

[143N: Incorporates alterations of 27 April 2022 (R2021/229)]
Replaces rulebook dated 22 July 2019 [R2019/33]

Australian Business Industrial

I CERTIFY under section 161 of the Fair Work (Registered Organisations) Act 2009 that the pages herein numbered 1 to 27 both inclusive contain a true and correct copy of the registered rules of **Australian Business Industrial**.

DELEGATE OF THE GENERAL MANAGER
FAIR WORK COMMISSION

Rules of the Australian Business Industrial

Contents

PART 1.....	1
INTERPRETATION	1
PART 2.....	3
NAME, ORGANISATION, CONTROL AND COUNCIL.....	3
2 - NAME.....	3
3 - PURPOSES.....	3
4 - CONTROL.....	5
5 - REGISTERED OFFICE	5
PART 3.....	5
MEMBERSHIP.....	5
6 - MEMBERSHIP QUALIFICATIONS	5
6A - AFFILIATED ASSOCIATIONS	6
6B - ASSOCIATE MEMBERS	6
6C - HONORARY MEMBERS.....	7
7 - REPRESENTATIVE	7
ADMISSION TO MEMBERSHIP	7
8 - METHOD OF ADMITTING MEMBERS	7
9 - INFORMATION FOR MEMBERS	8
10 - MEMBERSHIP NOT TRANSFERABLE.....	8
11 - PAYMENT OF DUES.....	8
12 - NO PRIVILEGES OF MEMBERSHIP IF DUES ARE UNPAID	8
REGISTER OF MEMBERS	8
13 - MEMBERSHIP REGISTERS	8
TERMINATION OF MEMBERSHIP	8
14 - DUES IN ARREARS.....	8
15 - INELIGIBILITY	9
16 - RIGHTS UPON CESSATION OF MEMBERSHIP	9
17 - RESIGNATION.....	9
18 - BANKRUPTCY OR INSOLVENCY.....	9
19 - CONDUCT PREJUDICIAL	9
20 - FORFEITURE OF MEMBERSHIP FEES	10
21 - NOTICE OF ASSIGNMENT TRANSFER OR SUCCESSION.....	10
PART 4.....	10
DUES, FEES AND LEVIES.....	10
22 - DUES SET BY COUNCIL.....	10
23 - VARIATION IN DUES.....	10
24 - REINSTATEMENT OF UNFINANCIAL MEMBERS.....	10
DISCONTINUANCE OF SERVICE	11
25 - WITHDRAWAL OF SERVICES.....	11
PART 5.....	11
THE COUNCIL	11
26 - COMPOSITION OF THE COUNCIL.....	11
27 - CASUAL VACANCIES	11
27A - ADVISORY COUNCILLORS	11
ELECTIONS OF THE COUNCIL.....	12
28 - ELECTION OF COUNCIL	12
29 - DATE OF QUADRENNIAL ELECTION	12
30 - ELIGIBILITY FOR ELECTION	12
31 - METHOD OF ELECTION	12
32 - ABSENT VOTING.....	12
33 - APPOINTMENT OF RETURNING OFFICER.....	13
34 - NOTICE OF ELECTION TO BE PUBLISHED	13
35 - ROLL OF VOTERS.....	13

Contents

36 - NOMINATIONS	14
37 - DEFECTIVE NOMINATIONS	14
38 - ELECTION BY DEFAULT	14
39 - CONTESTED ELECTIONS.....	14
40 - CONDUCT OF THE BALLOT	15
41 - SCRUTINEERS	15
42 - FAILURE TO FILL VACANCIES	15
43 - DECLARATIONS OF RESULTS.....	15
44 - NO REMUNERATION	15
45 - OFFICE BECOMES VACANT	16
THE ELECTORAL COLLEGE.....	16
46 - THE ELECTORAL COLLEGE	16
47 - FUNCTION OF THE ELECTORAL COLLEGE	16
OFFICE BEARERS	16
48 - OFFICE BEARERS	16
EXECUTIVE COMMITTEE.....	17
49 - EXECUTIVE COMMITTEE	17
50 - EXECUTIVE COMMITTEE MEETINGS	17
51 - FUNCTION OF THE EXECUTIVE COMMITTEE	17
52	17
53 - POWERS OF PRESIDENT, VICE PRESIDENT, SECRETARY/TREASURER AND COUNCIL	18
PROCEEDINGS OF THE COUNCIL.....	19
54 - COUNCIL MEETINGS AND QUORUM	19
55 - CALLING MEETINGS	19
56 - VOTING	19
57 - CHAIRPERSON	19
58 - COMPETENCY OF THE COUNCIL	19
59 - PROXIES	19
60 - SUB-COMMITTEES OF THE COUNCIL	20
61 - COUNCIL MEMBERS	20
62 - MINUTES OF THE COUNCIL AND COMMITTEES AND GENERAL MEETINGS	20
63 - CONTROL OF COUNCIL BY MEMBERS	20
PART 6.....	21
GENERAL MEETINGS OF ABI.....	21
64 - CALLING OF GENERAL MEETINGS OF ABI	21
65 - NON-RECEIPT OF NOTICE.....	21
66 - QUORUM FOR GENERAL MEETINGS OF ABI	21
67 - CHAIRPERSON	22
PART 7.....	22
VOTING AT GENERAL MEETINGS.....	22
68 - VOTING PROCEDURE.....	22
69 - POLL.....	22
70 - CHAIRPERSON'S CASTING VOTE	22
71 - COMMON SEAL AND EXECUTION OF DOCUMENTS	23
FUNDS.....	23
72 - RECEIPT OF MONEYS	23
73 - SOURCE OF FUNDS.....	23
74 - LIMITATIONS ON FUNDS	23
75 - CONTROL OF FUNDS.....	23
76 - NO GRANTS, LOANS OR DONATIONS	23
77 - SIGNING CHEQUES ETC	24
78 - ENDORSEMENT OF NEGOTIABLE INSTRUMENTS.....	24
79 - ORGANISATION POLICIES AND PROCEDURES	24
80 – DELETED.....	24
81 – DELETED.....	24
82 – DELETED.....	24
83 – DELETED.....	24
ACCOUNTS AND AUDITED ACCOUNTS OF ABI.....	24
84 - ACCOUNTING RECORDS.....	24

