

Dear WEPA members,

Notice of Annual General Meeting, Proposed Constitutional Changes and Call for Nominations

AGM Date

The Committee would like to provide notice that the WEPA AGM will be held online (via Zoom) from **7:30pm**, on **Tuesday 30 May 2023**.

A set of AGM papers including officers' reports and nominations received for committee positions will be sent to you the week before the meeting (on 23 May). Please join us online to provide your valued views and feedback and to raise any questions you might have about WEPA's work.

Notice of Proposed Changes to the WEPA Constitution

Under the WEPA constitution we are required to provide 21 days' notice of any proposal to change the constitution. The WEPA Committee would like to propose a number of changes to our constitution which will be voted on at the AGM – the details are provided in **attachment A** to this notice.

Questions

Questions about the constitutional changes can be asked at the meeting but, as the meeting is electronic, it would be preferable if any questions (including questions about procedure) are asked beforehand by using the WEPA email – wepa@wepa.org.au .

Nominations

Prior to the circulation of the meeting papers we need to make a **formal call for nominations** to the WEPA Committee for 2023/24. The following positions will be open for nomination:

- President
- Vice-President
- Treasurer
- Secretary
- Assistant Secretary
- Members of the Committee (7 positions available)

All positions are honorary. To be eligible you must have been a member of the Association for a minimum of six months, be a current financial member and have attended at least two meetings.

If you are thinking of nominating but need more information, please contact the Secretary, Meredith Foley, on 0438 890 902.

If you wish to nominate could you please complete and return the attached nomination form (**see attachment B**). You will need to provide your name, the name of the position you wish to nominate for and the signatures of two WEPA members supporting your application.

The deadline for nominations to be received is 9am Tuesday 23 May.

Make sure you are financial

If you need to renew your membership you can do so [here](#). If you want to check whether you are financial before the meeting, please drop us a line at members@wepa.org.au.

We look forward to seeing you all online on 30 May.

Regards

John Moratelli

President, WEPA Inc

Email: wepa@wepa.org.au

Website: www.wepa.org.au

Facebook: www.facebook.com/wepa.org.au

Attachment A: Proposed Changes to the WEPA Constitution

The current WEPA Constitution can be found [here](#).

The WEPA Committee would like to propose that the current WEPA Constitution be amended as follows:

1. Amend the Objective numbered “18” by deleting the words “and to lend support to candidates in appropriate circumstances”.

[Reason: Our current registration as a charity requires that we not support political candidates.]

2. Amend clause 5(i)(c) by adding the words “in accordance with clause 7” after “membership”.

[Reason: Clause 5(i)(c) refers to a member resigning. Clause 7 sets out the process for doing so.]

3. Renumber clause 7(iii), 5(iii) and move accordingly.

[Reason: Clause 5(ii) requires the secretary to make certain entries when a person ceases to be a member as does clause 7(iii). It makes sense for one clause to follow the other.]

4. Delete clause 12 and replace it with -

“12 DISCIPLINING OF MEMBERS

- (i) A person may make a complaint to the Committee that a member of the Association has:
 - (a) failed to comply with a provision of this constitution
 - (b) wilfully acted in a way prejudicial to the interests of the Association.
- (ii) The Committee may refuse to deal with a complaint if the Committee considers the complaint is trivial or vexatious.
- (iii) If the Committee decides to deal with the complaint the Committee must:
 - (a) serve notice of the complaint on the member; and
 - (b) give the member at least 14 days from the day the notice is served on the member within which to make submissions to the Committee about the complaint, and
 - (c) consider any submissions made by the member.
- (iv) The Committee may, by resolution, expel the member from the Association or suspend the member’s membership if, after considering the complaint, the Committee is satisfied that:
 - (a) the facts alleged in the complaint have been proven, and
 - (b) the expulsion or suspension is warranted.

- (v) If the Committee expels or suspends the member, the secretary must, within 7 days of that action being taken, give the member written notice of:
 - (a) the action taken, and
 - (b) the reasons given by the Committee for taking the action, and
 - (c) the member’s right of appeal under clause 12A.
- (vi) The expulsion or suspension does not take effect until the later of the following:
 - (a) the day the period within which the member is entitled to exercise the member’s right of appeal expires, or
 - (b) if the member exercises the member’s right of appeal within the period - the day the Association confirms the resolution under clause 12A.”

[Reason: Clause 12 of our current Constitution doesn’t set out a procedure for disciplining members simply stating the procedure shall be determined by the Committee. The Committee believes it appropriate to adopt the procedure set out in the Model Constitution contained in Schedule 3 to the Associations Incorporation Regulation 2022.]

5. Add a new clause as follows:

“12A APPEAL AGAINST DISCIPLINARY ACTION

- (i) A member may appeal against a resolution of the committee under clause 12 by lodging a notice of appeal with the secretary within 7 days of being served notice of the resolution.
- (ii) The member may include, with the notice of appeal, a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (iii) The secretary must notify the Committee that the secretary has received a notice of appeal.
- (iv) If notified that a notice has been received, the Committee must call a general meeting of the Association to be held within 28 days of the day the notice was received.
- (v) At the general meeting:
 - (a) no business other than the question of the appeal is to be transacted, and
 - (b) the member must be given an opportunity to state the member’s case orally or in writing, or both, and
 - (c) the Committee must be given the opportunity to state the Committee’s case orally or in writing, or both, and
 - (d) the members present must vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (vi) The appeal is to be determined by a simple majority of votes cast by the members.

[Reason: Clause 12 of our current Constitution gives a right to appeal but doesn’t set out a procedure for doing so. The Committee believes it appropriate to adopt the

procedure set out in the Model Constitution contained in Schedule 3 to the Associations Incorporation Regulation 2022.]

6. Amend clause 27(i) by changing “4 days” to “14 days”.

[Reason: The Model Constitution requires 14 days’ notice of a general meeting to be given. Our current Constitution requires 4. The Committee believes that 4 days’ notice is too short.]

7. Amend clause 35(i) by adding to the end of the sentence “other than an appeal under clause 12A”.

[Reason: This brings the current provision into line with the Model Constitution. The Committee believes that it wouldn’t be appropriate to have a disciplinary appeal canvassed via a general meeting and then have the vote done by way of postal ballot.]

8. Amend clause 35(ii) by changing “Schedule 3” to “Schedule 2”.

[Reason: This is to bring the numbering of the schedule into line with the 2022 regulation mentioned at 5 above.]

Attachment B – Nomination Form – see following page.



Willoughby Environmental Protection Association

Willoughby Environmental Protection Association (WEPA), Inc.

NOMINATION FORM FOR ELECTION TO COMMITTEE

This form can be used to nominate a person for positions on the Committee that are specified in the WEPA Constitution (see [Clauses 14-15](#)). Note: the person being nominated and the two nominators (ie persons nominating him/her) must be financial members of the Association.

AGM Year:	2023	
Name of person being nominated:		
Position /s	<input type="checkbox"/> President <input type="checkbox"/> Vice-President <input type="checkbox"/> Treasurer <input type="checkbox"/> Secretary <input type="checkbox"/> Assistant Secretary <input type="checkbox"/> Ordinary Committee Member	
We hereby nominate the above person for the position/s indicated:		
First nominator:	Second nominator:	
Name: _____ Print	Name: _____ Print	
Signature: _____	Signature: _____	
I accept the nomination Signed (Person being nominated)		

Nominations must be received by the Secretary by **9am, Tuesday 23 May 2023**. They can be emailed to wepasecretary@gmail.com