

● Admission of Members – Grounds for Rejection

Policy no: BP18

● Policy detail

Policy description	Policy regarding the responsibilities of the National Board in declining membership applications.
Policy applies to:	Any person considering applying for membership having previously had their membership revoked by the National Board.
Policy owner:	National Board

● Policy approval

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1. Policy, scope and purpose

1.1 Introduction

The Amnesty International Australia Constitution (**AIA Constitution**) authorises the National Board to decline a person's admission to membership in its absolute discretion.¹

This Policy applies where the National Board is considering an application for membership where the applicant has previously had their membership revoked.

1.2 Purpose and Overview

This Policy sets out the matters to be considered by the National Board when considering an application to membership by persons who have previously had their membership revoked at any point in time. It also provides the process to be followed by the applicant and the National Board.

This Policy is intended to meet the requirements of the Applicable Australian Legislation, including the *Corporations Act 2001* (Cth), the *Australian Charities and Not for Profits Commission Act 2012* (Cth), and the *Australian Charities and Not for Profits Commission Regulations 2022* (Cth) and the AIA Constitution.

1.3 Scope and application

This Policy applies to the National Board and any person who is applying for membership where the person's membership has previously been revoked at any time in the past by the National Board.

2. Policy Content

2.1 Matters to be considered

Pursuant to clause 11 of the AIA Constitution, the National Board may, in its absolute discretion, decline to admit any person as a member of Amnesty International Australia (**AI Australia**).²

In the event that a person who has previously been removed from membership makes an application to membership, the National Board may reject that application having first considered the following matters:

- The National Board, in determining applications to membership, must act in good faith;
- The National Board must make its decision in the best interest of the members of AI Australia as a whole; and
- The National Board must make its decision in the best interest of AI Australia.

For the avoidance of doubt, each application under this Policy must be considered individually.

As an aide when making a decision under this Policy, National Board members should ask themselves 'would a board member, acting reasonably, have made the decision to reject a person's application for membership of Amnesty International Australia?'.

¹ AIA Constitution clause 11.

² AIA Constitution clause 11.2.

2.2 Eligibility and application

2.2.1 A person who was removed from membership may apply for readmission no sooner than five years after the date on which the person was removed from membership unless a different period of time is agreed in writing between the person and Amnesty International Australia.

2.2.2 A person who applies for membership under this Policy must not currently be under investigation by Amnesty International Australia in relation to any matter or involved in any legal proceedings against Amnesty International Australia.

2.3 Process for applying for membership under this Policy

2.3.1 A person applying for membership under this Policy must do so in writing and send it to the company.secretary@amnesty.org.au. To be clear, a person applying under this Policy is not a member until it has been communicated with the person under clause 2.4.1.

2.3.2 In making the application, the person should consider including reasons as to why they wish to rejoin Amnesty International Australia, the basis for their removal from membership and any other matter they think relevant.

2.3.3 The National Board will review the application.

2.3.4 The National Board, upon receipt of the application referred to in 2.3.1 above, may request additional information, seek references from whomever the National Board sees fit and review documents relevant to the person's previous membership and removal from membership.

2.4 Process to notify the person of the outcome of the National Board's decision

2.4.1 The National Board will communicate its decision to the person in writing in a reasonable time. If the person is admitted to membership, this membership may be subject to certain conditions as the National Board deems appropriate in the circumstances.

2.4.2 Where a person whose membership has previously been revoked by the National Board is *not* admitted to membership by the National Board, the National Board or its delegate(s) must advise the unsuccessful applicant of the outcome of their decision in a reasonable time.

2.4.3 Notice of the National Board's decision in 2.4.2 must be accompanied by the National Board's reasons for its decision. The reasons for the National Board's decision must be kept confidential.

2.4.4 For the purposes of clause 2.4.2 the unsuccessful person must also be informed of their right to appeal pursuant to the Appeals Policy as it exists from time to time.

3. Policy governance

3.1 Record keeping

Documentation to demonstrate the confidential record of the National Board's decision will be retained for seven (7) years.

3.2 Availability of this Policy

This Policy is available to AI Australia members, volunteers, activists, staff and members of the public via the Amnesty International Australia website.

3.3 Review

A formal review of this Policy will be undertaken every eight (8) years or more frequently if required.

3.4 Board approval

Material amendments to this Policy are to be approved by the National Board.