

AUSTRALIAN INSTITUTE OF ADMINISTRATIVE LAW Incorporated

ABN 97 054 164 064 A 1733

PO Box 83, Deakin West, ACT, 2600

Phone: 02 6290 1505 Email: aial@commercemgt.com.au Website: <http://www.aial.org.au>

NOTICE OF 2022 ANNUAL GENERAL MEETING

The Annual General Meeting of the Australian Institute of Administrative Law Incorporated will be held on **Thursday 10 November 2022** in the Conference Room at Clayton Utz, New Acton Nishi Building, Level 10, 2 Phillip Law Street, Canberra ACT and via Microsoft Teams.

The meeting is open to all financial members of the Institute. Those members who are unable to attend the meeting but who wish to appoint a proxy may do so on the Form of Proxy attached.

A Nomination Form for candidates seeking to stand for election to the Executive Committee is also attached.

Michael Will Address

Emeritus Professor Dennis Pearce AO, a Life Member of the AIAL, will deliver the Michael Will Address commencing at **5.30pm**, immediately prior to the Annual General Meeting.

Topic: *Context Context Context: The key to selling statutory interpretation*

The Address will be delivered immediately prior to the AIAL AGM and is open to all members of the AIAL and to any interested members of the public. Admission is free but registration is required via the TryBooking link below for both in person and virtual attendance (for both the Address and the AGM).

For in-person attendance at Clayton Utz please book via the TryBooking link:
<https://www.trybooking.com/CDPSZ>

For virtual attendance via Microsoft Teams please book via the TryBooking link:
<https://www.trybooking.com/CDPTS>

For further information or clarification, please contact the AIAL Secretariat.

Sue Hart
AIAL Business Manager

18 October 2022

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The 2022 Annual General Meeting of the Australian Institute of Administrative Law to be held in the Conference Room at Clayton Utz, New Acton Nishi Building, Level 10, 2 Phillip Law Street, Canberra ACT and via Microsoft Teams.

Thursday 10 November 2022, commencing at approximately 6.00pm (AEDT)
(at the conclusion of the Michael Will Address)

AGM AGENDA

- 1. Welcome**
- 2 Attendance and Apologies**
- 3 Minutes of previous Annual General Meeting – 24 November 2021**
- 4 Matters arising from the Minutes**
- 5 President's Report**
The President of the Institute, Geoffrey McCarthy, will present a report on the National Executive Committee's activities over the previous year.
- 6 Treasurer's Report**
The Acting Treasurer of the Institute, Robert Orr, will present audited financial statements for the Institute in the 2021-2022 financial year.
- 7 Appointment of Auditor**
- 8 Election of AIAL Executive Committee**
- 9 Special Resolution to Amend the AIAL Rules**
A Special Resolution to amend the AIAL Rules will be considered. The terms of the motion and an explanatory statement are attached. The current Rules of the AIAL are available on the AIAL website.
- 10 Membership Fees**
A Resolution under Rule 7(1) to increase membership fees will be considered. A copy of that resolution is attached.
- 11 Notices of Motion**
Any notices of motion given pursuant to Rule 28 will be considered.
- 12 Meeting Close**

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MINUTES

of the **Annual General Meeting** of the Australian Institute of Administrative Law held on Wednesday, 24 November 2021 by Zoom Videoconferencing

1. AGM Welcome

The AIAL National President and Meeting Chair, Geoffrey McCarthy, formally opened the Annual General Meeting proceedings at 5.38pm and welcomed members and guests.

Attendance and Apologies

Present

Geoffrey McCarthy, AIAL President	Perry Wood, AIAL Vice President
Tara McNeilly, AIAL Secretary	Paul Pfitzner, AIAL Treasurer
Emeritus Professor Robin Creyke AO, AIAL Officer	Arran Gerrard, AIAL Officer
Gary Humphries AO, AIAL Officer	Katie Malyon, AIAL Officer
Robert Orr QC, AIAL Officer	Matthew Paterson, AIAL Officer
Rachel Pepper, AIAL Officer	John Ketelhohn
John McMillan	Katie O'Bryan
Richard Refshauge	Amanda Sapienza
Christopher Schaffer	Peter Sutherland
Samuel White	Sue Hart

