

**DECLARATION OF AUTHORISED OFFICER in accordance with Regulation 126 *Fair Work (Registered Organisations) Regulations 2009***

**ALTERATION OF OTHER RULES OF ORGANISATIONS in accordance with section 159 of the Fair Work (Registered Organisations) Act 2009)**

I, ROBERT POTTER, the National Secretary of the Australian Municipal, Administrative, Clerical and Services Union (**ASU**) declare:

- 1) I am authorised under the rules of the ASU to give this notice of particulars of alteration to the rules of the ASU and to make this declaration as required by Regulation 126 of the Fair Work (Registered Organisations) Regulations 2009 (Cth).
- 2) The alterations were made in accordance with the ASU Rules and the action taken under the ASU Rules is set out below.
- 3) Rules 8 cb. and j. and 49 a. and b. relevantly provide for rule alterations:

**8 - NATIONAL EXECUTIVE**

*cb. Each Branch National Executive Representative shall exercise equal proportions of the Branch votes in accordance with the number of National Conferences Delegates to which that Branch National Executive Representatives' Branch is entitled in accordance with Rule.*

*j. The National Secretary may, and shall when so requested in writing by National Executive representatives carrying at least one third of the votes of the branches on National Executive, submit a motion or question by letter or telegram or facsimile or electronic mail to each member of the National Executive. Upon a majority vote being received by letter or telegram or facsimile or electronic mail, (with members exercising votes in the manner provided in sub-rule c. hereof) the decision so obtained upon such motion or question shall have the same effect as a decision made by resolution of the National Executive passed at a duly constituted meeting;*

*Provided that, if within a period of twenty-one days from the dispatch of the letter or telegram or facsimile or electronic mail, the motion has not been determined in accordance with the foregoing provisions the motion shall be determined in accordance with the majority of opinions expressed (with members exercising votes in the manner provided in sub- rule c. hereof) and shall thereupon become a resolution of the National Executive as though it had been passed at a duly constituted meeting if the number of votes cast be not less than half of the eligible votes of the National Executive*

**49 - RULE ALTERATIONS**

*a. The Rules may be added to, changed, amended, varied, repealed and/or deleted by a resolution of the National Conference or a resolution of the*

*National Executive carried by a majority of votes cast in accordance with Rules 7 and 8 respectively.*

*b. Any proposed addition to, change, amendment, variation, repeal and/or deletion of the rules shall be submitted by a Branch Committee of Management or a member of the National Executive to the National Secretary or be proposed by the National Secretary for submission to National Conference or the National Executive in accordance with Rules 7 and 8 respectively, provided that Rules 6, 7, 8, 9, 10, 14, 16, 21, 46, 47 and 49 shall not be altered unless seventy percent of the votes entitled to be cast are cast in favour, and provided further a Branch Rule shall not be added to, changed, amended, varied, repealed and/or deleted, without the consent of the Committee of Management of the Branch or the Branch Council of the Branch where the Branch Rules so provide.*

- 4) On 18 August 2022 I proposed to the National Executive, as the National Secretary, an addition to, change, amendment, variation, repeal and/or deletion of the rules (**Proposed Rule Alteration**) under sub-rule 49 b..
- 5) The Proposed Rule Alterations were submitted to the National Executive, consistently with the provisions of rule 8 j., by E-mail.
- 6) The materials submitted by email were:
  - a) explanatory correspondence from me in relation to how a vote was to be cast in the ballot (**Explanatory Correspondence**);
  - b) a preamble to the resolution;
  - c) resolution A;
  - d) attachment 'A' to resolution A; and
  - e) copies of correspondence received from each of the Branches confirming that the respective Branch consenting to the substantive rule changes.
- 7) I annexe as '**RP1**' the explanatory correspondence from me in relation to how a vote was to be cast in the ballot.
- 8) I annexe as '**RP2**' the preamble to the resolution and resolution A.
- 9) I annexe as '**RP3**' attachment 'A' to resolution A.
- 10) I annexe as '**RP4**' a bundle of correspondence from the Branches confirming the consent of the respective Branches to the substantive rule changes.
- 11) The consent of a Branch to the Proposed Rule Alteration was not required, but the universal consent of the Branches communicated to the National Executive that the Branches supported the Proposed Rule Alteration.
- 12) Each member of the National Executive was forwarded, and received, a copy of the materials set out in clause 6.
- 13) The ballot opened on 18 August 2022.
- 14) By close of business on the 24 August 2022 each member of the National Executive had voted in the Ballot in the manner set out in the Explanatory Correspondence, and I had, as National Secretary, received their ballot by email.

- 15) Rule 8 cb. provides that a Branch National Executive Representative exercises a proportional vote in accordance with the number of National Conferences Delegates to which the Branch of the National Executive Representative is entitled. It is, however, unnecessary for the proportional value of the vote of each member of the National Executive to be calculated as each member of the National Executive voted and the vote was unanimously in favour of the Proposed Rule Alteration.
- 16) On the 26 August 2022 I declared the resolution unanimously carried. I annexe as 'RP5' the declaration of the National Executive vote.
- 17) The majority required by rule 49 a., has been met.
- 18) Pursuant to Regulation 126(1)(b) the notice for this rule alteration has been published on the website of the ASU (**Notice**).
- 19) I annexe as 'RP6' a screenshot of the Notice.

I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

**DATED:** 29 August 2022

Declared by me,



Robert Potter  
NATIONAL SECRETARY ASU



Thursday 18 August 2022

TO: All National Executive Members  
By email

Dear National Executive Member

**Re: Email Vote No. 04/2022 - Proposed National Rule Changes to refresh Electoral Procedure Rules**

This is a National Executive Vote along with explanatory notes in relation to amendments to the ASU Electoral Procedure Rules.

I have attached:

- a preamble to the resolutions I propose;
- the resolution proposing amendments to the ASU Rules;
- an administrative resolution supporting the rule changes and the need, if there is any, for consequential typographical and other administrative change; and
- a National Executive Voting Paper.

Whilst changes to the National Rules of the ASU do not, as you are aware, require the consent of the Branches I considered it both prudent and appropriate to seek that consent in any event. This is particularly so given the breadth of the proposed rules and the consequential impact on Branch processes.

On 7 July 2022 I forwarded version #26 of the rules for consideration by the respective Branch Committees of Management. That version has subsequently been typographically corrected, made internally consistent and formatted. Further some of the Branches have updated the content of the Branch specific tables relating to the offices to be elected at the Branch quadrennials. The substance of Attachment 'A' is the same as #26.

The same position exists for typographical changes between version #25 (the version considered by the NSW US Branch) and Attachment 'A'.

Consequently, the Branch Committees of Management have respectively consented to the nature of the proposed amendments.

John Nucifora can of course supply a tracked version of 'A' if a member of the National Executive requires, and I am available to discuss the proposed rules. Please do not hesitate to contact me if there are any matters you wish to discuss.

To assist in the process of voting I have provided you with 2 alternatives on the voting paper. The first alternative is that you print, complete, sign and scan the voting paper back to me and the second alternative is that you email me from your work email address setting out how you cast your vote in relation to each of the 2 resolutions.

I commend the resolutions to you as facilitating an enhanced electoral process in the interests of the ASU and its members.

I request your prompt return of the voting paper.

If you have any queries in relation to completion of the voting paper, please, in the first instance contact John Nucifora at this office.

Yours sincerely



**Robert Potter**  
National Secretary

Encl.

## Preamble

As a result of significant inconsistent and incorrect interpretations of the ASU's rules by AEC returning officers during the 2019 quadrennial elections, a working party was established with representatives of all Branches, National Office and Hall Payne Lawyers to review the ASU's electoral rules.

The working party has met, between 2020 and the present, to progress changes to:

- modernise and update the electoral rules so as they are, as far as possible, consistent across the whole union;
- locate, for ease of access, the electoral rules in their own section of the rule book;
- enable easier production of prescribed information for the combined National/Branch elections;
- make the electoral rules clear for the AEC returning officers to understand;
- provide for central coordination of all returning officers by the AEC national returning officer; and
- move the quadrennial election timetable (from 2023) back by 2 months to avoid clashes with School/ Public holidays,

consequently, as National Secretary, I propose to the National Executive the amendments to the National Rules of the ASU which are set out in **attachment 'A'**, together with the other consequential amendments and authorities set out in resolutions A and B.

The respective Branch committees of management have considered changes to the electoral rules and their consents are set out in the correspondence in **attachment B**.

**Email Vote No. 04/2022**  
**Proposed National Rule Changes to Refresh Electoral Procedure Rules**

**Resolution A**

In accordance with Rule 49 – Rule Alterations, the National Executive resolves:

- A. To amend the rules of the Australian Municipal, Administrative, Clerical and Services Union as follows:
1. in sub-rule 3 i. delete 'held in accordance with PART VII – Elections';
  2. in sub-rule 7 n. delete '42' and insert '78';
  3. in sub-rule 8 ca. delete '37' and insert '61';
  4. in sub-rule 8 cc. delete 'VII' and insert 'VIII A';
  5. in sub-rule 12 a. delete 'VII' and insert 'VIII A';
  6. in sub-rule 13 a. delete 'VII' and insert 'VIII A';
  7. in sub-rule 14 a. delete 'VII' and insert 'VIII A';
  8. in sub-rule 16 a. delete 'VII' and insert 'VIII A';
  9. delete the heading 'PART VII – ELECTIONS' and insert the heading 'PART VII – ADMINISTRATION'
  10. delete rule 37;
  11. delete rule 42A;
  12. insert as rule 37:

**37 - TEMPORARY APPOINTMENT**

- a. When the office of National Secretary, Assistant National Secretary, Branch Executive President, Branch Secretary, Assistant Branch Secretary or Deputy Branch Secretary is:
- i. temporarily vacant as the respective officer is absent or unable to perform the functions of their office; or
  - ii. casually vacant in accordance with these rules and the process of filling that vacancy has commenced, then the National Executive in respect of the National Secretary and Assistant National Secretary, or the Branch Executive in respect of the Branch Executive President, Branch Secretary, Assistant Branch Secretary and a Deputy Branch Secretary, may temporarily appoint a person, eligible to be appointed to the respective office, to

perform the functions of their office or a person is elected to casual vacancy, as the case may be.

