

Removed

Removed	Added
Wording change: Rules	Constitution
<p>All members must abide by the Police and Traffic Laws as per the RTA Road Users Handbook</p> <ul style="list-style-type: none"> <li>- Removed as not a constitution matter</li> </ul>	
<p><b>Definitions</b></p> <p>“Commissioner means the Commissioner of the Office of Fair Trading.” – references to the Commissioner have been deleted in the amended Constitution</p>	<p><b>Definitions:</b></p> <p><b>Committee</b> means the committee of the Club, comprising the Office Bearers and Ordinary Committee Members</p> <p><b>Governing Body</b> means Cycling NSW, AusCycling Limited (ABN 70 644 149 351), or other body or bodies with which the Club affiliates from time to time</p> <p><b>Life Member</b> – spelling changes</p> <p><b>Ordinary Committee Member</b> means a member of the committee who is not an Office-Bearer of the Club.</p> <p><b>Office Bearer</b> means President, Vice President, Secretary and Treasurer</p> <p><b>the Regulation</b> means the Associations Incorporation Regulation 2016</p> <p><b>MWCC</b> means Manly Warringah Cycling Club Inc.</p> <p><b>Office Bearer</b> means President, Vice President, Secretary and Treasurer</p> <p><b>Ordinary Committee Member</b> means a member of the committee who is not an Office-Bearer of the Club.</p> <p>Updates made to the definition of the Act and the Regulation to update to the current Act and Regulation</p> <p>In this constitution:</p> <ul style="list-style-type: none"> <li>(a) a reference to a function includes a reference to a power, authority and duty, and</li> </ul>

	<p>(b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.</p> <p>(3) The provisions of the <i>Interpretation Act 1987</i> apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.</p> <p><b>Note:</b> Amendments reference the current version of the Associations Incorporation Act and Regulations, introduce a generic reference for the governing body (replacing legacy references to Cycling Australia and Cycling NSW) and introduces definitions for other terms used in the Constitution.</p>
<p>All members must abide by the rules of the NSW Cycling Federation</p>	<p>All members must abide by the rules of the sport's governing body</p>
<p><b>2 Membership qualifications:</b></p> <p>Key changes/deletions highlighted</p> <p>A person is <b>qualified</b> to be a member of the club if, but only if:</p> <p>(a) the person is a person referred to in section 15(1) (a), (b) or (c) of the Act and has not ceased to be a member of the club at any time after incorporation of the club under the Act, or</p> <p>(b) the person is a natural person:</p> <ol style="list-style-type: none"> <li>a. who has been nominated for membership of the club as provided by rule 3, and</li> <li>b. (ii) who has been approved for membership of the club by the committee of the club.</li> <li>c. (iii) If the person is affiliated with Cycling NSW with either a full racing licence or a non competitive licence</li> </ol>	<p><b>2 Membership generally</b></p> <p>Key changes highlighted</p> <p>(1)A person is <b>eligible</b> to be a member of the Club if:</p> <ol style="list-style-type: none"> <li>(a)the person is a natural person, and</li> <li>(b)the person has applied and been approved for membership of the Club in accordance with clause 3.</li> </ol> <p>Note: Changes made to simplify and reflect the updated template/standard wording</p>
<p><b>3 Nomination for Membership</b></p>	<p><b>3 Application for Membership</b></p>

