



ARA Member Affiliate Group (MAG) Guide

What is an ARA Member Affiliate Group (MAG)?

MAG is a term used within the ARA to describe a formal or informal group that an ARA Member chooses to participate in re-enactment activities with and to enjoy their hobby with.

The MAG may be formally structured, such as an Incorporated Association or business.

It may be informally structured such as club that is not a legal entity, with a static name, regular training location, website etc.

Or it can be unstructured such as a group of re-enactors who get together to do a single or regular show or display or get together to train and/or share their hobby with.

The MAG may have a formal or informal relationship with the ARA Member, but the MAG does not necessarily have any relationship with the ARA other than that some or all of the MAG members may also be members of the ARA.

The MAG is the Member's Affiliate Group, not the ARA's Affiliate group.

What obligations does an MAG have to the ARA?

None.

MAGs and the ARA are entirely separate legal entities. The MAG has a relationship with its own members and may have obligations for its own members. The MAG does not share obligations with the ARA.

Do ARA Members still have obligations to the ARA when participating in activities with an MAG?

The ARA Member has a relationship with the ARA and the ARA Members share obligations with the ARA regardless of which MAG they may be participating in re-enactment activities with. These obligations include things like ARA Members are expected to comply with the letter, spirit and intent of the ARA Constitution, By Laws, Code of Conduct, Policies and Practices and relevant legislation.

These must be complied with by ARA Members regardless of what their MAG may engage in. This compliance is especially important when doing shows etc with an MAG in which your ARA Membership provides PL insurance for your re-enactment activities with an MAG. Failure to comply with the letter, spirit and intent of the ARA Constitution, By Laws, Code of Conduct, Policies and Practices, relevant legislation and Safety Principles may undermine your PL insurance if a claim is made.

This compliance will not be a problem in the case of most instances, activities and MAGs. In cases where you become aware that participating in activities with an MAG may cause a breach of the letter, spirit and intent of the ARA Constitution, By Laws, Code of Conduct, Policies and Practices and relevant legislation or Safety Principles, we suggest that you don't participate – something may be very wrong with what you are about to engage in and the ARA may not be able to support you if you do. If you are in doubt, please ask for clarification from the ARA.

We don't expect to encounter too many of these issues since ARA Members are free not to participate in activities or with individuals with whom they do not wish to do so.

What are the ARA's restrictions on MAGs?

MAGs and the ARA are entirely separate legal entities and so the ARA does not have the authority to dictate to an MAG what it can or can't do. This means that MAGs are free to structure themselves as they choose and to engage in activities as they see fit.

ARA Members are, however, expected to comply with the letter, spirit and intent of the ARA Constitution, By Laws, Code of Conduct, Policies and Practices and relevant legislation regardless of which MAG they may be participating in re-enactment activities with.

Does this mean that MAGs must be Incorporated Associations or Not-For-Profit Organisations?

No. Incorporated Associations and Not-For-Profit organisations are just two of many organisational structures that an MAG may adopt to conduct its business; part or the whole of which may involve offering activities that may be suitable for ARA Members to participate with the MAG or to support ARA Members to enjoy their hobby.

ARA Members are reminded that the ARA was established to represent the common interests of re-enactors who participate in re-enactment as a recreational pursuit whilst supporting independent groups and individuals to pursue their unique re-enactment interests in the manner that best suits each individual and group. This means that although the MAG that you participate in activities with may, or may not, be working with an aim towards profit, your ARA activities that you may participate in with your MAG or provide to your MAG are done in your capacity as an individual, and the activity is undertaken or provided in the course of an activity that is a private recreational pursuit or hobby and that you have no reasonable expectation of profit or gain from the activity undertaken.

So, your MAG may be able to seek a profit from its business activities the whole or part of which may involve your recreational activities as re-enactor and ARA Member, but you, as an ARA Member, still are engaging in these activities in the course of a recreational pursuit or hobby and you have no reasonable expectation of profit or gain from the activity undertaken.

So does this mean that I can be paid for the activities that I engage in as an ARA Member?

