
**RULES FOR THE APPOINTMENT
OF MEMBER ELECTED DIRECTORS**

**AUSTRALIAN MEAT INDUSTRY SUPERANNUATION PTY LTD
ABN 25 002 981 919
AS TRUSTEE FOR
AUSTRALIAN MEAT INDUSTRY SUPERANNUATION TRUST
ABN 28 342 064 803**

ADOPTED ON 28 August 2018

**RULES FOR THE APPOINTMENT
OF MEMBER ELECTED DIRECTORS**

AUSTRALIAN MEAT INDUSTRY SUPERANNUATION TRUST

1. Interpretation

1.1. In these rules, unless the context requires otherwise:

AMIC means the Australian Meat Industry Council (ABN 65 990 653 488) or any successor organisation responsible for the appointment of Employer Directors.

AMIST means the Australian Meat Industry Superannuation Trust (ABN 28 342 064 803) established by the Trust Deed dated 28 November 1985.

Board means the group of individuals that are the Directors of the Trustee from time to time.

Candidate means an individual nominated for the office of Member Director.

Close of Roll Day means the 30th day of June immediately occurring before the day the Returning Officer calls for nominations under rule 10.

Company means Australian Meat Industry Superannuation Pty Ltd (ABN 25 002 981 919).

Constitution means the constitution adopted by the Company AS it may be amended from time to time

Corporations Act means *Corporations Act 2001* (Cth).

Director means an individual who is a director of the Company from time to time.

Disqualified Person means an individual who is not permitted to participate in the management of a regulated superannuation fund under section 120 of the SIS Act.

Eligibility Requirements means those requirements set out in Rule 3 which an individual must meet in order to be a Member Elected Director.

Employee means a person who is employed pursuant to an employment agreement or otherwise .

Employer Director means a Director who is an "employer representative" in relation to the directors of the Trustee as defined by and for the purposes of the SIS Act.

Excluded Member means a Member who on close of Roll Day had an AMIST member account balance of less than \$2, 000.or such other amount as may be prescribed in the SIS Act

Executive Officer has the meaning given to it in section 10 of the SIS Act;

Fit and Proper Policy means the Fit and Proper Policy adopted by the Board from time to time.

Member Director means a Director who is a "member representative" in relation to the directors of the Trustee as defined by and for the purposes of the SIS Act.

Member or **Member of AMIST** means any individual who holds a beneficial interest in AMIST and includes individuals in receipt of a pension benefit from the Trustee and individuals with deferred benefits in AMIST but, for the avoidance of doubt, does not include a reversionary pension beneficiary unless that individual is receiving the pension and does not include an individual nominated as a beneficiary in a death benefit nomination merely because the individual is a nominee.

Relevant Regulator means the Australian Prudential Regulation Authority (APRA) and/or the Australian Securities and Investments Commission (ASIC).

Returning Officer means the individual appointed by the Board to the position of Returning Officer in preparation for the appointment of a Member Elected Director.

Roll of Voters means the list of Members who are eligible to vote in respect of a particular election which has been maintained by the Returning Officer.

RSE Licensee has the meaning in section 10(1) of the SIS Act.

SIS Act means *Superannuation Industry (Supervision) Act 1993 (Cth)*.

Rules means these rules as they may be amended from time to time pursuant to Rule 19

Term means the period of five (5) years from the date of declaration of the election pursuant to Clause 15.2.

Trustee means the Company acting in its capacity as trustee of AMIST.

- 1.2. In these Rules, unless the context requires otherwise:
 - a. The singular includes the plural and vice versa;
 - b. A gender includes both genders;
 - c. Words importing persons include partnerships, trusts, corporations, joint ventures and unincorporated associations;
 - d. Where a term is given a defined meaning, any other grammatical form of the term has a corresponding meaning;
 - e. A reference to a rule is a reference to a rule in this document;
 - f. Headings are for convenience only and do not affect the interpretation of these rules;
 - g. References to legislation or to any section of legislation include any amendment or re-enactment or substitution of that legislation, and all subordinate legislation made under that legislation; and
 - h. References to a document or a section of a document include any amendment or substitution of that document.
- 1.3. These Rules deal with the election and appointment of Member Directors. The nomination and appointment of Employer Directors is outlined in, and must be made in accordance with, the Constitution of the Company.
- 1.4. To the extent that the Rules dealing with the election and appointment of Member Directors are inconsistent with rules in the Constitution of the Company, these Rules prevail.
- 1.5. These Rules supersede any earlier versions of rules adopted by the Board for the appointment of Member Directors. These Rules govern the appointment of Member Directors already on the Board at the time of adoption of these Rules as if these Rules had been adopted before the Member Directors were appointed to the Board.
- 1.6. If a Rule or part of a Rule is held or deemed to be illegal, invalid, void, voidable or unenforceable then that Rule must be read down to the extent necessary to ensure that it is not illegal, invalid, void, voidable or unenforceable. If it cannot be read down so that it is not illegal, invalid, void, voidable or unenforceable, then that Rule or part of the Rule is severed and the validity and enforceability of the remaining Rules (or remaining part of the Rule, as the case may be) are not affected.

