RULES

of the

"BAKING INDUSTRY EMPLOYERS' ASSOCIATION OF WESTERN AUSTRALIA"

CONTENTS

RULE PAGE
1 - NAME AND REGISTERED OFFICE 1
2 - OBJECTS 1
3 - DEFINITIONS 2
4 - MEMBERSHIP 3
5 - DIVISIONS 3
6 - ADMISSION OF MEMBERS 4
7 - SUBSCRIPTIONS 4
8 - UNFINANCIAL MEMBERS 5
9 - CESSATION OF MEMBERSHIP 5
10 - RESIGNATION OF MEMBERS 5
11 - EXPULSION OF MEMBERS 5
12 - LEVIES 6
13 - RECOVERY OF DUES BY LAW 6
14 - COMPLAINTS, CHARGES ETC. 6
15 - FINES 6
16 - EXECUTIVE 6
17 - RETURNING OFFICER 8
18 - NOMINATION FOR EXECUTIVE COMMITTEE 8
19 - CONDUCT OF BALLOT 9
20 - SCRUTINEERS 9
21 - COUNTING OF THE BALLOT 9
22 - ABSENT VOTING 9
23 - DUTIES OF OFFICERS 10
24 - REPRESENTATIVE BEFORE W.A. INDUSTRIAL RELATIONS COMMISSION 10
25 - DISSOLUTION OF ASSOCIATION 11
26 - GENERAL MEETINGS 11
27 - QUORUM AT MEETINGS 11
28 - INSPECTION OF BOOKS 11
29 - DISPUTES 11
30 - FURNISHING RETURNS TO REGISTRAR 11
31 - INTERPRETATION OF RULES 12
32 - ALTERATION OF RULES AND AMENDMENTS 12
33 - MANNER OF VOTING AT MEETINGS 12
34 - PROXIES 12
35 - STRIKES AND LOCKOUTS 14
36 - SEAL OF THE ASSOCIATION 14
The name of the Association shall be "Baking Industry Employers' Association of Western Australia".

The registered office of the Association shall be at 102 Cambridge Street, Leederville, or at such other place as may be determined by the Executive, where all the business of the Association shall be conducted. Any change of the Registered Office must be duly registered with the Registrar of Industrial Unions.

2 - OBJECTS

The objects of the Association shall be:

(1) To promote and safeguard by all lawful means the welfare, prosperity and trading interests of the Baking Industry generally and of the members of the Association.

(2) To provide members with information of general interest to the baking industry as a whole.

(3) to ensure that the interest of members are adequately represented when legislation affecting hours, wages or working conditions is being considered by Parliament or any industrial tribunal.

(4) To invite and make arrangements for the co-operation of any trade or industry in furthering the interests of members.

(5) To co-operate with any group or Association in the Baking Industry, Millers or other traders directly or indirectly interested or concerned in or connected with the baking industry with a view to the formation of a Committee or other body to preserve and protect the interests of the baking industry and to secure the observance by the members of the Association of the decisions of such Committee or body and to arrange for representation of the Association on such Committee or body and contribution by the Association towards the funds necessary for the conduct thereof.

(6) To encourage a proper standard of service to the public and the hygienic handling and purveying of bread, and associated products, and encourage, promote technical development for the betterment of the industry.

(7) To acquire assets and funds and to manage and administer the same and from time to time dispose of the same as may appear beneficial in the interests of the
Association and in accordance with these Rules. To do all such other things as are incidental or conducive to the attainment of the above objects or any of them as may be deemed necessary or expedient in the best interests of the members of the Association.

3 - DEFINITIONS

In these Rules, the following terms shall have the meanings prescribed hereunder, unless the context of a particular rule requires otherwise.

"Association" means the Baking Industry Employers' Association of Western Australia.

"Executive" means the Executive Committee of the Association.

"Special General Meeting" means a meeting convened to deal with business stated on the notice of meeting and no other business (other than the Annual General Meeting) to which all members by virtue of their membership of the Association are entitled to attend.

