



A•S•U

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Please quote in reply

Friday, 18 July 2014

General Manager
Fair Work Commission
GPO Box 1944
MELBOURNE VIC 3001

By E-mail: melbourne@fwc.gov.au

Dear Sir/Madam

Re: Amendment to the rules of the Australian Municipal, Administrative, Clerical and Services Union - Division Nine Victorian and Tasmanian Authorities and Services Branch

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 alterations concerned are the Rules of the Victorian and Tasmanian Authorities and Services Branch as follows:

1. Delete the preamble immediately after the title.
2. Amend sub-rule 5b. by:
 - (a) the deletion in the second line of "Branch Junior Vice President," and in the third line of "three Assistant Branch Secretaries,";
 - (b) by altering the representation of the "Social and Community Services" Industry Division to be "3 (2 of whom shall be women)";
 - (c) by amending the description of the "Energy and Information Technologies" Industry Division to be "Water and Energy";
 - (d) by amending the description of the "Transport, Shipping and Travel, Clerical and Administrative, and Airlines" Industry Division to be the "Information Technologies, Transport, Shipping and Travel, Clerical and Administrative and Airlines";
 - (e) by the altering the representation of the "Information Technologies, Transport, Shipping and Travel, Clerical and Administrative and Airlines" Industry Division to be "1" and deleting the provision "(1 of whom shall be a woman)";
 - (f) by deleting the reference to "Water - 2 (1 of whom shall be a woman)".

**Australian
Services
Union**

**National Office
Melbourne & Sydney**

All correspondence to:

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Carlton South VIC 3053

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F: (03) 9342 1499
E: info@asu.asn.au
W: www.asu.asn.au

National Secretary
David Smith

Assistant National Secretaries
Greg McLean
Linda White

3. Amend sub-rule 6d. by:
 - (a) inserting the word "Branch" before "Executive President";
 - (b) omitting the words "of the preceding year" and substituting "of the Branch since the last report".
4. Amend sub-rule 7c. by inserting the word "Branch" before "Executive President".
5. Amend sub-rule 7d. by deleting the last sentence commencing on the fourth line with "If...".
6. Amend rule 8 by inserting "Branch" before "Executive President".
7. Amend sub-rule 9b. ii. by changing the titles and representation of the following Industry Divisions:
 - (a) "Energy and Information Technologies - 8 (4 of whom shall be women" - change to "Water and Energy - 6 (3 of whom shall be women)".
 - (b) "Transport, Shipping and Travel, Clerical and Administrative, and Airlines" – change to "Information Technologies, Transport, Shipping and Travel, Clerical and Administrative and Airlines - 4 (2 of whom shall be women)"; and
 - (c) Delete "Water - 8 (4 of whom shall be women)".
8. Delete the numeral "4" in sub-rule 13 and substitute "four".
9. Amend sub-rule 14a.
 - (a) by deleting in the second line "Branch Junior Vice-President,";
 - (b) by deleting in the third line "and the three Assistant Branch Secretaries".;

and

 - (c) by inserting "Branch" before "Executive President".
10. Amend sub-rule 14b. by deleting "nine" in the second line and substituting "five".
11. Amend rule 16 by the addition of "(Honorary)" in the title.
12. Amend rule 17 by the addition of "(Honorary)" in the title.
13. Amend rule 18 by
 - (a) the addition of "(Honorary)" in the title;
 - (b) deleting "Executive" in the second line of sub-rule a.;
 - (c) deleting the sentence in sub-rule a commencing "The election shall be" and substituting "Only eligible women members of the Branch shall be nominated for the office of Branch Vice-President (Women)";
 - (d) deleting sub-rule b.; and