- b. A person temporarily appointed in accordance with sub-rule a. shall:
  - i. if temporarily performing the functions of the National Secretary have all the powers and duties of the National Secretary;
  - ii. if temporarily performing the functions of the Assistant National Secretary have all the powers and duties of the Assistant National Secretary;
  - iii. if temporarily performing the functions of the Branch Executive President have all the powers and duties of the Branch Executive President;
  - iv. if temporarily performing the functions of the Branch Secretary have all the powers and duties of the Branch Secretary;
  - v. if temporarily performing the functions of the Assistant Branch Secretary have all the powers and duties of the Assistant Branch Secretary; or
  - vi. if temporarily performing the functions of the Deputy Branch Secretary have all the powers and duties of the Deputy Branch Secretary.
- c. A person appointed temporarily in accordance with sub-rule a., does not hold a further vote other than the vote on National Executive, National Council, Branch Executive or Branch Council, as the case may be, that held prior to the temporary appointment.
- d. Any member of the National Executive may give notice to the other members of the National Executive of a meeting for the purpose of the National Executive making a determination in accordance with sub-rule a.
- e. Any member of a respective Branch Executive may give notice to the other members of that Branch Executive of a meeting for the purpose of that Branch Executive making a determination in accordance with sub-rule a.
- f. The National Secretary may, with the National Executive's consent, delegate such of the National Secretary's powers and authorities to the National President, Assistant National Secretary and/or employees employed in relation to the National office and/or members of the National Executive as the National Secretary determines is required for the Union's efficient administration, provided always that a delegation will be in writing and that the:
  - i. delegate is subject to the supervision of the National Secretary;
  - ii. delegate is subject to the direction of the National Secretary;
  - iii. delegation will be on the conditions prescribed by the National Executive and/or the National Secretary; and
  - iv. delegation will be subject to termination by the National Executive or National Secretary without notice.



- g. A Branch Secretary may, with the Branch Committee of Management consent; delegate such of the Branch Secretary's powers and authorities to the Branch President, Branch Executive President, Assistant Branch Secretary and/or employees employed in relation to the Branch and/or members of the Branch Executive as the Branch Secretary determines is required for the Branch's efficient administration, provided always that a delegation will be in writing and that the:
  - i. delegate is subject to the supervision of the Branch Secretary;
  - ii. delegate is subject to the direction of the Branch Secretary;
  - iii. delegation will be on the conditions prescribed by the Branch Executive and/or the Branch Secretary; and
  - iv. delegation will be subject to termination by the Branch Executive or Branch Secretary without notice.';
- 13. delete rule 38;
- 14. insert as rule 38 'Not used.';
- 15. delete rule 39;
- 16. insert as rule 39 'Not used.';
- 17. delete rule 40;
- 18. insert as rule 40 'Not used.';
- 19. delete rule 41;
- 20. insert as rule 41 'Not used.';
- 21. delete rule 42;
- 22. insert as rule 42 'Not used.';
- 23. delete rule 43;
- 24. insert as rule 43 'Not used.';
- 25. insert, immediately following rule 57, the heading 'PART VIIIA – ELECTORAL PROCEDURE RULES';
- 26. insert, under the heading 'PART VIIIA – ELECTORAL PROCEDURE RULES' rules 58 to 88 as set out in **Attachment A**.

**PART VIII A – ELECTORAL PROCEDURE RULES**

**58 - DEFINITIONS**

- a. Under these Electoral Rules the words in column A have the meaning set out opposite in column B:

<b>A</b>	<b>B</b>
<b>Act</b>	<i>Fair Work (Registered Organisations) Act 2009</i>
<b>ASU</b>	Australian Municipal, Administrative, Clerical and Services Union
<b>ASU Rules</b>	the rules of the Australian Municipal, Administrative, Clerical and Services Union inclusive of the rules of the Branches set out in Parts I - IX
<b>Branch</b>	severably the existing branches established under rule 10
<b>Branch Office</b>	severably an office of a Branch and includes, in respect of a Branch, an office of: an Industry Division; a Sub-Branch; a Section; a District; a Zone; or other subordinate part of a Branch under these ASU Rules
<b>Branch Returning Officer</b>	the person appointed under rule 59 as the branch returning officer for a respective Branch
<b>Branch Website</b>	the website (if any) maintained by a respective Branch
<b>Casual Vacancy</b>	a vacancy occurring in a National Office or a Branch Office within the meaning of rule 78
<b>Collegiate Election</b>	an election conducted under these Electoral Rules as a second stage election by, and from, an electoral college which results from a Direct Election
<b>Completed Election</b>	each stage of the Quadrennial Election under these Electoral Rules having been held and the successful candidates declared elected under these Electoral Rules

<b>Deputy</b>	a deputy returning officer appointed under rule 59
<b>Direct Election</b>	an election conducted by, and from, the members of an electorate
<b>Electoral College</b>	the members of a respective Governance Body
<b>Electoral Rules</b>	rules 58 to 87 inclusive
<b>Eligible Member</b>	subject to paragraph 33 c. iii. a member of the Union other than a Life Member or an Associate Member
<b>Governance Body</b>	severably: the National Executive; the National Conference; a Branch Executive; a Branch Conference; a Branch Council; or other body as the case may be
<b>National Administration</b>	the administration by the National Secretary of the business of the ASU
<b>National Office</b>	severably the offices of the: National President; National Vice-President; National Secretary; and Assistant National Secretary
<b>National Returning Officer</b>	the person appointed under rule 59 as the National Returning Officer
<b>National Rules</b>	rules 1 to 88 inclusive
<b>Plebiscite</b>	a plebiscite conducted under rule 44
<b>Postal Procedures</b>	the relevant procedures for conducting postal ballots under rule 71
<b>Quadrennial Elections</b>	the elections held each four (4) years for the: National Offices; and Branch Offices

<b>Quadrennial Term</b>	the four (4) year term of office immediately following the declaration of a Quadrennial Election
<b>Returning Officer</b>	severably the: National Returning Officer; and Branch Returning Officers
<b>Scrutineer</b>	a person appointed in an election under sub-rule 60 b.
<b>Team</b>	the team nominated under a respective Team Nomination
<b>Team Nomination</b>	a nomination of a group of Eligible Members under rule 68
<b>Union's Website</b>	the website maintained by the Union

## **59 - RETURNING OFFICER**

- a. The person appointed:
  - i. as the National Returning Officer on the day preceding the commencement of this rule shall on, and from, the commencement of this rule, and subject to this rule, be the National Returning Officer; and
  - ii. as the Branch Returning Officer for a Branch on the day preceding the commencement of this rule shall on, and from, the commencement of this rule, and subject to this rule, be the Branch Returning Officer for that respective Branch.
- b. A Returning Officer must not be a holder of an office in, or be an employee of, the Union.
- c. A Returning Officer shall undertake their duties of Returning Officer, until they:
  - i. resign as a Returning Officer;
  - ii. become a candidate in an election for an office in the Union or a Branch;
  - iii. become an employee of the Union; or
  - iv. die,

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on the occurrence of which, or if for any other reason there is a vacancy, the National Executive or the respective Branch Executive, as the case may be, is to appoint a Returning Officer to replace them.

- d. When a Returning Officer is unable to discharge their duties as a Returning Officer the National Executive or the respective Branch Executive, as the case may be, is to terminate the appointment of that Returning Officer and appoint a replacement Returning Officer.
- e. The National Returning Officer is, subject to the Act and to these Electoral Rules, to conduct elections for a National Office.
- f. A Branch Returning Officer is, subject to the Act and to these Electoral Rules, to conduct elections for a Branch Office.
- g. A Plebiscite in which the members of only one (1) Branch are eligible to vote, shall be conducted by the respective Branch Returning Officer.
- h. A Plebiscite in which the members of more than one (1) Branch are eligible to vote, shall be conducted by the National Returning Officer.
- i. The National Returning Officer may appoint a Branch Returning Officer to act as their deputy for the conduct of an election, ballot or Plebiscite where members of more than one (1) Branch are eligible to vote.

#### **60 - SCRUTINEERS**

- a. Under this rule, the words in column A have the meaning set out opposite in column B:

<b>A</b>	<b>B</b>
<b>Step in the Election</b>	includes severably the: determination of the order of names on a respective ballot paper under sub-rule 72 b.; and counting of a respective ballot

- b. A member who has nominated in an election may at a time up to the declaration of the result of that election, appoint by notice in writing to the Returning Officer conducting the respective election or Deputy (if any), a scrutineer for each and any place at which a Step in the Election is conducted, provided that only the person nominating as Branch Secretary for a respective Team may appoint scrutineers on behalf of the Team and may appoint up to four (4) scrutineers.
- c. A Scrutineer may be present and scrutinise each Step in the Election.
- d. The Returning Officer conducting the election must notify a Scrutineer for a respective election of the:

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- i. dates;
  - ii. times; and
  - iii. place,

proposed, in a respective election, for the taking of a Step in the Election.

- e. A Scrutineer, in attendance at a Step in the Election, must comply with all instructions given by the Returning Officer or Deputy conducting the respective election.

## **61 - ELECTIONS TO BE HELD**

- a. Commencing in 2023 there shall be a Quadrennial Election for the:
  - i. Branch Offices; and
  - ii. National Offices.
- b. The National Secretary shall, no later than two (2) months before nominations open, lodge the prescribed information for the Quadrennial Elections under sub-rule a.
- c. The election under paragraph a. i. shall be respectively conducted under these Electoral Rules that provide for Direct Elections, and as required, Collegiate Elections.
- d. The election under paragraph a. ii. shall be conducted under these Electoral Rules that provide for Collegiate Elections.

## **62 - AFFIRMATIVE ACTION - ELECTIONS**

- a. A purpose of this rule is to ensure, in relation to Quadrennial Elections, that one (1) of the office holders of the office of:
  - i. National Secretary; and
  - ii. Assistant National Secretary,is a female.
- b. The National Returning Officer shall, to achieve the purpose set out in sub-rule a., ensure when declaring the elections at each Quadrennial Election for the offices of National Secretary and Assistant National Secretary, that the declaration process occurs in the following order:
  - i. National Secretary;
  - ii. Assistant National Secretary.
- c. Provided that for the purposes of the declaration process set out in sub-rule b., where a male candidate has been declared elected to the office of National Secretary, a female

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candidate shall be declared elected to the office of Assistant National Secretary as follows, if there:

- i. is only one (1) female candidate for the office of Assistant National Secretary, then that candidate;
  - ii. was more than one (1) female candidate for the office of Assistant National Secretary, then the female candidate who received the highest number of votes of the female candidates; or
  - iii. are no female candidates for the office of Assistant National Secretary, the election shall not be declared in relation to the office of Assistant National Secretary and nominations shall be recalled by the National Returning Officer for the office of Assistant National Secretary, provided that only female members, who are otherwise eligible, may nominate in that election.
- d. A purpose of this rule is to ensure, in relation to Quadrennial Elections, that one (1) of the office holders of the office of:
- i. National President; and
  - ii. National Vice-President,
- is a female.
- e. The National Returning Officer shall, to achieve the purpose set out in sub-rule d., ensure when declaring the elections at each Quadrennial Election for the offices of National President and National Vice-President, that the declaration process occurs in the following order:
- i. National President;
  - ii. National Vice-President.
- f. Provided that for the purposes of the declaration process set out in sub-rule e., where a male candidate has been declared elected to the office of National President, a female candidate shall be declared elected to the office of National Vice-President as follows, if there:
- i. is only one (1) female candidate for the office of National Vice-President, then that candidate;
  - ii. was more than one (1) female candidate for the office of National Vice-President, then the female candidate who received the highest number of votes of the female candidates; or
  - iii. are no female candidates for the office of National Vice-President, the election shall not be declared in relation to the office of National Vice-President and nominations shall be recalled by the National Returning Officer for the office of

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National Vice-President, provided that only female members, who are otherwise eligible, may nominate in that election.

