



Recommended Constitutional changes 2024

| Page # | Item number | Current | Change to |
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| 8 | 1.4 Rules of the Organisation (a) | These Rules bind every Member and the Organisation, and each Member agrees to comply with these Rules | These Rules bind every Member, Office Holder, Board Member, Independent Appointee, the CEO, the Chief Financial Officer and the Organisation, and each Member, Office Holder, Board Member, Independent Appointee, the CEO and the Chief Financial Officer agree to comply with these Rules |
| 9 | 1.5 Not For Profit (b) (i) | | (i) for the reasonable remuneration of any of Board Members, Independent Appointees, the CEO and the Chief Financial Officer in accordance with these Rules; |
| 9 | (ii) | in good faith for a good or service supplied to the Organisation by a Board Member (other than in the capacity as a Board Member of the Organisation) or Member, where | (iii) in good faith for a good or service supplied to the Organisation by a Board Member or Member, where: |
| 10 | Definitions | Board Member means a member of the Board in accordance with Rule 8.2(c). | Board Member means a member of the Board in accordance with Rule 8.2(c) (and for the avoidance of doubt, includes any Office Holders and Independent Appointees). |
| 11 | | Corporations Act means the <i>Corporations Act 2001 (Cth)</i> . | |
| 12 | | Funeral Directors Contract means the contract entered into by the Organisation and the West Australian Funeral Directors Association, the Independent Funeral Directors Association, or any similar association, organisation or entity. | Funeral Directors Contract means the contract entered into by the Organisation and the West Australian Funeral Directors Association, the Independent Funeral Directors Association, or any similar association, organisation or entity, as determined by the Board. |
| | | Funeral Fund Contract means a contract entered | |

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| | | into by the Organisation and a Member with respect to the Funeral Fund. | |
| New | | | Independent Appointee means a Board Member appointed under Rule 8.3. |
| 13 | | Principal Office means the Organisation's office situated at Unit 2/915 Albany Highway, East Victoria Park or such other location as the Organisation may determine from time to time as the Principal Office of the Organisation. | Principal Office means the Organisation's office situated at Level 3, 25 Mt Henry Road, Salter Point, Western Australia or such other location as the Organisation may determine from time to time as the Principal Office of the Organisation. |
| 15 | 3.1 General Member (a) | (a) Any Eligible Person qualifies to be a General Member of the Organisation. (See Rule 2.1 'Eligible Person' and 'General Member') | (a) Any Eligible Person qualifies to be a General Member of the Organisation. |
| 15 | (b) (i) | (i) nominate for election as President, Vice President, and one of six General Members of the Board; | (i) nominate for election as President, Vice President, and one of 4 General Members of the Board (other than as an Independent Appointee); |
| 17 | 4. Annual Fees and Levies (c) | Any application to be a Member of the Organisation received during the last three months of a membership year, qualifies the applicant for a reduced fee as a determined by the Bard and reviewed from time to time | Any application to be a Member of the Organisation received during the last three months of a membership year, qualifies the applicant for a reduced fee as a determined by the Board and reviewed from time to time |
| 20 | 6.4 Right to Appeal | Where a Member who has been expelled, suspended or censured, subsequently obtains new evidence that directly relates to the matter which was the subject of a Disciplinary Panel's determination, the Member may seek to have the matter reconsidered. The Board shall refer any new material evidence to the | Where a Member who has been expelled, suspended or censured, subsequently within 30 days obtains new evidence that directly relates to the matter which was the subject of a Disciplinary Panel's determination, the Member may seek to have the matter reconsidered. The Board shall refer any new material evidence to the Disciplinary Panel for reinvestigation. |

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| | | Disciplinary Panel for reinvestigation. | |
| 21 | 7.1 Keeping the Register (b) (ii) | the residential address of each Member; | the postal or email address of each Member; |
| 22 | 8.2 Board Members (a) (ii) | Between five (5) and seven (7) General Members; and | up to four (4) General Members, of which there may be: |
| 22 | | (iii) Board Membership is restricted to two (2) persons from any Retirees Branch or Village. Should there be more than 2 nominate, the branch/village to decide on the 2 nominations to go forward. | <ul style="list-style-type: none"> i. no more than two (2) persons from any Retirees Branch or Village and if there are more than 2 nominations for any Retirees Branch or Village then the Retirees Branch or Village may determine which 2 nominations are proposed; and ii. no more than one (1) person from a family group (including defacto family members); and <p>(c) a minimum of two (2) Independent Appointees.</p> |
| 22 | (c) | <p>A Board Member must:</p> <ul style="list-style-type: none"> (a) be a natural person; <p>be over 55 years of age; and</p> <p>have been a Financial Member for at least two consecutive years.</p> | <p>A Board Member:</p> <ul style="list-style-type: none"> (i) must be a natural person; (ii) must be over 55 years of age, except in the case of any Independent Appointees; (iii) must have been a Financial Member for at least two consecutive years, except in the case of any Independent Appointees; and (iv) in the case of any Independent Appointees, must not be a General Member. |
| New | 8.3 Independent Appointees | | <ul style="list-style-type: none"> (a) The Board may, subject to Rule 8.3(b), appoint a person with relevant skills to be an Independent Appointee of the Organisation on the conditions the Board decides and for a period of up to three years. (b) The relevant skills required of an Independent Appointee |

