

[036N: Incorporates alterations of 1 June 2016 [R2015/235]
[replaces rulebook dated 3/11/2014, R2014/19]

Finance Sector Union of Australia

I CERTIFY under section 161 of the Fair Work (Registered Organisations) Act 2009 that the pages herein numbered 1 to 102 both inclusive contain a true and correct copy of the registered rules of the Finance Sector Union of Australia

General Manager of Fair Work Commission

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FINANCE SECTOR UNION OF AUSTRALIA

1 - NAME

The name of the organisation shall be the "Finance Sector Union of Australia" (hereinafter referred to as "the Union").

2 - ARRANGEMENT

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3 - OBJECTS

- 3.1 to uphold, protect and advance the interests of the Union and its members;
- 3.2 to obtain and maintain reasonable conditions of work and a fair rate of remuneration for its members;
- 3.3 to facilitate and encourage the fullest participation of the Union's members in all aspects of the Union's affairs by amongst other things, engaging the membership in the making and implementing of decisions and supporting the membership with training, education and local workplace representation;
- 3.4 to encourage all eligible employees into membership of the Union in order to enable their fullest participation in the representation of their interests;
- 3.5 to render financial and other assistance to members to maintain and protect their industrial rights and privileges;

3 - OBJECTS

- 3.6 to formulate and carry into operation schemes for the industrial, social, recreational, intellectual, and general advancement of members and to make arrangements with persons engaged in any trade, business or profession, for the provision to the members of the Union of any special rights, privileges and advantages and in particular with regard to the supply of goods or services;
- 3.7 to permit the formation of credit unions, housing and/or any other schemes that would be to the benefit of members;
- 3.8 to obtain preferential treatment for members of the Union in all appointments and promotions in the industries of the Union;
- 3.9 to establish and maintain clubs and holiday homes for the benefit of members and their families and to provide scholarships for the children of members and deceased members;
- 3.10 to establish and maintain funds or trusts for the benefits of employees and/or ex-employees of the Union and to grant pensions and/or allowances and pay premiums on assurance for these purposes;
- 3.11 to encourage the study of insurance, banking, woolbroking, trusts and finance;
- 3.12 to encourage by means of lectures, classes, and in other ways, the study of matters relating to the industries of the Union, with the idea of fitting members for promotion within these industries;
- 3.13 to encourage esprit de corps among members, and to maintain the best understanding and relationship between members and their employers;
- 3.14 to establish and maintain journal/s dealing with the affairs of the Union and matters of interests to its members;
- 3.15 to devise and implement a scheme of providence against the exigencies of old age, sickness, death, unemployment or other misfortune;
- 3.16 to enter into an agreement with any association of employees registered pursuant to the Act or the industrial law of any State or any other bona fide association of employees, in order to provide management, administrative or secretarial services, and to be reimbursed in such manner as is agreed upon for the provision of such services;
- 3.17 to arrange for and implement the affiliation and/or amalgamation of other industrial organisations and associations with the Union;
- 3.18 to arrange for and implement the affiliation and/or amalgamation of the Union with other industrial organisations and associations;
- 3.19 to embrace the principle of equality of opportunity in employment in the Union and the industries of the Union regardless of sex, marital status, race, colour, nationality, religious belief, ethnic or national origin, physical impairment or sexual preference;
- 3.20 to purchase, take on lease or in exchange, hire or otherwise acquire any real property and in particular any land, buildings or easements for any purpose connected with the conduct of the Union or any part thereof;

5 - CONDITIONS OF ELIGIBILITY FOR MEMBERSHIP

- 3.21 to borrow or raise or secure the payment of money in such manner as the Union may think fit, to secure the same, or the repayment or performance of any debt, liability or contract, guarantee or other engagement incurred or to be entered into by the Union or any part thereof in any way and to redeem or pay off any such securities;
- 3.22 to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Union, or any part thereof;
- 3.23 to provide advice and information to its members and the public regarding issues relating to the finance industry and industrial relations, and,
- 3.24 to do all such things as the Union may from time to time deem incidental or conducive to the attainment of the above objects or any of them.

4 - INDUSTRY

- 4.1 The industries in or in connection with which the Union is registered are the Finance Industries which include, but shall not be limited to, Insurance Industry, the Industry of Banking, the Industry of Credit Unions, the Industry of Building Societies, the Industry of Finance Companies, the Industry of Financial Intermediaries, the Industry of Financial Services, the Trustee Executors and Agency Industry, and the Industry of Wool Selling Brokers. Without limiting the generality of the foregoing, the Insurance Industry shall be deemed to include the industries, trades, businesses, undertakings, callings and occupations of loss adjusting, loss assessing, insurance broking, friendly societies, health insurance and the provisions of health benefits.
- 4.2 Without in any way limiting, or being limited by the provisions of sub-rule 4.1, the description of the industry in connection with which the union is registered is the industry conducted by the Commonwealth Banking Corporation, Commonwealth Bank of Australia, the Commonwealth Trading Bank of Australia, the Commonwealth Savings Bank of Australia, the Commonwealth Development Bank of Australia, the Reserve Bank of Australia and any banking agency or instrumentality of the Commonwealth of Australia, together with C.B.F.C. Limited, Travelstrength Limited, Australian European Finance Corporation Limited, Australian Banks' Export Re-Finance Corporation Limited and the Australian Resources Development Bank Limited.

5 - CONDITIONS OF ELIGIBILITY FOR MEMBERSHIP

- 5.1 Without in any way limiting or being limited by Rules 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9 or 5.11 the Union shall consist of an unlimited number of members, male and female, employed or usually employed:-
 - 5.1.1 in or in connection with the business and/or industry of Insurance or Assurance other than by or on behalf of the Public Service of the Commonwealth or any State or Territory or any corporation, instrumentality, institution or authority of the Commonwealth or any State or Territory; and/or,
 - 5.1.2 in or in connection with the business and/or industry of loss adjusting or loss assessing or insurance broking other than by or on behalf of the Public Service of the Commonwealth or any State or Territory or any corporation, instrumentality or authority of the Commonwealth or any State or Territory; and/or,

5 - CONDITIONS OF ELIGIBILITY FOR MEMBERSHIP

- 5.1.3 by or on behalf of -
- 5.1.3.1 the Insurance Council of Australia; or
 - 5.1.3.2 the Life Insurance Federation of Australia; or
 - 5.1.3.3 National Insurance Brokers' Association; or
 - 5.1.3.4 any member thereof; and/or,
- 5.1.4 by or on behalf of -
- 5.1.4.1 any insurance or assurance business; or
 - 5.1.4.2 any loss adjuster or loss assessor or insurance broker; or
 - 5.1.4.3 any health insurance fund or health benefit fund; or
 - 5.1.4.4 any friendly society in the performance of duties in or in connection with the industries in or in connection with which the union is registered;
- other than by or on behalf of the Public Service of the Commonwealth or any State or Territory or any corporation, instrumentality, institution or authority of the Commonwealth or any State or Territory; and/or
- 5.1.5 by or on behalf of the Public Service of the Commonwealth or any State or Territory or any corporation, instrumentality, institution or authority of the Commonwealth or any State or Territory in the performance of duties in the business of insurance or assurance; and/or
- 5.1.6 by or on behalf of the Victorian WorkCover Authority.
- 5.2 Without in any way limiting or being limited by Rules 5.1, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9 or 5.11 the Union shall also consist of all employees in or in connection with the industry of Banking and Merchant Banking in Australia and/or in or in connection with the industry of Credit Unions in Australia.
- 5.3 Without in any way limiting or being limited by Rules 5.1, 5.2, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9 or 5.11 the Union shall also consist of an unlimited number of persons who are employed anywhere in Australia by the Australian Mutual Provident Society on its salaried staff.
- 5.4 Without in any way limiting or being limited by Rules 5.1, 5.2, 5.3, 5.5, 5.6, 5.7, 5.8, 5.9 or 5.11 the Union shall also consist of all employees in or in connection with the Trustee Executors and Agency Industry in Australia.
- 5.5 Without in any way limiting or being limited by Rules 5.1, 5.2, 5.3, 5.4, 5.6, 5.7, 5.8, 5.9 or 5.11 the Union shall also consist of all persons employed by wool selling brokers in Australia, provided that members of the directorate of employer companies or persons covered by the Constitution of the Federated Storemen and Packers' Union of Australia or persons covered by the Constitution of Australian Workers' Union shall not be eligible for membership pursuant to this Rule.

5 - CONDITIONS OF ELIGIBILITY FOR MEMBERSHIP

- 5.6 Without in any way limiting or being limited by Rules 5.1, 5.2, 5.3, 5.4, 5.5, 5.7, 5.8, 5.9 or 5.11 the Union shall also consist of all persons who are employees engaged in the business of building societies throughout Australia, with the exception of employees of the following building societies:
- 5.6.1 Illawarra Mutual Building Society Limited (NSW);
 - 5.6.2 Newcastle Permanent Building Society (NSW);
 - 5.6.3 Greater Newcastle Permanent Building Society Limited (NSW);
 - 5.6.4 The Co-operative Building Society of South Australia Limited and Subsidiaries;
 - 5.6.5 Home Building Society (WA);
 - 5.6.6 Suncorp Building Society Limited (Qld);
 - 5.6.7 Ipswich and West Moreton Building Society (Qld); and
- 5.7 Without in any way limiting or being limited by Rules 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.8, 5.9 or 5.11 the Union shall also consist of all persons who are employees engaged in the business of finance companies throughout Australia, with the exception of employees of the following finance companies:
- 5.7.1 BMW Australia (Finance) Limited;
 - 5.7.2 Ford Credit Australia Limited;
 - 5.7.3 General Motors Acceptance Corporation, Australia;
 - 5.7.4 Nissan Finance Corporation Limited;
 - 5.7.5 Suncorp Finance Limited; and
 - 5.7.6 Toyota Finance Australia Limited
- 5.8 Without in any way limiting or being limited by Rules 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.9 or 5.11 the Union shall also consist of all employees in or in connection with the finance industry in Australia and/or in connection with the businesses and/or industries of financial intermediaries or financial services in Australia with the exception of employees of the companies listed in rules 5.7.3, 5.7.4, 5.7.5 or 5.7.7.
- 5.9 Without in any way limiting or being limited by Rules 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8 or 5.11 the Union shall also consist of:-
- 5.9.1 such other persons, whether or not employees in the industries of the Union, as have been elected or appointed full-time officers of the Union or a Branch of the Union; and
 - 5.9.2 such other persons, whether or not employees in the industries of the Union, who -

6 - ADMISSION TO MEMBERSHIP

- 5.9.2.1 are full-time industrial officers, education officers, publicity officers, administration officers, research officers or organisers of the Union or a Branch of the Union, and,
- 5.9.2.2 were, on the day immediately preceding the date upon which the amalgamation of the Australian Insurance Employees Union and the Australian Bank Employees Union and the A.M.P. Society Staff Association and the Trustee Companies' Officers' Association and the Wool Brokers Staffs Association took effect, full-time industrial officers, education officers, publicity officers, administration officers, research officers or organisers of the Australian Insurance Employees Union or a Branch thereof and members of the Australian Insurance Employees Union, and
- 5.9.3 such other persons as have been appointed Life Members of the Union; and
- 5.9.4 such other persons, whether or not employees in the industries of the Union, who are employed as one of the four FSU National Directors and appointed as such.
- 5.10 For the purposes of Rule 5.9.1, the full-time officers of the Union and of any Branch thereof shall be the holders for the time being of any of the following offices where the duties of such office are of a full-time nature - National President, Joint National President, National Vice-President, Joint National Vice-President, National Secretary, Joint National Secretary, National Assistant Secretary, Joint National Assistant Secretary, Joint National Treasurer, Branch President, Branch Vice-President, Branch Secretary, Branch Assistant Secretary.
- 5.11 Without in any way limiting or being limited by Rules 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9 or 5.10 the Union shall consist of an unlimited number of members employed by any of the entities referred to in Rule 4.2 whose employment is in connection with the provision of banking services, and of such other services as are provided by C.B.F.C. Limited, Travelstrength Limited, Australian European Finance Corporation Limited, Australian Banks' Export Re-Finance Corporation Limited and the Australian Resources Development Bank Limited and of such other services provided to or on behalf of the Commonwealth Bank of Australia by another entity (whether a subsidiary of or joint venture partner of the Commonwealth Bank of Australia or an entity in which the Commonwealth Bank of Australia has a substantial shareholding of not less than 10% of the issued capital) together with such other persons whether or not employees in the industry as have been elected officers of the union and admitted as members thereof.
- 5.12 Any person who is eligible for membership of the Union under the provisions of any of Rules 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9 or 5.11 shall not be excluded from membership of the Union by virtue of the provisions of any other of Rules 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9 or 5.11.

6 - ADMISSION TO MEMBERSHIP

- 6.1 An applicant for membership of the Union shall sign an application in such form as National Executive may from time to time prescribe, and shall forward or cause it to be forwarded to the Local Executive Secretary in the State/Territory in which the applicant is a resident. It may be forwarded by email and signed by electronic signature.

7 - ANNUAL SUBSCRIPTIONS

- 6.2 An applicant for membership of the Union shall be informed in writing of:-
- 6.2.1 the financial obligations arising from membership of the Union; and,
 - 6.2.2 the circumstances and the manner in which a member of the Union may resign from the Union.
- 6.3 Unless such application is referred to the relevant Local Executive for enquiry as provided in sub-rule 6.4, the applicant shall be and be deemed to be a member of the Union from the date of the receipt of the applicant's application by the Local Executive Secretary.
- 6.4 A Local Executive Secretary may refer an application for membership to the Local Executive for it to enquiry into and determine the application. He/she shall also forthwith advise that National Secretary of that referral and the reason the application was so referred. The Local Executive shall as soon as possible determine the application and the Local Executive Secretary shall then deal with the application accordingly.
- 6.5 The Local Executive Secretary, shall forthwith advise the applicant and the National Secretary of the Local Executives determination regarding the application and, in writing, fully advise the National Secretary of the reasons for that determination.
- 6.6 If the Local Executive decides to admit to membership an applicant whose application has been referred to it, the applicant shall be and be deemed to be a member as from the date referred to in sub-rule 6.3 and that member's financial status shall be determined in accordance with Rules 7 and 8.
- 6.7 If Local Executive decides to refuse any such application, the applicant shall forthwith be notified of such refusal and the amount of any subscriptions, fines, fees or levies paid by such applicant shall be refunded to such applicant.

7 - ANNUAL SUBSCRIPTIONS

- 7.1 Each member shall pay to the Union such annual subscription as may be determined from time to time by the National Executive, provided that any such determination shall only take effect from the first day of July next following the date of such determination. The National Executive may determine that there be different amounts of subscriptions for differing classes, groups or types of members as defined by the National Executive.
- 7.2 Subscriptions shall be due to be paid annually in advance on the first day of July in each year.
- 7.3 A member joining the Union after the first day of July in any year shall pay for that year a pro-rata subscription calculated in accordance with the remaining number of complete months in that year.
- 7.4 The National Executive or a Local Executive (in respect of members allocated to it) may exempt any member or any group or class of members from the requirement to pay subscriptions or any part thereof for any period (including periods which occurred prior to this rule change taking effect) on the grounds of such member's group or class of members:
- 7.4.1 absence from employment on leave without pay; or

7 - ANNUAL SUBSCRIPTIONS

- 7.4.2 temporary absence from Australia; or
 - 7.4.3 engagement in active military service; or
 - 7.4.4 inability through illness to carry on a calling; or
 - 7.4.5 being out of work; or
 - 7.4.6 being subjected to hardship other than loss of employment or illness.
- 7.5 The National Executive or a Local Executive (in respect of members allocated to it):
- 7.5.1 may exempt a member from the payment of all or part of any amount of subscription, fine or levy which that member has failed to pay if it is satisfied that such an exemption is justified in the circumstances, and
 - 7.5.2 may require that member by a specified date to pay in advance an amount of subscription as it considers appropriate in the circumstances, but not exceeding the sum of money equivalent to the amount of the Union's annual subscription which is applicable at that time.
- 7.6 Notwithstanding anything contained in these Rules:-
- 7.6.1 the National Executive may make arrangements with any employer whereby with the authority of any member or members of the Union, subscriptions payable to the Union are to be deducted by the employer from the salary or salaries of the member or members on a regular basis and paid to the Union;
 - 7.6.2 a member who has authorised such deduction of his/her subscription to the Union from his/her salary shall, subject to the provisions of sub-rules 7.6.3, 7.10, 7.11, 7.12 and 8.1 be deemed a financial member of the Union so long as such authority remains in force and provided that such member owes no arrears of subscriptions, fines, fees or levies in respect to any period prior to the date upon which such authority comes into force;
 - 7.6.3 where an arrangement referred to in this sub-rule 7.6 is terminated by the employer or the National Executive, the National Secretary shall notify in writing any member affected by such termination. That notice shall advise the member concerned of the provisions of this sub-rule. A member who does not within 21 days from the date of such written notice commence to pay subscriptions in accordance with sub-rule 7.7 shall thereupon become liable to pay to the Union the balance of any subscription owing for the relevant year and shall pay that amount within a further seven days. That amount shall be specified in such notice. It shall be the amount of the annual subscription payable by the member for that year less such amount or amounts as have been deducted by the employer from that member's salary in respect of such annual subscription. Thereafter that member shall be liable to pay subscriptions in accordance with this Rule.
- 7.7 Without in any way limiting or being limited by sub-rule 7.6, a member may pay his/her subscription to the Union by instalment by cash, cheque, credit card or automatic funds transfer of any type.

7 - ANNUAL SUBSCRIPTIONS

- 7.8 The National Executive may, for any reason it deems to be fit and proper, decide that a member may not be permitted to pay his/her subscription by instalment under sub-rule 7.7.
- 7.9 If the National Executive makes a decision under sub-rule 7.8, then it shall forthwith notify the member of that decision.
- 7.10 This sub-rule 7.10 applies where the Union becomes aware that:
- 7.10.1 a member who pays subscriptions annually in advance has not made payment by the date specified in sub-rule 7.2, or
 - 7.10.2 an employer of a member has not paid to the Union an amount of subscription deducted or due to have been deducted from that member's salary under an authority to so deduct and pay that amount to the Union in accordance with sub-rule 7.6, or
 - 7.10.3 a payment of an instalment of a subscription that was due to be paid under sub-rule 7.7 has not been paid, or
 - 7.10.4 a fine or levy has not been paid by the date on which it was required to be paid.

Where the Union so becomes aware the National Secretary is required by this sub-rule to cause enquires to be made as soon as possible of the employer and/or the member concerned to obtain an explanation and/or payment of the amount concerned. Such enquires may be made by telephone or any other method. The National Secretary is required by this sub-rule to cause a procedure to be followed where such inquiries do not lead immediately to a satisfactory arrangement to ensure the relevant payment is made. That procedure shall require a written notice or several written notices to be sent to the member concerned, advising that member of the consequences of being in arrears of subscription or failing to pay a fine or levy as provided in sub-rule 8.1 and sub-rule 7.11.

- 7.11 Where any payment referred to in sub-rule 7.10 is outstanding for more than twelve weeks after the Union becomes aware that it has not been paid when due then, provided the procedures referred to in that sub-rule have been implemented, the member concerned shall be unfinancial for the purposes of Rule 8.
- 7.12 This sub-rule 7.12 applies to a member who is employed only as a casual employee as such and whose subscription if so determined under sub-rule 7.1 is required to be paid only in respect of periods of time when that member is so employed.
- 7.12.1 That member shall not be unfinancial solely because the member pays no subscription in respect to periods of time when that member is not employed.
 - 7.12.2 Where the Union has not received at the Union office any subscription from that member in the twelve weeks preceding an event referred to in sub-rules 8.2.2, 8.2.3, or 8.2.4 that member shall be treated as unfinancial for the purposes of those sub-rules.

8 - UNFINANCIAL MEMBERS

- 7.13 Notwithstanding sub rule 7.1, the annual subscriptions for members attached to the Commonwealth Bank of Australia (CBA) Section of the Union shall be determined by that Section's National Enterprise Council (NEC), provided that any such determination shall take effect from the date determined by that NEC and provided that the income generated per capita is at least equal to that of other Sections of the Union. That NEC may determine that there be different amounts of subscriptions for differing classes, groups or types of members as defined by the NEC of the CBA Section.
- 7.14 Notwithstanding sub rule 7.1, the annual subscriptions for members attached to the Reserve Bank of Australia (RBA) Section of the Union shall be determined by that Section's National Enterprise Council (NEC), provided that any such determination shall take effect from the date determined by that NEC and provided that the income generated per capita is at least equal to that of other Sections of the Union. That NEC may determine that there be different amounts of subscriptions for differing classes, groups or types of members as defined by the NEC of the RBA Section.

8 - UNFINANCIAL MEMBERS

8.1 Subject to sub-rules 7.4, 7.5 and 8.3:

- 8.1.1 A member (including a member employed as a casual as such) owing any payment of subscription or any fine or levy for twelve weeks from the date on which the Union becomes aware that the payment has not been made, (as provided in sub-rule 7.10 and subject to that sub-rule) shall be deemed to be unfinancial.
- 8.1.2 A member who is employed as a casual as such and whose subscriptions have been determined under sub-rules 7.1, 7.13 or 7.14 to be required to be paid only in respect of periods of time when that member is so employed shall have his/her financial status determined in accordance with sub-rule 7.12 and/or this sub-rule 8.1.
- 8.1.3 A member (including a member employed as a casual as such) who fails to pay by the specified date any amount of subscription required to be paid under sub-rule 7.5.2 shall be deemed to be unfinancial until that amount is paid notwithstanding that member pays any other amounts of subscription.
- 8.1.4 Where a member notifies the Union or the Union becomes aware that a member has terminated any authority to pay subscriptions made in accordance with sub-rule 7.6 and that member has not paid the remainder of the subscription due for the relevant year nor made a new authority to pay subscriptions by deduction from salary nor commenced to pay subscriptions in accordance with sub-rule 7.7, that member shall be deemed to be unfinancial from the date up to which, according to the Union's records, the member's subscription by such deduction has been paid. Nothing in sub-rule 8.1 shall have the effect of releasing that member from the obligation to pay an amount of subscription related to any period of time during which an amount of subscription was not paid.

8 - UNFINANCIAL MEMBERS

- 8.1.5 Where the Union becomes aware that a member has ceased to be employed by the employer whom that member has authorised to pay the member's subscription under sub-rule 7.6 and the member has not paid the remainder of the subscription due for the relevant year nor made a new authority with an employer to pay subscriptions by deduction from salary nor commenced to pay subscriptions in accordance with sub-rule 7.7, that member shall be deemed to be unfinancial from the date up to which, according to the Union's records, the member's subscription by such deduction has been paid. Nothing in this sub-rule 8.1.5 shall have the effect of releasing that member from the obligation to pay an amount of subscription related to any period of time during which an amount of subscription was not paid.
- 8.1.6 Where the Union becomes aware that any authorisation or arrangement made by a member by which that member paid or is to pay subscriptions by instalment as permitted by sub-rule 7.7 has been terminated or ceased to operate and the member has not paid the remainder of the subscription due in the relevant year or made a new authority to pay subscriptions by deduction from salary or commenced to pay subscriptions in accordance with sub-rule 7.7, that member shall be deemed to be unfinancial from the date up to which, according to the Union's records, the member's subscription by such payment has been paid. Nothing in this sub-rule 8.1.6 shall have the effect of releasing that member from the obligation to pay an amount of subscription related to any period of time during which an amount of subscription was not paid.
- 8.2 An unfinancial member shall not be entitled:-
- 8.2.1 to any of the rights or privileges of membership; or,
- 8.2.2 to hold any office in or to nominate any person for election to any office in or to vote or otherwise participate in any way in any ballot or election in the Union or any body or any part of the Union;
- 8.2.3 to vote or speak at any meeting of the Union or any body or any part of the Union; or
- 8.2.4 to receive any notice of any meeting of the Union or any body or any part of the Union.
- 8.3 Any member who, pursuant to sub-rule 7.7, pays his/her subscription by instalments and/or pursuant to sub-rule 7.4 and/or sub-rule 7.5 is exempted from payment either wholly or in part of his/her subscription shall, for the purposes of these Rules, retain continuity of financial membership of the Union and, during the period for which the member pays his/her subscription by instalments or such exemption has been granted, shall not, by virtue only of the fact that he/she is paying by instalments and/or of the non-payment of the amount or amounts in respect of which he/she has been exempted from payment, be or be deemed to be an unfinancial member.
- 8.4 An unfinancial member shall remain liable to pay and shall pay all subscriptions, fines, fees, levies and dues accruing or becoming payable by members of the Union during the period in which the member is unfinancial.
- 8.5 An unfinancial member shall regain status as a financial member upon payment of, and as from the date of payment of, all subscriptions, fines, fees, levies and dues owing by the member.

10 - TERMINATION OF MEMBERSHIP

- 8.6 Where the National Executive has made a decision under sub-rule 7.8 and notified the member of that decision under sub-rule 7.9, then sub-rule 8.3 does not apply to the member unless that member has been exempted from payment of his/her subscription pursuant to sub-rule 7.4.

9 - RECOVERY OF SUBSCRIPTIONS

- 9.1 All subscriptions, fines, fees, levies or dues payable to the Union by members shall be paid to and collected by the National Secretary or an Agent authorised by the National Executive.
- 9.2 The National Secretary and any other person determined by the National Executive is authorised to proceed against any person in the name of the Union for the recovery of any subscriptions, fines, fees, levies or dues in arrears, and may, subject to any direction of the National Executive, take any action necessary or appropriate to effect that recovery.
- 9.3 The National Executive may, for any reasons which seem to it sufficient, extend time for payment or waive in whole or in part any member's arrears of subscription, fine, fee, levy or dues.

10 - TERMINATION OF MEMBERSHIP

- 10.1 Membership of a member of the Union shall be terminated:
- 10.1.1 by resignation in accordance with these Rules,
 - 10.1.2 by expulsion in accordance with these Rules,
 - 10.1.3 by death of the member,
 - 10.1.4 by the cancellation in accordance with Rule 14 of the membership of a member who has ceased to be eligible to become a member of the Union other than by holding office as a full-time officer of the Union,
- provided always that any person who is or becomes a member of the Union by virtue solely of sub-rule 5.9 shall, unless otherwise eligible for membership of the Union, forthwith cease to be a member of the Union upon his/her ceasing to hold the relevant office or position referred to in that sub-rule.
- 10.2 A member may resign from membership of the Union by notice in writing addressed and delivered to either the National Secretary or the Secretary of the Local Executive to which that person is allocated as a member.
- 10.3 A notice of the resignation from membership of the Union shall take effect:-
- 10.3.1 where the member ceases to be eligible to become a member of the Union -
 - 10.3.1.1 on the day upon which the notice is received by the Union, or
 - 10.3.1.2 on the day specified in the notice, which is a day not earlier than the day when the member ceases to be eligible to become a member,
- whichever is the later; or

13 - PURGING THE REGISTER

- 10.3.2 in any other case -
 - 10.3.2.1 at the end of two weeks after the notice is received by the Union, or
 - 10.3.2.2 on the day specified in the notice, whichever is the later.
- 10.4 Any dues payable but not paid by a former member of the Union, in relation to a period before the member's resignation from the Union took effect, may be sued for and recovered in the name of the Union, in a court of competent jurisdiction, as a debt due to the Union.
- 10.5 A notice delivered to the National Secretary or the relevant Local Executive Secretary shall be taken to have been received at the Union office when it was so delivered.
- 10.6 A notice of resignation that has been received by the Union shall not be invalid solely because it was not addressed and delivered in accordance with sub-rule 10.2.
- 10.7 A resignation from membership of the Union shall be valid even if it is not effected in accordance with the provisions of this Rule 10.

11 - RE-ADMISSION TO MEMBERSHIP

The re-admission to membership of persons who have resigned from or been expelled from the Union shall be conditional on the payment of any money owing by such person to the Union in respect of his/her earlier membership and, in the case of a person who has been expelled from the Union, shall also be subject to the approval of the application for membership by the National Executive.

