

CONSTITUTION
COMBINED PROBUS CLUB OF CASTLE HILL INCORPORATED

PREAMBLE

The PROBUS name and emblem are registered under the Australian and New Zealand Trade Marks Acts. They may be used only by Probus clubs, Probus Associations and other bodies accredited by the Probus South Pacific Limited and they may not be used for any commercial purpose without the written approval of the Probus South Pacific Ltd.
To hold accreditation a Probus Club must have been sponsored by a Rotary Club.

1. TITLE

The name of this club shall be **COMBINED PROBUS CLUB OF CASTLE HILL INC.**

2. AIMS and OBJECTIVES

- a. The purpose of this club shall be to advance intellectual and cultural interests among adult persons who have retired or are semi-retired from their former occupations.
- b. It will hold regular meetings and arrange activities to provide opportunities for fellowship, the development of acquaintance and social interaction.
- c. It shall strive to be seen as a worthwhile organisation by the local community.
- d. It shall be non-political and non-sectarian. It shall not endorse any candidate for public office and shall not take corporate action at any meeting with the intention of influencing the policies or decisions of governments; however, the merits of any public question may be a subject of fair and intelligent study or discussion at a club meeting for the information of members.
- e. It shall not be, or be seen to be, a fund-raising body. The club, by a majority decision of its members may engage in corporate projects for social benefit provided that any such activity shall not involve the raising of funds and provided that individual participation in any such project shall be entirely voluntary.
- f. It shall not enter into any contract which involves the use of the Probus name or the Probus emblem without the prior written consent of the Probus South Pacific Ltd.

3. MEMBERSHIP

- a. Membership of this club shall be open to retired and semi-retired professional and business people and others from any worthy vocation who appreciate and value opportunities for social contact with others in similar circumstances.
- b. Membership of this club shall be primarily for residents of THE HILLS DISTRICT OF SYDNEY
- c. Membership of this club shall consist of ordinary members as defined in clause 3(a) and non-subscribing members comprising Honorary Members, Life Members or Non-Active Members.
 - i. Honorary Members may be elected at the discretion of and on such terms as may be decided upon by a special resolution of members at a general meeting. Honorary Members shall not be required to pay membership subscriptions, shall not be eligible to hold office and shall not be entitled to vote but shall enjoy all other privileges of membership. The maximum number of Honorary Members shall be as decided by members at any general meeting.
 - ii. Life Membership may be conferred upon a member who has rendered outstanding service to the club. Nominations shall be submitted in writing to the Management Committee for consideration, and if approved, referred to the next general meeting of the club for confirmation by a special resolution of members. Life Members shall not be required to pay membership subscriptions but shall enjoy all other privileges of membership. The maximum number of Life Members shall be as decided by members at any general meeting.

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- iii. Non-Active Membership may be conferred by the Management Committee upon a member who because of illness or a physical disability has been granted leave of absence by the club. Such members shall not be included in the member number of the club during that period of absence. Non-financial membership may be granted to Non-Active Members, no maximum number of such members being applicable.
- d. The maximum number of ordinary members shall be decided by members at an annual general meeting.
- e. Applicants for membership must be sponsored by two members of the club and approved for membership by a majority of the Management Committee.
- f. No person shall be denied membership of the club for reasons of race, religion or political persuasion.
- g. Upon the acceptance or rejection of an application for membership by the Management Committee, the Secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.
- h. An appeal against rejection of application for membership shall be in writing addressed to the Secretary and submitted to the next general meeting of club members for decision.
- i. Membership of this club shall be contingent upon attendance at regular meetings of not less than fifty per cent in any club year, subject to leave of absence in cases of sickness or on any other reasonable grounds.
- j. A member may resign by giving a written notice of resignation to the Secretary.
- k. The membership of a member convicted of an indictable offence may be terminated without right of appeal, by decision of the members at a general meeting.
- l. The membership of a member may be terminated in accordance with the process set out in clauses 11 and 12 should such a member not comply with the provisions of these rules or act in a manner considered injurious or prejudicial to the character or interests of the club.

