



MINUTES OF MEETINGS

Part 7 – Guide for Public Officers and Secretaries

MINUTES FOR MEETINGS

This Part of the [Guide for Public Officers and Secretaries](#) covers the task of preparing and keeping the minutes of meetings of incorporated associations in Victoria.

Key Points

1. What are “minutes”?

Minutes are a written record of what was discussed and decided at a meeting. One of the key legal duties of the secretary of an incorporated association is to make sure that accurate minutes are made of the organisation’s meetings, and that these are kept in a safe place.

2. What are the legal requirements for minutes?

Both the *Associations Incorporation Act 1981 (Vic)* and an organisation’s rules set out legal requirements for the minutes of the organisation. Those requirements are discussed in this Part.

3. Preparing and keeping minutes

This Part sets out what should be included in the minutes and how they should be kept. It also contains tips and tools for drafting minutes, including “action lists” which summarise people’s responsibilities arising from the meeting.

4. Confirming and verifying minutes

The secretary should ensure at each meeting the members (for members’ meetings) or the management committee (for management committee meetings) pass a resolution confirming the minutes of the previous meeting, and the chairperson signs a copy of the confirmed minutes. This Part explains this procedure and has a tool to help you.

Note:

This Part of the Guide deals with tasks that are usually carried out by the *secretary* of an incorporated association. The secretary of your organisation may (or may not) also be the public officer. Check [Important Background Information](#) in this Guide for more information and to find out which parts of this Guide apply to your situation.

1. What are “minutes”?

The word “minutes” has been used for centuries to mean a summary of the proceedings of an assembly or committee. Today minutes are a formal written record of the matters discussed and decisions made at a meeting.

One of the main legal tasks of the secretary of an incorporated association is to make sure that:

- minutes are taken of each meeting of the organisation
- minutes are confirmed by the organisation as an accurate record of the meeting, and
- the minutes of all meetings are kept safely by the organisation for future reference.

2. What are the legal requirements for minutes?

The legal requirements for preparing and keeping minutes of meetings arise under:

- the *Associations Incorporation Act 1981* (Vic) (the **AI Act**), and
- the organisation’s rules (sometimes called the “constitution”).

Your organisation may also have particular policies and practices for taking and keeping minutes.

There are other laws which you should be aware of when preparing and distributing minutes, including defamation and privacy laws. These are discussed briefly in this Part.

AI Act requirements

The AI Act requires the rules of incorporated associations in Victoria to include provisions about keeping and allowing members access to “relevant documents” of the organisation (items 13 and 14 of the Schedule).

“Relevant documents” include any documents relating to the organisation’s management, such as documents about its transactions, dealings, business or property (section 3). It is commonly assumed that minutes of an organisation’s meetings are “relevant documents”.

In addition, an inspector from Consumer Affairs Victoria (**CAV**) may give the organisation, or any person who is involved in the organisation’s activities (which includes the secretary), a written notice requiring them to give the inspector specified relevant documents of the organisation (section 37D(1)(a), (b) and (2)). CAV may choose to use these powers to make sure that the organisation has complied with the AI Act and the *Associations Incorporation Regulations 2009* (Vic) (the **Regulations**).

The minutes of meetings may also be used as evidence in legal proceedings (including a copy or extract of minutes: section 47 of the AI Act).

It is therefore extremely important that the secretary makes sure that accurate minutes are taken of the organisation's meetings, and that they are kept in a safe place.

Your organisation's rules

Many organisations have a rule, similar to model rule 31 (the model rules are set out in Schedule 4 of the Regulations), which requires the secretary to keep:

- minutes of resolutions and proceedings of each general meeting (of members) and each meeting of the management committee (sometimes called the "board"), and
- a record of the names of people present at management committee meetings.

Many organisations also have a rule, similar to model rule 36, which requires a secretary to:

- keep in their custody or under their control all the organisation's books, documents and securities (except as otherwise provided for under the model rules)
- allow any member to inspect (on request and free of charge) the organisation's accounts, books, and securities (for example, a mortgage), and
- make a copy of any of the organisation's accounts, books, and securities.

Check your organisation's rules.

