

## How and why rotaries incorporate

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Rotary Clubs incorporate to provide a protective legal shield against liability for members just because they are members.

However, if the shield is not set up properly or if the shield is not properly kept in place, the protection is reduced and can disappear altogether.

To set up the shield of incorporation properly, the Club must have proper Rules.

RI provides Rules through its Club Constitution and recommended By Laws. A Club cannot remain in Rotary if its Rules do not include the Club Constitution. But the Law is not satisfied with RI's Rules and will not incorporate a Club which uses only RI's Rules.

To obtain incorporation, a compromise is required between RI's Rules and rules the Law demands.

Satisfying the Law is easy, but RI's requirements are more complex. RI must approve the Rules of every incorporated Rotary Club.

The problems increase after incorporation. The Law alters fairly frequently and an alteration may impose new obligations on the Club that contradict RI's requirements.

RI changes its Rules every 3 years and the changes may be unacceptable to the Law and must be notified to, and approved by, the State Registry to have legal effect anyway.

Clubs themselves may want to change those of their Rules that RI permits so it is quite a business to set up the protective shield of incorporation properly and it can be even more difficult to keep it in place.

If these things are not done properly, the protection is reduced and may disappear.

In addition, the Law can impose financial and personal penalties on some members if there is a failure to carry out the legal requirements.

Our Australia wide Rules are acceptable to all States and Territories, and more importantly are accepted by RI.

Our Australia wide Rules are structured to meet all changes the Law, RI and individual Clubs require.

**Ross Blair**  
Special Counsel

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Level 11, 575 Bourke Street, Melbourne Vic 3000 Australia | GPO Box 38, Melbourne 3001 | DX 400

T 03 8621 2888 F 03 9614 0880 | [www.mckeanpark.com.au](http://www.mckeanpark.com.au)

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