

**Proposed Alteration to the Current Rules of the Wodonga Hockey Club Inc. – approved as of 16 Dec. 2010 - PART 2 of 2**

**PART 1 of 2 explains the CHANGES FROM the CURRENT RULE to the PROPOSED RULES**

**PART 2 of 2 offers explanation of the PROPOSED RULES in the CONSTITUTION and how they relate to the CURRENT RULES.**

\* wording differs to current rule

# differs to Model Rule

## differs to Model Rules only in so much as the word, 'Rules' becomes 'Constitution' and the word 'Association' becomes 'Club'

NOTE – gender specific words (his/her, he/she) have been replaced with inclusive language.

Proposed Constitution -Rule	2010 RULES - Rule	Explanation: *wording differs to current rule # differs to Model Rule ## differs to Model Rules only in so much as the word, 'Rules' becomes 'Constitution' and the word 'Association' becomes 'Club'
TABLE OF PROVISIONS	INDEX	
PART 1-PRELIMINARY		
* 1 Name	1.1 Name	ADDED IN –statement about Border Indoor Hockey
* 2 Statement of Purpose	1.2 Statement of Purpose	Altered wording but retains the essence of current rule
* 3 Financial Year	1.3.1 (Interpretations)	End of financial year remains 31 <sup>st</sup> October
*# 4 Definitions	1.3 Interpretations 1.4 (Meetings)	Combination of definitions from current rules and 2012 Model Rules
PART 2 – POWERS OF THE CLUB		
*# 5 Powers of the Club 5(2)(h)	2.1 Committee of Management 6.4.5	New rule - expresses that - the Club has the power to do all things incidental or conducive to achieve its purposes. - the Club may only exercise its power and use of its income and assets (including any surplus) for its purposes - see5(2)
*# 5(2)(g)	5.25 Insurance	'enter into any other contract, hold any licence and any insurance it considers necessary or desirable;'
*## 6 Not for profit organisation	5.24 Winding up or cancellation	Further detail on how assets must be disposed of.

PART 3 – MEMBERS, DISCIPLINARY PROCEDURES AND GRIEVANCES		
Division 1 - Membership		
### 7 Minimum number of members		NEW RULE – The Club must have at least 5 members.
*# 8 Classes of membership		NEW RULE - Clarifies the class of membership of members, associate members and honorary members. Defines age of junior members.
*# 9 Application for Membership	1.3.4 3.1 Membership 3.1.2 3.1.3 3.1.4 5.1.c	
*# 10 Consideration of applications	3.1 Membership 3.1.5 3.19	
*# 11 New Membership and renewal of membership	3.1 Membership 3.1.1 3.1.2 3.1.6 3.1.7 3.1.8	ADDED IN –11(3) - annual renewal of membership.
*# 12 Annual subscription and fee on joining	3.2 Fees and subscription	
*# 13 General Rights of Members	4.7 4.8 4.17 5.20	Refers to - rights of members entitled to vote; - the conditions under which a member may vote.

*# 14 General rights of Associate and Honorary Members		No voting rights
*15 Rights not transferable	3.1.10(a)	
*16 Ceasing membership	3.1.10(b) 3.4.2(b)	
*17 Resigning as a member	3.4.1	17(2) states what happens if a member does not reapply for membership
*# 18 Register of members	3.3	includes conditions under which the register can be inspected or not inspected by members.
Division 2 – Disciplinary action	3.6	The proposed rules 20, 21, 22, 23 and 24 outline the appointment of a disciplinary subcommittee, the notice the Secretary must give to the member, how the subcommittee operates, and the appeal process. CHANGE FROM An appeal going to a General Meeting TO the appeal being heard by the disciplinary subcommittee  Members may be reprimanded, suspended or expelled but may no longer be fined
*## 19 Grounds for taking Disciplinary action		
*# 21 Disciplinary subcommittee		
*## 21 Notice to member		
*# 22 Decision of subcommittee		
*# 23 Appeal rights		
*# 24 Conduct of disciplinary appeal meeting		
Division 3 – Grievance procedure	3.5 Disputes and mediation	* Altered wording but retains the essence of current rule EXCEPT THAT  Rule 25 ADDS - that the grievance procedure also applies to a member and the Committee. Rule 26 ADDS  - ‘Where a Member Protection Information Officer has been appointed, parties to the dispute have the option to approach the MPIO for guidance. Rule 28 ADDS - 28(3) - that the mediator shall present a report to Committee.
*25 Application		
*#26 Parties must attempt to resolve the dispute		
*27 Appointment of mediator		
*#28 Mediation process		
*29 Failure to resolve dispute by mediation		
PART 4 – GENERAL MEETINGS OF THE CLUB	SECTION 4 MEETINGS	
*#30 Annual General Meeting 30(3)(b)(iii)	4.6  6.3 (budgeting)	* Altered wording but retains the essence of current rule