If your organisation's rules do *not* cover any of the matters in the Schedule of the AI Act, the provisions of the model rules that address those matters will apply to your organisation automatically. (Note: the AI Act requires an organisation's rules to cover *all* the matters listed in the Schedule, either by adopting the model rule, or having a provision in their own rules that covers the same point but is different to the model rules). For more information see [Important Background Information](#) in this [Guide for Public Officers and Secretaries](#).

* **New!** Laws are being introduced into the Schedule of the AI Act which will require the rules of each incorporated association in Victoria to include provisions about:

- preparing and keeping accurate minutes of general meetings and management committee meetings
- giving members access to minutes of general meetings (including accounting records and financial statements) and being able to get copies of them, and
- whether the organisation's members have a right to see the minutes of management committee meetings and, if so, under what circumstances or conditions.

Important:

These new laws have not yet commenced. When these laws start (not before late 2009) the model rules will be updated, existing incorporated associations will be notified by CAV, and this Guide will be updated to reflect the changes. PilchConnect will also provide information:

- in its monthly free e-bulletin – to sign up, email: admin@pilch.org.au, and
- on its website: www.pilch.org.au/community_org.

Your organisation's policies

Check your organisation's policies and practices about taking and keeping minutes. If you don't have any, your organisation may choose to create policies, using this Guide for assistance.

3. Preparing and keeping minutes

The form of minutes varies depending on the type of organisation and the type of activities it undertakes.

Tip:

Experience shows that it is best to write up the first draft of minutes as soon as possible after the relevant meeting. Memory is fresh and the task can be done more quickly and efficiently than leaving it until just before the next meeting!

Minute books

Minutes are often entered into a "minute book". Until recently a minute book was a securely bound book with sequentially numbered pages. The minutes were handwritten into the book. This guarded against fraud or tampering. While some small organisations still use handwritten minute books, many organisations create and store minutes electronically and distribute them by email.

However it can be difficult to keep track of the "official" version of the minutes when they are created and stored electronically, and it is relatively easy for someone to tamper with the minutes (or replace them with substitute minutes) if they are stored in a loose-leaf binder. For these reasons you should take precautions to make sure the official minutes of meetings are secure, and easily identifiable.

Tip:

Your organisation can take the following steps to keep the minutes more secure:

- print the minutes out and paste them into an official minute book (and number each page of the minute book consecutively)
- get the chairperson to sign each page of the minute book to confirm official minutes
- number each meeting sequentially (for example, "The Minutes of the 35th meeting of XYZ Club Inc or "Meeting 2 of 2009").

Content of the minutes

For detailed information about the usual matters to include in the minutes of meetings, see [Tool 1: Checklist for content of minutes](#).

Importantly, the minutes should record the motions moved and resolutions made at the meeting. For information about “motions” and “resolutions” see [Procedures for Meetings](#) in this Guide.

Remember!

Some types of proposed resolutions require written notice to be given before the meeting – see [Preparing and Giving Notice of Meetings](#) in this Guide.

Drafting the content - generally

The format and style of minutes vary considerably among organisations. Some minutes are very brief and precise, and record the bare minimum of information. Other minutes include “blow by blow” summaries of the debate. In exceptional circumstances, the minutes will include a transcript of everything that was said at a meeting. Check your own organisation’s rules, policies and practices.

Despite variety in the form of minutes, there are some commonly accepted drafting conventions – see [Tool 2: Conventions for drafting minutes](#).

Tip:

The minutes are an official historical record of the organisation, so it is good practice to record in the minutes the name and position of office bearers (chairperson, secretary, treasurer) as well as names of members and any other people present (such as observers).

See also [Tool 3: Sample minutes – management committee meeting](#) and [Tool 4: Sample minutes – special general meeting](#).

Drafting motions and resolutions

The exact wording of the motion should appear in the minutes. If there is a problem with the wording of a resolution (that is, a motion which is passed at the meeting), this will have to be corrected at a later meeting. Once the minutes have been confirmed, the secretary has no power to alter the motion in order to correct the mistake.

The wording of the motion must comply with your organisation’s rules and statement of purposes — it cannot recommend any action outside the scope of your organisation’s powers and activities. The motion must also be allowed to be made by the particular meeting, especially if the meeting has been called for a specific purpose.