Contents

85 - AUDITED BALANCE SHEETS FOR AGM OF ABI	24
86 - INSPECTION OF BOOKS.....	25
87 - APPOINTMENT OF AUDITOR	25
88 - RIGHTS AND DUTIES OF AUDITOR	25
89 – REPLACEMENT OF AUDITOR.....	25
90 - AUDITED ACCOUNTS CONCLUSIVE	25
PART 8.....	26
ALTERATIONS TO RULES	26
91 - AMENDMENT TO RULES.....	26
DECISIONS ON THE MEANING OF RULES	26
92 - DECISIONS OF THE COUNCIL ARE CONCLUSIVE.....	26
93- SERVICE OF NOTICES	26
93A - ALTERNATIVE MEANS FOR CONDUCT OF MEETINGS.....	26
INDEMNITY	27
94 - EXTENT OF INDEMNITY	27
95 - NO LIABILITY FOR DEFAULT	27
96 - DISSOLUTION OF ABI	27
BY-LAWS.....	27
97 - MAKING OF BY-LAWS	27
98 - NOTIFICATION OF INDUSTRIAL DISPUTE.....	27

RULES OF
AUSTRALIAN BUSINESS INDUSTRIAL

PART 1
INTERPRETATION

1. In the interpretation of these Articles the words and expressions defined have the meaning specified in these Articles unless the context otherwise requires:

“**ABI**” means Australian Business Industrial

“**Advisory Councillor**” means a Councillor appointed and removed by the Council in accordance with Rule 27A.

“**AEC**” means the Australian Electoral Commission.

“**Affiliated Association**” shall mean a member admitted to membership under Rule 6A of these Rules.

“**Appointed Representative**” shall mean the individual appointed by the member under Rule 7.

“**Associate Member**” shall mean a member admitted to membership under Rule 6B of these Rules.

“**Council**” means the Management Committee of ABI.

“**Council Election Date**” means the date that all Eligible Members are declared elected to the new Council by the Returning Officer under Rule 28(b).

“**Council Member**” means any member of the Council and includes the President, the Vice-Presidents and the Secretary/Treasurer.

“**Dues**” includes subscriptions, levies and fees payable by members, Affiliated Associations and Associate Members, to ABI as a condition of membership.

“**Electoral College**” means all members of the Council elected under Rule 28(a).

“**Eligible Member**” means a member or their Appointed Representative who is eligible to be elected to the Council.

“**Executive Committee**” means the office bearers and other members of the Council elected by the Electoral College to comprise the Executive Committee.

“**Financial duties**” includes duties that relate to the financial management of ABI.

“**Financial Member**” means a member who has paid all Dues to ABI by the time they are due and payable.

“**General Manager**” means the General Manager of Fair Work Commission.

“**member**” means a member of ABI, but does not include an Affiliated Association or Associate Member.

“**Month**” means a calendar month.

“**Office**” means the registered office of ABI.

“**Office Bearers**” means the office bearers of ABI elected in accordance with Rule 48.

“**Officer**” has the same meaning as defined by section 6 of the *Fair Work (Registered Organisations) Act 2009*.

“**Peak council**” has the same meaning as defined by section 12 of the *Fair Work Act 2009*.

“**President**” means the Council Member elected as President of ABI by the Electoral College.

“**Relevant legislation**” shall mean Federal and State legislation relating to the registration and governance of industrial organisations of employers as applicable from time to time.

“**Returning Officer**” means the person appointed to that role in accordance with Rule 33.

“**Secretary/Treasurer**” means the Council Member elected as Secretary/Treasurer of ABI by the Electoral College.

“**Special Resolution**” is a resolution which is passed at a meeting of the Council or a general meeting of members by a majority of at least three quarters of members of the Council being entitled to vote either in person or by proxy, or with respect to a general meeting of members, a majority of at least three quarters of members present at the meeting.

“**Unfinancial Member**” means a member that is not a Financial Member.

“**Vice Presidents**” means the Council Members elected as Vice-Presidents of ABI by the Electoral College.

“**In Writing**” and “**Written**” includes printing, lithography, typewriting and other modes of reproducing or representing words in a visible form, delivered by hand, post, facsimile, email or other acceptable form.

“**Year**” means a calendar year.

Words importing the singular number also include the plural and vice versa.

Words importing persons include companies, corporations and incorporated associations, statutory or otherwise.

PART 2

NAME, ORGANISATION, CONTROL AND COUNCIL

2 - NAME

The name of the organisation is Australian Business Industrial and may be referred to in these Rules and otherwise as “ABI”.

3 - PURPOSES

The purposes for which ABI is established are to advance the cause and represent the interest of its members, including but not limited to:

- (a) To promote the development of manufacturing and industrial resources.
- (b) To promote, encourage, maintain, support and assist manufacturing and other producing industries, trade and commerce.
- (c) To promote and maintain co-operation, collaboration and close relations with the incorporated company presently known as the NSW Business Chamber (ABN 63 000 014 504).
- (d) To improve the relations of members of ABI with their employees and with suppliers and consumers.
- (e) To secure to members of ABI all the advantages of unity of action and to protect the interests of members in any manner whatever in all matters relating to the manufacturing and other producing industries and trade and commerce.
- (f) To secure the aid of public opinion and Government policy in the development and advancement and in popularising of manufacturing and other producing industries and trade and commerce.
- (g) To secure proper representation for the furtherance of manufacturing and other producing industries and trade and commerce.
- (h) To train and instruct in manufacturing and other producing industries trade and commerce and provide training in occupational health and safety procedures.
- (i) To purchase, take on, lease or licence or hire or otherwise acquire real or personal property of any kind in furtherance of the purposes of ABI and to sell, exchange or otherwise dispose of any real or personal property on such terms as may be considered expedient.
- (j) To establish and maintain regional and other sections or groups within ABI and to provide for the appointment of sub-committees to deal with local matters or particular matters of general interest to ABI.

