



DARTS AUSTRALIA INC.

GOVERNANCE POLICY

1. Governance Charter

Introduction

Board members take ultimate responsibility for the governance of DARTS AUSTRALIA. However, governance is not a role for Boards and Board members alone. Governance is also concerned with the way Boards work with volunteers, service users, members and other stakeholders to ensure DARTS AUSTRALIA is effectively and properly run and meets the needs for which DARTS AUSTRALIA was set up.

Purpose

The Governance Charter is intended to clarify the content of DARTS AUSTRALIA's constitution by making explicit the underlying principles of governance approved by DARTS AUSTRALIA.

This policy statement does not cover legal or ethical issues concerning the role of the Board or its members, which are addressed separately elsewhere.

Policy

The Board of DARTS AUSTRALIA is an elective, representative, and collective body.

It is elective, in that the determination of Board members is the prerogative of members through the election process.

It is representative, in that members represent the broader darts community. No member can be mandated by their individual constituency to adopt a particular position if that member does not believe it to be on the best interests of DARTS AUSTRALIA. Whatever the constituency of any member.

It is collective, in that while each member should put the point of view of their constituency, and each member has the right to argue for their own point of view and to vote for that position, once a collective decision has been taken Board members are required to support that decision.

The function of the Board of DARTS AUSTRALIA is to collectively ensure the delivery of DARTS AUSTRALIA's objects, to set its strategic direction, and to uphold its values.

The Board should collectively be responsible and accountable for ensuring and monitoring that DARTS AUSTRALIA is performing well, is solvent, and is complying with all its legal, financial, and ethical obligations.

The responsibilities of the Board that cannot be delegated to any other person or body including the following:

- Compliance monitoring – ensuring compliance with the objects, purposes and values of DARTS AUSTRALIA, and with its constitution
- Organisational governance – setting or approving policies, plans and budgets to achieve those objectives, and monitoring performance against them
- Strategic planning – reviewing and approving strategic direction and initiatives

- Regulatory monitoring – ensuring that DARTS AUSTRALIA complies with all relevant laws, regulations and regulatory requirements
- Financial monitoring – reviewing DARTS AUSTRALIA’s budget, monitoring management and financial performance to ensure the solvency, financial strength and good performance of DARTS AUSTRALIA
- Financial reporting – considering and approving annual financial statements and required reports to government;
- Succession planning – planning for Board succession
- Risk management – reviewing and monitoring the effectiveness of risk management and compliance in DARTS AUSTRALIA; agreeing or ratifying all policies and decisions on matters which might create significant risk to DARTS AUSTRALIA, financial or otherwise
- Dispute management – dealing with and managing conflicts that may arise within DARTS AUSTRALIA, including conflicts arising between Board members, members, volunteers, or service users.

Responsibilities

It shall be the responsibility of the Board to establish and maintain standing orders, policies and procedures, and systems of financial control, internal control, and performance reporting.

It shall be the responsibility of the Board to clearly demarcate and delegate the functions of sub-committees and other agents.

The Board should set and maintain standing orders, policies and procedures, and systems of financial control, internal control, and performance reporting.

The Board should ensure that there is a system for the regular review of the effectiveness of its financial control, internal control, performance reporting, and policies and procedures.

Managing risk

The Board shall undertake a full risk assessment (either periodically or on a rolling basis) and take appropriate steps to manage DARTS AUSTRALIA’s exposure to significant risks.

The Board must regularly review the risks to which DARTS AUSTRALIA is subject, and take action to mitigate risks identified.

Individual Responsibilities

Individually Directors have broad responsibilities in accordance with statutory requirements and in keeping with developments at common law.

A broad description of individual Director Functions is captured in Appendix A.

Appendix A – Duties of Board Members

President

- Act as Chair-person of all meetings of the Board and General Meetings of DARTS AUSTRALIA;
- Generally, the President is the DARTS AUSTRALIA delegate to the WDF Annual General Meeting;
- Gather nominations from affiliates for State Selectors, to be submitted to the Board for approval. The State Selectors are responsible to the President who shall report to the Board on all selection matters.
- Attend all meetings of the Board and General Meetings of DARTS AUSTRALIA, and have a deliberative vote;
- Be responsible for the development of darts through increasing affiliated members and the membership of affiliated members;
- Liaise with and assist affiliated clubs, associations and bodies in the task of maintaining and increasing membership;
- Prepare a report for publication in DARTS AUSTRALIA's Annual Report.