Tip:

If a motion is proposed verbally at a meeting, the secretary may find it helpful to:

- write the motion down on a board or flip chart and show it to the meeting during the debate, or
- require the motion to be given to them in writing by the member proposing it.

This way, any corrections to the wording of the motion can be made before voting on the matter. It also gives the secretary a chance to draft the motion in a way which is suitable to be recorded in the minutes.

For each motion, the minutes should record:

- the names of people who move and second the original motion and any amendments
- the method of voting (for information about voting methods, see [Procedures for Meetings](#) in this Guide), and
- whether the motion was passed (in which case it becomes a resolution), rejected or was adjourned (that is, put off until another meeting).

See [Tool 2: Conventions for drafting minutes](#).

Tip:

It is useful for the secretary to circulate draft minutes with an “action list” to the people or sub-committees who have been given specific tasks at the meeting.

The action list can prompt people to get onto their tasks. See [Tool 3: Sample minutes – management committee meeting](#) and [Tool 4: Sample minutes – special general meeting](#).

Drafting minutes of difficult meetings

Sometimes meetings get heated and the participants resort to personal attacks, walk-outs, threats and inappropriate remarks. In many instances, the chairperson may require such remarks to be withdrawn (therefore the remarks are not recorded). In other cases, it is sufficient to record that “a vigorous discussion ensued” rather than a blow-by-blow account in the minutes. See [Tool 2: Conventions for drafting minutes](#).

Tip:

For difficult meetings, the secretary could consider:

- asking the chairperson for specific help to draft the minutes (in any case, it is good practice for the secretary to always check the minutes they have drafted with the chairperson before distributing them to others), and
- unless a motion was made and/or resolution passed, not including the controversial material altogether. The minutes will have to be approved at the next meeting and, if it is considered necessary to include more detail, it can be agreed on then.

Defamation

Sometimes a secretary will have to deal with potentially defamatory matters in the minutes of meetings. Generally a “defamatory statement” about a person is one that:

- exposes the person to hatred, contempt or ridicule
- tends to lower them in the opinion of other people
- harms their reputation (for example in their profession), and/or
- causes them to be shunned or avoided by others.

A chairperson should challenge any defamatory statements at the time they are made in a meeting and have them withdrawn. The statements will then not be recorded in the minutes.

Closed or “in camera” meetings (see below, confidential information) may be a way to deal with potentially defamatory material — however, you should make sure that any such procedure is consistent with the rules of your organisation. Seek legal advice if necessary.

If an organisation has published defamatory statements in the minutes of a meeting, the defence of “qualified privilege” may be available, however the organisation should seek specific legal advice.

Remember!

The law of defamation is complex. If a secretary is concerned about any potential defamatory matters when drafting minutes, they should seek legal advice before finalising and distributing the minutes to anyone.

Confidential matters

Sometimes the secretary should record only the title of certain matters in the minutes and not any of the details (that is, keep the content of the matter confidential).

The rules of some organisations allow members to hold a closed meeting – this is sometimes called an “in camera” or “in confidence” meeting. It means that confidential parts of a meeting can be restricted to certain people only (for example, management committee members).

The secretary should keep the minutes of closed meetings in a special “confidential” minute book that is accessible only to certain people (for example, the office-bearers) for certain purposes. Such confidential minutes should then be confirmed by another closed meeting.

Holding a closed meeting can happen for good reasons and may even be necessary to avoid a breach of privacy laws.

Tip:

If a confidential matter is raised at a management committee meeting (such as a sensitive staff issue), it may be appropriate for the management committee to delegate the matter to a sub-committee for further discussion. The sub-committee can then report back to the full committee after they have discussed the matter confidentially.

Check the rules and policies of your organisation carefully for any special procedures to deal with confidential matters.

4. Confirming and verifying minutes

It is good practice for the secretary of an incorporated association to:

- make sure the accuracy of the minutes is “confirmed” at the next meeting, and
- make sure the chairperson of the meeting (or the chairperson of the next meeting) has “verified” the accuracy of the confirmed minutes, for example by signing them.

See [Tool 5: Flowchart for confirming and verifying minutes](#). Check the rules of your own organisation for any special provisions about confirming and verifying minutes.

