

QUEENSLAND INDUSTRIAL REGISTRAR

Industrial Relations Act 2016
s 666 - RIO/2020/30

CERTIFICATE OF REGISTRATION
OF
AMENDMENT OF RULES

I hereby certify that pursuant to the *Industrial Relations Act 2016*, amendments to Rule numbers A37, B3, B40, B55, B56, B57, B66, B67, B68, B70, C3, C23, C29 and C41 of the Rules of The Electrical Trades Union of Employees Queensland, have been approved and registered on 30 March 2020.

Dated at Brisbane this thirtieth day of March 2020.



M. SHELLEY
Industrial Registrar

THE ELECTRICAL TRADES UNION OF EMPLOYEES QUEENSLAND

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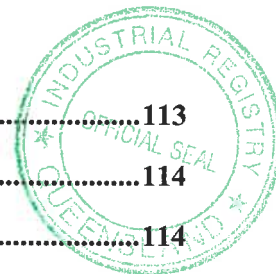
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PART A RULES



A1. NAME

- (a) The name of the Union is The Electrical Trades Union of Employees Queensland.

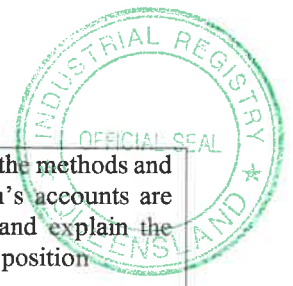
A2. PRINCIPAL OFFICE

- (a) The principal office of the Union is 41 Peel Street, South Brisbane, or other place as the Qld Management Committee determines.
- (b) The meetings of the Qld Management Committee will be held at the Principal Office, or other place as the Qld Management Committee determines.


A3. DEFINITIONS

- (a) In these Part A rules, unless the contrary intention appears the words in column A have the meaning assigned immediately opposite in column B:

A	B
Act	Industrial Relations Act 2016
AFULE	Australian Federated Union of Locomotive Employees
AFULE Division	the Division of the Union to which members are attached under sub-rule A9(c)
Associate Member	a member of a Division who has been appointed as an associate member under the rules of that Division
CEPU	Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia
Certification Date	the date on which these rules are certified
Counterpart Federal Body	for the: (A) ETU Division the CEPU; and (B) AFULE Division the AFULE
Division	either of the: (A) ETU Division; (B) AFULE Division
Divisional Officers	the respective holders of an office in a Division
ETU Division	the division of the Union to which members are attached under sub-rule A9(b)



Financial Statements	a financial document that explains the methods and calculations about how the Union's accounts are made up and correctly recorded and explain the Union's transactions and financial position
Honorary Member	a member of the Division who has been appointed as an honorary member under the rules of that Division
Life Member	a member of a Division who has been appointed as a life member under the rules of that Division
Management Committee of a Division	the management committee of a respective Division
Member	includes: (A) an Ordinary Member; (B) a Life Member; (C) an Honorary Member; (D) a Political Member; and (E) an Associate Member, of a Division
Objects	the objects provided for in rule A5
Offices of the Union	are the: (A) Union Offices; and (B) Divisional Offices
Ordinary Member	a member working, or ordinarily working, in the callings of the Union and whom the Union is entitled to industrially represent
Political Member	a member of a Division who has been appointed as a political member under the rules of the Division
Principle Office	the principle office as provided by rule A2
Quadrennial Elections	the elections held each 4 years under the Union Election Procedure Rules
Union	The Electrical Trades Union of Employees Queensland
Union Election Procedure Rules	rule A27 to A35 inclusive of these Part A rules
Union Journal	a publication produced, or adopted by, the Qld Management Committee and which is provided under these Part A rules free of charge to members by means of print and/or electronic media



Union Office	<p>the offices of:</p> <p>(A) General President;</p> <p>(B) General Vice-President;</p> <p>(C) General Secretary; and</p> <p>(D) General Assistant Secretary</p>
Union Officers	the holders of a Union Office
Union Register of Members	the register of members maintained by the General Secretary under rule A11
Union Register of Officers	the register of officers of the Union maintained by the General Secretary under rule A11

