

**MINUTES OF THE
ANNUAL GENERAL MEETING
OF THE LAW SOCIETY OF WESTERN AUSTRALIA
MONDAY, 31 OCTOBER 2011 COMMENCING AT 5.35 PM
LEVEL 36, QV1 BUILDING, 250 ST GEORGES TERRACE, PERTH**

PRESENT:

Hylton Quail	Timothy Mason	Emma Bright
Eric Heenan	Steven Penglis	Lana Tian
Tara Dennis	Aaron McDonald	Graham Goerke
George Turnbull	Leonard D Goldstein	John Young
Rob O'Connor	Gray Porter	William Sloan
Melanie Debenham	David Rowan	Konrad de Kerloy
Alexandra Scott	Fiona Collin	David Blades
Matthew Goerke	Shaun McNaught	Phil Evans
Stephen Boyle	Andrew Cash	Ronald Bower
DM Bruns	John Prior	Matthew Keogh
Jane Ballard	John Gillett	Pamela Hass
Elizabeth Heenan	Gregory Boyle	Craig Slater
Phoebe McLarty	Ernest Chua	Adam Ebell
Belinda Lonsdale	Christopher Kendall	Derreck Goh
Nicholas van Hattem	Sophie Chan	Caroline Teo
Madhulika Mukund	David Jenaway	Sue Nicholas

IN ATTENDANCE:

David Price – Executive Director
Vilma Ierace-Preen – Executive Manager Business Support
Sonia Webster – Executive Manager Membership and Professional Development
Kelly Hick – Executive Manager Member Relations and Business Development
Maxina Martellotta – Executive Manager Community Services
Andrea Lace - Executive Manager Policy and Professional Services
Sue Langmair – Personal Assistant to Executive Director and President
Shane Pavlinovich – Media and Communications Advisor
Francesca Giglia – Executive Support Officer/QPS Coordinator

APOLOGIES:

The following apologies were noted:

Peter Jooste QC	Winthrop Professor Stuart Kaye
Tom Percy QC	Maria Saraceni
Dudley Stow	Joel Yeldon
Sandra Bolter	Simon Watters

CHAIR:

Mr Hylton Quail, as President of the Society, chaired the meeting pursuant to Rule 43 of the Society's Constitution.

The President welcomed members and staff to the Annual General Meeting.

1. CONFIRMATION OF MINUTES

Motion 1: The Minutes of the Annual General Meeting of the Law Society of Western Australia held on Monday 29 November 2010 were confirmed as a true and correct record of that meeting.

Moved: Gregory Boyle

Seconded: Graham Goerke

Carried

2. MATTERS ARISING FROM MINUTES OF THE MEETING HELD 29 NOVEMBER

There were no matters arising from the minutes.

3. PRESIDENT'S REPORT, FINANCIAL ACCOUNT AND ANNUAL REPORT

The President advised that the 2011 Financial Accounts and the Annual Report have been distributed and that the Annual Report is available to members on the Law Society's website.

Motion 2 The financial accounts of the Law Society for the year ending 30 June 2011 be adopted.

Moved: John Prior

Seconded: Nicholas van Hattem

Carried

Motion 3 The Annual Report of the Law Society for the year ending 30 June 2011 be adopted.

Moved: John Prior

Seconded: Matthew Keogh

Carried

4. GENERAL BUSINESS

4.1 Amendments to the Constitution of the Law Society of Western Australia Inc.

Motion 4 That amendments to the Constitution of the Law Society of Western Australia as set out below be approved.

Moved: John Prior

Seconded: Matthew Keogh

Carried

The proposed amendments to the Constitution of The Law Society of Western Australia Inc. are set out below. Proposed deletions to the Constitution are struck through and proposed insertions are underlined.

1. Rule 2 (Meaning of Terms Used)

'Australian Legal Practitioner' has the meaning given in section 5(a) of the Legal Profession Act 2008.

'Incorporated Legal Practice' means a corporation which is entitled to engage in legal practice in Western Australia pursuant to Part 7 Division 2 of the Legal Profession Act 2008.

'Incorporated Legal Practice Member' means a member as defined in Rule 14A.

~~'Interstate Legal Practitioner'~~ means a person –

- ~~(a) who is admitted to the legal profession under a corresponding law, but not under the Legal Profession Act 2008;~~
- ~~(b) who holds a current interstate practising certificate but not a Local Practising Certificate; and~~
- ~~(c) whose principal place of practice is not Western Australia.~~

'Interstate Legal Practitioner' has the meaning given in section 5(c) of the Legal Profession Act 2008.

