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Thursday 14 June, 2018

General Manager  
Fair Work Commission  
GPO Box 1944  
MELBOURNE VIC 3001

By E-mail: [ros@fwc.gov.au](mailto:ros@fwc.gov.au)

Dear General Manager

**Re: Amendments to Australian Municipal, Administrative, Clerical and Services Union rules**

I submit the following rule changes for certification.

Accordingly, I lodge with this letter a Notice Setting out the Particulars of the Alterations to the Rules of the ASU, Declarations pursuant to Section 159(1) of the Fair Work (Registered Organisations) Act 2009 and Regulation 126 of the Fair Work (Registered Organisations) Regulations 2009.

The rule alteration concerns the National Rules as follows:

1. In PART 1 – CONSTITUTION AND OBJECTS rule 3 – DEFINITIONS sub-rule g. delete the word 'Trustees'.
2. In PART 1 – CONSTITUTION AND OBJECTS rule 3 – DEFINITIONS insert a new sub-rule o. as follows:
  - 'o. "in writing" includes printing, typing, facsimile, text messaging, email, minute taking and other means of representing or reproducing words, figures, drawings or symbols in a visible and tangible or electronic form, in English.'
3. In PART 1 – CONSTITUTION AND OBJECTS rule 3 – DEFINITIONS insert a new sub-rule p. as follows:
  - 'p. "Ordinary Meeting" of the Branch Executive shall mean any one of the minimum number of meetings required each year under the relevant Branch rules.'
4. In PART 1 – CONSTITUTION AND OBJECTS rule 4 – OBJECTS insert a new sub-rule al. as follows:
  - 'al. To cooperate with, promote and assist entities that assist members by:
    - providing, managing and/or growing funds and superannuation; and/or
    - enhancing retirement outcomes;'
5. In PART 1 – CONSTITUTION AND OBJECTS rule 4 – OBJECTS renumber sub-rules 'al. and am' to 'am and an.' respectively.

**Australian  
Services  
Union**

**National Office  
Melbourne & Sydney**

*All correspondence to:*

Ground Floor  
116 Queensberry St  
Carlton South VIC 3053

T: (03) 9342 1400  
F: (03) 9342 1499

E: [info@asu.asn.au](mailto:info@asu.asn.au)  
W: [www.asu.asn.au](http://www.asu.asn.au)

FB: [www.facebook.com/  
australianservicesunion](http://www.facebook.com/australianservicesunion)  
TW: @ASUnion

**National Secretary**  
David Smith

**Assistant National Secretaries**  
Linda White  
Robert Potter

6. In PART 1 – CONSTITUTION AND OBJECTS rule 4 – OBJECTS old sub-rule al., now proposed to be renumbered sub-rule am., delete ‘ak.’ and insert ‘al.’.
7. In PART 1 – CONSTITUTION AND OBJECTS rule 4 – OBJECTS old sub-rule am., now proposed to be renumbered sub-rule an., delete ‘ak.’ and insert ‘al.’.
8. In PART II - GOVERNMENT rule 6 – STRUCTURE sub-rule a. i. delete the words ‘Central and Southern Queensland Clerical and Administrative Branch which, from the first declaration in the 2015 scheduled election, shall be known as the’.
9. In PART II - GOVERNMENT rule 9 – NATIONAL AIRLINES INDUSTRY DIVISION sub-rule b. ii. delete the words ‘Central and Southern Queensland Clerical and Administrative Branch which, from the first declaration in the 2015 scheduled election, shall be known as the’.
10. In PART II - GOVERNMENT rule 9 – NATIONAL AIRLINES INDUSTRY DIVISION sub-rule h. delete the words ‘Central and Southern Queensland Clerical and Administrative Branch which, from the first declaration in the 2015 scheduled election, shall be known as’.
11. In PART III - NATIONAL OFFICERS rule 12 - NATIONAL PRESIDENT insert a new sub-rule b. v. as follows:
  - ‘v. Be responsible for authorising Minutes once adopted by subsequent meetings of the National Conference and National Executive.’
12. In PART III - NATIONAL OFFICERS delete the title ‘12A – DELETED’.
13. In PART IV – FUNDS rule 21 - PROPERTY AND FUNDS sub-rule d. delete the word ‘Executive’ and insert ‘Committee of Management’.
14. In PART IV – FUNDS rule 26 – AUDITOR sub-rule a. delete the words ‘a competent person within the meaning of the Industrial Relations Act 1988’ and insert ‘registered within the meaning of the Act’.
15. In PART IV – FUNDS rule 26 – AUDITOR sub-rule a. after the words ‘Such Auditor shall not be a member’ insert the words ‘, employee or a former officer or partner or relative of officers’.
16. In PART IV – FUNDS rule 26 – AUDITOR sub-rule b. after the words ‘The Auditor shall be deemed to have vacated the position upon death,’ insert the words ‘after five (5) consecutive financial years,’.
17. In PART V – MEMBERSHIP rule 27 – ADMISSION sub-rule g. delete the words ‘of charge a’ and insert ‘an electronic’.
18. In PART V – MEMBERSHIP rule 27 – ADMISSION sub-rule g. after the words ‘Rules of the organisation’ delete the words ‘and if a further copy is required a member may obtain the copy on application to the Branch Secretary and on payment of a sum not exceeding two dollars’ and insert ‘made available on the Union website’.
19. In PART V – MEMBERSHIP rule 27 – ADMISSION sub-rule l. ii. delete ‘19’ and insert ‘18’.
20. In PART V – MEMBERSHIP rule 30 - PURGING OF THE REGISTER sub-rule a. i. delete the number ‘52’ and insert ‘104’.
21. In PART V – MEMBERSHIP rule 33 – LIFE MEMBERSHIP sub-rule c. vii. insert after ‘Australian Shipping and Travel Officers’ Association’ a new line as follows:
 

‘Together Queensland, Industrial Union of Employees’
22. In PART VI – DISCIPLINE rule 36 – MISCONDUCT – MEMBERS sub-rule d. iii. delete the words ‘fifteen dollars’ and insert ‘12 months’ subscription’.

23. In PART VI – DISCIPLINE rule 36 – MISCONDUCT – MEMBERS sub-rule d. v. delete the words ‘Provided that action under paragraph d. hereof shall be taken only on a complaint made -’.
24. In PART VI – DISCIPLINE rule 36 – MISCONDUCT – MEMBERS sub-rule d. v. after the word ‘Union’ delete the colon and insert a full stop.
25. In PART VI – DISCIPLINE rule 36 – MISCONDUCT – MEMBERS sub-rule d. v. delete sub-rules 1. and 2.
26. In PART VI – DISCIPLINE rule 36 – MISCONDUCT – MEMBERS insert new sub-rule e. as follows:
  - ‘e. Provided that action under paragraph d. hereof shall be taken only on a complaint made -
    - i. by a Branch Committee of Management on its own motion; or
    - ii. in writing signed by the complainant lodged with the Secretary of the Branch to which the member complained against is attached, specifying the matter or matters charged, and requesting that the member be expelled.’
27. In PART VI – DISCIPLINE rule 36 – MISCONDUCT – MEMBERS insert new sub-rule f. as follows:
  - ‘f. Provided further that where a complaint is commenced by the Committee of Management of a Branch, on its own motion, the matter or matters the subject of such complaint shall be determined by a meeting of the Branch Council, or where Branch Council is not provided for in the Branch rules, the complaint shall be determined by a special general meeting of the Branch. The provisions of sub-rule c. hereof shall apply, with the necessary changes, to such complaint.’
28. In PART VI – DISCIPLINE rule 36 – MISCONDUCT – MEMBERS renumber sub-rules ‘e. and f’ to ‘g. and h’ respectively.
29. In PART VI – DISCIPLINE rule 36 – MISCONDUCT – MEMBERS old sub-rule e., now proposed to be renumbered sub-rule g., after the word ‘sub-rule’ delete ‘1.’ and insert ‘a.’.
30. In PART VIII – GENERAL delete rule ‘57A – DEFINITIONS’.
31. In PART VIII – GENERAL rule 57B - UNION/BRANCH POLICIES AND PROCEDURES delete ‘57B’ in the title and insert ‘57’.
32. In PART VIII – GENERAL delete rule ‘57C - DISCLOSURE OF OFFICER’S RELEVANT REMUNERATION AND NON-CASH BENEFITS’.
33. In PART VIII – GENERAL delete rule ‘57D - DISCLOSURE OF A BRANCH OFFICER’S RELEVANT REMUNERATION AND NON-CASH BENEFITS’.
34. In PART VIII – GENERAL delete rule ‘57E - DISCLOSURE OF OFFICER’S MATERIAL PERSONAL INTERESTS’.
35. In PART VIII – GENERAL delete rule ‘57F - DISCLOSURE OF A BRANCH OFFICER’S MATERIAL PERSONAL INTERESTS’.
36. In PART VIII – GENERAL delete rule ‘57G. - DISCLOSURE BY UNION OF PAYMENTS’.
37. In PART VIII – GENERAL delete rule ‘57H - DISCLOSURE BY A BRANCH OF PAYMENTS’.
38. In PART VIII – GENERAL delete rule ‘57I – FINANCIAL TRAINING FOR OFFICERS OF UNION’.
39. In PART VIII – GENERAL delete rule ‘57J – FINANCIAL TRAINING FOR OFFICERS OF A BRANCH’.

40. In PART IX – BRANCH RULES DIVISION TWO delete the title, 'CENTRAL & SOUTHERN QUEENSLAND CLERICAL AND ADMINISTRATIVE BRANCH RULES',
41. In PART IX DIVISION TWO delete 'Rules 1 to 27'.
42. In PART IX – BRANCH RULES DIVISION TWO insert 'DELETED'.

If you require further information, please do not hesitate to contact me at this office or John Nucifora [jnucifora@asu.asn.au](mailto:jnucifora@asu.asn.au) tel (03) 9342 1477.

