

Why are we voting?

Explanatory notes to accompany the proposed constitutional updates—you will see the markup is in red on the existing constitution.

The current constitution has been in force since May 2021 and has served APF very well. As part of a planned three year review of the document, a number of minor amendments and clarifications are proposed by the Board.

1. **Change of terminology.** Originally, the APF was a federation of clubs. Since 2015 it has not legally been a federation (although the name has been retained due to the historical connection). And, of course, with the exception of a small number of genuine clubs, the majority of operators are not clubs. The decision has been taken to start referring to groups who control an APF member organisation as “group members”. This term correctly describes both the genuine clubs as well as the commercial operations.
2. The return of a “gifting clause” to the constitution (3 (p)). Gifting clauses have been part of some APF constitutions going back many years. They expressly allow APF to do things such as move assets between trusts etc. This clause was not included in the 2021 Constitution, and we have received legal advice that it would be “good housekeeping” to insert one. The lack of one has not prevented APF from making such transfers. The insertion is considered to be more along the lines of “preventative maintenance”
3. 22.5 (b) can be removed as the transition is complete—This clause was originally there to allow for the introduction of three-year Director terms. That cycle is now up and successfully running.
4. 22.2 (a) ii should be removed. A member no longer needs to be registered with a Club as most Group Members are not traditional Clubs with members.
5. 22.11 (d) iii should be removed as for the same reason as 22.2 (a) ii as a member no longer needs to be registered through a Club.
6. 22.6 is amended to clarify intent. The amendment ensures that the Board is not able to appoint or elect a former CEO to the Board within three years of the end of their tenure. It also gives additional rights to members should they want to vote in a former CEO. As currently written it could be seen to discriminate against a member in good standing and also could be seen to limit members’ rights to elect a particular person to the Board.
7. You will note some minor adjustments which will also form part of the amendments to be voted upon by members
8. You are voting on accepting or rejecting the coloured markups on our existing constitution (supplied). These are being put to you as a package and cannot be unbundled.

As required by the Corporations Act, these amendments will be put, as a package, to a member vote at the 2024 APF Annual General Meeting. Provision will again be made for electronic votes to be lodged in advance of the meeting.

It is anticipated that, barring unforeseen circumstances, the next three-year review period will then begin and any future revisions be put to the members in 2027

Would you like even more detail on points 4 and 5? See the link [here](#)

Do you still have questions before you vote? These can be emailed to returningofficer@apf.com.au

HISTORY

When APF were a “club of clubs” we wanted to know how many members were in each club. That was also needed for our voting systems at the time at council level. And, of course, Councils were very powerful. Key appointments were made at council level that are now (thankfully) made nationally.

Council Delegates had the authority to lodge every vote assigned to them at council meetings, and of course Council Delegates also chose Board members.

An issue emerged with the growth of non-club drop zones. Each club charged subscription fees and had members, but that left APF members who were not members of any club. They were allowed to “affiliate” to a club, anywhere in the country, even if they didn’t jump there and weren’t actually members. That act gave them no membership rights at that club. When a member affiliated, the recipient of the affiliation was not informed and the DZ had no list. What members were doing by affiliating, was to assign their vote to a particular delegate, and direct funding to a particular council area. Clubs with 10 or more members affiliated to them were given extra voting rights at Council meetings. Councils were given the “voting numbers” on a quarterly basis so they could run their meetings.

Therefore, you could have a person who was a paid-up member of a club being affiliated to a different club, even in a different state (or to the national office).

CHANGE

Two things have helped drive much needed reform in this area:

- 1. Democratic Director Elections.** The first Director ever to be elected by democratic member vote without members having to physically attend a meeting was John Swanland in 2020. All other member elected directors are now a product of that system. To have a democratic election, accurate electoral rolls are needed as sometimes these elections are hotly contested. Electoral rolls are based on Council Area of residence as recorded by APF. Members can only vote in one election—and that is in the “electorate” in which they live. Members could not vote multiple times in multiple council areas by changing club affiliation or vote for their friend (or stand) in another council area by changing club affiliation. Club affiliation no longer has anything to do with voting.
- 2. Council Funding Model.** In November 2021, the Board confirmed that the electoral rolls and boundaries also be the ones used when determining council commissions. Therefore, Council Commissions are based on sporting licence holder’s resident in a council area. Club affiliation no longer has anything to do with council funding. On a Quarterly basis Councils are now given very precise numbers of Licenced (which means Sporting Licences) members resident in their council area. Those figures are solid data. Perhaps that data should be shared with the Board every meeting. Sporting licence numbers are good data because those are the people who are actually jumping and it is a much smaller number than membership numbers or numbers based on those who have been issued certificates but have no Sporting Licence. Those people are not (or should not be!) jumping.

The Governance Committee identified a loophole in the Council Charter which would allow a member to stand for election and/or vote in any (or multiple) Area Council simply by going online and changing their club affiliation. (without a need to move residence). That has been fixed and the Council Charter now aligns with the electoral rolls used for Director elections. Club (Group member) affiliation now has nothing to do with Council Membership or voting.

Members still have the ability to go into their profile on the web site and change their affiliation to any drop zone they choose—as often as they want—even to one they have never visited. That is more of a sentimental act as it has zero effect on anything—years ago it meant assigning your vote and directing some funding but now it means nothing. And, as the drop zone to which the member affiliates is not even notified, the act is even more meaningless.

There is no suggestion at present that the right of members to go into their profile and change their affiliation whenever they choose, and as often as they choose, be removed. However, unlike 20 years ago, where it had real meaning, it is a sentimental gesture only and will probably die a natural death as older jumpers eventually leave the sport.

When we introduced DZ waivers it created another layer of confusion and a number of members have been under the misapprehension that affiliating to a drop zone gives them the right to jump there. That is NOT the case!