

Rules of the  
CPSU - SPSF Group - Tasmanian Branch

Contents

1 - FEDERAL RULES.....	1
2 - NAME .....	1
3 - OFFICE .....	1
4 - POWERS OF BRANCH .....	1
5 - BRANCH MEMBERS .....	1
6 - BRANCH COUNCIL.....	1
7 - BRANCH OFFICERS.....	<del>63</del>
8 - BRANCH COUNCILLORS.....	<del>63</del>
9 - BRANCH ELECTORATES.....	<del>63</del>
10 - BRANCH EXECUTIVE.....	<del>85</del>
11 - BRANCH FUND.....	<del>85</del>
12 - ANNUAL GENERAL MEETING.....	<del>95</del>
13 - SPECIAL GENERAL MEETINGS .....	<del>106</del>
14 - INDUSTRIAL MEETINGS .....	<del>117</del>
15 - REPRESENTATIVES.....	<del>117</del>
16 - ADVISORY BODIES .....	<del>117</del>
17 - DUTIES OF MEMBERS .....	<del>117</del>
18 - MISCONDUCT.....	<del>128</del>
19 - EXECUTION OF AGREEMENTS AND DOCUMENTS.....	<del>149</del>
20 - PUBLICATIONS .....	<del>149</del>
21 - ANNUAL REPORT .....	<del>149</del>
22 - BRANCH POLICY .....	<del>149</del>
23 - CONTROL BY MEMBERS .....	<del>149</del>
24 - REFERENDUM.....	<del>1640</del>
25 - DUTIES OF OFFICES.....	<del>1711</del>
26 - ELECTIONS .....	<del>1812</del>
27 - BYLAWS .....	<del>1913</del>
28 - STANDING ORDERS.....	<del>1913</del>

## RULES OF THE CPSU, SPSF GROUP TASMANIAN BRANCH

### 1 - FEDERAL RULES

1.1 These rules are in addition to the federal rules of CPSU, the Community and Public Sector Union and shall apply to the Tasmanian Branch so far as they are not in conflict with the federal rules.

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### 2 - NAME

2.1 The name of the branch shall be the CPSU, the Community and Public Sector Union SPSF Group Tasmanian Branch, in these rules called the Branch.

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### 3 - OFFICE

3.1 The office of the Branch shall be ~~49 Mollie Street~~ 157 Collins Street, Hobart or such other address as the Branch Council resolves.

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### 4 - POWERS OF BRANCH

4.1 The Branch shall have all powers vested in it in accordance with Chapter C of the federal rules and shall at all times conform to the federal rules. (Chapter C of the federal rules provide that the Branch shall have full autonomy in matters affecting members of the Branch only and matters concerning the participation of the Branch in any State industrial conciliation and arbitration system.)

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### 5 - BRANCH MEMBERS

5.1 The members of the Branch shall be those persons admitted to membership of the SPSF Group in accordance with the federal rules whose employer is located in Tasmania and such other members who have been allocated to the Branch by Federal Council.

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### 6 - BRANCH COUNCIL

6.1 The affairs of the Branch shall be managed by the Branch Council, which shall have power to control and manage the business and affairs of the SPSF Group in the State of Tasmania subject always to the federal rules and to any lawful direction of the National Officers Committee, Federal Council or Federal Executive and without limiting the generality of this power shall have power to:

- (a) make, amend and rescind rules and bylaws for the regulation and government of the Branch;
- (b) enrol in the Union any person eligible to be a member of the SPSF Group;
- (c) fix and from time to time vary the entrance fees and subscriptions payable by candidates for membership and members of the SPSF Group attached to the Branch;
- (d) impose levies on members attached to the Branch;
- (e) remit entrance fees, subscriptions, levies fixed or imposed under this Rule;
- (f) waive in whole or part any fees, subscriptions and levies;
- (g) disburse or authorise the disbursement of moneys from the Branch Fund for any purpose within the objects of the SPSF Group;

