

# ASSOCIATIONS INCORPORATION ACT 1984

## Section 10 (1)

NEW SOUTH WALES



CORPORATE AFFAIRS COMMISSION

## CERTIFICATE OF INCORPORATION

Registered No: Y 0403-25

This is to certify that SHOTOKAN KARATE INTERNATIONAL - AUSTRALIA INCORPORATED

is on and from the TWENTY FIRST day of APRIL 1988

incorporated under the ASSOCIATIONS INCORPORATIONS ACT, 1984.

Given under the seal of the Corporate Affairs Commission at Sydney.

This TWENTY FIRST day of APRIL 1988



A handwritten signature in ink, appearing to be 'A. [unclear]'.

A person authorized by the  
Corporate Affairs Commission of New South Wales

# **SHOTOKAN KARATE INTERNATIONAL - AUSTRALIA INCORPORATED**

## **CONSTITUTION**

(As amended 2 October, 1996, 27 September 2005 & 2 October 2007)

### **1. GENERAL OBJECTIVES**

1.1.

Shotokan Karate International - Australia Incorporated ("the Association") is incorporated to promote and co-ordinate Shotokan Karate activities within Australia and shall represent Shotokan Karate internationally. The Association shall give representation equally to all affiliate member bodies and shall assist in developing their potential. The Association will communicate with, affiliate with or enter into relationships with other Associations, organisations, bodies and societies whether within or outside Australia in such a way as to further the interests of Shotokan Karate.

### **2. BASIS**

2.1.

The Association shall always be a non profit making organisation and all funds collected shall be used for the benefit of the Association.

### **3. LIMITATIONS**

3.1.

No affiliated body shall use its affiliation to promote or support any commercial venture, political party or any other activity which may bring the Association into disrepute.

### **4. PURPOSE**

4.1.

4.1.1.

The Association shall always be a non-profit Organisation, and the funds collected shall be used for the benefit of the Association.

4.1.2.

The Association shall by all available means foster goodwill and co-operation between all member bodies. Organising National Shotokan Week every year, national and international competitions. Development and selection of National Teams to represent this Association in such competitions, organised by approved bodies. Participate and assist in the organising a National Black Belt Association to accomplish a standardisation of gradings throughout the Association.

4.2.

The Association shall foster goodwill and co-operation with all other reputable karate styles and organisations and request the co-operation of all its member bodies to meet that aim.

## **5. AFFILIATION**

### 5.1.

Affiliation may be granted to any properly constituted body representing Shotokan Karate in a State or Territory. In principle, only one Association from each State or Territory will be granted affiliation, however, within a given State or Territory, Zones may be created and granted full S.K.I.A., affiliation. A copy of the State or Territory Constitution shall be submitted with the application for affiliation. Applicants for affiliation may be visited by an appointed representative prior to the application being considered by the Association. The affiliation fee shall be determined by the duly selected Committee of the Association.

## **6. MEMBERSHIP**

### 6.1.

There shall be three classes of membership of the Association.

#### 6.1.1.

Ordinary Membership - being individual participants in the sport of Shotokan Karate.

#### 6.1.2.

Affiliate Body Membership - being karate groups whose objects are similar to those of the Association and are granted affiliation under "Section 5".

#### 6.1.3.

Honorary Membership - being a person who makes an outstanding contribution to the development of Shotokan Karate. The Committee shall consider and approve or reject such a nomination and determine the duration of such an honour.

### 6.2.

Applications for ordinary membership shall be in the form in the Schedule or in such other form as may be approved from time to time by the Committee.

## **7. DOJO**

### 7.1.

The Committee shall maintain a register of Shotokan Dojo which shall include;

#### 7.1.1.

The name and address of the Instructor;

7.1.2.

The address of the Dojo;

7.1.3.

Training times;

7.1.4.

A list of members who train at the Dojo.

7.2.

Any member wishing to form a Dojo shall make application to the Committee and shall supply the information required for the register as referred to in "Clause 7.1." and such other information as the Committee may require.

7.3.

The Committee may include any Dojo on the register under "Clause 7.1." upon application and after report by the National Technical & Grading Panel.

7.4.