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| | | | <p>may be specified by the Board, and may be varied by the Board from time to time, or from appointment to appointment.</p> <p>(c) An Independent Appointee is, subject to this Rule 8.3 and to Rules 10 and 11, a Board Member of the Organisation for the term of the appointment determined by the Board and on terms and conditions agreed with the Independent Appointee.</p> <p>(d) Despite the term of appointment fixed under Rule 8.3(a), the appointment of an Independent Appointee must be ratified by a Resolution of the Members at the Annual General Meeting next following the appointment of the Independent Appointee.</p> <p>(e) If the appointment of an Independent Appointee is not ratified by Members, anything done by the Independent Appointee since the appointment and up to that time is taken to have been validly done.</p> <p>(f) An Independent Appointee is entitled to attend any General Meeting of the Organisation and be heard on any part of the business of the General Meeting.</p> <p>(g) An Independent Appointee is not entitled to vote at a Board Meeting on a motion about the terms and conditions of his or her own appointment, conditions of service or termination of service but may be permitted by the Chairperson to speak in relation to the matters.</p> |
| 23 | 9.3 President (a) and (b) | <p>The President of the Organisation:</p> <p>(a) shall be elected for a term of three years;</p> <p>(b) must have been a Financial Member of the Organisation for at least two consecutive</p> | <p>The President of the Organisation:</p> |

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| | | years; | |
| 24 | 9.4 The Chief Executive Officer (CEO) | <p>(a) The responsibility for the day to day administration of the business of the Organisation is vested in the CEO, including:</p> <ul style="list-style-type: none"> (i) preparing and issuing all meeting notices; (ii) ensuring an agenda is prepared for each meeting; (iii) attending to all correspondence; (iv) recording correct minutes of all meetings; and (v) performing any other duties required by the Board. <p>(b) The CEO shall be appointed by the Board upon such terms and conditions as agreed in writing.</p> <p>(c) The CEO shall attend meetings of the Central Delegates Council and the Board, and may attend and speak at any other meetings of the Organisation unless otherwise instructed in writing by the Board.</p> <p>(d) The CEO shall have no voting rights at any of the meetings referred to in these Rules.</p> <p>(e) The CEO shall have the right to demand all records, books, documents, registers or papers of any Branch or of any aged care facility or any other service or facility</p> | <p>(a) The functions and duties of the CEO shall be determined by the Board, and may include responsibility for the day to day administration of the business of the Organisation is vested in the CEO, including:</p> <ul style="list-style-type: none"> (i) preparing and issuing all meeting notices; (ii) ensuring an agenda is prepared for each meeting; (iii) attending to all correspondence; (iv) recording correct minutes of all meetings; (v) Implementing changes and proposed plans to improve the Organisation’s objectives as required by the Board; (vi) engaging in communication with members, media obligations and public relations where required to represent the Organisation’s vision and values; (vii) interacting with other executives and maintaining accountability with the Board; (viii) allocating capital and resources to support the Organisation’s operations and initiatives in conjunction with the Chief Financial Officer; (ix) being responsible for ensuring that the Board is presented with clear and logical recommendations for action and options; (x) being responsible for the day-to-day administration of the business of the Organisation, including the administration and smooth operation of the Organisation’s main business units, being the Aged Care Facilities, the Retirement Villages, the Funeral Fund, Membership Services and Head Office Operations; (xi) being responsible for the Organisation complying with government regulations and laws and is also responsible to ensuring amiable and effective relations with all arms of government and regulatory authorities; and (xii) performing any other duties required by the Board. |

