



Mazda MX-5 Club of NSW Inc
ABN 82 599 208 521

2022 MX-5 Club of NSW Constitution update

Why is an update needed?

The Club's current constitution was written in 2000 and has served us well over the years. But there have been many changes in legislation since then and it's important that our document complies with these. There was also a need to modernize the terminology around genders as well as opportunities to reformat text and simplify wording to make the constitution more understandable.

The references for legal compliance include:

- Associations Incorporation Act 2009 of New South Wales v.7
- Companies New South Wales Code
- Corporations Act 2001 of the Commonwealth (as amended)
- Associations Incorporation Regulation 2022

New South Wales Fair Trading provides a Model Constitution document, updated & reissued in September 2022, which has also been utilized to identify gaps in detail and add clarity to our document.

What has actually changed?

Major changes include:

1. Definitions & terminology
 - New definitions added to section 2 Definitions, e.g. Friend membership and OAIC
 - Membership status definitions expanded in clause 5 regarding joint membership and joint associate membership
 - Added the Committee Nomination Form as an appendix
 - Replaced gender-specific references (his, her, chairman etc) with generic references (their, chairperson etc)
2. Compliance
 - Stated the compliance required regarding retention of club records
 - Added detail regarding member liabilities including compliance with the Privacy Act
3. Process
 - Included the approved use of electronic mail, technology-based meetings (eg. ZOOM), web-based member portal and information storage
 - Included detail regarding approved use of electronic banking
 - Clarified resignation of membership processes
 - Added detail to the dispute resolution process
 - Added detail for delegation by committee to subcommittee
4. Format
 - Aligned the Constitution content sequence with NSW Fair Trading's newly updated model constitution
 - Improved readability by double-spacing clauses and sub-clauses