



**ethnic
communities'
council of
victoria**

7 June 2010

ECCV SUBMISSION TO THE VICTORIAN PARLIAMENTARY DEBATE OVER PROPOSED AMENDMENTS TO THE ASSOCIATIONS INCORPORATIONS ACT

1. The Ethnic Communities' Council of Victoria (ECCV) welcomes the opportunity to provide input to the Victorian Parliamentary Debate over Proposed Amendments to the Associations Incorporations Act.
2. ECCV believes it is reasonable to expect that individuals partaking of the benefits of life in Australia should abide by existing state and federal laws, or accepted social mores and standards of community behaviour.
3. Established in 1974 as a voluntary community based organisation, ECCV is now a broadly based, state-wide peak advocacy body representing ethnic and multicultural communities across Victoria. For over 35 years, ECCV has remained the principal liaison point between ethnic communities, government and the wider community in Victoria. ECCV has been a key player in building Victoria as a successful, harmonious and multicultural society today.
4. ECCV commends the Victorian Parliament for debating amendments to the Associations Incorporations Act and provides the following points of consideration from the perspective of people from diverse cultural communities.

Ethnic Community Associations

5. ECCV recognises that a nation's culture is a rich, multitudinous and multi-layered phenomenon that is in a constant state of reinvention according to evolving tastes, interests and influences.
6. ECCV believes it is important that people of all cultural backgrounds, including Anglo-Australians, play a real part in shaping meaningful public policies that support their needs and aspirations. Ethnic community associations form a vital role in nurturing and fulfilling this ambition.
7. In stating this, however, ECCV recognises that many Australians, including those from migrant and multicultural communities, are not as familiar with the legal requirements and responsibilities of incorporated associations as society requires.
8. ECCV believes greater effort needs to be made to better educate Australians to ensure all sectors of the community, especially those from non-English speaking backgrounds, are fully informed about their regulatory obligations.

Statewide Resources Centre
150 Palmerston Street
Carlton Victoria 3053

t 03 9349 4122
f 03 9349 4967
eccv@eccv.org.au
www.eccv.org.au

ABN 65071572705



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Amendments regarding Definitions

9. ECCV notes the proposal to insert new definitions of
 - general meeting
 - office holder
 - tiers one, two and three associations
10. ECCV believes greater clarity and specificity of key terms is crucial to assisting associations better understand their regulatory obligations and uphold sound principles and practices of governance.

Amendments regarding Disputes and Grievance Procedures

11. ECCV appreciates the addition of explicit regulations to ensure that all parties have an opportunity to be heard during occasions of grievance or dispute and that resolutions are determined by an unbiased decision maker.
12. ECCV also welcomes the specific clarification that members be permitted to inspect the rules of the association should they so desire.

Amendments regarding Committee Eligibility and Conflicts of Interest

13. ECCV welcomes greater clarification regarding the provisions that must be met to be eligible to serve on an incorporated association committee, such as 'the requirement that the secretary be a resident of Australia'.
14. ECCV also appreciates the insertion of explicit regulations concerning occasions of conflict of interest for members of an incorporated association committee, especially as it applies to 'material personal interest'.

Amendments regarding Disciplinary Actions

15. ECCV notes that members of migrant and multicultural communities are often unfamiliar with the disciplinary actions involved with incorporated associations.
16. ECCV appreciates the insertion of explicit terms regarding disciplinary actions in incorporated associations.

General Comments

17. ECCV reiterates the need for all relevant information to the establishment and running of incorporated associations to be available in plain language and languages other than English. ECCV also believes it would be beneficial to develop instructional material featuring graphic aids for Victorians with lower literacy levels.
18. ECCV also reiterates the need to supplement written material on the running of incorporated associations with ready access to an information service where questions can be asked as well as the hosting of group educational sessions held face-to-face for those Victorians who find it easier to learn in these environments.

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