

Documentation supporting proposed rule change as per Agenda of the 2013 Annual General Meeting, 18<sup>th</sup> September 2013, 6pm @ Bay Crust Restaurant, 569 Hampton St, Hampton, 3188.

**Proposal to change rule 64 (5).**

The current rule for voting at a Committee Meeting comes under the following rule 64 of the Association;

**Rule 64 Voting**

- (1) On any question arising at a committee meeting, each committee member present at the meeting has one vote.
- (2) A motion is carried if a majority of committee members present at the meeting vote in favour of the motion.
- (3) Subrule (2) does not apply to any motion or question which is required by these Rules to be passed by an absolute majority of the Committee.
- (4) If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.
- (5) Voting by proxy is not permitted.

Propose changing Rule 64 (5) to:

- (5) Voting by proxy is permitted, provided the proxy is a person directly related or connected to the business of the Committee Member passing the proxy, and the appointment of a proxy is submitted in writing prior to the commencement of any Committee Meeting and the appointment of proxy is approved by Committee vote at the meeting.

### **Proposal to change Amendment 2 – Voting Procedure for Committee Positions at an AGM.**

As specified in Rules of the Association Rule 53, the members may decide by resolution the number of ordinary members of the Committee it wishes to hold office for the next year.

As recommended for adoption by the Committee, it is proposed to have eight Ordinary Committee Positions. It is also proposed to change Amendment 2 to include two Honorary Committee Positions, not elected, but appointed by the Committee as outlined in the amendment.

### **Rule 53 Election of ordinary members**

- (1) The Election process must include all procedures as outlined in Amendment 2 – Voting procedure for Committee Positions at AGM
- (2) The annual general meeting must by resolution decide the number of ordinary members of the Committee (if any) it wishes to hold office for the next year.

### **Amendment 2 – Voting procedure for Committee Positions at AGM**

1. The Committee is to comprise of Maximum 14 (Fourteen) Committee Members.
2. There is 4 (four) Executive Committee Positions voted for in order as follows;
  - President
  - Vice President
  - Treasurer
  - Secretary
  - a) Voting is by ballot and by Members only.
  - b) Any executive position can remain vacant with exception of Secretary and as defined in the Association Rules, the Secretary position must be filled within 14 days of AGM.
  - c) Executive Positions count towards district quotas described in rule 3.
  - d) Nominees unsuccessful at obtaining any executive position can nominate immediately for any other Executive or Ordinary Committee positions.
  - e) The Treasurer and Secretary Positions can be combined where there is an absence of nominations for these roles. This will then be counted as 1 position in determining the quota below, thus allowing 1 further extra position available at Point 3d.
3. There is 8 (Eight) Ordinary Committee positions decided as follows;

- a) An allocation of minimum one committee position per district and in the advent that no nominations are received from a district, then one committee position is to be held vacant. Executive positions are included in counting towards this quota.
  - b) Whereby a vacancy exists in rule 3a, the vacant position can be filled at any time by application to the Committee and by Committee vote.
  - c) Two Committee positions per district are allocated when two or more nominations are submitted, this number is reduced by the Executive positions held in those districts. Should there be more nominations within a district than positions available within the district, then a vote by ballot will be conducted first. The unsuccessful nominees shall be re-nominated for any positions available as described in 3d.
  - d) Any subsequent available Committee positions not filled after applying rules 3a, and 3c, then these positions can be filled by any nominees from any district.
  - e) Voting for Committee Positions is by Ballot and by Members only.
4. The remaining 2 (two) Committee Positions are Honorary Committee Members as follows;
- a) The position/s shall be held by Community minded citizens with intentions of aiding the Association towards garnering opinions and viewpoints outside of those of traders.
  - b) Shall not be a trader, nor have any direct association or relationship with any other trader within the defined boundaries of Hampton Street Traders Association.
  - c) In the event that the Honorary Committee Member becomes a trader as defined in the boundaries of the Association, then the Honorary Committee Member shall tender their resignation immediately and the position is automatically deemed vacant.
  - d) Shall be a member that is not required to pay the prescribed membership fee for the term of the Committee position.
  - e) Shall be voted in by the sole discretion of the Committee at any ordinary or special meeting of the Committee.
  - f) Shall automatically become vacant at the immediate meeting following any Annual General meeting.
  - g) Re-election of any Honorary position is at the sole discretion of the Committee members.
5. Nomination forms for all Executive and Ordinary positions are to be submitted no later than 24 hours prior to the AGM to ensure that correct printed Ballot papers can be arranged.
6. Only fully paid current members of the Association are provided with the right to vote.
7. Honorary Committee Members are not eligible to vote at Annual General Meetings.

----- End -----