[024N-SA: Incorporates alterations of 10 August 2023 in matter R2023/45]

(replaces rulebook dated 13 April 2021 in R2021/29)

 **Australian Hotels Association, South Australian Branch**

I CERTIFY under section 161 of the Fair Work (Registered Organisations) Act 2009 that the pages herein numbered 1 to 28 both inclusive contain a true and correct copy of the registered rules of the Australian Hotels Association, South Australian Branch

 DELEGATE OF THE GENERAL MANAGER

Australian Hotels Association, South Australian Branch

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RULES OF THE

AUSTRALIAN HOTELS ASSOCIATION

SOUTH AUSTRALIAN BRANCH

## 1 - NAME

The name of the Branch shall be the Australian Hotels Association - South Australian Branch.

## 2 - REGISTERED OFFICE

The registered office of the Branch shall be at A.H.A. House, Level 4, 60 Hindmarsh Square, Adelaide, South Australia, or at such other place or places as the Branch Council may from time to time determine.

## 3 - INTERPRETATION

In these Rules, unless clearly inconsistent with the context:-

"Association" means the "Australian Hotels Association - South Australian Branch".

"President", "Vice-President", "Trustees", "Secretary-Treasurer", "Council", "Councillor" and "Member" mean respectively the President, Vice- President, Trustees, Secretary-Treasurer, Council, Councillor of the Association, and member of the Australian Hotels Association attached to the Association.

"Branch" means the "Australian Hotels Association - South Australian Branch".

"Executive" means the Executive Committee of the Association.

"Office" means the office of Councillor, President, Vice-President, Secretary-Treasurer, Executive Committee member and Trustee of the Association.

"General Meeting" means any annual or special meeting of the members of the Association.

"Auditors" means the Auditors of the Association appointed from time to time under these Rules.

Where the context so requires or permits, words importing the singular member shall be read as including the plural and vice versa.

## 4 - OBJECTS

The objects for which the Association is established are:

(a) The maintenance of the status of the Licensed Hotel and Retail Liquor Industry (hereinafter referred to as "The Industry"); the furtherance of service through the avenues of accommodation, food, beverages and entertainment; the maintenance of the law; to promote commerce and the Industry to the advantage of both the Industry and the community; to promote and protect the rights of persons engaged in the Industry and members of the Association in the State of South Australia.

(b) To watch all proceedings in State Parliament and measures introduced therein affecting the Industry and to take such steps as may from time to time be deemed necessary to promote, amend, modify or reject, as the case may be, all or any of such measures.

(c) To represent effectively the views and requirements of the Industry in all matters and questions touching or affecting its interests by means of periodical conferences, deputations, meetings, petitions and otherwise.

(d) To afford members of the Association all such assistance, legal or otherwise, as shall appear proper or desirable to the Council for the time being and in accordance with the Rules of the Association.

(e) To consider any decisions of any court which may affect the Industry adversely and, if considered desirable or necessary by the Council, to institute proceedings to secure a review of or appeal against such decision. The Council may, in the interest of the members, institute, carry on or subsidise any action at law not hereinbefore provided for.

(f) To establish Employment Agencies, Information Bureaux, Literary, Social Education, Sporting or Trading institutions for the benefit of members.

(g) To print, publish, issue and circulate such newspapers and other papers, periodicals, books, circulars and other literary undertakings as may be deemed desirable or expedient for the diffusion amongst the members of the Association on matters affecting the Industry, or as may seem calculated directly or indirectly to advance or contribute to the interests of the Association or of its members.

(h) To take such action as may be necessary or advisable to regulate and determine the rates of pay and conditions of employment of employees of members or of employees in the Industry either under the Conciliation and Arbitration Act 1904 (as amended) or under the laws of South Australia.

(i) To do and execute all such other acts, matters and instruments incidental to or in extension of the foregoing objects as may be deemed necessary from time to time in the interests of the Industry, and generally to perform all necessary acts for the advancement of the Association or its members.

(j) To promote, form and/or conduct an organisation to purchase commodities and products of all types used in the conduct of accommodation, catering and licensed premises and to sell or otherwise dispose of such products and commodities for the benefit of members upon such terms and at such prices as it may from time to time determine.

## 5 - DISPUTES BETWEEN THE ASSOCIATION AND A MEMBER

All disputes between the Association and members shall be determined by Council.

## 6 – DELETED

## 7 – DELETED

## 8 - ELIGIBILITY FOR MEMBERSHIP

Any person, partnership or corporation who or which employs or usually employs labour shall be eligible for membership of the Association provided that the labour is employed, in South Australia, in establishments in respect of which any licence has been granted pursuant to the Liquor Licensing Act of South Australia.

## 9 - APPLICATION FOR MEMBERSHIP

(a) Each applicant for membership shall sign an application for membership on the approved form and shall forward the same to the Secretary-Treasurer. Provided that where a partnership applies for membership each member of that partnership shall apply.

 (i) Each applicant for membership shall be advised in writing of the financial obligations arising from membership.

 (ii) Each applicant for membership shall be advised in writing of the circumstances and the manner in which a member may resign.

(b) Each application shall be submitted to the Council which may either accept such application or reject it.

(c) If the Council accepts the application the applicant shall be deemed to be a member as from the date of the application.

(d) If the Council rejects the application the applicant may, by notice in writing within seven (7) days of such rejection, forward to the Secretary-Treasurer an appeal to the next Branch General Meeting of members against such rejection.

(e) The next Branch General Meeting of members shall consider the appeal and shall accept or reject the application.

(f) If the Branch General Meeting accepts the same, the applicant shall be and be deemed to be a member as from the date of the application. If it rejects the same, the decision shall be final and the applicant shall not become a member.

(g) Any applicant whose application has been rejected may again apply for membership after twelve (12) months following such rejection.

## 10 - PROXIES FOR CORPORATION AND INDIVIDUAL MEMBERS

(a) A member which is a corporation shall from time to time nominate, in respect of each licence held by it, some person as its proxy to represent it, in respect of each such licence, at all such meetings as it would be entitled to attend if it were an individual member and such person or persons, as the case may be, shall be entitled to be heard and vote at such meetings and to vote at elections and ballots as such proxy. For the purpose of exercising a vote at an election, the appointment of a proxy shall be restricted to another elected member of the committee form which the election is to be conducted.

(b) An individual member who does not intend or is not capable of taking an active personal part in the conduct of the affairs of the Association may in writing delivered to the Secretary-Treasurer appoint some other person to be their proxy to represent them at all such meetings at which they would be entitled to attend and such person shall be entitled to attend and be heard and vote at such meetings and at elections and ballots as such proxy. The member appointing such proxy shall not be entitled to attend meetings or to vote or nominate for or be nominated for or hold office while such proxy is unrevoked. For the purpose of exercising a vote at an election, the appointment of a proxy shall be restricted to another elected member of the committee from which the election is to be conducted.

(c) Any of such proxies as aforesaid shall be entitled as such proxy to be nominated for and to be elected to and hold any office in the Association. Should such proxy while the holder of any such office be changed, they shall be deemed to have and shall vacate such office, and their successor as such proxy shall not be entitled ipso facto to hold the office to which their predecessor was elected. Provided that for the purpose of this paragraph the term 'office' shall mean the office of Councillor, President, Vice-President, Secretary-Treasurer, Executive Committee member and Trustee.

