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Tuesday, 9 September 2014

General Manager
Fair Work Commission
GPO Box 1944
MELBOURNE VIC 3001

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

Dear Sir/Madam

Re: Amendment to the rules of the Australian Municipal, Administrative, Clerical and Services Union

**Australian
Services
Union**

**National Office
Melbourne & Sydney**

All correspondence to:

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Carlton South VIC 3053

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National Secretary
David Smith

Assistant National Secretaries
Greg McLean
Linda White

I submit the following rule changes for certification.

Accordingly, I lodge with this letter a Notice Setting out the Particulars of the Australian Municipal, Administrative, Clerical and Services Union. Alterations to the Rules of the ASU, Declarations pursuant to Section 159(1) of the Fair Work (Registered Organisations) Act 2009 and Regulation 126 of the Fair Work (Registered Organisations) Regulations 2009.

The rule alterations concerned are as follows:

1. PART I – CONSTITUTION AND OBJECTS

A. Add to rule 3 - DEFINITIONS sub-rules k., l., m., and n.:

In these rules, unless the context otherwise requires:

- k. "Act" means the *Fair Work (Registered Organisations) Act 2009*.
- l. "Joint member" means a member who is a concurrent member of a State Union and the Union and who pays a single subscription.
- m. "State Union", in relation to an organisation, means:
 - i. an association of employees which is registered under a State Act; or
 - ii. an association of employees in Tasmania which is neither registered under this Act nor part of an organisation registered under this Act,

and for the purposes of this definition "State Act" means:

- iii. the Industrial Relations Act 1996 of New South Wales; or
- iv. the Industrial Relations Act 1999 of Queensland; or
- v. the Industrial Relations Act 1979 of Western Australia; or
- vi. the Industrial and Employee Relations Act 1994 of South Australia; or
- vii. an act of a State that is prescribed for the purposes of Subdivision B of Chapter 5, Part 2, Division 4 of the Act.

n. "Subscription/s" means an amount payable by a member in accordance with rule 18.

B. Delete from rule 4 – OBJECTS sub-rules 4ab. – ak. and insert:

- ab. To protect the interests of the industry;
- ac. To promote industrial peace by all means of conciliation and arbitration;
- ad. To prevent lockouts between employers and members;
- ae. To secure redress for any grievances to which members or any of them may become subject;
- af. To prevent, regulate or restrict the employer's actions or claims to dismiss or refuse to employ or reinstate in employment, in all appropriate cases;
- ag. To make donations to bona fide charitable purposes;
- ah. To create and promote equality of opportunity in employment and promotion within employment;
- ai. To act as agent for and on behalf of members or non members in a manner consistent with these objects and the rules and in the interests of members and to do all things necessary and incidental thereto;
- aj. To promote the participation of women in the Union, and to encourage their representation in its elected offices;
- ak. To enter into agreements with State Unions in respect of Joint Members to improve efficiency of administration and effectiveness of representation;
- al. To undertake and do all such acts matters and things as may be necessary, incidental or conducive to the attainment of the objects a. to ak. or any of them; and
- am. Each of the objects a. – ak. may be applied separately and without limitation.

2. PART II – GOVERNMENT

A. Delete from rule 8 – NATIONAL EXECUTIVE, sub-rule c. and insert:

- ca. The National Executive shall consist of:
- i. the National Secretary;
 - ii. two Assistant National Secretaries, each of whom shall exercise one (1) vote; and
 - iii. two (2) Branch National Executive Representatives from each Branch,

provided that:

at, and from, the election of the National Executive to be held in 2015, if a Branch is entitled to 10 National Conference Delegates or more at an election held under sub-rule 37(a) then, for the term that follows that election, that Branch will have three (3) Branch National Executive Representatives.

- cb. Each Branch National Executive Representative shall exercise equal proportions of the Branch votes in accordance with the number of National Conference Delegates to which that Branch National Executive Representatives' Branch is entitled in accordance with Rule 7.
- cc. The National President and the National Vice-President shall be elected by National Executive from Branch National Executive Representatives in accordance with PART VII.

B. Delete from rule 10 – BRANCHES sub- rules a. and b. and insert:

In addition to the powers functions and duties conferred on Branches elsewhere in these Rules:

- a. i. Members shall be attached to a Branch which would traditionally have represented the employee, or similar employees had there been no amalgamation.
- ii. Despite part i. a Branch may enter into a written agreement with another Branch in regards to the attachment and representation of members.
- iii. An agreement under part ii.:
 - A. must be approved by the Branch Executive of each Branch that is entering into the written agreement;
 - B. must be approved by the National Executive; and
 - C. shall operate from the date determined by the National Executive.
- iv. Members of a State Union, can only be attached to one Branch within the State or Territory concerned and as determined by the National Executive.
- v. Part iv. does not limit Rule 56.
- b. Clerical and Administrative staff of the branches may be attached to the branch within their state or territory which has responsibility for clerical and administrative employees, provided that, unless the National Executive otherwise decides, employees who are eligible for membership of the Union shall be attached to the branch in which they are employed. National Officers can be attached to any Branch by the National Executive. National employees shall be attached to a Branch, in the State or Territory in which the member resides, by the National Executive.

3. PART V – MEMBERSHIP

A. Delete from rule 27 - ADMISSION where it first appears “Rule” and insert in lieu “Rules 51 and”

- a. i. Subject to Rules 51 and 56, an applicant for admission shall:

B. Delete from rule 33 – LIFE MEMBERSHIP sub-rule c. vi. and insert:

- vi. Life Membership – holding of office

Life Members of the Union and Life Members of a Branch shall continue to be recognised and treated as life members in all respects and for all purposes of the Rules provided that they may not nominate for any office nor vote in any election unless at the time of nomination they are regularly working in an occupation or industry that would make them eligible for membership of the Union and attachment to the relevant Branch, as the case may be.

4. PART VII – ELECTION

A. Delete from rule 38 – RETURNING OFFICER sub-rule a. and e. and insert:

- a. National Executive at its meeting immediately following the elections held pursuant to Sub-rule 37 a., shall appoint a National Returning Officer.
- e. National Returning Officers shall be responsible for the conduct of all elections for National Offices set out in Sub-rule 37a.i.; Branch Returning Officers shall be responsible for the conduct of all elections for Branch Offices set out in sub-rule 37 a.ii. and b., except where any election for National or Branch Office or Offices must be conducted by the Australian Electoral Office as prescribed by the Act.