Finance Director

- Attend all meetings of the Board and General Meetings of DARTS AUSTRALIA;
- Present to the Board a consolidated budget incorporating all directorates of the Board and to provide monthly financial management reports that includes comparison of actuals to budget;
- Present to the Annual General Meeting an audited set of financial statements for the immediate past financial year of DARTS AUSTRALIA that include as a minimum a profit and loss statement and a balance sheet;
- Ensure that all financial transactions of DARTS AUSTRALIA are properly and regularly recorded in proper books of account;
- Prepare a report for publication in DARTS AUSTRALIA's Annual Report.

Secretary

- Attend all meetings of the Board and General Meetings of DARTS AUSTRALIA;
- Ensure that a register is kept of registered players, registered individuals, affiliated associations, affiliated clubs and affiliated bodies and their respective delegates in order to show who is entitled to receive notices and vote;
- Ensure that an accurate record is kept of all meetings of the Board and General Meetings of DARTS AUSTRALIA;
- Keep a record of all correspondence and distribute minutes and correspondence as required;
- Liaise with the other Directors to produce a calendar of events to be distributed at the Annual General Meeting for the ensuing year;
- Prepare a report and consolidate the annual reports from the other Directors for publication in DARTS AUSTRALIA's Annual Report

Tournament/ Event Director

- Attend all meetings of the Board and General Meetings of DARTS AUSTRALIA
- Convene and chair meetings of the Match Committee and be responsible for the conduct of all match play arranged by DARTS AUSTRALIA;

- Be responsible for the keeping of records relevant to match play;
- Be responsible for establishing a sub-committee to enforce all Match Rules as determined from time to time;
- Prepare a report for publication in DARTS AUSTRALIA's Annual Report.

Coaching Director

- Attend all meetings of the Board and General Meetings of DARTS AUSTRALIA;
- Be responsible for the co-ordination of all DARTS AUSTRALIA coaching activities including the provision of and education of coaches;
- Prepare a report for publication in DARTS AUSTRALIA's Annual Report.

Marketing Director

- Attend all meetings of the Board and General Meetings of DARTS AUSTRALIA;
- Be responsible for the editing and subsequent distribution of DARTS AUSTRALIA's official publications;
- Be innovative in looking at all means of marketing the sport of darts to raise the sport's public profile.
- Liaise with the media and sponsors to promote the sport of darts to the best advantage;
- Prepare a report for publication in DARTS AUSTRALIA's Annual Report.

Governance Compliance and Legal Director

- Attend all meetings of the Board and General Meetings of DARTS AUSTRALIA;
- Be responsible for the development and continuous review of the strategic planning of DARTS AUSTRALIA.
- Maintain the Constitution of DARTS AUSTRALIA and make recommendations to the Board on changes required;
- Maintain the Regulations, By-Laws and Policies of DARTS AUSTRALIA and make recommendations to the Board on changes required;
- Prepare a report for publication in DARTS AUSTRALIA's Annual Report.

2. Board Attendance

Introduction

- Regular attendance at Board and committee meetings is essential in order to maintain continuity and cohesion in the management and governance of DARTS AUSTRALIA.

Purpose

- This policy is intended to encourage regular attendance at DARTS AUSTRALIA's Board and committee meetings and to provide procedures to deal with any failures in such attendance.

Policy

- Board and committee members are expected to demonstrate their commitment to DARTS AUSTRALIA by unbroken attendance at the Board or committee on which they sit, except when prevented by unforeseeable events.

Responsibilities

- It is the responsibility of the Board Chair and Secretary to monitor the attendance of each member.

Procedures

- Where Board members are prevented from attending any Board meeting, they should notify the Chair or the Secretary of their intended absence.
- Where a meeting is to be held either in the form of a teleconference or online, the Chair or the Secretary should notify members accordingly. Participation in these meetings shall be equivalent to attendance at a regular meeting.

Attendance requirements

- If a Board member is absent for three consecutive meetings without first notifying the Chair or the Secretary of their absence, or if a Board member is absent for three consecutive meetings having notified the Chair or the Secretary of their absence, that Board member is in breach of their obligations and may be removed from the Board, subject to the following processes.