12 – REGISTER OF MEMBERS

- 12.1 The National Secretary shall keep or cause to be kept a register of the members of the Union showing in each case in respect of each such member:
 - 12.1.1 the member's name and postal address;
 - 12.1.2 the Section to which that member is attached by sub-rule 19.2;
 - 12.1.3 the Local Enterprise Council to which that member is allocated by sub-rule 19.7; and
 - 12.1.4 the Local Executive to which that member is allocated by sub-rule 19.9.
- 12.2 Each Member shall notify the National Secretary of any change of his/her address within 14 days of that change.
- 12.3 Where any member changes employer he/she shall notify the National Secretary forthwith.

13 - PURGING THE REGISTER

- 13.1 The National Secretary shall from time to time strike off the register of members the names of all members owing subscriptions, fines, fees, levies, or dues for a period of or in excess of twenty-six weeks.

15 - LEVIES

- 13.2 The National Secretary shall give to each member whose name is proposed to be struck off, at his/her last address shown on the register, one month's written notice of the intention to strike him/her off the register and such member shall be given the opportunity to submit in writing any reason for his/her name not being struck off the register.
- 13.3 No member whose name has been struck off the register shall have his/her name replaced thereon unless and until he/she has paid all moneys due by him/her to the Union.

14 - REMOVAL OF MEMBERS WHO HAVE CEASED TO BE ELIGIBLE

- 14.1 Where the National Secretary has reason to believe that a member has ceased to be eligible to become a member of the Union he/she shall:
- 14.1.1 notify the member in writing (addressed to the member's last known address) of the reasons for the National Secretary's belief;
 - 14.1.2 in that notice advise the member that the National Secretary intends to cancel that member's membership and remove the member from the register of members;
 - 14.1.3 in that notice provide the member with the opportunity to bring any relevant consideration to the National Secretary's attention in writing within 21 days of the date on which the notice is forwarded; and
 - 14.1.4 in that notice advise that the member may seek to have the matter determined by National Executive, in which case the member shall be given the same 21 days to bring such relevant considerations to the National Executive's attention in writing addressed to the National Secretary.
- 14.2 The National Secretary will consider any response received from the member and shall:
- 14.2.1 where the member has sought to have the matter determined by the National Executive, refer the matter to the National Executive, or
 - 14.2.2 if he/she considers it otherwise appropriate refer the matter for decision of the National Executive; or
 - 14.2.3 otherwise determine whether or not to cancel the member's membership and remove him/her from the Register of Members.
- 14.3 Where the matter is to be dealt with by National Executive, it shall determine whether or not to cancel the member's membership and remove him/her from the Register of Members.

15 - LEVIES

- 15.1 The National Conference or the National Executive may from time to time strike a levy or levies on all members of the Union or on any part thereof (in respect of matters affecting that part solely) of an amount or amounts which shall not exceed in the aggregate \$50.00 per member per annum.
- 15.2 Any levy struck under this Rule shall be payable within three months of the date on which the levy or any instalment thereof is declared to be payable in the resolution striking the same.

16 - ASSOCIATE MEMBERSHIP

- 16.1 Any person who has formerly been a member of the Union, (other than a person who has been removed from membership pursuant to sub-rule 10.1.2), and who is not eligible to again become a member of the Union shall be entitled to become an Associate Member of the Union and may be admitted to Associate Membership by the relevant Local Executive.
- 16.2 Any person who is not a member of the Union and is not eligible to become a member of the Union may be admitted by the relevant Local Executive to Associate Membership of the Union.
- 16.3 An Associate Member shall receive such benefits of membership as may be determined from time to time by National Executive but shall not be entitled:
- 16.3.1 to hold any office in or to nominate any person for election to any office in or to vote or otherwise participate in any way in any ballot, plebiscite or election in the Union; or
 - 16.3.2 to vote or speak at any meeting of the Union; or
 - 16.3.3 to receive any notice of any meeting of the Union; or
 - 16.3.4 to any of the rights or privileges of membership.
- 16.4 Associate Membership shall not in any way be construed as membership for the purposes of the assessment of the number of members of the Union.
- 16.5 The National Executive may from time to time determine the fee for any category of Associate Membership of the Union. The National Executive may also subject to sub-rule 16.3 determine what benefits or assistance shall be provided to any and what category of Associate Membership.
- 16.6 A Local Executive may at any time and for any reason it considers appropriate in the circumstances revoke any person's Associate Membership of the Union.

17 - LIFE MEMBERSHIP

- 17.1 The National Conference may confer Life Membership of the Union on any member, or former member who ceases to be eligible for membership of the Union, who, in its opinion, has rendered special or outstanding service to the Union.
- 17.2 A Life Member shall not be liable for payment of any fees, subscriptions or levies.
- 17.3 A Life Member who is not or ceases to be eligible for membership of the Union shall be entitled to attend all meetings which he/she would have the right to attend were he/she a member and to speak thereat, but not to vote.
- 17.4 A person, who, as at the relevant date is a life member of the A.I.E.U. or the A.B.E.U. or the T.C.O.A. or the W.B.S.A. shall, as from such date, be and be deemed to have been made a life member of the Union pursuant to this Rule.
- 17.5 A person, who, as at the "CBOA amalgamation day" is a life member of the C.B.O.A. shall, as from such date, be and be deemed to have been made a life member of the Union pursuant to this Rule.

18 - MISCONDUCT OF MEMBERS

- 18.1 Any financial member of the Union may charge another member in writing, with one or more of the follow:
- 18.1.1 refusing to obey any of the Rules of the Union;
 - 18.1.2 refusing to abide by a resolution of the National Conference, the National Executive or the relevant Local Executive;
 - 18.1.3 defrauding or attempting to defraud the funds of the Union;
 - 18.1.4 making a false and malicious report against a fellow member;
 - 18.1.5 violating or attempting to violate the terms of any industrial award or agreement;
 - 18.1.6 entering or attempting to enter into any agreement with any employer contrary to the provisions of any award or agreement or other industrial instrument secured by the Union and applicable to him/her;
 - 18.1.7 obstructing any lawful committee or body of the Union in any way in the performance of any of its functions;
 - 18.1.8 obstructing any officer or employee of the Union in the course of his/her duties;
 - 18.1.9 wrongfully holding himself/herself out as occupying any office or position in the Union in any capacity (to which charge it shall be a defence that the member believed bona fide and on reasonable grounds that he/she was entitled to so act);
 - 18.1.10 behaving in a disorderly manner at any meeting held under these Rules or so behaving in any premises occupied by the Union; or
 - 18.1.11 aiding or encouraging any other member or members or any person(s) in any conduct referred to in this sub-rule 18.1.
- 18.2 Any charge shall be made in writing to the Secretary of the Local Executive to which the member charged is allocated under sub-rule 19.9 and shall be accompanied by a deposit of a sum equal to twenty per centum (20%) of the annual subscription payable at the time the charge is made. That Secretary shall summon the member charged before a meeting of the Local Executive. Such summons shall be in writing and shall set out the time and place of the meeting, the name of the person making the charge and the substance of the charge. The person charged shall be given such notice of the meeting as may be reasonable, having regard to all the circumstances and, if required to attend at a place more than 80 kilometres from his/her address as shown in the books of the Union shall be given his/her return fare. He/she shall, on request, be supplied with such further particulars as may be necessary to indicate the precise matters with which he/she is charged.
- 18.3 The Local Executive shall have power to hear and determine charges made under this Rule. The members of a Local Executive who hear the charge shall have only one vote each in dealing with and determining the charge.

18 - MISCONDUCT OF MEMBERS

- 18.4 At the appointed time and place (or any time and place to which the meeting is adjourned or postponed and of which the person charged is notified) the charges may be dealt with whether or not the person reported is present, unless a satisfactory explanation of his/her absence has been received.
- 18.5 If the person charged attends, he/she shall be informed of the substance and source of any information adverse to him/her on which the Local Executive may rely. He/she shall be given a reasonable opportunity to defend himself/herself and may, if he/she wishes, tender written submissions.
- 18.6 If the Local Executive finds him/her proved guilty of the charge, it may do one or more of the following, keeping in mind the seriousness of the offence -
- 18.6.1 impose no penalty;
 - 18.6.2 issue a reprimand;
 - 18.6.3 impose a fine not exceeding twice the amount of annual subscription payable at the time the fine is imposed;
 - 18.6.4 suspend him/her from membership or deprive him/her of any right or benefits of membership for any specified period not exceeding six months or until the happening of any specified event or until the performance by him/her of any specified act; or
 - 18.6.5 expel him/her from the Union.
- 18.7 Suspension from membership shall deprive a member of the benefits of membership but shall not relieve him/her of the obligations of membership. If the specified event has not occurred or the specified act had not been done at the expiration of six months from the date of suspension, the suspension shall then lapse.
- 18.8 Upon completion of any hearing, the deposit specified in sub-rule 18.2 shall be refunded to the member making the charge, provided that if upon investigation the charge is found to be frivolous by unanimous decision of the members of the Local Executive who hear the charge, the deposit shall be forfeited by the member who made the charge and shall be paid into the funds of the Union.
- 18.9 The member charged if found guilty may appeal to the National Executive against that decision and/or any penalty imposed by the Local Executive. Notice of appeal shall be given in writing to the National Secretary and also the Local Executive Secretary of the Local Executive which determined the charge, within two weeks of any decision being communicated to him/her and shall set forth in full all matters that the appellant desires to be considered. The appeal shall be dealt with in a meeting of National Executive in accordance with the Rules making provision for its meetings, provided that the appeal shall not be dealt with by ballot. The decision of the National Executive on appeal shall be final.
- 18.10 Any member suspended from membership of the Union pursuant to this Rule 18 shall be liable to pay and shall pay all subscriptions, fines, levies and dues accruing or becoming payable during the period of such suspension as if he/she had not been suspended from membership.
- 18.11 If on appeal the National Executive finds the member guilty it may impose a different penalty than the one imposed by the Local Executive.

19 - STRUCTURE OF THE UNION AND ALLOCATION OF MEMBERS

19.1 Each member of the Union shall be attached to one or other of the following Sections of the Union:

- 19.1.1 The National Australia Bank Section (NAB Section), or
- 19.1.2 The Australian and New Zealand Banking Corporation Section (ANZ Section), or
- 19.1.3 The Westpac Banking Corporation Section (WESTPAC Section), or
- 19.1.4 The Commonwealth Bank of Australia Section (CBA Section), or
- 19.1.5 The Reserve Bank of Australia Section (RBA Section), or
- 19.1.6 The Insurance Section, or
- 19.1.7 The Midsized Banks Section, or
- 19.1.8 The General Section, or
- 19.1.9 A Temporary Section established by the National Conference pursuant to and in accordance with sub-rule 19.2.9, or
- 19.1.10 The St George/Bank SA Section.

19.2 Each Section of the Union shall consist of members as follows:

- 19.2.1 The NAB Section shall consist of all members of the Union employed by the National Australia Bank.
- 19.2.2 The ANZ Section shall consist of all members of the Union employed by the Australian and New Zealand Banking Corporation.
- 19.2.3 The WESTPAC Section shall consist of all members of the Union employed by the Westpac Banking Corporation subject to the provisions of sub-sub-rule 19.2.10.
- 19.2.4 The CBA Section shall consist of:
 - 19.2.4.1 all members eligible for membership of the Union pursuant to sub-rule 5.11, except members employed by the Reserve Bank;
 - 19.2.4.2 all life members of the union who:
 - 19.2.4.2.1 were, at the "CBOA amalgamation day", life members of the CBOA except life members of the CBOA Reserve Bank Division, or
 - 19.2.4.2.2 were, at the date of becoming life members of the Union, members of the Commonwealth Bank Officers Section of the Union, and

19 - STRUCTURE OF THE UNION AND ALLOCATION OF MEMBERS

- 19.2.4.3 all members who are full-time officers of the Union and who:
 - 19.2.4.3.1 were, at the "CBOA amalgamation day", members of the CBOA, except members of the CBOA Reserve Bank Division, or
 - 19.2.4.3.2 were, at the date of becoming full time officers of the Union or Branch, members of the Commonwealth Bank Officers Section of the Union.

- 19.2.5 The RBA Section shall consist of:
 - 19.2.5.1 all members eligible for membership of the Union employed by the Reserve Bank and/or Note Printing Australia Limited; and
 - 19.2.5.2 all life members of the Union who:
 - 19.2.5.2.1 were, at the "CBOA amalgamation day", life members of the CBOA Reserve Bank Division, or
 - 19.2.5.2.2 were, at the date of becoming life members of the Union, members of the Reserve Bank Officers Section of the Union, and
 - 19.2.5.3 all members who are full time officers of the Union and who:
 - 19.2.5.3.1 were, at the "CBOA amalgamation day", members of the CBOA Reserve Bank Division, or
 - 19.2.5.3.2 were, at the date of becoming full time officers of the Union or branch, members of the Reserve Bank Officers Section of the Union.

- 19.2.6 The Insurance Section shall consist of:
 - 19.2.6.1 all members eligible for membership of the Union pursuant to sub-rules 5.1, 5.3, 5.4 and 5.5, other than those attached to another Section under sub-rules 19.2.1 to 19.2.5 inclusive and 19.2.7;
 - 19.2.6.2 all Life Members of the Union who :
 - 19.2.6.2.1 were, at the relevant date, life members of the AIEU,
 - 19.2.6.2.2 were, at the date of becoming Life Members of the Union, members of the Insurance Employees Section of the Union,
 - 19.2.6.2.3 were, at the date of becoming Life Members of the Union, members of the AMP Employees Section of the Union,
 - 19.2.6.2.4 were, at the relevant date, life members of the TCOA,
 - 19.2.6.2.5 were, at the date of becoming life members of the Union, members of the Trustee Companies Employees Section of the Union,

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- 19.2.6.2.6 were, at the relevant date, life members of the WBSA, or
- 19.2.6.2.7 were, at the date of becoming life members of the Union, members of the Wool Brokers Employees Section of the Union, and
- 19.2.6.3 all members who are full-time officers of the Union and who:
 - 19.2.6.3.1 were, at the relevant date, members of the AIEU, AMPSSA,
 - 19.2.6.3.2 were, at the date of becoming full-time officers of the Union or Branch, members of the Insurance Employees Section or of the AMP Employees Section of the Union,
 - 19.2.6.3.3 were, at the relevant date, members of the TCOA,
 - 19.2.6.3.4 were, at the date of becoming full time officers of the Union or Branch, members of the Trustees Companies Employees Section of the Union,
 - 19.2.6.3.5 were, at the relevant date, members of the WBSA, orwere, at the date of becoming full time officers of the Union or Branch, members of the Wool Brokers Employees Section of the Union.

Midsized Banks Section

- 19.2.7 The Midsized Banks Section shall consist of all members eligible for membership of the Union employed by Bank of Western Australia Ltd.

General Section

- 19.2.8 The General Section shall, subject to sub-rule 19.2.9, consist of all members of the Union not attached to any other Section.

Temporary Section

- 19.2.9 Where the National Conference establishes a Temporary Section as provided in sub-rule 19.1.9 it shall consist of such classes of members as the National Conference shall decide notwithstanding sub-rules 19.2.1 to 19.2.8 and 19.2.10 inclusive.

St George/Bank SA Section

- 19.2.10 The St George/Bank SA Section shall consist of all members eligible for membership of the Union employed in the St George Bank Division of the Westpac Banking Corporation.

Further Section Allocation Provisions

- 19.3 Sub-rules 19.3 and 19.4 are meant to deal with circumstances which may arise related to the structure of the provision of financial services in Australia and the employment of the Union's members or persons eligible to be members which in practice prevent, in whole or in part, the identification of one or more Sections in accordance with sub-rules 19.2.1 to 19.2.8 inclusive.

19 - STRUCTURE OF THE UNION AND ALLOCATION OF MEMBERS

- 19.4 Where the National Conference determines because of the circumstances referred to in sub-rule 19.3 it is not practicable to allocate the Union's members in whole or in part in accordance with one or more of the sub-rules specified in that sub-rule 19.3, it may, pending any rule alteration related to that circumstance, by resolution temporarily suspend, in whole or in part, the operation of one or more of those sub-rules and establish such Sections, Local Enterprise Councils and National Enterprise Councils as it considers appropriate in the circumstance and allocate the Union's members accordingly. Rule alterations to deal with these circumstances shall be expeditiously made.
- 19.5 Where there is an enlargement of the eligibility rules of the Union and/or where additional groups of persons become eligible to join the Union, the National Executive shall have the power to decide to which Section the members so eligible shall be attached.
- 19.6 Where there is any uncertainty or any dispute as to which Section of the Union one or more members of the Union is to be attached, the National Executive, after considering a report from the National Secretary, shall finally determine the Section to which such member(s) is to be attached. In so doing the National Executive will take account of whether or not the employer of such a member(s) is a body corporate related to a body corporate employer specified in or relevant to the operation of sub-rule 19.2 or, if an unincorporated employer is sufficiently related to such a specified employer. In so doing the National Executive will have regard to the definition of related body corporate in the Corporations Act 2001 and any relevant amendments made from time to time.

Local Enterprise Councils

- 19.7.1 A Local Enterprise Council of the Union shall be constituted in each of the States/Territories specified below in respect of the Union's members resident in that State/Territory in each of the Sections referred to in and established by sub-rules 19.1 and 19.2 and the Union's Membership shall be allocated accordingly, provided that there shall be no Local Enterprise Council for the RBA Section, the Insurance Section, the Midsized Bank Section or the General Section and provided further that the St George/Bank SA Section shall have Local Enterprise Councils constituted in the States/Territories as provided in 19.7.2.

Specified State/Territory

Victoria/Tasmania
NSW/ACT
Queensland
South Australia/Northern Territory
WA

- 19.7.2 A Local Enterprise Council of the St George/Bank SA Section of the Union shall be constituted as specified below:

Specified State/Territory

NSW/ACT
South Australia/Northern Territory
The Union's membership in the St George/Bank SA Section resident in Victoria/Tasmania, Queensland and WA shall be allocated to a Victoria/Tasmania/Queensland/WA Local Enterprise Council.

National Enterprise Councils

19.8 A National Enterprise Council of the Union shall be constituted in respect of the Union's membership in each of the Sections referred to in and established by sub-rules 19.1 and 19.2 and the Union's membership shall be allocated accordingly provided that the General Section shall not have a National Enterprise Council.

Local Executives

19.9 A Local Executive of the Union shall be constituted in each of the States/Territories referred to in sub-rule 19.7 and the Union's members resident in each such State/Territory shall be allocated accordingly, provided that all such members attached to the RBA Section shall be allocated to the Local Executive constituted in NSW/ACT and provided that all such members attached to the Midsized Bank Section shall be allocated to the Local Executive constituted in WA."

National Executive

19.10 There shall be a National Executive of the Union for which further provision is made in Rules 26, 28 and 29.

National Conference

19.11 There shall be a National Conference of the Union for which further provision is made in Rules 21, 22, 23, 24 and 25.

Attachment and allocation of officers

19.12 The National President while holding that office shall remain attached to the Section and allocated to the Local Enterprise Council and Local Executive in the State/Territory to which he/she was so attached and allocated immediately prior to election or appointment as National President.

19.13 The National Secretary, National Assistant Secretary and a Local Executive Secretary, if a member of the Union immediately prior to election to the office concerned shall, while holding such office, remain attached to the Section and allocated to the Local Enterprise Council and Local Executive in the State/Territory to which he/she was so attached and allocated by these Rules immediately prior to holding that office.

19.14 The National Secretary, National Assistant Secretary and a Local Executive Secretary, if not a member of the Union immediately prior to election to the office concerned shall, if he/she becomes a member, choose the Section to which he/she is to be attached. That choice shall be made in writing and shall be made upon becoming a member of the Union and shall be recorded in the Minutes of the next meeting of the National Executive and in the next meeting of the Local Executive to which he/she is allocated. Each of the officers referred to in this sub-rule 19.14 shall be allocated to a Local Enterprise Council and a National Enterprise Council and a Local Executive in accordance with sub-rules 19.7, 19.8 and 19.9.

20 - MANAGEMENT OF THE UNION

The management of the Union shall be vested in:

- 20.1 a National Conference,
- 20.2 a National Executive,
- 20.3 Local Executives,
- 20.4 National Enterprise Councils,
- 20.5 Local Enterprise Councils, and
- 20.6 General Meetings of Members specified in these Rules.

21 - COMPOSITION OF NATIONAL CONFERENCE

21.1 The National Conference of the Union shall consist of:

- 21.1.1 The National President,
- 21.1.2 The National Secretary, and
- 21.1.3 The National Assistant Secretary
- 21.1.4 The Members of each Local Executive (other than the Secretary) who shall for the purposes of the National Conference be called National Conference Delegates,

all of whom collectively shall be referred to as National Conference Members.

21.2 Each Local Executive Secretary shall be able to attend any meeting of National Conference and may, if invited by the Chairperson or by resolution, speak to the National Conference but shall not vote.

22 - POWERS OF NATIONAL CONFERENCE

22.1 In addition to any powers otherwise conferred upon it by these Rules, the National Conference shall be the supreme governing body of the Union and shall have the management and control of the affairs of the Union and, without limiting the generality of the foregoing, shall in particular have power:

- 22.1.1 to determine and direct the policy of the Union in all matters;
- 22.1.2 to make, add to, amend and rescind these Rules;
- 22.1.3 to determine the remuneration (if any) to be paid to the FSU Returning Officer and/or any FSU Deputy Returning Officer;

23 - NATIONAL CONFERENCE BIENNIAL MEETINGS

- 22.1.4 to appoint a National Auditor and to fix the remuneration to be paid to the same;
 - 22.1.5 to submit any matter that in its opinion is of sufficient importance to the financial members of the Union or any part of the Union for decision by ballot;
 - 22.1.6 to act as an arbitrator and to settle all disputes and disagreements between bodies of the Union.
 - 22.1.7 to set up any committees or sub-committees as it may from time to time determine provided that any such committee or sub-committee shall not exercise any executive powers but shall have and exercise only advisory and/or recommendatory powers; and
 - 22.1.8 to coordinate the activities of all bodies of the Union.
- 22.2 The powers of the National Conference in respect of the CBA Section and the RBA Section shall be exercised only in conformity with sub-rules 31.3 and 31.4 where those sub-rules are applicable to the circumstances of the exercise of the powers.
- 22.3 All decisions of the National Conference shall be final and shall remain in force unless and until varied, amended or annulled by the National Conference or by plebiscite of financial members of the Union conducted in accordance with these Rules.

23 - NATIONAL CONFERENCE BIENNIAL MEETINGS

- 23.1 The National Conference shall meet in every second year (the biennial meeting) on a date and at a time and place determined by the National Secretary who shall give each National Conference Delegate, each National Executive Delegate, the National President, each Local Executive Secretary at least 3 months notice of that biennial meeting.
- 23.2 Subject to this Rule, the National Secretary shall prepare the agenda for the biennial meeting of National Conference and, at least 21 days prior to the date of the commencement of the biennial meeting, forward that agenda to each National Conference Delegate, each National Executive Delegate, the National President, and each Local Executive Secretary.
- 23.3 The National Executive may, at any time, and from time to time, direct the National Secretary to include on the agenda for a biennial meeting of National Conference any matter which it considers should be dealt with by that biennial meeting.
- 23.4 Any member of the Union may in writing, at least nine weeks before the commencement of a biennial meeting of National Conference, submit to the Secretary of the Local Executive to which that member is allocated under the Rules or to the President of the National Enterprise Council of the Section of the Union to which that member is attached under the Rules, any business which that member wants to be included on the agenda for the next biennial meeting of National Conference.
- 23.5 Any business submitted by a member in accordance with sub-rule 23.4 shall be considered by the relevant Local Executive or National Enterprise Council which shall determine whether or not that business should be notified to the National Secretary for inclusion on the agenda of that next biennial meeting. Such business, if so notified to the National Secretary at least 5 weeks before the commencement of that next biennial meeting of National Conference, shall be placed on that agenda for that biennial meeting.

24 – NATIONAL CONFERENCE SPECIAL MEETINGS

- 23.6 A biennial meeting of National Conference may by resolution deal with and determine any matter whether or not that matter has appeared or does appear on the agenda for that biennial meeting.

24 – NATIONAL CONFERENCE SPECIAL MEETINGS

- 24.1 A special meeting of National Conference means:

- 24.1.1 a meeting of the National Conference Members (other than the biennial meeting) at which each Member is able to be physically present in the same venue, notwithstanding one or more members or their proxies fail to attend; or
- 24.1.2 a meeting of the National Conference Members conducted by telephone and/or video conference or by any other means by which the National Conference Members are able to communicate with each other without being physically present in the same venue, being a meeting expressly convened to be conducted in such manner;

and any decision of such a special meeting shall have full force and effect as a decision of National Conference.

- 24.2 The National Executive may at any time direct that there be a special meeting of National Conference in the manner determined by National Executive, to deal with any matter as determined by the National Executive, and may direct the National Secretary to convene it for a date and at a time and, where it is a meeting referred to in sub-rule 24.1.1, at a place it determines.
- 24.3 The National Secretary shall convene a special meeting of National Conference in accordance with the directions of the National Executive under sub-rule 24.2. If the National Executive has not determined the manner of that special meeting or the date, time and place for it, the National Secretary shall determine those matters.
- 24.4 Subject to sub-rule 24.2, the National Secretary shall prepare the agenda for any special meeting of the National Conference, setting out only the matters determined by the National Executive under that sub-rule and, subject to any directions of the National Executive, expeditiously forward that agenda to each National Conference Delegate, each National Executive Delegate, the National President, each Local Executive Secretary and the CBA Section Executive Officer.
- 24.5 Upon receiving the written advice of four Local Executives requesting that National Conference determine or decide one or more specified matters and specifying the reasons for that request, the National Secretary shall immediately advise the National President, each National Executive Delegate, the CBA Section Executive Officer and each Local Executive Secretary of the request and, in accordance with any directions of National Executive, or if there is no such direction:
- 24.5.1 convene a special meeting of National Conference; or
- 24.5.2 arrange a ballot of the members of National Conference Members conducted in accordance with Rule 25;

at which meeting or in which ballot the National Conference may deal with and determine the specified matter(s).

25 – NATIONAL CONFERENCE DECISIONS BY BALLOT

- 24.6 Subject to any direction of the National Executive, the National Secretary shall decide the form in which the matter(s) referred to in sub-rule 24.5 is to be put to a special meeting of National Conference or a ballot of National Conference. In any ballot conducted pursuant to sub-rule 24.5.2 the National Conference shall consider only the matter(s) required by sub-rule 24.5 to be specified in the requests from the Local Executives.
- 24.7 A special meeting of National Conference may by resolution determine any matter whether or not that matter has appeared or does appear on the agenda or request for that special meeting.
- 24.8 If, in a special meeting of National Conference conducted pursuant to sub-rule 24.1.2, the National Conference resolves that the matter(s) submitted for decision is/or of such importance as to require a special meeting pursuant to sub-rule 24.1.1, the National Secretary shall convene such a special meeting as soon as practicable.
- 24.9 If, in accordance with sub-rule 24.5.1 the National Secretary is to convene a special meeting of National Conference, the National Executive may determine that matters other than those contained in the written advice referred to in sub-rule 24.5 shall also be submitted to that special meeting. As provided in sub-rule 24.7 that special meeting may also deal with yet other matters.

