

MOTION TO AMEND CONSTITUTION

The original drafting of the Constitution does not allow the Management Committee to submit motions to an Annual General Meeting (AGM). While the Constitution authorises the Management Committee to submit motions to a Special General Meeting (SGM), it does not provide the same ability for an AGM.

Under the current Constitution, the Management Committee could call an SGM on the same day as the AGM and put the motion to members at that meeting. The proposed amendment simply allows those same motions to be included in the AGM agenda, eliminating the need to convene and notify a separate SGM for what is effectively the same purpose. This streamlines the administrative process without changing the rights of members or the authority of the Management Committee.

The amendment does not confer any additional powers on the Management Committee, nor does it remove any power from the members. It merely changes the procedure by which motions may be presented to members. Consequently, the amendment is considered to have no more than a minor effect on the Constitution.

The second proposed amendment also corrects an oversight in the original drafting of the Constitution. It is to clarify that the reports presented to the Annual General Meeting, including the President's Report, the Financial Statements and any other reports required by the Constitution, are to be formally adopted by the meeting, rather than simply presented. This amendment also has no more than a minor effect on the Constitution.

Section 31 of the Incorporated Societies Act 2022 permits a committee to amend a constitution without member approval where the amendment has no more than a minor effect or corrects errors, provided certain procedural requirements are met.

Those requirements are:

1. Written notice of the proposed amendment must be sent to every member of the Club.
2. The notice must include:
 - (a) the text of the proposed amendment; and
 - (b) advice that members have the right to object to the amendment.

If no member objects within 20 working days after the notice is sent, the Management Committee may adopt the amendment. However, if any member objects within that period, the amendment cannot be made under section 31 and would instead need to be considered by the members in accordance with the Constitution.

Proposed changes to the club constitution:-

1. "That clause 5.4 of the constitution be deleted and replaced with the following:-
"5.4 Other items of business properly submitted for consideration at the AGM: in order for a proposal or motion to be properly submitted for consideration at the AGM pursuant to clause 5.3 (e) the proposal or motion must be:-
 - 5.4.1: in writing; and
 - 5.4.2: either:-
 - 5.4.2.1: proposed by the Management Committee; or
 - 5.4.2.2: signed by not less than twenty-five Voting Members; and
 - 5.4.3 submitted to the Club not less than fourteen days before the AGM at which it is to be considered.""

The addition of 5.4.2.1 enables the Management Committee to propose motions at the AGM without first obtaining the signatures of twenty-five members. The amendment affects only the method by which a motion is brought before the AGM. It does not alter the members' right to debate the motion or vote on it. It alters how a motion is brought to the AGM, not who decides it.

The original motion reads:

"5.4 Notice of proposed motions: *Members must give notice of any proposed motions and other items of business to the Club at least fourteen days before the date of the AGM and such notice shall only be valid if signed by not less than twenty-five Voting Members.*

2. "That the words *"the Management Committee's presentation of the following information during"* in clause 5.3(b) of the Constitution be deleted and replaced with the following words *"the presentation by the Management Committee for adoption by the meeting of the following information in respect of"*.