

Youth Affairs Council of WA General Meeting 29th November 2023

Background Information

After lodging the approved changes to the constitution in 2022, the Department of Mines, Infrastructure, Resources and Safety (DMIRS) advised that minor changes were recommended to other clauses of the YACWA constitution. As per that advice, we seek to make these amendments to ensure ongoing compliance.

Constitutional Review 2023 – Proposed Changes

Clause	Suggested Re-Wording	Rationale
<p>2.1. In this Constitution, unless the context otherwise requires:</p> <p><i>vii. Relevant legislation</i> means the <i>Associations Incorporation Act 1987</i> of Western Australia, including any amendments to that Act or any other Acts that may replace or supersede this Act from time to time;</p>	<p>2.1. In this Constitution, unless the context otherwise requires:</p> <p><i>vii. Relevant legislation</i> means the <i>Associations Incorporation Act 2015</i> of Western Australia, including any amendments to that Act or any other Acts that may replace or supersede this Act from time to time</p>	<p>As advised by DMIRS</p> <p>Updating the document to reflect the updated Act published in 2015</p>
<p>7.4. Special General Meetings</p> <p>7.4.1. Special General Meetings may be called:</p>	<p>7.4. Special General Meetings</p> <p>7.4.1. Special General Meetings may be called:</p>	<p>As advised by DMIRS</p> <p>Schedule 1(10) of the Act requires the rule to include the percentage (no greater than</p>

<p>i. by the Board through an ordinary resolution; or</p> <p>ii. by written request of not fewer than ten (10) voting Members,</p>	<p>i. by the Board through an ordinary resolution; or</p> <p>ii. by written request of 10% of the voting members</p>	<p>20%) of membership who may at any time require that a special general meeting be convened. (Current membership estimated at 350 (organisational and individual)</p>
<p>19.3 If the Council is wound up or its endorsement as a deductible gift recipient is revoked (whichever occurs first), any surplus of the following assets shall be transferred to another association with similar objects, which is charitable at law, to which income tax deductible gifts can be made:</p>	<p>19.3 If the Council is wound up or its endorsement as a deductible gift recipient is revoked (whichever occurs first), any surplus of the following assets shall be transferred to another association with similar objects, which is <u>incorporated under the Western Australian</u> charitable at law, to which income tax deductible gifts can be made:</p>	<p>As advised by DMIRS</p> <p>Change of wording to ensure clarity as <i>current wording could be considered inconsistent</i> with requirements. To comply with the Act, the beneficiary must be another association that is <i>incorporated under the Western Australian</i> Law</p>