"Old Rules" means the Rules of the Association in force immediately prior to these Rules coming into force.

"Person" includes Company, Corporation (statutory or otherwise) partnership and firm.

"Tonne of Flour" means 1,000 kilograms weight flour, meal or premixes.

"Bakery Products" means and includes bread, bread products, pastry and associated products.

"Tonnage" means the weight of flour calculated on a weekly basis, recorded in the Association's Membership Subscriptions Register as being the amount of flour, used in the manufacturer of bread and bread products, yeast goods, cakes, Pastry and associated products.

"Year" for accounting and auditing purposes means the twelve calendar months ending the last day of June.

"Category 1" means a Bakery which uses more than 40 tonnes of flour per week.

"Category 2" means a Bakery which uses not less than 3 tonnes and not more than 40 tonnes of flour per week.

"Category 3" means a Bakery which uses up to 3 tonnes of flour per week.

"Flour" means all flour and or pre-mixes and other cereal grains used in the manufacture of bread, bread products, yeast goods, cakes, pastry and associated products, and as also defined in the Western Australian Health (Food Standards) Regulations.

"Bakehouse" means a bakery, or establishment where bread, bread products, yeast goods, cakes and associated products are manufactured or made for the purposes of wholesale or retail sale.

"Metropolitan Area" is defined as that area shown in the Western Australian Government Street Directory to a radius of 45 kilometres from the Perth GPO.
4 - MEMBERSHIP

The first members of the Association are those who are entered in the Register of Members of the Association as members under the old rules and subsequent members shall be those persons who being eligible shall after the date when these Rules come into force by duly elected in such manner and upon such conditions as may be prescribed from time to time by the Rules of the Association.

The Association shall consist of:-
- Ordinary Members
- Life Members
- Associate Members

5 - DIVISIONS

There shall be three divisions of membership of the class known as Ordinary Members. They shall be:

- Category 1 as defined in Rule 3
- Category 2 as defined in Rule 3
- Category 3 as defined in Rule 3

ORDINARY MEMBERS

Any person (as defined) who manufactures and distributes bakery products within the State of Western Australia shall be eligible for membership of the Association.

If an Ordinary member ceases to carry on the business of the manufacture of bakery products as aforesaid during any year of membership, he/she shall cease to be an Ordinary Member of the Association.

A representative may be changed or an alternative representative appointed by a member on its giving written notice in that behalf to the Executive Director.

LIFE MEMBERS

The Association may from time to time appoint as Life Members persons not exceeding at any time seven in number who have in the opinion of the Association rendered outstanding services to the Industry. Any member of the Association shall have the right to submit to the Executive for its approval the nomination of any person as a Life Member of the Association.

Upon and subject to the Executive approving of such person as a proper person to be nominated for Life Membership of the Association the nomination of such person shall be submitted by the Executive to a General Meeting of the Association for its consideration. A Life Member shall be entitled to attend all meetings of the Association but shall not have the right to vote on any matter unless actively engaged in the baking industry.

A Life Member shall only whilst actively engaged in the industry as an Executive or otherwise be competent to hold any office in the Association and shall only be liable to the payment of fees fines and levies if he is a sole trader or a representative of a partnership or company.

Notwithstanding the above, on the date these Rules are Registered, the following named persons shall be deemed to be life Members of the Association with all the privileges and benefits such membership confers.
Mr George Burnett  AM, OBE, JP
Mr Ted Ledger  1979
Mr Stuart Dorman  1983
Mr Thomas Corlett  1985
Mr John Brennan  1987
Mr Lindsay Day  1987
Mr Theo Hansen  1990

ASSOCIATE MEMBERS

Any person, firm, association, joint venture, corporation or other legal entity carrying on a bona fide business that is actively engaged in the manufacture, distribution or supply of goods or services to the Bread Industry and Pastrycooking Industry with the State of Western Australia and who is not eligible for ordinary membership of the Association shall be eligible for membership as an Associate Member.

