



A•S•U

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Monday 30 July, 2018

General Manager
Fair Work Commission
GPO Box 1944
MELBOURNE VIC 3001

By E-mail: 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 Rule DIVISION NINE - VICTORIAN AND TASMANIAN AUTHORITIES AND SERVICES BRANCH as follows:

1. In Rule 5 – BRANCH EXECUTIVE sub-rule b. after the words 'The Branch Executive shall' insert the words ', subject to sub-rule c.'
2. In Rule 5 – BRANCH EXECUTIVE sub-rule b. after the words 'Branch Secretary' insert the words ' Deputy Branch Secretary, Assistant Branch Secretary (2),'
3. In Rule 5 – BRANCH EXECUTIVE insert a new sub-rule c. as follows:
 - 'c. Notwithstanding the other provisions of these Branch Rules, from the declaration of results of the election to be held in 2019, there shall be not less than two (2) officers on Branch Executive who are employed or usually employed in, and reside in, Tasmania.
 - i. To ensure compliance with sub-rule 5 c., nominations will be called in each Quadrennial Election for two (2) Branch Executive Member (Tasmania) to be elected by, and from, Financial Members who are employed or usually employed in, and reside in, Tasmania.
 - ii. Financial Members elected as Branch Executive Member (Tasmania) are only elected to an office and will only become members of Branch Executive in the event that, at the declaration of the election, the number of Tasmanian members elected to the offices on Branch Executive, set out at sub-rule 5 b., does not equal or exceed the number required by the relevant provision of sub-rule 5 c.
 - iii. In the event that, at the declaration of the election, the number of Tasmanian members elected to the offices on Branch Executive set out at sub-rule 5 b. is less than two (2), the Returning Officer will declare elected Branch Executive Member (Tasmania), beginning with the candidate who polled the greatest number of votes for Branch Executive Member (Tasmania), and declaring elected further such candidates in order of the greatest number of votes received, until the required number of offices are filled by Tasmanian members in accordance with sub-rule 5 c.'

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Union**

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**National Secretary
David Smith**

**Assistant National Secretaries
Linda White
Robert Potter**

4. In Rule 5 - BRANCH EXECUTIVE renumber c. to d.
5. In Rule 5 - BRANCH EXECUTIVE insert a new sub-rule e, the second paragraph in the old sub-rule c. now proposed to be sub-rule d., as follows:
 - 'e. Only members below the age of 30 years on the day on which nominations close shall be eligible to be nominated for the office of Branch Executive Member (Youth).'
6. In Rule 5 - BRANCH EXECUTIVE renumber the old sub-rule e. to f.
7. Delete Rule 5A – TRANSITIONAL RULE – BRANCH EXECUTIVE and insert as follows:

'5A - TRANSITIONAL RULE - BRANCH EXECUTIVE

Notwithstanding any other provision of these Rules, until the declaration of the poll in the elections to be conducted in the Branch in 2019, the Branch Executive shall consist of the Branch President, Branch Senior Vice President, Branch Vice President (Women), Branch Executive President, Branch Secretary, Branch Executive Member (Youth) and Branch Executive Members from the following Industry Divisions:

Local Authorities – 8 (4 of whom shall be women)

Social and Community Services – 3 (2 of whom shall be women)

Water and Energy – 2 (1 of whom shall be a woman)

Information Technologies, Transport, Shipping and Travel, Clerical and Administrative and Airlines – 1.'

8. Insert a new Rule 6A as follows:

'6A – BRANCH SUB-COMMITTEES

- a. The Branch Executive may establish or revoke Branch sub-committees.
- b. A determination of a Branch sub-committee does not bind the Branch Executive and is recommendatory only.
- c. A Branch sub-committee can only consider the matters referred to it by the Branch Executive.
- d. The Branch Executive will determine the Branch Executive members (if any) who will comprise a Branch sub-committee.
- e. Sub-rule d. does not prevent the Branch Executive from appointing a Financial Member, with the member's consent, to a Branch sub-committee.
- f. Sub-rule d. does not prevent the Branch Executive determining to:
 - i. appoint a professional advisor to assist a Branch sub-committee; and
 - ii. pay the professional advisor an appropriate fee subject to policy binding the ASU in respect of the Branch.
- g. The Branch Secretary and the Branch Executive President are entitled to be a member of a Branch sub-committee.
- h. A Branch sub-committee is responsible to, and under the control of, the Branch Executive.
- i. A Branch sub-committee must regularly report to the Branch Executive.'

9. In Rule 7 – MEETINGS OF BRANCH EXECUTIVE insert a new sub-rule l. as follows:
 - l. An out of session ballot of the Branch Executive:
 - i. may be conducted when the Branch Secretary or Branch Executive President determines that a matter needs to be dealt with expeditiously by a ballot of the Branch Executive;
 - ii. is to be conducted by means of:
 - post;
 - E-mail;
 - other print/electronic communication; and/or
 - a mixture of those means,
 - and when conducted:
 - iii. the Branch Secretary or Branch Executive President determining to conduct the ballot will also determine a time limit in which the ballots must be received but which will be not less than 14 days; provided that a shorter time limit for email ballots may be determined but which will be not less than 3 days; and
 - iv. the determination of the ballot will, unless these rules otherwise require, be by simple majority of the votes cast.
10. In Rule 8 – BRANCH EMPLOYEES after the words ‘The Branch Executive may’ insert the words ‘, on behalf of the Branch,’.
11. Delete Rule 9A – TRANSITIONAL RULE - BRANCH CONFERENCE.
12. Delete the paragraph in Rule 12 – NATIONAL EXECUTIVE REPRESENTATIVES and insert as follows:

‘The Branch shall be represented on the National Executive by National Executive Representatives, as determined by National Rule 8, who shall exercise an equal proportion of the votes as determined by National Rule 7 and National Rule 10. The First National Executive Representative shall be the Branch Secretary. The Second National Executive Representative shall be the Branch Executive President. The other National Executive Representative shall be elected every four (4) years by the financial members of the Branch.’
13. In Rule 14 - NATIONAL CONFERENCE DELEGATES sub-rule a. after the words ‘The Branch shall be represented on National Conference by the’ insert the words ‘National Executive Representatives,’.
14. In Rule 14 - NATIONAL CONFERENCE DELEGATES sub-rule a. after the words ‘Branch Vice-President (Women),’ delete the words ‘Branch Secretary, Branch Executive President,’.
15. In Rule 14 - NATIONAL CONFERENCE DELEGATES sub-rule a. after the words ‘Branch Vice-President (Women),’ insert the words ‘Deputy Branch Secretary, Assistant Branch Secretary (2).’
16. In Rule 19 - BRANCH EXECUTIVE PRESIDENT AND BRANCH SECRETARY insert a new sub-rule c. as follows:
 - c. Notwithstanding any other provision of these rules, in the absence of the Branch Secretary, the Branch Executive can temporarily appoint the Branch Executive President to perform the duties of the Branch Secretary.’
17. In Rule 19 - BRANCH EXECUTIVE PRESIDENT AND BRANCH SECRETARY renumber old sub-rule c. to d.