Apologies

Stephen Argument	Roz Germov
Jaala Hinchcliffe	David Marks
Murray McInnis	Alison Mercer
Denis O'Brien	Nicola Pain
Terry Sheahan AO	Claressa Surtees

Proxies: eight proxies were received for the meeting:

- David Marks in favour of Matthew Paterson
- Denis O'Brien in favour of Geoff McCarthy
- Claressa Surtees in favour of the President
- Alison Mercer in favour of Geoff McCarthy
- Jaala Hinchcliffe in favour of Geoff McCarthy
- Stephen Argument in favour of Peter Sutherland
- Rox Germov in favour of Geoff McCarthy
- Nicola Pain in favour of Geoff McCarthy

2. Minutes of previous Annual General Meeting

The Minutes of the Annual General Meeting held on 11 November 2020 were confirmed as a correct record. (*Moved R Refshauge, seconded G McCarthy*)

3. Matters arising from the Minutes: Nil

4. President's Report

The President of the Institute, Geoffrey McCarthy, reported on the activities of the National Executive Committee in 2020-2021. He noted that while COVID-19 has presented has another challenging year for the AIAL in meeting its core mission, the pandemic has in many ways transformed the way the Institute carries on its activities, some for the better and some less so. The Institute remains in a sound position, operatively and financially, and has benefited from the transformation of the National Executive Committee with the election of members from outside Canberra. He reported on the *Forum* publication, the 2021 National Conference which was cancelled for a second year as an in-person event but successfully transformed into a series of

webinars and looked ahead to the 2022 AIAL National Conference to be conducted under the theme of *Administrative Law in Unprecedented Times*.

He thanked all members of the NEC noting in particular Gary Humphries AO and Robert Orr QC, for their guidance and support during the year, and the support of the AIAL Secretariat staff at Commerce Management Services.

Outcome: The President's report was accepted.

[The President's Report is attached to these Minutes.]

5. Treasurer's Report

The Treasurer of the Institute, Paul Pfitzner, spoke to the audited financial statements for the Institute for the 2020-2021 financial year. He noted that this will be his last report as Treasurer of the AIAL with Gary Humphries nominating for the Treasurer's role.

The financial position of the AIAL was impacted by COVID-19 in 2020 and the consequential cancellation of the National Conference.

On a national basis, the AIAL recorded a loss \$28,652k as a consolidated entity for FY2021 as a direct result of the conference cancellation. However, the organisation remains in a strong financial position overall with \$306,721 cash on hand as a consolidated entity (of which \$122,677 is held in National cash deposits).

It is anticipated that the Institute will record another loss in FY2022 following a second year in which the conference was cancelled as an in-person event. Some revenue was received from the webinar series but significantly less than from the conference. The Victorian Division agreed to provide up to \$10,000 to offset losses from the cancellation of the event.

The Treasurer confirmed that the Institute is in a position to withstand a further loss on FY2022 due to prudent financial management in past years.

He noted the business improvements implemented during the year by the Secretariat including a move to online banking and a different accounting platform.

The work of the Secretariat and the Auditor was acknowledged.

Resolution: The Treasurer's Report was accepted, and the audited financial statements and Auditor's Report were accepted. (*Moved G McCarthy, seconded R Refshaug*)

6. Appointment of Auditor

Resolution: Anthony Curtis & Co was appointed auditor for the 2021-2022 financial year. (*Moved P Pfitzner, seconded G McCarthy*)

7. Election of Officers

The Chair vacated the Chair in favour of the appointed Returning Officer, Peter Sutherland.

Peter Sutherland advised that as the number of nominations for election to the AIAL Executive Committee for 2021-22 did not exceed the number of vacant positions, the following nominees were declared duly elected in accordance with the AIAL Rules:

President:	Geoffrey McCarthy
Vice-President:	Claressa Surtees
Vice President:	Perry Wood
Secretary:	Tara McNeilly
Treasurer:	Gary Humphries AO
Officers:	Emeritus Professor Robin Creyke AO
	Paul d'Assumpcao
	Arran Gerrard
	Katie Malyon
	Robert Orr QC
	Matthew Paterson
	Rachel Pepper
	Samuel White

The meeting congratulated the newly elected members of the National Executive and acknowledged and commended the President and National Executive members for their hard work and commitment to the AIAL during 2020-21.