4. MANAGEMENT

- a. The Club shall be managed by a Management Committee, comprising a President, one or more Vice-Presidents, a Secretary, a Treasurer (collectively "Committee Members"), and such number of other members of the Management Committee ("Officers") as provided in the By-Laws or the club's Standing Resolutions.
- b. Officers and Committee Members shall be elected annually in accordance with the By-Laws or the club's Standing Resolutions. The term of office of the President shall be one year, which may be extended to not more than two consecutive years if required due to special circumstances. Other Officers and Committee Members may serve for not more than three successive years in any one office except as otherwise determined and recommended by the Management Committee to members for decision.
- c. For the purpose of these rules, the office of an Officer or Committee Member becomes vacant if the Officer or Committee Member,
 - i. ceases to be a member of the club;
 - ii. becomes an insolvent under administration within the meaning of the Corporations Act 2001;
 - iii. resigns the office in writing given to the Secretary;
- d. A casual vacancy on the Management Committee may be filled by action of the Management Committee.
- e. A quorum at meetings of the Management Committee ("Committee Meetings") shall be a majority of the

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members thereof.

- f. In order to avoid any doubt, a motion is carried by a majority if more than half of those people voting (not including those who wish to abstain) vote in favour of the motion, unless otherwise specified.
- g. Voting shall be by a show of hands, with each Officer and Committee Member having one vote only.
- h. Where there is an equal division of votes at a Committee Meeting, the chairman shall have a casting vote in addition to a deliberative vote.
- i. The minutes of each Committee Meeting, when confirmed at the following meeting, must be signed by the chairman of the meeting verifying their accuracy.
- j. The Management Committee shall have power to appoint sub-committees to deal with specific matters.
- k. Committee Meetings shall be as determined by the Management Committee, meeting at least once in every four calendar months to exercise obligations.
- l. The Secretary shall advise members of the Management Committee the time and venue for each meeting, at least seven days prior to the meeting, orally or by mail, electronic transfer or any other method agreed upon.
- m. The Management Committee shall exercise general control and management of the club affairs between meetings, reporting on actions taken at the next general meeting of members.
- n. A member of the Management Committee may be removed from office at a general meeting of the club if a majority of members present at the meeting vote in favour of removing the member.
- o. Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why removal from office should not be affected.
- p. A member of the Management Committee has no right of appeal against the member's removal from office under this section.

5. ELECTION OF THE COMMITTEE

- a. An annual general meeting for the election of Committee Members and Officers shall be held on or before March 31 of each year.
- b. The newly elected Management Committee shall take office at the conclusion of the Annual General Meeting.
- c. Nominations for positions on the Management Committee for the ensuing year shall be called for at the meeting preceding the February meeting, such nominations to be lodged with the Secretary no later than the February meeting. These positions shall be filled by ballot, if necessary, at the annual general meeting.
- d. Voting shall be by show of hands or by ballot as decided by members. The candidate receiving the greatest number of votes of members present and voting in the election for each office or Management Committee position shall be declared elected.
- e. Where there is an equal division of votes, the chairman shall have a casting vote in addition to a deliberative vote.
- f. If insufficient nominations are received to fill all vacancies, the candidates nominated shall be deemed elected and further nominations shall be received at the annual general meeting.

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- g. If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed elected.
- h. If the number of nominations received is more than the number of vacancies to be filled, an election shall be held.

