



**Modern Language Teachers' Association of Western Australia Inc.**

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**Proposed amendments to the MLTAWA Constitution to be determined by vote by general members at the 2016 Annual General Meeting.**

The new Associations Incorporated Act commenced on 1 July 2016. Association committees in Western Australia have until 30 June 2019, the ability to pass any changes to their rules, without a special resolution of members being passed at general meeting. This option is only available if the changes are to make the rules consistent with the new law requirements.

The MLTAWA Inc. Committee have spent considerable time in recent months reviewing the current Constitution to ensure that it addresses a long list of matters set out in Schedule 1 of the Act. The Committee are confident that, with the exception of two proposed additions, the current Constitution is consistent with the new laws. However, the Committee feels it necessary to pass these changes by Special Resolution at our upcoming Annual General Meeting of members to gain assurance and awareness of all members.

The Committee has formulated the following proposed amendments and now submits them to members for acceptance or rejection.

All MLTAWA members are invited to vote on the proposed amendments in person at the upcoming Annual General Meeting to be held at Mister Walker, Mends St, South Perth at 8.30am on Saturday 19 November, 2016. Alternatively, members can print the voting form on page 3, fill in and sign and send to **MLTAWA Secretary, PO Box 1443, West Leederville, WA 6901** or scan and email to [secretary@mltawa.asn.au](mailto:secretary@mltawa.asn.au). Voting forms will only be valid if received by post or email before the end of business on Thursday 17 November, 2015.

The current Constitution can be viewed online via the MLTAWA website at <http://mltawa.asn.au/about/constitution/>.

**Proposed main amendments and reasons**

- **Section 11 Financial Procedures:** The proposal is to add specifics about the opening of a bank account, the amount of time when funds must be deposited, and the custody and control of the financial records. While these points have been adhered to in the past, the new laws require these to be outlined in the Constitution.
- **Section 12 Inspection of Records and Documents:** The proposal is to add a new clause as required by the new laws that outlines the rights and responsibilities of Members regarding access to documents of the Association.
- **Renumbering of the sections** will occur as a result of the above additions.

The proposed changes to the Constitution are set out in the following table on the right alongside the existing wording to allow for easy comparison:

<b>Existing wording of the Constitution</b>	<b>Proposed new wording of the Constitution</b>
<p><b>11. FINANCIAL PROCEDURES</b></p>	<p><b>11. FINANCIAL PROCEDURES</b></p> <p>11.1 The Association must open an account in the name of the Association with a financial institution from which all expenditure of the Association is made and into which all funds received by the Association are deposited.</p> <p>11.9 All funds of the Association must be deposited into the Association's account within 5 working days after their receipt.</p> <p>11.10 The financial records and, as applicable, the financial statements or financial reports of the Association must be kept in the treasurer's custody or under the treasurer's control.</p> <p>11.11 The books of the Association must be retained for at least 7 years.</p>
	<p><b>12. INSPECTION OF RECORDS AND DOCUMENTS</b></p> <p>A member may at any reasonable time, having given reasonable notice, inspect without charge the books, documents, records, financial documents and minutes of all Committee and General meetings of the Association. The member must not use or disclose information in a record or document except for a purpose that is directly connected with the affairs of the Association.</p>

**The Motions to be voted on at the AGM on 19 November, 2016:**

1. That the additional clauses 11.1, 11.9, 11.10, 11.11 be included under **Section 4 Financial Procedures** to be consistent with the new Associations Incorporated Act 2015.
2. That **Section 12 Inspection of Records and Documents** be added to the Constitution to be consistent with the new Associations Incorporated Act 2015. This will result in the renumbering of subsequent sections.

I, \_\_\_\_\_, (print name) a financial member of the MLTAWA, vote in the following way for the proposed changes to the MLTAWA Constitution:

Motion 1:  Accept  Reject  
Motion 2:  Accept  Reject

\_\_\_\_\_  
**SIGNATURE**

\_\_\_\_\_  
**DATE**

*(If you are unable to attend the AGM, please print this page, fill in your vote and post to MLTAWA Secretary, PO Box 1443, West Leederville, WA 6901 or scan and email to [secretary@mltawa.asn.au](mailto:secretary@mltawa.asn.au))*