

PROPOSED CHANGES TO THE CONSTITUTION

NOTICE IS HEREBY GIVEN IN TERMS OF SECTION 15 (d) (iv) READ TOGETHER WITH SECTION 26 OF THE CLUB'S CONTITUTION FOR THE FOLLOWING RESOLUTIONS TO BE CONSIDERED AND VOTED ON AT THE CLUB'S AGM ON THE 28th OCTOBER 2021

AMENDMENTS TO THE CONSTITUTION

1. RESOLUTION 1

Clause 13 – "Suspension and Expulsion of Members"

It is proposed to delete in its entirety Clause 13 (c) which reads as follows

"The affected member may at all times have the right of appeal against suspension or expulsion. Any such appeal must be lodged with the Manager in writing within twenty one (21) days after the Committee's decision has been communicated to the Member concerned".

The reason for this proposal is based on the fact that the Committee, which will have already made the decision to suspend or expel the member, cannot be the judge of its own decision. The affected member will in any event have his common law rights to take the matter further should he choose to do so.

2. RESOLUTION 2

Clause 22 – "Notices"

It is proposed to add a further Clause 22 (d) which reads as follows:

"Any requirement in this Constitution for a notice to be given, including the posting of a notice on the Club Notice Board, shall have been met if it has been given:

- (i) by a Member electronically and receipt acknowledged; and/or*
- (ii) by the Club either electronically or by posting on the Club's website."*

The reason for this proposal is based on the need to recognise the modern means of communication.

3. RESOLUTION 3

Clause 15 – “Annual General Meeting”

It is proposed to add a further clause 15 (d) v. which reads as follows:

“A copy of the nomination for candidates to the Committee to be considered in terms of Clause 6 (d)”

The purpose of this resolution is

- i. Proposing a Resolution and electing a Committee member are given equal weight;
- ii. To give all members sufficient notice of the candidates nominated for election and to allow for the opportunity of voting by means of a ballot whether present at the AGM or not.

If this resolution is passed, Clause 15 will read as follows:

- (a) *The Annual General Meeting of the Club shall be held not later than 31st October each year at such time, date and place as the Committee may decide.*
- (b) *Notice of any resolution to be proposed at an Annual General Meeting shall be submitted in writing to the Manager not less than thirty (30) days prior to the date of the Annual General Meeting.*
- (c) *Not less than twenty one (21) days notice of an Annual General Meeting shall be given to Members in writing specifying the business to be transacted.*
- (d) *The Notice of the Annual General Meeting shall be accompanied by:-*
 - i. *The Agenda for the Meeting;*
 - ii. *A copy of the Audited Financial Statements for the preceding year;*
 - iii. *A copy of the Chairman’s report for the preceding year;*
 - iv. *A copy of any proposed resolution to be considered;*
 - v. *A copy of the nomination for candidates to the Committee to be considered in terms of Clause 6 (d).*
- (e) *The Notice of the Annual General Meeting together with the Agenda, a copy of the Audited Financial Statements, a copy of the Chairman’s report, a copy of any proposed resolution and a copy of the nomination for candidates to the Committee in terms of clause 6, shall be posted simultaneously on the Club notice board.*
- (f) *The business to be transacted at the Annual General Meeting shall be:-*
 - i. *To receive Apologies.*
 - ii. *Obituaries.*

- iii. *To confirm the minutes of the previous Annual General Meeting and any Special General Meetings.*
- iv. *To consider and approve the Annual Financial Statements.*
- v. *To receive the Chairman's report.*
- vi. *To elect a Committee for the ensuing year in terms of Clause 6 (d).*
- vii. *To appoint an Auditor for the ensuing year.*
- viii. *To consider any resolution of which due notice has been given.*
- ix. *General.*

4. RESOLUTION 4

If Resolution 3 is not adopted, this Resolution (4) will fall away.

Resolutions 4, 5 and 6 are dependent on each other for practical timelines

Clause 6 – “Election of Committee”

It is proposed to amend Clause 6 (a) which reads as follows:

“Not less than 21 days prior to the Annual General Meeting a notice shall be placed on the Club notice board calling for nominations for the five (5) members referred to in Clause 5 (a) (i). Only Members in good standing are eligible for nomination and eligible to vote”.

and to replace it with:

“Not less than forty-two (42) days prior to the Annual General Meeting a notice shall be placed on the Club notice board calling for nominations for the five members referred to in Clause 5 (a) (1). Only Members in good standing are eligible for nomination, and eligible to vote.”

The reason for this proposal is -

- i. to allow the list of nominations to be included in the AGM notice.
- ii. to bring the time line for Clause 6 into line with the proposed Resolution 3 which if accepted will give members notice of and allow for voting for candidates by ballot whether the member is present or absent at the AGM.

5. RESOLUTION 5

If Resolution 3 is not adopted, this Resolution (5) will fall away.

Resolutions 4, 5 and 6 are dependent on each other for manageable timelines

Clause 6 – “Election of Committee”

It is proposed to amend Clause 6 (b) which reads as follows:

“The nomination of a candidate, who has been a Member for a minimum of two years, shall be in the prescribed form signed by two Members in good standing and signed by the candidate. Duly completed nomination forms not handed to the Club Manager at least seven (7) days prior to the Annual General Meeting and incomplete nomination forms will render such nominations invalid.”

and to replace it with:

“The nomination of a candidate, who has been a Member for a minimum of two years, shall be in the prescribed form signed by two Members in good standing and signed by the candidate. Duly completed nomination forms not handed to the Club Manager at least thirty (30) days prior to the Annual General Meeting and incomplete nomination forms will render such nominations invalid.”

The reason for this proposal is to allow the list of nominated members to be included in the notice of the AGM.

6. RESOLUTION 6

If Resolution 3 is not adopted, this Resolution (6) will fall away.
Resolutions 4, 5 and 6 are dependent on each other for manageable timelines

Clause 6 – “Election of Committee”

It is proposed to amend Clause 6 (c) which reads as follows:

“Retiring members of the committee including those members who were co-opted to fill a vacancy on the committee in terms of Clause 7(k) may offer themselves for re-election without nomination. A list of the retiring members who offer themselves for re-election and the list of the Members properly nominated for election shall be posted on the Club notice board not less than five (5) days before the Annual General Meeting.”

and to replace it with:

“Retiring members of the committee including those members who were co-opted to fill a vacancy on the committee in terms of Clause 7(k) may offer themselves for re-election without nomination. A list of the retiring members who offer themselves for re-election and the list of the Members properly nominated for election shall be posted on the Club notice board not less than twenty six (26) days before the Annual General Meeting.”

The reason for this proposal is to allow the list of nominated members to be included in the notice of the AGM

7. RESOLUTION 7

Clause 17 - "Procedures at General Meetings"

It is proposed to add an additional sub-clause to 17 (a) as follows:

- iii. *"The Chairman shall make facilities available for Members to attend a General Meeting remotely by any approved digital platform and any Member who makes use of such facility shall be regarded as being in attendance at such General Meeting."*

As is the case with the proposed Resolution 2 above, the reason for this Proposal is the need to recognise the modern way of communicating and takes into account the present Covid restrictions. It also does away with the conundrum surrounding "ballot" votes.