- (k)
 - (i) To enter into any amalgamation, affiliation, fusion or alliance with or to promote or assist in the promotion of any other industry, company or firm or employer association, whether registered or unregistered, having purposes similar to or calculated to benefit generally the members of ABI and to acquire shares and interests in or lend money upon debentures or otherwise to any such industry, company, firm or employer association.
 - (ii) To act in conjunction or affiliate with and to appoint representatives to any association of employers with an interest in manufacturing and other producing industries and trade and commerce.
- (l) To promote or oppose legislative and other measures affecting or likely to affect manufacturing and other producing industries and trade and commerce.
- (m) To prosecute or defend any suits, applications or proceedings before any court, tribunal or like body whatsoever as may be deemed necessary or expedient in the interest of all or any of ABI or its members.
- (n) So far as may be necessary for or incidental to the objects of ABI to make, draw, accept, endorse or negotiate cheques, promissory notes, bills of exchange or other negotiable instruments and to borrow or raise money in such manner as ABI may think fit and in particular by mortgages or debenture(determinable or perpetual) or other securities of ABI with power if need be to charge such mortgages, debentures or other securities upon the floating assets or upon all or any of the property of ABI present or future.
- (o) To bring or refer matters to and represent members and/or interested persons before the Industrial Relations Commission of New South Wales, the Industrial Court of New South Wales, the Fair Work Commission or such other arbitral tribunals or courts Federal or State as may from time to time exercise like jurisdiction to that of that Commission, the High Court of Australia, any Supreme Court, any County, District or Local Court, Boards of Reference, Inquiries, Commissions, Royal Commissions and other tribunals, courts, arbitrators, conciliation committees, mediators and bodies, and to represent members and/or interested persons at conferences, meetings and discussions with government instrumentalities unions and other bodies of employees or employers.
- (p) To enter into agreements and contracts with organisations, associations or companies with the object of assisting in any lawful manner members or groups or sections of members of ABI or employers or groups or sections of employers generally against the consequences of industrial disputes or industrial action, or of awards, determinations, agreements or prescriptions.
- (q) To enter into any arrangements with any governments or authorities, municipal or local or otherwise that may seem conducive to the purposes for which ABI has been established or any of them and to obtain from any such government or authority any rights, privileges or concessions which ABI may think desirable to obtain and to carry out, exercise and comply with any such arrangement, rights, privileges or concessions.
- (r) To raise, expend or use money, property or resources for charitable purposes.
- (s) To provide services and to act as agent or in a similar capacity and upon such terms or conditions as the Council may determine for non-member employers.

6 - MEMBERSHIP QUALIFICATIONS

- (t) To be and act as an association of employers for the furtherance and protection of the industrial interests of its members.
- (u) Subject to these Rules, the assets and income of ABI shall be applied solely in furtherance of its objects and no portion shall be distributed directly or indirectly to its members except as bona fide compensation for services rendered or expenses incurred by or on behalf of ABI.
- (v) To exercise all the powers and legal capacity of a natural person.
- (w) To do all such other things as may appear to be incidental or conducive to the attainment of the above objects or any of them.

4 - CONTROL

The management and control of ABI is vested in the Council as provided by these Rules.

5 - REGISTERED OFFICE

The Office of ABI shall be Level 15, 140 Arthur St, North Sydney NSW 2060.

PART 3

MEMBERSHIP

6 - MEMBERSHIP QUALIFICATIONS

ABI shall consist of persons, as defined in Rule 1 who:

- (a) are employers engaged in New South Wales in or in connection with manufacturing and other producing industries and trade and commerce; and
- (b) are members of the incorporated company presently known as NSW Business Chamber (ABN 63 000 014 504). PROVIDED THAT ABI shall be eligible to represent Members only within the State of New South Wales.

PROVIDED THAT ABI shall be eligible to represent Members only within the State of New South Wales.

“**Person**” includes an individual, firm, partnership, association, corporation, sole trader, and statutory authority. A firm shall be deemed to consist of the persons who are its members for the time being.

6A - AFFILIATED ASSOCIATIONS

Any association, federation or group of employers in New South Wales (“employer group”), whether incorporated or not, with objects similar to ABI may be admitted as an Affiliated Association, subject to the following conditions.

- (a) Admission of any employer group shall be at the discretion of the Executive Committee, subject to appeal to the Council, whose decision shall be final;
- (b) Admission shall be subject to payment of the Dues, as determined by the Council;
- (c) Any Affiliated Association shall be entitled to send two representatives to attend all General Meetings, provided that, and subject to Rule 6A(d), only one such representative shall have the right to vote;
- (d) Any Affiliated Association will be afforded all the rights of a member of ABI except that an Affiliated Association shall not be permitted to vote in any election within ABI or stand for, or have a representative of it stand for or hold any office in ABI; and
- (e) An Affiliated Association may be removed from membership by decision of the Council if the Council believes that the Affiliated Association has not complied with the objects or relevant decisions of Council, or has failed to pay Dues, or has otherwise failed to comply with those Rules of ABI applicable to the Affiliated Association;

PROVIDED THAT any employer group that was a member of ABI as at the date of adoption of this Rule shall be deemed to be an Affiliated Association without payment of any additional fee, but otherwise subject to the requirements of these Rules insofar as they apply to Affiliated Associations.

6B - ASSOCIATE MEMBERS

Any employer engaged in or in connection with manufacturing and other producing industries and trade and commerce, may be admitted as an Associate Member, subject to the following conditions.

- (a) Admission shall be at the discretion of the Executive Committee, subject to appeal to the Council, whose decision shall be final;
- (b) Admission shall be subject to payment of the Dues, as determined by the Council;
- (c) An Associate Member shall not be permitted to vote in any election within ABI or stand for, or have a representative of it stand for or hold any office in ABI Council; and
- (d) An Associate Member may be removed from membership by decision of the Council if the Council believes that the Associate Member has not complied with the objects or relevant decisions of Council, or has failed to pay its Dues, or has otherwise failed to comply with those Rules of ABI applicable to the Associate Member;

PROVIDED THAT any employer that was a member of ABI as at the date of adoption of this Rule shall be deemed to be an Associate Member without any additional fee, but otherwise subject to the requirements of these Rules insofar as they apply to Associate Members.

6C - HONORARY MEMBERS

Persons may be appointed by the Council as honorary members of ABI for services rendered to ABI or for special reasons considered in the absolute discretion of the Council to be sufficient for appointment as an honorary member, for life or any lesser period as the Council determines PROVIDED THAT

- (a) such honorary members shall not be entitled to vote nor be required to pay Dues; and
- (b) Council may at any time and notwithstanding that the period for which the appointment of any honorary member was made has not expired, terminate the appointment of such honorary member whose membership shall thereupon cease.

