[056N: Incorporates alterations of 29 July 2025[R2025/96]]

(replaces rulebook dated 23 April 2004 [R2004/231])

**The Shearing Contractors’ Association of Australia**

I CERTIFY under section 161 of the Fair Work (Registered Organisations) Act 2009 that the pages herein numbered 1 to 16 both inclusive contain a true and correct copy of the registered rules of The Shearing Contractors' Association of Australia.

DELEGATE OF THE GENERAL MANAGER

FAIR WORK COMMISSION

Rules of

The Shearing Contractors' Association of Australia.

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## 1 - COMMENCEMENT - (Deleted)

## 2 - REPEAL AND SAVING

These Rules repeal all former Rules of The Shearing Contractors' Association of Australia in force immediately prior to the commencement of these Rules.

The President, each Vice-President, the Secretary and each Trustee, Officer, Auditor or member of the Committee of Management elected or appointed under the Rules of the Association hereby repealed and holding office or seat at the commencement of these Rules, shall be deemed to have been elected or appointed under and subject to these Rules until his successor is appointed or elected pursuant to these Rules.

## 3 - DEFINITIONS AND INTERPRETATION

In these Rules, unless the context clearly otherwise indicates:

"Act" means the *Fair Work (Registered Organisations) Act 2009* (Cth) or any Act amending or replacing same.

"Association" means "The Shearing Contractors' Association of Australia."

"Branch" means a Branch of the Association.

"Committee" means the Committee of Management of the Association.

"Member" means a member of the Association.

"Registrar" means tribunal constituted under the *Fair Work Act 2009* (Cth)by the name Fair Work Commission, or by any other name it is assigned in the future, and includes any successor to that tribunal.

"Secretary" means the Secretary-Treasurer of the Association.

"Shearing Contractor" means any person, firm or corporation who, or which, enters into a contract with any other person, firm or corporation to shear and/or crutch sheep in the ownership, possession or control of the last-mentioned person, firm or corporation. Provided that the term "Shearing Contractor" shall not include any person who, when shearing and/or crutching sheep, is an employee of the last-mentioned person, firm or corporation.

"These Rules" means the Rules of the Association as they exist from time to time.

Words importing the plural number only shall include the singular and words importing the singular shall include the plural.

Words importing the masculine gender shall include the feminine gender and the neuter gender. Words importing persons shall include companies, partnerships, statutory or otherwise.

## 4 - NAME

The name of the Association shall be "The Shearing Contractors' Association of Australia".

## 5 - CONSTITUTION

The Association shall consist of shearing contractors either Firms, Companies or individuals, who carry on business in the Commonwealth of Australia.

## 6 - OBJECTS

The objects of the Association are:

(a) To promote and conserve the interests of Shearing Contractors throughout the Commonwealth of Australia.

(b) To appoint delegates to meet or act in conjunction with any recognised body, to discuss and settle matters affecting the interests of the Association.

(c) To advise, as far as possible, the members of the Association as to the direction in which the interests of both the Association and its members lie.

(d) To support its members in securing the faithful observance of agreements with employers or employees.

(e) To send delegates to represent the Association at any conference on matters concerning the Association whether such conference be State or Federal.

(f) To register as an Industrial organisation of employers, both State and Federal.

(g) To take, defend and appear in, proceedings in the Arbitration Tribunals, State and Federal, on behalf of the Association, or to defend any such action against the Association.

(h) To furnish funds for the prosecution or defence of any actions or legal proceedings in any cases in which any question of principle affecting the business of shearing contractors is involved, provided that the law relating to champerty and maintenance be not thereby infringed.

(i) To do all acts and things which may be necessary or expedient to the carrying out of the above objects.

(j) To raise funds by entrance fees, subscriptions, levies, and fines for the foregoing purposes or any of them.

## 7 - REGISTERED OFFICE

The registered office of the Association shall be at the 5th Floor, 17 O'Connell Street, Sydney, New South Wales, unless otherwise ordered by members of the Association in general meeting assembled. The registered office of each Branch shall be at the location decided by members of the Association in general meeting assembled and the Registrar shall be notified of each such location in accordance with the Act.

