

## Rotary International and Incorporated Clubs

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Rotary International (**RI**) has always required Rotary Clubs (**Clubs**) wishing to incorporate, to obtain its approval to do so and its approval of the Rules (in NSW – ‘the Constitution’) to be used in the process. RI has also always required Clubs amending their Rules to obtain its approval for those amendments (including the amendments required every three years by the Council on Legislation). Until recently however, these requirements were observed in New South Wales, but only by occasional clubs elsewhere in Australia. Now RI makes these requirements in the case of **every club throughout the world**.

RI already knows which clubs have incorporated and which of them asked for, and obtained, RI’s approval to do so. From approximately mid 2013, it will also know which incorporated clubs obtained its approval to amend their Rules as a result of the 2010 Council on Legislation and which, either made those amendments without RI’s approval or failed to include those amendments in their Rules, at all. What action RI will then take in respect of those clubs who have allowed their Rules to become a liability risk, and as a result placed their members at legal risk, is something RI will determine. It seems inevitable that RI will shortly be asking those Clubs for an explanation.

We at McKean Park prepare a set of Rules for incorporated Rotary Clubs that complies with the relevant law (the *Associations Incorporation Act*) in each of the eat States and Territories of the Commonwealth. This provides for all incorporated Rotary Clubs in Australia a single document which applies to all of them. We have done this continuously over the past decade thereby providing continuity. We think it is an important thing for all Clubs in the one organisation to subscribe to the same Rules. At the same time we make provision for individual variations which, in an unincorporated club, would be included in its Bylaws. These individual variations have always been part of Rotary, but in many cases the variations need to be found in the Rules rather than in the Bylaws in order to comply with the relevant legislation.

In addition to inserting the Council on Legislation amendments it is important that Rotary Clubs comply with the applicable legislation in each of the eat States and Territories. McKean Park takes the opportunity every three years to update Club Rules to full compliance with applicable State/Territory legislative changes in addition to the amendments required by the Council on Legislation.

McKean Park provides not only updated Rules but updated Bylaws as well. In addition, it supplies all subsidiary documentation such as the Application for Approval to RI, Notice of Meeting, Minutes of Meeting and the necessary advice regarding the process to be undertaken.

McKean Park includes provisions designed to increase the protection of Club members and their families. The reasons for this are set out clearly in “Why Rotary Clubs update their incorporation” which you will find in this section of our website.

Finally, in order to keep the process cost effective McKean Park is prepared to deal with districts on behalf of some or all of their member Clubs and will be prepared to agree to a discount in its fees depending on the number of Clubs in each district which are involved.

**Ross Blair**  
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**Expert advice. Practical solutions. Personal service.**

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