Any member may by notification to the Committee change the Dojo with which he/she is registered.

7.6.

Where any member applies to become an Instructor of a Dojo the Committee may appoint the Member an Instructor for a probationary period, and, may make the appointment subject to such terms and conditions as it shall think fit, including without limited the foregoing, the obtaining of relevant coaching and first aid qualifications, a suitable venue for coaching, and/or, the successful completion of a written or practical test (including a formal dojo inspection) to determine the Instructor's knowledge and ability to coach members in Shotokan karatedo. For this purpose the Committee may appoint any member to obtain relevant information and report to the Committee regarding any applicant Instructor.

7.7.

Notwithstanding the provisions of Clauses 13 (Suspension and Expulsion), and, 35, 36, and, 37 (Grievance Procedures) the Committee may also, upon receipt of evidence that reasonably establishes that an Instructor does not hold the requisite knowledge and ability to coach members in Shotokan karatedo, suspend the Instructor from coaching in any Dojo either for a fixed period or indefinitely, and where necessary, may suspend or cancel the registration of the Dojo if there is no other person reasonably available to act as the Instructor.

7.8.

The Instructor may on written notice to the Committee within 14 days of being notified of any suspension hereunder seek that a vote be taken by all members to review any decision made by the Committee. The decision on such review shall be a hearing de novo, and, shall, when made be final and binding upon the Instructor."

## **8. REGISTER OF MEMBERS**

### 8.1.

The Memberships Officer of the Association shall establish and maintain a register of members of the Association specifying the name and address of each member together with the date on which the person became a member and the Dojo at which the person is training.

### 8.2.

The register of members shall be kept at the principal place of administration of the Association and shall be open for inspection, free of charge, by any member of the Association at any reasonable hour.

## **9. MEMBERSHIP FEES**

### 9.1.

An individual member shall upon admission to membership pay to the Association a joining fee as determined from time to time by the Annual National Congress.

### 9.2.

Individual members shall pay an annual membership fee as determined from time to time by the Annual National Congress. Of this annual membership fee a proportion to be determined from time to time by the Annual National Congress shall be remitted to the affiliate body member representing the State or Territory where the individual member resides.

### 9.3.

The membership of the Association will lapse of any member not paying the annual membership fee within two months of the date of its falling due.

## **10. MEMBER'S LIABILITIES**

### 10.1.

The liability of a member of the Association to contribute toward the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount, if any, unpaid by the member in respect of membership and membership fees as required by "Section 9".

## **11. AFFILIATE BODY MEMBERSHIP**

### 11.1.

Affiliate body members shall strictly adhere to the objects and rules set forth in this constitution and any other rulings that may be made from time to time by the Committee.

## **12. REFUND OF FEES**

### 12.1.

Except when an application for affiliate body membership is refused all fees that have been paid to the Association shall not be refundable.

### **13. SUSPENSION & EXPULSION**

13.1.

Where the Committee is of the opinion that a member (being either a ordinary member or an affiliate body member) of the Association -

13.1.1.

has persistently refused or neglected to comply with a provision or provisions of these rules; or

13.1.2.

has persistently and wilfully acted in a manner prejudicial to the interests of the Association,

the committee may, by resolution -

13.1.3.

expel the member from the Association; or

13.1.4.

suspend the member from membership of the Association for a specified period.

13.2.

A resolution of the Committee under "Clause 13.1." is of no effect unless the Committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under "Clause 13.3.", confirms the resolution in accordance with this rule.

13.3.

Where the Committee passes a resolution under "Clause 13.1.", the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member -

13.3.1.

setting out the resolution of the Committee and the grounds on which it is based;

13.3.2.

stating that the member may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;

13.3.3.

stating the date, place and time of that meeting; and

13.3.4.

informing the member that the member may do either or both of the following: -

13.3.4.1.

attend and speak at the meeting;

13.3.4.2.

submit to the Committee at or prior to the date of that meeting written representations relating to the resolution.

13.4.

At a meeting of the Committee held as referred to in "Clause 13.3.", the Committee shall -

13.4.1.

give to the member an opportunity to make oral representations;

13.4.2.

give due consideration to any written representations submitted to the Committee by the member at or prior to the meeting; and

13.4.3.

by resolution determine whether to confirm or to revoke the resolution.