<p>(1) A nomination of a person for membership of the club:</p> <p>(a) must be made by a member of the club in writing on the current Cycling Australia membership form available on the Cycling Australia web site , and</p> <p>(b) must be lodged with the secretary of the club.</p> <p>(2) As soon as practicable and after the receipt of the relevant fees, the secretary must:</p> <p>(a) notify the nominee, in writing, that the committee approved or rejected the nomination (whichever is applicable), and</p> <p>(3) the secretary must, on payment by the nominee of the amounts referred to in clause (2) , enter the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the club.</p> <p>(4) All Life Members have the equivalent of a non-competitive membership to Cycling Australia paid for by MWCC. All Life Members are accorded the same rights and privileges as ordinary members</p>	<p><b>Key differences/changes highlighted in yellow.</b></p> <p>1) An application by a person for membership of the Club:</p> <p>(a) must be made in writing (including by email or other electronic means, if the committee so determines) in the form determined by the committee, or made through a Governing Body</p> <p>and</p> <p>(b) must be lodged (including by electronic means, if the committee so determines) with the secretary of the Club.</p> <p>(2) As soon as practicable after receiving an application for membership and the receipt of relevant fees, the secretary must refer the application to the committee, which is to determine whether to approve or to reject the application.</p> <p>(3) As soon as practicable after the committee makes that determination, the secretary may notify the applicant in writing (including by email or other electronic means, if the committee so determines) that the committee approved or rejected the application (whichever is applicable).</p> <p>(4) The secretary must, on payment by the applicant of the amounts referred to in subclause (3) (b) within the period referred to in that provision, enter or cause to be entered the applicant's name in the register of members and, on the name being so entered, the applicant becomes a member of the Club</p> <p>(5) All Life Members have the equivalent of a non-competitive membership to the Club paid for by MWCC. Life Members are</p>
---	--

	accorded the same rights and privileges as ordinary members
<p><b>4 Cessation of membership</b>  <b>Change to reflect the move from Annual memberships to either Annual or Monthly memberships.</b></p> <p>Deletion of subclauses (d) and (e):  (d) Remains un-financial after 30 days</p> <p>(e) fails to pay the annual membership fee under clause 8 (2) within 3 months after the fee is due, or</p>	<p><b>4 Cessation of membership</b></p> <p><b>New clause reads:</b></p> <p>(d) Remains unfinancial for 3 months after the membership fee under clause 8 is due”</p>
<b>5 Membership entitlements not transferable</b>	<b>5 Membership entitlements not transferable</b> No change
<p><b>6 Resignation of membership</b>  (1) A member of the club is not entitled to resign that membership except in accordance with this rule.</p> <p>- Deleted. New sub clause (1)/existing sub-clause (2) sets out the basis a Member can resign.</p>	<p>(1) A member of the Club may resign from membership of the Club by first giving to the secretary written notice of at least 1 month (or any other period that the committee may determine) of the member’s intention to resign and, on the expiration of the period of notice, the member ceases to be a member.</p>
<p><b>7 Register of members</b>  <b>Deletions/changes highlighted in yellow</b></p> <p>(1) The <b>public officer of the club</b> must establish and maintain a register of members of the club specifying the name and address of each person who is a member of the club together with the date on which the person became a member.</p> <p>(2) The register of members must be kept at the principal place of administration of the club.</p>	<p><b>7 Register of members</b>  <b>Additions highlighted in yellow</b></p> <p>(1) The <b>secretary</b> must establish and maintain, <b>or cause to be established and maintained</b>, a register of members of the Club <b>(whether in written or electronic form)</b> specifying the name and <b>postal, residential or email</b> address of each person who is a member of the Club together with the date on which the person became a member.</p> <p>(2) The register of members must be kept in <b>New South Wales</b>:</p> <p>(a) at the <b>main premises of the Club, or</b></p>

**(3)** A member of the club may obtain a copy of any part of the register on payment upon request. This is subject to the current privacy legislation and the club may not be able to provide requested information without the affected members prior written consent.

**(b)** if the Club has no premises, at the Club's official address.

**(3)** The register of members must be open for inspection, free of charge, by any member of the Club at any reasonable hour.

**(4)** A member of the Club may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied, subject to privacy and other relevant legislation.

**(5)** If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.

**(6)** A member must not use information about a person obtained from the register to contact or send material to the person, other than for:

**(a)** the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the Club or other material relating to the Club, or

**(b)** any other purpose necessary to comply with a requirement of the Act or the Regulation.

**(7)** If the register of members is kept in electronic form:

**(a)** it must be convertible into hard copy, and

**(b)** the requirements in subclauses (2) and (3) apply as if a reference to the register of members is a reference to a