### **63 - ELIGIBILITY OF CANDIDATES**

- a. Only a member of the ASU who is:
  - i. financial under the ASU Rules at the date on which nominations close; and
  - ii. who has been continuously financial as an Eligible Member for the 12 months immediately preceding the date on which nominations close,is eligible to be nominated for an office in the ASU inclusive of its Branches.
- b. For the purposes of sub-rule a., financial membership of an organisation whose members have, by means of an amalgamation, become members of the ASU, is to be counted in the calculation of a period of continuous financial membership under paragraph a. ii..
- c. In addition to the qualifications set out in sub-rule a., only a member attached to a Branch may be nominated for election to a Branch Office of that respective Branch.
- d. In addition to the qualifications set out in sub-rules a. and c., only members attached to:
  - i. an Industry Division;
  - ii. a Sub-Branch;
  - iii. a Section;
  - iv. a District;
  - v. a Zone; or
  - vi. other subordinate part,of a Branch under the ASU Rules may be nominated for an office for which the members of such Industry Division, Sub-Branch, Section, District, Zone or other subordinate part form the sole electorate.
- e. In addition to the qualifications set out in sub-rule a., only a member of the National Executive is eligible to be nominated for a National Office.
- f. In addition to the qualifications set out in sub-rules a., c., d. and e., only female members may be nominated for an office of the ASU or a Branch which under the ASU Rules is to be filled by a female.

### **64 - NOMINATIONS**

- a. A member is entitled to nominate for, and hold, only one (1) full-time office.



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- b. If a member in an election has nominated for more than one (1) full-time office in that election, that member must:
    - i. within seven (7) days after the close of nominations advise, in writing the Returning Officer conducting the respective election, which one (1) of the full-time offices the member wishes to continue to nominate for; and
    - ii. withdraw the nomination for any other full-time office for which the member has nominated.
  - c. If a member does not comply with sub-rule b., the Returning Officer for the respective election is to reject all nominations of that member for full-time offices in the election.
  - d. Unless expressly permitted by the ASU Rules a member is entitled to nominate and hold only one (1) office on the same Governance Body.
  - e. If a member has nominated in the one (1) election for:
    - i. more than one (1) office;
    - ii. the office of member and alternative member; and/or
    - iii. more than one (1) office of alternative member,on the same Governance Body, then the member must, within seven (7) days after the close of nominations advise, in writing the Returning Officer conducting the respective election, which one (1) of the respective offices the member wishes to continue to nominate for and withdraw the nomination for any other office.
  - f. If a member does not comply with sub-rule e., the Returning Officer for the respective election is to reject all nominations of that member for offices of the respective Governance Body in the election.

#### **65 - NOTICE OF OPENING OF NOMINATION - BRANCH**

- a. Nominations for Branch Offices, of a respective Branch, open on the first Wednesday in May in the year of a Quadrennial Election.
- b. A notice, calling for nominations in the Quadrennial Election for a Branch, is to be placed:
  - i. on the ASU Website;
  - ii. on the respective Branch Website;
  - iii. in an ASU journal (if any);
  - iv. in a respective Branch journal (if any); and

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- v. in a respective Branch newsletter/communication.
  - c. The notice under sub-rule b. is to specify:
    - i. the office for which the election is to occur;
    - ii. the opening date of nominations;
    - iii. the:
      - A. date; and
      - B. time,  
for closing nominations;
    - iv. the:
      - A. name; and
      - B. phone number,  
of the Returning Officer conducting the respective Branch election; and
    - v. the respective Returning Officer's:
      - A. business address;
      - B. postal address;
      - C. email address; and
      - D. secure electronic site, where consent has been given by the National Secretary to the Returning Officer to use other secure electronic means,  
for the receipt of nominations.
  - d. A draft of the notice to be placed under sub-rule b. is to be prepared by the National Secretary and the National Secretary is to consult with the respective Branch Secretary in relation to ensuring the proposed draft notice is compliant with these Electoral Rules.
  - e. Following the appointment of the National Returning Officer to conduct the Quadrennial Elections, and following the consultation required under sub-rule d., the draft notice under sub-rule d. is, as soon as is practicable, to be provided by the National Secretary to the National Returning Officer, for the National Returning Officer's consideration.
  - f. The National Returning Officer is to provide to the National Secretary, for the National Secretary's consideration, proposed alterations (if any) to the draft notice provided under sub-rule e..

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- g. The National Returning Officer is to cause the notice under sub-rule b., subject to sub-rule h., to be placed on the respective Branch Website.
  - h. The National Returning Officer is only to cause a notice required to be placed under sub-rule b., on a respective Branch Website following:
    - i. consultation by the National Returning Officer with the National Secretary in relation to the draft notice provided by the National Returning Officer to the National Secretary under sub-rule f. being compliant with the Electoral Rules; and
    - ii. following consultation under paragraph i., the National Secretary certifying, in writing, to the National Returning Officer that the notice proposed by the National Returning Officer to be placed under sub-rule b. accords with the ASU Rules.
  - i. The National Returning Officer is to cause each notice, placed under sub-rule b., to also be placed on the Union's Website.
  - j. The Returning Officer conducting an election may receive a nomination by the nomination being:
    - i. delivered to the Returning Officer's business address;
    - ii. posted to the Returning Officer's postal address;
    - iii. emailed to the Returning Officer's email address; or
    - iv. sent to, where the National Secretary has given consent under sub-paragraph c.v. D., a secure electronic site controlled by the Returning Officer.

#### **66 - NOTICE OF OPENING OF NOMINATION - COLLEGIATE**

- a. The Branch Returning Officer for a Quadrennial Election to be conducted for a respective Governance Body shall, as soon as practicable following the declaration at the Quadrennial Elections of more than 66% of the members of a respective Electoral College, call for nominations by notice in writing to the members of the respective Electoral College.
- b. The National Returning Officer for a Quadrennial Election is to call for nominations for National Offices by notice in writing to all members of National Executive on, either the:
  - i. first Wednesday following the expiration of 28 days after the declaration of all Branch elections for the offices of Branch National Executive Representatives; or
  - ii. first Wednesday in August in the year of the Quadrennial Election,which-ever is the earlier.

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## **67 - NOMINATION OF CANDIDATES**

- a. Nominations close at 4pm on the day 21 days after they open under rules 65 or 66.
- b. A candidate must, subject to rule 68, be nominated by two (2) other Eligible Members who were financial on the day 30 days prior to the opening of nominations.
- c. In addition to the qualifications for nominators set out in sub-rule b., only Eligible Members attached to a Branch may nominate candidates for an office of that Branch.
- d. In addition to the qualifications for nominators set out in sub-rules b. and c., only Eligible Members attached to:
  - i. an Industry Division;
  - ii. a Sub-Branch;
  - iii. a Section;
  - iv. a District;
  - v. a Zone; or
  - vi. other subordinate part,

of a Branch under these ASU Rules, may nominate candidates for offices for which the members of the respective Industry Division, Sub-Branch, Section, District, Zone or subordinate part form the sole electorate, provided that the requirements of this sub-rule do not apply to team nominations under rule 68.

- e. In addition to the qualifications for nominators set out in sub-rule b., only members of the National Executive may nominate a candidate for a National Office.
- f. A candidate must consent, in writing, to their nomination.
- g. The Branch Returning Officer conducting the respective election is, where it is practicable to do so, to allow a candidate seven (7) days, following notice to the candidate, to correct a defect in their nomination.

## **68 - TEAM NOMINATIONS**

- a. Subject to this rule, a group of Eligible Members may, in relation to an election for Branch Offices in their respective Branch, together nominate as a team for that election.
- b. A Team Nomination must propose a name for the Team and the name is to be approved, under this rule, by the Branch Returning Officer conducting the respective election.

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- c. In making a determination under sub-rule b. of the name which a Team may use the Branch Returning Officer must consider all relevant factors including the history of use of the proposed name in question in other elections.
- d. The Branch Returning Officer conducting the respective election must approve the proposed name under sub-rule b. unless the Branch Returning Officer considers the proposed name is:
- i. the same as, or similar to, the:
    - A. approved name of another Team;
    - B. name of a member of another Team; or
  - ii. misleading; or
  - iii. offensive.
- e. The Branch Returning Officer, subject to paragraph d.i., must approve the proposed name under sub-rule b. where it is the name, or substantially based on the name, of a candidate who is a member of the respective Team.
- f. If the Branch Returning Officer does not approve the proposed name under sub-rule b., the Branch Returning Officer must request the candidate for Branch Secretary of the Team seeking the proposed name, to change the proposed name of the Team to enable it to comply with this rule.
- g. If, within seven (7) days of the Branch Returning Officer requesting change, changes are not made under sub-rule f. consistent with the requirements of this rule, the Team Nomination is to be rejected by the Branch Returning Officer.
- h. A Team Nomination must only nominate:
- i. an Eligible Member, entitled when nominated to hold the office, for an office to be held by a single member; and
  - ii. the required number of Eligible Members, entitled when nominated to hold the office, where an office is to be held by multiple members,
- for each office for which nominations have been called in the election, following which each Eligible Member concerned has nominated for the respective office concerned.
- i. A Team Nomination must be:
- i. in writing; and
  - ii. signed by each candidate.
- j. The Branch Returning Officer conducting the respective election is:

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- i. where it is practicable to do so, to allow a Team seven (7) days, following notice to the candidate for Branch Secretary of the Team to correct a defect in the nominations for that Team, following which period if the defect has not been dealt with so as to ensure that a full Team is nominated, all the Eligible Members on the Team Nomination shall be treated as individual candidates for the election; and
  - ii. to as soon as it is practicable notify the candidate for Branch Secretary of the Team of the time and date set by the Branch Returning Officer for the sending of the ballot paper to the printer for printing.
- k. A member of a Team may not otherwise nominate in the election in respect of which the Team Nomination has been made.
  - l. The withdrawal from the ballot of a member of a Team after the close of nominations does not invalidate the nomination of that Team.
  - m. In the event of a withdrawal in accordance with sub-rule l., the person who has withdrawn is, where it is practicable to do so, to be replaced by another Eligible Member, entitled when nominated to hold the office, who in the respective election:
    - i. has not nominated as a candidate for an office;
    - ii. is not a member of another Team; and
    - iii. consents to becoming a member of the Team.
  - n. The Branch Returning Officer conducting the respective election must be promptly notified of a change under sub-rule m. and the notification must be before the time and date set by the Branch Returning Officer for the sending of the ballot paper to the printer for printing.
  - o. The ineligibility of a candidate nominating as part of a Team does not affect the validity of the nomination of another member of that respective Team.