B. Delete from rule 40 - NOMINATION OF CANDIDATES sub-rule g. and insert:

- g. i. In addition to the qualifications for nominators set out in e. hereof, only members of the National Executive may nominate candidates for the offices of:

National President
National Vice President

National Secretary

- ii. In addition to the qualifications for the nominators set out in sub-rule e., only a Branch National Executive Representative may nominate a candidate for the office of Assistant National Secretary.

C. Delete rule 42. – CASUAL VACANCIES and insert:

42 - CASUAL VACANCIES

- a. A casual vacancy shall occur in any office within the Union, where the holder of an office dies, resigns, is removed from office, or ceases to hold office, in accordance with the Rules and such vacancies shall be filled in accordance with this rule.
- b. Where a casual vacancy occurs, and the unexpired portion of the term of office is more than twelve months, or three quarters of the term, whichever is the greater, the vacancy shall be filled by election in accordance with Part VII.
- c. Where a casual vacancy occurs and the unexpired portion of the term of office is less than twelve months or three quarters of the term, whichever is the greater, the vacancy shall be filled as follows, in the case of a casual vacancy in the office of:
 - i. National President, National Vice- President: The National Executive shall appoint by resolution one 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 the office of Branch National Executive Representative and a vacancy has also occurred in that office, an appointment shall not be made until the casual vacancy in the office of Branch National Executive Representative is filled;
 - ii. National Secretary: The National Executive may despite rule 39(a) (ii) appoint by resolution, to the vacant office of National Secretary, an eligible member of the Union for the unexpired portion of the term.
 - iii. Assistant National Secretary: The National Executive may despite rule 39(a)(ii) appoint by resolution, to the vacant office of Assistant National Secretary, an eligible member of the Union 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.
 - iv. Branch Office holders: The Branch Council (or the governing body of the Branch) or the Branch Executive may appoint or elect an eligible member to the Office, in accordance with the Branch Rules, for such unexpired portion of the term.
 - v. Offices within a Sub Branch, Section, District, Zone or other subordinate part within a Branch: The relevant Executive may appoint an eligible member, or the Branch Executive or Branch Council (or the governing body of a Branch) may elect an eligible member, in accordance with the Branch rules, to the office for the unexpired portion of the term.

D. Insert the following new rule 42A – TEMPORARY APPOINTMENT:

42A - 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 an 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 that office until the officer concerned is either present and able to perform the functions of their office or a person is elected to the 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 Deputy 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 they 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.

5. PART VIII – GENERAL

A. In respect of rule 49 – RULE ALTERATIONS:

- (a) Renumber the first paragraph, from commencement until the word “respectively” (where it appears first) as sub-rule a.;
- (b) Renumber the balance of the first paragraph as sub-rule b. and, in that new sub-rule b., following the words “National Secretary”, insert the words “or be proposed by the National Secretary”; and
- (c) Renumber the second paragraph as sub-rule c, so that the rule is as follows:

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.

- c. In addition to any requirements under Rules 7 and 8, a Branch Committee of Management or a member of the National Executive proposing an addition to, change, amendment, variation, repeal, insertion and/or deletion of any Rule in PARTS 1 to VIII of these Rules ("the proposal") shall forward the wording of the proposal to the National Secretary, not less than 21 days prior to the start of the meeting of National Conference or National Executive at which the proposal is to be voted upon. The National Secretary shall forward the proposed wording to the Secretary of each Branch and the members of National Executive not less than 14 days prior to the start of the meeting of National Conference or National Executive at which the proposal is to be voted upon.

B. Delete rule 51 – AGREEMENT WITH STATE UNIONS and insert:

51 – AGREEMENT WITH STATE UNIONS

- a. The National Executive may, without limitation to Sub-rule b., enter into agreements with State Unions in accordance with Chapter 5, Part 2 of the Act.
- b. The National Executive may, without limitation to Sub-rule a., enter into agreements with State Unions in relation to:
- A. the payment of a joint members' subscription;
 - B. the representation of members;
 - C. the provision of services;
 - D. the provision of administration;
 - E. the provision of facilities;
 - F. recruitment;
 - G. joint applications for membership;
 - H. acting as agents; and
 - I. other matters as the National Executive may determine.
- c. Notwithstanding any other provision of these Rules a member of the Union shall not be required to pay a subscription which might otherwise be payable pursuant to these Rules and shall be deemed for all purposes of these Rules to be a financial member of the Union, despite Rules 18 and 23, for the whole of any period during which:
- i. the member is in accordance with the registered rules of a State Union paying a subscription to, and a financial member of, that State Union; and
 - ii. there is an agreement in respect of Sub-rule b., between the Union and the State Union of which the member is a member.

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

Yours faithfully



David Smith
National Secretary

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

encl

Fair Work (Registered Organisations) Act 2009

NOTICE SETTING OUT THE PARTICULARS OF THE ALTERATIONS TO THE RULES OF THE
AUSTRALIAN MUNICIPAL, ADMINISTRATIVE, CLERICAL AND SERVICES UNION
REGULATION 126

DECLARATION REGULATION 126 (2)

I, DAVID SMITH, of Ground Floor, 116-124 Queensberry Street, Carlton South, State of Victoria:

1. I am National Secretary of the Australian Municipal, Administrative, Clerical and Services Union ("ASU"), an organisation of employees registered under the Fair Work (Registered Organisations) Act 2009 ("the Act") and I am authorised to make this statement for and on behalf of the ASU and to sign the "Notice Setting out the Particulars of the Alterations to the Rules of the Union".
2. The particulars set out in this "Notice Setting out the Particulars of the Alterations to the Rules of the Australian Municipal, Administrative, Clerical and Services Union" dated **9th September 2014**, lodged herein are correct.
3. The alterations were made in accordance with the Rules of the ASU.
4. The manner in which compliance with the Rules of the ASU was obtained is as follows:
 - a) Richard Duffy the Branch representative for the Victorian and Tasmanian Authorities and Services Branch advised the National Secretary in a letter dated **21st August 2014** attached hereto marked "1", requesting the proposed changes to the rules be submitted to a vote of National Executive as soon as possible.
 - b) I confirm that on **25th August 2014**, a Postal/Fax/E-mail Ballot was submitted to all National Executive members via e-mail and members were provided with a copy of the letter from the Victorian and Tasmanian Authorities and Services Branch, Branch Secretary together with the proposed amendments to the rules.
 - c) On the **28th August 2014**, a total of 129 affirmative votes were received. Of the total of 129 votes allocated to members of the National Executive in accordance with sub-rule 8c, I declared the vote carried pursuant to sub-rule 8j of the rules of the ASU. Attached hereto and marked "2" is a copy of my correspondence to National Executive members of the **28th August 2014** declaring the result of the ballot.
5. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

DATED: Tuesday 9th September, 2014



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

In reply quote ref: RD/cc 16.1

21st August 2014



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

Dear David

**RE: AMENDMENTS TO AUSTRALIAN MUNICIPAL,
ADMINISTRATIVE, CLERICAL AND SERVICES UNION RULES**

At the National Executive meeting on the 16th July 2014 various rule changes were presented and reviewed by the National Executive Rule Sub Committee.

The attached table in Schedule A sets out the current rule, resolution and new rule as it would appear after the amendments to the same rules.

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

Yours sincerely

Richard Duffy
BRANCH SECRETARY

Enc.

Authorised by ASU Branch Secretary, R Duffy

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

Branch Secretary

Richard Duffy

Branch Executive President

Lisa Darmanin

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Current rule	Resolution	New rule
<p>3 - DEFINITIONS</p> <p>In these rules, unless the context otherwise requires:</p> <p>a. Words importing the male gender shall include the female gender and vice versa.</p> <p>b. The singular number shall also include the plural number, and the plural number the singular number.</p> <p>c. "The Union" shall mean the Australian Municipal, Administrative, Clerical and Services Union.</p> <p>d. The Australian Services Union, or the acronym ASU shall mean the trading name and abbreviation respectively of the Australian, Municipal, Administrative, Clerical and Services Union.</p> <p>e. "Branch" shall mean a branch of the Australian Municipal, Administrative, Clerical and Services Union.</p> <p>f. "National Officers" shall mean the National President, National Vice-President, the National Secretary, and the Assistant National Secretaries.</p> <p>g. "Branch Officers" shall mean the President, Deputy President, Vice- President, Executive President, Secretary, Assistant Secretary, Treasurer, Trustees, National Executive</p>	<p>Add to rule 3. sub-rules k., l., m., and n.:</p> <p>3 - DEFINITIONS</p> <p>In these rules, unless the context otherwise requires:</p> <p>k. "Act" means the <i>Fair Work (Registered Organisations) Act 2009</i>.</p> <p>l. "Joint member" means a member who is a concurrent member of a State Union and the Union and who pays a single subscription.</p> <p>m. "State Union", in relation to an organisation, means:</p> <p>i. an association of employees which is registered under a State Act; or</p> <p>ii. an association of employees in Tasmania which is neither registered under this Act nor part of an organisation registered under this Act,</p> <p>and for the purposes of this definition "State Act" means:</p> <p>iii. the Industrial Relations Act 1996 of New South Wales; or</p> <p>iv. the Industrial Relations Act 1999 of Queensland; or</p> <p>v. the Industrial Relations Act 1979 of</p>	<p>3 - DEFINITIONS</p> <p>In these rules, unless the context otherwise requires:</p> <p>a. Words importing the male gender shall include the female gender and vice versa.</p> <p>b. The singular number shall also include the plural number, and the plural number the singular number.</p> <p>c. "The Union" shall mean the Australian Municipal, Administrative, Clerical and Services Union.</p> <p>d. The Australian Services Union, or the acronym ASU shall mean the trading name and abbreviation respectively of the Australian, Municipal, Administrative, Clerical and Services Union.</p> <p>e. "Branch" shall mean a branch of the Australian Municipal, Administrative, Clerical and Services Union.</p> <p>f. "National Officers" shall mean the National President, National Vice-President, the National Secretary, and the Assistant National Secretaries.</p> <p>g. "Branch Officers" shall mean the President, Deputy President, Vice- President, Executive President, Secretary, Assistant Secretary, Treasurer, Trustees, National Executive</p>

Current rule	Resolution	New rule
<p>Representative, Alternate National Executive Representative, National Conference Delegate or Alternate National Conference Delegate of any Branch of the Union.</p> <p>h. "Amalgamation Day" shall mean the date fixed by the Australian Industrial Relations Commission for the amalgamation between the Federated Clerks Union of Australia, the Australian Municipal, Transport, Energy, Water, Ports, Community and Information Services Union, and the Federated Municipal and Shire Council Employees' Union, to take effect.</p> <p>i. "The transition period" shall mean the period between amalgamation day and the date of the declaration of the first elections in 1995 held in accordance with Part VII - Elections.</p> <p>j. "Airlines Industry" shall mean employers operating as:</p> <p>Domestic or International Carriers; Airfreight Operators; Airport Ground Handling Companies; Privatised Airport Operators; Flight Training; and Any company, corporation, firm or person engaged in or in connection with the transport or carriage by air of passengers and/or goods</p> <p>including subsidiaries of or related companies to employers operating in the industry.</p>	<p>Western Australia; or</p> <p>vi. the Industrial and Employee Relations Act 1994 of South Australia; or</p> <p>vii. an act of a State that is prescribed for the purposes of Subdivision B of Chapter 5, Part 2, Division 4 of the Act.</p> <p>n. "Subscription/s" means an amount payable by a member in accordance with rule 18.</p>	<p>Representative, Alternate National Executive Representative, National Conference Delegate or Alternate National Conference Delegate of any Branch of the Union.</p> <p>h. "Amalgamation Day" shall mean the date fixed by the Australian Industrial Relations Commission for the amalgamation between the Federated Clerks Union of Australia, the Australian Municipal, Transport, Energy, Water, Ports, Community and Information Services Union, and the Federated Municipal and Shire Council Employees' Union, to take effect.</p> <p>i. "The transition period" shall mean the period between amalgamation day and the date of the declaration of the first elections in 1995 held in accordance with Part VII - Elections.</p> <p>j. "Airlines Industry" shall mean employers operating as:</p> <p>Domestic or International Carriers; Airfreight Operators; Airport Ground Handling Companies; Privatised Airport Operators; Flight Training; and Any company, corporation, firm or person engaged in or in connection with the transport or carriage by air of passengers and/or goods</p> <p>including subsidiaries of or related companies to employers operating in the industry.</p>