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## 6 - BRANCH COUNCIL

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- (h) for the purposes of managing the branch fund -
  - (i) buy, sell, rent, lease, sublet or otherwise deal with any property, real or personal,
  - (ii) enter into any contract,
  - (iii) borrow money and mortgage or charge any of the real or personal property of the Branch,
  - (iv) establish any company or trust to hold, or assign on trust, any real or personal property of the Branch Fund;
- (i) appoint such Committees of Branch Council as may be deemed necessary;
- (j) appoint or remove a Branch Returning Officer qualified to act in accordance with the Act to conduct any election for which a Returning Officer is required in connection with any Branch office in the SPSF Group;
- (k) appoint or remove a Branch Auditor qualified to act in accordance with the Act for any purpose for which an auditor is required in connection with the Branch accounts of the SPSF Group;
- (l) fix and from time to time vary the salaried and allowances or honorariums payable to Branch offices and to confer on named officers or the holders of any named offices authority to employ, retain and terminate the employment of such research, clerical and other staff as shall be specified in a resolution of Branch Council conferring such authority on such terms as Branch Council or if so decided by Branch Council, as such Branch officers shall see fit;
- (m) subject the Rights of Officers under Chapter C of the federal rules, dismiss from office any person elected to an office within the branch who has been found guilty in accordance with the rules of the Union of misappropriation of the funds of the Union a substantial breach of the rules of the Union gross misbehaviour or gross neglect of duty or who has ceased according to the rules of the SPSF Group to be eligible to hold the office provided that any such person shall have a right of appeal to the Federal Council;
- (n) to publish and distribute Branch Publications;
- (o) do all things necessary or convenient to the exercise of the foregoing powers.

6.2 The Branch Council shall consist of:

- (a) the Branch Officers, and
- (b) the Branch Councillors.

### 6.3 Branch Council Meetings

- (a) Branch Council will meet at least quarterly
- (b) Meetings will be convened by the Branch President or in her/his absence the Branch Vice-President or in their absence the Branch Secretary.

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6 - BRANCH COUNCIL

(c) Meetings may be conducted by

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(i) personal attendance;

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(ii) by electronic means such as teleconferencing or videoconferencing; or

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(iii) by a combination of personal attendance and electronic means.

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(d) The Branch President and Branch Secretary acting together shall have power to convene special meetings of Branch Council, determine when, where and for what purpose such meeting shall take place.

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(e) Reasonable notice of all meetings will be given to each member of Branch Council.

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(f) The quorum for every Branch Council meeting shall be a majority of those entitled to attend and vote. Attendance at the meeting by any means prescribed by the rules (eg proxy or electronic means) will count for the purposes of a quorum. Branch rules may provide for a different quorum.

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6.4 Branch Council – Out Of Session Decisions

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(a) The purpose of this rule is to provide a means of obtaining prompt decisions.

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(b) Any decision Branch Council has the power to make at a meeting may be made by ballot in the manner set out in this rule.

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(c) The Branch Secretary will submit any ballot under this rule requested by any member of Branch Council.

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(d) The ballot will be conducted of all members of the Branch Council.

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(i) Branch council members must be given in writing the question which is the subject of the ballot; and notice of the period required to return the ballot.

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(ii) The voting period will be not less than 7 days.

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(e) Notice, and return of the ballot, may be given by—

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(i) hand;

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(ii) post or courier;

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(iii) email;

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(iv) facsimile transmission; or

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(v) other electronic means.

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6 - BRANCH COUNCIL

(f) A ballot under this rule shall be determined in the same manner as applies to resolutions at meetings of Branch Council, that is, a simple majority of votes exercised.

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(g) A member of Branch Council at the time the ballot is forwarded may exercise their vote in that ballot.

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(h) A decision under this rule is carried if supported by a majority of the total votes exercised; and:

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(i) for a ballot conducted as a result of a resolution of Branch Council, no less than 50 percent of the total votes exercisable by Branch Councillors have been exercised; or

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(ii) in any other case, no less than 75 percent of the total votes exercisable by Branch Councillors have been exercised.

