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19th June 2022

The Secretary,  
The Victorian Folk Music Club Inc.,  
P.O. Box 215,  
RINGWOOD EAST,  
Victoria 3135.

Dear Madam Secretary,

### **Agenda Item for 2022 Annual General Meeting**

In accordance with the Club’s Constitution Items 13 (1) (b) and 30 (5), I would request that the following item be included in the Agenda for this year’s Annual General Meeting under the heading of “Any Other Business”.

### **Proxy Voting**

**Motion** – That, to reinstate a Club member’s ability to vote by Proxy at General Meetings of the Club, (a) Item 34(1) of The VFMC Constitution be replaced with Items 34 (1) to (7) of the Victorian Government Associations’ Model Rules and (b) Item 64 (5) be removed from the Constitution.

My reasons for tabling this motion, which has the best interests of the Club and its members in mind, are as follows:-

- (1) During the currency of The Old VFMC Constitution, Club members were able to vote by Proxy at General Meetings of the Club, and each year a Proxy Voting Form was issued to members together with the Notice of Meeting, Agenda and Committee Nomination Form.
- (2) The Victorian Government Associations’ Model Rules, on which The VFMC Constitution is tailored, permits Proxy Voting by members.
- (3) When The VFMC Constitution was accepted at the Club’s Annual General Meeting on 9<sup>th</sup> July 2017, concern was expressed regarding the prohibition of Proxy Voting and members were advised that the Committee may consider changes, including those relating to Proxy Voting (vide AGM Minutes Item 5). It would appear, however, that no further action has been taken in this regard over the past 5 ensuing years.

**(Contd)**

- (4) Items 13 (1) (c) and (d) of The VFMC Constitution provide the right for members to be heard and to vote at General Meetings but Item 34(1) prohibits a member who is unable to attend such meetings (be it through disability, illness, absence or other commitment) from exercising these rights which could be conceived as being discriminatory, unconstitutional and even, perhaps, a contravention of Federal and State legislation relating to “Anti-Discrimination” and “Equal Opportunities”. Should this prove to be the case, it could well expose the Club to legal action, expensive litigation and even de-registration.
- (5) During my 40 plus years working in the Corporate, Not For Profit and Government sectors, and having been a member of numerous organisations over many years, I have never known any other organisation or club other than the VFMC which denies Proxy Voting to its members.

As proposer of the above Motion, I would be happy to speak to same at the Annual General Meeting.

As I am unclear as to whether or not the Committee are agreeable to accept items submitted by email (vide Constitution Item 74(3)(d)(i), I will provide a hard copy of this letter, duly signed, to a Committee Member in compliance with Constitution Item 74(3)(a).

Yours faithfully,

Colin McLaren.