

LEGAL LIABILITY OF SPORTING CLUBS AND COMMUNITY GROUPS

INTRODUCTION

At the time when the community is becoming increasingly aware of its rights there is a corresponding increase in the amount of litigation coming before the courts, particularly claims for damages initiated by injured people seeking compensation from those responsible for the injury. Particularly susceptible to damage claim today are sporting clubs and community groups which may host functions or events of one sort or another and which may not be adequately protected in the event of legal action being taken against them. Protection is available in the form of incorporation and insurance. What follows is an outline first, of the circumstances in which sporting clubs and community groups may find themselves liable to pay damages, and second, of the steps they may take to protect themselves.

LIABILITY OF "OCCUPIERS" OF LAND OR PREMISES

It is a long established principle that the "occupier" of land or premises owes a duty of care to those who enter onto the land or premises. Consequently if an occupier fails to take adequate care to ensure the safety of those who enter onto the land in question, and as a result a visitor is injured, the occupier will be liable to pay damages to the injured party. Note that liability attaches to the "occupier", namely the person in direct control of the land or premises, and that although the owner of the land may also be liable, it is potentially disastrous for clubs and groups to take the view that the owners of the land or premises are solely responsible and that therefore the occupying club or group need not take steps to protect itself.

Clubs and groups are obliged to ensure the safety of visitors whether those visitors are paying customers at an event, are on the land for business reasons eg: salesmen or tradesmen delivering goods, are present at the invitation of the occupier, or even in some circumstances, are trespassers. The degree of care to be taken depends upon the category of visitor but, suffice it to say that clubs and groups should take steps to ensure that all visitors invited or otherwise, are protected whilst on land or premises at which events or functions are being held, by the removal or avoidance of anything which constitutes a danger. If this is impossible, steps should be taken to draw the attention of visitors to any dangerous situations or

circumstances by, for example, the use of clearly visible and worded warning signs. It is prudent for organisers of events and functions to inspect the premises concerned beforehand, and for clubs and groups to check their premises regularly, to ensure that the premises are in a safe and proper condition.

VISITOR TO TAKE CARE

It should be noted that a visitor is obliged to take reasonable care for his own safety and thus if he suffers injury as a result of a dangerous situation which is visible and obvious, the damages awarded to him may be reduced wholly or in part because of his because of his contributory negligence.

PLAYERS AND MEMBERS

Clubs and groups should also take steps to ensure the safety of their own and other clubs' players and members. Clubs and groups may be held liable not only for injuries suffered as a consequence of their failing to take reasonable care by keeping premises in a safe condition, removing dangers and warning of hidden dangers but may also be liable for injuries suffered on the field of play if the injuries were the result of either a deliberate assault by a player or an act of violence or negligence which was beyond what might reasonably be expected in the event or game concerned. By playing in a competitive sport players are taken to have consented to a reasonable degree of physical activity and contact, but anything exceeding the bounds of reasonableness may enable the injured player to claim damages from the opposing player and that player's club, the player because he was the wrongdoer and the club because the wrongdoer was acting as an agent and, if professional, an employee of the club.

FORESEEABILITY

It should be noted also that for the occupier to be found liable it must be proved by the injured party that the injuries suffered by him were a foreseeable consequence of the occupier's failure to take the required degree of care. If the injuries suffered by the visitor were not a predictable consequence of the occupier's failure to take care the occupier will not be held liable.

INJURED PERSON'S REMEDY

The remedy for injured parties is a claim for monetary damages from the occupier, and possibly also the owner, of the land or premises. Monetary damages are to compensate the injured person for his pain and suffering, his past and future loss of income, and his past and future medical and hospital expenses. Judgments in favour of Plaintiffs of over \$1,000,000.00 are not uncommon and therefore it is important for clubs and groups to ensure that they are adequately protected in the event of an injured person claiming damages for them.

PROTECTION THROUGH INCORPORATION

Presently there are two means of protecting a club or group, namely incorporation and insurance, and clubs and groups are strongly urged to use preferably both. If a club or group is not incorporated and an injured party wishes to take action to recover damages, it will normally sue the executive or committee of the unincorporated body, be it a club, league, association or other group, and the persons on the executive or the committee will be personally liable and may have to satisfy a Court judgment out of their own pockets. The executive or committee tend to be sued because an unincorporated body itself cannot be sued. This is because it has no legal identity and at any one time consists of the members at that time. It is rarely feasible for an injured party to sue all the members of the club or group at the time of suffering injury and the Courts have allowed injured persons to sue the executive or committee as representatives of the unincorporated body. In contrast an incorporated body can sue and be sued, and it is the body itself that is sued, not the members that comprise the body. If an action against an incorporated body is successful, the incorporated body's assets will be sold to satisfy the Court judgment, but the members of the body will not be personally liable. Incorporation effectively limits the liability of the members of the incorporated body to the extent of any unpaid annual subscription, which will often be nothing at all and will rarely be more than a few dollars.