Yours faithfully



Tel: +61 3 9342 1401  
Mobile: 0419 644 238  
E-mail: [dsmith@asu.asn.au](mailto:dsmith@asu.asn.au)

David Smith  
NATIONAL SECRETARY

[enc](#)

**Fair Work (Registered Organisations) Act 2009**

**NOTICE SETTING OUT THE PARTICULARS OF THE ALTERATIONS TO THE RULES OF THE  
AUSTRALIAN MUNICIPAL, ADMINISTRATIVE, CLERICAL AND SERVICES UNION  
REGULATION 126**

**DECLARATION REGULATION 126 (2)**

I, DAVID SMITH, of Ground Floor, 116-124 Queensberry Street, Carlton South, State of Victoria:

1. I am the National Secretary of the Australian Municipal, Administrative, Clerical and Services Union ("ASU"), an organisation of employees registered under the Fair Work (Registered Organisations) Act 2009 ("the Act"). I am authorised to make this statement for and on behalf of the ASU and to sign the "Notice Setting out the Particulars of the Alterations to the Rules of the Union".
2. The particulars set out in this 'Notice Setting out the Particulars of the Alterations to the Rules of the Australian Municipal, Administrative, Clerical and Services Union' dated 14 June 2018, lodged herein are correct.
3. The alterations were made in accordance with the Rules of the ASU.
4. The manner in which compliance with the Rules of the ASU was obtained is as follows:
  - a) At the National Executive meeting on the 13 March 2018, following a report on proposed National Rule changes, the National Executive requested and authorised the National Secretary to progress national rule changes, which included improvements to the practical operation and interpretation of the rules. Therefore in accordance with Rule "49 - RULE ALTERATIONS"; I as National Secretary proposed this rule change be put to a postal vote of the National Executive.
  - b) The intent of the rule changes is to include improvements to the practical operation and interpretation of the rules as follows:
    - Rule 3 – Definitions; in relation to removing obsolete reference to "Trustees"; including modern reference to "In Writing" and clarifying "Ordinary Meeting";
    - Rule 4 – Objects; in relation to promoting and assisting entities that assist members' superannuation and enhance retirement outcomes;
    - Rules 6, 9 & 33 – Updating references to "Qld Together Branch";
    - Rules 12, 21, 26, 27 & 30 – Updating rules as a result of the 2017 amendments to the *Fair Work (Registered Organisations) Act 2009*;
    - Rule 36 – Misconduct – members; clarifying misconduct procedures;
    - Rules 57A and 57C to 57J – Removal of Disclosure Rules as a result of the 2017 amendments to the *Fair Work (Registered Organisations) Act 2009*; and
    - PART IX – BRANCH RULES – Removal of DIVISION TWO: Obsolete Central and Southern Queensland Clerical and Administrative Branch Rules.
  - c) I confirm that on 25 May 2018 a Postal/Fax/E-mail Ballot was submitted to all National Executive members via e-mail and a current copy of the relevant rules with the proposed amendments using tracked changes attached hereto and marked '**Attachment A**'.
  - d) On the 4 June 2018, a total of 124.33 affirmative votes were received. Of the total of 124.33 votes allocated to members of the National Executive in accordance with sub-rule 8c, I declared the vote carried pursuant to sub-rule 8j of the rules of the ASU. Attached hereto and marked '**Attachment B**' is a copy of my correspondence to National Executive members of the 4 June 2018, declaring the result of the ballot.

5. Pursuant to Regulation 126(1)(b) the notice for this rule alteration has been published on the ASU website and can be viewed at [www.asu.asn.au/about/rules](http://www.asu.asn.au/about/rules).
6. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

**DATED:** Thursday 14 June, 2018



David Smith  
NATIONAL SECRETARY

## PART I - CONSTITUTION AND OBJECTS

### 3 - DEFINITIONS

In these rules, unless the context otherwise requires:

- a. Words importing the male gender shall include the female gender and vice versa.
- b. The singular number shall also include the plural number, and the plural number the singular number.
- c. "The Union" shall mean the Australian Municipal, Administrative, Clerical and Services Union.
- d. The Australian Services Union, or the acronym ASU shall mean the trading name and abbreviation respectively of the Australian, Municipal, Administrative, Clerical and Services Union.
- e. "Branch" shall mean a branch of the Australian Municipal, Administrative, Clerical and Services Union.
- f. "National Officers" shall mean the National President, National Vice-President, the National Secretary, and the Assistant National Secretaries.
- g. "Branch Officers" shall mean the President, Deputy President, Vice- President, Executive President, Secretary, Assistant Secretary, Treasurer, ~~Trustees,~~ National Executive Representative, Alternate National Executive Representative, National Conference Delegate or Alternate National Conference Delegate of any Branch of the Union.
- h. "Amalgamation Day" shall mean the date fixed by the Australian Industrial Relations Commission for the amalgamation between the Federated Clerks Union of Australia, the Australian Municipal, Transport, Energy, Water, Ports, Community and Information Services Union, and the Federated Municipal and Shire Council Employees' Union, to take effect.
- i. "The transition period" shall mean the period between amalgamation day and the date of the declaration of the first elections in 1995 held in accordance with Part VII - Elections.
- j. "Airlines Industry" shall mean employers operating as:
  - Domestic or International Carriers;
  - Airfreight Operators;
  - Airport Ground Handling Companies;
  - Privatised Airport Operators;
  - Flight Training; and
  - Any company, corporation, firm or person engaged in or in connection with the transport or carriage by air of passengers and/or goods

including subsidiaries of or related companies to employers operating in the industry.
- k. "Act" means the *Fair Work (Registered Organisations) Act 2009*.
- l. "Joint member" means a member who is a concurrent member of a State Union and the Union and who pays a single subscription.

- m. “State Union”, in relation to an organisation, means:
- i. an association of employees which is registered under a State Act; or
  - ii. an association of employees in Tasmania which is neither registered under this Act nor part of an organisation registered under this Act,
- and for the purposes of this definition “State Act” means:
- iii. the Industrial Relations Act 1996 of New South Wales; or
  - iv. the Industrial Relations Act 1999 of Queensland; or
  - v. the Industrial Relations Act 1979 of Western Australia; or
  - vi. the Industrial and Employee Relations Act 1994 of South Australia; or
  - vii. an act of a State that is prescribed for the purposes of Subdivision B of Chapter 5, Part 2, Division 4 of the Act.
- n. “Subscription/s” means an amount payable by a member in accordance with rule 18.
- o. “in writing” includes printing, typing, facsimile, text messaging, email, minute taking and other means of representing or reproducing words, figures, drawings or symbols in a visible and tangible or electronic form, in English.
- p. “Ordinary Meeting” of the Branch Executive shall mean any one of the minimum number of meetings required each year under the relevant Branch rules.

#### **4 - OBJECTS**

The objects of the Union are :

- a. To uphold the rights of organised labour, to improve, protect and foster the best interests of its members and to subscribe to and/or co-operate with a policy of improving the cultural and living standards of its members.
- b. To watch over, improve, foster and protect the interests of its members;
- c. To obtain and maintain for its members reasonable hours of work and fair wages and industrial conditions;
- d. To obtain preferential treatment for members in all aspects of their employment;
- e. To improve the social and economic position of its members
- f. To assist members or their families in distress;
- g. To formulate and carry into operation schemes for the industrial, social, recreational, intellectual and general advancement of members and to make arrangements with persons engaged in any trade, business, or profession for the provision to the members of the Union of any special benefits, privileges and advantages, in particular in relation to goods and services;
- h. To establish and maintain clubs and other recreational facilities and amenities for the benefit of members, and of their families;
- i. To establish, operate and maintain health services;
- j. To establish funds for the benefit of members, officers and employees or a particular class or group of members, officers and employees;



- k. To establish Branches;
- l. To establish and/or maintain Union and/or labour and trade union journals, newspapers and other publications and radio, television and other electronic broadcasting by any means including but not limited to the purchase of shares in a corporation carrying on such an activity;
- m. To provide information on industrial, economic, social, legal and political matters affecting members;
- n. To assist members in enforcing their rights under any law relating to industrial conciliation or arbitration or compensation for illness or injuries or any other Statutory enactment;
- o. To provide pecuniary, legal and other assistance for securing, protecting and advancing the rights, privileges, benefits, interests and welfare of members and their families and for the conduct of negotiations or any proceedings for the attainment of the objects (including this object) or any one of them of the Union;
- p. To organise the training and education of members;
- q. To assist kindred Unions;
- r. To co-operate, affiliate, federate, amalgamate, merge with or absorb any Association, Organisation or Union of employees whether registered or not pursuant to the Industrial Relations Act (1988) or the industrial law of any State or Territory of Australia;
- s. To establish a fund for the assistance and support of trade unionists;
- t. To affiliate to (and pay affiliation fees in respect thereof) and/or assist financially or otherwise any bona fide labour or trade union organisation or association or representative body or peak council which promotes or protects the cause of labour.
- u. To establish, maintain and/or assist any body, corporation or association concerned with research into the industrial, economic, social, legal and political matters affecting members and the trade union movement;
- v. To provide funds from donations, levies, fines, contributions, fees, interests on capital, and from any other monies from which payments may be made for the purposes of any of these objects;
- w. To invest funds;
- x. To support co-operative ventures generally;
- y. To purchase, take on lease or in exchange, hire or otherwise acquire any real property and in particular any land, buildings, or easements for any purposes relating to the conduct of the Union;
- z. To borrow or raise or secure the payment of money in such manner as the Union or a Branch may think fit, to secure the same, or the repayment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Union or a Branch in any way and to redeem or pay off any such securities;
- aa. 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 Union or of a Branch;

- ab. To protect the interests of the industry;
- ac. To promote industrial peace by all means of conciliation and arbitration;
- ad. To prevent lockouts between employers and members;
- ae. To secure redress for any grievances to which members or any of them may become subject;
- af. To prevent, regulate or restrict the employer's actions or claims to dismiss or refuse to employ or reinstate in employment, in all appropriate cases;
- ag. To make donations to bona fide charitable purposes;
- ah. To create and promote equality of opportunity in employment and promotion within employment;
- ai. To act as agent for and on behalf of members or non members in a manner consistent with these objects and the rules and in the interests of members and to do all things necessary and incidental thereto;
- aj. To promote the participation of women in the Union, and to encourage their representation in its elected offices;
- ak. To enter into agreements with State Unions in respect of Joint Members to improve efficiency of administration and effectiveness of representation;
- al. To cooperate with, promote and assist entities that assist members by:
  - : providing, managing and/or growing funds and superannuation; and/or
  - : enhancing retirement outcomes;
- ~~al.~~ am. To undertake and do all such acts matter and things as may be necessary, incidental or conducive to the attainment of the objects a. to ~~ak~~al. or any of them; and
- ~~am.~~ an. Each of the objects a. ~~ak~~al. may be applied separately and without limitation.

