

PROPOSED CONSTITUTION AMENDMENTS

Outlined below are the three proposed amendments to the Club Constitution which will be put to the Annual General Meeting on Sunday 2 August 2020.

Suspension of a Member

While dealing with a case earlier this year the Management Committee noted that our constitution does not have any mention of the suspension of a member. The Management Committee believes that this is an appropriate option in some cases and suspended the member concerned. However, it was thought to clarify the issue that a suspension provision should be included in the Constitution.

This is to be achieved by amending Section 10 of the Constitution. The suggested amendments are shown in italics below.

The motion will be :

The rules of the Club be amended to include the suspension of a member by amending Section 10 as detailed below.

10 TERMINATION AND SUSPENSION OF MEMBERSHIP

- 10.1 Any Member may resign from the Club in writing lodged with the Secretary, whereupon membership shall cease and the Public Officer shall remove that Member's name from the register of members.
- 10.2 Any Member who resigns from the Club shall pay to the Treasurer all moneys due to the Club and until payment thereof, shall not receive the clearance prescribed, from time to time, by the Rules of the Southern Tasmanian Bowls Association.
- 10.3 Any Member who fails to pay to the Club any moneys payable under these Rules within the time prescribed, or within such further time as the Committee may allow, shall cease to be a Member of the Club.
- 10.4 Subject to this Rule, the Committee may expel a Member from the Club *or suspend a member for such period as the Committee believes fit* if, in the opinion of the Committee, the Member has been guilty of conduct detrimental to the interests of the Club.
- 10.5 Where the Committee *expels or suspends* a Member from the Club, the Public Officer of the Club shall, without undue delay, cause to be served on the Member a notice in writing;
 - (a) stating that the Committee has expelled *or suspended* the Member;
 - (b) specifying the grounds for the expulsion *or suspension*, and

- (c) informing the Member that if the Member so desires the Member may, within fourteen days after the service of the notice on the Member, appeal against the expulsion *or suspension* as provided in this Rule.

10.6 The expulsion *or suspension* of a Member pursuant to sub-rule 10.4 of this Rule does not take effect:

- (a) until the expiration of fourteen days after the service on the Member of a notice under sub-rule 10,5 of this Rule; or
- (b) if the Member exercises a right of appeal under this Rule, until the conclusion of the Special General Meeting convened to hear the appeal, whichever is the later date.

10.7 A Member on whom a notice under sub-rule 10,5 of this Rule is served may appeal against the expulsion *or suspension* to a Special General Meeting by delivering or sending by post to the Public Officer of the Club, within fourteen days after the service of that notice, a requisition in writing demanding the convening of such a Meeting to hear that appeal.

10.8 Upon receipt of a requisition under sub-rule 10.5 of this Rule, the Public Officer shall forthwith notify the Committee of its receipt and the Committee shall thereupon cause a Special General Meeting of Members to be held within twenty-one days after the date on which the requisition is received by the Public Officer.

10.9 At a Special General Meeting convened for the purpose of this Rule:

- (a) No business other than the question of the expulsion *or suspension* shall be transacted;
- (b) The Committee shall place before the Meeting details of the grounds of the expulsion *or suspension* and the Committee's reasons for the expulsion *or suspension*;
- (c) The expelled *or suspended* Member shall be given an opportunity to be heard, and
- (d) The Members present shall vote by secret ballot on the question whether the expulsion *or suspension* should be lifted or confirmed.

10.10 If at the Special General Meeting a majority of the Members present vote in favour of the lifting of the expulsion *or suspension*, the expulsion *or suspension* shall be deemed to have been lifted and the expelled Member is entitled to continue Membership of the Club.

10.11 If at the Special General Meeting a majority of the Members present vote in favour of the confirmation of the expulsion *or suspension*, the expulsion takes effect and the expelled Member ceases to be a Member of the Club *or the suspension of the member takes effect*.

Audit Requirements

The Club Constitution currently provides that our accounts must be audited every year. However, changes made to State Government Regulations mean that an annual audit is not necessarily required for all Incorporated Associations. The inclusion of the suggested section in our Constitution brings us into line with current regulations. It does not automatically mean that no audit will be done but it does give us the option not to have an audit in any year should we so desire.

The motion will be

That the Rules of the Club be amended by the insertion of the following section:

EXEMPTIONS UNDER THE INCORPORATED ASSOCIATIONS ACT 1964

("the Act")

21A For any financial year that the Association is exempt from the requirement to be audited by virtue of section 24(1B) or (1C) of the Act -

(a) an auditor is not required to be appointed for that financial year under rule 21 unless the Association elects to have the financial affairs of the Association for that financial year audited in accordance with the Act and these rules; and

(b) if an auditor is not appointed for a financial year by virtue of paragraph (a) -

(i) rules 21 and 22 do not apply in respect of the Association for that financial year; and

(ii) rule 29(3), to the extent that it relates to an auditor, does not apply in respect of the annual general meeting held by the Association in respect of that financial year; and

(iii) rule 20.5 will be taken to be amended in respect of that financial year by removing the words "duly audited".

Vice Presidents

Section 13.2 currently provides that the Officers of the Club are the President, a Men's Vice President, a Women's Vice President, the Secretary and the Treasurer. As the rule currently reads it can be construed that the Men's Vice President looks after the men's side of the club and the Women's Vice President looks after the women's side. We do not believe that this is the intention as we are a united club and both Vice Presidents are Vice Presidents for the whole club. Accordingly, this rule will be amended to more accurately reflect the proper situation.

The motion will be:

Section 13.2 of the Club's Constitution be amended as under.

- 13.2 The officers of the Club shall comprise: -
- (a) a President
 - (b) 2 Vice Presidents, one being a male and one being a female
 - (c) an Honorary Secretary
 - (d) an Honorary Treasurer.