

Holt Challenge Incorporated (National)
Rules of the Association

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1. Name

- 1.1. The name of the incorporated association is the Holt Challenge Incorporated and consists of a National Committee and nine Zone Committees (Australian Capital Territory, New South Wales, Northern Territory, North Queensland, South Queensland, South Australia, Tasmania, Victoria and Western Australia).

2. Purpose

- 2.1. The purpose of the Association is to:
 - (a) Conduct a tournament annually to determine the best Zone representative team of bowlers with averages not exceeding 184 in the Men's Division and 174 in the Women's Division in a handicapped competition; and
 - (b) To foster, develop and advance a spirit of good sportsmanship and fellowship, to promote and maintain a good relationship amongst the representative teams and to provide an opportunity for a combination of graded and handicapped competition for all ages and abilities.

3. Definitions

- 3.1. In these Rules, unless the contrary intention appears:
 - “Act” means the Associations Incorporation Act 1981.
 - “Association” means the Committee as a whole including ordinary members.
 - “Committee” means the committee of management of the Association.
 - “Financial year” means the year ending on 30 June.
 - “General meeting” means a general meeting of members convened in accordance with rule 12.
 - “Member” means a member of the Association.
 - “Ordinary member of the committee” means a member of the committee who is not an officer of the Association under Rule 21.
- 3.2. In these Rules, a reference to the Secretary of the Association is a reference:
 - (a) If a person holds office under these Rules as Secretary of the Association – to that person; and
 - (b) In any other case, to the public officer of the Association.

4. Alteration of the Rules

- 4.1. These Rules and purpose of the Association must not be altered except in accordance with the Act.

5. Membership and Subscription

- 5.1. Any person who applies for membership as provided in this Constitution is eligible to be a member of the Association on payment of the annual membership fee payable under these Rules.

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- 5.2. Any application for membership shall not be rejected unless there are justifiable reasons for doing so and these reasons shall not be capricious.
- 5.3. The annual membership fee shall be set at the Association's Annual General Meeting and shall be set out in Appendix 4 to these Rules.
- 5.4. The annual subscription is payable within six weeks of January 1 in each year or upon application for membership if applying for membership after the six week period has lapsed.

6. Register of Members

- 6.1. The Secretary must keep and maintain a register of members containing:
 - (a) the name and address of each member; and
 - (b) the date on which each member's name was entered in the register.
- 6.2. The register of members shall be available for inspection free of charge by any member upon request.
- 6.3. A member may make a copy of the entries in the register subject to the provisions of the Privacy Act.

7. Cessation of Membership

- 7.1. All memberships lapse at the completion of each calendar year on 31 December.

8. Discipline, Suspension and Expulsion of Members

- 8.1. Subject to these Rules, any member of the Association has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a member or prejudicial to the interests of the Association, the Zone Committee in which the member resides, upon receipt of a formal complaint, shall conduct a hearing of the complaint and may by resolution recommend:
 - (a) suspension of that member from membership of the Association for a specified period; or
 - (b) expulsion of that member from the Association.
- 8.2. If at the meeting of the Zone Committee, the Committee finds the complaint to be proven, the member may, not later than 7 days after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal against the recommendation of the Zone Committee to the Association.
- 8.3. A resolution of the Zone Committee under clause 8.1 does not take effect if the member exercises a right of appeal to the National Association under this clause, and the National

Association confirms the recommendation in accordance with this clause.

- 8.4. The Zone Committee must provide a fully detailed copy of the minutes (including any written submissions) to the Association.
- 8.5. If the Secretary receives a notice under clause 8.3, he or she must notify the other members of the Committee and convene a meeting (by teleconference, if necessary) within 21 days of the date on which the notice was received.
- 8.6. At a meeting of the Association convened under clause 8.5:
 - (a) no business other than the question of the appeal may be conducted;
 - (b) the Association must place before the meeting details of the grounds for the complaint and the reasons for the recommendation from the Zone Committee; and
 - (c) the member, or his or her representative, must be given the opportunity to lodge any additional written submission which may affect the outcomes of the deliberation by the Association.
- 8.7. The final decision of the National Association must receive at least two-thirds of the eligible votes to confirm the recommendation of the Zone Committee or in any other case the recommendation is revoked. The decision of the National Association is final and binding on all parties.

