

Friends proposed amendment to Constitution clauses 15&43&44.

It is proposed that the Constitution be amended in relation to the following clauses as highlighted in yellow-

15. Election of committee members

- (1) Nominations of candidates for election as office-bearers of the association or as ordinary committee members:
 - (a) must be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
 - (b) must be delivered to the secretary of the association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers and ordinary committee members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
- (7) A person nominated as a candidate for election as an office-bearer or as an ordinary committee member of the association must be a member of the association for a period of at least 7 calendar days before a nomination can be accepted.

43. Facilitation Clause

This Constitution can be amended only by a duly constituted general meeting of the Association voting by a majority on a proposal to so amend the Constitution, provided that such proposal to amend has been sent in writing to each member of the Association at least 21 days before the said general meeting.

44. Winding-up Provision

- (1) The Association can be wound up only by a general meeting of the Association voting by a majority on a proposal to wind up the Association, provided that the Secretary of the Association has first written to each member of the Association at least 21 days before such general meeting is due to take place advising such members of the Association of the proposal to wind up the Association and that a vote to so wind up will take place at such general meeting.
- (2) That the distribution of surplus property on the winding up of the association be done in accordance with clause 45 of the model rules for incorporated associations prepared by Fair Trading NSW.

Notes

- The change in clause 15 changes the current 28 days to 7 days.
- The changes in clause 43 and 44(1) changes the days from 14 to 21 in line with the requirement of s39 of the Associations Incorporation Act in relation to the notice period required for special resolutions.
- The change in clause 44(2) corrects an error in the reference to the relevant provision in the model rules. ie-It should be clause 45 and not clause 42 of the model rules.

21 July 2023

John Sheehy- President