## PART II – GOVERNMENT

### 6 - STRUCTURE

- a. Members of the Union shall be attached to one of the following Branches in accordance with Rule 10:
- i. ~~Central and Southern Queensland Clerical and Administrative Branch which, from the first declaration in the 2015 scheduled election, shall be known as the~~ Queensland Together Branch.
  - ii. Western Australian Branch
  - iii. Taxation Officers' Branch
  - iv. New South Wales and ACT (Services) Branch
  - v. Queensland (Services and Northern Administrative) Branch
  - vi. South Australian and Northern Territory Branch
  - vii. New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Branch;
  - viii. Victorian and Tasmanian Authorities and Services Branch;
  - ix. Victorian Private Sector Branch.

### 9 - NATIONAL AIRLINES INDUSTRY DIVISION

- b. The National Airlines Industry Division shall be constituted by members employed or engaged in the Airlines Industry in the following Branches:
- i. Queensland (Services and Northern Administrative) Branch
  - ii. ~~Central and Southern Queensland Clerical and Administrative Branch which, from the first declaration in the 2015 scheduled election, shall be known as the~~ Queensland Together Branch.
  - iii. New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Branch;
  - iv. Victorian and Tasmanian Authorities and Services Branch
  - v. Western Australian Branch
  - vi. New South Wales and ACT (Services) Branch
  - vii. Victorian Private Sector Branch
  - viii. South Australian and Northern Territory Branch.
- h. The National Airlines Industry Division Council shall consist of thirty two (32) delegates nominated by the Branches as follows:

<b>Branch:</b>	<b>No. of delegates:</b>
Queensland (Services and Northern Administrative)	1
<del>Central and Southern Queensland Clerical and Administrative which, from the first declaration in the 2015 scheduled election, shall be known as</del> Queensland Together.	5
New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities	5
Victorian and Tasmanian Authorities and Services	1
Western Australian	2
New South Wales and ACT (Services)	8
Victorian Private Sector	8
South Australian and Northern Territory	2

### **PART III - NATIONAL OFFICERS**

#### **12 - NATIONAL PRESIDENT**

- a. There shall be a National President elected each four years in accordance with Part VII.
- b. The National President shall:
  - i. Be the Chairperson of meetings of the National Conference and National Executive when present and preserve order thereat so that business may be conducted in due form with propriety and in conformity with the standing orders.
  - ii. Be Chairperson of meetings of members or representatives of the Union from more than one Branch of the Union when present at such a meeting, unless the National President declines.
  - iii. Not be a full time Officer or employee of the National Executive.
  - iv. Be consulted by the National Secretary pursuant to these Rules.
  - v. Be responsible for authorising Minutes once adopted by subsequent meetings of the National Conference and National Executive.

~~**12A**~~ ~~**DELETED**~~

## PART IV – FUNDS

### 21 - PROPERTY AND FUNDS

- d. Branches may collect or receive income on behalf of the Union, and may retain income, and assets derived therefrom, for their own expenses, which shall constitute the Branch Fund, and shall be under the control, custody, administration and management in all respects of the Branch ~~Executive~~ Committee of Management, or such other body as may be prescribed in the Branch Rules, subject to the following:

### 26 - AUDITOR

- a. An Auditor, who shall be ~~a competent person within the meaning of the Industrial Relations Act 1988~~ registered within the meaning of the Act, shall be appointed by the National Executive, and each Branch, to audit financial records and/or statements of account at least once each year.

Such Auditor shall not be a member, employee or a former officer or partner or relative of officers of the Union, and shall:

- i. Audit the books and see that same are correctly kept.
  - ii. Have full and free access to all books, vouchers and documents belonging to the Union.
  - iii. Make a report of each audit to the National Executive and sign the balance sheet.
- b. The Auditor shall be deemed to have vacated the position upon death, after five (5) consecutive financial years, or becoming of unsound mind, or on receipt by the Executive of notice in writing of a signed resignation; and the Executive may terminate the services of the Auditor at any time by a resolution passed by an absolute majority of the members of the Executive at a meeting thereof.

## PART V - MEMBERSHIP

### 27 – ADMISSION

- a. (i) Subject to Rule 51 and 56, an applicant for admission shall:
- make an application in writing to the Branch Secretary that includes the applicant's residential address and the name of their employer; or
  - make an application by telephone that includes advice to the Branch of the applicant's residential address and the name of their employer; or
  - make an application by electronic means that includes advice to the Branch of the applicant's residential address and the name of their employer.
- (ii) The application shall be considered by the Branch Secretary when received, and unless referred by the Branch Secretary to the next meeting of the Branch Executive, the applicant shall be and be deemed to be a member of the organisation from the date of receipt of the application by the Branch or the Branch Secretary.
- (iii) an application for membership may, in the one application, be made jointly with the State Union.
- b. The obligations set out herein of the Branch Secretary, insofar as they apply to the New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Branch shall apply with the necessary changes to the sub-branch Secretary, and the obligations of the Committee of Management of the Branch, shall apply with the necessary changes to the Executive of any sub-Branch within the aforementioned Branch.
- c. An application for membership referred by a Branch Secretary to the Branch Executive shall be considered by the Branch Executive which may accept, reject or defer the application. If accepted the applicant shall be and be deemed to be a member in accordance with paragraph a. herein. If rejected the applicant shall be deemed never to have been a member of the organisation.
- d. The Branch Secretary shall report all applications for membership to the next ordinary meeting of the Branch Executive.
- e. An applicant whose application for membership has been rejected or deferred may appeal to the National Executive whose decision shall be final.
- f. The Branch Secretary shall keep or cause to be kept a copy of all applications for membership. Where an application was received by telephone or electronic means, the Secretary shall keep or cause to be kept a record of the application.
- g. Each applicant for membership whose application is accepted shall be entitled to receive free ~~of charge~~ an electronic copy of the Rules of the organisation ~~and if a further copy is required a member may obtain the copy on application to the Branch Secretary and on payment of a sum not exceeding two dollars~~ made available on the Union website.
- l. Associate Membership.
- i. Any member of the Union who ceases to be eligible for membership, may, upon application to the Branch Secretary, become an Associate Member.

- ii. An Associate Member shall pay such fee as specified in Rule ~~49~~18.
- iii. An Associate Member shall not be entitled to vote in any election or ballot conducted within the Union, or to nominate any persons to hold any office within the Union, or to hold any office within the Union, but shall otherwise receive such benefits of membership of the Union as may be determined from time to time by National Conference, National Executive and Branch Executive.
- iv. An Associate Member who becomes eligible for membership of the Union shall not be entitled to remain an Associate Member and shall revert to the status of full membership.
- v. An Associate Member may resign membership of the Union in accordance with Rule 32.

### **30 - PURGING OF THE REGISTER**

- a. Each Branch Secretary shall from time to time as directed by the Branch Executive strike off the Register of Members the names of all members who satisfy the following criteria:
  - i. All members owing subscriptions fines or levies for a period of ~~52~~104 weeks or more, provided that members so struck off shall not be free from liability for arrears due.
  - ii. Any or all members who have ceased to be eligible for membership under Rule 5 of these rules.
  - iii. Notwithstanding anything in these rules, if the Branch Executive is satisfied that a member has ceased to be eligible under the rules of the Union to be a member of the Union, by reason of ceasing to work in the industry or industries specified in Rule 5 or otherwise, the Branch Executive may declare that such person shall cease to be a member of the Union. Where such persons owe money to the Union they shall be liable to pay immediately all subscriptions, levies and fines due and owing to the Union, and, in default of payment, may be sued for any outstanding amounts.
- b. The Branch Secretary shall give a member fourteen days' notice in writing to the member's last address shown on the Register of Members of the intention to strike the name off the Register.
- c. Any member whose name has been so removed from the Register shall thereupon cease to be a member of the Union or to have any of the rightful privileges of membership.
- d. Any such person shall be liable to pay all such contributions, subscriptions, dues, fines or levies and any other monies due to the Union up to the date of the removal of the member's name from the Register.

### **33 - LIFE MEMBERSHIP**

#### **Award to Members**

- a. All awards of Life Membership, Honorary Membership, Certificates or medals for distinguished or meritorious service by whatever name and whatsoever nature, conferred or recognised by rules of the Australian Services Union, the Federated Clerks Union of Australia or the Federated Municipal and Shire Council Employee's Union of Australia shall, as from amalgamation day, be recognised as awards of the Union.
- b. All rights and privileges accorded to members with awards referred to in sub - clause a. shall be recognised by the Union.

c. The following awards may be conferred on members of the Union as hereinafter provided:

i. Life Membership of the Union

National Conference may confer Life Membership of the Union on a member or former member, who has been a member of the Union for 20 years, or who has held a National Office or a Branch Office for 10 years or has given outstanding service to the Union in any capacity.

ii. Life Membership of a Branch

The Branch Council, (or the governing body of a Branch) may confer Life Membership of the Branch on any member or former member, in accordance with the Rules of the Branch, or upon a member or former member who has completed 20 years of membership, or who has given outstanding service to the Branch in any capacity.

iii. Rights of Life Members

Life Members of the Union or any Branch, from the date upon which Life Membership is conferred, shall not be obliged to pay contributions or levies and shall have full membership rights within the Union and be treated as though they were financial for all purposes of the Rules. Provided that persons who were former members at the time of the conferring of Life Membership, and were or remain otherwise ineligible for membership of the Union, shall not be eligible to vote in Elections, or to nominate or stand for any office within the Union.

iv. Other Awards

Branches may have Rules which provide Branch Council (or the governing body of the Branch) with the right to confer certificates or medals or other awards which recognise distinguished or meritorious service to the Branch upon the criteria determined by the Branch. Members who receive such awards shall not be exempt from any payments, contributions or levies due to the Union from time to time.

v. Revocation of Awards

National Conference may remove Life Membership of the Union, and Branch Council (or the governing body of a Branch) may remove Life Membership of the Branch, or other awards conferred by the Branch, provided that such removal is proposed by notice of motion at least 3 months prior to the meeting of Conference or Council at which the issue is to be determined, and not less than three quarters of the delegates or members of the Conference or Council as the case may be vote in favour.

vi. Life Membership - holding of office

Life Members of the Union and Life Members of a Branch shall continue to be recognised and treated as life members in all respects and for all purposes of the Rules provided that they may not nominate for any office nor vote in any election unless at the time of nomination they are regularly working in an occupation or industry that would make them eligible for membership of the Union and attachment to the relevant Branch, as the case may be.



c. vii. Past Membership

For the purposes of years of membership, or years in office in this Rule membership of and the holding of office in:

Municipal Officers Association of Australia

Australian Transport Officers Federation

Technical Service Guild of Australia

Australian Social Welfare Union

Australian Municipal, Transport, Energy, Water, Ports, Community and Information Services Union

Federated Clerks Union of Australia

Federated Municipal and Shire Council Employees Union

Australian Shipping and Travel Officers' Association

[Together Queensland, Industrial Union of Employees](#)

shall be treated, as membership of, and the holding of office in the Union.