(d) No such proxy shall be valid or effective unless and until the person appointed by proxy as aforesaid has been approved as such by a resolution of the Council.

## 11 - ASSOCIATES

The Council may admit as an Associate of the Branch -

(a) Any owner of premises in respect of which any licence has been granted pursuant to the Liquor Licensing Act of South Australia, provided that such owner is not eligible for membership under Rule 8;

(b) Any person, partnership or corporation whose business is, in the opinion of the Council, allied to the Tourism and Hospitality Industry; and

(c) Any person who may be approved by Council as the accredited representative of any partnership or corporation of any kind mentioned in sub-paragraph (b) hereof provided that any such partnership or corporation may not have more than one accredited representative at any one time.

No such Associate shall have the right to attend any meeting of the Association, nor to nominate or be nominated for any office therein, nor to vote in any ballot or plebiscite in or on any of the affairs or elections of the Association. Such Associates shall pay an entrance fee not exceeding $10 and an annual subscription as may in each case be determined from time to time by Council.

## 12 - ENTRANCE FEE

An entrance fee of an amount not exceeding $15.00 as may from time to time be determined by Council shall be paid on the application by any person, partnership or corporation for membership of the Association, but such fee shall be returned if the application is refused. The payment of such entrance fee is not a condition precedent to admission to membership.

## 13 - ANNUAL SUBSCRIPTION

(a) The annual subscription shall be such sum as the Council from time to time determines.

(b) The Council may from time to time fix different sums as the amount of the annual subscription for such different classes of members as it determines according to the amount of the licence fee paid or payable under the Licensing Act.

(c) Subscriptions shall be payable in advance on the 1st day of January in each year.

(d) If a person, partnership or corporation applies for membership after 31st January in any year such person, partnership or corporation shall pay, for that year only, a pro rata amount of the yearly membership subscription appropriate to the relevant hotel for such year.

(e) Any member owing any fees, fines, levies or dues longer than two months after they first become due shall be unfinancial.

(f) No unfinancial member shall be eligible to nominate or be nominated for any office, vote in any election or plebiscite, attend or vote at any meeting of members, and by resolution of the Council may be refused entry to the Association's premises. Should the holder of any office in the Association become unfinancial they shall be deemed to have vacated the same and an election shall be held in the manner hereinafter provided for the filling of casual vacancies to fill such office.

## 14 - ANNUAL GENERAL MEETING

(a) There shall be an Annual General Meeting of members to be held not earlier than the 1st day of April and not later than the 31st day of May in each year, at such time and place as Council may determine, or, in default of determination by Council, as the President may determine.

(b) At least seven day's notice of each Annual General Meeting shall be given by the Secretary-Treasurer by circular to members by mail or electronically. Such circular shall specify the nature of the business to be brought before the meeting.

(c) There shall be an Annual General Meeting Business Sheet, which shall include

 (i) Presentation of the Annual Report of the Council;

 (ii) Presentation of the Annual Balance Sheet, Statement of Receipts and Expenditure, and Auditor's Report;

 (iii) Such other business of which notice is given by Council or a member. A member shall at least fourteen days prior to the date of the meeting give written notice to Council of any matter which they desire placed on the sheet.

(d) If the meeting unanimously so decides, but not otherwise, matters other than those mentioned on the said Business Sheet may be considered by the meeting, and on such consideration may be determined in the manner and with the majority prescribed by Rule 16.

## 15 - SPECIAL GENERAL MEETING

(a) A Special General Meeting of the members of the Association shall be called by the Secretary-Treasurer when so directed by the President or a resolution of Council or on the signed requisition of at least fifty financial members. Any such requisition shall specify the business to be considered at such meeting. The meeting shall be held within one month of any such direction or the receipt of any such requisition at such time and place as the President, or on their default, Council shall determine.

(b) At least seven days' notice of every Special General Meeting shall be given by circular to each member by mail or electronically at their address appearing on the Register of Members. Each the circular and advertisement shall specify the nature of the business to be brought before the meeting notice of which it gives.

(c) If the meeting so requisitioned is not called within one month the 50 members may themselves at least seven days before the time and place determined by them for the meeting call the same by advertisement in a daily newspaper circulating in South Australia. Any meeting so called shall have the same rights and be as effectual as a meeting of members called by the President or Council.

(d) Unless the meeting unanimously decides, no business other than that of which notice has been given shall be transacted at such meeting.

## 16 - CONDUCT OF BUSINESS AT ANNUAL AND SPECIAL GENERAL MEETINGS

(a) At all Annual and Special General Meetings all questions, matters and disputes shall be carried only if supported by three-fifths of the members present or represented by proxy and voting. Members may vote in person or by proxy. Appointment of a proxy may be in a form approved by Council. For the purposes of a vote at an Annual General Meeting or Special General Meeting, the appointment of a proxy shall be restricted to another member attending in person.

(b) Voting shall be by show of hands unless a poll is demanded by at least two members.

(c) The mover and seconder of a motion shall be deemed to have spoken to the same.

(d) No member other than the mover of the motion, who shall have a right of reply, shall speak more than once to any motion except strictly in explanation or in contradiction of a mis-statement and no speech shall, except with the consent of the meeting, occupy more than ten minutes.

(e) The reply of the mover shall terminate discussion but they shall not reply while any member who has not spoken desires to speak to the motion.

(f) Twenty-five members attending in person or by proxy shall be a quorum at any such meeting.

## 17 - BRANCH COUNCIL

(a) Subject to the control and direction of meetings of members of the Association in meeting assembled and to the Rules the government of the affairs of the Association shall be vested in the Branch Council.

(b) The Council shall consist of twenty-eight members elected as follows:

 (i) Twenty-seven members of council will be elected by financial members within their respective Districts which are numbered and described below and more particularly referred to in Schedule A annexed to these Rules, provided such members are not members of the Package Liquor Stores Division and Accommodation Hotels Division.

District No. District Name Number of members to

 represent the District

 1. City of Adelaide and

 North Adelaide Four

 2. Eastern Metropolitan Two

 3. Western Metropolitan Two

 4. Northern Metropolitan Two

 5. Southern Metropolitan Two

 6. Port Adelaide Two

 7. Gawler and Barossa One

 8. Southern Coast One

 9. Hills One

 10. Lower North One

 11. Murray Mallee One

 12. Mid-North One

 13. Yorke Peninsula One

 14. Port Pirie One

15. Peterborough One

 16. Port Augusta and Far North One

 17. Whyalla One

 18. South Eastern One

 19. Eyre Peninsula One

 The towns, localities or described areas allocated to each of the aforementioned Districts are those towns, localities or areas set out in Schedule A annexed to these Rules.

 (ii) One member of council will be a representative elected from and by members of the Package Liquor Stores Division and Accommodation Hotels Division. Members of the Package Liquor Store Division and Accommodation Hotels Division cannot nominate for, hold office of councillor for, or cast a vote in respect of an election held for any of the abovementioned districts.

(c) No councillor representing any District or the Package Liquor Stores Division and Accommodation Hotels Division, shall nominate or be nominated for or hold the office of councillor for any other district or the Package Liquor Stores Division and Accommodation Hotels Division.