- (e) renumbering sub-rules c. and d. as b. and c. respectively.
14. Delete Rule 18 A.
 15. Amend rule 19a. by the addition of "one of whom shall be a woman".
 16. Delete Rule 21 and renumber Rules 22 to 29 as 21 to 27.
 17. Amend (renumbered) sub-rule 23 a. ii. by the deletion of "The Branch Junior Vice President" the addition of "and" after "The Branch Senior Vice President;" and the deletion of "and" after "The Branch Vice President (Women)".
 18. Delete sub-rule 23a. v. and renumbering vi. to xvi. to v. to xv.
 19. Amend sub-rule 23a. xv. by omitting "Women" and inserting "(Women)" after " Delegates".
 20. Delete sub-rule 23b. and substitute "Only eligible women members may nominate for the offices of Branch Vice-President (Women), Branch Executive Members (Women), National Conference Delegates (Women), Alternate National Conference Delegates (Women) and Branch Conference Delegates (Women)."
 21. Delete sub-rule 23c. and substitute the following:
 - "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 that 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."
 22. Amend Rule (renumbered) 25 Fund Disbursement sub-rule b by deleting the comma after "sign" where first appearing and substituting a full stop and deleting everything thereafter.
 23. Amend sub-rule 25a. and sub-rule 25b. by inserting "Branch" before "Executive President" wherever appearing.
 24. Delete (renumbered) Rule 28. Merger with Tasmanian Branch."

If you require further information, please do not hesitate to contact me at this office.

Yours faithfully

A handwritten signature in blue ink that reads "David Smith". The signature is written in a cursive style with a large initial 'D'.

David Smith
National Secretary

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Mobile: 0419 644 238
E-mail: dsmith@asu.asn.au

encl

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 116 Queensbury Street, Carlton South state as follows:

1. I am the National Secretary of the Australian Municipal, Administrative, Clerical and Services Union ("ASU") and the person authorised under the Rules of the ASU to make this statement.
2. To the best of my knowledge and belief the particulars of the alteration of the Rules contained in this notice are true and correct.
3. The alterations are attached hereto and marked "1".
4. The alterations were made in accordance with the Rules of the ASU in the following manner:
 - 4.1. A meeting of the Branch Executive was conducted on 24th of June 2014, 17 members attended constituting a quorum in accordance with Branch sub-rule 7 g and resolutions concerning the alterations were passed by 17 votes in the affirmative and no votes against. Attached and marked "2" is an extract of the minutes of that meeting.
 - 4.2. On the 24th day of June 2014 I received correspondence from Brian Parkinson, Branch Secretary of the Victorian and Tasmanian Authorities and Services Branch requesting that I submit the alterations to the National Executive for approval in accordance with sub-rule 10 e of the National rules.
 - 4.3. On the 27th day of June 2014 I forwarded by email a ballot to each member of the National Executive. Attached and marked "3" is a copy of the Notice concerning the ballot.
 - 4.4. On 7th day of July 2014 a total of 113.5 affirmative votes were received. Of the total of 129 votes allocated to members of the National Executive in accordance with sub-rule 8 c. I declared the vote carried pursuant to sub-rule 8 j of the rules of the ASU. Attached and marked "4" is a copy of my correspondence to National Executive members of the 7th of July 2014 declaring the result of ballot.

Dated: 18th July 2014

Signed:



.....
David Smith
National Secretary
Australian Municipal, Administrative, Clerical and Services Union

Schedule A : June 2014

AMENDMENTS TO ASU DIVISION NINE VICTORIAN AND TASMANIAN AUTHORITIES AND SERVICES BRANCH RULES

1. Delete the preamble immediately after the title.
2. Amend sub-rule 5b. by:
 - (a) the deletion in the second line of "Branch Junior Vice President," and in the third line of "three Assistant Branch Secretaries,";
 - (b) by altering the representation of the "Social and Community Services" Industry Division to be "3 (2 of whom shall be women)";
 - (c) by amending the description of the "Energy and Information Technologies" Industry Division to be "Water and Energy";
 - (d) by amending the description of the "Transport, Shipping and Travel, Clerical and Administrative, and Airlines" Industry Division to be the "Information Technologies, Transport, Shipping and Travel, Clerical and Administrative and Airlines";
 - (e) by the altering the representation of the "Information Technologies, Transport, Shipping and Travel, Clerical and Administrative and Airlines" Industry Division to be "1" and deleting the provision "(1 of whom shall be a woman)";
 - (f) by deleting the reference to "Water - 2 (1 of whom shall be a woman)".
3. Amend sub-rule 6d. by:
 - (a) inserting the word "Branch" before "Executive President";
 - (b) omitting the words "of the preceding year" and substituting "of the Branch since the last report".
4. Amend sub-rule 7c. by inserting the word "Branch" before "Executive President".
5. Amend sub-rule 7d. by deleting the last sentence commencing on the fourth line with "If...".
6. Amend rule 8 by inserting "Branch" before "Executive President".
7. Amend sub-rule 9b. ii. by changing the titles and representation of the following Industry Divisions:
 - (a) "Energy and Information Technologies - 8 (4 of whom shall be women" - change to "Water and Energy - 6 (3 of whom shall be women)".
 - (b) "Transport, Shipping and Travel, Clerical and Administrative, and Airlines" – change to "Information Technologies, Transport, Shipping and Travel, Clerical and Administrative and Airlines - 4 (2 of whom shall be women)"; and
 - (c) Delete "Water - 8 (4 of whom shall be women)".
8. Delete the numeral "4" in sub-rule 13 and substitute "four".
9. Amend sub-rule 14a.