Associate Members may attend meetings of the Association but are not entitled to vote at any meeting or to hold any office within the Association.

6 - ADMISSION OF MEMBERS

Any person, (as defined) eligible for membership and desiring to become a member shall sign an application for membership in a form approved by the Executive together with a nomination fee equalling four weeks subscriptions, the Executive shall consider such application and upon their acceptance thereof the applicant shall become a member of the Association and be bound by these Rules in all respects and every member shall be deemed to join the Association on this basis. Every person, (as defined) admitted to membership shall be supplied with a copy of the Rules of the Association, free of cost.

7 - SUBSCRIPTIONS

The subscriptions for membership of this Association shall be in accordance with the following scale.

SUBSCRIPTIONS

Category One - *  $1.16 per TONNE per WEEK to a maximum of $10,000 per annum.

Category Two - *  10 Tonnes per week but less than 40 tonnes per week - $1.16 per tonne per week.

- *  6 tonnes, but less than 10 tonnes per week - $600 per annum.

- *  3 plus tonnes, but less than 6 tonnes per week - $400 per annum.

Category Three - *  less than 3 tonnes per week - $300 per annum (includes award services).

*less than 3 tonnes per week - $100 per annum (excludes award services).

Members shall pay to the Association a subscription fee based on weekly flours tonnage usage. Such rate shall be fixed by the Executive who shall have the power to review such rates of subscriptions from time to time.
Subscription fees shall be payable in advance, on a monthly, quarterly, half yearly or yearly basis should a member desire.

On 1st June of each year, the Executive Director shall require all members to furnish him with a written statement advising of their weekly tonnage flours usage rate based on weekly average over the preceding twelve months, in order to assess subscriptions payable to the Association and to enable the subscriptions Register to be kept up to date on an Annual basis.

The Executive shall have the power to alter the above scale of subscriptions from time to time. Any member whose subscription is not in accordance with the above scale shall give notice in writing to the Executive Director within 30 days, and the Executive may direct that his subscriptions be altered as may be requisite to comply with the scale.

8 - UNFINANCIAL MEMBERS

A member shall be deemed to be unfinancial if his subscriptions are in arrears for a period exceeding three months, and a member shall continue to be unfinancial until all arrears of subscriptions are duly paid. A member whose subscriptions are in arrears in excess of three (3) months, shall not receive any service or assistance from the Association until such time as the arrears have been paid.

9 - CESSATION OF MEMBERSHIP

Any member, excepting a Life Member, who shall cease to carry on business in the Baking Industry, shall cease to be a member of the Association, but any member shall remain liable for any sums which may be owing by him for subscription, levies or fines.

10 - RESIGNATION OF MEMBERS

10a. (1) A member of the Association may end their membership by written notice of resignation addressed to the Baking Industry Employers Association of Western Australia.

(2) A notice of resignation shall be served by:-

   a) delivering it personally to the Associations office address as registered

   or

   b) sending it by certified mail to the registered office of the Association or to the address of the Association as ascertained by referring to the current directory of telephone numbers.

(3) A notice of resignation takes effect on the day on which it is served on the Association or on a latter day specified in the notice.

11 - EXPULSION OF MEMBERS

If the Executive should find that any member has violated any of these Rules, it may resolve that an application be made to the Western Australia Industrial Relations Commission for the explosion of such members from the Association in pursuance of the provisions of the Industrial Relations Act 1979 (as amended). Any member in arrears of contributions in respect of subscriptions, fines or levies for a period of twelve
months shall be struck off the register of members, but such striking off shall not relieve such member of his liabilities in regard to such subscriptions, dues, fines or levies.

(Disallowed - See Order No. 863 of 1996 of 4 July 1996)

12 - LEVIES

Should it at any time be considered expedient or necessary in order to provide funds for the proper working of the Association, the Executive may by resolution passed at a duly convened meeting of the Executive, impose such levies as may appear adequate and the same shall forthwith become due and payable by all members. Such levies to be determined on the same scale as that used for subscriptions.