Current rule	Resolution	New rule
		<p>k. “Act” means the <i>Fair Work (Registered Organisations) Act 2009</i>.</p> <p>l. “Joint member” means a member who is a concurrent member of a State Union and the Union and who pays a single subscription.</p> <p>m. “State Union”, in relation to an organisation, means:</p> <ul style="list-style-type: none"> i. an association of employees which is registered under a State Act; or ii. an association of employees in Tasmania which is neither registered under this Act nor part of an organisation registered under this Act, <p>and for the purposes of this definition “State Act” means:</p> <ul style="list-style-type: none"> iii. the Industrial Relations Act 1996 of New South Wales; or iv. the Industrial Relations Act 1999 of Queensland; or v. the Industrial Relations Act 1979 of Western Australia; or vi. the Industrial and Employee Relations Act 1994 of South Australia; or

Current rule	Resolution	New rule
		<p>vii. an act of a State that is prescribed for the purposes of Subdivision B of Chapter 5, Part 2, Division 4 of the Act.</p> <p>n. "Subscription/s" means an amount payable by a member in accordance with rule 18.</p>
<p>4 - OBJECTS</p> <p>ab. To undertake and do all such acts matters and things as may be necessary, incidental or conducive to the attainment of the above objects or any of them.</p> <p>ac. To protect the interests of the industry;</p> <p>ad. To promote industrial peace by all means of conciliation and arbitration;</p> <p>ae. To prevent lockouts between employers and members;</p> <p>af. To secure redress for any grievances to which members or any of them may become subject;</p> <p>ag. To prevent, regulate or restrict the employer's actions or claims to dismiss or refuse to employ or reinstate in employment, in all appropriate cases.</p> <p>ah. To make donations to bona fide charitable purposes;</p>	<p>Delete sub-rules 4ab. – ak. and insert:</p> <p>4 - OBJECTS</p> <p>ab. To protect the interests of the industry;</p> <p>ac. To promote industrial peace by all means of conciliation and arbitration;</p> <p>ad. To prevent lockouts between employers and members;</p> <p>ae. To secure redress for any grievances to which members or any of them may become subject;</p> <p>af. To prevent, regulate or restrict the employer's actions or claims to dismiss or refuse to employ or reinstate in employment, in all appropriate cases;</p> <p>ag. To make donations to bona fide charitable purposes;</p> <p>ah. To create and promote equality of opportunity in employment and promotion within employment;</p> <p>ai. To act as agent for and on behalf of members or</p>	<p>4 - OBJECTS</p> <p>ab. To protect the interests of the industry;</p> <p>ac. To promote industrial peace by all means of conciliation and arbitration;</p> <p>ad. To prevent lockouts between employers and members;</p> <p>ae. To secure redress for any grievances to which members or any of them may become subject;</p> <p>af. To prevent, regulate or restrict the employer's actions or claims to dismiss or refuse to employ or reinstate in employment, in all appropriate cases;</p> <p>ag. To make donations to bona fide charitable purposes;</p> <p>ah. To create and promote equality of opportunity in employment and promotion within employment;</p> <p>ai. To act as agent for and on behalf of members or non members in a manner consistent with these objects and the rules and in the interests of</p>

Current rule	Resolution	New rule
<p>ai. To create and promote equality of opportunity in employment and promotion within employment.</p> <p>aj. To act as agent for and on behalf of members or non members in a manner consistent with these objects and the rules and in the interests of members and to do all things necessary and incidental thereto.</p> <p>ak. To promote the participation of women in the Union, and to encourage their representation in its elected offices.</p>	<p>non members in a manner consistent with these objects and the rules and in the interests of members and to do all things necessary and incidental thereto;</p> <p>aj. To promote the participation of women in the Union, and to encourage their representation in its elected offices;</p> <p>ak. To enter into agreements with State Unions in respect of Joint Members to improve efficiency of administration and effectiveness of representation;</p> <p>al. To undertake and do all such acts matters and things as may be necessary, incidental or conducive to the attainment of the objects a. to ak. or any of them; and</p> <p>am. Each of the objects a. – ak. may be applied separately and without limitation.</p>	<p>members and to do all things necessary and incidental thereto;</p> <p>aj. To promote the participation of women in the Union, and to encourage their representation in its elected offices;</p> <p>ak. To enter into agreements with State Unions in respect of Joint Members to improve efficiency of administration and effectiveness of representation;</p> <p>al. To undertake and do all such acts matters and things as may be necessary, incidental or conducive to the attainment of the objects a. to ak. or any of them; and</p> <p>am. Each of the objects a. – ak. may be applied separately and without limitation.</p>
<p>8- NATIONAL EXECUTIVE</p> <p>c. National Executive shall consist of the National Secretary and two Assistant National Secretaries, each of whom shall exercise one vote, and two representatives from each Branch, each of whom shall exercise half of the branch votes in accordance with the number of National Conference Delegates to which each branch is entitled pursuant to Rule 7. The National President and the National Vice-</p>	<p>Delete from rule 8., sub-rule c. and insert:</p> <p>8 - NATIONAL EXECUTIVE</p> <p>ca. The National Executive shall consist of:</p> <p>i. the National Secretary;</p> <p>ii. two Assistant National Secretaries, each of whom shall exercise one (1) vote; and</p> <p>iii. two (2) Branch National Executive Representatives from each Branch, provided that:</p>	<p>8 - NATIONAL EXECUTIVE</p> <p>c. Deleted.</p> <p>ca. The National Executive shall consist of:</p> <p>i. the National Secretary;</p> <p>ii. two Assistant National Secretaries, each of whom shall exercise one (1) vote; and</p> <p>iii. two (2) Branch National Executive Representatives from each Branch, provided that:</p>

