

NSWVGA Constitution – change notes – 23 May 23

This document identifies the major changes proposed for the Constitution. Full details of changes are given in the marked up copies of the current and proposed constitutions.

1. A resolution on tied ballots for Executive Council positions **was passed at the SGM 28 Jan 2016**, but this has not been included in the Constitution. This is included in the revision as clause 5.4.2, along with clarification that voting is by secret ballot.
2. A resolution to remove Zones **was passed at the AGM 2 Dec 2020**, but the relevant changes have not been applied to the Constitution. All references been deleted in the revision.
3. Delete references to Patron.
4. Differentiate between Financial year and Membership year. Membership year is a calendar year and Financial year remains as 1st October to 30th September the following year.
5. Terminology

The terms Member, Delegate, Councillor, Financial Member, Playing Member are used with apparently different meanings in different clauses in the old Constitution, with significant potential for confusion.

All references to Governing Council have been deleted and only the following terms are used in the Constitution:

- Delegate. A person who is nominated by a Group or Directly Affiliated Club to vote at an Annual General Meeting or at a Special General Meeting.
 - Councillor. A member of the Executive Council. The Executive Council comprises the President, two Vice Presidents, Treasurer, Secretary and seven other Councillors.
 - Playing Member. A person who has paid a current annual subscription to NSWVGA.
6. Councillor and Life Member voting rights. The old Constitution does not explicitly mention that members of the Executive Council or Life Members have voting rights at General Meetings, although this has always been the practice. This is clarified in the revision – clause 5.3.1. and 5.3.2.
 7. Process for electing Councillors – covered in new clause 5.4
 - a. Each Group or Directly Affiliated Club may nominate one Delegate to each General Meeting by notifying the NSWVGA Secretary.
 - b. If a Delegate is unable to attend a General Meeting, the relevant Group or Directly Affiliated Club may nominate an Alternate Delegate who may attend and vote in the place of the original Delegate.
 - c. Each Group and Directly Affiliated Club may propose any number of candidates for positions on the Executive Council by notifying the NSWVGA Secretary. A candidate must be a Playing Member.
 - d. At each AGM, Delegates, Councillors and Life Members vote to appoint members of the Executive Council from the candidates to serve until the following AGM.
 - e. If a casual vacancy occurs on the Executive Council, a replacement Councillor may be appointed by the Executive Council.

8. Definition of Playing Member. The requirement for a Playing Member to be a financial member of a Veteran Golfers Association affiliated with the New South Wales Veteran Golfers Association has been removed because this would exclude inter-state members. They now must be a member of a Registered Golf Club, which must be affiliated to Golf Australia.
9. Definition of Group has been changed from a 'collection of District Associations' to a 'geographic collection of Registered Golf Clubs' to reflect the current practice.
10. Directly Affiliated Clubs. There is no definition of Ungrouped Club (now Directly Affiliated Club) in the current Constitution, so this has been added.
11. Advice to Groups – clause 4.6 clarifies that advice may only be given in relation to events being held under the name of the Association.
12. Requisitioning a Special General Meeting – clause 5.1.3 clarifies that only Groups may requisition an SGM (not Directly Affiliated Clubs) and 30% of Groups are required. Regulations require 21 days' notice for a Special Resolution, so the notice for a Special General Meeting has been changed from 14 to 21 days.
13. Proxy votes at General Meetings. These are difficult to track and control and have only been used one occasion. With the new allocation of Delegates, proxy votes could lead to undue influence from a small number of members, so they have been deleted from the revision.
14. Casual vacancies on Executive Council. The current constitution allows a replacement to be appointed by the same body that nominated the previous incumbent.

Once an Executive Council member is elected, they subsequently should represent the whole playing membership. If there is a vacancy, the Executive Council should be free to appoint any suitable qualified person, rather than it being the prerogative of the original nominating Group or Directly Affiliated Club. This provision has been deleted.
15. There is now no regulatory requirement for a Common Seal so clause 17 of the current constitution has been deleted.
16. Register of Members. Clause 6 of the current constitution covers keeping a register of members. It is not clear whether this was meant to refer to Playing Members, Governing Council members or Executive Council members. To conform to the current regulations for Associations and the requirements for Data Privacy, this has been replaced by three separate registers: Delegates (clause 5.2.3), Councillors (clause 7.7) and Playing Members (clause 4.6).
17. Reimbursement of expenses. By-Laws 4 & 5 currently cover two specific instances for reimbursement, out of a number of other possible situations. There is adequate wording in clause 3.2 to cover reimbursement for any expenses. Details will be in the relevant Policies, so By-Laws 4 & 5 have been deleted.
18. Payment of fees. By-Law 3 contains some rules concerning payment of membership fees. These are too detailed to be in the Constitution, so By-law 3 has been deleted. Note the rules for this are given in Policy 7.
19. Honorariums. A new clause 4.4 has been added to cover the long-standing practice of paying honorariums to Councillors.

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