- (a) by deleting in the second line "Branch Junior Vice-President,";
 - (b) by deleting in the third line "and the three Assistant Branch Secretaries".;
- and
- (c) by inserting "Branch" before "Executive President".
10. Amend sub-rule 14b. by deleting "nine" in the second line and substituting "five".
 11. Amend rule 16 by the addition of "(Honorary)" in the title.
 12. Amend rule 17 by the addition of "(Honorary)" in the title.
 13. Amend rule 18 by
 - (a) the addition of "(Honorary)" in the title;
 - (b) deleting "Executive" in the second line of sub-rule a.;
 - (c) deleting the sentence in sub-rule a commencing "The election shall be" and substituting "Only eligible women members of the Branch shall be nominated for the office of Branch Vice-President (Women)";
 - (d) deleting sub-rule b.; and
 - (e) renumbering sub-rules c. and d. as b. and c. respectively.
 14. Delete Rule 18 A.
 15. Amend rule 19a. by the addition of "one of whom shall be a woman".
 16. Delete Rule 21 and renumber Rules 22 to 29 as 21 to 27.
 17. Amend (renumbered) sub-rule 23 a. ii. by the deletion of "The Branch Junior Vice President" the addition of "and" after "The Branch Senior Vice President;" and the deletion of "and" after "The Branch Vice President (Women)".
 18. Delete sub-rule 23a. v. and renumbering vi. to xvi. to v. to xv.
 19. Amend sub-rule 23a. xv. by omitting "Women" and inserting "(Women)" after "Delegates".
 20. Delete sub-rule 23b. and substitute "Only eligible women members may nominate for the offices of Branch Vice-President (Women), Branch Executive Members (Women), National Conference Delegates (Women), Alternate National Conference Delegates (Women) and Branch Conference Delegates (Women)."
 21. Delete sub-rule 23c. and substitute the following:
 - "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 that 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."
22. Amend Rule (renumbered) 25 Fund Disbursement sub-rule b by deleting the comma after "sign" where first appearing and substituting a full stop and deleting everything thereafter.
 23. Amend sub-rule 25a. and sub-rule 25b. by inserting "Branch" before "Executive President" wherever appearing.
 24. Delete (renumbered) Rule 28. Merger with Tasmanian Branch."

Extract of the Minutes of the VIC/TAS A&S Branch Executive Meeting 24th June 2014
Agenda Item 5.2

Resolution Carried at 24th June 2014 Branch Executive Committee Meeting

5.2 Branch Rules

Branch Secretary, Brian Parkinson reported on the above explaining that there will be reports provided at the next National Executive meeting scheduled for the 15th and 16th July 2014.

Discussion took place regarding signatory changes for the Branch and also regarding physical/logistical issues and the need for planning.

The Branch Secretary expressed his view that there should be a review of honorariums for Branch Executive payments and explained that the Branch President would have more input in the Branch Executive Agenda.

The Branch Secretary then referred to some attachments which were tabled at the meeting; ie. a copy of the rules containing tracked changes prepared by the lawyers, a clean copy of the rules without any tracked changes, Schedule A and also a proposed resolution.

The Branch Secretary also informed the meeting that he had in his possession some resignation letters from the following officers:

Richard Duffy, Assistant Secretary
Lisa Darmanin, Assistant Secretary
Igor Grattan, Assistant Secretary
Brian Parkinson, Branch Secretary, and
Russell Atwood, Branch Executive President

He read out the letters to the meeting and explained that with him and Russell Atwood resigning from their positions as of the 25th July 2014, that this will allow for Richard Duffy to fill the Branch Secretary position and for Lisa Darmanin to fill the Branch Executive President position.

Branch President, Wendy Phillips asked if there were any questions regarding the resolution.

