

## YADCA Constitution – proposed amendments April 2024

### Explanatory notes

1. The Yandina and District Community Association (YADCA) Constitution requires amendment to comply with changes to the law which come into effect on 1 July 2024 under the *Associations Incorporation and Other Legislation Amendment Regulation 2023 (QLD)*. These changes relate to dispute resolution procedures and to the disclosure of remuneration.
2. The QLD Office of Fair Trading has prepared a grievance procedure that will form part of their new Model Rules for incorporated associations. The YADCA Management Committee recommends that this wording be adopted in YADCA's Constitution (s.11A of the amended YADCA Constitution attached).
3. From 1 July 2024, under a new s.70(D) of the *Incorporated Associations Act 1981*, all incorporated associations will need to disclose remuneration and other benefits at their annual general meeting (AGM), even if the amount to report is zero. This information will be included in YADCA's annual financial statement. No amendment to the constitution is required.
4. In accordance with s.48(1) of the *Incorporated Associations Act 1981 (QLD)*, the constitution can only be modified or repealed by special resolution of the association. A special resolution is a resolution passed at a general meeting of the association by at least 75% of the votes cast by members entitled to vote on the resolution, either in person or by proxy. Notice of a special resolution must be provided in writing 14 days prior to the meeting.
5. The changes proposed to the YADCA Constitution cover the changes required by law as described above, plus removal of sections no longer relevant to YADCA, some minor amendments to reflect YADCA's procedures, and correction of typographical errors. Members are asked to review these for discussion at the 8 April YADCA meeting.
6. The special resolution to formally adopt the amendments to the YADCA Constitution will be presented to YADCA members at the 8 April general meeting. The amended constitution must be submitted to the QLD Office of Fair Trading before 30 April 2024.