13.5.

Where the Committee confirms a resolution under "Clause 12.4.", the Secretary shall, within 7 days after that confirmation, by notice in writing inform the member of the fact and in the case of an affiliate body member of the members right of appeal under "Section 13".

13.6.

In the case of an affiliate body member a resolution confirmed by the Committee under "Clause 13.4." does not take effect -

13.6.1.

until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or

13.6.2.

where within that period the member exercises the right of appeal, unless and until the Association confirms the resolution pursuant to "Clause 13.4."

## **14. RIGHT OF APPEAL OF SUSPENDED OR EXPELLED AFFILIATE BODY MEMBER**

### 14.1.

An affiliate body member may appeal to the Association in general meeting against a resolution of the Committee which is confirmed under "Clause 13.4.", within 7 days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.

### 14.2.

Upon receipt of a notice from a member under "Clause 13.1.", the Secretary shall notify the Committee which shall convene a general meeting of the Association to be held within 21 days after the date on which the Secretary received the notice.

### 14.3.

At a general meeting of the Association convened under "Clause 13.2."

#### 14.3.1.

no business other than the question of the appeal shall be transacted;

#### 14.3.2.

the Committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and

#### 14.3.3.

the members present shall vote by secret ballot on the question of whether the resolution shall be confirmed or revoked.

### 14.4.

If at the general meeting the Association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

## **15. COMMITTEE MEMBERS**

### 15.1.

The Committee shall consist of the following (of which the first seven (8) positions are executive -

1. President
2. Vice-President
3. Secretary

4. Treasurer
5. Membership Officer
6. Coaching Activities Co-ordinator
7. Administrative Officer
8. National Technical & Development Committee (advisory capacity only).
9. Committee Members as nominated by Affiliate Body Members.

## **16. ELECTION OF COMMITTEE**

### 16.1.

Nominations of candidates for election as members of the Executive and the Development and Marketing Adviser shall be in writing signed by two members of the Association and accompanied by the written consent of the candidate which may be endorsed on the form of nomination and shall be delivered to the Secretary of the Association not less than seven (7) days before the date fixed for the holding of the Annual National Congress at which the election is to take place.

### 16.2.

If insufficient nominations are received to fill all vacancies those candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual National Congress.

### 16.3.

If insufficient further nominations are received any vacant positions remaining shall be deemed to be casual vacancies to be filled by the committee in accordance with the provisions of "Section 17".

### 16.4.

If the number of nominations received is equal to the number of vacancies to be filled the persons nominated shall be deemed to be elected.

### 16.5.

If the number of nominations received exceeds the number of vacancies to be filled a ballot shall be held at the Annual National Congress in such usual and proper manner as the committee may direct with voting rights in accordance with "Clause 22.4."

### 16.6.

The committee members shall consist of two representatives from each affiliate body member to be nominated during the Annual National Congress and immediately after the completion of the annual election of Office Bearers.

One (1) member from an affiliate body member, having already been elected to the Executive shall be deemed to be one (1) of the affiliate body member's committee representatives.

Having more than one (1) member from an affiliate body member already elected to the Executive shall require the affiliate body member to nominate its first committee representative from those executive members.

16.7.

Committee members shall hold office from the time of their election or nomination until the second Annual National Congress after their date of election.

16.8.

The members of the first committee shall be the members of the committee of the unincorporated Association and shall hold office until the first Annual National Congress of the Association.

## **17. POWERS OF COMMITTEE**

17.1.

The committee subject to the Act, the Regulation and these rules and to any resolution passed by the Association in general meeting,

17.1.1.

Shall control and manage the affairs of the Association;

17.1.2.

May exercise all such functions as may be exercised by the Association other than those functions that are required by these rules to be exercised by a general meeting of members of the Association; and

17.1.3.

Has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the Association.

17.1.4.

May fill any casual vacancy on the Executive or the position of Development and Market Adviser from the date of such casual vacancy becoming available until the next Annual National Congress.

## **18. DUTIES**

18.1.