18. Insert a new Rule 20A – DEPUTY BRANCH SECRETARY as follows:

‘20A - DEPUTY BRANCH SECRETARY

- a. Commencing on the date of certification of this rule there shall be a position of Deputy Branch Secretary.
- b. On certification of this rule the Branch Executive shall appoint a member to the position of Deputy Branch Secretary.
- c. In the 2019 Branch Quadrennial Elections an election will be conducted for the office of Deputy Branch Secretary.
- d. On, and from, the date of declaration of the Branch offices in the 2019 Branch Quadrennial Elections there shall be an office of Deputy Branch Secretary.
- e. The rights of the Deputy Branch Secretary contained in sub-rules i. and j. do not apply until a Deputy Branch Secretary is declared elected, and holds office, in accordance with this rule.
- f. From the election held in 2019 the office of Deputy Branch Secretary shall be elected every four years by, and from, the financial members of the Branch.
- g. The Deputy Branch Secretary shall assist the Branch Secretary and the Branch Executive President and shall carry out the directions of the Branch Secretary and/or the Branch Executive President in the absence of the Branch Secretary.
- h. When the office of Branch Secretary or the Branch Executive President is:
 - i. temporarily vacant as the respective officer is absent or unable to perform the functions of their office; or
 - ii. casually vacant in accordance with these rules and the process of filling that vacancy has commenced; and
 - iii. the Branch Secretary (in the case of a temporary absence of the Branch Executive President) or the Branch Executive President (in the case of a temporary absence of the Branch Secretary) considers that the operations of the Branch will be unacceptably hindered by the temporary absence,then the Branch Secretary or the Branch Executive President, as the case may be, shall appoint the Deputy Branch Secretary to perform the functions of the respective office until the office is no longer temporarily vacant or a person is elected to the casual vacancy as the case may be.
- i. When the offices of Branch Secretary and the Branch Executive President are both:
 - i. temporarily vacant as the officers are absent or unable to perform the functions of their office; or
 - ii. casually vacant in accordance with these rules and the process of filling those vacancies has commenced,then the Branch Executive shall appoint the Deputy Branch Secretary to perform the functions of the Branch Secretary until the office is no longer temporarily vacant or a person is elected to the casual vacancy, as the case may be.
- j. When the Deputy Branch Secretary is temporarily performing the functions of an officer in accordance with sub-rule 20A h. or i. the Deputy Branch Secretary shall:
 - i. have all the powers and duties of that office; and

- ii. not hold a further vote other than the vote that the Deputy Branch Secretary held (if any) prior to being temporarily appointed.
 - k. Terms and elections for the Deputy Branch Secretary will be aligned with terms and elections for other offices.'
19. Insert a new Rule 20B – ASSISTANT BRANCH SECRETARIES as follows:

'20B - ASSISTANT BRANCH SECRETARIES

- a. In the 2019 Branch Quadrennial Elections an election will be conducted for two (2) offices of Assistant Branch Secretary.
 - b. On, and from, the date of declaration of the Branch offices in the 2019 Branch Quadrennial Elections there shall be two (2) Assistant Branch Secretaries.
 - c. From the election held in 2019, the two (2) offices of Assistant Branch Secretary shall be elected every four (4) years by, and from, the financial members of the Branch.
 - d. The Assistant Branch Secretaries shall assist the Branch Secretary and Branch Executive President and shall carry out the directions of the Branch Secretary and/or the Branch Executive President in the absence of the Branch Secretary.
 - e. In circumstances where:
 - i. the Branch Executive considers that the operations of the Branch will be unacceptably hindered by the temporary absence of the Branch Executive President; and
 - ii. the Deputy Branch Secretary has been appointed to perform the duties of the Branch Secretary in accordance with 20A h.;
- the Branch Executive shall appoint an Assistant Branch Secretary to perform the functions of the Branch Executive President until the office is no longer temporarily vacant or a person is elected to the casual vacancy as the case may be.
- f. When the office of Deputy Branch Secretary is:
 - i. temporarily vacant as the officer is absent or unable to perform the functions of their office; or
 - ii. casually vacant in accordance with these rules; and
 - iii. where sub-rule 20A i. would otherwise apply,

an Assistant Branch Secretary shall be appointed in accordance with 20A i. as if he or she were Deputy Branch Secretary.
 - g. In circumstances where:
 - i. the Branch Executive considers that the operations of the Branch will be unacceptably hindered by the temporary absence of the Branch Executive President; and
 - ii. an Assistant Branch Secretary has been appointed to perform the duties of the Branch Secretary in accordance with sub-rule 20B f.;

the Branch Executive shall appoint the remaining Assistant Branch Secretary to perform the functions of the Branch Executive President until the office is no longer temporarily vacant or a person is elected to the casual vacancy as the case may be.'

20. Insert a new Rule 20C – AFFIRMATIVE ACTION as follows:

'20C – Affirmative Action

- a. At least one woman must hold an office of Deputy Branch Secretary or Assistant Branch Secretary.
- b. For the purposes of paragraph a., at each Quadrennial Election the declaration of the elections for the offices of Deputy Branch Secretary and Assistant Branch Secretary shall occur in the following order:
 - i. Deputy Branch Secretary;
 - ii. Assistant Branch Secretary (for the purposes of this sub-rule 'first office'); and
 - iii. Assistant Branch Secretary (for the purposes of this sub-rule 'second office').
- c. Where male candidates have been declared elected to the offices of Deputy Branch Secretary and Assistant Branch Secretary (first office), a female candidate shall be declared elected to the office of Assistant Branch Secretary (second office) as follows, if there:
 - i. is only one female candidate for the office of Assistant Branch Secretary then that candidate;
 - ii. was more than one female candidate for the office of Assistant Branch Secretary then the female candidate who received the highest number of votes of the female candidates; or
 - iii. were no female candidates for the office of Assistant Branch Secretary the election shall not be declared in relation to the office of Assistant Branch Secretary (second office) and nominations shall be recalled by the Returning Officer for the office of Assistant Branch Secretary (second office), provided that only female members, who are otherwise eligible, may nominate in that election.'

21. In Rule 21 – BRANCH AUDITOR after the words 'Branch Auditor' delete the words 'each year' and insert 'in accordance with the Act'.