13 - RECOVERY OF DUES BY LAW

All fees, fines, levies and dues payable by members in so far as they are owing for a period of membership subsequent to the registration of this Association under the Industrial Relations Act 1979 (as amended) may be sued for or recovered in any Court of Competent Jurisdiction in Western Australia by the Executive Director or any other person authorised by the Executive, who shall have authority and is hereby empowered on behalf of the Association to sue and recover such fees, fines, levies and dues in any such Court.

14 - COMPLAINTS, CHARGES ETC.

Should any member adopt a course which may be considered as a breach of any of the present or future Rules of the Association, it shall be lawful for any member to bring under the notice of the Executive Director or Executive, in writing, such breach of the Rules and the Executive Director shall report same to the Executive; provided that before any charge against a member is dealt with, such member shall be served with a copy of the charge at least 7 days before the hearing.

15 - FINES

The Executive, by resolution may impose upon a member such fine or penalty as it may determine in accordance with these Rules, and the Executive Director shall forthwith notify such member in writing that a fine or penalty has been imposed, and such member shall pay to the Executive Director the amount of such fine or penalty within fourteen (14) days after the receipt of such notice. No fine for any single offence under these Rules shall exceed one hundred dollars ($100) provided that in the case of an offence which is of a continuing nature, a separate fine not exceeding one hundred dollars ($100) may be inflicted in respect of every day during which the offence continues. In the event of a member not being satisfied with the fine imposed, he shall have the right to appeal to an arbitrator approved by both parties, and failing such approval, to the Industrial Registrar.

16 - EXECUTIVE

There shall be an Executive Committee consisting of not more than sixteen (16) Ordinary Members of the Association, who shall be elected in accordance with the Rules and who shall have control of the affairs of the Association subject to these Rules.

THE EXECUTIVE COMMITTEE

The Executive shall consist of, and with voting rights as follows:
Category One:

Metropolitan bakeries who use in excess of 40 tonnes per week shall be entitled to one representative. Where a bakery uses in excess of 150 tonnes of flour per week it shall be entitled to an additional representative. Additionally where a bakery manufactures or distributes outside the metropolitan area and either collectively through joint arrangement or independently use in excess of 40 tonnes of flour per week shall be entitled to one representative.

Category Two:

Bakeries shall be represented on the Executive Committee as follows:

Four (4) members, one of whom shall represent and be elected from and by non-metropolitan Bakery members, with the remaining 3 members being elected by and from Metropolitan bakeries to represent Metropolitan bakeries.

Category Three:

Bakeries shall be represented on the Executive Committee as follows:

Three (3) members, one (1) of whom shall represent and be elected by non-metropolitan Bakery members, with a further one representative who shall represent and be elected by and from the Metropolitan bakeries, with the remaining one (1) representative to be elected by and from all bakeries in this Category, but who shall represent the pastry section of the Banking Industry.

There shall be a President of the Association who shall be elected by and from the Executive who shall be the Chairman and who may preside over all meetings of the Association and of the Executive.

The President and or Chairman of the Executive shall not have a casting vote, but shall only have a vote as an elected member of the Executive in his/her capacity as an elected Executive member to the Division of membership he/she so represents.

There shall be two (2) Vice-Presidents who shall be elected by and from the Executive. Provided that the persons nominating and seeking offices of Vice President shall at the time of nomination be a member of the Executive.

Five (5) members thereof shall form a quorum at any meeting of the Executive, subject to all these Rules the Executive shall exercise absolute and exclusive powers in respect of the following matters:

(a) The receipt and disposition of all monies received by the Association, and the control of the property and the Investment of funds of the Association.

(b) The repayment of expenses to the Country Members and out of pocket expenses to the President.

(c) The appointment of a Solicitor to act for the Association.

(d) The conduct of any legal proceedings instituted by or against the Association or any of its officers.

(e) The appointment of Bankers to the Association.