Process

- If a Board member is in breach of their attendance requirements then the Chair shall consult them to discuss this matter.
- If the Board member's difficulties are resolvable, then the Chair shall attempt to resolve them.
- If no mutually satisfactory resolution is possible, and if the Board member wishes to continue on the Board, then the member's response will be put to the Board at its next meeting. The Board member shall be entitled to speak to this item, and to vote on it. The Board will then decide what actions to take regarding that Board member's future membership on the Board.
- The Board may remove any person from any Board sub-committee for any reason, including (but not limited to) non-attendance.

3. Conduct of Meetings Introduction

- Meetings are necessary in order that DARTS AUSTRALIA can be governed efficiently under its constitution.
- Meetings need to be conducted under rules that are fair, understandable, efficient, and capable of overriding attempts at obstruction.
- The Elected Director for the position of President will be appointed as the Board's chairperson. The chairperson will act as chair of any Board meeting or General Meeting at which he or she is present and unless the Board decides otherwise is the nominal head of the Association. If the chairperson is not present, or is unwilling or unable to preside at a board meeting the Vice President will preside at that Board meeting.

Purpose

- This policy statement is designed to identify a minimum set of conditions that will allow necessary decisions to be taken efficiently and, if possible, expeditiously; and assign discretion to rule on matters not covered.

Policy

- The conduct of meetings within DARTS AUSTRALIA shall be governed by the standing orders of the Board (for the Board's standing orders, see Appendix A).

Responsibilities

- The Chair of DARTS AUSTRALIA's Board shall be elected as laid down in DARTS AUSTRALIA's constitution/rules.
- The Board Chair shall preside over General Meetings of DARTS AUSTRALIA and the meetings of the Board according to the Standing Orders of the Board (see Appendix A).
- In the Chair's absence, the Vice President shall preside as Chair at each General Meeting of DARTS AUSTRALIA. If the Chair and Vice President are absent from a General Meeting or a Board meeting, or are unable to preside, or decline to preside, the Members present must elect one of their number to preside as Chair.
- Meetings of any Board sub-committees shall be chaired in the manner laid down by the Board in their terms of reference.

4. Board Meetings

- At meetings of the Board the number of Directors whose presence is required to constitute a quorum is:
 - If the number of Directors then in office is an even number, half of the number of Directors plus one; or
 - If the number of Directors then in office is an odd number, half of the number of Directors rounded up to the next whole number.
- The Board must meet as often as it considers necessary, and at least six (6) times per year, in every calendar year for the dispatch of business.
- A special meeting of the Board may be called at any time by the President in order to deal with a specific subject matter.
- A special meeting shall be called by the Secretary within seven days of receipt of a requisition in writing signed by three members of the Board specifying the nature of the business.
- Resolutions/questions arising at any meeting of the Board may be decided by Ordinary Resolution i.e. simple majority. Each Director has one (1) vote on any question. The chair does not have a casting vote.
- A Director may attend a meeting by telephone or other electronic means by which he or she can hear and be heard.
- The Secretary (or another Director in their absence) shall be responsible to keep an accurate minute record of proceedings at the meeting.

5. Resolutions not in Meeting (Circular Resolutions)

- The Board may pass a resolution without a Board meeting being held if the Directors entitled to vote on the resolution sign a document containing a statement that they are in favour of the resolution set out in the document. The resolution is passed when a majority of Directors have signed in favour of the Resolution.
- A circular resolution may be in the form of a facsimile or electronic transmission.
- A circular resolution cannot be passed if, before it is circulated for voting, the Board resolves that it can only be put at a meeting of the Board.
- The results of the circular resolution must be recorded in the minutes at the following Board meeting.

a. Procedures

- The Chair shall conduct the meeting according to the Standing Orders (see Appendix A).
- Where the Standing Orders are ambiguous or contestable or silent, the Board may rule as to the practices to be followed.
- Where there is continuing disagreement on any ruling by the Chair, any member may move a motion of dissent to the Chair's ruling. If this motion is seconded a vote shall be taken. If the motion of dissent is carried, the Chair's decision is reversed.

Appendix A - Standing Orders Election of office bearers

- Officers of DARTS AUSTRALIA shall be elected by the method specified in the Constitution.