6. MEETINGS

- a. The general meetings and the annual general meeting of the club shall be held as provided in the By-Laws or the club's Standing Resolutions. General Meetings of the club shall be held at monthly intervals, except as otherwise decided by members when affected by Public Holidays and/or the December/January holiday period.
- b. General meetings of the club shall be held at such a time and place approved by members.
- c. A quorum at meetings of the club shall be twenty-five per cent of the total club membership (excluding Honorary Members and Non-Active Members) with a minimum of ten members.
- d. A general meeting shall be called on the request in writing, of not less than five members (excluding Honorary Members and Non-Active Members). Notice of such meeting shall be given to members at least twenty-one days before the meeting is to be held, with a statement setting out the purposes for which the meeting has been called and any motions submitted.
- e. An annual general meeting shall be held on or before March 31st each year at such a place and time as may be determined by the Management Committee and at least twenty-one days' notice of such a meeting shall be given.
- f. Notice of an annual general meeting stating the time, date, venue and business to be conducted at the meeting shall be given at the February meeting or by mail, electronic transmission or any other method agreed upon.
- g. Voting shall be by a show of hands, or by ballot if required by a majority of members (excluding Honorary Members and Non-Active Members).
- h. In order to avoid any doubt, a motion is carried by a majority if more than half of those people voting (not including those who wish to abstain) vote in favour of the motion, unless otherwise specified.
- i. At general meetings and annual general meetings of the club a member shall have one vote only.
- j. Where there is an equal division of votes, the chairman shall have a casting vote in addition to a deliberative vote.
- k. The President, or in the absence of or the inability of the President to do so, the Vice President shall preside at all meetings. In the absence of both Committee Members the members present shall elect a chairman.
- l. The minutes of each meeting, when confirmed at the following meeting, must be signed by the chairman of the meeting verifying their accuracy.
- m. Any notice of motion (other than to amend the club's constitution or By-Laws) must be submitted to the Secretary, in writing at least fourteen days prior to the meeting at which the motion is to be formally proposed, where it must be read to members prior to discussion.
- n. Any notice of motion to amend the club's constitution or the By-Laws must be submitted to the Secretary, in writing at least twenty-eight days prior to the meeting at which the motion is to be formally proposed.
- o. The club may hold a postal ballot to determine any issue or proposal.

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- p. A postal ballot is to be conducted in accordance with Schedule 3 to the Association Incorporation Regulation 2010.
- q. Proxy voting must not be undertaken at or in respect of a meeting.

7. SUBSCRIPTIONS

- a. Members of the club shall pay a joining fee (if any) and an annual subscription as provided in the By-Laws or the club's Standing Resolutions.
- b. The subscription shall include such capitation and insurance fees as may be required by the Probus South Pacific Limited.
- c. The joining fee (if any) and annual membership subscription payable by members shall be determined by members at an annual general meeting and shall remain in effect until amended by resolution at a subsequent annual general meeting.
- d. The annual subscription is due and payable on the April 1st each year. Should a member have not paid the annual subscription by June 30th the Management Committee may recommend to members termination of that member's membership.
- e. The subscription of a person joining the club is to be paid pro-rata on a quarterly basis. That is where a person joins the club during the:

Quarter ending June 30 th	Subscription is payable in full
Quarter ending September 30 th	Three-quarters of subscription is payable
Quarter ending December 31 st	One-half of subscription is payable
Quarter ending March 31 st	One-quarter of subscription is payable

Notwithstanding the date upon which a person joins the club, the joining fee (if any) is payable in full.

8. FINANCE

- a. The funds of the club shall be derived from joining fees, annual membership subscriptions, donations and such other sources as the members determine.
- b. The financial year of the club shall begin on the first day of January and end on the last day of December.
- c. An income and expenditure account (and balance sheet if appropriate) together with the auditor's report for the twelve months to the end of the financial year shall be presented to the annual general meeting after being audited by the person(s) appointed at the previous annual general meeting.
- d. The Treasurer, or in the absence of the Treasurer, a delegated Officer or Committee Member appointed by the Management Committee shall be authorised to deposit all funds of the club to the credit of the club's account in the bank or other financial institution approved by the Management Committee within two working days of receiving the funds.
- e. Cheques in payment of accounts shall be signed by authorised signatories who shall be any two of the President, Vice President, Secretary or Treasurer.

9. DUTIES OF OFFICERS

- a. The Secretary shall keep the records of membership and attendance at meetings, shall record and preserve the minutes of meetings, and perform such other duties as ordinarily pertain to the office.

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- b. The Secretary or Public Officer shall keep a register of members in which shall be recorded their names, addresses, telephone numbers, date of joining, date of death or resignation and such other information as the club may require.
- c. The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each Committee Meeting and general meeting are entered in a minute book.
- d. The Treasurer shall maintain and keep custody of all financial records and have custody of all funds of the club accounting for same to the club annually, shall submit monthly reports to members and perform such other duties as ordinarily pertain to the office.
- e. Except as otherwise provided in this constitution, the Secretary shall keep custody of or keep under control all books, documents and securities of the club.
- f. All accounts, books, documents and securities of the club shall be available for inspection by any member of the club upon request.

