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Constitution and Rules of the Association of Hospital Pharmacists

PART I - PRELIMINARY

NAME

1. The Association shall be called "Association of Hospital Pharmacists".

PARTS

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DEFINITIONS

3. "Financial member" means a member who has paid all subscriptions and levies payable by him/her to the Association.

"The Association" means the Association of Hospital Pharmacists.

"Member" means a member of the Association.

"Employer" includes persons, firms, institutions, and unincorporated bodies.

"Secretary" means that Officer who performs such functions and duties as are prescribed to be performed by a Secretary of a Trade Union under the provisions of the Trade Union Act 1958.

INDUSTRY

4. The industry in or in connection with which the Association is formed is the industry of the employment of Pharmacists in the occupation of a pharmacist in hospitals, nursing homes, community health centres and the Victorian Drug Usage Advisory Committee.

PART I - OBJECTS

5. The objects of the Association are:

(a) To represent the interests of persons employed in the occupation of pharmacist in hospitals in connection with which the Association is formed before Courts, wage fixing authorities, and at conferences with other bodies of employers or employees.

(b) To provide for all matters relating to the conditions of employment status

37. [Bank Accounts](#) and welfare of its members and persons entitled to be members.
38. [Payment of Monies Into the Account of the Association](#) (c) To prevent and/or settle disputes between members or between a member and his employer or between the Association and any employer, person or body of persons by conciliation and/or other lawful means.
39. [Payment out of Monies](#)
40. [Subscriptions](#) (d) To establish funds for the general conduct of the Association.
41. [Levies](#) (e) To amalgamate or affiliate with any other Association or body having objects similar to those of this Association and calculated to benefit generally members of the Association.
42. [Audit](#)
43. [Advances for Petty Cash](#)
44. [Part X - General Meetings](#) (f) To act in conjunction with and to appoint representatives to any professional Association or Association of employees.
45. [Annual General Meetings](#) (g) To maintain close liaison with the Society of Hospital Pharmacists of Australia and/or any of its State Branches.
46. [Notice of Date Fixed for Annual General Meetings](#) (h) To do all such other lawful things as may be incidental to or conducive to the attainment of the above objects.
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- PART III - MEMBERSHIP**
- ELIGIBILITY**
6. Any person employed as a pharmacist or person undertaking a degree in pharmacy or pharmacy trainee who is employed in a hospital, and/or in a nursing home and/or in a community health centre or who is a pharmacist with the Victorian Drug Usage Advisory Committee is entitled to be a member of the Association.
- APPLICATION FOR MEMBERSHIP**
7. A person who is eligible for admission as a member may make application in writing to the Secretary of the Association for admission.
8. The Executive Officer/Secretary shall refer all applications for membership to the Committee which shall admit the applicant as a member provided that he/she is not a person of general bad character.
- ROLL OF MEMBERS**
9. The Secretary shall keep a roll of members of the association.
- PART IV - GOVERNMENT**
- MANAGEMENT**
10. The management and control of the Association shall be vested in the Committee. The Committee shall not act contrary to any decision reached at a general meeting of the Association.
- COMMITTEE AND OFFICERS**
11. The Committee shall comprise six members. Each Committee member shall be elected for a period of three years. Two (2) Committee members shall

65. [Trustees](#)
66. [Removal from Office of Trustees](#)
67. [Inspection of Books and Accounts](#)
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retire each year in accordance with the rotation established at the date of the adoption of these rules.

12. The officers of the Association shall be the President, Vice President, Secretary and Treasurer who shall be elected by and from the Committee as provided in these Rules.

RETURNING OFFICER

13. (a) At least twelve (12) weeks prior to the date fixed for the annual general meeting, the Committee shall appoint a member of the Association to be the returning officer who shall be responsible for the conduct of all elections including acceptance or rejection of nominations.

(b) The member appointed by the Committee as Returning Officer shall not be the holder of any office in or be an employee of, the Association.

ELECTIONS

14. There shall be an annual election held in the manner hereinafter provided for the Committee of the Association.

15. Any financial member other than the returning officer is eligible for election as a Member of the Committee of the Association.