9. Disputes and Mediation

- 9.1. The grievance procedure set out in this rule applies to disputes under these Rules between:
 - (a) a member and another member; or
 - (b) a member and the Association.
- 9.2. The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 28 days after the dispute comes to the attention of all the parties.
- 9.3. If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 14 days, hold a meeting in the presence of a mediator.
- 9.4. The mediator must be:
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement:
 - i. in the case of a dispute between a member and another member, a person appointed by the committee of the Association; or
 - ii. in the case of a dispute between a member and the Association, a person who is employed as a professional mediator.
- 9.5. A member of the Association can be a mediator.
- 9.6. The mediator cannot be a member who is a party to the dispute.

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9.7. The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

9.8. The mediator, in conducting the mediation, must:

- (a) give the parties to the mediation process every opportunity to be heard;
- (b) allow due consideration by all parties of any written statement submitted by any party; and
- (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

9.9. The mediator must not determine the dispute.

9.10. If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

10. Annual General Meetings

10.1. The Committee shall conduct the annual general meeting in conjunction with its annual bowling carnival at a date, time and place to be advised at least 28 days prior to the annual general meeting of the Association.

10.2. The notice convening the annual general meeting must specify that the meeting is an annual general meeting.

10.3. The ordinary business of the annual general meeting shall be:

- (a) to confirm the minutes of the previous annual general meeting (if applicable), and of any general meeting held since that meeting;
- (b) to receive from the committee written reports upon the transactions of the Association during the last preceding financial year;
- (c) to hear and vote on the Notices of Motion;
- (d) to elect officers of the Association and the ordinary members of the committee; and
- (e) to receive and consider the statement submitted by the Association in accordance with section 30(3) of the Act.

10.4. The annual general meeting may conduct any special business of which due notice has been given in accordance with these Rules.

11. General Meetings

11.1. In addition to the annual general meeting, the Committee of Management shall conduct two general meetings in each year. These General Meetings may be conducted by electronic means (e.g. teleconferencing).

11.2. The order of business at these General meetings shall be:

- a. Roll call
- b. Minutes of previous meeting

- c. Business arising from minutes
- d. Acceptance of minutes
- e. Reports of office bearers (as applicable)
- f. Acceptance of reports
- g. General business
- h. Next meeting date.

12. Special General Meetings

- 12.1. The committee may, whenever it thinks fit, convene a special general meeting of the Association.
- 12.2. If, but for this rule, more than 15 months would elapse between annual general meetings, the committee must convene a special general meeting before the expiration of that period.
- 12.3. The committee must, on the request in writing of members representing not less than 5 of the total number of members, convene a special general meeting of the Association.
- 12.4. The request for a special general meeting must:
 - (a) state the purposes of the meeting;
 - (b) be signed by the members requesting the meeting; and
 - (c) be sent to the address of the Secretary.
- 12.5. No business other than that set out in the notice convening the meeting may be conducted at the meeting.
- 12.6. If the committee does not cause a special general meeting to be held within 30 days after the date on which the request is sent to the address of the Secretary, the members making the request, or any of them, may convene a special general meeting to be held not later than 90 days after that date.
- 12.7. If a special general meeting is convened by members in accordance with this rule, it must be convened in the same manner so far as possible as a meeting convened by the Committee and all reasonable expenses incurred in convening the special general meeting must be refunded by the Association to the persons incurring the expenses.

13. Notice of General Meetings and Special General Meetings

- 13.1. The Secretary of the Association, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a general meeting of the Association, must cause to be sent to each member of the Association, a notice stating the place, date and time of the meeting and nature of the business to be conducted at the meeting.
- 13.2. Notice may be sent:
 - (a) by prepaid post to the address appearing in the register of members; or

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(b) if the member requests, by facsimile transmission or by electronic transmission.

13.3. A member intending to bring any business before a meeting may notify in writing, or by electronic transmission, the Secretary of that business, who must include that business in the notice calling the next general meeting.

14. Quorum at General Meetings and Special General Meetings

14.1. Three members personally present (being members entitled to vote under these Rules at a general meeting) constitute a quorum for the conduct of the business of a general meeting.

14.2. Seven members personally present (being members entitled to vote under these Rules at a general meeting) constitute a quorum for the conduct of the business of a special general meeting.