	current hard copy of the register of members.
<p><b>8 Fees and Subscriptions</b> Highlighted sections have been deleted</p> <p>(1) A member of the club must, on admission to membership, pay to the club a fee as determined by the committee.</p> <p>(2) In addition to any amount payable by the member under clause (1), a member of the club must pay to the club an annual membership fee as determined by the committee. Membership fees are set a minimum of \$10 above the Australian Cycling Federation for each grade, and may be increased at the discretion of the Committee</p> <p>(3) (a) except as provided by paragraph (b), before 1 January in each calendar year, or (b) if the member becomes a member on or after 1 January in any calendar year.</p>	<p><b>8 Fees and Subscriptions</b> Additions highlighted in yellow</p> <p>(1) A member of the Club must, on admission to membership, pay to the Club a fee of an amount as determined by the committee.</p> <p>(2) In addition to any amount payable by the member under subclause (1), a member of the Club must pay to the Club an annual membership fee of an amount as determined by the committee.</p> <p>Deletions reflect the changes to the AusCycling licence structure.</p>
<p><b>9 Members' liabilities</b></p>	<p><b>9 Members' liabilities</b> No practical changes.</p>
<p><b>10 Resolution of internal disputes</b></p> <p>(1) Disputes between members (in their capacity as members) of the club, and disputes between members and the club, are to be referred the committee for resolution</p> <p>(2) Should a member want to appeal the committees decision, then this must be to a general meeting of the club</p> <p>Former sub-clause 2 deleted as clause 12 deals with rights of appeal</p>	<p><b>10 Resolution of disputes</b> Additions/changes highlighted in yellow</p> <p>(1) A dispute between a member and another member (in their capacity as members) of the Club are to be referred to the Committee for resolution.</p> <p>(2) A dispute between a member or members and the Club are to be referred to a Community Justice Centre for mediation under the <i>Community Justice Centres Act 1983</i>.</p> <p>(3) If a dispute is not resolved by mediation within 3 months of the referral to a Community Justice Centre, the dispute is to be referred to arbitration.</p>

	<p>(4) The <i>Commercial Arbitration Act 2010</i> applies to a dispute referred to arbitration.</p>
<p><b>11 Disciplining of members</b> <b>Wording changes</b></p> <p>(1) A complaint may be made to the committee by any person that a member of the club:</p> <ul style="list-style-type: none"> <li>(a) has <b>persistently</b> refused or neglected to comply with a provision or provisions of these rules, or</li> <li>(b) has <b>persistently</b> and wilfully acted in a manner prejudicial to the interests of the club.</li> </ul> <p>(2) <b>Upon receiving such a complaint</b>, the committee:</p> <ul style="list-style-type: none"> <li>(a) must cause notice of the complaint to be served on the member concerned, and</li> <li>(b) must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and</li> <li>(c) must take into consideration any submissions made by the member in connection with the complaint.</li> </ul> <p>(3) The committee may, by resolution, expel the member from the club or suspend the member from membership of the club if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that</p>	<p><b>11 Disciplining of members</b> <b>Wording changes</b></p> <p>(1) A complaint may be made to the committee by any person that a member of the club:</p> <ul style="list-style-type: none"> <li>(a) has refused or neglected to comply with a provision or provisions of <b>this constitution</b>, or</li> <li>(b) has wilfully acted in a manner prejudicial to the interests of the Club.</li> </ul> <p>(2) <b>The committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature. [new para]</b></p> <p>(3) <b>If the committee decides to deal with the complaint</b>, the committee:</p> <ul style="list-style-type: none"> <li>(a) must cause notice of the complaint to be served on the member concerned, and</li> <li>(b) must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and</li> <li>(c) must take into consideration any submissions made by the member in connection with the complaint.</li> </ul> <p>[no operative change – wording of the opening sentence changes]</p> <p>4) The committee may, by resolution, expel the member from the Club or suspend the member from membership of the Club if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the</p>