Whereas previously incorporation was expensive, unwieldy and onerous in the long term, it is now comparatively cheap, readily available, and straight forward. This is a result of the Associations Incorporation Act 1981, which came into force on 1st July, 1983. Sporting clubs and community groups can

now incorporate for an initial fee of \$60.00 and an ongoing annual fee of \$20.00. Sporting clubs and community groups are urged to incorporate forthwith.

OTHER BENEFITS OF INCORPORATION

The other benefits of incorporation are as follows. First whereas a negligent club official of an unincorporated body would be sued personally, the negligent official of an incorporated body would not be sued but rather the corporate body itself would be sued. Thus the negligent club official is protected. Second, whereas unincorporated bodies are unable to enter into Contract (because they have no legal identity), incorporated bodies can, because they are recognised as a legal identity, enter into Contracts, sue and be sued. This makes dealings much more satisfactory and straight forward from both the point of view of the club and the business world. The rule of "perpetual succession" applies, and thus Contracts entered into by a corporate body are binding on the corporate body in the future even though the officers of the corporate body may change. This enables clubs to enter into long term agreements. In comparison unincorporated associations cannot enter into agreements.

PROTECTION THROUGH INSURANCE

The second form of protection available to clubs and groups is insurance. Insurance can be taken out to cover both incorporated and unincorporated bodies, although some insurance companies are now loath to insure unincorporated bodies. On one view incorporate effectively limits the liability of the members of the club or group, thereby rendering insurance unnecessary. The other view is that insurance is still necessary for the following reasons: first, on moral grounds, it would be sad to see a young sportsman, badly injured by the negligence of the club or group, unable to recover damages because the club or group in question was incorporated and had no assets and no insurance; second, an incorporated club or group may have considerable assets, in which case a person making a successfully claim for damages would wind up the company and sell its assets to satisfy, if only in part, the court judgement made in his favour; and third, not only will "outsiders" be unable to recover from the uninsured incorporated body beyond the extent of its assets, but neither will its own members. The body may owe it to its own members to have member to member insurance cover.

ASSOCIATIONS INCORPORATION ACT 1981

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA INCORPORATED

RULES

THE COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA INCORPORATED ("the Association") adopts the Model Rules save that:-

- (a) In rule 2 (1):- (i) The word 'June' shall be deleted and replaced by the word 'April';
- (ii) At the end of the rule shall be added the following:-
- 'Branch' means a district or locality designated as such by the Committee
- 'Branch member' means a member who resides in a Branch
- 'Branch Committee' means the Committee for each Branch
- (b) In Rule 3:- (i) In sub-rule (1) after the word 'person' there shall be inserted the words 'who is the owner of at least five hundred laying hens'
- (ii) Sub-rule (2) (b) shall be deleted and replaced with "(b) his admission as a member is approved by the Branch Committee of the Branch where he resides."
- (iii) In sub-rule (4), (5) & (6) the word 'Committee' whenever appearing shall be deleted and replaced by the words "Branch Committee".
- (c) In Rule 4:- (i) Sub-rule (1) shall be deleted and replaced with "(1) There shall be no entrance fee".
- (ii) Sub-rule (2) shall be deleted and replaced with "(2) The annual subscription shall be determined each year at the annual general meeting and shall be payable within 30 days of the that meeting."
- (d) In Rule 8 (1) there shall be added "save that it shall not be necessary to hold an annual general meeting in the year of incorporation."
- (e) Rule 11 (1) shall be deleted and replaced with "11. (1) The Secretary of the Association shall at least 14 days before the date fixed for holding a

paid post, a notice stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting."

(f) In Rule 16 (2) the words "or by proxy" shall be deleted.

(g) Rule 19 shall be deleted and replaced with "There shall be no voting by proxy"

(h) At the end of Rule 20 (2) there shall be added:-

"(d) May make regulations for the establishment and annual election of each Branch Committee and such sub-committees as it determines.