#### **69 - WHEN A BALLOT IS NOT REQUIRED**

- a. If, at the close of nominations, the number of candidates nominating is equal to or less than the number of candidates required to fill the respective offices in the election those candidates are to be declared elected under rule 76 by the Returning Officer conducting the respective election.
- b. If, at the close of nominations, the number of candidates nominating is more than the number of candidates required to fill the respective offices in the election the Returning Officer conducting the respective election must allow a member to withdraw in writing, within seven (7) days of the close of nominations, a nomination for an office for which the member was a candidate.
- c. If, following a withdrawal under sub-rule b., the number of candidates nominating is equal to or less than the number of candidates required to fill the offices in the

respective election those candidates are to be declared elected under rule 76 by the Returning Officer conducting the respective election.

### 70 - WHEN A BALLOT IS REQUIRED

- a. Where, following the close of nominations under rules 67 and 68 and subject to sub-rule 69 b., the number of candidates for election to a National Office in column A exceeds the number of offices to be filled set out opposite in column B, then an election of the members of the Governance Body set out opposite in column C shall be held under these Electoral Rules:

A	B	C
National President	1	Members of the National Executive exercising their voting entitlements in accordance with rule 8
National Vice President	1	Members of the National Executive exercising their voting entitlements in accordance with rule 8
National Secretary	1	Members of the National Executive exercising their voting entitlements in accordance with rule 8
Assistant National Secretary	1	Members of the National Executive exercising their voting entitlements in accordance with rule 8

- b. Where, following the close of nominations under rules 67 and 68 and subject to sub-rule 69 b., the number of candidates for election to a respective Branch Office of a Branch in column D exceeds the number of respective offices to be filled as provided under the rule set out in column E, then an election of the respective Branch for the respective offices shall be held under these Electoral Rules:

D	E
Queensland Together Branch	rule 79
Queensland (Services and Northern Administrative) Branch	rule 80
Western Australian Branch	rule 81
Taxation Officers' Branch	rule 82
New South Wales & ACT (Services) Branch	rule 83
New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Branch	rule 84
Victorian and Tasmanian Authorities and	rule 85

Services Branch	
South Australian and Northern Territory Branch	rule 86
Victorian Private Sector Branch	rule 87

- c. Where a ballot is required, under this rule, it is, subject to sub-rule 74 k., to open 28 days after the close of nominations.
- d. A ballot under sub-rule c. is, subject to sub-rule 74 k., to close 28 days after it opens.

### **71 - PROCEDURE AT ELECTIONS**

- a. Subject to rules 72 and 73 the procedures for a direct election, when a ballot is required to be held under these Electoral Rules, are provided by this rule.
- b. For the purpose of a Quadrennial Election for Branch Offices, the roll of voters in each respective Branch closes on the day 30 days prior to the opening of nominations for that respective Branch.
- c. Only financial members attached to a respective Branch on the day that the roll of voters closes under sub-rule b. are eligible to vote in the Quadrennial Election for their respective Branch.
- d. Each Branch Secretary shall, as soon as practicable following the close of the roll of voters under sub-rule b., provide to the Returning Officer conducting the respective election and to the National Secretary, a roll of voters, provided that despite the provision of the roll of voters under this sub-rule the Branch Secretary must comply with a request made under section 191 of the Act.
- e. The roll of voters under sub-rule d. is to set out in relation to members attached to the respective Branch on the day the roll of voters for the Branch closes under this rule:
  - i. their name;
  - ii. their postal address; and
  - iii. an Industry Division, Sub-Branch, Section, District; Zone or other subordinate part of a respective Branch to which they are attached under the ASU Rules, as it appears in the Branch membership register.
- f. The roll to be provided under sub-rule d. is to be certified, in accordance with the Act, by the respective Branch Secretary.
- g. The Branch Returning Officer conducting the respective election must:
  - i. provide a draft of the proposed ballot paper to the Branch Secretary to enable the Branch Secretary to consider the proposed ballot paper ;



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- ii. consult with the respective Branch Secretary in relation to whether the ballot paper is compliant with the electoral rules prior to printing the ballot papers for the election ; and
  - iii. have the Branch Secretary certify in writing that the draft ballot paper accords with the requirements of the ASU Rules.
- h. The Returning Officer conducting the respective election is to ensure that:
- i. ballot papers are printed on paper of the same weight and colour; and
  - ii. the printing on ballot papers is of the same colour.
- i. Candidates shall, subject to rule 72, be placed on the ballot paper in alphabetical order.
- j. The Returning Officer conducting the respective election is, subject to the Returning Officer having complied with sub-rules g., h. and i., to take the necessary steps to:
- i. print ballot papers;
  - ii. certify the number of ballot papers printed;
  - iii. secure:
    - A. the ballot papers prior to dispatch;
    - B. the surplus ballot papers; and
    - C. a ballot paper returned unclaimed; and
  - iv. ensure that no additional ballot papers are printed without the Returning Officer's written authorisation.
- k. The Returning Officer conducting the respective election is to ensure that envelopes in which ballot papers are sent to, and returned by, members are of such a type and weight that the secrecy of the ballot is preserved.
- l. The Returning Officer conducting the respective election is, subject to these Electoral Rules, to make arrangements for the:
- i. dispatch by post; and
  - ii. return by prepaid post,
- of ballot papers in a way that ensures no unauthorised person has access to the ballot papers.
- m. An Eligible Member on the roll certified under sub-rule d. who shall be unable to receive a ballot paper at their postal address appearing on the roll may lodge a request,

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- with the Returning Officer conducting the respective election, for an absentee vote to be sent to an address where the member can receive mail.
- n. If a member has made a request under sub-rule m. the Returning Officer conducting the respective election shall post the ballot material to the member at the address notified.
  - o. The Returning Officer conducting the respective election is to prepare, and forward by pre-paid post, to each member on the roll certified under sub-rule f.:
    - i. a ballot paper;
    - ii. the Returning Officer's instructions to voters on how to vote;
    - iii. a declaration envelope in the form prescribed by the Act; and
    - iv. a prepaid and return addressed, return envelope.
  - p. Each ballot paper is to:
    - i. set out, for a respective election, the candidate's names on the ballot paper, with the order of the candidates' names to be determined by the Returning Officer conducting the respective election drawing lots; and
    - ii. bear the initials of the Returning Officer conducting the respective election, or a facsimile of those initials.
  - q. All offices to be elected, in a respective Branch Quadrennial Election for a respective Governance Body, or discrete part of a Governance Body, of the Branch, must be included on the one (1) ballot paper for the members entitled to vote for the offices on that Governance Body.
  - r. The instructions to voters under sub-rule o. shall include the requirements that the:
    - i. flap or label on the declaration envelope is to be completed by the voter;
    - ii. ballot paper must not bear a mark that would disclose the identity of the voter;
    - iii. ballot paper is to be sealed in the declaration envelope;
    - iv. declaration envelope is to be sealed in the return envelope; and
    - v. return envelope is to be posted to the Returning Officer conducting the respective election.
  - s. Each voter in an election is, subject to these Electoral Rules, entitled to cast as many votes as there are candidates to be elected in the respective election, by placing an 'X' next to the name of a candidate or candidates as the case may be.
  - t. The Returning Officer conducting the respective election is to arrange for the:

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- i. collection; and
  - ii. counting,
- of the Ballot papers.
- u. To ensure the secrecy of the ballot, the Returning Officer conducting the respective election must ensure the person voting is on the roll and entitled to vote in the election, mark the member on the roll as having voted and then remove the flap or label on the declaration envelope and ensure that the declaration envelopes are, subject to sub-rule w., then intermixed before removing a ballot paper from a declaration envelope.
  - v. If a Scrutineer raises an issue with a declaration or a ballot paper during the count, then the Returning Officer conducting the respective election is to resolve the issue, provided that if the issue cannot be resolved to the satisfaction of the respective Scrutineer then that declaration envelope or ballot paper is to be set aside and kept separately from the declaration envelopes and ballot papers, as the case may be, in relation to which there are no issues, provided that a Scrutineer in raising an issue must provide a reasonable basis for the existence of the issue.
  - w. Once all ballot papers, other than those declaration envelopes and ballot papers set aside under sub-rule v., are counted, the Returning Officer conducting the respective election is to resolve the issues raised under sub-rule v. and to determine whether a declaration is to be accepted and/or a ballot paper is to be counted, as the case may be, and if so to count the respective ballot paper, provided that where the outcome of the respective election is dependent on the ballot papers set aside under sub-rule v., then the declaration envelopes and ballot papers set aside under sub-rule v. must be preserved by the Returning Officer, and securely held, for a period of not less than six (6) months following the declaration of the election concerned.
  - x. The candidate or candidates, as the case may be, securing the highest number of votes shall be declared elected by the Returning Officer under rule 76 by the Returning Officer conducting the respective election.
  - y. Despite sub-rule x., in the event of a tied vote for an office:
    - i. if one (1) of the candidates was, at the date of nominating, the incumbent then, subject to paragraph ii., that candidate shall be declared elected under rule 76 by the Returning Officer conducting the respective election; or
    - ii. if there is no candidate under paragraph i. or, if there are two (2) or more candidates under paragraph i. being more candidates than the office to be filled,then the result of the ballot is to be determined by lot by the Returning Officer conducting the respective election and the successful candidate shall be declared elected under rule 76 by the Returning Officer.

## **72 - PROCEDURE AT ELECTIONS - TEAM NOMINATIONS**

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- a. If there is at least one (1) Team Nomination the single ballot paper for that election must have two (2) parts, a ‘top part’ and a ‘bottom part’ divided by a horizontal line.
  - b. The position of respectively Team names and candidate’s names on the ballot paper is to be determined by the Returning Officer, conducting the election, drawing lots.
  - c. The ballot papers must contain the following instruction, in a prominent position, that a member voting in the election may only vote in one (1) of two (2) ways, either by completing only the:
    - i. top part of the ballot paper by marking one (1) Team box only with a cross (‘X’) (‘voting above the line’) and a vote is cast for each member of the respective Team; or
    - ii. bottom part of the ballot paper (‘voting below the line’), by voting for individual candidates by marking the box next to the name of the candidate for which the member voting wishes to vote in the election with a cross (‘X’) and a vote is then cast for those candidates.
  - d. The ballot papers must set out on the top part:
    - i. the date and time of closing of the ballot;
    - ii. the name of each Team; and
    - iii. boxes beside the names of the Team.
  - e. The ballot papers must set out on the bottom part:
    - i. the name of the office being elected;
    - ii. the name of each candidate, as each name appears on the respective nomination forms, for election to the office under paragraph i.;
    - iii. the name of the Team of each candidate (where applicable); and
    - iv. boxes beside the names of the candidates.
  - f. A vote, in an election, for a Team is a vote for each member of that Team.
  - g. Where a member voting in the ballot completes the ballot paper by voting above the line and voting below the line, the ballot marked below the line is to be ignored for the purposes of counting the ballot and the ballot is to be treated as formal.