16. (a) The returning officer shall call for nominations for election of Committee Members by placing a notice for such nominations in the publication of the Association.

(b) Notice of nominations to the position of Committee Member provided for in Rule II of these rules shall be so placed in the publication by the returning officer no later than seventy (70) days prior to the date fixed for the annual general meeting in the year in which the election is to take place.

Such notice shall state:

- (i) that the nominations shall close with the returning officer forty-two (42) days prior to the date of the annual general meeting;
- (ii) where the nominations are to be lodged.

FORM OF NOMINATION

17. Nominations shall be made in writing and signed by two members of the Association. In all cases the nominee shall signify his/her acceptance to the nomination by signing the form of nomination.

18. The returning officer shall consider all nominations and if in his opinion any nominations are defective he shall before rejecting a nomination, notify the person concerned of the defect and, where it is practical to do so, give him the opportunity to remedy the defect within a period of not less than seven (7) working days where practicable, after being so notified.

19. Where the number of persons nominated for office does not exceed the number required, the persons so nominated shall be declared to be duly elected within forty-eight (48) hours of the time of closure of nomination.

20. Where the number of persons nominated for office exceeds the number

required, the returning officer shall conduct an election by secret ballot in the manner hereinafter provided.

21. Where an election for a position of Committee Member is necessary the Secretary shall within forty-eight (48) hours after the time fixed for closure of nominations furnish to the returning officer a list of the names and addresses of all members of the Association who were at the date for the closing of nominations, financial members and are at the date the list is so furnished members of the Association.

22. All members whose names are contained in the list so furnished to the returning officer are eligible to vote at election.

23. (a) Where an election is necessary the returning officer shall prepare and initial ballot papers and forward by pre-paid post one such ballot paper to each member who is eligible to vote at that election, together with a pre-paid, pre-addressed envelope for the return of the ballot paper or papers to the returning officer. These shall be forwarded by the returning officer no later than twenty-one (21) days from the time of closure of nomination.

(b) The returning officer shall ensure the rental of a post office box to which members may post ballot papers.

(c) Each ballot paper shall have endorsed on it:

(i) the names of the candidates in alphabetical order; (ii) the time and date of closure of the ballot which shall be no later than thirty (30) days from the date of closure of nominations; (iii) directions to the member who is voting:

1. to place a cross opposite the name of the candidate or the name of the candidates, for whom he wishes to vote;
2. to fold and place ballot paper in the envelope provided;
3. to seal the envelope containing the ballot paper;
4. to post the sealed ballot paper envelope to the returning officer.

24. For the purpose of each election the returning officer shall maintain in his/her custody a locked and sealed ballot box.

25. (a) Each candidate shall be entitled to appoint a scrutineer to act on his/her behalf at the ballot. Such appointment shall be notified in writing to the returning officer no later than seven (7) days from the time of closure of nominations.

(b) Upon being notified of the appointment of a scrutineer the returning officer shall promptly inform such scrutineer of the steps and actions he/she intends to take in the conduct of the ballot.

(c) During the counting of the ballot, each scrutineer shall conduct himself/herself with propriety. He/she shall not handle the ballot papers and where there is any disagreement between the scrutineer and the returning officer, the scrutineer shall comply with the direction of the returning officer.

(d) Immediately after the time fixed for the closing of the poll, the returning officer shall, in the presence of such scrutineers as are present:

- (i) remove the envelopes containing the ballot papers from the post office box and place them in the ballot box;
- (ii) open the ballot box and produce un-opened all the ballot paper envelopes;
- (iii) open the ballot papers and extract from them the ballot papers in such a

- manner as to preserve the secrecy of the ballot;
- (iv) place the ballot paper envelopes and ballot papers in separate bundles;
 - (v) proceed with the counting of the votes.

26. (a) In the case of an election where two or more candidates record an equal number of votes, the Returning Officer shall draw lots so that a result may be obtained

(b) The returning officer is not entitled to vote at an election for which he/she is Returning Officer.

27. (a) The Returning Officer shall declare the result of the election placing such information in the publication of the Association and by such other means as he deems to be appropriate.