(d) Subject to Rules 23, 45 and 46 councillors shall hold office for three years. Councillors who retire by effluxion of time shall be eligible for re-election if otherwise qualified.

## 18 - RETURNING OFFICER

(a) The Council shall at its first meeting following its election appoint a Returning Officer who shall be the Returning Officer for the thus ensuing year, and Council shall fill any vacancy in that office. The Returning Officer need not be a member of the Association but shall not be the holder of any other office in nor an employee of the organisation or a branch, sub-branch or district of the organisation.

(b) In addition to the powers contained in or implied in these Rules the Returning Officer shall take such action and give such directions as are reasonably necessary to ensure that no irregularities occur in or in connection with any election and in order to remedy any procedural defects therein and no person shall refuse or fail to comply with any such directions nor hinder nor obstruct the Returning Officer or any other person in the conduct of the election or the taking of such action.

## 19 - SCRUTINEERS

(a) In any election for the office of Councillor or other office any duly nominated candidate may appoint by signed writing any other member who is not a candidate for that election to act as scrutineer on their behalf at that election and such candidate may appoint any other such member in substitution for or in place of that member.

(b) All scrutineers shall, so far as possible, having regard to the time of their appointment in the case of a postal ballot be entitled to observe the posting of nomination forms and the consideration thereof on return and in the case of all elections be entitled to inspect the nomination forms and observe the form and distribution of ballot papers, the collection of ballot papers on their return, the checking of votes, the admission and counting of votes, the conduct of the determination of the election by lot and the declaration of the ballot.

(c) In every case it shall be the right and duty of the scrutineer to observe any act performed or directed by the Returning Officer which may affect the result of the election and the Returning Officer shall take all reasonable steps by notification or otherwise to enable such scrutineer to exercise this right, but no election shall be vitiated by reason of the fact that a scrutineer does not, in fact, exercise all or any of such rights if they have had a reasonable opportunity to do so.

(d) A scrutineer shall direct the attention of the Returning Officer to any irregularity they may detect whether in the nomination forms, the form or distribution of ballot papers, the admission of the right of any person to vote, the admission or counting of ballot papers or in respect of any other matter to be observed or done under these Rules in connection with elections.

(e) A scrutineer shall do all things necessary so that the conduct of an election shall conform to these Rules and so that the secrecy of the ballot shall be observed.

## 20 - ELECTION OF MEMBERS OF COUNCIL

(a) The Returning Officer shall in the month of February in each year by circular to members in appropriate Districts, and if required the Package Liquor Stores Division and Accommodation Hotels Division, call for nominations of Councillors to represent the several Districts, and if required the Package Liquor Stores Division and Accommodation Hotels Division, in respect of whose representation on Council there will be a vacancy by effluxion of time in that year and intimating that nominations may be posted, emailed or faxed addressed to them or delivered by hand ,by mail or electronically to the Returning Officer c/- the registered office of the Association so as to be there received not later than the 15th day of March in that year and that no nomination not so posted or left or not otherwise in order will be accepted. Provided that in a year when 15th March falls on a Saturday or a Sunday the closing day for receipt of nominations shall be the succeeding Monday.

(b) Any two financial members of the Association whose licensed premises are within the District or if applicable the Package Liquor Stores Division and Accommodation Hotels Division for which they intend to nominate a candidate for election may nominate a candidate provided that the latter is also a financial member and their licensed premises are situated within such District, or if applicable is a member of the Package Liquor Stores Division and Accommodation Hotels Division.

(c) Nominations shall be in writing, signed by the two nominators and nominee and state the office in respect of which the nomination is made. If a defective nomination is received the Returning Officer shall, before rejecting the nomination, notify the person concerned of the defect and, where it is practicable to do so, give the person the opportunity of remedying the defect within such period as applicable under the Rules, which shall, where practicable, be not less than seven days after being notified.

(d) If only the required number of nominations of duly nominated candidates is received in respect of any such office the Returning Officer shall by letter addressed to the Secretary-Treasurer and the nominee declare the nominee elected unopposed.

(e) If more than the required number of accepted nominations is received the Returning Officer shall conduct a secret postal ballot. The Returning Officer shall -

 (1) Permit any duly nominated candidate to appoint by writing under their hand any member of the Association to be his scrutineer in the election.

 (2) Prepare or cause to be prepared such number of ballot papers as there are financial members entitled to vote in that election upon which ballot papers the names of the duly nominated candidates for the office for which the election is to be held appear in alphabetical order and on which shall appear a notice directing the member to strike out the names of the candidates for whom they do not desire to vote.

 (3) Within fourteen days of the close of nominations forward by post to each financial member entitled to vote in that election one ballot paper in each election in which that member is entitled to vote which they shall have initialled together with a declaration envelope and a prepaid envelope, both in the form prescribed by the Workplace Relations (Registration and Accountability of Organisations) Regulations 2003for the return of ballot papers as hereinafter provided. Facilities shall be provided for the return of the completed ballot paper by post by the voter without expense to them.

 (4) With such ballot paper forward to each member a notification of the closing date of the ballot which shall be the 12th day of April in that year. Provided that in a year when 12th April falls on a Saturday, Sunday or Public Holiday the closing date for the ballot shall be the first working day following the said Saturday, Sunday or Public Holiday as the case may be.

 (5) Hire or otherwise arrange for a post office box or other receptacle to which ballot papers may be forwarded and arrange, as far as possible, that such box or receptacle shall not be available to be opened by anyone but them.

 (6) After such closing date collect the envelopes containing the ballot papers and check the same to see that no votes are admitted except from financial members entitled to vote and that each such member votes but once in each election in which they are entitled to vote and thereafter remove the sealed envelopes containing the ballot papers, open those admitted, and so mix the ballot papers that identification becomes impossible.

 (7) Admit the ballot papers properly marked and otherwise admissible and count the votes thereon indicated.

 (8) Declare by lot which of the candidates receiving an equal number of votes is to be elected to any office.

 (9) Declare by letter to the Secretary-Treasurer the candidate receiving the greatest number of votes or elected by lot duly elected.

(f) If a member who is entitled to vote at any election held under the rules will be absent from their usual address during a ballot such member may apply to the Returning Officer for a ballot paper in accordance with subrule (e)(3) herein to be sent to them at an address which they nominate.

(g) Candidates elected in any year shall take office immediately following the then next Annual General Meeting and shall retain office until the conclusion of the Annual General Meeting in the year in which they are due to retire by effluxion of time.

(h) The roll of voters for any ballot for any direct voting system election required under these rules is to be closed 7 days before the day on which nominations for the election open.

## 21 - VOTING

No member shall mark a ballot paper nor the envelope immediately containing the same with their name or otherwise publish or disclose their identity thereon or therein but in the case of a postal ballot shall sign their name on the inside of the flap of the external envelope containing the envelope within which is the ballot paper. Members shall strike over the names of the candidate for whom they do not desire to vote.

Members of a partnership or corporation shall between them have one vote for each licence held by them or on their behalf.

## 22 - ELECTION OF BRANCH OFFICERS AND REPRESENTATIVES ON NATIONAL BOARD

(a) The officers of the Association shall be the President, the Vice-President, the Deputy Vice- President, the Secretary-Treasurer, Executive Committee members and five Trustees, all of which officers shall be honorary and all of which officers shall be elected by and from members of the Council in the manner hereinafter appearing.

