

Deakin Residents' Association, Inc.

Annual General Meeting 2014.

Draft Proposed amendments to the rules, with REASONS.

Proposed deletions are ~~struck through~~, proposed additions are underlined.

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4. Application for membership

4.1 An application by a person for membership of Deakin Residents' Association:

- (a) shall be made in writing on Deakin Residents' Association current membership form;
- (b) shall be accompanied by the annual membership fee (if any) and joining fee (if any); and
- (c) shall be lodged with the Committee.

REASON for change: Whether there is a fee or not is at the discretion of the Committee under Rule 8.2.

4.2 As soon as is practicable after receiving an application for membership, the Committee shall approve or disapprove the application. The Committee has absolute discretion to approve or disapprove an application for membership.

4.3 Once the Committee determines to disapprove an application for membership, the Committee shall as soon as practicable notify the applicant of that disapproval and refund any current fees paid.

4.4 Once the Committee approves an application, the name of the applicant will be entered in the register of Members and, upon the name being so entered, the applicant shall become a Member of Deakin Residents' Association.

4.5 Upon becoming a Member, the Member agrees to abide by the provisions of these rules, and any policies and procedures formulated under these rules.

5. Membership entitlements not transferable

5.1 A right, privilege or obligation which a person has by reason of being a Member of Deakin Residents' Association:

- (a) is not capable of being transferred or transmitted to another person or organisation; and
- (b) terminates upon cessation of the person's membership or upon the person or organisation falling to renew membership and pay the annual membership fee within three months of it falling due.

REASON for change: Provision moved to Rule 6.

6. Cessation of membership

6.1 A person ceases to be a Member of Deakin Residents' Association if the person:

- (a) dies;
- (b) resigns from membership or is not eligible for membership as in rule 3.1
- (a) (b) and (c);
- (c) is expelled;
- (d) fails to ~~renew membership~~ pay any annual membership fee within three months of such fee falling due; or
- (e) the person's qualification for membership has ceased.

Reason for change: Remove the requirement for an active annual renewal, except in case there is a fee which has not been paid.

7. Resignation of membership

~~7.1 A Member is not entitled to resign from Membership of Deakin Residents' Association except in accordance with this rule.~~

7.21 A Member ~~who has paid all amounts payable by the Member to Deakin Residents' Association~~ may resign from membership of Deakin Residents' Association by first giving notice (being not less than one month or, if the Committee has determined, a shorter period) in writing to the Committee of the Member's intention to resign and, upon the expiration of the period of notice, the Member ceases to be a Member.

7.23 Where a person ceases to be a Member, the Committee shall make an appropriate entry in the register of Members recording the date on which the Member ceased to be a Member.

~~7.4 A Member shall cease to be a Member if that person does not renew membership and pay the annual membership fee within three months of it falling due.~~

Reason for change: A condition imposed on resignation can have no apparent practical effect, so provisions are best deleted.

8. Fees

8.1 The entrance fee to Deakin Residents' Association is an amount determined by resolution of the Committee.

8.2 The annual membership fee of Deakin Residents' Association is an amount determined by resolution of the Committee.

8.3 Different membership fees may be fixed for different classes of membership.

8.4 The annual membership fee (if any) is for a period of one year from 1 July. Membership fees are payable before 1 July each being the first day of the membership year to which the fees apply. ~~If a person becomes a Member on or after 1 July, the membership fee is payable within four weeks of becoming a Member.~~ The Committee may determine re whether to apply is to be no a pro-rata membership rate fee for applications received during the course of a membership year.

8.5 Notification to Members regarding fees may be by electronic communication where a suitable address is provided.

Reason for change: To clarify which year a fee would apply to, and to give the Committee the discretion to decide policy on whether a pro rata fee could be applied. In the case of a new Member, any fee will accompany the application (see Rule 4.1(b))

13. Membership of the Committee

13.1 The Committee shall comprise of the following Officers:

- (a) the President;
- (b) the Vice President;
- (c) the Treasurer; and
- (d) the Secretary.

13.2 The Committee shall also have up to four other Members.

13.3 Committee Members must be ~~financial~~ Members of the Deakin Residents' Association.

13.4 The Committee must nominate one of the Committee to undertake the role of Public Officer in accordance with the Act.

Reason for change: Status of "financial" Member has no meaning, because any person who is not "financial" under 6.1(d) is not a Member.

14. Election of the Committee

14.1 The Officers and other Committee Members are to be elected at the Annual General Meeting (AGM).

14.2 Notification of the election is to be circulated to all Members with the notice of the AGM.

14.3 Nominations for the election of the Officers and other Committee Members are:

- (a) to be in writing and signed ~~be by~~ two ~~financial~~ Members ~~of~~ Deakin Residents' Association;
- (b) be accompanied by the written consent of the candidate; and
- (c) to reach the Secretary before the date of the AGM.

Reason for change: As for Rule 13, plus grammatical correction.

17. Committee meetings and quorum

17.1 The Committee is to meet as and when required.

~~17.2 The Committee is to meet at least five times during the Financial Year.~~

~~17.3~~ The President, or any three Committee Members, may convene additional Committee meetings, provided notice is given to all Committee Members.

~~17.4~~ At any meeting of the Committee a quorum is three of its Members, including one of its Officers.

17.54 The President, or in his or her absence, the Vice President is to chair meetings. In the absence of the President or Vice President, the meeting shall elect a chairperson.

17.65 Having regard for the informality of Committee meetings, the procedure to be followed is to be determined from time to time by the Committee.

17.76 Committee meetings are open to all Members to attend but non-Committee Members are not entitled to vote.

Reason for change: Committee Meetings should be held when necessary for efficient business as described in this rule. There is no need to specify a minimum number of meetings regardless of agenda or practical considerations.

32. Auditor

32.1 An Auditor must audit the accounts and financial records of Deakin Residents' Association at least annually.

32.2 Deakin Residents' Association must appoint as an Auditor ~~a Certified Public Accountant or a member of the Institute of Chartered Accountants, in accordance with the provisions of the Act. being a person who is not:~~
~~(a) an officer of the Deakin Residents' Association; or~~
~~(b) a partner, employer or employee of an officer of the Deakin Residents' Association; or~~
~~(c) a partner or employee of an employee of an officer of the Deakin Residents' Association.~~

~~32.3 The Auditor must not be a person who helped prepare the accounts.~~

Reason for change: The ACT *Associations Incorporations Act, 1991* prescribes the qualifications required for an Auditor, and empowers the Office of Regulatory Services to determine from time to time which qualifications are required for what kinds and scales of Associations. The DRA Rules need only to refer to that authority.