2. Who is on the Board?

- 2.1. The Board must consist at any time of a minimum of four and a maximum of ten Directors.
- 2.2. The number of Member Directors must be equal to the number of Employer Directors.
- 2.3. If, at any time, there are more Member Directors than Employer Directors, the Board must within 90 days cause the appointment of sufficient Employer Directors so that there are equal numbers of Member Directors and Employer Directors.
- 2.4. If at any time there are more Employer Directors than Member Directors, the Board must within 90 days:
 - a. Arrange for AMIC to remove a sufficient number of Employer Directors; or
 - b. Cause the appointment of a sufficient number of Member Directors in accordance with these Rules,so that there are equal numbers of Member Directors and Employer Directors.

2.5 The duration of the appointment of Member Elected Director shall for the Term **PROVIDED THAT** any such Director may stand for re-election on completion of the Term.

3. Eligibility Requirements for Member Directors

- 3.1. An individual may only be a Member Director if he or she:

- a. Is at least 18 years of age;
- b. Has agreed in writing to being appointed as a Member Director;
- c. Meets the requirements of a Director under the Fit and Proper Policy as at the close of Roll Day immediately prior to the commencement date of the Member Director's current term of office;
- d. Is not a Disqualified Person;
- e. Is not prohibited from acting as a director of a company under the Corporations Act or under any other legislation relating to directors of Australian companies;
- f. Is not the Returning Officer;
- g. Does not simultaneously hold the position of Employee, Director or Executive Officer of another RSE Licensee;
- h. Is not an Employee, director or otherwise associated with a service provided to the AMIST;
- i. Is not an Employee of AMIST;
- j. Is a member of AMIST;
- k. Is a Qualified Candidate.

4. Who is a Qualified Candidate?

- 4.1. An individual is a Qualified Candidate if they have applied to and have been assessed as a Qualified Candidate by the Selections Committee (as defined in Rule 6).
- 4.2. Any individual may apply (in such manner as the Selections Committee determines) for assessment by the Committee as being qualified to be appointed to the Board as a Member Director. Whether an individual who has been assessed as being qualified is in fact appointed to the Board will depend on whether that individual is duly appointed pursuant to these Rules.
- 4.3. An individual who has been assessed by the Selections Committee as being a Qualified Candidate remains a Qualified Candidate for a period of 1 year from the date that the Selections Committee finalises its assessment of the individual.
- 4.4. The Selections Committee must assess each individual who has applied for assessment as a Qualified Candidate within a reasonable time of receiving the application for assessment. The outcome of the assessment process is that the individual is either assessed as being as a Qualified Candidate, or assessed not to be a Qualified Candidate, or no assessment can be made due to insufficient information or missing or incomplete documents.
- 4.5. No fee will be charged by the Selections Committee to assess an individual.

5. What is the process for an individual to apply to be a Qualified Candidate?

- 5.1. The individual must apply to the Selections Committee using such form as the Committee from time to time determines. The Committee may decline to assess an individual if the form is incomplete or if the required supporting documents are not provided.
- 5.2. The Selections Committee must develop and appropriately make available its criteria and method of determining whether an individual is a Qualified Candidate.
- 5.3. The criteria may include matters such as:
 - a. Formal qualifications in practices or disciplines relevant to industry superannuation funds (accounting, corporate governance, member communications, product development, investment and administration).
 - b. Experience in practices or disciplines relevant to industry superannuation funds (e.g. accounting, corporate governance, member communications, product development, investment, administration).
 - c. Experience or formal qualifications in practices or disciplines which are relevant to industry superannuation funds and which are currently missing from the Board.
 - d. Membership of and participation in relevant professional or industry bodies.
- 5.4. The Selections Committee may also assess an individual's commitment to acting as a Member Director of the Board and the individual's ability to provide sufficient time and energy to acting as a Director of the Board having regard to factors such as:
 - a. The individual's demonstrated involvement in AMIST (e.g. membership of AMIST for 4 or more years);
 - b. The individual's involvement, and the degree and the nature of that involvement, in relevant

