

# AEIA - Draft Amendments to Rules

## Draft Amendment to Rule 17

### Proposed Amendment to Rule 17

#### 17. ELIGIBILITY TO NOMINATE AS CANDIDATE FOR ELECTION AND HOLD OFFICE

Only Financial Members of the Association who are eligible to vote in accordance with Rule 18(g) are eligible to nominate a candidate for office, or to hold office, in the Association. A candidate will not be eligible to be nominated for or hold the position of Officer or Member of the Executive Council if he/she:

- (a) is of unsound mind or liable to be dealt with under any law relating to mental health;
- (b) has been declared bankrupt; ~~or~~
- (c) has been convicted of a prescribed offence in accordance with Chapter 7, Part 4 of the Registered Organisations Act; ~~;~~
- (d) has his/her appointment as duly appointed nominee of the Member revoked or is replaced as a result of the Member appointing a new duly appointed nominee in accordance with Rule 6; or
- (e) is a duly appointed nominee of a Member and that Member ceases to be a Member.

## Draft Amendment to Rule 25(a)

### Proposed Amendment to Rule 25(a)

- (a) An elected Officer of the Association will be dismissed from office, by the Executive Council, where he/she:
  - (i) has been found guilty, under these Rules, to have misappropriated funds of the Association;
  - (ii) has been found guilty of a substantial breach of these Rules;
  - (iii) has been found guilty of gross misbehaviour or gross neglect of his/her duty; ~~;~~ or
  - (iv) has ceased to be eligible to hold the office under these Rules.

## Draft Amendment to Rule 36

### Current Rule

#### 36. ALTERATION OF RULES

No new Rules will be made, nor any of the existing Rules altered or repealed unless at a General Meeting specially called for that purpose and at least two-thirds of the Members present, including those Members present by proxy, vote in favour of the proposed addition, alteration or repeal.

## **Proposed New Rule to Replace Current Rule**

### 36. ALTERATION OF RULES

- (a) No new Rules will be made, nor any of the existing Rules altered or repealed unless at a General Meeting specially called for that purpose and at least two-thirds of the Members present, including those Members present by proxy, vote in favour of the proposed addition, alteration or repeal.
- (b) Notwithstanding the provision of Rule 36(a):
  - (i) in the event that any adopted addition to, or alteration or repeal of, these Rules under Rule 36(a) does comply with any law under which the Association is registered, then the addition, alteration or repeal shall be referred back to the Executive Council, which shall have power, by resolution of the Executive Council, to reword the proposed addition, alteration or repeal in order for it to comply with such laws;
  - (ii) these Rules may be added to, altered or repealed at any time by a resolution of the Executive Council where such addition, alteration or repeal is required to effect compliance with the provisions of any law under which the Association is registered;
  - (iii) where the Executive Council determines that amendments are required to these Rules in order to:
    - (A) provide clarity;
    - (B) remove anomalies;
    - (C) improve grammar;
    - (D) correct Rule numbering where Rules have been deleted by previous Rule changes; or
    - (E) reflect any alterations required as a consequence of renumbering of any Rules;then the Rules may be so amended by a resolution of the Executive Council,

and the amendment of the Rules in accordance with this Rule 36(b), upon registration, shall be advised to all Members in writing by the Chief Executive.