Current rule	Resolution	New rule
<p>President shall be elected by National Executive from Branch Representatives in accordance with PART VII.</p>	<p>at, and from, the election of the National Executive to be held in 2015, if a Branch is entitled to 10 National Conference Delegates or more at an election held under sub-rule 37(a) then, for the term that follows that election, that Branch will have three (3) Branch National Executive Representatives.</p> <p>cb. Each Branch National Executive Representative shall exercise equal proportions of the Branch votes in accordance with the number of National Conference Delegates to which that Branch National Executive Representatives' Branch is entitled in accordance with Rule 7.</p> <p>cc. The National President and the National Vice-President shall be elected by National Executive from Branch National Executive Representatives in accordance with PART VII.</p>	<p>at, and from, the election of the National Executive to be held in 2015, if a Branch is entitled to 10 National Conference Delegates or more at an election held under sub-rule 37(a) then, for the term that follows that election, that Branch will have three (3) Branch National Executive Representatives.</p> <p>cb. Each Branch National Executive Representative shall exercise equal proportions of the Branch votes in accordance with the number of National Conference Delegates to which that Branch National Executive Representatives' Branch is entitled in accordance with Rule 7.</p> <p>cc. The National President and the National Vice-President shall be elected by National Executive from Branch National Executive Representatives in accordance with PART VII.</p>
<p>10 - BRANCHES</p> <p>In addition to the powers functions and duties conferred on Branches elsewhere in these Rules:</p> <p>a. Members shall be attached to a branch of the Union which would traditionally have represented the employee, or similar employees had there been no amalgamation.</p> <p>b. Clerical and Administrative staff of the branches may be attached to the branch within their state or territory which has responsibility for</p>	<p>Delete from rule 10. sub- rules a. and b. and insert:</p> <p>10 - BRANCHES</p> <p>In addition to the powers functions and duties conferred on Branches elsewhere in these Rules:</p> <p>a.</p> <p>i. Members shall be attached to a Branch which would traditionally have represented the employee, or similar employees had there been no amalgamation.</p>	<p>10 - BRANCHES</p> <p>In addition to the powers functions and duties conferred on Branches elsewhere in these Rules:</p> <p>a.</p> <p>i. Members shall be attached to a Branch which would traditionally have represented the employee, or similar employees had there been no amalgamation.</p> <p>ii. Despite part i. a Branch may enter into a written agreement with another Branch in regards to the attachment and</p>

Current rule	Resolution	New rule
<p>clerical and administrative employees. Provided that, unless the National Executive otherwise decides, employees who are eligible for membership of the Union shall be attached to the branch in which they are employed. National Officers and National employees shall be attached to a Branch in the state or territory in which such member resides, by the National Executive.</p> <p>c. The Branch Executive shall have the power to delegate to an Executive sub-committee such of its powers as it thinks fit other than the power to delegate. The Executive sub-committee is responsible to and under the control of the Branch Executive.</p>	<p>ii. Despite part i. a Branch may enter into a written agreement with another Branch in regards to the attachment and representation of members.</p> <p>iii. An agreement under part ii.:</p> <p>A. must be approved by the Branch Executive of each Branch that is entering into the written agreement;</p> <p>B. must be approved by the National Executive; and</p> <p>C. shall operate from the date determined by the National Executive.</p> <p>iv. Members of a State Union, can only be attached to one Branch within the State or Territory concerned and as determined by the National Executive.</p> <p>v. Part iv. does not limit Rule 56.</p> <p>b.</p> <p>Clerical and Administrative staff of the branches may be attached to the branch within their state or territory which has responsibility for clerical and administrative employees, provided that, unless the National Executive otherwise decides, employees who are eligible for membership of the Union shall be attached to the branch in which they are employed. National Officers can be attached to any Branch by the National Executive. National employees shall be attached to a Branch, in the State or Territory in which the member resides, by the National Executive.</p>	<p>representation of members.</p> <p>iii. An agreement under part ii.:</p> <p>A. must be approved by the Branch Executive of each Branch that is entering into the written agreement;</p> <p>B. must be approved by the National Executive; and</p> <p>C. shall operate from the date determined by the National Executive.</p> <p>iv. Members of a State Union, can only be attached to one Branch within the State or Territory concerned and as determined by the National Executive.</p> <p>v. Part iv. does not limit Rule 56.</p> <p>b.</p> <p>Clerical and Administrative staff of the branches may be attached to the branch within their state or territory which has responsibility for clerical and administrative employees, provided that, unless the National Executive otherwise decides, employees who are eligible for membership of the Union shall be attached to the branch in which they are employed. National Officers can be attached to any Branch by the National Executive. National employees shall be attached to a Branch, in the State or Territory in which the member resides, by the National Executive.</p> <p>c.</p> <p>The Branch Executive shall have the power to delegate to an Executive sub-committee such of its powers as it thinks fit other than the power to delegate. The Executive sub-</p>

Current rule	Resolution	New rule
		committee is responsible to and under the control of the Branch Executive.
<p>27 - ADMISSION</p> <p>a. (i) Subject to Rule 56, an applicant for admission shall:</p> <ul style="list-style-type: none"> • make an application in writing to the Branch Secretary that includes the applicant’s residential address and the name of their employer; or • make an application by telephone that includes advice to the Branch of the applicant’s residential address and the name of their employer; or • make an application by electronic means that includes advice to the Branch of the applicant’s residential address and the name of their employer. 	<p>Delete from rule 27. where it first appears “Rule” and insert in lieu “Rules 51 and”</p> <p>27 - ADMISSION</p> <p>a. i. Subject to Rules 51 and 56, an applicant for admission shall:</p>	<p>27 - ADMISSION</p> <p>a. i. Subject to Rules 51 and 56, an applicant for admission shall:</p> <ul style="list-style-type: none"> • make an application in writing to the Branch Secretary that includes the applicant’s residential address and the name of their employer; or • make an application by telephone that includes advice to the Branch of the applicant’s residential address and the name of their employer; or • make an application by electronic means that includes advice to the Branch of the applicant’s residential address and the name of their employer.
<p>33 - LIFE MEMBERSHIP</p> <p>vi. Life Membership - Retirement Age</p> <p>Life Members of the Union and life members of the Branch who attain the age of 65 years shall continue to be recognised and treated as life members in all respects and for all purposes of the Rules except that, by reason of their life</p>	<p>Delete from rule 33. sub-rule c. vi. and insert:</p> <p>33 - LIFE MEMBERSHIP</p> <p>vi. Life Membership – holding of office</p> <p>Life Members of the Union and Life Members of a Branch shall continue to be recognised and treated as life members in all respects and for all purposes of the Rules provided that they may not</p>	<p>33 - LIFE MEMBERSHIP</p> <p>vi. Life Membership – holding of office</p> <p>Life Members of the Union and Life Members of a Branch shall continue to be recognised and treated as life members in all respects and for all purposes of the Rules provided that they may not nominate for any office nor vote in any</p>