- industry bodies or associations;
 - c. The ability of the individual to be able to attend Board and Committee Meetings and perform other functions which a Director of the Board would, or is likely to, undertake;
 - d. The individual's current and likely business and industry commitments not related to AMIST or the Board;
 - e. If the individual is an employee – the attitude of the employer of the individual to the individual attending to Board matters during normal working hours;
 - f. If the individual is a partner in a professional partnership – the attitude of the individual's partners to the individual attending to Board matters during normal working hours;
 - g. If the individual is self employed – the demands of the individual operating their own business or practice;
 - h. Whether the individual's other business, professional or other activities would preclude the individual from devoting the necessary time to acting as a Member Director of the Board.
- 5.5. The Selections Committee may also assess individuals having regard to general matters such as:
- a. Their professional and business reputations within the industry superannuation area.
 - b. Their individual qualifications and how they may help achieve the Board's geographical, industry sector, gender, ethnic and other inclusion and representation goals.
 - c. The relevant licensing provisions applying to AMIST.
 - d. Prudential rules, policy statements, guidelines or other matters raised or noted by any Relevant Regulator.
- 5.6. The Selections Committee may, in assessing an individual, apply a ratings and weighting factor to the various criteria to be used in the assessment process. The Committee may from time to time change the ratings and weighting factors. However the ratings and weighting factors must be applied in a fair and reasonable manner and so far as possible apply to all individuals who have applied at or about the same time for assessment.

6. What is the Selections Committee?

- 6.1. The Selections Committee consists of the Returning Officer and two other individuals as the Board may determine from time to time. The other members of the Committee will be selected by the Returning Officer having regard to their experience and qualifications in relevant areas of superannuation practice, corporate governance, recruitment and skills assessment. The other members of the Committee must not be current Directors or have been Directors within the preceding 4 years.
- 6.2. The members of the Selections Committee (other than any member of the Committee who is an employee of the Company) may be paid such remuneration as the Board considers reasonable and may be reimbursed such relevant expenses as the Board considers appropriate.
- 6.3. The Committee Members may be appointed on such terms and for such period (not exceeding 3 years) as the Board from time to time determines. A Committee Member may resign at any time by notice in writing to the Chair of the Board. The Board may by unanimous resolution remove any Committee Member (other than the Returning Officer) at any time. Any vacancy in the Committee must be filled by the Returning Officer, or in the case of the Returning Officer's position being vacant, by the Board, as soon as practicable after the vacancy has occurred.

7. Which Members may Participate in Elections?

- 7.1. An individual may only nominate a Candidate, second the nomination of a Candidate or vote in an election of Candidates under these Rules if he or she is:
- a. A Member on close of Roll Day; and
 - b. A Member from the close of Roll Day until the close of voting; and
 - c. Not an Excluded Member; and
 - d. Not an Executive Officer; and
 - e. Not the Returning Officer.
- 7.2. The Returning Officer is responsible for the preparation of the Roll of Voters in relation to each election and the Roll of Voters must only include those individuals eligible to vote under Rule 7.1.

8. How and When are Member Director Nominations Called?

- 8.1. The Returning Officer must circulate a notice (in accordance with 8.2) to Members calling for nominations for Candidates at least one calendar month before:
- a. the term of office of a Member Director ends, or
 - b. a date as decided by a resolution of the Trustee, provided that the resolution does not seek to reduce or terminate a Member Director's maximum term of office without their consent (except as allowed for under the Constitution e.g. cease to meet Eligibility Criteria to be a Director).
- 8.2. The notice:
- a. Must be published:
 - i. On the AMIST website;
 - ii. If an annual statement or other publication is to be circulated to Members in the immediate future, in that annual statement or other publication; or
 - iii. By any other means determined by the Returning Officer; and
 - b. Must state:
 - i. When a nomination can be made;
 - ii. How a nomination must be made;
 - iii. That if, following the closing of nominations, the Returning Officer must call an election, that the Returning Officer will call the election by giving notice on the AMIST website;
 - iv. That if, following the closing of nominations, the Returning Officer is not required to call an election, that the Returning Officer will publish the names of the Member Director/s appointed uncontested on the AMIST website.
- 8.3. The notice must be accompanied by an outline of the skills, knowledge and personal attributes required to be demonstrated by the Candidate, together with an explanation of any applicable initial and ongoing training the Candidate will be required to undertake if their nomination is successful.
- 8.4. Despite anything in this Rule, the inadvertent failure of the Returning Officer to notify a Member of the call for nominations will not invalidate the result of the nominations or the election.

