

Trustees Report

This report summarises key actions taken by the present Trustees since their first report in the HCWA eNews issue of 6 June 2018

AGM Complaints

Sections 7.2 (2) and 18 of the Constitution

The Trustees have received complaints by members about the annual general meeting of the Hellenic Community of Western Australia held on 22 April 2018.

They included the threatening behaviour by certain members. The Trustees have spoken with certain members on this matter including seeking a private meeting which was declined.

The above efforts by the Trustees and this report are to assure members that we act to safeguard the interests of members under 7.2 (2) of the Constitution.

Members should note that under Section 18.2 of the Constitution the Committee may caution a member, or suspend membership rights for up to two months for "...conduct likely to bring, or which is deemed to have brought the Community into disrepute...".

The Trustees have the power under 18.3 to consider appeals by a suspended member "aggrieved" by the Committee's decision and to uphold, suspend or dismiss the appeal. The decision of the

Trustees is "final and conclusive".

Trustees' Letter to the Hellenic Community of 5 June 2018

On 5th June 2018 after the new Trustees' second meeting, the Chair of Trustees Mr Peter Vlachou sent a letter to the Hellenic Community President raising the following matters.

1. AGM - 22 April 2018

The Trustees have requested to meet the Committee to discuss measures to "...create more harmonious and productive general meetings...".

2. Constitutions revisions - AGM Resolution

The Trustees requested to meet

the Committee and offered "...to take on the leadership and organisation of a new Constitutions Subcommittee..." in order to implement the resolution to "...modernise and harmonise..." the constitutions of the Hellenic Community, Benevolent Association and St. Andrew's Grammar Inc. These constitutions as discussed in the AGM are "...outdated..." and don't meet statutory requirements or the size of the future dealings ...the multi-million dollar operations of St. Andrews school and the Aged Care facility..." and non-compliance with statutory requirements. A letter by an experienced consultant was enclosed which highlighted defects to be rectified in each constitution. Terms of Reference for implementing the AGM



Trustees Report (cont.)

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Resolution were submitted to the Committee on the 11 June 2018 and included a program to meet the 1 July 2019 deadline required under the new Associations Incorporations Act (2016).

3. Future of Glendi

The Trustees requested to meet with the Committee to discuss with their plans to overcome differences with members who had registered the name "Glendi group" and who had been upset that the AGM clashed with the public Glendi held on the same day. The Community had run glendis in past years. The Community and the new group had competed for grants from the City of Perth and other bodies which affected the Greek community image to the public. Mr Vlachou has spoken to the president who agreed to a meeting.

We look forward to working with the Committee on each the above matters.

QCs Opinion August 2006

The Trustees have retrieved a 48 clause Opinion by a Queen's Counsel made to the Chair of Trustees in 2006 on matters

including the powers of Trustees. The QC advised "...the Trustees of the Community should be no less than that of the Trustee of a trust ..." and have wide and strong powers when acting in accordance with their constitutional duties and are entitled to seek legal advice in carrying out their responsibility to "safeguard the rights of the members."

We are studying the QCs Opinion and after discussing with the Community we will report further.

Invitation

Members are invited to submit to any Trustee on matters that affect the Hellenic Community or the interests of members.

Peter Vlachou the Chair and George Georgiou are on leave.

Con Berbatis is acting chair.