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| | | <p>operated by the Organisation to be surrendered immediately to a specified location if the Board considers this action to be necessary to protect the interests of the Organisation and/or any Branch.</p> <p>(f) The CEO shall ensure that the financial accounts of the Organisation are prepared annually and shall submit such financial accounts once prepared to the Auditor for audit purposes.</p> <p>(g) The CEO shall submit the accounts together with the Auditor’s report to the Board prior to the Annual General Meeting.</p> <p>(h) The CEO shall ensure all cheques and transfers issued by or on behalf of the Organisation are correctly authorised.</p> <p>(i) The CEO shall execute and ensure that all documents of the Organisation are processed in accordance with the Rules.</p> <p>(j) The CEO shall undertake activities to advance the interests and Objects of the Organisation.</p> <p>(k) The CEO may upon a written request from a Branch allow the Branch an exemption where extenuating circumstances prevent the Branch from complying with Standing Orders and/or policies of the Organisation. The CEO shall provide written approval of any exemption to the Branch and notify the Board</p> | <p>(b) The CEO shall be appointed by the Board upon such terms and conditions as agreed in writing.</p> <p>(c) The CEO shall not be a Member or hold any position in any Branch and may not concurrently hold the position of Chief Financial Officer.</p> <p>(d) The CEO shall attend meetings of the Central Delegates Council and the Board, and may attend and speak at any other meetings of the Organisation unless otherwise instructed in writing by the Board.</p> <p>(e) The CEO shall have no voting rights at any of the meetings referred to in these Rules.</p> <p>(f) The CEO shall have the right to demand all records, books, documents, registers or papers of any Branch or of any aged care facility or any other service or facility operated by the Organisation to be surrendered immediately to a specified location if the Board considers this action to be necessary to protect the interests of the Organisation and/or any Branch.</p> <p>(g) The CEO shall ensure that the financial accounts of the Organisation are prepared annually and shall submit such financial accounts once prepared to the Auditor for audit purposes in line with any requirements of the Board.</p> <p>(h) The CEO shall regularly report on all matters to the Board and to the President, shall work with the President, and shall submit the accounts together with the Auditor’s report to the Board prior to the Annual General Meeting and otherwise in line with any requirements of the Board.</p> <p>(i) The CEO shall ensure all cheques and transfers issued by or on behalf of the Organisation are correctly authorized in line with any requirements of the Board.</p> <p>(j) The CEO shall execute and ensure that all documents of the</p> |
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| | | of this action. | <p>Organisation are processed in accordance with the Rules and any requirements of the Board.</p> <p>(k) The CEO shall undertake activities to advance the interests and Objects of the Organisation.</p> <p>(l) The CEO may upon a written request from a Branch and approval of the Board allow the Branch an exemption where extenuating circumstances prevent the Branch from complying with Standing Orders and/or policies of the Organisation. In addition, the CEO shall provide written approval of any exemption to the Branch and notify the Board of this action.</p> <p>(m) Subject to any agreement between the Organisation and the CEO and without prejudice to any other Rule, the Board may remove or dismiss a CEO at any time, with or without cause.</p> |
| 25 | 9.5 Chief Financial Officer | <p>(a) The Board may determine the term used to describe the position of CFO.</p> <p>(b) The CFO is appointed by the Board upon the recommendation of the CEO on the terms and conditions agreed between the Board and the CFO.</p> <p>(c) The CFO shall not be a Member of, or hold any position in, any Branch.</p> <p>(d) The functions and duties of the CFO shall be determined by the Board and the CEO, and shall include:</p> <p style="padding-left: 40px;">i. collection and banking of all monies received by the Organisation and the issuing</p> | <p>(a) The Board may determine the term used to describe the position of Chief Financial Officer.</p> <p>(b) The Chief Financial Officer is appointed by the Board upon the recommendation of the CEO on the terms and conditions agreed between the Board and the Chief Financial Officer.</p> <p>(c) The Chief Financial Officer shall not be a Member or hold any position in any Branch and may not concurrently hold the position of CEO.</p> <p>(d) The functions and duties of the Chief Financial Officer shall be determined by the Board, and may include:</p> <p style="padding-left: 20px;">(i) collection and banking of all monies received by the Organisation and the issuing of all receipts;</p> <p style="padding-left: 20px;">(ii) ensuring all dues, wages, PAYG Tax, Superannuation and GST are met by the Organisation, as required by the Board, and that all cheques are correctly authorised as required by Rule</p> |