The President shall chair meetings, represent the Association, and liaise with all affiliate body members. The Vice-President shall act in the absence of the President with the same directives and further shall actively assist the President and Secretary in their duties. The Secretary and Treasurer shall perform all the functions that their office may require.

## **19. COMMITTEE MEETINGS**

19.1.

A physical meeting of the Committee must be held at least every twelve (12) months at the time of the Annual National Congress. Decisions may also be made by the Committee by the circulation of proposed resolutions by post to each member and the receipt by the Secretary of the members indication that such resolution is acceptable. Such resolution shall be deemed to be a resolution of the committee if a majority of members indicate their support. Special meetings may be called by the President or by one half of the committee.

19.2.

Details of the purpose of any meeting called by one half of the committee pursuant to "Clause 19.1." shall be given in writing to the President. The President shall call a meeting to be held within sixty (60) days of such a request and all committee members shall be notified at least forty (40) days before the proposed meeting and shall receive a detailed agenda of such meeting.

19.3.

The quorum for a committee meeting shall be 50% of those eligible to attend and vote. A member of the committee may be in attendance for the purposes of a quorum either personally or by proxy.

19.4.

Questions arising at a meeting of the committee shall be determined by a majority of the votes of members of the committee present at the meeting either personally or by proxy.

19.5.

Each member present at a meeting of the committee personally or by proxy (including the person presiding at the meeting) shall have one vote but, if there is an equality of votes on any question the person presiding may exercise a second or casting vote.

19.6.

The committee may act notwithstanding any vacancy on the committee.

19.7.

Any act or thing done or suffered, or purporting to have been done or suffered, by the committee is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualifications of any member of the committee.

## **20. REMOVAL OF COMMITTEE MEMBERS**

20.1.

The Association in general meeting may by resolution remove any member of the Executive or the Development and Marketing Adviser from office before the expiration of the term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the person so removed.

20.2.

Where a member of the committee to whom a proposed resolution referred to in "Clause 20.1." relates makes representations in writing to the Secretary or President (not exceeding a reasonable length) and requests that the representations be notified to the members of the Association, the Secretary or the President

may send a copy of the representations to each member of the Association or if they are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

## **21. EXECUTIVE**

### 21.1.

A meeting of the Executive may be called by either the President or the Secretary as required.

## **22. ANNUAL NATIONAL CONGRESS**

### 22.1.

An Annual National Congress (which for the purposes of the Act be deemed to be the annual general meeting) shall be called to coincide where possible with the National Shotokan Championships. However if there is no National Championship the Annual National Congress shall be called within the final quarter of the year. In either event forty (40) days notice of the meeting shall be given and a detailed agenda shall accompany the notice.

### 22.2.

In addition to any other business which may be transacted at an annual general meeting the business of the Annual National Congress shall be:

#### 22.2.1.

To confirm the minutes of the last preceding Annual National Congress and of any special general meeting held since that congress;

#### 22.2.2.

To receive from the committee reports upon the activities of the Association during the last preceding financial year;

#### 22.2.3.

To elect the Executive and the Development and Marketing Adviser;

#### 22.2.4.

To receive and consider the statement which is required to be submitted to members pursuant to "Section 26(6) of the Act".

### 22.3.

#### 22.3.1.

At Annual National Congress and Special General Meetings each Executive Committee Member shall have one (1) vote.

#### 22.3.2.

A Current Financial Registered Dojo, with representation, that has more than three (3) Current Financial Members of S.K.I.A. (including the Resident Instructor) shall be entitled to one (1) Dojo Vote.

22.3.3.

Upon having ten (10) Current Financial Members of S.K.I. Australia a Dojo shall receive one (1) extra vote added to the original one (1) Dojo Vote and, for each fifteen (15) members after the first ten (10) a Dojo shall receive one (1) additional vote.

22.3.4.

A Current Financial Registered Dojo shall not have greater than five (5) votes.

22.3.5.

A Dojo with Provisional status (as determined by AGM) shall not have voting rights.

22.4.

