

THE TAROT GUILD OF AUSTRALIA INCORPORATED

CONSTITUTION

NAME

1. The name of the incorporated Association is **THE TAROT GUILD OF AUSTRALIA INCORPORATED** (in this Constitution called "the Guild").

INTERPRETATION

2. (1) In this Constitution, unless the contrary intention appears:-
 - ◆ "Committee" means the Committee of Management of the Guild
 - ◆ "Financial year" means the year ending on 30 June.
 - ◆ "General Meeting" means a general meeting of members convened in accordance with Clause 13.
 - ◆ "Member" means a member of the Guild.
 - ◆ "Ordinary Member of the Committee" means a member of the Committee who is not an officer of the Guild under Clause 23.
 - ◆ "The Act" means the *Associations Incorporation Act 1981*.
 - ◆ "The Regulations" means regulations under the Act.
2. (2) In this Constitution, a reference to the Secretary of the Guild is a reference:-
 - (a) where a person holds office under this Constitution as Secretary of the Guild -to that person; and
 - (h) in any other case, to the Public Officer of the Guild.
- 2 (3) Words or expressions contained in this Constitution shall be interpreted in accordance with the provisions of the *Acts Interpretation Act 1958* and the Act as in force from time to time.

STATEMENT OF PURPOSES

- 3 The purpose of the Guild is: -
 - (a) To cultivate the relevance of the ancient wisdom of the Tarot in today's world.
 - (b) To foster a greater understanding of Tarot as a valid form of personal growth and healing throughout the community.
 - (c) To provide a group for both professional and interest members.
 - (d) To provide a forum for members' ongoing learning and professional development.
 - (e) To provide a nurturing and supportive environment where new ideas and intuitive insights can be shared and encouraged.
 - (f) To encourage the further study of esoteric wisdoms and to provide quality teaching and guidance through the Guild's members.

- (g) To establish a Code of Ethics and Practice for Tarot professionals/practitioners.
- (h) To recognise, through admission to the professional member category, members who demonstrate a high level of understanding, competence and professional conduct, and who have pledged to uphold the Code of Ethics and Practice.
- (i) To encourage networking among members and between the Guild and other disciplines.
- j) To provide a source of information on Tarot as a public relations function.

APPLICATION FOR MEMBERSHIP

- 4. (1) A natural person who makes application and is approved for membership as provided in this Constitution is eligible to be a member of the Guild on payment of the joining fee and annual subscription payable under this Constitution.
- 4. (2) A person who is not a member of the Guild at the time of the incorporation of the Guild (or who was such a member at the time but has ceased to be a member) shall not be admitted to membership:-
 - (a) unless she/he makes application as provided in sub-clause (3); and
 - (b) her/his admission as a member is approved by the Committee.
- 4. (3) An application by a person for membership of the Guild:-
 - (a) shall be made in writing; and
 - (b) shall be lodged with the Membership Secretary of the Guild; and
 - (c) shall be accompanied by the payment of the membership/joining fee.
- 4. (4) As soon as is practicable after the receipt of an application, the Membership Secretary shall refer the application to the Committee.
- 4. (5) Upon an application being referred to the Committee, the Committee shall determine whether to approve or reject the application.
- 4. (6) Upon an application being approved by the Committee, the Membership Secretary shall, with as little delay as possible, notify the applicant in writing that she/he is approved for membership of the Guild, shall enter the applicant's name in the register of members kept by her/him and, upon the name being entered, the applicant becomes a member of the Guild.
- 4. (7) A right, privilege, or obligation of a person by reason of her/his membership of the Guild: -
 - (a) is not capable of being transferred or transmitted to another person;
 - (b) terminates upon the cessation of her/His membership whether by death or resignation or otherwise.

GRADES OF MEMBERSHIP

- 5. There shall be three grades of membership of the Guild: Interest Members, Professional Members and Honorary Members.

5. (1) PROFESSIONAL MEMBERS of the Guild shall satisfy the Committee by way of an examination or by invitation of the Committee of the Guild.
5. (2) INTEREST MEMBERS of the Guild shall be admitted upon application and are excluded from advertising their Guild membership status.
5. (3) HONORARY MEMBERS of the Guild shall be admitted by invitation only on the basis of their status and outstanding contribution to the world of Tarot and to the Tarot Guild of Australia. This membership shall be considered on an annual basis.