(b) If at its first meeting in each year, all members of Council are present in person or by proxy the Returning Officer shall forthwith conduct an election for the office of President, Vice-President, Deputy Vice-President, Secretary-Treasurer, Executive Members, and the five Trustees of the Association for the ensuing year in the manner following:-

 (i) They shall call in succession for nominations for each of the said offices;

 (ii) Any Councillor may nominate in writing any other Councillor and the Councillor nominated shall either accept or decline the nomination;

 (iii) If only the required number of accepted nominations for any office is received they shall declare the nominee elected unopposed;

 (iv) If more than the required number of accepted nominations is received for any office the Returning Officer shall conduct a secret ballot. The Returning Officer shall -

 (a) Inspect the nominations and satisfy themselves as far as they can that such nominations are regular and valid;

 (b) permit any duly nominated candidate to appoint by writing under their hand any member of the Council his scrutineer to represent him at the election;

 (c) prepare or cause to be prepared such number of ballot papers as there are Councillors, upon which ballot papers the names of the candidates appear in alphabetical order;

 (d) supply to each Councillor one ballot paper which they shall previously have initialled;

 (e) direct Councillors to strike out the name of each candidate for whom they do not desire to vote and thereafter to so fold his ballot paper that the writing thereon is not visible until the ballot paper is unfolded;

 (f) collect the ballot papers and ensure that only one vote is cast by each Councillor;

 (g) admit properly marked ballot papers and count the votes thereon indicated;

 (h) determine by lot which of the candidates receiving an equal number of votes is elected;

 (i) declare the candidate receiving the greatest number of votes or elected by lot duly elected.

 (v) If the Returning Officer finds a nomination to be defective, they shall, before rejecting the nomination, notify the person concerned of the defect and give the person the opportunity of remedying the defect with the time specified by the Returning Officer.

 (vi) If not all Councillors are present in person or by proxy at such meeting the Returning Officer shall -

 (a) within fourteen days by circular to each Councillor at their address appearing on the register of members call for nominations for the said offices and in such circular advise Councillors -

 (i) that any Councillor may in writing nominate any other of them for any such office;

 (ii) that the Councillor nominated must accept such nomination in writing before such nomination can be received;

 (iii) that nominations will close ten days after the date of the posting of the circular at the registered office of the Association.

 (b) If only the required number of accepted nominations is received for any such office declare the candidate elected unopposed. If more than the required number of accepted nominations is received for any such office, conduct a secret postal ballot in the manner set out in Rule 20 mutatis mutandis the electors being the Councillors, the ballot papers to be sent within fourteen days of the close of nominations and the ballot to close ten days after the posting of the ballot papers.

 (c) If the Returning Officer finds a nomination to be defective, they shall, before rejecting the nomination, notify the person concerned of the defect and give the person the opportunity of remedying the defect within 14 days of notification of the defect.

 (vii) If a member who is entitled to vote at any election held under the rules will be absent from their usual address during a ballot such member may apply to the Returning Officer for a ballot paper to be sent to them at an address which they nominate.

 (viii) The President of the Association shall be a representative on the National Board ex officio during their term of office. The election of other representatives shall be conducted in accordance with National Rule 11.

(c) The term of each office bearer and branch trustee is 12 months from their appointment or until their successor is declared elected

## 23 - CASUAL VACANCIES

(a) Should there be a casual vacancy in the office of any officer of the Association or of a position of Councillor, the Council shall by an election conducted as afore­mentioned fill such vacancy. If the unexpired part of the term of office is 27 months or less, the Council may fill such a position by nominating another eligible person. In the case of a casual vacancy for the position of Councillor, an eligible person would be any financial member.

(b) In the case of a Branch Officer, if the unexpired portion of the term of office is more than 27 months, the Returning Officer must conduct an election. If an ordinary election is required the Returning Officer shall by circular to all Councillors call for nominations for the office within seven days of becoming aware of the vacancy and nominations shall close at the registered offices of the Association seven days after the posting of the circular calling for nominations.

(c) In the case of a Branch Officer, the election shall be conducted at the first meeting of Council following the close of nominations but shall otherwise be conducted in accordance with the provisions of Rule 22 mutatis mutandis.

(d) Council may temporarily appoint one of its members to fulfil the duties of any vacant office pending the declaration of the result of the election to fill the same. In the case of the position of a Branch Councillor, if the unexpired portion of the term of councillor is more than 27 months, the Returning Officer must conduct an election as per rule 20.

(e) A member elected or appointed to fill a casual vacancy in any office position of the Association or Branch Councillor shall be eligible to hold such office for the remainder of the term of the person they replace and at the expiration of such period such member shall be eligible for re-election if otherwise qualified.

## 24 - POWERS AND DUTIES OF COUNCIL

In addition to and without limiting the powers and duties conferred on it by these and the National Rules, the Council of the Association shall be and is empowered to -

(a) conduct the business and control the affairs of the Association;

(b) deal with applications for membership;

(c) control and manage the property and funds of the Association and invest such of its funds as are not immediately required for its purposes upon such securities as Trustees are permitted to invest trust funds under the laws of South Australia;

(d) deal with charges against members of the Association under National Rule 40;

(e) institute, manage and control all actions, proceedings, and suits on behalf of the Association or in furtherance of any of the National Association's objects in South Australia and for these purposes to appoint counsel, solicitors, agents or other representatives to represent the Association or any of its members in any court of law, in proceedings to determine wages and conditions of employment, commissions or enquiries or in any other matter or proceedings affecting the interests of the Association or its members;

(f) appoint from the members of the Association a sub-committee for specific purposes of enquiry and report on any matter or thing which does or may affect the interests of the Association or its members or any of them;

(g) submit in such way as it considers proper any matter it deems of sufficient importance to a postal ballot of members;

(h) submit any industrial dispute or log of claims to the Industrial Commission of South Australia - if such dispute or claim is within the jurisdiction of the said Commission - and cause the members of the Association to be represented before the Commission in any matter which does or may concern them or any of them;

(i) make and enter into any agreement, industrial or otherwise, on behalf of the Association or its members;

(j) cause to be kept a proper and adequate set of books of accounts;

(k) publish a journal on any matters affecting or of interest to members;

(l) incur and discharge all necessary and proper expenses for the carrying on of the affairs of the Association;

(m) appoint such servants as may be required for carrying out the objects of the Association in the State of South Australia, the management and protection of the property of the Association and to define and alter the duties of such servants and fix their remunerations and conditions of employment and to suspend or discharge such servants;

(n) interpret these rules and determine any matter of dispute thereunder;

(o) the Council shall have power to alter as thought fit in the interests of the Association the boundaries of, and lists of towns and localities in, Districts as numbered and described in Rule 17 and as set out in Schedule A and for such purpose Council may alter the description of boundaries and listings of towns and localities in Schedule A. Provided that Council shall not have power to alter the number of members representing the respective District as set out in Rule 17.

