

6. Special Resolutions.

Special Resolution 1

Michael Donnelly (ACA President) moves by Special Resolution that regarding the Constitution, the membership of Animal Care Australia adopt Version 3 which has been drafted and approved by ACA Committee 31st October 2021.

Rationale:

At the advice of NSW Department of Fair Trading, this resolution is to replace the entire constitution, rather than proceed through the cumbersome method of multiple resolutions to amend the existing version.

In brief:

The main points of amendments are as follows:

Definitions:

All member and representative positions have been updated to clearly define the different memberships and representative roles referred to throughout the constitution.

Animal Species Organisation means a not-for-profit organisation representing the interests of trainers, keepers and/or breeders of captive animals of a particular species or group of species.

Animal Species Group means a group of member Animal Species Organisations who's interest is the same species or group of species.

Committee member means a member of the ACA Committee including Species Representatives and Office-bearers.

Delegate means a representative of a member Animal Species Organisation who is appointed by that organisation as their representative and votes on behalf of that Animal Species Organisation. Delegates must be 18 years of age or older

Member means an Animal Species Organisation that agrees and declares they will strive to abide by the ACA Mission Statement and promote the ACA Objectives that has been adopted by ACA.

Supporter is a person or business who supports ACA and does not have any voting rights.

These have been updated throughout the constitution.

8 Fees and Subscriptions:

Fee structure has been updated to reflect the different member and supporter levels:

- (2) In addition to any amount payable by the member under subclause (1), a member must pay to ACA an annual membership fee:
 - \$100.00 for Animal Species Organisations (not-for-profit) with 51 members or greater
 - \$ 25.00 for Animal Species Organisations (not-for-profit) with 50 or less members
- (3) In addition, any animal-based business, group or individual that is approved by the ACA Committee as a Supporter must pay to ACA an annual supporter's donation:
 - \$100.00 for large supporting business/group
 - \$ 25.00 for small supporting business/group
 - \$ 10.00 for solo business or an individual supporter

or, if some other amount is determined by the committee, that other amount.

14 Composition and membership of committee

The Committee is to consist of:

- (a) the office-bearers, each of whom is to be elected at the annual general meeting under clause 15, and
- (b) at least 5 ordinary committee members, each of whom is the nominated Species Representative of an Animal Species Group and
- (c) optionally, one or more Committee appointed persons representing a group/profession who have a capability that adds value to ACA and its Objects. The initial groups/professions under this provision will be Educators and Veterinarians.

Note. Section 28 of the Act contains further requirements concerning eligibility for membership and composition of the committee.

- (2) The Committee shall determine the Animal Species Groups and which animal species or groups of animal species each Animal Species Group represents.
- (3) If an appointed Committee member is unable to act in that capacity at any meeting, a substitute committee member may be appointed by the Animal Species Group they represent, with notice given to the Secretary.
- (4) The office-bearers of Animal Care Australia are as follows:
 - (a) the President,
 - (b) the Vice-president,
 - (c) the Treasurer,
 - (d) the Secretary
 - (e) the Public Officer (where this person does not hold one of the above mentioned positions)
- (5) A Committee member may hold up to 2 offices (other than both the offices of President and Vice-president).
- (6) The appointment term for both Species Representatives and officer-bearers is no less than 30 months and no more than 42 months.
- (7) There is no maximum number of consecutive terms for which a Species Representative or office-bearer may hold office.
- (8) Each member of the Committee is, subject to this constitution, to hold office until immediately before the election of committee members at the annual general meeting following the date of the conclusion of their elected term.

15 Election of the Committee

- (1) Each Animal Species Group may nominate one Species Representative to represent the interests of that Animal Species Group on all issues of discussion and determination to be appointed via election. Appointed Species Representatives will constitute the Committee members of ACA

Nominations of candidates for election as Ordinary Committee Members (Species Representatives) of the Association:

- (a) the candidate must be a financial member of an Animal Species Organisation which holds current ACA membership paid in full
- (b) must be made submitted on the prescribed form by the candidate, signed by 2 financial members of the Animal Species Group being

represented.

- (c) current Committee members are deemed to have been re-nominated unless one or both of the members who originally nominated the Committee member is no longer a member or withdraws support in writing.
 - (d) must be delivered to the Secretary of ACA at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
 - (e) if there are insufficient members of a specific Animal Species Group to meet the requirements of 15.1(a), nominations will be accepted providing they are made in writing, signed by 2 existing Committee Members.
- (2) If insufficient nominations are received to fill all vacancies of the office bearers, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
 - (3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
 - (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
 - (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
 - (6) The ballot for the election of office-bearers of the Committee is to be conducted at the annual general meeting in any usual and proper manner that the Committee directs.
 - (7) Committee members, once elected, nominate and vote for office-bearers.
 - (8) A person nominated as a candidate for election as an office-bearer or as an ordinary committee member of ACA must be a Supporter of ACA.
 - (9) A member of the Committee so appointed is to hold office, subject to this constitution, until the annual general meeting next following the date of the appointment.

Additional changes:

A number of grammatical errors were identified and have been corrected

References to 'member' have been updated to reflect the applicable new definition as outlined above.