For the purposes of electing the Executive and the Development and Marketing Adviser the Annual National Congress shall elect a Returning Officer who shall conduct the ballot and who shall upon his election declare all such positions vacant until all positions for which nominations are received are filled. Voting for such positions shall be in accordance with "Clause 22.3." for Dojo with no additional votes for members of the Executive.

## **23. SPECIAL GENERAL MEETINGS**

23.1.

The committee may, whenever it thinks fit, convene a special general meeting of the Association.

23.2.

The committee shall, on the requisition in writing of not less than 5 per cent (5%) of the total number of members, convene a special general meeting of the Association.

23.3.

A requisition of members for a special general meeting:

23.3.1.

shall state the purpose or purposes of the meeting;

23.3.2.

shall be signed by the members making the requisitions;

23.3.3.

shall be lodged with the Secretary; and

23.3.4.

may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

23.4.

If the committee fails to convene a special general meeting to be held within 1 month after the date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.

23.5.

A special general meeting convened by a member or members as referred to in "Clause 23.4." shall be convened as nearly as is practicable in the same manner as general meetings are convened by the committee and any member who thereby incurs expense is entitled to be reimbursed by the Association for any expense so incurred.

## **24. PROCEDURE AT ANNUAL NATIONAL CONGRESS AND OTHER SPECIAL GENERAL MEETINGS**

24.1.

No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.

24.2.

Five members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum of the transaction of the business of a general meeting.

24.3.

If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

24.4.

If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than 3) shall constitute a quorum.

## **25. PROXIES**

25.1.

Each member shall be entitled to appoint another member a proxy either for the purposes of committee meetings, Annual National Congress or other general meetings of the Association by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.

25.2.

The notice appointing the proxy in the usual form or in any form permitted by the Committee and shall be lodged prior to the commencement of the meeting to which it relates.

## **26. MINUTES**

26.1.

Minutes of the proceedings at Committee meetings shall be presented to the next meeting for approval. A copy of the Minutes of every meeting shall be forwarded to each Affiliate Body Member and a copy forwarded to each Executive Committee member.

## **27. FUNDS-SOURCE**

27.1.

The funds of the Association shall be derived from entrance fees and annual subscriptions of members, donations, and subject to any resolution passed by the Association in general meeting, such other sources as the Committee determines.

27.2.

All money received by the Association shall be deposited as soon as practicable and without deduction to the credit of the Association's bank account.

27.3.

The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

## **28. FINANCE**

28.1.

The funds of the Association shall be lodged to the credit of an account in the name of the Association with a bank approved by the Committee. Specimen signatures of the President, Vice-President, Treasurer, Secretary and Membership Officer shall be supplied to the bank. Withdrawals shall only be made by cheque signed by the Treasurer and any one of President, Vice-President, Secretary or Memberships Officer. Upon dissolution of the Association any monies or property the Association may possess at the time of dissolution shall be donated to a similar non-profit organisation as designated by seventy-five percent (75%) of the members. The Treasurer shall provide an audited financial statement relating to the financial year completed to present to the Committee prior to presenting this statement to the Annual National Congress.

## **29. CUSTODY OF BOOKS**

29.1.

Except as otherwise provided by these rules, the Treasurer shall keep in his or her custody under his or her control all records, books and other documents relating to the Association as deemed necessary by the Executive Committee.

### **30. INSPECTION OF BOOKS, ETC**

30.1.

The records, books and other documents of the Association shall be open to inspection, free of charge, by a member of the Association at any reasonable hour.

### **31. FINANCIAL YEAR**

31.1.

The financial year shall apply from 1 July to 30 June each year.

### **32. CONSTITUTION AMENDMENTS**

32.1.

The statement of objects for the Association and these rules may be altered rescinded or added to only by a special resolution of the Association in accordance with the provisions of the Act.

### **33. DISSOLUTION**

33.1.

The Association may only be dissolved by a special resolution in accordance with the provisions of the Act.

### **34. RECIPROCAL TRAINING**

34.1.

Reciprocal training shall be encouraged between affiliate body members to allow those members on holiday or working away from home to train without additional expense.

