

VICTORIAN GAY AND LESBIAN RIGHTS LOBBY Inc.

Assn Reg No: A0035931K

ABN: 85-223-439-635

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SPECIAL RESOLUTIONS

Notice is given that the following Special Resolutions will be considered at the Annual General Meeting on Thursday 7th September 2000 (See notice of Annual General Meeting). For the benefit of members, following each of these Special Resolutions is an explanation as to the purpose of introducing them.

Special Resolution 1.

To consider and if thought fit pass the following special resolution:

"That Clause 35 of the Rules of Incorporation of the Victorian Gay and Lesbian Rights Lobby be replaced with the following Clause:

FUNDS

35 (1) The funds of the Association shall be derived from annual membership fees, donations and other such sources as the Committee determines.

(2) The assets and income of the Association shall be applied solely in furtherance of its objects and no portion shall be distributed directly or indirectly to the members of the Association except as bona fide compensation for services rendered or expenses incurred on behalf of the Association."

Proposed: David Gray
Seconded: Kenton Miller

Explanatory Memorandum

Subclause 35(1) is the same as the existing Clause 35, only subclause 35(2) is new. We have received legal advice that we need to insert this clause to ensure our status as non-profit for income tax purposes.

Special Resolution 2.

To consider and if thought fit pass the following resolution:

"That Clause 33 of the Rules of Incorporation of the Victorian Gay and Lesbian Rights Lobby be replaced with the following Clause:

WINDING UP OR CANCELLATION

33. (1) The Association may be dissolved voluntarily by special resolution.

(2) In the event of the Association being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to any association with similar purposes which is not carried on for the profit or gain of its individual members."

Proposed: David Gray

Seconded: Kenton Miller

Explanatory Memorandum:

This Clause completely replaces the existing Clause 33. The existing Clause 33 allows for distribution of assets of the Association, upon winding up, to be in accordance with the Act. The Act allows for this distribution to be to members. By inserting this new clause 33, we will ensure our status as non-profit, for income tax purposes.

Special Resolution 3.

To consider and if thought fit, pass the following resolution:

“That Clause 1 of the Rules of Incorporation of the Victorian Gay and Lesbian Rights Lobby be replaced by the following Clause:

NAME AND OBJECTS

1 (1) The name of the Incorporated Association is the Victorian Gay and Lesbian Rights Lobby (in the Rules called “the Association”).

(2) The objects of the Association are as follows:

MISSION

To achieve equality and social justice for lesbians and gay men.

STATEMENT OF PHILOSOPHY

- consult with all community sectors
- develop common goals and policies among lesbians and gay men
- work closely with and support the Transgender community
- work closely with and support the Bisexual community
- address legal, social and economic areas of disadvantage and discrimination against gay men and lesbians.
- work with other groups where appropriate
- work towards equal representation of women and men within the VGLRL

OBJECTS:

- conduct and disseminate research
- develop and implement educative strategies
- work at all levels of decision making - government, policy makers, organisations and other representative bodies
- monitor, respond to and initiate media
- raise money, employ staff and enter into other financial and legal arrangements as may be appropriate
- to do such other things as the association may consider to be necessary and desirable to achieve and advance the mission of the association”

Proposed: David Gray

Seconded: Kenton Miller

Explanatory Memorandum:

Subclause 1(1) is the same as the existing Clause 1. Subclause 1(2) is new. The Associations Incorporation Act 1981 does not require an organisation to include its objects as part of the Rules, but the Act does require that an application for incorporation is accompanied by a copy of the statement of purposes of the organisation. The above Mission, Statement of Philosophy and Objects are those which were established at the time of incorporation. The committee feels that there are advantages in formally including these objects into the Rules. By doing so, the organisation is required to abide by these objects or

go through a formal process of amending the Rules to be able to change the objects. Further, the taxation office and other government and non-government organisations will examine the objects as part of a process of determining the nature of the organisation. The non-profit clauses in Special Resolutions 1 and 2 refer to the objects of the organisation and having objects included in the rules makes the purposes of any expenditure quite clear.