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(i) If the majority required in sub rule 6.4(h) is reached before the time appointed for close of a ballot, the decision may be declared carried at that date.

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6.5 Business of Branch Council

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(a) Branch Council shall determine its own order of business, except for a special meeting,

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(b) Any item, except an item within the scope of Rule 6.1(a), may be placed on the agenda of any meeting of Branch Council.

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(c) Any item within the scope of Rule 6.1(a) may be placed on the agenda of a meeting of Branch Council by resolution of Branch Executive or Branch Council. In this case the Branch Secretary must provide members of Branch Council at least 14 days notice of the meeting specifying the business to be transacted.

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(d) Unless urgent circumstances prevail, the Branch Secretary will provide members of Branch Council at least 7 days notice of a meeting of Branch Council specifying the business to be transacted.

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(e) If the Branch Executive or Branch Council recommends Branch rule changes notice shall be given to the Branch Secretary at least twenty one (21) days prior to the meeting of Branch Council.

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## 6 - BRANCH COUNCIL

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~~Branch Council shall meet at least quarterly and at such other times as Branch Council or Branch Executive or the Branch President and Branch Secretary acting together shall deem necessary and shall be convened by the Branch Secretary.~~

~~6.4 (a) A member of Branch Council who is unable to be present at the whole or any part of a meeting of Branch Council shall by writing delivered to the Branch Secretary appoint another financial member of the Electorate such Councillor represents or another member of Branch Council to act as his or her proxy.~~

## 9 - BRANCH ELECTORATES

- ~~(b) An existing member of Branch Council who is appointed a proxy member of Branch Council shall be entitled to exercise the vote exercisable by the person he or she represents in addition to any vote he or she is entitled to exercise on his or her own behalf. No person shall act as a proxy member of Branch Council for more than one member of Branch Council.~~

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## 7 - BRANCH OFFICERS

- 7.1 The Branch Officers shall be:
- the Branch President,
  - two Branch Vice Presidents,
  - the Branch Secretary,
  - the Branch Assistant Secretary,
  - the Branch Treasurer, and
  - three executive Councillors ~~electd two yearly by secret ballot by and from the Delegates to Branch Council.~~
- 7.2 A Branch Officer may attend and speak at any meeting of the Branch held under these rules.
- 7.3 Where there has been a ballot conducted for the election for the offices ~~of~~ Branch Vice Presidents the order of seniority of the Vice-Presidents ~~shall be~~ the order of their election. Where no ballot was required, the order of seniority shall be determined by Branch Council.

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## 8 - BRANCH COUNCILLORS

- 8.1 Each electorate will be represented on Branch Council by one Branch Councillor for each ~~300-250~~ Branch Members or majority part thereof allocated to the electorate at the date specified in Chapter C of the federal rules.

## 9 - BRANCH ELECTORATES

- 9.1 The members of the Branch shall be allocated to electorates to be known as Electorate 1, Electorate 2, Electorate 3, Electorate 4, Electorate 5 ~~and~~, Electorate 6, ~~Electorate 7, Electorate 8, Electorate 9, Electorate 10 Electorate 11 and Electorate 12.~~
- 9.2 **Electorate 1** shall be known as the ~~Higher Education Electorate~~**Healing and Caring Electorate** and shall consist of all members who are ~~employed~~**engaged to work** in or by a **state service** body which the Branch Council declares to be ~~a Higher Education~~**involved in delivery of healing or caring to Tasmanians**.
- 9.3 **Electorate 2** shall be known as the ~~Health Electorate~~**Educating our People Electorate** and shall consist of all members who are ~~engaged to work~~**employed** in or by a **state service** body which the Branch Council declares to be ~~a Health Body~~**involved in educating or training Tasmanians**.
- 9.4 **Electorate 3** shall be known as the ~~Government Service Electorate~~**Protecting our Environment and our Industries Electorate** and shall consist of all members ~~engaged to work~~**employed** in or by a **state service** body which Branch Council declares to be ~~a Government Service~~**involved in protecting Tasmania's environment or supporting its industries**.

