



# 2008 Annual General Meeting

6:15 for 6:30pm, Thursday 30<sup>th</sup> October 2008

Ross House, 247 Flinders Lane (between Swanston and Elizabeth Streets)

## **Guest speaker**

Our guest speaker for this year's AGM is Channel 7 state political reporter Brendan Donohoe, who will provide his insights into state politics, the media, and the transport debate.

Brendan has covered state politics since the late-1970s, and is head of the Victorian Parliamentary Press Gallery. He has been with Channel 7 since 1990.

Channel 7 news is frequently Melbourne's top-rating television news service, with over 400,000 viewers per weeknight, and often interviews the PTUA on transport-related stories.

The AGM is also your opportunity to discuss your transport-related concerns with the PTUA committee, and to see what your PTUA has doing for the past 12 months.



## **Proposed constitutional amendments**

We also have some important decisions for members – apart from electing a new committee for 2008-2009, there are a number of constitutional amendments being proposed, in response to concerns about “stacking” raised at last year's AGM.

There are three proposed amendments to the PTUA Constitution for consideration.

### Amendment 1

That the word “will” be replaced with the word “may” before the words “set up a gift fund” in Clause 2 of the Constitution.

*(Explanatory: This provision was added in 1998 in an attempt to obtain deductible gift recipient status for the PTUA. Efforts to do so have proven unsuccessful, so the clause needs amendment to make it clear that there is no obligation to set up such a fund if there is no reason to do so.)*

### Amendment 2

That the PTUA Constitution be amended to insert after Clause 4(b) new Clauses 4(c – f), as follows:

4(c) The Committee may, within three months of a person or group applying for membership of the PTUA, disallow the membership by an absolute majority.

4(d) Without limiting the discretion of the Committee to disallow a membership pursuant to Clause 4(c), the Committee may disallow a membership if it considers that the membership is not in the interests of the Association because:

- i. The application poses a threat to the political independence of the PTUA, or,
- ii. The past or foreshadowed conduct of the member suggests that the member is not joining to advance the Statement of Purposes

4(e) A prospective member whose membership is disallowed:

- i. Is entitled to a refund of any membership fee paid, and,
- ii. May not re-apply for membership for a period of twelve months from the date of disallowance.

4(f) If the Committee disallows a membership in accordance with Clause 4(c), the Secretary shall provide reasonable notification to the membership of the disallowance and the reason for it.

*(Explanatory: This provision is a new anti-stacking measure. In 2007, a number of persons joined the PTUA a short time before the AGM and ran for Committee. These people were identified as staff of a particular Member of Parliament, and ultimately withdrew their nominations. Partly as a result, the membership directed the Committee to investigate constitutional change to protect against such stack attempts in future. The Committee is hesitant to disturb the present open membership provisions, but considers this provision regrettably necessary to preserve the PTUA's independence. The reporting requirement is intended to ensure transparency and avoid disallowance of memberships other than for good reasons.)*

### Amendment 3

That the PTUA Constitution be amended to insert after Clause 5(a) new Clauses 5(aa) to 5(af) as follows:

5(aa) In order to be eligible for election to the Committee, or to an office bearer position, a person:

- i. must have been a member of the Association for at least twelve months prior to the close of nominations,
- ii. must not be a Member of a State or Federal Parliament, and
- iii. must not be a Mayor, Councillor or equivalent officeholder of any Australian municipality.

5(ab) The Committee may, by an absolute majority, waive the requirements in Clause 5(aa)(i) or 5(aa)(iii) above if it considers that the candidate concerned would bring significant benefit to the Committee. If the Committee so waives the requirement, the incumbent Secretary shall inform the Annual General Meeting of the waiver and the reason for it.

5(ac) A candidate for election to the Committee (including an office bearer position) who is:

- i. In the employ (whether paid or voluntary) of a person referred to in Clause 5(aa)(ii) or 5(aa)(iii), or,
- ii. An announced candidate for any public office,

Shall disclose that fact to the Secretary, who shall inform the Annual General Meeting of that fact prior to the election taking place.

5(ad) To avoid doubt, Clause 5(ac)(i) includes an electorate officer or political or ministerial advisor, but does not include employment in the State or Commonwealth public service or a municipality

5(ae) A Committee member (including an office bearer) who is, at the time of their election:

- i. required to but does not make the disclosure referred to in clause 5(ac), ceases to hold office unless the Committee resolves to waive the irregularity
- ii. ineligible for election by operation of clause 5(aa), ceases to hold office.

However, no Committee decision is invalid by reason only of such a member inadvertently being permitted to take part in discussions or vote at a meeting.

5(af) A Committee member (including an office bearer) who becomes, during their term of office, ineligible for election to the Committee by operation of Clause 5(aa) ceases to hold office unless the Committee (being authorised to do so) waives the requirement in accordance with Clause 5(ab).

*(Explanatory: These amendments are intended to protect the PTUA's political independence and avoid conflicts of interest, and aim to do this while also recognising the valuable contributions made by committee members who have also been members of political parties. The PTUA recognises that many individuals involved in public interest campaigning also choose to join political parties.)*

---

Please see page two of the newsletter for committee nomination information.

For any further information, phone the office on 9650 7898, or email [office@ptua.org.au](mailto:office@ptua.org.au)