25 – NATIONAL CONFERENCE DECISIONS BY BALLOT

- 25.1 The National Conference may determine matters by ballot as provided by this Rule. Such a ballot may also be required by sub-rule 24.5.2. Any decision made by National Conference in any such ballot shall have full force and effect as a decision of National Conference.
- 25.2 Where the National Executive or the National Secretary decides that one or more matters needs to be determined by National Conference between biennial meetings of National Conference, the National Executive or National Secretary may determine that such matter(s) be submitted the National Conference Members for determination by ballot in accordance with this Rule 25. Where so decided the National Secretary shall forward the matter(s) by post, facsimile or email to each National Conference Delegate, each National Executive Delegate, the National President, each Local Executive Secretary and the CBA Section Executive Officer by post, facsimile or email in such form as is determined by the National Secretary.
- 25.3 The National Executive or National Secretary shall determine a date by which the National Conference Members are to return the ballot to the National Secretary. The National Conference Members shall record their vote on the matter(s) by post, facsimile or email addressed to the National Secretary. A vote shall be signed by the member concerned and if the vote is by email it shall be signed by electronic signature.
- 25.4 If, in the course of a ballot conducted under this Rule a majority of the National Conference Members notify the National Secretary that the matter(s) for decision is/are of such importance as to require a special meeting pursuant to sub-rule 24.1.1 or 24.1.2, the National Secretary shall convene a special meeting as soon as practicable. In such notice each National Conference Member who requires a special meeting shall expressly advise whether it should be conducted under sub-rule 24.1.1 or sub-rule 24.1.2. The National Secretary shall then forthwith convene a special meeting in the form so decided by the National Conference Members.

26 - NATIONAL EXECUTIVE – COMPOSITION

25.5 If, in accordance with sub-rule 25.4 the National Secretary is to convene a special meeting of National Conference under sub-rule 24.1.1, the National Executive may determine that matters other than those contained in the written advice referred to in sub-rule 24.5 shall also be submitted to that special meeting. As provided in sub-rule 24.7 that special meeting may also deal with yet other matters.

26 - NATIONAL EXECUTIVE – COMPOSITION

26.1 The National Executive shall consist of the following:

26.1.1 The National President,

26.1.2 The National Secretary,

26.1.3 The National Assistant Secretary,

26.1.4 The Secretary of each Local Executive (the Local Executive Secretary),

26.1.5 The Presidents of each National Enterprise Council (National Executive Delegates), and

26.1.6 The General Section National President who is also a National Executive Delegate.

All of whom collectively shall be referred to as National Executive Members.

26.2.1 Each National Enterprise Council shall, at its first meeting as provided under sub-rule 47.46.1 elect from its members a Deputy National Executive Delegate who, pending the election of the President of that NEC or when that President is unable for any reason at any time to be present at a meeting of the National Executive or to participate in any vote of the National Executive in accordance with Rule 29, may attend National Executive Meetings and vote on all matters, including any election or appointment to any office.

26.2.2 The Deputy National Executive Delegate from the General Section shall be elected in accordance with the provisions of Rule 30.

26.3 Each Local Executive shall at its first meeting after a normal election elect from its members a Deputy National Executive Delegate from that Local Executive who, when the Secretary of that Local Executive is unable for any reason at any time to be present at a meeting of the National Executive or to participate in any vote of the National Executive in accordance with Rule 29, may attend National Executive meetings and vote on all matters, including any election or appointment to any office.

26.4 Any National Executive Member may in accordance with sub-rule 45.2.4 appoint a proxy for any meeting of National Executive or part of any such meeting or for the purpose of any vote of National Executive.

**27 – ELECTIONS AND QUALIFICATIONS FOR OFFICES OF NATIONAL PRESIDENT,
NATIONAL SECRETARY AND NATIONAL ASSISTANT SECRETARY**

Elections and Tenure of Office of National President, National Secretary and National Assistant Secretary

- 27.1 Each of the National President, National Secretary and National Assistant Secretary:
- 27.1.1 shall be elected by secret postal ballot of all the financial members of the Union;
 - 27.1.2 shall take office on 1st August in the year of a normal election for those offices or from the declaration of his/her election in such election, whichever is the later;
 - 27.1.3 shall hold office until 1st August of the fourth year after the 1st August in the year in which he/she was elected in a normal election or until the declaration of the results of the next such normal election for the office concerned.
- 27.2 Where, for whatever reason, the National President National Secretary or National Assistant Secretary does not take office on 1st August in the year of a normal election the duration of the term of the office concerned shall be deemed to have commenced on that date.

Qualifications and nominations for Office of National President, National Secretary and National Assistant Secretary

- 27.3 Any nominee for the position of National President shall, as at the date of nomination, be a financial member of the Union and be nominated by a financial member of the Union. Such a nominee shall have been employed within the period of six months prior to the calling of nominations in employment as provided for in Rules 4 and 5, provided that the National Executive may waive this requirement prior to the calling of nominations for the election to that office.
- 27.4 Any nominee for the position of National Secretary or National Assistant Secretary shall, as at the date of nomination, be a financial member of the Union and be nominated by a financial member of the Union, provided that prior to the calling of nominations for that office, the National Executive may determine that a nominee for that office need not be a member of the Union.

28 - NATIONAL EXECUTIVE – POWERS AND DUTIES

- 28.1 The National Executive shall, in addition to the powers conferred and the duties required by any other Rule, have the power and the duty to manage, control and conduct the affairs of the Union and, subject to the decisions of the National Conference, when the National Conference is not in session, shall have all the powers of the National Conference other than the power to make, add to, amend or rescind these Rules except where expressly empowered to do so under Rule 60.
- 28.2 Without limiting the generality of sub-rule 28.1 the National Executive shall in particular have the following powers and duties:
- 28.2.1 to implement the policy of the Union in all matters;

28 - NATIONAL EXECUTIVE – POWERS AND DUTIES

- 28.2.2 to develop, authorise, oversee and implement strategies and plans for the conduct of the Union's affairs;
- 28.2.3 to cause the interests of the Union and its members or any of them to be presented to and represented before any authority or body;
- 28.2.4 to appoint lawyers or other appropriate persons to represent the Union or any of its members in any Court or in any proceedings, legal or otherwise;
- 28.2.5 to determine the terms and conditions of employment for all full time paid officers of the Union;
- 28.2.6 to determine what allowance or honorariums (if any) shall be paid to any holders of any office in the Union;
- 28.2.7 to determine the terms and conditions of employment for all employees of the Union wherever employed;
- 28.2.8 to set up any sub-committee as it determines and to delegate such of its powers, other than the power to delegate, for so long, on such conditions and for such purpose as it determines, to a sub-committee;
- 28.2.9 to establish a National Management Committee, which will be a sub-committee of the National Executive and, as provided in sub-rule 28.4, assist the National Executive in the exercise of its powers and the performance of its duties;
- 28.2.10 Deleted
- 28.2.11 at any time to cause an audit to be made of any of the financial affairs and records of the Union;
- 28.2.12 to determine the budget for the Union;
- 28.2.13 where the National Secretary is temporarily unable to perform the duties and exercise the powers of his/her office, the National Assistant Secretary will perform the duties and exercise the powers of that office.
- 28.2.14 where a dispute or disagreement has arisen in relation to the exercise of powers or the duties required to be performed by any part of Union (as defined in sub-rule 65.6), and the persons involved have, together with the National Secretary, attempted and failed to resolve it, the National Executive may determine that it be brought to the National Executive for resolution and if so, when it is satisfied that it is sufficiently informed on the issues involved, shall finally determine the dispute or otherwise deal with it.
- 28.2.15 to finally determine any dispute or disagreement which may arise as to what action an officer or employee of the Union should or should not take in accordance with sub-rules 38.4, 39.27, 42.1.3, 42.2.3, 42.3.2, 42.4.1, 43.1.1 and 43.1.2 and to give directions to give effect to that determination;

28 - NATIONAL EXECUTIVE – POWERS AND DUTIES

- 28.2.16 to give full consideration to advice provided under sub-rules 41.2.14, 41.2.16 and 41.2.17 and any dispute submitted under sub-rules 31.3.1.5, 41.2.14 and 43.2.14 and determine such dispute, provided that prior to submitting any such dispute to the National Executive, the NEC of the CBA Section and/or the CBA Section Executive Officer has fully explored it with the National Secretary and together with him/her has tried and failed to have that dispute resolved; and
- 28.2.17 all decisions of the National Executive shall be final and shall remain in force unless and until varied, amended or annulled by the National Executive or otherwise so dealt with in accordance with these Rules.
- 28.3 The powers of the National Executive in respect of the CBA Section and the RBA Section shall be exercised only in conformity with sub-rules 31.3 and 31.4 where those sub-rules are applicable to the circumstance of the exercise of the powers.
- 28.4 The National Management Committee referred to sub-rule 28.2.9 shall consist of the National Secretary, the National Assistant Secretary, each Local Executive Secretary, the CBA Section Executive Officer, and such other persons as the National Executive shall determine from time to time. Subject to the Rules it shall:
- 28.4.1 Provide a management forum to assist in the oversight and co-ordination of the implementation of the decisions of the National Conference and the National Executive.
- 28.4.2 Provide a management forum to discuss the development and implementation of the Union's industrial plans.
- 28.4.3 Advise the National Executive and National Secretary on courses of action that may be taken in relation to the implementation of the industrial plans and activities of the Union and any other matters referred to it by the National Executive and/or the National Secretary.
- 28.4.4 Assist in the conduct FSU employees enterprise bargaining.
- 28.4.5 Advise the National Executive and the National Secretary about funding of the Union's activities in regard to new and emerging areas in the industry.
- 28.4.6 Consider reports and advise that National Executive and/or National Secretary on matters in relation to the Union's investment strategies.
- 28.5 The National Management Committee shall meet monthly and more frequently as it considers appropriate. The National Secretary shall be responsible for convening such meetings. Subject to the Rules, it shall determine its own procedures and processes.
- 28.6 The sub-committees determined to be set up under sub-rule 28.2.8 shall consist of such members of the National Executive as the National Executive shall determine provided that the National President shall be ex-officio a member of each sub-committee.
- 28.7 Subject to the rules, a sub-committee determined to be set up under sub-rule 28.2.8 shall:
- 28.7.1 further the work of the Union;
- 28.7.2 be responsible to, and under the control of, the National Executive;
- 28.7.3 be responsible to, and subject to the control of, the National Executive;
- 28.7.4 meet regularly, or as otherwise required by the National Executive, provided that a quorum for meetings is three (3) members of the sub-committee; and

29 - NATIONAL EXECUTIVE - MEETINGS

28.7.5 promptly report to the National Executive on its deliberations.

29 - NATIONAL EXECUTIVE - MEETINGS

29.1 The National Executive shall meet:

29.1.1 quarterly each year in the months of February/March, May/June, August/September and November/December; and

29.1.2 at other times,

as it determines.

29.2 A meeting of the National Executive under 29.1.1:

29.2.1 shall be called by the National Secretary giving the members of the National Executive 14 days' notice;

29.2.2 the notice of meeting given under sub-rule 29.2.1 shall specify the time, date and venue of the meeting; and

29.2.3 despite sub-rule 29.2.2 may be conducted at more than one (1) venue by using any technology that gives each members of the National Executive a reasonable opportunity to participate in the meeting and permits each member of the National Executive present to hear and be heard by each other member of the National Executive present at the meeting.

29.3 A meeting of the National Executive under 29.1.2 shall be called by:

29.3.1 the National Secretary;

29.3.2 the National President;

29.3.3 any two (2) members of the National Executive.

29.4 A meeting of the National Executive called under 29.3

29.4.1 shall give the members of the National Executive three (3) days' notice;

29.4.2 the notice of meeting given under sub-rule 29.4.1 shall specify the time, date and venue of the meeting; and

29.4.3 despite sub-rule 29.4.2 may be conducted at more than one (1) venue by using any technology that gives each member of the National Executive a reasonable opportunity to participate in the meeting and permits each member of the National Executive present to hear and be heard by each other member of the National Executive present at the meeting.

29.5 Despite rule 29.54 where the National Secretary and/or the National President determines that there is a need for a meeting of the National Executive to be called urgently, the National Secretary may, and if directed by the National President must, call the meeting within 24 hours of the determination or the direction, as the case may be, that the meeting be held urgently.

29.6 In the event that the National Secretary does not call the meeting within 24 hours of the direction in rule 29.5, the National president must urgently call the meeting.

29.7 A meeting called pursuant to rule 29.5 or 29.6 may be conducted at more than one (1) venue by using any technology that gives each member of the National Executive a reasonable opportunity to

30 – COMPOSITION, ELECTION, TENURE, QUALIFICATION AND NOMINATION FOR OFFICES OF LOCAL AND NATIONAL ENTERPRISE COUNCIL MEMBER AND THEIR PRESIDENTS, NATIONAL ENTERPRISE COUNCIL MEMBERS, LOCAL EXECUTIVES AND THEIR PRESIDENTS AND SECRETARIES (AND DEPUTY NATIONAL

participate in the meeting and permits each member of the National Executive to hear and be heard by each other member of the National Executive present at the meeting.

29.8 The National Secretary may determine that a matter requires urgent attention and that the matter can be dealt with by a ballot without meeting and if so determining shall cause a ballot of the members of the National Executive to be conducted on the matter by means of email or SMS, instead of a meeting, provided that:

29.8.1 in the ballot a majority of the votes entitled to be cast and voting, constitutes quorum;

29.8.2 the National Secretary shall determine a time limit, being no more than seven (7) days, in which the ballots must be received; and

29.8.3 determination of the ballot shall be by a majority of the votes cast.

29.9 The National President may determine that a matter requires urgent attention and that the matter can be dealt with by a ballot without meeting and if so determining shall direct the National Secretary to immediately cause a ballot of the members of the National Executive to be conducted on the matter by means of email or SMS, instead of a meeting, provided that:

29.9.1 in the ballot a majority of the votes entitled to be cast and voting, constitutes quorum;

29.9.2 the National President shall determine a time limit, being no more than seven (7) days, in which the ballots must be received; and

29.9.3 determination of the ballot shall be by a majority of the votes cast.

29.10 A vote cast in accordance with 29.8 or 29.9 shall be accepted if it is sent from the usual email address or mobile telephone number, as the case may be, of the member of the National Executive concerned.

29.11 Notwithstanding the foregoing provisions of this Rule, the National President and the National Secretary may with consent of not less than one half of the National Executive Members adjourn, postpone or cancel a meeting of the National Executive.

30 – COMPOSITION, ELECTION, TENURE, QUALIFICATION AND NOMINATION FOR OFFICES OF LOCAL AND NATIONAL ENTERPRISE COUNCIL MEMBER AND THEIR PRESIDENTS, NATIONAL ENTERPRISE COUNCIL MEMBERS, LOCAL EXECUTIVES AND THEIR PRESIDENTS AND SECRETARIES (AND DEPUTY NATIONAL EXECUTIVE DELEGATES)

Composition of Local Enterprise Councils

30.1 Local Enterprise Councils shall be constituted in accordance with sub-rule 19.7.

30.1.1 Each LEC shall consist of not less than five and not more than twenty members (LEC member(s)).

30.1.2 Subject to sub-rule 30.1.1 the number of the members of an LEC shall be determined by the Local Executive in the relevant State/Territory prior to the call for nominations for

30 – COMPOSITION, ELECTION, TENURE, QUALIFICATION AND NOMINATION FOR OFFICES OF LOCAL AND NATIONAL ENTERPRISE COUNCIL MEMBER AND THEIR PRESIDENTS, NATIONAL ENTERPRISE COUNCIL MEMBERS, LOCAL EXECUTIVES AND THEIR PRESIDENTS AND SECRETARIES (AND DEPUTY NATION

election to that LEC and, subject to sub-rule 30.1.1, in the event of a casual vacancy that number may be correspondingly reduced by that Local Executive, provided that the Local Executive shall consult with the CBA Section Executive Officer concerning the number of members of an LEC in the CBA Section in the relevant State/Territory.

- 30.1.3 This sub-rule 30.1.3 notes that in accordance with sub-rule 19.7 there is no LEC in the RBA Section, the Insurance Section, the Midsized Bank Section or the General Section.

Composition of National Enterprise Councils

30.2 National Enterprise Councils shall be constituted in accordance with sub-rule 19.8.

- 30.2.1 Each NEC, other than the NEC of the RBA, the Insurance and the Midsized Banks Sections shall consist of the NEC members elected in accordance with sub-rule 30.12, by each LEC in the same section of the Union as the NEC concerned, one of whom shall be elected the President and another of whom shall be elected (in accordance with sub-rules 47.46.1 and 47.46.2) Deputy National Executive Delegate for the NEC of which both of them is an NEC member.”

- 30.2.2 The NEC members referred to in sub-rule 30.2.1 shall be elected in accordance with sub-rule 30.12.

- 30.2.3 The NEC of the RBA and the Midsized Banks Section shall consist of a minimum of five and no more than twelve NEC members (or other maximum number as determined by the NEC prior to the call for nominations for election to that NEC) who shall be elected by secret postal ballot by and from the members attached to the relevant Section, one of whom shall be elected President and another of whom shall be elected (in accordance with sub-rules 47.46.1 and 47.46.2) Deputy National Executive Delegate of the relevant Section.

- 30.2.4 The RBA Executive Officer provided for by Rule 41 shall be able to attend any meeting of the NEC of the RBA and may, if invited by the Chairperson or by Resolution, speak to the NEC of the RBA, but shall not vote.

- 30.2.5 The NEC of the Insurance Section shall consist of the members elected to the position of Insurance Section Local President in accordance with sub-rules 30.7.2 and 30.28, one of whom shall be elected President and another of whom shall be elected (in accordance with sub-rules 47.46.1 and 47.46.2) Deputy National Executive Delegate of the Insurance Section.

Composition of Local Executive

30.3 Local Executives shall be constituted as provided in sub-rule 19.9.

30.4 A Local Executive shall consist of:

- 30.4.1 The Presidents of each LEC constituted in the same State/Territory in which the Local Executive is constituted provided that the President of the LEC of the St George/Bank SA Section constituted for the States of Victoria/Tasmania – Queensland – WA shall be a member of the Local Executive in the State/Territory in which that President resides.

- 30.4.2 in each State/Territory, the Secretary of the Local Executive in that State/Territory,

30 – COMPOSITION, ELECTION, TENURE, QUALIFICATION AND NOMINATION FOR OFFICES OF LOCAL AND NATIONAL ENTERPRISE COUNCIL MEMBER AND THEIR PRESIDENTS, NATIONAL ENTERPRISE COUNCIL MEMBERS, LOCAL EXECUTIVES AND THEIR PRESIDENTS AND SECRETARIES (AND DEPUTY NATION

and the NSW/ACT Local Executive shall also consist of the President of the NEC of the RBA Section and the WA Local Executive shall also consist of the President of the Midsized Bank NEC.

Election and Tenure of Office of Local Enterprise Council Member, Local Executive Secretary, General Section Local President and Insurance Section Local President

- 30.5 An LEC member shall be elected by secret postal ballot by and from the financial members of the Union allocated to the LEC concerned under sub-rule 19.7.
- 30.6 A Local Executive Secretary shall be elected by secret postal ballot by and, subject to sub-rule 30.22, from the financial members of the Union allocated to that Local Executive by sub-rule 19.9.
- 30.7.1 In each of the States/Territories specified in sub-rule 19.7 a Local President shall be elected by secret postal ballot by and from all of the members attached to the General Section resident in that State or Territory.
- 30.7.2 In each of the States/Territories specified in sub-rule 19.7 a Local President shall be elected by secret postal ballot by and from all of the members attached to the Insurance Section resident in that State or Territory.
- 30.8 An LEC member, a Local Executive Secretary, a General Section Local President and an Insurance Section Local President shall each take office on the 1st of August in the year of a normal election for those offices or from the declaration of his/her election in such election, whichever is the latter.
- 30.9 An LEC member, a General Section Local President and an Insurance Section Local President shall hold office until the 1st of August of the second year after the 1st August in the year in which he/she was elected or until the declaration of the results of the next normal election for LEC members concerned, whichever is the later.
- 30.10 A Local Executive Secretary shall hold office until the 1st of August of the fourth year after the 1st of August in the year in which he/she was elected or until the declaration of the results of the next normal election for Local Executive Secretary, whichever is the later.
- 30.11 Where, for whatever reason, an LEC member, a Local Executive Secretary, a General Section Local President or an Insurance Section Local President does not take office on 1st August in the year of a normal election the duration of the term of the office shall be deemed to have commenced on that date in that year.”

Election and tenure of office of Local Enterprise Council President and National Enterprise Council member.

- 30.12 Each of the President of an LEC and its NEC member (which offices may be held by the same person):
- 30.12.1 shall be elected from the members of the LEC concerned by secret postal ballot of all of the financial members of the Union allocated to that LEC;
- 30.12.2 shall each take office on the 15th of October in the year of a normal election for those offices or from the declaration of his/her election in such election, whichever is the later; and

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30.12.3 shall each hold office until the 15th of October in the second year after the 15th of October in the year of a normal election in which he/she was elected or until the declaration of the election of his/her successor, whichever is the later.

30.13 Where, for whatever reason, the President of an LEC or its NEC member does not take office on the 15th of October in the year of a normal election, the duration of the term of the office concerned shall be deemed to have commenced on that date in that year.

30.14 If the President of an LEC is not re-elected as a member of the LEC of which he/she is President, he/she shall remain President of that LEC and shall remain a member of the Local Executive concerned until his/her successor is elected, but shall not vote on the LEC of which he/she remains President.

Election and tenure of office of a National Enterprise Council President

30.15 The President of each NEC:

30.15.1 shall be elected from the NEC members of the NEC concerned by secret postal ballot of all of the financial members of the Union allocated to that NEC;

30.15.2 shall take office on the 31st of December in the year of a normal election for that office or from the declaration of his/her election, whichever is the later; and

30.15.3 shall hold office until the 31st of December in the second year after the 31st of December in the year of a normal election in which he/she was elected or until the declaration of the election of his/her successor whichever is the later.

30.16 Where, for whatever reason, the President of an NEC does not take office on the 31st of December in the year of a normal election, the duration of the term of the office shall be deemed to have commenced on that date in that year.

30.17 If the President of an NEC is not re-elected as a member of the NEC of which he/she is President, he/she shall remain President until his/her successor as President is elected but:

30.17.1 shall not vote on that NEC; and

30.17.2 when there is a Deputy National Executive Delegate from that NEC, shall not hold office as the National Executive Delegate from that NEC.

Election and tenure of office of a Local Executive President and its Deputy National Executive Delegate

30.18.1 The President of each Local Executive and its Deputy National Executive Delegate shall be elected by secret ballot by and from the members of that Local Executive, other than its Secretary.

30.18.2 Each such President and each such Deputy National Executive Delegate:

30.18.2.1 shall take office on the 1st of November in the year of a normal election for the office concerned or from the declaration of his/her election, whichever is the later; and

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30.18.2.2 shall hold office until the 1st of November in the second year after the 1st of November in the year of a normal election in which he/she was elected or until the declaration of the election of his/her successor, whichever is the later.

30.19 Where, for whatever reason a President of a Local Executive or its Deputy National Executive Delegate does not take office on the 1st of November in the year of a normal election the duration of the term of the office shall be deemed to have commenced on that date in that year.

30.20 The President of a Local Executive shall remain President until his/her successor is elected but if he/she is not re-elected as a member of that Local Executive shall not vote on that Local Executive.

Qualification and nomination for office of Local Enterprise Council member

30.21 A nominee for election to the office of an LEC member shall have been a financial member of the Union for not less than six months immediately preceding nomination and shall, as at the date of nomination him/herself be, and be nominated by, a financial member of the Union allocated to the relevant LEC. Such a nominee shall have been employed within the period of 6 months prior to the calling of nominations in employment as provided for in Rules 4 and 5, provided that the relevant Local Executive may waive this requirement prior to the calling for nominations for election to that office.

Qualification and nomination for office of a National Enterprise Council member

30.22.1 A nominee for the office of a member of an NEC (other than the NEC of the RBA Section and the Midsized Bank Section) shall, as at the date of nomination him/herself be, and be nominated by, a member of the LEC concerned.

30.22.2 A nominee for the office of a member of the NEC of the RBA Section and the Midsized Bank Section shall have been a financial member of the Union for not less than 6 months immediately preceding nomination and shall, as at the date of the nomination him/herself be, and be nominated by, a financial member of the Union attached to the relevant Section.

30.22.3 A nominee for the office of Insurance Section Local President shall have been a financial member of the Union for not less than six months immediately preceding nomination and shall, as at the date of nomination him/herself be, and be nominated by, a financial member of the Union attached to the Insurance Section.

30.22.4 A nominee for the office of a member of the NEC of the Midsized Bank Section shall have been a financial member of the Union for not less than six months immediately preceding nomination and shall, as at the date of nomination him/herself be, and be nominated by, a financial member of the Union attached to the Midsized Bank Section.””

Qualification and nomination for office of Local Executive Secretary

30.23 A nominee for election to the office of a Local Executive Secretary shall, as at the date of nomination be a financial member of the Union, and be nominated by a financial member of the Union allocated to the Local Executive to which the nominee seeks election as Local Executive Secretary, provided that, prior to the calling of nominations for that office the Local Executive concerned may determine that a nominee for that office need not be a member of the Union.

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Special Rule – Election and Tenure of Office of the General Section National President or General Section Deputy National Executive Delegate

30.24 The General Section National President and a General Section Deputy National Executive Delegate:

- 30.24.1 shall be elected by secret postal ballot from all of the financial members of the Union attached to the General Section;
- 30.24.2 shall take office on the 1st of August in the year of a normal election for that office or from the declaration of his/her election whichever is the latter; and
- 30.24.3 shall hold office until 1st of August in the second year after the 1st of August in the year of a normal election in which he/she was elected or until the declaration of the election of his/her successor whichever is the latter; and
- 30.24.4 where for whatever reason, the General Section National President and General Section Deputy National Executive Delegate does not take office on the 1st of August in the year of a normal election, the duration of the term of the office shall be deemed to have commenced on that date in that year.

Qualification and Nomination for Office of General Section National President and General Section Deputy National Executive Delegate

30.25 A nominee for the election to the office of a General Section National President or General Section Deputy National Executive Delegate, shall have been a financial member of the Union attached to the General Section for not less than 6 months immediately preceding nomination and shall, as at the date of nomination him/herself be, and be nominated by, a financial member of the Union attached to the General Section. Such a nominee shall have been employed within the period of 6 months prior to the calling of nominations in employment as provided for in Rules 4 and 5, provided that the National Executive may waive this requirement prior to the calling for nominations for election to that office.

Election and Tenure of Office of the Insurance Section National President

30.26 The Insurance Section National President:

- 30.26.1 shall be elected from the Insurance Section Local Presidents by secret postal ballot of all of the financial members of the Union attached to the Insurance Section;
- 30.26.2 shall be the President of the Insurance Section NEC;
- 30.26.3 shall take office on the 31st of December in the year of a normal election for that office or from the declaration of his/her election whichever is the latter;
- 30.26.4 shall hold office until the 31st of December in the second year after the 31st of December in the year of a normal election in which he/she was elected or until the declaration of the election of his/her successor whichever is the latter;

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- 30.26.5 where, for whatever reason, the National President of the Insurance Section does not take office on the 31st of December in the year of a normal election, the duration of the term of the office shall be deemed to have commenced on that date in that year;
- 30.26.6 if the National President of the Insurance Section is not re-elected as a member of the Insurance Section NEC he/she shall remain President until his/her successor as President is elected; but
- 30.26.7.1 shall not vote on the NEC; and
- 30.26.7.2 when there is a Deputy National Executive delegate from that NEC, shall not hold office as the National Executive delegate from that NEC.

Qualification and Nomination for Office of Insurance Section National President

- 30.27 A nominee for election to the office of Insurance Section National President shall, as at the date of nomination him/herself be, and be nominated by, an Insurance Section Local President.

Qualification and Nomination for Office of General Section and Insurance Section Local President

- 30.28 A nomination for the election to an office of General Section or Insurance Section Local President shall have been a financial member of the Union for not less than 6 months immediately preceding nomination and shall as at the date of nomination him/herself be, and be nominated by, a financial member of the Union attached to the relevant Section. Such a nominee shall have been employed within the period of 6 months prior to the calling of nominations in employment as provided for in Rules 4 and 5, provided that the relevant Local Executive may waive this requirement prior to the calling for nominations for election to such an office.

