

Special Resolution:

Proposed changes to the MUMC Constitution

Summary

Amendment 1: Clarify who shall chair meetings of the committee in the President's and Vice-President's absence. Remove the requirement for the secretary to keep minutes in "books provided for the purpose." Remove extraneous periods.

Amendment 2: This change brings our notice requirements into line with those of the Act. Additionally, it makes clear that the club can provide all notices via email unless otherwise requested. The requirements for notices of committee meetings are also changed.

Amendment 3: This change allows a member who feels any of the candidates is unacceptable for a position to vote against those, or even all, candidates. Candidates are required to receive a majority of the votes cast to be elected (votes are through a voluntary preference system, with instant run-offs). If no candidate is elected, then the position becomes a casual vacancy, and is appointed by the committee at a later date.

Amendment 4a and 4b: These changes affect the structure and makeup of the committee. These changes are exclusive, so 4b will be considered only if 4a does not pass. The change in 4a focuses the committee on the club's core activities. In conjunction with Amendment 5, this will provide both a committee structure which should stand the test of time, while also providing plenty of flexibility for the committee to appoint people to assist in the management of the club. The change described in 4b clarifies the creation of year-to-year positions by the committee and the club in General Meeting.

Amendment 5: This creates Deputies of the Association, positions appointed by the committee to assist in the management of the club. Deputies are appointed for a particular task or period of time, and are entirely separate from the election of officers at General Meeting. This change gives the committee flexibility to focus on the club's changing interests from year to year, without needing to change the constitution.

Amendment 1: Update wording, correct typos, and clarify grammar across the document.

These changes will be presented as two complete copies of the constitution, one with the changes in place. Or, if they all fit on a couple of pages, we'll include them all here. Much of this is updating some archaic language to better match the model rules, and fixing up typos, etc.

Clarify who shall chair meetings of the committee in the President's and Vice-President's absence:

Original	Amended
<p>26. Proceedings of the Committee</p> <p>(1) At meetings of the Committee:</p> <p>(a) the President, or in his absence the Vice President, shall preside; or</p> <p>(b) if the President and the Vice President are absent, such one of the remaining members of the Committee as may be chosen by the members present shall preside.</p>	<p>26. Proceedings of the Committee</p> <p>(6) At meetings of the Committee:</p> <p>(a) the President, or in his absence the Vice President, shall preside; or</p> <p>(b) if the President and the Vice-President are absent, or are unable to preside, the members present must choose one of their number to preside.</p>

Remove the requirement for the secretary to keep minutes in "books provided for the purpose":

Original	
<p>27. Secretary</p> <p>(1) The Secretary of the Association shall keep minutes of the resolutions and proceedings of each General Meeting of the Association, and each Committee Meeting in books provided for that purpose, together with a record of the names of persons present at Committee Meetings.</p>	<p>27. Secretary</p> <p>(1) The Secretary of the Association must keep minutes of the resolutions and proceedings of each general meeting, and each committee meeting, together with a record of the names of persons present at committee meetings.</p>

Amendment 2: Change in the requirements for notices

This change brings our notice requirements into line with those of the Act. Additionally, it makes clear that the club can provide all notices via email unless otherwise requested.

Original	Amended
<p>13. Notice of General Meeting</p> <p>(1) The Secretary of the Association shall, at least 14 days before the date fixed for holding a general meeting of the Association, cause to be sent to each member of the Association at his address appearing in the register of members, a notice by prepaid post stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.</p> <p>(2) A member desiring to bring any business before a meeting shall, at least 7 days before the meeting, give notice of the business in writing to the Secretary.</p>	<p>13. Notice of General Meeting</p> <p>(1) The Secretary of the Association, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a general meeting of the Association, must cause to be sent to each member of the Association, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.</p> <p>(2) Notice may be sent—</p> <p>(a) by electronic transmission to the electronic address shown in the register of members; or</p> <p>(b) if the member requests, by prepaid post to the address appearing in the register of members; or</p> <p>(c) if the member requests, by facsimile.</p> <p>(3) No business other than that set out in the notice convening the meeting may be conducted at the meeting.</p> <p>(4) A member intending to bring any business before a meeting may notify in writing, or by electronic transmission, the Secretary of that business, who must include that business in the notice calling the next general meeting.</p>
<p>34. Notices</p> <p>(1) A notice may be served by or on behalf of the Association upon any member either personally, or by sending it by post to the member at his address shown in the Register of Members.</p> <p>(2) Where a document is properly addressed prepaid and posted to a person as a letter, the document shall, unless the contrary is proved,</p>	<p>34. Notices</p> <p>Except for the requirement in rule 13, any notice that is required to be given to a member, by or on behalf of the Association, under these Rules may be given by—</p> <p>(1) delivering the notice to the member personally; or</p> <p>(2) electronic transmission to the electronic address shown in the register of members; or</p> <p>(3) sending it by prepaid post addressed to the</p>