A4. INTERPRETING THE RULES OF THE UNION

- (a) In these Part A rules unless the context clearly indicates otherwise:
- (i) a reference to the performance of a duty by an officer is inclusive of a reference to the officer causing the duty to be discharged and/or inclusive of the duty being discharged by an other officer holding the written delegation of the relevant officer or the Qld Management Committee;
 - (ii) where a period of time, dating from a given day, act or event is prescribed or allowed for a purpose, the period, unless the contrary intention appears, is reckoned exclusive of such day or the day of such act or event;
 - (iii) where the last day of a period prescribed or allowed by these Part A rules for the doing of a thing falls on a Saturday or a Sunday or on a day which is a public holiday or a bank holiday in the place in which the thing is to be or may be done, the thing may be done on the first day following which is not a Saturday, Sunday or a public holiday or a bank holiday in that place;
 - (iv) the singular includes the plural and the plural includes the singular;
 - (v) a reference to a Division's callings is a reference, in relation to:
 - (A) the ETU Division the Part A callings; and
 - (B) the AFULE Division the Part B callings;
 - (vi) a reference to a statute includes any:
 - (A) statute amending, consolidating or replacing the statute; and
 - (B) regulation made under the statute as that regulation is in force;
 - (vii) a reference to an award or other instrument is a reference to a State award or instrument, and includes the replacement of the award or the other instrument if it is replaced;



- (viii) headings will not be taken into account in interpreting these Union rules;
 - (ix) a reference to a 'rule' is a reference to a rule of these Part A rules;
 - (x) a reference to a 'sub-rule' means a sub-rule of the rule in which the reference to the sub-rule is made;
 - (xi) a reference to a 'part' means a part of the sub-rule in which the reference to the part is made;
 - (xii) a reference to a 'Schedule' is to a schedule to these Part A rules and that schedule is a part of these Part A rules;
 - (xiii) a reference to 'administrative regulations' is a reference to administrative regulations made under these Part A rules and those administrative regulations are a part of these Part A rules;
 - (xiv) a reference to 'financial year' is a reference to the period commencing on 1 July in one year and ending on 30 June in the year next following; and
 - (xv) a reference to 'business hours' is a reference to the hours of 9.00am to 5.00pm.
- (b) A reference in a Schedule to these Part A rules to the 'rules' is a reference to these Part A rules and all words and phrases in a Schedule to the rules have the same meaning as those words and phrases have in these Part A rules.
- (c) Without limitation to sub-rules (a) and (b) the rules of the Union are to be interpreted as follows:
- (i) Part A – the rules that provide for the operation of the Union;
 - (ii) Part B – the rules that provide for the ETU Division;
 - (iii) Part C – the rules that provide for the AFULE Division;
 - (iv) a reference to one of those parts is a reference respectively to parts A to C;
 - (v) a reference in the Part A rules to 'these Union rules' is a reference to rules as they apply in relation to the Union inclusive of its Divisions;
 - (vi) a reference in the Part A rules to 'these Part A rules' is a reference to a rule of Part A that does not have application to the Divisions;
 - (vii) a reference in the Part A rules to 'a rule of a Division' is a reference to the rules of the Divisions;
 - (viii) a reference to Divisional rules is a reference to the rules of the Divisions;
 - (ix) a reference in a rule of a Division to 'these Divisional rules' is a reference, respectively, to the Part B and Part C rules; and
 - (x) a reference in the Part A, B or C rules to a rule with the prefix A, B or C before it is a reference to the rule of that number located respectively in the Part A, B or C rules.