(b) The results of the election shall be announced by the Returning Officer at the annual general meeting of the Association and the persons elected to such offices shall take office immediately following the annual general meeting. They shall hold office until the end of the annual general meeting of the Association in the third year subsequent to their election or until their successors are elected.

REMOVAL FROM OFFICE

28. (a) The Committee may remove from office any member of the Committee at a meeting of the Committee to which the person concerned has been summoned in writing to show cause why he/she should not so be removed. Provided such person shall not be removed from office unless he/she has been found guilty of misappropriation of the funds of the Association a substantial breach of these rules, or gross misbehaviour or gross neglect of duty, or has ceased, according to these rules, to be eligible to hold office.

(b) A person summoned to show cause pursuant to sub-rule (a) of this rule shall be given at least fourteen (14) days notice of the time and place of the meeting of the Committee to which he/she is summoned, and the notice summoning such person shall also specify the ground or grounds upon which it is proposed to consider such removal. The Committee may proceed to hear and determine a matter under this rule notwithstanding the absence of the person summoned if due notice of the hearing has been given in accordance with this rule.

EXTRA-ORDINARY VACANCIES

29 (a) In the case of an extra-ordinary vacancy occurring in a position provided for in Rule II of these rules there shall be an election to fill such vacancy in accordance with the provision of Rules 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27(a).

(b) Provided however that in the case of Rule 16 the returning officer shall call nominations no later than twenty-eight (28) days following the vacancy occurring and nominations shall close with the returning officer not later than twenty-eight (28) days following the calling of such nominations.

(c) Further provided that the person or persons elected in accordance with this rule shall hold office for the unexpired portion of his predecessor's term of office or until his successor is elected.

(d) Further provided that if such vacancy or vacancies as provided for in this rule, occur within four (4) months of the ordinary election for such position or

positions the Committee shall appoint a member or members of the Association to fill such vacancy or vacancies for the unexpired portion of the term of office.

LEAVE OF ABSENCE

30. The Committee may grant leave of absence to one of its members for a period not exceeding six (6) months.

PART V - POWERS OF COMMITTEE

31. The Committee shall exercise all the powers specially conferred on it by these rules and may exercise all such powers and do all such acts and things as may be done by the Association and as are not likely hereby required to be exercised or done by a general meeting and shall subject to the decisions of any general meeting be the governing body of the Association between general meetings.

32. Without prejudice to the general powers conferred by the last preceding rule and to other powers conferred by these rules, the Committee subject to the decisions of any general meeting has in addition, power:

- (a) to take on lease or otherwise obtain any office or building for the purposes of the Association;
- (b) to purchase, hire or otherwise acquire any books, newspapers, documents and other property necessary for the carrying out of the objects of the Association and dispose of them as may be deemed desirable in the interests of the Association;
- (c) to determine the conditions of employment (if any) for the Secretary and to fix the remuneration (if any) for his/her services;
- (d) to investigate complaints and grievances and take such action as required by these rules or as may be otherwise deemed necessary in the interests of a member or members of the Association;
- (e) to invest, or place at fixed deposit as the Committee may from time to time determine, any monies of the Association not immediately required for the purposes thereof, in such a manner as it may think fit, and to vary or realize such investments;
- (f) to determine and direct the policy of the Association in all matters affecting the interests of the members;
- (g) to determine upon the form of any action deemed necessary in the interests of the general welfare of the Association or its members;
- (h) to submit to appropriate tribunals claims or applications in accordance with the legislation in force for the time being and to take such other action under such legislation as it thinks fit; and
- (1) subject to the provisions of applicable legislation to make, vary or rescind on behalf of the Association, appropriate agreements.

PART V - OFFICERS OF THE ASSOCIATION

THE PRESIDENT

33. The President shall have the following duties and powers:

(a) he/she shall preside as chairman of all meetings of the Association and of the Committee at which he/she is present.

(b) He/she shall advise the Secretary, as the occasion may require.

(c) He/she shall be ex-officio a member of all delegations and an ex-officio member of all sub-committees.

