

Suggested Changes to Association Rules

Created 27/01/2018 for General Meeting 17/02/2018

Preface:

This set of Association Rules follows the template outlined by the SA Government for an incorporated association (template dated August 2012). While there is a newer template form with the ACNC (charities and nonprofits commission), there is no newer template from the SA government for incorporated associations. Although a change to the ACNC template had been discussed, I propose we maintain the existing template form to ensure compliance with SA law.

Suggestions: Major changes and additions

Proposed change #1: Addition

The Association may form sub-committees to manage events and other activities of the Association. A sub-committee must include at least two members of the Association's Committee, one of which must be one of the Chairperson, Secretary, or Treasurer of the Association. A sub-committee may include other persons as it thinks fit.

Any sub-committee so formed shall be constituted in accordance with, and shall conform to, these Association rules and any other regulations that may be imposed on it by the Committee.

Powers and authorities of the Committee may be delegated to a sub-committee at a meeting of the Committee. The subcommittee may make resolutions using the powers and authorities delegated to it by the committee, provided these resolutions are supported by a majority of members of the sub-committee and a majority of members of the Committee serving on the sub-committee.

WHY?

Sub-committees of the organisation for events are currently not well regulated or well specified. In order to support and run more community events (especially multiple events running at similar times), we probably need a formal structure for setting the responsibilities of sub-committees and ensuring they have oversight by executive members of the Committee.

At present, events are mostly run in accordance with the association rules by trying to ensure a quorum number of members of the Committee are available to help with organisation for the event.

Proposed change #2: Addition

The Executive of the Committee shall consist of:

- The Chairperson
- The Secretary
- The Treasurer.

- If the Public Officer role is not held by the Chairperson, Secretary, or Treasurer, then the Public Officer is added as an extra member of the Executive.

The Executive shall deal with any matters which concern the Committee, in regard to which action should not, in the opinion of the Executive, be postponed until a meeting of the Committee.

Quorum for a meeting of the Executive is 2.

WHY?

This formal change would allow the part of the Committee with the greatest number of legal responsibilities to the Association to act quickly in emergency or surprise situations, or to maintain the administrative upkeep of the Association. In practice, this already occurs a little via admin responsibilities delegated to individual members of Committee, for example:

- The Association insurance is maintained every year by the Chairperson and/or Treasurer
- Official Association emails are sent by the Chairperson or Secretary

...but it would be good to know that the Association is formally allowed to act in surprise situations, rather than operating in kind of a grey area.

Proposed Change #3: Multiple Alterations

CHANGE:

A notice may be given by the association to any member by serving the member with the notice personally, or by sending it by post to the address appearing in the register of members.

TO:

A notice may be given by the association to any member by serving the member with the notice personally, by sending it by post to the address appearing in the register of members, or by sending it via electronic mail to an email address nominated by the member in the register of members.

AND ADD:

When notice is sent by electronic mail:

- the service is effected by sending an email containing the text of the notice
- unless the contrary is proved, service will be taken to have been effected on the business day after it is sent.

WHY?

Most people prefer to receive information via email, and in many cases, have a consistent email address over time while their physical home address may change.

Proposed Change #4: Alteration

CHANGE:

The committee shall meet together for the dispatch of business at least monthly. The association should settle on how often meetings are to be held.

TO:

The committee shall meet as often as the business of the association may require.

WHY?

As the association runs events, some times of year require lots of involvement, and others are relatively quiet. If there is no proposed business for a meeting, the committee has nothing to discuss and may not need to meet. With this change, the committee is explicitly permitted to set its own schedule.

Suggestions: Minor Changes and Clarifications:

Proposed change #5: Formatting

Capitalise all instances of Association, Committee throughout the association rules.

Proposed Change #6: Addition

The association must give a member access to a copy of minutes of general meetings upon request.

Proposed Change #7: Alteration

CHANGE:

The committee shall appoint a public officer as required by the Act.

TO:

The committee shall appoint a member of the committee as a public officer as required by the Act.

WHY?

As the Public Officer role has a certain amount of responsibility on behalf of the Association, it's preferred that this person be able to vote in Committee.

Proposed Change #8: Deletion

DELETE:

"The association should settle on a workable number of office holders"

WHY?

Number of committee members can already be altered by special resolution of members to change the Association Rules. Given that the number of Committee members is already specified in the Association Rules, this line provides no further information.

Proposed Change #9: Alteration

CHANGE:

At each subsequent annual general meeting one half of the members of the committee, being the longest serving members of the committee, shall retire. The association may wish to provide for a different procedure, e.g. that all committee positions be subject to re-election at each AGM.

TO:

All committee positions shall be subject to re-election at each AGM

WHY?

The Association has been operating this way for several years already, ideally this procedure would be formalised in the association rules.

Proposed Change #10: Alteration

CHANGE:

Upon requisition in writing of not less than 5% (in some cases a lesser or greater percentage may be appropriate or it may be on requisition of a specific number of members) of the total number of members, the committee shall, within one month of the receipt of the requisition, convene a special general meeting for the purpose specified in the requisition.

TO:

Upon requisition in writing of not less than 5% of the total number of members, or not less than 5 members of the association (whichever is greater), the committee shall, within one month of the receipt of the requisition, convene a special general meeting for the purpose specified in the requisition.

WHY?

Despite the rules stating that a different number of people may be appropriate, the rules still require that the current number of people for a requisition is 5% of the number of members of the association. "In some cases" is also difficult language that could be possibly be used by committee to block

5% of the total number of members of the Association is currently only 1-2 people, which is a small number of people in order to assemble a general meeting of quorum 10.