## **PART VI – DISCIPLINE**

### **36 - MISCONDUCT - MEMBERS**

- a. Any member may charge any other member with;
  - i. contravening or failing to observe any of these rules for breach of which no penalty is prescribed by the particular rules; or
  - ii. knowingly contravening or failing to observe any lawful direction or resolution of any council or body constituted by or pursuant to these rules; or
  - iii. knowingly contravening or failing to observe any lawful and reasonable direction given by any officer of the Union or Branch thereof; or
  - iv. any dereliction of any duty imposed on a member by these rules; or
  - v. misappropriation or misapplication of any of the funds or property of the Union; or
  - vi. divulging the Union's correspondence or business to persons not entitled to know the same; or
  - vii. making false statements or giving false information in relation to the affairs of the Union or Branch thereof; or
  - viii. wilfully misrepresenting the affairs of the Union or Branch thereof; or
  - ix. conniving at any of the foregoing offences being committed by any other person; or
  - x. abusive or disorderly conduct at any meeting held under the rules of the Union or a Branch or in any office of the Union or a Branch or towards any officer or employee of the Union or a branch acting in the course of duties.
- b. Action under sub-rule a. hereof shall be commenced by complaint in writing signed by the complainant and lodged with the Branch Secretary of the Branch to which the member complained against is attached and shall specify the matter or matters charged.
- c. The Branch Secretary shall summon a member charged before the Committee of Management of the Branch and such Branch member shall receive from the Branch Secretary at least fourteen days before the meeting of the Committee of Management of the Branch notice of the complaint (including the matter or matters charged) and notice of the date, time and place of such meeting. The complainant and the member charged shall be entitled to be present at such meeting and to be heard.
- d. If the Branch finds a member guilty of any offence mentioned in sub-rule a. hereof it may do one or more of the following:
  - i. Impose no penalty.
  - ii. Impose a censure.
  - iii. Fine such member any sum not exceeding ~~fifteen dollars~~ 12 months' subscription.

iv. Suspend from membership or deprive the person of any right or benefit of membership for any specified period or until the happening of any specified event or until the performance of any specified act. Suspension from membership shall deprive a member of benefits of membership but shall not relieve them of the obligations of membership and shall not exceed six months for any one offence. If the specified event has not occurred or the specified act has not been done at the expiration of six months from the date of suspension, the suspension shall then lapse.

v. Expel such member from the Union: ~~Provided that action under paragraph d. hereof shall be taken only on a complaint made -~~

~~1. by a Branch Committee of Management on its own motion; or~~

~~2. in writing signed by the complainant lodged with the Secretary of the Branch to which the member complained against is attached, specifying the matter or matters charged, and requesting that the member be expelled. Provided further that where a complaint is commenced by the Committee of Management of a Branch on its own motion the matter or matters the subject of such complaint shall be determined by Conference or a meeting of the Branch respectively and the provisions of sub-rule c. hereof shall apply, with the necessary changes, to such complaint.~~

e. Provided that action under paragraph d. hereof shall be taken only on a complaint made -

i. by a Branch Committee of Management on its own motion; or

ii. in writing signed by the complainant lodged with the Secretary of the Branch to which the member complained against is attached, specifying the matter or matters charged, and requesting that the member be expelled.

f. Provided further that where a complaint is commenced by the Committee of Management of a Branch, on its own motion, the matter or matters the subject of such complaint shall be determined by a meeting of the Branch Council, or where Branch Council is not provided for in the Branch rules, the complaint shall be determined by a special general meeting of the Branch. The provisions of sub-rule c. hereof shall apply, with the necessary changes, to such complaint.

e.g. Any member found guilty of any offence mentioned in sub-rule ~~4.a.~~ may appeal to the National Executive and such appeal shall be by notice in writing and shall be submitted to the National Secretary within fourteen (14) calendar days of being found guilty of any offence. The National Executive from time to time may prescribe the form of any Notice of Appeal.

f.h. Whilst the appeal to the National Executive is pending decision the subject of the appeal is stayed.

## PART VIII – GENERAL

### ~~57A – DEFINITIONS~~

~~a. The following definitions apply to rules 57A–57J:~~

- ~~i “Act” means the *Fair Work (Registered Organisations) Act 2009*;~~
- ~~ii “board” means a group of persons who supervise, govern or otherwise have oversight of a corporation, organisation, association or other like body including a Board of Directors;~~
- ~~iii “branch” means a branch, sub-branch, division, sub-division, network or section of the Union that contains an office, within the meaning of section 9 of the Act to which officers are elected or appointed.;~~
- ~~iv “disclosure period” for the purpose of rules 57A–57J means the financial year unless a shorter period is specified;~~
- ~~v “declared person or body” means a person is a declared person or body if:
  - ~~1. an officer of the Union or a branch has disclosed a material personal interest under rules 57E or 57F; and~~
  - ~~2. the interest relates to, or is in, the person or body; and~~
  - ~~3. the officer has not notified the Union or branch, as the case may be, that the officer no longer has the interest;~~~~
- ~~vi “financial duties” includes duties that relate to the financial management of the Union or a branch;~~
- ~~vii “General Manager” means the general manager of the Fair Work Commission;~~
- ~~viii “non-cash benefit” means property or services in any form other than money, but does not include a computer, mobile phone or other electronic device that is used only or mainly for work purposes;~~
- ~~ix “peak council” has the same meaning as defined by section 12 of the Fair Work Act 2009;~~
- ~~x “office” has the same meaning as defined by section 9 of the Act;~~
- ~~xi “officer” has the same meaning as defined by section 6 of the Act;~~
- ~~xii “related party” has the same meaning as defined by section 9B of the Act;~~
- ~~xiii “relative” in relation to a person, means:
  - ~~1. parent, step parent, child, stepchild, grandparent, grandchild, brother or sister of the person; or~~
  - ~~2. the spouse of the first mentioned person;~~~~
- ~~xiv “relevant remuneration” in relation to an officer of the Union or a branch for a disclosure period is the sum of the following:~~

- ~~1. any remuneration disclosed to the Union and/or a branch by the officer under rules 57C or 57D, as the case may be, during the disclosure period;~~
- ~~2. any remuneration paid during the disclosure period, to the officer of the Union or a branch, by the Union or the branch;~~

~~xv “relevant non-cash benefits” in relation to an officer of the Union or a branch for a disclosure period means the non-cash benefits provided to the officer, at any time during the disclosure period, in connection with the performance of the officer’s duties as an officer, by the Union or a branch or by a related party of the Union or a branch;~~

~~xvi “remuneration”:~~

- ~~1. includes pay, wages, salary, fees, allowances, leave, benefits or other entitlements; but~~
- ~~2. does not include a non-cash benefit; and~~
- ~~3. does not include the reimbursement or payment of reasonable expenses for the costs incurred in the course of the officer carrying out the officers’ duties.~~

### **57B57 - UNION/BRANCH POLICIES AND PROCEDURES**

- a. The Union shall develop and implement policies and procedures relating to the expenditure of the Union and the branches.
- b. A branch shall develop and implement policies and procedures relating to the expenditure of that branch.
- c. Despite sub-rule b., where a branch has not implemented policies and procedures relating to the expenditure of the branch in accordance with sub-rule b., then the policies and procedures developed and implemented by the Union in respect of its branches and in accordance with sub-rule a. shall apply to the branch.

