

Cairns Bridge Club Constitution. Proposed Changes

CURRENT CLAUSE	PROPOSED CHANGE	COMMENT
<u>Powers</u> Clause 3 (1) To take over the funds and other assetsof the present unincorporated association etc	Delete Renumber clauses (2) - (24) to (1) - (23)	Pre-incorporation clause now redundant
<u>Classes of Members</u> Clause 4 (2) The number of ordinary members shall be limited to 300	The number of ordinary members is unlimited	In line with updated Model Rules
<u>Membership</u> Clause (1) Every person who at the date of incorporation of the Club was a member of the unincorporated association and who on or before the date of incorporation agrees in writing to become a member of the Club shall be admitted by the Management Committee to the same class of membership of the Club as that member held in the unincorporated association, and shall not be required to pay any further subscription until the next due date for payment of that subscription.	Delete	Redundant
Clause (2) Any applicant for any class of membership of the Club (other than the members of the unincorporated association referred to in sub-clause (1)) shall be proposed by one member of the Club and seconded by another member.	Delete words in parenthesis referring to unincorporated association Renumber to become sub-clause	Redundant – see above

Cairns Bridge Club Constitution. Proposed Changes

CURRENT CLAUSE

PROPOSED CHANGE

COMMENT

Admission and Rejection of Members

Clause 7

- (1) At the next meeting of the Management Committee after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the Management Committee who shall thereupon determine upon the admission or rejection of the applicant.
- (2) Any applicant who receives a majority of the votes of the members of the Management Committee present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for.
- (3) Upon the acceptance or rejection of an application for any class of membership the secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.

- (1) The management committee must consider an application for membership at the next committee meeting held after it receives-
 - (a) the application for membership; and
 - (b) the appropriate membership fee for the application
- (2) The management committee must ensure that, as soon as possible after the person applies to become a member of the Club, and before the management committee considers the persons application is advised-
 - (a) whether or not the Club has public liability insurance; and
 - (b) if the Club has public liability insurance – the amount of the insurance.
- (3) The management committee must decide at the meeting whether to accept or reject the application.
- (4) If a majority of the members of the management committee present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member for the class of membership applied for.
- (5) The Secretary of the Club must, as soon as practicable after the management committee decides to accept or reject an application, give the applicant a written notice of the decision.

Reflects changes to Associations Incorporation Act including the requirement to give notice of the status of public liability insurance.

Cairns Bridge Club Constitution. Proposed Changes

CURRENT CLAUSE

Termination of Membership and Disciplinary Action

CI 8(1) A member may resign from the Club at any time by giving notice in writing to the Secretary. Such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.

(2) If a member:-

- (i) is convicted of an indictable offence; or
 - (ii) fails to comply with any of the provisions of this constitution; or
 - (iii) has membership fees in arrears for a period of two months or more; or
 - (iv) conducts himself in a manner considered to be injurious or prejudicial to the character or interests of the Club,
- the Management Committee shall consider whether his membership shall be terminated, or other disciplinary action be taken.

(3) The member concerned shall be given a full and fair opportunity presenting his case and if the Management Committee resolves to terminate his membership, or take disciplinary action it shall advise the Secretary to advise the member in writing accordingly.

PROPOSED CHANGE

When Membership Ends

(1) A member may resign from the Club by giving a written notice to the secretary.

(2) The resignation takes effect at –

(a) the time the notice is received by the secretary; or

(b) if a later time is stated in the notice – the later time.

(3) The management committee may terminate a members membership if the member –

(a) is convicted of an indictable offence; or

(b) does not comply with any of the provisions of these rules; or

(c) has membership fees in arrears for at least two months; or

(d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Club.

(4) Before the management committee terminates a members membership, the committee must give the member full and fair opportunity to show why the membership should not be terminated.

(6) If, after considering all representations made by the member, the management committee decides to terminate the membership, the secretary of the committee must give the member a written notice of the decision.

COMMENT

Reference to disciplinary action by the committee omitted in the revised model.

Cairns Bridge Club Constitution. Proposed Changes

CURRENT CLAUSE

Appeal Against Rejection or Termination of Membership or Disciplinary Action

Clause 9(1) A member whose application for membership has been rejected or whose membership has been terminated, **or subject to disciplinary action**, may within one month of receiving written notification thereof, lodge with the Secretary written notice of his intention to appeal against the decision of the Management Committee.

