Summary of Proposed Changes to the Rules of Association

The table below summarises the substantive changes between ACT Shelter's current Rules of Association (25 November 2024) and the proposed new Rules.

In addition to these changes, the drafting has been updated throughout to improve clarity, consistency and readability. This includes:

- replacing references to the "committee" with "Executive Committee";
- replacing "President" and "Vice-President" with "Chair" and "Deputy Chair", respectively;
- reorganising and renumbering the Rules into eight Parts; and
- updating definitions, wording, cross-references and formatting.

These general drafting changes are not listed individually below. The full text of the proposed new Rules is enclosed and is the document on which members are being asked to vote.

Preliminary and membership

Topic	Current Rules	Proposed Rules	Reason for change
Basis of the Rules	Adopts the model rules as in force from time to time, subject to minor variations (r 1).	Establishes ACT Shelter's own Rules, with the model rules applying only to matters not addressed in them (r 4).	Provides a governance framework tailored to ACT Shelter and avoids automatic changes when the Government updates its model rules.
Name and definitions	No separate name provision or comprehensive definitions.	Expressly identifies the Association's name and includes definitions of key terms (rr 1, 3).	Improves clarity and consistency in interpreting the Rules.
Objects	r 2.	Unchanged (r 2).	No change proposed.
Membership classes	One undifferentiated membership class.	Individual, Organisational, Reciprocal and Honorary (r 5); fee sub-categories permitted.	Recognises the different types of individuals and organisations that make up ACT Shelter's membership.
Organisational members	Does not specifically provide for organisational members or their representatives.	Allows eligible not-for-profit organisations to become members and participate through one nominated representative (r 5, r 12).	Provides a clear framework for organisational membership, representation and accountability.
Applying for membership	Applications must be nominated and co-signed by an existing member (r 4).	Removes the nomination requirement. The Executive Committee may request evidence that an applicant meets the membership criteria (rr 6, 7).	Removes an unnecessary barrier to joining and simplifies the application process.

Topic	Current Rules	Proposed Rules	Reason for change
Membership fees	Fixed at $1 joining and $2 annual unless changed (r 7).	The Executive Committee sets fees for each membership class, with provision for part-year fees and hardship waivers. Reciprocal and Honorary members are exempt from fees (r 9).	The Executive Committee sets fees for each membership class, with provision for part-year fees and hardship waivers. Reciprocal and Honorary members are exempt from fees (r 9).
Non-payment of fees	Membership ends automatically if the fee is unpaid by the due date (r 8(b)).	Members become unfinancial after three months of non-payment and cannot vote or stand for the Executive Committee until fees are paid. Membership ends only after 12 months of non-payment (rr 11, 13).	Provides a fairer approach and avoids membership being lost through oversight or temporary non-payment.
Ending membership	Includes a ground for termination where a member is considered not physically or mentally fit (r 8(d)(ii)).	Removes this ground. Adds grounds relating to loss of eligibility and the ending of a reciprocal membership arrangement (r 13).	Removes an outdated and discriminatory provision and clarifies when membership may end.
Register of members	Former members' details removed	Former members kept in a separate record of former members (r 8)	Better record-keeping and members administration.
Associate status	No provision for associate status.	Allows the Executive Committee to grant non-voting associate status to supporters who are not members (r 16).	Provides a way to recognise and engage supporters without extending membership or voting rights.

Disputes and discipline

Topic	Current Rules	Proposed Rules	Reason for change
Who can raise a dispute	Provides for disputes between members, or between a member and the committee (r 11).	Also expressly covers disputes between a member and the Association (r 17).	Ensures the procedure covers the different types of disputes that may arise.
Disciplinary options	Includes demotion to a lower level of membership (r 20)	Demotion replaced by a written reprimand (r 26)	Provides a more appropriate and proportionate sanction for an Association with different membership classes.

Executive Committee

Topic	Current Rules	Proposed Rules	Reason for change
Size and composition	President, secretary and treasurer, plus an optional vice president and ordinary members; size not fixed (r35).	Establishes 7 elected members, with provision for up to 2 additional co-opted members (rr 42, 54).	Provides a clear and consistent Executive Committee structure.
Office bearers	Elected by members to each position at the AGM (r 45).	Chair, Deputy Chair, Secretary and Treasurer appointed by the Executive Committee from its members (r 45).	Allows roles to be allocated according to skills and circumstances, and changed during the year if necessary.
Terms of office	1-year terms, from AGM to AGM (r 46)	2-year staggered terms, with four positions elected in odd-numbered years and 3 in even-numbered years (rr 42, 51).	Continuity on, and orderly renewal of, Exec Committee.
Term limits	None	Specified term limits expressly specify: • the maximum of 3 consecutive terms; • the minimum 12-month break from holding any Executive Committee position, or the full period between consecutive AGMs where that is longer; • the requirement to remain ineligible until the conclusion of the next AGM; and • the exceptional provision allowing co-option only with prior approval of members by general resolution (r 55).	Encourages regular renewal while allowing flexibility in exceptional circumstances.
Nominations	Due 14 days after the call for nominations (r 44)	Nominations must be received no later than 16 days before the AGM. Unfinancial members are ineligible to nominate (r 49).	Establishes a clear nomination deadline, eligibility requirements, and it practical to implement.
Conduct of elections	Chair calls for further nomin-ations; no tie-break rule (r 45)	An independent Returning Officer, who cannot be an Executive Committee member or candidate, may conduct elections. Tied votes decided by lot (r 50).	Promotes impartiality and provides certainty in conducting elections.
Co-opted members	No provision for co-opted members.	Allows the Executive Committee to co-opt up to two members with skills or experience it needs. Co-opted members have voting rights, serve until the next AGM and cannot hold office bearer positions (r 54).	Allows the Executive Committee to address skills or experience gaps between elections.