7 - REPRESENTATIVE

Each member of ABI who is not an individual shall appoint in writing a representative (“Appointed Representative”) with powers and authorities provided by the By-Laws

ADMISSION TO MEMBERSHIP

8 - METHOD OF ADMITTING MEMBERS

- (a) An application for membership shall be made in writing and shall be signed by the applicant and shall be in the form prescribed by the Council.
- (b) Applications for membership shall be submitted to the Secretary/Treasurer. All applications must be accompanied by any prescribed Dues, unless otherwise determined by the Council.
- (c) Applications for membership shall be considered and processed in accordance with the By-Laws.
- (d) An employer who is eligible to become a member of ABI is entitled, subject to payment of any amount properly payable in relation to membership:
 - (i) to be admitted as a member of ABI; and
 - (ii) to remain a member so long as the employer complies with the rules of ABIbut this proviso does not entitle an employer:
 - (i) to become a member of ABI if the employer is:
 - (1) a natural person who is of generally bad character; or
 - (2) a body corporate whose constituent document make provision inconsistent with the purposes for which ABI was formed; or
 - (ii) to remain a member of ABI if the employer ceases to be eligible to become a member and the rules of ABI do not permit the employer to remain member.

9 - INFORMATION FOR MEMBERS

The Secretary/Treasurer must provide each applicant for membership with written information of:

- (a) The financial obligations arising from membership
- (b) The circumstances and the manner in which a member may resign from ABI.

10 - MEMBERSHIP NOT TRANSFERABLE

Without limiting Rule 21, the rights and privileges of membership are personal to the member and are not transferable.

11 - PAYMENT OF DUES

The Dues shall be payable in advance or as otherwise determined by the Council.

12 - NO PRIVILEGES OF MEMBERSHIP IF DUES ARE UNPAID

Without limiting Rule 25, no member shall be entitled to any of the privileges of membership unless all Dues have been paid.

REGISTER OF MEMBERS

13 - MEMBERSHIP REGISTERS

- (a) The Secretary/Treasurer shall keep, or cause to be kept, a Register of Members in which shall be recorded the name of every member of ABI and any other particulars required by the relevant legislation.
- (b) An entry in the Register of Members shall be evidence of membership of ABI.

TERMINATION OF MEMBERSHIP

14 – DUES IN ARREARS

Subject to the relevant legislation:-

- (a) The Council may immediately terminate a member's membership if the member fails to pay its Dues within ninety (90) days from when they became due and payable provided that ABI has given the member, at least, fourteen (14) days written notice of those arrears.
- (b) Any arrears of Dues will remain a debt due to and recoverable by ABI after cancellation of membership under Article 14 (a) provided proceedings to recover such arrears are commenced within twelve (12) months of the cancellation of membership.

15 - INELIGIBILITY

Subject to the relevant legislation, the Council may, after giving the member, at least fourteen (14) days written notice of its ineligibility, immediately terminate a member's membership if the member ceases to be eligible for membership under Rule 6.

16 - RIGHTS UPON CESSATION OF MEMBERSHIP

ABI may claim from any person who ceases for any reason to be a member or from the estate of any member who has died any sums of money, including Dues, due to ABI and still owing at the time of cessation of membership or death of the member respectively.

17 - RESIGNATION

A member wishing to resign from membership shall forward no less than two weeks written notice of its resignation to the Secretary/Treasurer and its membership shall cease upon expiry of the notice.

18 - BANKRUPTCY OR INSOLVENCY

The Council may immediately terminate a member's membership if the member:

- (a) becomes bankrupt or insolvent or executes an assignment of its property for the benefit of its creditors; or
- (b) in the case of a corporation – goes into compulsory or voluntary liquidation other than for the purpose of reconstruction or has a Receiver or Official Manager appointed.

19 - CONDUCT PREJUDICIAL

- (a) Any complaint from a member that a member has acted contrary to the objects of ABI or has failed to comply with the Rules of ABI shall be referred by the Secretary/Treasurer to the Council. If in the opinion of the Council the member may be guilty of the allegation made the Council may if it thinks fit by notice in writing request the member to resign from membership of ABI within a time specified in such notice and in default of the receipt of such resignation within the time limited for that purpose the Council shall submit the question of the cancellation of the membership of the member so called upon to resign to a subsequent meeting of the Council and upon the adoption by absolute majority of a resolution by the Council for the cancellation of that member's membership such member shall thereupon cease to be a member of ABI. Provided that such member shall have first been given an opportunity of showing cause in person or by writing to such meeting of the Council why the membership should not be cancelled.

- (b) It is a condition of membership of ABI that all complaints notices letters evidence and other matters arising under or incidental to any complaint and the hearing and determination of that complaint and all proceedings at any Council meeting or any Sub-Committee meeting relating to complaints shall be absolutely privileged. Should any action or legal proceedings be taken this Rule may be pleaded as an absolute bar to those legal proceedings provided that this Rule shall not protect any person against the legal liability (if any) for knowingly making a false statement with express malice And Further Provided that the Council may by a majority vote of Council members waive the privilege hereby created conditionally or unconditionally.

20 - FORFEITURE OF MEMBERSHIP FEES

Any person whose membership ceases or is terminated shall forfeit any claim to a return of any membership fees paid by them to ABI.

21 - NOTICE OF ASSIGNMENT TRANSFER OR SUCCESSION

A member is required to notify ABI of the assignment, transfer or succession within fourteen days after:

- (a) The business or part of the member's business is assigned or transferred to a person who is not a member of ABI; or
- (b) Such person succeeds to the business or part of the business of a member of ABI.

PART 4

DUES, FEES AND LEVIES

22 - DUES SET BY COUNCIL

Dues payable by members or any class of members of ABI and the date and manner of payment shall be determined by the Council.

23 - VARIATION IN DUES

The Council has power to determine a lesser amount of Dues (if any) to be paid by a member or to waive payment in special circumstances.

24 - REINSTATEMENT OF UNFINANCIAL MEMBERS

Unfinancial Members may be reinstated as Financial Members of ABI by the Council upon payment of all Dues in arrears.

DISCONTINUANCE OF SERVICE

25 - WITHDRAWAL OF SERVICES

Members whose Dues have not been paid by those dates they become due and payable will not be entitled to receive any of the benefits advantages privileges or services of ABI unless otherwise approved by the Council in its absolute discretion.

PART 5

THE COUNCIL

26 - COMPOSITION OF THE COUNCIL

There shall be a Council which shall be the Committee of management and shall comprise fifteen (15) eligible members of ABI elected as hereinafter provided.

27 - CASUAL VACANCIES

A casual vacancy occurring on the Council may be filled by the Council by the appointment of an Eligible Member who retains the office for the balance of the term of the vacating Council Member only where the unexpired part of the term does not exceed;

- (a) Twelve (12) months; or
- (b) Three-quarters of the term of the office

whichever is the greater.