22. In Rule 23 – ELECTION OF BRANCH OFFICER HOLDERS delete sub-rule a. and insert as follows:

- 'a. Commencing in 2019 and thereafter in every fourth year an election shall be held to elect the office set out in column A from the electorate set out immediately opposite in Column B:

A - OFFICE	B - ELECTORATE
Branch President/National Conference delegate	whole membership
Branch Senior Vice President/National Conference delegate	whole membership
Branch Vice President (Woman)/National Conference Delegate	whole membership
Branch Secretary/First National Executive Representative	whole membership
Branch Executive President/Second National Executive Representative	whole membership

Deputy Branch Secretary/National Conference delegate	whole membership
Assistant Branch Secretary (2)/National Conference delegate (2)	whole membership
National Executive Representative	whole membership
Alternate National Executive Representative	whole membership
Branch Executive Members	Industry Divisions
Branch Executive Women Members/National Conference delegates	Industry divisions
Branch Executive Member (Youth)	whole membership
National Conference Delegates	Industry divisions
National Conference Delegates (Women)	Industry divisions
Alternate National Conference Delegates	Industry divisions
Alternate National Conference Delegates (Women)	Industry divisions
Branch Conference Delegates	Industry divisions
Branch Conference Delegates (Women)	Industry Divisions
Provisional Branch Executive Member (Tasmania)	Tasmanian membership

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

Yours faithfully



Tel: +61 3 9342 1401
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 E-mail: 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 30 July 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) Lisa Darmanin, then Acting Branch Secretary of the Victorian and Tasmanian Authorities and Services Branch and National Executive member, advised the National Secretary in a letter dated 13 June 2018 that the Branch Executive, approved the Rule changes on 22 May 2018 and it was requested the proposed changes to the rules be submitted to a vote of National Executive as soon as possible.
 - b) I am satisfied that the Branch has complied with the necessary Branch rules including the meeting of Branch Executive in accordance with Rule 27 – Alteration of Rules.
 - c) The intent of the rule changes relates to proposed structural changes to the Branch Executive and update rules as follows:
 - Rule 5 - Branch Executive: add Dep Sec and Ass Sec (2) and additional rights for Tasmanian representation;
 - Rule 5A - alter transitional rule to facilitate moving to new structure;
 - Rule 6A - add Branch Sub-Committees;
 - Rule 7 - add express ability for the Branch Executive to conduct electronic ballots;
 - Rule 8 - insertion of 'on behalf of the union';
 - Rule 9A - delete old transitional rule;
 - Rule 12 - clarify 3 National Executive Representatives from the Branch and create a First and Second National Executive Representative
 - Rule 14 - ensure Branch maintains total Nat Conference representation;
 - Rule 19 - ensure the Branch Executive can temporarily appoint the Branch Executive President to perform the duties of the Branch Secretary.'
 - Rule 20A - add Deputy Branch Secretary;
 - Rule 20B - add Assistant Branch Secretaries;
 - Rule 20C - add affirmative action for Dep Sec/Ass Sec;
 - Rule 21 - alter auditor appointment requirement;
 - Rule 23 – insert an election table with updated list of office holders for election in 2019;
 - d) I confirm that on 10 July 2018 a Postal/Fax/E-mail Ballot was submitted to all National Executive members via e-mail and members were provided with a copy of the letter from the Victorian and Tasmanian Authorities and Services Branch dated 13 June 2018 attached hereto and marked '**Attachment A**' and a current copy of the relevant rules with the proposed amendments using tracked changes attached hereto and marked '**Attachment B**'.

- e) On the 17 July 2018, a total of 131.84 affirmative votes were received. Of the total of 138 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 C**' is a copy of my correspondence to National Executive members of the 17 July 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.
6. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

DATED: Monday 30th July, 2018



David Smith
NATIONAL SECRETARY



A·S·U

Australian Services Union
Victorian and Tasmanian
Authorities & Services Branch

Our Ref: LD/vl

13 June 2018

David Smith
National Secretary
Australian Services Union
116 Queensberry St
CARLTON SOUTH VIC 3053

Via email: dsmith@asu.asn.au

Dear David,

Re: Proposed rule changes for the Victorian and Tasmanian Authorities and Services Branch

The Victorian and Tasmanian Authorities and Services Branch Executive met on 22 May 2018 and resolved to amend the Branch Rules in accordance with the attached summary. The resolution passed was as follows:

'A. That the report on the Branch Structure for 2018 and beyond be adopted and the Branch Executive authorise the Branch Secretary to seek rule alterations to allow the Branch to meet its requirements in relation to the National Union and FWC.

And the Branch executive approves the proposed rule changes as presented in the report to the following rules:

- 5 *branch executive add Dep Sec and Ass Sec (2)
addition rights for Tasmanian representation*
- 5A *alter transitional rule to facilitate moving to new structure*
- 6A *add Branch Sub- Committees*
- 7 *add express ability for the Branch Executive to conduct electronic ballots*
- 8 *insertion of 'on behalf of the union'*
- 9A *delete old transitional rule*
- 13 *remove Alternate national representative effective from the 2019 election*
- 14 *insertion to ensure Branch maintains total Nat Exec representation*
- 20A *add Deputy Branch Secretary*
- 20B *add Assistant Branch Secretary*
- 20C *add affirmative action for Dep Sec/Ass Sec*
- 21 *alter auditor appointment requirement*

Authorised by ASU Branch Secretary Michelle Jackson

Australian Services Union ● Victorian and Tasmanian Authorities and Services Branch ● ☎ 1300 855 570

Branch Secretary

Michelle Jackson

Branch Executive President

Lisa Darmanin

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23 *restructure the list of Branch office holder for election'*

B. To authorise the National Secretary to make any necessary amendments to these proposed rules that may be required to ensure that they are:

- a) effective at law; and*
- b) consistent and typographically correct, provided that any such amendments are not inconsistent with the intention of the proposed rules.'*

I request these amendments be put to the ASU National Executive for their consideration and approval, so that they can be submitted to the Fair Work Commission for certification.

Yours sincerely,



LISA DARMANIN
ACTING BRANCH SECRETARY

Authorised by ASU Branch Secretary Michelle Jackson

Australian Services Union ● Victorian and Tasmanian Authorities and Services Branch ● ☎ 1300 855 570

Branch Secretary

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Rule	Explanation
5(b) – Branch Executive	Altered to include Deputy Secretary and Assistant Secretary (2) By operation of 5A (see below), this takes effect from declaration of 2019 election.
5(c) Tasmanian BEX members insertion	To ensure two Tasmanians on BEX. This is drafted from a QLD rule and expands BEX by 2 or 1 in the event that 0 or 1 Tasmanians are elected to BEX.
5A – transitional rule	This was previously a transitional rule leading into 2015 structure change. Has been altered to be transitional rule leading into 2019 election.
6A – sub-committees insertion	Insertion to expressly empower BEX to form sub-committees.
7(l) – votes by email	It expressly allows for postal (including email) BEX votes. A power already exists at 7(a) for ‘meetings’ by any method of communication, this makes this voting method expressly clear.
8 – Branch Employees	Insertion of words “on behalf of the Union” in the first line, for the sake of clarity
9A – Transitional Branch Conference	Now redundant transitional rule, deleted
13 Alt Nat Exec Rep - deletion	Office to cease to exist after this term. Result from discussions with National officials about move across all branches to remove this office.
14(a) Nat Exec mbr	An insertion (“unless already a National Executive Member”) made to avoid missing out on a spot due to one person holding a spot in two different ways and therefore denying the Branch a number on Nat Exec.
20A – Deputy Secretary	Creation of a new position on certification of rules alteration and a new office from declaration of 2019 election. This formulation is to avoid possible issues with certification process. Powers are broadly identical to Assistant Secs (which are copied from the rules we had in place prior to them being removed from the structure), but Dep Sec is first in line where an appointment is required to Br Sec or Br Exec Pres due to temporary absence.
20B – Assistant Secretary (2)	Creation of 2 new offices from declaration of 2019 election. This formulation (rather than immediate creation) is to avoid possible issues with certification process. Same powers as previously existed for these offices. These offices (in no order between the 2) is next in line behind Dep Sec where an appointment is required to Br Sec or Br Exec Pres due to temporary