Notice of meeting

- Notice shall be given of meetings of any Board sub-committees as laid out in the Terms of Reference, or (where this has not been specified in the Terms of Reference) at the discretion of the Chairs of those committees.
- Where possible, Board agendas and any papers to be discussed at the meeting should be circulated in advance of the meeting.
- Minutes of any meeting of the Board shall be circulated before the scheduled date of the next meeting. Any other matters may be recorded at the discretion of the Chair.
- Ordinary meetings of the Board shall be held at the dates, times, and places decided by the Board from time to time, except that no fewer than six meetings shall be held in any one year.
- A special meeting of the Board shall be called at any time at the request of no fewer than three Board members.

Quorum

- The quorum for any Board meeting shall be as laid down in the Constitution. The quorum for the meeting of any sub-committee shall be as laid down in the committee's Terms of Reference or if not there specified shall be as adopted by the committee.
- At any point after the opening of a meeting, any member of the Board may call attention to the lack of a quorum. The meeting shall then terminate.

Voting

- The Chair must receive and put to a vote any properly seconded motion moved by any member of the Board, including motions dissenting from decisions by the Chair, except where specified below.
- The mode of voting shall be by a show of hands.
- Members of the Board may vote for any motion or may abstain. A motion shall be declared carried by a majority in favour. In the event of an equality of votes for and against a motion, the Chair shall have no casting vote and the motion will automatically lapse.

Members' interests

- Where a member has a notifiable interest, as defined in DARTS AUSTRALIA's Conflict of Interest Policy, in a matter before the Board, the member shall inform the Chair of this

interest either at the beginning of the meeting or, if the matter is not featured on the circulated agenda, when the matter arises. The Chair will then ensure that the provisions of the Conflict of Interest Policy are followed.

- Every member present when any matter is raised on which they directly or indirectly have a pecuniary interest, apart from any interest in common with the public, is under a duty to fully declare any such interest to the meeting, through the Chair. This disclosure, and any subsequent abstention of such member from discussion or voting on the item, is to be recorded in the minutes.

Speaking

- Members may speak to any motion when granted the right to speak by the Chair. The mover of any motion has the right to speak first on that motion for the time period allocated by the Chair.
- The Chair shall grant priority to members who express an intention to move dissent with a decision of the Chair.
- In speaking to any motion or amendment, members are to confine their remarks strictly to such motion or amendment, and shall not introduce irrelevant matters or indulge in needless repetition.

Amendments to Motions

- Members may move an amendment to any motion. If accepted by the mover, this becomes the motion. If not accepted by the mover, the amendment is voted on before the motion and if carried then supersedes the motion.
- Only two amendments can be moved to any motion, after which the Board must debate and vote on the motion as amended.

Amendments to Standing Orders

- The Board may amend these Standing Orders at any time, either permanently or for a specified period.

6. Conflict of Interest Introduction

- The Board of DARTS AUSTRALIA is committed to high standards of ethical conduct and accordingly places great importance on making clear any existing or potential conflict of interest.

Purpose

- This policy has been developed to provide a framework for all Board Members in declaring conflicts of interest.

Policy

- The Board places great importance on making clear any existing or potential conflicts of interest. All such conflicts of interest shall be declared by the member concerned and documented in the Board's Conflicts of Interest Register.
- A Board member who believes another Board member has an undeclared conflict of interest should specify in writing the basis of this potential conflict.
- Where a Board member has a conflict of interest that Board member shall not initiate or take part in any Board discussion on that topic (either in the meeting or with other

Board members before or after the Board meetings), unless expressly invited to do so by unanimous agreement by all other members present. Where a Board member has a conflict of interest that Board member shall not vote on that matter.

- Board members are not barred from engaging in business dealings with DARTS AUSTRALIA, provided that these are negotiated at arm's length without the participation of the Board member concerned.

Responsibilities

- The Chair is responsible for bringing this policy to the attention of prospective Board members. All Board members are responsible for complying with this policy.

Procedures

- Members shall declare any conflicts of interest either at the start of the Board meeting concerned or when a relevant issue arises. The nature of this conflict of interest should be entered into the meeting minutes.
- Where a conflict of interest or potential conflict of interest, as defined below, is identified and/or registered, the Board member concerned shall leave the room as soon as that item comes up for discussion. The concerned Board member shall not vote on that issue, nor initiate or take part in any Board discussion on that topic (either in the meeting or with other Board members before or after the Board meetings), unless expressly invited to do so by unanimous agreement by all other members present.