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9 - BRANCH ELECTORATES

9.5 ~~Electorate 4~~ shall be known as the ~~Treasury Electorate~~**Delivering Justice and Safety Electorate** and shall consist of all members ~~engaged to work~~**employed** in or by a ~~state service~~ body which Branch Council declares to be ~~a Treasury involved with the delivery of justice and community safety body to Tasmanians.~~

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9.6 ~~Electorate 5~~ shall be known as the ~~Justice~~**Planning for our Future Electorate** and shall consist of all members ~~engaged to work~~**employed** in or by a ~~state service~~ body which Branch Council declares to be ~~a involved in planning Tasmania's future.~~  
~~Justice body.~~

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9.7 ~~Electorate 6~~ shall be known as the ~~Outside our State Service~~**School Education and Libraries Electorate** and shall consist of all members employed in or by a body which Branch Council declares to be a ~~School Education or library~~**body not covered by the State Service Act 2000 (Tas.).**

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~~9.8 Electorate 7 shall be known as the Primary Industry, Information & Land Services Electorate and shall consist of all members employed in or by a body which Branch Council declares to be a Primary Industry, Information or Land Services body.~~

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~~9.9 Electorate 8 shall be known as the Technical Education Electorate and shall consist of all members employed in or by a body which Branch Council declares to be a Technical Education body.~~

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~~9.10 Electorate 9 shall be known as the Tourism Electorate and shall consist of all members employed in or by a body which Branch Council declares to be a Tourism body.~~

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~~9.11 Electorate 10 shall be known as the Resources Electorate and shall consist of all members employed in or by a body which Branch Council declares to be a Resources body.~~

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~~9.12 Electorate 11 shall be known as the Business Enterprise Electorate and shall consist of all members employed in or by a body which Branch Council declares to be a Business Enterprise body.~~

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~~9.13 Electorate 12 shall be known as the Emergency Services Electorate and shall consist of all members employed in or by a body which Branch Council declares to be an Emergency Service body.~~

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9.8+4 Provided that:

- (a) where under this rule a member would fall within more than one electorate, then that member will be assigned to an electorate as determined by Branch Council;
- (b) where under this rule a member would not fall within an electorate, then that member shall be assigned to an electorate as determined by Branch Council;
- (c) where a member is granted leave to take up temporary employment with the Branch or Associated Body, then that member will continue to be allocated to an electorate as if still employed in the original position;
- (d) the minimum size of an electorate shall be ~~150-125~~ members, where an electorate would have less than ~~150-125~~ members no allocation will be made to that electorate and members will be allocated to remaining electorates as though that electorate did not exist.

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**10 - BRANCH EXECUTIVE**

**10.1 Branch Executive - Constitution**

- (a) The Branch Executive shall consist of the Branch Officers.
- (b) At every meeting of the Branch Executive the quorum necessary for the transaction of the business of the Branch Executive shall be a majority of those entitled to attend and vote or such other number or proportion as the rules of the Branch may provide.
- (c) Attendance at the meeting by any means prescribed by the rules (eg proxy or electronic means) will count for the purposes of a quorum.

**10.2 Branch Executive - Powers**

- (a) The Branch Executive is the Committee of Management of the Branch between meetings of Branch Council and pending the first meeting of Branch Council.
- (b) Branch Executive shall have all powers except the power to make, amend or rescind rules or any power expressly reserved to itself by resolution of Branch Council.
- (c) Branch Executive may make out of session decisions in accordance with Rule 6.4 with the necessary modifications.

**10.3 Branch Executive - Meetings**

- (a) Branch Executive shall meet at least monthly except for the month of January and whenever required by the Branch President. The Branch President after consultation with the Branch Secretary, will determine the date, time, and location of a meeting, and the means by which a meeting will be conducted.
- (b) Meetings may be conducted by
  - (i) personal attendance;
  - (ii) by electronic means such as teleconferencing or videoconferencing; or
  - (iii) by a combination of personal attendance and electronic means.
- (c) The business of a meeting of the Branch Executive shall be such items as are submitted for the consideration of the Branch Executive to the Branch Secretary at least twenty-four (24) hours prior to the meeting of Branch Executive
- (d) The Branch Secretary will provide all members of Branch Executive with reasonable notice of meetings of Branch Executive specifying the business to be transacted. Between meetings of Branch Council the management of the Branch shall be vested in the Branch Executive.