*#31 Special general meetings	4.7 4.8.4	A*Itered wording but retains the essence of current rule.
*#32 Special general meeting held at request of members	4.7	* Altered wording but retains the essence of current rule EXCEPT that in the case of a meeting convened on the request of the members it CHANGES FROM the request representing not less than 15% of the total number of members To the request being by at least 20% of members entitled to vote.
33 Notice of general meetings	4.8  include	The proposed rule retains the essence of the current rule EXCEPT THAT - The proposed rule ADDS that if a special resolution is to be proposed the notice must (i) state in full the proposed resolution; and (ii) state the intention to propose the resolution as a special resolution
*#34 Proxies	4.18	Appendix 2 of current rules is not required under the proposed rules Appendix 3 of the current rules becomes Appendix 2 of the proposed rules, with alterations allowing the member to indicate how the proxy may vote - for, against or as the proxy sees fit. CHANGES FROM Notice of proxy being given to the Secretary 24 hours before the meeting TO The form appointing a proxy being given to the Chairperson before or at the commencement of the meeting or being received by post or electronically by the Club no later than 24 hours before the meeting.
35 Use of technology		NEW RULE - states how a member may participate and vote if not physically present at a general meeting.
*#36 Quorum at general meetings	4.9	4.9.2 CHANGES FROM - Five members personally present (being five members entitled under these Rules to vote at a general meeting), plus 1 (one) Office holder (see Rule 2.2.1) constitutes a quorum for the conduct of the business of a general meeting. - an adjourned meeting being held the same day in the next week TO 39(1) -the quorum for a general meeting is the presence (physically, by proxy, or as allowed under rule 35) of 10% of the members entitled to vote. - an adjourned meeting being held not more than 21 days after the adjournment.
*#37 Adjournment of general meeting	4.16	* Altered wording but retains the essence of current rule EXCEPT that the proposed rule ADDS instances of why a meeting may be adjourned.

38 Voting at general meeting	4.17	Voting age CHANGES FROM 16 years TO 18 years Proposed rules gives further directions on voting at a general meeting.
39 Special Resolutions	1.5 3.6.9 4.12 4.14 5.22	NEW RULE - A special resolution is passed if not less than three quarters of the members voting at a general meeting (whether in person or by proxy) vote in favour of the resolution. Note In addition to certain matters specified in the Act, a special resolution is required— to remove a committee member from office; to alter these Rules, including changing the name or any of the purposes of the Club.
*40 Determining whether resolution passed	4.11 4.14	* Altered wording but retains the essence of current rules
*41 Minutes of general meeting	4.13	* Altered wording but retains the essence of current rule. ADDED is - further detail on what must be recorded in the minutes of an AGM.  Current rule 4.13 refers to minutes of committee meetings AND general meetings. Proposed rule 66 refers to minutes of committee meetings. Proposed rule 41 refers to minutes of general meetings..
PART 5 - COMMITTEE	SECTION 2 COMMITTEEE SECTION 5 ADMINISTRATION	
Division 1 – Powers of Committee		
*42 Role and Powers	2.1.1 2.1.2	* Altered wording but retains the essence of current rule ADDED Is the power to - appoint and remove staff; and - establish subcommittees
43 Delegation		Refers to power of delegation to a subcommittee or staff.

\* Altered wording but retains the essence of current rule.