31 – LOCAL AND NATIONAL ENTERPRISE COUNCILS’ AND LOCAL EXECUTIVE POWERS AND DUTIES

31.1 Local Enterprise Councils

- 31.1.1 An LEC and its LEC members shall, subject to these Rules, have the following responsibilities, functions, powers and duties:
- 31.1.1.1 to act at all times and conduct its business in a manner consistent with the decisions of the National Conference and the National Executive and the decisions of the NEC of the same Section as the LEC concerned (its NEC) and shall maintain close liaison with the National Executive;
- 31.1.1.2 to ascertain and identify the concerns, ideas and interests of the members allocated to that LEC (its Union members);
- 31.1.1.3 to actively contribute to the development, implementation and review of the Union’s strategies and plans;

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- 31.1.1.4 to ensure that its NEC is fully informed of the concerns, ideas and interests of its Union members;
- 31.1.1.5 to be committed to and actively support the recruitment and retention of its Union members;
- 31.1.1.6 to ensure that the views of the FSU Representatives in its Union members' workplaces are taken into consideration;
- 31.1.1.7 to establish such committees or sub-committees as it may from time to time determine, provided that any committee or sub-committee shall not exercise any executive powers but shall have and exercise only advisory powers; and
- 31.1.1.8 to appoint for the purposes of any of its meetings one of its LEC members to act as Chairperson in the absence of its President or in the event that the President vacates the Chair.

31.2 National Enterprise Councils

- 31.2.1 An NEC and its NEC members shall, subject to these Rules, have the following responsibilities, functions, powers and duties:
 - 31.2.1.1 to act at all times and conduct its business in a manner consistent with the decisions of the National Conference and the National Executive and shall maintain close liaison with the National Executive;
 - 31.2.1.2 to ascertain and identify the concerns, ideas and interests of the members allocated to that NEC (its Union members);
 - 31.2.1.3 to actively contribute to the development, implementation and review of the Union's strategies and plans;
 - 31.2.1.4 to ensure that each LEC in the same Section as that NEC is fully informed of the concerns, ideas and interests of its Union members;
 - 31.2.1.5 to be committed to and actively support the recruitment and retention of its Union members;
 - 31.2.1.6 to establish such committees or sub-committees as it may from time to time determine, provided that any committee or sub-committee shall not exercise any executive powers but shall have and exercise only advisory powers;
 - 31.2.1.7 to appoint for the purposes of any of its meetings one of its NEC members to act as Chairperson in the absence of its President or in the event that the President vacates the chair;
 - 31.2.1.8 to actively contribute to the development and implementation of the policies of the Union;

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- 31.2.1.9 to co-ordinate the activities of the Local Enterprise Councils in its Section;
- 31.2.1.10 to determine whether or not to consent to the Union entering into industrial agreements as provided in Rule 49 and prior to doing so, take into account any opinions expressed by any LEC in its Section;
- 31.2.1.11 where at any time or from time to time an office of NEC member is vacant, to allow, upon the request of the relevant Local Executive, a Union member allocated to that Local Executive or an employee of the Union selected by that Local Executive to attend an NEC meeting and, if invited by the Chairperson or by resolution, to speak at that meeting, but not to vote at it;
- 31.2.1.12 to receive reports from any body in the Union; and
- 31.2.1.13 to make by-law for the conduct and administration of its affairs and alter, amend or rescind the same, provided always that no by-law shall conflict with the Rules or the Act or decisions of the National Conference or the National Executive and, if any by-law does so conflict it shall have not force or effect.

CBA Section National Enterprise Council

31.3 In addition to the responsibilities, functions, powers and duties given to NECs under sub-rule 31.2 the NEC of the CBA Section shall have the following powers:

- 31.3.1 The NEC of the CBA Section shall be the governing body of the CBA Section of the Union and shall have the management and control of the affairs of that Section in all matters affecting only members of that Section, and, without limiting the generality of the foregoing, shall in particular have power:
 - 31.3.1.1 to determine and direct the policy of the CBA Section;
 - 31.3.1.2 to make by-laws, which are not contrary to the Rules, for the conduct and administration of the affairs of the CBA Section;
 - 31.3.1.3 in matters affecting only members of the CBA Section, to initiate and conduct all submissions to conciliation and arbitration tribunals and all proceedings in connection therewith or with any Award or Industrial Agreement, and to appoint solicitors and/or counsel in any Court or in any other proceedings legal or otherwise;
 - 31.3.1.4 to submit any matter that, in its opinion, is of sufficient importance to the financial members of the CBA Section for decision by ballot;
 - 31.3.1.5 to submit to the National Executive through the CBA Section Executive Officer any dispute that the NEC of the CBA Section considers has arisen regarding:
 - 31.3.1.5.1 the equitable use of the Union's resources in relation to the Union's members in the CBA Section;

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- 31.3.1.5.2 the recruitment and allocation of the Union's employees concerning work affecting those members;
 - 31.3.1.5.3 the production and authorisation of communication materials in any form relating solely or principally to matters concerning the Union's members in the CBA Section;
 - 31.3.1.5.4 any other matter affecting the governance of the CBA Section of the Union, or relating solely or principally to the Union's members in the CBA Section; and
- 31.3.1.6 to direct the CBA Section Executive Officer in accordance with sub-rule 41.2.

RBA Section National Enterprise Council

31.4 In addition to the responsibilities, functions, powers and duties given to National Enterprise Councils under sub-rule 31.2 the NEC of the RBA Section shall have the following powers:

31.4.1 the NEC of the RBA Section shall be the governing body of the RBA Section of the Union and shall have the management and control of the affairs of that Section in all matters affecting only members of that Section, and, without limiting the generality of the foregoing, shall in particular have power:

- 31.4.1.1 to determine and direct the policy of the RBA Section;
- 31.4.1.2 to make by-laws which are not contrary to the Rules, for the conduct and administration of the affairs of the RBA Section;
- 31.4.1.3 in matters affecting only members of the RBA Section, to initiate and conduct all submissions to conciliation and arbitration tribunals and all proceedings in connection therewith or with any Award or Industrial Agreement, and to appoint solicitors and/or counsel in any Court or in any other proceedings legal or otherwise;
- 31.4.1.4 to submit any matter that, in its opinion, is of sufficient importance to the financial members of the RBA Section for decision by ballot; and
- 31.4.1.5 through the RBA Executive Officer (or where necessary through the President of the NEC of the RBA Section) have the right to advise the National Executive on the determination of the Union's budget and the allocation of the Union's resources in respect to the provision of resources for the conduct of the Union's Affairs in the RBA Section.

Local Executive

31.5 A Local Executive and its members shall, subject to these Rules, have the following responsibilities, functions, powers and duties:

- 31.5.1 to act at all times and conduct its business in a manner consistent with the decisions of the National Conference and National Executive and shall maintain close liaison with the National Executive;

31 – LOCAL AND NATIONAL ENTERPRISE COUNCILS' AND LOCAL EXECUTIVE POWERS AND DUTIES

- 31.5.2 to ascertain and identify the concerns, ideas and interests of the members allocated to that Local Executive (its Union members) and to regularly consult with each LEC in the relevant State/Territory (and in NSW/ACT with the NEC of the RBA Section and in the case of the Western Australian Local Executive reports from the NEC of the Midsized Bank Section);
- 31.5.3 to actively contribute to the development, implementation and review of the Union's strategies and plans;
- 31.5.4 to ensure that it is fully informed of the concerns, ideas and interests of its Union members;
- 31.5.5 to assist each LEC in the relevant State/Territory (and in the case of the NSW/ACT Local Executive also to assist the NEC of the RBA Section and in the case of the Western Australian Local Executive also to assist the NEC of the Midsized Bank Section) in its role in the Union;
- 31.5.6 to be committed to and actively support the recruitment and retention of its Union members;
- 31.5.7 to ensure the local implementation of the Union's organising and campaigning strategies;
- 31.5.8 to develop and implement initiatives regarding its Union members consistent with the Union's policies and decisions of the National Conference and National Executive;
- 31.5.9 to oversee, consistent with the Union's national plans, the deployment of local resources;
- 31.5.10 to develop, implement and review local plans that are consistent with the Union's plans;
- 31.5.11 to appoint a person temporarily to act in the position of Secretary of that Local Executive if that Secretary is temporarily unable or unavailable to perform in that office;
- 31.5.12 to provide a forum for the members of the Local Executive to discuss broader industry issues;
- 31.5.13 to receive reports from each LEC within that Local Executive's State/Territory (and in the case of NSW/ACT Local Executive, reports from the NEC of the RBA Section and in the case of the Western Australian Local Executive reports from the NEC of the Midsized Bank Section);
- 31.5.14 to transact all the business of the Local Executive;
- 31.5.15 through its Secretary and/or its President, to provide annually to its Union members a full report of the business of the preceding year;
- 31.5.16 to fully investigate all grievances and disputes of its Union members which may be brought before it;

32 – MEETINGS OF LOCAL ENTERPRISE COUNCIL, NATIONAL ENTERPRISE COUNCIL AND LOCAL EXECUTIVE

- 31.5.17 to make by-laws for the conduct and administration of its affairs and alter, amend or rescind the same, provided always that no by-laws shall conflict with these Rules or the Act or decisions of the National Conference or the National Executive and if any by-law does so conflict it shall have no force or effect;
- 31.5.18 to appoint FSU Representatives in accordance with Rule 50;
- 31.5.19 to appoint as an LEC Associate Representative such number of LEC members from each LEC within its State/Territory as it considers necessary to attend meetings of the Local Executive and to permit upon invitation by the Chairperson or resolution of that Local Executive any such LEC Associate Representative to speak (but not to vote) at such meetings. The Local Executive may at its discretion at any time remove such an LEC Associate Representative from that position; and
- 31.5.20 to establish such committees or sub-committees as it may from time to time determine, provided that any such committee or sub-committee shall not exercise any executive powers but shall have and exercise only advisory powers.

Tasmanian Consultative Committee

- 31.6 The Tasmanian Consultative Committee shall be established as follows.
- 31.6.1 The Local Executive constituted in Victoria/Tasmania (the Vic/Tas Local Executive) shall establish the Tasmanian Consultative Committee to assist that Local Executive in its responsibilities, functions, powers and duties in relation to the members of the Union resident in Tasmania.
- 31.6.2 The Tasmanian Consultative Committee shall consist of each Vic/Tas Local Executive member who is resident in Tasmania and such other members of the Union resident in Tasmania as are appointed to it from time to time by that Local Executive. If no member of the Vic/Tas Local Executive is resident in Tasmania the Vic/Tas Local Executive Secretary shall be a member of the Tasmanian Consultative Committee.
- 31.6.3 The Vic/Tas Local Executive and its Local Executive Secretary shall make appropriate provision and arrangements to facilitate the work of the Tasmanian Consultative Committee.

32 – MEETINGS OF LOCAL ENTERPRISE COUNCIL, NATIONAL ENTERPRISE COUNCIL AND LOCAL EXECUTIVE

- 32.1 This Rule shall apply to each LEC and its President, each NEC and its President and each Local Executive and its Secretary or President. The expression “relevant officer” shall mean a person who holds such office concerned on the relevant Council or Executive to which this Rule 32 applies and the expressions “his/her relevant body” and “relevant body” shall mean such relevant Council or Executive.
- 32.2 The relevant body shall meet at least three times each year and at such other time or times as its members deem necessary.

33 - GENERAL MEETINGS

- 32.3 A relevant officer may, and shall if requested by any four members of his/her relevant body, summon a meeting of that relevant body.
- 32.4 When so determined by a relevant officer, a meeting of his/her relevant body:
- 32.4.1 may be conducted by its members meeting together at the same venue;
 - 32.4.2 may be conducted by telephone, video conferencing or by any other means by which members of the relevant body are able to communicate with each other without being physically present at the same venue; or
 - 32.4.3 may be conducted by post, facsimile or email.
- 32.5 The relevant officer summoning the meeting of the relevant body shall give to each member of his/her relevant body by post, facsimile or email seven days notice or such shorter notice as is practicable, of the time, date and place (where the meeting is to be conducted at the same venue) and the manner of conducting the meeting pursuant to sub-rule 32.4.
- 32.6 For any meeting of the relevant body that is conducted under sub-rule 32.4.3 the members of the relevant body may record their vote by forwarding it to the relevant officer who summoned the meeting of the relevant body by any of the methods of communication referred to in that sub-rule. A vote shall be signed by the member concerned and if the vote is by email it shall be signed by electronic signature.
- 32.7 Notwithstanding the forgoing provisions of this Rule, the relevant officer who summoned the meeting of the relevant body may with the consent of not less than one half of the members of his/her relevant body adjourn, postpone or cancel a meeting of that relevant body.

33 - GENERAL MEETINGS

- 33.1 Each Local Executive shall not later than the 30th of November in each year hold an Annual General Meeting of the Union's membership allocated to that Local Executive at a time and place determined by the Local Executive.
- 33.2 If the Local Executive Secretary receives a written petition for a Special General Meeting of the Union's members allocated to that Secretary's Local Executive, specifying the purpose for which the Special General Meeting is to be called and signed by not less than 10 per centum (10%) or 200 of the financial members of the Union allocated to that Local Executive (whichever is the lesser) he/she shall call such meeting to be held within one month of the date of the receipt of that petition.
- 33.3 Notice of an Annual or Special General Meeting shall be advertised by notice inserted in an official publication of the Union and/or by advertisement in a daily newspaper circulating in the State/Territory concerned. Such notice shall be advertised or circulated not less than seven days prior to the date of the meeting and shall specify the date, time and place of the meeting and, in the case of a Special General Meeting, the purpose for which it has been called.
- 33.4 A Special General Meeting shall deal only with the specified purpose for which it has been called.

35 - QUORUMS

- 33.5 At any General Meeting and any Special General Meeting a vote shall be exercised in person and no proxy voting shall be permitted.
- 33.6 The decision of a majority of the financial members at an Annual General Meeting or a Special General Meeting shall prevail over a decision of the Local Executive.

34 – GENERAL MEETINGS IN CBA AND RBA SECTIONS

- 34.1 If the CBA Section Executive Officer or the President of the NEC of the RBA Section receives a written petition for a General Meeting of the Union's members attached to the relevant Section, specifying the purpose for which the General Meeting is to be called and signed by not less than 10 per centum (10%) or 200, whichever is the lesser, of the financial members of the Union attached to the Section concerned, he/she shall call such a meeting to be held within one month of the date of receipt of that petition.
- 34.2 A General Meeting of the members attached to the Section concerned called pursuant to this Rule 34 may be conducted as a series of meetings held at different locations as determined by the relevant officer referred to in sub-rule 34.1.
- 34.3 Notice of a General Meeting shall be advertised by notice inserted in an official publication of the Union and/or by advertisement in a daily newspaper circulating in any State/Territory in which there are members of the Union attached to the Section concerned. Such notice shall be advertised or circulated not less than seven days prior to the date of the meeting(s) and shall specify the date, time and place of the meeting(s) and the purpose for calling it/them.
- 34.4 Notwithstanding the provisions of any other Rule, a quorum for a General Meeting of the members attached to the CBA Section or the members attached to the RBA Section shall be ten per centum (10%) or 75, whichever is the lesser, of the financial members of the Union allocated to the Section concerned.
- 34.5 A General Meeting shall deal only with the specified purpose for which it was called.
- 34.6 At a General Meeting a vote shall be exercised in person and no proxy voting shall be permitted.
- 34.7 The decision of a majority of the financial members of the Union attached to the Section concerned, voting in a General Meeting held in accordance with this Rule 34 shall prevail over a decision of the NEC of that Section. The decision of the majority shall be determined by adding all the votes of the members concerned cast at the locations at which the General Meeting(s) was or were held.

35 - QUORUMS

National Conference Quorum

- 35.1 The quorum for the biennial meeting or a special meeting of National Conference or for a National Conference decision by ballot under Rule 25 shall be a number of National Conference Members the sum of whose votes (including proxy votes) is at least fifty per centum (50%) of the sum of the total number of votes to which all National Conference Members would be entitled if all were voting.
- 35.2 If at any meeting of the National Conference no quorum is present at the expiration of thirty minutes after the time fixed for the commencement of that meeting those present may adjourn the meeting for a period not exceeding 24 hours when, if no quorum is present, the meeting shall lapse.

National Executive Quorum

35.3 The Quorum for a National Executive meeting, or a National Executive decision by ballot under Rule 49, shall be a number of National Executive Members (or where relevant Deputy National Executive Delegates) the sum of whose votes is at least fifty per centum (50%) of the sum of the total number of votes to which all such Members would be entitled if all were voting.

National Enterprise Council Quorum

35.4 The Quorum for an NEC meeting shall be a number of NEC members (or where relevant their proxies) the sum of whose votes is at least fifty per centum (50%) of the sum of the total number of votes to which all such members would be entitled if all were voting.

Local Enterprise Council Quorum

35.5 The Quorum for an LEC meeting shall be half the number of LEC members then holding such office or five, whichever is the lesser.

Local Executive Quorum

35.6 The Quorum for a Local Executive meeting shall be a number of Local Executive members the sum of whose votes (or where relevant their proxy votes) is at least fifty per centum (50%) of the total number of votes to which all such members would be entitled if all were voting.

General Meetings

35.7 The Quorum for a General Meeting held under Rule 33 shall be 30 financial members or five per centum (5%) of the financial members of the Union allocated to the Local Executive concerned, whichever is the lesser.

Inquorate Meetings

35.8 If, at any meeting of the National Executive or an NEC, LEC or Local Executive, no quorum be present at the expiration of thirty minutes after the time fixed for the commencement of the meeting, such meeting shall adjourn for seven days. Members shall be given two clear days' notice of the date, time and place to which such meeting has been adjourned. If at such adjourned meeting no quorum is present, those present shall be deemed to be a quorum for the purpose of the business to be transacted.

35.9 If no quorum is present at the time specified for the commencement of any General Meeting to be held under Rule 33, such meeting shall lapse. Any decision of a Local Executive which would have been submitted to such meeting for decision shall be deemed to be the decision of a General Meeting.

36 – STANDING ORDERS

The purpose of this Rule is to make the best and most efficient use of the time made available by members attending meetings of the Union. The agenda for any such meeting shall be notified to persons who are to or may attend a meeting. It should specify a commencing and closing time for the meeting. The following order of procedure shall be adhered to as far as practicable at all meetings of the Union:

37 – RULES OF DEBATE

- 36.1 The Chairperson shall take the Chair at the time appointed for the commencement of the meeting, and, upon ascertaining that a quorum is present shall declare the meeting open for the transaction of business. In the event of no quorum being present within the time prescribed by Rule 35 the Chairperson shall proceed in accordance with that Rule.
- 36.2 Proxies and apologies shall be recorded.
- 36.3 Minutes shall be presented for confirmation, but no discussion shall be allowed except as to their accuracy as a record of the proceedings.
- 36.4 Business arising out of minutes.
- 36.5 Reports.
- 36.6 Financial Statements to be reported and accounts to be passed for payment.
- 36.7 General business.

37 – RULES OF DEBATE

The following Rules of Debate shall be observed at all meetings of the Union:

- 37.1 A member wishing to speak or move a motion or move an amendment to a motion or raise a point of order shall attract the attention of the Chairperson of the meeting (the Chair). If two or more members seek to attract the attention of the Chair at the same time the Chair shall determine who has precedence.
- 37.2 Any person addressing the meeting shall direct his/her remarks through the Chair.
- 37.3 Where the Chair rises all other persons present will be silent.
- 37.4 A member may propose a motion (the original motion) once he/she has attracted the attention of the Chair and has been invited to speak.
- 37.5 Subject to sub-rule 37.20 when a motion has been moved the Chair shall call for a seconder.
- 37.6 If seconded by a member an original motion shall be open to debate by the meeting. Should the motion not be seconded it shall lapse. The Chair shall determine when any debate on such a motion shall commence.
- 37.7 Once a motion has been seconded the Chair will invite the mover and then the seconder to speak in favour of the motion. Both the mover and seconder may reserve their right to speak in favour of the motion until all those who speak against the motion have done so.
- 37.8 Once the mover and seconder have spoken in favour of the motion or reserved their right to speak in favour of it, the Chair will call for a speaker against the motion. Where no one wishes to speak against the motion the Chair shall put the motion to a vote of the meeting.

37 – RULES OF DEBATE

- 37.9 After a member has spoken against the motion the Chair shall then call for a speaker in favour of the motion. Where no member then seeks to speak in favour of the motion the Chair shall invite the seconder (where he/she has reserved his/her right to speak in favour of the motion) and then invite the mover to exercise his/her right of reply (as well as his/her right to speak in favour of the motion where it has been reserved), provided that where the mover is exercising only the right of reply, the reply must be limited to answering the arguments advanced against the motion.
- 37.10 Subject to sub-rule 37.25 once there are no more speakers in favour of or against the motion and any reserved rights to speak in favour of the motion and the mover's right of reply has been exercised or waived the Chair shall put the motion to a vote of the meeting.
- 37.11 A member may move a motion, "that the motion be immediately put" (the "put motion") at any time during the debate of any motion. Where such a motion is moved and seconded the Chair will immediately submit it to a vote of the meeting. Where the majority of the votes of those voting at the meeting are in favour of the "put motion" the Chair will immediately, without debate, offer the mover of the original motion the right to exercise his/her right of reply. Following this reply, or upon it not being exercised, the Chair shall immediately put the motion to a vote of the meeting.
- 37.12 A member may propose an amendment to a motion ("the amending motion") that is the subject of debate by the meeting.
- 37.13 A member wishing to move an amending motion shall propose the form and words of the amending motion to the Chair. Subject to sub-rule 37.20 once the member has proposed an "amending motion" and the Chair has a copy of it in writing the Chair will call for a seconder to the "amending motion".
- 37.14 When the "amending motion" is seconded the Chair will seek the views of the mover and seconder of the original motion to which an amendment is sought as to whether the amending motion is acceptable to the mover and seconder. Where the amending motion is acceptable to the mover and seconder of the motion, the motion shall be amended in accordance with the amending motion and the motion as so amended will become the substantive motion.
- 37.15 Where the "amending motion" is not acceptable to the mover and seconder of the original motion the "amending motion" will then be debated in accordance with this Rule 37 as though it were a substantive motion.
- 37.16 Subject to sub-rule 37.20 where the "amending motion" is not seconded it shall lapse.
- 37.17 Where the majority of the votes of the members voting at a meeting vote in favour of the "amending motion" the motion shall be amended accordingly and the motion as so amended shall become the substantive motion and debate on the substantive motion shall continue in accordance with this Rule 37.
- 37.18 Where the majority of the votes of the members voting at a meeting vote against the "amending motion" the original motion shall not be so amended and debate on the original motion shall continue in accordance with this Rule 37.
- 37.19 More than one "amending motion" may be moved and seconded in relation to an original or substantive motion, provided that only one amendment shall be dealt with at a time and that such amendment is disposed of before any further amending motion is moved.

37 – RULES OF DEBATE

- 37.20 Except in the case of a meeting of National Executive no motion or amendment shall be entertained or discussed until it has been seconded.
- 37.21 At the conclusion of all debate and the exercising, or waiving of, reserved rights to speak in favour of the motion and the right of reply the Chair shall submit the motion to the vote of the meeting.
- 37.22 In submitting any motion to the vote of the meeting the Chair:
- 37.22.1 will call for those in favour of the motion to vote. Upon this call those wishing to vote in favour of the motion shall respond by saying “Aye” or raising their hand or their voting instrument;
 - 37.22.2 will then call for those against the motion to vote. Upon this call those wishing to vote against the motion shall respond by saying “Nay” or raising their hand or their voting instrument;
 - 37.22.3 subject to sub-rule 37.22.4, will announce whether the meeting has voted in favour or against the motion;
 - 37.22.4 where unable to determine the decision of the majority of the meeting, or a member of the meeting requests it, will call for a count of votes on the motion as follows:
 - 37.22.4.1 shall determine the person(s) to conduct any count of the votes. Wherever possible the person(s) conducting the count shall not be a member voting at the meeting;
 - 37.22.4.2 shall then call those in favour of the motion to vote. Upon this call those wishing to vote in favour of the motion shall raise their hands or voting instrument until instructed to do otherwise;
 - 37.22.4.3 shall then call those against the motion to vote. Upon this call those wishing to vote against the motion shall raise their hands or voting instrument until instructed to do otherwise; and
 - 37.22.4.4 upon the completion of the counting of the votes in favour and against the motion the person(s) conducting the count shall report to the Chair the result of the count of the vote. The Chair will decide whether the count has been conducted properly and if so satisfied shall declare to the meeting whether the majority of the votes are in favour of or against the motion.
- 37.23 The Chair shall call to order any speaker who departs from the subject matter of the motion or matter being dealt with or who violates the courtesies of the Rules of Debate.
- 37.24 Where the Chair wishes to speak in favour or against the motion he/she shall inform the meeting and vacate the Chair. The meeting will appoint a person to perform the role of the Chair until debate and vote on the motion has concluded, at which time the Chair shall resume the Chair.
- 37.25 No member shall be allowed to speak on a motion for more than 10 minutes without the consent of the meeting.

38 – NATIONAL PRESIDENT’S POWERS AND DUTIES

- 37.26 No more than one member (apart from the mover and seconder of a motion) shall speak in succession for or against a motion before the meeting.
- 37.27 No member, other than the mover of the motion, shall speak more than once on the same motion.
- 37.28 Any member who thinks himself/herself misrepresented by a speaker may by indulgence of the meeting interrupt the speaker to correct the misstatement, but he/she must not enter into argument.
- 37.29 A member may move the motion “that the meeting be adjourned” at any time during the meeting and if seconded that motion shall immediately and without discussion be put to a vote of the meeting.
- 37.30 A member may move a motion “that the meeting move into committee” at any time during the meeting and if seconded that motion will immediately and without discussion be put to a vote of the meeting.
- 37.30.1 When the majority of the votes are in favour of the motion “that the meeting move into committee”, the Rules of Debate shall be suspended (other than to allow the meeting to consider a motion to move out of committee).
- 37.30.2 When in committee a member may move a motion “that the meeting move out of committee” and if seconded, that motion will immediately and without discussion be put to a vote of the meeting. Where the majority of votes are in favour of that motion that meeting will move out of committee and the Rules of Debate shall resume.
- 37.31 Upon a majority of the votes being in favour of a motion it shall become a resolution of the meeting.
- 37.32 A member may at any time raise a point of order in relation to these Rules of Debate. The Chair will immediately hear and then rule upon the point of order and the Chair’s ruling shall be final unless overturned by a resolution of the meeting. Any member may move a motion of dissent in relation to the Chair’s ruling upon a point of order. Debate on such motion shall be dealt with in accordance with this Rule 37 provided that it shall not be subject to amendment.
- 37.33 A report to a meeting may be received without resolution but the adoption of all or part of the report shall be by resolution of the meeting.
- 37.34 Every member eligible to vote at a meeting shall cast a vote(s) in favour or against any motion before the meeting.
- 37.35 A member who voted with the majority of a meeting in relation to a resolution may seek to have that resolution reconsidered by a subsequent meeting. Such a member shall give seven (7) days written notice to the relevant officer of his/her intention to seek such reconsideration.
- 37.36 Any Standing Order or Rule of Debate contained in this Rule 37 or Rule 36 may be suspended by vote of the majority of the members present at a meeting.

38 – NATIONAL PRESIDENT’S POWERS AND DUTIES

38. The National President shall:
- 38.1 preside at all meetings of the National Conference and National Executive at which he/she is present;

39 – NATIONAL SECRETARY'S POWERS AND DUTIES

- 38.2 upon confirmation of the minutes sign them in the presence of the meeting confirming the same;
- 38.3 sign all documents requiring the signature of the National President; and
- 38.4 comply with the directions of National Conference and National Executive and act at all times in a manner consistent with the decisions of National Conference and National Executive.