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| | | <p>of all receipts;</p> <p>ii. ensuring all dues are met by the Organisation, as required by the Board, and that all cheques are correctly authorised as required by 9.4(h);</p> <p>iii. ensuring safe custody of all the Accounting Records of the Organisation;</p> <p>iv. submitting periodic Financial Statements as directed by the Board;</p> <p>v. assisting the Auditors in performing their function.</p> <p>(e) The CFO shall attend Board Meetings,</p> <p>(f) The CFO has no voting rights.</p> | <p>9.4(i);</p> <p>(iii) ensuring safe custody of all the Accounting Records of the Organisation;</p> <p>(iv) maintaining the accounts including preparing and submitting the accounts as directed by the Board;</p> <p>(v) submitting periodic Financial Statements, P&L, Balance sheet and budgets as directed by the CEO and the Board;</p> <p>(vi) assisting the Auditors in performing their function;</p> <p>(vii) being responsible for day to day accounting in conjunction with the any Finance Officer of the Organisation; and</p> <p>(viii) overlooking the Finance Officer's role</p> <p>(e) The Chief Financial Officer shall attend Board Meetings, and shall report directly to the Board and the CEO.</p> <p>(f) The Chief Financial Officer has no voting rights.</p> <p>(g) Subject to any agreement between the Organisation and the Chief Financial Officer and without prejudice to any other Rule, the Board may remove or dismiss a Chief Financial Officer at any time, with or without cause.</p> |
| 26 | 9.7 Remuneration of Board Members (a) | Board Members must not receive remuneration for their services as Board Members | Each Board Member may individually receive the remuneration determined by the Board (for the avoidance of doubt, including as determined by any Sub-Committee with relevant delegated powers of the Board). |
| 27 | 10.1 Terms of Office | <p>(a) A Board member shall serve a full term of four (4) years. Every two (2) years 50% of the Board will be up for election.</p> <p>(b) There is no limit to the number of two (2) or</p> | <p>(a) A Board member must retire on or before, or otherwise is deemed to be removed from office on, the later of:</p> <p>(i) period of three (3) years from the date of their appointment; and</p> |

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| | | four (4) year terms a Board Member may serve. | <p>(ii) the third Annual General Meeting after the date of their appointment.</p> <p>(b) Every year, if the Organisation:</p> <p>(i) has 3 or more Board Members, one third of the Board Members (rounded down to the nearest whole number) must retire at each Annual General Meeting, and are eligible for re-election; and</p> <p>(ii) has less than 3 Board Members, one Board Member must retire at each Annual General Meeting, and is eligible for re-election.</p> <p>(c) There is no limit to the number of terms a Board Member may serve.</p> |
| 27 | 10.2 Board Nominations (b) and (c) | <p>(b) Nominations for membership of the Board must be received (in writing) by the Returning Officer by the advertised closing date.</p> <p>Only General Members who have been General Members of the Organisation (financial and in good standing) for a continuous period of two (2) years prior to an election, are eligible to nominate.</p> <p>(c) A Member may nominate for election as an Office Holder, and/or one general position on the Board, but may only be elected to one position.</p> | <p>(b) Nominations for membership of the Board must be received (in writing) by the Returning Officer by the advertised closing date.</p> <p>(c) Except in the case of any Independent Appointees, only General Members who have been General Members of the Organisation (financial and in good standing) for a continuous period of two (2) years prior to an election, are eligible to nominate.</p> <p>(d) A Member may nominate for election as an Office Holder, and/or one general position on the Board, but may only be elected to one position (and for the avoidance of doubt, may not concurrently hold the positions of more than one Office Holder).</p> |
| 28 | 11.2 Any Other Vacancy (a) | <p>Any other vacancy occurring on the Board when a Board Member:</p> <p>i. Dies;</p> <p>ii. ceases to be a Member;</p> | <p>Any other vacancy occurring on the Board when a Board Member:</p> <p>i. dies;</p> <p>ii. ceases to be a Member;</p> <p>iii. is prohibited from holding office by any law (for the</p> |

