

Annexure A

2024 Proposed Amendments to the Constitution of the Pilates Association of Australia

Current Constitution	Proposed Change	Rationale
<p>15 Composition of committee</p> <p>(1) The committee is to consist of:</p> <p>(a) the following office-bearers:</p> <p>(i) the president,</p> <p>(ii) the vice-president,</p> <p>(iii) the secretary,</p> <p>(iv) the treasurer, and</p> <p>(b) at least three ordinary committee members.</p>	<p>15 Composition of committee</p> <p>(1) The committee is to consist of a maximum of ten committee members:</p> <p>(a) Up to two committee members may be an appointment by the committee at the committee's discretion; such committee members may be non-voting members or non-members of the association and shall be designated <i>appointed</i> committee members.</p> <p>(b) The remainder of the committee shall be elected from eligible voting members or appointed to fill casual vacancies in accordance with clause 18 and shall be designated <i>elected</i> committee members; and</p> <p>(c) There must not be less than three <i>elected</i> committee members.</p> <p>(d) <i>Appointed</i> committee members must have skills, experience, perspectives or capabilities that the committee determines from time to time are important for the committee.</p> <p>(2) The committee is to consist of:</p> <p>(a) the following office-bearers:</p> <p>(i) the president,</p> <p>(ii) the vice-president,</p> <p>(iii) the secretary,</p> <p>(iv) the treasurer, and</p> <p>(b) at least three ordinary committee members.</p>	<p>(1) It is common practice to have a limit to the number of members on the committee.</p> <p>In the Associations Forum Board Survey 2023,</p> <ul style="list-style-type: none"> • 83% of Associations had six to 10 members • only 3.7% had no limit on the number of committee members • the most common number of board members was 9, at 26% <p>It is generally recommended that there be an odd number of committee members to avoid a deadlock in voting. We are recommending an even number as it is our position that we wish to have a clear majority when voting. If the votes are even, more consideration is necessary.</p> <p>(a) The committee would like to be able to appoint one or two people to the committee where particular skills are required that may be difficult to find in a member of the Association. The most likely appointment would be to the position of Treasurer.</p> <p>(b) With a limit to the number of committee members, it is necessary to have a voting mechanisms in the event</p>

<p>(2) A committee member may hold up to two offices (other than both the offices of president and vice-president).</p>	<p>(3) A committee member may hold up to two offices (other than both the offices of president and vice-president).</p>	<p>that more members apply to be on the committee than positions available.</p>
<p>17 Terms of office</p> <p>(1) Subject to this constitution, a committee member holds office from the day the member is elected until immediately before the next annual general meeting following expiry of their term as provided for in subclause (2).</p> <p>(2) Each member of the committee is, subject to this constitution, to hold office for an initial term of three years but is eligible for re-election for two further consecutive terms of three years, but thereafter a period of two years must elapse before such persons shall be eligible for a new term of office.</p>	<p>17 Terms of office</p> <p>(1) Subject to this constitution, a committee member holds office from the day the member is elected until immediately before the next annual general meeting following expiry of their term as provided for in subclause (2).</p> <p>(2) Each member of the committee is, subject to this constitution, to hold office for an initial term of three years but is eligible for re-election for two further consecutive terms of three years, but thereafter a period of two years must elapse before such persons shall be eligible for a new term of office.</p> <p>(3) The maximum tenure of nine years in subclause (2) may be waived by ordinary resolution at a General Meeting of members</p>	<p>(3) If a situation arises where it is desirable for a particular person to continue on the committee after their nine-year tenure, this would provide a mechanism to do so. Our position is that this limit should only be waived by a majority decision of members.</p>
<p>40 Funds</p> <p>(1) Subject to a resolution passed by the association, the association's</p>	<p>40 Funds</p> <p>(1) Subject to a resolution passed by the association, the association's funds may be derived from the</p>	

<p>funds may be derived from the following sources only:</p> <ul style="list-style-type: none"> (a) the entrance fees and annual subscription fees payable by members, (b) donations, (c) other sources as determined by the committee. <p>(2) Subject to a resolution passed by the association, the association's funds and assets must be used to pursue the association's objects in the way that the committee determines.</p> <p>(3) As soon as practicable after receiving money, the association must:</p> <ul style="list-style-type: none"> (d) deposit the money, without deduction, to the credit of the association's authorised deposit-taking institution account, and (e) issue a receipt for the amount of money received to the person from whom the money was received. <p>(4) A cheque or other negotiable instrument must be signed by two authorised signatories.</p>	<p>following sources only:</p> <ul style="list-style-type: none"> (a) the entrance fees and annual subscription fees payable by members, (b) donations, (c) other sources as determined by the committee. <p>(2) Subject to a resolution passed by the association, the assets and income of the organisation shall be applied solely in furtherance of its above-mentioned objects and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.</p> <p>(3) As soon as practicable after receiving money, the association must:</p> <ul style="list-style-type: none"> (d) deposit the money, without deduction, to the credit of the association's authorised deposit-taking institution account, and (e) issue a receipt for the amount of money received to the person from whom the money was received. <p>(4) A cheque or other negotiable instrument must be signed by two authorised signatories</p>	<p>(2) Not-for-profit organisations are required by law to have clauses in their constitution setting out how the assets and income are to be used when it is operating and if it winds up. The wording of this clause is recommended by the Australian Charities and Not-for-profits Commission (ACNC).</p>
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