(f) The nomination of members to represent the trade on any board of Reference or Bread Inquiry and the conduct of any appeal against any determined of such Board or Reference or Board Inquiry.
(g) Shall have power if and when a majority of the Executive consider necessary to at any time invite to join the Executive as members of that body so long as for such particular meeting or meetings as the Executive may consider necessary, bread manufacturers and Pastrycooking carrying on business in the State of Western Australia, but such persons shall not have a vote.

Any member of the Executive absent for more than three consecutive meetings without a satisfactory reason or who retires from the Executive shall forfeit his seat. The Executive or any member thereof may be removed from office on the vote of a majority of members of the Association present at a Special General Meeting, and such meeting shall fill such vacancy or vacancies so created for the expired term of office. Any casual vacancy in any office of the Association including that of members of the Executive unless by these Rules it is otherwise provided.

17 - RETURNING OFFICER

The Executive shall each year appoint a Returning Officer and such Deputy Returning Officers as may be necessary. It shall be the duty of the Returning Officer:

(a) To receive nominations for offices.

(b) Where an election is necessary have ballot papers prepared showing the full name of the Candidates for the respective offices.

(c) The order in which names are to appear on the ballot papers shall be drawn by the Returning Officer in the presence of a nominee approved by the Executive Committee and Executive Director.

(d) Be responsible for all ballot boxes used and see that they are locked and sealed until such time as the ballot is to be counted.

(e) Initial all ballot papers posted to members entitled to vote.

(f) Determine the date, time and place where the ballot is to be counted and notify all scrutineers accordingly.

(g) He shall count the votes and report in writing to the Association the result of the ballot. Such report shall show the number of votes cast for each candidate, the number of informal votes and the number of ballot papers issued but not returned up to the time the ballot closed.

(h) Retain in his possession for a period of 3 months after the declaration of the ballot the following documents:

1. All nomination papers.

2. All unused ballot papers in connection with the election.

3. A copy of his report to the Association on the result of the ballot.

18 - NOMINATION FOR EXECUTIVE COMMITTEE

Nominations shall be called the first week of July each year for the executive by posting nomination papers to each financial member.
Nominations shall be in writing, signed by the proposer and seconder only after the approval of the nominee has been obtained by the proposer, and shall be posted to the Returning Officer at the Registered Office of the Association not later than the last day of July. Only financial members of the Association shall be eligible to nominate for office in the Association.

Members shall only be eligible to nominate for and vote for the Executive falling vacant within their relevant category as determined by Rule 16 - Executive. If only sufficient valid nominations are received to fill any vacancies, the Returning Officer shall thereupon declare the persons so nominating elected.

In the event of there being insufficient nominations to fill all the offices falling vacant, the vacancies shall be filled at the discretion of the Executive Committee.

19 - CONDUCT OF BALLOT

For the purpose of the ballot the books of the Association shall be deemed to have closed as at 5.00pm on the last day of June. Only members who are financial as at that date shall be entitled to vote.

The ballot shall commence when the Returning Officer and scrutineers are in attendance.

The ballot boxes shall be opened at the time and date fixed by the Returning Officer.

The Executive Director shall supply the Returning Officer with a nominal roll of members of the Association.

20 - SCRUTINEERS

Two scrutineers who are not candidates shall be elected by the Executive not later than the last day of June and they shall assist the Returning Officer in the counting of the ballot.

21 - COUNTING OF THE BALLOT

The Returning Officer shall count and report the result of the ballot to the Association.

When voting is equal in any election conducted under these Rules, then in the event of one only of the candidates being the retiring office holder then such candidate shall be declared elected. In other cases in which a tie occurs the matter shall be decided by the drawing of lots.

Any omission or error in the carrying out or observance of these Rules shall not invalidate an election unless such omission or error is shown to have affected the result of the election.

22 - ABSENT VOTING

Any member who, due to absence from the district or through ill health, desires to record an absentee vote, shall be supplied with the necessary ballot papers on application and afforded facilities to record his vote in a secret manner.