	absence.
20C – Affirmative Action	This is a proximate recreation of the Assistant Sec (Women) office that previously existed as 1 of the 3 Ass Secs prior to 2015. It requires that minimum of 1 out of the 3 Dep Sec/Ass Secs be a woman.
21 – Branch Auditor	Altered from appointment “each year” to “in accordance with the Act”. This ensures alignment with legislative requirements.
23 – Election of Branch Office Holders	Change in formatting from a list to a table including the electorate for the relevant office. This change has been made at the request of the National Office to enable easier compilation of the prescribed information for elections which we need to provide to FWC.

DIVISION NINE

VICTORIAN AND TASMANIAN AUTHORITIES AND SERVICES BRANCH

1 – NAME

The name of the Branch shall be the Victorian and Tasmanian Authorities and Services Branch of the Australian Municipal, Administrative, Clerical and Services Union.

2 - REGISTERED OFFICE

The registered office of the Branch shall be at 116-124 Queensberry Street, Carlton South, Victoria, or such other place as may be determined by the Branch Executive from time to time.

3 - MEMBERSHIP OF THE BRANCH

- a. Every member of the Union in the State of Victoria who was attached to the Victorian Services and Energy Branch and every member of the MEU/Private Sector Victorian Branch who was allocated to the Local Authorities Division of that Branch on the day preceding the establishment of the Victorian Authorities and Services Branch shall be attached to the Branch, together with every member who but for the establishment of the Branch would have been attached to the Victorian Services and Energy Branch or the MEU/Private Sector Victorian Branch and allocated to the Local Authorities Division of that Branch.
- b. Every member of the Union in the State of Tasmania.

4 - ALLOCATION OF MEMBERS

The Branch shall have Industry Divisions. Every member attached to the Branch, and every employee who is a member of the union attached to the Branch, shall be allocated by the Branch Executive to one of the Industry Divisions.

5 – BRANCH EXECUTIVE

- a. The Branch Executive shall manage the affairs of the Branch and shall be the Committee of Management of the Branch within the meaning of the Fair Work (Registered Organisations) Act 2009.
- b. The Branch Executive shall, subject to sub-rule c., consist of the Branch President, Branch Senior Vice President, Branch Vice President (Women), Branch Executive President, Branch Secretary, Deputy Branch Secretary, Assistant Branch Secretary (2), Branch Executive Member (Youth) and Branch Executive Members from the following Industry Divisions:
 - Local Authorities – 8 (4 of whom shall be women)
 - Social and Community Services – 3 (2 of whom shall be women)
 - Water and Energy – 2 (1 of whom shall be a woman)
 - Information Technologies, Transport, Shipping and Travel, Clerical and Administrative and Airlines – 1.
- c. Notwithstanding the other provisions of these Branch Rules, from the declaration of results of the election to be held in 2019, there shall be not less than **two (2)** officers on Branch Executive who are employed or usually employed in, and reside in, Tasmania.

- i. To ensure compliance with sub-rule 5 c. nominations will be called in each Quadrennial Election for two (2) Branch Executive Member (Tasmania) to be elected by, and from, Financial Members who are employed or usually employed in, and reside in, Tasmania.
- ii. Financial Members elected as Branch Executive Member (Tasmania) are only elected to an office and will only become members of Branch Executive in the event that, at the declaration of the election, the number of Tasmanian members elected to the offices on Branch Executive set, out at sub-rule 5 b., does not equal or exceed the number required by the relevant provision of sub-rule 5 c.
- iii. In the event that, at the declaration of the election, the number of Tasmanian members elected to the offices on Branch Executive set out at sub-rule 5 b. is less than two (2), the Returning Officer will declare elected Branch Executive Member (Tasmania), beginning with the candidate who polled the greatest number of votes for Branch Executive Member (Tasmania), and declaring elected further such candidates in order of the greatest number of votes received, until the required number of offices are filled by Tasmanian members in accordance with sub-rule 5 c.
- e.d. All officers and other members of the Branch Executive shall be elected each 4 years.
- e. Only members below the age of 30 years on the day on which nominations close shall be eligible to be nominated for the office of Branch Executive Member (Youth).
- e.f The Branch shall have autonomy in matters affecting members of the Branch only.

5A - TRANSITIONAL RULE - BRANCH EXECUTIVE

~~Notwithstanding any other provision of these Rules, on certification of this Rule by the General Manager of the Fair Work Commission, and until the declaration of the poll in the elections to be conducted in the Branch in 2015 the numbers of Branch Executive members from the following Industry Divisions shall be:~~

~~Local Authorities—8 (4 of whom shall be women)~~

~~Social and Community Services—3 (1 of whom shall be women)~~

~~Energy and Information Technologies—2(1 of whom shall be a woman)~~

~~Transport, Shipping and Travel, Clerical and Administrative, and Airlines—2 (1 of whom shall be a woman)~~

~~Water—2 (1 of whom shall be a woman)~~

Notwithstanding any other provision of these Rules, until the declaration of the poll in the elections to be conducted in the Branch in 2019, the Branch Executive shall consist of the Branch President, Branch Senior Vice President, Branch Vice President (Women), Branch Executive President, Branch Secretary, Branch Executive Member (Youth) and Branch Executive Members from the following Industry Divisions:

Local Authorities - 8 (4 of whom shall be women)

Social and Community Services - 3 (2 of whom shall be women)

Water and Energy – 2 (1 of whom shall be a woman)

Information Technologies, Transport, Shipping and Travel, Clerical and Administrative and Airlines - 1

6 - POWERS AND DUTIES OF BRANCH EXECUTIVE

- a. The Branch Executive shall do all such things as are necessary for the control and management of the affairs of the Branch.
- b. The Branch Executive shall establish Industry Divisions, and may from time to time vary their number and composition as it deems necessary. The Branch Executive may establish Industry Sub-Divisions within Industry Divisions.
- c. The Branch Executive shall fully investigate all grievances and disputes of members which may be laid before it and any charge against members in accordance with National Rule 36 - Misconduct.
- d. The Branch Executive shall through the Branch Executive President and Branch Secretary present to the branch Conference a report of the business of the Branch since the last report.
- e. Subject to National Rule 49, Branch Executive may add to, amend, alter or rescind these rules.