Further information

PilchConnect resources

The PilchConnect web portal contains a variety of resources and fact sheets for community organisations – go to www.pilch.org.au/legal_info/

- See [Running the organisation](#) for summary information about holding meetings, including an annual general meeting.

Legislation

The [Associations Incorporation Act 1981](#) (Vic) is the legislation that regulates incorporated associations in Victoria.

The [Associations Incorporation Regulations 2009](#) (Vic) contain additional requirements for incorporated associations in Victoria.

Government

The Consumer Affairs Victoria website contains a variety of online resources, including online access for incorporated associations. See www.consumer.vic.gov.au > [Associations Clubs and Fundraising > Incorporated Associations](#).

Other links

See [Important Background Information](#) in this Guide for links to other organisations and online resources to assist you and your organisation.

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Tool 1: Checklist for content of minutes

It is good practice to include the following in the minutes of a meeting:

Order	Description	Done
1	Name of your organisation and the type of meeting (for example, management committee, general meeting)	<input type="checkbox"/>
2	Date, place and opening time	<input type="checkbox"/>
3	Name of chairperson	<input type="checkbox"/>
4	Names of members present (and their status if office bearers) and other people present, such as observers (or reference to separate attendance register)	<input type="checkbox"/>
5	Names of non-members who are attending (if any)	<input type="checkbox"/>
6	Names of those people who have sent apologies (for not attending)	<input type="checkbox"/>
7	Confirmation of previous minutes	<input type="checkbox"/>
8	Record of motions, resolutions and amendments	<input type="checkbox"/>
9	Names of the people who move and second motions	<input type="checkbox"/>
10	Short summaries of the debates on motions	<input type="checkbox"/>
11	The method of voting on motions etc (for example, show of hands, poll) and the numbers of votes for, against and abstaining	<input type="checkbox"/>
12	The details of any proxy voting	<input type="checkbox"/>
13	Results of voting (for example, passed, rejected or adjourned, etc)	<input type="checkbox"/>
14	Titles (and any relevant details) of documents or reports tabled	<input type="checkbox"/>
15	(If relevant) cross references to previous minutes or policies of the organisation	<input type="checkbox"/>
16	Management committee minutes should approve or ratify all the organisation's expenditure	<input type="checkbox"/>
17	Details of next meeting	<input type="checkbox"/>
18	Closing time	<input type="checkbox"/>
19	List of tasks arising from the minutes and name of person responsible for each	<input type="checkbox"/>
20	After minutes have been confirmed at the next meeting, signature of chairperson	<input type="checkbox"/>

Tool 2: Conventions for drafting minutes

Note: The table below is in two parts. The first deals with drafting minutes of *discussion* at meetings, the second deals with drafting *motions* discussed at meetings.

Drafting minutes of discussions in meetings

Convention	Explanation	Example
Use simple sentences and simple words	This helps people understand what was discussed (especially if they were not at the meeting).	<p>Do not write:</p> <p>“Mr UB Sporty extrapolated that this fine sporting institution’s solar matt 500 water heating appliance with the white duco slimline control panel was performing consistently below its engineered benchmarks.”</p> <p>Do write:</p> <p>“Mr UB Sporty reported that the club’s hot water system needed urgent repairs.”</p>
Use active, rather than passive, voice	In the “active” voice, the subject of the sentence performs the action stated by the verb. In the “passive” voice, the subject of the sentence is acted upon. Generally, the passive voice can be more difficult for a reader to understand.	<p>Do not write (passive voice):</p> <p>“A computer was used by the secretary to write these minutes.”</p> <p>Do write (active voice):</p> <p>“The secretary used a computer to write the minutes.”</p>
	<p>However, it is acceptable to use the passive voice if:</p> <ul style="list-style-type: none"> • you want to soften an unpleasant message • you don’t know who did a particular thing recorded in the minutes, or • you want to shift the reader’s attention away from the person who did something to other information. 	<p>Do write (passive voice) in some circumstances:</p> <p>“Complaints were put in the suggestion box.”</p> <p>(That is, you do not want to specify who actually made the complaints.)</p>
Use only one tense	It is usually best to use the past tense in minutes.	<p>Do write:</p> <ul style="list-style-type: none"> • “Ms L Little <i>reported</i> that she had” • The committee <i>considered</i> that the hot water system <i>was</i>”