<p>the facts alleged in the complaint have been proved.</p> <p>Any member who in the opinion of the committee has during an official race or training session behaved in a manner prejudicial to the sport will be dealt with by the Committee, which decision is final.</p>	<p>complaint have been proved and the expulsion or suspension is warranted in the circumstances.</p> <p>[addition highlighted in yellow]</p> <p>Move to Club Rules.</p>
<p><b>12 Right of appeal of disciplined member</b></p> <p><b>Deleted</b></p> <p>(6) If at the general meeting the club passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.</p> <p>Note: The previous constitution had no sub-clause 3, so this sub-clause 6 deleted should have been sub clause 5.</p>	<p><b>12 Right of appeal of disciplined member</b></p> <p><b>Inserted</b></p> <p>(5) The appeal is to be determined by a simple majority of votes cast by members of the Club. In the event that the votes are even, the Club President shall have the casting vote.</p>
<p><b>13 Powers of committee</b></p> <p>Intro removed:</p> <p>The committee is to be called the committee of management of the club</p>	<p><b>13 Powers of Committee</b></p> <p><b>New sub-clause (2) added</b></p> <p>(2) Without limiting anything within Cl. 13(1), the committee:</p> <p>(a) may affiliate the Club with one or more Governing Body or other organisation</p> <p>(b) in the event that the committee affiliates with more than one Governing Body or other organisation, has the power to determine which rules of those organisations, insofar as they apply to the affairs of the Club and its members, shall have precedence.</p>
<p><b>14 Constitution and membership</b></p>	<p><b>14 Composition and membership of committee</b></p>



<p>(1) Subject in the case of the first members of the committee to section 21 of the Act, the committee is to consist of:</p> <p>(a) the office-bearers of the club, and</p> <p>(b) 3 ordinary members,</p> <p>(4) Each member of the committee is, subject to these rules, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.</p> <p>(5) Existing sub-clause 5 moved to a new section 18.1</p> <p>(4) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the club to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment.</p>	<p><b>Slight change in wording of sub-clause (1)</b></p> <p>(1) The committee is to consist of:</p> <p>(a) the office-bearers of the Club, and</p> <p>(b) <b>at least</b> 3 ordinary committee members,</p> <p><b>New sub-clause (2), (4) and (5)</b></p> <p>(2) The total number of committee members is to be 7.</p> <p>(4) A committee member may hold up to 2 offices (other than both the offices of president and vice-president).</p> <p>(5) There is no maximum number of consecutive terms for which a committee member may hold office.</p> <p><b>Changes to former sub-clauses (3) and (4)</b></p> <p>(6) Each member of the committee is, subject to this constitution, to hold office until <b>immediately before the election of committee members at the annual general meeting next</b> following the date of the member's election, and is eligible for re-election.</p> <p>Moved to a new section 18.1</p>
<p><b>15 Election of members</b></p>	<p><b>15 Election of Committee members</b></p> <p><b>Addition of new sub-clause (8)</b></p> <p>(8) For the purposes of subclause (1):</p>

	<p>(a) nominations and consents may be in electronic form, and</p> <p>(b) a signature may be transmitted and lodged by electronic means.</p>
<b>16 Secretary</b>	<p><b>16 Secretary</b>  <b>Additional reference to electronic minutes and signatures</b></p> <p>(3) It is the duty of the secretary to keep minutes (whether in written or electronic form) of:</p> <p>...</p> <p>(4) The signature of the chairperson may be transmitted by electronic means for the purposes of subclause (3).</p>
<b>17 Treasurer</b>	<p><b>17 Treasurer</b>  No substantive changes</p>
<b>18 Casual vacancies</b>	<p><b>18 Casual vacancies</b>  <b>Para moved from former cl 14.4</b></p> <p>(1) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the Club to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the annual general meeting next following the date of the appointment.</p> <p>New sub clause 18(2)(j)</p> <p>(2) A casual vacancy in the office of a member of the committee occurs if the member (j) is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the Corporations Act 2001 of the Commonwealth.</p>
<b>19 Removal of member</b>	<p><b>19 Removal of Committee members</b>  No substantive changes</p>
<b>20 Meetings and quorum</b>	<p><b>20 Committee meetings and quorum</b></p>