The Returning Officer shall keep a record of the names of persons supplied with ballot papers under the Rule.
23 - DUTIES OF OFFICERS

PRESIDENT:
The President shall, if present, preside at all meetings of the Association and any Committee thereof, preserve order so that the business may be conducted in due form and with propriety, and give instructions to the Executive Director to call Special General Meetings of the Association. He shall have the same right of speaking and voting on any question under discussion as any other member, but shall not cast a deliberative or casting vote.

VICE-PRESIDENT:
A Vice-President shall preside at all Meetings in the absence of the President with equal powers of the President. In the absence of the President or Vice-President one of the members present may be elected by the Meeting to preside with full powers of the President.

EXECUTIVE DIRECTOR:
The Executive Director shall be appointed by the Executive and shall hold office during its pleasure. He shall attend all meetings of the Association and record Minutes of the same, prepare under instructions from any Committee reports to be submitted to General or other Meetings of the Association, submit to each Annual General Meeting a properly audited Balance Sheet and statement of receipts and expenditure for the previous twelve (12) months and prepare and publish each year a list of Unfinancial Members. He shall keep all accounts of the Association in a proper manner.

He shall submit a statement of accounts for payment, and present bank pass books to the Committee at its meetings, such accounts to be passed by the Committee. He shall receive subscriptions, fines, etc., and pay into the bank promptly all monies received.

He shall submit to the President and answer all correspondence and lay the same before the Executive; and perform such other duties as may be necessary to carry out the objects and Rules of the Association. He shall be paid a salary such amount as shall from time to time be fixed by the Executive of the Association. He shall keep a register of members and shall purge from such registered such members whose dues are in arrears for more than 12 months, without freeing such person from arrears due.

AUDITOR:
One Auditor who shall be a duly qualified Public Accountant shall be elected at the Annual General Meeting each year and shall hold office for the ensuring twelve months, but shall be eligible for re-election. He shall attend at such place as may be appointed by the Executive Director before the holding of the Annual General Meeting, and shall thoroughly examine all the accounts of the Association for the period since the last audit, inspect the vouchers and receipts and expenditure, satisfy himself as to the correctness of the cash balance, also bank balances and sign the balance sheet.

He shall audit the accounts at least once a year, and shall have the power to inspect the books at any time. The Auditor may be removed from office on the vote of a majority of members present at a Special General Meeting of the Association. Such meeting shall fill such vacancy so created for the unexpired term of the office.

24 - REPRESENTATIVE BEFORE W.A. INDUSTRIAL RELATIONS COMMISSION
The Association shall be represented before the W.A. Industrial Relations Commission by such person or persons as the Association shall elect at a General Meeting and such persons shall have power to sign and execute all industrial agreements, deeds and instruments of any kind which the Association is required to make for the purpose of the Industrial Relations Act 1979 (as amended) or any regulation in force thereunder. They shall act under instructions from the Association but shall not move to the Industrial Relations Commission without the consent of the Executive.

25 - DISSOLUTION OF ASSOCIATION

Subject to the provisions of the Industrial Relations Act 1979 (as amended) the Association may be dissolved by a resolution carried at a Special General Meeting called for that purpose of which not less than fourteen (14) days notice shall be given to members, provided always that such resolution shall be carried by a majority consisting of not less than three-fourths of members of the Association for the time being.

26 - GENERAL MEETINGS

The financial year of the Association shall be on the last day of June and the Annual General Meeting shall be held no later than the month of August. Special General Meetings may be called at the option of the President, or on the written request of ten (10) Financial members by written notice served on or posted to all members at least seven (7) days before the holding of the Meeting.

Provided that the President or his deputy may call a Special General Meeting by giving less than seven (7) days notice as prescribed by this Rule. Members absent from Special General Meetings without written apology or reasonable excuse may be fined not less than $10.00 or more than $20.00.

27 - QUORUM AT MEETINGS

Nine (9) members shall constitute a quorum at Annual or Special General Meetings. If a quorum is not obtained within thirty (30) minutes, no meeting shall be held that day but the meeting shall be deemed to be adjourned to a date to be fixed.