39 – NATIONAL SECRETARY'S POWERS AND DUTIES

- 39 The National Secretary shall:
 - 39.1 be responsible for the administrative affairs of the Union;
 - 39.2 be responsible for the direction and control of all persons employed by the Union;
 - 39.3 summon and attend, unless excused, all meetings of the National Conference and the National Executive;
 - 39.4 have the right to attend at any meeting of the Union, but not to vote thereat unless he/she is otherwise permitted to vote under these Rules;
 - 39.5 deal with all correspondence received by the Union or cause it to be dealt with by an appropriate person;
 - 39.6 keep or cause to be kept the minutes of all meetings of the National Conference and the National Executive, setting out all resolutions passed or other business transacted by that body;
 - 39.7 appoint, engage, assign and dismiss employees;
 - 39.8 on behalf of the Union receive or cause to be received all monies paid to the Union and deposit or cause them to be deposited forthwith to the credit of the Union in such financial institution as the National Executive may direct. He/she shall enter or cause to be entered into a book kept for that purpose particulars of all amounts so received and deposited;
 - 39.9 keep or cause to be kept in appropriate books of account a correct statement of all monies received and expended by or on behalf of the Union;
 - 39.10 have the custody of the financial records of the Union and produce them for inspection at all reasonable times when requested by the National President, the National Conference or the National Executive;
 - 39.11 make all authorised payments from the funds of the Union;
 - 39.12 prepare and submit to the biennial meeting of the National Conference an up-to-date financial report and when called upon to do so by the National President or the National Conference or the National Executive produce all books related to such report;
 - 39.13 regularly, or as otherwise directed by National Executive, prepare and submit to National Executive a financial statement and/or report regarding the Union's finances;

39 – NATIONAL SECRETARY'S POWERS AND DUTIES

- 39.14 prepare or cause to be prepared an accurate annual balance sheet and statement of accounts and sign the same;
- 39.15 submit to the National Auditor all the Union's books, accounts and receipts annually or as often as may be required or directed by the National Conference or the National Executive;
- 39.16 issue or cause to be issued proper receipts for all of the monies received by the Union;
- 39.17 submit a report to the biennial meeting of the National Conference reporting on the activities of the Union since the last biennial meeting, or more regularly, as directed by National Executive;
- 39.18 on behalf of and in the name of the Union, either him/her self or through his/her nominee, take any proceedings, lay any information or complaint, or do any other act, matter or thing which the Union may do;
- 39.19 lodge or file in the name of the Union or cause to be so lodged or filed any claims, demands, disputes or other matters relating to the members of the Union with any industrial tribunal or authority;
- 39.20 provide the FSU Returning Officer and/or Deputy FSU Returning Officer(s) with such assistance as is necessary to enable him/her to conduct any election or plebiscite;
- 39.21 arrange for a member of a recognised Institute of Accountants approved by the National Executive to keep the books of the Union and to be responsible for the supervision of their preparation and their accuracy;
- 39.22 be responsible for the allocation of the Union's resources;
- 39.23 Deleted
- 39.24 have the authority to forward questions to all or any officers and employees of the Union regarding the operations of the Union including the implementation of its plans;
- 39.25 be responsible for the production and authorisation of all national communications materials, including but not limited to updates, press releases and publications;
- 39.26 have the authority to direct the activities of Local Executive Secretaries and the CBA Section Executive Officer consistent with the decisions of the National Conference and the National Executive;
- 39.27 comply with the directions of National Conference and National Executive and act at all times in a manner consistent with the decisions of the National Conference and the National Executive;
- 39.28 give full and prompt consideration to the advice provided under sub-rule 41.2.16;
- 39.29 not go overseas in his/her capacity as National Secretary or be absent from duty for more than five consecutive days without the leave of the National Executive; and
- 39.30 carry out such other duties as the National Conference or the National Executive may assign to him/her.

40 – NATIONAL ASSISTANT SECRETARY

- 40.1 The National Assistant Secretary shall be responsible to and subject to the directions of the National Secretary.
- 40.2 The National Assistant Secretary shall perform the duties assigned to him/her by the National Secretary and where the National Secretary is temporarily unable to perform his/her duties and exercise his/her powers, the National Assistant Secretary will perform those duties and exercise those powers.
- 40.3 Subject to any direction by the National Secretary, all members of the Union and all persons holding any office in the Union and all employees of the Union, wherever located, shall assist, facilitate and support the National Assistant Secretary and at all times as far as possible enable him/her to carry his/her duties and act as directed by the National Secretary.
- 40.4 The National Assistant Secretary shall have the right to attend at any meeting of the Union, but not to vote thereat, unless he/she is otherwise permitted to vote under these Rules.
- 40.5 The National Assistant Secretary shall comply with the directions of National Conference and National Executive and act at all times in a manner consistent with the decisions of the National Conference and the National Executive.
- 40.6 The National Assistant Secretary shall carry out such other duties as the National Conference or the National Executive may assign to him/her.
- 40.7 If the functions of the National Assistant Secretary, inclusive of the duties and powers exercised under rule 40.2 when the National Secretary is temporarily absent, are unable to be performed because:
- 40.7.1 the National Assistant Secretary is temporarily:
- 40.7.1.1 absent
- 40.7.1.2 unable to perform the functions of his/her officer; or
- 40.7.2 the office is extraordinarily vacant in accordance with the rules and the process of filling that vacancy has commenced,
- then the National Executive may temporarily appoint a person, eligible to be elected to National Assistant Secretary, to perform the functions of that office until the National Assistant Secretary is either present and able to perform the functions of their office or a person is elected to the extraordinary vacancy, as the case may be.
- 40.8 A person temporarily appointed in accordance with rule 40.7 will, if performing the functions, as the case may be, of the:
- 40.8.1 National Assistant Secretary, have all the powers and duties of the National Assistant Secretary; or
- 40.8.2 National Secretary, have all the powers and duties of the National Secretary.
- 40.9 A person temporarily appointed in accordance with rule 40.7 is entitled to nominate in the election for National Assistant Secretary.

Abolition of office of CBA Section Secretary

41.1a

- 41.1a.1 upon certification of this special Rule the full time paid office of CBA Section Secretary shall be abolished;
- 41.1a.2 upon certification of this special Rule a CBA Section Executive Officer shall be employed after consultation between the National Secretary and the NEC of the CBA Section. His/her terms and conditions of employment shall be determined under sub-rule 28.2.7 after consultation with the President of the NEC of the CBA Section.

Powers and Duties of CBA Section Executive Officer

41.1 The CBA Section shall have an Executive Officer (CBA Section Executive Officer).

41.2 The CBA Section Executive Officer shall carry out the following functions only in accordance with directions given by the National Secretary for the purpose of implementing the existing policy of the CBA NEC and of the Union or decisions concerning the NEC and for those purposes shall:

- 41.2.1 comply with the directions of National Conference and National Executive and act at all times in a manner consistent with the decisions of National Conference and National Executive;
- 41.2.2 subject to the Rules, comply with the decisions and directions of the NEC of the CBA Section which are not inconsistent with the decisions or directions of the National Conference and/or National Executive;
- 41.2.3 assist, support and encourage the Union's employees as directed by the National Executive and/or the National Secretary;
- 41.2.4 summon and attend, unless excused, all meetings of the NEC of the CBA Section;
- 41.2.5 have the right to speak at any meeting of members of the CBA Section;
- 41.2.6 have the right to attend and to speak, on matters affecting only the members of the CBA Section, at any meetings of a Local Executive;
- 41.2.7 keep or cause to kept, the minutes of all meetings of the NEC of the CBA Section, setting out all of the resolutions past or other business transacted by it and expeditiously forward those minutes to the National Secretary;
- 41.2.8 provide the FSU Returning Officer and any FSU Deputy Returning Officer with assistance to enable him/her or them to conduct any election, ballot or plebiscite;
- 41.2.9 represent and promote the interests of the members of the Union allocated to the CBA Section;
- 41.2.10 administer the affairs of the NEC of the CBA Section consistent with the decisions of the National Conference, National Executive, National Secretary and the decisions of the NEC of the CBA Section which are not inconsistent with the decisions or directions of the National Conference, National Executive and National Secretary;
- 41.2.11 perform tasks as determined by the NEC of the CBA Section which are not inconsistent with the decisions of the National Executive or directions by the National Secretary;
- 41.2.12 ensure the implementation of the Union's policies and plans relating to the CBA Section;

42 – POWERS AND DUTIES OF PRESIDENTS OF LOCAL AND NATIONAL ENTERPRISE COUNCILS AND OF LOCAL EXECUTIVES AND OF NATIONAL ENTERPRISE COUNCIL MEMBERS

- 41.2.13 respond expeditiously to any enquires from the National Secretary regarding the Union's members and activities in the CBA Section;
- 41.2.14 in consultation with the National Secretary, prepare communication materials for publication to the Union's members allocated to the CBA Section and, as and when authorised by the National Secretary, arrange for the production and publication of that material and have the right to advise the National Executive and the National Secretary about the content and distribution of that material;
- 41.2.15 develop and implement initiatives to further the interest of the Union's members allocated to the CBA Section consistent with the policies and decisions made in accordance with these Rules by the National Conference and National Executive;
- 41.2.16 have the right to advise the National Executive, National Secretary and the relevant Local Executive Secretary regarding the recruitment and allocation of the Union's employees who will be or are involved in work affecting the Union's members attached to the CBA Section;
- 41.2.17 have the right to advise the National Executive on the determination of the Union's budget and the allocation of the Union's resources in respect to the provision of resources for the conduct of the Union's affairs in the CBA Section;
- 41.2.18 assist, support and encourage the Union's members attached to the CBA Section, in accordance with the directions of the NEC of the CBA Section which are not inconsistent with the decisions and directions of the National Conference and National Executive;
- 41.2.19 report as required by the NEC of the CBA Section; and
- 41.2.20 make his/her best endeavours to assist and support the National Conference, National Executive, NEC of the CBA Section, National Secretary and each Local Executive Secretary in the recruitment of eligible persons into membership of the Union in the CBA Section.

RBA Executive Officer

- 41.3 The RBA Section shall have an Executive Officer (RBA Executive Officer).
- 41.4 The RBA Executive Officer shall be employed under sub-rule 39.7 after consultation between the National Secretary and the NEC of the RBA Section. His/her terms and conditions of employment shall be determined under sub-rule 28.2.7 after consultation with the President of the NEC of the RBA Section.
- 41.5 The RBA Executive Officer, in the performance of his/her duties shall, in accordance with sub-rule 39.2, act under the direction and control of the National Secretary, who shall consult with the President of the NEC of the RBA Section in that regard.

42 – POWERS AND DUTIES OF PRESIDENTS OF LOCAL AND NATIONAL ENTERPRISE COUNCILS AND OF LOCAL EXECUTIVES AND OF NATIONAL ENTERPRISE COUNCIL MEMBERS

- 42.1 The President of an LEC shall:

- 42.1.1 preside at all meetings of the LEC of which he/she is President;

42 – POWERS AND DUTIES OF PRESIDENTS OF LOCAL AND NATIONAL ENTERPRISE COUNCILS AND OF LOCAL EXECUTIVES AND OF NATIONAL ENTERPRISE COUNCIL MEMBERS

- 42.1.2 ensure that a record is kept of the deliberations and any decisions of that Council and expeditiously forward a copy of that record to the relevant Local Executive Secretary and President of the relevant NEC;
 - 42.1.3 comply with the directions of National Conference and National Executive and act at all times in a manner consistent with the decisions of National Conference and National Executive;
 - 42.1.4 represent and promote the interests of the members of the Union allocated to that Council;
 - 42.1.5 be a member of the Local Executive constituted in the State/Territory in which that Council is constituted and in the case of the LEC President of the St George/Bank SA Section that covers Queensland – Victoria/Tasmania – Western Australia shall be a member of the Local Executive in the State/Territory in which that President resides (as per sub-rule 30.4);
 - 42.1.6 be a National Conference Delegate as provided in sub-rule 21.1.3; and
 - 42.1.7 generally ensure the well-being of the Union and its members allocated to that LEC.
- 42.2 The President of each NEC shall:
- 42.2.1 preside at all meetings of the NEC of which he/she is President;
 - 42.2.2 ensure that a record is kept of all the deliberations and any decisions of that Council and expeditiously forward a copy of that record to the National Secretary and to each LEC President in its Section and to each Local Executive Secretary in each State/Territory;
 - 42.2.3 comply with the directions of the National Conference and National Executive and act at all times in a manner consistent with the decisions of National Conference and National Executive;
 - 42.2.4 represent and promote the interests of the members of the Union attached to the Section in respect of which it is constituted;
 - 42.2.5 be a member of the National Executive as provided in sub-rule 26.1.4; and
 - 42.2.6 generally ensure the well-being of the Union and its members attached to that Section.
- 42.3 The President of a Local Executive shall:
- 42.3.1 preside at all meetings of the Local Executive of which he/she is President;
 - 42.3.2 comply with the directions of the National Conference and National Executive and act at all times in a manner consistent with the decisions of National Conference and National Executive;
 - 42.3.3 represent and promote the interests of the members of the Union allocated to that Local Executive; and
 - 42.3.4 generally ensure the well-being of the Union and its members allocated to that Local Executive.
- 42.4 NEC members shall:

43 – POWERS AND DUTIES OF LOCAL EXECUTIVE SECRETARIES

- 42.4.1 comply with the directions of the National Conference and National Executive and act at all times in a manner consistent with the decisions of National Conference and National Executive; and
 - 42.4.2 represent and promote the interests of the members of the Union allocated to that Council.
- 42.5 A Local President of the General Section shall:
- 42.5.1 be a member of Local Executive constituted in the relevant State/Territory;
 - 42.5.2 be a member of a National Conference as provided for in 21.1.3;
 - 42.5.3 comply with the directions of the National Conference and National Executive and act at all times in a manner consistent with the decisions of National Conference and National Executives;
 - 42.5.4 represent and promote the interests of the members of the Union attached to Local Executive and the relevant Section;
 - 42.5.5 generally ensure the well-being of the Union and its members in the relevant State/Territory attached to that Section.
- 42.6 The Local President of the Insurance Section shall:
- 42.6.1 be a member of Local Executive constituted in the relevant State/Territory;
 - 42.6.2 be a member of the Insurance Section NEC;
 - 42.6.3 be a member of a National Conference as provided for in 21.1.3;
 - 42.6.4 comply with the directions of the National Conference and National Executive and act at all times in a manner consistent with the decisions of National Conference and National Executives;
 - 42.6.5 represent and promote the interests of the members of the Union attached to Local Executive and the relevant Section;
 - 42.6.6 generally ensure the well-being of the Union and its members in the relevant State/Territory attached to that Section.
- 42.7 The General Section National President shall:
- 42.7.1 be a member of the National Executive;
 - 42.7.2 comply with the directions of the National Conference and the National Executive and act at all times in a manner consistent with the decisions of the National Conference and the National Executive;
 - 42.7.3 represent and promote the interests of the members of the Union attached to the Section; and
 - 42.7.4 generally ensure the well-being of the Union and its members attached to that Section.

43 – POWERS AND DUTIES OF LOCAL EXECUTIVE SECRETARIES

- 43.1 The Secretary of a Local Executive shall:

43 – POWERS AND DUTIES OF LOCAL EXECUTIVE SECRETARIES

- 43.1.1 comply with the directions of National Conference and National Executive and act at all times in a manner consistent with the decisions of National Conference and National Executive;
- 43.1.2 subject to the Rules comply with the decisions and directions of the Local Executive which are not inconsistent with the decisions or directions of National Conference and National Executive;
- 43.1.3 assist, support and encourage the Union's employees in the State/Territory concerned as directed by the National Executive and/or the National Secretary;
- 43.1.4 summon and attend, unless excused, all meetings of the Local Executive;
- 43.1.5 have the right to speak at any meetings of the members of the Union in the State/Territory in which the Local Executive is constituted, but not to vote thereat unless he/she is otherwise permitted to vote under the Rules;
- 43.1.6 keep or cause to be kept the minutes of all meetings of the Local Executive, setting out all resolutions passed or other business transacted by it and expeditiously forward those minutes to the National Secretary;
- 43.1.7 submit a report annually to an Annual General Meeting of the members of the Union allocated to the Local Executive in the State/Territory concerned covering the activities of the Union in the preceding twelve month period;
- 43.1.8 provide the FSU Returning Officer and any FSU Deputy Returning Officer with assistance to enable him/her or them to conduct any election, ballot or plebiscite;
- 43.1.9 represent and promote the interests of the members of the Union in the State/Territory concerned;
- 43.1.10 administer the affairs of the Local Executive consistent with the decisions of the National Executive and directions of the National Secretary;
- 43.1.11 perform tasks consistent with the decisions of National Executive as directed by the National Secretary;
- 43.1.12 ensure the implementation of the Union's policies and plans in the State/Territory concerned;
- 43.1.13 respond expeditiously to all enquires from the National Secretary regarding the Union's members and activities in the State/Territory concerned;
- 43.1.14 be responsible for the production and authorisation of communication materials related to matters concerning the Union's members allocated to the Local Executive, provided that if such material relates solely to matters concerning such members attached to the CBA Section only, he/she shall prior to such production, consult the CBA Section Executive Officer, and if the content or distribution of any such material becomes the subject of a dispute that is submitted to the National Executive pursuant to sub-rule 31.3.1.5, then such material shall not be produced or distributed until the matter has been dealt with in accordance with sub-rule 28.1.16;

44 - REMOVAL OF OFFICERS

- 43.1.15 develop and implement initiatives in the State/Territory concerned consistent with the Union's policies and decisions of National Conference and National Executive;
- 43.1.16 consistent with the decisions of the National Executive and directions of the National Secretary oversee the recruitment and undertake the management of the Union's relevant local staff; and
- 43.1.17 give full consideration to advice provided under sub-rule 41.2.16.

44 - REMOVAL OF OFFICERS

- 44.1 A person holding an office in the Union (an officer) may be removed from office where that officer has been found guilty under the Rules of the Union of an offence of:
 - 44.1.1 misappropriation of the funds of the Union; or
 - 44.1.2 a substantial breach of the Rules of the Union; or
 - 44.1.3 gross misbehaviour or gross neglect of duty;
- 44.1A A person holding an office in the Union (an officer) may be removed from office where that office has ceased, under the Rules of the Union, to be eligible to hold the office concerned.
- 44.2 Any financial member of the Union may in writing charge an officer with any of the offences referred to in sub-rules 44.1.1, 44.1.2 and 44.1.3. The member making that written charge shall together with the charge provide particulars in writing of the charge to the National Secretary and/or the Local Executive Secretary to whom the charge is addressed in accordance with sub-rule 44.3, 44.4 or 44.5.
- 44.3 Any charge against the National President or the National Secretary or National Assistant Secretary or a Local Executive Secretary shall be addressed to the National Secretary and shall be heard and determined by the National Executive.
- 44.4 Any charge against any National Executive Delegate or any Deputy National Executive Delegate (all of whom, whether from an NEC or an LEC shall be deemed for the purposes of this Rule 44 to be members of the National Executive) shall be addressed to the National Secretary and shall be heard and determined by National Executive unless the National Executive decides that it should be heard and determined by the Local Executive to which that Delegate or Deputy Delegate is allocated as a member of the Union. That Delegate or Deputy Delegate may not be present during or participate in any way or vote in the National Executive's consideration or determination of whether or not to so refer the charge.
- 44.5 A charge against an officer who is not a member of National Executive may be addressed to either the National Secretary or the Secretary of the Local Executive to which that officer is allocated as a member of the Union. Where the charge is addressed to a Local Executive Secretary he/she shall forthwith advise the National Secretary, providing a copy of the charge and its particulars. On receipt of any such charge addressed to the National Secretary or advised to the National Secretary by a Local Executive Secretary, the National Executive shall as soon as possible decide whether it will itself hear and determine the charge or whether to refer it for hearing and determination to the Local Executive concerned. The National Secretary shall thereupon advise the relevant Local Executive Secretary of that National Executive decision.

44 - REMOVAL OF OFFICERS

- 44.6 If the National Executive decides that the Local Executive concerned is to hear and determine the charge referred to in sub-rule 44.5 that Local Executive shall do so. If the National Executive decides that the National Executive will hear and determine that charge, the Local Executive Secretary and the Local Executive concerned shall take no further action to deal with the charge.
- 44.7 Where a charge is to be heard and determined by the National Executive or a Local Executive, the National Secretary or the Local Executive Secretary concerned respectively shall, not less than twenty-one days prior to the meeting of the National Executive or the Local Executive at which the charge is to be heard, summons in writing the officer charged advising the date, time and place of that meeting, enclosing a copy of the charge and the particulars in writing which accompanied it.
- 44.8 Any financial member of the Union may allege in writing to the National Secretary or a Local Executive Secretary that an officer of the Union has ceased under the Rules of the Union to be eligible to hold the office concerned. Such allegation if made to a Local Executive Secretary shall be made to the Secretary of the Local Executive to which the officer concerned is allocated as a member of the Union. The member making that written allegation shall together with it provide the National Secretary or the Local Executive Secretary to whom it is addressed with particulars in writing which are to be relied upon to support the allegation. The provisions of sub-rules 44.3 to 44.7 (inclusive) shall apply to the dealing with any such allegation as though it were a charge being dealt with under those sub-rules. Subject to any direction of the National Executive or relevant Local Executive in respect to the allegation, the National Secretary or relevant Local Executive Secretary respectively, may, where it is appropriate, require or permit the officer concerned to make his/her response to the allegation by written submissions and may direct that such submission include documents or true copies of documents relevant to the allegation.
- 44.9 When dealing with any charge or allegation made under this Rule 44 the National Executive or the Local Executive concerned shall take all reasonable care to ensure that it is carefully and fully dealt with and, in particular, that a reasonable opportunity is provided to the officer concerned to present his/her defence to the charge or response to the allegation.
- 44.10 The decision as to whether the officer is or is not guilty of the charge or has ceased, under the Rules of the Union to be eligible to hold the office concerned, shall be made by resolution passed by a majority of the members of the National Executive or the Local Executive concerned. Each such member shall have one vote only and the officer charged or against whom the allegation is made may not participate in any way as a member of the National Executive or the Local Executive concerned or vote on any matter related to the charge or allegation.
- 44.11 The National Executive or the Local Executive concerned, where it finds an officer guilty of a charge made in accordance with this Rule, as an alternative to removal from office, may:
- 44.11.1 suspend the officer from the office concerned for a period not exceeding 90 days; or
 - 44.11.2 impose on the officer a fine not exceeding twice the amount of annual subscription payable at the time the fine is imposed; or
 - 44.11.3 censure the officer concerned; or
 - 44.11.4 impose no penalty.
- 44.12 In the event that a charge or allegation is made by or against the National Secretary or a Local Executive Secretary, the National President or the President of the Local Executive concerned shall act in his/her place for the purposes of this Rule.
- 44.13 In the event that it is determined that an officer is to be removed from office then if, arising from the charges made against an officer under this rule, a finding is made that the officer concerned:
- 44.13.1 is also of general bad character; or
 - 44.13.2 has not complied with the rules of the Union;

then the officer concerned may also be removed from membership.

45 - NATIONAL VOTING

National Conference

45.1 At any meeting or in any ballot or vote of the National Conference:

45.1.1 the National President, and the National Secretary and the National Assistant Secretary shall each have one vote

45.1.2 each National Conference Delegate shall be entitled to a number of votes calculated as follows:

45.1.2.1 the sum of the voting entitlement of all such Delegates from a particular Section shall be determined by reference to the financial membership of that Section calculated on the basis of the financial membership of that Section as at the 1st of May immediately preceding the last normal elections for the office of Local Enterprise Council President or in relation to the RBA Section or the Midsized Banks Section the last normal elections for the NEC members of that section and in relation to the General and Insurance Sections the last normal elections for the office of National President in the Section concerned;

45.1.2.2 the sum of all such Delegate's voting entitlement shall be calculated on the basis of one vote per 500 financial members (or part thereof) of the Section concerned;

45.1.2.3 each such Delegate from a particular Section shall be entitled to a number of votes (or part thereof) calculated by the following formula:

$$\frac{a}{b}$$

where "a" is the number of votes allocated to that Section under sub-rule 45.1.2.2 and "b" is the total number of the offices of Delegate in the Section concerned; and

45.1.3 Any decision of the National Conference shall be determined by the majority of the votes (and parts thereof) cast and in the case of a tied vote there shall be no casting vote and the subject matter of the vote shall be resolved in the negative.

45.1.4 Where any National Conference Delegate is unable for any reason or at any time to be present at a meeting of the National Conference, or participate in any vote of the National Conference in accordance with Rule 25, he/she may appoint in writing a member of the Local Enterprise Council of which he/she is President to participate in that meeting of National Conference and to exercise his/her vote or votes at such meeting or in such vote on any or all matters, provided that if that National Conference Delegate is attending a meeting of the National Conference but needs to be temporarily absent from it, he/she may appoint another member of the National Conference to so participate and vote, provided that no person shall be able to be a proxy for more than one member of the National Conference provided that where a National Conference Delegate from the General Section or the Insurance Section is unable for any reason or at any time to be present at a meeting of the National Conference, or participate in any vote of the National Conference in accordance with Rule 25, he/she may appoint in writing another Local President from the relevant Section as their proxy to participate in that meeting of National Conference and to exercise his/her vote or votes at such a meeting or in such vote on any or all matters, provided that no person shall be able to proxy for more than one member of the National Conference.

46 – VOTING ON LOCAL AND NATIONAL ENTERPRISE COUNCILS AND LOCAL EXECUTIVES

- 45.1.5 Where the National President or National Secretary is unable for any reason or at any time to be present at a meeting of the National Conference, or participate in any vote of the National Conference in accordance with these Rules, he/she may appoint in writing another member of the National Conference to participate in that meeting and exercise his/her vote at such meeting or any such vote on any or all matters, provided that no person shall be able to be a proxy for more than one member of the National Conference.

National Executive

- 45.2 At any meeting or in any ballot or vote of the National Executive:
- 45.2.1 The National President, and the National Secretary and the National Assistant Secretary and each Local Executive Secretary shall each have one vote
- 45.2.2 each National Executive Delegate shall be entitled to a number of votes calculated as follow:
- 45.2.2.1 the sum of the voting entitlement of each such Delegate's votes shall be determined by reference to the financial membership of the Section concerned calculated on the basis of the financial membership of that Section as at the 1st May immediately preceding the last normal elections which were or should have been held for the office of President of the NEC in that Section or the National President in the General Section;
- 45.2.2.2 the sum of each such Delegate's voting entitlement shall be one vote per 500 of such financial members (or part thereof) in the Section concerned; and
- 45.2.3 Any decision of the National Executive shall be determined by the majority of the votes cast and in the case of a tied vote there shall be no casting vote and the subject matter of that vote shall be resolved in the negative.
- 45.2.4 where any National Executive Member (including any Deputy for such member being entitled to attend and vote on the National Executive) is unable for any reason at any time to be present at a meeting of the National Executive or participate in any vote of the National Executive in accordance with Rule 29, he/she may appoint in writing another member of the National Executive to exercise his/her vote at such meeting or in such vote on any or all matters including any election or appointment, provided that no person shall be able to be a proxy for more than one person.
- 45.2.5 A Deputy for each National Executive Delegate and for each Local Executive Secretary shall be elected in accordance with sub-rules 26.2 or 26.3 as the case requires.