<p>be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.</p>	<p>member at that member's address shown in the register of members if the member has requested that the notice be given to him or her in this manner; or (4) facsimile transmission, if the member has requested that the notice be given to him or her in this manner.</p>
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Additionally, the following change shall be made to the notice required for Committee Meetings:

Original	Amended
<p>26. Proceedings of The Committee</p> <p>(1) The Committee shall meet at least 3 times in each year at such place and such times as the Committee may determine.</p> <p>(2) Special meetings of the Committee may be convened by the President or by any 4 of the members of the Committee.</p> <p>(3) Notice shall be given to members of the Committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.</p> <p>(9) Written notice of each Committee Meeting shall be served on each member of the Committee by delivering it to him at a reasonable time before the meeting, or by sending it by prepaid post, addressed to him at his usual or last known place of abode at least three business days before the date of the meeting.</p>	<p>Proceedings of The Committee</p> <p>(1) The Committee shall meet at least 3 times in each year at such place and such times as the Committee may determine.</p> <p>(2) Special meetings of the Committee may be convened by the President or by any 4 of the members of the Committee.</p> <p>(3) Written notice of each committee meeting must be given to each member of the committee at least 5 business days before the date of the meeting.</p> <p>(4) Written notice must be given to members of the committee of any special meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.</p>

Amendment 3: Change the voting criteria for Officers at the AGM.

This change allows a member who feels any of the candidates is unacceptable for a position to vote against those, or even all, candidates. Candidates are required to receive a majority of the votes cast to be elected (votes are through a voluntary preference system, with instant run-offs). If no candidate is elected, then the position becomes a casual vacancy, and is appointed by the committee at a later date.

Original	Modified
<p>3) If only one nomination is received for any position as an Officer of the Association, the person nominated shall be deemed to be elected.</p> <p>4) If there is more than one nomination for any position as an Officer of the Association, a secret ballot shall be held, where:</p> <p>a) If there are more than two candidates, a voluntary preferential voting system will apply.</p> <p>b) A vote shall be counted by the Returning Officer if at least the first preference can be determined.</p> <p>c) If the result is equal or otherwise undetermined, then another ballot shall be conducted with, only the tied candidates, as well as any with more votes than the tied candidates, standing.</p> <p>d) If a tie persists after a second vote, the Chairman shall exercise his casting vote, and may consult with the Returning Officer if he so desires.</p>	<p>3) If there is one or more nominations for any position as an Officer of the Association, a secret ballot shall be held, where:</p> <p>a) If there are more than two candidates, a voluntary preferential voting system will apply.</p> <p>b) Members may vote against all candidates.</p> <p>c) A vote shall be counted by the Returning Officer if at least the first preference can be determined.</p> <p>d) Except where the count is equal, a candidate shall be deemed elected only if they receive the majority of the votes counted. If no candidate receives a majority of the votes, then the position shall be declared a casual vacancy and shall be filled pursuant to the provisions of Rule 23. (5)</p> <p>e) If the result is equal, then another ballot shall be conducted with, only the tied candidates, as well as any with more votes than the tied candidates, standing.</p> <p>f) If a tie persists after a second vote, the Returning Officer shall exercise a casting vote.</p>

Amendment 4a: Changes to the way the committee is structured

This change focuses the committee on the club's core activities. In conjunction with Amendment 5, this will provide both a committee structure which should stand the test of time, while also providing plenty of flexibility for the committee to appoint people to assist in the management of the club.

Original	Modified
<p>23. Officers of The Association</p> <p>(5) The Officers of the Association shall be:</p> <ul style="list-style-type: none"> (a) a President; (b) a Vice-President; (c) a Treasurer; (d) a Secretary; (e) an Assistant Treasurer; (f) a Publications Officer; (g) a Bushwalking Convenor; (h) a Canoeing Convenor; (i) a Caving Convenor; (j) a Conservation Convenor; (k) a Mountaineering Convenor; (l) a Rockclimbing Convenor; (m) a Ski Touring Convenor; (n) a Gear Store Officer; (o) a General Member (p) such other officer as created for the time being, year by year, by resolution of the Association in General Meeting <p>(6) The Committee may create any new non voting position relevant to the Association's Aims at any Committee Meeting, provided due notice is given in accordance with Rule 26 (9).</p> <p>(7) The provisions of Rule 24 so far as they are applicable and with the necessary modifications, apply to and are in relation to the election of persons to any of the offices mentioned in sub clauses (1) and (2).</p>	<p>23. Officers of The Association</p> <p>(1) The Officers of the Association shall be:</p> <ul style="list-style-type: none"> (a) a President; (b) a Vice-President; (c) a Treasurer; (d) a Secretary; (e) a Walking Sports Officer (f) a Snow Sports Officer (g) a Rope Sports Officer (h) a Paddling Sports Officer (i) a Mountaineering Officer (j) a Conservation Officer (k) two general members <p>(2) The provisions of Rule 24 so far as they are applicable and with the necessary modifications, apply to and are in relation to the election of persons to any of the offices mentioned in sub clauses (1).</p>