14.3. If, within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present:

(a) in the case of a meeting convened upon the request of members, the meeting must be dissolved; and

(b) in any other case, the meeting shall stand adjourned to the same day in the next week at the same time and place (unless another place is specified by the Chairman at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned).

14.4. No item of business may be conducted at a general meeting unless a quorum of members entitled to vote under these Rules is present at the time when the meeting is considering that item.

15. Presiding at General Meetings and Special General Meetings

15.1. The President, or in the President's absence, the Vice-President, shall preside as Chairman at each general meeting of the Association.

15.2. If the President and the Vice-President are absent from a general meeting, or are unable to preside, the members present must select one of their number to preside as Chairman.

16. Adjournment of Meetings

16.1. The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.

16.2. No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.

16.3. If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with Rule 13.

16.4. Except as provided in Rule 16.3, it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

17. Voting Rights at General Meetings and Special General Meetings

17.1. Upon any question arising at a general meeting of the Association, a member has one vote only with the exception of the Chairman.

17.2. All votes must be given personally or by proxy.

17.3. In the case of an equality of voting on a question, the Chairman of the meeting is entitled to exercise a casting vote.

17.4. A member is not entitled to vote at a general meeting unless all moneys due and payable by the member to the Association have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

18. Conduct of a Vote at General Meetings and Special General Meetings

18.1. If at a meeting a vote on any question is demanded by not less than 3 members, it must be taken at that meeting in such manner as the Chairman may direct and the resolution of the vote shall be deemed to be a resolution of the meeting on that question.

18.2. A poll that is demanded on the election of a Chairman or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairman may direct.

19. Manner of Determining Whether a Resolution Is Carried

19.1. If a question arising at a general meeting of the Association is determined on a show of hands:

(a) a declaration by the Chairman that a resolution has been:

- i. carried; or
- ii. carried unanimously; or
- iii. carried by a particular majority; or
- iv. lost; and

(b) an entry to that effect is recorded in the minutes of the meeting;

is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

20. Proxies

20.1. Each member is entitled to appoint another member as a proxy by notice given to the Secretary no later than 48 hours before the time of the meeting in respect of which the proxy is appointed.

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- 20.2. The notice appointing the proxy must be:
- (a) for a meeting of the Association convened under Rule 7.7, in the form set out in Appendix 2; or
 - (b) in any other case, in the form set out in Appendix 3.

21. Committee of Management

- 21.1. The affairs of the Association shall be managed by the committee of management.
- 21.2. The Committee:
- (a) shall control and manage the business and affairs of the Association;
 - (b) may, subject to these Rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the Association; and
 - (c) subject to these Rules, the Act and the Regulations, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Association.
- 21.3. Subject to Section 23 of the Act, the Committee shall consist of:
- (a) the officers of the Association; and
 - (b) one representative from each Zone Committee (as defined in Rule 1); each of whom shall be elected at the annual general meeting of the Association in each year.

22. Office Bearers

- 22.1. The officers of the Committee of Management shall be:
- (a) a Chairman;
 - (b) a Deputy Chairman
 - (c) a Treasurer;
 - (d) a Secretary; and
 - (e) a Tournament Director.
- 22.2. The provisions of Rule 24, so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices referred to in Rule 22.1.
- 22.3. Each officer of the Association shall hold office until the annual general meeting next after the date of his or her election but is eligible for re-election.
- 22.4. In the event of a casual vacancy in any office referred to in Rule 22.1, the Committee may appoint one of its members to the vacant office and the member appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of the appointment.

23. Duties of Office Bearers

- 23.1. **Chairman:** The chairperson shall be the Chief Executive Officer of the Association, performing all duties pertaining to this office, including:
- a. presiding at all meetings of the Association;
 - b. supervising the enforcement of the objects, provisions and purposes of the association and these rules; and
 - c. representing the Association in its dealings with others.
- 23.2. **Deputy Chairman:** In the absence of the Chairman, the Deputy Chairman shall perform the duties of the Chairman.
- 23.3. **Secretary:** The Secretary shall perform those duties assigned by the Chairman and the Association including the following:
- a. keep a permanent record of the proceedings of all meetings of the Association, which shall at all times be available to, and the property of the Association;
 - b. conduct and maintain copies of all correspondence of the Association including notices of meetings;
 - c. keep a record of all scores made in tournaments conducted by the Association.
- 23.4. **Treasurer:** The Treasurer shall perform the following duties:
- a. receive, receipt record and report all monies paid to and from the Association;
 - b. keep an account of all receipts and disbursements and present a report of all financial transactions of the Association at the Annual General Meeting of the Association;
 - c. maintain a statement of the current financial condition of the Association and table all current books of account and bank statements at all meetings of the Association for verification by the Chairman;
- NOTE: no two members of the same immediate family, including de facto relationships may be co-signatories of the Associations Bank Account.
- 23.5. **Tournament Director:** The Tournament director shall perform the following duties:
- a. prepare the tournament entry form for each annual event and obtain accreditation for that tournament from the national ruling body;
 - b. lead the conduct of the annual tournament including the maintenance of all data associated with that tournament; and
 - c. pass all final results of the tournament to both the Secretary of the Association and the national ruling body.