27A - ADVISORY COUNCILLORS

The Council may at any time by resolution appoint and remove additional Councillors who shall be termed 'Advisory Councillors'. There shall not be more than seven (7) such Advisory Councillors at any one time, and an Advisory Councillor shall have no vote on questions arising at any meeting of the Council.

ELECTIONS OF THE COUNCIL

28 - ELECTION OF COUNCIL

- (a) Quadrennial Elections will be held to establish the membership of the Council. Council Members shall be elected by the ABI membership in accordance with Rule 31.
- (b) At Quadrennial Elections all the members of the existing Council shall be deemed to have retired at the time that all fifteen (15) Eligible Members have been declared elected to the new Council by the Returning Officer.
- (c) The term of the new Council commences at the time that all fifteen (15) Eligible Members have been declared elected by the Returning Officer.
- (d) An Eligible Member of ABI is eligible for re-election.

29 - DATE OF QUADRENNIAL ELECTION

The Quadrennial Election in each fourth year shall be held on a date fixed by the Council, provided that such date is no more than four (4) years after the Council Election Date, with the election process to commence not less than three (3) months prior to the end of this four (4) year period unless the Council determines otherwise.

30 - ELIGIBILITY FOR ELECTION

No person shall be eligible to be elected to the Council unless they are a member or Appointed Representative of a member of ABI.

31 - METHOD OF ELECTION

- (a) The elections of the Council shall be by secret postal ballot.
- (b) Only Financial Members of ABI shall be entitled to vote.

32 - ABSENT VOTING

Any member who is eligible to vote and who will be absent during the period in which the ballot is to be conducted may apply to the Returning Officer to vote in absentia.

Provided the Returning Officer receives the request in a form they consider acceptable, the Returning Officer shall comply with that request.

33 - APPOINTMENT OF RETURNING OFFICER

A Returning Officer shall be appointed by the Council, not being the holder of any office in, and not being an employee of ABI, for the conduct of elections (including the acceptance or rejection of nominations). The Returning Officer shall conduct the Quadrennial Election and election of Office Bearers and other members of the Executive Committee in accordance with the ABI Rules, the relevant legislation and any regulation made thereunder.

34 - NOTICE OF ELECTION TO BE PUBLISHED

- (a) On receipt of notification of an election by the Council, the Council must publish an election notice on its website and/or any other public forum or platform deemed appropriate by the Council. The Council will also send via email (or other electronic means as deemed appropriate by Council) to all members of the organisation who appear to be entitled to vote in the election.
- (b) The election notice is to:
 - (i) state that the election is to be held by the Returning Officer; and
 - (ii) invite nominations for the election; and
 - (iii) advise where nomination forms may be obtained; and
 - (iv) fix the time and date for the close of nominations in the election; and
 - (v) specify the place where nominations for the election may be lodged; and
 - (vi) specify the qualifications (if any) needed by candidates in the election and by a person nominating a candidate; and
 - (vii) advise the time and date for the close of the ballot in the election.

35 - ROLL OF VOTERS

The Returning Officer must notify the Secretary/Treasurer of the organisation that he/she is required to deliver a list of members entitled to vote in the election. The roll of voters is to be closed seven (7) days prior to the date for the opening of nominations, and subsequently delivered to the Returning Officer.

36 - NOMINATIONS

An Eligible Member may nominate for election to the Council by lodging their nomination with the Returning Officer in writing within three weeks of the publication or distribution of the election notice. A completed nomination for an election must contain the following information:

- (a) the full name, residential address, telephone number and date of birth of the candidate;
- (b) the full name of the corporate entity the candidate will be representing if elected to Council. A candidate is entitled to represent a corporate entity during the period that they own (in part or whole) that entity, or they are a director, officer or employee of that entity, or they are an appointed nominee of that entity (and that appointment is in writing and has not been revoked);
- (c)
 - (i) the industry the candidate is currently working in;
 - (ii) the candidate's current position or role;
 - (iii) the candidate's qualifications; and
 - (iv) in not more than 100 words any experience which the candidate considers relevant to their nomination; and
- (d) the candidate's written consent to the publication of the information which has been supplied under sub-paragraphs (c)(i) – (iv) of this Rule on a ballot paper or other related documentation in the event of a contested election under Rule 39.
- (e) A candidate representing an Eligible Member may nominate themselves for election to the Council.

37 - DEFECTIVE NOMINATIONS

If the Returning Officer finds a nomination to be defective, the Returning Officer must, before rejecting the nomination, notify the person concerned of the defect and, where practicable, give the person the opportunity of remedying the defect or providing further information in support of the nomination, within a period of not less than seven (7) days.

38 - ELECTION BY DEFAULT

If at the close of nominations the number of candidates does not exceed the number of offices up for election, the Returning Officer shall declare the candidates elected.

39 - CONTESTED ELECTIONS

If, by the close of nominations in an election, the number of persons who have been duly nominated as candidates in the election exceeds the number of persons to be elected, a ballot must be held. The candidates with the highest number of votes shall be declared elected until all offices on the Council are full.

40 - CONDUCT OF THE BALLOT

The Returning Officer shall arrange for the distribution of ballot papers to Members eligible to vote in accordance with relevant legislation.

The ballot shall open no less than one week after the close of nominations and shall close three weeks after the ballot is opened or as otherwise required by the relevant legislation.

The ballot shall be conducted under the 'first past the post system'.

41 - SCRUTINEERS

Each candidate in a ballot is entitled to appoint, by notice in writing, scrutineers to represent the candidate at all stages of the election following the close of nominations.

A scrutineer may be present at any stage in the ballot, including bringing to the attention of the Returning Officer any alleged irregularity in:

- (a) The issue of ballot papers;
- (b) The admission of envelopes to scrutiny;
- (c) The formality or informality of ballot papers; and the counting of votes.

A scrutineer shall not:

- (a) Interrupt the scrutiny without lawful reason;
- (b) Disclose any knowledge acquired that concerns the votes of any particular voter or voters;
- (c) Fail to carry out any lawful request by the Returning Officer;
- (d) Interfere with any ballot material; or
- (e) Act in a manner which will interfere with the proper conduct of the election.

42 - FAILURE TO FILL VACANCIES

If at any Quadrennial Election places of all retiring offices are not filled then such further secret postal ballot or ballots shall be held as soon as practicable until the vacant offices are filled.

43 - DECLARATIONS OF RESULTS

The Returning Officer must, following completion of the election, give written notification of the results of the election to the Secretary/Treasurer.

44 - NO REMUNERATION

No member of the Council shall be entitled to any remuneration for acting in that office.

