

Advice for P&Cs on conduct of AGMs during the current COVID 19 crisis

The ACT Incorporations Act requires associations such as P&Cs to hold your AGM within 5 months of the end of your financial year. So, for most P&Cs you can hold off conducting the AGM until the end of May. Current officers must continue in their positions until the AGM. However, if the COVID 19 restrictions continue into that period, we may still have a problem conducting AGMs. Consequently, we are seeking advice from Access Canberra on waiving the meeting requirements for incorporated associations until after the COVID 19 crisis ends.

Most P&Cs probably do not have in their constitutions provisions for holding AGMs via teleconference or other electronic means. If you do have such provisions you should enact them accordingly for your AGM.

The primary consideration in conducting your AGM is that it is transparent and accountable to the members. Out of session voting is a common and acceptable practice these days, provided it is conducted in an open and responsible manner, with ratification or concurrence at a later formal meeting.

Therefore, we suggest that you consider using the following procedure for email:

1. Call the AGM (Notice of AGM) in the prescribed manner and timing as per your constitution.
2. Circulate the AGM agenda, President's report Treasurer's and financial audit /review report by email to all parents/members of the P&C or place on the school/P&C website and email parents directing them to the website.
3. Include in the notice of meeting or with the agenda and reports, a statement that, due to the restrictions on meetings resulting from the COVID19 crisis, the meeting will be conducted using out of session email or electronically via telephone conferencing or video conferencing (eg using Zoom).
4. On the date set for the AGM, if using out of session email:
 - a. Email everyone or again use a website to give each member a proforma on which to cast their vote on the agenda motions – ensure you include for each agenda item, its' number and title, the motion to approve it and who it is proposed and seconded by and a YES/NO.
 - b. Advise everyone that they have 24 hours (or whatever you feel is appropriate) to reply with their vote to the Returning Officer for elections and the Secretary for other items.
 - c. The Returning Officer and Secretary should then collate the emailed votes and advise everyone of the results, again by email or website as soon as possible.
 - d. Elected officers should then assume their positions on the declaration of the election results by the Returning Officer.
 - e. At the next P&C association general meeting or special general meeting, pass a motion to ratify the votes of the emailed AGM motions and elections.
5. For teleconferencing and video conferencing, use a similar process and remember to ratify all the motions and elections at the first available general or special general meeting.