6A – BRANCH SUB-COMMITTEES

- a. The Branch Executive may establish or revoke Branch sub-committees.
- b. A determination of a Branch sub-committee does not bind the Branch Executive and is recommendatory only.
- c. A Branch sub-committee can only consider the matters referred to it by the Branch Executive.
- d. The Branch Executive will determine the Branch Executive members (if any) who will comprise a Branch sub-committee.
- e. Sub-rule d. does not prevent the Branch Executive from appointing a Financial Member, with the member's consent, to a Branch sub-committee.
- f. Sub-rule d. does not prevent the Branch Executive determining to:
 - i. appoint a professional advisor to assist a Branch sub-committee; and
 - ii. pay the professional advisor an appropriate fee subject to policy binding the ASU in respect of the Branch.
- g. The Branch Secretary and the Branch Executive President are entitled to be a member of a Branch sub-committee.
- h. A Branch sub-committee is responsible to, and under the control of, the Branch Executive.
- i. A Branch sub-committee must regularly report to the Branch Executive.

7 - MEETINGS OF THE BRANCH EXECUTIVE

- a. The Branch Executive shall meet at such times as its members may determine. The Branch Secretary shall, upon the request of the Branch President, or at least forty per cent of the members of the Branch Executive summon a meeting of the Branch Executive to be held within seven (7) days of the receipt of the request by the Branch Secretary. Where the Branch President and the Branch Secretary consider it appropriate, meetings may be conducted by telephone, or by any other method by which members of the Branch Executive are able to communicate with each other without being physically present.

- b. The Branch Secretary shall give at least 24 hours notice when summoning members to meetings of the Branch Executive.
- c. Notwithstanding anything hereinbefore contained, where the Branch President, Branch Secretary or the Branch Executive President consider that a matter requires urgent attention, a meeting of the Branch Executive may be called by the Branch President or the Branch Secretary who shall give such notice of the meeting as is practicable in the circumstances. Such meeting may be conducted by telephone, or any other method by which members of the Branch Executive are able to communicate with each other without being physically present.
- d. If the Branch President is absent from a meeting of the Branch Executive, the Branch Senior Vice-President shall act with the powers of the Branch President. If both the Branch President and the Branch Senior Vice-President are absent from a meeting of the Branch Executive the Branch Vice-President (Women) shall act with the powers of the Branch President.
- e. Each member of the Branch Executive shall be entitled to one vote.
- f. A member of the Branch Executive not present at a meeting or part thereof may appoint in writing another member of the Branch or the Branch Executive as proxy to exercise such member's vote.
- g. At any meeting of the Branch Executive a majority of the total membership of the Branch Executive shall constitute a quorum.
- h. If at any meeting of the Branch Executive no quorum be present at the expiry of 30 minutes after the time fixed for the commencement of the meeting such meeting shall be adjourned for not less than 7 days nor more than 14 days. Members shall be given 2 clear days notice of the date, time and place to which the meeting has been adjourned. If at such adjourned meeting no quorum be present, those present shall be deemed to be a quorum for the purpose of the business to be determined.
- i. The minutes of each Branch Executive meeting shall be prepared by the Branch Secretary and forwarded to each member of the Branch Executive.
- j. A member of the Branch Executive absent from 3 consecutive meetings thereof without satisfactory explanation may be removed from office in accordance with National Rule 35 - Removal of Officers.
- k. Decisions shall be by simple majority of the votes cast by those present unless otherwise provided in these rules.

l. An out of session ballot of the Branch Executive:

i. may be conducted when the Branch Secretary or Branch Executive President determines that a matter needs to be dealt with expeditiously by a ballot of the Branch Executive;

ii. is to be conducted by means of:

post;

E-mail;

other print/electronic communication; and/or

a mixture of those means.

and when conducted:

iii. the Branch Secretary or Branch Executive President determining to conduct the ballot will also determine a time limit in which the ballots must be received but which will be not less

than 14 days; provided that a shorter a time limit for email ballots may be determined but which will be not less than 3 days; and

iv. the determination of the ballot will, unless these rules otherwise require, be by simple majority of the votes cast.

8 - BRANCH EMPLOYEES

The Branch Executive may, on behalf of the Branch, employ such persons for the purposes of carrying out these rules as the Branch Executive thinks proper. Such employees shall be employed upon such terms and conditions as the Branch Executive may prescribe from time to time. The allocation of duties and responsibilities to employees shall be the responsibility of the Branch Secretary and the Branch Executive President.

9 – BRANCH CONFERENCE

- a. Subject to these Rules the supreme government of the Branch shall be vested in the Branch Conference.
- b. Branch Conference shall be composed of the following persons each of whom shall be entitled to attend on the basis of one person one vote:
 - i. The members of the Branch Executive;
 - ii. Branch conference delegates elected by and from the financial members of each Industry Division as follows:
 - Local Authorities – 32 (16 of whom shall be women)
 - Social and Community Services – 12 (6 of whom shall be women)
 - Water and Energy – 6 (3 of whom shall be women)
 - Information Technologies, Transport, Shipping and Travel, Clerical and Administrative and Airlines – 4 (2 of whom shall be women)
- c. The Branch Secretary shall notify all Branch Conference Delegates of the decision to hold a Branch Conference within 14 days of the decision and shall request Branch Conference Delegates to consider forwarding agenda items for the consideration of Branch Conference, no later than 21 days prior to the Conference.
- d. The Branch Secretary shall notify all Industry Division Committees, Standing Committees established by the Branch Executive, delegates and workplace delegates of the decision to hold a Branch Conference and shall request them to consider forwarding agenda items for consideration by Branch Conference, no later than 21 days prior to the Conference.
- e. The Branch Executive shall endorse the agenda for Branch Conference.
- f. The business of Conference shall include:
 - i. Agenda items submitted in accordance with Sub-rules c. and d. hereof;
 - ii. Consideration of the Auditors Report;
 - iii. Consideration of National Conference Agenda Items.
- g. A copy of the agenda for Branch Conference shall be forwarded to Conference Delegates by the Branch Secretary at least 14 days prior to Conference.

- h. The business of Conference shall be limited to the matters appearing on the agenda. Provided that additional items may be considered if supported by a two-thirds majority of Conference Delegates eligible to attend.

~~9A – TRANSITIONAL RULE – BRANCH CONFERENCE~~

~~Notwithstanding any other provisions of these Rules, on certification of this rule by the General Manager of the Fair Work Commission and until the declaration of the poll in the elections to be conducted in 2015, the following Branch Conference Delegates shall be elected by and from the financial members of the following Industry Divisions:~~

~~Local Authorities – 32 (16 of whom shall be women)~~

~~Social and Community Services – 12 (6 of whom shall be women)~~

~~Energy and Information Technologies – 8 (4 of whom shall be women)~~

~~Transport, Shipping and Travel, Clerical and Administrative, and Airlines – 8 (4 of whom shall be women)~~

~~Water – 8 (4 of whom shall be women)~~

10 – MEETINGS OF BRANCH CONFERENCE

- a. Branch Conference shall meet at least twice every four years at such time and place as the Branch Executive may determine.