## 25 - VACATION OF OFFICE

Any officer or member of the Council shall ipso facto vacate their office -

(i) if they cease to be a financial member of the Association;

(ii) if they take any position of profit in the Association or in the National Association;

(iii) if they resign in which case resignation shall be in writing and delivered to the Secretary/Treasurer or verbally in which case such resignation is accepted by a resolution of the council and recorded in the minutes;

(iv) if they are absent from three consecutive meetings thereof without leave of absence or without an explanation which it accepts;

(v) if they die or become bankrupt or make a composition with their creditors, or is certified insane or otherwise because of physical or mental infirmity becomes incapable of fulfilling the duties of their office; or being a company is wound up other than for the purpose of reconstruction;

(vi) If found guilty of misappropriation of funds or a substantial breach of the rules or gross misbehaviour or gross neglect of duty or has ceased to be eligible to hold office.

## 26 - RESIGNATIONS

(a) A member of the Association may resign their membership by notice in writing:

 (i) if they cease to be an employer in the South Australian Industry or ceases to be engaged therein in accordance with Rule 8;

 or

 (ii) by giving the Secretary-Treasurer notice of their intention so to do and the payment of all dues to the date of his resignation.

(b) Notice shall be addressed to the Secretary-Treasurer and delivered to the office of the Association.

(c) Such notice as mentioned in clause (b) herein, shall be taken to have been received by the Association when it was delivered.

(d) Notice of resignation from membership takes effect:

 (i) where the member ceases to be eligible to become a member:

 (a) on the day on which the notice is received; or

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

 whichever is later; or

 (ii) in any other case:

 (a) at the end of two weeks after the notice is received; or

 (b) on the day specified in the notice;

 whichever is later.

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

(f) Notice of resignation that has been received is not invalid if it was not addressed and delivered in accordance with clause (b) herein.

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

## 27 - TRANSFER OF BUSINESS

A member is required to notify the Association of the assignment, transfer or succession within 14 days after:

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

 (b) such a person succeeds to the business, or part of the business.

## 28 - MEMBERS IN ARREARS

Any member whose fees, fines, levies or dues are owing for a period of two months may by resolution of the Council be struck off the register of member.

## 29 - PROXIES - COUNCIL MEETINGS

If any Councillor is unable to attend any meeting of the Council, they may by writing under their hand appoint another Councillor their proxy at that meeting and such proxy Councillor may at that meeting exercise the vote of the first mentioned Councillor.

Any appointment of a proxy must be delivered to the chairman of the meeting before its commencement and if it be not so delivered shall be of no effect.

## 30 - MEETINGS OF COUNCIL

(a) Council shall meet at least bi-monthly on the first Tuesday of that month or on such other day and time as it may determine at the office of the Association or other location as determined.

(b) The President or five Councillors may by notice in writing require the calling of a Special Meeting of Council at any time.

 Such notice shall specify the business to be considered at such Special Meeting.

 The Secretary-Treasurer shall call such Special Meeting within ten days of the receipt of such notice and all Councillors shall be given at least 48 hours' written notice of the calling of such a Special Meeting and of business in respect of which it is called.

 A quorum of Council at all meetings thereof shall be five members present in person or by proxy.

## 31 - EXECUTIVE COMMITTEE

There shall be an Executive Committee of the Association which shall consist of the President, the Vice-President, the Deputy Vice-President, Secretary-Treasurer and at least three (3) other Councillors but up to five (5) Councillors as Council may from time to time determine. .

It shall have power to deal with matters of urgency arising between meetings of Council if it be not convenient or possible to call a Special Meeting of Council and with such matters as Council may delegate to it.

The Executive shall meet in the months that the State Council does not meet or as otherwise determined.

The Executive shall exercise the same powers of Council as per Rule 24 at these bi-monthly meetings.

The Executive shall meet at such time and place as the President or, in his absence, the Vice-President or in their absence, the Deputy Vice-President shall determine.

At least 24 hours' notice of each meeting shall be given to all members of the Executive and such notice may be given in writing, by telephone, or in person verbally or electronically.

Three members of the Executive present at a meeting shall form a quorum.

## 32 - MEETINGS

If within half an hour of the time appointed for any Annual General, Special General, Council or Executive meeting the quorum required by these Rules for that meeting is not then present in person or by telephone or other electronic means including video link or by proxy the meeting shall stand adjourned until the following day at the same time and place when the members then present shall constitute a quorum and may transact all or any of the business which could have been transacted had a quorum been present at the original meeting.

## 33 - POWERS AND DUTIES OF THE OFFICERS OF THE ASSOCIATION

(a) The President shall -

 (1) be ex officio the chairman of all meetings of the Association and have a casting vote as well as a deliberative vote;

 (2) have the right to attend and be heard at any meeting of a Sub-Branch of the Association or its Committee of Management;

 (3) give instructions for the calling of meetings of members of the Association, its Council and Executive;

 (4) on confirmation of the minutes sign them in the presence of the meeting;

 (5) have authority to authorise expenditure of a sum not exceeding $50 of the Association's funds in any one instance and shall report to the next meeting of Council the fact of such expenditure and the reason therefore;

 (6) be ex officio member of every Committee or Sub-Committee of the Association.

(b) The Vice-President shall -

 (1) in the absence of the President preside at all meetings of the Association at which the President would have presided had they been present and while so presiding have all the powers and duties of the President;

 (2) give to the President such advice and assistance as they may require in the conduct of the affairs of the Association;

 (3) be ex officio member of every Committee or Sub-Committee of the Association;

(c) The Deputy Vice-President shall:

 (1) in the absence of the Vice-President preside at all meetings of the Association;

 (2) give to the President and Vice-President such advice and assistance as they may require;

 (3) be ex-officio member of every Committee or Sub-Committee of the Association.

(d) The Trustees shall, subject to the control and direction of the Annual General or a Special General Meeting of members or of Council have the management and investment of the property of the Association.

 No member while holding the office of Trustee shall be eligible to be a candidate for the office of Secretary-Treasurer or hold that office.

(e) The Secretary-Treasurer shall -

 (1) unless excused attend all meetings of the members of the Association and the Council;

 (2) keep or cause to be kept accurate minutes of all such meetings;

 (3) summon or cause to be summoned all meetings of members, of the Council and Executive and all Committee and Sub-Committees;

 (4) cause to be attended to all correspondence and cause such correspondence to be produced and/or filed, as appropriate;

 (5) cause to be kept the records required to be kept by the Branch of an organization pursuant to the Conciliation and Arbitration Act and the Regulations thereunder;

 (6) cause the National Secretary-Treasurer and staff of the National Office to be given such information and assistance as may be required;

 (7) cause to be received all monies payable to the Association and cause the same to be paid into the Bank of the Association within six days of such receipt;

 (8) keep or cause to be kept in appropriate books of accounts a proper and correct statement of all monies received and expended by the Association;

 (9) cause to be submitted to Council all accounts for payment and cause all authorised payments to be made;

 (10) cause to be produced as and when required by the President or Council, all Bank pass books and statements of accounts and all other books, dockets, returns, accounts and papers;

 (11) cause to be drawn up and submitted to the Association's auditors an Annual Balance Sheet and Statement of Accounts in order that such may be audited prior to the Annual General Meeting.

 (12) cause the auditors to be given such information and assistance as they may require in auditing the books, Annual Balance Sheet and Statement of Accounts;

 (13) cause to be submitted to Council, as and when required, an up-to-date statement of the financial affairs of the Association;

 (14) carry out such further or other duties as the President, Council or Executive may from time to time require of them.