### **~~57C - DISCLOSURE OF OFFICER’S RELEVANT REMUNERATION AND NON-CASH BENEFITS~~**

- ~~a. Each officer of the Union shall disclose to the Union any remuneration paid to the officer:
  - ~~i because the officer is a member of a board, if:
    - ~~1. the officer is a member of the board only because the officer is an officer of the Union; or~~
    - ~~2. the officer was nominated for the position as a member of the board by the Union, a branch, or a peak council; or~~~~
  - ~~ii by any related party of the Union in connection with the performance of the officers’ duties as an officer.~~~~
- ~~b. The disclosure required by sub-rule a. shall be made to the Union:
  - ~~i as soon as practicable after the remuneration is paid to the officer; and~~
  - ~~ii in writing.~~~~
- ~~e. The Union shall disclose to the members of the Union and the branches:~~

- ~~i — the identity of the officers who are the five highest paid in terms of relevant remuneration for the disclosure period; and~~
- ~~ii — for those officers:
  - ~~1. — the actual amount of the officers' relevant remuneration for the disclosure period; and~~
  - ~~2. — either the value of the officers' relevant non-cash benefits, or the form of the officers' relevant non-cash benefits, for the disclosure period.~~~~
- ~~d. — For the purposes of sub-rule c., the disclosure shall be made:
  - ~~i — in relation to each financial year;~~
  - ~~ii — within six months after the end of the financial year; and~~
  - ~~iii — in writing.~~~~

**~~57D — DISCLOSURE OF A BRANCH OFFICER'S RELEVANT REMUNERATION AND NON-CASH BENEFITS~~**

- ~~a. — Each officer of a branch shall disclose to the branch any remuneration paid to the officer:
  - ~~i — because the officer is a member of a board, if:
    - ~~1. — the officer is a member of the board only because the officer is an officer of the branch; or~~
    - ~~2. — the officer was nominated for the position as a member of the board by the Union, the branch or a peak council; or~~~~
  - ~~ii — by any related party of the branch in connection with the performance of the officer's duties as an officer.~~~~
- ~~b. — The disclosure required by sub-rule a. shall be made to the branch:
  - ~~i — as soon as practicable after the remuneration is paid to the officer; and~~
  - ~~ii — in writing.~~~~
- ~~c. — A branch shall disclose to the members of the branch:
  - ~~i — the identity of the officers who are the two highest paid officers of the branch in terms of relevant remuneration for the disclosure period; and~~
  - ~~ii — for those officers:
    - ~~1. — the actual amount of the officers' relevant remuneration for the disclosure period; and~~
    - ~~2. — either the value of the officers' relevant non-cash benefits, or the form of the officers' relevant non-cash benefits, for the disclosure period.~~~~~~
- ~~d. — For the purposes of sub-rule c., the disclosure shall be made:
  - ~~i — in relation to each financial year;~~~~

~~ii — within six months after the end of the financial year; and~~

~~iii — in writing.~~

~~**57E — DISCLOSURE OF OFFICER’S MATERIAL PERSONAL INTERESTS**~~

~~a. — Each officer of the Union shall disclose to the Union any material personal interest in a matter that:~~

~~i — the officer has or acquires; or~~

~~ii — a relative of the officer has or acquires,~~

~~that relates to the affairs of the Union.~~

~~b. — The disclosure required by sub-rule a. shall be made to the Union:~~

~~i — as soon as practicable after the interest is acquired; and~~

~~ii — in writing.~~

~~c. — The Union shall disclose to the members of the Union and the branches any interests disclosed to the Union pursuant to sub-rule a.~~

~~d. — For the purposes of sub-rule c., the disclosures shall be made:~~

~~i — in relation to each financial year;~~

~~ii — within six months after the end of the financial year; and~~

~~iii — in writing.~~

~~**57F — DISCLOSURE OF A BRANCH OFFICER’S MATERIAL PERSONAL INTERESTS**~~

~~a. — Each officer of a branch shall disclose to the branch any material personal interest in a matter that:~~

~~i — the officer has or acquires; or~~

~~ii — a relative of the officer has or acquires,~~

~~that relates to the affairs of the branch.~~

~~b. — The disclosure required by sub-rule a. shall be made to the branch:~~

~~i — as soon as practicable after the interest is acquired; and~~

~~ii — in writing.~~

~~c. — The branch shall disclose to the members of the branch any interests disclosed to the branch pursuant to sub-rule a.~~

~~d. — For the purposes of sub-rule c., the disclosures shall be made:~~

~~i — in relation to each financial year;~~

- ~~ii — within six months after the end of the financial year; and~~
- ~~iii — in writing.~~

#### ~~57G. — DISCLOSURE BY UNION OF PAYMENTS~~

~~a. — The Union shall disclose to the members of the Union and its branches either:~~

~~i — each payment made by the Union, during the disclosure period to a:~~

- ~~1. — related party of the Union or a branch; or~~
- ~~2. — declared person or body of the Union or a branch; or~~

~~ii — the total of the payments made by the Union, during the disclosure period to:~~

- ~~1. — each related party of the Union; or~~
- ~~2. — each declared person or body of the Union.~~

~~b. — Sub rule a. does not apply to a payment made to a related party if:~~

~~i — the related party is an officer of the Union or branch (as the case may be) and the payment:~~

- ~~1. — consists of remuneration paid to the officer by the Union or the branch (as the case may be); or~~
- ~~2. — is reimbursement for expenses reasonably incurred by the officer in performing the officer's duties as an officer; or~~

~~ii — the related party is an officer or employee of the Union or the branch (as the case may be) and the payment consists of amounts deducted by the Union from remuneration payable to officers or employees of the Union.~~

~~c. — For the purposes of sub rule a., the disclosures shall be made:~~

- ~~i — in relation to each financial year;~~
- ~~ii — within six months after the end of the financial year; and~~
- ~~iii — in writing.~~

#### ~~57H — DISCLOSURE BY A BRANCH OF PAYMENTS~~

~~a. — A branch shall disclose to the members of the branch either:~~

~~i — each payment made by the branch, during the disclosure period to a:~~

- ~~1. — related party of the branch; or~~
- ~~2. — declared person or body of the branch; or~~

~~ii — the total of the payments made by the branch, during the disclosure period to:~~

- ~~1. — each related party of the branch; or~~
- ~~2. — each declared person or body of the branch.~~



- ~~b. Sub rule a. does not apply to a payment made to a related party if:~~
- ~~i the related party is an officer of the Union or branch (as the case may be) and the payment:
    - ~~1. consists of remuneration paid to the officer by the Union or the branch (as the case may be); or~~
    - ~~2. is reimbursement for expenses reasonably incurred by the officer in performing the officer's duties as an officer; or~~~~
  - ~~ii the related party is an officer or employee of the Union or the branch (as the case may be) and the payment consists of amounts deducted by the Union from remuneration payable to officers or employees of the Union.~~
- ~~e. For the purposes of sub rule a., the disclosures shall be made:~~
- ~~i in relation to each financial year;~~
  - ~~ii within six months after the end of the financial year; and~~
  - ~~iii in writing.~~

#### ~~57I FINANCIAL TRAINING FOR OFFICERS OF UNION~~

- ~~a. Each officer of the Union whose duties include duties relating to the financial management of the Union must undertake training that:~~
- ~~i is approved by the General Manager, in accordance with section 154C of the Act;~~
  - ~~ii covers each of the officers' financial duties; and~~
  - ~~iii is completed within six (6) months of the date the officer begins to hold an office.~~

#### ~~57J FINANCIAL TRAINING FOR OFFICERS OF A BRANCH~~

- ~~a. Each officer of a Branch whose duties include duties relating to the financial management of the branch must undertake training that:~~
- ~~i is approved by the general manager, in accordance with section 154C of the Act;~~
  - ~~ii covers each of the officers' financial duties; and~~
  - ~~iii is completed within six (6) months of the date the officer begins to hold an office.~~

## **PART IX – BRANCH RULES**

### **DIVISION TWO**

#### **~~CENTRAL & SOUTHERN QUEENSLAND CLERICAL AND ADMINISTRATIVE BRANCH RULES~~**

##### **~~1 – NAME OF UNION~~**

~~The name of the Branch shall be the Central & Southern Queensland Clerical and Administrative Branch of the Australian Municipal, Administrative, Clerical and Services Union.~~

##### **~~2 – REGISTERED OFFICE~~**

~~The registered office of the Branch shall be situated at Albert Monk Centre, 29 Amelia Street, Fortitude Valley, or such other place as is determined by Branch Conference, Branch Council or Branch Executive from time to time.~~

##### **~~3 – BRANCH EXECUTIVE~~**

- ~~a. — The Branch Executive shall be the Committee of Management of the Branch and shall consist of the President, Vice President, Branch Secretary, Assistant Branch Secretary and six (6) further members, those six (6) members being elected by and from members of Branch Council.~~
- ~~b. — The six (6) Branch Executive members to be elected in accordance with a. hereof, shall be elected in every fourth year in accordance with these Rules, provided that:~~
- ~~i. — Nominations shall be called one (1) week prior to the first Branch Council meeting to be held after the elections prescribed in Rule 18 and shall close at noon on the first day of Branch Council.~~
  - ~~ii. — Only members of Branch Council may nominate or be nominated.~~
  - ~~iii. — Only members of Branch Council may vote in the election.~~

~~Such election shall be conducted in accordance with rule 41 of the National Rules.~~

##### **~~4 – POWERS AND DUTIES OF BRANCH EXECUTIVE~~**

~~The Branch Executive shall, subject to a review of its actions by Branch Conference and Branch Council, have the care control custody superintendence management and administration, in all respects of the affairs, business, funds and property of the Branch, and without limiting the generality of the foregoing:~~

- ~~a. — It may engage and dismiss all paid servants of the Branch, other than the Auditor and pay such salaries and allowances as it may deem proper.~~
- ~~b. — It shall be responsible for organising the Branch and may establish Sections and Sub branches, and may disband, amalgamate or re-organise such Sections or Sub branches.~~
- ~~c. — It may conduct the affairs of any Section or Sub branch until it is sufficiently organised to conduct its own affairs, or during any period that a Section or Sub branch is being re-organised.~~

- d. ~~It may appoint Stewards, office representatives and authorised collectors of the Branch and may dispense with their services.~~
- e. ~~It may demand, sue for, recover and keep possession of all books, accounts and other property of the Branch.~~
- f. ~~It may submit any question to Branch Conference or Branch Council.~~
- g. ~~Subject to the National Rules it may initiate, control and manage all actions, proceedings, claims, industrial disputes and other matters, appoint agents, solicitors or counsel to represent the Union or any of its members in arbitral, legal, or other proceedings.~~
- h. ~~Subject to the National Rules, it may enter into any industrial agreement on behalf of the Union.~~
- i. ~~It may set up Office Committees consisting of two to five members willing to act in such capacity. Such Committees shall assist in improving wages and conditions, promote Union policy, and shall be elected by the members in the establishment concerned.~~
- j. ~~It may conduct an enquiry into any matter affecting the Branch. It shall have the power to summon any member to appear before it.~~
- k. ~~Meetings of Branch Executive shall be held as decided, or when called by the President, or within one week of a written request by four Branch Executive members.~~
- l. ~~Five Branch Executive members shall form a quorum.~~