9. How to Nominate a Candidate

- 9.1. A nomination must be in writing in the form approved by the Returning Officer. It must include the following:
- a. The full name and contact details of the Candidate (e.g. residential or postal address, mobile telephone number);
 - b. The signed consent of the Candidate;
 - c. The name, address and signature of the Member nominating the Candidate;
 - d. The name, address and signature of at least two other Members who support the nomination of the Candidate; and
 - e. Any further documentation required by the Returning Officer and notified to those Members making or supporting a nomination, including:
 - i. A Statutory Declaration given by the Candidate declaring his or her eligibility to hold office as a Member Director;
 - ii. An up-to-date copy of the Candidate's CV including, as a minimum, information on the Candidate's qualifications and work experience; and
 - iii. Any signed consent forms reasonably required by the Returning Officer to enable the conduct of such checks or investigations as reasonably required by the Returning Officer to confirm the eligibility of the Candidate to hold office as a Member Director.
- 9.2. The nomination must be received by the Returning Officer at the address, and before the deadline, advised by the Returning Officer in the notice given under Rule 8.2.
- 9.3. An individual may only make or support one nomination per Member Director election.
- 9.4. An individual may self-nominate, may support another Member's nomination or self-nomination, or may self-support a nomination by another Member in their favour. However, a Member may not both self-nominate and support their own nomination.

9.5. Member Representatives are entitled to be nominated for re-election.

10. How to Withdraw a Nomination

10.1. A Candidate may withdraw his or her nomination by written notice to the Returning Officer at any time before the Returning Officer calls an election under these Rules.

10.2. A Member who has nominated or supported a Candidate's nomination may not withdraw that endorsement unless the nomination or support for a nomination was made in their own favour.

11. Review and Result of Nominations

11.1. As soon as practicable after the close of nominations, the Returning Officer must acknowledge receipt of each proposed nomination to the proposed Candidate in writing. The Returning Officer's acknowledgement of receipt under this rule does not constitute the Returning Officer's acceptance that the nomination is valid.

11.2. The Returning Officer must reject any nominations:

- a. Received after the close of nomination; or
- b. That do not satisfy the eligibility requirements of Rule 3.1.

11.3. The Returning Officer must give written notice of the rejection of the nomination to the Candidate. Despite this Rule, the Returning Officer may, in the Returning Officer's absolute discretion, allow a Candidate who has submitted a defective nomination to withdraw the defective nomination and submit a revised nomination and provided the revised nomination complies with these Rules and is submitted to the Returning Officer within the timeframe required by the Returning Officer and notified to the Candidate, the Returning Officer must accept the revised nomination and provide the Candidate with a copy of the Fit and Proper Policy.

11.4. The Returning Officer must accept all nominations which satisfy the requirements of Rule 9.1.

11.5. If, after the close of nominations, the number of valid nominations of Candidates is less than or equal to the number of Member Director positions to be filled, the Returning Officer must declare elected those Candidates as Member Directors. The Candidates are appointed as Member Directors and their term will commence upon the making of the declaration.

11.6. To the extent that the number of valid nominations is less than the number of positions to be filled, the Board must, as soon as practicable,

- a. Arrange for AMIC to remove sufficient number of Employer Directors; or
- b. Cause the appointment of sufficient number of Member Directors in accordance with Rule 16,

to ensure there are equal numbers of Member Directors and Employer Directors.

11.7. If, after the close of nominations, the number of valid nominations of Candidates is equal to the number of Member Director positions to be filled, the Returning Officer must declare elected those Candidates as Member Directors. The Candidates are appointed as Member Directors and their term will commence upon the making of the declaration.

11.8. If, after the close of nominations, the number of valid nominations of Candidates is more than the number of Member Director positions to be filled, the Returning Officer must call an election in accordance with Rule 12. Each of the Candidates who have been nominated by a valid nomination will be Candidates for the purposes of the election.

11.9. The Returning Officer must notify the appointment of any Member Directors under this Rule within seven days of the appointment being declared by:

- a. Giving written notice to each of the Candidates, AMIC and the Board; and
- b. Publishing a notice on the AMIST website.

11.10. If any dispute arises concerning the nomination process or outcome following the close of nominations the decision of the Returning Officer will be final.

