



ACT Council of Parents & Citizens Associations

The parent voice on public education

Voluntary Cancellation of Incorporation

Preschool Parent Association to become a Preschool Subcommittee of the Primary School P&C Association

Preschool Parent Associations (PPAs) have a significant [history](#) contributing to early childhood education and care in the ACT. The Canberra Preschool Society (now part of P&C Council) proudly supported ACT preschools for almost 80 years.

For PPA's, the decision to wind up and re-establish as a P&C subcommittee is an option that many are considering. This guide outlines the processes involved to ensure your association office bearers and delegates can make informed decisions and comply with their obligations.

What are the benefits?

Some of the benefits of becoming a subcommittee of the P&C association include:

- insurance cover and Council affiliation fees covered through the P&C (approx. \$1000 p/y),
- access to a wider group of parents with potentially longer-term support eg office bearers can potentially hold their positions for more than 12 months - preschool through kindy/yr 1 - and can mentor new parent representatives,
- a reduction in administrative tasks.

While some PPA's have expressed concerns about loss of autonomy or capacity to influence decision making, these concerns can be addressed through the new terms of reference ([template](#) available for download).

What are the steps involved?

The process involves five stages (nb they aren't linear and may overlap):

1. Voluntarily decide to 'cancel' the PPA's status as an incorporated association (and become a subcommittee of the school's P&C association) template [MOU and TOR](#)
2. Assess accommodations required to the primary school P&C association's [constitution](#)
3. Bring the PPA's affairs into order
4. Notify the ACT Government
5. Continue activities as a preschool subcommittee of the P&C association

Process

1. Contact Council's [Early Learning Officer](#) for assistance including completing a draft MOU and Terms of Reference.

The Parent Association to decide to 'wind-up' its affairs voluntarily. This involves having a Special Resolution at a general meeting, giving 21 days notice.

The special resolution could read: 'The *name* Preschool Parent Association wishes to wind up the Association as from *date* and reform as a P&C subcommittee'. At this meeting three-quarters of the members, who are entitled to vote, must vote in favour of the resolution. This needs to be noted in the minutes of the meeting.

Information about Special Resolutions

Under the Act, a special resolution is required to: alter the association's rules, objects or purposes; change the association's name; amalgamate with another association; or wind up the association. A special resolution must be passed at a general meeting of the association.

2. Make any accommodations necessary to include the preschool in the Primary School P&C Association's formal documents. This may involve changes to the Primary School P&C constitution. This would involve:
 - a. Checking that the existing constitution does not exclude preschool parents
 - b. Deciding on how preschool parents will be represented in the primary school parents and citizen's association (P&C). Several options exist here and it will need discussions at both Preschool Parent Association and School P&C meetings, or a joint meeting to see what your community is happy with. Options include one or more of the following:
 - i. Adding a preschool representative (or subcommittee chair) to the P&C executive. This would require a change in the part of the constitution in which the executive committee/office bearers are specified.
 - ii. Establishing a preschool subcommittee. This can just be established (as an 'ad hoc' committee) by a motion at a P&C meeting. In this case, the committee is not necessarily enduring (could disappear after a few years). Alternatively, the existence of this committee can be added to the P&C constitution, as a requirement of the P&C.
 - c. Drafting changes needed to the P&C constitution (if any) depending on options above. Council office is happy to look at your constitution and offer draft clauses to accommodate your preferred model above.
 - d. Pass the proposed changes to the constitution in a 'special resolution' at a 'special general meeting' of the Primary School P&C which has been advertised as per the constitution. There should be a section on how to do this in the constitution, but minimum requirements is for 21 days notice, which should include notice that the special motion is to change the constitution and what those changes are; and 75% of votes in favour of the special resolution is needed for the special resolution to pass.
3. 'Wind up' the Preschool Association (once your affairs are in order, with no debts etc). The process for winding up should be specified in the constitution of the Preschool Association. It is very similar to the process for changing the constitution above, ie. You need to pass two 'Special resolutions' at a 'Special general meeting' of the preschool association:

- i. to voluntarily wind up the association. Again, this meeting needs to have been advertised as per the constitution, and the constitution may specify other steps needed to 'wind up'. Minimum requirements is for 21 days notice, which should include notice that the special motion is to wind up the association; and requires 75% of votes to pass,
 - ii. to disperse any assets to a specified similar organisation (eg the Primary School P&C).
 - a. If your PPA is registered for GST, a last quarter BAS must be submitted to ATO. The ATO must also be notified of cancellation of GST registration from *name* Preschool Parent Association (refer to [ATO](#) for relevant form).
 - b. An audit must be done up-to-date of the Association winding up.
 - c. Bank accounts must be closed, however you will need to ensure that all bills are paid and any credits from ATO received prior to closing bank accounts.
 - i. All remaining monies must be provided to '.....' as determined at a general meeting of your association
 - ii. Once all bills are paid and monies transferred out of the account, it must be closed.
 - d. All parent association records (including financial) can be packed up and stored safely for up to 5 years.
 - e. Secretary to ensure that any mail to a PO Box is redirected to '.....'
- 4. Notify the [ACT Government](#). Do this by writing a letter to the Registrar General saying:
 - a. That you have passed a Special Resolution to wind up the association, on *this* date
 - b. That you have no assets, liabilities or interest in property.
A copy of bank statement showing "NIL" balance must accompany a letter to the Office of Regulatory Services, notifying them that you have wound-up the affairs of your Association as per date of meeting when special resolution was voted on and that all assets have been transferred to '.....'
 - c. Signed by 2 committee members.
- 5. Confirm the preschool subcommittee status with the P&C association
 - a. P&C association to hold a special general meeting and pass a special resolution at the meeting
 - i. to allow a preschool representative of the P&C executive, and
 - ii. to allow a subcommittee
 - b. Appoint a preschool representative to the P&C association – call for nominations for a parent rep
 - c. Appoint the early learning delegate for the P&C Council.

Contact Us

Please contact the ACT Council of Parents and Citizens Associations for more information

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