#### **~~5—BRANCH COUNCIL~~**

- a. ~~The Branch Council shall consist of a Branch President, Branch Vice President, Branch Secretary, and Assistant Branch Secretary, together with sixteen Council District or Industry Representatives, elected in each fourth year as provided by Rule 18.~~
- b. ~~For the purpose of the management of the Branch, which shall comprise that portion of the State along or south of a line commencing at the junction of the sea coast with the 22nd degree 30 minute parallel of south latitude; thence by that parallel of latitude due west to the western border of the State, it shall be divided into the following districts or industries:~~
  - ~~Brisbane Metropolitan District; Southern and Western District (Ipswich, Toowoomba and Warwick); Central and Central West District (Rockhampton, Mt. Morgan and Gladstone); Wide Bay District (Maryborough and Bundaberg); Gold Coast District; Brisbane City Council District; Airlines District; Universities District; and Regional Health Authorities District.~~
  - ~~All members employed in the Southern and Western District; Central and Central West District and Wide Bay District and Gold Coast District shall be eligible for election of District Representatives in their respective districts of employment only: District or Industry Representatives from Airlines; Universities; and Regional Health Authorities shall be employed in the Metropolitan area.~~
- e. ~~The Branch President, Branch Vice President, Branch Secretary and Assistant Branch Secretary shall be elected in every fourth year as provided by Rule 18 hereof. Representatives numbering four (4) from Metropolitan District; two (2) from Southern and Western District; two (2) from Central and Central West District; one (1) from Wide Bay District; one (1) from Gold Coast District; one (1) from Brisbane City Council District; two (2) from Airlines District; two (2)~~

~~from Universities District; one (1) from Regional Health Authorities District shall be elected in every fourth year as provided by Rule 18 hereof.~~

- ~~d. The Branch Council may, where the number of members in a workplace, section or industry group region exceeds 600 members, alter the rules to create a new District consisting of those members. However the Branch Council, in creating a new District which is based on employees in a workplace, section, or industry group, must do so on the basis that the employees in and representatives from that new District shall be employed in the Metropolitan area.~~

~~Further, where the number of members in a District referred to in sub rule b. is less than 500 members, the Branch Council may amend these rules to dissolve that District. When dissolving a District, the Branch Council may amend the rules to make any necessary or consequential changes to the boundaries of any other District.~~

~~The following shall be the boundaries of the various districts:-~~

- ~~i. CENTRAL AND CENTRAL WEST DISTRICT: Rockhampton and all towns west thereof on the main line to Longreach, together with those towns on the branch lines to Aramac, Yarak, Clermont, Blair Athol, Springsure, Theodore, Monto and Gladstone and those towns on the main northern line as far south as Miriamvale and as far north as Ogmoo.~~

~~The main towns in this district are as follows: Rockhampton, Emerald, Springsure, Clermont, Jericho, Blackall, Barealdine, Aramac, Longreach, Mt. Morgan, Rannes, Theodore, Monto, Miriamvale, Gladstone, Biloela and Blair Athol.~~

- ~~ii. WIDE BAY DISTRICT: Those towns on the main line south of Miriamvale to Bundaberg. From Bundaberg to Mt. Perry. Those towns south of Monto to Maryborough, including Childers. Those towns south of Maryborough to Nanango and on the main line to Kilooy and Caboolture.~~

~~The main towns in this district are as follows: Bundaberg, Mt. Perry, Eidsvold, Mundubbera, Gayndah, Biggenden, Childers, Howard, Maryborough, Tiaro, Theebine, Kilkivan, Murgon, Wondai, Kingaroy, Nanango, Gympie, Cooran, Pomona, Nambour, Woombye, Landsborough, Kilooy, Woodford, Caboolture.~~

- ~~iii. SOUTHERN AND WESTERN DISTRICT: Ipswich and those towns north thereof to Yarraman; south thereof to Boonah and all towns on the main western line and branches thereof, including the branch lines to Wallangarra and Dirranbandi, and all other towns west of Ipswich, not included in the abovementioned districts.~~

~~The main towns in this district are as follows: Ipswich, Yarraman, Toogoolawah, Esk, Harrisville, Beaudesert, Boonah, Rosewood, Laidley, Gatton, Helidon, Toowoomba, Greenmount, Clifton, Allora, Warwick, Killarney, Stanthorpe, Wallangarra, Inglewood, Goondiwindi, Dirranbandi, Millmerran, Pittsworth, Oakey, Dalby, Chinchilla, Miles, Taroom, Roma, Surat, St. George, Mitchell, Morven, Charleville, Cunnamulla, Quilpie.~~

- ~~iv. GOLD COAST DISTRICT: Gold Coast and those towns south of Beenleigh to the New South Wales Border, and west to the borders of South and South West District boundaries.~~

~~The main towns in this District are Beenleigh, Gold Coast.~~

- ~~v. METROPOLITAN: The Metropolitan areas shall, apart from Brisbane, consist of all towns south of Caboolture to Beenleigh and towns east of Ipswich.~~

## ~~6 – POWERS AND DUTIES OF BRANCH COUNCIL~~

The Powers and Duties of Branch Council shall be as follows:

- ~~a. — Branch Council shall meet at least three times a year, provided that extraordinary meetings may be held as hereinafter provided.~~
- ~~b. — Branch Council shall, between meetings of Branch Conference, govern the Branch and shall have powers, authorities, functions and duties of Branch Conference.~~
- ~~c. — It shall have power to decide all questions of policy and give directions to Branch Executive or refer issues to Branch Conference.~~
- ~~d. — It shall hear appeals by Sections, Sub Branches or members and make a determination or refer to Branch Conference.~~
- ~~e. — It shall fix, reduce increase or alter, the salaries and allowances of each and every officer of the Branch.~~
- ~~f. — It shall receive and consider Auditor's reports.~~
- ~~g. — It may exercise the powers and functions of the Branch Executive.~~
- ~~h. — It shall fix the expenses and allowances payable to all delegates and representatives, and it shall receive and consider such reports from delegates as it may determine.~~
- ~~i. — It shall elect or appoint delegates, and decide questions of affiliation; provided that where Branch Council elects delegates at a meeting reasonable provision shall be made for absentee voting.~~
- ~~j. — The business of Branch Council shall be limited to matters appearing on the agenda paper, or any matter or report referred to it by Branch Conference or Branch Executive. Provided that additional items may be added to the agenda if agreed by four fifths of the members of Branch Council.~~
- ~~k. — It may dismiss any servant of the Branch.~~
- ~~l. — It may set up committees of members of the Branch for any special purpose.~~
- ~~m. — It may establish or maintain a Mortuary Fund and make by laws for the operation of the Fund, and for the payment of benefits from the Fund.~~
- ~~n. — A member of Branch Council may at any time attend meetings of any Sub branch or Section or Committee thereof and shall be entitled to exercise all rights contained in the Standing Orders, except that of voting.~~
- ~~o. — It may determine the rate of annual subscriptions, and the method of payment of those subscriptions, including the power to fix a moratorium period for the payment of such subscriptions.~~
- ~~p. — Nine members of Branch Council shall form a quorum.~~

- ~~q. Extraordinary meetings of Branch Council may be called by the Branch President, or any member of the Branch Executive authorised by resolution to do so, or upon a written request of four members of Branch Council, specifying the business to be dealt with, provided that such request is circulated to all Branch Councillors and a majority agree in writing to the holding of such meeting. Any meeting so requested and agreed shall be called by the President. Extraordinary meetings shall be held within fourteen days of the issuing of the notice to Branch Council members, and the agenda shall be limited to the business specified in the notice.~~
- ~~r. Questions may be submitted by Branch Executive, or by any two Branch Councillors moving and seconding a motion, by letter or telegram and the decision of the majority of members of Branch Council so taken shall be as valid and binding for all purposes as though taken at a meeting of the Branch Council. Provided that if within a period of fourteen days from the despatch of the letter or telegram, a resolution has not been determined in accordance with the foregoing provision, the resolution shall be determined in accordance with the majority of opinions expressed, provided further that no less than eleven (11) votes are returned, and shall thereupon become a resolution of the Branch Council.~~

### ~~7— THE BRANCH CONFERENCE~~

- ~~a. The supreme government of the Branch shall be vested in the Branch Conference, which shall consist of the Branch Council and sixteen Conference District or Industry representatives.~~
- ~~b. District representatives numbering four (4) from Metropolitan District; two (2) from Southern and Western District; two (2) from Central and Central West District; one (1) from Wide Bay District; one (1) from Gold Coast District; one (1) from Brisbane City Council District; two (2) from Airlines District; two (2) from Universities District; one (1) from Regional Health Authorities District shall be elected in every fourth year as provided by Rule 18 hereof.~~

~~The boundaries of the Districts shall be as provided for in Sub Rule 5(d).~~

~~However, this rule is subject to sub rule 5(d), which empowers the Branch Council to dissolve and create Districts, and make necessary or consequential changes to the boundaries of any other District.~~

### ~~8— POWERS AND DUTIES OF BRANCH CONFERENCE~~

- ~~a. Branch Conference shall meet at least one time per year, provided that extraordinary meetings may be held as hereinafter provided.~~
- ~~b. In addition to powers elsewhere conferred on it by these Rules Branch Conference shall have the general management and control of the affairs of the Branch. Unless specific provision is made to the contrary it shall have the powers conferred by these Rules on the Branch Council and it shall have all such powers and authorities as are necessary or convenient for carrying into effect these Rules and the objects of the Union.~~
- ~~c. Branch Conference may exercise any power conferred on it by these Rules notwithstanding that the Branch Council has exercised a like power in the same matter, and where a decision of Branch Conference is inconsistent with a decision of the Branch Council, the decision of the Branch Conference shall prevail.~~
- ~~d. The business of Branch Conference shall be limited to matters appearing on the agenda paper, or any matter or report referred to it by Branch Executive or Branch Council. Provided that additional items may be added to the agenda if agreed by four fifths of the members of Branch Conference.~~

~~e. Seventeen members of Branch Conference shall form a quorum.~~

~~f. Extraordinary meetings of Branch Conference may be called by the Branch President, or any member of the Branch Executive authorised by resolution to do so, or upon a written request of eight members of Branch Conference, specifying the business to be dealt with, provided that such request is circulated to all Branch Conference members and a majority agree in writing to the holding of such meeting. Any meeting so requested and agreed shall be called by the President. Extraordinary meetings shall be held within fourteen days of the issuing of the notice to Branch Conference members, and the agenda shall be limited to the business specified in the notice.~~

