

How the Draft Proposed Constitution Differs from our Existing Constitution

The constitution is a set of rules or guidelines outlining how the Association and its members should operate. Every incorporated association must have rules.

The rules document:

- How our association operates
- The association's purpose
- The rights and responsibilities of members and office holders
- There are new revised [Associations Incorporation \(Model Rules\) Regulations 2017](#) and this has an impact on incorporated associations in Tasmania. Hence, STBA can either adopt or modify the Model Rules to produce appropriate rules for today's business environment.
- **Without adopting the new revised Model Rules in entirety, the drafted proposed new constitution has been closely aligned to them and available to members to review.**
 - **Any corrections, suggested amendments or queries can be sent via the 'contact us' option on the STBA website.**

The most important changes to the existing constitution are:

- Use **electronic banking** which is controlled by the treasurer
- Notices of upcoming annual general meetings may be sent **electronically** and other options like notice on website, email, postal, newspaper advert
- The least number of members required at a general meeting is **five**
- STBA need to amend our existing constitution. This is done by passing a **special resolution at our next AGM (29 July 2024)** so at any future general meeting constitutional amendments can occur. The Special Resolution will require a 75% majority votes of the members present at a general meeting
- Amending the constitution will now be possible by special resolution at the AGM or a Special General meeting. (Previously only at an AGM). Now aligned with the Model Rules and the Act.

Rule changes or additions to existing Constitution that was current at 14 October 2020 are:

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| Rule 2 | Interpretation section expanded |
| 3 | Association's office – no change |
| 4 | Objects and purposes of the Association: <ul style="list-style-type: none">• 4.1 – no change, except deleted 4.1(f)• 4.2 – minor additions |
| 5 | Membership – new Junior Member type which will cover persons under 18 years of age and changes to nominating and acceptance procedures for different types of membership. Liability of members separated from rule 5 and same as model rules. |
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| 7 | Income and property of Association – Previously absent enabling clauses added and aligned to model rules |
| 8 | Accounts of receipts and expenditure – no change and same as model rules |
| 9 | Banking & Finance – changes to allow for electronic banking and aligned to model rules |
| 10 | Auditor – slight change and aligned to model rules |

- 11 Audit of accounts – no change, and aligned to model rules
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12. Exemptions under the Act - new section to match current model rules
- 13 Annual general meeting – Adopted Model Rules, minor change concerning minutes
- 14 Special general meetings – minor changes to align to Model Rules
- 15 Notice of general meetings – expanded to include options for notice on website, electronic, email, postal, newspaper advert
- 16 Business and quorum at general meetings – minor rewrite and align to model rules
- 17 Chairperson at general meetings – minor change and align to model rules
- 18 Adjournment of general meetings – no change
- 19 Determination of questions arising at general meetings – minor change to align to model rules
- 20 Votes – minor change to align to model rules
- 21 Taking of poll – accept model rules
- 22 When poll to be taken – no change, aligned to model rules
- 23 Affairs of Association to be managed by the executive – no change and aligned to model rules
- 24 Officers of the Association – now two vice-presidents, one as the senior, an office holder cannot hold more than one office position, committee to appoint public officer after AGM
- 25 Constitution of the committee – change of name from Executive to committee, and closely aligned to model rules
- 26 Election of numbers of committee – procedural changes and align to model rules and an additional subrule for excluding ballots by teleconferencing, electronic means, or use of website.
- 27 Term of office of President – New rule setting Presidential term of 3 years.
- 28 Vacation of office – no change and aligned to model rules
- 29 Meetings of the committee – minor changes and aligned to model rules
- 30 Disclosure of interest – minor change and align to model rules
- 31 Subcommittees – minor changes, particularly notice of meetings.
- 32 Advisory Groups – New rule governing establishment of advisory groups.
- 33 Executive committee – new section, to meet in between committee meetings in matters of urgency connected with the management of the affairs of the Association
- 34 Annual subscription – minor alterations, and aligned to model rules
- 35 Service of notices and requisitions – minor changes, align to model rules
- 36 Expulsion of members – no change, aligned to model rules
- 37 Appeal against expulsion – slight change, align to model rules
- 38 Disputes – no change, aligned to model rules
- 39 Seal of Association – basically the same, but public officer to be signatory and has custody of seal, aligned to model rules
- 40 Logo of Association – rule separated from rule on seal and members can have approval to use logo. Non-members to pay a fee to use.
- 41 Amendment to the rules – Significant change, rules may now be changed by Special Resolution so need not be at an AGM only.
- 42 Cancellation of Incorporation – no change
- 43 Winding up – no change