Current rule	Resolution	New rule
<p>membership alone, they may not be nominated for any office nor vote in any election unless they are holders of an office, the term of which commenced before they attained the age of 65 in which case they shall continue to receive a vote in any election in which they would otherwise be eligible to vote, until the expiration of their term.</p>	<p>nominate for any office nor vote in any election unless at the time of nomination they are regularly working in an occupation or industry that would make them eligible for membership of the Union and attachment to the relevant Branch, as the case may be.</p>	<p>election unless at the time of nomination they are regularly working in an occupation or industry that would make them eligible for membership of the Union and attachment to the relevant Branch, as the case may be.</p>
<p>38 - RETURNING OFFICER</p> <p>a. National Conference, at its meeting held immediately following amalgamation day, and thereafter at its meeting immediately following the elections held pursuant to Sub-rule 37 a., shall appoint a National Returning Officer.</p>	<p>Delete from rule 38. sub-rule a. and insert:</p> <p>38 - RETURNING OFFICER</p> <p>a. National Executive at its meeting immediately following the elections held pursuant to Sub-rule 37 a., shall appoint a National Returning Officer.</p>	<p>38 - RETURNING OFFICER</p> <p>a. National Executive at its meeting immediately following the elections held pursuant to Sub-rule 37 a., shall appoint a National Returning Officer.</p>

Current rule	Resolution	New rule
<p>38 - RETURNING OFFICER</p> <p>e. National Returning Officers shall be responsible for the conduct of all elections for National Offices set out in Sub-rule 37a.i.; Branch Returning Officers shall be responsible for the conduct of all elections for Branch Offices set out in Sub-rule 37 a.ii. and b., except where any election for National or Branch Office or Offices must be conducted by the Australian Electoral Office as prescribed by the Industrial Relations Act 1988.</p>	<p>Delete from rule 38. sub-rule e. and insert:</p> <p>38 - RETURNING OFFICER</p> <p>e. National Returning Officers shall be responsible for the conduct of all elections for National Offices set out in Sub-rule 37a.i.; Branch Returning Officers shall be responsible for the conduct of all elections for Branch Offices set out in sub-rule 37 a.ii. and b., except where any election for National or Branch Office or Offices must be conducted by the Australian Electoral Office as prescribed by the Act.</p>	<p>38 - RETURNING OFFICER</p> <p>e. National Returning Officers shall be responsible for the conduct of all elections for National Offices set out in Sub-rule 37a.i.; Branch Returning Officers shall be responsible for the conduct of all elections for Branch Offices set out in sub-rule 37 a.ii. and b., except where any election for National or Branch Office or Offices must be conducted by the Australian Electoral Office as prescribed by the Act.</p>
<p>40 - NOMINATION OF CANDIDATES</p> <p>g. In addition to the qualifications for nominators set out in e. hereof, only members of the National Executive may nominate candidates for the Offices of:</p> <p>National President National Vice President National Secretary Two Assistant National Secretaries</p>	<p>Delete from rule 40. sub-rule g. and insert:</p> <p>40 - NOMINATION OF CANDIDATES</p> <p>g. i. In addition to the qualifications for nominators set out in e. hereof, only members of the National Executive may nominate candidates for the offices of:</p> <p>National President National Vice President National Secretary</p> <p>ii. In addition to the qualifications for the nominators set out in sub-rule e., only a Branch National Executive Representative may nominate a candidate for the office of Assistant</p>	<p>40 - NOMINATION OF CANDIDATES</p> <p>g. i. In addition to the qualifications for nominators set out in e. hereof, only members of the National Executive may nominate candidates for the offices of:</p> <p>National President National Vice President National Secretary</p> <p>ii. In addition to the qualifications for the nominators set out in sub-rule e., only a Branch National Executive Representative may nominate a candidate for the office of Assistant National Secretary.</p>