28 - INSPECTION OF BOOKS

The books and register of members of the Association may be inspected by any person having an interest in the funds of the Association in the presence of an officer or member of the Executive of the Association during normal office hours.

29 - DISPUTES

The Executive shall at all times endeavour to settle all disputes which may occur between any employer who is a member of this Association and his employees by amicable and conciliatory conference, but should their efforts fail, they may convene a Special General Meeting of the Association and lay the whole of the particulars before the Meeting. All industrial disputes in which members of this Association may be concerned shall, unless settled by mutual consent, be referred for settlement pursuant to the provisions of the Industrial Relations Act 1979 (as amended). All disputes between the Association and any member or between any two or more members relating to Association matters, shall be decided by the Executive.

30 - FURNISHING RETURNS TO REGISTRAR
Within one calendar month after the completion of the yearly audit of accounts the Executive Director shall furnish to the Registrar of Industrial Unions a duly audited statement of receipts and expenditure and balance sheet of assets and liabilities of the Association.

The Executive Director shall, in the month of January every year, furnish the Registrar of Industrial Unions with a list of officers and members of this Association as at 31st December next preceding.

31 - INTERPRETATION OF RULES

In case a question at any time arises which is not provided for in these Rules, or any doubt exists as to the interpretation thereof, the same shall be determined by the Executive whose decision shall be final and binding on the members.

32 - ALTERATION OF RULES AND AMENDMENTS

Subject to the Industrial Relations Act 1979 (as amended) and of Rule 7 hereof, any alteration, deletion or addition to the Rules of the Association may be made at a Special General Meeting convened for the purpose of which seven (7) days notice has been given. Any such alteration, deletion or addition shall be binding on all members and shall be subject to the requirements of the Industrial Relations Act 1979 (as amended). Notice must also be given to the Registrar of Industrial Unions of any proposed alteration, deletion or addition, which must be registered with the Registrar. All members shall be advised of the proposal for alteration, the reasons therefore and be advised that they can object to the proposed alteration by forwarding a written objection to the Registrar.

33 - MANNER OF VOTING AT MEETINGS

At meetings of the Association, all questions shall be decided by a show of hands of those present, except a division or ballot be requested by any member.

All elections shall be conducted by ballot where more nominations than required are received.

Proxy votes shall be on the same basis.

At any meeting of the Association, and or the Executive, in the event of an equality of votes, the result shall be declared to be in the negative.

34 - PROXIES

The instrument appointing a proxy shall be in writing under the hand of the appointer or his/her attorney, or if the appointer is a corporation under the hand of an officer duly authorised. All proxies shall be lodged with the Executive Director or his representative at the appointed place of the meeting at least one hour before the hour fixed for the meeting.

Each Member of the Association Membership Register may vote by proxy, if he/she is unable to be represented in person. However, the presence of a member automatically cancels the appointment of a proxy.

A proxy shall be drawn up in the following manner:-
THE BAKING INDUSTRY EMPLOYERS' ASSOCIATION OF WESTERN AUSTRALIA.

I................................of ...................being (name of member)  (Bakery)
a financial member of the Baking Industry Employers' Association of Western Australia
hereby appoint

................................of..........................as my (Name of proxy)  (Bakery)
proxy to vote for me and on my behalf at the..........................of the Association to be
held on

the..............................day of....................19...
(day)                     (month)

Witness..............

35 - STRIKES AND LOCKOUTS

No part of the funds or property of the Association shall be paid or applied for in
connection with or to aid or assist any person or persons engaged in any strike or
lockout within Western Australia.

36 - SEAL OF THE ASSOCIATION

The seal of the Association shall be in a round shaped seal bearing the words Baking
Industry Employers' Association of Western Australia.

The Executive Director shall use and have the custody of the seal but he shall not affix it
to any document without the consent of the Executive except in cases of emergency
when it may be affixed with the consent of the President.