
ACAAQ CONSTITUTION AMENDMENTS 2018

EXPLANATORY NOTES

CHANGES TO OBJECTS:

The formation of ACAQ was triggered by a specific access issue at Flinders Secret Cave. Nine years on, we want to ensure that the primary purpose of the association stays focussed on access issues. These changes structure the association in a way that makes the diversion of our growing funds to purposes other than 'access' less likely to happen.

- The primary object of 'representation of all climbers in the State of Queensland' remains.
- A new second object makes it clear that monies received are to be accumulated into an 'access fund' which is to be deployed on such matters that impact the access rights of climbers in Queensland.
- A new third object makes clear that we operate through the 'system of laws' of the State, rather than through the 'system of people'.
- A new sixth object is introduced to make clear that ACAQ stands as a corporate body stakeholder in matters of public land administration. This is important because it allows ACAQ to take Supreme Court action in its own name.

ESTABLISHING A TRUST:

We intend to establish a trust that stands independently of ACAQ and exists to manage an 'access fund' into perpetuity. Our intention here is to protect the monies we are accumulating from being diverted to purposes other than 'access'. In particular we wish to ensure the survival of the 'access fund', should the legal structure of ACAQ collapse for any reason. The establishment of the fund is a work in progress. The amendments we are proposing for the constitution do no more than provide for the ability to connect ACAQ as trustee, if and when we get the trust established. The relevant amendments can be found at cl4, cl22 and cl45.

HOUSEKEEPING:

We have attempted to simplify the burden of running the organisation as much as we can without contravening the requirements of Associations Incorporation Act.

- **cl7 New membership** - Removed the need for proposing and seconding new members.
- **cl9 Admission and rejection of new members** - To remain compliant we add a standing agenda item to each meeting to have a motion passed that the committee accepts each of the applications we have received through the website that quarter.
- Removed cl 9(5) to take the administrative burden of the secretary notifying members they have been accepted.
- **cl44 Common seal** - Fixed the compliance issue by rewording clause 44 to say we 'may' have a seal versus we 'must'.
- **cl45 Funds and accounts** -Fixed the compliance issue by rewording the new clause 45(10) to say we 'may' have a petty cash system versus we 'must'.
- Added clauses 45(7) and 45(8) to require dual signatures to authorise an EFT over \$100.
- **cl48 Financial year** - Amend 48 – 'The end date of the association's financial year is the 30th of June in each year.'