10. COMMON SEAL

The club will not use a common seal.

11. DISCIPLINE OF MEMBERS

- a. A complaint may be made to the Management Committee by any person that a member of the club:
 - 1. has refused or neglected to comply with a provision or provisions of this constitution, or
 - 2. has willfully acted in a manner prejudicial to the interests of the club.
- b. The Management Committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- c. If the Management Committee decides to deal with the complaint, the Management Committee:
 - 1. must cause notice of the complaint to be served on the member concerned, and
 - 2. must give the member at least 14 days from the time the notice is served within which to make submissions to the Management Committee in connection with the complaint, and
 - 3. must take into consideration any submissions made by the member in connection with the complaint.
- d. The Management Committee may, by resolution, expel the member from the club or suspend the member from membership of the club if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.
- e. If the Management Committee expels or suspends a member, the Secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the Management Committee for having taken that action and of the member's right of appeal under clause 12.
- f. The expulsion or suspension does not take effect:
 - 1. until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or

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2. if within that period the member exercises the right of appeal, unless and until the club confirms the resolution under clause 12,

whichever is the later.

12. RIGHT OF APPEAL OF DISCIPLINED MEMBER

- a. A member may appeal to the club in general meeting against a resolution of the Management Committee under clause 11, within 7 days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.
- b. The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- c. On receipt of a notice from a member under subclause (a), the Secretary must notify the Management Committee, which is to convene a general meeting of the club to be held within 28 days after the date on which the Secretary received the notice.
- d. At a general meeting of the club convened under subclause (c):
 1. the Management Committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
 2. the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- e. The appeal is to be determined by a simple majority of votes cast by members of the club.

13. INTERNAL DISPUTES

- a. The procedures set out in this rule applies to disputes between
 - i. A member and another member (in their capacity as members)
 - ii. A member or members and the club.
- b. The parties to the dispute must meet and discuss the matter in dispute, and if possible, resolve the dispute within fourteen days after the dispute comes to the attention of all parties.
- c. If the dispute is unable to be resolved in accordance with clause 13(b) the dispute is to be referred to a community justice centre for mediation under the Community Justice Centres Act 1983.
- d. If a dispute is not resolved by mediation within 3 months of the referral to a community justice centre, the dispute is to be referred to arbitration.
- e. The Commercial Arbitration Act 2010 applies to any such dispute referred to arbitration.

14. INFORMATION

- a. On formation and thereafter each year, the club shall provide the information required by Probus South Pacific Limited concerning membership, meeting arrangements and Committee Members and Officers for the ensuing year.
- b. The club shall provide the information on other matters as and when required by Probus South Pacific Limited.

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15. NON-PROFITABILITY

The income and property of the club howsoever derived shall be applied solely towards the promotion of the objectives of the club and no portion thereof shall be paid to or transferred directly or indirectly to the members of the club provided that nothing herein shall prevent the payment in good faith of remuneration to any Committee Member, Officer or member of the club for any services actually rendered to the club, or reimbursement of expenses incurred on behalf of the club.

16. PUBLIC OFFICER

A Public Officer shall be appointed in accordance with the requirements of the Associations Incorporation Act 2009.

17. BY-LAWS AND STANDING RESOLUTIONS

The club may by a majority decision of members adopt By-Laws or Standing Resolutions not inconsistent with this constitution, embodying additional provisions for the management of the club. Such By-Laws shall be amended from time to time as provided therein.

18. WINDING UP

- a. On winding up, the funds and assets of the club shall not be distributed to members but shall be donated to a charitable organisation, which prohibits distribution of its funds to members.
- b. The liability of a member to contribute towards the payment of the debts and liabilities of the club or the costs, charges and expenses of winding up of the club is limited to the amount, if any, personally owed by the member to the club.