Senior Vice-President, John O'Neill mentioned that it does not refer to casual vacancies.

Branch Secretary, Brian Parkinson replied, explaining that this will not be a problem and that casual vacancies are automatically picked up by the resignations of Brian Parkinson and Russell Atwood.

Pier Moro asked if Branch Executive could see a diagram of the new structure after Branch Executive votes on this resolution.

Branch Secretary, Brian Parkinson replied that he was looking at this issue the day before with Richard Duffy and Lisa Darmanin.

Pier Moro reiterated that he would like to see a copy of the internal structure and the branch structure.

Barry Gough reported that there is a bit of confusion amongst members and suggested we should communicate to members regarding the Branch Co-ordinators.

RECOMMENDATION:

“Branch Executive noting:

- a) *That the Branch Secretary (Brian Parkinson) has given notice of his resignation with effect from 25 July 2014;*

- b) *That the Branch Executive President (Russell Atwood) has given Notice of his resignation from that office with effect from 25 July 2014;*
- c) *That it is considered appropriate to restructure and rationalize the branch officer positions in the interests of the efficient administration of the branch and in particular to abolish the office of Branch Junior Vice President and the three Branch Assistant Secretary Officers and rule alterations have been prepared to give effect to this, related and other matters;*
- d) *That Branch Assistant Secretary Igor Grattan has given notice of his resignation with effect from 25 July 2014;*
- e) *That Richard Duffy and Lisa Darmanin, Branch Assistant Secretaries, have indicated that they have no objection to the abolition of the office of Assistant Branch Secretary subject to the arrangements herein;*
- f) *That as a consequence of the proposed resignation of the Branch Secretary, the Branch Executive President, and Branch Assistant Secretary Igor Grattan, the proposed abolition of the three offices of Branch Assistant Secretary, and the qualifications and experience of the remaining Assistant Branch Secretaries, it is appropriate to appoint Assistant Branch Secretary Lisa Darmanin to the office of Branch Executive President for the unexpired portion of the term of that office upon the casual vacancy arising and to appoint Richard Duffy to the office of Branch Secretary for the unexpired portion of the term of that office upon the casual vacancy arising; and*
- g) *Rules alterations to the Branch Rules have been prepared and circulated;*

RESOLVES AS FOLLOWS:

1. *Pursuant to Branch Rule 28 to approve the rule alterations in Schedule A as circulated with the Notice of Meeting.*
2. *To seek the approval of the National Executive to the rule alterations in Schedule A pursuant to National Rule 10 e.*
3. *To request the Branch Secretary to take all necessary steps for the certification by the Fair Work Commission of the rule alterations in Schedule A.*
4. *To accept the resignation of Russell Atwood from the office of Branch Executive President according to its terms.*
5. *To appoint Lisa Darmanin to the office of Branch Executive President with effect immediately upon Russell Atwood vacating that office.*
6. *To accept the resignation of Lisa Darmanin from the office of Assistant Branch Secretary with effect upon her appointment to the office of Branch Executive President.*
7. *To accept the resignation of Brian Parkinson according to its terms.*
8. *To appoint Richard Duffy to the office of Branch Secretary with effect immediately upon Brian Parkinson vacating that office.*

9. *To accept the resignation of Richard Duffy from the office of Assistant Branch Secretary with effect upon his appointment to the office of Branch Secretary.*
10. *To accept the resignation of Branch Assistant Secretary Igor Grattan according to its terms.*
11. *To note the declarations by each of the Assistant Branch Secretaries that they have no objection to the abolition of the offices of Assistant Branch Secretary in the circumstances.*

Moved: Dale Borthwick
Seconded: Ann Beck

CARRIED



A•S•U

File/Our Ref: [DS/db 10.4 & 12.21](#)
Your Ref:
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Attachment 3.

Friday, 27 June 2014

TO: All National Executive members
As addressed

By E-mail

Dear National Executive Member

**Postal/Fax/Email Vote No. 03/2014
Proposed Rules changes Division Nine Victorian and Tasmanian
Authorities and Services Branch**

The Victorian and Tasmanian Authorities and Services Branch has notified in writing as per the attached letter and Schedule A dated 24th June 2014, that in accordance with Rule "49 - RULE ALTERATIONS" to include proposed amendments to DIVISION NINE be submitted to National Executive for approval.

