



# ILGA OCEANIA

## PROPOSAL SUBMISSION FORM



**PROPOSAL NAME:** QUORUM CALCULATIONS

**Proposer:** Simon Margan

**ILGA Member Organisation:** NSW LGBTI Legal Forum

**Document Changed:** ILGA Oceania Constitution

This form is for submitting a proposal at the ILGA Oceania Annual General Meeting (AGM).

### 1) DEADLINES

**PROPOSAL DEADLINE:** 1 month prior to the AGM [ILGA Oceania Constitution, s31(10)], so that they can be sent out 21 days prior to the AGM [ILGA Oceania Constitution, s31(5)].

**AMENDMENT DEADLINE:** 15 days prior to the AGM. [ILGA Oceania Constitution, s31(6)]

### 2) MAJORITY REQUIRED (MEMBER VOTES CAST)

**GENERAL PROPOSALS:** 50%

**CONSTITUTION CHANGES:** 75% (Special Resolution) [ILGA Oceania Constitution, s35]

**CONSTITUTION 'AIMS & OBJECTIVE' CHANGES:** 50% [ILGA Oceania Constitution, s3(2)]

**LODGEMENT:** 28 days after the resolution. [ILGA Oceania Constitution, s42].

No documentary change to the ILGA Oceania constitution, or the ILGA Oceania Standing Orders, may conflict with the aims and objectives of the ILGA Oceania constitution or its ILGA World Standing Orders [ILGA Oceania Constitution, s42], or any relevant legal requirements [Association Incorporation Act 2009 (NSW) & Associations Incorporation Regulation 2016 (NSW)].

**A) PREAMBLE** – A brief procedural history of the proposal itself. (optional)

NONE

**B) PURPOSE** – A short summary of what the proposal intends.

To assist in establishing which positions on an ILGA Oceania board are currently vacant, thereby making quorum easy to establish.

**C) BACKGROUND** – A background of the issues surrounding the proposal itself.

Due to the size of the ILGA Oceania board, it has been difficult to establish a quorate meeting. This has been especially the case when there has been a large number of ILGA Oceania board positions which are in practice 'vacant', but are still technically 'filled' due to the absence of an official written resignation from the departing delegate.

**D) CHANGES** – State the change you are desiring to make.

**Documentary changes:** **Green** for any additions and **Red** for any deletions.

#### 23. Casual Vacancies

...

- (2) A casual vacancy in the office of the Executive Board occurs if the Executive Board member:
- (a) dies; or
  - (b) ceases to be a representative of a member; or
  - (c) becomes an insolvent under administration within the meaning of the Australia Commonwealth legislation entitled *Corporations Act 2001* (Cth); or

- (d) resigns office by notice in writing given to the secretary; or
- (e) is removed from office under clause 24; or
- (f) becomes a mentally incapacitated person; or
- (g) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months; or
- (h) is prohibited from being a director of a company under Australia's ~~the Australian Commonwealth's legislation entitled~~ Corporations Act 2001 (Cth), part 2D.6 (Disqualification from Managing Corporations).
- (i) has not turned up to any Executive Board Meetings since elected (not including any meeting held at the ILGA Oceania Conference at which they were elected) and has missed three (3) Executive Board meetings;
- (j) has missed three (3) Executive Board meeting without:-
  - (i) sending an apology; or
  - (ii) being on an official leave of absence from Executive Board meetings, a leave of absence that has been pre-approved by the Executive Board.

(3) Appointment of a casual vacancy must be within the normal restrictions.

### *25. Executive Board Meetings and Quorum*

...

(6) Quorum for Executive Board meetings is 5 Executive Board Members.

~~The number equaling 'half the number of currently filled positions on the Executive Board plus one' constitutes a quorum for the transaction of the business of a meeting of the Executive Board. Meetings of the Executive Board will be held on dates where it is established that the number of delegates that can attend at least equals the quorum.~~