Convention	Explanation	Example
Avoid terms such as “he said” or “she stated” unless you quote their actual words	This is to avoid “putting words into a person’s mouth.”	Do not write: “Mr S Fry said: ‘I got a letter from the Council about this. I reckon the Council is being stupid.’” Do write: “Mr S Fry reported that he had received a letter from the Council. He spoke critically of the Council’s position on this issue.”
Avoid personal descriptions or attributes	This is to make sure the minutes are as “objective” or “impartial” as possible – the minutes should not include the minute-writer’s own personal opinions or reflections.	Do not write: <ul style="list-style-type: none"> • “The chairman announced <i>happily</i>...” • “The treasurer <i>meanly</i> said...” • “The club representative <i>slammed</i> the report.”
Be very careful: <ul style="list-style-type: none"> • not to defame anyone • when recording matters that include confidential details 	See discussion of “Defamation” and “Confidential matters” in this Part of the Guide for Public Officers and Secretaries .	Do not write: “Ms L Little reported that the builder engaged to renovate the club house has a history of stealing from organisations and said he was a disgrace to his profession.” Do write: “Concern was expressed about the suitability of the builder for the task of renovating the club house.”

Drafting motions

Convention	Explanation	Example
Commence the motion with the word “that”	This is so all resolutions of the meeting are in the same format. Before the word “that”, imagine inserting the words, “The meeting passed a resolution...”	Do write: “ <i>That</i> the treasurer’s recommendation be adopted.”
Use the verb “be” rather than the word “is”	This is to be grammatically correct when the motion commences with the word “that” (see above).	Do not write: “That the newspaper release <i>is</i> adopted.” Do write: “That the newspaper release <i>be</i> adopted.”

Convention	Explanation	Example
Express the motion in the positive	This means that a “yes” vote from the members results in the proposal being approved or supported.	<p>Do not write:</p> <p>"That the doors <i>be not shut</i> during the meeting."</p> <p>Do write:</p> <p>"That the doors <i>be open</i> during the meeting."</p>
If you cannot express the motion in one sentence, split it up into carefully written parts	Carefully construct a composite motion (one with a number of separate parts) so that the chairperson can split it up to enable the meeting to deal with each of its parts separately.	<p>Do not write:</p> <p>"That in addition to any other motions proposed this meeting resolve to thank the members of the Town Hall including Ms T Bag for providing the refreshments and Mr B Room for making the accommodation available and instruct the secretary to send letters of thanks to Ms T Bag and Mr B Room with a copy to Mr S Visor."</p> <p>Do write:</p> <p>"That the meeting register its appreciation for Town Hall members generally, and specifically ask the secretary to:</p> <p>(a) send a letter of thanks to:</p> <ul style="list-style-type: none"> (i) Ms T Bag for providing the refreshments, and (ii) Mr B Room for making the accommodation available, and <p>(b) send a copy of these letters to Mr S Visor."</p>

Tool 3: Sample minutes – *management committee meeting*

The sample minutes below are a simple format of minutes of a management committee meeting. An action list is set out at the bottom of the minutes. You can adapt this format to meet the requirements of your own organisation.

Minutes of the 30th Management Committee Meeting of the XYZ Club Inc

The minutes of the management committee held at 123 Frank Street, Motown on 7 January 2008.

1. Welcome

The chairperson opened the meeting at 7:05pm and welcomed those present.

2. Attendance and apologies

Present: Mr I Happy (Chairperson), Ms T Bag (Secretary), Mr X Ray (Treasurer), Ms UR Happy, Mr UB Little, Mr YRU Silly

Apologies: Mr I Late

3. Minutes of previous meeting

The minutes of the previous meeting held on 4 December 2007 were read and confirmed as a true and correct record of the meeting.

OR

The minutes of the previous meeting held on 4 December 2007 were taken as read (having been circulated prior to the meeting) and confirmed as a true and correct record of the meeting.

OR

The minutes of the previous meeting held on 4 December 2007 were taken as read (having been circulated prior to the meeting) and, after amendment to minute number 29.2, were confirmed as a true and correct record of the meeting.