Brian Parkinson, Branch Secretary, has outlined the proposed amendments outlined in Schedule A : June 2014 to the ASU National Rules DIVISION NINE. A copy of the current Rules is attached for your information.

Please find following the voting paper with the proposed amendments to the ASU National Rules. The changes only affect the Victorian and Tasmanian Authorities and Services Branch and I recommend that you vote to support them.

I request your prompt response in regard to the attached Recommendation so that the proposed amendments to the ASU National Rules - DIVISION NINE can be submitted to the Fair Work Commission for certification, as soon as possible.

Yours faithfully

David Smith
National Secretary

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

encl

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Services
Union**

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National Secretary
David Smith

Assistant National Secretaries
Greg McLean
Linda White

VOTING PAPER
**Proposed Rules changes Division Nine Victorian and Tasmanian
Authorities and Services Branch**

Recommendation:

“Schedule A : June 2014

**AMENDMENTS TO ASU DIVISION NINE
VICTORIAN AND TASMANIAN AUTHORITIES AND SERVICES BRANCH RULES**

1. Delete the preamble immediately after the title.
2. Amend sub-rule 5b. by:
 - (a) the deletion in the second line of “Branch Junior Vice President,” and in the third line of “three Assistant Branch Secretaries,”;
 - (b) by altering the representation of the “Social and Community Services” Industry Division to be “3 (2 of whom shall be women)”;
 - (c) by amending the description of the “Energy and Information Technologies” Industry Division to be “Water and Energy”;
 - (d) by amending the description of the “Transport, Shipping and Travel, Clerical and Administrative, and Airlines” Industry Division to be the “Information Technologies, Transport, Shipping and Travel, Clerical and Administrative and Airlines”;
 - (e) by the altering the representation of the “Information Technologies, Transport, Shipping and Travel, Clerical and Administrative and Airlines” Industry Division to be “1” and deleting the provision “(1 of whom shall be a woman)”;
 - (f) by deleting the reference to “Water - 2 (1 of whom shall be a woman)”.
3. Amend sub-rule 6d. by:
 - (a) inserting the word “Branch” before “Executive President”;
 - (b) omitting the words “of the preceding year” and substituting “of the Branch since the last report”.
4. Amend sub-rule 7c. by inserting the word “Branch” before “Executive President”.
5. Amend sub-rule 7d. by deleting the last sentence commencing on the fourth line with “‘If...”.
6. Amend rule 8 by inserting “Branch” before “Executive President”.
7. Amend sub-rule 9b. ii. by changing the titles and representation of the following Industry Divisions:
 - (a) “Energy and Information Technologies - 8 (4 of whom shall be women) - change to “Water and Energy - 6 (3 of whom shall be women)”.

**National Executive
VOTE No.: 03/2014
Page 2 of 3**

- (b) "Transport, Shipping and Travel, Clerical and Administrative, and Airlines" – change to "Information Technologies, Transport, Shipping and Travel, Clerical and Administrative and Airlines - 4 (2 of whom shall be women)"; and
 - (c) Delete "Water - 8 (4 of whom shall be women)".
8. Delete the numeral "4" in sub-rule 13 and substitute "four".
 9. Amend sub-rule 14a.
 - (a) by deleting in the second line "Branch Junior Vice-President,";
 - (b) by deleting in the third line "and the three Assistant Branch Secretaries".;and
 - (c) by inserting "Branch" before "Executive President".
 10. Amend sub-rule 14b. by deleting "nine" in the second line and substituting "five".
 11. Amend rule 16 by the addition of "(Honorary)" in the title.
 12. Amend rule 17 by the addition of "(Honorary)" in the title.
 13. Amend rule 18 by
 - (a) the addition of "(Honorary)" in the title;
 - (b) deleting "Executive" in the second line of sub-rule a.;
 - (c) deleting the sentence in sub-rule a commencing "The election shall be" and substituting "Only eligible women members of the Branch shall be nominated for the office of Branch Vice-President (Women)";
 - (d) deleting sub-rule b.; and
 - (e) renumbering sub-rules c. and d. as b. and c. respectively.
 14. Delete Rule 18 A.
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 18. Delete sub-rule 23a. v. and renumbering vi. to xvi. to v. to xv.
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**National Executive
VOTE No.: 03/2014
Page 3 of 3**

21. Delete sub-rule 23c. and substitute the following:

- "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 that 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."