'Legal Practitioner Director' has the meaning given in Part 7 Division 1 of the Legal Profession Act 2008.

2. Rule 3 (Interpretation of the Rules)

3(d) Words and phrases defined in the ~~Legal Practice Act 2003~~ Legal Profession Act 2008 have the same meaning when used in these Rules.

3(e) A reference to writing includes any means of reproducing words in a tangible and permanently visible form including facsimile, email and any other form of electronic transmission.

(f) A reference to posting includes sending by electronic transmission.

(g) A reference to a ballot paper includes a reference to a ballot paper in any format including an electronic document which is attached to an electronic transmission.

3. Rule 8 (Classes of Membership).

- (a) Ordinary Members;
- (b) Constituent Members;
- (c) Associate Members;
- (d) Judicial Members;
- (e) Life Members; and
- (f) Honorary Members; and
- (g) Incorporated Legal Practice Members.

4. Rule 9 (Ordinary Members)

~~The following persons are entitled to become Ordinary Members of the Society.~~

- ~~(a) Legal Practitioners holding a current local practising certificate and Legal Practitioners deemed to hold a current local practising certificate; and~~
- ~~(b) Interstate Legal Practitioners who are partners of Legal Practitioners holding a current local practising certificate or who are directors of an incorporated legal practice a director of which holds a current local practising certificate.~~

Australian Legal Practitioners are entitled to become Ordinary Members of the Society.

5. Rule 11 (Associate Members)

- ~~11(f) Interstate Legal Practitioners who are not entitled to become Ordinary Members.~~

6. A new Rule 14A (Incorporated Legal Practice Members) is inserted:

14A An Incorporated Legal Practice each of whose Legal Practitioner Directors are Ordinary Members of the Society is entitled to become an Incorporated Legal Practice Member of the Society.

7. Rule 16 (Membership and Subscriptions)

- (a) Persons entitled to become Ordinary Members, ~~or~~ Associate Members or Incorporated Legal Practice Members are not required to be nominated and become Ordinary Members, ~~or~~ Associate Members or Incorporated Legal Practice Members (as the case may be) on application to the Council and on payment of all subscriptions due.

8. Rule 18 (Rights or Privileges of Membership)

Associate, Judicial, Honorary, ~~and~~ Constituent and Incorporated Legal Practice Members are entitled to all privileges of membership of the Society other than the right to vote at general meetings, polls or elections of the Society or to seek election to the Council except that Legal Trainees are entitled:

- (a) to vote for the election of junior members to the Council; and
- (b) subject to Rule 43(e), to stand for election as a junior member of the Council.

9. Rule 20 (Subscriptions in Arrears)

Any Ordinary, ~~or~~ Associate or Incorporated Legal Practice Member whose subscription has been in arrears for ~~two~~ three months forfeits membership but is eligible for re-admission on the payment of the subscription for the year current at the time of payment.

10. Rule 21 (Cessation of Membership) is amended by inserting provisions for Incorporated Legal Practice Members

A member's membership of the Society ceases when a member:

- (a) gives written notice of resignation to the Council;
- (b) fails to pay arrears of subscriptions;
- (c) is no longer eligible for membership, or
- (d) is an Incorporated Legal Practice Member and has been wound up pursuant to section 491 of the Corporations Act 2001 (Cth) or has been deregistered.

5. VOTE OF THANKS

The President thanked the Law Society Executive who have been of great assistance – Dr Christopher Kendall - Senior Vice President, Craig Slater - Vice-President and Konrad de Kerloy - Treasurer; and all members of Council for their support during the year. He advised this is his last year as President. The President also thanked the Executive Director and all of the Law Society staff for their support during the year and particularly Vilma Ierace Preen who is leaving the Society at the end of November. Ms Ierace-Preen has given fantastic service to the Society over a number of years. The President thanked Freehills for providing the venue for the Annual General Meeting and the refreshments following the meeting.

The President announced that nominations having closed, the position of President of the Society for 2012 is uncontested and the President will be Dr Christopher Kendall. The President congratulated Dr Kendall.

The President also announced that the three junior member positions are also uncontested and Nicholas van Hattem, Madge Mukund and Adam Ebell are elected to those positions. The President congratulated the three junior members of Council for 2012.

There being no further business the President closed the meeting at 5.40pm.