NATIONAL TAROT NETWORK

- 5B. In response to interest from Tarot Guild members in metropolitan and regional areas throughout Australia, the Tarot Guild shall encourage the establishment of local Tarot networks.

JOINING FEE AND ANNUAL SUBSCRIPTION

6. (1) Joining fees and annual subscriptions may be amended from time to time as deemed necessary by a majority vote of the Committee, where a quorum is present.
6. (2) No joining or subscription fees shall apply to Honorary Members.

REGISTER OF MEMBERS

7. The Membership Secretary shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name and grade of membership of each member and the register shall be available for inspection by members at the address of the Public Officer.

RESIGNATION AND EXPULSION OF MEMBER

8. (1) A member of the Guild who has paid all moneys due and payable by her/him to the Guild may resign from the Guild by first giving one month's notice in writing to the Membership Secretary of her/his intention to resign and upon the expiration of that period of notice, the member shall cease to be a member.
8. (2) Upon the expiration of a notice given under sub-clause (1), the Membership Secretary shall make in the register of members an entry recording the date on which the member by whom the notice was given, ceased to be a member.
9. (1) Subject to the "Hanged Man Clause", Appendix 2 Of this Constitution, the Committee may by resolution: -
 - (a) expel a member from the Guild;
 - (b) suspend a member from membership of the Guild for a specified period; or
 - (c) fine a member in accordance with The Regulations, if the Committee is of the opinion that the member:-
 - (i) has refused or neglected to comply with this Constitution; or

- (ii) has been guilty of conduct unbecoming a member or prejudicial to the interests of the Guild.
9. (2) A resolution of the Committee under sub-clause (1); :-
- (a) does not take effect unless the Committee, at a meeting held not earlier than 14 and not later than 28 days after the service on the member of a notice under sub-clause (3) confirms the resolution in accordance with this clause; and
 - (b) where the member exercises a right of appeal to the Guild under this clause does not take effect unless the Guild confirms the resolution in accordance with this clause.
9. (3) Where the Committee passes a resolution under sub-clause (1), the Membership Secretary shall, as soon as practicable, cause to be served on the member a notice in writing:-
- (a) setting out the resolution of the Committee and the grounds on which it is based;
 - (b) stating that the member may address the Committee at a meeting to be held not earlier than 14 and not later than 28 days after service of the notice;
 - (c) stating the date, place and time of that meeting;
 - (d) informing the member that she/he may do one or more of the following:-
 - (i) attend that meeting;
 - (ii) give to the Committee before the date of the meeting a written statement seeking the revocation of the resolution;
 - (iii) not later than 24 hours before the date of the meeting, lodge with the Membership Secretary a notice to the effect that she/he wishes to appeal to the Guild in general meeting against the resolution.
9. (4) At a meeting of the Committee held in accordance with sub-clause (2), the Committee:-
- (a) shall give to the member an opportunity to be heard;
 - (b) shall give due consideration to any written statement submitted by the member;
 - (c) shall by resolution determine whether to confirm or to revoke the resolution.
- 9.(5) Where the Membership Secretary receives a notice under sub-clause (3), she/he shall notify the Committee and the Committee shall convene a general meeting of the Guild to be held within 21 days after the date on which the Membership Secretary received the notice.
- 9.(6) At a general meeting of the Guild convened under sub-clause (5);-
- (a) no business other than the question of the appeal shall be transacted;
 - (b) the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
 - (c) the member shall be given the opportunity to be heard; and
 - (d) the members present shall vote by secret ballot on the question whether the resolution should be confirmed or revoked.

- 9.(7) If at the general meeting: -
- (a) a majority of the members vote in person or by proxy in favour of the confirmation of the resolution, the resolution is confirmed; and
 - (b) in any other case, the resolution is revoked.

ANNUAL GENERAL MEETING

- 10.(1)The Guild shall in each calendar year convene an annual general meeting of its members.
- 10.(2)The annual general meeting shall be held on such day as the Committee determines.
- 10.(3)The annual general meeting shall be specified as such in the notice convening it.
- 10.(4)The ordinary business of the annual general meeting shall be:-
- (a) to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
 - (b) to receive from the Committee reports upon the transactions of the Guild during the preceding financial year
 - (c) to elect officers of the Guild and the ordinary members of the Committee and;
 - (d) to receive and consider the statement submitted by the Guild in accordance with section 30(3) of the Act.
- 10.(5)The annual general meeting may transact special business of which notice is given in accordance with the Constitution.
- 10.(6)The annual general meeting shall be in addition to any other general meetings that may be held in the same year.