22. Amend Rule (renumbered) 25 Fund Disbursement sub-rule b by deleting the comma after "sign" where first appearing and substituting a full stop and deleting everything thereafter.

23. Amend sub-rule 25a. and sub-rule 25b. by inserting "Branch" before "Executive President" wherever appearing.

24. Delete (renumbered) Rule 28. Merger with Tasmanian Branch."

I support the recommendation:

YES

NO

Signed

Print Name

Dated

**Please complete and return to:
David Smith, ASU National Secretary
Email: dsmith@asu.asn.au**

In reply quote ref: RA/cc. 10.4

24th June 2014



A·S·U

Australian Services Union
Victorian and Tasmanian
Authorities & Services Branch

Mr. David Smith
National Secretary
Australian Services Union
116 – 124 Queensberry Street
CARLTON SOUTH VIC 3053

Dear David,

**RE: AMENDMENTS TO DIVISION 9 VICTORIAN AND TASMANIAN
AUTHORITIES AND SERVICES BRANCH RULES**

I advise that at its meeting of 24th June 2014, the Branch Executive of the Victorian and Tasmanian Authorities and Services Branch of the Australian, Municipal, Administrative, Clerical and Services Union passed a resolution that made provision for amendments to the rules of the Branch.

I attach a copy of the resolution and the rules changes as set out in Schedule A.

I have also attached a copy of the Division 9 Victorian and Tasmanian Authorities and Services Branch Rules in its entirety as it would appear after the amendments to same rules.

Accordingly, I request that you put this rule change to the National Executive for its consideration as soon as possible.

Yours faithfully

Brian Parkinson
BRANCH SECRETARY

Authorised by ASU Branch Secretary, Brian Parkinson

Australian Services Union • Victorian and Tasmanian Authorities and Services Branch • 1300 855 570

Branch Secretary

Brian Parkinson

Branch Executive President

Russell Atwood

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Schedule A : June 2014

AMENDMENTS TO ASU DIVISION NINE VICTORIAN AND TASMANIAN AUTHORITIES AND SERVICES BRANCH RULES

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 - (c) Delete "Water - 8 (4 of whom shall be women)".
8. Delete the numeral "4" in sub-rule 13 and substitute "four".
9. Amend sub-rule 14a.

- (a) by deleting in the second line "Branch Junior Vice-President,";
 - (b) by deleting in the third line "and the three Assistant Branch Secretaries".;
- and
- (c) by inserting "Branch" before "Executive President".
10. Amend sub-rule 14b. by deleting "nine" in the second line and substituting "five".
 11. Amend rule 16 by the addition of "(Honorary)" in the title.
 12. Amend rule 17 by the addition of "(Honorary)" in the title.
 13. Amend rule 18 by
 - (a) the addition of "(Honorary)" in the title;
 - (b) deleting "Executive" in the second line of sub-rule a.;
 - (c) deleting the sentence in sub-rule a commencing "The election shall be" and substituting "Only eligible women members of the Branch shall be nominated for the office of Branch Vice-President (Women)";
 - (d) deleting sub-rule b.; and
 - (e) renumbering sub-rules c. and d. as b. and c. respectively.
 14. Delete Rule 18 A.
 15. Amend rule 19a. by the addition of "one of whom shall be a woman".
 16. Delete Rule 21 and renumber Rules 22 to 29 as 21 to 27.
 17. Amend (renumbered) sub-rule 23 a. ii. by the deletion of "The Branch Junior Vice President" the addition of "and" after "The Branch Senior Vice President;" and the deletion of "and" after "The Branch Vice President (Women)".
 18. Delete sub-rule 23a. v. and renumbering vi. to xvi. to v. to xv.
 19. Amend sub-rule 23a. xv. by omitting "Women" and inserting "(Women)" after "Delegates".
 20. Delete sub-rule 23b. and substitute "Only eligible women members may nominate for the offices of Branch Vice-President (Women), Branch Executive Members (Women), National Conference Delegates (Women), Alternate National Conference Delegates (Women) and Branch Conference Delegates (Women)."
 21. Delete sub-rule 23c. and substitute the following:
 - "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 that 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."
22. Amend Rule (renumbered) 25 Fund Disbursement sub-rule b by deleting the comma after "sign" where first appearing and substituting a full stop and deleting everything thereafter.
 23. Amend sub-rule 25a. and sub-rule 25b. by inserting "Branch" before "Executive President" wherever appearing.
 24. Delete (renumbered) Rule 28. Merger with Tasmanian Branch."

