

TELESCOPIC HANDLER ASSOCIATION OF AUSTRALIA INCORPORATED

CONSTITUTION

OBJECTS:

The Association is a not for profit association and the objects for which the Association is established are:

- (a) to promote the industry and its members throughout Australia by all lawful means;
- (b) to secure for the members all the advantages of unity of action in order to protect and represent them in matters affecting their interests;
- (c) to hold meetings and provide a forum for the encouragement of discussions relating to the industry of telescopic handlers;
- (d) to effect amicable settlement of disputes, as desired, by members;
- (e) to establish a self regulated industry and, in so doing, to set and maintain safety education services and ethical standards;
- (f) to foster and encourage technical advancement in the industry;
- (g) to promote the industry generally.

PART 1 – PRELIMINARY

1 Definitions

- (1) In this constitution:

ordinary member means a member of the committee who is not an office-bearer of the association, as referred to in rule 14(2);

secretary means the person holding office under this constitution as secretary of the Association; or if no such person holds that office – the public officer of the association;

general meeting means a meeting of the Association including a special general meeting but not an annual general meeting;

the Act means the *Associations Incorporation Act 2009*;

the Regulation means the Associations Incorporation Regulation 2010;

person means natural person over the age of 18 years, firm, company or other form of body whether incorporated or not;

Association means Telescopic Handler Association of Australia Incorporated.

Director-General means the Director-General of the Department of Services, Technology and Administration

- (2) In this constitution:

- (a) a reference to a function includes a reference to a power, authority and duty; and
 - (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.
- (3) The provisions of the *Interpretation Act 1987* apply to and in respect of this constitution in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

PART 2 – MEMBERSHIP

2 Membership generally

A person is eligible to be a member of the Association if the person has been nominated and approved for membership of the Association in accordance with clause 3.

3 Nomination for membership

- (1) A nomination of a person for membership of the Association:
- (a) must be made by an applicant in writing in the form set out in Appendix I to this constitution; and
 - (b) must be lodged with the secretary of the Association.
- (2) As soon as practicable after receiving a nomination for membership, the secretary must refer the nomination to the committee which is to determine whether to approve or reject the nomination.
- (3) As soon as practicable after the committee makes that determination the secretary must:
- (a) notify the nominee in writing, that the committee approved or rejected the nomination (whichever is applicable), and
 - (b) if the committee approved the nomination, request the nominee to pay (within the period of 28 days after receipt by the nominee of the notification) the sum payable under this constitution by a member as entrance fee and annual subscription.
- (4) The secretary must, on payment by the nominee of the amounts referred to in subclause (3)(b) within the period referred to in that provision, enter or cause to be entered, the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the Association.

4 Cessation of membership

A person ceases to be a member of the Association if the person:

- (1) dies; or
- (2) resigns membership; or
- (3) is expelled from the Association; or

- (4) becomes a bankrupt or is wound up; or
- (5) fails to pay any fees and subscriptions payable to the Association within the period determined by the Committee from time to time (but not prior to expiry of the period set out in Clause 8 (3)).

5 Membership entitlements not transferable

A right, privilege or obligation which a person has by reason of being a member of the Association:

- (1) is not capable of being transferred or transmitted to another person; and
- (2) terminates on cessation of the person's membership.

6 Resignation of membership

- (1) A member of the Association may resign from membership of the Association by first giving to the secretary written notice of at least one month (or such other period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (2) If a member of the Association ceases to be a member under subclause (1), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

7 Register of members

- (1) The Public Officer of the Association must establish and maintain a register of members of the Association specifying the name and address of each person who is a member of the Association together with the date on which the person became a member.
- (2) The register of members must be kept at the principal place of administration of the Association and must be open for inspection, free of charge, by any member of the Association at any reasonable hour.

8 Fees and subscriptions

- (1) A member of the Association must, on admission to membership, pay to the Association the fee of \$1.00 or, if some other amount is determined by the committee, that other amount.
- (2) In addition to any amount payable by the member under subclause (1), a member of the Association must pay to the Association an annual membership fee of \$100 or, if some other amount is determined by the committee, that other amount.
- (3) Payments as required in subclause (2) must be made within thirty (30) days, or such other time as may be determined by the committee, of the dispatch of the appropriate documents to the member.