45 - OFFICE BECOMES VACANT

A member of the Council shall be ineligible to hold office and their office shall be vacated if:

- (a) they cease to be a member or the Appointed Representative of a member of ABI;
- (b) their appointment is revoked by their appointor;
- (c) they are disqualified under the relevant legislation.

THE ELECTORAL COLLEGE

46 - THE ELECTORAL COLLEGE

All members of the Council elected under Rule 28(a) shall comprise an Electoral College.

47 - FUNCTION OF THE ELECTORAL COLLEGE

The function of the Electoral College shall be to elect by secret postal ballot of its members the Office Bearers of ABI and the other members of the Executive Committee.

OFFICE BEARERS

48 - OFFICE BEARERS

The Office Bearers of ABI shall be:

- (a) The President
- (b) Two (2) Vice-Presidents, and
- (c) The Secretary/Treasurer

all of whom shall be elected by secret ballot, by and from the members of the Electoral College and, except that Sub-Rules 36(b) and (c) do not apply, otherwise in the same manner provided for election of Council Members.

Office Bearers shall be elected in the order (a) – (c) shown above. A member of the Electoral College may nominate for more than one position under this Rule 48 or a position under Rule 49, but if elected to a position under this Rule 48 the member is deemed to have withdrawn any other nominations.

Office Bearers from the retiring Council will continue in that position from the Council Election Date until the Returning Officer declares the election of the new Office Bearers in accordance with this Rule 48.

In the case of a casual vacancy in the office of an office bearer, the Council may fill the vacancy by appointment, but only where the residue of the term of the office in question does not exceed 12 months or three quarters of the term of the office, whichever is the greater.

EXECUTIVE COMMITTEE

49 - EXECUTIVE COMMITTEE

There shall be an Executive Committee comprising the Office Bearers and three (3) other members of the Council elected by secret ballot, by and from the members of the Electoral College and, except that Sub-Rules 36(b) and (c) do not apply, otherwise in the same manner provided for election of Council Members.

Executive Committee members from the retiring Council will continue in that position from the Council Election Date until the Returning Officer declares the election of the new Executive Committee in accordance with this Rule 49.

In the case of a casual vacancy in the office of a member of the Executive Committee, the Council may fill the vacancy by appointment, but only where the residue of the term of office in question does not exceed 12 months or three quarters of the term of office, whichever is the greater.

50 - EXECUTIVE COMMITTEE MEETINGS

The Executive Committee shall meet, adjourn and otherwise regulate its meeting as it thinks fit. The quorum for a meeting of the Executive Committee shall be five members thereof.

51 - FUNCTION OF THE EXECUTIVE COMMITTEE

The Executive Committee may deal with and conclude such business and matters as may be referred to or delegated to it by the Council and may also deal with such matters of urgency with regard to which it would be inexpedient to summon a meeting of the Council but in all matters the Executive Committee shall act under the general direction of the Council and subject thereto and the Council shall not necessarily be bound by any act matter deed or thing by the Executive Committee done or suffered.

52 -

The Executive Committee may at all times act through servants and agents of ABI who shall be subject to the direction and control of the Executive Committee.

53 - POWERS OF PRESIDENT, VICE PRESIDENT, SECRETARY/TREASURER AND COUNCIL

The President, Vice-Presidents, and Secretary/Treasurer shall exercise powers, duties and discretions as set out below:

- (a) The President and in their absence a Vice-President shall:
 - (i) preside at all general meetings, meetings of the Council, Executive Committee or any Sub-Committee or other group or forum of members at which they are present.
 - (ii) preserve order and decorum at any each meeting and ensure the business of ABI is properly conducted in accordance with these Rules.
 - (iii) have, at any such meeting a deliberative and a casting vote.
- (b) The Secretary/Treasurer shall:
 - (i) attend to the affairs of the members of ABI;
 - (ii) summon and attend all General Meetings and meetings of the Council and Executive Committee;
 - (iii) keep or cause to be kept accurate minutes of any such meeting;
 - (iv) conduct or cause to be conducted all correspondence as it affects members of ABI;
 - (v) maintain or cause to be maintained the register of members;
 - (vi) maintain or cause to be maintained files and records of all business as it affects ABI;
 - (vii) be the custodian of all movable property, books, documents, records, files, money, account books, cheque books and like materials;
 - (viii) prepare and forward or cause to be prepared and forwarded to the Industrial Registrar all returns and notices required by law;
 - (ix) receive, deposit into ABI's bank account to the Council for all moneys received by and belonging to ABI;
 - (x) perform all other duties and functions as directed by the Council or as required by these Rules and the relevant legislation.
- (c) The Council:
 - (i) is authorised to exercise all the powers duties and discretions reasonably necessary to further the purposes of ABI.
 - (ii) shall take all steps necessary to implement any decision of a properly convened Annual or other General Meeting of members of ABI.
 - (iii) is subject to the direction and control of the members of ABI through any properly convened Annual or other General Meeting of Members of ABI.

PROCEEDINGS OF THE COUNCIL

54 - COUNCIL MEETINGS AND QUORUM

The Council may meet adjourn and otherwise regulate its meetings as it thinks fit except that it must meet at least twice each year. The quorum of the Council shall be a simple majority of those entitled to attend and vote. Quorum may be established by a combination of those entitled to attend being present or attending by proxy in accordance with Rule 59(a).

55 - CALLING MEETINGS

A meeting of the Council shall be convened at any time upon the request of the President or a Vice-President or in their absence the Secretary/Treasurer. Seven days' notice of the meeting shall be given to each member of the Council.

56 - VOTING

Questions arising at a meeting of the Council shall be decided by a majority of votes and each member personally present shall have one vote. In the case of an equality of votes the Chairperson has a second or casting vote.

57 - CHAIRPERSON

At a meeting of the Council the President shall preside or in their absence a Vice-President.

58 - COMPETENCY OF THE COUNCIL

A meeting of the Council at which a quorum is present shall be competent to exercise all the authorities, powers and discretions vested in the Council.

59 - PROXIES

- (a) A Council Member may vote by proxy at any meeting of the Council provided the proxy is a Council Member and has been approved of as such by a resolution of the Council and has been appointed in writing by the appointer. The appointment may be general or for any particular meeting or meetings.
- (b) Proxy votes can be cast either by show of hands, orally, by ballot or any other way the Council sees fit and will be counted in addition to any vote cast by the proxy holder on their own behalf as a Council Member, noting that where a proxy vote is cast by show of hands only one vote may be counted unless a poll is called before or on the declaration of the result. Any Council Member may demand a poll.