(2) Upon receipt of a notification of intention to appeal against rejection or termination of membership **or disciplinary action** the Secretary shall convene, within **three months** of the date of receipt by **him** of such notice, a general meeting to determine the appeal. At any such meeting the applicant shall be given the opportunity to fully present his case and the Management Committee or those members thereof who rejected the application for membership or terminated the membership **or imposed disciplinary action** shall likewise have the opportunity of presenting its or their case. shall be determined by the vote of members present at such meeting

PROPOSED CHANGE

Appeal against Rejection or Termination of Membership

(1) A person whose application for membership has been rejected or whose membership has been terminated may within one month of receiving written notification thereof , lodge with the Secretary written notice of **his/her** intention to appeal against the decision of the Management Committee.

(2) Upon receipt of notification of intention to appeal against rejection or termination of membership the Secretary shall convene, within **one month** of the date of receipt by **him/her** of such notice, a general meeting to determine the appeal. At any such meeting the applicant shall be given the opportunity to fully present his case and the Management Committee or those members thereof who rejected the application for membership or terminated the membership shall likewise have the opportunity of presenting its or their case. The appeal shall be determined by the vote of members present at such meeting.

COMMENT

References to disciplinary action omitted in the revised model.
General meeting to be convened within one month in line with revised model

Cairns Bridge Club Constitution. Proposed Changes

CURRENT CLAUSE

Register of Members

Clause 10 (1) The Management Committee shall cause a Register to be kept in which shall be entered the names and addresses of all persons admitted to membership of the Club and the dates of their admission.

(2) Particulars shall also be entered into the Register of deaths, resignations, terminations and reinstatements of membership and any further particulars as the Management Committee or the members at any general meeting may require from time to time.

(3) The Register shall be open for inspection at all reasonable times by any member who previously applies to the Secretary for such inspection.

PROPOSED CHANGE

(1) The management committee must keep a register of members of the association.

(2) The register must include the following particulars for each member –
(a) the full name of the member;
(b) the postal or residential address of the member;
(c) the date of admission as a member;
(d) the date of death or time of resignation of the member;
(e) details about the termination or reinstatement of membership;
(f) any other particulars the management committee or the members at a general meeting decide.

(3) The register must be open for inspection by members of the Club at all reasonable times.

(4) A member must contact the secretary to arrange an inspection of the register.

(5) However, the management committee may, on the application of a member of the Club, withhold information about the member (other than the members full name) from the register available for inspection if the Management committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

(6) A member of the Club must not –
(a) use information from the register of members of the Club to contact, or send

COMMENT

material to, or another member of the Club for the purpose of advertising for political, religious charitable or commercial purposes; or

(b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the Club for the purpose of advertising for political, religious, charitable or commercial purposes.

(7) Subrule (6) does not apply if the use or disclosure of the information is approved by the management committee.

COMMENT

Additional clauses to protect the security and privacy of members in line with the revised model.

Cairns Bridge Club Constitution. Proposed Changes

CURRENT CLAUSE

Membership of Management Committee

Clause 11

No changes to sub-clauses (1), (2) or (3) (a) to (e)

PROPOSED CHANGE

Add new (3) (f)

The management committee must ensure that, before a candidate is elected as a member of the management committee, the candidate is advised whether or not the Club has public liability insurance and the amount thereof as appropriate.

COMMENT

Disclosure of public liability insurance as required by legislation.

Cairns Bridge Club Constitution. Proposed Changes

CURRENT CLAUSE

Meetings of the Management Committee

Clause 18 A resolution in writing signed by all the members of the Management Committee for the time being entitled to receive notice of a meeting of the Management Committee shall be valid and effectual as if it had been passed at a meeting of the Management Committee duly convened and held. Any such resolution may consist of several documents in like form each signed by one or more members of the Management Committee.

PROPOSED CHANGE

A resolution in writing agreed and signed by a majority of the members of the management committee for the time being entitled to receive notice of a meeting of the management committee shall be valid and effectual as if it had been passed at a meeting of the management committee duly convened and held provided that members of the management committee who were unable to participate in the resolution are informed thereof as soon as possible. Any such resolution may consist of several documents in like form each signed by one or more members of the management committee.