9 Members' liabilities

The liability of a member of the Association to contribute towards 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 of the Association as required by clause 8.

10 Resolution of disputes

A dispute between a member and another member (in their capacity as members) of the Association, or a dispute between a member or members and the Association, are to be referred to a centre for mediation as agreed by the parties to the dispute or, failing agreement, as nominated by the President of the Law Society of New South Wales or his nominee.

11 Disciplining of members

- (1) A complaint may be made to the committee by any person that a member of the Association:
 - (a) has refused or neglected to comply with a provision or provisions of this constitution; or
 - (b) has wilfully acted in a manner prejudicial to the interests of the Association.
- (2) The committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- (3) If the committee decides to deal with the complaint, the committee:
 - (a) must cause notice of the complaint to be served on the member concerned; and
 - (b) must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and
 - (c) must take into consideration any submissions made by the member in connection with the complaint.
- (4) The committee may, by resolution, expel the member from the Association or suspend the member from membership of the Association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.
- (5) If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under clause 12.
- (6) The expulsion or suspension does not take effect:
 - (a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned; or

- (b) if within that period the member exercises the right of appeal, unless and until the Association confirms the resolution under clause 12 (4), whichever is the later.

12 Right of appeal of disciplined member

- (1) A member may appeal to the Association in a general meeting against a resolution of the committee under clause 11, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (3) On receipt of a notice from a member under subclause (1), the secretary must notify the committee which is to convene a general meeting of the Association to be held within 28 days after the date on which the secretary received the notice.
- (4) At a general meeting of the Association convened under subclause (3):
 - (a) no business other than the question of the appeal is to be transacted; and
 - (b) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both: and
 - (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (5) The appeal is to be determined by a simple majority of votes including proxies cast by members of the Association at the general meeting.

PART 3 - THE COMMITTEE

13 Powers of the committee

The committee is to be called the National Executive Committee of the Association and, subject to the Act, the Regulation and this constitution and to any resolution passed by the Association in general meeting, the committee:

- (a) is to control and manage the affairs of the Association; and
- (b) may exercise all such functions as may be exercised by the Association, other than those functions that are required by this constitution to be exercised by a general meeting of members of the Association; and
- (c) 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.

14 Composition and membership of committee

- (1) The committee is to consist of:

-
- (a) the office-bearers of the Association, and
 - (b) at least three ordinary committee members, each of whom is to be elected at the annual general meeting of the Association under clause 15; and
 - (c) the nominated members of any sub-committees (or their alternates).
- (2) The office-bearers of the Association are as follows:
- (a) the president;
 - (b) the vice-president;
 - (c) the executive officer (ex-officio); and
 - (d) The immediate past president
- (3) A committee member may hold up to two offices (other than both the president and vice-president offices).
- (4) Each member of the committee is, subject to this constitution, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.

15 Election of committee members

- (1) Nominations of candidates for election as office-bearers of the Association (with the exception of the executive officer) or as ordinary committee members:
 - (a) must be made 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 the nomination); and
 - (b) must be delivered to the secretary of the Association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers (with the exception of the executive officer) and ordinary members of the committee is to be

conducted at the annual general meeting in such usual and proper manner as the committee may direct.

- (7) A person nominated as a candidate for election as an office-bearer or as an ordinary committee member of the Association must be a member of the Association.

16 Secretary

- (1) The executive officer shall be the secretary of the Association and must, as soon as practicable after being appointed as secretary, lodge notice with the Association of his or her address.
- (2) It is the duty of the secretary to keep minutes of:
- (a) all appointments of office-bearers and members of the committee, and
 - (b) the names of members of the committee present at a committee meeting or a general meeting; and
 - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

17 Treasurer

It is the duty of the executive officer to act as the treasurer of the Association and to ensure:

- (a) that all money due to the Association is collected and received and that all payments authorized by the Association are made; and
- (b) that correct books and accounts are kept showing the financial affairs of the Association, including full details of all receipts and expenditure connected with the activities of the Association.

