



Why two Galloway Associations?

This article deals with the demise of the Galloway Cattle Society of Australia, the improper transfer of its assets to the Australian Galloway Association and the formation of the Galloway Cattle & Beef Marketing Association, later to become Galloways Australia.

It starts with a court case...

The dispute (Cullen & Ors v Galloway Cattle Society of Australia Inc Matter No 4730/97 [1998] NSWSC 86, 11 March 1998) concerns whether the plaintiff (Eve Cullen) was validly expelled as a member of the defendant association (the now defunct Galloway Cattle Society of Australia). But as the judge said, "The real dispute between the parties appears to be strongly held opinions from two different points of view as to what are pure-bred Galloway cattle". Eve Cullen was successful in her action against the Galloway Cattle Society of Australia. The judge said, "Accordingly, it follows that the vote at the council meeting to expel the plaintiffs was invalid." The judge awarded in favour of Eve Cullen. Eve was awarded cost which ran into tens of thousands of dollars; to the day she died, she did not see a cent of it.

And here is how they circumvented the law...

In a letter dated 30 June 1998, the Federal Council of the Galloway Cattle Society of Australia surprised all of its members by indicating that the Society would cease its operations.

In Minutes of an adjourned Meeting of the Federal Council of the Galloway Cattle Society of Australia held on Sunday 7 May 1998, Councillors present unanimously carried the following motion:

"That we cease operation on 30 June 1998 with strong recommendation that all members use the Australian Galloway Association as the vehicle for registrations, recording, transfer and promotion of Galloway cattle."

A further motion was passed to sell all of the Society's assets to the Australian Galloway Association for \$1000, and to advise Royal Agricultural Societies that the Australian Galloway Association has "taken over".

These motions were irregular at best, but were clearly in breach of the Society's Constitution. It appears on the surface the legal costs arising from court action (resulting from poor decisions by the Federal Council) presented difficulties for the Galloway Cattle Society of Australia; Federal Councillors established a new body (the Australian Galloway Association) behind the backs of members to circumvent the law.

In doing so, the Federal Council of the Galloway Cattle Society of Australia engaged in misconduct. Financial assets (and cattle records) of the Galloway Cattle Society of Australia were improperly transferred to the Australian Galloway Australia. To transfer assets the Society's Constitution required a General Meeting. There was no General Meeting conducted to deal with this matter.

And why we established the Galloway Cattle & Beef Marketing Association...

A number of old Galloway Cattle Society of Australia members who were not party to these improper actions were dismayed at the actions of Federal Council and established the Galloway Cattle & Beef Marketing Association on 22 December 1999.

The lessons learnt...

The lesson out of the appalling actions of the last Federal Council of the Galloway Cattle Society of Australia: an Association (or Society) operates for the benefit of all members. Those elected to a committee (or Council) are required to follow the organisation's Constitution. When individuals in powerful positions abuse their roles to pursue personal agendas the Association ceases to be an effective representative body.

Further information on the case can be found at:

[Australasian Legal Information Institute](#)