(d) He/she may in emergency take any action that may be deemed necessary to conserve the interests of the Association, provided that notification of any action shall be made to the members of the Committee forthwith.

THE VICE-PRESIDENT

34. In the absence of the President, the Vice-President shall undertake the duties and exercise the powers of the President.

CHAIR

35. (a) At any meeting of the Association or of the Committee from which the President shall be absent the Vice-President shall be Chairman and in his/her absence the members shall appoint a Chair for the meeting.

(b) At all meetings of the Association or of the Committee in the case of equality of vote the Chair shall have a second or casting vote.

(c) At any committee meeting from which the Chairman shall be absent the members shall appoint a Chair for the meeting.

SECRETARY

36. The Secretary is authorised to take out, make or sign any document and to take any step required by the Trade Union Act 1958 as amended, or by the Regulations under that Act, or by any other legislation or the Regulations pertaining there to be taken out, made, signed or taken by the Association and is responsible for ensuring that the requirements of those acts and those Regulations are complied with by the Association.

The Secretary shall:

(a) be the chief executive officer of the Association;

(b) be ex-officio a member of all sub-committees of the Committee and of all delegations;

(c) attend and record the minutes of the proceedings of the general meetings of the Association and of the Committee;

(d) send out notices of all meetings of the Association and of the Committee;

(e) conduct and keep a record of all correspondence on behalf of the

Association of the Committee;

(f) carry out the directions of a general meeting of the Association or the Committee;

(g) convene in accordance with these rules, general meetings of the Association and meetings of the Committee;

(h) prepare an annual report for presentation to the annual general meeting;

(i) be public officer to sue and be sued on behalf of the Association;

(j) in an emergency take any action that may be deemed necessary to conserve the interests of the Association provided that notification of any action taken shall be made to the members of the Committee forthwith;

(k) may subject to the confirmation of the Committee at the next Committee meeting authorise the incurring of expenditure not exceeding the sum of three hundred dollars (\$300) or such other sum as determined by Committee for any of the objects of the Association;

(l) appoint an employee or employees of the Association after consultation with Committee to a position previously determined to exist by decision of Committee, and fix the remuneration and conditions of service of such employee subject to the approval of Committee.

TREASURER

37. The Treasurer shall:

(a) receive and take charge of all monies belonging to the Association;

(b) keep such books and accounts as the Committee directs;

(c) arrange for the books and accounts of the Association to be audited at the end of each financial year of the Association;

(d) furnish the Committee for presentation at the annual general meeting of the Association:

(i) a report on the financial position of the Association at the end of the financial year of the Association immediately preceding that meeting;

(ii) a statement of the receipts and payments of the Association for that financial year;

(iii) a statement of the assets and liabilities of the Association at the end of the financial year.

(e) keep a register of members;

(f) subject to Rule 48 of these rules make all payments authorised to be made in accordance with these rules.

INDEMNIFICATION OF OFFICERS

38. Every officer or Committee member of the Association shall be indemnified by the Association against all costs, losses and expenses which such officer or Committee member may incur or become liable to be reason or

any contract entered into or act or thing done by him as such officer or Committee member or in any way in the discharge of his duties.

PART VII - AUDITORS

AUDITORS

39. A person as prescribed by the Industrial Relations Act 1988 or by the Regulations under that Act, not being an officer or member of the Association shall be appointed at each annual general meeting as the auditors of the Association and he shall carry out audits of the books and accounts of the Association as required by, or in pursuance of these rules.

TENURE OF OFFICE OF AUDITORS

40. The Auditor shall hold office until the next annual general meeting after his appointment to office and is eligible for re-appointment.

VACANCY IN OFFICE - AUDITORS

41. Where an auditor is unable to perform his duties, the Committee shall appoint another person to act as auditor in his place and he shall continue to hold the position until the ensuing annual general meeting.

PART VIII - THE REGISTERED OFFICE OF THE ASSOCIATION

42. The registered office of the Association shall be 10 Pamela Avenue, East Keilor or such place as the Committee from time to time determines.

PART IX - FINANCE

PROPERTY OF THE ASSOCIATION

43. All properties and monies of the Association shall vest in the trustees of the Association for the benefit of the members for the time being of the Association.