(e) May delegate any of its powers and functions to any Branch Committee or sub-committee."

(i) In Rule 25:- (i) In sub-rule (4) the word "four" shall be deleted and replaced by the word "three".

(ii) Sub-rule (9) shall be deleted.

(j) Rule 27 shall be deleted and replaced with:-

27 (1) Each Branch Committee shall collect all moneys due to that Branch and deposit same in a bank account under its control and from these moneys make all payments authorised by the Branch Committee. It shall keep correct accounts and books showing the financial affairs of the Branch with full details of all receipts and expenditure connected with the Branch. Each Branch Committee shall submit a full report of its financial affairs to the Treasurer of the Association within 14 days of the expiration of each financial year.

(2) Except as provided in sub-rule (1), the Treasurer of the Association shall collect and receive all moneys due to the Association and make all payments authorised by the Association and shall keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.

(3) The accounts and books referred to in this Rule shall be available for inspection by members.

(k) At the end of Rule 29 there shall be added:- "PROVIDED THAT in respect

(1) Rule 33 shall be deleted and replaced with the following:-

"33 a) The income and property of the Association shall be used and applied solely in promotion of its purposes and the exercise of its powers as set out herein and no proportion thereof shall be distributed paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the Association provided that nothing herein contained shall prevent the payment in good faith of interest to any such members in respect of moneys advanced by him to the Association or otherwise owing by the Association to him or of remuneration to any officers or servants of the Association or to any members of the Association or other person in return for any services actually rendered to the Association provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the Association or reasonable and proper rent for premises demised or let to the Association or the provision of services to a member to which he would be entitled in accordance with the purposes if he were not a member.

b) If the Association shall be wound up in accordance with the provisions of the Act, and there remains, after satisfaction of all its debts and liabilities, any property, whatsoever, the same shall be given or transferred to some other institution or institutions having purposes similar to the purposes of the Association, and which prohibits the distribution of its other income and property amongst its or their members to an extent at least as great as is imposed on the Association under or by virtue of this rule such institution or institutions to be determined in accordance with a special resolution of the members of the Association or in the absence of a special resolution of the members by the Registrar."

(m) After Rule 35 the following Rules shall be added:-

"36. NOTWITHSTANDING ANYTHING HEREIN ELSEWHERE CONTAINED no member shall be eligible to be a member of the Committee or a Branch Committee unless he is the owner of at least two hundred and fifty laying hens at the

by a person having sufficient accountancy qualifications or other adequate financial management experience to enable that person to comprehend and fully report on the financial affairs to the Association in a professional manner. Such person shall be appointed by, and report to, the annual general meeting."

"38. Any member marketing eggs through other than the Victorian Egg Marketing Board or the Australian Egg Board or their successors shall be automatically disqualified from membership."

"39. The annual general meeting, upon the recommendation of the Committee may confer life membership on any member who has given outstanding service to the Association."

"40. Primary producers not otherwise eligible for membership of the Association may be eligible for associate membership on such terms as the Committee from time to time determine."

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA INCORPORATED

STATEMENT OF PURPOSES

The purposes of the COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA INCORPORATED ("the Association") are:-

- (1) To organise the poultry industry in Victoria and to uphold the orderly marketing through the Victorian Egg Marketing Board (trading as Egg Farmers of Victoria) and the Australian Egg Board or their successors.

Solely for the purposes set out above the Association shall have power -

- (a) To take over the funds and other assets and the liabilities of the present unincorporated association known as the Commercial Egg Producers' Association of Victoria and its constituent branches.
- (b) To indemnify any person for any loss or damage incurred as a result of having on behalf of the unincorporated association become liable to pay any amount by way of damages or otherwise.
- (c) To subscribe to, become a member of and co-operate with any other association, club or organization, whether incorporated or not, whose objects are altogether or in part similar to those of the Association provided that the Association shall not subscribe to or support with its funds any club, association or organization which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Association under or by virtue of the Rules.
- (d) To buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Association or persons frequenting the Association's premises.
- (e) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the objects of the Association: Provided that in case the Association shall take or hold any property which may be subject to any trusts

- (f) To enter into any agreement with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association; to obtain from any such Government or Authority any rights, privileges and concessions which the Association may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.
- (g) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Association.
- (h) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests, and to contribute to, subsidize or otherwise assist and take part in construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof.
- (i) To invest and deal with the moneys of the Association not immediately required in such manner as is from time to time thought fit.
- (j) To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate.
- (k) To lend and advance money or give credit to any person or body corporate; to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate.
- (l) To borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought fit and to secure repayment of moneys so borrowed or raised either alone or with others as aforesaid or the payment of a debt or liability of the Association by giving mortgages, charges, or securities upon or over all or any of the Association's property.