## ~~9 BRANCH OFFICERS~~

~~The Branch President, Branch Vice President, Branch Secretary and the Assistant Branch Secretary shall be Branch Officers and shall be responsible for all such matters as may be referred to them by Branch Conference and/or Branch Council and/or Branch Executive provided that any action or decisions taken by them in the performance of such commission remain subject to the endorsement of Branch Conference and/or Branch Council.~~

## ~~10 BRANCH PRESIDENT~~

~~The Branch President when available shall preside at all meetings of Branch Conference, Branch Council, Branch Executive, and all Sub Committees thereof, but shall not be entitled to exercise a deliberative vote at any of these meetings. However, in the event of the voting being equal at these meetings she/he shall exercise a casting vote. She/he shall be entitled to a vote in all ballots for election and for appointments made by Branch Conference and/or Branch Council.~~

~~On all matters requiring decision between meetings of Branch Conference and/or Branch Council and/or Branch Executive, the Branch President shall confer with such of the Branch Officers who are available, and shall then give such directions consistent with Branch Rules and Policy, as she/he and these Branch Officers shall determine to be warranted subject to ratification by Branch Executive.~~

~~The Branch President shall generally enforce the Rules and lawful Resolutions of the Branch. When available, she/he shall sign all cheques. She/he shall have authority to suspend any employee, provided within seven (7) days of such suspension, a full report covering grounds for suspension shall be submitted to a special meeting of the Branch Executive. Branch Executive shall have power to confirm or remove such suspension.~~

## ~~11 BRANCH VICE PRESIDENT~~

~~The duties of the Branch Vice President shall be to assist the Branch President in her/his powers and duties under these rules and/or deputise for the Branch President and in her/his absence shall, when available, preside over all meetings of Branch Conference, Branch Council, Branch Executive and Sub Committees with like power and under similar conditions.~~

~~The Branch Vice President shall be an ex-officio member of all Sub Committees and shall be entitled to exercise a primary vote at any of the above meetings except when she/he is occupying the Chair; in which event, if voting be equal, she/he shall only exercise a casting vote.~~

~~The Branch Vice President shall exercise the powers and duties under these Rules of the Branch President:~~

~~i. in the absence from duty of the Branch President;~~

- ii. ~~when the Branch President is acting for the Branch Secretary;~~
- iii. ~~pending the filling of a vacancy in the position of Branch President.~~

## **~~12 – BRANCH SECRETARY~~**

- a. ~~The Branch Secretary may resign from the said office by giving one calendar month's notice in writing to the Branch President of her/his intention to do so, and upon the acceptance of her/his resignation all documents and property of the Union in her/his power or control shall be delivered by her/him to the Branch President or such person as may be authorised by the Branch Conference or Branch Council to receive delivery of same.~~
- b. ~~The Branch Secretary shall, whenever possible, attend all meetings of Branch Conference, Branch Council, Branch Executive, and Sub Committees thereof, and shall have the right to attend any meeting of a Sub branch or Section.~~
- e. ~~The Branch Secretary shall:~~
  - i. ~~Keep or cause to be kept a correct register of members of the Branch.~~
  - ii. ~~Prepare books of account showing the receipts and expenditure of the Branch, and, where necessary, separate accounts of receipts from all Sub branches or Sections.~~
  - iii. ~~Keep or cause to be kept correct records of all moneys received or paid on account of any particular Fund; and separate accounts of all contributions and expenses, as required by the Industrial Relations Act 1988 as amended.~~
  - iv. ~~Bank forthwith all moneys of the Branch received by her/him in the Bank, as provided for in Rule 26 of these Rules.~~
  - v. ~~Endorse all vouchers for payment, certifying to their correctness, and shall prepare and submit, on or before the thirty first day of January of each year, to the Auditor or Auditors an annual Balance Sheet setting out the true position of the affairs of the Branch as at the 31st December of the preceding year.~~
  - vi. ~~Submit, half yearly, to Branch Council, a statement of receipts and payments.~~
  - vii. ~~See that all accounts shall be paid by cheque, signed by the persons as authorised under Rule 26 of these Rules.~~
  - viii. ~~Arrange that all correspondence be efficiently conducted.~~
  - ix. ~~When called upon to do so, prepare and present all necessary returns and reports.~~
  - x. ~~Be responsible for the preparation of all necessary material required for applications to Industrial Tribunals, and shall when required present the cases on behalf of the Union to such Tribunals.~~
  - xi. ~~Have power to inspect and examine all books and documents of any Sub branch or Section.~~
  - xii. ~~See that all members of the staff carry out their duties in a proper and efficient manner.~~



- ~~xiii. Cause to be kept all Minutes of all meetings of the Branch Conference, Branch Council, Branch Executive, Sub-branches, Sections and Committees.~~
- ~~xiv. Be the Officer to sue and prosecute or to be sued and prosecuted on behalf of the Branch.~~
- ~~d. The Branch Secretary shall be the first National Executive Representative and the first National Conference delegate for the Branch.~~

### ~~13 ASSISTANT BRANCH SECRETARY~~

- ~~a. The Assistant Branch Secretary shall assist the Branch Secretary and shall act in the place of the Branch Secretary:
  - ~~i. in the absence from duty of the Branch Secretary;~~
  - ~~ii. when and to the extent and/or for the purposes the Assistant Branch Secretary is directed by Branch Council; or~~
  - ~~iii. pending the filling of a vacancy in the position of Branch Secretary;~~and the term "Branch Secretary" in these Rules shall, except where the context otherwise requires, include the Assistant Branch Secretary when so acting.~~
- ~~b. The Assistant Branch Secretary shall have the right to attend any meeting of Sub-branches or Sections.~~
- ~~e. The Assistant Branch Secretary shall submit to each meeting of Branch Council, and, as required, to each Branch Executive Meeting, a written report of all work performed.~~

### ~~14 TRUSTEES~~

~~The Branch Council shall elect two of its members to act as Trustees and they shall hold office only while members of the Branch Council. Such Trustees shall, from time to time, be responsible for the investment of any funds of the Branch as directed by the Branch Council. Provided that invested funds may only be withdrawn with the consent of the Trustees, and subject to Rule 26.~~

~~Such election shall be conducted in accordance with Sub rule 41 e. and Schedule B of the National Rules.~~

### ~~15 SUB-BRANCHES OR SECTIONS~~

- ~~a. Sub-branches or Sections may be formed by the Branch Executive to assist in conducting the affairs of the Branch.~~
- ~~b. Subject to the approval of Branch Conference or Branch Council, Sub-branches or Sections may have by laws for the conduct of their business and to provide for office bearers including a President and a Secretary.~~
- ~~c. If in the opinion of the President of a Sub-branch or Section such Sub-branch or Section is being improperly conducted, she/he shall immediately submit in writing her/his report and recommendations to the Branch President. If called upon at any time by the Branch Conference or Branch Council or Branch Executive to report on any matter affecting her/his Sub-branch or Section, she/he shall forward such report to the Branch Secretary immediately.~~

- ~~d. — No Sub Branch or Section shall have power to determine policy or to perform functions in relation to the enforcement of rules or to exercise any of the functions of management.~~
- ~~e. — The functions of Sub Branches and Sections shall be to formulate, discuss and prepare claims in relation to industrial matters affecting members in the Sub Branch or Section concerned. All such claims shall be submitted to the Branch Executive for consideration and appropriate action if considered necessary by the Branch Conference, Branch Council or Branch Executive.~~

#### ~~16—SUB-BRANCH SECRETARIES~~

~~The Sub-branch Secretary shall:~~

- ~~i. — Keep a register of all members employed in such District.~~
- ~~ii. — Enrol new members and issue them with official or interim receipts, and be responsible for all moneys collected from them.~~
- ~~iii. — Deposit all moneys collected by her/him in the Bank, as provided for in Rule 26, as soon as practicable after receiving such moneys, and not later than seven (7) days after receipt thereof.~~
- ~~iv. — Attend to all correspondence dealing with all matters affecting her/his Sub-branch or District.~~
- ~~v. — Record all moneys received and expended by her/him on behalf of the Union, and shall forward monthly a statement of such receipts and expenditure, supported where necessary by vouchers, and be recouped on a Petty Cash imprest system.~~
- ~~vi. — Attend all meetings of the Sub-branch to which she/he is attached, and she/he shall be entitled to vote at such meetings.~~
- ~~vii. — Report, in writing, to the Branch Secretary on any disputes, or on matters requiring the attention of the Branch Secretary.~~
- ~~viii. — Be responsible for any property held by her/him on behalf of the Branch, and shall return such property immediately when called upon by Branch Conference, Branch Council or Branch Executive to do so.~~

#### ~~17—AUDITOR~~

~~The Branch Council shall appoint an Auditor.~~

#### ~~18—BRANCH ELECTIONS~~

- ~~a. — Commencing in 1995 and thereafter in every fourth year an election shall be held for the purpose of electing the following:~~
- ~~1. — Branch President~~
  - ~~2. — Branch Vice President~~
  - ~~3. — Branch Secretary/First National Executive Representative/First National Conference Representative;~~
  - ~~4. — District or Industry Representatives who are required to come from and be elected by the Districts or Industries.~~

- ~~5. National Conference Delegates~~
- ~~6. National Executive Representative or Representatives~~
- ~~7. The Alternate National Executive Representative~~
- ~~8. First, Second and Third Alternate National Conference Delegates.~~

- ~~b. Commencing from the elections due in 1999, and then in every fourth year thereafter, an election shall be held for the purpose of electing the Assistant Branch Secretary.~~
- ~~c. Prior to the elections referred to in b., an election shall be held for the purpose of electing a person to the office of Assistant Branch Secretary.~~
- ~~d. Prior to the elections due in 1999, elections are to be held to elect:
  - ~~i. a person from that District to the office of Council District Representative to Branch Council; and~~
  - ~~ii. a person from that District to the office of Conference District Representative to Branch Conference,~~for the Suncorp Metway District.~~
- ~~e. Nominations for the offices in the elections referred to in d. and e. shall be called within one month of registration of the relevant Rule changes. The elections shall be conducted in accordance with the Rules with the necessary changes.~~