At a meeting of Branch Conference a quorum shall be a majority of those eligible to attend.

Where a quorum is not present, Branch Executive may determine to hold a meeting of those present, provided that any resolutions passed and the conference agenda items shall be considered at the next meeting of Branch Executive.

11- SPECIAL MEETINGS OF BRANCH CONFERENCE

- a. The Branch Executive or a majority of branch conference delegates may convene a special meeting of Branch Conference in order to deal with specified issues.
- b. A special meeting of Branch Conference shall deal only with the issues specified in the notice convening the Conference. No less than 14 days notice shall be provided to Delegates.

12 - NATIONAL EXECUTIVE REPRESENTATIVES

~~The Branch shall be represented on National Executive by two National Executive Representatives who shall each exercise half of the votes as determined by National Rule 7 – NATIONAL CONFERENCE, elected every four years by the financial members of the Branch.~~

The Branch shall be represented on the National Executive by National Executive Representatives, as determined by National Rule 8, who shall exercise an equal proportion of the votes as determined by National Rule 7 and National Rule 10. The First National Executive Representative shall be the Branch Secretary. The Second National Executive Representative shall be the Branch Executive President. The other National Executive Representative shall be elected every four (4) years by the financial members of the Branch.

13 - ALTERNATE NATIONAL EXECUTIVE REPRESENTATIVE

- a. There shall be an Alternate National Executive Representative elected every four years by the financial members of the Branch.
- b. In the event of a casual vacancy arising in the office of National Executive Representative the Alternate National Executive Representative shall forthwith fill the vacancy.

14 - NATIONAL CONFERENCE DELEGATES

- a. The Branch shall be represented on National Conference by the [National Executive Representatives](#), Branch President, Branch Senior Vice President, Branch Vice-President (Women), ~~Branch Secretary, Branch Executive President, Deputy Branch Secretary, Assistant Branch Secretary (2)~~ and additional National Conference Delegates elected every four years by the financial members of the Branch in accordance with the formula provided in National Rule 7 - NATIONAL CONFERENCE.
- b. When the number of National Conference Delegates to be elected is calculated in accordance with National Rule 7 and the five positions held by the Branch Officers in accordance with sub-rule a. are deducted the remaining positions will be allocated as follows:
 - i. One National Conference Delegate, and one National Conference Delegate (Women) elected from eligible members allocated to each Industry Division.
 - ii. The remaining National Conference Delegates elected by and from eligible members from the whole membership.

14A - TRANSITIONAL RULE - NATIONAL CONFERENCE DELEGATES

Notwithstanding any other provision of these Rules, on certification of this Rule by the General Manager of the Fair Work Commission, and until the declaration of the poll in the elections to be conducted in the Branch in 2015, the National Conference Delegates, National Conference Delegate (Women), Alternative National Conference Delegates, and Alternative National Conference Delegate (Women) elected by the whole Branch membership from each Industry Division shall remain as that elected by the Branch membership in the previous quadrennial election.

15 – ALTERNATE NATIONAL CONFERENCE DELEGATES

- a. One Alternate National Conference Delegate, and one Alternate National Conference Delegate (Women) shall be elected from each Industry Division every four years.
- b. In the event of a casual vacancy arising in the office of National Conference Delegate, the Alternate National Conference Delegate from the same Industry Division shall forthwith fill the vacancy.
- c. In the event of a casual vacancy arising in the office of National Conference Delegate (Women), the Alternate National Conference Delegate (Women) from the same Industry Division shall forthwith fill the vacancy.
- d. Only eligible women members may nominate or be nominated for the office of Alternate National Conference Delegate (Women).
- e. Alternate National Conference Delegates and Alternate National Conference Delegates (Women) will be nominated from the eligible members of each Industry Division, and elected by the financial members of the Branch.

- f. When a casual vacancy arises in the office of National Conference Delegate, or National Conference Delegate (Women), and there is no Alternate available deriving from the corresponding Industry Division, the casual vacancy shall be filled in accordance with National Rule 42.

16 - BRANCH PRESIDENT

- a. There shall be a (Honorary) Branch President elected every 4 years by the financial members of the Branch.
- b. The (Honorary) Branch President shall be the official head of the Branch and shall:
- i. Preside at all meetings of the Branch when present and preserve order thereat so that business may be conducted in due form with propriety and in conformity with Standing Orders; and
 - ii. Be impartial in all transactions and shall see that the Rules are adhered to.
- c. Upon confirmation of the minutes of meetings of Branch Executive and Branch Conference, sign such minutes confirming them as a true and accurate record.

17 - BRANCH SENIOR VICE PRESIDENT

- a. There shall be a (Honorary) Branch Senior Vice-President elected every four years by the financial members of the Branch.
- b. The (Honorary) Branch Senior Vice-President shall deputise for the Branch President when he or she is absent and shall chair meetings in his or her absence.

18 BRANCH VICE PRESIDENT (WOMEN)

- a. There shall be a (Honorary) Branch Vice-President (Women) elected every four years by and from the members of the Branch. Only eligible women members of the Branch shall be nominated for the office of (Honorary) Branch Vice-President (Women).
- b. The (Honorary) Branch Vice-President (Women) shall deputise for the Branch President and Branch Senior Vice-President when both are absent and shall chair meetings in their absence.
- c. The (Honorary) Branch Vice-President (Women) shall be ex-officio a member of the Branch Women's Committee and the Branch Women's Conference and shall chair meetings of both bodies.

19 - BRANCH EXECUTIVE PRESIDENT AND BRANCH SECRETARY

- a. There shall be one Branch Executive President and one Branch Secretary elected every four years by the financial members of the Branch one of whom shall be a woman.
- b. The Branch Executive President and the Branch Secretary shall:
- i. be the Executive Officers of the Branch, who between meetings of the Branch Executive and Branch Conference shall conduct and manage the affairs of the Branch and, in consultation with each other, do all things necessary to be done by or on behalf of an organisation registered under the Fair Work (Registered Organisations) Act 2009;
 - ii. have the right to determine that either one or both of them be the Officers to attend or be represented and to be heard on any matter at any meeting within the Branch;
 - iii. provided that where another person or persons represents either or both the Branch Executive President and Branch Secretary at any meeting within the Branch, such person or persons shall have the right to be heard;

- iv. have the right to determine that either one or both of them be empowered to inspect or examine or cause to be inspected and examined all registers, books, papers, deeds, documents and accounts in or in connection with the conduct of the affairs of the Branch;
- v. consult with each other and the Branch President on urgent matters which require a decision between meetings of the Branch Executive and which ordinarily would be the subject of an Branch Executive decision, provided that such decisions shall be reported to the next Branch Executive meeting;
- vi. generally perform such other duties as are allocated to them by the Branch Executive or Branch Conference;
- vii. in the event that there is a failure to reach agreement on any matter arising from this Rule, the matter will be referred to the Branch Executive for determination.

c. Notwithstanding any other provision of these rules, in the absence of the Branch Secretary, the Branch Executive can temporarily appoint the Branch Executive President to perform the duties of the Branch Secretary.

e. d. These positions shall be salaried officers of the Union.

