

Attn: Robert Cruikshank
PO Box 4107
DENISTONE EAST NSW 2112

Our ref 1137
Your ref INC9880170
Contact Search Officer
Telephone 1800 502 042
Facsimile 6333 1484

Dear Mr Cruikshank

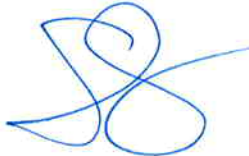
Search conducted on CACERT INCORPORATED

Please find enclosed the results of the search on the abovementioned organisation, as requested by you.

Also enclosed is receipt 1581561214 for payment of the \$36.00 prescribed fee.

Should you have any further queries, please contact the Registry's Search Officer on 02 6333 1473 or freecall 1800 502 042.

Yours sincerely



Simon Robey
Registration Officer (Client Support)
for Commissioner for Fair Trading
14 December 2007



PHOTOCOPY OF DOCUMENTS HELD AT
THE REGISTRY OF CO-OPERATIVES & ASSOCIATIONS

The attached is a true copy of documents held by the Registry of Co-operatives & Associations, as at 14 December 2007, in relation to:

CACERT INCORPORATED.

No. of pages attached: 21.

Document(s) attached: *Application for Incorporation including Rules.*

Signed

A handwritten signature in blue ink, appearing to be "S Robey".

Simon Robey
Registration Officer (Client Support)
Delegate of the Registrar
14 December 2007



DEPARTMENT USE ONLY
Rec'd on: 24/7/03
Rec'd at: HESNIU
Processed by: [Signature]
Reg No: INC. 9880170
Rec't No: 1580642314

Department of Fair Trading
NSW Consumer Protection Agency ABN 24 619 285 244



Application for Incorporation of Association

Associations Incorporation Act, 1984
Section 9

FORM 1

VISA 94

FEE \$91 (GST Free)

PLEASE COMPLETE USING BLOCK LETTERS

INC9880170

Lodging Party: Duane Grott
1/3 Bellevue Ct Arncliffe Full name of lodging party P.O. Box 75, Banksia 2216
0405 121 333 Residential Address Postal Address
Telephone

Please note: all correspondence will be forwarded to the postal address

Apply to incorporate CAcert Incorporated
under the provisions of the Associations Incorporation Act, 1984.
The above name is reserved in accordance with the Act.
The reservation number is 1585143198 and the expiry date of the reservation is _____

This is: a new association, or an association forming from an unincorporated group known as:

The principal place of administration of the Association will be: 1/3 Bellevue Ct
Arncliffe, NSW, 2216 address Postcode: 2216

The Association will adopt: Model Rules Model Rules with changes Own Rules
You must include a copy of the association's rules if you make changes to the model rules or adopt your own rules

The objects of the Association will be: Computer Related Security

The principal activities of the Association will be: Computer Related Security

The assets, liabilities, annual income and expenditure of the Association are estimated to be:
Income: 0 Assets: 0
Expenditure: 0 Liabilities: 0

The sources of the income of the Association will be from: Membership Fees

The financial year of the Association will end on: _____
If you do not nominate a date, we will assume the financial year ends on 30 June

I Duane Grott of 1/3 Bellevue Ct, Arncliffe am
full name of public officer residential address
the public officer for the above association [Signature]
signature



How many paid employees will the Association have? 0

Is a person, holding any property, other than in trust, for and on behalf of the Association? Yes No

If Yes, please attach a statement giving a description and approximate value of the property, and the name and address of the person holding that property.

Are there any mortgages, charges or other securities of any description affecting any property of the Association? Yes No

If Yes, please attach a statement giving a description of the mortgage or other security, a description of the property affected, the outstanding amount of the mortgage or security at the date of application and the name and address of the mortgage or security holder.

Statement under the Privacy and Personal Information Protection Act, 1998:

The applicant:

1. Authorises the Department of Fair Trading to make any enquiries and to receive and disclose any information which is relevant to the applicant's initial and ongoing eligibility to hold this registration.
2. Acknowledges that information will be placed on a register open to the public in accordance with the Associations Incorporation Act, 1984,
3. Accepts that failure to supply information required on this application form may delay the processing of the application,
4. Has a right to seek access to and correction of information supplied.

Statement by Applicant

I, Duane Gott of 1/3 Bellevue Ct, Arncliffe
full name residential address of applicant

- Am authorised to apply for the incorporation of the above named association
- Confirm that the rules of the association accompanying this application comply with the requirements of the Associations Incorporation Act, 1984 by providing for those matters specified in Schedule 1.
- Have placed an identifying mark on each annexure to this application, and the pages of each annexure are numbered consecutively
- Have read and understand the Statement under the Privacy and Personal Information Protection Act, 1998.

