

## Summary of Changes to Draft Rules

This is a summary of the changes to the draft rules last presented to the Special General Meeting of the Association following a process of consideration by the Rules Sub-Committee, consultation with members and referral back to the Management Committee.

- Rule 2.3      the words *in person or by proxy* have been inserted to make it plain that proxy votes are permissible on a special resolution.
- Rule 20      prescribes the information which must be in the members register and that information has been extended to include each factor necessary to determine whether a particular member is eligible to vote or to hold office.
- Rules 29-32   These rules have been altered to establish a right of members to access the membership register. Members may also obtain a copy of the members register so long as they pay the reasonable cost.
- Rule 32      This rule limits the right to access and use information in the membership register. Firstly it enables a member, by separate declaration, to make his or her address unavailable to other members. Secondly it limits the use of information from the register for commercial, political or religious purposes unconnected with the objects of the Association.
- Rule 39.6     This rule provides for the publication of information about candidates for elections and gives to the returning officer a right to determine disputes about the content of the publication and manner of publication of that material.
- Rule 39.16    This rule provides the framework for members to vote in elections of office bearers and members of the management committee by proxy. This clause was inserted to facilitate voting by members who are unable to attend the Annual General Meeting personally. Legal advice from the Association's solicitors confirmed by barrister Tony Lang, is that the *Associations Incorporation Act 1981* (Qld) does not permit election by postal voting.  
This rule sets out the fundamental principles for the use of election proxies and also provides for the making of by-laws by the Management Committee about matters of procedure. These by-laws must not be inconsistent with the rules but may allow for some fine-tuning of the election procedure from time to time .
- Rule 44.4     This rule should be read with rules 59.1 and 60.2. The minimum number of members necessary to requisition a Special General is 1% of the membership. It would be difficult to establish at any moment the precise number of members so as to determine the number required to require a special general meeting. To overcome this difficulty, the

membership number for this purpose is the number to be determined and published each year in the annual report so the number of members required to requisition a special general meeting is readily ascertainable and there is no room for argument about it.

Rule 75

This has been amended to give effect to the distinction between election proxies and ordinary proxies. As a matter of policy the Association has limited the number of proxies that may be exercised by any one member to five (5).

However, election proxies are only exercised by the chair at elections at Annual General Meetings. The number of election proxies the chair may exercise is unlimited. This process is introduced to overcome the inability to conduct postal voting. It necessarily permits some compromises to the secret ballot requirement to allow oversight of the election process.