

Key Changes in the Proposed New Rules of Association

1. Meet new legislated requirements for Rules of Associations in the Associations Incorporation Reform Act 2012.

The new Act lists 23 items that must be addressed in an Association's Rules. A new set of Model rules have been written by the Department of Consumer Affairs. These can be adopted as is by an association or modified to meet the association's needs. If we do not modify our rules to comply with the Act, then our existing rules will apply, except that where they do not adequately address all the items required by the Act, the relevant provision of the new model rules addressing that item is deemed to be included in our current rules. In effect this could be quite messy because it may not be clear exactly what the rule is, our words or the new model rules.

To adopt the new Rules, there must be a 75% majority vote at a general meeting.

2. Adopt as much of the new Model rules as feasible, without conflicting with our existing Rules or policies or otherwise being detrimental to the running of the club

Once approved by the general meeting, the new Rules have to be submitted to the Department of Consumer Affairs for approval that they meet the requirements of the Act. To make that process as smooth as possible, the proposed Rules substantially follow the Model rules. Changes have been made to ensure that important club Rules and policies are preserved.

3. Allow the Secretary role that is defined under the 2012 Act (equivalent to the Public Officer) to be carried out by any committee member, not necessarily the administrative secretary

The new Act uses the term Secretary to refer to the role previously known as the Public Officer. There are some legal responsibilities tied to this role. The proposed rules allow us to separate the official Secretary role from the administrative role normally performed by the club secretary. Sometimes the roles will be combined, but we need the flexibility to separate them.

4. Clarify areas of uncertainty in the old rules, including membership categories, and sale/transfer of debentures.