8. Notice of Motion: Membership Fees for 2020/2021

The Chair spoke to this item, noting the previously circulated Notice of Motion and the following background:

At the 2018 AGM approval was given for the AIAL membership fees to be increased by approximately 10% for the following three financial years (**2019-20**; **2020-21**; **2021-22**) to better align the income from membership fees with the cost of administration of the Institute and the cost of providing a print copy of the *AIAL Forum* to financial members as part of their membership subscription.

The first of the three increases (for the financial year 2019-2020) was implemented.

In light of the COVID-19 pandemic, the National Executive deferred the second fee increase intended to be implemented for the financial year 2020-21. It did so again for the financial year 2021-22. The proposed resolution for this AGM would implement the second of the three progressive increases agreed in 2018. Members can expect the third of the three progressive increases to be implemented for the financial year 2023-2024.

Resolution

That the membership fees for the 2022-2023 financial year be increased from \$330.00pa to \$365.00pa for organisations, from \$110.00pa to \$120.00pa for individuals, from \$45.00pa to \$50.00pa for students or those not engaged in paid employment, and from \$140.00pa to \$155.00pa for libraries. (*Moved G McCarthy, seconded R Pepper*)

9. Notices of Motion

There were no notices of motion received pursuant to Rule 28.

10. Meeting Close

The President thanked the outgoing Executive Committee members for their commitment and contribution to the AIAL.

The meeting closed at 6.13pm.

Australian Institute of Administrative Law

President's Report to Annual General Meeting

24 November 2021

The Covid 19 pandemic has caused a challenging year for the Institute. It has in many ways transformed the way it carries on its activities, but I am pleased to say that the Institute remains in a sound position, operatively and financially.

I should begin by commenting on the transformation of the National Executive Committee itself. In broad terms, the Institute's origins lie with several pre-eminent Canberra-based administrative law lawyers, for example Robert Todd, Dennis Pearce, John McMillan, Stephen Argument, Robin Creyke, Geoff Kolts, Derek Emerson-Elliott and Michael Sasella among others, who came together in 1989 and agreed to establish the Institute. Details about the Institute's origins can be found in Robert Orr's article in *AIAL Forum* 100.

Incorporation followed, including establishment of an executive committee drawn from Canberra-based lawyers who met once a month to administer the affairs of the Institute. In time, State Chapters of the Institute were formed to enable the activities of the Institute to be carried on across the country.

For no deliberate reason, and perhaps simply to enable monthly meetings to occur in a convenient and cost-free manner, the NEC continued to be made up of Canberra-based members.

At the last AGM, that structure was transformed. Members of the NEC were appointed from NSW, Victoria, Queensland and South Australia. A little later in the year, Mr Arran Gerrard from the Institute's WA Chapter also joined the NEC.

Prior to last year's AGM, monthly NEC meetings occurred around a table shortly after business hours. I record the NEC's thanks to Clayton Utz, Canberra, who made available their boardroom and provided refreshments at no charge. After last year's AGM, consequent upon the election of six interstate members, NEC meetings occurred using Clayton Utz's video link facility and later via Zoom to facilitate participation by its interstate members. Later in the year, the Canberra-based members of the NEC also participated by Zoom for reasons of convenience.

In my view, and I think I speak for all the members of the NEC, the change to membership of the NEC from different parts of Australia has been a success. It has given the Institute a more outward focus. It has created a better system for sharing knowledge about developments in administrative law at the State level. It has created opportunity for better connection with the State Chapters. It has given impetus to receiving contributions from wider sources to *AIAL Forum*.

That nominations for election to the NEC at tonight's AGM were received from persons living in NSW, Victoria, Queensland, Western Australia and South Australia, and that most were from persons from the existing NEC who have generously agreed to re-nominate, suggests that this transformed national structure has been a success and will continue.

The change also raises many questions about how the Institute should function, administratively, in relation to the State Chapters. For example, should interstate members of the NEC also be members of their respective State Chapter committees in order to provide convenient lines of communication between the NEC and the State Chapters? For similar reasons, when electing members of the NEC, should there be a system to facilitate representation from each State Chapter? What should be the ongoing role of the National Council, having regard to interstate membership of the NEC? I have written to the Chair of each State Chapter, seeking their views on these issues. They are issues to resolve in the coming year.

I turn now to the activities of the Institute over the past 12 months.