Yes you can but it depends on numerous factors external to the ARA, such as Fair Trading and the Tax Office, and we can only provide guidelines based on information that is provided from these outside agencies which includes but is not limited to:

1. The activities that you may participate in with your MAG or provide to your MAG are done in your capacity as an individual, and the activity is undertaken or provided in the course of an activity that is a private recreational pursuit or hobby and that you have no reasonable expectation of profit or gain from the activity undertaken. This does not mean that you nor your MAG must run continually at a loss.
 - a. The paperwork that you keep will need to demonstrate that this is true – it is unlikely that the ARA will be requesting this documentation but the Tax Office and Fair Trading Departments may want to see it at some point and they can offer you and your MAG further advice.
 - i. A key document that you may need to use in your relationship with an MAG in doing paid gigs for your MAG or a third party, may be a "Statement by a Supplier Form" (available on the ARA Documents Page).
2. The structure of your MAG:
 - a. Incorporated Associations that are not-for-profit organisations are expressly forbidden by Fair Trading from paying their members for the activities that they engage in but they are permitted to reimburse their members for legitimate expenses incurred by their members whilst participating in activities with or providing services to their organisations.

- i. Once again, you should keep receipts and proper paperwork showing the details of these expenses and reimbursements.
- b. MAGs that are Businesses or Companies are permitted to pay persons for services but please be reminded that ARA Members engage in their activities in the course of a private recreational pursuit or hobby. Once again, the Tax Office and Fair Trading can offer further advice which can help you to ensure that you are doing the right thing.

Other arrangements between ARA Members and their MAGs:

There are many convoluted and complex relationships between re-enactors, ARA Members and MAGs that the ARA does not get involved in that do not affect ARA Members relationships with their MAGs including but not limited to:

1. Provision of equipment or venues
2. Sponsorship of activities
3. Donations and other forms of financial support
4. Administration and co-ordination of events, shows and displays

If my MAG is being offered to do a show or display, what documentation does my MAG need to provide a third party to demonstrate that my activities with my MAG are covered for PL by the ARA?

It's pretty simple for ARA Members but will vary with the needs of each MAG and the third party.

The bottom line, though, is that your MAG needs to be able to demonstrate a link between the MAG, the ARA Members participating in the activity and a PL Policy.

Here are some useful guidelines:

1. Regardless of where anyone in an MAG gets their PL insurance from we recommend that MAG administrators ask for proof of PL Cover from all re-enactors seeking to participate in a show/display with the MAG.
 - a. For ARA Members this is easy. Your Ordinary Membership has your name and the PL Policy number on it and the Certificate of Currency (CoC) has the list of activities for which ARA Members are covered for in plain English. ARA Members should give a copy to your MAG administrator if requested – It's a PDF. You can print off as many as you need.
 - b. MAG administrators should keep a copy of all these Memberships and the CoC and ask for ARA Members permission to provide them to the third party if requested.
2. MAGs may need to provide a clear link between the activity that the MAG is engaging in the show/display and the participants PL:
 - a. If everyone in your MAG is an ARA Member, it's easy. Your MAG Administrator can provide the third party with a document stating that:
 - i. "All Members of (*XXX group*) are covered for PL for activities engaged in during this show/display/activity through the ARA PL Policy Number: (*#####*). Proof of Membership and CoC are available for inspection." (Has a nice, clean, crisp, ring to it doesn't it?)
 - b. If some of the participating members of the MAG are ARA Members and some others are insured through someone else then your MAG may provide the third party with:
 - i. A statement that reads something like: "All Members of *XXX group* are covered for PL for activities engaged in during this show/display/activity through the PL Policies listed below. Proof of Membership and CoCs are available for inspection."

- ii. A complete with a list of participants names and which policies they are covered by.
- iii. Membership forms and respective CoCs.

Obviously it's a lot easier if everyone in your MAG is an ARA Member so consider that as an option for your MAG.

If you have any further questions or concerns about ARA Membership and it's bearing on an MAG, please contact the ARA Committee via admin@reenactors.org.au.