## 8 - REGISTERED OFFICER

The Secretary shall be the Registered Officer of the Association and shall be empowered to act on behalf of the Association and to sue and be sued on behalf of the Association. He may sue in his own name or in the name of the Association.

## 9 - ELIGIBILITY FOR MEMBERSHIP

Any Contractor who is engaged in the business of a shearing contractor, may make application for membership to the Committee of Management, who may accept or reject such application. If any question arises as to the eligibility of any applicant for admission as a member of the Association, the decision of the Committee shall be final.

## 10 - MEMBERS

1. A candidate for membership shall sign an Application Form and shall be deemed to be a member of the Association as from the date of signing such application but subject to the endorsement of the Committee.

2. Each member shall supply the Secretary with an address to which notices may be sent and a notice posted by ordinary course of post shall be deemed to be served on him at the expiration of 24 hours after the letter containing same is posted.

3. Any member changing his address shall notify the Secretary within 14 days of doing so.

4. Subject to these Rules a member shall be deemed to be a financial member and entitled to exercise the rights of a financial member of the Association whose subscriptions, calls or levies have been paid or shall not be more than two months in arrears at the date of his proposed exercise of his rights as such a member.

5. Applicants for membership of the Association shall be informed in writing of:

(a) the financial obligations arising from membership; and

(b) the circumstances, and in the manner in which a member may resign from the Association.

## 11 - REMOVAL OF MEMBERS

The Committee may order the removal of the name of any member from the Register:

(a) If such member acts contrary to or in disregard to the Rules of the Association or its Regulations and Orders.

(c) If the contributions or calls by such member are two years or more in arrears or he has failed to pay the annual subscription for two years including the current year, the Committee may cause his name to be removed from the Registered list of members. The Committee shall give the member thirty days’ notice of their intention to remove his name from the list of members under this sub-clause.

## 12 - RESIGNATION OF MEMBERSHIP

A member may resign from membership -

(a) By written notice addressed and delivered to the Secretary.

(b) A notice of resignation from membership takes effect:

(i) where the member ceases to be eligible to become a member of the Association -

a. on the day on which the notice is received by the Association; or

b. on the day specified in the notice, which is a day not earlier than the day when the member ceases to be eligible to become a member;

whichever is later; or

(ii) in other cases -

a. at the end of two weeks, after the written notice is received by the Association; or

b. on the day specified in the notice;

whichever is later.

(c) A notice delivered to the Secretary is taken to have been received by the Association when it was delivered.

(d) Any dues payable but not paid by a former member of the Association, in relation to a period before the member's resignation from the Association took effect, may be sued for and recovered in the name of the Association, in a court of competent jurisdiction, as a debt due to the Association.

(e) A notice of resignation that has been received by the Association is not invalid because it was not addressed and delivered in accordance with sub-rule (a).

(f) A resignation from membership of the Association is valid even if it is not effected in accordance with this rule if the member is informed in writing by or on behalf of the Association that the resignation has been accepted.

## 13 - RECORDS AND REGISTER OF MEMBERS

1. The Secretary shall be responsible for the safe keeping, at the Registered Office of the Association, of an accurate register of members showing:

(a) The name and postal address of each member.

(b) The name, postal address and occupation of each Officer of the Association and each member of the Committee of Management.

(c) The name, postal address and occupation of any person holding, whether as trustee or otherwise, property of the Association or property in which the Association has any beneficial interest.

(d) The name and postal address of each new member admitted to the Association and the date of his admission.

(e) The name and postal address of each member who resigns or is otherwise excluded from membership and the date of his resignation or exclusion.

2. In addition, the Secretary shall keep at the Registered Office of the Association an account, in proper form, of the receipts, payments, funds and effects of the Association.

3. The Secretary shall file with the Registrar as defined by the Act before the 31st of March in each year a copy of each of the records referred to in sub-clauses (1) and (2) of this Rule duly certified by Statutory Declaration by the Secretary to be a correct statement of the information contained therein.

## 14 - OFFICERS

The officers of the Association shall be the President, two Vice-Presidents, Secretary-Treasurer, and two Trustees, who shall be elected in pursuance of Rule 26A, and shall hold office for the ensuing twelve months, unless otherwise removed.