12. How is an Election Called?

12.1. This Rule applies if the Returning Officer is required by these Rules to call an election of Member Director Candidates.

- 12.2. Before calling the election, the Returning Officer must invite all Candidates to provide:
 - a. A photograph of themselves; and
 - b. A statement of 150 words or less about themselves.
- 12.3. If a Candidate provides a photograph and/or statement to the Returning Officer within 14 days of the invitation by the Returning Officer and the photograph and/or statement are not considered offensive by the Returning Officer, they must be included in the ballot material issued by the Returning Officer under these rules.
- 12.4. Before calling the election, the Returning Officer must determine whether Members will vote online or by postal ballot.
- 12.5. Once the Returning Officer has complied with Rules 12.2 and 12.3, the Returning Officer must call the election by publishing notice on the AMIST website.
- 12.6. The notice must:
 - a. State that the election is being conducted by the Returning Officer;
 - b. List the number of offices for which election is sought;
 - c. Fix the time and date for the opening and closing of the ballot;
 - d. Specify whether the Members will vote online or by confidential postal ballot; and
 - e. If the Members will vote online, state that Members who are unable, or who choose not to, vote online will, upon request, be sent ballot material by post.

13. Procedures in the Event of a Postal Election

- 13.1. This Rule applies if the Returning Officer has called an election under Rule 12 and has determined the election will be conducted by postal ballot.
- 13.2. The Returning Officer must use best endeavors to ensure the election takes place on a secret ballot basis.
- 13.3. The Returning Officer must send by prepaid post a notice containing the information set out in Rule 12.4 and the following documents to each Member entitled to vote at the election:
 - a. An outer reply paid envelope addressed to the return address for ballot papers.
 - b. An identification declaration to be completed by the voting Member.
 - c. A copy of each photograph and/or statement submitted by the Candidates under Rule 12.2.
 - d. An inner unmarked Ballot Paper envelope, suitable for containing the ballot paper.
 - e. A ballot paper prepared in accordance with this Rule.
- 13.4. The ballot paper will be in the form approved by the Returning Officer provided that form contains:
 - a. Instructions for marking the Ballot Paper;
 - b. The names of the Candidates:
 - i. With the surname of each Candidate appearing first followed by the given names of the Candidate; and
 - ii. In an order determined by lot drawn by the Returning Officer in front of two independent witnesses.
- 13.5. The Member must vote for no more than the number of Candidates to be elected otherwise the ballot paper will be informal.
- 13.6. It is the responsibility of the voting Member to ensure the ballot paper is completed in accordance with the instructions provided by the Returning Officer and is returned to the appropriate address before the close of the ballot.
- 13.7. The Returning Officer must collect returned envelopes from the post box of the return address and keep them in safe custody until the commencement of the counting of votes. The Returning Officer must make a final clearance of returned envelopes so that all envelopes received by the Returning Officer prior to the closing time for the ballot are included in the counting of the votes.
- 13.8. Each candidate may appoint one person as scrutineer to oversee the counting of the votes. Both the Candidate and the appointed scrutineer may be present for the counting of the votes, but failure to attend a scheduled counting of the votes will not delay or invalidate the count.
- 13.9. Scrutineers and Candidates must not:

- a. Interrupt the counting without lawful reason;
 - b. Disclose any knowledge acquired concerning the votes of any particular voting Member or voting Members;
 - c. Fail to carry out any lawful request by the Returning Officer; or
 - d. Touch any ballot material.
- 13.10. Before counting the votes, the Returning Officer must:
- a. Remove the outer reply paid envelope;
 - b. Remove and examine the voting Member's declaration and mark off the voting Member's name against a copy of the Roll of Voters; and
 - c. Separate the ballot paper envelopes.
- 13.11. If a voting Member returns more than one set of ballot papers, only the first ballot paper received will be included in the count.
- 13.12. To count the votes, the Returning Officer must remove the ballot papers from the envelopes.
- 13.13. A ballot paper must be rejected from the count if:
- a. The ballot paper was returned after the closing of the ballot;
 - b. The voter is ineligible to vote or the Returning Officer is unable to identify the voter on the Roll of Voters;
 - c. It is not marked substantially in accordance with the instructions included on the ballot paper and/or the marking is such that the intention of the voter is not clear.
- 13.14. The decision of the Returning Officer whether to accept or reject a ballot paper is final.

