



Australian Powerlifting Union Ltd

ACN 623702812

Minutes of annual general meeting

Time: 19:00 AEDT / 18:00 AEST/ 16:00 AWST
Date: Sunday, 10 November 2019
Place: Rucci's Gym, 7 Kalli Street Malaga, Perth, WA 6090
Attendees: Please see attached file

Minutes of annual general meeting (Adjourned Meeting)

Time: 17:00 AEDT / 16:00 AEST / 14:00 AWST
Date: Saturday, 30 November 2019
Place: Panthers Powerlifting Club, 8 Bailey Street, West End, QLD 4101
Attendees: Please see attached file

Agenda item 1: Opening of Meeting – Presidents Address

Moved/presented by: Sean Muir

1.1 Welcome & introduction

Chair

Sean Muir was confirmed as chair for the meeting.

APU Vision and Mission

Vision

APU is recognized as the IPF approve affiliate whose purpose is to promote, drive and grow drug free powerlifting in Australia and internationally.

Mission

Promote and instill transparency, integrity and fairness in a drug free powerlifting community.

APU Vision and Mission are still valid as per APU Strategic Meeting on 27 July 2019 in Sydney.

1.2 APU Board, Executive Committee & Non-EC

APU Board and Executive Committee	
President/ CEO	: Sean Muir
Vice President/ COO	: Scott Peisley
Vice President/ Event Director	: Ray Owen
Treasurer/ CFO	: Lin Donevska
Secretary General & Program Director	: Max Bristow

APU Non Executive Committee		
Competition Manager	: Rachel Jones	
Officiating Manager	: TBA	
Anti-Doping Manager	: Sean Muir – INTERIM	David Greene (Departed)
Team Manager	: Sectio (Tyo Muir) and Bill Koppe	
Record Keeper	: Evan McCloy and Jamie Connolly	David Greene (Departed)
Memberships Manager	: Sectio (Tyo Muir)	
Competition Coordinator	: Mark Hambling	
Webmaster	: Sectio (Tyo Muir)	
Creative Designer	: Michaela Bindley	
Social Media	: Kelly Wanray	
Member Protection Information Officer	: Hidemi Shishido	

1.3 **Review of actions from 2018 AGM**

- Referees increase, particularly in QLD

2018: 53 Referees

CAT 1 – 3 persons

CAT 2 – 8 persons

NATIONAL – 15 persons

STATE – 29 persons

2019: 75 Referees

CAT 1 – 3 persons

CAT 2 – 4 persons

NATIONAL – 13 persons

STATE – 55 persons

In QLD particularly:

2018 – 10 persons

2019 – 13 persons

- Travel to VIC, SA, WA to help encourage growth*

VIC:

2018 – 22 members

2019 – 61 members

SA:

2018 – 4 members

2019 – 1 members

WA:

2018 – 78 members

2019 – 138 members

*Yearly Memberships ONLY

- 2019 Asia Pacific Powerlifting Championships on the Gold Coast
Championships Date = 12 – 17 March 2019
257 Entries from 14 Countries

- Increase participation to all events including equipped

2018 :

18 Local to National Competitions

442 Entries

2019:

23 Local to National Competitions

504 Entries

Specifically for National Equipped Championships:

2018 – 28 Entries

2019 – 19 Entries

- Gain ASC (Sports Australia) recognition

Result is Australian Powerlifting Union will not be offered recognition at this point in time (i.e. 2019) with the following reasons:

Operating for three years

Australian Powerlifting Union has been in operation since January 2018 less than the required three years and is unable to provide financial statements and annual reports for the past three reporting periods.

Minimum of 1,000 active members

Australian Powerlifting Union has 475 members, less than the minimum 1,000 active members required for NSO recognition purposes.

Single national entity

There are a number of organisations currently developing powerlifting in Australia therefore, Sport Australia has deemed it inappropriate to recognise a particular organisation at this point in time.

Agenda item 2: Confirmation of delegates/voting rights

Moved/presented by: Sean Muir

The Chair confirmed:

24. A Member is entitled to one vote at a General Meeting of the Company.

25. However, the Board may suspend a member's entitlement to vote if the Member owes the Company any amount that is more than 3 months overdue (or such other period as the Board determines).

All members presented entitled to vote.