COMMENT

Changes are designed to allow more flexibility for informal decisions while still protecting the interests of all management committee members.

Cairns Bridge Club Constitution. Proposed Changes

CURRENT CLAUSE

PROPOSED CHANGE

COMMENT

General Meetings

Clause 19 The first general meeting shall be held at such time, not being less than one month nor more than three months after the incorporation of the Club, and at such place as the Management Committee may determine.

Delete clause. Renumber following Clauses

Pre-incorporation clause now redundant.

Clause 20(1) The annual general meeting shall be held on any date fixed by the Management Committee, not later than two months after the end of the financial year.

Clause 19 (1) the annual general meeting shall be held on any date fixed by the Management Committee not later than six months after the end of the financial year.

(2) the business to be transacted at every annual general meeting shall be:-

(2) The business to be transacted at every annual general meeting shall be:-

Time from end of financial year extended from two months to six months to allow more time for audit process. The six months period aligns with the revised model. Additional subclauses provide improved guidance for conduct of annual general meetings.

(a) the receiving of the Management Committee's report and the statement of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of the Club for the preceding financial year;

(a) the recording of attendances and the noting of apologies;

(b) the receiving of the auditor's report upon the books and accounts of the preceding year;

(b) confirmation of the minutes of the previous general meeting

(c) the election of members of the Management Committee;

(c) the receiving of the Presidents report on the activities and status of the Club;

(d) the appointment of an auditor;

(d) the receiving of the Treasurer's report on the financial status of the Club and the acceptance of the annual financial statements together with the auditor' report for the preceding financial year;

(f) determine subscriptions, fees, charges and if deemed expedient, levies;

(e) the election of the Management Committee,

(h) any other business which may be properly brought before such meeting.

(f) the appointment of an auditor;

(g) the determination of annual subscriptions, fees and, if deemed expedient, levies

(h) any other business which may be properly brought before such meeting.

Cairns Bridge Club Constitution. Proposed Changes

CURRENT CLAUSE

Clauses 21,22 and 23

Clause 24 (1) The President shall preside as Chairman

(2), (3) and (4) unchanged

(5) .Voting shall be by show of hands or a division of members unless not less than one fifth of members present demand a ballot, in which event there shall be a secret ballot. The Chairman shall appoint two members to conduct the secret ballot in such manner as he shall determine and the result of the ballot as declared by the Chairman shall be deemed to be the resolution of the meeting at which the ballot was demanded.

(6) unchanged

(7) The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Management Committee meeting and general meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the secretary for that inspection. For the purpose of ensuring the accuracy of the recording of such minutes, the minutes of every Management Committee meeting shall be signed by the Chairman of that meeting or the Chairman of the next succeeding Management Committee meeting verifying their accuracy. Similarly, the minutes of every general meeting shall be signed by the Chairman of the next succeeding general meeting : Provided that the minutes of any annual general meeting shall be signed by the Chairman of that meeting of the Chairman of the next succeeding general meeting or annual general meeting.

PROPOSED CHANGE

Renumber 20, 21 and 22 respectively

Renumber to Clause 23

The President shall preside as Chairperson

(5)Election of officers shall be by secret ballot and all other voting shall be by show of hands or a division of members unless not less than one fifth of the members present demand a ballot in which event there shall also be a secret ballot. The chairperson shall appoint two members to conduct the secret ballot in such manner as he/she shall determine and the result of the ballot as declared by the chairperson shall be deemed to be the resolution of the meeting at which the ballot was demanded;

(7) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each general meeting are entered in a minute book. To ensure the accuracy of the minutes;

(a) the minutes of each general meeting must be signed by the chairperson of the meeting or the chairperson of the next general meeting, verifying their accuracy; and

(b) the minutes of each annual general meeting must be signed by the chairperson of the meeting or the chairperson of the next meeting of the Club that is a general meeting or annual general meeting, verifying their accuracy;

(c) If asked by a member of the Club the secretary must, within 28 days after the request is made-

(i) make the minute book for a particular general meeting available for inspection by the member at a mutually agreed time and place; and

(ii) give the member copies of the minutes of the meeting

(d) The Club may require the member to pay the reasonable costs of providing copies of the minutes.

COMMENT

Gender neutralization. (23/1)