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| | | <ul style="list-style-type: none"> iii. becomes insolvent under administration within the meaning of the Corporations Act; iv. becomes permanently incapacitated; v. resigns from office under Rule 11.3; vi. is removed from office under Rule 11.4; or | <ul style="list-style-type: none"> avoidance of doubt, including section 39 of the Act); iv. becomes permanently incapacitated; v. resigns from office under Rule 11.3 vi. is removed from office under Rule 11.4; vii. is removed by a Resolution of the Members at General Meeting; or |
| 29 | 11.4 Removal or Suspension of Board Members (a) | Where a Board Member acts in a manner that is considered to be in breach of the code of conduct or prejudicial to the interests of the Organisation, the Board Member may, by resolution of the Members present at a Board Meeting called for the purposes of considering the alleged actions, refer the matter to the Disciplinary Panel. | Where a Board Member acts in a manner that is considered to be in breach of the code of conduct or prejudicial to the interests of the Organisation, the Board may, by resolution of the Board Members present at a Board Meeting called for the purposes of considering the alleged actions, refer the matter to the Disciplinary Panel. |
| 30 | 12.1 Board Members (c) | The Board may meet using electronic means that allows the active and equal participation of all Board Members. | The Board may meet using such combination of physical attendance and/or electronic means that allows the active and equal participation of all Board Members. |
| 31 | 12.4 Quorum for Board Meetings (a) | At least 50% of Board Members constitute a quorum for the conduct of business at a Board Meeting. | The presence (including by physical attendance, or attendance by telephone or videoconference for any Board Member) of at least 50% of Board Members constitute a quorum for the conduct of business at a Board Meeting. |
| 31 | 12.5 Procedure of the Board Meeting (a) (ii) | where the Board Members are able to communicate by using any technology that reasonably allows the Board Member to participate fully in discussions as they happen in the Board Meeting, and in making decisions, provided that the participation of the Board Member in the Board Meeting must be made known to all other Board Members. | where the Board Members are able to communicate by using any technology (including by telephone or videoconference for any Board Member) that reasonably allows the Board Member to participate fully in discussions as they happen in the Board Meeting, and in making decisions, provided that the participation of the Board Member in the Board Meeting must be made known to all other Board Members. |

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| 32 | (e) | All Members, or other guests, may attend Board Meetings if invited by the Board but the person shall not have any right to comment without invitation, or any right to vote, or to be provided with copies of any agenda, minutes of meetings, or documents presented to such meetings. | All Members, or other guests (for the avoidance of doubt, including any advisers to the Organisation), may attend Board Meetings if invited by the Board but the person shall not have any right to comment without invitation, or any right to vote, or to be provided with copies of any agenda, minutes of meetings, or documents presented to such meetings. |
| 32 | 12.8 Written Resolutions | | The Board Members may pass a resolution without a Board Meeting being held, if a majority of the Board Members entitled to vote on the resolution (not being less than the number required for a quorum at a meeting of Board Members) sign a document containing a statement that they are in favour of the resolution set out in the document. |
| 34 | 14.2 Vacancy in the Office of Public Officer (v) | is an insolvent under administration as that term is defined in the Corporations Act. | is prohibited from holding office by any law. |
| 34 | 14.3 Notices to be given by the Public Officer or the Organisation | <p>(a) The Organisation must give the Commissioner written notice of the:</p> <ul style="list-style-type: none"> i. appointment of a Public Officer under Rule 14.1 and any change in the Public Officer’s postal or residential address, <p style="text-align: center;">in accordance with the Act.</p> <p>(b) The Public Officer must give the Commissioner written notice of any change in the address of the Organisation in accordance with the Act.</p> | <p>(a) The Organisation must give any relevant government authority written notice of the:</p> <ul style="list-style-type: none"> i. appointment of a Public Officer under Rule 14.1; and ii. any change in the Public Officer’s postal or residential address, <p style="text-align: center;">if and as required by law.</p> <p>(b) The Public Officer must give any relevant government authority written notice of any change in the address of the Organisation if and as required by law.</p> |
| 35 | 15 Annual General Meeting (a) | The Annual General Meeting of the Organisation shall be held no later than the last Friday in October of each year. | The Annual General Meeting of the Organisation shall be held at a time to be determined by the CEO in conjunction with the Chief Financial Officer and the Board but within six months of the end of the Financial Year. |
| 35 | (h) (iv) | must elect or appoint the Office Holders and ordinary | must elect or appoint the Office Holders and Board Members. |