## 15 - PRESIDENT

The duties of President shall be to preside at all general meetings of the Association and of the Committee, to place the business before the meeting in a proper manner, and to observe and enforce the rules of the Association.

## 16 - SECRETARY-TREASURER

The duties of the Secretary-Treasurer shall be to record and keep the minutes, which are recorded proceedings and resolutions of all meetings of the Association; to attend all meetings, issue receipts for all moneys received by the Association for any purpose whatsoever, to keep proper books of account of the funds of the Association, to deal with all correspondence, to prepare and submit to the annual general meeting an annual report of the progress of the Association, and an annual balance sheet, and such other duties as may from time to time be allotted to him by the Committee or prescribed by these Rules.

## 17 - VICE-PRESIDENTS

In the absence of the President, one of the Vice-Presidents shall preside at a meeting of the Committee of Management or at a meeting of the Association and when so doing shall have the same duties and powers as the President.

## 18 - TRUSTEES

1. The duties of the Trustees shall be to hold in trust, for the benefit and advancement of the Association, any funds or property that may from time to time be acquired by the Association, and vested in such trustees, such funds or securities representing the same to be held solely within the Commonwealth.
2. The Trustees shall have power to invest such funds and control such property subject to the direction of the Committee of Management.

## 19 - AUDITOR

A certified auditor shall be appointed by the Association at its Annual General Meeting and he shall hold office until the subsequent annual meeting. He shall audit the books, vouchers, and securities of the Association, certify to the annual balance sheet and submit a report of such audit to the Secretary-Treasurer for presentation at a general meeting of members or a meeting of the Committee of Management within the period of 6 months starting at the end of the financial year. All officers of the Association shall give the Auditor full and complete access to the books and documents of the Association. He may, whenever he deems it necessary, himself convene a special meeting of the Committee or members of the Association.

## 20 - VACATION OF POSITION OF AUDITORS

An Auditor shall be deemed to have vacated his position:

(a) Upon death.

(b) Upon becoming of unsound mind.

(c) Upon receipt by the Committee of notice in writing of resignation from that position signed by him; and the Committee shall have power to fill such casual vacancy.

## 21 - MEETINGS

1. The Association shall hold at least one general meeting during every twelve months at such time and/or place as the Committee may determine. The Secretary-Treasurer shall provide at least seven days' notice (exclusive of the day on which the notice is served or deemed to be served but inclusive of the day for which notice is given) specifying the place, day and hour of meeting - and in the case of special business, the general nature of such business - to all financial members of the Association by email communication to a member’s email address.

2. The Committee may call a special general meeting of members at any time upon giving seven days' notice thereof as above-mentioned. The Secretary shall upon receiving a written requisition for such purpose giving particulars of the business to be submitted to such meeting (including for the purpose of considering the Association’s full financial report), signed by not less than 5% of the members of the Association, within fourteen days of the receipt thereof call a special general meeting to consider and deal with such business. The same notice of such meeting and of the special business shall be given as is required for the annual general meeting. In the event of the Secretary failing to call such special general meeting within fourteen days as aforesaid the persons making the requisitions may on giving notice thereof as above prescribed convene such a meeting.

3. The quorum at a general meeting shall be six, including at least three officers of the Association.

4. If a quorum fails to attend a meeting, such meeting shall stand adjourned to such times and place as a majority of those present shall determine. Any three financial members shall constitute a quorum at an adjourned general meeting.

5. Notwithstanding any other provision of these Rules, any meeting of the Association or Committee may be conducted in person, by telephone, videoconference, any other electronic means available, or by a combination of these forms of meeting or communication. Where any such meeting is conducted other than by way of all of the participants being present in person, such meeting shall be as valid as if all participants had met in person provided that:

1. any such meeting is otherwise convened and conducted in accordance with the requirements of the Rules; and
2. each of the members attending the meeting have a reasonable opportunity to observe and participate in the meeting, including communicating conveniently through electronic means.

## 22 - POWERS OF MEMBERS ASSEMBLED IN GENERAL MEETING

The members of the Association in general meeting assembled shall have the power subject to these Rules:

(a) To direct the policy of the Association in all matters affecting the interest of members.

(b) To remove from office any officer found guilty of an offence under Rule 27.

(c) To appoint an auditor.

