

ACT Nudist Club Inc

Proposed amendments to *Constitution 2011* *for consideration at Club AGM on 29 August 2020*

Explanatory Statement

Note: this explanatory statement substantially reproduces a statement in the notice of motion of proposed amendments to the Club's Constitution circulated to members of the Club on 1 August 2020.

The constitutional change proposed is to section 46, regarding the payment of monies by the Club – see **Document C1**. The change will allow for payments to be made by the Treasurer using Electronic Funds Transfer (EFT) in addition to making payments by cheque. Payments by EFT will still require a second approver in the same way that cheques need to be counter-signed. This change is intended to make the constitution reflect modern banking practices. Section 46 of the constitution, as it will appear if the change is approved, is shown in **Document C2**.

46. Controls on Committee's dealings with Club moneys

- (1) All cheques and other negotiable instruments drawn on the Club's account must be signed by the Treasurer and either of the following—
 - (a) the President; or
 - (b) the Secretary.
- (1A) Electronic funds transfers from the Club's accounts may only be made by the Treasurer or, in the Treasurer's absence, the Assistant Treasurer, acting with the concurrence of the President or Secretary.
- (2) Unless the Assistant Treasurer is available to act as Treasurer, the Committee must appoint one of its members, other than the President or Secretary, as Acting Treasurer in the temporary absence of or vacancy in the office of the Treasurer.
- (3) In the absence of the President and Secretary, the Committee must appoint one of its members, other than the Treasurer or Acting Treasurer, as signatory to the Club's cheques or as the member appointed for the purposes of sub-section 1A to act in place of the President or Secretary.
- (4) A member of the Committee must not—
 - (a) draw a cheque or other negotiable instrument on, or make an electronic funds transfer from, the Club's account except in payment of expenditure that has been approved by the Committee; and
 - (b) make a payment greater than \$100 or such increased amount as members may approve in general meeting, except by cheque drawn on, or electronic funds transferred from, the Club's account in accordance with this section.
- (5) The Committee may approve the reimbursement of Committee members for urgent or minor sums expended on the Club's account, *provided*—
 - (a) any sum expended does not exceed the expenditure limit referred to in paragraph 4(b); and
 - (b) receipts describing the purpose of such expenditures are produced to the Treasurer.
- (6) The Committee may receive from the Club's bank for the time being cheques drawn by the Club on any of its accounts with the bank.
- (7) The Committee must indemnify the bank against all claims, actions, suits or demands that may be brought against the bank arising directly or indirectly from the surrender of those cheques to the Club.

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