Special Resolution 4.

To consider and if thought fit, pass the following resolution:

“To insert the following Clause 36 into the Rules of Incorporation of the Victorian Gay and Lesbian Rights Lobby:

DISPUTES AND MEDIATION

- 36 (1) The grievance procedure set out in this rule applies to disputes under these Rules between -
- (a) a member and another member; or
 - (b) a member and the Association.
- (2) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- (3) If all of the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- (4) The mediator must be:
- (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement:
 - (i) in the case of a dispute between a member and another member, a person appointed by the committee of the Association; or
 - (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- (5) A member of the Association can be a mediator.
- (6) The mediator cannot be a member who is a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must:
- (a) give the parties to the mediation process every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.”

Proposed: David Gray
Seconded: Kenton Miller

Explanatory Memorandum:

This is a new Clause. The Associations Incorporation Act was amended in 1997 so that organisations are now required to include grievance procedures. The VGLRL's rules do not currently contain such a procedure. The above clause is extracted from the model rules prepared by the Department of Fair Trading.

Special Resolution 5.

To consider and if thought fit, pass the following resolution:

"That Clause 4 of the Rules of Incorporation of the Victorian Gay and Lesbian Rights Lobby be replaced with the following Clause:

ANNUAL MEMBERSHIP FEE

4. The annual membership fee is \$30.00 for organisations, \$20.00 full time employed, \$5.50 concession and is payable in advance on or before 1 July in each year; or as otherwise determined at an annual general meeting by majority vote."

Proposed: Megan Jenner
Seconded: Allison Kenwood

Explanatory Memorandum:

The existing Clause contains the following membership fees: \$20 organisations, \$10 full time employed and \$5 concession. The Committee feels it is time for an increase in membership fees. Accordingly we propose an increase in the fees. With the new tax system, membership fees now attract GST. The Committee has decided that if the above new membership fees are adopted, then they will be inclusive of GST. If the above resolution is passed, then these new fees will apply to all new memberships received after the Annual General Meeting. Current members, however, will not be required to pay the new fees until renewing in July 2001.

Special Resolution 6.

To consider and if thought fit, pass the following resolution:

"That Appendix 1 of the Rules of Incorporation of the Victorian Gay and Lesbian Rights Lobby be replaced with the following Appendix:"

Proposed: Megan Jenner
Seconded: Allison Kenwood

Explanatory Memorandum:

If the membership fee changes are approved then the Appendix which displays the Application for Membership form needs to be updated to reflect the new membership fees. GST requirements are also included.

APPLICATION FOR MEMBERSHIP OF:

Victorian Gay and Lesbian Rights Lobby Inc.

Assn. Reg. No. A0035931K

ABN 85-223-439-635

PO Box 2156, Fitzroy BC, VIC 3065

TAX INVOICE

I support the mission, statement of philosophy, and objects of the Victorian Gay and Lesbian Rights Lobby Inc. AND I wish to become a member.

In the event of my admission as a member, I agree to be bound by the Rules of the Association for the time being in force.

I enclose my annual membership fee of:

Organisations: \$30.00 (GST incl.)

F/T employed: \$20.00 (GST incl.)

Unemployed/Concession \$5.50 (GST incl.)

I would like to contribute an additional donation of \$ _____ to the VGLRL

NAME: _____

MAILING ADDRESS: _____

POSTCODE: _____

PHONE: Home: _____ Work: _____

FAX: _____

EMAIL: _____

SIGNED: _____ **DATED:** _____

I,, a member of the Victorian Gay and Lesbian Rights Lobby nominate the applicant, who is personally known to me, for membership of the Association.

SIGNED: _____ **DATED:** _____

Office use only:

Received: New membership accepted: Receipted: Entered on register