19. AMENDMENT

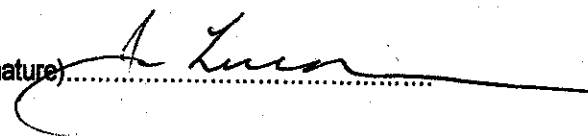
- a. Except as provided in this Article (b), this constitution may be amended only by the Probus South Pacific Limited.
- b. Article 1 (Name) of this Constitution may be amended at a general meeting of this club, a quorum being present, by the affirmative vote of not less than three quarters of the members present and voting, notice of such proposed amendment(s) having been published to all members at least twenty-one (21) days before such meeting.
- c. Proposed amendments of this constitution shall require pre-approval by Probus South Pacific Limited (prior to submission to members and prior to submission to the NSW Office of Fair Trading) and shall not be effective unless amended at a general meeting of this club, a quorum being present, by the affirmative vote of not less than three quarters of the members present and voting, for acceptance by the NSW Office of Fair Trading as being in compliance with the requirements of the Associations Incorporation Act 2009 (including subsequent amendments).

We hereby certify that, a quorum being present, this recommended Constitution issued by Probus South Pacific Limited was adopted without alteration by decision of not less than a three quarters majority of the members present and voting at a meeting held on 20 August 2013.

(President's Signature).....



(Secretary's Signature).....



STANDING RESOLUTIONS OF THE COMBINED PROBUS CLUB OF CASTLE HILL INC.

1. PREAMBLE

The Club shall be managed by a set of Standing Resolutions approved and adopted by members.

2. MANAGEMENT COMMITTEE

The Club shall be managed by a Management Committee (herein after called 'The Committee') comprising of a President, Vice-President (who shall be the President Elect), Secretary, Treasurer and up to eight* (8) Committee Members to be responsible for Guest Speakers, Day Trips, International and Weekly Trips, Theatre Outings, Newsletter, Dining Out, Membership and Welfare, Special Events, Property, Activity Groups and such other activities as may be decided from time to time by the Club.

The immediate Past President shall be a member, ex officio, of the Committee with full voting rights. (*Amended February 2015).

3. ADDITIONAL MEMBERS & EFT

- a. The Management Committee is authorised to appoint an Assistant Secretary and Assistant Treasurer. Such assistants are not sitting members of the committee and are not entitled to vote. However, if the assistant is acting for the officer in his/her absence then the assistant would have one vote representing the officer.
- b. The Treasurer and one other delegated officer of the Management Committee, appointed by the Management Committee are authorised to use Electronic Funds Transfer (EFT) banking system for club accounts.

4. MEETING VENUE

The Club shall meet monthly at 10.00 am on the third Tuesday of each month January to November inclusive and on the second Tuesday in December each year in the Ironbark Room at Cherrybrook Community & Cultural Centre, Shepherds Lane (off Shepherds Drive) Cherrybrook. (Amended November 2016).

5. ALTERNATE VENUE PERMITTED

The Club may meet at another time, on another day, or at another venue by a decision of the members.

6. MEMBERSHIP

The membership of the club is set at a maximum of 250 ordinary members. Further reviews may be undertaken at the Annual General Meeting. (amended March 2019)

7. GENDER BALANCE

The Club shall endeavour to maintain a gender balance whereby neither gender exceeds 60% of the total membership.

8. VISITORS - ACCOUNTING

The Management Committee shall annually account for the number of NON-MEMBERS regularly attending club general meetings and/or activities outside the club's protocol for visitor attendance. Such persons shall include: wives, partners, widows/widowers of deceased members, associates and affiliates. Exemption- no count or fee applies for carers.

9. WAITING LIST

The Club shall adopt a protocol to manage and maintain a waiting list as follows:

- a. An expression of interest to join the club will be recorded by date and gender as the waiting list.
- b. No membership application form will be offered to a person on the waiting list until such time as

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there is a vacancy for membership.

- c. When appropriate, a membership application form will be offered to a person on the waiting list, such application must be sponsored by two current members of the club and approval for membership given by a majority of the Management Committee.
- d. No monies shall be received or accepted from a person on the waiting list until such time as the application for membership has been approved by the Management Committee.
- e. Those persons included on the waiting list must meet the requirements of attendance under the protocol set for visitors.