20 – BRANCH SECRETARY – ADDITIONAL POWERS

The Branch Secretary in addition to the powers and duties conferred by these Rules shall:

- a. be the Chief Administrative Officer of the Branch;
- b. be the Officer to be sued or to sue on behalf of the Branch;
- c. prepare and furnish all returns, statements, declarations or the like required by law and without limiting the generality of the foregoing comply with all provisions of the Fair Work (Registered Organisations) Act 2009;
- d. see that the accounts of the Branch are kept and presented to each meeting of the Branch Executive;
- e. together with the Branch Executive President prepare a report for Branch Conference setting out the activities of the Branch since the immediately preceding Branch Conference.
- f. keep or cause to be kept an up-to-date register of the Union members within the Branch and their postal addresses so far as known.

20A - DEPUTY BRANCH SECRETARY

- a. Commencing on the date of certification of this rule there shall be a position of Deputy Branch Secretary.
- b. On certification of this rule the Branch Executive shall appoint a member to the position of Deputy Branch Secretary.
- c. In the 2019 Branch Quadrennial Elections an election will be conducted for the office of Deputy Branch Secretary.
- d. On, and from, the date of declaration of the Branch offices in the 2019 Branch Quadrennial Elections there shall be an office of Deputy Branch Secretary.
- e. The rights of the Deputy Branch Secretary contained in sub-rules i. and j. do not apply until a Deputy Branch Secretary is declared elected, and holds office, in accordance with this rule.

- f. From the election held in 2019 the office of Deputy Branch Secretary shall be elected every four years by, and from, the financial members of the Branch.
- g. The Deputy Branch Secretary shall assist the Branch Secretary and the Branch Executive President and shall carry out the directions of the Branch Secretary and/or the Branch Executive President in the absence of the Branch Secretary.
- h. When the office of Branch Secretary or the Branch Executive President is:
- i. temporarily vacant as the respective officer is absent or unable to perform the functions of their office; or
 - ii. casually vacant in accordance with these rules and the process of filling that vacancy has commenced; and
 - iii. the Branch Secretary (in the case of a temporary absence of the Branch Executive President) or the Branch Executive President (in the case of a temporary absence of the Branch Secretary) considers that the operations of the Branch will be unacceptably hindered by the temporary absence,
- then the Branch Secretary or the Branch Executive President, as the case may be, shall appoint the Deputy Branch Secretary to perform the functions of the respective office until the office is no longer temporarily vacant or a person is elected to the casual vacancy as the case may be.
- i. When the offices of Branch Secretary and the Branch Executive President are both:
- i. temporarily vacant as the officers are absent or unable to perform the functions of their office; or
 - ii. casually vacant in accordance with these rules and the process of filling those vacancies has commenced,
- then the Branch Executive shall appoint the Deputy Branch Secretary to perform the functions of the Branch Secretary until the office is no longer temporarily vacant or a person is elected to the casual vacancy, as the case may be.
- j. When the Deputy Branch Secretary is temporarily performing the functions of an officer in accordance with sub-rule 20A h. or i. the Deputy Branch Secretary shall:
- i. have all the powers and duties of that office; and
 - ii. not hold a further vote other than the vote that the Deputy Secretary held (if any) prior to being temporarily appointed.
- k. Terms and elections for the Deputy Branch Secretary will be aligned with terms and elections for other offices.

20B - ASSISTANT BRANCH SECRETARIES

- a. In the 2019 Branch Quadrennial Elections an election will be conducted for two (2) offices of Assistant Branch Secretary.
- b. On, and from, the date of declaration of the Branch offices in the 2019 Branch Quadrennial Elections there shall be two (2) Assistant Branch Secretaries.

- c. From the election held in 2019, the two (2) offices of Assistant Branch Secretary shall be elected every four (4) years by, and from, the financial members of the Branch.
- d. The Assistant Branch Secretaries shall assist the Branch Secretary and Branch Executive President and shall carry out the directions of the Branch Secretary and/or the Branch Executive President in the absence of the Branch Secretary.
- e. In circumstances where:
- i. the Branch Executive considers that the operations of the Branch will be unacceptably hindered by the temporary absence of the Branch Executive President; and
 - ii. the Deputy Branch Secretary has been appointed to perform the duties of the Branch Secretary in accordance with 20A h.;
- the Branch Executive shall appoint an Assistant Branch Secretary to perform the functions of the Branch Executive President until the office is no longer temporarily vacant or a person is elected to the casual vacancy as the case may be.
- f. When the office of Deputy Branch Secretary is:
- i. temporarily vacant as the officer is absent or unable to perform the functions of their office;
or
 - ii. casually vacant in accordance with these rules; and
 - iii. where sub-rule 20A i. would otherwise apply,
- an Assistant Branch Secretary shall be appointed in accordance with 20A i. as if he or she were Deputy Branch Secretary.
- g. In circumstances where:
- i. the Branch Executive considers that the operations of the Branch will be unacceptably hindered by the temporary absence of the Branch Executive President; and
 - ii. an Assistant Branch Secretary has been appointed to perform the duties of the Branch Secretary in accordance with sub-rule 20B f.;
- the Branch Executive shall appoint the remaining Assistant Branch Secretary to perform the functions of the Branch Executive President until the office is no longer temporarily vacant or a person is elected to the casual vacancy as the case may be.

20C – AFFIRMATIVE ACTION

- a. At least one woman must hold an office of Deputy Branch Secretary or Assistant Branch Secretary.
- b. For the purposes of paragraph a., at each Quadrennial Election the declaration of the elections for the offices of Deputy Branch Secretary and Assistant Branch Secretary shall occur in the following order:
- i. Deputy Branch Secretary;
 - ii. Assistant Branch Secretary (for the purposes of this sub-rule ‘first office’); and
 - iii. Assistant Branch Secretary (for the purposes of this sub-rule ‘second office’).

- c. Where male candidates have been declared elected to the offices of Deputy Branch Secretary and Assistant Branch Secretary (first office), a female candidate shall be declared elected to the office of Assistant Branch Secretary (second office) as follows, if there:
- i. is only one female candidate for the office of Assistant Branch Secretary then that candidate;
 - ii. was more than one female candidate for the office of Assistant Branch Secretary then the female candidate who received the highest number of votes of the female candidates; or
 - iii. were no female candidates for the office of Assistant Branch Secretary the election shall not be declared in relation to the office of Assistant Branch Secretary (second office) and nominations shall be recalled by the Returning Officer for the office of Assistant Branch Secretary (second office), provided that only female members, who are otherwise eligible, may nominate in that election.

21 - BRANCH AUDITOR

The Branch Executive shall appoint a Branch Auditor ~~each year~~ in accordance with the Act.