4. Correspondence

Secretary tabled a letter from Festivalia thanking XYZ Club Inc for participating in the Annual Carnival.

5. Proposed changes to the rules

Discussion of the need to change the organisation's rules in order to create life membership class of members. Secretary mentioned that lawyers had done some pro bono work for XYZ Club Inc in the past, and may be able to help with drafting the proposed special resolution.

Resolved: That the Secretary approach Messrs Sue, Grabbit and Runne for legal assistance with proposed changes to the rules.

6. Strategic Planning

Discussion of the upcoming strategic planning day before applying for government funding in the next round.

Resolved: That Mr UB Little is to arrange a date for the strategic planning sub-committee to meet before the next Management Committee meeting.

Resolved: That Mr UB Little also contact Mr I Late by 28 January 2008 to confirm that the draft marketing plan will be available for the strategic planning sub-committee meeting.

7. Expenditure

Resolved: That the invoice for a widget from Widget Supplies Pty Limited in the sum of \$50 be approved for payment (electronic transfer) by the Treasurer.

8. Next meeting

Resolved: That the next meeting of the Management Committee be held at 123 Frank Street, Motown at 7:00pm on 8 March 2008.

9. Close

The chairperson declared the meeting closed at 7.30pm.

Signed as a correct record:

Chairperson _____

Date _____

Action List

Action: Ms T Bag (Secretary)

- Contact our lawyers Messrs Sue, Grabbit and Runne about drafting a special resolution to change the association's rules. (Due date: 6 February 2008)
- Arrange a date for the strategic planning sub-committee to meet before the next Management Committee meeting to be held on 8 March 2008. (Due date: 2 February 2008)

Action: Mr UB Little

- Contact Mr I Late to confirm that the draft marketing plan will be available for the strategic planning sub-committee meeting. (Due date: 28 January 2008)

Action: Mr X Ray (Treasurer)

- Arrange payment (by electronic transfer from XYZ Club Inc's savings account) of the sum of \$50 to the nominated account of Widget Supplies Pty Limited.

Tool 4: Sample minutes – special general meeting

The sample minutes below are a simple format of minutes of a special general meeting. (A special general meeting is, under the model rules, a general meeting other than the annual general meeting and is usually convened for a particular purpose – in the example below, to pass a special resolution changing the organisation’s name.)

An action list is set out in the right hand column of each agenda item. You can adapt this format to meet the requirements of your own organisation.

Minutes of the Special General Meeting of the XYZ Club Inc held on 18 February 2008 at 7:00pm

Circulation: All members and senior staff of the XYZ Club Inc

No.	Item	Comments	Actions by whom
1	Welcome	The chairperson opened the meeting at 7:00pm welcoming members present.	
2	Apologies	The chairperson accepted apologies from: Mr I Late	
3	Present	The attendance book was signed by 90 members who were in attendance.	
4	Proxies	The secretary reported that 15 valid proxies had been received.	
5	Minutes	The minutes of the previous General Meeting held on 3 December 2007 were taken as read (having been circulated prior to the meeting) and confirmed a true and correct record of meeting.	
6	Proposed special resolution: Change of name of the association	<p>That the name of XYZ CLUB INC. be changed to ZYX CLUB INC.</p> <p>Moved: Mr I Slow Seconded: Mr X Ray</p> <p>Chairperson explained that this is a special resolution and must be passed by three quarters of the members who are present at the meeting and entitled to vote on the resolution, and who do vote (in accordance with section 29 of <i>Associations Incorporation Act 1981 (Vic)</i>).</p> <p>Chairperson commented that the Management Committee unanimously believes that a change of the club’s name is in the best interests of all members. This is to prevent the club from being mistaken for another well known club in the eyes of the public.</p> <p>Resolved that the name of XYZ CLUB INC. be changed to ZYX CLUB INC. Vote was taken by show of hands.</p> <p>Carried: Unanimously</p>	<p>Secretary to apply for approval of change of name to Registrar of Incorporated Associations (Consumer Affairs Victoria), noting the organisation has passed this special resolution.</p> <p>* chairperson’s initial</p>