#### ~~19 BRANCH RETURNING OFFICER~~

- ~~a. A Branch Returning Officer shall be appointed by the Branch Council at its first meeting immediately subsequent to each Branch election, and shall hold office until her/his successor is appointed.~~
- ~~b. The Branch Returning Officer shall not be the holder of any other office in, and shall not be an employee of, the Union, or a Branch, or any section, or division thereof.~~

#### ~~20 TENURE OF OFFICE~~

~~A member elected by a District shall automatically vacate her/his position on Branch Conference or Branch Council immediately the member is not employed in the District for which the member is elected, and the Branch Council shall fill the vacancy in accordance with the Rules.~~

#### ~~21 RETIREMENT MEMBERSHIP~~

~~Notwithstanding any of the provisions of these Rules, a member who has been a financial member of the Branch for a period of fifteen (15) years and has retired from full time employment, may, upon application and at the discretion of Branch Conference, Branch Council and/or Branch Executive be granted entitlement to Retirement Membership of the Branch (including mortuary benefits), provided always that such privilege shall apply only while such member remains in retirement. Provided further, Retirement Membership may be granted by Branch Conference, Branch Council or Branch Executive, to any applicant who retires from work because of ill health or because of early retirement provided they have been a member of the Branch for 15 years.~~

~~Retirement membership shall entitle members to such benefits as Branch Conference, Branch Council may from time to time determine, provided that they shall not be entitled to vote in any elections.~~

## ~~22—EXECUTION OF INSTRUMENTS~~

~~Subject to the National Rules any agreement or other instrument relating to industrial matters in an industry in which there is not an Award governing such matters may be entered into and executed and may from time to time be altered, varied, modified or cancelled by and on behalf of the Union by the Secretary or person acting in the position of Secretary after such agreement or instrument has been approved by the Branch Executive or Branch Council or Branch Conference.~~

~~Provided that if the document concerns members of the Branch it shall not be entered into until approved by an overall majority of members voting at meetings called for the purpose of obtaining approval of the matter.~~

## ~~23—BANKING~~

~~All moneys received on behalf of the Union shall be deposited with the Commonwealth Bank of Australia, or such other Bank as may be determined by Branch Conference or Branch Council, or such major Permanent Building Society and/or registered Credit Union as may be authorised from time to time by National Executive.~~

~~The Branch President, Branch Vice President, and Branch Secretary and Assistant Branch Secretary shall be the persons authorised to operate on such account and the signatures of any two shall be the only accredited authority for payment from such account.~~

~~All deposits other than in the Branch General Account shall only be made on the signatures of any two of the above signatories.~~

## ~~24—CASUAL VACANCIES~~

~~a. — A casual vacancy shall occur in any office within the Branch where the holder of an office dies, resigns, is removed from office or ceases to hold office.~~

~~b. — Where a casual vacancy occurs in the office of any Branch Officer, or of any Branch Conference member or any Branch Councillor, which Conference member or Councillor is elected by the whole of the membership, and the unexpired portion of the term of the office is equal to or less than—~~

~~i. — 12 months; or~~

~~ii. — three quarters of the term of the office,~~

~~whichever, is the greater, the Branch Secretary shall immediately report such vacancy to the Branch Executive and any such vacancy in the office of a Branch Officer shall be filled by an appointment made by Branch Council. The appointment is to be made by Branch Council electing a person to the vacancy.~~

~~In order that Branch Council can make the appointment to the vacant position, the Branch Secretary shall notify the Returning Officer of the vacancy forthwith. The Returning Officer shall—~~

~~(1) — call for nominations by notice to the members of the Branch Council (where the vacancy is in a Branch Executive office elected by Branch Council) or to the whole of the membership (where the vacancy is in an office elected by the whole of the membership), as the case may be, within 7 days of being so notified;~~

- ~~(2) — close nominations 14 days after they have been called;~~
- ~~(3) — dispatch ballot papers to members of the Branch Council, if necessary, within 7 days of the close of nominations;~~
- ~~(4) — close the ballot 7 days after ballot papers have been dispatched;~~
- ~~(5) — count the votes;~~
- ~~(6) — in the case of an equality of votes for any two or more candidates, determine the matter by lot;~~
- ~~(7) — declare the result of the election in writing to the Branch Secretary immediately after the count has been concluded, and the person so elected shall assume office as from the date of the declaration of the result of the ballot.~~

~~Only financial members eligible in accordance with these Rules shall be eligible for nomination.~~

- ~~e. — Where a casual vacancy occurs in the office of any Branch Conference member or Branch Councillor elected by a District and the unexpired portion of the term of the office is equal to or less than
  - ~~i. — 12 months; or~~
  - ~~ii. — three quarters of the term of the office,~~~~

~~whichever is the greater, the Branch Secretary shall immediately report any such vacancy to the Branch Executive and shall notify the Returning Officer. The Branch Council is to appoint a person to the vacant office by the following means. Upon being so notified the Returning Officer shall conduct an election by the members of Branch Council from the financial members in the District by which that Branch Conference member or Branch Councillor was elected to fill the vacancy such election to be held, so far as is practical and with the necessary changes, in accordance with the provisions of Sub Rule b, hereof. In particular, the procedure in b.(1) is to be modified, so that only financial members in the District which elected the Conference member or Councillor to the vacant position are eligible to nominate.~~

- ~~d. — A casual vacancy occurring in any office within the Branch where the unexpired portion of the term of the office is more than:
  - ~~i. — 12 months; or~~
  - ~~ii. — three quarters of the term of office;~~~~

~~whichever is the greater, is to be filled by an ordinary election for that office, conducted in accordance with these Rules, with the necessary changes.~~

- ~~e. — Any member elected to fill any casual vacancy in accordance with the provisions of this rule shall hold office only until her/his successor, declared elected in the next ordinary election for the office in question, assumes office. At such next ordinary election, any member who was so elected to fill an casual vacancy in the office, if otherwise qualified, shall be eligible to be a candidate.~~

## ~~25 – QUORUMS~~

~~A majority of members of a Committee, Section Executive or Sub-committee shall form a quorum. A Quorum for Section or Sub-branch meetings shall be, where the number of members eligible to attend is less than two hundred: five financial members; is more than two hundred: eight financial members.~~

## ~~26 – ALTERATIONS AND AMENDMENTS~~

~~These rules may be amended by a meeting of Branch Council, or by a postal vote of Branch Councillors, provided seven (7) days' notice of motion in writing, of the specific amendment, has been given to the Branch Secretary.~~

~~The Branch Secretary, upon receipt of such Notice of Motion shall thereupon forward to all Branch Councillors a copy of such proposed changes.~~

~~Upon the expiration of the seven (7) days' notice of motion the Secretary shall cause a vote on such amendments to be taken by Branch Council in session, or by postal vote, to determine such proposed changes:~~

~~Provided Branch Council at the first meeting after the Branch elections may make such changes without seven (7) days' notice having been given.~~

~~No alteration of these Rules shall be effective unless and until the approval of National Executive to each such alteration has been sought and obtained.~~

## ~~27 – GENERAL MEETINGS~~

~~a. A General Meeting of members of the Branch shall be held if:~~

~~i. The Branch Executive so determines, or~~

~~ii. A request to summon a General Meeting for the purpose of considering the Auditor's Report, the General Purpose Financial Report and the Operating Report, is received by the Branch Secretary within 5 months after the end of the financial year, bearing the name, address and signature of five percent of the members of the Branch.~~

~~b. Where a General Meeting is to be held in accordance with sub-rule a. the Branch Secretary shall cause notice of not less than seven days and not more than twenty one days to be given to members by newspaper advertisement setting out the time and place of the meeting and the business of the meeting.~~

~~c. The quorum for a General meeting of the Branch shall be five percent of the members of the Branch, or five hundred members, whichever is the lesser.~~

~~**DELETED**~~



A•S•U

File/Our Ref: DS/db 12.21  
Your Ref:  
Please quote in reply

Monday 4 June, 2018

TO: All National Executive Members  
As addressed

By E-mail

Dear National Executive Member

**Postal/Fax/Email Vote No. 04/2018  
Proposed National rule changes**

The result of the e-mail ballot submitted to members of National Executive via e-mail on 25 May 2018, regarding the above is as follows:

A total of 124.33 affirmative votes were received from:

- |                 |                  |
|-----------------|------------------|
| David Smith     | Lynette Henson   |
| Linda White     | Abbie Spencer    |
| Robert Potter   | Scott Cowen      |
| Alex Scott      | Jeff Lapidus     |
| Irene Monro     | Ancel Greenwood  |
| Judith Wright   | Michelle Jackson |
| Angus McFarland | Lisa Darmanin    |
| Graeme Kelly    | Wendy Phillips   |
| Stephen Birney  | Ingrid Stitt     |
| Sharon Sewell   | David Leydon     |
| Neil Henderson  | Paul O'Neill     |
| Jennifer Thomas | Wayne Wood       |

No negative votes were received. I advise that National Executive E-mail Vote No. 04/2018 is carried.

Yours faithfully

David Smith  
NATIONAL SECRETARY

Tel: +61 3 9342 1401  
Mobile: 0419 644 238  
E-mail: [dsmith@asu.asn.au](mailto:dsmith@asu.asn.au)

**Australian  
Services  
Union**

**National Office  
Melbourne & Sydney**

*All correspondence to:*

Ground Floor  
116 Queensberry St  
Carlton South VIC 3053

T: (03) 9342 1400  
F: (03) 9342 1499

E: [info@asu.asn.au](mailto:info@asu.asn.au)  
W: [www.asu.asn.au](http://www.asu.asn.au)

FB: [www.facebook.com/australianservicesunion](http://www.facebook.com/australianservicesunion)  
TW: @ASUnion

**National Secretary  
David Smith**

**Assistant National Secretaries  
Linda White  
Robert Potter**