## 34 - BRANCH LEVIES

A general or special meeting of members or a meeting of Council may by resolution carried by a majority of members attending in person, by telephone or other electronic means or by proxy and voting thereon strike a levy on members for any purpose of the South Australian Branch of the Association.

## 35 - ACCOUNTS

Save as otherwise herein provided the payment of all accounts shall be authorised by resolution of Council.

In the absence of any resolution by Council to the contrary, cheques shall be signed by at least two persons as may from time to time be authorised by the Council on their behalf provided that unless otherwise resolved, one of such persons shall be an officer of the Association.

## 36 - AUDIT

At its first meeting following the Annual General Meeting in each year Council shall appoint a person competent pursuant to the Conciliation and Arbitration Regulations to be its Auditor for the year following. Council shall from time to time fill any vacancy in that appointment during any year and that appointment shall be only until the first meeting of Council following the then next Annual General Meeting.

The Auditor shall conduct an annual audit of the books of accounts of the Association and such other audits as may be required by Council.

An Auditor whose appointment expires by effluxion of time shall be eligible for re-appointment.

## 37 - BANK

The funds of the Association shall be deposited in the name of the Association in such Bank or banks as Council may from time to time determine.

## 38 - APPLICATION AND INVESTMENT OF FUNDS

The income and assets of the Association shall be applied solely in furtherance of its objects and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.

Such funds of the Association as may not be immediately required for those purposes or to meet anticipated or contingent liabilities of the Association shall be invested in the name of the Association as may be determined by Council in accordance with these Rules.

In the event of the Association being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes which is not carried on for the profit or gain of its individual members.

## 39 - ASSISTANCE TO MEMBERS

Financial members shall at all times be entitled to seek and receive the advice of the Association and its staff on any matter related to the Hotel and Liquor Industry which concerns them.

No unfinancial member shall be entitled as a right to any services or benefits provided by the Association.

## 40 - APPEALS FROM SUSPENSION OR FINE

If any member has been found guilty of misconduct by the Council pursuant to National Rule 40 and been fined or suspended from membership by it they may by notice in writing delivered to the Secretary within seven days of the decision of Council imposing such penalty appeal against the decision as to the finding or penalty or both and pending the determination of such appeal the penalty shall not be effective nor enforced.

Every such appeal shall be heard and determined within 30 days from the receipt of the notice of appeal by an Appeal Board which shall consist of -

1. The President who is hereby disqualified from and shall not participate or be concerned with any deliberations of Council concerning the hearing of a charge against a member under the National Rule;

2. Two solicitors nominated by the Council.

In hearing and determining the Appeal the Appeal Board shall hear the member appealing if they so desire and the member or Secretary who laid the charge and may not only enquire and consider the evidence and other material before the Council but may hear further evidence, statements or representations and may inform itself of the subject matter of the charge in such manner as it shall think fit. The Appeal Board may set aside or affirm the decision of the Council and the penalty imposed by it or may, within the limits prescribed by such National Rule, vary such penalty. Any fine, suspension or expulsion imposed by the Appeal Board shall be and be deemed to be imposed by the Council and, if a fine be imposed, it shall be paid within seven days from its imposition and after that period and until the fine is paid in full the member fined shall be unfinancial.

Every member appealing under this rule shall at the time of giving notice of appeal, lodge with the Secretary the sum of $20 as a deposit. On the determination of the appeal the Appeal Board may in its absolute discretion direct that the said sum be forfeited to the Association or refunded to the member or that part thereof be forfeited to the Association and part thereof refunded to the member.

## 41 - ASSOCIATION REPRESENTATIVES ON OTHER ORGANISATIONS

The Council shall approve the appointment of any delegate nominated to represent the Association on any other trade or other Association or organisation for which the Association may be entitled to representation.

## 42 - COPIES OF RULES

Any financial member shall be given a copy of these Rules on application to the office of the Association.

## 43 - AMENDMENT OF RULES

These Rules may be amended, added to or rescinded at and by an Annual General Meeting or a Special General Meeting of the Association but no Special General Meeting shall be convened or empowered to alter the Rules unless convened by resolution of or with the consent of Council.

Notice of intention to move for an alteration to the Rules shall be given to the Secretary-Treasurer in writing signed by a member or by resolution of a Sub-Branch or the Council at least 14 days prior to an Annual General meeting or a Special General Meeting convened as aforesaid.

## 44 - SPECIAL POWER TO AMEND RULES

Notwithstanding anything elsewhere in these Rules contained Council may by resolution amend, add to or rescind any of these Rules for the purpose of meeting any requirements of the General Manager of the Fair Work Commission for these Rules to conform with the Federal Industrial legislation and/or when an obligation previously imposed by the Federal Industrial legislation ceases to be currently imposed by the Federal Industrial legislation.

In the Rule:

“Federal Industrial legislation” means any of the Conciliation and Arbitration Act 1904, Industrial Relations Act 1988, Workplace Relations Act 1996, Fair Work (Registered Organisations) Act 2009 and any regulation made thereunder.

## 45 - LOANS, GRANTS AND DONATIONS

A loan, grant or donation of an amount exceeding $1,000 shall not be made by the branch unless the Branch Council -

(a) has satisfied itself -

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

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

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

## 46 - FINANCIAL YEAR

The financial year of the Association shall be from 1st January to 31st December.

## 47 - REMOVAL FROM OFFICE

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

(b) A person summoned to show cause pursuant to sub-rule (a) of this rule shall be given at least 14 days notice of the time and place of the meeting of the Executive Committee to which they are summoned and the notice summoning such a person shall also specify the ground or grounds upon which it is proposed to consider such removal. Provided further that the person concerned shall be given an opportunity to show cause why they should not be so removed. The Executive Committee may proceed to hear and determine a matter under this rule notwithstanding the absence of the person summoned if due notice of the hearing has been given in accordance with this rule.

## 48 - BRANCH COUNCIL - TRANSITIONAL PROVISIONS

(a) Councillors named in the following Table shall be deemed to be a Councillor representing the respective newly designated Districts numbered 1 to 6 as specified and be eligible to remain in the office of Councillor until the conclusion of the Annual General Meeting in the year enumerated:

Name of Councillor District No. and Name Year of Annual

 General Meeting

Basheer, A.D. ) 1989

Howell, P.E. ) 1989

LeCornu, D.J. ) 1. (City of Adelaide 1989

Moore, K.A. ) and North Adelaide) 1990

Whallin, P. ) 1989

MacLean, D.T. 2. (Eastern Metropolitan) 1991

Hoban, J.C.C. 3. (Western Metropolitan) 1989

Harvey, L.J. 4. (Northern Metropolitan) 1989

Hurley, P.J. 5. (Southern Metropolitan) 1991

Ryles, R.E. 5. (Southern Metropolitan) 1989

Brien, P.L. 6. (Port Adelaide) 1991

McMutrie, B.F. 6. (Port Adelaide) 1989

(b) A Councillor named in the following Table and currently elected for the former District numbered as indicated shall be deemed to be a Councillor for the newly numbered Districts (and newly named District No.7) as stated and be eligible to continue in that office for the remainder of their term of office:

No. of District Name of District Councillor

Old New

2. ) Old Northern Suburbs, Elizabeth

 ) and Gawler

5. ) Old Barossa

 7. ) New Gawler and Barossa # Vacant

3. 8. Southern Coast Temple, R.A.

