

Notice of Motion

Notice is hereby given in accordance with sub-clause 14(a) of the Club's Constitution of a SPECIAL RESOLUTION to be passed by a majority vote of not less than three fourths of the Members present and entitled to vote and those approved absentee voters who have cast a legitimate vote in accordance with the provisions of sub-clause 9(g) of the Club's Constitution TO AMEND THE CONSTITUTION so as to be in the form of the document attached to this Resolution.

I move that:

- 1 The Club's Constitution is, without the need for further submission to or approval by the Members, amended so as to be in the form of the document attached to this Resolution, with any further amendments made as contemplated by paragraph 2 of this Resolution, subject to and with effect from the later of the approval or acceptance by:
 - (a) the Commissioner under the Associations Incorporation Act 2015; and
 - (b) the licensing authority under the Liquor Control Act 1988.
- 2 The General Committee is empowered, authorised and directed to cause to be made any amendments to the form of the Constitution as attached to this Resolution and presented to this Half Yearly General Meeting:
 - (a) as may be necessary to meet any requirements of the Commissioner or the licensing authority for the purposes of their approval or acceptance of the Constitution as contemplated by paragraph 1 of this Resolution; and
 - (b) as the General Committee may think fit to address any patent or typographical errors or formatting issues.

EXPLANATION

Attached is a copy of the current Constitution with the proposed changes¹ shown marked up. These changes are as required for our Constitution to be compliant with the Associations Incorporation Act 2015 ("the Act").

Schedule 1 of the Act contains 19 items which must be addressed by any Association's Constitution (Rules) by 30 June 2019. The table below lists the compliance status of the current Constitution and amendments made by reference to the 19 items. With the exception of some corrections and other amendments noted in the table the changes shown marked up on the attached copy of the Constitution are those required for the Constitution of The Claremont Yacht Club to be rendered compliant with The Act.

A final version of the Constitution, as it will be after all of the proposed amendments are accepted, and in the form which will be tabled and attached to the proposed Resolution, can be viewed on the Club's website.

Table of Schedule 1 requirements

Matter	Compliance note (by reference to clause of current Constitution)
1 Name of the Club	Compliant
2 The objects or purpose of the Club	2 Amended to be compliant with not for profit clause and requirement 6g below.
3 Qualification for membership	Not applicable
4 Register of members	4(h) Inspection of Register of Members – deleted as this is covered in new clause 14(d)
5 Entrance fees	Compliant
6 provisions for the management committee	

6a Election and appointment of committee	Compliant
6b Terms of office of committee	Compliant
6c Grounds for committee position becoming vacant	Compliant
6d Filling of casual vacancies	Compliant
6e 1 Quorum for General Committee	Compliant
2 Procedure for General Committee	10(C) amended with copy of the provision from the Model Rules developed under The Act by Department of Mines, Industry Regulation and Safety.
6f Making and keeping of records.	10(a) provision included for minute taker for General Committee meetings
6g Payments to members of committee	2(b) amendment to objects
7 1 Quorum for meetings of members	Compliant
2 Procedure for meetings of members	Compliant
8 Notification to all members of general meetings	14(e) added with acceptable forms of notification.
9 Time and manner of notices of general meetings of members	Compliant
10 Number of members expressed as a percentage to call a general meeting of members	9(b) amended as required (Currently 25 voting members required. Changed to 10% which will be 30 to 35 members.)
11 Control of the funds of the Club	Compliant
12 Financial year of the Club	Compliant
13 When and how general meetings of members are called	Compliant
14 How to change the constitution (rules)	Compliant
15 Custody of the common seal	8(h)(iii) added
16 Custody of the Clubs books and securities	12(d) Included under the duties of the Honorary Treasurer
17 Inspection by members of Club records	14(d) Added with requirements.
18 Procedure for dealing with disputes.	16 added. Copy of the provision from the Model Rules developed under The Act by Department of Mines, Industry Regulation and Safety.
19 Distribution of surplus property at dissolution of the Club.	Former 16(d) now 17(d) amended to be compliant with the requirements of The Act.

Moved by: David Bovell
On behalf of the General Committee

Signed: David Bovell

Date - 14/2/18