(d) To repeal, alter or add to the rules.

(e) To fix the remuneration (if any) of the officers of the Association.

(f) Deleted.

(g) To fix the entrance fee to the Association.

(h) To fix the annual subscription fees of members.

(i) To impose levies upon any one or more branches or upon the members or any specified category of the members of any one or more branches or of the Association. Provided that no member shall be liable to pay levies to an amount of more than $20 in any one year.

(j) To demand or cause to be made an audit of the books and accounts of any Branch and for that purpose take possession of all property, books, bank books, documents, and correspondence from any Branch or office thereof.

(k) To hear and determine appeals from any decision made within a Branch affecting the rights of any member.

(l) To do anything necessary to carry out the objects of the Association.

## 23 - RIGHT OF VOTING

1. Each financial member of this Association shall be entitled to a vote on the election of all members to the Committee of Management and all business submitted to meetings of members.

2. A firm which is a financial member of this Association shall be entitled to one vote only irrespective of the number of members of the firm.

3. A corporation which is a financial member of this Association shall be entitled to one vote only, such vote to be cast by a Director or officer of the corporation duly authorised as its proxy.

4. Voting shall be by show of hands unless three or more members present in person or by proxy demand a ballot.

5. In the event of any member of the Association being unable to attend a meeting he may appoint any other member of the Association including the person who may be Chairman of the meeting, as his proxy and such appointment shall be notified in writing to the Secretary.

6. All acts performed by duly appointed proxies of members of the Association shall have the same force and effect as if they had been done by the member himself.

## 24 - COMMITTEE OF MANAGEMENT

1. The Association shall be managed by a Committee of Management consisting of the Officers of the Association and at least four and not more than six other members who shall be elected in accordance with Rule 26.

2. A member of the Committee of Management shall hold office until the ensuing Annual General Meeting unless he has vacated his position in accordance with the provisions of the Rules.

3. If a position on the Committee of Management becomes vacant in accordance with these Rules, the remaining members of the Committee of Management may fill the vacancy by appointing a new member of the Committee of Management. The new member shall hold office for the residue of the term of his predecessor.

## 25 - POWERS AND DUTIES OF THE COMMITTEE OF MANAGEMENT

1. The Committee of Management shall, subject to their control by the members of the Association in general meeting assembled, be the supreme governing body of the Association and, provided that the conditions laid down by these Rules are observed, all acts done by the Committee shall have the same force and effect as if they had been done by the members of the Association in general meeting assembled.

2. In between general meetings of the Association and subject to any directions of the members of the Association in general meeting assembled, the Committee may exercise any of the powers specified in Rule 22 except subject to Rule 38 the power to repeal, alter and add to the rules. Any act of the Committee may be reviewed by the members at a general meeting.

3. The Committee shall meet at least twice in each calendar year and a meeting of the Committee shall be held:

(a) When directed to do so by the members of the Association in general meeting assembled.

(b) When decided by the President in conjunction with the Secretary/ Treasurer.

(c) On receipt of a petition signed by at least 25 members.

4. A quorum of the Committee shall be four.

## 26 - ELECTORAL PROCEDURE OF COMMITTEE OF MANAGEMENT

1. Nomination for Office

The Secretary-Treasurer shall call for nominations for the election of the Committee from financial members of the Association provided by notice on the Association’s website to members who have immediate access to that website and sent by email communication to members’ email address. The closing date for such nominations being a date not less than two months before the Annual General Meeting which shall give sufficient time for ballot papers to be dispatched to and return by all members of the Association eligible to vote to enable the count to be completed prior to the Annual General Meeting.

Such notice shall be given to members not less than fourteen days before the closing date for nominations.

Subject to Rule 26(5), no nomination shall be accepted pursuant to this Rule unless the nominee has signed written acceptance of nomination. The nomination may be accompanied by a statement in accordance with Rule 26(8).

2. (A) If no more than twelve nominations are received, the nominees shall be declared elected at the Annual General Meeting.

(B) If more than twelve nominations are received a secret postal ballot shall be held.

3. Ballot Paper - By Whom Received

In the conduct of ballots for election under this Rule ballot papers shall be sent to all financial members of the Association.