- (n) To sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Association.
- (o) To take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the Association's property of whatsoever kind sold by the Association, or any money due to the Association from purchasers and others.
- (p) To take any gift of property whether subject to any special trust or not, for any one or more of the objects of the Association but subject always to the proviso in paragraph (e).
- (q) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association, in the shape of donations, annual subscriptions or otherwise.
- (r) To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects.
- (s) To amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under or by virtue of the Rules.
- (t) To purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Association is authorised to amalgamate.
- (u) To transfer all or any part of the property, assets, liabilities and engagements of the Association to any one or more of the incorporated associations with which the Association is authorised to amalgamate.
- (v) To make donations for patriotic, charitable or community purposes.
- (w) Subject to the Associations Incorporation Act to act as trustee

(x) To do all such other things as are incidental or conducive to the attainment of the purposes and the exercise of the powers of the Association.

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

In order that the Association may become incorporated so as to give it legal status and remove the risk that the committee or members might be personally liable for some action arising from Association activities, the following resolution has been proposed to be voted on by voting members of the Association by postal vote.

The Motions will be declared carried if a simple majority of the voting members vote in favour of the resolution. The motion is:-

"THAT the Association incorporate under the Associations Incorporation Act 1981 and in order to do so that it:-

- (a) Adopts and approves the proposed Statement of Purposes of the Association as drafted copies of which are available for inspection at the Commercial Egg Producers' Association, Stanley Street, Bendigo.
- (b) Adopts and approves the proposed Rules of the Association as drafted copies of which are available for inspection with the Statement of Purposes referred to in (a);
and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *Louis R. Rueden*

of *Sunley*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

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and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *H. J. Robertson*
the above resolution HEREBY VOTE

of *Lockwood South 3551*
being entitled to vote in respect of

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

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I, *M+J. DAMIJANIC*

of *ALBERT ST. LONG GULLY.*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

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and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, PETER HENRY SOULSBY

of BUCKRAHBYULE.

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

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I, *Alan Bellenger*

of

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

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I, *D.W. Henigan* 949.

of *Buckholmevale*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

P.S. A great idea which should have been done years ago,

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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and
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I. R. J. BARNES

of *R.M.B. 4080 EUROA 366*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

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and
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I, ALAN ALFRED JENSEN

of WOODSTOCK ON LODGE
being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

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I, *J. M. Lloyd*

of *305 High St Kangaroo Flat*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

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I, DONALD GRHAM JONES

of RMB 7340 WANGAMATTA

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

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I, *C R Harrison*

of *R. SD Bridgewater*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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"THAT the Association incorporate under the Associations Incorporation Act 1981 and in order to do so that it:-

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- (b) Adopts and approves the proposed Rules of the Association as drafted copies of which are available for inspection with the Statement of Purposes referred to in (a); and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *Neil Rolins*

of *Grainger St Hancourt*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *Ronald Rolens* of *Erangie St Harcourt*
being entitled to vote in respect of
the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, M. C. CARSON

of PRAIRIE

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *Alvin V. Jackson*

of *Goldbra Square*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I,

of

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I,

of

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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and
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I,

of

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *B. J. Rosey*

of *Acedale, PO. 3551*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, KEVIN FITZGIBBON of Warrackeeldon
being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

K. Fitzgibbon

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *Ronald Genev Mason*

of

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, O. H. WIGHT
the above resolution HEREBY VOTE

of SERPENTINE

being entitled to vote in respect of

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, Geoff Burnside.

of 58 Hospital St. Wedderburn.

