

Proposed Rule Changes at AGM 2025

Themes:

1. Ensure compliance with current Designated Gift Recipient status without additional rules or complexity (change from REO to ATO administration)
2. Allow for greater flexibility and reduce the administrative burden embedded in the constitution while focusing on our membership and community engagement.

Summary Changes:

1. **Remove all references to Gift Fund** and replace with the need for segregated donation accounting. There is no regulatory need for a separate formal gift fund. The need is an accounting requirement for segregated donation funds. Suggestion is to remove the requirement from the Rules.
2. **Remove all references to the need for Financial Audit.** UBC is classified as a small charity by ACNC (annual revenue <\$500,000) and the need for Audit is not a regulatory requirement. Given the size of UBC this should be removed. An audit may still be requested by the management committee at any time.
3. **Remove requirement for new member groups to be approved by a meeting of Member Groups at a General Meeting.** Delays in approving new memberships would be eliminated and the risk of inappropriate admission is considered very small. New members should be expected to present at the next available opportunity to introduce themselves to the UBC membership.
4. **Remove the minimum meeting number requirement.** Meetings would be held as and when needed and may include more flexible formats.
5. **Other Small administrative changes.**

Specific changes related to the removal of the need for Gift Fund

#	Page Ref	Current Rule (Revision 3 Version 2C) – <u>PUBLISHED</u> on the About page of the website	Proposed Rule Change
1	22	<p>PART 9 ESTABLISH AND OPERATE THE URBAN BUSHLAND COUNCIL GIFT FUND</p> <p>76. Purpose (1) The Association will establish and maintain a public fund to be called the Urban Bushland Council Gift Fund for the specific purpose of supporting the environmental objectives of the Urban Bushland Council WA as described in the objects. The Fund is established to receive all gifts of money or property for this purpose and will be operated on a not-for-profit basis.</p>	<p>PART 9 ESTABLISH AND OPERATE SEPARATE URBAN BUSHLAND COUNCIL DONATION ACCOUNTS</p> <p>76. Purpose (1) Separate accounts to appropriately record all gifts of money or property and how these gifts have been used in the pursuit of the Association’s objectives.</p>

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		(2) Members of the public are invited to donate gifts of money or property to the Fund	(2) These accounts will demonstrate the not-for-project operation of the association as may required the Act, the Australian Tax regulation and The Australian Charities and Not-for-profits Commission.
2		<p>77. Bank Account A separate bank account will be established to deposit money donated to the Fund, income derived from donated property, including interest accruing thereon, and to be kept separate from other funds of the Association.</p> <p>(1) The Fund must not receive any other money or property into its account and it must comply with subdivision 30-E of the Income Tax Assessment Act 1997.</p> <p>(2) Receipts are to be issued in the name of the Fund and proper accounting records and procedures are to be kept and used for the Fund.</p>	<p>77. Bank Account A separate account will include a separate bank account used to deposit donations and income derived from donated property, including interest accruing thereon, and to be kept separate from other funds of the Association.</p> <p>(1) The separate funds must not receive any other money or property into its account and it must comply with subdivision 30-E of the Income Tax Assessment Act 1997.</p> <p>(2) Donation Receipts may be issued by the association as requested by the donor.</p>
3	23	<p>78. Fund Management Committee</p> <p>(1) A Management Committee of no fewer than three (3) persons will administer the Fund. The Management Committee will be appointed by the Association’s committee. A majority of the Fund’s Management Committee members are required to be ‘responsible persons’ as defined by the Guidelines to the Register of Environmental Organisations.</p> <p>(2) All members of the Fund Management Committee will be appointed for a term of up to three years and may be reappointed for one more (consecutive) term (a total of six years).</p> <p>(3) Fund Management Committee members are subject to rule 40 of these Rules. The Fund Management Committee’s role is to consider requests for use of the Gift Fund and to authorize payments that are consistent with the objects of the Fund</p>	<p>78. Use of Donations and related Income</p> <p>(1) The Association management Committee has the authority and will make all decisions relating to the use of all donated funds and related income.</p> <p>(2) Advice may be sought from relevant expertise as seen fit by the Association Management Committee.</p>