10.2 The Branch Executive shall meet at least monthly except for the month of January and whenever required by the Branch President after consultation with the Branch Secretary.

**11 - BRANCH FUND**

11.1 The Branch Fund shall consist of:

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12 - ANNUAL GENERAL MEETING

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- (a) any real or personal property of which the Branch of the SPSF Group by the rules or by any established practice not inconsistent with the rules, has, or in the absence of any limited term lease, bailment or arrangement, would have the right of custody, control or management;
- (b) the amounts of entrance fees, subscriptions, fines, levies and other fees received by a Branch;
- (c) any interest, rents or dividends derived from the investment of the Fund;
- (d) any superannuation or long service leave fund operated or controlled by the Branch for the benefit of its officers or employees;
- (e) any sick pay fund, accident pay fund, funeral fund, or like fund operated or controlled by the Branch for the benefit of its members;
- (f) any property acquired wholly or mainly by expenditure of the moneys of the Fund or derived from other assets of the Fund;
- (g) the proceeds of any disposal of parts of the Fund, and
- (h) any real or personal property derived from the Tasmanian Public Service Association.

11.2 Cheques and other instruments drawn against funds deposited to the credit of the Branch Fund with banks or other financial institutions shall be signed by the Branch Secretary, or the Branch Assistant Secretary, and one other person who is either;

- (a) a member of the Branch Executive, or
- (b) a person appointed by Branch Council or by the Branch Executive for the purpose of signing cheques and other such instruments.

**12 - ANNUAL GENERAL MEETING**

12.1 The Annual General Meeting of members of the Branch shall be held in the month of August in each year.

12.2 At least fourteen days notice of the date, time and place for the holding -of any Annual General Meeting of members of the Branch shall be given by publication in an official Branch Publication directed to all members and in a daily paper published in Hobart.

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### 13 - SPECIAL GENERAL MEETINGS

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- 12.3 No business shall be transacted at the Annual General Meeting other than that stated in the notice convening the meeting. Members intending to have business incorporated in such notice shall give notice in writing to the Branch Secretary on or before the fifteenth day of June.
- 12.4 The Branch Council shall determine what additional items to include on the Agenda in sufficient time to allow the agenda to be published at least 14 days prior to the Annual General Meeting.
- 12.5 A quorum for an Annual General Meeting shall consist of thirty (30) members.
- 12.6 If, within a half of an hour from the time appointed for the meeting a quorum of members be not present, it shall stand adjourned to the same place and the same hour of the fourteenth day thereafter; and at such adjourned meeting the members there present will dispose of all business on the notice paper.
- 12.7 The Branch President may, with the consent of the members present, adjourn the meeting from time to time and from place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

### 13 - SPECIAL GENERAL MEETINGS

- 13.1 Special General Meetings of members of the Branch shall be called:
- (a) by the Branch President, or in his or her absence, the Branch Secretary;
  - (b) whenever it is considered necessary by the Branch Council, or
  - (c) on the receipt by the Branch Council of a requisition in writing stating the objects and signed by not less than one hundred (100) members of the Branch.
- 13.2 At least fourteen days notice of the date, time and place for the holding of any Special General Meeting of members of the Branch shall be given by publication in an official Branch Publication directed to all members or in a daily paper published in Hobart.
- 13.3 No business shall be transacted at a Special General Meeting other than that stated in the notice convening the meeting.
- 13.4 A quorum for Special General Meetings shall consist of thirty (30) members.
- 13.5 If, within a half of an hour from the time appointed for the meeting a quorum of members be not present, the meeting shall lapse.
- 13.6 The Branch President may with the consent of the members present adjourn the meeting from time to time and from place to place but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- 13.7 Any resolutions carried at a Special General Meeting may, if the Branch Council so decides, be referred for determination by a referendum of all the members of the Branch.
- 13.8 The result of the ballot, or where no ballot is to be conducted the resolution, shall be binding on the Branch Council.