24. Ordinary Members of the Committee

- 24.1. Subject to these Rules, each ordinary member of the Committee shall hold office until the annual general meeting next after the date of election but is eligible for re-election.
- 24.2. In the event of a casual vacancy occurring in the office of an ordinary member of the Committee, the Committee may appoint a member of the Association from the same Zone to fill the vacancy and the member appointed shall hold office, subject to these Rules, until

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the conclusion of the annual general meeting next following the date of the appointment.

25. Election of Officers and Ordinary Committee Members

- 25.1. Nominations of candidates for election as officers of the Association must be:
- (a) made in writing, signed by two members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination);
 - (b) delivered to the Secretary of the Association not less than 14 days prior to the date fixed for the holding of the annual general meeting.
- 25.2. A candidate may nominate for more than one office prior to the annual general meeting but may only be elected to one position.
- 25.3. If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations may be received at the annual general meeting.
- 25.4. If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- 25.5. If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.
- 25.6. The ballot for the election of officers of the Committee must be conducted at the annual general meeting in such manner as the Committee may direct.
- 25.7. Ordinary members of the Committee shall be elected at the annual general meeting of the Zone Committee the candidate wishes to represent.
- 25.8. Each Zone Committee is to notify the Secretary of the Association of the name and contact details of their representative with 14 days of the completion of the National annual general meeting.

26. Vacancies

- 26.1. The office of an officer of the Association becomes vacant if the officer:
- (a) ceases to be a member of the Association; or
 - (b) becomes an insolvent under administration within the meaning of the Corporations Law; or
 - (c) resigns from office by notice in writing given to the Secretary.

27. Meetings of the Committee

- 27.1. The Committee must meet at least 2 times in each year at such place or method (including

teleconference) and such times as the Committee may determine.

- 27.2. Special meetings of the Committee may be convened by the President or by any 5 members of the Committee.

28. Notice of Committee Meetings

- 28.1. Written notice of each committee meeting must be given to each member of the Committee at least 7 days prior to the date of the meeting.
- 28.2. Written notice must be given to members of the Committee of any special meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.

29. Quorum for Committee Meetings

- 29.1. Any seven members of the Committee constitute a quorum for the conduct of the business if a meeting of the Committee.
- 29.2. No business may be conducted unless a quorum is present.
- 29.3. If within half an hour of the time appointed for the meeting a quorum is not present:
- (a) in the case of a special meeting, the meeting lapses; and
 - (b) in any other case, the meeting shall stand adjourned to the same place and the same time and day in the following week.
- 29.4. The Committee may act notwithstanding any vacancy on the Committee.

30. Presiding at Committee Meetings

- 30.1. At meetings of the Association:
- (a) the President or, in the President's absence, the Vice-President presides; or
 - (b) if the President and Vice-President are absent, or are unable to preside, the members present must choose one of their number to preside.

31. Voting at Committee Meetings

- 31.1. Questions arising at a meeting of the Committee, or at a meeting of any sub-committee appointed by the Committee, shall be determined on a show of hands or, if a member requests, by a poll taken in such manner as the person presiding at that meeting may determine.
- 31.2. Each member present at a meeting of the Committee, or at a meeting of any sub-committee appointed by the Committee (including the person presiding at the meeting), is entitled to one vote and in the event of an equality of votes on any question, the person presiding may

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exercise a second or casting vote.

