



Notice of Motion Form **2025/26 Season**

MOTION NUMBER	NOM 2025-011
PROPOSED BY	Chris White and Kanchan Bandyopadhyay, Management Committee
SECONDED BY	QSDCA Management Committee
REGARDING	QSDCA Constitution
PROPOSAL	To add some new sections as required due to recent Incorporations Act law changes.
EXISTING PROVISION	Rule 9 – Appeal Against Rejection, Suspension or Termination of Membership Rule 11 – Committee absences Rule 20 – Agenda for Annual General Meeting Rule 32 – Funds and Accounts
PROPOSED CHANGES	These proposals fall into one of two categories. • New clauses to be inserted to address the legislatively required updates. • This includes Rules 9A, 20.2 j, 32.11, 32.12 • Minor procedural rule changes • Changing "shall" to "may" in a provision to deal with absent committee members (Rule 11.4) • An amendment to authorize modern transaction methods. (Rule 32.4A)
COMMENT	There is a non-simple, technical explanation why these amendments are not legally required yet they are recommended so that these Rules are both under our association's control (not subject to the whims of future changes of legislation) and meet our actual needs. Read the Playing Regs Review blog entry for more information. https://qsdcaplayingregsreview2025.blogspot.com/search/label/Constitution%20Review

What does this mean?	PROPOSED NEW ARTICLES
[New Clause – Rule 9A Appeal Against Rejection, Suspension or Termination of Membership]	9A. GRIEVANCE PROCEDURE
Clause explicitly provides a grievance or dispute resolution procedure as mandated by Section 47A of the Act (as of 1 July 2024).	9A.1 This procedure applies to disputes between: a) Members of the Association b) Members and the Management Committee c) The Association and any member
New, more detailed update inserted 13-Jul-2025	9A.2 This procedure applies to disputes arising under the rules of the Association, including: a) Conduct of members b) Decisions of the Management Committee c) Breaches of the Constitution of or Code of Conduct
	9A.3 Notwithstanding 9A.2, the Grievance Procedure cannot be used: a) by a person whose membership has been terminated and to which avenue to appeal exists under Rule 9, b) where the initiator is subject to a disciplinary process of the Association and that process has not yet concluded, or c) where the dispute relates to a decision or action of the Association or Management Committee undertaken with the approval of the majority of voting members at a General meeting.
	9A.4 Prior to initiating a grievance procedure, the aggrieved party must notify the other party of the dispute within 14 days of, or becoming aware of the conduct, decision or alleged breach giving rise to the dispute.
	9A.5 Parties to a dispute must, in good faith, attempt to resolve the dispute prior to initiating a grievance procedure.

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	9A.6 Where the parties have attempted to resolve the dispute but been unable to do so, one or both of the parties may initiate a grievance procedure by submitting their complaint, within 30 days of the dispute arising, to the Secretary.
	9A.7 The Management Committee will appoint an impartial person to facilitate resolution.
	9A.8 Where informal facilitation fails to resolve the matter, the matter will proceed to mediation by an independent mediator agreed by the parties, or where the parties are unable to agree, determined by the Management Committee.
	9A.9 Where mediation fails to resolve the dispute, the matter may be referred to a subcommittee or external arbitrator with jurisdiction for final determination in accordance with relevant legislation.
	9A.10 All proceedings, communications and documents relating to a grievance procedure are confidential.
	9A.11 All costs incurred shall be the responsibility of the individual parties to the dispute, including but not limited to: a) costs incurred or incurred by the Management Committee, b) engagement of a mediator and associated mediation processes, and/or c) Legal costs arising.
	9A.12 The Management Committee does not have to act under rule 9A if: a) the aggrieved party has, within 21 days before initiating the grievance procedure, behaved in a way that would give the management committee grounds for taking disciplinary action under the rules against the aggrieved party in relation to the matter the subject of the grievance procedure; b) before the grievance procedure was initiated, a process had started to take action under the rules against the aggrieved party or terminate the aggrieved party's membership, as provided for under the rules, and the dispute relates to that process or to a matter relevant to that process;

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	c) the dispute relates to an obligation under the Liquor Act 1992 or any other State law to prevent the entry of the aggrieved party to, or to remove the aggrieved party from, premises used by the association, or to refuse to serve liquor to the aggrieved party at the premises; or d) the dispute could reasonably be considered frivolous, vexatious, misconceived or lacking in substance, or relates to a matter that has already been the subject of the grievance procedure.
[Amendment to Rule 20.2 – Agenda for Annual General Meeting] Clause requires disclosure of remuneration or benefits received by committee members or senior staff.	j. To disclose any remuneration paid or benefits given to members of the Management Committee, senior staff, or their relatives for the previous financial year, including a statement where no such benefits were provided.
[New Clause – Rule 32.11 under Funds and Accounts] This statement must be presented at the Annual General Meeting and recorded in the meeting minutes. If no remuneration or benefits were paid, a statement to that effect must be provided.	32.11 DISCLOSURE OF REMUNERATION The Association must prepare an annual statement showing the aggregate amount of: a) Remuneration paid to each member of the Management Committee and senior staff; and b) Benefits provided to each of their relatives.
[New Clause – Rule 32.12 under Funds and Accounts] The Management Committee shall ensure that appropriate financial statements, audits or verifications are prepared and lodged as required for the Association’s classification.	32.12 FINANCIAL REPORTING BASED ON ASSOCIATION SIZE The Association will comply with financial reporting requirements as set by the Associations Incorporation Act 1981, based on its classification as: a) A large association, if it has current assets of \$1,000,000 or more or total revenue of \$500,000 or more; or b) A small association, if it has current assets of less than \$300,000 or total revenue of less than \$150,000.

What does this mean?	PROPOSED NEW ARTICLES
[Amendment - Changing "shall" to "may" to a provision to deal with absent committee members]	
<i>Existing Rule</i>	
11.4 Should any member of the Management committee who is absent for three consecutive meetings of the Management committee, without having obtained leave of absence from the Management Committee, such members' position on the Management Committee shall automatically become vacant. That position may be filled in accordance with these Rules relating to casual vacancies.	11.4 Should any member of the Management committee who is absent for three (3) consecutive meetings of the Management committee, without having obtained leave of absence from the Management Committee, such members' position on the Management Committee may by a vote of a quorum of the Management Committee be declared vacant. 11.4A That position may be filled in accordance with these Rules relating to casual vacancies.
[Amendment – Modernising Transaction Methods – Insert after Rule 32.4 under Funds and Accounts] This clause applies in addition to Rule 32.4 and recognises the validity of modern financial transaction methods in accordance with the Association’s internal controls and banking policy.	32.4A ELECTRONIC BANKING AND PAYMENT METHODS All payments or disbursements over twenty dollars (\$20.00) may be made by electronic funds transfer (EFT), BPAY, or other secure electronic banking methods, authorised by two signatories approved by the Management Committee. Digital authorisation records must be retained with financial records.