Agenda item 3: Update on 2019 Nationals and State meeting

Moved/presented by: Max Bristow

3.1 APU National Championships:

2018:

- National Equipped Powerlifting and Bench Press, 15 July 2018
28 entries
- 1st Australian Classic Powerlifting and Bench Press Championships – 26 to 28 October 2018
140 entries

2019:

- The 2nd APU Equipped Nationals, 21 July 2019
19 entries
- 2019 Australian Classic Bench Press Championships, 17 August 2019
22 entries
- 2nd APU Australian Classic Powerlifting Championships, 7-10 November 2019
180 entries (limited)

3.2 APU State Branches:

APU currently has five State Branches.

- 1) APU New South Wales → New State Manager Angela & Pat Whymark. (Kirsten Ramage Departed in July 2019)
- 2) APU Queensland → State Manager Colin Webb
- 3) APU Western Australia → State Manager Paul Rucci
- 4) APU Australian Capital Territory → State Manager Alistair Buttimore
- 5) APU Victoria → State Manager Andrew MacGregor

Agenda item 4: Annual Report

Moved/presented by: Sean Muir

January 2019

- IPF Formulation replace the Wilks Formula.

All APU Competitions, Jan onwards, adopted IPF Formulation (i.e. IPF Points)

March 2019

-APU run 2019 Asian Pacific Powerlifting Championships on Gold Coast QLD, 12 – 17 March 2019. Fourteen (14) countries from Asia and Pacific participated in the championships.

-On March 12th 2019, the Australian Powerlifting Union hosted its first Special Olympics Powerlifting Event. 10 Special Olympics lifters step up to the platform.

As background; MoU between S/O Australia & APU signed in SEPT 2018.

The agreement period is 1 Sept 2018 to 31 Aug 2022

May 2019

-IPF & APU participated at 2019 Sports Accord Summit on Gold Coast.

The International Powerlifting Federation is an international governing body for the sport of powerlifting as recognized by the General Association of International Sports Federations (GAISF). GAISF (previously SportsAccord) is the umbrella organisation for both Olympic and non-Olympic international sports federations.

IPF >>> GAISF (General Association of International Sports Federations) >> Sports Accord >> IOC

June 2019

-13 lifters competed in 2019 World Classic Powerlifting Championships.

Lin Donevska, Eric Dumas, Nev Harris, Matt Shapiera, Daniel Falstein, Liam O'Kelly, Ewan Belgrove, Isabelle Hemmings, Isabella Devetak, Liz Napoli, Marlina Gabriella, Demi Poon, Leonardo Sucitra.

July 2019

-APU officially launched its Medical Board.

<https://www.powerlifting-apu.com/apu-medical-board/>

-APU received Statement claim from ORPF (Local Court of NSW, Wollongong)

-APU athlete participated in World University Powerlifting Cup – Karen Ho

-APU participated in 2019 Pacific Games in Samoa by delegating 2 Officials

-APU attended 2019 ORPF AGM in SAMOA

- APU Strategic Meeting in SYD
- APU and Special Olympics AU Meeting in SYD

August 2019

- APU filed and served its defence to Local Court (ORPF V APU) >> Trial on 24 Feb 2020

September 2019

- APU engaged with ASADA
- APU athletes participated in Commonwealth Powerlifting & Bench Press Championships – Rick Morse, Prem Bajaj, Valerie Silver & Yuki Kashima

October 2019

- APU athlete participated in World Masters Powerlifting Championships – Helen Allen

November 2019

- 2nd APU Australian Classic in Perth
- APU athletes participated in World Open Powerlifting Championships – Jamie Connolly and Evan McCloy
- APU (Sean Muir) will attend IPF 2019 GA in Dubai

Agenda item 5: Treasurer Report

Moved/presented by: Lin Donevska

Period of report is 1 July 2018 to 30 June 2019. With the comparison of last financial year, 1 July 2017 to 30 June 2018.

APU in its second year of operations has had a great 2019 and continues to build strength and momentum.

With the combination of our increased membership along with more competitions held in 2019 has contributed to a solid financial performance.

Equally, our expenses have also increased which is to be expected.

APU Gross profit, 70% increase as a result of:

- Membership increased by 50%.
- Competition entries by 85%.

APU Operating expenses, 72% increase as a result of:

- 32k - Entry fees an increase of 33%
- 9k - Equipment purchase increased by 88%
- Platform set up, banners, sound, tent for chiropractor

- 13k - Legal fees increased by 91% (Belco law – ASIC registration \$1.6k, \$3.4k, review of MPP & Privacy Policy, \$6k – governance and company work) and costs incurred as a result of a couple of actions taken against APU in which APU had to defend itself.
- 15k – Trophies
- 5.8k - Venue hire
- 18.6k – Accommodation expenses
- 10k – Travel expenses (international & domestic), spending coaches, president and referees to competition and compulsory IPF events

Our future outlook is very promising. We are looking at setting up State accounts whereby monies received from competitions can be reinvested into purchasing more equipment to be utilised by the states enabling them to lend the equipment to clubs to hold competitions.

