

Appendix “D”

Summary of proposed changes to Constitution

1. Motion 6.2: Special Resolution for a substituted Constitution

The following are the major amendments proposed to the existing Constitution in Motion 6.2

Major proposed amendments	Clauses amended
Membership year changed from calendar to financial.	9(2) & (3)
Names of membership categories amended as follows: <ol style="list-style-type: none">1. Management Business Member now Corporate Strata Manager Member;2. Management Member now Corporate Strata Manager – Personal Member;3. Business Member now Corporate Strata Services Member;4. Personal Member now Corporate Strata Services – Personal Member;5. Strata Company Member now Strata Community Member; and6. Owner Member now Strata Owner Member.	6(1), (3) - (8)
Board’s authority for some expenditure now indexed to CPI.	2(8) & 22(6)
Number of Board Members on committees reduced from 2 to 1.	18(7)(a)
Number of Board Members required as signatories for all payments reduced from 2 to 1, with the second signatory being either a Board Member or a senior employee of SCA (WA).	18(3)
Membership application process varied to allow for online applications.	6(9)
References to “Code of Conduct” now “Code of Ethics”.	Various
References to “Council” now “Board” (and accordingly, references to “Councillors” now “Board Members”).	Various

The following further amendments are also proposed to have the Constitution comply with the new *Associations Incorporation Act 2015 (WA)* and the *Associations Incorporation Regulations 2016 (WA)*

Amendments proposed to comply with new Act and Regulations	Clauses amended
Provision has been made for the circumstances in which payment may be made to a member out of the funds of the association, as per Schedule 1, Div.1, item 6(g) of the Act.	4 & 31
The rule regarding subscriptions to be paid by members amended to allow the Board to vary subscriptions between different categories of membership and within the same categories of membership.	9(4)
Professional Standards Committee can now deal with disputes between members and the association and not solely between a member and another member, as required by Schedule 1, Div. 1, item 18(b) of the Act.	10(2)
Time in which an expelled or suspended Member can appeal against the decision or action extended from 1 month to 2 months after receiving notice of the decision.	12(1)
Number of voting members who may requisition a General Meeting amended from 25% to 20% as per Schedule 1, Div. 2, cl. 3 of the Act and Regulation 18.	13(4)(a)
Notification of General Meetings must be given to all members as per Schedule 1, Div. 2, cl. 2.	13(5)
The notice period for General Meetings where no special resolutions are proposed amended from at least 21 days' notice to at least 14 days' notice.	13(5)
Form of notices of General Meetings where special resolutions are proposed amended to reflect the requirements of section 51(4) of the Act.	13(6)
All members now entitled to attend a General Meeting.	14(1)
A reviewer or auditor now entitled to receive all notices and communications relating to General Meetings and to be heard at any General Meetings on any part of the business of the General Meeting that concerns the functions of the reviewer or auditor.	14(18)
Procedure for managing material personal interests of Board Members amended to comply with sections 42 and 43 of the Act.	16(8)
Types of entities to which distribution of surplus property on winding up or cancellation of the association can be made expanded and definition of surplus property added.	29(1) & (2)

Lastly, the following minor amendments are also proposed

Minor amendments proposed	Clauses amended
Amendments made to correct typographical and grammatical errors and to bring consistency to the language used in the Constitution.	Various

2. Motion 6.3: Special Resolution to change voting rights

The following amendment has been proposed at Motion 6.3

Amendment	Clause amended
Number of votes for the following membership categories changed from 10 votes to 1: <ol style="list-style-type: none">1. Corporate Strata Manager – Personal Member (formerly Management Member); and2. Corporate Strata Services – Personal Member (formerly Personal Member).	14(16)

3. Motion 6.4: Special Resolution to change name

The following amendment has been proposed at Motion 6.4

Amendment	Clauses amended
Change of name from “Strata Community Australia (WA) Incorporated” to “Strata Community Association WA Incorporated”.	Various