4. 9. Hills Gregg, K.G.

6. 10. Lower North Nourse, H.J.

7. 11. Murray Mallee Hill, M.W.

8. 12. Mid North Fahey, B.J.

9. 13. Yorke Peninsula Papps, J.S.

10. 14. Port Pirie Coad, R.R.

11. 15. Peterborough Brown, P.J.

12. 16. Port Augusta and Far North Taylor, C.P.

13. 17. Whyalla # Vacant

14. 18. South Eastern Hendrie, J.D.

15. 19. Eyre Peninsula Elefsen, D.E.

## 49 - BRANCH COUNCIL ELECTIONS, 1989

(a) In the year 1989 the Returning Officer, in addition to fulfilling the requirements of Rule 20 as applicable to Districts Nos. 1 to 6 and any other District as required, shall take appropriate action, also in accordance with procedures set out in Rule 20, to fill any additional vacancies in Districts Nos. 1 to 6 occasioned by the provisions of Rules 17(b) and 45(a).

(b) If in respect of elections for the office of Councillor for any of Districts Nos. 1 to 6 in the year 1989 only the required number of nominations of duly nominated candidates is received in respect of such office the Returning Officer shall in such year declare by lot -

 (1) which of the three candidates in respect of the vacancies in District No.1 (City of Adelaide and North Adelaide) shall be elected for a period of three years, two years and one year respectively;

 (2) which of the two candidates in respect of the vacancies in District No.3 (Western Metropolitan) and District No.4 (Northern Metropolitan) respectively shall be elected for a period of three years and two years respectively for each of such districts;

 and

 (3) in respect of the successful candidate in District No.2 (Eastern Metropolitan), District No.5 (Southern Metropolitan) and District No.6 (Port Adelaide) respectively such candidates shall be declared elected for a period of three years.

(c) If more than the required number of duly nominated candidates is received in respect of elections for any of Districts Nos. 1 to 6 in the year 1989 the Returning Officer, having determined the successful candidate or candidates in accordance with Rule 20, shall declare such candidate or candidates elected for a period determined in accordance with the following -

 (1) in respect of the three candidates declared elected in respect of District No.1 (City of Adelaide and North Adelaide) the candidate receiving the greatest number of votes shall be declared elected for three years and the candidate receiving the next highest number of votes shall be declared elected for two years and the candidate receiving the lowest number of votes shall be declared elected for one year.

 Provided -

 (i) if two successful candidates receive an equal number of votes and more than the other candidate the Returning Officer shall declare by lot which of the two such candidates shall be elected for three years and two years respectively and the third successful candidate shall be declared elected for one year;

 (ii) if two successful candidates receive an equal number of votes but less than the other successful candidate the Returning Officer shall declare by lot which of the two such candidates shall be elected for two years and one year respectively;

 (iii) if the three successful candidates receive an equal number of votes the Returning Officer shall declare by lot which of such candidates shall be elected for three years, two years and one year respectively;

 (2) in respect of the two candidates declared elected in respect of the two vacancies in District No.3 (Western Metropolitan) and District No.4 (Northern Metropolitan) respectively the candidate in each respective District receiving the greater number of votes shall be declared elected for three years and the other candidate shall be declared elected for two years. Provided that in respect of each such Districts if such candidates receive an equal number of votes the Returning Officer shall declare by lot which of such candidates shall be elected for three years and two years respectively;

 (3) in respect of the candidate declared elected in respect of District No.2 (Eastern Metropolitan), District No.5 (Southern Metropolitan) and District No.6 (Port Adelaide) respectively such candidate shall be declared elected for three years.

(d) If in determining the period of office of any Councillor as a result of an election for such office in 1989 a situation arises not specifically dealt with in sub-clauses (b) and (c) of this Rule the Returning Officer shall resolve such matter by a declaration in accordance with the principles applied in sub-clauses (b) and (c).

## 50 - SPECIAL COMMENCEMENT DATE FOR CERTAIN 1988 AMENDMENTS

The amendments to sub-clauses (b) and (d) of Rule 17 (Branch Council), sub- clause (o) of Rule 24 (Powers and Duties of Council), new Schedule A and new Rules 48 (Branch Council - Transitional Provisions) and 49 (Branch Council Elections, 1989) shall take effect from a common date to be determined by Council which date shall be not later than 31st January, 1989.

## 51 - ACCOMMODATION HOTELS DIVISION

(a) Such Division shall consist of such members as are financial members of the Australian Hotels Association in this State, having bedrooms available to the public in such number as the Branch may from time to time determine and which such members in writing express their desire to become members of such Division.

(b) The Accommodation Hotels Division Councillor elected as per rule 20 – Election of Members of Council, shall be the representative to the National Accommodation Hotels Division ex- officio or one of such other number of representatives as the National Board may at the request of the National Accommodation Hotels Division or of its own motion from time to time determine. The election of other representatives shall be conducted in accordance with National Rule 11.

(c) Such National Accommodation Hotels Division representative shall comply with all particulars constituted in National Rule 42.

(d) The expenses of the representative to the National Accommodation Hotels Division and the National Board shall be borne by this Branch.

(e) Such Division shall have the right to recommend to Council such matters and things concerning residential hotels as it determines.

(f) Such Division may make and from time to time alter the Rules for the conduct of business, the number and description of officers and committees, payments made to it by its members and such other matters as it determines, but such rules shall be subject to and shall not conflict with these Rules.

(g) Such Division shall not be entitled to initiate any industrial dispute or attempt to conduct or negotiate in any such dispute and in the event of a dispute arising concerning its members or any of them shall forthwith report the same to the Branch Secretary or to the National Secretary by letter or telegram.

## 52 – PACKAGE LIQUOR STORES DIVISION

(a) This Division will consist solely of members who hold, or who will transition to, a packaged liquor sales licence in respect of their licensed premises and who conduct a retail liquor store.

(b) From the date of the certification of this rule, all members holding such licence will be allocated to this division by the Executive and notified of such in writing within 21 days of such decision being made. If a member does not wish to transfer to this division, they can notify the Association in writing of such at any time.

(c) After the date of certification of this rule, an applicant for membership who is successful int heir application, will be allocated to this division if they are eligible to be a member of such. If a member does not wish for their membership to be held in this division, they can notify the Association in writing of such at any time.

(d) Such Division shall have the right to recommend to Council such matters and things concerning retail liquor stores as it determines.

(e) Such Division may make, and from time to time alter the Rules for the conduct of business, the number and description of officers and committees, and such other matters as it determines. However, such rules shall be subject to and shall not conflict with these Rules.

(f) Such Division shall not be entitled to initiate any industrial dispute or attempt to conduct or negotiate in any such dispute and in the event of a dispute arising concerning its members or any of them shall forthwith report the same to the Branch Secretary or to the National Secretary by letter, email, facsimile transmission or similar provided such report is made in writing.