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, JOHN M CONROY

of TOOLLEEN

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *ARTHUR KENNETH COLLINS* of *R.S.D. BRIDGEWATER*
being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *Ronald A James*

of *R.M.B 1115 Kejabram 362*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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Incorporation Act 1981 and in order to do so that it:-

I, *Rosie B Dwyer*

of *Asadale* 3551

being entitled to vote in respect of
the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *Graham W Taylor*

of *14 Newbold St Wedderburn*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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I, *Ludwig Bark*

of *Myrtle Park Vic.*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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I, Geoffrey W. Curnow of LAANECORIE
being entitled to vote in respect of
the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

G W Curnow

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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I, *IAN J CATTANACH*

of *R.S.D LAGLEHAWK*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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I, David Richard TURNER of Midland Highway, HUNTLY
being entitled to vote in respect of
the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

David Turner

COMMERCIAL EGG PRODUCERS ASSOCIATION OF VICTORIA

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and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

Harold J Wilson
Donald R Wilson

The above resolution HEREBY VOTE

of Campbell's Forest
being entitled to vote in respect of

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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I, *I. R. Wilson*

of *R.S.D. Eaglehawk*,

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *D. R. Collins*
the above resolution HEREBY VOTE

of *Bridgewater*
being entitled to vote in respect of

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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I, IAN W DIXON

of ROHS ROAD, BENDIGO EAST

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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I, *Francis Raymond Bunningham* of *Boundary Rd Maldon*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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- (b) Adopts and approves the proposed Rules of the Association as drafted copies of which are available for inspection with the Statement of Purposes referred to in (a);
and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *ERIC W. WALKER*

of *RMB 210 WEDDERBURN*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

In order that the Association may become incorporated so as to give it legal status and remove the risk that the committee or members might be personally liable for some action arising from Association activities, the following resolution has been proposed to be voted on by voting members of the Association by postal vote.

The Motion will be declared carried if a simple majority of the voting members vote in favour of the resolution. The motion is:-

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *Adrian Dakes*

the above resolution HEREBY VOTE

of

being entitled to vote in respect of

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *J. D. Parkes*

of

Golden Square

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

~~NO, I do not approve the resolution~~

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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- (b) Adopts and approves the proposed Rules of the Association as drafted copies of which are available for inspection with the Statement of Purposes referred to in (a); and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, PHILIP.W. RECHTER

the above resolution HEREBY VOTE

of Retreat Road, Bendigo

being entitled to vote in respect of

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)



COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *Michael Vincent Browne* of *Azedale*

being entitled to vote in respect of
the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

In order that the Association may become incorporated so as to give it legal status and remove the risk that the committee or members might be personally liable for some action arising from Association activities, the following resolution has been proposed to be voted on by voting members of the Association by postal vote.

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and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, PHILIP G. MORTON

of "TIPPERARY PARK", RAYWOOD

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

In order that the Association may become incorporated so as to give it legal status and remove the risk that the committee or members might be personally liable for some action arising from Association activities, the following resolution has been proposed to be voted on by voting members of the Association by postal vote.

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *Han Hannah*
the above resolution HEREBY VOTE

of *Weddburn*
being entitled to vote in respect of

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

In order that the Association may become incorporated so as to give it legal status and remove the risk that the committee or members might be personally liable for some action arising from Association activities, the following resolution has been proposed to be voted on by voting members of the Association by postal vote.

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *Robin D Watkins*

of *Marnie Rd Bendigo 3550*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

In order that the Association may become incorporated so as to give it legal status and remove the risk that the committee or members might be personally liable for some action arising from Association activities, the following resolution has been proposed to be voted on by voting members of the Association by postal vote.

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *Mervyn L Broad*
the above resolution HEREBY VOTE

of *R.S.D. Bridgewater*
being entitled to vote in respect of

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *Edward J. Palfon*

of *"Green Hill" Oreadale*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *CHARLES ALAN BROADBENT* of *R.S.D. BRODBEWATER*,
being entitled to vote in respect of
the above resolution HEREBY VOTE

YES, I approve the resolution.

NO, I do not approve the resolution

(Tick appropriate box)

Chas. Broadbent.

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *R. L. Ginnell*

of *Seamons 3463*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *Brian van Rensburg*

of *207 Sailors Gully Rd. Eaglehawk*
being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *L. J. Pordickam*

of *RMB 1878 DONALD 3480*
being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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and
- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *Lestie Anna Grant*

of *Coltrane Victoria (3604)*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)

COMMERCIAL EGG PRODUCERS' ASSOCIATION OF VICTORIA

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- (c) Empowers Kevin Fitzgibbon to apply for the incorporation of the Association and become the Association's Public Officer upon its incorporation."

I, *Alan R. Erick*

of *Nyah West.*

being entitled to vote in respect of

the above resolution HEREBY VOTE

YES, I approve the resolution

NO, I do not approve the resolution

(Tick appropriate box)