Current rule	Resolution	New rule
	National Secretary.	
<p>42 - CASUAL VACANCIES</p> <p>a. A casual vacancy shall occur in any office within the Union, where the holder of an office dies, resigns, is removed from office, or ceases to hold office, in accordance with the Rules.</p> <p>b. Where a casual vacancy occurs, and the unexpired portion of the term of office is more than twelve months, or three quarters of the term, which ever is the greater, the vacancy shall be filled by election in accordance with Part VII.</p> <p>c. Where a casual vacancy occurs and the unexpired portion of the term of office is less than twelve months or three quarters of the term, whichever is the greater, the vacancy shall be filled as hereinafter provided.</p> <p>In the case of a casual vacancy in the office of:</p> <p>i. National President, National Vice-President, National Secretary, Assistant National Secretaries: The National Executive may appoint by resolution an eligible member to the Office for such unexpired portion of the term;</p> <p>ii. Branch Office holders, the Branch</p>	<p>Delete rule 42. and insert:</p> <p>42 - CASUAL VACANCIES</p> <p>a. A casual vacancy shall occur in any office within the Union, where the holder of an office dies, resigns, is removed from office, or ceases to hold office, in accordance with the Rules and such vacancies shall be filled in accordance with this rule.</p> <p>b. Where a casual vacancy occurs, and the unexpired portion of the term of office is more than twelve months, or three quarters of the term, whichever is the greater, the vacancy shall be filled by election in accordance with Part VII.</p> <p>c. Where a casual vacancy occurs and the unexpired portion of the term of office is less than twelve months or three quarters of the term, whichever is the greater, the vacancy shall be filled as follows, in the case of a casual vacancy in the office of:</p> <p>i. <u>National President, National Vice- President:</u> The National Executive shall appoint by resolution one 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 the office of Branch National Executive Representative and a vacancy has also occurred in that office, an appointment shall not be made until the casual vacancy in the office of Branch National Executive</p>	<p>42 - CASUAL VACANCIES</p> <p>a. A casual vacancy shall occur in any office within the Union, where the holder of an office dies, resigns, is removed from office, or ceases to hold office, in accordance with the Rules and such vacancies shall be filled in accordance with this rule.</p> <p>b. Where a casual vacancy occurs, and the unexpired portion of the term of office is more than twelve months, or three quarters of the term, whichever is the greater, the vacancy shall be filled by election in accordance with Part VII.</p> <p>c. Where a casual vacancy occurs and the unexpired portion of the term of office is less than twelve months or three quarters of the term, whichever is the greater, the vacancy shall be filled as follows, in the case of a casual vacancy in the office of:</p> <p>i. <u>National President, National Vice- President:</u> The National Executive shall appoint by resolution one 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 the office of Branch National Executive Representative and a vacancy has also occurred in that office, an appointment shall not be made until the casual vacancy in the office of Branch National Executive Representative is filled;</p>

Current rule	Resolution	New rule
<p>Council (or the governing body of the Branch) or the Branch Executive may appoint or elect an eligible member to the Office, in accordance with the Branch Rules, for such unexpired portion of the term;</p> <p>iii. Offices within a Sub Branch, Section, District, Zone or other subordinate part within a Branch, the relevant Executive may appoint an eligible member, or the Branch Executive or Branch Council may elect an eligible member, in accordance with the Branch rules, to the Office for such unexpired portion of the term.</p>	<p>Representative is filled;</p> <p>ii. <u>National Secretary</u>: The National Executive may despite rule 39(a) (ii) appoint by resolution, to the vacant office of National Secretary, an eligible member of the Union for the unexpired portion of the term.</p> <p>iii. <u>Assistant National Secretary</u>: The National Executive may despite rule 39(a)(ii) appoint by resolution, to the vacant office of Assistant National Secretary, an eligible member of the Union 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.</p> <p>iv. <u>Branch Office holders</u>: The Branch Council (or the governing body of the Branch) or the Branch Executive may appoint or elect an eligible member to the Office, in accordance with the Branch Rules, for such unexpired portion of the term.</p> <p>v. <u>Offices within a Sub Branch, Section, District, Zone or other subordinate part within a Branch</u>: The relevant Executive may appoint an eligible member, or the Branch Executive or Branch Council (or the governing body of a Branch) may elect an eligible member, in accordance with the Branch rules, to the</p>	<p>ii. <u>National Secretary</u>: The National Executive may despite rule 39(a) (ii) appoint by resolution, to the vacant office of National Secretary, an eligible member of the Union for the unexpired portion of the term.</p> <p>iii. <u>Assistant National Secretary</u>: The National Executive may despite rule 39(a)(ii) appoint by resolution, to the vacant office of Assistant National Secretary, an eligible member of the Union 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.</p> <p>iv. <u>Branch Office holders</u>: The Branch Council (or the governing body of the Branch) or the Branch Executive may appoint or elect an eligible member to the Office, in accordance with the Branch Rules, for such unexpired portion of the term.</p> <p>v. <u>Offices within a Sub Branch, Section, District, Zone or other subordinate part within a Branch</u>: The relevant Executive may appoint an eligible member, or the Branch Executive or Branch Council (or the governing body of a Branch) may elect an eligible member, in accordance with the Branch rules, to the office for the unexpired portion of the term.</p>

Current rule	Resolution	New rule
	office for the unexpired portion of the term.	
	<p>Insert following rule 42:</p> <p>42 A - TEMPORARY APPOINTMENT</p> <p>a. When the office of National Secretary, Assistant National Secretary, Branch Executive President, Branch Secretary, Assistant Branch Secretary or Deputy Branch Secretary is:</p> <p style="margin-left: 40px;">i. temporarily vacant as the respective officer is absent or unable to perform the functions of their office; or</p> <p style="margin-left: 40px;">ii. casually vacant in accordance with these rules and the process of filling that vacancy has commenced,</p> <p style="margin-left: 40px;">then the National Executive in respect of the National Secretary and an 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 that office until the officer concerned is either present and able to perform the functions of their office or a person is elected to the casual vacancy, as the case may be.</p> <p>b. A person temporarily appointed in accordance with sub-rule a. shall:</p> <p style="margin-left: 40px;">i. if temporarily performing the functions of the National Secretary have all the powers and duties of the National Secretary;</p>	<p>42 A - TEMPORARY APPOINTMENT</p> <p>a. When the office of National Secretary, Assistant National Secretary, Branch Executive President, Branch Secretary, Assistant Branch Secretary or Deputy Branch Secretary is:</p> <p style="margin-left: 40px;">i. temporarily vacant as the respective officer is absent or unable to perform the functions of their office; or</p> <p style="margin-left: 40px;">ii. casually vacant in accordance with these rules and the process of filling that vacancy has commenced,</p> <p style="margin-left: 40px;">then the National Executive in respect of the National Secretary and an 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 that office until the officer concerned is either present and able to perform the functions of their office or a person is elected to the casual vacancy, as the case may be.</p> <p>b. A person temporarily appointed in accordance with sub-rule a. shall:</p> <p style="margin-left: 40px;">i. if temporarily performing the functions of the National Secretary have all the powers and duties of the National Secretary;</p>

Current rule	Resolution	New rule
	<ul style="list-style-type: none"> 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 Deputy 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 they 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 	<ul style="list-style-type: none"> 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 Deputy 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 they 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

