

**TO: LAVic Centres & Regions**

**FROM: Anthony McIntosh - Chief Executive Officer**

**DATE: Monday 30<sup>th</sup> March, 2020**

**SUBJECT: Advice from Consumer Affairs Victoria**

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Consumer Affairs Victoria (CAV) has issued the following advice to Incorporated Associations in recent days to assist them make informed decisions regarding conducting AGMs, having financial statements reviewed or audited and lodging these with CAV. See pages 3 & 4 of this memo. It applies to Centres incorporated in Victoria only.

Note, with Federal & State Government announcements in recent days, some of the following advice is no longer valid and is hence crossed out (but retained for the sake of completeness).

One of the big challenges facing community sport is re-launching their activities once COVID-19 restrictions are relaxed. The early cessation of Little Athletics activities and uncertainty around restrictions timeframes has been identified as a major threat to the continuity of our Centre committees heading into season 20/21. It will certainly be disruptive to the normal pattern of Centre governance and committee renewal activities that occur for many Centres immediately following the summer track & field season.

Without functioning Centre committees, there is no Little Athletics! We all sincerely hope that all 101 Centres can come out the other side of COVID-19 and continue on.

With this in mind, and of the purposes of providing all Centres with the support they require, LAVic requests that each Centre committee take the following steps:

- Review the CAV advice below and assess & consider the best application to their own Centre's circumstances. This would include review the Centre's constitution/model rules in order to understand its quorum obligations and whether proxies are allowed.
- Agree, as a committee, on a way forward.
- LAVic will contact Centres prior to 30<sup>th</sup> April in the event assistance is required.

Should Centres wish to consider using a videoconferencing service, LAVic can share its Zoom account login details with Centres upon request. Alternatively, Centres may register for a free account (with more limited functionality, but may be suitable in some cases) at [www.zoom.us](http://www.zoom.us).

For those Centres that have already held their AGMs, please advise the office accordingly.



Further assistance or to discuss concerns arising from the current shutdown, we urge Centres to contact the office at the earliest opportunity.

The LAVic team

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**Foundation for all sports**

Reg No. A0003260D ABN: 47 646 867 442

## Incorporated Associations: new social distancing measures apply

Consumer Affairs Victoria is providing advice for incorporated associations to help them manage their obligations during the coronavirus (COVID-19) crisis. This advice covers:

- holding regular meetings, including their Annual General Meeting (AGM); Special General Meetings (SGMs) or other meetings; and lodging annual statements with Consumer Affairs Victoria
- having their financial statements reviewed or audited (if applicable).

### AGMs, SGMs and lodging your annual statement

From midnight 25 March, incorporated associations conducting meetings must observe social distancing measures, to combat the spread of coronavirus (COVID-19). If your incorporated association is scheduled to hold a meeting you should consider:

- **using alternative means** to hold meetings, including teleconference or video conference - we recommend this for all incorporated associations, particularly for larger ones.  
Please note: the *Associations Incorporation Act 2012* (the Act) permits members to take part in general meetings by using technology that allows members to clearly and simultaneously communicate with each other, regardless of the incorporated association's rules regarding this
- **proxy voting** - If using this method, you must use a standard form, subject to the rules of the incorporated Association. Members must be given a copy of that form with the notice of the AGM/Special General Meeting. A person acting as a proxy must act honestly and in good faith and exercise due care and diligence
- **applying for an extension of time** to hold your AGM. The Registrar will provide all associations an extension of three months and waive the fee. To seek an extension please complete [our extension of time to hold an AGM](#)

[or lodge financial statements form](#) and submit to [cav.registration@justice.vic.gov.au](mailto:cav.registration@justice.vic.gov.au).

~~If you need to hold a physical meeting.~~ **Note: this is now not permitted.**

If you do need to hold a physical meeting:

- ~~ensure the venue is large enough so attendees are able to maintain a distance of at least 1.5 metres from each other. Other social distancing requirements must be adhered to according the latest government guidelines~~
- practice good personal hygiene including:
  - cleaning your hands thoroughly for at least 20 seconds with soap and water, or use an alcohol-based hand sanitiser
  - covering your nose and mouth with a tissue or a flexed elbow when coughing or sneezing.

~~Committees can continue holding meetings where necessary by adhering to the social distancing requirements (Note: this is now not permitted) and consideration of the use of alternative technologies.~~

## Having your financial statements reviewed or audited

If you are experiencing difficulties engaging an independent accountant or auditor to review your financial statements, you may also seek an extension.

To seek an extension, please complete [our extension of time to hold an AGM or lodge financial statements form](#) and submit to [cav.registration@justice.vic.gov.au](mailto:cav.registration@justice.vic.gov.au).