

Amendments to the Rules of the Association

The Board proposed 3 new changes to the Rules of the Association.

Members should note the following.

- (a) The Association may only alter or rescind any Rules of the Association by special resolution and complying with Part 3 Division 2 of the Associations Incorporation Act 2015 (**the Act**) (see Rule 72 in the Rules of the Association).
- (b) Section 30(1) of the Associations Incorporation Act 2015 (**the Act**) provides an incorporated association may alter its rules by special resolution but not otherwise.
- (c) Section 30(3) of the Act requires an incorporated association to lodge within one month of passing of a special resolution altering its rules the required documents with the Commission.
- (d) Section 30(4) of the Act sets out the required documents to be lodged with the Commissioner (see definition below), being:
 - (i) a notice of the special resolution setting out particulars of the alterations;
 - (ii) a certificate in the approved form that the resolution was duly passed as a special resolution;
 - (iii) a consolidated copy of the rules of the incorporated association including all alterations to which the special resolution relates.
- (e) Section 30(5) of the Act requires the certificate must be signed by a member of the Board.
- (f) Section 30(6) of the Act provides the alteration does not take effect until Section 30(3) is complied with.
- (g) Section 51 of the Act provides a special resolution is passed at a general meeting of an incorporated association by not less than three-fourths of the votes of members who cast a vote at the meeting.
- (h) The Commissioner is an officer within the Consumer Protection Division of the Department of Mines, Industry Regulation and Safety.