18 Casual vacancies

- (1) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the Association to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment.
- (2) For the purpose of this constitution, a casual vacancy in the office of a member of the committee occurs if the member:
- (a) dies; or
 - (b) ceases to be a member of the Association; or
 - (c) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
 - (d) resigns office by notice in writing given to the secretary; or

- (e) is removed from office under clause 19; or
- (f) becomes a mentally incapacitated person; or
- (g) is absent without the consent of the committee from more than (2) consecutive meetings of the committee, or
- (h) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
- (i) is prohibited from being a director of a company under Part 2D.6 (disqualification from managing corporations) of the *Corporations Act 2001* of the Commonwealth.

19 Removal of committee members

- (1) The Association in a general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold that office until the expiration of the term of office of the member so removed.
- (2) If a member of the committee to whom a proposed resolution referred to in subclause (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 the representations 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.

20 Committee meetings and quorum

- (1) The committee must meet at least 3 times in each period of 12 months at such place and time as the committee may determine.
- (2) Meetings of the committee may be conducted by telephone or other electronic means of conferring as well as in person.
- (3) Additional meetings of the committee may be convened by the president or by any member of the committee.
- (4) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- (5) Notice of a meeting given under subclause (4) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- (6) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.

- (7) No business is to be transacted by the committee unless a quorum is present or in communication in accordance with subclause (2) and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
- (8) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (9) At a meeting of the committee:
 - (a) The president or, in the president's absence, the Vice-President is to preside; or
 - (b) If the president and the vice-president are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

21 Delegation by committee to sub-committee

- (1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the Association as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than:
 - (a) this power of delegation; and
 - (b) a function which is a duty imposed on the committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-committee under this clause 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 clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Despite any delegation under this clause, the committee 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 clause has the same force and effect as it would have if it had been done or suffered by the committee.
- (6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.
- (7) A sub-committee may meet and adjourn as it thinks proper.

22 Voting and decisions

- (1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the

votes of members of the committee or sub-committee present at the meeting.

- (2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to clause 20(6) the committee may act despite any vacancy on the committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

PART 4 – GENERAL MEETINGS

23 Annual general meetings – holding of

- (1) The Association must hold its first annual general meeting:
 - (a) within the period of 18 months after its incorporation under the Act; and
 - (b) within the period of 5 months after the expiration of the first financial year of the association.
- (2) The Association must hold its annual general meetings:
 - (a) within 5 months after the close of the Association's financial year, or
 - (b) within such later time as may be allowed by the Director-General or prescribed by the Regulation.

24 Annual general meeting – calling of and business

- (1) The annual general meeting of the Association is, subject to the Act and to clause 23, to be convened on such date and at such place and time as the committee think fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
 - (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;
 - (b) to receive from the committee reports on the activities of the Association during the last preceding financial year;
 - (c) to elect office-bearers of the Association and ordinary committee members;

- (d) to receive and consider any financial statement or report required to be submitted to members under the Act.
- (3) An annual general meeting must be specified as such in the notice convening it.

25 Special general meetings – calling of

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the Association.
- (2) The committee must, on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of the Association.
- (3) A requisition of members for a special general meeting:
 - (a) must state the purpose or purposes of the meeting; and
 - (b) must be signed by the members making the requisition; and
 - (c) must be lodged with the secretary; and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the committee fails to convene a special general meeting to be held within 1 month after that 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.
- (5) A special general meeting convened by a member or members as referred to in subclause (4) must be convened as early as practicable in the same manner as general meetings are convened by the committee.

26 Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the Secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member, specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the Secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under subclause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under clause 24 (2).

- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

27 Quorum for general meeting

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this Constitution to vote is present during the time the meeting is considering that item.
- (2) Three members present (being members entitled under this Constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
 - (a) if convened on the requisition of members, is to be dissolved; and
 - (b) in any other case, is to stand adjourned to the same day in the following week at the same 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.
- (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 at least three) are to constitute a quorum.