<p>Moving of former sub-clauses 20.8 and 20.9 to a new clause 22</p> <p>(8) Meetings can either be in person, online or by teleconference.</p> <p>(9) When deemed appropriate, a circular resolution may be used by the club committee for formal approval of items. The same method (majority with the chair with a deciding vote if required) will apply, and the resolution is deemed accepted or rejected based upon the majority of committee members email responses being received.</p>	
	<p><b>21 Appointment of Club members as committee members to constitute quorum</b></p> <p><b>New clause added</b></p> <p>(1) If at any time the number of committee members is less than the number required to constitute a quorum for a committee meeting, the existing committee members may appoint a sufficient number of members of the Club as committee members to enable the quorum to be constituted.</p> <p>(2) A member of the committee so appointed is to hold office, subject to this constitution, until the annual general meeting next following the date of the appointment.</p> <p>(3) This clause does not apply to the filling of a casual vacancy to which clause 18 applies.</p>
	<p><b>22 Use of technology at committee meetings</b></p> <p><b>New clause added</b></p> <p>(1) A committee meeting may be held at 2 or more venues using any technology approved by the committee that gives each of the committee's members a reasonable opportunity to participate.</p>

	<p>(2) A committee member who participates in a committee meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.</p>
<p><b>21 Delegation by committee to sub-committee</b></p>	<p><b>23 Delegation by committee to sub-committee</b>  No substantive changes  Changes made are principally to consistently refer to “clauses” within the constitution, rather than it previously referencing “rules” and “sections”.</p>
<p><b>22 Voting and decisions</b></p>	<p><b>24 Voting and decisions</b>  No substantive changes</p>
<p><b>23 Annual general meetings – holding of</b>  <b>Existing wording deleted, revised wording inserted</b></p> <p>(1) With the exception of the first annual general meeting of the club, the club must, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the club, convene an annual general meeting of its members.</p> <p>(2) The AGM is held in November each year</p>	<p><b>25 Annual general meetings – holding of</b>  <b>Revised wording</b></p> <p>(1) The Club must hold its annual general meetings:</p> <p>(a) within 6 months after the close of the Club’s financial year, or</p> <p>(b) within any later time that may be allowed or prescribed under section 37 (2) (b) of the Act.</p>
<p><b>24 Annual general meetings – calling of and business at</b></p>	<p><b>26 Annual general meetings – calling of and business at</b>  No substantive changes</p>
<p><b>26 Special general meetings – calling of</b></p> <p>5) A special general meeting convened by a member or members as referred to in subclause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee and any member who consequently incurs expenses is entitled</p>	<p><b>27 Special general meetings – calling of</b>  <b>Additional wording at 3(a), deleted wording at (5), new sub-clause at (6)</b></p> <p>(3) A requisition of members for a special general meeting:</p> <p>(a) must be in writing, and</p> <p>...</p> <p>(5) A special general meeting convened by a member or members as referred to in subclause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.</p>

<p>to be reimbursed by the club for any expense so incurred (highlighted text deleted)</p>	<p>(6) For the purposes of subclause (3):</p> <ul style="list-style-type: none"> <li>(a) a requisition may be in electronic form, and</li> <li>(b) a signature may be transmitted, and a requisition may be lodged, by electronic means.</li> </ul>
<p><b>26 Notice</b></p>	<p><b>28 Notice</b>  <b>Additional wording at sub-clause (2)</b></p> <p>(2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Club, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under subclause (1), the intention to propose the resolution as a special resolution.</p>
<p><b>27 Procedure</b></p>	<p><b>29 Quorum for general meetings</b>  Change of section heading.  No substantive changes in the body of the section.</p>
<p><b>28 Presiding member</b></p>	<p><b>30 Presiding member</b>  No substantive changes</p>
<p><b>29 Adjournment</b></p>	<p><b>31 Adjournment</b>  No substantive changes</p>
<p><b>30 Making of decisions</b></p>	<p><b>32 Making of decisions</b>  <b>New sub-clause (1), wording changes to former sub-clause (1)/new sub-clause (2), deletion of former sub-clauses (2) and (3), addition of new sub-clauses (3) and (4)</b></p> <p>(1) A question arising at a general meeting of the Club is to be determined by:</p> <ul style="list-style-type: none"> <li>(a) a show of hands or, if the meeting is one to which clause</li> </ul>

**(highlighted text deleted/ revised)**

- (1) A question arising at a general meeting of the club is to be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the club, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

**(highlighted text deleted)**

- (2) At a general meeting of the club, a poll may be demanded by the chairperson or by at least 3 members present in person or by proxy at the meeting.
- (3) If a poll is demanded at a general meeting, the poll must be taken;
- (a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment, or
- (b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs,
- and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

37 applies, any appropriate corresponding method that the committee may determine, or

- (b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot—a written ballot.