### **73 – BALLOT PAPER - INCUMBENT OFFICERS**

- a. The name of an incumbent officer, who is a candidate at a Quadrennial Election for the same office as they hold, is to be indicated by an asterisk where their name appears on the respective ballot paper.

- b. The Returning Officer conducting the respective election must advise voters, by noting on the face of the ballot paper where there is an asterisk, that an asterisk designates an incumbent officer.

**74 - COLLEGIATE ELECTIONS**

- a. Under this rule the words in column A have the meaning set out opposite in column B:

<b>A</b>	<b>B</b>
<b>Governance Body</b>	includes severably: the National Executive; a Branch Council; a Branch Conference; and a Branch Industry Division

- b. The procedures for a collegiate election to be held under these Electoral Rules are provided by this rule.

- c. The National Secretary shall provide to the National Returning Officer:

- i. as soon as practicable, following the declaration of all Branch elections; or
- ii. as early as practicable prior to the first Wednesday in August in the year of the Quadrennial Election,

whichever is the earlier, a certified excerpt from the roll of members setting out in relation to members of the National Executive:

- iii. their name;
- iv. their postal address;
- v. evidence of their financiality; and
- vi. the number of votes each member of the National Executive is entitled to cast in accordance with rule 8,

and the excerpt is to be certified, in accordance with the Act, by the National Secretary.

- d. The Returning Officer conducting the respective election is to call for nominations from the members of the Electoral College by means of:

- i. post; and
- ii. email,

to the address or email address, as the case may be, on the respective officers' register.

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- e. The Returning Officer conducting the respective election is to notify each member of the Electoral College:
- i. of the opening time for nominations;
  - ii. of the closing time and date for nominations;
  - iii. where a nomination form can be obtained;
  - iv. the Returning Officer's:
    - A. address;
    - B. postal address;
    - C. email address; and
    - D. secure electronic site, where consent has been given by the National Secretary to the Returning Officer to use other secure electronic means; and
  - v. that a nomination under this rule must be provided, prior to the close of nominations, to the Returning Officer by:
    - A. delivery to the Returning Officer's address;
    - B. post to the Returning Officer's postal address;
    - C. email to the Returning Officer's email address; or
    - D. sending, where the National Secretary has given consent under paragraph iv. D., to a secure electronic site controlled by the Returning Officer.
- f. Nominations are to be:
- i. in writing;
  - ii. endorsed by two (2) members of the Electoral College;
  - iii. signed by the candidate; and
  - iv. provided to the Returning Officer conducting the respective election prior to the close of nominations.
- g. A member of the Electoral College who is nominating must, under paragraph 63 a. i. be financial on the day nominations close.
- h. If the Returning Officer conducting the respective election finds a nomination to be defective, the Returning Officer must, before rejecting the nomination, notify the person concerned of the defect and where it is practicable to do so give the person an

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opportunity to remedy the defect within a period of not less than 24 hours from the time of receipt of the advice that the nomination is defective.

- i. Subject to sub-rule h., if at the close of nominations, only the required number of nominations have, consistent with the requirements of rule 62, been received for the offices to be filled by election, the Returning Officer conducting the respective election is to declare the result under rule 76.
- j. If there are more than the required number of candidates for an office, the Returning Officer conducting the respective election is to conduct an election by secret ballot of the members of the Electoral College.
- k. An election under sub-rule j. is to occur:
  - i. at a meeting of the Electoral College where it is practicable for a meeting to be held; or
  - ii. by means of a postal ballot, where it is not practicable, or timely, for a meeting of the Electoral College to be held,

provided that the Electoral College may, prior to the Quadrennial Election, determine whether the election is to be conducted at a meeting or as a postal ballot, and must set out its determination (if any) in the prescribed information filed in applying for the election.

- l. A candidate may, under rule 60, appoint another member as a Scrutineer.
- m. The Returning Officer conducting the respective election is to arrange for the preparation of ballot papers:
  - i. on which the candidates' names appear in alphabetical order; and
  - ii. bear the initials of the Returning Officer conducting the election, or a facsimile of those initials.
- n. The Returning Officer conducting the respective election shall initial and provide to each member of the Electoral College a ballot paper.
- o. Each member of the Electoral College is entitled to cast as many votes as there are candidates to be elected by placing an 'X' next to the name of the candidate for whom they wish to vote.
- p. Where a ballot occurs at a meeting the completed ballot paper is to be placed in the ballot box in the control of the Returning Officer conducting the respective election.
- q. Where a ballot occurs by postal ballot the Postal Procedures are to apply.

- r. A member who cannot be present at the meeting at which a ballot is to be held may lodge a request with the Returning Officer conducting the respective election for an absentee vote, together with an address where the member can receive post, and, if a member has done so, the Returning Officer is not to declare the result of the ballot until the member has been given a reasonable opportunity to vote.
- s. A candidate securing the highest number of votes in a respective ballot shall be declared elected under rule 76 by the Returning Officer conducting the respective election.

**75 - ELECTRONIC BALLOTING**

- a. The Returning Officer conducting a respective election may, where it is practicable to do so, utilise an electronic balloting system as an alternative to the paper balloting system, provided that the electronic balloting system utilised must ensure the security and secrecy of the ballot to the same extent that these Electoral Rules provide.
- b. Sub-rule a. does not prevent the Returning Officer conducting a respective election, to conduct the election partly by means of an electronic balloting system and partly by means of a paper balloting system as otherwise provided by these Electoral Rules so as to ensure that each member entitled to vote in an election under these Electoral Rules is given the opportunity to vote.

**76 - ASSUMPTION AND TENURE OF OFFICE**

- a. Under this rule the words in column A have the meaning set out opposite in column B:

<b>A</b>	<b>B</b>
<b>Multi Member Electorate</b>	an election where there are multiple offices of the same type to be elected in the election

- b. The Returning Officer conducting the respective election is to declare the candidates elected in that election:
  - i. where the number of candidates for the offices to be elected in the election do not exceed the number of offices to be filled, as soon as is practicable but no later than ten (10) days after the close of nominations; or
  - ii. where a ballot is required for all, or some, of the offices to be elected in the same election as soon as is practicable but no later than ten (10) days, after the close of the ballot.
- c. Candidates declared elected to an office under sub-rule b.:
  - i. hold office from the declaration of the Returning Officer; and
  - ii. subject to the ASU’s rules and sub-rule d., remain in office until their successor is declared elected, under sub-rule b., at a subsequent Quadrennial Election.



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- d. Where an election is held for a Multi-Member Electorate and there are fewer nominations received than offices to be filled in the Multi-Member Electorate, then the term of an office holder, who held an office in the Multi-Member Electorate on the day preceding the declaration under sub-rule b., terminates on the declaration by the Returning Officer conducting the respective election.
  - e. A Returning Officer conducting the respective election is to provide to the National Secretary the declaration of an election conducted under these Electoral Rules, immediately following the making of the declaration.
  - f. A Branch Returning Officer conducting the respective election is to provide to the respective Branch Secretary a copy of the declaration of an election conducted under these Electoral Rules for the respective Branch, immediately following the making of the declaration.
  - g. A Branch Officer ceases to hold office if the officer ceases to be attached to the respective Branch or, as the case may be, if elected to an office of an Industry Division, a Sub-Branch, a Section, a District, a Zone or other subordinate part of the Branch ceases to be attached to the respective Industry Division, Sub-Branch, Section, District, Zone or other subordinate part of the Branch.
  - h. Without limitation to sub-rule g., an officer of the ASU immediately ceases to hold their office if the officer ceases to be:
    - i. financial under the ASU Rules; or
    - ii. a member of the ASU.

**77 - SUBSEQUENT ELECTION**

- a. Under this rule the words in column A have the meaning set out opposite in column B:

<b>A</b>	<b>B</b>
<b>Multi-Member Electorate</b>	an election where there are multiple offices of the same type to be elected in the election
<b>Next Quadrennial Election</b>	are those Quadrennial Elections next required to be held in the electoral cycle under these Electoral Rules following the completion of a Quadrennial Election
<b>Subsequent Election</b>	an election to be conducted under sub-rule b.

- b. In the event that insufficient nominations are received for a respective Branch office to be filled at a Quadrennial Election then, following the completion of the Quadrennial Election, the Returning Officer conducting the respective election is required to, as soon as practicable, conduct a subsequent election for any such vacant office.

- c. Despite sub-rule b., the Returning Officer does not need to conduct a Subsequent Election where:
  - i. there are no members in the electorate in which the election is to otherwise occur; or
  - ii. a Subsequent Election has been conducted for a vacant office in a Multi-Member Electorate and a determination has been made under sub-rule d. by the respective committee of management in relation to the vacant office.
- d. In the event that insufficient nominations are received at a Subsequent Election for a vacant office in an election for a Multi-Member Electorate, the committee of management of the respective Branch may determine that the office shall not be filled until the Next Quadrennial Election, and if so determining shall, as soon as practicable, advise the:
  - i. Branch Returning Officer conducting the respective election; and
  - ii. Registered Organisations Commission.

**78 - CASUAL VACANCIES**

- a. A casual vacancy occurs in a National Office or a Branch Office, where the holder of a National Office or a Branch Office:
  - i. dies;
  - ii. resigns;
  - iii. ceases to hold office under these ASU Rules; or
  - iv. is removed from office under these ASU Rules.
- b. A Casual Vacancy is to be filled under this rule.
- c. Where a Casual Vacancy occurs, and 12 months or less of the term of office has expired, the vacancy is to be filled by an election under these Electoral Rules.
- d. Where a Casual Vacancy occurs and more than 12 months of the term of office has expired, then the vacancy for an office in column A may be filled by the means set out opposite in column B:

<b>A</b>	<b>B</b>
<b>National President</b>	the National Executive is to appoint one (1) of its members to the office for the unexpired portion of the term, provided that where the member who held the office prior to the occurrence of the Casual Vacancy also held an office of Branch National Executive Representative and a Casual Vacancy has also

	<p>occurred in that office, an appointment is not to be made until the casual vacancy in the office of Branch National Executive Representative is filled provided that where the National President was a female, and the National Vice-President is a male, a female must be appointed</p>
<b>National Vice-President</b>	<p>the National Executive is to appoint one (1) of its members to the office for the unexpired portion of the term, provided that where the member who held the office prior to the occurrence of the Casual Vacancy also held an office of Branch National Executive Representative and a Casual Vacancy has also occurred in that office, an appointment is not to be made until the casual vacancy in the office of Branch National Executive Representative is filled provided that where the National Vice-President was a female, and the National President is a male, a female must be appointed</p>
<b>National Secretary</b>	<p>the National Executive may appoint an eligible member of the Union to the office for the unexpired portion of the term provided that where the National Secretary was a female, and the Assistant National Secretary is a male, a female must be appointed</p>
<b>Assistant National Secretary</b>	<p>the National Executive may appoint an eligible member of the Union to the office for the unexpired portion of the term, provided that only those Branches (including such Branches if they have since merged), whose National Executive Representative nominated the Assistant Secretary whose office has become vacant, may nominate a replacement provided that where the Assistant National Secretary was a female, and the National Secretary is a male, a female must be appointed</p>
<b>Branch Office holders</b>	<p>the committee of management of the respective Branch may appoint to the office an Eligible Member, attached to the Branch, for the unexpired portion of the term</p>
<b>Offices within a Sub-Branch, Section, District, Zone or other subordinate part of a Branch</b>	<p>the committee of management of the respective Branch may, after consultation with the respective Sub-Branch, Section, District, Zone or other part of the respective Branch,</p>

	appoint an Eligible Member, attached respectively to the Sub-Branch, Section, District, Zone or other part of the respective Branch, to the office for the unexpired portion of the term
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- e. Despite sub-rule d., nothing prevents the National Executive from determining to hold an election, under the Electoral Rules, to fill a Casual Vacancy in relation to a National Office.
- f. Despite sub-rule d., nothing prevents the committee of management of a respective Branch from determining to hold an election, under the Electoral Rules, to fill a Casual Vacancy in:
- i. a Branch Office; or
  - ii. an office within a Sub-Branch, Section, District, Zone or other part of a Branch.