Topic	Current Rules	Proposed Rules	Reason for change
Organisational representatives on the Executive Committee	Not specifically addressed	An organisational representative elected to the Executive Committee serves in their own right, rather than as a delegate of their organisation. If their organisational representation ends, they have 21 days to become an Individual Member (r 43).	Clarifies the responsibilities and continuing eligibility of organisational representatives serving on the Executive Committee.
Removal from office	Provides for removal after 2 consecutive missed meetings or 3 months of inactivity, without a specific right of response (r 47).	Provides clearer grounds, including 3 consecutive missed meetings, failure to attend any meetings over 6 months, serious misconduct and breach of a code of conduct. The member must receive notice and an opportunity to respond before a decision is made (r 52).	Clearer grounds; strengthens accountability while providing greater procedural fairness.
Meetings and voting	Requires at least 3 meetings per term. A motion needs a majority of members present (r 49, r 53)	Requires at least three meetings each calendar year. Motions are determined by a majority of votes cast (r 56, r 60).	Clarifies the minimum meeting frequency and voting arrangements.
Circular resolutions	No provision.	Allows the Executive Committee to make decisions without holding a meeting, by majority agreement, subject to requirements for disclosure of conflicts of interest and recording decisions in the minutes (r 63).	Enables practical and timely decision-making between meetings.
CEO and staff	No express provision.	Authorises the Executive Committee to appoint a CEO and staff and delegate functions to the CEO, while retaining specified key powers (r 64).	Formally recognises ACT Shelter's operational structure and clarifies the relationship between governance and management.
Acting with vacancies	No express provision.	Allows the Executive Committee to continue operating despite vacancies. If membership falls below quorum, its powers are restricted to filling vacancies or calling a general meeting (r 42).	Supports continuity while ensuring appropriate limits where the Executive Committee cannot form a quorum.

General meetings, finance and miscellaneous

Topic	Current Rules	Proposed Rules	Reason for change
Notice of special resolutions	No equivalent express provision.	Requires the notice of meeting to set out proposed resolution and identify it as a special resolution (r 69).	Makes notice requirements explicit and reflects the requirements of the Act.

Topic	Current Rules	Proposed Rules	Reason for change
Members' agenda items	Matters raised by members are added to agenda for the next general meeting (r 60).	Eligible matters received before the notice of meeting is issued must be included in the notice for the relevant meeting (r 69).	Enables members' business to be considered at the meeting for which it was proposed.
Proxies	Executive Committee must accept each proxy (r 61).	Removes the separate acceptance step and requires a proxy to vote in accordance with the appointing member's instructions (r 70).	Simplifies the process and reinforces members' voting instructions.
General meeting voting	Decisions determined by a majority of members (r 64).	Decisions are determined by a majority of votes cast (r 73).	Clarifies how voting outcomes are determined.
Sources of funds	Fees, donations and other sources approved by the Exec committee and a general meeting (r 67)	Expressly includes grants, sponsorships, bequests & investment income, as well as associate fees. Members may impose limits on other sources of funding (r 76).	Reflects ACT Shelter's actual funding sources and provides appropriate flexibility.
Not-for-profit provision	No express not-for-profit clause.	Requires Association's income and property to be applied solely towards its objects, with no distributions to members (r 77).	Expressly reflects the Association's not-for-profit and charitable status.
Public officer	No express provision.	Provides for appointment and removal of a Public Officer and the filling of vacancies (r 79).	Reflects the requirements of the Act and clarifies responsibility for this statutory role.
Changing the Rules	Not addressed.	Requires changes to be made by special resolution, with notice of the alteration lodged with the Registrar-General within 1 month & relevant notification provided to the ACNC (r 81).	Clarifies the process and reflects statutory and charity reporting obligations.
Winding up	Allows Association to nominate a recipient for surplus property (r 71).	Requires surplus property to be transferred to a registered charity with similar charitable objects and an appropriate prohibition on distributions to members (r 82).	Ensures surplus assets remain dedicated to charitable purposes (charity law requirement).
Transitional provisions	None	Provides for existing members to continue as members, the current Executive Committee to remain in office until the 2027 AGM, the first staggered election in 2027 and the exclusion of previous service from the new term limit. Part 8, containing the transitional provisions, is repealed on 31 December 2029 (rr 83–87).	Provides an orderly transition from the current Rules to the new governance arrangements.