10. VISITOR ATTENDANCE RESTRICTIONS

Visitors may attend a maximum total of three (3) general meetings and may be invited to attend club activities provided places are available and that they attend in the company of the member(s) who invited them.

11. PRIVACY

The information collected by the club in relation to members shall be held in accordance with the information privacy principles contained in the Privacy Act. The club shall ensure that it complies with such information privacy principles and shall not disclose any such information, except in accordance with the Privacy Act.

12. PUBLIC OFFICER

John Michell is confirmed as the Public Officer.

13. SUBSCRIPTIONS

The subscription payable by members shall be \$50.00 per annum which may be reviewed at the AGM. However, for the 2021 membership year only, the subscription for current members as at the date of the 2021 AGM shall be \$20. (last amended March 2021)

14. JOINING FEE

The joining fee payable by a member on admission to the Club shall be \$20.00 which may be reviewed at the AGM.

15. LIFE MEMBERS

There shall not be more than five* (5) Life Members at any one time. Life membership may be conferred upon a member who has rendered outstanding service to the club over a period of at least five (5) years and has served on the Management Committee or as an Activity Convener for this period of time. Nominations shall be submitted in writing, supported by 24 members, to the Management Committee for consideration, and if approved, referred to the next general meeting of the club for confirmation. (*Amended February 2013)

Such Life Members shall enjoy all membership privileges and shall not be expected to pay annual fees.

16. NON-ACTIVE MEMBERS

Non-Active membership may be conferred upon a member who because of carer responsibilities, illness or physical disability has been granted leave of absence by the club for a determined appropriate period of time. Such Non-Active members shall be granted leave of absence and non-financial membership shall apply in these cases.

17. APOLOGIES

Apologies for absences from club meetings must be received by a member of the Committee of Management prior to the commencement of the general or annual general meeting.

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Members leaving club meetings or functions early must advise a member of the Management Committee of their departure.

18. TELEPHONE DIRECTORY

An updated club telephone directory will be produced annually. Members may have their names and details excluded by request to the Secretary no later than 31 May.

19. CONFLICT OF INTEREST

All club members exercising any responsibility on behalf of the club do so in a fiduciary capacity and are accountable to the club for all monies or benefits received in the course of their club duties.

Where an offer of payment or a benefit in kind is made by a travel agent/event promoter/booking agent/cruise line or the like to an activity convener or club member acting on behalf of the activity convener, acceptance is conditional upon the payment or benefit being shared equally between the trip/event participating members. In all cases the Management Committee is to be informed of any payment or benefit received and how it was distributed.

Further, any offer made to an activity convener or club member acting on behalf of the activity convener to join an exploratory trip or event free of charge or at a discount needs to be referred to the Management Committee for a decision. (Adopted February 2014)

20. RECEIPTS

Unless requested, receipts need not be issued for cheque payments covering club activities. (Adopted September 2014)

21. AMENDING STANDING RESOLUTIONS

These Standing Resolutions, excluding those articles related to the Annual General Meeting, may be amended at any general meeting of this Club, a quorum being present, by the affirmative vote of not less than 75% of the members present and voting, (or add where proxies are accepted) notice of such proposed amendment(s) having been published to all members at least twenty-one (21) days before such meeting.

Date: 20 May 2021

STANDING RESOLUTIONS OF THE COMBINED PROBUS CLUB OF CASTLE HILL INC.

REGISTER OF AMENDMENTS TO STANDING RESOLUTIONS			
Date of Amendment	Resolution Ref	Title	Outline of Amendment
February 2013	15	Life Members	Number of life members at any one time defined
February 2014	19	Conflict of Interest	Conflict of interest provisions adopted
September 2014	20	Receipts	Provision for the issue of receipts adopted
February 2015	2	Management Committee	Immediate past president to be an ex-officio member of the Management Committee
March 2016	13	Subscriptions	Annual subscription fee amended to \$70
November 2016	4	Meeting Venue	Date, time and venue for meetings amended
March 2018	13	Subscriptions	Annual subscription fee amended to \$50
March 2019	6	Membership	Maximum number of ordinary members increased from 230 to 250
March 2021	13	Subscriptions	Annual subscription for existing members (as at the date of the 2021 AGM) reduced to \$20 for 2021 only