**Changes to the Pearl Beach Constitution April 2023**

The working party initially looked at both the model constitution and the current constitution. The aim was to simplify the language, ensure the structure was easy to follow and ensure that how we work as an association was covered by the constitution.

Around 15 members of the association provided views on what should be changed. We adopted some but others we have left for further discussion.

Initially we considered only changing the current constitution but moved to adopting the model constitution and adding to it from our current constitution as the language and structure were easier to follow.

We would like members to read the draft constitution and give us feedback on any clauses you find difficult to understand or disagree with. Please contact me on vfc1951@gmail.com. We could always meet for a coffee to discuss any issues.

**Below is a summary of the changes.**

Clause 1. Definitions – added definitions from model constitution plus a definition of cloud storage

Clause 2 (c) Added age 18 qualification to friend membership.

Clause 4 (1) (c) Added “other delegated member” to the duties for secretary and membership to enable another member of the committee managing membership. Delegate is referred to throughout the management of membership.

Clause 5 (2) (d) Added reference to storing electronic files on “the secure cloud storage”. This is referred to in several other clauses and reflects modern data and document storage.

Clause 6 Clarified that the annual fee is payable in the year of joining and then a fee is due on 1 July the following year.

Clause 9 Clarified that in disciplining a member the executive committee must call a special general meeting.

Clause10 New clause from model constitution re using Community Justice Centre to resolve internal disputes.

Clause 19 (3) (b) Clarifying how minutes are finalised and then published.

Clause 21 We have taken the model constitution and our current constitution re subcommittees and combined the clauses to clarify the creation of the subcommittees, the terms of reference and the role of both the executive committee and the general meetings. Took up the idea that the reports from subcommittees at the end of the year should be brief notes to enable the president to provide a report at the AGM covering all the major activities of the year.

Clause 29 (6) (c) Bringing in the concept that the voting for the executive committee will take place before the AGM and the results will be declared at the AGM. Detail about voting is under clause 36.

Clause 30 Clarification about the calling of special general meetings and their purpose.

Clause 36 (2-4) Detail of timing for electronic voting and paper based ballot for those who do not want to vote electronically. The detail re which electronic system to use will be in the policy guidelines.

Clause 37 (3) Responsibility of members who wish to use a telephone connection or other means of electronic communication for a general meeting and who can decide if that mode of communication is possible for that meeting.

Clause 38 New clause about policy guidelines

Clause 40 (1) (c) removed list of possible fundraising as it is covered by “other sources as determined by the executive committee”.

**Items removed.**

**Duties of the public officer** are not outlined in the constitution as they have been removed from the model constitution. They are contained in Division 2 of the Act.

**Common Seal** removed as not in the draft constitution as common seals are no longer in use.

**Community suggestions not included in this draft.**

**Eligibility for nomination as a member of executive**

1. To be only for those members who have been members for over six)or 12) months and attended at least five general meetings. Not included because some members of the working party (and others) believed it would limit the available pool of nominations and mean that some very good people would not be able to be considered. Also may be difficult legally to limit the membership like that
2. To be restricted to those who have had experience working on a subcommittee or with other organisations within Pearl Beach. Not included for the same reason as above. This could be a suggestion to encourage members to become involved in the community before nominating.
3. Nominations restricted to those who live permanently in Pearl Beach. Suggestion only just received when finalising this document so not discussed.

**Limit how long a president can hold office to two years.**

1. This was so there was a turnover in the position and no-one became entrenched.
2. Not included as it has not been an issue in the past and two years seen as too short a time. Three to four years seems to be a good term and has been the case for the last four presidents.

**Change the name of the organisation to the Pearl Beach Community Organisation**

1. Not adopted as consider this would need considerable discussion.
2. History of Progress Associations in general as well as PBPA may need to be understood.
3. Discussion with half a dozen members elicited mixed views, mainly in the negative
4. Can be considered in the future.

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for the Constitution working party