14. Procedures in the Event of an Online Election

- 14.1. This Rule applies if the Returning Officer has called an election under Rule 12 and has determined the election will be conducted by online ballot.
- 14.2. The Returning Officer must use best endeavors to ensure the election takes place on a confidential voting basis.
- 14.3. Members may only vote during the specified ballot period.
- 14.4. Members must use their AMIST Member Login User Name and Password to authenticate themselves and access the voting system.
- 14.5. Once a voting Member is authenticated, the voting Member is presented with a ballot in a web browser and will be asked to complete the online ballot.
- 14.6. The screen on which the ballot appears must contain:
- a. Instructions for completing the online vote;
 - b. The names of the Candidates:
 - i. With the surname of each Candidate appearing first followed by the given names of the Candidate;
 - ii. In an order determined by lot drawn by the Returning Officer in front of two independent witnesses; and
 - iii. With any photograph or Candidate statement provided by the Candidates under Rule 14.
- 14.7. The voting Member must vote for no more than the number of Candidates to be elected otherwise the vote will be informal.
- 14.8. It is the responsibility of the voting Member to ensure the online vote is completed in accordance with the instructions provided by the Returning Officer before the close of the ballot.
- 14.9. A vote will be excluded if it is submitted through fraudulent means or any means that are not compliant with these rules. All votes made in accordance with this rule will be electronically counted. Each electronic vote in favour of a Candidate will constitute one vote for that Candidate.
- 14.10. The decision of the Returning Officer whether to accept or reject an online vote is final.
- 14.11. All votes must be stored anonymously.

- 14.12. Despite this Rule, if a Member determines that he or she does not wish to vote online, that Member may notify the Returning Officer. Provided the Member gives notice at least two weeks before the close of the ballot, the Returning Officer must within two days, arrange for a postal ballot to be sent to the Member in accordance with Rules 13.3 and 13.4 to the Member. If the Member returns the ballot paper to the nominated address before the close of ballot and the Returning Officer deems the ballot valid in accordance with the provisions of Rule 15, the vote will be counted as if it had been made under this Rule.

15. Declaration of the Result of an Election

- 15.1. The Candidate with the highest number of votes must be elected. If two or more Candidates each receive the same number of votes the Returning Officer must recount the votes of each of those Candidates. If the vote remains equal, the Returning Officer must decide by lot which Candidate is to be elected. The drawing of the lots must occur in the presence of two independent witnesses.
- 15.2. The Returning Officer must declare the result of the election within seven days of completion of the counting of the votes by:
- a. Giving written notice to each of the Candidates, the Board and AMIC; and
 - b. Publishing a notice on the AMIST website.
- 15.3. A declaration in favour of a particular Candidate under Rule 15.2 will constitute the appointment of that individual as a Member Director and the Member Director's term as a Director will commence from the date of the declaration.

16. Filling a Casual Vacancy

- 16.1. If the Board is required to fill the vacant office of a Member Director under these Rules, the Board must within the period provided for in the Constitution appoint the individual that is (in the following order or priority):
- a. Next entitled under Rule 15.1 at the previous election provided that the individual meets the Eligibility Requirements; but if there is no such individual, then:
 - b. The Candidate with the next most votes at the previous election provided that the individual meets the Eligibility Requirements; but if there is no such individual, then:
 - c. The Returning Officer must either:
 - i. Call an election in accordance with Rule 12; or
 - ii. Appoint an individual who meets the Eligibility Requirements as a Member Director.

17. Address for Notices

- 17.1. Where the Returning Officer is required to send notice by post to a Member under these Rules, the Returning Officer must send the notice to the residential address of the Member as set out in AMIST's records unless the Member:
- a. Will be absent from that address during the period the Returning Officer will send the notice by post; and
 - b. Has given the Returning Officer an alternate address for postal notices at least 14 days notice before the Returning Officer is required to give a notice to the Member,
- in which case the Returning Officer must send the notice to the alternate address supplied by the Member.

18. Powers and Indemnity of Returning Officer

- 18.1. Subject to the Constitution of the Company and the governing rules of AMIST, the Returning Officer is indemnified by the Company for any costs incurred in the carrying out of duties of the Returning Officer under or incidental to these Rules.
- 18.2. The Returning Officer may do anything necessary in connection with these Rules to ensure no irregularity occurs.
- 18.3. The Returning Officer's decision in relation to the procedures under these Rules is binding and final.

19. Amendment of Rules

- 19.1. The Trustee may by resolution amend these Rules at any time except during the period between the Returning Officer calling an election and the declaration of the result of that election under these Rules.