF NOT MOVED

12.5.1 If a notice of amendment or rescission is not moved at the meeting for which it is listed, it will lapse.

12.6 MAY BE MOVED BY ANY MEMBER

12.6.1 A notice of amendment or rescission listed on a meeting agenda may be moved by any Member present but cannot be amended.

12.7 WHEN NOT REQUIRED

- 12.7.1 A notice of amendment or rescission is not required where the Board wishes to change a previous decision relating to policy of the Board.

12.8 REGISTER OF NOTICES

- 12.8.1 The Chief Executive Officer must cause every notice of amendment or rescission received to be sequentially numbered and to be maintained in a register.

12.9 URGENT AND OTHER BUSINESS

- 12.9.1 Business which has not been listed on the Agenda may only be raised as urgent or other business by resolution agreed by the Board.

PART 13 – PUBLIC PARTICIPATION

13.1 PETITIONS AND JOINT LETTERS

- 13.1.1 A petition or joint letter presented to the Board must lay on the table until the next ordinary meeting of the Board and no motion, other than to receive the petition or joint letter may be accepted by the Chairperson, unless the Board agrees to deal with it earlier.
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13.2 SIGNING PETITIONS

- 13.2.1 Any person who fraudulently signs a petition or joint letter which is presented to the Board is guilty of an offence.

Penalty: (10) penalty units

13.3 MEMBER PRESENTING PETITION - OBLIGATIONS

- 13.3.1 Any Member presenting a petition or joint letter will be responsible for ensuring that:
- a. he or she is familiar with the contents and purpose of the petition or joint letter;
 - b. the petition or joint letter is not derogatory or defamatory.

PART 14 – ADDITIONAL DUTIES OF CHAIRPERSON

14.1 THE CHAIRPERSON'S DUTIES AND DISCRETIONS

14.1.1 In addition to other duties and discretions provided in the Local Law, the Chairperson:

- a. must not accept any motion, question or statement which appears to the Chairperson to be derogatory, defamatory or embarrassing to any Member of the Board, member of staff, or member of the public;
- b. must call to order any person who is disruptive or unruly during any meeting.

PART 15 – ELECTION OF CHAIR

15.1 CHIEF EXECUTIVE OFFICER TO PRESIDE

15.1.1 The Chief Executive Officer is to preside at any election of the Chair or Deputy Chair.

15.2 EQUALTY OF VOTES

15.2.1 If at any election of the Chair or Deputy Chair there is an equality of votes it shall be decided by lot which of the Representatives having an equal number of votes shall be such Chair or Deputy Chair.

15.3 WHEN REQUIRED

15.3.1 The meeting to fill the vacancy of Chair and/or Deputy Chair will be held:

- a. on an annual basis as specified by the Regional Library Agreement;
 - b. when the position of Chair or Deputy Chair otherwise becomes vacant, as soon as practicable after the vacancy has occurred.
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15.4 RESTRICTION OF ELIGIBILITY OF CHAIR

15.4.1 The Chair and Deputy Chair shall be Councillors appointed by one or more of the Member Councils.

PART 16 – COMMON SEAL

16.1 THE CORPORATION'S COMMON SEAL

16.1.1 The Chief Executive Officer must ensure the security of the Corporation's common seal at all times.

16.1.2 The Corporation's common seal may only be used on the authority of the Board given either generally or specifically and every document to which the seal is affixed must be signed by two Members and the Chief Executive Officer.

16.1.3 Any person who uses the Corporation's common seal with authority is guilty of an offence.

Penalty: (10) penalty units

16.1.4 Any person who uses any replica of the Corporation's seal without authority is guilty of an offence.

Penalty: (10) penalty units

PART 17 – OFFENCES

17.1 OFFENCES

17.1.1 It is an offence for:

- a. a Member of the Board not to withdraw an expression considered by the Chair to be offensive or disorderly and satisfactorily apologise when called upon twice by the Chair to do so;

Penalty: (10) penalty units

- b. any person not being a Member of the Board who is guilty of any improper or disorderly conduct not to leave when requested by the Chair to do so;

Penalty: (10) penalty units

- c. any person to fail to obey a direction of the Chair in relation to the conduct of the meeting and maintenance of order;

Penalty: (10) penalty units

- d. a Member of the Board to refuse to leave the chamber on suspension;

Penalty: (10) penalty units

17.2 ENFORCEMENT AND PENALTIES

17.2.1 The Board may by resolution institute proceedings in the corporate name of the Corporation for the enforcement of any provision of this Local Law and the recovery of any penalty.

17.2.2 The penalty for any offence against the provisions of this Local Law which is not specifically indicated shall be (2) penalty units.

Signing page

Resolution for making this Local Law agreed to by the Board of the Wimmera Regional Library Corporation on the *18th* day of *August* 2017

THE COMMON SEAL of the BOARD OF THE WIMMERA REGIONAL LIBRARY CORPORATION was hereunto affixed in the presence of:



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[Signature]

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)
)
Member of the Board

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[Signature]

Member of the Board

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Chief Executive Officer

Notice of confirmation of the Local Law was inserted in the Victorian Government Gazette dated the 29th day of June 2017 at page no. 1374.

Public notice of the proposal to make and confirmation of the making of this Local Law were inserted in the Wimmera Mail Times 28th June 2017; West Wimmera Advocate 28th June 2017; Warracknabeal Herald 27th June 2017; Stawell Times News 27th June 2017; Nhill Free Press 28th June 2017; Buloke Times 27th June 2017.

A copy of this Local Law was sent to the Minister responsible for Local Government on the day of *27th Sept* 2017