4. Returning Officer - Appointment

The Committee shall appoint or secure according to law the appointment of a Returning Officer who shall not be a candidate for office, or the holder of any office in, or an employee of the Association.

5. Returning Officer - Duties

(a) The Returning Officer shall conduct the election from the calling for nominations to the ballot. He shall satisfy himself that no nomination is defective, provided that before rejecting any nomination he shall notify the member concerned of the defect and if it is practicable to do so, give him an opportunity to remedy the defect within not less than seven nor more than fourteen days after his being so notified.

(b) He shall state the time and date by which voting papers must be returned to him, which date shall be not earlier than the thirtieth day after the date upon which the voting papers are sent to members. He shall satisfy himself that ballot papers have been sent to all financial members and upon return of the ballot papers shall check and count them as prescribed by this Rule.

6. Scrutineers - Appointment

The Committee may appoint two official scrutineers to attend the ballot. Any candidate may if he so desires appoint at his own expense a scrutineer to represent him at the ballot. A candidate appointing a scrutineer shall, before the commencement of the count notify the Returning Officer in writing of the name of such scrutineer. Such scrutineer shall not be the candidate himself.

7. Scrutineers - Conduct and Duties

The conduct and duties of scrutineers shall be as follows:

(a) The scrutineers shall be entitled to be present throughout a ballot and may query the acceptance or otherwise of any nomination and inclusion or exclusion of any vote in the count but final determination in these matters shall remain with the Returning Officer.

(b) A scrutineer shall not be entitled to remove, mark, alter or deface any ballot paper or other document used in connection with the election.

(c) In every case the scrutineers shall observe any direction given by the Returning Officer and the Returning Officer shall take all reasonable steps by notification or otherwise to enable each scrutineer to exercise his rights but no election shall be vitiated by reason of the fact that a scrutineer does not exercise any or all of such rights if he has had reasonable opportunity to do so.

7A. Roll of voters

In a ballot to be conducted under this Rule the day on which the roll of voters is to be closed, shall be on the fourteenth day prior to the opening of nominations.

8. Dispatch of Voting Papers

(a) The Returning Officer will issue voting papers giving sufficient time, to allow return and counting prior to the succeeding Annual General Meeting and shall forward by prepaid post ballot papers to each eligible voter addressed to his registered address or to such other address as the voter shall, on account of this absence from his registered address, have notified to the Secretary in writing.

The Returning Officer shall at the same time forward to each such voter any statement supplied with the candidate's nomination complying with the following:

The statement shall give the name and age of the candidate and the address at which the candidate mainly carries on his or her particular industry and indicates in not more than 75 words the candidate's:

(i) Service to the industry

(ii) Service to community

(iii) Special interests and qualifications any type

(b) A voting paper or papers shall be dispatched in one envelope and shall set out the names of the candidates in an order determined by lot and shall be accompanied by two printed envelopes.

(c) One, the outer envelope, shall be a reply-paid envelope addressed to the Returning Officer who shall have his locked bag service at the General Post Office, Sydney. The other, a declaration envelope for the inclusion of the completed ballot paper, shall contain on it a removable flap or label with the name and postal address of the voter and a place for the signature of the voter, together with a declaration that the voter named on the envelope has voted on the ballot paper contained in the envelope and has not voted before in the ballot.

9. Return of Voting Paper

Each voter having marked his voting paper shall place it in the declaration envelope. He/she shall then complete the declaration on the reverse side by signing the envelope and putting that envelope in the reply-paid envelope addressed to the Returning Officer.

10. The Count

On the weekday next following the last day for receipt of voting paper, the Returning Officer shall check the names and addresses endorsed on the reverse side of the reply-paid envelopes against the roll of voters and remove ineligible votes. He shall then open the voting papers and remove informal votes and count formal votes.

11. The preferential system of voting shall be as follows

(a) A member shall indicate the order of his preference by placing a number opposite the name of each candidate. The lowest number shall indicate the member's highest preference. The number 1 to the total number of nominations are to be used in the sequence of the member's preference.

(b) Ballot papers to be counted must be received by the Returning Officer not later than seven clear days before the date of the relevant Annual General Meeting.