052V: Incorporates alterations of 1 January 2014 determined on 12 December 2013 (R2013/337) and alterations of 23 December 2013 (R2013/391)(replaces 26 March 2013 D2012/209 version)

DIVISION NINE

VICTORIAN AND TASMANIAN AUTHORITIES AND SERVICES BRANCH

The following Rules are the Rules of the Branch constituted as a result of the Merger of the Victorian Authorities and Services Branch Part IX Division 9 and the Tasmanian Branch Part IX Division 4, to form the Victorian and Tasmanian Authorities and Services Branch (“the Merged Branch”). These Rules shall come into effect and apply severably as provided for in Rule 29 of these Rules and in Division 4, Tasmanian Branch Rules.

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 consist of the Branch President, Branch Senior Vice President, Branch Junior Vice President, Branch Vice President (Women), Branch Executive President, Branch Secretary, three Assistant Branch Secretaries, 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 (1 of whom shall be a woman)

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).

- c. All officers and other members of the Branch Executive shall be elected each 4 years.

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. The Branch shall have autonomy in matters affecting members of the Branch only.

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 Executive President and Branch Secretary present to the branch Conference a report of the business of the preceding year.
- e. Subject to National Rule 49, Branch Executive may add to, amend, alter or rescind these rules.

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 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. If the Branch President, the Branch Senior Vice-President and the Branch Vice-President (Women) are all absent from a meeting of the Branch Executive the Branch Junior Vice-President 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.

8 - BRANCH EMPLOYEES

The Branch Executive may 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 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)
 - 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)
- 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.

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.

13 - ALTERNATE NATIONAL EXECUTIVE REPRESENTATIVE

- a. There shall be an Alternate National Executive Representative elected every 4 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 Branch President, Branch Senior Vice President, Branch Vice-President (Women), Branch Junior Vice-President, Branch Secretary, Executive President and the three Assistant Branch Secretaries 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 nine 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.

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 Branch President elected every 4 years by the financial members of the Branch.
- b. The 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 conf

17 - BRANCH SENIOR VICE PRESIDENT

- a. There shall be a Branch Senior Vice-President elected every four years by the financial members of the Branch.
- b. The 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 Branch Vice-President (Women) elected every four years by and from the members of the Branch Executive. The election shall be conducted at the first meeting of the Branch Executive following the quadrennial election.
- b. Only eligible women members of Branch Executive shall be nominated for the office of Branch Vice-President (Women).
- c. The 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.
- d. The 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.

18A - BRANCH JUNIOR VICE PRESIDENT

- a. There shall be a Branch Junior Vice-President elected every four years by and from the members of the Branch Executive. The election shall be conducted at the first meeting of the Branch Executive following the quadrennial elections.
- b. The Branch Junior Vice-President shall deputise for the Branch President, Branch Senior Vice-President and Branch Vice-President (women) when they are all absent and shall chair meetings in their absence.

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.
- 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. 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.

21- ASSISTANT BRANCH SECRETARIES

- a. There shall be three Assistant Branch Secretaries elected every four years by the financial members of the Branch.
- b. At least one of the Assistant Branch Secretaries shall be a woman.
- c. The Assistant Branch Secretaries shall assist the Branch Secretary and shall carry out the directions of the Branch Secretary and or the Branch Executive President.
- d. In the absence of the Branch Secretary and the Branch Executive President or when both offices are vacant one of the Assistant Branch Secretaries shall be appointed by the Branch Secretary or the Branch Executive as Acting Branch Secretary and shall assume all of the powers and functions of the Branch Secretary during his or her temporary absence or until the casual vacancy is filled in accordance with National Rule 42.

22 - BRANCH AUDITOR

The Branch Executive shall appoint a Branch Auditor each year.

23 - 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.