28 Presiding member

- (1) The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the Association.
- (2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

29 Adjournment

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the Association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in subclauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

30 Making of decisions

- (1) A question arising at a general meeting of the Association is to be determined by either:
 - (a) by a show of hands, or
 - (b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot – a written ballot.
- (2) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (3) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

31 Special resolutions

A special resolution may only be passed by the Association in accordance with section 39 of the Act.

32 Voting

- (1) On any question arising at a general meeting of the Association a member has one vote only.
- (2) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (3) A member is not entitled to vote at any general meeting of the Association unless all money due and payable by the member to the Association has been paid.

33 Appointment of proxies

- (1) Each member is to be entitled to appoint another member as proxy to vote at general meetings 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.
- (2) The notice appointing the proxy is to be in the form set out in Appendix 2 to this constitution.

34 Postal ballots

- (1) The Association may hold a postal ballot to determine any issue or proposal (other than an appeal under clause 12).
- (2) A postal ballot is to be conducted in accordance with Schedule 3 to the Regulation.

PART 5 – MISCELLANEOUS

35 Insurance

The Association may effect and maintain insurance.

36 Funds – source

- (1) The funds of the Association are to 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.
- (2) All money received by the Association must be deposited as soon as practicable and without deduction to the credit of the Association's bank or other authorised deposit-taking institution account.

37 Funds – management

- (1) Subject to any resolution passed by the Association in general meeting, the funds of the Association are to be used in pursuance of the objects of the Association in such manner as the committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be approved by any two members of the committee or other persons authorised to do so by the committee.

38 Change of name, objects and constitution

An application to the Director-General for registration of a change in the association's name, objects or constitution in accordance with section 10 of the Act is to be made by the public officer or a committee member.

39 Custody of Association records, books and documents

Except as otherwise provided by this constitution, the public officer must keep in his or her custody, or under his or her control, all records, books and other documents relating to the Association.

40 Inspection of documents

- (1) The following documents must be open to inspection, free of charge, by a member of the Association at any reasonable hour:
 - (a) records, books and other financial documents of the Association,
 - (b) this constitution,
 - (c) minutes of all committee meetings and general meetings of the Association
- (2) A member of the Association may obtain a copy of any of the documents referred to in subclause (1) and a fee may be required.

41 Service of notices

- (1) For the purpose of this constitution, a notice may be served on or given to a person:
 - (a) by delivering it to the person personally, or
 - (b) by posting it to the address of the person, or
 - (c) by sending it by facsimile, email or some other form of electronic transmission to an address specified by the person for the giving or serving of the notice.
- (2) For the purposes of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:
 - (a) In the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - (b) In the case where the notice was posted, on the date when it would have been delivered in the ordinary course of post, and
 - (c) In the case of a notice sent by facsimile, email or other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

42 Distribution on winding up

- (1) Every member of the Association undertakes to contribute to the assets of the Association being wound up while he or she is a member, or within one (1) year after he or she ceases to be a member, for payment of the debts and liabilities of the Association (contracted before he or she ceases to be a member) and of the costs, charges and expenses of winding up the Association, such amount as required by the Board, not exceeding \$100.00.
- (2) The income and property of the Association whencesoever derived shall be applied solely towards the promotion of the objects of the Association as set forth in this Constitution and no portion thereof shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise howsoever by way of profit to the members of the Association PROVIDED THAT nothing herein shall prevent the payment in good faith of remuneration to any officer or servant of the Association or to any member of the Association in return for services actually rendered to the Association nor prevent the payment of interest at a rate not exceeding the rate for the time being fixed for the purpose of this paragraph by the constitution on money borrowed from any member of the Association or reasonable and proper rent for premises demised or let by any member of the Association. Any member of the Association may be appointed to any salaried office of the Association or any office of the Association paid by fees but except as aforesaid no remuneration or other benefit in money or money's worth shall be given by the Association to any member except repayment of out of pocket expenses and interest at the rate aforesaid on money lent or reasonable and proper rent for premises demised or let to the Association.

