

Relevant Information

Clause 36 Notice of general meeting

36.1 The secretary must ensure each member is given notice of a general meeting
(a) if a matter to be determined at the meeting requires a special resolution, at least 21 days before the meeting, or
(b) otherwise, at least 14 days before the meeting.

NB Form A6 Application to register change of objects or constitution must be lodged within 28 days of the special resolution being passed. Any alteration of the Association's objects or constitution takes effect when the alteration is registered by Fair Trading

Preparing items for review and change in the Constitution.

3 things:

1. At the AGM it was discussed that we change the membership requirements for group service reps and individual members to encourage newer AA members to become involved in service, and to be able to participate on the Management Committee and in Sub-committees.
2. For re-apply for Charity Status and to apply for deductible gift recipient (DGR) endorsement, our Winding Up Clause needs to be updated.
3. There are some minor formatting and text errors needing correction.

The proposed changes below were adopted at the Special General Meeting on 20th October 2025

Proposed Changes - Membership and Committee Membership

MOTION 1 That Item 4.11 which reads are follows

4.11 Criteria for service representatives and alternate service representatives

- a) twelve (12) months physical abstinence from alcohol
- b) six (6) months physical abstinence from other drugs (other than during medical treatment) prior to appointment,
- c) bone fide home group member of the group for at least one month, and
- d) not a representative of any other eligible group in the association

be changed to read as follows

4.11 Criteria for service representatives and alternate service representatives

- a) **six (6) months** physical abstinence from alcohol
- b) **three (3) months** physical abstinence from other drugs (other than during medical treatment) prior to appointment,
- c) bone fide home group member of the group for at least one month, and
- d) not a representative of any other eligible group in the association.

MOTION 2 That Item 4.2 a and b - which reads are follows

4.2 a and b - Individual affiliate AA members

- a) whose home groups are in the Illawarra and South Coast
 - i twelve (12) months physical abstinence from alcohol
 - ii. six (6) months physical abstinence from other drugs (other than during medical treatment) prior to joining the association, and
 - iii. annually register as an affiliate AA member.
- b) Affiliate AA members may participate, speak at general meetings and the AGM, but do not have the right to vote, unless elected to the committee where they will also be voting members.

be changed to read as follows

4.2 Individual affiliate AA members

- a) whose home groups are in the Illawarra and South Coast
 - i **six (6) months** physical abstinence from alcohol
 - ii. **three (3) months** physical abstinence from other drugs (other than during medical treatment) prior to joining the association, and
 - iii. annually register as an affiliate AA member.
- b) Affiliate AA members may participate, speak at general meetings and the AGM, but do not have the right to vote, unless elected to the committee, **where as Committee members**, they will also be voting

MOTION 3 That Item 18 - which reads are follows

18 Qualifications of committee

18.3 That the qualification required for membership of the committee shall be

- a) two (2) years physical abstinence from alcohol
- b) one (1) year physical abstinence from other drugs, other than during medical treatment prior to joining the association
- c) Bona fide membership of a participating Illawarra and South Coast AA group for at least one

(1) year and

d) prior to attendance at least two (2) general meetings as service representative or individual member.

be changed to read as follows

18 Qualifications of committee

18.3 That the qualification required for membership of the committee shall be

a) one (1) years physical abstinence from alcohol

b) six (6) months physical abstinence from other drugs, other than during medical treatment prior to joining the association

c) Bona fide membership of a participating Illawarra and South Coast AA group for at least six (6) months and

d) prior to attendance at least one (1) general meeting as group service representative or individual member.

Proposed Changes 2 - Distribution of Property on Winding Up - See References Below.

MOTION 4 That Item 18 - which reads are follows

52 Distribution of property on winding up

52.1 Subject to the Act and the Regulation, in a winding up of the association, the surplus property of the association must be

e) transferred to another organisation with similar objects, and

f) which is not carried on for the profit or gain of the organisation's members

52.2 In this clause: surplus property has the same meaning as in the Act, section 65.

be changed to read as follows

52 Distribution of property on winding up

52.1 Subject to the Act and the Regulation, in a winding up of the association, the surplus property of the association must be

a) transferred to another organisation with similar objects, and which is not carried on for the profit or gain of the organisation's members, and

b) in the event of the association being a registered charity with the ACNC and being dissolved, all assets that remain after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes, which is charitable at law and which has rules prohibiting the distribution of its assets and income to its members, and

c) in the event of the association being wound up or its endorsement as a deductible gift recipient is revoked (*whichever occurs first*), any surplus of the following assets shall be transferred to another organisation with similar objects, which is charitable at law, to which income tax deductible gifts can be made:

- gifts of money or property for the principal purpose of the association
- contributions made in relation to an eligible fundraising event held for the principal purpose of the association
- money received by the association because of such gifts and contributions.

52.2 In this clause: surplus property has the same meaning as in the Act, section 65.

Proposed Changes 3 - Minor typos, numbering and clarifying Changes to ITEM 42 name, objects or constitution

MOTION 5. That Item 42.1- which reads are follows

42 Change of name, objects or constitution

42.1 A change in the association's name, objects or constitution must be decided at an annual general meeting or at a special meeting of the association.

be changed to read as follows

42 Change of name, objects or constitution

42.1 A change in the association's name, objects or constitution must be decided at an annual general meeting **by special resolution** or at a special meeting of the association.

MOTION 6. That minor typos and formatting problems in the current Constitution [HERE](#)

be changed as per the items marked in RED in this proposed Constitution: [HERE](#)

References:

Note in preparing to apply for Charity and DGR status as the new incorporated groups these clauses need to be included.

Dissolution Clause required by the ACNC for registration as a charity FROM THE ACNC

'In the event of the organisation being a charity and being dissolved, all assets that remain after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes, which is charitable at law and which has rules prohibiting the distribution of its assets and income to its members.'

This clause is used if the organisation has applied for deductible gift recipient (DGR) endorsement FROM THE Australian Taxation Office (ATO).

If the organisation is wound up or its endorsement as a deductible gift recipient is revoked

(whichever occurs first), any surplus of the following assets shall be transferred to another organisation with similar objects, which is charitable at law, to which income tax deductible gifts can be made:

- gifts of money or property for the principal purpose of the organisation
- contributions made in relation to an eligible fundraising event held for the principal purpose of the organisation
- money received by the organisation because of such gifts and contributions.

NOTE FROM THE ACNC

Making a profit

A not-for-profit can in fact make a profit, but any profit it does make must be allocated towards its purposes.

Not-for-profits can also retain any profits they make, as long as there is a genuine reason to do so, and that reason is clearly linked to its purpose.

For example, an organisation may wish to retain profits it has made in order to save up for a new project, new infrastructure or building, or to help it accumulate a reserve so it remains sustainable.

If an organisation holds onto significant profits indefinitely – and without using them towards its charitable purpose – it may suggest the organisation is not working solely towards its stated charitable purpose. This, in turn, may mean it is not operating as a not-for-profit.