

Notice of proposed amendments to the HCA Constitution HCA Annual General Meeting, 23 November 2015

Background

In 2015 the Board of HCA undertook a routine review of the constitution of the organisation. Assistance was provided by volunteer, Ms Georgie Morris, BA LLB who referred to model constitutions and also obtained pro bono, informal guidance from a lawyer with extensive experience in this area. The following minor amendments to the constitution were proposed and are now recommended for endorsement by the HCA membership.

Notice of proposed amendments to the HCA constitution

Notice is hereby given of the following motions to amend the constitution of the Health Consumers Alliance of South Australia Incorporated:

Subclause 6.1.5

Membership (full and associate) is not open to individuals who have ceased employment with the Association within the preceding 12 months of the start of a new financial for which memberships are being received.

Clause 6.1.5 **omits** the word 'year' after financial.

The following motion seeks to replace a missing word.

Motion 1: Insert the word 'year' after 'financial' and before 'for'.

This would now read:

Membership (full and associate) is not open to individuals who have ceased employment with the Association within the preceding 12 months of the start of a new financial year for which memberships are being received.

Subclause 6.1.6

Membership (full and associate) is not open to individuals who are employees of the Association. Membership of the Association will be suspended on the first day of employment for employees who were members at the time of their employment. The suspended membership may be reactivated subject to 6.1.4.

The reference to subclause 6.1.4 (which deals with associate membership for organisations) does not make sense in the context of subclause 6.1.6.

The following motion aims to make sure the Constitution refers to the correct subclause.

Motion 2: Replace the reference to 6.1.4 with 6.1.7 (which deals with membership not being open to individuals who have been expelled from the Association).



Subclause 7.2.1

The Board shall be comprised of a Chairperson, a Deputy Chairperson, Treasurer, Secretary and six (6) Board members.'

Subclause 7.4.2 states that *'the Board may function validly and exercise any of its powers, provided that the membership of the Board is not reduced below 6 members.*

Motion 3: amend subclause 7.2.1 to insert the words 'up to' after 'and' and before 'six'.

This would now read:

Subclause 7.2.1

The Board shall be comprised of a Chairperson, a Deputy Chairperson, Treasurer, Secretary and up to six (6) Board members.'

The following motion aims to include in the Constitution the Board's right to set fees.

Motion 4: insert the following clause into the Constitution as a separate clause in order to separately address the subscriptions required for each type of membership of HCA (both Full and Associate):

6.8 SUBSCRIPTIONS AND FEES

6.8.1 The Board may:

- a) **Fix annual membership subscriptions.**
- b) **Fix other fees or levies considered prudent for the management of the Association's affairs.**
- c) **Determine the time for and manner of payment of the subscriptions, fees and levies by Members to the Association.**

6.8.2 The Board may, at its discretion, fix subscriptions, fees or levies at different rates for the different categories of membership.

6.8.3 On admission to membership a new Member must pay the current full year's subscription, fees or levies unless the Board agrees to accept payment in instalments.

6.8.4 The Board may waive all or part of a Member's subscriptions, fees or levies and may agree terms of payment for a Member different from those applicable to other Members if the Board is satisfied that there are special reasons to do so.

Michael Cousins

Chief Executive

29 October 2015