



The current state of affairs with AKA Australia.

As clubs and their delegates would know from discussions at various SKC meetings and from reading the minutes of same over the past couple of years, Queensland (State Member of the AKA) has been heavily criticised for its outspoken views on the way the National Secretariat/NKC has dealt with the business affairs of karting in Australia over the past decade more especially since 1999.

The issues over that period include the following;

1. Continued trading losses year on year.
2. A loan from the TDF to augment cash flow for insurance premium payment purposes
3. The irregularity of presentation of interim figures to its members. Queries raised regarding expensing of large ticket items such as insurance premiums, especially the absence of expensing to the P&L account and a satisfactory explanation how the prepayment system setup is accounted for.
4. The call for a year to P&L account which has been refused on at least 4 occasion in 2005 and before as well. We were told to add up the monthly reports and we would encourage you to do this. It clearly fails to show detail is missing from the information provided especially regarding where for example insurance premiums have been expensed.
5. The TDF fund has never been set up as a trust as was approved by the NKC several years ago. However when you read on, this will have to be revisited again for the reasons advanced later in this correspondence.
6. We experienced a spate of addendums being issued without NKC approval.
7. The postal ballot system was pointed out as flawed and a special meeting in Mar 2005 tried to correct such shortcomings. At that meeting our National President issues a diatribe aimed at Queensland again when you read on, you will see just how far wide of the mark many of his statements are. However the changes rushed through in Mar 2005 in an endeavor to correct past procedural shortcomings where the current NKC confirmed all postal vote decisions since 1999 without same being individually tabled, were never recorded in terms of legislation so that whole issue is back to square one.

There are other issues but the above is just a sample to reaffirm where one State member, (Qld) has been coming from as regards the handling of much of the AKA business affairs.

Last Friday the National secretariat issued a range of motions to be considered at the coming National AGM to try and correct the non- compliance with the legislation relating to Incorporated Associations of which AKA Aust is one.

But worse was to emerge. Consumer Affairs Victoria (CAV) has issued a statement that the current constitution of AKA Aust registered and enforceable is dated 1990. So for the past 15 years much of the business transacted has been dealt with in contravention of the current valid constitution.

Summing up a few of the issues, which this impacts;

- ✓ No phone meeting decisions or fax votes were valid in the 1990 constitution as both vehicles were never applicable to the registered association.
- ✓ Many (almost all) of the current officer bearer positions don't legally exist. Some were created in the void since 1990.
- ✓ The registered current applicable fiscal year is 1st Jan to 31st Dec and not 30th June, which is currently used.

There might well be a raft of other issues but the above examples clearly display our association set up and methods of carrying on its business are severely flawed.

A logical solution might be for the association to appoint a constitutional legal advisor to clean up the mess. The AGM set down for later this month needs to be cancelled as its invalid, voting for posts that don't exist, accepting a financial statement for the incorrect period for which the report is due and accepting reports for roles which do not technically exist. In view of the timing now, no special resolutions on many of these issues can be entertained within constitutional constraints.

Clubs, states and CAMS need to know the issues, which Queensland is being blamed for raising/investigating. If correct legislative procedures had been followed then many of the shortcomings would never have arisen. Moreover if some reasonable investigation of the issues which we have raised over time were properly considered instead of the blame being sheeted to Queenslanders for raising issues and censured on occasions, again a different outcome might well have been the result.

The Qld member state does not and has not accepted the apparent " thumbing their noses/ burying their heads in the sand" approach of the Executive and on occasions the NKC when enquiries regarding constitutional and financial issues have been raised..

We are at a point where we must demand that all issues be corrected and mechanisms put in place to ensure all changes etc are handled properly into the future.

A decent governance set-up should address this into the future, but the mess currently uncovered needs to be cleaned up first.

