

Andrews v Queensland Racing Limited (2009) 74 ACSR 538

<https://lawcasesummaries.com/knowledge-base/andrews-v-queensland-racing-limited-2009-74-acsr-538/>

Facts

- William Andrews was one of five directors of Queensland Racing Ltd ("**Racing**").
- Queensland Racing Limited was a company limited by guarantee. Since 1 July 2006 it had been a "*control body*" under the *Racing Act 2002* (Qld), responsible for the management of thoroughbred racing in Queensland.
- Mr Andrews sought to be reappointed as a director of the business he had founded with 4 other directors. The constitution held that Mr Andrews must be considered alongside 3 other candidates. Instead, Mr Andrews was up against 25 other candidates.

Held

- The Queensland Supreme Court held that Racing's constitution was not followed as Mr Andrews would have reasonably expected.
- As a member of the company, Mr Andrews had a personal right to have the selection of directors conducted in the prescribed manner.
- Infringement of that personal right cannot be ratified by the members of the company in general meeting or otherwise.

Full Text

The full text is available here: <https://jade.io/j/?a=outline&id=119069>

Law case summary from www.lawcasesummaries.com