- (2) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Club, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

- (3) Subclause (2) applies to a method determined by the committee under

	<p>subclause (1) (a) in the same way as it applies to a show of hands.</p> <p>(4) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.</p>
<p><b>31 Special resolution</b>  <b>Deletion of existing clauses and insertion of new clauses to reflect changes to the Act.</b></p> <p>A resolution of the club is a special resolution</p> <p>(a) if it is passed by a majority which comprises at least three-quarters of such members of the club as, being entitled under these rules so to do, vote in person or by proxy at a general meeting of which at least 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules, or</p> <p>(b) where it is made to appear to the Commissioner that it is not practicable for the resolution to be passed in the manner specified in paragraph (a) if the resolution is passed in a manner specified by the Commissioner</p>	<p><b>33 Special resolutions</b>  <b>New clauses added to reflect changes to the Act.</b></p> <p>(1) A resolution of the Club is passed as a special resolution—</p> <p>(a) at a meeting of the Club of which notice has been given to its members no later than 21 days before the date on which the meeting is held, or</p> <p>(b) in a postal or electronic ballot conducted by the Club, or</p> <p>(c) in such other manner as the Secretary may direct, providing the Secretary is satisfied that, in the circumstances, it is impracticable to require votes to be cast in the manner provided by sub-clause (1) (a) or (b),</p> <p>if it is supported by at least three-quarters of the votes cast by members of the Club who, under the Club's constitution, are entitled to vote on the proposed resolution.</p> <p>(2) A notice referred to in sub-clause (1) (a) must include the terms of the resolution and a statement to the effect that the resolution is intended to be passed as a special resolution.</p>
<p><b>32 Voting</b></p> <p>(2) All votes must be given personally or by proxy but no member may hold more than 5 proxies.</p>	<p><b>34 Voting</b>  <b>Moving of former sub-clause (2) to a new sub-clause 35(2), deletion of text at new sub-clause (3)/former sub-clause 4), addition of new sub-clause (4)</b></p> <p>Deleted text highlighted</p> <p>(3) A member is not entitled to vote at any general meeting of the Club unless all money due and payable by the member to the Club has</p>

	<p>been paid other than the amount of the subscription payable in respect of the then current year</p> <p>(4) A member is not entitled to vote at any general meeting of the Club if the member is under 18 years of age.</p>
<p><b>33 Appointment of proxies</b></p>	<p><b>35 Proxy votes</b>  <b>New sub-clause (2) (moved from the former 32(2))</b></p> <p>(2) a member may hold no more than five proxies</p>
	<p><b>36 Postal or electronic ballots</b>  <b>New clauses</b></p> <p>(1) The Club may hold a postal or electronic ballot (as the committee determines) to determine any issue or proposal (other than an appeal under clause 12).</p> <p>(2) A postal or electronic ballot is to be conducted in accordance with Schedule 3 to the Regulation.</p>
	<p><b>37 Use of technology at general meetings</b>  <b>New section</b></p> <p>(1) A general meeting may be held at 2 or more venues using any technology approved by the committee that gives each of the Club's members a reasonable opportunity to participate.</p> <p>(2) A member of the Club who participates in a general meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.</p>
<p><b>34 Insurance</b></p> <p>The club may effect and maintain insurance as per Section 44 of the act. The club may</p>	<p><b>38 Insurance</b>  <b>Wording simplified</b></p> <p>The Club may effect and maintain insurance.</p>



