

Appendix A - Proposed changes to the LANSW Constitution

Overview

In late 2021, the LANSW Board undertook a review of the Constitution in the lead up to the vote for the proposed national merge.

This external legal advice determined, that while there are no major amendments required to the constitution, some minor changes would provide improvements to its use.

These proposed amendments can generally be categorised as per the following:

- Unnecessary inclusions eg. IAAF not required in the definitions as it isn't referred to in the Constitution, Objects duplicated.
- Amendments to assist ensuring the Board functions in a manner that best serves the organisation and members eg. Director terms and board meetings.
- Supports Centres and eliminates confusion eg. delegates required at AGMs, methods for voting, veto clause.

The table below outlines each amendment and provides an explanation.

The below will be presented at the AGM as one motion.

Proposed changes to the LANSW Constitution

CLAUSE	EXISTING	REMOVE/ADD/AMEND	REASON
2.1 Definitions	"IAAF" means the International Associations of Athletes Federation	Remove	IAAF now referred to as World Athletics. Neither IAAF or World Athletics referred to in the document and therefore not required in Definitions.
3. Objects	(b) develop the sport of athletics in conjunction with Athletics NSW;	Remove	Objects (a) and (b) are similar
	(c) ensure the maintenance and enhancement of the Company, the Members and Little Athletics, set standards, quality and reputation for the benefit of the Members and Little Athletics;	Remove	Captured in other Objects
7.1 Compliance	(c) provide the Company with copies of their accounts, annual financial	Amend	Provides clarification that a professional Auditor is not required, as some Centres are engaging an

	reports and other associated documents as soon as practicable, following Little Athletics Centre's annual general meeting such accounts and financial reports to have been independently reviewed by a person of expertise who is neither on the Committee, nor related to a person on the committee, of the Little Athletics Centre;	(c) provide the Company with copies of their accounts, annual financial reports and other associated documents as soon as practicable, following Little Athletics Centre's annual general meeting such accounts and financial reports to have been independently reviewed by a suitably qualified accountant (i.e. CA or CPA) who is neither on the Committee, nor related to a person on the committee, of the Little Athletics Centre;	auditor which is not a minimum requirement. It is merely a requirement that Centre accounts are reviewed by a suitably qualified accountant such as a Chartered Accountant or Chartered Professional Accountant
7.2 Little Athletics Centre Constitutions	(c) Little Athletics Centres shall provide to the Company a copy of their constituent documents and all amendments to these documents. Little Athletics Centres acknowledge and agree that the Company has power to veto any provision in the Little Athletics constitution which, in the Company's opinion, is contrary to the Objects.	Amend (c) Little Athletics Centres shall provide to the Company a copy of their constituent documents and all amendments and all amendments to these documents.	Removes the veto provision.
9. Effect of the Membership	(c) by submitting to this Constitution and Regulations they are subject to the jurisdiction of the Company and LAA;	Amend (c) by submitting to this Constitution and Regulations they are subject to the jurisdiction of the Company;	Remove LAA as LAA based in Victoria and a different legal jurisdiction.
16.4 Term of Appointment for Elected Directors	Term of Appointment for Elected Directors	Amend Term of Elected Directors	Amend title to remove the word "appointment" to avoid confusion between "Appointed" and "Elected" Directors
17.3 Term of Appointment for Appointed Directors	Term of Appointment for Appointed Directors	Amend Term of Appointed Directors	To be consistent with the above
17.3 Term of Appointment of Appointed Directors	(a) Appointed Directors may be appointed by the Elected Directors under the Constitution for a term of up to two (2) years.	Amend (a) Appointed Directors may be appointed by the Elected Directors under the Constitution for a term of two (2) years.	Allows certainty of the terms for Appointed Directors.

17.3 Term of Appointment of Appointed Directors	(b) Appointed Directors may be appointed to ensure rotational terms that coincide with the Elected Directors' rotational term.	Remove	Allows certainty of the terms for Appointed Directors to we are able to secure candidates with the required skills.
18.1 Casual Vacancies	Any casual vacancy occurring in the position of Director may be filled by the remaining Directors from among appropriately qualified persons. Any casual vacancy may only be filled until the next Annual General Meeting.	Amend Any casual vacancy occurring in the position of Director may be filled by the remaining Directors from among appropriately qualified persons. The casual vacancy will be appointed for the balance of the term of the person they replace.	Casual vacancies will fill the remaining term of the person that they replace to maintain Director rotations as per the constitution.
19.1 Board to Meet		Add (d) The Board shall meet a minimum of 6 times per financial year.	Sets a minimum number of meetings.
19.7 Election of the Chairman	Election of the Chairman	Amend Election of the Chairperson	To be non-gender specific.
	Subsequent to the above, Chairman to be updated to Chairperson throughout document.	Amend Definitions 19.2 19.3 (b)(iv) 19.7 (a), (b), (c), (d), (d)(i), (d)(ii), (d)(iii) 29.2 29.2 (a) 29.3 (a)(ii) 29.3 (c) 29.5 30.2	
29.1 Quorum	No business shall be transacted at any General Meeting unless a quorum is present at the time when the meeting proceeds to business. A quorum for General Meetings shall be 10 percent of Little Athletics Centres represented by their Delegates.	Amend No business shall be transacted at any General Meeting unless a quorum is present at the time when the meeting proceeds to business. A quorum for General Meetings shall be 10 percent of Little Athletics Centres represented by a Delegate.	Quorum is made up by having a/one Delegate from 10% of Centres. This removes the potential for the clause to suggest that both Centre delegates must be present.

31 Postal and Electronic Voting	(d) The Board may permit postal and/or electronic voting in respect of a resolution at the General Meeting.	Amend (d) The Board will determine one method of voting, either postal or electronic in respect of a resolution at the General Meeting.	Postal or electronic voting to be determined as the method, not both.
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