

Attachment 11.2

Motion to amend the Articles of Association – Appeal Process

Purpose:

It is proposed to amend the constitution to strengthen the Appeal Committee membership by providing the opportunity to appoint an external arbiter.

Resolution 2014-8:

That, pursuant to Article 55 of the Articles of Association, the Articles of Association are amended by deleting Article 8 (e) in its entirety and replacing it with a new Article 8 (e) as follows:

- (e) *The membership of each Appeal Committee will be:*
 - (i) *The National President*
 - (ii) *A National Life Governor; and*
 - (iii) *One other person agreed by both parties or in the event that the parties cannot agree then a person appointed by the Victorian Bar's Commercial Arbitration Appointment Service.*

Links to strategic plan:

The development of this policy aligns with this strategic priority area:

Strengthen our Movement: The proposals before this meeting provide the National Board with the constitutional authority to be more responsive to noncompliance and to dealing with ongoing non-compliance. This will provide assurance to the Movement that standards are being met. Enhancements to the appeals process are a necessary component of this process.

Links to supporting documents:

Nil.

Background:

Following discussions and feedback with members in relation to the changes in the standards and in the National Board's authority to manage compliance, it became apparent that the appeals process needed to be reviewed. This amendment ensures that in the case of a dispute which cannot be resolved through negotiation and which is referred to an Appeals Committee, then that Committee's composition will be such that all parties will be assured of a fair hearing.