<p>take additional insurance if deemed to be required.</p>	
<p><b>35 Funds – source</b></p> <p><b>Former sub-clause (4) moved to a new clause 47</b></p> <p>(4) The financial year of the Club is 1 December to November 30</p>	<p><b>39 Funds – source</b></p> <p><b>Addition of wording to sub-clause (2) as highlighted</b></p> <p>(2) All money received by the Club must be deposited as soon as practicable and without deduction to the credit of the Club’s bank or other authorised deposit-taking institution account.</p>
<p><b>36 Funds – management</b></p> <p>(2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the committee or employees of the club, being members or employees authorised to do so by the committee.</p> <p><b>subclause 3 and 6 deleted (not constitutional matters and repeats)</b></p> <p>(3) All race entry money after expenses is to be paid into the Club's General account. 40% of the entry money is to be set aside for future projects.</p> <p>(6) All race entry money after expenses is to be paid into the Club's General account. 40% of the entry money is to be set aside for future projects</p>	<p><b>40 Funds – management</b></p> <p><b>Simplification of wording in sub-clause (2)</b></p> <p>(2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 authorised signatories.</p>
	<p><b>41 Club is non-profit</b></p> <p><b>New clause added</b></p> <p>Subject to the Act and the Regulation, the Club must apply its funds and assets solely in pursuance of the objects of the Club and must not conduct its affairs so as to provide a pecuniary gain for any of its members.</p>
	<p><b>42 Distribution of property on winding up of Club</b></p> <p><b>New clause added</b></p> <p>(1) Subject to the Act and the Regulations, in a winding up of the Club, any surplus</p>

	<p>property of the Club is to be transferred to another organisation with similar objects and which is not carried on for the profit or gain of its individual members.</p> <p>(2) In this clause, a reference to the surplus property of an Club is a reference to that property of the Club remaining after satisfaction of the debts and liabilities of the Club and the costs, charges and expenses of the winding up of the Club.</p> <p>Note. Section 65 of the Act provides for distribution of surplus property on the winding up of an Association.</p>
<p><b>37 Alteration of objects and rules</b> <b>Modified by new clause</b></p> <p>The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the club.</p>	<p><b>43 Change of name, objects and constitution</b></p> <p>An application for registration of a change in the Club's name, objects or constitution in accordance with section 10 of the Act is to be made by the public officer or a committee member.</p>
<p><b>38 Common seal</b> <b>Deleted</b></p> <p>(1) The common seal of the club must be kept in the custody of the public officer.</p> <p>(2) The common seal must not be affixed to any instrument except by the authority of the committee and the affixing of the common seal must be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the public officer or secretary.</p>	
<p><b>39 Custody of books</b></p> <p>Except as otherwise provided by these rules, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to the club.</p>	<p><b>44 Custody of books</b> <b>Modified wording</b></p> <p>Except as otherwise provided by this constitution, all records, books and other documents relating to the Club must be kept in New South Wales:</p> <p>(a) at the main premises of the Club, in the custody of the public officer or a member of the Club (as the committee determines), or</p>

	(b) if the Club has no premises, at the Club's official address, in the custody of the public officer.
<p><b>40 Inspection of books</b></p> <p>The records, books and other documents of the club must be open to inspection, free of charge, by a member of the club at any reasonable hour.</p>	<p><b>45 Inspection of books</b> <b>Expanded</b></p> <p>(1) The following documents must be open to inspection, free of charge, by a member of the Club at any reasonable hour:</p> <ul style="list-style-type: none"> <li>(a) records, books and other financial documents of the Club,</li> <li>(b) this constitution,</li> <li>(c) minutes of all committee meetings and general meetings of the Club.</li> </ul> <p>(2) A member of the Club may obtain a copy of any of the documents referred to in subclause (1) on payment of a fee of not more than \$1 for each page copied.</p> <p>(3) Despite subclauses (1) and (2), the committee may refuse to permit a member of the Club to inspect or obtain a copy of records of the Club that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Club.</p>
<p><b>41 Service of notices</b> <b>Deletion of sub-clause 2(d)</b></p> <p>(2) for the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served:</p> <p>(d) Within 7 days of it being served on the club website</p>	<p><b>46 Service of notices</b></p>
	<p><b>47 Financial year</b> No change</p>
<p><b>42 Club grading system</b></p> <p>Deleted – not constitutional matter</p>	

<p>Grading: The Point score system for A, B, C and D grade is on a promotion system.</p> <p>To move up a grade a rider must accumulate 15 points in a season  Points are awarded on the following basis  1st – 6 Points 2nd – 4 points 3rd – 3 points  The club handicapper has will determine gradings for all club members</p>	

**For Grant**

In Definitions have kept reference to Club meaning association in the act.

4. fails to pay the annual membership fee under clause 8 (2) within 3 months after the fee is due, or

33. needs a look at. And have kept Commissioner in definitions