(c) In calculating the votes the Returning Officer shall adopt the following method of computation, namely:

(i) The number placed opposite each nominee shall be added to produce a total for that nominee

(ii) The nominees shall then be ranked in the reverse order of that numerical total.

12. Absentee Vote

In the event that a financial member exercises his right under this rule to request an absentee vote, the ballot shall not be counted until the expiration of the time fixed by the Returning Officer for the return of such absentee vote.

13. Declaration of the Ballot

The Returning Officer shall declare the results of the ballot by giving to the Secretary-Treasurer a written declaration signed by the Returning Officer, dated and identifying the ballot by reference to the rule or rules under which it was conducted.

14. Further Ballot

Should any error or informality occur, which may have affected the result of the Election in any election, the Returning Officer may order a new election at times and dates to be determined by him.

15. Retention of Ballot Papers - Returning Officer

The Returning Officer shall retain all election material including ballot papers (voting papers, envelopes and records of counts), for a period of one year from the date of declaration of each ballot.

16. Committee of Management - Insufficiency of Nominations

In the event of insufficient nominations being received in respect of an election conducted pursuant to Rule 26, the nominees shall be declared elected and nominations for any remaining unfilled positions on the Committee shall be re-called so far as is then applicable in accordance with Rule 26 and the procedure set out in Rule 26 for the conduct of an election shall be followed.

## 26A - ELECTION OF OFFICE BEARERS

1. The President, two Vice-Presidents, Secretary-Treasurer, two Trustees shall be elected annually by and from the members of the Committee.

1. The hierarchy of rank for Office Bearers is as follows:
2. President
3. Vice President
4. Secretary-Treasurer
5. Trustee

2. Appointment of Returning Officer

Elections for offices specified in Rule 26A shall be conducted by the Returning Officer appointed under Rule 26(4). He shall fix the times for the opening and closing of nominations and the opening and closing of a ballot, if required.

3. Time of Election

The election shall take place at the first meeting of the Committee held immediately following the declaration of the result of the annual election of members of the Committee conducted in accordance with Rule 26.

4. Nominations for Office

At such meeting the Returning Officer shall call for nominations for each of the offices for which an election is due. Any member of the Committee may nominate another member of the Committee for an office. Nominations shall be in writing signed by the nominator and the nominee.

5. Nomination for More than one Office

Where in any election a person nominates for more than one office that cannot be held simultaneously, the person shall before the closing time of receipt of nominations withdraw all necessary nominations so that only one such nomination remains with the returning officer.

1. If after 12 noon on the day seven days after the close of nominations a person has not withdrawn sufficient nominations so as to comply with this rule, the returning officer shall resolve the matter by accepting only the nomination for the office which is ranked highest on the list (or lists) of offices above, and reject all other nominations for that person which are prohibited by this rule.

6. Notification of Defective Nomination

The Returning Officer shall check all nominations for compliance with these rules and shall reject any that do not so comply. Provided that in the event of his finding a nomination to be defective he shall before rejecting the nomination notify the member concerned of the defect and where it is practicable for him to do so, give him the opportunity of remedying the defect within thirty minutes of the time set by the Returning Officer for the closing of nominations.

7. Declaration of Successful Candidates

If there be no more nominations than there are vacancies for a position, the Returning Officer shall declare the respective candidate elected.

8. Preparation of Ballot Paper

If more nominations are received than there are vacancies for a position, the Returning Officer shall prepare ballot papers which shall contain the names of the candidates for each position in alphabetical order and instructions as to the manner in which votes are to be recorded.

9. Secret Ballot

A ballot conducted under this Rule shall be a secret ballot.

10. Ballot Papers

1. The ballot papers shall contain the names of the candidates with the surname first followed by given names. No other candidate information will be printed on the ballot paper.
2. The order of the names in each ballot on the ballot paper shall be determined by lot drawn by the returning officer.
3. The ballot shall be conducted under the preferential system of voting. That system being: A member shall indicate the order of his preference by placing a number opposite the name of each candidate. The lowest number shall indicate the member's highest preference. The number 1 to the total number of nominations are to be used in the sequence of the member's preference.
4. The ballot paper shall contain instructions for the voter to indicate the order of his preference by placing a number opposite the name of each candidate, the lowest number indicating the member's highest preference.
5. The Returning Officer shall initial every ballot paper prior to distribution and shall be responsible for the safekeeping of such ballot papers.

