

Minor Amendment to Club Constitution

Proposal for Consideration at the Upcoming Annual General Meeting

Introduction

Dear Members.

This document outlines a proposed minor amendment to the club's constitution, to be tabled and considered during the upcoming Annual General Meeting (AGM). The intent of the amendment is to refine existing constitutional provisions, ensuring clarity and continued compliance with the club's objectives.

Members and full members will be required to present their RSL New South Wales membership card to vote on certain resolutions.

Details of the Proposed Amendment

At the AGM, members will be asked to consider and vote on the following minor amendment:

Eastern Suburbs Legion Club Ltd

General Meeting – resolutions

Ordinary Resolution

1. That Peter Aston be made a life member of the club forthwith for his long and meritorious service to the club.

(History – Requires two thirds of the members present and entitled to vote – paragraph 21 (a) – They have to be financial service member of RSL New South Wales and a current financial member of the club)

Special Resolutions

1. Paragraph 14 is deleted and replaced with;
“Unless Otherwise Determined by the Board, the membership of the club shall consist of full members.”
2. Paragraph 20 (a) and (b) are deleted and replaced with;

20. "Full membership shall mean a person who is 18 years of age or more, has made application for membership of the club in accordance with this Constitution, has been duly admitted to membership and is fully paid up member of the club."

3. Paragraph 22 is deleted.

4. Paragraph 43(b) is deleted.

5. Paragraph 115 is deleted and replace with.

"Full members and life members shall be entitled to vote on any special resolution to amend this Constitution."

6. Paragraph 116 (a)-(e) is deleted and replaced with;

"the object of the club is to conduct a club with all the usual facilities for social, recreational, literary and other purposes permissible to a club registered under the Registered Clubs Act and licensed under the Liquor Act."

7. Paragraph 117 (h) is amended by the deletion of the words.

"the New South Wales branch of The Australian Legion of Ex-Servicemen and Women or to."

8. Paragraph 120 is deleted and replaced with:

120. If upon winding up or dissolution of the club entity what then remains after the satisfaction of all debts and liabilities shall be paid to one or more registered charitable organisations as determined by the Board of Directors

(History – The above special resolutions 1 to 8 inclusive, as they amend certain clauses of the present Constitution may only be voted upon by full members (as defined in paragraph 20 as being a financial member of the Australian Legion of Ex-Servicemen and Women or a financial Service Member of R.S.L NSW and who has made application for membership of the Club in accordance with the Constitution and has been fully admitted to membership.) and life members, clause 115.

As the Australian Legion of Ex-Servicemen and Women no longer exists, thus only life members and a financial Service Member of R.S.L NSW and who has made application for membership of the Club in accordance with the Constitution

and has been fully admitted to membership may vote on the above special resolutions.)

Special resolutions continued;

9. Paragraph 3 is amended by deletion of the following definitions – “ADF” and “RSL club or services club”.
10. Paragraph 22 is deleted.
11. Paragraph 43 is amended by deletion of subparagraph (b).
12. Paragraph 47 is amended by the inclusion of the following sentence after the word “thereon”. – “Any person nominating to be a member of the Board of Directors must be a member and have held membership for 5 consecutive years.”
13. Visitors are welcome to enjoy meals, drinks, and music, they will **NOT** have access to the full range of benefits reserved for club members. These benefits include, but are not limited to:
 - Discounted food and beverage pricing
 - Exclusive member-only events and promotions
 - Priority reservations and seating
 - Participation in club governance or voting rights
 - Visitors must sign into the Club using a valid form of **ID** and present their sign in details on request.

(History – the above special resolution 8 to 12 inclusive may be voted upon and passed by seventy five percent (75%) of members present and entitled to vote at the said meeting. – paragraph 112. As the Australian Legion of Ex-Servicemen and Women no longer exists, thus only life members and a financial Service Member of R.S.L NSW and who has made application for membership of the Club in accordance with the Constitution and has been fully admitted to membership may vote on the above special resolutions.)

Please see attached Copies of the existing Constitution paragraphs which we seek to amend.

**Paul Whittaker
Acting General Manager**

Copy of the existing Constitution paragraphs which we seek to amend.

