

Revision of the QFHS constitution

It's important that QFHS's constitution accurately reflects how it operates in practice. It's no use having rules that no one looks at or follows, so QFHS should ensure its constitution aligns with and supports its current practice.

Legislative changes

There have been a series of Legislative changes creating revisions to the Queensland *Associations Incorporation Act 1981*. If our constitution doesn't comply with legal requirements, it will not be accepted by the Office of Fair Trading. A series of amendments to the Act came into force on 22 June 2020, 22 June 2022, 29 July 2022, and 1 July 2023.

It's been advised that a further change, requiring inclusion of a dispute resolution process, may come into force from 1 July 2024.

In addition, deductible gift recipient reforms in the *Treasury Laws Amendment (2021 Measures No. 2) Act 2021* and *Treasury Laws Amendment (Refining and Improving our Tax System) Act 2023* require consideration.

Details of these changes are available at <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/associations-charities-and-non-for-profits/incorporated-associations/law-changes/previous> and

<https://www.ato.gov.au/about-ato/new-legislation/in-detail/not-for-profit/deductible-gift-recipient-reforms>

An incorporated association must register its constitution (or rules) with the Office of Fair Trading. If QFHS's rules don't address all the legal requirements, the Office of Fair Trading will reject its rules. QFHS's constitution would be the Model Rules contained in the *Associations Incorporation Regulation 1999*, whether they suit QFHS or not.

Industry changes

It is also good governance to review our constitution and ensure it still meets the needs of today, given significant changes in our industry since it was issued in 1992. Some aren't currently relevant to QFHS, but their magnitude and scope are indicative of the extent of industry-wide change within which QFHS operates.

They include:

- Business operations and events are often conducted using electronic media such as Zoom or other meeting platforms, whereas previously they were always face to face.
- Online access to records, in addition to transcriptions, microform and hard copies.
- Online collaboration via Zoom, social media channels, and messaging tools.
- The establishment of the QFHS education program.
- The establishment of QFHS's data online delivery capability.
- Increasing use of digitisation in QFHS projects.
- Increasing use of artificial intelligence as a tool in family history and genealogical pursuits and businesses.
- Greater protections for those under 18 years of age, potentially requiring QFHS volunteers to have blue cards before engaging with a junior member.