INVESTMENT OF FUNDS

44. The funds of the Association may be invested by the Committee in:

- (a) any public funds or government stock or government securities of the Commonwealth of Australia;
- (b) any debentures or securities guaranteed by the Australian Government;
- (c) any loans on the security of first legal mortgage over property;
- (d) on fixed deposit with any bank corporation or society for the time being by law as a bank, corporation or society into which trust monies can be invested.
- (e) Cash management trusts investing in government and government guaranteed securities.

FINANCIAL YEAR

45. The financial year of the Association shall terminate on the 30th day of June each year.

BANK ACCOUNTS

46. The Committee shall open and maintain in the name and on behalf of the Association such account or accounts at such bank or banks as it shall determine.

PAYMENT OF MONIES INTO THE ACCOUNT OF THE ASSOCIATION

47. The Treasurer shall pay into account of the Association, all monies received by him on behalf of the Association.

PAYMENT OUT OF MONIES

48. (1) Monies shall not be drawn from an account of the Association by the Treasurer unless countersigned by any one of the following: the President the Vice-President the Secretary.

(2) Monies shall not be drawn from an account of the Association by the Treasurer except by cheque or money order.

SUBSCRIPTIONS

49. (a) The annual subscription for the financial year 1993-1994 shall be \$227. Thereafter the annual subscription shall be varied by the annual percentage change in the Australian Consumer Price Index (6 Capitals) as published by the Australian Bureau of Statistics. For the purposes of this rule, the index variation for the March quarter in each year shall be used.

(b) The Committee may determine a lesser rate of subscription for student members and other special membership categories. Upon payment of this lesser rate, such members shall be deemed financial members as provided for in these rules.

(c) Pursuant to sub-rule (a) of this rule, the Committee shall review and calculate the annual subscription payable not later than the 1st day of June in each year. The amount so determined shall be notified to each member in writing not later than the 15th day of June in each year. Any amount of less than one dollar variation, having regard for the percentage change as calculated shall be disregarded in respect of calculating subscriptions for the forthcoming financial year, but shall be included in the percentage change calculation in the following year or years. Any variation to the subscription as provided for by this formula shall be rounded to the nearest dollar.

(d) Subscription may be paid annually in advance. Provided however that a member may authorise the payment of such subscription on a periodic basis by way of bank order or payroll deduction. A member who submits to the Association an authority to deduct subscription by way of bank order or authorises an "authority to deduct from pay" shall be deemed to be a financial member, whilst such authority remains in force.

(e) A member whose subscription is more than three months in arrears shall be

deemed unfinancial.

LEVIES

50. (a) A special general meeting has power to make levies on members for the purposes of the Association.

(b) The amount of a levy shall be paid by a member to the Treasurer.

AUDIT

51. (1) The auditor of the Association shall, prior to the presentation of the report and statements referred to in Rule 39 of these rules: (a) audit the books, accounts and vouchers of the Association and;

(b) certify whether or not in his opinion the report and statements are properly drawn up and are true and correct according to the books and accounts of the Association and the information furnished to him by the treasurer or by any member of the Association.

(2) The Committee may at such time as it thinks fit direct the auditor of the association to audit the books, accounts and vouchers of the Association and the auditor shall furnish to the Committee a report on the audit.

ADVANCES FOR PETTY CASH

52. (1) The Secretary may advance sums as from time to time may be determined by the Committee for use as petty cash.

(2) The Secretary shall keep a record of all amounts so expended and such records shall be audited by the auditor of the Association.

PART X - GENERAL MEETINGS

ANNUAL GENERAL MEETINGS

53. The annual general meeting of the Association shall be held not later than the 30th day of September in each year.

NOTICE OF DATE FIXED FOR ANNUAL GENERAL MEETING

54. (1) Subject to the last preceding rule, the Committee shall determine the time and date when and the place where the annual general meeting of the Association is to be held.

(2) The Secretary shall give to all members not less than fourteen (14) days notice of the time, date and place fixed for the holding of the annual general meeting of the Association.

