



McKEAN & PARK

LAWYERS

WHAT ARE THE McKEAN & PARK SERVICES?

It doesn't matter what you call them, rules, constitution, bylaws, articles, charter – in the case of an association of people who associate for a particular purpose or particular purposes – they are all – a contract. They constitute a contract between the association and each of its members and between each member (as a member) and each other member (as a member) and each member and all the other members.

Rotary International goes a little further than this. When each new Rotary Club is formed, RI issues it with a charter. That charter is issued on the basis of the club and its members accepting RI's Standard Club Constitution which provides that only RI through its Council on Legislation, has power to amend that Constitution. So RI has an interest in the "contract" as well.

This is only one of a number of reasons why the McKean & Park Future Law Team in preparing the "Australia-wide" Rules and Constitution for incorporated Rotary clubs has been at pains to retain, article by article, all the clauses of the Standard RI Constitution just as Rotary has prescribed them. Those alterations forced on us have all been approved by RI.

To have written a brand new set of rules would have been far easier by comparison. Those rules would have been acceptable to all state and territory registries as approved rules for an incorporated association. They would not, however, have been – Rotary. They would not be the document RI prescribed and using a democratic approach and at considerable cost, amends every three years through its Council on Legislation. So we have not made those changes and instead have left what Rotary requires and in the way in which Rotary requires it. By doing so, we have the added benefit of being able to insert the RI amendments every three years without having to re-write the clause or clauses involved, or indeed, the document in full.

It is no easy task keeping incorporated Rotary clubs exactly in alignment with what RI requires, what state and territory laws require and what the club members require. We believe, however, that this service is

made possible by applying advanced electronic techniques to the process. This is what we have been able to introduce.

What the McKean & Park Future Law Team offers, therefore, is a continuous service to Rotary clubs for approximately 3 years during which time:

- We will provide your club with a new and acceptable form of Rules & Constitution which is acceptable to RI, the appropriate Registry in each state and territory and the members of the club.
- We will provide your club with a new and acceptable form of updated Bylaws containing some issues which do not appear in the 2004 Bylaws. Otherwise the 2004 Bylaws have been adopted. We will also provide for your club a one-off version of these Bylaws, if that is what you wish.
- We will provide you with an electronic copy of both documents before their adoption.
- We will keep all this electronically on behalf of your Club.
- We will keep your Club up-to-date with what you are required by law to lodge with the Registrar and we will help you electronically to comply with the legal and lodging requirements.
- If your club wants to amend either its Rules & Constitution (in those areas it is able to amend) or the Bylaws during the period, we are there to help you and to keep an electronic record of the alterations that you make.
- We are here to help your Club in a variety of other ways.
- We are here to advise you of significant legal changes your club should be aware of.

But above all, we are here to help and advise your club and to provide it with security in these legal matters which wouldn't otherwise be available.

If you have any queries at all please do not hesitate in contacting us as follows:

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