46 – VOTING ON LOCAL AND NATIONAL ENTERPRISE COUNCILS AND LOCAL EXECUTIVES

National Enterprise Councils

- 46.1 At any meeting or in any ballot or vote of an NEC (other than the NEC of the RBA Section and the Midsized Bank Section) the members of that Council shall be entitled to a number of votes calculated as follows:

46 – VOTING ON LOCAL AND NATIONAL ENTERPRISE COUNCILS AND LOCAL EXECUTIVES

- 46.1.1 the sum of each such a member's vote shall be determined by reference to the financial membership allocated to the LEC of which that member is the NEC Member, calculated on the basis of that financial membership as at 1st May immediately preceding the last normal election which was or should have been held for the office of the NEC Member of that LEC provided that the sum of the vote of each of the Insurance Section Local Presidents shall be determined by reference to the financial membership attached to the State/Territory represented by that Local President, calculated on the basis of that financial membership as at 1st May immediately preceding the last normal election which was or should have been held for the office of the NEC member of that LEC;
- 46.1.2 the sum of that voting entitlement shall be calculated on the basis of one vote per 500 of such financial members (or part thereof) allocated to the LEC concerned or in the case of the Insurance Section Local President of the State/Territory concerned; and
- 46.2 Each member of the NEC of the RBA and Midsized Bank Sections shall have one vote.
- 46.3 Any decision of an NEC shall be determined by the majority of the votes cast and in the case of a tied vote there shall be no casting vote and the subject matter of the vote shall be resolved in the negative.
- 46.4 Where an NEC member (other than a member of the NEC of the RBA ,Insurance and Midsized Bank Sections) is unable for any reason or at any time to be present at a meeting of the relevant NEC or participate in any vote of that NEC in accordance with these Rules, he/she may appoint in writing a member of the LEC of which that NEC member is a member to exercise his/her vote at such meeting or in such vote or on any or all matters including any election or appointment, provided that no person shall be able to be a proxy for more than one person.
- 46.5 Where an NEC member of the RBA, Insurance or Midsized Bank Sections is unable for any reason or at any time to be present at a meeting of that Council or participate in any vote of that Council in accordance with these Rules, he/she may appoint in writing another member of that Council to exercise his/her vote at such meeting or in such vote or on any or all matters including any election or appointment, provided that no person shall be able to be a proxy for more than one person.

Local Enterprise Council

- 46.6 At any meeting or in any ballot or vote of an LEC the members of that Council shall be entitled to one vote each.
- 46.7 Any decision of an LEC shall be determined by the majority of the votes cast and in the case of a tied vote there shall be no casting vote and the subject matter of the vote shall be resolved in the negative.
- 46.8 Where an LEC member is unable for any reason or at any time to be present at a meeting of the relevant LEC or participate in any vote of that Council in accordance with these Rules, he/she may appoint in writing a member of that Council to exercise his/her vote at such meeting or in such vote on any or all matters including any election or appointment, provided that no person shall be able to be a proxy for more than one person.

Local Executive

46.9 At any meeting or in any ballot or vote of a Local Executive:

46.9.1 The Local Executive Secretary shall have one vote.

46.9.2 Each President of each LEC, the Local President of the Insurance Section and the Local President of the General Section shall be entitled to a number of votes on the relevant Local Executive calculated as follows:

46.9.2.1 the sum of the votes of each LEC President shall be determined by reference to the financial membership allocated to the LEC concerned as at 1st May immediately preceding the last normal election which was or should have been held for that LEC, and in the case of the Local Presidents of the General Section and the Insurance Section calculated on the basis of the financial membership in the relevant State/Territory as at 1st May immediately preceding the last normal election which was or should have been held for that Section; and

46.9.2.2 the sum of that voting entitlement shall be calculated on the basis of one vote per 500 of such financial members (or part thereof) in the relevant Section in that State/Territory).

46.9.3 Any decision of a Local Executive shall be determined by the majority of the votes cast and in the case of a tied vote there shall be no casting vote and the subject matter of that vote shall be resolved in the negative.

46.9.4 Where the Local Executive Secretary or any other member of a Local Executive is unable for any reason at any time to be present at a meeting of that Local Executive or participate in any vote of that Local Executive in accordance with these Rules he/she may appoint in writing another member of that Local Executive to exercise his/her vote at such meeting or in such vote or on any or all other matters including any election or appointment, provided that no person shall be able to a proxy for more than one person.

46.9.5 The President of the NEC of the RBA Section shall be entitled to a number of votes on the NSW/ACT Local Executive calculated on the basis of the financial membership of the Union attached to that NEC as at the 1st of May immediately preceding the last normal election which was or should have been held for that Section, and the sum of that voting entitlement shall be calculated on the basis of one vote per 500 (or part thereof) of such financial members attached to the RBA Section.

46.9.6 The President of the NEC of the Midsized Bank Section shall be entitled to a number of votes on the WA Local Executive calculated on the basis of the financial membership of the Union attached to that NEC as at the 1st of May immediately preceding the last normal election which was or should have been held for that Section, and the sum of that voting entitlement shall be calculated on the basis of one vote per 500 (or part thereof) of such financial members attached to the Midsized Bank Section.

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- 46.9.7 Notwithstanding the above, in the St George/Bank SA Section the President of the LEC that covers Victoria/Tasmania – Queensland – Western Australia shall be a member of the Local Executive in the State/Territory in which he/she resides (as per Rule 30.4.1) and shall be entitled to a number of votes on that Local Executive calculated on the basis of the financial membership of the Union allocated to that LEC as at the 1st of May immediately preceding the last normal election which was or should have been held for that LEC, and the sum of that voting entitlement shall be calculated on the basis of one vote per 500 (or part thereof) of such financial members attached to the St George/Bank SA Section.

47 - UNION ELECTIONS

FSU Returning Officer

- 47.1 The National Conference shall appoint the FSU Returning Officer who, subject to sub-rule 47.3, shall conduct all elections to any elected office in the Union and shall hold that office until a successor is appointed.
- 47.2 The FSU Returning Officer:
- 47.2.1 may or may not be a member of the Union; and
 - 47.2.2 shall not be the holder of any office in or be an employee of the Union.
- 47.3 In the event of an FSU Returning Officer being unable or unwilling to act as and when required, the National Executive shall, subject to sub-rule 47.2, appoint another person to act as the FSU Returning Officer.
- 47.4 The FSU Returning Officer or a person appointed under sub-rule 47.3 to act as the FSU Returning Officer may from time to time appoint one or more Deputy FSU Returning Officer(s) to assist him/her in the conduct of any one or more particular election(s). Such appointment shall be subject to sub-rule 47.2.
- 47.5 A Deputy FSU Returning Officer shall comply with the directions and instructions of the FSU Returning Officer.
- 47.6 The provisions of this Rule shall apply to a person appointed under sub-rule 47.3 and to any Deputy Returning Officer as though that person or Deputy was the FSU Returning Officer.
- 47.7 Timing of normal elections
- 47.7.1 Normal elections shall be held after the 1st of May in the year in which they are required to be held.
 - 47.7.2 Persons elected to the offices specified in this sub-rule 47.7.2 shall take office on the following dates in the year of a normal election:
 - 47.7.2.1 National President, National Secretary and National Assistant Secretary – 1st of August

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- 47.7.2.2 Local Enterprise Council member – 1st of August;
 - 47.7.2.3 Local Executive Secretary – 1st of August;
 - 47.7.2.4 General Section National President – 1st of August
 - 47.7.2.5 General Section Deputy National Executive Delegate – 1st of August
 - 47.7.2.6 Insurance Section Local President (who each become an Insurance Section NEC member on the same day) – 15th of October
 - 47.7.2.7 General Section Local President – 1st of August
 - 47.7.2.7A NEC members from the RBA section and the Midsized Bank Section – 1st of August
 - 47.7.2.8 Local Executive President – 1st of November;
 - 47.7.2.9 Deputy National Executive Delegate from Local Executive – 1st November;
 - 47.7.2.10 Local Enterprise Council President –15th of October;
 - 47.7.2.11 National Enterprise Council member from a LEC –15th of October;
 - 47.7.2.12 The National Enterprise Council Presidents from the RBA section and the Midsized Bank Section – 15th of October;
 - 47.7.2.13 Deputy National Executive Delegate from an NEC –31st of December; and
 - 47.7.2.14 National Enterprise Council President – 31st of December;
 - 47.7.2.15 Insurance Section National President – 31st of December.
- 47.7.3 Where, in accordance with sub-rule 47.7.2, persons are to take office on the same date as specified in that sub-rule 47.7.2 then, as far as practicable:
- 47.7.3.1 the call for nominations shall be made on the same date;
 - 47.7.3.2 the ballots shall open on the same date;
 - 47.7.3.3 the ballots shall close on the same date;
 - 47.7.3.4 subject to sub-rules 47.14, 47.15 and 47.17, the result of the ballots shall be declared on the same date; and
 - 47.7.3.5 provided that when, in the FSU Returning Officer's opinion, it is necessary or desirable in the interests of the Union he/she may take a particular action on different dates.

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- 47.7.4 Where, for whatever reason, an officer is declared elected to an office at a date later than specified for that office in sub-rule 47.7.2, the duration of the term of the office concerned shall be deemed to have commenced on the date specified for that office in sub-rule 47.7.2.

Nominations - Elections – National President, National Secretary, National Assistant Secretary, Local Executive Secretary, Local Enterprise Council Members, General Section National President and General Section Local President - Direct Voting System

- 47.8 The FSU Returning Officer shall fix a date for the closing of nominations for election to the office of National President, National Secretary, National Assistant Secretary, Local Executive Secretary, Local Enterprise Council member and General Section National President and the General Section Local President, being a date not less than three months prior to the end of the duration of the term of the office for which the election is to be held.
- 47.9 The FSU Returning Officer shall call for nominations for election to such offices at least one month before the date he/she fixed for the closing of nominations for election to those offices. That shall be done by notice in an appropriate official publication of the Union and/or by advertisement in a daily newspaper(s) circulating throughout the State/Territory in which the election occurs.
- 47.10 The notice calling for nominations shall specify the date and time by which and the address at which nominations are to be received. Unless otherwise determined by the FSU Returning Officer that address shall be the Registered Office of the Union.
- 47.11 Nominations shall be in writing and shall, in the case of the National President comply with sub-rule 27.3 and in the case of the National Secretary and the National Assistant Secretary comply with sub-rule 27.4, in the case of the Local Executive Secretary comply with sub-rule 30.23 and in the case of an LEC member comply with sub-rule 30.20, and in the case of the General Section National President comply with sub-rule 30.25 and in the case of the General Section Local President comply with sub-rule 30.28.
- 47.12 Nominations must be received at the address specified in accordance with sub-rule 47.10 not later than 5.00 p.m. on the date fixed by the FSU Returning Office for the closing of nominations.
- 47.13 The FSU Returning officer shall check all nominations received for compliance with the requirements of these Rules and shall reject any that do not so comply; provided that in the event of his/her finding a defect in any nomination he/she shall, before rejecting the nomination, notify the person concerned of the defect, and, where it is practicable, give him/her the opportunity to correct the defect within seven days of his/her having been so notified.
- 47.14 If there is no more than one nomination for election to an office of which there is only one position to be filled in the election, the FSU Returning Officer shall declare the nominated person elected.
- 47.15 If there are no more nominations for election to an office than there are positions of that office to be filled in the election, the FSU Returning Officer shall declare each of the nominated persons elected.
- 47.16 If there are more nominations for election to an office than there are positions of that office to be filled in the election, the FSU Returning Officer shall conduct a ballot for that office(s) in accordance with these Rules.

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47.17 The ballot for any of the offices referred to in sub-rule 47.8 shall be conducted in accordance with sub-rules 47.25 to 47.31 inclusive.

47.18 As soon as the FSU Returning officer has declared the result of an election for any of the offices referred to in sub-rule 47.8, he/she shall report the result of that election in writing to the successful candidate, the National President, the National Secretary, National Assistant Secretary, each Local Executive Secretary, General Section National President and the General Section Local President and the Presidents of each NEC and LEC.

A candidate's nomination for more than one position

47.19 An eligible nominee may be nominated for two or more different positions referred to in sub-rule 47.8 for which an election is being conducted. Where an eligible nominee is nominated for two or more of the following positions, the count of the ballots for election to the positions concerned shall proceed in the following order (the order of count): National Secretary, National Assistant Secretary, National President, Local Executive Secretary, General Section National President and General Section Local President and LEC member. The successful candidate for the office concerned shall be declared elected before the commencement of the count of the ballot for the next office in the order of count. If and when, in that order of count, such a candidate is declared elected he/she shall cease to be a candidate for election to any of the positions the votes for which are to be counted later in the order of count. In that later counting in the order of count any votes for such a candidate shall not be counted and shall be disregarded entirely.

Nominations – Elections – Local Enterprise Council President and NEC Member – Direct voting system

47.20.1 As soon as the FSU Returning Officer has reported the results of all of the elections to the offices of LEC member in a particular Section in a State/Territory, he/she shall, in writing addressed to those LEC members, call for nominations from those LEC members for election to the office of LEC President of that LEC and the office of NEC member from that LEC. He/she shall fix a date for the closing of such nominations, being a date not less than 2 weeks after the date of calling for such nominations.

47.20.1.1 An eligible nominee may be nominated for, and be elected to, both those offices.

47.20.1.2. Each nomination shall be in writing signed by the nominee and the nominator, both of whom must, at the time of signing, be a member of the relevant LEC.

47.20.1.3 The ballot in those elections shall be conducted by a direct voting system in accordance with the provisions of sub-rules 47.10, 47.12, 47.13, 47.14, 47.16, 47.17, 47.24, 47.25, 47.26, 47.28 and 47.29.

47.20.2 At a time the FSU Returning Officer considers appropriate so as to enable the President of the NEC of the RBA to be elected consistently with the elections of Presidents of each LEC in NSW/ACT and thus be able to assume office on the Local Executive in NSW/ACT by 15 October in accordance with sub-rule 47.7.2, he/she shall call for nominations for election to the offices of NEC member of the RBA Section and shall fix the date for the closing of such nominations, being a date not less than two weeks after the date of calling for such nominations.

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- 47.20.2.1 Each nomination shall be in writing signed by the nominee and the nominator, both of whom must, at the time of signing, be a financial member of the Union attached to the RBA Section of the Union.
- 47.20.2.2 The ballot in those elections shall be conducted by a direct voting system in accordance with the provisions of sub-rules 47.10, 47.12, 47.13, 47.14, 47.16, 47.17, 47.24, 47.25, 47.26, 47.28 and 47.29.
- 47.20.3 At a time the FSU Returning Officer considers appropriate so as to enable the President of the NEC of the Midsized Bank to be elected consistently with the elections of Presidents of each LEC in WA and thus be able to assume office on the Local Executive in WA by 15 October in accordance with sub-rule 47.7.2, he/she shall call for nominations for election to the offices of NEC member of the Midsized Bank Section and shall fix the date for the closing of such nominations, being a date not less than two weeks after the date of calling for such nominations.
- 47.20.3.1 Each nomination shall be in writing signed by the nominee and the nominator, both of whom must, at the time of signing, be a financial member of the Union attached to the Midsized Bank Section of the Union.
- 47.20.3.2 The ballot in those elections shall be conducted by a direct voting system in accordance with the provisions of sub-rules 47.10, 47.12, 47.13, 47.14, 47.16, 47.17, 47.24, 47.25, 47.26, 47.28 and 47.29.
- 47.21 As soon as the FSU Returning Officer has declared the results of an election to the office of President of an LEC and NEC Member from that LEC, or the results of the election to an office of NEC Member of the RBA or Midsized Bank Section, he/she shall, in writing, report those results to the successful candidates, the National Secretary, the then President of each NEC, the President of each LEC in the Section concerned, each Local Executive Secretary.

Nominations – Elections- National Enterprise Council President – Direct voting system

- 47.22 As soon as the FSU Returning Officer has reported the results of all of the elections to the offices of NEC member in a particular Section, he/she shall in writing addressed to those NEC members in that Section, call for nominations from those NEC members for election to the office of NEC President of that Section. He/she shall fix a date for the closing of such nominations, being a date not less than 2 weeks from the date of calling for such nominations.
- 47.22.1 Each nomination shall be in writing signed by the nominee and the nominator, both of whom must, at the time of signing, be a member of the relevant NEC.
- 47.22.2 The ballot in those elections shall be conducted by a direct voting system in accordance with the provisions of sub-rules 47.10, 47.12, 47.13, 47.14, 47.16, 47.17, 47.24, 47.25, 47.26, 47.28 and 47.29.
- 47.23 As soon as the FSU Returning Officer has declared the result for an election to the office of President of a NEC he/she shall, in writing, report the result to the successful candidate, the National Secretary, the then President of each NEC, the President of each LEC in the Section concerned, each Local Executive Secretary and the CBA Section Executive Officer.

Roll of voters – Direct voting system

47.24 The roll of voters for an election by a direct voting system shall close seven days before the day on which nominations open.

Direct voting system and how to vote

47.25 Where a ballot for an election is to be conducted by a direct voting system the FSU Returning Officer shall:

47.25.1 determine by lot the order in which the names of the candidates shall appear on the ballot paper for election to the position(s) concerned;

47.25.2 determine a date and time in accordance with sub-rule 47.7.3 for the opening and for the closing of the ballot(s) for such election(s); which date shall be within thirty one days but not less than twenty one days after the posting of the ballot papers for the election(s);

47.25.3 prepare or have prepared and delivered to him/her ballot papers for each relevant election specifying:

47.25.3.1 the names of the candidates in the order determined under sub-rule 47.25.1;

47.25.3.2 the manner in which votes shall be recorded on a ballot paper;

47.25.3.3 the time and date for the closing of the ballot; and

47.25.3.4 the manner in which a completed ballot paper is to be inserted in the envelopes which accompany it.

47.26 Where the ballot is for one position only:

47.26.1 the voter shall mark, in the space provided on the ballot paper to the right of and adjacent to the name of the one candidate for whom he/she wishes to vote, with a tick (□) or cross (X);

47.26.2 the FSU Returning Officer shall determine the form or type of the space provided on the ballot paper for that purpose;

47.26.3 where the voter has placed a mark in the space provided adjacent to the name of one candidate only, the FSU Returning Office shall determine whether it is a tick or cross, and if he/she determines it is not such a mark that ballot paper shall be declared informal and excluded from the count of the ballot;

47.26.4 where the voter has placed a mark adjacent to the name of more than one candidate (whether or not a tick or a cross and whether or not in the space provided adjacent to a candidate's name) that ballot paper shall be declared informal and excluded from the count of the ballot; and

47.26.5 this sub-rule 47.26 shall not prevent the FSU Returning Officer from declaring a vote informal for valid reasons other than those provided for in sub-rules 47.26.3 and 47.26.4.

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47.27 Where the ballot is for more than one position on the same body for which the election is held:

- 47.27.1 the voter shall vote for at least one candidate for that office but for no more candidates than there are offices for election in that ballot;
- 47.27.2 the voter shall mark in the space provided on the ballot paper to the right of and adjacent to the name of the candidate(s) for which he/she wishes to vote with a tick (□) or a cross (X);
- 47.27.3 the FSU Returning Officer shall determine the form or type of space provided on the ballot paper for that purpose;
- 47.27.4 where the voter has placed a mark in the space provided adjacent to the name of no more candidates than there are offices for election in that ballot, the FSU Returning officer shall determine whether each of those marks is a tick or a cross and if he/she determines any of those marks is not a tick or a cross such mark shall not be treated in the count as a vote for the candidate concerned;
- 47.27.5 where the voter has placed a mark adjacent to the names of more than the number of candidates than there are offices for election (whether or not a tick or a cross and whether or not in the space provided adjacent to the candidate's name) that ballot paper shall be deemed informal and excluded from the count of the ballot; and
- 47.27.6 this sub-rule 47.27 shall not prevent the FSU Returning Officer from declaring a vote informal for valid reasons other than those provided for in sub-rules 47.27.4 and 47.27.5.

Conducting a direct voting system ballot

47.28 In conducting a ballot for an election by a direct voting system the FSU Returning Officer shall:

- 47.28.1 be responsible for the safe custody of the ballot papers;
- 47.28.2 obtain from the printer a certificate of the number of ballot papers printed;
- 47.28.3 initial every ballot paper prior to its distribution;
- 47.28.4 forward by pre-paid post to each member entitled to receive a ballot paper:
 - 47.28.4.1 a ballot paper;
 - 47.28.4.2 a declaration envelope in the form prescribed by the RAO Regulations; and
 - 47.28.4.3 another envelope in the form prescribed by the RAO Regulations;
- 47.28.5 provide facilities for the return of the completed ballot paper by post by the voter without expense to the voter;
- 47.28.6 arrange for the use of a post office box or other receptacle to which ballot papers may be returned to him/her; and

47 - UNION ELECTIONS

47.28.7 upon the closing of the ballot collect the envelopes containing the ballot papers so returned and, in the presence of the scrutineers (if so requested):

47.28.7.1 check each outer envelope to ensure that no votes are cast except by members entitled to vote;

47.28.7.2 remove the sealed envelope containing a ballot paper and open the same and mix the ballot papers so that identification of the voters becomes impossible;

47.28.7.3 admit the ballot papers bearing his/her initial and properly marked by the voter;

47.28.7.4 count all the votes; and

47.28.7.5 subject to sub rules 47.7.3.4, 47.7.3.5 and 47.29, declare the result of the ballot.

47.29 In the event of a tie occurring, the result shall be determined by the FSU Returning Officer drawing lots in the presence, if so requested, of the tied candidates or their scrutineers, provided that if one of the tied candidates is a retiring office holder from a position subject to the ballot then he/she shall be declared elected.

47.30 The FSU Returning Officer shall report the result of each election in writing as provided in the provisions of this Rule 47 in relation to the election concerned.

Absentee voting

47.31 In any election conducted by a direct voting system, if a person entitled to receive a ballot paper is absent or likely to be absent from the address appearing for that person on the roll of voters, that person shall by notice in writing, delivered to the FSU Returning Officer prior to the opening of the ballot, advise the FSU Returning Officer of the address to which such ballot paper is to be forwarded, and it shall be forwarded accordingly.

Nominations – Elections – Local Executive President and Deputy National Executive Delegate from Local Executive – Collegiate Electoral System

47.32 As soon as the FSU Returning Officer has reported the results of all of the elections to an office of President of an LEC in a particular State/Territory (and in NSW/ACT the President of the NEC of the RBA Section and in WA the President of the NEC of the Midsized Bank Section) the Local Executive Secretary in that particular State/Territory shall give notice to such Presidents of a meeting of the Local Executive to be held as soon as possible after they have assumed office, on a date determined by the FSU Returning Officer (the first meeting). That notice shall also advise them that, amongst other matters it deals with at that first meeting, it shall elect one of its members (other than its Secretary) to be the President of that Local Executive and shall elect one of such members to be its Deputy National Executive Delegate (advising that one member may be elected to both those offices) and, in that notice, require any such member who cannot attend that first meeting to so notify the FSU Returning Officer prior to that meeting commencing.

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- 47.33 At that first meeting of the Local Executive, the FSU Returning Officer shall, subject to sub-rules 47.34 to 47.44 (inclusive) conduct an election for the office of President of that Local Executive (that office of President) and an election for the office of its Deputy National Executive Delegate from the Local Executive as provided in those sub-rules.
- 47.34 The FSU Returning Officer shall at that first meeting call for nominations for election to that office of President and for election to that office of Deputy National Executive Delegate from the Local Executive.
- 47.34.1 Each nomination shall be in writing and shall be signed by the nominee, who at the date of nomination shall be a member of the Local Executive concerned (other than its Secretary), and the nominator who shall be a member of the Local Executive, including its Secretary.
- 47.34.2 Where a member of that Local Executive has advised the FSU Returning Officer that he/she will be absent from that first meeting, the FSU Returning Officer shall in writing inform that member that, if he/she wishes to be a candidate for election to one or both of those offices, he/she must deliver to the FSU Returning Officer prior to that first meeting a completed nomination(s) for election which complies with the requirements for nomination for one or both of those offices and is in a form approved by the FSU Returning Officer.
- 47.34.3 Where such a nominee is absent from that first meeting the nomination(s) so delivered shall be accepted as a nomination(s) for the purposes of the election(s).
- 47.35 The FSU Returning Officer shall check all nominations received (including upon its receipt any nomination permitted under sub-rule 47.34 delivered prior to that first meeting) for compliance with the requirements of these Rules and shall reject any that do not so comply; provided that in the event of his/her finding a defect in any nomination he/she shall, before rejecting the nomination, notify the person concerned of the defect, and:
- 47.35.1 where it is capable of being rectified prior to the ballot in the election at that first meeting, give that person the opportunity to rectify it before the election; or
- 47.35.2 where it is not so capable of rectification (but is otherwise capable of rectification) give him/her the opportunity of rectifying the defect within seven days after being notified of the defect.
- 47.36 Where under sub-rule 47.35 it is not possible to have any such defect remedied prior to the ballot in the election at that first meeting, the FSU Returning Officer shall accept all the nominations in which there is no defect and, notwithstanding the provisions of sub-rule 47.7.3, require the defective nomination(s) to be rectified as provided in sub-rule 47.35.2 and postpone the further dealing with the ballot(s) to a meeting of the Local Executive to be held as soon possible after the expiration of the time within which the defective nomination is to be remedied. That later meeting shall be notified as provided in sub-rule 47.32.
- 47.37 If there is only one nomination for the office of President and/or only one nomination for the office of Deputy National Executive Delegate from the Local Executive, the FSU Returning Officer shall declare that sole nominee elected notwithstanding the provisions of sub-rule 47.7.3.4.

47 - UNION ELECTIONS

- 47.38 If there are two or more nominations for an office, the FSU Returning Officer shall prepare or have prepared and delivered to him/her ballot papers containing the names of the candidates for election in alphabetical order and specifying the matters for which provision is made in sub-rule 47.25.3.
- 47.39 The FSU Returning Officer shall be responsible for the safe custody of all ballot papers.
- 47.40 The FSU Returning Officer shall initial every ballot paper prior to the distribution of ballot papers.
- 47.41 The FSU Returning Officer, at the Local Executive meeting at which a ballot is to be conducted, shall issue a ballot paper and together with it the envelopes specified in sub-rules 47.28.4.2 and 47.28.4.3; and shall provide facilities for the ballot to be returned to the FSU Returning Officer at that Local Executive meeting by the time he/she specifies to each member of the Local Executive present at the meeting at which voting is to take place.
- 47.42 Where a member of the Local Executive has notified the FSU Returning Officer in accordance with sub-rule 47.32 that he/she cannot attend the first meeting (or any subsequent meeting at which the ballot is to close), the FSU Returning Officer, notwithstanding sub-rule 47.7.3, shall forward a ballot paper to that member in accordance with sub-rule 47.28.4. He/she shall include with it a notice advising that the completed ballot paper is to be returned to the FSU Returning Officer by a date and time fixed for the closing of the ballot as determined by the FSU Returning Officer.
- 47.43 At the time fixed for the closing of the ballot on the day of the Local Executive meeting at which the ballot is to close the FSU Returning Officer shall, in the presence of scrutineers (if so requested) deal with the ballot in accordance with sub-rule 47.28.7, and notwithstanding sub-rule 47.7.3, declare the result of the ballot(s); provided that where a ballot paper is forwarded under sub-rule 47.42 that dealing with the ballot shall not commence until after the time and date fixed by the FSU Returning Officer for the return of any such ballot paper.
- 47.44 In the event of a tie occurring, the results shall be determined by the FSU Returning Office drawing lots in the presence, if so requested, of the tied candidates or their scrutineers, provided that, if one of the tied candidates is a retiring office-holder from the position the subject of the ballot, then he/she shall be declared elected.
- 47.45 As soon as the FSU Returning Officer has declared the result of an election for a President of a Local Executive and/or an election for its Deputy National Executive Delegate he/she shall report the result of each election in writing to the successful candidates, the National Secretary, the relevant Local Executive Secretary and each other member of the National Executive.

Nomination – Election - National Enterprise Council – Deputy National Executive Delegate - Collegiate Electoral System

- 47.46.1 As soon as the FSU Returning Officer has reported the results of all elections to the offices of NEC Member in a particular section, the then President of the NEC of that Section or, in the event of that office being vacant or he/she not being willing to act, the National Secretary, shall give notice to the members of that NEC of a meeting of the NEC to be held as soon as possible after their assumption of office on a date determined by the FSU Returning Officer (its first meeting). That notice shall also advise them that, amongst other matters it deals with at that first meeting, it shall elect one of its members to be its Deputy National Executive Delegate and, in that notice, require any such member who cannot attend that first meeting to so notify the FSU Returning Officer prior to that meeting commencing.

