

- (d) No suspension of trading rights or order not to trade shall be for a term in excess of three months.
 - (e) Where a Trading Member is not incorporated in New Zealand and its principal place of futures and options trading business is not situated in New Zealand, any order not to trade made under clause 10.1 shall not apply to any trading by that Trading Member which:
 - (i) does not arise out of orders or instructions placed with, or given to, any branch, office or employee of that Trading Member in New Zealand; and
 - (ii) is not transacted on a market in New Zealand; and
 - (iii) is carried on from a place of business of that Trading Member situated outside New Zealand.
- 10.2 (a) Where a Trading Member has been fined, or its trading rights have been suspended, or any order not to trade has been made, pursuant to clause 10.1(c), it may by notice in writing call upon the Board to convene an extraordinary general meeting of Trading Members to consider the penalty imposed. The notice by the Trading Member must be given within three business days after receipt by the Trading Member of notice of the decision of the meeting of the Board at which the penalty is imposed.
- (b) Pending the meeting of Trading Members any suspension or order not to trade may, if so determined by the Board, continue until the meeting of Trading Members, but a Member shall not be required to pay a fine prior to the meeting.
 - (c) At such meeting the chairman, or failing him then a representative of the Board, shall provide a summary of the investigations of the Board, and the Trading Member may address the meeting.
 - (d) Any resolution passed at the meeting which has the effect of varying the decision of the Board made in accordance with clause 10.1(c)(i), (ii) or (iv) shall require the affirmative votes of either:
 - (i) not less than two-thirds of those Trading Members who are present in person or by proxy and entitled to vote; or
 - (ii) not less than half of all the Trading Members entitled to vote;whichever is the greater. Voting shall be by secret ballot.
- 10.3 Subject to clause 10.2(b), failure to pay a fine by a Trading Member within seven days of it being imposed shall result in automatic suspension of the trading rights of such Trading Member until the fine is paid in full. If the fine is not paid within three months of the date of imposition then the Board shall forthwith give notice of an extraordinary general meeting of Trading Members for the purpose of determining whether to expel the defaulting Trading Member. Notwithstanding the decision of the extraordinary general meeting, the Board may pursue payment of the fine by legal action, or