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## 17 - DUTIES OF MEMBERS

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### 14 - INDUSTRIAL MEETINGS

- 14.1 Industrial meetings of the whole Branch membership or any part thereof may be called by the Branch Secretary to consider a report on any matter of importance.
- 14.2 Resolutions passed at an Industrial Meeting adopting a position on an industrial matter stated in the notice convening the meeting shall be binding on all members addressed by the notice.
- 14.3 All resolutions carried at an Industrial Meeting shall be reported to the Branch Executive at its next meeting.

### 15 - REPRESENTATIVES WORKPLACE DELEGATES

- 15.1 The Branch Council may appoint a member of the Branch to act as a ~~Representative Workplace Delegate~~ for such groups of members as it shall determine.
- 15.2 All notices affecting the members of the Branch in any group for which such a ~~representative Workplace Delegate~~ has been appointed may be forwarded to such members through their ~~representative Workplace Delegate~~.
- 15.3 ~~Representatives Workplace Delegates~~ shall perform such functions as determined by Branch Council.

### 16 - ADVISORY BODIES

- 16.1 Branch Council may establish advisory bodies, including:
- (a) Committees established on an occupational, geographic, industry, agency or other basis
  - (b) Conferences
- 16.2 Advisory bodies shall
- (a) comply with the rules, bylaws, standing orders and their terms of reference
  - (b) be subject to direction by, and accountable to, the Branch Executive and Branch Council
  - (c) promptly and accurately report their activities and advice to the Branch Executive
  - (d) provide written reports for presentation to the Branch Council when required.

## 17 - DUTIES OF MEMBERS

- 17.1 Every person applying for membership in so doing agrees to be bound to comply with the rules for so long as they are a member and undertakes to work for the interests of the union and its members collectively and within the democratic structures provided.
- 17.2 All members are encouraged to actively participate in the affairs of the union to attend union meetings and to vote in ballots.

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### 18 - MISCONDUCT

18.1 A member of the Branch may be charged for:

- (a) misappropriation of the funds of the Union
- (b) a substantial breach of the rules or duties of members
- (c) gross neglect of duty.

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18.2 Charges may be laid by:

- (a) a member of the Branch
- (b) the Branch Council or Branch Executive
- (c) a Branch Officer.

18.3 Charges shall be delivered to the Branch Secretary in writing and signed by the person laying the charge, detailing:

- (a) clearly and specifically the alleged misconduct
- (b) persons involved
- (c) witnesses
- (d) the date or dates of the occurrence of the offence
- (e) particulars of alleged facts on which the charge is based.

18.4 As soon as a charge is laid under this rule, no discussion of the matter shall take place at any Branch meeting held under these rules until such time as the charge is finally dealt with.

18.5 The Branch Secretary shall:

- (a) within 7 days forward a copy to the member charged along with a written request for the member to reply in writing within 7 days of receipt, admitting or denying the charge or to make any comment thereon
- (b) following receipt of the reply, or the expiry of the time to reply, place the charge and any response before the Branch Executive.

18.6 The Branch Executive shall determine:

- (a) that the charge does not warrant further action, or
- (b) that the member be summoned to appear before the Branch Council to answer the charge.

18.7 Branch Council, if the member does not appear, or if dissatisfied with the members explanation, may subject to the rights of officers under Chapter C of the Federal rules:

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18 - MISCONDUCT

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- (a) expel the member, subject to revision at the next ensuing General Meeting of the Branch

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## 23 - CONTROL BY MEMBERS

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- (b) suspend the member for a certain time
- (c) censure the member.

18.8 No member who has been expelled shall be re-admitted without the prior consent of Branch Council, and such consent shall be subject to confirmation at the next General Meeting of the Branch.

