

Changes to the Pearl Beach Constitution June 2023 - proposed final version to be voted on. Date to be determined – either September special meeting or AGM.

This is an update on the report provided at the April meeting. Six people commented on the draft distributed in April. Most of these suggestions were to fix typos or minor clarifications. The draft was also discussed at the last executive committee meeting.

Below is the summary of changes to the April version.

- Clause 1 Ensured the consistent use of the word “Objectives” throughout the constitution.
- Clause 4 Added that the membership fee should be paid at time of application.

- Clause 4 (5) (b) Clarified that if not approved the memberships fee would be refunded within 28 days.
- Clause 5 Identified that telephone and emails may not be available and therefore are not essential for membership.
- Clause 5 (3) Added the words “take reasonable steps to” thus acknowledging that absolute protection may not be possible.
- Clause 15 & 24(6) Corrected error – maximum number of executive members is 11.
- Clause 17 Clarified when executive members hold positions from the time the member is selected until after the next annual general meeting. This is to ensure the AGM can be run correctly.
- Clause 19 Clarified when minutes are approved.
- Clause 20 Additional duties of treasurer identified.
- Clause 24 (5) Clarified that it is only when an adjourned committee meeting does not reach a quorum of four that the executive committee may appoint other members to reach a quorum.
- Clause 31 Specified a minimum of six general meetings per year. This clause was in the previous constitution and had been unintentionally omitted.
- Clause 35 (6-7) New clauses to clarify voting is by a simple majority except for a special resolution which requires 75%
- Clause 36 Removed reference to postal ballots
- Clause 36 (2 - 3) 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. Note - these timings have been removed as the sub-committee thought they were too restrictive and as technology changes may have restrict how the election can be carried out. The vote will be managed before the AGM and the results will be declared at the AGM.
- Clause 35 (6 -7) Clarified that voting at a general meeting is by a simple majority but that a special resolution requires 75%.
- Clause 36 (3) New clause including appointment of returning officer.

Clause 41 Ensures insurance will be taken out.

Community suggestions not included in this final draft.

Eligibility for nomination as a member of executive

- (1) Overall principle – that members of the executive have local knowledge and be active in the community. Principle is sound and we should encourage those interested in serving on the executive to become involved via sub-committees or working parties and other community groups.
- (2) To be only for those members who have been members for at least 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.
- (3) 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. However, this could be a suggestion to encourage members to become involved in the community before nominating.
- (4) Nominations restricted to those who live permanently in Pearl Beach. Not included for the same reason as above.
- (5) The member is registered on the State Electoral Roll for Pearl Beach.
- (6) The above limits on executive membership may also create additional workload for the secretary and returning officer, extend the time needed to confirm eligibility for election, and open up the possibility of appeals as to why someone cannot attend, eg determining if someone lives here permanently.

Limit how long executive members can hold office.

- (1) Suggestion was that all office bearers have a limit of three to four years as consecutive terms of office and a maximum of ten consecutive years for committee members.
- (2) Not included as it has not been an issue.

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

- (1) Not adopted at this time as consider this would need considerable discussion, but there will be a preliminary discussion at the July general meeting.
- (2) History of Progress Associations in general as well as PBPA may need to be understood.

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for the Constitution working party