- (3) If on winding up or dissolution of the Association there remains, after satisfaction of all the debts and liabilities of the Association, any property whatsoever, then that property will not be paid to or distributed among the members of the Association, but shall be given or transferred to such other institution or institutions having similar objects to the objects of the Association and whose constitution shall prohibit the distribution of its income and property among its members to an extent at least as great as is imposed on the Association under or by virtue of Clause 9(3) hereof, such institution or institutions to be determined by the members of the Association at or before the time of winding up or dissolution, and in default thereof by any Court as may have or acquire jurisdiction in the matter and if and so far as effect cannot be given to the aforesaid provision, then to some charitable object.

APPENDIX 1

Application for Membership of Association

Membership Details		
Membership Type:	<input type="checkbox"/> New Member	<input type="checkbox"/> Renewal
Company Details		
Company Name:		
Trading Name:		
ABN:		
Street Address:		
Suburb:	State:	Postcode:
Postal Address:		
Suburb:	State:	Postcode:
Telephone:		
Company Email:		
Company Website:		
Contact Name:		
Membership Options	Annual Fees	
Base Fee – Annual per Financial Year	\$350	\$
EWPA Member Offer – available to existing members of the EWPA	\$100	\$
Additional Listings Attach full contact details (street, postal, phone, email) for each listing – per branch	\$50	
MEMBERSHIP TOTAL		\$
Payment Details		
Cheque:	Make cheques payable to: EWPA Inc Post to TSHA, PO Box 1304 Mona Vale NSW 1660	
Electronic Funds Transfer:	Westpac Mona Vale BSB: 032 196 Account Number: 13 9093 Reference: please use TSHA Invoice No, or your Company Trading Name	
Credit Card:	Please debit my Credit Card for \$_____ <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard	
Card Number:	_____	
Expiry Date:	____ / ____	
Cardholders Name:	_____ Signature: _____	

APPENDIX 1 cont.

Membership Category – please tick relevant categories you represent

- | | | |
|---|--|--|
| <input type="checkbox"/> Rental Fleet Owner | <input type="checkbox"/> Supplier/Distributor
(Spare parts, products, service centre) | <input type="checkbox"/> Manufacturer |
| <input type="checkbox"/> Trainer | <input type="checkbox"/> Owner/End User | <input type="checkbox"/> Service Provider
(IT, Consultant, Legal, OH&S Govt, Insurance) |

All about your company

Please tell us a little about your company. For example, when your business began, what your business involves, what other services you provide, number of employees. Anything you would like to tell us which might enable the TSHA members to better understand your business. This information will be published on the TSHA webpage as information to fellow members and the general public, as well as being printed under new members in our monthly newsletter.

New Membership Applicants Only

Nominations will be ratified at the next National Executive Committee Meeting.

Nominated by: _____ Company: _____

Seconded by: _____ Company: _____

NOTE: If you are unable to provide someone to nominate/second your application this will be completed by the TSHA President.

Declaration

I hereby apply to become/remain a member of the TSHA Inc. In the advent of my admission as a member I agree to be bound by the rules of the Association. I consent to receiving commercial messages by email from the TSHA Inc and/or the EWPAA Inc.

Signed: _____ Date: _____

We use the information in this form to provide you with membership services. We may give this information to our insurers, suppliers, members and related Associations. If you do not provide this information we may not be able to provide you with a full range of services. We do not trade, rent or sell any information you supply. You can check the information we hold at any time. For more information ask us for a copy of our privacy policy, or view it online at www.tsha.com.au

OFFICE USE ONLY:

Membership No: _____

MYOB:

Newsletter List: _____

Access:

DataDot List: _____

Nomination:

Pack Sent: _____

Webpage:

Email Sent: _____

Username/Password: _____

APPENDIX 2

Appointment of Proxy Form

I, (insert full name): _____

Of, (insert company name): _____

being a member of TSHA Inc., hereby appoint the person named below as my proxy to vote ***as follows / on my behalf**** at the AGM to be held on day of 20..... or at any adjournment of that meeting:

Signed: _____ Date: _____

* **PROXY:** The Executive Director:

* **OR:** (Name and company – TSHA member):

Voting Directory (if applicable):

President: _____

Vice President: _____

Committee: _____

***DELETE as APPLICABLE**

Please fax to TSHA on 02 9998 2299 or Email to: info@tsha.com.au