## 19 - EXECUTION OF AGREEMENTS AND DOCUMENTS

19.1 Documents may be executed on behalf of the Branch by the Branch Secretary whose signature shall be attested to by one other member of the Branch Executive and any such document so executed shall be and be deemed to be executed on behalf of the Branch and with its authority.

## 20 - PUBLICATIONS

- 20.1 The Branch shall publish a journal for circulation to all members which shall be an official Branch Publication.
- 20.2 Bylaws may provide for other official Branch Publications directed to all Branch Members or any part thereof.
- 20.3 An official Branch Publication may be published as a part of any other publication or jointly with any other organisation.
- 20.4 Any official Branch Publication shall be available to members free of charge.

## 21 - ANNUAL REPORT

21.1 A report by the Branch President and Branch Secretary of the activities of the Branch during the preceding financial year, together with the audited financial statements for the Branch Fund, shall be published in an official branch publication directed to all members and presented at the Annual General Meeting.

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## 22 - BRANCH POLICY

- 22.1 The Branch Council shall determine Branch Policy.
- 22.2 An Advisory Body may be authorised by Branch Council or Branch Bylaws to develop policy proposals, but any such proposal will not become Branch Policy unless adopted by Branch Council.

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## 23 - CONTROL BY MEMBERS

23.1 Democratic control of the Branch resides with the members who can by virtue of provisions elsewhere in the rules:

- (a) participate in Annual General Meetings and Special General Meetings of the Branch
- (b) contest elections

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23 - CONTROL BY MEMBERS

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- (c) vote in ballots, and at membership meetings
- (d) lay charges of misconduct against officers and other members
- (e) requisition Special General Meetings or Referenda

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**24 - REFERENDUM**

- 24.1 A referendum to obtain the view of all financial members of the Branch on any question governing the affairs of the Branch may be initiated by:
- (a) A resolution of the Branch Council
  - (b) A resolution of an Annual General meeting or Special General Meeting to refer a motion before it to a referendum
  - (c) A requisition signed in writing by ten percent of the financial members of the Branch
- 24.2 A requisition calling for a referendum shall be in the form of an affirmative question and shall be accompanied by an objective statement of the facts and arguments in support of the question and shall be submitted to the next meeting of the Branch Council who shall:
- (a) agree to the question, in which case the decision shall be implemented immediately, or
  - (b) not agree to the question, in which case it shall thereupon be referred to a referendum of financial members accompanied by the statement provided by the requisitioners in support, provided that the Branch Council may determine that several referenda shall be conducted by a single ballot of financial members.
- 24.3 The arrangements for the taking of a referendum shall be made by the Branch Council who shall:
- (a) appoint for the conduct of the referendum a Returning Officer and such Assistant Returning Officers and Scrutineers as it deems necessary
  - (b) prepare material to accompany the question, which in the case of a referendum not agreed to by the Branch Council shall include an objective statement of the arguments against the question.
- 24.4 The Returning Officer shall:
- (a) issue a ballot paper, and accompanying material to each financial member of the Branch
  - (b) supervise the counting of the returns
  - (c) declare the final result of the ballot as a whole in writing to the Branch Secretary.
- 24.5 Any question put pursuant to any provision of this Rule shall be determined by a simple majority.
- 24.6 When a question is carried in the affirmative by a referendum it shall be put into effect forthwith.
- 24.7 No question substantially the same in substance or effect, shall be resubmitted to referendum within a period of two years from the declaration of a ballot, provided that this provision shall not preclude the Branch Council from submitting any question to referendum at any time.