60 - SUB-COMMITTEES OF THE COUNCIL

The Council may appoint Regional or other Sub-Committees with powers and functions prescribed by the Council except that:

- (a) no resolution of any Sub-Committee may bind ABI without approval from the Council.
- (b) Members of any Sub-Committee must be members of ABI.
- (c) No Sub-Committee may exercise the following powers and functions:
 - (i) the management of the financial or other affairs of ABI;
 - (ii) the determination of policy for ABI;
 - (iii) the making, alteration or rescission of Rules of ABI;
 - (iv) the enforcement of Rules of ABI or the performance of functions in relation to the enforcement of such Rules.

61 - COUNCIL MEMBERS

Persons acting as members of the Council at the date of the adoption of these Rules in 2015 shall be required to stand for election prior to the end of 2016.

62 - MINUTES OF THE COUNCIL AND COMMITTEES AND GENERAL MEETINGS

- (a) Minutes shall be kept of all meetings of the Council the Executive Committee or Sub-Committees and general meetings of ABI and of the names of those present at the meetings.
- (b) The Minutes of any meeting signed by the Chairperson of that meeting or of the next succeeding meeting shall be conclusive evidence of the transactions recorded in those Minutes.

63 - CONTROL OF COUNCIL BY MEMBERS

The Members of ABI may remove any Office Bearer or any other Council Member from office only on the passing of a special resolution to that effect at a General Meeting if the person concerned has been found guilty of:

- (a) misappropriation of the funds of ABI; or
- (b) a substantial breach of these Rules; or
- (c) gross misbehaviour or gross neglect of duty;

or has ceased under these Rules to be eligible to hold office;

PROVIDED THAT the affected Office Bearer or Council Member shall be given at least fourteen (14) days' written notice of the grounds upon which the special resolution is to be put, and a reasonable opportunity to present submissions to the General Meeting prior to it dealing with the resolution.

PART 6

GENERAL MEETINGS OF ABI

64 - CALLING OF GENERAL MEETINGS OF ABI

- (a) General Meetings of ABI shall be called as determined by the Council and at least annually, but in any event prior to 31 December in each year.
- (b) The Council may, whenever it thinks fit, convene a General Meeting of ABI upon 21 days notice specifying the place the day the time and the general nature of the business to be considered. Notice shall be given to all Financial Members of ABI.
- (c) The Council shall within 21 days of the receipt of a requisition in writing stating the object and purpose of the meeting and signed by at least five percent (5%) of the persons entitled to receive notices of and attend General Meetings of ABI convene a General Meeting of ABI to be held as soon as practicable but in any case within three months of the receipt of the requisition by the Council.
- (d) A member may vote by their representative or by proxy, the form of appointment of proxy being prescribed by the By-Laws.
- (e) Decisions of the General Meeting are binding on the Council.

65 - NON-RECEIPT OF NOTICE

The accidental omission to give notice of a General Meeting of ABI to or the non-receipt of notice of a meeting by any person entitled to receive notices of and attend General Meetings of ABI shall not invalidate the proceedings at that General Meeting of ABI.

66 - QUORUM FOR GENERAL MEETINGS OF ABI

- (a) No business shall be transacted at a General Meeting of ABI unless a quorum of members is present at the time when the meeting proceeds to business. Fifteen (15) persons entitled to receive notice of and attend General Meetings of ABI present personally or by proxy or attorney or other duly appointed representative shall be a quorum.
- (b) If within 15 minutes from the time appointed for the General Meeting of ABI a quorum is not present the meeting if convened upon the requisition of members shall be dissolved. In any other case it shall stand adjourned to the same day in the next week at the same time and place and if at the adjourned meeting a quorum is not present within 15 minutes from the time appointed the meeting shall be dissolved.
- (c) Any business of a General Meeting which fails for lack of a quorum may be dealt with by the Council.

67 - CHAIRPERSON

At any General Meeting of ABI the President of the Council shall act as Chairperson but if they are not present then a Vice-President of the Council shall act as Chairperson but if they are not present or is unwilling or unable to act as Chairperson the persons present shall choose one of their number as Chairperson for the General Meeting of ABI.

PART 7

VOTING AT GENERAL MEETINGS

68 - VOTING PROCEDURE

- (a) At any General Meeting of ABI a resolution put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded by at least two members:
 - (i) present personally; or
 - (ii) by proxy or other appointed representative entitled to vote.
- (b) Unless a poll is demanded, a declaration by the Chairperson of the Meeting and an entry to that effect in the book of the proceedings of ABI shall be conclusive evidence of the fact of the number or proportion of the votes recorded in favour of or against that resolution.

69 - POLL

- (a) If a poll is demanded it shall be taken in the manner directed by the Chairperson of the Meeting and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.
- (b) A poll demanded on the election of a Chairperson of the Meeting or on a question or adjournment shall be taken at once. A poll demanded on any other question shall be taken at the time the Chairperson of the Meeting directs.

70 - CHAIRPERSON'S CASTING VOTE

In the case of an equality of votes at any General Meeting the Chairperson of the Meeting shall have a casting vote.

71 - COMMON SEAL AND EXECUTION OF DOCUMENTS

- (a) The Secretary/Treasurer shall have safe custody of the Common Seal of ABI
- (b) The Common Seal shall not be affixed to any document unless it is:
 - (i) affixed in the presence of at least two Council Members; and
 - (ii) attested to by the signature of at least two of those Council Members.

No documents are to be executed on behalf of the Association other than with the express authority of the Executive Committee.

FUNDS

72 - RECEIPT OF MONEYS

- (a) All moneys received on account of ABI shall be paid into a Bank account of ABI.
- (b) Bank accounts for ABI shall be opened for the purpose of receiving moneys on behalf of ABI, and only with the consent of the Council.

73 - SOURCE OF FUNDS

Subject to these Rules, ABI may accept funds from any source whatsoever.

74 - LIMITATIONS ON FUNDS

There shall not be any Dues imposed for the purpose of making donations or other payments for political objects and no donation or other payment for political objects is to be made out of amounts levied by ABI.

75 - CONTROL OF FUNDS

Subject to these Rules the Council shall control the funds and property belonging to ABI and expend them in any manner it sees fit for the promotion of the objects of ABI.