24 - 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;
The Branch Vice President (Women); and
The Branch Junior Vice President.
 - iii. The Branch Secretary;
 - iv. The Branch Executive President;
 - v. The three Assistant Branch Secretaries;
 - vi. Branch Executive Members to be elected by and from Industry Divisions;
 - vii. Branch Executive Women Members to be elected by and from Industry Divisions;
 - viii. Branch Executive Member (Youth);
 - ix. The First and the Second National Executive Representatives;
 - x. The Alternative National Executive Representative;
 - xi. National Conference Delegates to be elected by the whole membership from each Industry Division;
 - xii. National Conference Delegates (Women) to be elected by the whole membership from each Industry Division;
 - xiii. The Alternate National Conference Delegates to be elected by the whole membership from each Industry Division;
 - xiv. The Alternate National Conference Delegates (Women) to be elected by the whole membership from each Industry Division;
 - xv. Branch Conference Delegates to be elected by and from the Industry Divisions;
 - xvi. Women Branch Conference Delegates to be elected by and from the Industry Divisions.
- b. Only eligible women members may nominate for the offices of Branch Executive Women Members, Women National Conference Delegates, Alternate Women National Conference Delegates, Women State Conference Delegates.
- c.
 - i. Provided that in the elections for the three Assistant Branch Secretaries, where male candidates have been declared elected for two of the offices of Assistant Branch Secretary only a female candidate shall be declared elected to the remaining office of Assistant Branch Secretary.

- ii. When clause i. 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.
- iii. When clause i. of this sub-rule is to be applied in a ballot and there is only one female candidate, such candidate shall be declared elected.
- iv. When clause i of this sub-rule is to be applied in a ballot and there are no female candidates, the election for the third office of Assistant Branch Secretary shall not be declared and nominations will be recalled provided that only eligible women members may nominate for the said office.

25 - 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.

26 - 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 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 Executive President. Where the Executive President is not immediately available the Branch President may sign, where the Secretary is not immediately available an Assistant Secretary may sign, provided that the Branch Executive may authorise other Branch Officers to sign cheques on behalf of the Branch. 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.

28 – 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.

29 - MERGER WITH THE TASMANIAN BRANCH

- a. This Rule provides for:
 - i. the merger of the Branch with the Tasmanian Branch to constitute the Victorian and Tasmanian Authorities and Services Branch (“the Merged Branch”), and
 - ii. the conduct of the first election for officers of the Merged Branch in the year 2011 (“the 2011 elections”).

This Rule shall apply notwithstanding any other provisions of these Branch Rules.

- b. The provisions of this Rule and the other rules changes made to these Branch Rules in the year 2010 (“the merger rules changes”) shall take effect on and from the day after the day upon which the General Manager of Fair Work Australia certifies them (“the certification date”), and from that date the Merged Branch and its members shall comply with the merger rules changes severably. Subject to this Rule on and after certification date the Branch and its members shall continue to comply with the Rules in operation immediately prior to that date (the unamended Rules).
- c. At the 2011 elections, the financial membership of the Branch and the Tasmanian Branch shall form the electorate for the poll to be conducted for the election of the officers of the Merged Branch in terms of the merger rules changes.
- d. Until the declaration of the poll for the 2011 elections, the Branch and the Tasmanian Branch shall maintain their separate existences. And subject to this Rule continue to comply with the unamended Rules.
- e. Upon the declaration of the poll for the 2011 elections confirming the election of the officers in terms of the merger rules changes, the branches shall be merged to form the Merged Branch (“the Merger Date”) and the Branch and its members shall comply with the merger Rules.



A•S•U

File/Our Ref: [DS/db 10.4 & 12.21](#)
Your Ref:
Please quote in reply

Attachment 4

Monday, 7 July 2014

TO: All National Executive Members
As addressed

By E-mail

Dear National Executive Member

**Postal/Fax/Email Vote No. 03/2014
Proposed Rules changes Division Nine Victorian
& Tasmanian Authorities and Services Branch**

The result of the e-mail ballot submitted to members of National Executive via e-mail on 27th June, 2014, regarding the above is as follows:

A total of 113.5 affirmative votes were received from:

David Smith
Linda White
Greg McLean
Julie Bignell
Sally McManus proxy to Natalie Lang
Michael Flinn
Graeme Kelly
Stephen Birney
Neil Henderson
Justine Moran
Joseph Scales
Brian Parkinson
Russell Atwood
Ingrid Stitt
David Leydon
Paul O'Neill

No negative votes were received.

I advise that National Executive E-mail Vote No. 03/2014 is carried.

Yours faithfully

David Smith
National Secretary

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E-mail: dsmith@asu.asn.au

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National Secretary
David Smith

Assistant National Secretaries
Greg McLean
Linda White