SPECIAL GENERAL MEETING

11. All general meetings other than the annual general meeting shall be called special general meetings.
- 12.(1)The Committee may, whenever it thinks fit, convene a special general meeting of the Guild and, where, but for this sub-clause, more than 15 months would lapse between annual general meetings, shall convene a special general meeting before the expiration of that period.
- 12.(2)The Committee shall, on the requisition in writing of not fewer than ten members, convene a special general meeting of the Guild,
- 12.(3)The requisition for a special general meeting shall state the objects of the meeting and shall be signed by the members making the requisition and be sent to the address of the Secretary and may consist of several documents in a like form, each signed by one or more of the members making the requisition.

- 12.(4) If the Committee does not cause a special general meeting to be held within one month after the date on which the requisition is sent to the address of the Secretary, the members making the requisition, or any of them, may convene a special meeting to be held not later than 3 months after that date.
- 12.(5) A special general meeting convened by members in pursuance of the Constitution shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Guild to the persons incurring the expenses.

NOTICE OF MEETING

- 13.(1) The Secretary of the Guild shall, at least 14 days before the date fixed for holding a general meeting of the Guild, cause to be sent to each member of the Guild at her/his address appearing in the register of members, a notice by prepaid post stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 13.(2) No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
- 13.(3) A member desiring to bring any business before a meeting may give notice of that business in writing to the Secretary, who shall include that business in the notice calling the next general meeting after the receipt of the notice.

PROCEEDINGS AT MEETINGS

- 14.(1) All business that is transacted at a special general meeting and all business that is transacted at the annual general meeting with the exception of that specially referred to in this Constitution as being ordinary business of the annual general meeting shall be deemed to be special business.
- 14.(2) No item of business shall be transacted at a general meeting unless a quorum of members entitled under this Constitution to vote is present during the time when the meeting is considering that item.
- 14.(3) Five (5) members personally present (being members entitled under this Constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- 14.(4) If within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairman at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place and if at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than 3) shall be a quorum.

- 15.(1)The President, or in her or his absence, the Vice-President, shall preside as Chairman at each general meeting of the Guild.
- 15.(2) If the President and the Vice-President are absent from a general meeting, the member present shall elect one of their number to preside as Chairman at the meeting.
- 16.(1)The Chairman of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 16.(2)Where a meeting is adjourned for 14 days or more, a like notice of the adjourned meeting shall be given as in the case of the general meeting.
- 16.(3)Except as provided in sub-clauses (1) and (2), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.
17. A question arising at a general meeting of the Guild shall be determined on a show of hands and unless before or on the declaration of the show of hands a poll is demanded, a declaration by the Chairman that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, and entry to that effect in the Minute Book of the Guild is evidence of the fact without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.
- 18.(1)Upon any question arising at a general meeting of the Guild, a member has one vote only.
- 18.(2)All votes shall be given personally or by proxy.
18. (3)In the case of an equality of voting on a question, the Chairman of the meeting is entitled to exercise a second or casting vote.
- 19.(1) If at a meeting a poll on any question is demanded by not less than three members, it shall be taken at that meeting in such manner as the Chairman may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- 19.(2)A poll that is demanded on the election of a Chairman or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairman may direct.
20. A member is not entitled to vote at any general meeting unless moneys due and payable by her/him to the Guild have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

21.1.(1) Each member shall be entitled to appoint another member as her/his proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.

21.1.(2) The notice appointing the proxy shall be in the form set out in Appendix 1.

COMMITTEE OF MANAGEMENT

22.(1) The affairs of the Guild shall be managed by a Committee of Management constituted as provided in Clause 23.

22.(2) The Committee:-

- (a) shall control and manage the business and affairs of the Guild;
- (b) may, subject to this Constitution, the Regulations and the Act, exercise all such powers and functions as may be exercised by the Guild other than those powers and functions that are required by this Constitution to be exercised by general meetings of the members of the Guild; and
- (c) subject to this Constitution, the Regulations and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Guild.

23.(1) The officers of the Guild shall be

- (a) a President;
- (b) a Vice-President;
- (c) a Treasurer;
- (d) a Secretary; and
- (e) a Membership Secretary.

23 (1a) The President and Vice-President must be Professional Members as defined under Clause 5(1).

23.(2) The provisions of Clause 25 so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in sub-clause(1).