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4	23	<p>81. Wind Up of the fund</p> <p>In case of the winding-up of the Fund, any surplus assets are to be transferred to another fund or funds with similar objectives and that is/are on the Register of Environmental Organisations.</p>	<p>81. Wind Up of the fund</p> <p>In case of the winding-up of the Fund, any surplus assets are to be transferred to another Organisation or organisations with similar objectives and <u>that is/are registered charity with the Australian charities and not for profit commission and a deductible gift recipient approved organisation</u>.</p>
5	23	<p>82. Complying with Rules</p> <p>The Association agrees to comply with any rules that the Treasurer and the Minister with responsibility for the environment may make to ensure that gifts made to the fund are only used for its principal purpose.</p>	<p>82. TO BE DELETED</p>
6	23	<p>84. Statistical Information</p> <p>Statistical information requested by the Department on donations to the Fund will be provided within four months of the end of the financial year.</p>	<p>84. Statistical Information</p> <p>Statistical information requested by any relevant regulatory authority on donations to the association will be provided within the required time period.</p>
7	23	<p>85. Audited financial statement for the Association and its public fund</p> <p>An audited financial statement for the Association and its public fund will be supplied with the annual statistical return. The statement will provide information on the expenditure of public fund monies and the management of public fund assets.</p>	<p>85. Account records for Donation related transactions</p> <p>All Records will be included within the association annual financial statement and will be supplied with the annual statistical return.</p>
<p>Other Rule Changes for greater flexibility and a lessened administrative burden</p>			
8	3	<p>10. Dealing with membership applications</p> <p>(7) If after consideration, the committee agrees to recommend the application of a member group, the application will be then referred to a general meeting for acceptance or rejection.</p> <p>(8) The committee must notify the member group of its decision to recommend approval or reject the application as soon as practicable after making the decision.</p>	<p>10. Dealing with membership applications</p> <p>(7) Delete (to be treated the same as the individual members application)</p> <p>(8) The committee must notify the member group of its decision approval or reject the application as soon as practicable after making the decision. The new Members to be requested to present to members at the earliest possible general meeting.</p>

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9	4	<p>11. Becoming a member</p> <p>An applicant for membership of the Association becomes a member when—</p> <p>(a) a general meeting accepts a group’s application; (b) an individual’s application is accepted by the committee; (c) and the applicant pays any membership fees payable to the Association under rule 15.</p>	<p>11. Becoming a member</p> <p>An applicant for membership of the Association becomes a member when —</p> <p>(a) an application is accepted by the committee; (b) and the applicant pays any membership fees payable to the Association under rule 15.</p>
10	10	<p>33. Treasurer</p> <p>The treasurer has the following duties —</p> <p>(g) providing any assistance required by an auditor or reviewer conducting an audit or review of the Association’s financial statements or financial report under Part 5 Division 5 of the Act;</p>	<p>33. Treasurer</p> <p>The treasurer has the following duties —</p> <p>(g) Remove(g)</p>
11	15	<p>53. Annual general meeting</p> <p>(3) The ordinary business of the annual general meeting is as follows—</p> <p>(b) to receive and consider —</p> <p>(iii) if required to be presented for consideration under Part 5 of the Act, a copy of the report of the review or auditor’s report on the financial statements or financial report;</p> <p>(d) if applicable, to appoint or remove a reviewer or auditor of the Association in accordance with the Act;</p>	<p>53. Annual general meeting</p> <p>Remove 53.3.b.iii</p> <p>Remove 53.3.d.</p>
12	19	<p>63. Minutes of general meeting</p> <p>(3) In addition, the minutes of each annual general meeting must record —</p> <p>(d) any report of the review or auditor’s report on the financial statements or financial report presented at the meeting, as referred to in rule 53(3)(b)(iii)</p>	<p>63. Minutes of general meeting</p> <p>Remove 63 (3) (d)</p>

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13		<p>66. Financial statements and financial reports</p> <p>(2) Those requirements include —</p> <p>(c) if required, the presentation to the annual general meeting of the copy of the report of the review or auditor’s report, as applicable, on the financial statements or financial report.</p>	<p>66. Financial statements and financial reports</p> <p>Remove 66 (2) (c)</p>
14		<p>67 By- laws</p> <p>(2) (2) By-laws may —</p> <p>(c) impose requirements relating to the financial reporting and financial accountability of the Association and the auditing of the Association’s accounts; and</p>	<p>67 By- laws</p> <p>Note no changes to Auditing clause here</p>
15		<p>55. Notice of general meetings</p> <p>(1) The committee shall convene at least 4 general meetings during the financial year. The secretary or, in the case of a special general meeting convened under rule 54(5), the members convening the meeting, must give to each member in writing —</p> <p>(a) at least 21 days’ notice of a general meeting if a special resolution is to be proposed at the meeting; or</p> <p>(b) at least 14 days’ notice of a general meeting in any other case</p>	<p>55. Notice of general meetings</p> <p>(1) The committee shall convene general meetings during the year to enable appropriate member communication and engagement. The secretary or, in the case of a special general meeting convened under rule 54(5), the members convening the meeting, must give to each member in writing —</p> <p>(a) at least 21 days’ notice of a general meeting if a special resolution is to be proposed at the meeting; or</p> <p>(b) at least 14 days’ notice of a general meeting in any other case.</p>
16	19	<p>65. Control of funds</p> <p>(4) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments of the Association must be signed by:</p> <p>(a) two committee members; or</p> <p>(b) one committee member and a person authorised by the committee.</p>	<p>65. Control of funds</p> <p>(4) All payments regardless of form (for example cheques, drafts, bills of exchange, promissory notes and other negotiable instruments of the Association) must be signed by:</p> <p>(a) two committee members; or</p> <p>(b) one committee member and a person authorised by the committee.</p>
17	19	<p>(5) All funds of the Association must be deposited into the Association’s account within 10 working days after their receipt.</p>	<p>(5) All funds of the Association must be deposited into the Association’s account on a timely basis after their receipt.</p>

