



POETS 2020 - 2021

Club Bylaws

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What are Club Bylaws?

Club bylaws are part of the constitutional documents of a club that creates the club and sets out what it can and cannot do.

A Rotary club has two constitutional documents:

- The Club Constitution
- The Club Bylaws

The text of the **Club Constitution** is prescribed by Rotary International (**RI**) and cannot be amended by the club. Only by Rotary International.

The **Club Bylaws** deals with the arrangements that may vary from club to club. Some basic requirements are prescribed by RI, but outside that the club may make and amend its own rules as long as these amendments are not in conflict with the Constitution.

The Constitution is the supreme document. Your **Club Bylaws** are to allow for local conditions like our tax provisions.

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Why are Club Bylaws important?

You have heard from DGE Carl-Heinz about the focus in Rotary on **flexibility** – and all the flexible things your club is now allowed to do.

BUT: In order to be able to do all these flexible things, your club has to give itself the **legal power** to do so.

The fact that **RI** says you can have new types of clubs, new types of membership arrangements for meetings, new requirements for members, does not mean that you can now go on and just do it.

No. There is a **process** to follow to amend your Club Bylaws.

You and your Board have to:

1. Consider **what** you want to do;
2. **How** you want to do it;
3. **Draft** amendments to your Club's Bylaws; and
4. Have them **approved** by the members of your club.

Only then can you do it.

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Attendance at club meetings

The RI prescribed **Club Constitution** in Article 10 contains extensive provision regarding the requirement that members attend club meetings.

These include:

- **Alternate ways** in which a member can make up for absence of a meeting;
- **Absences** that do not require make-ups;
- **Excused absences**; and even
- **Attendance records**.

To **enforce** these requirements Article 13 Section 4 of the RI prescribed **constitution** provides for Termination of Membership for Non-Attendance.

However, clubs are allowed to **include provisions** in their **bylaws** that are **not** in accordance with Article 10 and Article 13 Section 4.

Should your club wish to have **simpler attendance requirements** because of the current club circumstances, that can be achieved by drafting and adopting suitable amendments in your current **club bylaws**.

A TIP: The focus should be on **participation**, rather than attendance. Of course, it is not a choice between all or nothing. Both can be provided for.

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New kinds of membership

Article 10 Section 2 of the RI prescribed **Club Constitution** makes provision for only two kinds of club membership: active and honorary (**note: kinds – not types**)

DGE Carl-Heinz has told you about the new types of club membership that are now available to a club. Once again, to make use of the opportunity your club has to amend its **bylaws** to allow itself to elect other types of members.

The formulation of your membership types should fit in with your club's strategic plan and view of membership.

There is no set of rules prescribed by Rotary. Your club takes a view and come up with a formulation that best fit your club.

That is why it is called **flexibility**.

Let's go to another provision that is very important to have in your club bylaws:

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Income tax : an important provision

There are very important provisions that have to be in your **bylaws** for different income tax purposes. This does not fall within the scope of this talk.

The District supplied clubs with a document to amend the **Club Bylaws** to comply with SARS requirements for PBO. This was given to our District Admin Head PDG Peter Hugo by SARS through PP Richard Browne. The first five sections are standard in the **Bylaws**. It is **Section 6** that we need to add as Rotary clubs.

It is extremely important that you understand the requirements of SARS and include Section 6 as sent to you by our Admin Head. If you do not know what I am talking about, please contact PDG Peter Hugo at the District Office to resend to you.

To sum up: Your Club Bylaws are not something to ignore. It is a document to revisit and update every year to make sure your club complies with its bylaws in what it can and cannot do.