Division 2 – Composition of Committee and duties of members		
*#44 Composition of Committee	2.1.3 2.2.1	<p>ADDS IN</p> <ul style="list-style-type: none"> <li>- that up to 8 ordinary members may be elected</li> <li>- that in addition 2 junior members may be elected or invited, with restrictions on voting and being included in a quorum”.</li> </ul> <p>CHANGES rule 2.2.4 FROM ‘To be an officer of the Club a member must have served a minimum of 1 (one) year on the Committee of Management.’</p> <p>TO ‘Excluding the Vice-President, to be an Executive Officer of the Club a member must have served a minimum of 1 (one) year on the Committee.</p>
#45 General duties		<p>Outlines expectations, responsibilities of all committee members (present and former) in carrying out their duties as elected members of committee.</p> <p>Further obligations are set out in rules 46,47,48 and in the By-Laws-Part 2.</p>
*#46 President and Vice-President	4.4 5.2 5.3	<p>Rule 5.2 and 5.3 have been moved to the proposed By-Laws</p> <p>THE PROPOSED RULE STATES that the President is the Chairperson of meetings and states what happens in the President’s absence.</p>
*#47 Secretary	5.5	<p>The duties of the Secretary have been moved to the proposed By-Laws.</p> <p>In summary, THE PROPOSED RULE STATES that the Secretary</p> <ul style="list-style-type: none"> <li>- must perform any duty or function required under the Act</li> <li>- maintain the register of members</li> <li>- keep custody of the common seal (if any) of the Club and, except for the financial records, all books, documents and securities of the Club</li> <li>- provide members with access to the register of members, the minutes of general meetings and other books and documents (subject to the Act and the Constitution); and</li> <li>- perform any other duty or function imposed on the Secretary by the Constitution.</li> <li>- give to the Registrar notice of appointment within 14 days.</li> </ul>
*#48 Treasurer	5.4 SECTION 6	<p>The duties of the Treasurer have been moved to the proposed By-Laws.</p> <p>In summary, THE PROPOSED RULE STATES that the Treasurer</p> <ul style="list-style-type: none"> <li>- must receive all monies and issue receipts</li> <li>- ensure that all monies received are paid into the account of the Club within 5 working days</li> <li>- make authorised payments Club from the Club’s funds</li> </ul>

		<ul style="list-style-type: none"> <li>- ensure cheques are signed by at least 2 Executive members</li> <li>- ensure that the financial records of the Club are kept in accordance with the Act</li> <li>- coordinate the preparation and certification of the financial statements prior to the AGM</li> <li>- prepare and submit an indicative budget to the AGM</li> <li>- ensure that at least one other executive member has access to the accounts and financial records</li> </ul>
Division 3 – Election of Committee members and tenure of office		
*#49 Who is eligible to be a Committee member	3.2 4.17	<p>CHANGES FROM</p> <p>16 years</p> <p>TO</p> <p>18 years</p>
#50 Positions to be declared vacant		<p>NEW</p> <p>In summary, states that at the AGM all positions on the Committee must be declared vacant and elections held in accordance with rules 51 to 54.</p>
*#51 Nominations	2.4.1 2.4.2 2.4.5	<p>The process for nomination has been altered</p> <p>CHANGES FROM</p> <p>Nominations being made in writing, signed by 2 members and with written consent of the candidate, and delivered to the secretary not less than 7 days before the AGM</p> <p>TO</p> <p>Nominations being accepted prior to or at the start of an election. With consent, a member may be nominated by another member. A member may self- nominate.</p> <p>CHANGES FROM</p> <p>A candidate may only be nominated for one office, or as an ordinary member of the committee, prior to the Annual General Meeting.</p> <p>TO</p> <p>A member who is nominated for a position and fails to be elected to that position may be nominated for any other position for which an election is yet to be held.</p>
*#52 Election of Executive Officers	2.4.4 2.4.5	<p>* Altered wording but retains the essence of current rules</p> <p>Except that current rule 2.4.3 is not specifically included</p>
*#53 Election of ordinary members	2.4.3 2.4.5	<p>* Altered wording but retains the essence of current rules</p> <p>Except that current rule 2.4.3 is not specifically included</p>
* #54 Ballot	2.4.5 2.4.6	<p>CHANGES FROM</p> <p>Committee directing how ballot is held</p>