And make the following Statutory Declaration

I solemnly and sincerely declare that:

- The particulars contained within this application are true,
- The rules of the association signed by me and accompanying this application are a true copy of the document of which it purports to be a copy.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act, 1900.

Subscribed and declared by me at Hurstville this 29th day of July 2003.
[Signature] before me V. Drosinos Justice of the Peace
signature of applicant name of Justice of the Peace

[Signature]
signature of Justice of the Peace

Enquiries
Enquiries relating to the completion of this form should be directed to the Department of Fair Trading, Registry of Co-operatives & Associations on (02) 6333 1400 or freecall 1800 502 042.

Lodging this Document
You may lodge this form in person at any of the Department's Fair Trading Centres. For the address of your nearest Fair Trading Centre, please telephone 133 220. You may also lodge this document by mail addressed Department of Fair Trading, Registry of Co-operatives & Associations, PO Box 22, BATHURST NSW 2795.

Rules for associations incorporated under the Associations Incorporation Act, 1984

PART 1 PRELIMINARY.....	2
1DEFINITIONS.....	2
PART 2 MEMBERSHIP.....	2
2MEMBERSHIP QUALIFICATIONS.....	2
3NOMINATION FOR MEMBERSHIP.....	3
4CESSATION OF MEMBERSHIP.....	3
5MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE.....	3
6RESIGNATION OF MEMBERSHIP.....	4
7REGISTER OF MEMBERS.....	4
8FEES AND SUBSCRIPTIONS.....	4
9MEMBERS' LIABILITIES.....	5
10RESOLUTION OF INTERNAL DISPUTES.....	5
11DISCIPLINING OF MEMBERS.....	5
12RIGHT OF APPEAL OF DISCIPLINED MEMBER.....	6
PART 3 THE COMMITTEE.....	6
13POWERS OF THE COMMITTEE.....	6
14CONSTITUTION AND MEMBERSHIP.....	7
15ELECTION OF MEMBERS.....	7
16SECRETARY.....	8
17TREASURER.....	8
18CASUAL VACANCIES.....	8
19REMOVAL OF MEMBER.....	9
20MEETINGS AND QUOROM.....	9
21DELEGATION BY COMMITTEE TO SUB-COMMITTEE.....	10
22VOTING AND DECISIONS.....	10
PART 4 GENERAL MEETING.....	11
23ANNUAL GENERAL MEETINGS – HOLDING OF.....	11
24ANNUAL GENERAL MEETINGS – CALLING OF AND BUSINESS AT.....	11
25SPECIAL GENERAL MEETINGS – CALLING OF.....	12
26NOTICE.....	12
27PROCEDURE.....	13
28PRESIDING MEMBER.....	13
29ADJOURNMENT.....	13
30MAKING OF DECISIONS.....	14
31SPECIAL RESOLUTION.....	14
32VOTING.....	15
33APPOINTMENT OF PROXIES.....	15
PART 5 MISCELLANEOUS.....	15
34INSURANCE.....	15
35FUNDS – SOURCE.....	15
36FUNDS – MANAGEMENT.....	16
37ALTERATION OF OBJECTS AND RULES.....	16
38COMMON SEAL.....	16
39CUSTODY OF BOOKS.....	16
40INSPECTION OF BOOKS.....	16
41SERVICE OF NOTICES.....	16

Part 1 Preliminary

1 Definitions

(1) In these rules:

Director-General means the Director-General of the Department of Fair Trading.

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:

- (a) the person holding office under these rules as secretary of the association, or
- (b) if no such person holds that office – the public officer of the association.

Special general meeting means a general meeting of the association other than an annual general meeting.

the Act means the *Associations Incorporation Act 1984*.

the regulation means the *Associations Incorporation Regulation 1999*.

(2) In these rules:

- (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 these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

(4) Due to the nature of the association being internet and internationally based, meetings likewise may be attended remotely in the form of teleconferencing, videoconferencing, text messaging or any other forms of immediate communication, which participants were notified of 24 hours prior to the start of the meeting.

Part 2 Membership

2 Membership qualifications

A person is qualified to be a member of the association if, but only if:

- (a) the person is a person referred to in section 15(1) (a), (b) or (c) of the Act and has not ceased to be a member of the association at any time after incorporation of the association under the Act, or

- (b) the person is a natural person:
 - (i) who has been nominated for membership of the association as provided by rule 3, and
 - (ii) who has been approved for membership of the association by the committee of the association.