REPORTS TO BE PRESENTED AT THE ANNUAL GENERAL MEETING

55. The Committee shall present at each annual general meeting of the Association:

(a) a report stating fully the proceedings of the Association during the financial

year of the Association immediately preceding the annual general meeting, and

(b) the Treasurer's report and the Auditor's statement of the books and accounts and the finances of the Association during that financial year.

AGENDA OF ANNUAL GENERAL MEETING OF THE ASSOCIATION

56. (1) Any member of the Association may, by notice in writing give to the Secretary not later than the 7th day of August of any year give notice of any matter which he considers should be placed before the annual general meeting of the Association.

(2) The Committee may direct the Secretary to include on the agenda for the annual general meeting of the Association such other matters as it considers should be considered at that meeting.

(3) The Secretary shall prepare an agenda for the annual general meeting of the Association including all matters of which notice has been given to him pursuant to sub-rule (1) and matters to be moved by the Committee under sub-rule (2) shall forward a copy of the agenda to each member by letter posted not later than the 20th day of August in each year.

(4) The Committee may by letters posted to all members not later than seven days before the annual general meeting of the Association give notice of any further matter it desires to be considered by the annual general meeting of the Association.

(5) An annual general meeting of the Association may consider any matter on the agenda circulated in accordance with sub-rule (3) of this rule and any other matter of which notice has been given under sub-rule (4) but shall not consider any other matter.

QUORUM

57. At any general meeting of the Association the quorum of the meeting shall be (10) members.

SPECIAL GENERAL MEETINGS

58. (1) A special general meeting may be convened at any time by the President and the Secretary or by the Committee. The Secretary shall convene a special general meeting on receipt of a requisition in writing setting out special business to be considered thereat on such requisition being signed by not less than twenty-five (25) members.

(2) The business of the special general meeting shall be set out in a circular accompanying the notice convening the meeting. No business shall be dealt with at a special general meeting except that for which it was specially convened to consider. Not less than fourteen (14) days notice shall be given of a special general meeting. The quorum of the special general meeting shall be ten (10) members, or in the case of a requisitioned special meeting (i.e. requisition signed by not less than twenty-five (25) members) as provided for in this rule, sub-rule (1) above, the quorum shall be twenty (20) signatories to the requisition.

☐ PRESIDING AT GENERAL MEETING

59. (1) The President shall preside at all general meetings of the Association at which he is present.

(2) If the President is not present at the time and place fixed for holding of a general meeting of the Association the Vice-President shall preside and in his absence the members shall appoint one of their number to be the Chairman and preside at the general meeting.

☐ ADJOURNMENT OF GENERAL MEETINGS

60. (1) If at the expiration of one half an hour after the time fixed for the holding of a meeting of the Association a quorum of members has not at any time been present, the meeting shall stand adjourned to a date to be fixed by the Committee.

(2) The members presiding at a meeting of the Association may with the approval of the meeting adjourn the meeting from time to time and from place to place.

☐ VOTING AT MEETINGS

61. (1) Every financial member present at the annual general meeting or a special general meeting of the Association is entitled to a vote on each motion put to the meeting.

(2) A financial member who is not present at a meeting of the Association may vote by proxy appointed by him for that purpose.

(3) The instrument appointing the proxy shall be signed by the appointer and shall be lodged with the Secretary not later than twenty-four (24) hours before the time fixed for the holding of the meeting.

(4) A resolution at a meeting of the Association shall be determined by a majority of votes of the persons present in person or by proxy and voting on the resolution.

(5) If not less than eight (8) members present in person at a meeting of the Association request that a resolution be decided by division, the resolution shall be so decided.

(6) A division under this rule shall be conducted in such a manner as the meeting directs or, in the absence of such direction, as the member presiding at the meeting directs.

(7) The member presiding at the meeting shall have a second or casting vote in the event of equality of votes.

☐ RESTRICTION ON DEBATE AT MEETINGS

62. (1) At all meetings, a member speaking for or against a matter shall not be allowed to speak for more than five (5) minutes except with the consent of the majority of the members present in person at the meeting.

