

# The Western Australian Swimming Association Inc.

## 2019 Special General Meeting Minutes

In accordance with Rule 35.1 and Rule 35.2 of the Association's Constitution, notice was given of the 2019 Special General Meeting of the Western Australian Swimming Association Inc. (trading as Swimming WA) to be held at:

**Venue:** Water Polo Room  
Beatty Park Leisure Centre  
220 Vincent Street  
North Perth  
WA 6006

**Date and Time:** Saturday, 11 May 2019  
2:00pm – 2:30pm

### 1. Welcome – Special General Meeting Opened

The President welcomed all to the meeting and declared the meeting open at 2:05pm.

### 2. Accreditation of Delegates

Delegates signed in on provided register. Meeting declared to have a quorum with seven (7) Directors and nineteen (19) Eligible Delegates plus visitors present. Those present were;

**Directors:** L. van Aardt (President), D. Harris, S. Salleh, T. Andrew, H. Hull, B. Cook, P. Galvin

**Eligible Delegates:** A. Weston (Breakers WA), C. Richings (Bunbury via Zoom), Trevor Verran (Guildford Kalamunda), T. Ball (Kwinana), G. Shackles (Mandurah), N. Bario (Mt Barker), J. Stephen (Northam), M. Houwen (North Coast), D. Michael (Peel Aquatic), V. Jackson (Riverton Aquanauts), S. Hughes (Rockingham), K. Dekkers (Southlake Dolphins), D. Doody (South Shore), H. Harding (Southside Penrhos Wesley), S. Milford (Thornlie and Districts), P. Petroff (Tuart Hill), S. Hill (UWA West Coast), G. Wilson (Wongan Hills), L. Arrowsmith (Victoria Park)

**Club Representatives and Visitors:** S. Larmour (Peel Aquatic), D. Bund (UWA West Coast), S. Kimber (North Coast), K. Harris (Victoria Park), J. Frehner (Victoria Park), G. Shillington (SouthSide Penrhos), J. Saunders (Superfins), S. Brown (Riverside), B. South (Kwinana), E. Wallington (Southlake Dolphins), Trish Verran (Guildford Kalamunda)

**Staff:** D. Beazley, C. Morrison, G. Reid, D. Johnson, N. Griffiths, G. Powers, Z. Acott, S. Sasic, L. Hamilton

### 3. Special Resolution

The Board of Swimming WA proposed that the following be approved as a Special Resolution:

**“That the Constitution of Swimming WA be amended as follows:**

Section	Rule	Proposed Swimming WA Constitutional Change
<b>4 Interpretation</b>	4.1 Definitions	Inclusion of a definition of the 'Safe Sport Framework'.
<b>5 Members</b>	5.1.2 Affiliates	Clarification of the rights of Affiliate Members at General meetings.
<b>17 Special General Meetings</b>	17.2 Requisition of Special General Meetings	To meet the requirements of the Act, clarification of the percentage of authorised voters required to convene a Special General Meeting to meet the requirements of the Act.
<b>23 Elected Directors</b>	23.2 Elections of Elected Directors	Alignment with Australian Sports Commission (Sport Australia) Sports Governance Principles that working officials not be eligible to be elected to the Board due to conflicts of interest.
<b>26 Vacancies of Board Members</b>	26.1 Grounds for Termination of Director	Alignment with Australian Sports Commission (Sport Australia) Sports Governance Principles to include a clause clarifying the Dispute Resolution process in the case where a Director has their engagement as a Director of the Association terminated.
<b>31 Board Committees</b>	31.1 Purpose and Role of Board Committees	Inclusion of the Investment Committee.
<b>32 Operational Committees</b>	32.3 Operational Committees	Inclusion of the High Performance and Country Swimming Committee.

<b>33 Dispute Resolution and Disciplinary Procedures</b>	33 Generally	To meet the requirements of the Act, inclusion of a section that clearly outlines the manner in which the Safe Sport Framework is applied and subsequent process to ensure natural justice.
<b>35 Disciplining Members</b>	35.1 Disciplining of Members	To meet the requirements of the Act, inclusion of a section that clearly outlines the manner in which the process is implemented and subsequent process to ensure natural justice.
<b>37 Financial Matters</b>	37.1 Source of Funds	To meet the requirements of the Act, inclusion of a section that clearly outlines the manner in which the Association must control funds and produce financial statements and reports.
<b>43 Winding Up</b>	43.4 Winding Up Member Clubs, Regions or Affiliates	Reference to the powers of the Association to implement when a Club moves into and emerges from Recess as outlined in the By-Laws.
<b>44 Application of Income</b>	44.4 Payments to Board Members	Inclusion of a clause that clearly indicates that Board members may not be paid for "out of pocket expenses" in the course of exercising their duties (e.g. attending General Meetings, Board meetings, etc.)".

The President referred the Delegates to the list of suggested changes and asked for questions. He invited Mr Beazley, Swimming WA CEO, to address the Special General Meeting. Mr Beazley advised HHG Legal have been involved in the process of updating the Swimming WA Constitution. He provided a brief outline of the changes suggested to meet the legislative requirements by 30 June 2019 deadline.

Mrs L. Arrowsmith asked if working Coaches are permitted to serve on SWA Committees? Mr Beazley confirmed they are.

Mr J. Frehner queried the preamble to Clause 23.2 and where it is referred to in the existing Constitution? It is referred to in point 23.1(d) of the existing Constitution.

#### 4. **Vote**

The President declared the result of the vote by 'show of hands' as:

In Favour: 26  
Against: 0

**Resolution was passed unanimously.**

#### 5. **Close**

The CEO advised the new SWA Constitution will be lodged with the Department of Mines, Industry Regulation and Safety and a copy forwarded to all Clubs.

The President thanked all for attending and invited Club representatives to stay for the Club Forum following.

The meeting was declared closed at 2:24pm.