47.46.2 The provisions of sub-rules 47.33 to 47.45 inclusive shall apply to the election of the Deputy National Executive Delegate of each NEC as though a reference in those sub-rules to a member of a LEC and the office of President of that LEC were a reference to a member of a NEC and the office the Deputy National Executive Delegate of that NEC respectively.

Role of Voters – Collegiate Electoral System

47.47 The role of voters for an election by a Collegiate Electoral system shall close immediately before the ballot in such election closes.

Extraordinary vacancies in elected offices

47.48 An extraordinary or casual vacancy (however occurring) in any elected office in the Union shall be filled by secret ballot whether by a direct voting system or collegiate electoral system as provided in the Rules relating to an election for the office concerned. That election shall be held as soon as practicable following the occurrence of the vacancy and the person so elected shall take office from the declaration of his/her election and shall hold office until the expiration of the duration of the term of the office concerned or until a successor is elected and takes office, whichever is the later.

47.49 Notwithstanding the provisions of sub-rule 47.48, in the event of an extraordinary or casual vacancy in any of the offices referred to in that sub-rule 47.48:

47.49.1 where the unexpired portion of the term of the vacant office does not exceed three quarters of the term of that office, the National Executive may fill such a vacancy in the office of National President or National Secretary or National Assistant Secretary or General Section National President, or General Section Deputy National Executive Delegate and the relevant Local Executive may fill such a vacancy in an office of Local Executive Secretary and its Deputy National Executive Delegate and Insurance Section Local President and General Section Local President and Local Executive President and the relevant NEC may fill such a vacancy in the office of NEC President or NEC Deputy National Executive Delegate and the relevant LEC may fill such a vacancy in the office of one of its members and the office of LEC President or NEC Member of that LEC and the NEC of the RBA Section or the NEC of the Midsized Bank Section may fill such a vacancy in the office of one its members. Only a person qualified under these Rules to be elected to such office shall be qualified to be appointed to it;

47.49.2 where the unexpired portion of the term of the vacant office exceeds three- quarters of the term of that office, the National Executive may temporarily fill such a vacancy in the office of National President or National Secretary or National Assistant Secretary or General Section National President, or General Section Deputy National Executive Delegate and the relevant Local Executive may temporarily fill such a vacancy in an office of Local Executive Secretary and its Deputy National Executive Delegate and Insurance Section Local President and General Section Local President and Local Executive President and the relevant NEC may temporarily fill such a vacancy in the office of NEC President or NEC Deputy National Executive Delegate and in the case of the Midsized Bank NEC or the NEC of the RBA Section the relevant NEC may temporarily fill such a vacancy in the office of one of its members and the relevant LEC may temporarily fill such a vacancy in the office of one of its members and the office of LEC President or NEC Member of that LEC. Only a person qualified under these Rules to be elected to such office shall be qualified to be appointed to it. A person so appointed shall hold office until an election is held, provided that no person so appointed shall hold office for a period exceeding three months;

47 - UNION ELECTIONS

- 47.49.3 any election conducted pursuant to sub-rule 47.48 shall be conducted by the FSU Returning Officer who shall determine the date for the closing of nominations and the date for the closing of the ballot and shall, in all other respects, conduct the election in accordance with the provisions of sub-rules 47.8 to 47.47 (inclusive);
- 47.49.4 where an extraordinary or casual vacancy occurs in the office of National Secretary or Local Executive Secretary, the National Executive and the Local Executive concerned respectively may, instead of making an appointment to that office under sub-rules 47.49.1 or 47.49.2, fill that vacancy by appointment of a person eligible to be elected to it or a financial member of the Union in any Section or a person who is not a member of the Union.

Scrutineers

47.50 A candidate in an election in the Union may if he/she so desires appoint a scrutineer as follows:

- 47.50.1 in the case of an election for the office of National President or National Secretary or National Assistant Secretary any financial member of the Union may be a scrutineer;
- 47.50.2 in the case of an election for any office of LEC member or LEC President or NEC member (other than in the RBA, Insurance and Midsized Bank Sections), any financial member allocated to that LEC under the Rules may be a scrutineer;
- 47.50.3 in the case of the election for an office of NEC member of the RBA, Insurance or Midsized Bank Sections, any financial member attached to the relevant Section under the Rules may be a scrutineer;
- 47.50.4 in the case of an election to the office of a NEC President and its NEC Deputy National Executive Delegate, any financial member allocated to the Section in which that NEC is constituted may be a scrutineer;
- 47.50.5 in the case of an election to the office of Local Executive Secretary, Local Executive President and its Deputy National Executive Delegate, any financial member of the Union attached to the Local Executive concerned may be a scrutineer;
- 47.50.6 in the case of an election to the office of Local President in the General and Insurance Sections any financial member allocated to the relevant section may be a scrutineer; and
- 47.50.7 in the case of an election to the office of NEC member in a Midsized Bank Section any financial member allocated to that section under the Rules may be a scrutineer; and

48 - DUAL OFFICES

47.50.8 in the case of an election to the office of General Section National President or Deputy National Executive delegate in the General Section or Insurance Section any financial member of the Union attached to the relevant Section may be a scrutineer; and

and the candidate appointing the scrutineer shall, before the closing of the ballot concerned, notify the FSU Returning Officer in writing of the name of such scrutineer.

47.51 A scrutineer:

47.51.1 shall be entitled to be present throughout the opening of the ballot envelopes and the counting of the ballot and may query the inclusion or exclusion of any vote in the count, but the FSU Returning Officer shall have final determination of any votes so queried; and

47.51.2 shall not remove, mark, alter or deface or in any way interfere with any ballot paper or other document used in connection with the election.

Candidates' Statements

47.52 In any election conducted by a direct voting system under these Rules a candidate may, at the time of nominating, submit to the FSU Returning Officer a typewritten statement which shall not exceed 200 words and a list of offices and/or positions currently and/or previously held in the Union or in any union which is amalgamated into the Union or in a State Registered Union which is associated with the Union and a passport size photograph of the candidate (subject to the requirements of the FSU Returning Officer) and the FSU Returning Officer shall include with the ballot paper issued to each voter in such an election a copy of all such policy statements, lists and photographs combined in the one document in alphabetical order.

48 - DUAL OFFICES

48.1 No person shall hold more than one full time paid office within the Union nor shall any such office holder be otherwise employed or engaged for remuneration by the Union in any capacity whatsoever.

48.2 The National President, National Secretary and National Assistant Secretary shall hold one of those offices only and shall not hold any other office in the Union.

48.3 A Local Executive Secretary shall not hold any other office in the Union.

48.4 Any person holding an office of National President or National Secretary or National Assistant Secretary or Local Executive Secretary who is elected or appointed to any other of those offices shall upon that election or appointment cease to hold the office held immediately prior to being so elected or appointed.

48.5 Where a member of an LEC, an NEC or a Local Executive is elected or appointed to an office of National President, National Secretary or Local Executive Secretary that person shall cease to hold any office held at the time of that election or appointment to such office of National President, National Secretary or Local Executive Secretary.

48.6 The member elected to the position of General Section National President shall not hold the position of General Section Deputy National Executive Delegate.

49 - INDUSTRIAL AGREEMENTS

- 49.1 Subject to this Rule, the National Executive shall have full power and authority to negotiate and enter into in the name of the Union industrial agreements in respect to the members of the Union. Such agreements shall be signed for and on behalf of the Union by the National Secretary.
- 49.2 The National Executive shall not enter into any such agreement which concerns members of the CBA Section unless that agreement has been consented to by resolution of the NEC of the CBA Section.
- 49.3 The National Executive shall not enter into any such agreement which concerns members of the RBA Section unless that agreement has been consented to by resolution of the NEC of the RBA Section.
- 49.4 The National Executive shall not enter into any such agreement which concerns members of any other Section of the Union unless that industrial agreement has been consented to by resolution of the NEC of the Section concerned or, where the Section does not have an NEC, by consultation with the members appointed pursuant to Rule 50 A.

50 - FSU REPRESENTATIVES

- 50.1 Each Local Executive shall have the power to appoint, by resolution, from amongst the members of the Union allocated to that Local Executive one or more FSU Representative(s) and the Local Executive Secretary shall inform the relevant employer in writing of the appointment of such FSU Representative(s).
- 50.2 Subject to any decision of the Local Executive in relation to any or all FSU Representatives, the Local Executive Secretary, for the purpose of furthering or protecting the Union's industrial interests, may authorise any one or more FSU Representatives to do any lawful act or thing, subject to the Act and these Rules, provided that the Local Executive and the Local Executive Secretary shall not delegate any of his/her powers conferred by the Rules.
- 50.3 Subject to sub-rule 50.2 and any decision made by the Local Executive a duly appointed FSU representative is by this sub-rule authorised to and shall:
 - 50.3.1 act at all times as a representative of the Union in his/her workplace;
 - 50.3.2 be directly responsible for the representation of a number of members as may be determined from time to time by the Local Executive;
 - 50.3.3 attend and participate in training courses for FSU Representatives as required by the Local Executive;
 - 50.3.4 report to the Local Executive Secretary details of membership grievances, complaints and award breaches together with other matters arising in the workplace which require the attention of the Union;
 - 50.3.5 enter into such negotiations with management representatives as are directed or authorised on any matter by the Local Executive Secretary;

50A - ENTERPRISE BARGAINING - WORKERS COUNCILS

- 50.3.6 liaise with other FSU Representatives who represent members in his/her workplace and attend such meetings of FSU Representatives as indicated by the Local Executive or the Local Executive Secretary;
 - 50.3.7 encourage interest and discussion in Union affairs in his/her workplace and ensure that all Union publicity material is distributed promptly to members;
 - 50.3.8 be responsible for the Union Notice Board located in his/her workplace and for the regular display of Union material on same;
 - 50.3.9 monitor changes in personal details including changes in names and residential addresses in respect to the members he/she represents and report same regularly to the Local Executive Secretary;
 - 50.3.10 endeavour to enrol in Union membership all non-members in his/her workplace and take steps to ensure the continuing financial membership of all members of the Union in the workplace;
 - 50.3.11 advocate in any manner as authorised by the Local Executive Secretary pursuant to sub-rule 50.2 in support of the Union's policies and its industrial interests to any individuals or groups, any media or media representatives or to the public; and
 - 50.3.12 carry out such other functions as the Local Executive Secretary may from time to time assign to him/her.
- 50.4 Any member appointed as an FSU Representative pursuant to this Rule shall be appointed subject to such terms and conditions of appointment as the Local Executive may determine.
- 50.5 A Local Executive may revoke at any time the appointment of an FSU Representative.
- 50.6 The appointment of an FSU Representative shall automatically terminate -
- 50.6.1 upon completion of any period of appointment specified for his/her appointment by the Local Executive (provided that he/she may be re-appointed pursuant to this Rule 50);
 - 50.6.2 upon revocation of the appointment by the Local Executive;
 - 50.6.3 if he/she ceases for any reason to be a financial member of the Union; or
 - 50.6.4 if he/she ceases to be employed at the workplace in respect of which he/she has been appointed as an FSU Representative.

50A - ENTERPRISE BARGAINING - WORKERS COUNCILS

- 50A. Pursuant to the powers conferred by this rule and sub-sub-rule 28.2.8 the National Executive may from time to time appoint members of the Union employed by a particular enterprise(s) to assist the Union in an advisory and/or recommendatory capacity in relation to the bargaining processes and other issues concerning such enterprise(s).

- 51 The financial year of the Union shall commence on the 1st day of July in each year and end on the 30th day of June in the following year.

52 - FUNDS AND PROPERTY OF THE UNION

- 52.1 The funds and property of the Union shall consist of:
- 52.1.1 any real or personal property or any other property of the Union including any real or personal or other property in the funds or property of a Branch of the Union prior to the coming into effect of the Rules changes made in 2005;
 - 52.1.2 any amounts collected and/or accrued by Sections or Local Executives on behalf of the Union in respect of subscriptions, fines, fees or levies or howsoever otherwise;
 - 52.1.3 any interest, rents, dividends, or other income derived from the investment or use of such funds and property;
 - 52.1.4 any superannuation or long service leave or other fund operated or controlled by the Union for the benefit of its officers or employees;
 - 52.1.5 any sick pay fund, accident pay fund, funeral fund or like fund operated by the Union for the benefit of its members;
 - 52.1.6 any property acquired wholly or mainly by expenditure of the monies of such funds and property or derived from other assets of such funds and property; and
 - 52.1.7 the proceeds of any disposal of parts of such funds and property.
- 52.2 The National Executive may cause any monies of the Union, which, in its opinion, are in excess of current requirements, to be invested.
- 52.3 All cheques or any other type of instrument for the withdrawal of any funds of the Union from any financial institution or other account shall be signed by the National Secretary and one other member of the National Executive. Provided that where a cheque or other instrument for the withdrawal of funds of the Union does not exceed \$5,000, such cheque or instrument may be signed by any member of the National Executive authorised by the National Executive and one other person so authorised.
- 52.3.1 Moneys of the Union may be expended for ordinary purposes of the Union upon a resolution of National Executive or if National Executive is not meeting at the time, upon the order of the National Secretary.
 - 52.3.2 Money may only be expended for extra-ordinary purposes of the Union upon a resolution of the National Executive.

53 – CBA SECTION AND RBA SECTION AMELIORATION FUND

- 52.3.3 Expenses on, or incidental to, the conduct and management or general administration of the Union and the affairs of the National Conference or National Executive (including expenses incurred in or in connection with the settlement of any industrial matter) shall be deemed to be ordinary expenses for the purposes of this sub-rule 52.3.
- 52.4 Notwithstanding sub-rule 52.3 the following assets of the Union (being assets formerly of the CBOA) shall not be dealt with or disposed of by the National Executive without the proposed dealings or disposal being first approved by a decision of the NEC of the CBA Section and the NEC of the RBA Section:

The property and fixtures at:

Freehold Property, PERTH
313 Pier Street, Perth WA 6000

SYDNEY
Level 7, 8 Quay Street, Haymarket NSW 2000

53 – CBA SECTION AND RBA SECTION AMELIORATION FUND

- 53.1 There shall be a separate fund of the Union known as the CBA and RBA Sections' Amelioration Fund ("the Amelioration Fund"). It shall be composed of all of the funds of the CBOA Amelioration Fund as at the date of amalgamation between the CBOA and the then titled Finance Sector Union fixed pursuant to Section 253Q of the Act and all income earned by the Fund thereafter. Prior to the amendments made to this Rule in 2005 this fund was titled the "Commonwealth Bank Officers and Reserve Bank Officers Amelioration Fund".
- 53.2 The monies contained in the Amelioration Fund shall be made available to provide the following benefits
- 53.2.1 A mortuary benefit payable in such amount and to such person or persons as the NEC of the CBA Section or the NEC of the RBA Section in their discretion shall determine, such payments to be made on the death of a member of the Union attached to the CBA Section or the RBA Section of the Union or the spouse or child of such a member. For the purpose of this clause "spouse" includes a defacto spouse or similar partner in a same sex relationship and a "child" includes an adopted child or a child to whom the member stood "in loco parentis" (i.e. in place of the parent) as at the date of death. For the purposes of this Rule a statement signed by the deceased member or by his/her spouse will be satisfactory proof of a defacto or such similar relationship.
- 53.2.2 A payment may be made to a member of the CBA Section or the RBA Section of such sum or sums either by way of non-refundable advance or upon such terms and conditions as to repayment, the payment of interest, and the provision of security as the NEC of the CBA Section or NEC of the RBA Section may determine.
- 53.2.3 Nothing in sub-rule 53.2 shall impose any obligation to provide any of the benefits in sub-rules 53.2.1 or 53.2.2 and the NEC of the CBA Section or the NEC of the RBA Section may in its absolute discretion and without assigning any reason therefore refuse to provide any such benefits in any particular case.

54 – COLLECTION AND DISTRIBUTION OF FUNDS

- 53.2.4 All financial members of the CBA Section or the RBA Section of the Union shall be eligible to receive benefits under the Amelioration Fund. In addition the NEC of the CBA Section or the NEC of the RBA Section may from time to time resolve to extend such benefits to persons who have ceased to be members of the Union upon such terms and conditions as it shall in its absolute discretion determine.
- 53.4 The NEC of the CBA Section or the NEC of the RBA Section may resolve to extend the benefits mentioned in Rule 53.2.2 to employees of the Union where it considers such action is beneficial to the Union generally.
- 53.5 There shall be a CBA and RBA Sections' Amelioration Fund Committee ("the Amelioration Fund Committee") which shall consist of such persons as are from time to time agreed upon and jointly appointed by the NEC of each of the CBA Section and the RBA Section.
- 53.6 The Amelioration Fund Committee shall have responsibility for the proper administration, management and control of the Amelioration Fund subject to the objects of the Fund as set out in sub-rule 53.2 and the Rules of the Union as to the Union's general fund shall apply to the funds of the Amelioration Fund except where specifically varied by this Rule. The Committee shall present an annual report to the National Executive, the NEC of the CBA Section or the NEC of the RBA Section.
- 53.7 Notwithstanding anything else contained in these Rules, the deliberations and the records of any kind relating to applications for benefits and the consideration of whether or not to make any payment and the payment of any benefits shall be absolutely privileged and shall be kept secret and shall not be divulged to any person not necessarily connected with the processing and allocation of benefits and assistance.
- 53.8 The NEC of the CBA Section or NEC of the RBA Section may allocate such further sums of money from its budget allocation for the purposes of the Amelioration Fund and assign to it such part or parts of its income as it thinks fit.
- 53.9 The Amelioration Fund Committee may invest the funds of the Amelioration Fund in such manner as is provided in these Rules for investment of the general funds of the Union together with the right to purchase real estate whether by way of freehold, strata title, or company title and to mortgage, lease, sell or otherwise deal with such real estate in accordance with the law.
- 53.10 In connection with the administration of the Amelioration Fund the Amelioration Fund Committee may engage a lawyer, accountant, broker or agent or any other person to transact any business or do any act required to be done in connection with the Amelioration Fund, and may pay all proper fees, charges, commissions and disbursements in connection with or incidental to any such engagement.

54 – COLLECTION AND DISTRIBUTION OF FUNDS

- 54.1 Any monies paid to any part of the Union other than by the National Conference or the National Executive shall forthwith be deposited to the credit of the Finance Sector Union of Australia in such financial institution(s) as the National Secretary or the National Executive may direct.
- 54.2 Any monies that may be paid to any part of the Union by the National Conference or National Executive shall forthwith of receipt be paid into an account with a financial institution(s) to the credit of the Finance Sector Union of Australia.

55 - LOANS, GRANTS AND DONATIONS

- 54.3 The National Conference shall have power to set guidelines for the determination of the amount of money to be made available to a part of the Union for each of the two financial years to follow a biennial meeting of National Conference.
- 54.4 The National Executive shall have power to determine the Union's budget for each financial year and shall satisfy itself that, consistent with and subject to the Union's financial position, and taking into account the structure of the Union, it makes equitable provision for the conduct of the Union's affairs by the various parts of the Union.

55 - LOANS, GRANTS AND DONATIONS

- 55.1 Subject to sub-rule 55.2, notwithstanding anything elsewhere contained in these Rules the Union shall not make any loan, grant or donation of an amount exceeding \$1,000 unless the National Executive:
- 55.1.1 has satisfied itself:
 - 55.1.1.1 that the making of the loan, grant or donation would be in accordance with the other rules of the Union; and
 - 55.1.1.2 in relation to a loan, that, in the circumstances, the security proposed to be given for the repayment of the loan is adequate and the proposed arrangements for the repayment of the loan are satisfactory; and
 - 55.1.2 has approved the making of the loan, grant or donation.
- 55.2 The National Secretary may, out of the funds of the Union, make a loan, grant or donation of an amount not exceeding \$3000 to a member of the Union if such loan, grant or donation:
- 55.2.1 is for the purpose of relieving the member or any of his/her dependents from severe financial hardship; and
 - 55.2.2 is subject to a condition to the effect that, if the National Executive at its next meeting does not approve the loan, grant or donation, it shall be repaid to the Union in the manner determined by the National Executive.
- 55.3 In considering whether to approve a loan, grant or donation made under sub-rule 55.2, the National Executive shall have regard to:
- 55.3.1 whether the loan, grant or donation was made in accordance with the Rules of the Union; and
 - 55.3.2 in the case of a loan:
 - 55.3.2.1 whether the security (if any), given for the repayment of the loan is adequate, and
 - 55.3.2.2 whether the arrangements for the repayment of the loan are satisfactory.

58 - GENERAL MEETING - FINANCIAL REPORTS

55.4 The provisions of sub-rule 55.1 shall not apply to or in relation to payments made by the Union by way of provision for or reimbursement of out-of-pocket expenses incurred by persons for the benefit of the Union.

56 - AUDITOR

The Auditor shall:

- 56.1 be appointed by the National Executive;
- 56.2 be a competent person within the meaning of the Act and the Regulations;
- 56.3 perform such functions and duties as are prescribed by the Act and the Regulations and such other functions and duties not inconsistent with the Act and the Regulations as are required by the National Executive;
- 56.4 have access to and examine if desired all books, papers, deeds, documents and accounts of the Union wherever located and be empowered to question any officer or employee of the Union wherever located with regard to the same and to obtain from any bank any other institution whatsoever at which the funds of the Union are deposited or invested or otherwise being held or dealt with such information as he/she may require;
- 56.5 furnish a written statement that all documents and statements to which he/she certifies are in accordance with law and the Rules of the Union or, if unable to certify to the correctness of any of them, report forthwith to the National Executive in which respect they are incorrect; and
- 56.6 have power to place before the National Executive any suggestion he/she may desire to make concerning the financial affairs of the Union.

57 - ANNUAL FINANCIAL STATEMENTS

- 57.1 The National Executive shall cause the National Secretary in each year to prepare or have prepared a “general purpose financial report” and an “operating report” in accordance with the requirements of Section 253 and Section 254 respectively of Schedule 1B of the RAO Regulations as amended from time to time and in accordance with any “reporting guidelines” issued by the Industrial Registrar under Section 255 of that Schedule.
- 57.2 Such reports shall be audited by the Auditor in accordance with the Act, and signed and filed by the National Secretary as required by the Act.

58 - GENERAL MEETING - FINANCIAL REPORTS

- 58.1 The National Secretary shall summon a meeting of the members of the Union upon receipt of a written request signed by no less than 5% of the membership of the Union calling for a General Meeting for the purpose of considering the auditors report, the general purpose financial report and the operating report.
- 58.2 A General meeting of the members of the Union called pursuant to this Rule may be conducted as a series of meetings held at different locations.

60 - ALTERATIONS TO RULES

- 58.3 The National Secretary shall give 28 days notice to the members of the Union of any General Meeting called pursuant to this Rule 58.
- 58.4 The National Secretary shall give notice of any meeting to be conducted pursuant to this Rule 58 by written notice sent or delivered to and posted on a conspicuous place at each member's place of employment or by email communication to each member or by notice published on the Union website to all members who have immediate access to that website.
- 58.5 A meeting conducted pursuant to this rule is taken to have been completed at the time of the last of the meetings in any series of meetings.
- 58.6 All decisions at a meeting called in accordance with this Rule 58 shall be taken by a show of hands except where a resolution is carried which determines to submit the question to a secret ballot.
- 58.7 Attendance at meetings conducted under this Rule 58 shall be recorded and such attendance records shall be used to ensure that each member records only one vote.

59 - REGISTERED OFFICE

- 59.1 The registered office of the Union shall be at 341 Queen Street, Melbourne or at such other place as the National Conference may from time to time determine.

60 - ALTERATIONS TO RULES

- 60.1 The National Conference shall have power to make new Rules or to add to, amend, rescind or otherwise alter these Rules by resolution carried by a majority of the votes cast at any meeting of the National Conference or in a ballot of the National Conference Members, provided that where such making, addition, amendment, rescission or other alteration is necessary to bring these Rules into conformity with the requirements of the Act or the Regulations or the Industrial Registrar, such power may be exercised by resolution carried by a majority of the votes cast by National Executive Members voting at a meeting of the National Executive.
- 60.2 Notice of any proposal for the making of a new Rule or for the adding to, amendment, rescission or other alteration of any of these Rules shall be given in writing to each National Conference Member or each National Executive Member, as the case may be, and to each Local Executive Secretary at least fourteen days prior to the relevant meeting of the National Conference or the National Executive or to the commencement of the ballot, as the case may be, provided that any such proposal may itself be amended by the National Conference at its meeting or by the National Executive at a meeting held under sub-rules 29.3.1 or 29.3.2.
- 60.3 Deleted.

The 1999 Rule Amendments

60.3A As a consequence only of the renumbering of rules in amendments made in 1999, the following rule numbers referred to in Sub-Rules 60.4 and 60.5 are now numbered as follows:

60.3A.1	Rule Numbers in Sub-Rule 60.4	New Rule Numbers
	21.1.6	21.1.3
	21.7	21.4
	33.1.2	33.1.3
	38.7	38.1
	38.8	38.2
	46A	46

This Sub-Rule notes that the reference to Sub-Rule 33.1.2 in Sub-Rule 60.4 should have been a reference to Sub-Rule 33.1.3. That Sub-Rule 33.1.3 remains Sub-Rule 33.1.3 in the 1999 amendments.

60.3A.2	Rule Numbers in Sub-Rule 60.5	New Rule Numbers
	21.1.7	21.1.4
	21.8	21.5
	38.8	38.3
	38.10	38.3.4
	46A	46

The 2005 Rule Amendments

60.3A.3 This sub-rule 60.3A.3 was made in the amendments made to the Rules in the 2005 substantial re-structuring of the Union (the 2005 Rule alterations). This sub-rule notes that in sub-rule 60.4 the reference to the sub-rule 38.9 is an “historical” error and should have been a reference to sub-rule 38.8, being a sub-rule that, at the time sub-rule 60.4 was made, referred to the composition of the Commonwealth Bank Officers Section of the Union. Consequently, sub-rule 60.3A, in the column headed “Rule Numbers in Sub-Rule 60.4”, correctly refers to sub-rule 38.8 and not sub-rule 38.9.

60.3B This sub-rule 60.3B was made in the amendments made in the 2005 Rule amendments. In those amendments there were amendments, rescissions and other alterations (collectively to be referred to as “Rule alterations”) made to the matters dealt with by the sub-rules referred to in sub-rule 60.4 (other than sub-rule 60.4 itself). Those Rule alterations were approved by decision of the Commonwealth Bank Officers Section Committee as constituted by the Rules prior to the Rule alterations being made. The Rule alterations are able to be identified by reference to the following table which refers to the type of change made and any renumbering relevant to them:

60 - ALTERATIONS TO RULES

60.4 Rule Number	Rule Number As Amended In 1999	Identification of Rule alterations and numbering
6.3		Rescinded
10.2		Amended and renumbered 7.13
10.7.4		Rescinded
21.1.6	21.1.3	Renaming and renumbered 19.1.4
21.7	21.4	Renaming and renumbered 19.2.4
24.2		Amended and renumbered 22.2
30.2		Amended and renumbered 28.3
32.5		Rescinded
60.4 Rule Number	Rule Number As Amended In 1999	Identification of Rule alterations and numbering
33.1.2	33.1.3	Rescinded
36.2		Amended and renumbered 49.2
38.7	38.1	Rescinded
38.9	38.2	Rescinded
39.1 and 39.2		Renaming, amended and renumbered 31.2 and 31.3
39.3		Rescinded
39.4		Rescinded and replaced by 49.2
39.5		Rescinded
44.2		Rescinded
45A		Amended and renumbered 34
46A	46	Amended and renumbered 64
50A		Amended and renumbered 53
60.4		No change

60.3C This sub-rule 60.3C was made in the 2005 Rule amendments. In the 2005 Rule amendments there were amendments, rescissions and other alterations (collectively to be referred to as “Rule alterations”) made to the matters dealt with by the sub-rules referred to in sub-rule 60.5 (other than sub-rule 60.5 itself). Those Rule alterations were approved by decision of the Reserve Bank Officers Section Committee as composed by the Rules prior to those Rule alterations being made. The Rule alterations are able to be identified by reference to the following table which refers to the type of change made and any renumbering relevant to them.