11. Issuing of Ballot Papers

The Returning Officer shall issue a ballot paper to each member of the Committee present at such meeting, provided that any member who is unable to attend the meeting and who would otherwise be entitled to a ballot paper shall, upon written application being made by him to the Returning Officer not less than two days prior to the meeting, be supplied with a ballot paper and shall be permitted to record a vote in any such election.

12. Declaration of Ballot

At the time fixed for the close of the ballot the Returning Officer shall, in the presence of the scrutineers (if any), count the votes and declare the result of the ballot.

13. Absentee Vote

In the event that a member of the Committee exercises his right under this rule to request an absentee vote, the ballot shall not be counted until the expiration of the time fixed by the Returning Officer for the return of such absentee vote.

14. Determination of Tied Votes

In the event of a tie, the Returning Officer shall determine the issue by lot.

15. Holding of Office

A member of the Committee shall be entitled to be elected to any office specified in Rule 26A(1) but shall not be entitled to hold more than one of those offices at any one time.

16. Appointment of Scrutineers

Any candidate may, if he so desires, appoint a scrutineer to represent him at the ballot. An appointment shall be made by the candidate in writing to the Returning Officer before the closing of nominations. A scrutineer shall be entitled to be present throughout the ballot and may query the inclusion or exclusion of any vote, but the Returning Officer shall have the final determination of any votes so queried. Such scrutineer shall not be the candidate himself.

## 27 - REMOVAL OF OFFICERS OR MEMBERS OF THE COMMITTEE OF MANAGEMENT

Any officer or member of the Committee may be removed from office before the expiration of his term of office if he has been found guilty, in accordance with the Rules, of misappropriation of the funds of the Association or a substantial breach of the Rules of the Association or gross misbehaviour or gross neglect of duty or who has ceased under the Rules to be eligible to hold the office.

No officer or member of the Committee shall be removed from office unless a resolution that the person is guilty has been passed by a majority of members present and voting at a special general meeting of members called for that purpose. A person charged with an offence under this rule shall be given not less than 21 days’ notice of the charge laid against him together with adequate notice of the particulars of the charge and shall be given an opportunity of being heard at the meeting.

## 28 - CONTROL BY MEMBERS OF THE COMMITTEE OF MANAGEMENT

In addition to the control of members of the Committee by members in general meeting assembled, the following provisions shall be observed:

(a) A record of the activities and proceedings of the Committee shall be kept at the Registered Office and shall be available to any member to inspect on reasonable notice being given to the Secretary.

(b) All reasonable steps shall be taken by the Committee to ensure that members of the Association are informed of changes in the Rules.

(c) If a special meeting of the members is called in accordance with these Rules to discuss or decide a particular business, the Committee shall not deal with a similar business until a decision has been reached at the general meeting. If such business is submitted in a form refraining the Committee from acting or continuing to act in a certain manner, the Committee shall refrain from so acting until a decision is reached at the general meeting.

(d) The Committee shall take prompt action to carry out any decisions of a specially convened general meeting.

## 29 - INDUSTRIAL AGREEMENTS

1. Industrial Agreements and other instruments may be made by or on behalf of the Association by the President and the Secretary.

2. Any instrument required by law to be under seal shall be executed under the Common Seal of the Association with the authority of the Committee or the members of the Association in general meeting assembled. Provided that no agreement shall be entered into unless the Committee or the members of the Association in general meeting assembled have approved its contents.

## 30 - INDUSTRIAL DISPUTES

The Secretary shall have power, subject to the prior approval of the Committee, of submitting industrial disputes to the Registrar.

## 31 - PROPERTY AND FUNDS

All funds and property received by the Association or to which it is presently entitled, shall be vested in the Trustees for the benefit of the Members generally of the Association and shall be used to secure the objects of the Association and in the necessary expenses of management of the Association. Such Trustees shall have power to control and invest same subject to the directions of the Committee.