AIAL Forum

The Editorial Board continued to be made up of Professor Robin Creyke AO as chair, Dr Geoff Airo-Farulla, Tara McNeilly and Peter Woulfe. Kirsten McNeill continued her role as our excellent editor. Publication is arranged by Sue Hart of Commerce Management Services, the Institute's secretariat, who has continued to deliver excellent service.

During this year, the NEC determined to move from four publications of *AIAL Forum* to three, over a 12 month period. This was prompted primarily by a need to rationalise publication costs. In the past, these costs were met by revenue generated from attendances at the Institute's annual national conference. The Institute has been without that revenue for two years consequent upon the need to cancel the conference because of the Covid 19 pandemic.

During this year, publication of *Forum* moved into its next century, by publication of *Forum 101*, published in March 2021 and *Forum 102*, published in July 2021. For several reasons, particularly the efforts of members of State Chapters, both editions contain a wide range of articles of a high standard. Many articles address the increasingly important subjects of integrity, human rights, accountability and the public interest.

Publication of *AIAL Forum 103* is close to finalisation and will be published shortly. It will contain papers from the 2021 National Conference.

2021 AIAL National Administrative Law Conference

The 2021 AIAL National Administrative Law Conference, postponed from 2020, was due to be held in Melbourne on 22-23 July 2021, hosted by the Institute's Victorian Chapter. The theme of the conference was 'Administrative Law on the Edge'. An excellent program was developed by the Melbourne conference committee, led by Emma Turner, but unfortunately it was again not possible to hold the conference in person due to the COVID 19 pandemic.

A difficult decision was taken by the National Executive and the Victorian Chapter, together, instead to hold the conference via a series of Zoom webinars, commencing on 22 July 2021 and ending on 12 August 2021. All of the plenary sessions originally planned for the conference were able to run in this way and were very well received.

The opening address for the Conference was by given Justice Kirsten Walker of the Tory and Court of Appeal who discussed issues for courts arising from the Covid 19 pandemic. Justice Rachel Pepper of the NSW Land and Environment Court who gave a paper on environmental rights. Dr Will Bateman of the ANU who gave a paper on artificial intelligence and automation. Peter Hanks QC of the Victorian Bar who gave a paper on the so-called Robo-debt scandal, and Professor Matthew Groves of Deakin University who gave the National Lecture on the role of the Attorney-General. There were many other excellent papers given online.

It is a testament to the efforts of many, particularly the Institute's secretariat, Commerce Management, that a two-day conference was able to 'pivot' to an on-line format in a very short timeframe.

It is a comment on a perhaps unexpected benefit of Covid 19 that the delivery of the conference by webinar enabled high attendance from all parts of Australia at minimal cost to attendees. That said, some lament the absence of an in-person gathering at the national conference that enables a greater sharing of ideas about administrative law, which is one of the Institute's important purposes.

Another perhaps unexpected benefit of the online format is that the NEC's decision to permit members to attend webinars without charge, where non-members pay a fee, appears to have led to a notable increase in Institute membership.

2022 AIAL National Administrative Law Conference

Planning work is well underway for the 2022 AIAL national conference to be held at the Hotel Realm in Canberra on 21-22 July, 2022. The proposed theme for the conference is 'Administrative law in unprecedented times'. A "call for papers and save the date" flyer has been prepared and will be distributed in the coming days.

As is apparent from the proposed venue, the Institute proposes to return to an in-person format, in the interests of enhancing connection between persons who work in the area of administrative law.

I encourage members to attend, and to promote the conference in the interests of its success and of the Institute itself.

Seminars and webinars

Since the last AGM in November 2020, many seminars and webinars have been held on a broad range of topics. The AIAL's webinar program has remained very popular and can be viewed by members and others across Australia. I acknowledge Jaala's Hinchliffe's considerable efforts, as a member of the NEC, in organising and publicising the program.

The substantial contribution made by State Chapters to the program is noteworthy.

The following webinar was organised by the National Executive:

- 'The Ghost of *Teoh*: International Law Obligations in Domestic Decision Making', presented by Damien O'Donovan, Senior Member, Administrative Appeals Tribunal, and chaired by Gary Humphries, Member, National Executive, on 10 August 2021.