76 - NO GRANTS, LOANS OR DONATIONS

The Council shall not make any grant, loan or donation unless it has approved the loan grant or donation and satisfied itself that:

- (a) the making of the grant, loan or donation would be in accordance with these Rules; and
- (b) in the case of a loan – the proposed security is adequate and repayment arrangements are satisfactory.

77 - SIGNING CHEQUES ETC

All bills of exchange promissory notes or other negotiable instruments shall be accepted made drawn or endorsed on behalf of ABI by any two or more persons the Council as the case may be determines.

78 - ENDORSEMENT OF NEGOTIABLE INSTRUMENTS

Cheques or other negotiable instruments paid or payable to the Bankers of ABI for collection requiring the endorsement of ABI may be endorsed by any person or persons the Council appoints.

79 - ORGANISATION POLICIES AND PROCEDURES

ABI shall develop and implement policies and procedures relating to the expenditure of the organisation.

80 – DELETED

81 – DELETED

82 – DELETED

83 – DELETED

ACCOUNTS AND AUDITED ACCOUNTS OF ABI

84 - ACCOUNTING RECORDS

- (a) The Council shall cause to be kept accounting records to correctly record and explain the transactions and financial position of ABI.
- (b) The accounting records shall be kept in accordance with the relevant legislation and Regulations thereunder.

85 - AUDITED BALANCE SHEETS FOR AGM OF ABI

- (a) The Council shall cause to be made out and laid before a General Meeting in each year audited financial records as required by the relevant legislation.
- (b) The Council shall cause copies of the Financial Records to be distributed as required by the relevant legislation and to be issued not later than four (4) months after close of the financial year of ABI which shall be 30 June in each year.

86 - INSPECTION OF BOOKS

Any member of ABI shall with the consent of the Secretary/Treasurer have the right to inspect at the registered office of ABI the books and documents of ABI provided that fourteen days written notice of any request to inspect any books or documents of ABI must be given by the member concerned to the Secretary/Treasurer specifying which books and documents are required for inspection and the Secretary/Treasurer shall not unreasonably refuse any such request.

87 - APPOINTMENT OF AUDITOR

The Council shall appoint each year a registered company Auditor or Auditors to inspect and audit the accounting records kept by ABI who shall occupy this position for twelve months but who shall be eligible for re-appointment for the next year.

88 - RIGHTS AND DUTIES OF AUDITOR

The remuneration, rights and duties of the Auditor or Auditors of ABI shall be regulated by the relevant legislation.

89 – REPLACEMENT OF AUDITOR

The position of Auditor becomes vacant and must be filled if:

- (a) the Auditor dies
- (b) the Auditor resigns
- (c) the Auditor ceases to be a registered Company Auditor
- (d) being a firm unless at least one member of the firm is a registered Company Auditor
- (e) if during the term of appointment of the Auditor the Auditor is removed due to excessive cost charges or work of an unprofessional standard then, subject to the requirements of the relevant legislation as to notice to the auditor,
 - (i) where the Auditor was appointed by the Council – only by Resolution passed at a meeting of the Council by an absolute majority of the Members of the Council
 - (ii) where the Auditor was appointed by a general Meeting of Members – only by Resolution passed at a General Meeting by a majority of the Members voting at the Meeting.

90 - AUDITED ACCOUNTS CONCLUSIVE

Subject to any complaint which shall be dealt with under the relevant legislation the account of ABI once audited and approved by the Council shall be conclusive except for any error discovered within three months after their approval. Whenever any error is discovered within that period the accounts shall forthwith be corrected immediately and then shall be conclusive.

PART 8

ALTERATIONS TO RULES

91 - AMENDMENT TO RULES

Subject to Rule 64(e) these Rules may only be altered rescinded or repealed and new Rules made by special resolution of the Council.

PROVIDED THAT these rules may be amended at any time by the Executive Committee to comply with the requirements of the relevant legislation or to ensure compliance by ABI with the requirements for registration of ABI as an organisation under the relevant legislation.

DECISIONS ON THE MEANING OF RULES

92 - DECISIONS OF THE COUNCIL ARE CONCLUSIVE

If any doubt arises as to the proper meaning of these Rules the decision of the Council shall be final and conclusive and its decision shall be recorded in the Minute Book of the proceedings of the Council.

93- SERVICE OF NOTICES

Subject to all Relevant Legislation, a notice may be served by ABI upon any member either personally or by sending it by post or prepaid post addressed to the member at their registered place of address or by email or other electronic means, as determined by the Council.

93A - ALTERNATIVE MEANS FOR CONDUCT OF MEETINGS

Notwithstanding any other provision of these Rules, any meeting of the Executive Committee or the Council may be conducted in person, by telephone, videoconference or other technology platforms, 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:

- (a) any such meeting is convened and conducted in accordance with the requirements of the Rules applicable to the meeting concerned, including (without limitation) the relevant rules relating to notice of and quorum for the meeting; and
- (b) each of the members participating in the meeting are able to hear each of the other members present at the meeting.

INDEMNITY

94 - EXTENT OF INDEMNITY

Every member of the Council or any Manager, Secretary, Treasurer, Auditor, Trustee, member of a Sub-Committee, officer, servant, agent, accountant or other person engaged in the business of ABI shall be indemnified by ABI against all costs, losses and expenses including travelling expenses which that person may incur or become liable for by any contract entered into or act or deed done by them in the discharge of their duties in carrying out the business of ABI.

95 - NO LIABILITY FOR DEFAULT

No member of the Council shall be liable for the act or default of any other member or officer or for any loss or expenses to ABI or deficiency in any security upon which any of the money of ABI is invested or for any loss or damage arising from the bankruptcy insolvency or tortious act of any person with whom moneys securities or effects shall be deposited or for any loss occasioned by any error of judgement or oversight or omission or default on their part or for any loss damage or misfortune whatever which shall happen in the execution of their office unless through their own dishonesty.

96 - DISSOLUTION OF ABI

ABI may only be wound up or dissolved on the vote of at least seventy five percent (75%) majority of all members voting at a meeting duly convened for that purpose.

BY-LAWS

97 - MAKING OF BY-LAWS

The Council may make, vary and repeal By-Laws (not inconsistent with these Rules) embodying provisions for the administration and management of ABI and the powers exercisable by them on all subjects and may prescribe forms which it considers necessary for those purposes.

98 - NOTIFICATION OF INDUSTRIAL DISPUTE

An industrial dispute may be submitted and/or notified to the NSW Industrial Relations Commission and/or the Fair Work Commission with the express authority of the Executive Committee.

END OF RULES