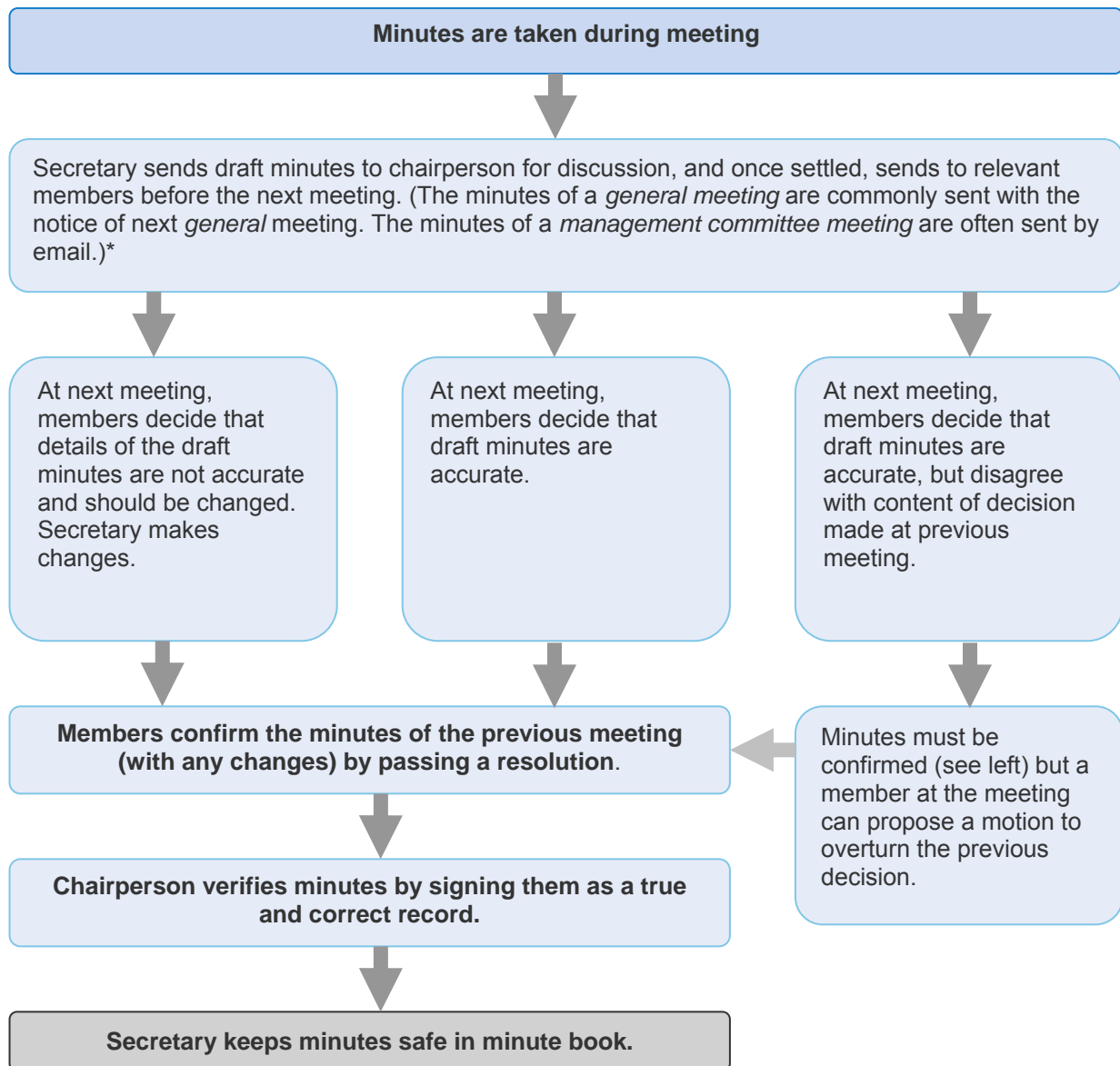
No.	Item	Comments	Actions by whom
7	Close	The chairperson declared the meeting closed at 8:00pm. Signed as a correct record.	

Chairperson _____

Date _____

* Place chairperson's initial at the end of each page of minutes, except the final page where the chairperson's full signature and date should appear.

Tool 5: Flowchart for confirming and verifying minutes



* **Note:** If minutes were not sent out before the next meeting, allow time for people to read them or the secretary should read them aloud at the meeting.



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