7. Board Confidentiality Introduction

- DARTS AUSTRALIA is committed to openness, transparency, and accountability with policies reflecting the Board's wish to release all information it holds as far as this is consistent with the protection of individual privacy, the effective management of DARTS AUSTRALIA and relevant legislation.

Purpose

- This policy is intended to regulate the release or retention of Board material by Board members.

Policy

- The Executive Committee shall authorise the release to any person any material that has not been ruled by the Board to be confidential.
- Board members must not release to any person any material that has been ruled by the Board to be confidential.

Responsibilities

- It is the responsibility of the Executive Committee to ensure that Board materials are appropriately classified as confidential or open to release.
- The Chair is responsible for bringing this policy statement to the attention of prospective Board members. All Board members are responsible for respecting this policy statement.

Procedures

- The Board shall decide from time to time whether any or all of its agendas, minutes, or papers, or those of its sub-committees (not otherwise required by legislation, regulation,

or its rules to be made public) shall be made public. Where no express decision has been recorded, the assumption shall be that the material is not confidential.

- Where release of any material would involve the unreasonable release of personal information regarding any person, the Board may:
 - Declare that material to be confidential, or,
 - If appropriate, remove identifying material from the material before release.
- For those matters that the Board elects not to make public, Board members shall respect the confidentiality of those documents and of any deliberations in the Board on those matters.
- In particular, Board members shall not:
 - Disclose to any member of the public any confidential information acquired by virtue of their position as a Board member;
 - Use any confidential information acquired by virtue of their position on the Board for their personal financial or other benefit or for that of any other person;
 - Disclose to any member of the public any confidential information related to the interests of individuals, groups or organisations acquired by virtue of their position on the Board;
 - Make statements to the media in the name of DARTS AUSTRALIA ; or
 - Permit any unauthorised person to inspect or have access to any confidential documents or other information.
- The obligation to protect such confidential matters from disclosure continues even after the individual Board member is no longer serving on the Board.
- The Board shall decide from time to time whether any observers shall be permitted to attend any or all of its meetings. Where appropriate, observers may be admitted subject to their undertaking to maintain confidentiality.
- Where appropriate, information identifying individuals may, with the consent of the Board, be removed by the Chair from material before its consideration by the Board, or may be removed from material before it is released.

8. Transparency and Accountability Introduction

- DARTS AUSTRALIA wishes to be proactively concerned with its relationship with its members, its stakeholders, and the general public. DARTS AUSTRALIA realises the importance of transparency in its operations, and wishes to withhold from public scrutiny as little of its operations as is possible.

Purpose

- The purpose of this policy is to state DARTS AUSTRALIA's commitment to transparency and to document the standards expected in achieving transparency.

Policy Board Records

- All Board deliberations, and the deliberations of the Board's sub-committees, shall be open to the public, except where the Board or the sub-committee passes a motion to make any specific portion confidential.
- All Board minutes, and the minutes of the Board's sub-committees, shall be open to the public once accepted by the Board, except where the Board passes a motion to make any specific portion confidential.

- All papers and materials considered by the Board shall be open to the public following the meeting at which they are considered, except where the Board passes a motion to make any specific paper or material confidential.

Administrative records

- All records and materials not falling into the categories above may be released to the public at the discretion of the Executive Committee, who shall take into consideration:
- A general presumption in favour of transparency
- The relevant provisions of the Associations Incorporation Act regarding information to be made available to members
- The marketing, commercial, legal, and administrative interests, priorities, and resources of DARTS AUSTRALIA, including commercial confidentiality and copyright issues.

9. Committees Policy Introduction

- The Board of DARTS AUSTRALIA recognises that there are times when a sub-committee can act more effectively than can the full Board.
- The Board of DARTS AUSTRALIA may put in place standing sub-committees and ad hoc committees to engage in business that can be more efficiently transacted by such means.

Purpose

- The purpose of this policy is to give direction on the policy and procedures relating to the formation of Board standing sub-committees and ad hoc committees.

Policy

- The Board has the authority to establish standing sub-committees and ad hoc committees to assist it in its work.
- The number of committees will be kept to a minimum.
- The Board shall clearly define the terms of reference of each committee, including their membership, roles, procedures and functions, and the boundaries of their authority.
- Boards may from time to time co-opt non-Board members to serve on a committee in order to bring additional skills, experience or networks.
- Unless explicitly empowered by the full Board, committees cannot make binding Board decisions. For the most part, the function of committees is to solve problems for and/or make recommendations to the Board on which the latter, and only the latter, has the power to make decisions or policy.