1. Paragraph 14

Unless otherwise determined by the Board the membership of the Club shall consist of the following

- (a) Full Members**
- (b) Associate members**

2. Paragraph 20 (a & b)

Full Members

- (a) Full Member shall mean a person who is a financial member of the Australian Legion of Ex Service men and Women and who has made application for membership of the Club in accordance with this Constitution and has been duly accepted to membership.**
- (b) Any member who has ceased to be a financial member of the Australian Legion of Ex Service men and Woman shall forthwith cease to be a Full Member of the Club.**

4. Paragraph 43

- (b) Three Associate Members may be Board members and shall be allowed to hold executive positions.**

5 Paragraph 115

Constitution of the Licensed Club

115. In order to protect the Service values contained within this Constitution, only Full Members and Life Members shall be entitled to vote on any special resolution to amend Rules 1, 14, 20, 43, 116, 117, 120 and this Rule 115. AND PROVIDED THAT if the Constitution is renumbered the effect of this Rule shall always be to have the meaning intended at the adoption of the Constitution amendment in September 2022.

6.116 The objects of the Club are:

The objects of the Club are:

- a. To promote all or any of the objects of the Australian Legion of Ex-Servicemen and Women.**
- b. To conduct a club with all the usual facilities for social, recreational, literary and other purposes permissible to a club registered under the Registered Clubs Act and licensed under the Liquor Act and for furthering the objects of the Australian Legion of Ex-Servicemen and Women.**
- c. To provide the local sub-branch of the Australian Legion of Ex-Servicemen and Women for so long as the sub-branch shall retain members who are also members of the Club, the use of the rooms and facilities as are necessary from time to time for the activities of the said sub-branch without a fee or rent being charged by the Club.**
- d. To provide without charge facilities, assistance and support to the local subbranch of the Australian Legion of Ex-Servicemen and Women in relation to the ceremonies, events and activities of the said sub-branch for so long as the sub-branch shall retain members who are members of the Club.**
- e. To uphold, support and respect the principles, spirit and ethos of the Australian Legion of Ex-Servicemen and Women in all aspects of the activities of the Club.**

7. Paragraph 117 (h)

117. The objects of the Club shall also be.

(h) To subscribe to funds of the New South Wales Branch of the Australian Legion of Ex-Servicemen and Woman or to any charity or purpose as shall be approved by the that organisation and to subscribe to amalgamate with, establish,

promote or assist in establishing or promoting or become a member of or co-operate with any other Club, association or organisation whether incorporated or not. Whose objects are altogether or in part similar to those of the Club provided that the Club shall not subscribe to or support with its funds any club, organisation or association which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Club by virtue of the Constitution.

8. Paragraph 120

120. If upon winding up or dissolution of the club there remains after the satisfaction of all debts and liabilities any property whatsoever the same shall not be paid to or distributed amongst the members of the Club but shall be given or transferred amongst the members of the Club but shall be given or transferred to a registered Ex – Service charitable organization.

(History – The above special resolutions 1 to 8 inclusive, as they amend certain

clauses of the present Constitution may be only voted upon by full members (as

defined in paragraph 20 as being a financial member of the Australian Legion of Ex-Servicemen and Women or a financial Service Member of R.S.L NSW and who has made application for membership of the Club in accordance with the Constitution and has been fully admitted to membership.) and life members,

clause 115.As the Australian Legion of Ex-Servicemen and Women no longer exists thus only life members and a financial Service Member of R.S.L NSW and who has made application for membership of the Club in accordance with the Constitution and has been fully admitted to membership may vote on the above special resolutions.)

9. Paragraph 3

3 In this Constitution, the following definitions will apply, unless there is something in the subject or context inconsistent with the below meaning.

‘ADF’ and “Australian Defense Forces” means the armed forces of the Commonwealth of Australia however described.

“RSL club” or “services club” means An RSL, Services, Ex-services, Memorial, Legion or other similar club that is a registered club or.

registered club that has objects similar to, or that has amalgamated with, a club referred to in this paragraph (a).

10. Paragraph 22

22 Associate members shall mean a person who has attained the age of eighteen (18) years and who has been admitted as an Associate Member of the Club and who has paid the appropriate subscription for such class membership.

11. Paragraph 43

- (b) Three Associate Members may be Board members and shall be allowed to hold executive positions.**

12. Paragraph 47

All nominations for the Board of Directors shall be in writing and signed by two (2) financial members and the written consent of the person nominated shall be subscribed thereon.

**Paul Whittaker
Acting General Manager**