

AUSTRALIAN LABOUR LAW ASSOCIATION

SPECIAL GENERAL MEETING AND ORDINARY COMMITTEE MEETING

12 FEBRUARY 2003

MINUTES

The following committee members were in attendance: Richard Mitchell, John Howe, Paula Darvas, Ron McCallum (phone), Marilyn Pittard (phone), Amanda Coulthard (phone), Ron Baragry (phone) and Rosemary Owens (phone); Elena Goodey (Administrator) was present to take the minutes.

Apologies: Kathryn Fawcett, Malcolm Harding, Jane Harvey, Anthony Forsyth, Phillipa Weeks, Commissioner Dominica Whelan, Gordon Zigenbine, Commissioner Greg Smith, The Hon Peter Sharkey, Greg Vines and Brad Nash.

SPECIAL GENERAL MEETING

Richard Mitchell (Vice President of ALLA) chaired the meeting in absence of Mr Anthony Forsyth.

Richard Mitchell explained that the purpose of the meeting was to amend two sections of the rules of the Australian Labour Law Association. The purpose of these amendments was to clarify the non-profit objectives of the Association and thus to remove the possibility of the Association being liable to pay GST upon its functions and activities. The rules were proposed to be amended in accordance with suggestion made by the taxation authorities to Mr Anthony Forsyth, ALLA Treasurer.

The first proposed amendment was in relation to Rule 2 as follows: Rule 2 (Aims and Purposes) *(at the conclusion of the rule) deleting the words* ‘The Association is not carried on for the purposes of financial profit or gain to its individual members.’ – *and replacing them with the following:* ‘The assets and income of the Association shall be applied solely in furtherance of its above-mentioned objects and no portion shall be distributed directly or indirectly to the members of the Association except as bona fide compensation for services rendered or expenses incurred on behalf of the Association. This clause operates with effect from the formation of the Association on 29 November 2000.’

Richard Mitchell read the rule and the suggested amendment. The motion to amend was moved by Richard Mitchell and seconded by Ron McCallum. The motion was adopted

The second proposed amendment was to Rule 38 as follows: Rule 38 (Winding Up) *after the words* ‘The Association may be wound up and dissolved on a resolution to that effect being passed at a general meeting of the Association convened for that special purpose;’ – *deleting the words* ‘the resolution passed for any such dissolution shall indicate the

manner in accordance with the law in which any surplus or assets of the Association are to be disposed of or distributed.’ – *and replacing them with the following:* ‘in the event of the Association being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to any association with similar purposes which is not carried on for the profit or gain of its individual members. This rule operates with effect from the formation of the Association on 29 November 2000.’

Richard Mitchell read the rule and the suggested amendment. The motion to amend was moved by Richard Mitchell and was seconded by Rosemary Owens. The motion was adopted.

That concluded the business of the Special General Meeting.

ORDINARY COMMITTEE MEETING

The proposed agenda was loosely followed in the following fashion.

Item 2: Affiliation fees for the International Society for Labour Law and Social Security. Professor McCallum informed the meeting that the membership to the ISLLSS is \$7US per member per year. He suggested that in view of the fact that many affiliated Associations paid no fees, or less than the full fees, ALLA should try to make an arrangement with ISLLSS to pay \$3.5US per member being half of the supposed annual fee. No decision was taken on this issue, but the firm view of the meeting was that ALLA should offer \$3.5US per member to the ISLLSS, and that this should be put to the next meeting of the ALLA Committee.

Item 3, ALLA Brochure.

It was suggested that a draft brochure might be prepared with a view to promoting the objectives and functions of ALLA. Elena Goodey has produced a similar concept for the Centre for Employment and Labour Relations Law at the University of Melbourne, and at the meeting’s request she has agreed to circulate this amongst the committee members so they can decide whether it would be viable to produce a similar brochure for ALLA.

Item 4, other business:

Rosemary Owens requested some funds to bring Keith Ewing to South Australia so as to speak at a seminar as part of the 2003 activities of the South Australia Chapter of ALLA.

Ron McCallum moved that a sum of up to \$400 be made available to the South Australian Chapter. Amanda Coulthard seconded the motion. The motion was carried.

Amanda Coulthard requested some funds, for the accommodation of Glenn Martin QC who will participate in a forthcoming event to be organised by the Queensland Chapter.

The hotel fee would be \$125 plus a refundable \$500 fee (deposit). She will try to make the hotel waive that deposit fee. She also requested some extra amount for food for the seminar.

Ron McCallum proposed that a sum of \$250 be made available to the Queensland chapter of ALLA. Marilyn Pittard seconded the motion. The motion was carried.

Item 1 of the proposed agenda foreshadowed a discussion on the formation of a Victorian State Chapter in 2003. Discussion took place in the form of an independent meeting after the Committee Meeting.

Richard Mitchell thanked all the committee members.

The meeting Closed.