(2) The mover of the motion shall be allowed to speak in reply but shall not be allowed to speak for more than five (5) minutes except with the consent of a

majority of the members present in person at the meeting.

(3) Except by way of explanation or contradiction of a mis-statement or by leave of the meeting a person shall not be allowed to speak more than once a motion.

PART XI - MEETINGS AND BALLOTS OF THE COMMITTEE

63. (1) Meetings of the Committee shall be held as such times and places as Committee determines. Provided however:

(a) if the secretary receives a request from not less than three members of the Committee the Secretary shall within fourteen (14) days convene a meeting of the Committee or

(b) a Committee meeting may be convened at the request of the Secretary.

(2) The Secretary shall cause notice to be given to the officers and members of the Committee of the time and place fixed for each meeting of the Committee.

(3) The quorum at a meeting of the Committee shall be four (4) members of the Committee.

BALLOT OF THE COMMITTEE

64. (1) The Secretary may, and shall when so requested by any member of Committee, submit a proposal or question by telephone, telex, telegram or letter to each member of Committee upon a majority of them indicating their approval by any of the above means of communication, the decision so obtained upon such a motion or question shall have the same effect as a decision made by resolution of Committee at a duly constituted meeting.

(2) Provided that if within a period of fourteen days following the telephone communication or from the despatch of the letter, telegram or telex, the proposal or question has not been determined according to the foregoing provisions, the proposal or question shall have the same effect as a decision made by resolution of the Committee passed at a duly constituted meeting.

PART XII - MISCELLANEOUS

65. Any unfinancial member who continues to be unfinancial for the twelve months immediately following the date on which he became unfinancial shall be called upon by the Committee to show cause why he should not forfeit all rights and membership. If he fails to show cause, then his membership shall be deemed to have been forfeited, and such forfeiture of membership shall render him ineligible to hold any office in the Association, to which he has been elected.

RESIGNATION OF MEMBERSHIP

66. (1) A member may resign his membership of the Association by giving:

(a) notice in writing that he ceases to be an employee in or in connection with the industry represented by the Association, or

(b) notice in writing that he ceases to be engaged in an industrial pursuit which the Association represents, or

(c) three months notice and the payment of all dues to the date of his/her resignation.

(2) Notice in writing shall be addressed to the Secretary and delivered to that Officer.

(3) A person who has resigned his/her membership in accordance with this rule shall be ineligible to continue to hold any office in the Association to which he/she has been elected.

RE-ADMISSION TO MEMBERSHIP

67. An applicant for re-admission to membership shall not be enrolled as a member until he has paid any subscriptions and other monies due at the date of cessation of membership.

LIABILITY OF FORMER MEMBERS

68. (1) Any person who ceases to be a member shall remain liable to the Association for all monies owing by him to the Association at the time of ceasing to be a member unless the Committee releases him in whole or in part such obligation.

(2) Any such person who has for any reason ceased to be a member of the Association has no claim upon the property of the Association.

EXPULSION

69. (1) Where the Committee considers that a member has failed to comply with the provisions of these rules or knowingly and wilfully has failed or is failing to comply with a resolution of the Committee or a general meeting, the Committee shall call upon the member to show cause why he should not be expelled from membership of the Association.

(2) The Committee shall cause a notice specifying the nature of the charge and the time and place at which the member may show cause, to be served on the member.

(3) The Committee shall appoint a sub-committee of three (3) persons being officers or members of the Committee to hear the matter.

(4) If:

(a) the member does not show cause, or

(b) the sub-committee referred to in the last preceding sub-rule finds that the member called upon has failed to comply with the provision of these rules or with a resolution of the Committee or a general meeting, and the sub-committee reports to the Committee accordingly, the Committee may impose a fine on the member, not exceeding ten dollars (\$10) or expel the member.

(5) A person who has been expelled from membership in the Association, in accordance with this rule shall be ineligible to continue to hold office in the Association to which he has been elected.

DISSOLUTION OF THE ASSOCIATION

70. (1) The Association shall not be dissolved except at a general meeting of

the Association convened for that purpose.

