



2019

ABGC's Rules Now Changed

The Australian Banana Growers' Council Inc. (ABGC) Rules have now been modified. ABGC's Annual General Meeting of 4 December 2019 resolved to make the changes and they have now been approved and registered by the Office of Fair Trading, as required under Queensland's Associations Incorporations Act.

In summary, the changes are listed below:

1. Grower Representative – definition

1.1 Definitions

Representative means, in respect of a Member, a natural person who is a partner, director, officer, principal or duly authorised representative.

1.2 Construction

(viii) A member includes a member's representative.

5.11 Register of members

(b) description of the local shire and the State or Territory of the Commercial Banana Plantation;

7.2 Board Composition

- (ii) one is New South Wales Director;
- (iii) one is either a Northern Territory Director or a Western Australian Director;
- and
- (iv) one can be from any State or Territory, at the Board's discretion.

Note Schedule 1 amended.

7.9.1 Casual vacancy

- (b) The vacancy shall be filled by a person who is a Commercial Banana Grower Member or its Representative from any State or Territory.
- (c) Any grower Director so appointed shall hold office only until the next annual general meeting, and may be reappointed by the Board if no grower member from the relevant State or Territory nominates for that Director position. The schedule of retiring Directors by rotation shall not be affected.

7.9.2 Continuing to act

Where the office of a Director becomes vacant, the continuing Directors may continue to act except where the number of Directors falls below four in which case the continuing Directors may act as the Board only:



- (a) to appoint Casual Directors; or
- (b) to convene a general meeting

10.3.6 Quorum

(b) Only members or their proxy, who are physically present or via video link are eligible to be counted as part of the quorum.

(c) In the event of a member excluded from voting by the Chairperson due to a conflict of interest, the quorum shall be adjusted downwards.

12.3 Minutes to be accurate

- (a) the minutes of each Board, general, and annual general meeting must be accepted and signed by the chairperson of the meeting within 30 days, verifying their accuracy;

Further Information

These details were listed in the ABGC's Rules and in the Explanatory Notes provided to Members prior to the AGM.

Please contact Jim Pekin, ABGC CEO and Secretary: jim.pekin@abgc.org.au if further information is required.