23. (3) Each officer of the Guild shall hold office until the annual general meeting next after the date of her/his election but is eligible for re-election.

23.(4) No officer of the Guild shall be elected to hold the same office for more than five consecutive years.

23.(5) In the event of a casual vacancy in any office referred to in sub-clause (1), the Committee may appoint one of its members to the vacant office and the member so appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of her/his appointment.

24.(1) Subject to section 23 of the Act, the Committee shall consist of:-

- (a) the officers of the Guild; and
- (b) up to seven ordinary members, each of whom shall be elected at the annual general meeting

- 24.(2) Each ordinary member of the Committee shall, subject to this Constitution , hold office until the annual general meeting next after the date of her/his election but is eligible for re-election.
- 24.(3) In the event of a casual vacancy occurring in the office of an ordinary member of the Committee, the Committee may appoint a member of the Guild to fill the vacancy and the member so appointed shall hold office, subject to this Constitution, until the conclusion of the annual general meeting next following the date of her/his appointment.

ELECTION OF OFFICERS AND VACANCY

25. (1) Nominations of candidates for election as officers of the Guild or as ordinary members of the Committee:-
- (a) shall be made in writing, signed by another member of the **Guild** and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination);and
 - (b) shall be delivered to the Secretary of the Guild not less than 7 days before the date fixed for the holding of the annual general meeting
25. (2) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected.
25. (3) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
25. (4) If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
25. (5)The ballot for the election of officers and ordinary members of the Committee shall be conducted at the annual general meeting in such usual and proper manner as the Committee may direct.
25. (6)A nomination of a candidate for election to an office under this clause is not valid if that candidate had been nominated for another office for election at the same election but is valid for nomination as an ordinary member of the Committee.
26. For the purpose of this Constitution, the office of an officer of the Guild or of an ordinary member of the Committee becomes vacant if the officer or member: -
- (a) ceases to be a member of the Guild,
 - (b) becomes an insolvent under administration within the meaning of the Companies (Victoria) Code; or
 - (c) resigns her/his office by notice in writing given to the Secretary.

PROCEEDINGS OF COMMITTEE

27. (1) The Committee shall meet at least 3 times in each year at such place and such times as the Committee may determine.

27. (2) Special meetings of the Committee may be convened by the President or by any of the members of the Committee.
27. (3) Notice shall be given to members of the Committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.
27. (4) Any 5 members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee. Depending on where committee members live in relation to venues for face-to-face meetings, the committee may conduct business from time to time by email or telephone conferences.
27. (5) No business shall be transacted unless a quorum is present.
27. (6) At meetings of the Committee:-
 - (a) the President or in her/his absence the Vice-President shall preside.' or
 - (b) if the President and the Vice-President are absent, such one of the remaining members of the Committee as may be chosen by the members present shall preside.
27. (7) Questions arising at a meeting of the Committee or of any subcommittee appointed by the Committee shall be determined on a show of hands or, if demanded by a member, by poll taken in such manner as the person presiding at the meeting may determine.
27. (8) Each member present at a meeting of the Committee or of any sub-Committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
27. (9) Written notice of each Committee meeting shall be served on each member of the Committee by delivering it to her/him at a reasonable time before the meeting or by sending it by prepaid post addressed to her/him at her/his usual or last known place of abode at least two business days before the date of the meeting.
27. (10) Subject to sub-clause (4) the Committee may act notwithstanding any vacancy on the Committee.
27. (11) The Committee shall seek input on Tarot Guild business from local Tarot networks in which Tarot Guild members are actively involved.

SECRETARY

28. The Secretary of the Guild shall keep minutes of the resolutions and proceedings of each general meeting and each Committee meeting in books provided for that purpose together with a record of the names of persons present at Committee meetings.

TREASURER

29. (1) The Treasurer of the Guild--
- (a) shall collect and receive all moneys due to the Guild and make all payments authorised by the Guild; and
 - (b) shall keep correct accounts and books showing the financial affairs of the Guild with full details of all receipts and expenditure connected with the activities of the Guild.
29. (2) The accounts and books referred to in sub-clause (1) shall be available for inspection by members.

REMOVAL OF MEMBER OF COMMITTEE

- 30.(1) The Committee in general meeting may by resolution remove any member of the Committee before the expiration of her/his term of office and appoint another member in her/his stead to hold office until the expiration of the term of the first-mentioned member.
- 30.(2) Where the member to whom a proposed resolution referred to in sub-clause (1) makes representations in writing to the Secretary or President of the Guild (not exceeding a reasonable length) and requests that they be notified to the members of the Guild, the Secretary or the President may send a copy of the representations to each member of the Guild or, if they are not so sent, the member may require that they be read out at the meeting.