The following seminars and webinars were organised by the Queensland Chapter:

- 'Your Privacy Commissioner', presented by Philip Green, Queensland Privacy Commissioner, on 12 November 2020
- 'Independent Review of Administrative Law - Lessons from the UK', presented by Ms Catherine Callaghan QC, Blackstone Chambers, London, Vice-Chair, ALBA & Ms Sheryn Omeri, Barrister, Cloisters, London, Executive Committee Member, ALBA and chaired by Professor Greg Weeks, Deputy Head of School, ANU Law School, on 6 May 2021
- 'The *Human Rights Act 2019*: Three Tricky Questions for Administrative Lawyers', presented by Felicity Nagorcka, Assistant Chief Counsel – Crown Law and chaired by Gail Hartridge, Barrister – Wilberforce Chambers, on 26 October 2021.

The following seminar was organised by the South Australia Chapter:

- 'Local Government Behavioural Standards Panels – What do they do and why are they needed', presented by Wayne Lines, SA Ombudsman, on 28 July 2021.

The following webinars were organised by the New South Wales Chapter:

- 'Automation of Decision Making within Environment and Planning Law', organised jointly with the Environment and Planning Law Association NSW, presented by Gino Cavallaro, Executive Director, Digital Transformation, Performance and Reporting, Department of Planning, Industry and Environment and Anna Huggins, Associate Professor in the School of Law at the Queensland University of Technology and chaired by The Hon Justice Rachel Pepper, Land and Environment Court of NSW and Felicity Rourke, President, Environment and Planning Law Association NSW, on 27 May 2021
- 'Kerr's Vision Splendid for Administrative Law – still fit for purpose?', A two-day conference organised jointly with the Gilbert and Tobin Centre of Public Law at UNSW, with various speakers including Justice John Griffiths of the Federal Court, on 21-22 October 2021.

The following webinar was organised by the Victorian Chapter:

- 'Administrative Law and Emergency Powers', presented by Nick Elias, Barrister, Owen Dixon Chambers and Dr Maria O'Sullivan, Associate Professor, Faculty of Law, Monash University, on 18 November 2021.

Planning work is underway for various seminars and webinars to be held in the first half of 2022.

AIAL project grants

In past years, the Institute has provided financial support for different kinds of projects, particularly publications, in the interests of promoting understanding and development of administrative law. Regrettably, and as one of the setbacks of the Covid 19 pandemic, the NEC determined not to make grants during the past 12 months in the interests of fiscal responsibility.

AIAL website

Over the last year, the AIAL website has been successfully moved from an Adobe platform, which is no longer supported, to a Wordpress platform. The website is now hosted by Sydney based Cornerstone Web Solutions. Arrangements have also been made for WebAware to provide ongoing back-end support to the website. They are also setting up a video capability which will provide an avenue for the dissemination of webinar recordings. The website seems to be working well and is at: aial.org.au. The AIAL twitter account remains active in advertising seminars and other AIAL events and is at: [AIAL@AIALpubliclaw](https://twitter.com/AIALpubliclaw).

Richard Hart and Sue Hart from the secretariat have assisted greatly with management of the website, together with Robert Orr, Peter Sutherland and Margaret Tregurtha.

We hope that over the next year our IT support providers we will have helped us develop a new 'theme' for the website, which will customise the appearance of the site, including its layout, typography, and other design elements. The change of theme is also necessary because the current theme is running in PHP 7.4 which will not be supported beyond October 2022. We also hope to add to the content on the site, including scanned versions of the predecessor to *AIAL Forum*, the AIAL Newsletter, and other material.

All editions of the *AIAL Forum* are now on the website, but most are not in searchable form. We hope to increase the number of editions in searchable form over the next year.

Officeholders

The 2020-21 NEC comprised Geoffrey McCarthy as president, Claressa Surtees and Perry Wood as vice-presidents, Tara McNeilly as secretary, Peter Sutherland as treasurer (*resigned in April 2021*) and Paul Pfitzner as treasurer (*from April 2021*). Gary Humphries AO, Emeritus Professor Robin Creyke AO, Robert Orr QC, Justice Rachel Pepper, Katie Malyon, Jaala Hinchcliffe, Paul d'Assumpcao, Matthew Paterson, Arran Gerrard, Paul Pfitzner (*until April 2021*) and Mark Bishop held appointments as officers.

I thank each of the members of the NEC for their valuable contribution.

