



Special Resolutions and Regulations

of

**Little Athletics Association of
Victoria Inc**

Regulation 15

Version 3.0
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SECTION 1 – SPECIAL RESOLUTIONS

1.1 Context

- (a) Rule 26 of the Constitution of the Association establishes that the Constitution can only be altered by special resolution in accordance with the *Associations Incorporation Reform Act 2012 (Vic)* (the Act).
- (b) Section 64 of the Act sets out the following requirements to enable the Association to alter its Constitution by passing a special resolution:
 - (i) A special resolution may be passed at a general meeting (GM) of the Association;
 - (ii) Each member of the Association who is entitled to vote at a GM (Affiliated Centres) must be given at least 21 days' notice of any proposed resolution;
 - (iii) The notice must specify the date, time and place of the GM at which the resolution is intended to be proposed, and state the resolution in full as a special resolution; and
 - (iv) A special resolution is passed at a GM if not less than 75% of Affiliated Centres voting at the GM vote in favour of the resolution.
- (c) Rule 15.1(a)(ii) allows each Affiliated Centre one vote on any motion to amend the Constitution, but rule 15.5(b) does not allow that voting to be conducted by postal vote.

1.2 Purpose

- (a) The purpose of this section is to set out additional procedures for amending the Constitution.

1.3 Special Resolutions to alter the Constitution

- (a) The Board, Committees established by the Board (including Region Committees) or an Affiliated Centre may submit to the Association, at least fifty days before the date set for a GM, a notice intending to propose at the GM a special resolution to alter the Constitution.
- (b) The Secretary and President of a Region Committee or an Affiliated Centre must sign any notice submitted by them under paragraph 1.3(a), and attach to the notice the minutes of the meeting at which the notice was agreed.
- (c) A notice submitted under paragraph 1.3(a) must refer to the Rule or Clause intended to be altered, specifying the deletion or addition of words required, followed by the Rule or Clause as it would appear if amended. Alternatively, if the nature of the changes is such that replacing the entire Rule or Clause is appropriate, then the delete and replace approach may be used.
- (d) The Board will decide which notices submitted under paragraph 1.3(a) will be included in the agenda for the GM. The CEO of the Association will forward to the Secretary of each Region Committee and Affiliated Centre the agenda for the GM no later than twenty-eight days before the date set down for the GM.

SECTION 2 – REGULATIONS

1.4 Context

- (a) Rule 31(a) of the Constitution of the Association allows the Board to make, alter, amend or rescind Regulations, and such Regulations have the same force and effect as the Constitution to the extent that they don't conflict with the Constitution.
- (b) Rule 31(b) requires the Board to notify the members of any alterations, amendments or other changes to the Regulations.
- (c) Rule 31(c) requires the members at a GM to ratify any new Regulations made by the Board.

1.5 Purpose

- (a) The purpose of this section is to set out additional procedures for altering existing Regulations and for ratifying new Regulations made by the Board.

1.6 Proposals in relation to Regulations

- (a) A Region Committee or Affiliated Centre may submit to the Board a written proposal for the making of a new Regulation or for the altering, amending or rescission of any existing Regulation. The Secretary and President of the Committee or an Affiliated Centre must sign any proposal, and attach to the notice the minutes of the meeting at which the proposal was agreed.
- (b) The Board may include any written proposal submitted under paragraph 2.3(a) on the agenda for discussion at a GM. The Board will consider the content of that discussion as part of any decision about whether to alter any Regulation.
- (c) The Board will advise the relevant Committee or Centre in writing if it decides not to include any written proposal in the agenda for a GM.

1.7 Making new Regulations

- (a) When the Board makes a new Regulation, the Regulation will only become effective and binding on the members of the Association when it is ratified by vote at a GM by the delegates of the Affiliated Centres entitled to vote. Ratification occurs when a simple majority of the delegates present at the GM vote in favour of accepting the Regulation made by the Board as binding on the members.

SECTION 3 - DOCUMENT HISTORY

1.8 VERSION CONTROL

Date	Version #	Action Taken / Updates
27 June 2016	1.0	Accepted changes when document modified in July 2015. Instituted Version Control with 23 June 2016 document becoming V1.0 Minor formatting changes.
16 November 2017	2.0	Removal of references to 'Statement of Purposes'; enabling Special Resolutions to be dealt with at General Meetings. Alterations to clauses 1.1a, 1.2a, 1.2b, 1.2d, 1.2e, 1.3 (deleted).
22 August 2019	3.0	Fully revised and updated; inclusion of Context section.