(2) A resolution dissolving the Association shall not be declared to be carried unless a majority of the number of financial members of the Association vote in favour of the resolution either personally or by proxy.

(3) If the Association is dissolved the property of the Association shall be realised and the monies remaining after all liabilities of the Association have been discharged shall be divided equally amongst the members who are financial at the date of dissolution.

EXECUTION OF INDUSTRIAL AGREEMENT

71. Industrial agreements and other documents relating to the Association may be executed by or on behalf of the Association by the Secretary.

ALTERATION TO THE RULES

72. (1) These rules may be amended by a resolution passed by a majority of the members in person or by proxy at a special general meeting of the Association convened for that purpose.

(2) A member may give to the Secretary notice of his intention to move at a special general meeting to be called for that purpose, that these rules be amended in the manner specified in the notice.

(3) The Committee shall fix a date not being a date later than two month's after the date on which the notice is received by the Secretary and a place for the holding of the special general meeting.

(4) Notwithstanding anything contained in this rule, for the purpose of registration of these rules, the Committee is empowered to make any alterations to these rules to remove any objection taken by the Registrar or by an objector or to meet the prescribed conditions for registration.

TRUSTEES

73. (1) At the first meeting of the Committee following the annual general meeting an election shall be held for the positions of two Trustees of the Association.

(2) The Returning Officer shall call for nominations at the meeting of the Committee. Nominations shall be by and from the Committee and voting shall be limited to members of the Committee.

(3) Should more than two nominations be notified by the Returning Officer, he shall forthwith conduct a secret ballot of the Committee members present at the meeting. The candidates receiving the highest number of votes shall be declared elected.

(4) Trustees so elected shall hold office for the same period of time as they would hold office as Committee members or until their successors are declared elected in accordance with the provisions of the act.

(5) A Trustee who resigns from the Committee shall cease to hold the office of Trustee forthwith and the vacancy so occurring shall be filled at the next meeting of the Committee in the manner prescribed by sub-sections (1) and (2)

of this rule.

(6) In the event of a vacancy occurring in the position of Trustee, for any reason, other than that prescribed in sub-section (5) of this rule the vacancy so occurring shall be filled at the next meeting of the Committee in the manner prescribed in sub-sections (2) and (3) of this rule.

(7) A Trustee elected to such position arising out of vacancy provided for in sub-sections (5) and (6) of this rule shall hold such office for the duration or the unexpired portion of his predecessor's term of office.

REMOVAL FROM OFFICE OF TRUSTEES

74. In the event of the Committee considering a proposal to remove a Trustee from office the provisions of Rule 29 of these rules shall apply as though that rule also included the office of Trustee.

INSPECTION OF BOOKS AND ACCOUNTS

75. The books and accounts of the Association and the roll of membership shall be open for inspection by the members of the Association as such place and times and under such conditions as the Committee determines.

WITHDRAWAL OR CANCELLATION OF CERTIFICATE OF REGISTRATION

76. In the event of the Registrar withdrawing or cancelling the Certificate of Registration issued under the provisions of the Trade Union Act 1958, the real and personal property to which the Association is beneficially entitled shall be applied in the following manner:

- (a) firstly, to payment of all just debts and liabilities of the Association due and owing to persons other than members of the Association;
- (b) secondly, to payment of all just claims of members of this Association and persons claiming any relief or other benefits from the Association;
- (c) thirdly, in the event of any monies remaining, as provided for in Rule 70 (3) of these rules.

RETURN TO GOVERNMENT STATIST

77. The Secretary shall compile and transmit to the Government Statist before the 1st day of February in each year a General Statement in the form and comprising the particulars prescribed by or under the provisions of the 23rd section of "The Trade Unions Act 1958". A copy of the General Statement shall be forwarded by the Secretary or Treasurer to any member of the Association, upon receipt of a request for same to the Secretary or Treasurer.

RETURN OF THE REGISTRAR

78. The Secretary shall compile and transmit to the Registrar before the 1st day of February in each year a Statement of changes of officers and a copy of all alterations of rules and new rules made by the Association during the year ending 31st day of December then last past, together with a copy of the rules of the Association as they exist at date of transmission.

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