#### **79 - QUEENSLAND TOGETHER BRANCH**

- a. Under this rule the office in column A is to be elected by, and from, the financial members attached to the electorate of the Branch set out opposite in column B or forming the Electoral College set out opposite in column C with the number of offices to be filled set out opposite in column D:

<b>A OFFICE</b>	<b>B ELECTORATE</b>	<b>C ELECTORAL COLLEGE</b>	<b>D NUMBER OF OFFICES</b>
Branch President	Branch		1
Branch Senior Vice-President	Branch		1
Branch Vice-President (Industry)	relevant Branch Industry Division		3
Branch Secretary/First National Executive Representative	Branch		1
Branch Assistant Secretary	Branch		2
Other Branch Executive Members		relevant Branch Industry Divisions' Conference Delegates	see PART IX Division Two A rule 7
Branch Executive Members (Women)		relevant Branch Industry Divisions'	see PART IX Division Two A

		Conference Delegates	rule 7
Branch Treasurer	Branch		1
Branch Assistant Treasurer	Branch		1
National Executive Representatives	Branch		2
National Conference Delegates		relevant Branch Industry Divisions' Conference Delegates	see PART IX Division Two A rule 37
Branch Council Delegates		relevant Branch Industry Divisions' Conference Delegates	see PART IX Division Two A rule 14
Branch Council Delegates (Women)		relevant Branch Industry Divisions' Conference Delegates	see PART IX Division Two A rule 14
Branch Conference Delegates representing Industry Sub-Divisions	relevant Industry Sub-Divisions		see PART IX Division Two A rule 20
Branch Conference Delegates representing Regional Zones	relevant Regional Zone		see PART IX Division Two A rule 20
Branch Conference Delegates representing Aboriginal and Torres Strait Islander members	Aboriginal and Torres Strait Islander		see PART IX Division Two A rule 20

### 80 - QUEENSLAND (SERVICES AND NORTHERN ADMINISTRATIVE) BRANCH

- a. Under this rule the office in column A is to be elected by, and from, the financial members attached to the electorate of the Branch set out opposite in column B or forming the Electoral College set out opposite in column C with the number of offices to be filled set out opposite in column D:

A OFFICE	B ELECTORATE	C ELECTORAL COLLEGE	D NUMBER OF OFFICES
-------------	-----------------	---------------------------	---------------------------

Branch President	Branch		1
Branch Executive President/Second National Executive Representative	Branch		1
Deputy Branch President		Branch Executive see PART IX Division Three sub-rule 26 b.	1
Branch Vice-President (Energy Industry Division)	members of the Energy Industry Division		1
Branch Vice-President (Local Authorities and Brisbane City Council Industry Division – Local Authorities)	members of the Local Authorities and Brisbane City Council Industry Division other than those employed by the Brisbane City Council		1
Branch Vice-President (Local Authorities and Brisbane City Council Industry Division - BCC)	members of the Local Authorities and Brisbane City Council Industry Division employed by the Brisbane City Council		1
Branch Vice-President (Transport and Northern Administrative - Rail)	members of the Transport and Northern Administrative employed in rail		1
Branch Vice-President (Transport and Northern Administrative - North Queensland Clerical and Administrative)	members of the Transport and Northern Administrative employed in ports and private sector		1
Branch Vice-President (Social and Community Sector Industry Division)	members of the Social and Community Sector Industry Division		1
Branch Vice-President (Women)	women members of the Branch		1
Branch Vice-President (Youth)	all members of the Branch who have not		1

	attained the age of 35		
Branch Secretary/First National Executive Representative	Branch		1
Assistant Branch Secretary (if any)	Branch		1
Branch Executive Members	Branch		see PART IX Division Three rule 34
Third National Executive Representative	Branch		1
Alternative National Executive Representative	Branch		1
National Conference Delegates	Branch		see PART IX Division Three rule 23
Alternate National Conference Delegates (First, Second and Third)	Branch		see PART IX Division Three rule 24
Branch Council Delegates	Industry Divisions		see PART IX Division Three rule 18

### 81 - WESTERN AUSTRALIAN BRANCH

- a. Under this rule the office in column A is to be elected by, and from, the financial members attached to the electorate of the Branch set out opposite in column B with the number of offices to be filled set out opposite in column C:

<b>A OFFICE</b>	<b>B ELECTORATE</b>	<b>C NUMBER OF OFFICES</b>
Branch President/First National Executive Representative	Branch	1
Deputy Branch President	Branch	1
Branch Secretary/Second National Executive	Branch	1

Representative		
Branch Treasurer	Branch	1
Branch Vice President (Women)	Branch	1
Assistant Branch Secretary/First National Conference Representative	Branch	1
National Conference Delegates	Branch	see sub-rule 7 c.
Branch Executive Councillors	relevant Branch Industry Division	see PART IX Division Five rule 8 d. ii.
Branch Executive Councillor (Women)	Branch	see PART IX Division Five rule 19

## 82 - TAXATION OFFICERS' BRANCH

- a. Under this rule the office in column A is to be elected by, and from, the financial members attached to the electorate of the Branch set out opposite in column B with the number of offices to be filled set out opposite in column C:

A OFFICE	B ELECTORATE	C NUMBER OF OFFICES
Branch President/Second National Executive Representative	Branch	1
Branch Vice-President	Branch	1
Branch Secretary/First National Executive Representative	Branch	1
Branch Assistant Secretary	Branch	1
Branch Treasurer	Branch	1
Branch Executive Members	Branch	see PART IX Division Six rule 6
Alternate National Executive Representative	Branch	1
National Conference Delegates	Branch	see PART IX Division Six rule 32
Alternate National Conference Delegate	Branch	1



### 83 – NEW SOUTH WALES & ACT (SERVICES) BRANCH

- a. Under this rule the office in column A is to be elected by, and from, the financial members attached to the electorate of the branch set out opposite in column B or forming the Electoral College set out opposite in column C with the number of offices to be filled set out opposite in column D:

A OFFICE	B ELECTORATE	C ELECTORAL COLLEGE	D NUMBER OF OFFICES
<b>Branch Executive</b>			
Branch President	members of the Branch		1
Branch Deputy President	members of the Branch		2
Branch Vice President	members of the Social and Community Services Industry Division		1
Branch Vice President	members of the Water Industry Division		1
Branch Vice President	members of the Transport and Technology Industry Division		1
Branch Treasurer	members of the Branch		1
Branch Secretary/ First National Executive Representative	members of the Branch		1
Branch Deputy Secretary	members of the Branch		1
Branch Executive members	Members of the Industry Divisions as set out in PART IX Division Seven rule 25		One member for the first 2,000 members in each industry division and one additional member for every additional 2,000 members or part thereof in each industry division
<b>Water Industry Indivision Committee of Management</b>			
Water Industry Indivision Committee of Management President	members of the Water Industry Division		1
Water Industry Indivision Committee of Management	members of the Water Industry Division		1

Vice President			
Water Industry Indivision Committee of Management Committee Member	members of the Water Industry Division		8
<b>Social and Community Services Industry Indivision Committee of Management</b>			
Social and Community Services Industry Indivision Committee of Management President	members of the Branch allocated to the Social and Community Services Industry Division by the Branch Executive in accordance with ASU Rule 11		1
Social and Community Services Industry Division Committee of Management Vice President (New South Wales)	members of all Sub-Divisions created pursuant to PART IX Division Seven rule 35 other than the Australian Capital Territory Sub-Division.		1
Social and Community Services Industry Division Committee of Management Vice President (Australian Capital Territory)	members of the Australian Capital Territory Sub-Division.		1
Social and Community Services Industry Division Committee of Management Committee Member	members of the Branch employed in the Social and Community Services Industry.		4
Social and Community Services Industry Division Committee of Management Committee Member representing Sub-Division established in accordance with PART IX Division Seven rule 35	members of the relevant Sub-Division.		Determined by Branch Executive under PART IX Division Seven rule 35
<b>Transport and Technology Industry Indivision Committee of Management</b>			
Transport and Technology Industry Indivision Committee of Management President	members of the Branch allocated to the Transport and Technology Industry Division by the Branch Executive in accordance with ASU Rule 11		1

Transport and Technology Industry Indivision Committee of Management Vice President	members of the Branch allocated to the Transport and Technology Industry Division by the Branch Executive in accordance with ASU Rule 11		1
Transport and Technology Industry Indivision Committee of Management Treasurer	members of the Branch allocated to the Transport and Technology Industry Division by the Branch Executive in accordance with ASU Rule 11		1
Transport and Technology Industry Indivision Committee of Management Committee Member	members of the Branch allocated to the Transport and Technology Industry Division by the Branch Executive in accordance with ASU Rule 11		7
<b>National Conference/National Executive</b>			
National Conference Delegates		Branch Council	Determined in accordance with PART IX Division Seven rule 16
National Executive Representative (in addition to the Branch Secretary)	members of the Branch		2

**84 - NEW SOUTH WALES LOCAL GOVERNMENT, CLERICAL, ADMINISTRATIVE, ENERGY, AIRLINES & UTILITIES BRANCH**

- a. Under this rule the office in column A is to be elected by, and from, the financial members attached to the electorate of the Branch set out opposite in column B with the number of offices to be filled set out opposite in column C:

<b>A</b>	<b>B</b>	<b>C</b>
<b>OFFICE</b>	<b>ELECTORATE</b>	<b>NUMBER OF OFFICES</b>