This sub-rule 60.3C notes that the sub-rule numbered 33.1.2 was a sub-rule that, at the time sub-rule 60.5 was made, affected only the Commonwealth Bank Officers Section of the Union, and not the Reserve Bank Officers Section. In the Rule alterations that sub-rule number has not been deleted from sub-rule 60.5:

60 - ALTERATIONS TO RULES

60.5 Rule Number	Rule Number As Amended In 1999	Identification of Rule alterations and numbering
6.4		Rescinded
10.3		Amended and renumbered 7.14
10.7.4		Rescinded
21.1.7	21.1.4	Renaming and renumbered 19.1.5
21.8	21.5	Renaming and renumbered 19.2.5
24.2		Amended and renumbered 22.2
30.2		Amended and renumbered 28.3
32.5		Rescinded
33.1.2	33.1.3	See note above in this sub-rule 60.3C
36.3		Amended and renumbered 49.3
38.8	38.3	Rescinded
38.10	38.3.4	Previously rescinded
39.6 and 39.7		Renaming, amended and renumbered 31.2 and 31.4
39.8		Rescinded
39.9		Rescinded and replaced by 49.3
39.10		Rescinded
44.2		Rescinded
45A		Amended and renumbered 34
46A	46	Amended and renumbered 64
50A		Amended and renumbered 53
60.5		No change

60.4 Notwithstanding the provisions of rules 60.1, 60.2 and 60.3, rules 6.3, 10.2, 10.7.4, 21.1.6, 21.7, 24.2, 30.2, 32.5, 33.1.2, 36.2, 38.7, 38.9, 39.1, 39.2, 39.3, 39.4, 39.5, 44.2, 45A, 46A, 50A and 60.4 shall not be added to, amended, rescinded or otherwise altered until such addition, amendment, rescission or alteration is first approved by a decision of the Commonwealth Bank Officers Section Committee. This sub-rule shall not be added to, amended, rescinded or otherwise altered until such addition, amendment, rescission or alteration is first approved by Section wide plebiscite of the Commonwealth Bank Officers Section in which a majority of two-thirds of those members voting agrees to amend, rescind or otherwise alter this sub-rule.

60.5 Notwithstanding the provisions of rules 60.1, 60.2 and 60.3, rules 6.4, 10.3, 10.7.4, 21.1.7, 21.8, 24.2, 30.2, 32.5, 33.1.2, 36.3, 38.8, 38.10, 39.6, 39.7, 39.8, 39.9, 39.10, 44.2, 45A, 46A, 50A and 60.5 shall not be added to, amended, rescinded or otherwise altered until such addition, amendment, rescission or alteration is first approved by decision of the Reserve Bank Officers Section Committee. This sub-rule shall not be added to, amended, rescinded or otherwise altered until such addition, amendment, rescission or alteration is first approved by Section wide plebiscite of the Reserve Bank Officers Section in which a majority of two-thirds of those members voting agree to amend, rescind or otherwise alter this sub-rule.

61 - SEAL

- 60.6 Notwithstanding rules 60.1-60.5 the Commonwealth Bank Officers Section and the Reserve Bank Officers Section shall only be abolished if a section wide plebiscite of the membership of the respective sections votes by a two thirds majority of those members who vote in the plebiscite, to abolish the section. This sub-rule shall not be added to, amended, rescinded or otherwise altered unless such addition, amendment, rescission or alteration is first approved by a section wide plebiscite of the membership of the Commonwealth Bank Officers Section and Reserve Bank Officers Section in which a majority of two thirds of those members voting agrees to amend, rescind or otherwise alter this sub-rule.
- 60.7 The Commonwealth Bank Officers Section referred to in sub-rules 60.4 and 60.6 is renamed as the Commonwealth Bank of Australia Section and is continued in existence under that latter name in the 2005 Rule alterations.
- 60.8 The Reserve Bank Officers Section referred to in sub-rules 60.5 and 60.6 is renamed as the Reserve Bank of Australia Section and is continued in existence under that latter name in Rule amendments made in the 2005 Rule alterations.
- 60.9 Notwithstanding the provisions of sub-rules 60.1 and 60.2, the following Rules and sub-rules, namely sub-rules 7.13, 19.1.4, 19.2.4, 22.2, 28.3, 31.2 (as it affects the CBA Section) and 31.3 and Rules 34 and 41 and sub-rule 49.2 and Rules 53 and 64 shall not be added to, amended, rescinded or otherwise altered until such addition, amendment, rescission or alteration is first approved by decision of the NEC of the CBA Section.
- 60.10 Notwithstanding the provisions of sub-rules 60.1 and 60.2, the following Rules and sub-rules namely, sub-rules 7.14, 19.1.5, 19.2.5, 22.2, 28.3, 31.2 (as it affects the RBA Section) and 31.4 and Rules 34 and 41, sub-rule 49.3 and Rules 53 and 64 shall not be added to, amended, rescinded or otherwise altered until such addition, amendment, rescission or alteration is first approved by decision of the NEC of the RBA Section.

61 - SEAL

- 61.1 The Union shall have a Seal in a form determined by the National Conference.
- 61.2 The Seal shall be kept in the custody of the National Secretary.
- 61.3 Any document not required by-law to be under seal may be executed by being signed by the National Secretary.
- 61.4 Any document required or permitted by the Act to be under seal may at the discretion of the National Secretary be executed on behalf of the Union by affixing the Seal of the Union thereto and by being signed by any two members of the National Executive.
- 61.5 Any document otherwise required by law to be under seal may be executed only on the authorisation of either the National Conference or the National Executive by affixing the Seal of the Union thereto and by being signed by any two members of the National Executive.

62 - AFFILIATION

- 62.1 The National Executive may by resolution carried by a majority of members of the National Executive voting on such a resolution, affiliate the Union with other industrial organisations and associations.
- 62.2 A Local Executive may by resolution carried by a majority of members of the Local Executive voting on such resolution, affiliate the Union in the State/Territory in which that Local Executive is constituted with other industrial organisations and associations within that same State/Territory.

63 - AMALGAMATION

63. The National Executive is empowered to negotiate with other industrial organisations and associations. Where agreement in principle has been reached between the negotiating bodies to bring about amalgamation, the National Executive has the power to seek where necessary an amalgamation under the provisions of the Act.

64 – PLEBISCITE CBA SECTION AND RBA SECTION

CBA Section Wide Plebiscite

- 64.1 National Conference, National Executive or the NEC of the CBA Section shall when any one of them deems fit, or upon requisition in writing to the National Secretary by three CBA Local Enterprise Councils or one or more such Councils representing more than 50% of the Union's members attached to the CBA Section, direct that the opinion of the members attached to the Section (CBA Section members) be obtained upon any question by submitting the same to a plebiscite of those members.
- 64.2 Such plebiscite shall be taken by secret ballot and shall, subject to this rule be taken within two months of the written requisition being received by the National Secretary.
- 64.3 The FSU Returning Officer shall conduct the plebiscite and for that purpose may appoint a FSU Deputy Returning Officer(s) (Deputy) subject to sub-rule 47.2.
- 64.4 An FSU Deputy Returning Officer shall be subject to such directions and instructions as are issued by the FSU Returning Officer.
- 64.5 The National Secretary shall upon the request of the FSU Returning Officer (or Deputy) supply him/her with a certified list of the names and addresses of all members of the Union attached to the CBA Section as at the closing date of the electoral roll.
- 64.6 The FSU Returning Officer or deputy shall cause to be forwarded by post or by such other means as he/she deems fit to each CBA Section member a ballot paper (each of which shall be identified by the FSU Returning Officer or deputy) together with an envelope addressed to the FSU Returning Officer (in which each ballot paper is to be returned after the member has indicated his/her vote thereon) and together with such directions as he/she deems necessary for the conduct of ballot. Members shall be advised in writing of the date and time of the close of the ballot.

64 – PLEBISCITE CBA SECTION AND RBA SECTION

- 64.7 Where the FSU Returning Officer has appointed a deputy he/she may forward to such deputy a sufficient number of such ballot papers and envelopes in respect to the plebiscite or part of the plebiscite for which the deputy was appointed under sub-rule 47.3 and such deputy shall forthwith acknowledge receipt in writing to the FSU Returning Officer or Deputy of those ballot papers and envelopes.
- 64.8 The ballot shall close not less than 28 days after the dispatch of the ballot papers as provided in sub-rule 64.6, and at a date and time determined by the FSU Returning Officer or Deputy.
- 64.9 All ballot papers returned to the FSU Returning Officer shall be placed in a receptacle which shall be locked and sealed and not opened before 9.00 a.m. on the day following the day on which the ballot is declared closed.
- 64.10 All votes which clearly express the opinion of the voter on the questions admitted shall be recorded.
- 64.11 Each LEC of, and the NEC of, the CBA Section shall have the right to appoint in writing a scrutineer who is a member of the CBA Section to represent it at the ballot by notifying the FSU Returning Officer or deputy in writing before the close of the ballot with the name of such scrutineer. The rights, powers and obligations of any scrutineer shall be the same as those set out in sub-rule 47.50.
- 64.12 The FSU Returning Officer or deputy shall give to the scrutineers (if any) appointed pursuant to this rule reasonable notice of all times at which he/she shall be dealing with the ballot including the opening of the ballot box and the counting of the votes.
- 64.13 As soon as a result of the ballot is ascertained the same shall be communicated by the FSU Returning Officer to the National Secretary with the full report of the whole proceedings who shall communicate the final result of the ballot as a whole to National Executive, and to each LEC of, and the NEC of, the CBA Section with as little delay as possible.
- 64.14 Where the question voted on relates to a matter affecting only members of the CBA Section such action as necessary shall be immediately taken by the NEC of the CBA Section to give effect to the decision or decisions of the plebiscite. Where the question voted on concerns matters of common interest to all members of the Union, the decision of the plebiscite shall be referred to the next meeting of the National Executive which shall accord due weight and respect to the opinion of the CBA Section membership expressed in the plebiscite.
- 64.15 Unless otherwise specified in these Rules a plebiscite shall be determined by a simple majority of members voting.

RBA Section and CBA Section State/Territory Plebiscite

- 64.16 The NEC of the RBA Section or an LEC of the CBA Section, when it deems fit or when required by a general meeting of the members attached to the RBA Section or allocated to that LEC of the CBA Section shall take the opinion of the Union's members so attached or allocated upon any question within its jurisdiction by submitting the same to a plebiscite of the relevant members and such plebiscite shall be conducted by the FSU Returning Officer or deputy in the manner (so far as reasonably applicable) of a plebiscite conducted under sub-rules 64.1 to 64.15 inclusive.
- 64.17 Such action as may be necessary shall be immediately taken by the NEC of RBA Section or the relevant LEC of the CBA Section to give effect to the decisions of the plebiscite.

65 - INTERPRETATION

In these Rules, except where otherwise clearly intended:

- 65.1 "the Act" shall mean the Workplace Relations Act, 1996 (or any successor Act) as amended from time to time;
- 65.2 "the Regulations" shall mean the Workplace Relations Regulations made from time to time pursuant to the Act;
- 65.3 "the RAO Regulations" shall mean the Workplace Relations (Registration and Accountability of Organisations) Regulations;
- 65.4 words importing the singular shall include the plural and vice versa;
- 65.5 words importing the masculine gender shall include the female gender;
- 65.6 "any body of the Union" shall mean the National Conference, the National Executive, a National Enterprise Council, a Local Enterprise Council and a Local Executive and any group of elected officers for which provision is made by the Union's Rules;
- 65.7 "any part of the Union" shall mean any body of the Union and any Committee or sub-committee or any grouping of members of the Union and/or an officer of the Union and/or any position established under the Union's Rules;
- 65.8 "extraordinary or casual vacancy" shall mean a vacancy occurring in any way whatsoever other than by effluxion of time and, without limiting the generality of the foregoing, shall include a vacancy arising as a result of no nomination or no valid nomination or insufficient valid nominations having been received for the relevant office or offices prior to the close of nominations for that office or those offices;
- 65.9 "officer" in any Union Rule other than Rule 5 shall mean any member of the Union elected or appointed (temporarily or otherwise) under the Union's Rules to hold any office in the Union;
- 65.10 "office" shall have the same meaning as in the Act;
- 65.11 "full time paid office" shall mean the offices of National Secretary, National Assistant Secretary and Local Executive Secretary. On the recommendation of the relevant Local Executive the National Executive may determine that the duties of the office of a Local Executive Secretary in a particular State/Territory are of a part time nature and accordingly are to be remunerated on a part time basis as determined by the National Executive; such a Local Executive Secretary shall be deemed to hold a full time paid office for all other purposes of the Rules. "Full time paid officer" shall mean a person who holds a "full time paid office";
- 65.12 "normal election" shall mean an election which is required to held under the Union's Rules to elect a person to an office where the duration of the term of the office concerned is to expire due to the effluxion of time;

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- 65.13 "the AIEU" shall mean the organisation of employees known and registered under the Act immediately prior to the relevant date as the Australian Insurance Employees Union which date is 1 July 1991;
- 65.14 "the AMPSSA" shall mean the organisation of employees known and registered under the Act immediately prior to the relevant date as the AMP Society Staff Association which date is 1 July 1991;
- 65.15 "the CBOA" shall mean the organisation of employees known and registered under the Act immediately prior to the CBOA amalgamation day as the Commonwealth Bank Officers Association;
- 65.16 "the TCOA" shall mean the organisation of employees known and registered under the Act immediately prior to the relevant date as the Trustee Companies Officers Association;
- 65.17 "CBOA amalgamation day" referred to in sub-rule 19.2.4 is 31 March 1994;
- 65.18 "the relevant date" referred to in sub-rule 19.2.6 is 1 July 1991;
- 65.19 "the WBSA" shall mean the organisation known and registered under the Act immediately prior to the relevant date as the Wool Brokers Staffs Association.

66 - DISSOLUTION OF UNION

- 66.1 If the membership of the Union falls below fifty, the National Conference shall cause a plebiscite to be taken of the remaining members to decide whether the Union shall be dissolved. If a majority of members voting in such plebiscite declare in favour of dissolution, then, after discharging its just debts and liabilities, the property belonging to the Union at such time shall be converted into money and such money shall be donated to such public charitable institution as may be determined by National Conference.
- 66.2 Notwithstanding Rule 66.1, in the event of the dissolution of the Union for any reason, after discharging the Union's just debts and liabilities, the property belonging to the Union at such time shall be converted into money and a percentage of the total amount of money considered by National Conference to be proportionate to the membership, if any, of the CBA Section and RBA Section for the relevant NEC of those Sections to determine a public charitable institution to which that percentage will be donated.

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67. Each member shall be supplied with a copy of the registered Rules of the Union on request to the National Secretary or the relevant Local Executive Secretary.

68 - TRANSITIONAL PROVISIONS TO FACILITATE RESTRUCTURE OF THE SECTIONS OF THE UNION

68 - TRANSITIONAL PROVISIONS TO FACILITATE RESTRUCTURE OF THE SECTIONS OF THE UNION

- 68.1 The purpose of this Rule is to provide transitional provisions for the commencement of the operation of amendments made to the Rules in 2010 (the Section Re-structure Rules) to achieve the following:
- 68.1.1 the abolition of the Multiple Employer Section;
 - 68.1.2 the establishment of a General Section;
 - 68.1.3 the establishment of a St George/Bank SA Section;
 - 68.1.4 the restructuring of the Midsize Bank Section;
 - 68.1.5 the restructuring of the Insurance Section; and
 - 68.1.6 provide for the commencement of the operation of the Section Re-structure Rules, the creation of new offices (the new offices) and for various other additions, amendments, rescissions or other alterations.
- 68.2 The provisions of this Rule shall take effect on and from the day after the General Manager of Fair Work Australia certifies it.
- 68.3 Subject to the provisions of this Rule the provisions of the Section Restructure Rules shall take effect on and from the day after the General Manager of Fair Work Australia certifies them (the certification date).
- 68.4 The Section Re-structure Rules shall apply from certification date for the purposes of allocation of members to the re-structured sections only so as to enable elections to be conducted in 2010 for the offices in the new/restructured Sections in Rule 68.1.
- 68.5 The Finance Sector Union Returning Officer shall as far as is possible conduct elections for each of the new offices as provided for in the Section Re-structure Rules in conjunction with the normal elections to be conducted in the union in the year 2010, or as near as practicable thereafter, provided that if the certification date is after the 1st of May 2010 the financial membership of each of the Sections relating to each of the offices in the new/restructured Section in Rule 68.1 shall be calculated on the basis of the financial membership of each such Section at a date as soon as is practicable after the certification date.
- 68.6 Persons holding office in the sections prior to the completion of the elections referred to in 68.4 and 68.5 shall continue to hold such offices until the expiration of the term of office as provided under the Rules and a Section shall continue to be structured as provided for in Rule 19 prior to the Section Re-structure Rules taking effect until the completion of the elections provided for in 68.4 above.
- 68.7 Upon completion of the election to the offices in the new/restructured Sections in Rule 68.1, the Section Re-structure Rules will apply to those offices and to all new bodies as provided for in the Section Re-structure Rules.

69 - FINANCIAL MANAGEMENT AND TRAINING RULE

This Rule makes provisions as required by the Fair Work (Registered Organisations) Amendment Act 2012 and the Fair Work Amendment Act 2013.

69.1 The following definitions apply to this Rule 69.

- 69.1.1 Board means a group of persons who supervise, govern or otherwise have oversight of a corporation, organisation, association or other like body including a Board of Directors.
- 69.1.2 disclosure period For the purpose of these rules means the financial year unless a shorter period is specified.
- 69.1.3 declared person or body A person is a declared person or body if:
- 69.1.3.1 an officer of the Union or branch has disclosed a material personal interest under sub-rule 69.4.1 or sub-rule 69.4.4; and
 - 69.1.3.2 the interest relates to, or is in, the person or body; and
 - 69.1.3.3 the officer has not notified the Union or branch that the officer no longer has the interest.
- 69.1.4 financial duties includes duties that relate to the financial management of the organisation or a branch of the organisation.
- 69.1.5 General Manager means the General Manager of Fair Work Commission.
- 69.1.6 non-cash benefit means property or services in any form other than money, but does not include a computer, mobile phone or other electronic device that is used only or mainly for work purposes.
- 69.1.7 peak council has the same meaning as defined by section 12 of the *Fair Work Act 2009*.
- 69.1.8 office has the same meaning as defined by section 9 of the *Fair Work(Registered Organisations) Act 2009*
- 69.1.9 officer has the same meaning as defined by section 6 of the *Fair Work(Registered Organisations) Act 2009*
- 69.1.10 related party has the same meaning as defined by section 9B of the *Fair Work(Registered Organisations) Act 2009*.

- 69.1.11 relative in relation to a person, means:
- 69.1.11.1 parent, step parent, child, stepchild, grandparent, grandchild, brother or sister of the person; or
 - 69.1.11.2 the spouse of the first mentioned person.
- 69.1.12 relevant remuneration in relation to an officer of the Union or branch for a disclosure period is the sum of the following:
- 69.1.12.1 any remuneration disclosed to the Union or branch by the officer under sub-rule 69.3.1 or sub-rule 69.3.4 during the disclosure period;
 - 69.1.12.2 any remuneration paid during the disclosure period, to the officer by the Union;
- 69.1.13 relevant non-cash benefits in relation to an officer of the Union or branch for a disclosure period, means the non-cash benefits provided to the officer, at any time during the disclosure period, in connection with the performance of the officer's duties as an officer, by the Union or by a related party of the Union or by a related party of a branch of the Union.
- 69.1.14 remuneration
- 69.1.14.1 includes pay, wages, salary, fees, allowances, leave, benefits or other entitlements; but
 - 69.1.14.2 does not include a non-cash benefit; and
 - 69.1.14.3 does not include the reimbursement or payment of reasonable expenses for the costs incurred in the course of the officer carrying out his or her duties.

UNION POLICIES AND PROCEDURES

- 69.2.1 The Union shall develop and implement policies and procedures relating to the expenditure of the Union.
- 69.2.2 A branch shall develop and implement policies and procedures relating to any expenditures the branch is authorised to make under the rules of the Union.

DISCLOSURE OF OFFICER'S RELEVANT REMUNERATION AND NON-CASH BENEFITS

- 69.3.1 Each officer of the Union shall disclose to the National Executive any remuneration paid to the officer:
 - 69.3.1.1 because the officer is a member of a board, if:
 - 69.3.1.1.1 the officer is a member of the board only because the officer is an officer of the Union; or

- 69.3.1.1.2 the officer was nominated for the position as a member of the board by the Union, branch or a peak council; or
- 69.3.1.2 by any related party of the Union in connection with the performance of the officers' duties as an officer.
- 69.3.2 The disclosure required by sub-rule 69.3.1 shall be made to the Union:
 - 69.3.2.1 as soon as practicable after the remuneration is paid to the officer; and
 - 69.3.2.2 in writing.
- 69.3.3 The Union shall disclose to its members of the Union and its branches:
 - 69.3.3.1 the identity of the officers who are the five highest paid in terms of relevant remuneration for the disclosure period, and
 - 69.3.3.2 for those officers:
 - 69.3.3.2.1 the actual amount of the officers' relevant remuneration for the disclosure period; and
 - 69.3.3.2.2 either the value of the officers' relevant non-cash benefits, or the form of the officers' relevant non-cash benefits, for the disclosure period.
- 69.3.4 Each officer of a branch shall disclose to the management committee of the branch any remuneration paid to the officer:
 - 69.3.4.1 because the officer is a member of a board, if:
 - 69.3.4.1.1 the officer is a member of the board only because the officer is an officer of the branch; or
 - 69.3.4.1.2 the officer was nominated for the position as a member of the board by the Union, branch or a peak council; or
 - 69.3.4.2 by any related party of a branch in connection with the performance of the officers' duties as an officer.
- 69.3.5 The disclosure required by sub-rule 69.3.4 shall be made to the branch:
 - 69.3.5.1 as soon as practicable after the remuneration is paid to the officer; and
 - 69.3.5.2 in writing.
- 69.3.6 A branch shall disclose to the members of the branch:
 - 69.3.6.1 the identity of the officers who are the two highest paid in terms of relevant remuneration for the disclosure period, and

69.3.6.2 for those officers:

- 69.3.6.2.1 the actual amount of the officers' relevant remuneration for the disclosure period; and
- 69.3.6.2.2 either the value of the officers' relevant non-cash benefits, or the form of the officers' relevant non-cash benefits, for the disclosure period.

69.3.7 For the purposes of sub-rule 69.3.3 and sub-rule 69.3.6 the disclosure shall be made:

- 69.3.7.1 in relation to each financial year;
- 69.3.7.2 within six months after the end of the financial year; and
- 69.3.7.3 in relation to disclosure for the purposes of sub-rule 69.3.3 shall be published on the Union website and in relation to a disclosure made pursuant to sub-rule 69.3.6 on the branch website (if any)

DISCLOSURE OF OFFICER'S MATERIAL PERSONAL INTERESTS

69.4.1 Each officer of a Union shall disclose to the National Executive any material personal interest in a matter that:

- 69.4.1.1 the officer has or acquires; or
- 69.4.1.2 a relative of the officer has or acquires:

that relates to the affairs of the Union.

69.4.2 The disclosure required by sub-rule 4.1 shall be made to the Union:

- 69.4.2.1 as soon as practicable after the interest is acquired; and
- 69.4.2.2 in writing.

69.4.3 The Union shall disclose to the members of the Union and its branches any interests disclosed to the organisation pursuant to sub-rule 4.1.

69.4.4 Each officer of a branch shall disclose to the management committee any material personal interest in a matter that:

- 69.4.4.1 the officer has or acquires; or
- 69.4.4.2 a relative of the officer has or acquires;

that relates to the affairs of the branch.

- 69.4.5 The disclosure required by sub-rule 69.4.4 shall be made to the branch:
- 69.4.5.1 as soon as practicable after the interest is acquired; and
 - 69.4.5.2 in writing.
- 69.4.6 The branch shall disclose to members of the branch any interests disclosed to the organisation pursuant to sub-rule 69.4.4.
- 69.4.7 For the purposes of sub-rule 69.4.3 and sub-rule 69.4.6, the disclosures shall be made:
- 69.4.7.1 in relation to each financial year;
 - 69.4.7.2 within six months after the end of the financial year; and
 - 69.4.7.3 in relation to disclosure for the purposes of sub-rule 69.4.3 shall be published on the Union website and in relation to disclosure for the purposes of sub-rule 69.4.6 on the branch website (if any).

DISCLOSURE BY THE UNION OF PAYMENTS

- 69.5.1 The Union shall disclose to the members of the Union and its branches either:
- 69.5.1.1 each payment made by the Union, during the disclosure period:
 - 69.5.1.1.1 to a related party of the Union or of a branch of the Union; or
 - 69.5.1.1.2 to a declared person or body of the Union or a branch of the Union; or
 - 69.5.1.2 the total of the payments made by the Union, during the disclosure period:
 - 69.5.1.2.1 to each related party of the Union; or
 - 69.5.1.2.2 to each declared person or body of the Union.
- 69.5.2 sub-rule 69.5.1 does not apply to a payment made to a related party if the payment consists of amounts deducted by the Union from remuneration payable to officers or employees of the Union.
- 69.5.3 sub-rule 69.5.1 does not apply to a payment made to a related party if:
- 69.5.3.1 the related party is an officer of the Union and the payment:
 - 69.5.3.1.1 consists of remuneration paid to the officer by the Union; or
 - 69.5.3.1.2 is reimbursement for an expense reasonably incurred by the officer in performing the duties as an officer; or
 - 69.5.3.2 the related party is an officer or employee of the Union and the payment consists of amounts deducted by the Union from remuneration payable to officers or employees of the Union.

- 69.5.4 The branch shall disclose to the members of the branch either:
- 69.5.4.1 each payment made by the branch, during the disclosure period:
 - 69.5.4.1.1 to a related party of the branch; or
 - 69.5.4.1.2 to a declared person or body of the branch; or
 - 69.5.4.2 the total of the payments made by the branch, during the disclosure period:
 - 69.5.4.2.1 to each related party of the branch; or
 - 69.5.4.2.2 to each declared person or body of the branch.
- 69.5.5 sub-rule 69.5.4 does not apply to a payment made to a related party if the payment consists of amounts deducted by the branch from remuneration payable to officers or employees of the branch.
- 69.5.6 sub-rule 69.5.4 does not apply to a payment made to a related party if:
- 69.5.6.1 the related party is an officer of the branch and the payment:
 - 69.5.6.1.1 consists of remuneration paid to the officer by the branch; or
 - 69.5.6.1.2 is reimbursement for an expense reasonably incurred by the officer in performing the duties as an officer; or
 - 69.5.6.2 the related party is an officer or employee of the branch and the payment consists of amounts deducted by the branch from remuneration payable to officers or employees of the branch.
- 69.5.7 For the purposes of sub-rules 69.5.1 and 69.5.4 the disclosures shall be made:
- 69.5.7.1 in relation to each financial year;
 - 69.5.7.2 within six months after the end of the financial year; and
 - 69.5.7.3 in relation to disclosure made for the purposes of sub-rule 69.5.1 shall be published on the Union website and in relation to disclosure made for the purposes of sub-rule 69.5.4 shall be published on the branch website (if any).

TRAINING OF OFFICERS OF THE UNION

- 69.6.1 Each person holding an office in the Union or a branch whose duties include duties that relate to the financial management of the Union or a branch shall undertake training:
- 69.6.1.1 approved by the General Manager under the provisions of the *Fair Work (Registered Organisations) Act 2009* or an Act replacing that Act; and
 - 69.6.1.2 that covers each of the officers' financial duties.

69 - FINANCIAL MANAGMENT AND TRAINING RULE

69.6.2 An officer shall complete the training required by sub-rule 69.6.1 within six (6) months of:

69.6.2.1 1 January 2014; or

69.6.2.2 the date upon which the officer begins to hold an office, whichever is the later.

*** END OF RULES ***