Current rule	Resolution	New rule
	<p>National Executive making a determination in accordance with sub-rule a.</p> <p>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.</p>	<p>accordance with sub-rule a.</p> <p>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.</p>
<p>49 - RULE ALTERATIONS</p> <p>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. 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 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</p>	<p>In respect of rule 49.:</p> <p>(a) renumber the first paragraph, from commencement until the word “respectively” (where it appears first) as sub-rule a.;</p> <p>(b) renumber the balance of the first paragraph as sub-rule b. and, in that new sub-rule b., following the words “National Secretary”, insert the words “or be proposed by the National Secretary”; and</p> <p>(c) renumber the second paragraph as sub-rule c, so that the rule is as follows:</p> <p>49 - RULE ALTERATIONS</p> <p>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.</p> <p>b. Any proposed addition to, change,</p>	<p>49 - RULE ALTERATIONS</p> <p>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.</p> <p>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</p>

Current rule	Resolution	New rule
<p>the Branch where the Branch Rules so provide.</p> <p>In addition to any requirements under Rules 7 and 8, a Branch Committee of Management or a member of the National Executive proposing an addition to, change, amendment, variation, repeal, insertion and/or deletion of any Rule in PARTS 1 to VIII of these Rules ("the proposal") shall forward the wording of the proposal to the National Secretary, not less than 21 days prior to the start of the meeting of National Conference or National Executive at which the proposal is to be voted upon. The National Secretary shall forward the proposed wording to the Secretary of each Branch and the members of National Executive not less than 14 days prior to the start of the meeting of National Conference or National Executive at which the proposal is to be voted upon.</p>	<p>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.</p> <p>c. In addition to any requirements under Rules 7 and 8, a Branch Committee of Management or a member of the National Executive proposing an addition to, change, amendment, variation, repeal, insertion and/or deletion of any Rule in PARTS 1 to VIII of these Rules ("the proposal") shall forward the wording of the proposal to the National Secretary, not less than 21 days prior to the start of the meeting of National Conference or National Executive at which the proposal is to be</p>	<p>Management of the Branch or the Branch Council of the Branch where the Branch Rules so provide.</p> <p>c. In addition to any requirements under Rules 7 and 8, a Branch Committee of Management or a member of the National Executive proposing an addition to, change, amendment, variation, repeal, insertion and/or deletion of any Rule in PARTS 1 to VIII of these Rules ("the proposal") shall forward the wording of the proposal to the National Secretary, not less than 21 days prior to the start of the meeting of National Conference or National Executive at which the proposal is to be voted upon. The National Secretary shall forward the proposed wording to the Secretary of each Branch and the members of National Executive not less than 14 days prior to the start of the meeting of National Conference or National Executive at which the proposal is to be voted upon.</p>

Current rule	Resolution	New rule
	<p>voted upon. The National Secretary shall forward the proposed wording to the Secretary of each Branch and the members of National Executive not less than 14 days prior to the start of the meeting of National Conference or National Executive at which the proposal is to be voted upon.</p>	
<p>51 – AGREEMENT WITH STATE REGISTERED UNIONS</p> <p>The National Executive may subject to the Australian Industrial Relations Act 1988 enter into agreements with State Registered Unions to the effect that members of the State Registered Union concerned who are ineligible State members (i.e.. members of the State Registered Union who are ineligible to be members of the Union) are eligible to become members of the Union under the agreement.</p>	<p>Delete rule 51. and insert:</p> <p>51 – AGREEMENT WITH STATE UNIONS</p> <p>a. The National Executive may, without limitation to Sub-rule b., enter into agreements with State Unions in accordance with Chapter 5, Part 2 of the Act.</p> <p>b. The National Executive may, without limitation to Sub-rule a., enter into agreements with State Unions in relation to:</p> <ul style="list-style-type: none"> A. the payment of a joint members’ subscription; B. the representation of members; C. the provision of services; D. the provision of administration; E. the provision of facilities; F. recruitment; 	<p>51 – AGREEMENT WITH STATE UNIONS</p> <p>a. The National Executive may, without limitation to Sub-rule b., enter into agreements with State Unions in accordance with Chapter 5, Part 2 of the Act.</p> <p>b. The National Executive may, without limitation to Sub-rule a., enter into agreements with State Unions in relation to:</p> <ul style="list-style-type: none"> A. the payment of a joint members’ subscription; B. the representation of members; C. the provision of services; D. the provision of administration; E. the provision of facilities; F. recruitment; G. joint applications for membership;

Current rule	Resolution	New rule
	<ul style="list-style-type: none"> G. joint applications for membership; H. acting as agents; and I. other matters as the National Executive may determine. <p>c. Notwithstanding any other provision of these Rules a member of the Union shall not be required to pay a subscription which might otherwise be payable pursuant to these Rules and shall be deemed for all purposes of these Rules to be a financial member of the Union, despite Rules 18 and 23, for the whole of any period during which:</p> <ul style="list-style-type: none"> i. the member is in accordance with the registered rules of a State Union paying a subscription to, and a financial member of, that State Union; and ii. there is an agreement in respect of Sub-rule b., between the Union and the State Union of which the member is a member. 	<ul style="list-style-type: none"> H. acting as agents; and I. other matters as the National Executive may determine. <p>c. Notwithstanding any other provision of these Rules a member of the Union shall not be required to pay a subscription which might otherwise be payable pursuant to these Rules and shall be deemed for all purposes of these Rules to be a financial member of the Union, despite Rules 18 and 23, for the whole of any period during which:</p> <ul style="list-style-type: none"> i. the member is in accordance with the registered rules of a State Union paying a subscription to, and a financial member of, that State Union; and ii. there is an agreement in respect of Sub-rule b., between the Union and the State Union of which the member is a member.



A•S•U

File/Our Ref: DS/db 10.4 & 12.21
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Thursday 28th August, 2014

TO: All National Executive Members
As addressed

By E-mail

Dear National Executive Member

**Postal/Fax/Email Vote No. 05/2014
Proposed National Rule Changes**

**Australian
Services
Union**

**National Office
Melbourne & Sydney**

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Justine Moran
Joseph Scales
Abbie Spencer
Jeff Lapidus
Ancel Greenwood
Richard Duffy
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No negative votes were received.

I advise that National Executive E-mail Vote No. 05/2014 is carried.

Yours faithfully

David Smith
National Secretary

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