Additionally, Rule 28 (3) shall be removed:

<p>28. Treasurer</p> <p>(3) The Assistant Treasurer shall assist the Treasurer in whatever capacity required, except:</p> <ul style="list-style-type: none"> a) he may not be a signatory to any monetary account of the Association
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~~b) he is not ultimately responsible for the accuracy of the books referred to in sub, clause (1)~~

Amendment 4b:

This amendment is to be considered only if Amendment 4a does not pass. This provides an alternate restructuring of the committee.

Original	Modified
<p>23. Officers of The Association</p> <p>(1) The Officers of the Association shall be:</p> <ul style="list-style-type: none"> (a) a President; (b) a Vice-President; (c) a Treasurer; (d) a Secretary; (e) an Assistant Treasurer; (f) a Publications Officer; (g) a Bushwalking Convenor; (h) a Canoeing Convenor; (i) a Caving Convenor; (j) a Conservation Convenor; (k) a Mountaineering Convenor; (l) a Rockclimbing Convenor; (m) a Ski Touring Convenor; (n) a Gear Store Officer; (o) a General Member (p) such other officer as created for the time being, year by year, by resolution of the Association in General Meeting <p>(2) The Committee may create any new non voting position relevant to the Association's Aims at any Committee Meeting, provided due notice is given in accordance with Rule 26 (9).</p> <p>(3) The provisions of Rule 24 so far as they are applicable and with the necessary modifications, apply to and are in relation to the election of persons to any of the offices mentioned in sub clauses (1) and (2).</p>	<p>23. Officers of The Association</p> <p>(1) The Officers of the Association shall be:</p> <ul style="list-style-type: none"> (a) a President; (b) a Vice-President; (c) a Treasurer; (d) a Secretary; (e) a Publications Officer; (f) a Bushwalking Convenor; (g) a Paddling Convenor; (h) a Caving Convenor; (i) a Conservation Convenor; (j) a Mountaineering Convenor; (k) a Rockclimbing Convenor; (l) a Ski Touring Convenor; (m) a Gear Store Officer; (n) a General Member (o) such other officer as created for the time being, year by year, by resolution of the Association in General Meeting <p>(2) The Committee may create any new, non-voting role relevant to the Association's Aims at any Committee Meeting, provided due notice is given in accordance with Rule 26 (9). These roles shall not be officers of the Association and shall not be decided upon at a General Meeting. These roles shall not constitute membership of the Committee.</p> <p>(3) The provisions of Rule 24 so far as they are applicable and with the necessary modifications, apply to and are in relation to the election of persons to any of the offices mentioned in sub clauses (1) and (2).</p>

Additionally, Rule 28 (3) shall be removed:

28. Treasurer

- ~~(3) The Assistant Treasurer shall assist the Treasurer in whatever capacity required, except:~~
- ~~a) he may not be a signatory to any monetary account of the Association~~
 - ~~b) he is not ultimately responsible for the accuracy of the books referred to in sub, clause (1)~~

Amendment 5: Creation of Deputies of the Association

A new Rule will be created after Rule 25 with the text below, and the remaining sections renumbered.

26. Deputies of the Association

- (1) Deputies of the association are appointed to assist the Committee in furthering the aims of the Association
- (2) Deputies shall be appointed by the Committee at a Committee Meeting according to the following process:
 - (a) Notice of the general nature of the position shall be made to the Association's members at least 7 days before the appointment.
 - (b) The specific responsibilities of the position shall be included in the minutes as part of the question to appoint.
 - (c) The length of the appointment shall be set at the time of appointment, and may not exceed 18 months.
- (3) In their position as a Deputy of the Association, a person may not exercise a power reserved for the Officers of the Association, and may not exercise a vote at a meeting of the committee. The Deputy, also may not act in a way contrary to the duties of the Committee under the Act.
- (4) A Deputy may be dissolved by the Committee at any time.
- (5) A Deputy may resign by providing notice to the Secretary.

In addition, the following amendment is made made:

Original	Amended
<p>26. Proceedings of The Committee</p> <p>(3) Notice shall be given to members of the Committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.</p>	<p>26. Proceedings of The Committee</p> <p>(3) Notice shall be given to members of the Committee and Deputies of the Association of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.</p>