ADMINISTRATION
REQUIREMENTS OF AN INCORPORATED ASSOCIATION

Statutory Requirements

Each Incorporated Association must appoint a Public Officer whose responsibility it is to ensure that all statutory returns are lodged with the Registrar of Incorporated Associations. Failure to lodge the following forms may lead to legal proceedings being implemented and fines imposed.

1. Within one month after holding each Annual General Meeting, a Form 11 (Statement of Annual General Meeting) must be lodged with a fee (Minutes of the meeting are not required.)

2. Form 12 can be submitted (with a fee) to request an extension of time for holding the Annual General Meeting or submitting the required statement (Form ll).

3. Appointment of a new Public Officer must be notified within 14 days (Form 9, no fee).

4. Change of address of Public Officer must be notified within 14 days of the change. (If the postal address is a PO Box, RMB, or RSD, the street address or property name must also be given.) (Form 10, no fee)

5. Approval of the Registrar must be sought to change the name of the Association, within one month of passing the special resolution. (Form 8)

6. Any alteration of the Statement of Purpose or Rules must be notified within one month.

All documents must be signed, and must include the registration number of the Association. Forms are available from the Consumer Affairs Victoria website (www.consumer.vic.gov.au)

Benefits

The Incorporated Association becomes an entity separate from its members and committee members and (until it is wound up or deregistered in accordance with the provisions of the Act) has the power to acquire, hold and dispose of property and of suing and being sued. A member does not by reason of membership in the incorporated association alone become liable to contribute towards the payment of the debts and liabilities of the incorporated association. (Nor has she/he any rights in the property of the Association.)

DELEGATION OF ORIENTEERING VICTORIA, COUNCIL & BOARD RESPONSIBILITIES

Orienteering Victoria Responsibility (at AGM or SGM) (Refer constitution clause 10.1)

- Election of Officers of the Association (President, 2 Vice Presidents, Secretary and Treasurer)
- Approval of changes to the Constitution
- Receipt of the Annual Report
- Decide on matters referred to it by the Council or Board
- Refer matters to the Council or Board

Council Responsibility

- **Financial** (Constitution clause in brackets)
  - Approval of the Annual Budget
  - Set OV membership fees and levies (7.2)
  - Set fees and levies to be paid by affiliated clubs (7.6)
  - Determine and other sources of funding (11.3.1)
  - Approval of any expenditure exceeding $500 that is not covered by the budget (11.4.1)
  - Approval of pay rates and reimbursements for OV members and employees (11.7)
- **Competition**
  - Changes to any rules covering State Series competitions and above, including interclub competitions, Individual and Relay Championships and Victoria's vote on changes to national competitions. These changes would include Ski-O (Vic Championships only at this stage), Park/Street-O (no events at this stage) and MTB-O (Vic Champs and SS Competition), as well as Foot-O. Changes to rules would include course/class combinations, classes to be offered, age range for classes (particularly relays), general decision on number of courses to count for SL (ie 2/3 to ¾, not a specific number each year), plus any technical changes to the rules (constitution clauses 14.4.1 & 14.4.4 covered here)
  - Approval of the Annual Fixtures
- **Administration** (Constitution clause in brackets)
  - Lay down guidelines for granting of affiliation of clubs (4.4)
  - Set due date for payment of fees (7.7)
  - Appointment of misconduct tribunal (8.1)
  - Hear any appeal to a resolution made by the Misconduct Tribunal under clause 8.4.3 (8.7, 8.8 & 8.9)
  - Set limitations on the responsibility of the Board in managing the Association between Council meetings (10.4.1)
  - Institute and enforce by-laws, standing orders, rules or regulations that it may deem necessary for the proper management of the affairs of the Association (10.6.1)
  - Establish sub-committees as it deems necessary (10.9)

- Has power to co-opt any person to assist in furthering the purposes of the Association (10.13)
- Appoint a person to fill a casual vacancy in the officers of the Association (10.16.2)
- Designate event controllers for specified major events (14.3)
- Provide input to the Board for the 3 year plan
- Approval of the 3 year plan
- Provide suggestions to the Board for funding applications
- Recommendation to the AGM for Life Membership (5.6)

Board responsibility

- **Financial**
  - Approval of expenditure that is covered by the budget approved by the Council
  - Approval of expenditure less than $500 that is not covered by the budget

- **Administration** (Constitution clause in brackets)
  - Accept or reject nominations for membership of Orienteering Victoria (5.8.2)
  - Call a postal ballot of Council on a specific motion or motions (10.8.1)
  - Manage the affairs of the Association between Council meetings (10.4.1)
  - Prepare 3 year plan for the Association
  - Submit applications for funding of the Association
  - Monitor the activities and responsibilities of the Officers of the Association as required by the constitution (particularly clause 9.5 (Treasurer) and 9.5 (Secretary)
  - Make recommendations to AGM for Life Membership (5.6)

Decision-making by e-mail

Orienteering Victoria has adopted a policy for Board decision-making as follows:

1. To facilitate decision-making through e-mail, a two-part process shall be used: a discussion phase and a decision-making stage.

2. Discussion phase

2.1. It must be ensured that all information is circulated to all Board members with a clear indication that the matter will require resolution/decision-making and specifying a date by which discussion must be concluded.

2.2. It is recommended that for complex issues the discussion should be directed through one member of the Board, ie Reply to All should not be used. Rather, any response should be to the sole sender who should then summarise responses and promulgate them (if necessary) for further discussion.

3. Decision-making stage

3.1. Any matter requiring a formal decision or resolution of the Board shall be circulated to each Board member by the Secretary with a specified date by which each member of the Board shall signify their support or dissent with respect to the issue.

3.2. Reply to All should not be used when Board members are indicating their replies.

3.3. Any Board member not responding before the specified date shall be deemed not to have voted on the matter.

3.4. The Secretary shall convey the outcome of the vote to all members of the Board.

3.5. All e-mail decisions are noted at the next meeting of the Board and included in the minutes of that meeting.

This policy does not apply to Council at this time, but the existing constitutional provision for postal ballots of Council provides for votes to be returned by post, fax or e-mail.