SCHEDULE A

SCHEDULE OF TOWNS, LOCALITIES OR DESCRIBED AREAS

ALLOCATED TO A.H.A. ELECTORAL DISTRICTS

DISTRICT NO.1 (CITY OF ADELAIDE AND NORTH ADELAIDE)

That area of the City of Adelaide bounded by, and including licensed premises in, North, South, East and West Terraces and that portion of North Adelaide bounded - in the west by War Memorial Drive; - in the north and east by, but excluding licensed premises in, Park, Fitzroy and Robe Terraces and Hackney Road; - in the south by fusion with the square mile area of the City of Adelaide.

DISTRICT NO.2 (EASTERN METROPOLITAN)

That area bounded - in the west by, but excluding licensed premises in, Prospect Road between Grand Junction Road and Fitzroy Terrace, and then by, and including licensed premises in, Fitzroy, Robe and Park Terraces and Hackney Road and also Dequetteville Terrace and Fullarton Road to Greenhill Road; - in the north by, but excluding licensed premises in, Grand Junction Road between Prospect Road and the Adelaide Hills; - in the south by, and including licensed premises in, Greenhill Road between Fullarton Road and the Adelaide Hills; - in the east by the Adelaide Hills.

DISTRICT NO.3 (WESTERN METROPOLITAN)

That area bounded - in the north by, and including licensed premises in, Grand Junction Road between Glenroy Street, Athol Park and Prospect Road; - in the east by, and including licensed premises in, Prospect Road between Grand Junction Road and Fitzroy Terrace, then Park Terrace to Port Road, Port Road to West Terrace and then, but excluding licensed premises in, West Terrace to Anzac Highway; - in the south by, but excluding licensed premises in, Anzac Highway between West Terrace and the sea; - in the west (between Grand Junction Road and the Woodville Railway Station) by Glenroy and Audley Streets, Torrens Road and Woodville Road and then by the Grange Railway line to the sea, and also in the west (between the Grange Railway line and Anzac Highway) by the sea.

DISTRICT NO.4 (NORTHERN METROPOLITAN)

That area bounded - in the south by, but excluding licensed premises in, Grand Junction Road between Glenroy Street, Athol Park and Prospect Road, and then by, and including licensed premises in, Grand Junction Road between Prospect Road and the Adelaide Hills; - in the west by an imaginary line running north from the junction of Glenroy Street, Athol Park, and Grand Junction Road so drawn as to include the township of St. Kilda; - in the east by the Adelaide Hills; - in the north by an imaginary line running west-east from Port Wakefield Road so drawn as to include the township of Smithfield. (Nothing in this description of boundaries of District No.4 shall be deemed to include towns and localities named in District No.7.)

DISTRICT NO.5 (SOUTHERN METROPOLITAN)

That area bounded - in the north by, and including licensed premises in, Anzac Highway between West Terrace and the sea and by, but excluding licensed premises in, Greenhill Road between Anzac Highway and the Adelaide Hills; - in the west by the sea; - in the south by an imaginary line running from the sea east to the Adelaide Hills so drawn as to include the township of Port Noarlunga but excluding any town or locality named in Districts Nos. 8 (Southern Coast) and 9 (Hills); - in the east by the Adelaide Hills.

DISTRICT NO.6 (PORT ADELAIDE)

That area bounded - in the west by the sea; - in the south by the Grange Railway line; - in the east by an imaginary line running north from Glenroy Street, Athol Park at its junction with Grand Junction Road, and (between Grand Junction Road and the Woodville Railway Station) by Glenroy and Audley Streets, Torrent Road and Woodville Road.

DISTRICT NO.7 (GAWLER AND BAROSSA)

Allendale North Greenock Sandy Creek Two Wellls

Angaston Lower Light Springton Virginia

Cambrai Lyndoch Stockwell Willaston

Eden Valley Nuriootpa Tanunda Williamstown

Gawler Roseworthy Truro

DISTRICT NO.8 (SOUTHERN COAST)

Aldinga Macclesfield Old Noarlunga Victor Harbor

Cape Jervis Meadows Penneshaw Wellington

Echunga Milang Port Elliot Willunga

Goolwa McLaren Vale Sellicks Hill Yankalilla

Kingscote Meningie Second Valley

Langhorne Creek Normanville Strathalbyn

DISTRICT NO.9 (HILLS)

Aldgate Eagle on the Hill Mannum Oakbank

Balhannah Gumeracha Mount Barker Palmer

Birdwood Hahndorf Mount Pleasant Stirling

Bridgewater Inglewood Mount Torrens Tailem Bend

Callington Kersbrook Murray Bridge Tungkillo

Charleston Littlehampton Nairne Uraidla

Crafers Lobethal Norton Summit Verdun

 Woodside

DISTRICT NO.10 (LOWER NORTH)

Auburn Mallala Port Wakefield Tarlee

Balaklava Manoora Rhynie Wasleys

Dublin Marrabel Riverton Waterloo

Eudunda Mount Mary Robertstown Watervale

Freeling Owen Saddleworth

Hamley Bridge Point Pass Sutherlands

Kapunda

DISTRICT NO.11 (MURRAY MALLEE)

Barmera Loxton Peake Swan Reach

Berri Morgan Pinnaroo Waikerie

Blanchetown Parilla Renmark Wanbi

Karoonda Paringa Sedan Wunkar

Lameroo

DISTRICT NO.12 (MID NORTH)

Blyth Farrell Flat Koolunga Yacka

Booborowie Georgetown Lochiel

Brinkworth Gladstone Mintaro

Burra Gulnare Mount Bryan

Clare Hallett Sevenhill

 Hoyleton Snowtown

DISTRICT NO.13 (YORKE PENINSULA)

Alford Curramulka Moonta Stansbury

Ardrossan Edithburgh Paskeville Wallaroo

Arthurton Kadina Port Victoria Warooka

Bute Maitland Port Vincent Yorketown

Coobowie Minlaton Price

DISTRICT NO.14 (PORT PIRIE)

Crystal Brook Port Pirie Solomontown Wilmington

Port Broughton Redhill Warnertown

DISTRICT NO.15 (PETERBOROUGH)

Appila Mannahill Peterborough Yunta

Black Rock Melrose Port Germein

Booleroo Centre Morchard Spalding

Caltowie Murraytown Tarcowie

Carrieton Olary Terowie

Cockburn Oodlawirra Whyte Yarcowie

Jamestown Orroroo Wirrabara

Laura Pekina Yongala

DISTRICT NO.16 (PORT AUGUSTA & FAR NORTH)

Andamooka Hawker Oodnadatta Stirling North

Blinman Kingoonya Parachilna Tarcoola

Cooper Pedy Leigh Creek South Pimba William Creek

Copley Lyndhurst Port Augusta

Cradock Maree Quorn

DISTRICT NO.17 (WHYALLA)

Iron Knob Whyalla

DISTRICT NO.18 (SOUTH EASTERN)

Beachport Keith Mount Schank Tantanoola

Bordertown Kingston Naracoorte Tarpeena

Coonalpyn Lucindale Penola Tintinara

Frances Millicent Port MacDonnell Wolseley

Kalangadoo Mount Gambier Robe

DISTRICT NO.19 (EYRE PENINSULA)

Arno Bay Darke Peake Nullabor Station Port Neill

Ceduna Elliston Nundroo Streaky Bay

Cleve Kimba Penong Thevenard

Coffin Bay Lock Poochera Tumby Bay

Cowell Minnipa Port Kenny Wirrulla

Cummins North Shields Port Lincoln Wudinna

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