22 - RETURNING OFFICER

Branch Executive shall appoint a Returning Officer who shall not be a holder of any office in, or be an employee of the Union or a Branch.

23 - ELECTION OF BRANCH OFFICE HOLDERS

- a. ~~Commencing in 2011 and thereafter in every fourth year an election shall be held for the purpose of electing the following:~~
- i. ~~The Branch President;~~
 - ii. ~~The Branch Senior Vice President;~~
 - iii. ~~The Branch Vice President (Women).~~
 - iii. ~~The Branch Secretary;~~
 - iv. ~~The Branch Executive President;~~
 - v. ~~Branch Executive Members to be elected by and from Industry Divisions;~~
 - vi. ~~Branch Executive Women Members to be elected by and from Industry Divisions;~~
 - vii. ~~Branch Executive Member (Youth);~~
 - viii. ~~The First and the Second National Executive Representatives;~~
 - ix. ~~The Alternative National Executive Representative;~~
 - x. ~~National Conference Delegates to be elected by the whole membership from each Industry Division;~~
 - xi. ~~National Conference Delegates (Women) to be elected by the whole membership from each Industry Division;~~
 - xii. ~~The Alternate National Conference Delegates to be elected by the whole membership from each Industry Division;~~

- ~~xiii. The Alternate National Conference Delegates (Women) to be elected by the whole membership from each Industry Division;~~
- ~~xiv. Branch Conference Delegates to be elected by and from the Industry Divisions;~~
- ~~xv. Branch Conference Delegates (Women) to be elected by and from the Industry Divisions.~~

a. Commencing in 2019 and thereafter in every fourth year an election shall be held to elect the office set out in Column A from the electorate set out immediately opposite in Column B:

<u>A - OFFICE</u>	<u>B - ELECTORATE</u>
<u>Branch President/National Conference delegate</u>	<u>whole membership</u>
<u>Branch Senior Vice President/National Conference delegate</u>	<u>whole membership</u>
<u>Branch Vice President (Woman)/National Conference Delegate</u>	<u>whole membership</u>
<u>Branch Secretary/First National Executive Representative</u>	<u>whole membership</u>
<u>Branch Executive President/Second National Executive Representative</u>	<u>whole membership</u>
<u>Deputy Branch Secretary/National Conference delegate</u>	<u>whole membership</u>
<u>Assistant Branch Secretary (2)/National Conference delegate (2)</u>	<u>whole membership</u>
<u>National Executive Representative</u>	<u>whole membership</u>
<u>Alternate National Executive Representative</u>	<u>whole membership</u>
<u>Branch Executive Members</u>	<u>Industry Divisions</u>
<u>Branch Executive Women Members/National Conference delegates</u>	<u>Industry divisions</u>
<u>Branch Executive Member (Youth)</u>	<u>whole membership</u>
<u>National Conference Delegates</u>	<u>Industry divisions</u>

National Conference Delegates (Women)	Industry divisions
Alternate National Conference Delegates	Industry divisions
Alternate National Conference Delegates (Women)	Industry divisions
Branch Conference Delegates	Industry divisions
Branch Conference Delegates (Women)	Industry Divisions
Provisional Branch Executive Member (Tasmania)	Tasmanian membership

- b. Only eligible women members may nominate for the offices of Branch Vice-President (Women), Branch Executive Members (Women), National Conference Delegates (Women), Alternative National Conference Delegates (Women) and Branch Conference Delegates (Women).
- c. i. Provided that in the elections the result of the election for the office of Branch Secretary shall be declared before the result of the election for Branch Executive President.
- ii. Provided further than in elections for the Branch Secretary and Branch Executive President where a male candidate has been declared elected for the office of Branch Secretary only a female candidate shall be declared elected to the office of Branch Executive President.
- iii. When clause ii. of this sub-rule is to be applied in a ballot the female candidate with the highest number of votes, disregarding any higher number of votes achieved by a male candidate or candidates, shall be declared elected.
- iv. When clause ii. of this sub-rule is to be applied in a ballot and there is only one female candidate, such candidate shall be declared elected.
- v. When clause ii. of this sub-rule is to be applied in a ballot and there are no female candidates, the election for the office of Branch Executive President shall not be declared and nominations will be recalled provided that only eligible women members may nominate for the said office.

24 - BRANCH INDUSTRY DIVISIONS

- a. Where the Branch Executive considers it appropriate Branch Executive may establish an Industry Division Committee in any Industry Division. Such Committee shall be comprised of Workplace Delegates and/or active members and shall provide advice to the Branch Executive on industrial affairs, organising, campaigning within the Industry Division.
- b. An Industry Division Committee may, subject to the approval of Branch Executive, adopt rules for its own guidance and government.

- c. Subject to sub-rules a. and b. hereof Industry Division Rules shall provide for Women Members of Industry Division Committees in a manner consistent with the proportion of women members allocated to the Industry Division.
- d. An Industry Division Committee may recommend to the Branch Executive that an Industry Sub Division or Industry Sub Divisions be established within the Industry Division.
- e. Executive Members representing an Industry Division shall be ex-officio members of the Industry Division Committees, in their Division.

25 - FUND DISBURSEMENT

- a. Funds may be disbursed from the Branch Fund upon resolution of the Branch Executive or when necessary upon the order of the Branch Executive President and the Branch Secretary.
- b. All disbursements shall be certified as correct by the Branch Executive and where paid by cheque shall be signed by the Branch Secretary and the Branch Executive President. Where the Branch Executive President is not immediately available the Branch President may sign.

26 - 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.

27 – ALTERATION OF RULES

- a. Subject to the approval of National Executive or National Conference, the Branch Executive may amend these Branch rules.
- b. National Conference or National Executive shall not amend these Branch rules unless the Branch Executive by resolution agrees to the amendment.



A•S•U

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

Tuesday 17 July, 2018

TO: All National Executive Members
As addressed

By E-mail

Dear National Executive Member

**Postal/Fax/Email Vote No. 05/2018 Proposed
Victorian and Tasmanian Authorities and Services Branch rule changes**

The result of the e-mail ballot submitted to members of National Executive via e-mail on 10 July 2018, regarding the above is as follows:

A total of 131.84 affirmative votes were received from:

- | | |
|-----------------|-----------------|
| David Smith | Neil Henderson |
| Linda White | Jennifer Thomas |
| Robert Potter | Abbie Spencer |
| Alex Scott | Scott Cowen |
| Irene Monro | Jeff Lapidos |
| Vivienne Doogan | Lisa Darmanin |
| Natalie Lang | Billy King |
| Judith Wright | Wendy Phillips |
| Angus McFarland | Ingrid Stitt |
| Graeme Kelly | David Leydon |
| Stephen Birney | Paul O'Neill |
| Sharon Sewell | Wayne Wood |

No negative votes were received. I advise that National Executive E-mail Vote No. 05/2018 is carried.

Yours faithfully

David Smith
NATIONAL SECRETARY

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National Secretary
David Smith

Assistant National Secretaries
Linda White
Robert Potter