

20.8 The parties to an appeal before the State Branch Tribunal shall each pay their own costs of and incident to the appeal, save and except that the State Branch Tribunal may make such order as it sees fit as to whether or not the personal out-of-pocket expenses incurred by the member in attending on the hearing of his appeal should be paid to him. No payment shall be made in relation to legal expenses.

20.9 The State Branch Tribunal may also make such order as it sees fit as to the manner in which the sum of \$400.00 shall be treated.

21. Disciplinary Powers of a State Branch Tribunal and Appeals Arising From

21.1 Subject to Rule 22, if in the opinion of a State Branch Tribunal, a member:

- (a) has wilfully refused or neglected to comply with the provisions of this Constitution or the By-Laws of the the State Branch which has jurisdiction over the member;
- (b) has been guilty of conduct unbecoming a member;
- (c) has been guilty of conduct subversive to the objects of the League;
- (d) has been guilty of conduct prejudicial to the interests of the League;
- (e) has been guilty of conduct detrimental to the interests of a Sub-Branch of which he is a member; or
- (f) has been convicted of any indictable offence.

A State Branch Tribunal may, subject to this Rule, resolve to impose a penalty upon him.

21.2 If it is proposed by a State Branch Tribunal to consider whether or not to form an opinion pursuant to Rule 2 1.1 then:

- (a) it shall give not less than 14 days notice in writing to the member concerned of the date, time and place of the meeting at which it is proposed to consider whether or not he is guilty of an offence or offences referred to in Rule 21.1;
- (b) it shall serve on the member, at the time of giving him notice, copies of all papers and documents including *full* particulars of the alleged offence or offences which will be considered by the State Branch Tribunal at that meeting in accordance with procedures as set out in the By-Laws; and
- (c) it shall notify the National Secretary forthwith.

21.3 Having formed an opinion, and subject to Rules 21.1 and 21.5 a State Branch Tribunal may impose upon a member, one or more of the following penalties:

- (a) a reprimand;
- (b) suspension from membership for such period (not exceeding 6 months) as it thinks fit;
- (c) transfer to the State Branch Miscellaneous List of Members indefinitely or for such period as it determines;

- (d) disqualification from holding office for an indefinite period or for such period as it determines in any Sub-Branch, District Branch, District Board, District Council, Advisory Council or Regional Committee under the jurisdiction of the State Branch or from holding office in the State Branch itself,
- (e) expulsion from membership.

21.4 If a State Branch Tribunal imposes upon a member the penalty of disqualification from holding office and that member is a director of a public company being the State Branch itself or a director of a public company formed by that State Branch, such disqualification from holding office shall not be of any force or effect so far as any such public company is concerned unless and until The Act has been complied with.

21.5 If the member referred to in Rule 21.1 is also a member of a State Branch Tribunal he shall, except for the purposes of Rule 21.4, absent himself from the meeting of that Tribunal at which the question of his reprimand, suspension, transfer to a Miscellaneous List, disqualification from holding office or expulsion (as the case may be) is being considered. The proceedings of that Tribunal and any resolution thereof passed in the absence of a member to whom this Rule applies, shall be valid.

21.6 The substance and decision of the meeting referred to in Rule 21.2 shall be recorded in the minutes of the meeting. Written notices, submissions and other correspondence relevant to the meeting shall be certified within 7 days after the meeting by its Chairman.

21.7 Within 14 days after such certification, the Secretary of the Branch shall notify the member concerned in writing of the precise terms of the said resolution and of the provisions of Rule 23, concerning appeals. A copy of such notification shall be forwarded to the National Secretary.

22. Disciplinary Powers of the National Executive in Relation to Members and Appeals Arising From

22.1 If the National Executive has reason to believe that a member may be guilty of an offence referred to in Rule 21.1, it may appoint one of its members or some other Service or Life Member to inquire into the facts and circumstances.

22.2 The person appointed by the National Executive may act against the member pursuant to Rule 21 in the same manner and for the same reasons as a State Branch Tribunal may act.

22.3 The National Executive shall not make an appointment pursuant to this Rule if the State Branch or its Tribunal also having jurisdiction over the member has already acted against him pursuant to Rule 21 on the same facts and circumstances nor shall that State Branch or its State Branch Tribunal act in relation to that member under Rule 21 if the National Executive has already acted under this Rule on the same facts and circumstances.

22.4 If the National Executive makes an appointment pursuant to Rule 22.1, it shall forthwith notify the State Branch which also has jurisdiction over the member.

22.5 The provisions of Rule 21, apply to the person appointed pursuant to Rule 22.1 and to the proceedings before him, with such modifications as are necessary to suit the circumstances.

22.6 The person appointed pursuant to Rule 22.1 shall make a written report to the National Executive upon the conclusion of his inquiry and if he has acted against the member under Rule 21, advise of the action he took.