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| | | Board Members. | |
| 38 | 18.1 Special Resolutions (a) | A Special Resolution must be moved at a General Meeting where notice of the Special Resolution has been given under Rule 17.1 (b) | A Special Resolution must be moved at a General Meeting where no less than 28 days' notice of the Special Resolution has been given under Rule 17.1(b) . |
| 40 | 20.1 Control of Funds (b) | The control and use of the Organisation's funds are delegated to the CEO and CFO by the Board in pursuance of the Objects in a manner approved by the Board. | The control and use of the Organisation's funds are delegated to the CEO and Chief Financial Officer by the Board in pursuance of the Objects in any manner approved by the Board from time to time. |
| 41 | Executing Documents 21.1 | The Organisation may execute a document without using a common seal if the document is signed by: <ul style="list-style-type: none"> (a) any two Board Members; or (b) one Board Member and a person authorised by the Board. | The Organisation may execute a document without using a common seal if the document is signed by any two Board Members. |
| 47 | 25.1 Management and Operation of the Funeral Fund (a), (b), (c), (d) | <p>MANAGEMENT AND OPERATION OF THE FUNERAL FUND</p> <ul style="list-style-type: none"> (a) The Funeral Fund is established for the purpose of providing a suitable funeral for those members of the Funeral Fund. (b) If at any time a member who is a member of the Funeral Fund has not paid the membership fee due to the Organisation, the Organisation may withdraw from the Member's Funeral Fund entitlement such amount required to pay the outstanding membership fee of the Member. (c) Only Financial Members are eligible to receive the benefits of the Funeral Fund. The Member | <ul style="list-style-type: none"> (a) The Funeral Fund is established for the purpose of providing suitable funeral services for those members of the Funeral Fund. (b) If at any time a member who is a member of the Funeral Fund has not paid the membership fee due to the Organisation, the Organisation may withdraw from the Member's Funeral Fund entitlement such amount required to pay the outstanding membership fee of the Member and decrease the Member's Funeral Fund entitlement accordingly. (c) Only Financial Members are eligible, and Members must also qualify under the terms of the Funeral Directors Contract, to receive the benefits of the Funeral Fund. (d) The amount of contributions to the Funeral Fund and the terms and conditions governing the relationship between the |

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| | | <p>must also qualify under the terms of the Funeral Directors Contract.</p> <p>(d) The amount of contributions to the Funeral Fund and the terms and conditions governing the relationship between the Organisation and any contributors who join the Funeral Fund for the purposes of securing Funeral Benefits, shall be determined by the Board and the West Australian Funeral Directors Association, the Independent Funeral Directors Association, or any similar association, organisation or entity.</p> | <p>Organisation and any contributors who join the Funeral Fund for the purposes of securing Funeral Benefits, shall be determined by the Board, and at the discretion of the Board, by the West Australian Funeral Directors Association, the Independent Funeral Directors Association, or any similar association, organisation or entity.</p> |
| 48 | 26.5 Revocation of Life Membership Award | <p>Should a Life Member act in a manner that causes or has the potential to cause harm to a Branch or the Organisation, the Branch by Resolution of 75% of the Members present at a meeting called for that purpose, recommend to the Board, or the Board acting on its own account in conjunction with the CEO, declare, that the Life Membership award to that person be revoked.</p> | <p>Should a Life Member or and Honorary Life Membership act in a manner that causes or has the potential to cause harm to a Branch or the Organisation, the Branch by resolution of 75% of the Members present at a meeting called for that purpose, recommend to the Board, or the Board acting on its own account in conjunction with the CEO, declare, that the Life Membership award to that person be revoked.</p> |
| New | Dispute Resolution | | <p>(a) This Rule 30 applies to disputes:</p> <ul style="list-style-type: none"> (i) between Members; or (ii) between one or more Members and the Organisation. <p>(b) The parties to a dispute must attempt to resolve the dispute between themselves within 14 days after the dispute has come to the attention of each party.</p> <p>(c) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by Rule 30(b), the parties to the dispute may jointly request by written notice to the Vice President that the Board</p> |

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| | | | <p>consider and determine the dispute provided that the notice must state that each party has agreed to abide by the decision of the Board in respect of the dispute.</p> <p>(d) After the Vice President is given a notice contemplated by Rule 30(c):</p> <ul style="list-style-type: none"> (i) each party to the dispute has 14 days in which to make written submissions to the Board by written notice to the Vice President, or such other period as may be determined by the Board (if any; and for the avoidance of doubt, the Board may accept further written submissions from the parties at any time at its discretion); and (ii) the Vice President must convene a Board Meeting to consider the dispute, and provide the parties to the dispute at least 7 days notice of the time and place of that Board Meeting. <p>(e) At the Board’s discretion, each party to the dispute and its representative may attend the Board Meeting convened pursuant to Rule 30(d)(ii), and make oral submissions to and answers questions from the Board.</p> <p>(f) Within 14 days after the Board Meeting convened pursuant to Rule 30(d)(ii), or such other time as the Board determines and notifies to the parties to the dispute in writing, the Board must give each party to the dispute written notice of its determination and its reasons for the determination.</p> |
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