Branch President/Second National Executive Representative	Branch	1
Branch Vice President	Branch	1
Branch Secretary/First National Executive Representative	Branch	1
Branch Treasurer	Branch	1
Executive Committee Members	relevant Sub-Branch	1 per Sub-Branch
Additional Executive Committee Members	Sydney Metropolitan Sub-Branch	3
National Conference Delegates	Branch	see sub-rule 7 c.
Alternate National Conference Delegates	Branch	6
Third National Executive Representative	Branch	1

### **85 - VICTORIAN AND TASMANIAN AUTHORITIES AND SERVICES BRANCH**

- a. Under this rule the office in column A is to be elected by, and from, the financial members attached to the electorate of the Branch set out opposite in column B with the number of offices to be filled set out opposite in column C:

<b>A OFFICE</b>	<b>B ELECTORATE</b>	<b>C NUMBER OF OFFICES</b>
Branch President	Branch	1
Branch Senior Vice President	Branch	1
Branch Vice President (Woman)	Branch	1
Branch Secretary/First National Executive Representative	Branch	1
Deputy Branch Secretary/Second National Executive Representative	Branch	1
Assistant Branch Secretary	Branch	2
National Executive Representative	Branch	1
Alternate National Executive Representative	Branch	1
Branch Executive Members	relevant Industry Division	see PART IX Division Nine rule 5 b
Branch Executive Women	relevant Industry Division	see PART IX Division Nine

Members		rule 5 b
Branch Executive Member (Youth)	Branch	1
National Conference Delegates	relevant Industry Division	see PART IX Division Nine rule 14 b
National Conference Delegates (Women)	relevant Industry Division	see PART IX Division Nine rule 14 b
Alternate National Conference Delegates	relevant Industry Division	see PART IX Division Nine rule 15
Alternate National Conference Delegates (Women)	relevant Industry Division	see PART IX Division Nine rule 15
Branch Conference Delegates	relevant Industry Division	see PART IX Division Nine rule 9 b.ii
Branch Conference Delegates (Women)	relevant Industry Division	see PART IX Division Nine rule 9 b.ii
Provisional Branch Executive Member (Tasmania)	Tasmanian Members	see PART IX Division Nine rule 5 c.iii

## 86 - SOUTH AUSTRALIAN AND NORTHERN TERRITORY BRANCH

- a. Under this rule the office in column A is to be elected by, and from, the financial members attached to the electorate of the Branch set out opposite in column B or forming the Electoral College set out opposite in column C with the number of offices to be filled set out opposite in column D:

A OFFICE	B ELECTORATE	C ELECTORAL COLLEGE	D NUMBER OF OFFICES
Branch President	Branch		1
Branch Vice President	members of the Energy and Local Government Industry Section		1
Branch Vice President (Women)	members of the Energy and Local Government Industry Section		1

Branch Vice President	members of the Airlines & Federal Awards, Commercial, Finance, Community Services, Legal Industry and Northern Territory Industry Section		1
Branch Vice President (Women)	members of the Airlines & Federal Awards, Commercial, Finance, Community Services, Legal Industry and Northern Territory Industry Section		1
Deputy President		Branch Council	1
Branch Secretary/First National Executive Representative	Branch		1
Branch Assistant Secretary/Second National Executive Representative	Branch		1
Branch Councillor	relevant Industry Section		see PART IX Division Ten rule 5
Branch Councillor (Women)	members of the relevant Industry Section		see PART IX Division Ten rule 5
Branch Conference Delegate	relevant Industry Section		see PART IX Division Ten rule 3
Branch Conference Delegate (Women)	members of the relevant Industry Section		see PART IX Division Ten rule 3
National Conference Delegates		Branch Conference	see PART IX Division Ten rule 22
Alternate National Conference Delegates (First, Second and Third)		Branch Conference	3

## 87 - VICTORIAN PRIVATE SECTOR BRANCH

- a. Under this rule the office in column A is to be elected by, and from, the financial members attached to the electorate of the Branch set out opposite in column B with the number of offices to be filled set out opposite in column C:

A OFFICE	B ELECTORATE	C NUMBER OF OFFICES
Branch President	Branch	1
Branch Vice-President (Women)	Branch	1
Branch Secretary/First National Executive Representative	Branch	1
Assistant Branch Secretary/Second National Executive Representative	Branch	1
Branch Executive Members	Branch	3
Branch Executive Members (Women)	Branch	3
National Conference Delegates	Branch	see PART IX Division Eleven rule 11
National Conference Delegates (Women)	Branch	see PART IX Division Eleven sub-rule 11 b.
Alternate National Conference Delegates (First, Second and Third)	Branch	3
Branch Conference Delegates	airlines branch industry division	see PART IX Division Eleven rule 8 b. ii.
Branch Conference Delegates	private sector branch industry division	see PART IX Division Eleven rule 8 b. ii.

## 88 - Transitional

- a. Under this rule the words in column A have the meaning set out opposite in column B:

A	B
Certification Day	the day on which the Part VIIIA rules are certified

- b. On, and from Certification Day, references to rules in column D that appear in the rules of the respective Branches of the ASU provided for in the Divisions of Part IX and set

out in column C shall be references to the rules amended as set out opposite in column D:

<b>C</b>	<b>D</b>
Division Two A sub-rule 32 e.	replace 'VII' with 'VIII'
Division Two A sub-rule 38 b.	replace 'VII' with 'VIII'
Division Three sub-rule 26 b.	delete 'sub-rule e. of'
Division Three sub-rule 26 b.	replace '41' with '74'
Division Three sub-rule 33 b.	delete 'sub-rules a., c., d. and e. of'
Division Three sub-rule 33 b.	replace '39' with '63'
Division Three sub-rule 33 c.	replace '40' with '67'
Division Three sub-rule 34 b.	replace 'VII' with 'VIII'
Division Five sub-rule 18 b.	delete 'sub-rules a., c., d. and e. of'
Division Five sub-rule 18 b.	replace '39' with '63'
Division Five sub-rule 18 c.	replace 'e.' with 'b.'
Division Five sub-rule 18 c.	replace '40' with '67'
Division Five sub-rule 19 b.	replace 'VII' with 'VIII'
Division Five sub-rule 24 d.	replace 'VII' with 'VIII'
Division Six sub-rule 24 (b)	replace 'VII' with 'VIII'
Division Seven paragraph 26 c iii.	replace '41 a. iii.' with '71'
Division Seven paragraph 26 c iv.	replace '41 a. iii.' with '71'
Division Seven sub-paragraph 35 d. v. B.	replace 'VII' with 'VIII'
Division Seven sub-rule 36 b.	replace 'VII' with 'VIII'
Division Eight sub-rule 16 d.	replace '42A b. iv.' with '37 b. iv'
Division Eight sub-rule 18 j.	replace '42' with '78'
Division Eight paragraph 31 c. i.	replace '39' with '63'
Division Eight paragraph 31 c. ii.	replace '40 b. -f., h. and i.' with '63, 65 and 67 '
Division Eight paragraph 31 c. iii.	replace '43 a - c.' with '76'
Division Eight paragraph 31 d. ii.	replace '38 b.' with '59'
Division Eight paragraph 32 b. i.	replace '39' with '63'
Division Eight paragraph 32 b. ii.	replace '41 e.' with '74'
Division Eight paragraph 32 b. iii.	replace '43 a. - c.' with '76'
Division Nine sub-rule 15 f.	replace '42' with '78'
Division Ten sub-rule 14 a.	replace 'Sub rule 41 e.' with 'Rule 74'
Division Ten sub-rule 21 b.	replace 'VII' with 'VIII'
Division Ten sub-rule 22 d.	replace 'VII' with 'VIII'
Division Ten sub-rule 23 b.	replace 'VI' with 'VIII'
Division Eleven sub-rule 19 b.	delete 'sub rules a., c., d. and e. of'
Division Eleven sub-rule 19 b.	replace '39' with '63'



5 July 2022

Robert Potter  
National Secretary  
Australian, Municipal, Administrative, Clerical and Services Union

By your side

UNITED  
**SERVICES  
UNION**



**By email:** Robert Potter <rpotter@asu.asn.au>  
John Nucifora <JNucifora@asu.asn.au>

Dear Robert,

**Australian, Municipal, Administrative, Clerical and Services Union Electoral Rule Change**

I write to advise that on 1 July 2022 the New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Branch resolved to consent, to the extent that such consent is required, to changes to the electoral rules of the Australian, Municipal, Administrative, Clerical and Services Union in the form of rule draft #25.

Noting that consent was also provided in the event that further changes were proposed to the electoral rules, provided that further such changes were changes that were made to ensure that any proposed rule alterations were typographically correct and consistent, and in compliance with law, provided that no such change alters the intention of the rules consented to by the 1 July 2022 resolution.

Regards,

**Graeme Kelly OAM**  
**GENERAL SECRETARY**



# Australian Services Union

## WESTERN AUSTRALIAN BRANCH



19 July 2022

Robert Potter  
National Secretary  
Australian Services Union  
Ground Floor  
116 Queensberry Street  
CARLTON SOUTH VIC 3053

By email: [rpotter@asu.asn.au](mailto:rpotter@asu.asn.au)

102 East Parade  
East Perth 6004

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Perth WA 6849

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[branch.secretary@asuwa.org](mailto:branch.secretary@asuwa.org)  
[www.asuwa.org](http://www.asuwa.org)

Dear Robert

### ELECTORAL PROCEDURE RULES CHANGES

Following communications between John Nucifora and myself, I presented Draft #26 of the changes to Part VIIIA - Electoral Procedure Rules to the meeting of the Branch Executive Council that was held on Tuesday, 12 July 2022.

I am pleased to advise that the following resolution was passed:

**TO: BRANCH EXECUTIVE COUNCIL MEETING –  
12 JULY 2022**  
**FROM: WAYNE WOOD – BRANCH SECRETARY**  
**SUBJECT: ELECTORAL PROCEDURE RULES CHANGES**

---

#### Resolution:

**E53/22 Moved: Beth Hodgson Seconded: Kerry Wood**

- That the report be noted;
- That the Branch Executive Council accepts and endorses draft rules prepared by ASU National Office.

**Carried.**

#### Report

ASU National Office has prepared rule changes to improve the clarity and consistency of the rules for ASU elections.

The rule change is to make it easier for the AEC appointed returning officer to interpret the rules in preparing to receive nominations and conduct an election. This has been a point of contention in the past. The National Office expects that there will be now one returning office for the whole country, rather than a returning officer in each state.

The attached draft notes these changes in yellow.

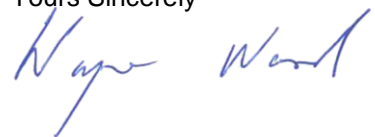
It is recommended that the Branch Executive Council accepts and endorses these changes.

