The Maritime Law Association of Australia and New Zealand

Executive Secretary
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ANNUAL GENERAL MEETING

Notice is hereby given that the 18th Annual General Meeting of the Association is to be held on Wednesday, 30 October, 1991 at 11.00 a.m. at the Burswood Convention Centre, Perth, Western Australia.

AGENDA

1. Apologies

2. Minutes of 1990 Annual General Meeting.

3. Matters arising from Minutes of 1990 Annual General Meeting.

4. President's report.

5. Treasurer's report.

6. Proposed constitutional amendments:-

   (i) That paragraph 3 (c) of the Association's Constitution be amended by substituting "50" for "30".

   (Proposed by Ron Salter and seconded by Ian Maitland)

   (ii) That paragraph 10 (a) of the Association's Constitution be amended by the addition of the following sentence:-

   "The immediate past President shall be an ex officio member of the Executive Committee"

   (Proposed by Stuart Hetherington and seconded by David Roylance)

7. Proposal for incorporation of the Association as a company limited by guarantee:-

   (i) That the Association be incorporated as a company limited by guarantee in the State of New South Wales and that company be registered as a foreign company in New Zealand.

(ii) That for this purpose, a shelf company be obtained from Corporate and Personnel Planners Proprietary Limited.

(iii) That the Memorandum and Articles of Association of the shelf company be replaced with the draft Memorandum and Articles of Association submitted to the meeting and that they be adopted as the Memorandum and Articles of Association of the company.

(iv) That application be made pursuant to Section 383(1) of the Corporations Law to allow the company to omit the word "Limited" after the company's name.

(Proposed by Stuart Hetherington and seconded by David Loadman).

8. Election of office bearers.

9. General business.

DATED

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DAVID LOADMAN
Executive Secretary

PROPOSED CONSTITUTIONAL AMENDMENTS

Paragraph 14 of the Association's Constitution provides as follows:-

> "These Articles may be amended by resolution of two thirds of the members present at any meeting of the Association. Notice of any proposed resolution shall be submitted to the Executive Committee at least fifteen (15) days prior to the meeting at which the proposed resolution is to be considered. The Executive Committee shall send a copy of the proposed resolution to the members of the Association together with the Executive Committee's recommendation regarding the proposed amendment."

The Executive Committee recommends the adoption of each proposed amendment. As to the first, the position is that each branch of the Association was asked to consider Clause 3 (c) and present views at the 1990 Council Meeting. At that meeting, the New South Wales Branch spoke in favour of retention of the present rule, the Queensland Branch spoke of putting a 50% cap on the

number of non lawyers, the Victorian Branch spoke of a two thirds cap on the number of non lawyers and all other branches suggested that the rule be abolished altogether. It is the Executive's view that whilst the Association benefits considerably by the membership of non lawyers, the objectives of the Association centre upon maritime law, so that if the Association begins losing its emphasis on the law and lawyers, it may one day face the emergence of a competitive organisation. Even now, the International Trade and Business Committee of the Law Council of Australia, International Law Section occupies some of the same ground as does our Association.

While the above may be seen as a statement in favour of retention of the present rule, it is apparent that this rule is honoured more in the breach than in the observance. The Executive Council feels that the proposed amendment represents a satisfactory compromise of the interests of all concerned.

As to the second resolution, the Executive notes that in virtually every organisation, whether it be big or small, the immediate past President remains an ex officio member of the Committee for the sake of providing continuity. While it is for each elected executive to stamp its own mark on the affairs of the Association, the current Executive Committee believes that the inclusion of the immediate past President as an ex officio member of the Executive Committee will be of great assistance in terms of maintaining the culture of the organisation.

PROPOSED INCORPORATION

A brief explanatory memorandum, together with the draft Memorandum and Articles of the company are attached.

ELECTION OF OFFICE BEARERS

The Association's Constitution requires that candidates for election to the Executive Committee other than retiring members shall give written notice of their candidature to the Executive Secretary at least fourteen (14) days before the date of the Annual Meeting. The present Treasurer, Ian Maitland, intends to stand for re-election. The other retiring Executive Committee Members do not propose to stand for re-election.

The following nominations have been received to date:-

President - Stuart Hetherington

Vice President - The Honourable Mr. Justice Richard Cooper

Executive Secretary - Chris Quennell

Assistant Secretary - Rod Withnell

Members will note that there is no election for the position of New Zealand Vice President (presently Neil Wheeler), as this position is filled by the New Zealand Branch alone.