We are looking forward to an outstanding 2020 powerlifting year.

Please see attached file (in Supplementary Document) for Cash Summary Report.

Agenda item 6: Re-election of Current Board

Moved/presented by: Sean Muir

Nominations

The chair advised that the following people were nominated:

- Sean Muir - President
- Scott Peisley – Co Vice President
- Ray Owen – Co Vice President
- Lin Donevska - Treasurer
- Max Bristow – Secretary General

Result

APU members unanimously voted Yes that the following people were elected as directors for period 2019-2020:

- Sean Muir - President
- Scott Peisley – Co Vice President
- Ray Owen – Co Vice President
- Lin Donevska - Treasurer
- Max Bristow – Secretary General

Agenda item 7: Update

Moved/presented by: Sean Muir

7.1 APU & IPF Recognition

Sean Muir will attend IPF General Assembly in Dubai on 17 November 2019.

7.2 ASADA

As per 25 September 2019, The APU Anti-Doping Policy has been approved by the ASADA.

This Anti-Doping Policy takes effect on 25 September 2019.

ASADA Level 1 course is recommended to all APU Members

7.3 Annual Membership Fees

Volunteers and Supporters from AUD 50 to AUD 1. (Rest membership types remain at the same price)

7.4 Discussion on Entry Fees

The APU Board are in discussion re. Entry Fee portion (i.e. Calculation between APU and Meet Director). This is considering two situations:

Meet Director with complete Comp. equipment and facilities.

Meet Director without complete Comp. equipment and facilities.

Agenda item 8: Committee Update

Moved/presented by: Sean Muir

APU RECORDS

On Standards

- Record standards were lowered based on the APU values of Lifting Is For Everyone, where we'd rather see people set records rather than an artificially high standard never be achieved.
- M3 and M4 lifters do not have standards (they are set to 0).

On records being broken

- APU athletes have set or broken over 210 raw records since I took over as record keeper early this year.
- Essentially 50% of all records from SJ-J-O-M1-M2 have been set.

On the record application process

- For larger competitions such as state and national championships we have trialed automatically processing records which has been largely successful, and given the

relatively infrequency of APU competitions that result in records being broken, this will likely continue for ALL competitions.

- I am happy to receive corrections via email.

On communication

- A large number of lifters are not aware of the eligibility requirements written into the APU bylaws.
- I'd like to see an avenue on social media or otherwise to allow for regular record updates to be communicated to all APU members

Evan McCloy

APU National Record Keeper

records@powerlifting-apu.com

APU INVENTORIES

- 4 Calibrated Competition Scales:
 - 1 in Brisbane - Sean Muir's storage
 - 1 in Canberra – RealFitt gym's storage
 - 2 are still in Supplier's storage (National weighing Sydney)
- 1 complete Rogue weight plates – Panther's gym

APU ANTI-DOPING

Please see attached file (in Supplementary Document).

Agenda item 9: Key Focus areas for 2020

Moved/presented by: Sean Muir

- APU Coaching Clinic
- Youth Program
- Engage with Sports AUS
- Out-of-Competition Testing (Anti-Doping Test)
- Full implementation of Sports Management Software

Agenda item 10: Any other business

Moved/presented by: Sean Muir

ORPF v APU

Highlight:

The ORPF taking direct legal proceedings against the APU re. 2018 ORPF Championships financial matter.

Claims:

APU (The Defendant) owes ORPF (Plaintiff):

- AUD 12,000 – for refundable float to assist with the up-front expenses of the 2018 ORPF Championships.
- AUD 843.33 – Profit of the Championships
- AUD 2754 – Equipment (Signage and Black Partition)
- AUD 903 – Master of Ceremony (Ms. Robertson) flight ticket to Gold Coast
- AUD 4171.19 – Insurance Premium (AON)

APU Response:

APU denied and or didn't admit all the claims in Statement of claims.

APU was helping ORPF to run for organizing the championships on short notice and the ORPF for failing to provide a contract (no agreement between ORPF & APU).

It's all done with good intention from APU to help ORPF for 2018 Championships. Hence several weeks after, the ORPF received recognition from the Pacific Games Committee to run 2019 Pacific games powerlifting.