CHEQUES

31. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by two officers of the Guild.

SEAL

- 32.(1) The Common Seal of the Guild shall be kept in the custody of the Secretary.
- 32.(2) The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures of two officers of the Guild.

ALTERATION OF RULES AND STATEMENT OF PURPOSES

33. This Constitution and the Statement of Purposes of the Guild shall not be altered except in accordance with the Act.

NOTICES

34. (1) A notice may be served by or on behalf of the Guild upon any member either personally or by sending it by post to the member at her/his address shown in the Register of Members.

34. (2)Where a document is properly addressed pre-paid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been delivered in the ordinary course of post.

WINDING UP OR CANCELLATION

35. In the event of the winding up or the cancellation of the incorporation of the Guild, the assets of the Guild shall be disposed of in accordance with the provisions of the Act.

CUSTODY OF RECORDS

36. Except as otherwise provided in this Constitution, the Secretary shall keep in her/his custody or under her/his control **all** books, documents and securities of the Guild

FUNDS

37. The funds of the Guild shall be derived from joining fees, annual subscriptions, donations and such other sources as the Committee determines.
38. The Tarot Guild of Australia Inc. is a not-for-profit organisation. Any surpluses generated by activities are held and/or invested back into the organisation.

APPENDIX 1

APPOINTMENT OF PROXY

I.....Full name

of.....Address

being an Interest Member / Professional Member of the Tarot Guild of Australia Inc.
(delete as appropriate)

hereby appoint.....(name)

of.....address

being an Interest Member / Professional Member of The Tarot Guild of Australia Inc.

as my proxy to vote for me on my behalf at the: -
general meeting/ annual general meeting / special general meeting of the Guild
(delete as appropriate)

to be held on the..... day of

and at any adjournment of that meeting.

..... 19

My proxy is authorised to vote in favour of /against the resolution:-
(delete as appropriate)

Details of the resolution:

APPENDIX 2

HANGED MAN CLAUSE

PURPOSE

The purpose of the Hanged Man clause is to provide assistance and support to members of the Guild and members of the public where a difficulty or disagreement has arisen. It is assumed that differences would normally be resolved satisfactorily by those involved. In rare circumstances, where the best efforts of both parties have not produced a mutually satisfactory resolution, the Guild's Hanged Man clause can be invoked.

- 1 . The difficulty shall be detailed in writing to the President of the Guild, with a copy of this letter sent to the other party concerned. The Letter should identify those involved, and the relevant information.
2. The President, or her nominee, will acknowledge receipt of this letter to all parties within 48 hours, and will forward them a copy of the Hanged Man clause.
3. The President, or her nominee, will convene a review panel consisting of minimum three and maximum five noting members of the Guild who shall be:
 - (a) two or three Committee members
 - (b) one Guild member nominated by the person against whom a complaint is being made.

In the event of a dispute between Guild members, both parties would nominate a Guild member to the review panel.

4. The review panel, in consultation with the President shall take appropriate steps to resolve the difficulty in the spirit of the Hanged Man clause which is to assist, support and guide wherever possible.
5. The review panel will advise the Committee formally of the difficulty and its resolution.
6. The review panel and the Committee will treat any matter dealt with under the Hanged Man clause in strict confidentiality.
7. The process of resolution from receipt of the advising letter to completion of the matter will occur within a three-month period.

Note

The grievance procedure in Appendix 2 should be read in conjunction with Rule 8 of the Model Rules for incorporated associations.

Model Rule 8 Disputes and mediation

- (1) The grievance procedure set out in this rule applies to disputes under these Rules between-
 - (a) a member and another member; or
 - (b) a member and the Association.
- (2) 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 parties.
- (3) If the parties are unable to resolve the dispute at the 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.
- (4) The mediator must be-
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement-
 - (i) in the case of a dispute between a member and another member, a person appointed by the committee of the Association; or
 - (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice)
- (5) A member of the Association can be a mediator.
- (6) The mediator cannot be a member who is party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation must-
 - (a) give the parties to the mediation process every opportunity to be heard; and
 - (b) allow due consideration to all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process
- (9) The mediator must not determine the dispute.
- (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act otherwise at law.