

## Incorporating a Rotary District

Rotarians are well aware that RI has agreed to the incorporation of Rotary Districts. It has published a statement of requirements that must be complied with in the process. This means that Rules lodged with the appropriate State/Territory Registries (aka Consumer Affairs) will need to be approved by both –

- the appropriate Registry; and
- Rotary International,

before a District can achieve acceptable incorporation.

Having been asked about incorporation by Districts in at least four States, McKean & Park has drafted Rules which comply with the laws of all States/Territories and has submitted these for approval by RI's lawyers in Evanston.

RI itself, has not published draft Rules, only its statement of requirements. This means that each District may opt for Rules that are different from those of other Districts. In consequence, although the idea of common Rules for all Districts, similar to McKean & Park's 'Australiawide' Club Rules and Rotaract Rules remains valid, it is hard to achieve.

Because of the difficulties McKean & Park proposes to approach the provision of District Rules by –

- preparing a base document acceptable to RI and each of the States and Territories;
- selecting key areas where it believes Districts may wish to differ from each other;
- presenting the alternatives in each key area to each District that wants to use our base documents; and
- slotting in the variations as required. Naturally variations in non key areas will be added where required.

Some of the key areas that Districts will need to consider are as follows:-

1. RI requires that the District Governor be the highest officer of the District and serve as chairperson of its Board of Directors. On the other hand, with only one deliberative vote, the highest officer can easily be outvoted. Resolving the balance between District Governor and District Board is an issue requiring considerable finesse. McKean & Park will supply you with the alternatives for your consideration.
2. RI requires that the District Governor, the District Governor Elect and the Immediate Past District Governor be members of the Board but not what other Directors are needed (if any) and how they are to be appointed. McKean & Park will again provide the alternatives and the reasoning.
3. In some Districts some Clubs are incorporated, others are not. Does this require adjustment, if so what?
4. In some Districts Clubs are incorporated using the Model Rules or other Rules that have little or no bearing on Rotary and which have never been approved by RI. Does this effect District incorporation?
5. RI requires that the Clubs in a District be the members of the incorporated District. What then, is the status of the Rotarians who are the Club's members?
6. RI contemplates ballots by mail. This requires different provisions to voting in person. What provisions does your District require regarding this process?
7. In many Districts distance restricts travelling. The issue of delegates needs to be considered.

These are only a few of the issues that need explanation, a series of alternatives and appropriate legal guidance. McKean & Park can supply all this and more.

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