This Direct legal proceedings taken by ORPF **contravenes the IPF Constitution.**

The proper procedure for dealing with complaints is through the IPF Court of Justice and then the Court of Arbitration for Sport if there is an appeal from the Court of Justice decision.

Latest status:

This matter is listed for Review on 20 January 2020 10:00 AM before the Local Court Civil at Wollongong

This matter is listed for Hearing on 24 February 2020 9:30 AM before the Local Court Civil at Wollongong

APU members unanimously voted Yes to have Mr. Grahame Fong as Legal Representative for APU for ORPF v APU and APU v ORPF.

APU v ORPF

Highlight:

The APU lodged a complaint to the IPF Court of Justice challenging the validity of the 2019 ORPF AGM.

Claims:

APU requested that:

- The ORPF GA meeting in July 2019 in Samoa must be invalidated due to insufficient notice of the GA, and failing to follow its own constitution puts the ORPF members at risk of legal action for breaching its Constitution.
- The member nations had not paid the annual National Affiliation fee of \$AUD 300 prior to the AGM and all votes from those member nations are invalid.

COJ Judgement:

- a) Whilst we (read COJ) agree with the APU's assertion that the General Assembly 16/7/19 was not called in accordance with the ORPF Constitution and the voting was not in accordance with the ORPF Constitution, it is not clear what benefit there would be in voiding all the decisions taken there.
- b) Furthermore, as mentioned above (read COJ letter), no objections were raised at the meeting as to its legitimacy.
- c) The minutes of the meeting show that voting rights were discussed and those entitled to vote agreed.
- d) The ORPF is still in a formative stage and it is important that there is some measure of stability until the issues in contention can be addressed.
- e) It is not the job of the IPF Court of Justice to interfere in the running of a region if IPF rules have not been broken.
- f) We (read COJ) suggest that either the APU waits for the next scheduled General Assembly or convenes a Special Meeting as per ORPF Constitution 7.3.2 to remedy their concerns.
- g) The case is therefore dismissed.

Latest status:

APU requesting Appeal procedure details to IPF

APU members unanimously voted Yes to have Mr. Grahame Fong as Legal Representative for APU for ORPF v APU and APU v ORPF.

Ms. Henderson V APU

Highlight:

Ms. Julie Henderson lodged complaint to the IPF Court of Justice by including supporting claims from Mr. GordonThorogood, Ms. Pam Cutjar and Mr. David Cheung.

Claims:

Ms. Henderson's joined complaint are:

1. Raising awareness of longstanding poor governance and a culture of intimidation by the APU directed to those who question any aspects of APU governance or decision-making.
2. Consideration of Julie Henderson and Gordon Thorogood's unfair expulsion from APU membership in breach of the APU Constitution, Australian legislation, the IOC's Basic Universal Principles of Good Governance of the Olympic and Sports Movement; and the IPF's Constitution of the International Powerlifting Federation.

COJ Judgement:

- a) We (read COJ) accept that the APU has acted in accordance with its Constitution in rejecting membership applications from Messrs: Henderson, Thorogood and Cutjar.
- b) As per extract from IPF Constitution Clause 5.1 "The IPF respects the autonomy of its affiliated members with respect to matters that do not have an international dimension, do not breach the IPF Constitution, By-Laws or other IPF rules or regulations and do not otherwise negatively affect the IPF".
- c) Furthermore, no specific IPF rules have been identified as being infringed, in terms of governance.
- d) The case is therefore dismissed.

Latest status:

N/A

Special notes

The Board 'expert'

From time to time someone on a board will claim to be an expert on a certain topic; a marketing magician, a governance guru. It may be true or it may be hyperbole.

It is preferable **for people with extensive knowledge and expertise to better describe themselves as experienced rather than expert for the most part**, especially given that no one is on a board in their professional capacity. They are there to bring their skills and knowledge to the table but not to give, or be relied on to give, or be expected to give, advice.

Indeed the notion **of a self-proclaimed expert can be disadvantageous or dangerous to the organisation**. That person may come to be regarded by other board members, not as informed on the topic which is the realm of the self-described expert, deferring to him or her for advice or giving the utterances greater weight than is due. This can lead to a division in the board when not everyone agrees with the expert's view or opinion. And in those circumstances wise heads on the board should recommend external advice be sought.

This is a difficult matter to address as no one wants to offend the self-described expert at the meeting because he or she may indeed have the expertise. **It is up to the chairman to counsel the board member so that opportunity for misunderstanding as to the role is limited.**

Source: <https://www.playbytherules.net.au/got-an-issue/governance/tips-for-committees-or-board-members>

Agenda item 11: Meeting close