32. Removal of a Committee Member

- 32.1. The Association in general meeting may, by resolution, remove any member of the Committee before the expiration of the member's term of office and appoint another member in his or her place to hold office until the expiration of the term of the first-mentioned member.
- 32.2. A member who is the subject of a proposed resolution referred to in Rule 31.1 may make representations in writing to the Secretary or President of the Association (not exceeding a reasonable length) and may request that the representations be provided to the members of the Association.
- 32.3. The Secretary or the President may give a copy of the representations to each member of the Association or, if they are not so given, the member may require that they be read out at the meeting.

33. Minutes of Meetings

- 33.1. The Secretary of the Association must keep minutes of the resolutions and proceedings of each general meeting, and each committee meeting, together with a record of the names of persons present at the meetings.

34. Funds

- 34.1. The Treasurer of the Association must:
- (a) collect and receive all moneys due to the Association and make all payments authorised by the Association; and
 - (b) keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.
- 34.2. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the Committee.
- 34.3. The funds of the Association shall be derived from annual subscriptions, donations and such other sources as the Committee determines.

35. Seal

- 35.1. The common seal of the Association must be kept in the custody of the Secretary.
- 35.2. The common seal must not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal must be attested by the signatures either of

two members of the Committee or, of one member of the Committee and of the public officer of the Association.

36. Notice to Members

- 36.1. Except for the requirement in Rule 13, any notice that is required to be given to a member, by or on behalf of the Association, under these Rules may be given by:
- (a) delivering the notice to the member personally; or
 - (b) sending it by prepaid post addressed to the member at the member's address shown in the register of members; or
 - (c) facsimile transmission, if the member has requested that the notice be given to him or her in this manner; or
 - (d) electronic transmission, if the member has requested that the notice be given to him or her in this manner.

37. Winding Up

- 37.1. In the event of the winding up or the cancellation of the Incorporation of the Association, the assets of the Association must be disposed of to an organisation of similar purpose.

38. Custody and Inspection of Books and Records

- 38.1. Except as otherwise provided in these Rules, the Secretary must keep in his or her custody, or under his or her control all books, documents and securities of the Association.
- 38.2. All accounts, books, securities and any other relevant documents of the Association must be available for inspection free of charge by any member upon request.
- 38.3. A member may make a copy of any accounts, books, securities and any other relevant documents of the Association.

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APPENDIX 1

**APPLICATION FOR MEMBERSHIP OF
HOLT CHALLENGE INCORPORATED**

SURNAME: _____ CHRISTIAN NAMES: _____

STREET ADDRESS: _____

SUBURB: _____ STATE: _____ POST CODE: _____

PHONE: HOME: _____ BUSINESS: _____

MOBILE: _____

E-mail ADDRESS: _____

DATE OF BIRTH (Optional): _____ CENTRE: _____

AMOUNT PAID: _____ RECEIVED BY: _____

APPENDIX 2

**FORM OF APPOINTMENT OF PROXY FOR MEETING OF
ASSOCIATION CONVENED UNDER RULE 8.5**

I, _____
(Full Name)

of _____
(Address)

being a member of Holt Challenge Incorporated

appoint _____
(Name of Proxy Holder)

of _____
(Address of Proxy Holder)

being a member of Holt Challenge Incorporated, as my proxy to vote for me on my behalf at the
appeal to the general meeting of the Association convened under Rule 8.5, to be held on

(Date of Meeting)

and at any adjournment of that meeting.

I authorise my proxy to vote on my behalf at their discretion in respect of the following resolution

(insert details of the resolution)

(Signed)

(Dated)

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APPENDIX 3

FORM OF APPOINTMENT OF PROXY

I, _____
(Full Name)

of _____
(Address)

being a member of Holt Challenge Incorporated

appoint _____
(Name of Proxy Holder)

of _____
(Address of Proxy Holder)

being a member of Holt Challenge Incorporated, as my proxy to vote for me on my behalf at the
annual/special/general (delete those not applicable) meeting of the Association, to be held on

(Date of Meeting)

and at any adjournment of that meeting.

I authorise my proxy to vote on my behalf at their discretion in respect of the following resolution

(insert details of the resolution)

(Signed)

(Dated)

APPENDIX 4

SCHEDULE OF FEES

The annual subscription fee will be set at each Annual General Meeting of the Association.

The fee for 2008 shall be \$7.00 with \$5.00 to go to the National Body and \$2.00 to go to the Zone Committee.