[Attachment: PART VIIIA – ELECTORAL PROCEDURE RULES - Draft #26 Final](#)

On behalf of the ASU WA Branch Executive Council, I would ask that you proceed with the rule change.

Should you have any questions, please do not hesitate to call me on 0412 947 052.

Yours Sincerely

A handwritten signature in blue ink that reads "Wayne Wood". The signature is written in a cursive style with a large, sweeping 'W' and 'D'.

Wayne Wood  
Branch Secretary

19 July 2022

Robert Potter  
National Secretary  
National Office Melbourne  
116 Queensberry Street  
Carlton South VIC 3053  
Via email: [rpotter@asu.asn.au](mailto:rpotter@asu.asn.au)


Cc John Nucifora ([jnucifora@asu.asn.au](mailto:jnucifora@asu.asn.au))

Dear Rob

Please note the following with relation to the National Rules:

I, Alex Scott Branch Secretary, of the Queensland Together Branch of the ASU, confirm that, in accordance with the rules of the Union, the Branch Executive/Committee of Management resolved on the 18 July 2022 to consent to the additions, changes, amendments, variations, repeal and/or deletions to the rules of the Union, inclusive of the rules (if any, or any consequential, changes) of the Branch set out in Attachment #26."

Yours in union



Alex Scott  
Branch Secretary

20 July 2022

Mr Robert Potter  
National Secretary  
Australian Services Union  
116 Queensberry Street  
Carlton South VIC 3053



**By your side**

By email: [rpotter@asu.asn.au](mailto:rpotter@asu.asn.au)

Dear Rob,

**Re: Proposed Amendments to the National Rules in relation to Elections and to Division 3 Qld (Services and Northern Administrative) Branch Rules**

I advise that at the meeting of the Branch Executive of the Qld (SNA) Branch held on 15 July 2022, the Branch Executive:

1. Resolved to amend Division 3 Queensland (Services and Northern administrative) Branch rules as set out in the Track change amendment marked JN #26.
2. Resolved to consent to the amendment to the National Rules set out in the Track Change Document Marked JN #26.

Yours sincerely

**Neil Henderson**  
**Branch Secretary**

**From:** [Imogen Sturni](#)  
**To:** [John Nucifora](#)  
**Cc:** [David Leydon](#); [Robert Potter](#)  
**Subject:** RE: ASU Electoral Rules - Latest Draft  
**Date:** Wednesday, 20 July 2022 8:24:11 PM  
**Attachments:** [image002.jpg](#)  
[image003.png](#)  
[image004.png](#)  
[image005.jpg](#)  
[image006.png](#)

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Hi John,

Our Branch Executive met last night and passed the resolution below. I have included Robert in this email to provide the appropriate notice.

The Executive also requested that I again stress that any final submission must include an amendment to our Branch Electorate descriptors for our AA positions. This will need to be updated to 'women members by the whole membership'. We are satisfied this will be resolved at National Executive.

*Recommendation:*

*It was moved that the Branch Executive approve the changes to the Rules of the Union as set out in Attachment #26, tabled, and that the Branch Secretary notify the National Secretary of the resolution and statement below:*

*I Imogen Sturni, of the Victorian Private Sector ('Branch'), confirm that, in accordance with the rules of the Union, the Branch Executive resolved on the 19th of July 2022 to consent to the additions, changes, amendments, variations, repeal and/or deletions to the rules of the Union, inclusive of the rules (if any ,or any consequential, changes) of the Branch set out in Attachment #26.*

If you need anything further please let me know.

Kind regards,



**Imogen Sturni**

**Branch Secretary**

Victorian Private Sector Branch

**Phone:** 03 9342 3300

**Mobile:** 0433 339 656

**Email:** [isturni@asupsvic.org](mailto:isturni@asupsvic.org)

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Carlton South VIC 3053

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*The ASU acknowledges the Traditional Custodians of the land on which we work, the Wurundjeri People of the Kulin Nation. We pay our respects to Elders past, present and emerging. Always was, always will be Aboriginal land.*

25 July 2022

Robert Potter  
National Secretary  
Australian Services Union  
Ground Floor, 116 Queensberry Street  
CARLTON SOUTH VIC 3053

By email: [rpotter@asu.asn.au](mailto:rpotter@asu.asn.au)

Dear Robert

### **ASU ELECTORAL RULES - BRANCH CONSENT**

I refer to your email dated 7 July 2022.

I advise that the Branch Election table 83 of Attachment #26 was amended at page 32 and considered by our Branch Executive on 20 July 2022.

I **enclose** Attachment #26 as amended and provide the following statement as requested by you:

*I Natalie Lang, of the New South Wales and ACT Services Branch ('Branch'), confirm that, in accordance with the rules of the Union, the Branch Executive resolved on 20 July 2022 to consent to the additions, changes, amendments, variations, repeal and/or deletions to the rules of the Union, inclusive of the rules (if any, or any consequential, changes) of the Branch set out in Attachment #26.*

Please contact me if you wish to discuss.

Yours faithfully



**Natalie Lang**  
**Branch Secretary**

2 August 2022

Robert Potter  
National Secretary  
ASU National Office  
Via email: [rpotter@asu.asn.au](mailto:rpotter@asu.asn.au)



By your side

Dear Robert

**Re: Proposed Alterations to the ASU Electoral Rules**

I write to inform you that on 19 July 2022 the Branch Executive of the Victorian and Tasmanian Authorities and Services Branch passed a motion as follows:

*The ASU Vic/Tas Branch Executive consent to the additions, changes, amendments, variations, repeal and/or deletions to the rules of the Union, inclusive of the rules (if any, or any consequential, changes) of the Branch set out in **Attachment #26**.*

Thanks to you and National Office staff for your efforts in this matter.

If you require anything further from the Branch on this, please contact Scott Shepherd - Legal & Governance Manager.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Lisa Darmanin".

Lisa Darmanin  
Branch Secretary



**From:** [Jeff Lapidos](#)  
**To:** [John Nucifora](#)  
**Cc:** [Ancel Greenwood](#); [Amelia Tucker](#); [Dani Brooks](#)  
**Subject:** Approval of new ASU national rules on our election process  
**Date:** Friday, 5 August 2022 9:16:53 AM  
**Attachments:** [image001.jpg](#)

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Good morning, John

The ASU Tax Executive passed the following resolution yesterday.

The Tax Officers' Branch Executive consents to the additions, changes, amendments, variations, repeal and/or deletions to the rules of the Union, inclusive or the rules (if any, or any consequential, changes) of the Branch set out in Attachment #26.

Please let me know if you have any queries about this.

Regards  
Jeff

**Jeff Lapidos**  
Branch Secretary

**Australian Services Union | Taxation Officers' Branch**  
116 Queensberry Street Carlton South VIC 3053  
**M:** 0419 335 675 **E:** [Jeff.Lapidos@asutax.asn.au](mailto:Jeff.Lapidos@asutax.asn.au)  
**W:** [www.asutax.asn.au](http://www.asutax.asn.au)



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**From:** [Abbie Spencer](#)  
**To:** [John Nucifora](#); [Robert Potter](#)  
**Subject:** Branch Exec motion  
**Date:** Tuesday, 9 August 2022 1:55:49 PM

---

*I Abbie Spencer, of the Australian Services Union SA + NT Branch ('**Branch**'), confirm that, in accordance with the rules of the Union, the Branch Executive / Committee of Management resolved on the 8 August 2022 to consent to the additions, changes, amendments, variations, repeal and/or deletions to the rules of the Union, inclusive of the rules (if any ,or any consequential, changes) of the Branch set out in Attachment #26.*

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**By your side**

Friday 26 August 2022

TO: All National Executive members  
By email

Dear National Executive Member

**Re: Result - Email Vote No. 04/2022 - Proposed National Rule Changes to refresh Electoral Procedure Rules**

The result of the email ballot submitted to members of National Executive via email on 18 August 2022, regarding the above is as follows:

A total of 134 affirmative votes were received from:

Robert Potter  
Emeline Gaske  
Alex Scott  
Sharon Abbott  
Dee Spink  
Natalie Lang  
Judith Wright  
Angus McFarland  
Graeme Kelly  
Glen McAtear  
Sharon Sewell  
Neil Henderson  
Jennifer Thomas

Kate Cotter  
Abbie Spencer  
Scott Cowen  
Jeff Lapidos  
Ancel Greenwood  
Lisa Darmanin  
Billy King  
Barry Gough  
Imogen Sturni  
Cassie Farley  
Paul O'Neill  
Wayne Wood

No negative votes were received. I advise that National Executive E-mail Vote No. 04/2022 is carried unanimously.

Yours faithfully

A handwritten signature in black ink, appearing to be "R Potter", written over a white background.

Robert Potter  
NATIONAL SECRETARY



Home

About

Contact

Industries

News

Campaigns

Resources

ASUjoin

Branch Websites

ASUshop

About

About

**Rules**

Coverage

Structure

National Executive

National Conference

Officials

History

ASUjoin

Member benefits

Privacy Policy

Disclaimer

Copyright

Why join the ASU?

Governance & public notices

Website Privacy Policy

Home » About » Rules

SHARE   

## ASU Rules

There are separate rules covering all entities of the "ASU". These rules can be found at the links below "Federally registered union rules" and "State registered union rules".

All employee organisations (unions) registered under the *Fair Work (Registered Organisations) Act 2009* are governed by rules which set out the way they are run and are responsible to their members.

To ensure good governance within unions, we must lodge documents as required by the *Fair Work (Registered Organisations) Act 2009* and the *Fair Work (Registered Organisations) Regulations 2009*. [Those documents can be found here.](#)

If you have any queries about Rules matters, please [email us](#).

### Notice of alteration to ASU rules

On 29 August 2022 the Australian Services Union (ASU) lodged a notice of alteration to the ASU Rules (Notice) with the Fair Work Commission.

You can download a copy of the Notice and attachments [here](#).

### Federally registered rules

- [Australian Municipal, Administrative, Clerical and Services Union \(trading as Australian Services Union\)](#)

### Rule changes

- 28 March 2022  [NSW & ACT \(Services\) Branch Rule Change](#)
- 2 February 2022  [VIC & TAS A&S Branch Rule Change](#)
- 14 October 2021  [NSW US Branch Rule Change](#)
- 16 July 2021  [NSW US Branch Rule Change](#)
- 22 March 2021  [Queensland Together Branch Rule Change](#)
- 1 February 2021  [NSW & ACT \(Services\) Branch Rule Change](#)
- 18 May 2020  [National Rule Change](#)
- 2 March 2020  [NSW US Branch Rule Change](#)
- 23 September 2019  [Taxation Officers' Branch rule change](#)
- 28 May 2019  [WA Branch rule change](#)
- 04 April 2019  [National Rule Change](#)
- 14 December 2018  [QLD \(Services & Northern Administrative\) Branch Rule Change](#)
- 03 October 2018  [NSW US Branch Rule Change](#)