		TO procedures for conducting a ballot
*## 55 Term of office	2.3.1 2.6.1 2.6.2 2.6.4	* Altered wording but retains the essence of current rules EXCEPT that CHANGES FROM A resolution must be passed to remove a committee member from office TO a special resolution must be passed to remove a committee member from office.
*#56 Vacation of Office  56(2)(b)	2.5 2.6.4  5.1.1	* Altered wording but retains the essence of current rules EXCEPT THAT attendance requirements CHANGE FROM Attending a minimum of 80% of all meetings TO ceasing to be a member of committee if 3 consecutive meetings are missed - other than special or urgent committee meetings or without leave of absence under rule 67.
*#57 Filling casual vacancies	2.3.2	* Altered wording but retains the essence of current rules
Division 4 – Meetings of Committee		
*#58 Meetings of Committee	4.1.1 4.1.2	* Altered wording but retains the essence of current rules
*59 Notice of Meetings	4.2.1	CHANGE FROM 2 days' notice TO 7 days (for meeting) with agenda provided 2 working days before meeting.
*60 Urgent meetings	4.2.2	CHANGE TO how notice is given. AND specifies that any resolution passed must be passed by an absolute majority.
61 Procedure and order of business		New rule
62 Use of technology		New rule
63 Quorum	4.3.1 4.3.2 4.3.3	Altered wording but retains the essence of current rules CHANGES FROM The same day in the next week TO

		A date no later than 14 days (for adjournment of meeting where there is no quorum)
*#64 Voting	4.5	* Altered wording but retains the essence of current rule ADDED in is 64(4) – Subrule (3) does not apply to any motion or question which is required by these Rules to be passed by an absolute majority of the Committee. (Subrule (3)- A motion is carried if a majority of committee members present at the meeting vote in favour of the motion.)
*65 Conflict of Interest		NEW RULE explaining process if committee member has a material personal interest in a matter being considered
*66 Minutes of meeting	4.13	* Altered wording but retains the essence of current rule. ADDED in is that - any material interest disclosed under rule 65 must be recorded in the minutes.  Current rule 4.13 refers to minutes of committee meetings AND general meetings. Proposed rule 66 refers to minutes of committee meetings. Proposed rule 41 refers to minutes of general meetings.
67 Leave of absence		NEW RULE Leave of absence from meetings can be granted for up to 3 months.
PART 6 – FINANCIAL MATTERS	SECTION 6 - FINANCE	
*#68 Source of funds	6.4.4	* Altered wording but retains the essence of current rule.
###69 Management of Funds	6.4	* Altered wording but retains the essence of current rule.
70 Records	5.4 6.1	* Altered wording but retains the essence of current rule. ADDED Proposed rule 70(2) - retain financial records for 7 years
71 Financial Statements	6.2	* Altered wording but retains the essence of current rule.
PART 7 – GENERAL MATTERS		
###72 Common Seal	5.21	* Altered wording but retains the essence of current rule.
###73 Registered Address		NEW RULE is the address determined by resolution of the Committee
*#74 Notice Requirement	5.23	* Altered wording but retains the essence of current rule. ADDED Proposed rule 74(3) how a notice may be given to the Club or Committee

*#75 Custody and Inspection of books and records	5.20.2 5.20.3	* Altered wording but retains the essence of current rule EXCEPT that there is provision for refusing to permit inspection of some records.
###76 Winding up and cancellation	5.24	* Altered wording but retains the essence of current rule Proposed rule specifies in greater detail how surplus assets are to be distributed
###77 Alteration of the Rules of the Constitution	1.5 5.22	Current rules refer to rules not being changed except in accordance with the Act. Proposed rule is more specific, stating clearly that the Constitution can only be changed by special resolution of a general meeting of the Club and on approval of the Registrar.
<b>Rules 78 to 82 are not in the 2012 Model Rules</b>		
78 Club Awards	SECTION 7 CLUB AWARDS	Rule 78 states - the CLUB AWARDS have been placed in the proposed By-Laws - alterations are permitted in accordance with these By-Laws
79 By-Laws of the Club	8.1	In brief, rule 79 states the Committee is responsible for formulating, interpreting and amending the By-Laws. The By-Laws can only be changed by special resolution of a general meeting of the Club
80 The Code of Conduct		Rule 80 states the Code of Conduct is included in the By-Laws
81 Policies and Procedures of the Club	8.1 8.2 8.3	* Altered wording but retains the essence of current rule CHANGES FROM Review being 'as required' TO Review being very 2-3 years, or sooner if required.
82 Amendment Dates for Reference		Tracks dates that the Rules of the Club are altered.
Appendix 1	Appendix 1	Membership Application – Refer to Rule 9
Appendix 2	Appendix 3	Form of Appointment of Proxy – Refer to Rule 34