

Notice of proposed changes to Lindisfarne Sailing Club Constitution
For 2021 Annual General Meeting

This document contains email correspondence in which Richard Bingham has identified two changes to the LSC Constitution he considers to be reasonable (in black text at the bottom); Paul Rayner has suggested this be put to the AGM as two motions (blue text, middle); and Matt Westland has indicated he will second both motions (green text, top).

Hi Paul
I'm happy to second both motions as outlined in your mail.
Cheers
Matt Westland.

Sent from my iPad

On May 7, 2021, at 3:12 PM, Paul Rayner <paulrayner@netspace.net.au> wrote:

Hi all [to the Committee]

On 27 April 2021, Richard Bingham sent an email to Committee members proposing two changes to LSC Constitution: to remove the requirement for annual external auditing of the clubs accounts; and to remove the 3-year time limit on the positions of Commodore, Vice-Commodore and Rear-Commodore. Richard's email also proposed a motion to make these changes, which Matt Westland responded that he would second.

I have modified Richard's original email below, only in the section where the motion is proposed, so that two separate motions are clearly identified. Is there somebody willing to second both motions?

Regards,
Paul

Evening all [to the Committee]

As foreshadowed, since our meeting last week I've done some checking about our current constitution with Consumer Affairs.

The authorised version of the constitution is the 2013 one which Abby gave me, but Rule 13 was amended in 2018 to remove the requirement for public notice of the AGM to go in the newspaper. It's sufficient if we give 14 days notice in 'an appropriate public communication medium'. I think that could be by email to members, and a Facebook note.

In addition, there are two other provisions that I think should be changed soon.

First, the constitution currently includes a requirement that the financial statements must be audited annually. Rule 10(1) provides:

1. *(1) Once at least in each financial year of the Club, the accounts of the Club shall be examined by the auditor*

Consumer Affairs advises that the general practice now is that associations with annual revenue of less than \$250,000 (i.e. us) don't need to do an annual audit - see <https://www.cbos.tas.gov.au/topics/clubs-fundraising/incorporated-associations/lodging-annual-returns>.

We could remove the obligation from Rule 10 of the constitution and save ourselves some work into the future. I think it would be sensible for audits to be conducted as the committee deems necessary, but that ten members should be able to require an audit by calling a special meeting as set out in Rule 12(2).

Second, Rule 22(4) provides a 3 year maximum term for flag officers. It reads as follows:

3. (4) *Subject to these rules each officer of the Club shall hold Office until the annual general meeting next after the date of his election and is eligible for re-election and the retiring Commodore, Vice-Commodore and Rear-Commodore shall be eligible for re-election for a maximum consecutive period of three years to each of these offices.*

My view is that this is unnecessarily restrictive - if the members think it's a good idea to limit terms, that can be done through the election process at the AGM. Further, it might assist in ensuring that we can find people who are prepared to do the jobs...!!!

If we wanted to remove these two provisions from the constitution we need to put a motion to the AGM. Rule 35 says that to be effective a notice of motion needs to be provided in writing to the secretary 21 days before the AGM (i.e. by 7 May) and included in the notice of the meeting. If the motion is passed by a 3/4 majority at the AGM, and subsequently approved by Consumer Affairs, it would come into operation.

Possible motions to remove the two provisions are as follows:

Motion to alter audit provisions in Lindisfarne Sailing Club Constitution

Rule 10 is amended by deleting subrule (1) and substituting the following:

'As often as required by the committee or a special meeting, the accounts shall be examined by the auditor'.

Motion to alter maximum consecutive terms of Commodore, Vice-Commodore and Rear-Commodore in Lindisfarne Sailing Club Constitution

Rule 22(4) is amended to delete the words *' and the retiring Commodore, Vice-Commodore and Rear-Commodore shall be eligible for re-election for a maximum consecutive period of three years to each of these offices'.*

I'd be happy to move these motion if someone else is prepared to second them.

Although it's not strictly necessary, because of the different time periods for the notice of motion and the notice of AGM (21 days and 14 days), I think it would be sensible to send out the notices of the AGM by 7 May to cover both periods.

I've attached the current constitution and a document outlining the 2018 amendment FYI.

Cheers

Richard

[Attachments:]

<LSC Constitution.pdf>

<LSC Constitution 2018 amendment.pdf>