Responsibilities

- The Board is responsible for appointing, disbanding, and setting the terms of reference for committees.
- The Chair of the Sub-Committee is responsible for keeping records of terms of reference of Board committees and for ensuring that committee minutes and papers are submitted to the Board for consideration.

Procedures

- All committees of the Board shall submit their minutes to the Board.

- All committees of the Board shall review their terms of reference periodically, including their membership and the results of their work and so report to the Board.
- All ad hoc committees shall be dissolved by Board resolution once they have completed their work and, if requested, have provided a written report to the Board.¹⁴

10. Board Member Induction Introduction

- The effective operation of DARTS AUSTRALIA relies on its Board, and the effective operation of the Board relies on all its members having a full command of the necessary information and expertise.

Purpose

- This policy seeks to ensure that new members of the Board are provided with all the information necessary to enable them to contribute appropriately to the operations of the Board from the time of their election.

Policy

- New Board members shall be provided with all the information necessary to enable them to contribute appropriately to the operations of the Board.

Responsibilities

- The President and/or Executive Director will ensure that a copy of the following is provided to prospective Board members:
 - Copy of the Constitution;
 - Copy of the Strategic Plan; and
 - Copies of relevant Board policies and by-laws.

11. Board Recruitment Introduction

- The nomination and selection of Board members is the prerogative of the members of DARTS AUSTRALIA through the election process. However, given the responsibilities of the Board, there is a need for the Board to have an appropriate mix of expertise and experience.
- Policies and procedures must facilitate the election of those people who best meet the needs of the Board.

Purpose

- Board members should provide an appropriate mix of skills to provide the necessary breadth and depth of knowledge and experience to meet the Board's responsibilities and objectives.

Policy

- The Board should attempt, using its network of contacts within and without DARTS AUSTRALIA's membership, to identify appropriate individuals with needed skills and interests as potential Board members.
- When vacancies arise among the elected Board positions, such individuals should be encouraged to nominate for election. Such individuals may also be appointed by the Board, where the Constitution provides, to vacant Board positions.

Responsibilities

- It shall be the responsibility of each member of the Board to explore among their networks the possibility of nominating for a position on the Board of DARTS AUSTRALIA.
- It shall be the responsibility of the Board to ensure that any nominees, candidates, or new members are acquainted with DARTS AUSTRALIA's Constitution, Strategic Plan and policies, and procedures.

Procedures

- The Board shall identify areas where existing Board composition falls short of the ideal.
- Board members shall attempt to recruit from their networks Board candidates who would fill those gaps.
- The Board shall collect suggestions from members and draw up a list of suitable candidates for the Board, and for Board committees and working parties.
- Where vacancies occur on the Board or its committees and working parties other than at the expiration of elected terms, appointments shall be made from this list.

12. Board Grievances and Dispute Resolution Introduction

- The Board of DARTS AUSTRALIA is committed to reaching a speedy and just resolution of any disputes or grievances that may arise and that may threaten the harmonious functioning of the Board.

Purpose

- This policy is designed to set out the process for resolution of disputes or grievances involving Board members that are unable to be resolved through respectful debate in Board meetings. Policy
- Disputes will be resolved by mediation.

Responsibilities

- It is the responsibility of the Chair to ensure that:
 - Board members are aware of this policy statement;
 - Disputes are handled respectfully, confidentially, and in accordance with natural justice.
 - It is the responsibility of the all Directors to ensure that their use of electronic media conforms to this policy.

Processes

- The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- If the parties are unable to resolve the dispute at such a meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- The mediator must be:
 - A person chosen by agreement between the parties; or
 - In the absence of agreement, a person appointed by the Board.

- A member of DARTS AUSTRALIA can be a mediator, but may not be a member who is a party to the dispute. The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- The mediator, in conducting the mediation, must:
- Give the parties to the mediation process every opportunity to be heard; and
- Allow due consideration by all parties of any written statement submitted by any party;
- Ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- The mediator must not determine the dispute.
- The mediation must be confidential and without prejudice.
- If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute otherwise in the Board or at law.