3 Nomination for membership

- (1) A nomination of a person for membership of the association:
 - (a) must be made by a member of the association in writing or by digitally signed email in the form set out in Appendix 1 to these rules, and
 - (b) must be lodged with the secretary of the association.
 - (c) Nominee must not be an employee of, or contracted to, either a Certificate Authority which provides digital certification or identification services or digital signing services for financial reward, or an organisation which is employed by or contracted to a Certificate Authority which provides digital certification or identification services or digital signing services for financial reward.
 - (d) Failure to adhere with clause (c) results in expulsion from the association at any time.
- (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 to reject the nomination.
- (3) As soon as practicable after the committee makes that determination, the secretary must:
 - (a) notify the nominee, in writing or by digitally signed email, 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 these rules by a member as entrance fee and annual subscription.
- (4) the secretary must, on payment by the nominee of the amounts referred to in clause (3) (b) within the period referred to in that provision, enter 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:

- (a) dies, or
- (b) resigns membership, or

- (c) is expelled from the association.

5 Membership entitlements not transferable

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

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of the person's membership.

6 Membership and Conflict of Interest

- (1) If a member enters into the employment of or becomes contracted to either a Certificate Authority which provides digital certification or identification services or digital signing services, any of which for financial reward, or an organisation which is employed by or contracted to a Certificate Authority which provides digital certification or identification services or digital signing services for financial reward, that person must:
 - (a) lodge notification with the secretary of change in circumstances, in writing or by digitally signed email, and membership is to be immediately suspended during the term of employment or contract.
 - (b) At the committee's discretion, may withdraw membership at any time during the suspension.
 - (c) Failure to comply with clause (a) results in expulsion from the association.

7 Resignation of membership

- (1) A member of the association is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the association who has paid all amounts payable by the member to the association in respect of the member's membership may resign from membership of the association by first giving to the secretary written or digitally signed email 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.
- (3) If a member of the association ceases to be a member under clause (2), 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.

8 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, and by prior arrangement.
- (3) A member of the association may obtain a copy of any part of the register on payment of a fee of US\$2.50 for each page copied.

9 Fees and subscriptions

- (1) In addition to any amount payable by the member under rule 8(3), a member of the association must pay to the association an annual membership fee of US\$10 or, if some other amount is determined by the committee, that other amount:
 - (a) except as provided by paragraph (b), before 1 July in each calendar year, or
 - (b) if the member becomes a member on or after 1 July in any calendar year – on becoming a member and before 1 July in each succeeding calendar year.

10 Members' liabilities

- (1) 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 rule 8.

11 Resolution of internal disputes

- (1) Disputes between members (in their capacity as members) of the association, and disputes between members and the association, are to be referred to a community justice centre for mediation in accordance with the *Community Justice Centres Act 1983*.
 - (2) At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

12 Disciplining of members

- (1) A complaint may be made to the committee by any person that a member of the association:
 - (a) has persistently refused or neglected to comply with a provision or provisions of these rules, or
 - (b) has persistently and willfully acted in a manner prejudicial to the interests of the association.

- (2) On receiving such a 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.
- (3) 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.
- (4) If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written or digitally signed email 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 rule 13.
- (5) 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 rule 13(5), whichever is the later.

13 Right of appeal of disciplined member

- (1) A member may appeal to the association in general meeting against a resolution of the committee under rule 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.
- (2) On receipt of a notice from a member under clause (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.
- (3) At a general meeting of the association convened under clause (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 in digitally signed email, or by all three, and
 - (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (4) If at the general meeting the association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

Part 3 The committee

14 Powers of the committee

The committee is to be called the committee of management of the association and, subject to the Act, the Regulation and these rules and to any resolution passed by the association in general meeting:

- (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 these rules 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.

15 Constitution and membership

- (1) Subject in the case of the first members of the committee to section 21 of the Act, the committee is to consist of:
 - (a) the office-bearers of the association, and
 - (b) 3 ordinary members,each of whom is to be elected at the annual general meeting of the association under rule 16.
- (2) The office-bearers of the association are to be:
 - (a) the president
 - (b) the vice-president
 - (c) the treasurer, and
 - (d) the secretary

- (3) Each member of the committee is, subject to these rules, 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.
- (4) 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 these rules, until the conclusion of the annual general meeting next following the date of the appointment.

16 Election of members

- (1) Nominations of candidates for election as office-bearers of the association or as ordinary members of the committee:
 - (a) must be made in writing or by digitally signed email, signed by 2 members of the association and accompanied by the written or digitally signed email 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 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.

17 Secretary

- (2) the Secretary of the association must, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- (3) It is the duty of the secretary to keep minutes of:
 - (a) all appointments of office-bearers and members of the committee,
 - (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.