**25 - DUTIES OF OFFICES**

25.1 The Branch President shall:

- (a) preside at all meetings of Branch Council Branch Executive and any meetings in the Branch that he or she attends, and sign the minutes thereof;
- (b) enforce the rules, by-laws and standing orders, and have control of meetings at which he or she presides, and shall use all necessary power to secure and enforce order and expedition in the conduct of the business and good order of the members thereat.
- (c) in consultation with the Branch Secretary determine the date time and place of meetings of Branch Council and Branch Executive whenever such date time and place has not been determined by Branch Council or Branch Executive;
- (d) exercise a deliberative vote only if he or she so desires at all meetings of Branch Council and Branch Executive;
- (e) ensure as far as possible that the rules of the Branch are performed and observed by officers and members of the Branch;
- (f) request and receive an explanation from any officer or member of the Branch in any case where the Branch President believes that the rules of the Branch have not been performed or observed and report thereon to Branch Executive and Branch Council;
- (g) generally act to safeguard the reputation, unity, autonomy and property of the Branch.
- (h) be an ex-officio member of all committees of the Branch
- (i) act in conjunction with the Branch Secretary in all matters of urgency.

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25.2 The Branch Vice-Presidents shall:

- (a) assist the Branch President to perform all of the duties of the Branch President
- (b) in the absence of the Branch President or whenever the Branch President requests or Branch Council or Branch Executive instructs, shall perform the duties of the Branch President or such of those duties as may be specified in each request or instruction.

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25.3 The Branch Secretary shall:

- (a) attend all meetings of the Branch Council and Branch Executive and General Meetings of the Branch.
- (b) attend to and keep a copy of all correspondence.
- (c) keep minutes of all meetings and records of other business transacted by the Branch.
- (d) convene all General Meetings and summon members of the Branch Council and Branch Executive to all meetings.
- (e) keep a register of all members of the Branch.

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## 26 - ELECTIONS

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- (f) conform to all the requirements of the Commonwealth and State legislation required to be observed by the Branch.
- (g) keep all books and records of the Branch and in particular -
  - (i) have the charge and custody of all current receipts of money belonging to the Branch and ensure the prompt payment of such monies into the appropriate bank account of the Branch;
  - (ii) keep a correct account of all monies received and expended;
  - (iii) ensure all payments are made by cheque or petty cash;
  - (iv) produce any books and records for inspection at all reasonable times when demanded by the Branch Council or Auditors and supply such information to the Branch Treasurer regarding financial matters as the Branch Treasurer may require.
- (h) sign any process or document proper to be signed on behalf of the Branch by an officer thereof and to appear or to authorise another to appear before any Court, Commission or Industrial Tribunal before which the Branch should be represented;
- (i) be responsible for the management of staff and effective administration of the Branch;
- (j) be an ex officio member of all Committees of the Branch;
- (k) discharge all such other duties and services as may be assigned by the Branch Council.

### 25.4 The Assistant Branch Secretary shall:

- (a) assist the Branch Secretary to perform all of the duties of the Branch Secretary
- (b) in the absence of the Branch Secretary or whenever the Branch Secretary requests or Branch Council or Branch Executive instructs, shall perform the duties of the Branch Secretary or such of those duties as may be specified in each request or instruction.

### 25.5 The Branch Treasurer shall:

- (a) furnish to the Branch Council at each ordinary monthly meeting a statement showing the financial position of the Branch
- (b) supply Council at a meeting before the Annual General Meeting with a financial statement and notes thereto certified by the Auditors for the financial year ended on the thirtieth of June immediately preceding the Annual General Meeting;
- (c) perform such other duties as the Branch Council may direct.

### 25.6 The Executive Councillors shall attend all meetings of the Branch Council and Branch Executive.

## 26 - ELECTIONS

- 26.1 Every election required by these rules shall be conducted by the proportional preferential voting system as defined in the schedule to Chapter C of the federal rules.

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28 - STANDING ORDERS

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~~26.2~~ ~~Branch By laws may provide for candidates information of a prescribed form to accompany ballot papers issued in the conduct of a Branch election.~~

~~26.23~~ The Branch Secretary shall be a full-time officer of the Branch.

**27 - BYLAWS**

~~27.1~~ Branch Council may make, vary or repeal, any by-laws not inconsistent with these Rules for the regulation of the affairs of the Branch, its officers, or employees.

**28 - STANDING ORDERS**

~~28.1~~ Branch Council may adopt Standing Orders governing the conduct of all meetings in the Branch.

\*\*\*END OF RULES\*\*\*

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