## 32 - ENTRANCE FEES, SUBSCRIPTIONS AND LEVIES

1. The Entrance Fee and Annual Subscription shall be as determined by the members assembled in General Meeting.

2. No levy shall exceed $20 per member in any one year.

## 33 - LIFE MEMBERSHIP

The members of the Association in general meeting assembled may, on the recommendation of the Committee, by resolution elect any member to be a life member. The members of the Association in general meeting assembled may for sufficient cause cancel such membership. Provided that not more than three recommendations for life membership shall be made by the Committee at any Conference. Provided further that a member recommended by the Committee must have been a member for a period of ten years or more.

## 34 - HONORARY MEMBERS

The members in general meeting assembled may, on the recommendation of the Committee, grant Honorary Membership of the Association to any person, firm or corporation for services rendered to the Association. Honorary Members shall not have any voting powers nor be eligible for any office or committee of the Association.

## 35 - FUNDS

1. The financial year of the Association shall be deemed to commence on 1st December in each year and to terminate on 30th November following.

2. The funds and property of the Association shall be held in the name of the Association at all times, and, shall be controlled by the Committee.

3. The Committee may invest the funds and property of the Association in such manner and in such ways as it thinks fit to carry out the purposes of the Association as specified in Rule 6 (Objects).

4. Fund expenditures may be approved by the Secretary-Treasurer or by a Trustee and must also require the approval of either the President or one of the Vice-Presidents.

5. The Committee shall develop and implement policies and procedures in relation to the expenditure of the funds of the Association (“expenditure policy”) which, without limiting the matters that may be included in the expenditure policy shall include:

1. authority for the expenditure of funds;
2. levels of delegation for such authorities;
3. manner of approving and making expenditure;
4. the fixing of honorariums for honorary officers;
5. conditions for the payment or reimbursement of expenses incurred by officers or employees of the Organisation.

## 35A - LOANS, GRANTS AND DONATIONS

A loan, grant or donation of an amount exceeding $1,000 shall not be made by the Association unless the Committee of Management -

(a) has satisfied itself -

(i) that the making of the loan, grant or donation would be in accordance with the other rules of the Association; and

(ii) in relation to a loan - that, in the circumstances, the security proposed to be given for the repayment of the loan is adequate and the proposed arrangements for the repayment of the loan are satisfactory; and

(b) has approved the making of the loan, grant or donation.

## 36 - COMMON SEAL

The Common Seal of the Association shall be kept in the custody of the Secretary. Such Seal shall not be affixed to any instrument without authority of the members in general meeting assembled or the Committee and when so fixed shall be accompanied by the signatures of the Secretary and President.

## 37 - DISSOLUTION

The Association shall not be dissolved while ten financial members remain

on the register, unless otherwise decided by a three-quarter majority of all financial members present and voting at a special general meeting called for the purpose.

Should a dissolution of the Association take place, any property shall be sold, and the proceeds, together with any other funds of the Association, shall be divided among the remaining financial members in equal shares.

## 38 - RULE ALTERATIONS

Any addition to, or alteration of, or repeal of any of the foregoing Rules may be made at a General Meeting of the Association upon a majority vote of the members present, but any member proposing any such addition, alteration or repeal shall give fourteen days' Notice of his intention to move therefor and furnish the Secretary-Treasurer at the same time with a copy of the motion proposed to be submitted to the general meeting for effecting such purpose.

(a) Notwithstanding the foregoing provisions, the Committee of Management shall have the power to amend these rules in order to comply with any requirement of the Registrar or of the Act - as amended or of the regulations thereunder.

## 39 - BRANCHES OF THE ASSOCIATION

1. The Association shall consist of such branches as the Committee may establish from time to time.

2. The Committee has hereby power to establish such branches.

3. No branch shall be established until approved by the Committee. The Committee shall not give its approval until it is satisfied that the proposed rules of the branch are not in conflict with the rules of the Association or with the Act.

4. The Committee will ensure that on the establishment of a branch any consequential alterations to the rules of the Association to comply with the provisions of the Act will be filed with the Registrar without unnecessary delay.

## 40 - TRANSFER OF BUSINESS

A member shall, within 14 days after:

(a) the business, or part of the business of that member is assigned or transferred to a person who is not a member of the Association; or

(b) a person who is not a member of the Association succeeds to the business, or part of the business of that member;

notify the Secretary of the assignment, transfer or succession.

\*\*\*END OF RULES\*\*\*