I record in particular my thanks for the significant efforts of three members of the NEC who have chosen not to renominate for personal and work reasons: Peter Sutherland and Paul Pfitzner, who served (in their turn) as Treasurer, and Jaala Hinchcliffe who administered the NEC's webinar program.

I also record my personal thanks to the immediate past president, Gary Humphries AO, and to Robert Orr QC, who provided me with invaluable guidance and support throughout the past 12 months.

In the Victorian Chapter, Emma Turner was president, Jeffrey Barnes, secretary and Maria O'Sullivan, treasurer.

In the NSW Chapter, Justice John Basten was president, Justice Rachel Pepper, secretary and Andrew, Carter, treasurer.

In the South Australia Chapter, Michael Wait SC was president, Dami Mullins, secretary and Dale Mazzachi, treasurer.

In the Western Australia Chapter, Julian Misso was president, Brendyn Nelson, secretary and Sean Mullins, treasurer.

In the Queensland Chapter, Narelle Bedford was president, Matthew Paterson, secretary and David Marks, treasurer.

I thank all of these officers in the State Chapters for their invaluable work.

Secretariat

Commerce Management Services, led by Sue Hart with significant practical IT support from Robert Hart, continued as Secretariat for the Institute. The NEC has very much appreciated their dedication to the task, their goodwill, their availability and their considerable support in arranging the Institute's webinar program.

Geoffrey McCarthy
President
24 November 2021

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NOTICE OF SPECIAL RESOLUTION TO AMEND THE AIAL RULES

The following motion to amend the Rules of the Australian Institute of Administrative Law Incorporated (AIAL) - A1733 (ACT) (AIAL Rules) will be moved at the Annual General Meeting of the AIAL to be held at 5:30pm (AEDT) on Thursday 10 November 2022.

The motion will be moved as a special resolution.

Special Resolution

Motion: That the AIAL Rules be amended as follows:

1. Amend subrule 2(1), the definition of “special resolution”, paragraph (b), by substituting “vote at the meeting in person or by proxy” with “are present in person or by proxy and vote”.
2. Amend subrule 18(2) by substituting “No cheques shall be drawn on” with “No funds shall be withdrawn from”.
3. Omit subrule 18(3) and substitute the following:

“All withdrawals of funds from the Institute’s bank account or accounts shall be made by such person or persons as the Executive has from time to time nominated for that purpose.”

4. Amend subrule 32C(2)(b) by substituting “2 representatives” with “a representative”.
5. Omit rule 32D and substitute the following:

“**32D.** The functions of the National Council are to make suggestions and recommendations to the Executive as to the activities and future directions of the Institute.”

6. Omit subrule 32E(2) and insert the word “OMITTED”
7. Omit subrule 32E(3) and substitute the following:

“If a meeting is convened under subrule (1), the President should try to ensure it is held during and at the same location as the next scheduled administrative law forum”.

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Amendments to AIAL Rules - Explanatory Statement

1. The proposed amendments to the Rules of the Australian Institute of Administrative Law Incorporated (AIAL) - A1733 (ACT) (ACT Rules) are to achieve three things.
2. First, the proposed amendment to subrule 2(1), the definition of “special resolution”, paragraph (b), is to utilise the definition of “present in person” in subrule 2(1) to make clear that for the purposes of passing a special resolution, a person entitled to vote may vote by attending in person by any of the means stated in the definition, or by proxy. The means stated in the definition of “present in person” include by an internet or intranet link, by a telephone link, by being physically present, or by a combination of these.
3. Second, the proposed amendments to rule 18 are to remove references to payment by cheque, so as to permit electronic payments, but to maintain the requirement that all withdrawals from Institute bank accounts (i.e. payments) are authorised and made by a person or persons authorised to make them.
4. Third, the proposed amendments to rules 32D and 32E are to address the changed circumstances of the National Council.
5. The proposed amendments to rule 32D are to remove reference to the Council recommending membership fees and the use of membership fees, about which the National Council has not, at least in recent years, made recommendations, and to recast its role as an advisory or policy role regarding the activities and future directions of the Institute.
6. The proposed amendments to rule 32E are to remove the need for an annual meeting of the National Council in circumstances where, it is hoped, at least 1 representative from each Chapter of the Institute will be a member of the Executive as is presently the case. Assuming that continues, the functions of the National Council can be adequately and more regularly performed by participation of the Chapter representatives at monthly Executive meetings.
7. The proposed amendments to rule 32E preserve, however, the option of convening a National Council meeting at any time to cater for future non-representation of a Chapter on the Executive or for any other reason.
8. The proposed amendments to subrule 32E(3) are to continue the convenience and advantages for participants in a meeting of the National Council, where possible and appropriate, that can be achieved by holding the meeting to coincide with an annual conference.

