



## Record Keeping in Licensed Clubs

All not for profit sporting and community Clubs that hold a liquor licence are incorporated associations under the *Associations Incorporations Act 1985 (the Act)*.

Consumer and Business Services administers and regulates this legislation and consequently, the activities of incorporated Clubs.

CBS has advised Clubs SA of the following information, which is important to share with you.

### Obligations

Not for profit sporting and community Clubs are obliged to keep the following records under the Act:

#### 1. Minutes

Clubs must keep a folder, register or similar at the Club, or in the custody of an appointed Officer, that contains the Minutes of:

- any Annual General Meeting;
- any Special General meeting;
- any committee meetings.

There is no time limit for retaining these Minutes and they must be retained for the life of the Club.

#### Members' access to Records

A folder, register or similar containing the Annual General Meeting and/or Special General Meeting Minutes must be made available for inspection by any Club Member and without charge.

It is important to note that this gives Members the right to inspect minutes of Annual General Meetings and Special General Meetings **but not committee meetings**. It might be practical therefore, to have two separate Minute books: one for committee meeting minutes and one for general meeting minutes.

In accordance with the guidance above, a Member's right to inspect the Minutes of the association's AGM or Special General Meeting Minutes are not limited by any timeframe.

#### 2. Accounting Records

A Club is required to retain its accounting records for 7 years after the completion of the transactions to which they relate.

### **Retaining records upon deregistration or cancellation**

The Club Committee Members who were on the Board immediately before the deregistration or cancellation of the incorporation of the Club must keep the Club's "books" for 3 years after the deregistration or cancellation.

"Books" are broadly defined to include any register or record of information, any accounts or accounting records (regardless of how they are compiled, recorded or stored) and any document.

This would include the accounting records, the Minutes, and any other registers, records etc which the Club held immediately prior to deregistration or cancellation.

This does not mean that an association is required to retain all "books" throughout the life of the association. The ongoing obligations of the Club to retain records during its lifetime only relates to accounting records and Minutes as outlined above.

**IMPORTANT: Some Clubs may not have retained records in the manner described above. If this is the case, please immediately introduce systems and procedures to remedy this oversight, including making the AGM Minutes and Special General Meeting Minutes available to Members upon request.**

**Should your Club have any issues in this regard, please call Clubs SA for advice in the first instance.**