

**MATTERS TO BE DEALT WITH UNDER
SECTION 36B OF THE DBCYA CONSTITUTION**
POLICY CONTENT



1. Purpose

This policy is intended to clarify the matters to be dealt with under Section 36B of the DBCYA Constitution and those which warrant the Special General Meeting process.

2. Scope

This policy applies to all DBCYA senior members, including Management Committee members.

3. Grievances and Disputes

Section 36B of the Constitution concerns 'grievances and disputes'. It outlines the procedure to be followed in attempting to resolve disputes between a Member and another Member or a Member and the Committee. If any Member has a dispute with a decision or action of the Committee, the dispute is to be handled in accordance with Section 36B of the Constitution. The same process is to be used in disputes between Members.

4. Powers and Functions of the Committee

Section 22 of the Constitution states in part that, "The affairs of the Association shall be managed by a Committee of Management" (S22.1). It goes on to state, "The Management Committee: (a) Shall control and manage the business and affairs of the Association". "(b)... exercise all such powers and functions as may be exercised by the Association other than those powers that are required by these rules to be exercised by general meetings of Members of the Association", (S22.2). It further states that the Committee, " has the power to perform all such acts and things as appear to the Management Committee. to be essential for the proper management of the business and affairs of the Association", (S22c).

5. Nowhere within the Constitution is mentioned or alluded to, these powers or functions being able to be rescinded or in any way removed from the Committee, either temporarily or permanently.

6. Special General Meetings

The primary purpose of a Special General Meeting (SGM) is to address issues that relate to the Constitution and should be conducted in accordance with Sections 9,13, 14, 15 16, 17, 18,19,31,32, 35, 37 and 43 of the Constitution.

Policy title/no:	Matters to be dealt with under section 36b of the DBCYA Constitution	Policy Category:	Governance
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Creator:	Bob Kerr, Public Officer	Date of next review:	August 2023
Responsible Officer:	General Manager	Version	V1.3

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7. In addition to Constitution related matters, an SGM can be called by the Committee for the purpose of the Committee disseminating information as well as consultation with Members on a variety of matters of the Committee's choosing.
8. An SGM cannot be called for any matter that infringes on the right and responsibility of the Committee to control and manage the affairs of the Association.

Signed:

DBCYA Commodore:

Name: Joy Eggenhuizen

Dated:

21 June 2021

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