### **35. DELEGATION BY EXECUTIVE TO SUB-COMMITTEE**

1. The Executive may, by instrument in writing, delegate to one or more Sub-Committees (consisting of such persons as the Executive thinks fit) the exercise of such of the functions of the Executive as are specified in the instrument, other than -
  - (a) this power of delegation; and
  - (b) a function which is a duty imposed on the Executive by the Act or by any other law.
2. A function, the exercise of which has been delegated to a Sub-Committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the Sub-Committee in accordance with the terms of the delegation.
3. A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof or as to time or circumstances, as may be specified in the instrument of delegation.
4. Notwithstanding any delegation under this rule, the Executive may continue to exercise any function delegated.

5. Any act or thing done or suffered by a Sub-Committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the Executive.
6. The Executive may, by instrument in writing, revoke wholly or in part any delegation under this rule.
7. A Sub-Committee may meet and adjourn as it thinks proper.

### **36. COMPLAINTS RESOLUTION COMMITTEE**

1. There may be established one or more Sub-Committees called the, or, a “Complaints Resolution Committee” (in these Rules referred to as the “CRC”).
2. A CRC shall be composed of such persons as the Executive shall think fit from time to time to appoint. A CRC may be composed of any three persons for any hearing or purpose from time to time and may be drawn from either a fixed pool of available and willing persons or be constituted on an ad hoc basis of any persons so selected from time to time for any hearing or purpose.
3. The CRC shall have as its members a trio of persons, one of whom shall preferably be a member of the Executive (but not the Secretary, or, in the event of the President of the Association being a person who has received a Complaint or Grievance from a member, the President) and two such other persons who are available and willing at the time to convene for a hearing or other purpose.
4. Selection of persons to be members of a CRC (whether on a permanent basis or on an ad hoc basis) shall not be limited to persons who are members of the Association or persons who have experience in the practice of karate, but shall preferably be so, provided, however, that no member of a CRC, unless exceptional circumstances prevail, shall have either involvement in or personal knowledge of the Complaint or Grievance to be inquired into.
5. Unless exceptional circumstances prevail, a CRC shall have as its Chairperson the senior ranking Executive member (if any) or such person as is agreed upon for that purpose by the members of a CRC.
6. Questions to be decided by a CRC shall be decided by a simple majority but, if, for any reason, there is an equality in votes, the Chairperson shall have the deciding vote.
7. Upon the Executive deciding to refer a matter to a CRC, the Secretary, in consultation with the Executive and such other persons whom the Executive shall think fit shall invite such persons to form a CRC for the particular matter. Nothing shall limit the Executive or the Secretary in their invitation to persons to form a CRC for the particular matter but they shall take into account matters such as geographical location or relevant interested persons.
8. Whilst by these Rules a member of the Executive may act as a member of a CRC from time to time, the acts and steps taken by a CRC are considered to be independent from the Executive and the Association and a CRC is not bound by any directive of the Executive or the Association and may act as it sees fit provided such is within the confines of these Rules and such State and Commonwealth laws as may apply from time to time and in accordance with the principles of natural justice with such necessary modifications as required by these Rules.

9. Without limiting the above or the following, one aspect of the principles of natural justice that may be modified by a CRC is the manner of the conduct of hearings before it, such that the issues of cost and the large geographical reach of a CRC's jurisdiction may be taken into account in deciding whether or not to convene a meeting in a face-to-face context or otherwise.
10. For the purpose of these Rules, when a CRC has convened and heard the Complaint or Grievance, it shall publish its findings and any recommendations as to how to resolve the said Complaint or Grievance to both the parties involved and the Executive which shall thereupon decide whether to implement the recommendations either in whole or in part together with any further conditions or modifications as it shall think fit in the interests of the Association and of the persons involved. In the event that the Executive intends to suspend or expel a member as a result of an inquiry by a CRC the provisions of Rules 13 and 14 hereof shall continue to apply.

### **37. Referral by Executive to Complaints Resolution Committee**

1. Any member may bring any Complaint or Grievance to the attention of the Executive, by notice in writing to the Secretary, or, to any member of the Executive.
2. Upon receipt of the Complaint or Grievance the Executive shall consider whether to refer the same to a Complaints Resolution Committee under Rule 36 or deal with the same itself.