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NOTICE OF RESOLUTION TO INCREASE MEMBERSHIP FEES FOR 2023-2024

The following resolution to increase membership fees with effect from 1 July 2023 will be moved at the Annual General meeting of the Australian Institute of Administrative Law to be held at 5.30pm (AEDT) on Thursday 10 November 2022. The resolution arises from rule 7 of the AIAL Rules, which provides:

Membership fees

7.(1) The membership fees for a financial year are the amounts that the members determine from time to time at an annual general meeting for the following classes of members

- (a) an organisation;
- (b) an individual (other than a student or a person who is not engaged in paid employment);
- (c) a student or a person who is not engaged in paid employment;
- (d) a library.

Resolution

That the membership fees for the 2023-2024 financial year be increased from \$365.00pa to \$400.00pa for organisations, from \$120.00pa to \$130.00pa for individuals, from \$50.00pa to \$55.00pa for students or those not engaged in paid employment, and from \$155.00pa to \$170.00pa for libraries.

Rationale

Approval was given at the 2018 AGM that the AIAL membership fees be increased by approximately 10% for the following three financial years (**2019-20**; **2020-21**; **2021-22**) so that the income from membership fees is in balance with the cost of administration of the Institute and the cost of providing a print copy of the *AIAL Forum* to each financial member as part of their membership subscription. The student membership fee provides access to an electronic copy of the *AIAL Forum* but does not include a print copy.

The first of the three increases (for the financial year 2019-2020) was implemented.

In light of the COVID-19 pandemic, the National Executive deferred the second fee increase intended to be implemented for the financial year 2020-21. It did so again for the financial year 2021-22. The second of the three progressive increases was implemented in 2022-23. The proposed resolution, if passed, will implement the third of the three progressive increases for the financial year 2023-2024.

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NOMINATIONS FOR POSITIONS ON THE AIAL EXECUTIVE COMMITTEE

Pursuant to Rule 29(1) of the Rules of the Australian Institute of Administrative Law, nominations are called for the following positions on the Executive Committee of the Institute, which will become vacant at the Annual General Meeting, to be held on Thursday 10 November 2022:

President

Vice-Presidents (two (2) positions)

Secretary

Treasurer

Officers (up to ten (10) positions)

Nominations should be made on the form below and sent to the AIAL Secretariat by email to aial@commercemgt.com.au.

In accordance with Rule 29(1), nominations must be received by the AIAL Secretariat by **5.00pm (AEDT) on Wednesday 2 November 2022**.

Sue Hart
AIAL Business Manager

NOMINATION FORM

Position:

Name of nominee:

Signature:.....

Proposed by*:.....

Signature:.....

Seconded by*:.....

Signature:.....

***NOTE:** The signatures of the Proposer and Seconder may be a personal signature or an electronic signature.

Alternatively, the Secretary and the Treasurer have agreed to sign as Proposer and Seconder for any candidate who is a current financial member of the Institute and who submits this Nomination Form to the AIAL Secretariat by the closing time: 5.00pm on Wednesday 2 November 2022.

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AIAL FORM OF PROXY

I,, a member of the Australian Institute of Administrative Law, am unable to attend the 2022 Annual General Meeting of the Institute, to be held on Thursday 10 November 2022.

I appoint or, failing him/her, the person presiding at the meeting, to be my proxy to attend the meeting and to vote on my behalf.

Should you wish to direct your proxy how to vote on the Special Resolution, please insert "X" in the appropriate box below.

	For	Against
To amend the AIAL Rules as specified in the Special Resolution		

Name: _____

Address: _____

E-mail: _____

Phone: _____

Signed: _____ **Date:** _____

Completed Proxy Forms should be returned to the AIAL Secretariat by email to aial@commercemgt.com.au by 5.00pm on **Friday 4 November 2022 (AEDT)**.