

# **2023 Annual General Meeting of Members**

Please note that the 2022 Kilsyth & Mountain District Basketball Association Inc Victoria Annual General Meeting will be held:

On: Wednesday 31<sup>st</sup> May, 2023 at 7.00pm

**Via: Join via video conference online** (instructions will be issued on the day)

Voting entitlements are in accordance with Article 30 of the of the Statement of Purposes and Kilsyth & Mountain Districts Basketball Association Rules.

Ordinary financial members are in accordance with Article 4 of the Statement of Purposes and Kilsyth & Mountain Districts Basketball Association Rules.

Note: The AGM is a non-attendance in person meeting

### **Agenda**

- 1. Presidents Opening and Welcome
- 2. Apologies
- 3. Confirmation of Minutes
  - To confirm the minutes of the 2021 Annual General Meeting.
- 4. CEO's Report
- 5. Financial Statements and Report
  - To receive and consider the financial report of the Association and the reports of the officers for the year ended 31 December 2022)
- **6. Appoint of the Auditor for year 2023** (*Clause 27viii* of the Statement of Purpose)
- 7. Election of "The Executive"
  - **7.1. Office Bearers** (*Clause 16iia* of the Statement of Purpose)

a) Secretary (2 year term) b) Vice President (Senior) (2 year term)

c) Vice President (Junior) (1 year term)

- **6.2. Convenors** (*Clause 16(ii) b* of the Statement of Purpose)
  - a) Senior Competition
  - b) Representative Teams
  - c) Daytime Ladies Competition
  - d) Junior Competition

Nomination for Executive (*Clause 33 of the Statement of Purpose*) – Signed Nomination Form must be lodged with the Secretary C/- (<u>admin@kilsythbasketball.com.au</u>) at least 14 days prior to AGM (i.e., by 5 pm on 16<sup>th</sup> May 2022)

Nomination Form available upon request by requesting via email at:

admin@kilsythbasketball.com.au

8. Special Resolution: Amendments to Club's Rules (Clause 45 of Rules)

To consider and vote upon the attached Special Resolution to amend the Club's Rules.

See also the **attached** Explanation of the Proposed Amendments

- **9. General Business** (*Clause 27 vii* of the Rules)
  - a. Please advise Secretary in writing C/- (<a href="mailto:admin@kilsythbasketball.com.au">admin@kilsythbasketball.com.au</a>) of any General Business at least 14 days prior to AGM (i.e.by 5pm on 16 May 2022).
- **10. R.S.V.P** ATTENDANCE TO (<u>admin@kilsythbasketball.com.au</u>) Video Conference and agenda will be sent with the Meeting Request.

### KILSYTH & MOUNTAIN DISTRICTS BASKETBALL ASSOCIATION INC

## **Special Resolution of Voting Members**

**IT IS HEREBY THAT RESOLVED THAT** the Statement of Purposes and the Rules of the Association are amended as follows:

- a) The words "Gaming Member" are replaced with the words "Social Member" and the words "Gaming Members" are replaced with the words "Social Members" at each place they occur;
- b) The words "Associations Incorporation Act" and "Associations Incorporation Act 1981" are replaced with the words "Associations Incorporation Reform Act 2012" at each place they occur;
- c) The words "Gaming Machine Control Act" and "Gaming Machine Control Act 1991" are replaced with the words "Gambling Control Act 2003" at each place they occur;
- d) The words "Liquor Control Act" and "Liquor Control Act 1987" are replaced with the words "Liquor Control Reform Act 1998" at each place they occur;
- e) The words "restricted area" are replaced with the words "gaming machine area" at each place they occur;
- f) The words "Liquor Licensing Commission" are replaced with the words "Victorian Liquor Commission" at each place they occur;
- g) At the commencement of the Statement of Purposes, the words "Section 5(b)" are deleted;
- h) Rule 5(v) is added as follows: "A Life Member shall be entitled to enter the same areas of Club that an Ordinary Member is entitled to enter";
- i) Rule 7(iii) under the heading "Junior Members" is amended by replacing the words "Section 128 of the Liquor Control Act 1987" with the words "Section 120 of the Liquor Control Reform Act 1998";
- j) Rule 7 headed "Gaming Members" (which is to be re-named "Social Members") is renumbered as Rule 7A;
- k) Rule 7A(iv) is added as follows: "A Social Member shall be entitled to enter the same areas of Club that an Ordinary Member is entitled to enter";
- I) Rule 45(ii) is deleted;

- m) Rule 49(iv)(c) is amended by replacing the words "Section 52 of the Liquor Control Act 1987" with the words "Section 14 of the Liquor Control Reform Act 1998";
- n) Clause 50(i) is amending by deleting the existing wording and replacing with the following: "The Association is authorised to trade in accordance with the provisions of the Associations Incorporation Reform Act 2012"; and
- o) Clause 50(iii) is added to the Rules as follows:
  - "(iii) In the Statement of Purposes and these Rules, unless the context requires otherwise:
    - (a) a reference to an act, statute or regulation (or a provision thereof) includes all acts, statutes, or regulations (and provisions thereof) varying, amending, consolidating, updating or replacing it, and a reference to an act or statute includes all regulations issued under that act or statute;
    - (b) a reference to any office, commission or other governmental authority established under an act or statute shall include any successor to or substitute for that office, commission or other governmental authority; and
    - (c) a reference to any licence, permit or other authority granted under an act or statute shall include any successor to or substitute for that licence, permit or other authority.

### KILSYTH & MOUNTAIN DISTRICTS BASKETBALL ASSOCIATION INC

## **Explanation of Special Resolution**

The Special Resolution does the following:

- Paragraph a) changes the title of "Gaming Member" to "Social Member".
- Paragraph h) makes clear that Life Members have the same rights of access to the Club premises as the Ordinary Members.
- Paragraph k) makes clear that Social Members (formerly Gaming Members) have the same rights of access to the Club premises as the Ordinary Members.
- Paragraph I) deletes Rule 45(ii) as the current *Liquor Control Reform Act* no longer requires the Club to lodge amendments to its Rules with the Liquor Commission.
- All of the other paragraphs are included to update the Rules to refer to the current legislation governing associations, gaming and liquor.
- Paragraph o) adds a clause to make clear that if legislation is amended or replaced in the future, then the Rules are to be read as referring to that new legislation.