A5. OBJECTS

- (a) The objects of the Union are to:
- (i) enrol in the Union persons eligible to be members;
 - (ii) uphold the right of the organisation and combination of labour, and to improve, protect and advance the best interests of the Union and its members;
 - (iii) bring about the socialisation of production, distribution and exchange and the development and protection of effective enterprises;
 - (iv) assist members to obtain their rights under industrial, social or other legislation;
 - (v) secure appropriate classification structures with appropriate rates of pay that adequately reflect the training and skills of members and the conditions and circumstances in which members are employed;
 - (vi) obtain progressively improved working hours;
 - (vii) take steps to ensure that all members are able to work in their classification;
 - (viii) obtain preference for members in the railway train running industry;
 - (ix) ensure adequate training is available for members including the maintenance of the principles of the apprenticeship system;
 - (x) ensure that rates of pay and other provisions in awards adequately reflect the training and skills of members and the conditions and circumstances in which members are employed;
 - (xi) advance and protect the vocational interests of members including seeking and maintaining representation on all relevant authorities, committees and bodies;
 - (xii) secure by just and equitable methods, the settlement of a difference that may arise between members and their employers;
 - (xiii) promote industrial peace by all amicable means such as conciliation and arbitration so as to prevent strikes and lock-outs between members of the Union and their employers;
 - (xiv) provide legal protection for members with respect to industrial and work injury related matters;
 - (xv) assist members in the event of unemployment, underemployment, distress, calamity, sickness, injury, mortality or industrial dispute;
 - (xvi) establish sub-divisions, branches, sub-branches and sections of the Union and organise members into sub-divisions, branches, sub-branches and sections throughout Queensland;
 - (xvii) publish or contribute to the publication of a union journal, newspaper or other media;
 - (xviii) assist in the establishment and maintenance, or to contribute to the establishment and maintenance, of a labour journal, newspaper and/or other media;



- (xix) assist the industrial movement generally, and to promote and encourage closer unity amongst all trade unions;
- (xx) co-operate and maintain contact with members, other unions, labour bodies and socially responsible organisations in Australia and overseas;
- (xxi) advance the living and working conditions of workers and their families, and to assist kindred unions and other bodies having objects similar, in whole or in part, to the objects of the Union;
- (xxii) affiliate to, federate with, amalgamate with, or otherwise combine with a trade, industrial union or association, a political party or other organisation having objects similar, in whole or in part, to the objects of the Union;
- (xxiii) hold, purchase, lease, mortgage, sell or otherwise deal in property for the benefit of the members;
- (xxiv) secure preference of employment for unionists generally and for members;
- (xxv) establish and maintain, or to contribute to the establishment and maintenance, of an employment bureau for members;
- (xxvi) contribute to any charitable or public benevolent institution;
- (xxvii) provide assistance to socially responsible community organisations;
- (xxviii) be involved in socially responsible actions as part of the wider community in Australia and overseas;
- (xxix) incorporate and support entities for the purpose of attaining the objects of the Union and maintain an interest in such entities;
- (xxx) establish and maintain superannuation and insurance funds and undertake other co-operative enterprises for the benefit of members;
- (xxxi) constitute, conduct, carry on and manage clubs, holiday and rest centres for the benefit of members and their families;
- (xxxii) organise the education of members;
- (xxxiii) promote the policy of equality of status and opportunity for all members;
- (xxxiv) promote the employment of women in industries and enterprises falling within the eligibility of the Union;
- (xxxv) increase the number of female members;
- (xxxvi) encourage the participation by women in union activities and decision making bodies;
- (xxxvii) adopt, promote and implement family friendly policies for members, Union employees and officials;
- (xxxviii) increase the number of women employed by the Union;



- (xxxix) ensure there is equal employment and career path opportunity for women employed by the Union;
- (xl) establish funds to assist and support members as provided for by these objects and in these Union rules;
- (xli) establish and administer trust funds (the Trust Funds) for the purpose of furthering the Union's objects including (but not limited to) advancing the interests of members and former members (whether living or dead), providing legal protection for and otherwise assisting members or former members (whether living or dead) and their families in the event of unemployment, sickness, injury, mortality or industrial dispute, advancing the living and working conditions of workers and their families, assisting kindred unions and other bodies having similar objectives, contributing to any charitable institutions that the Union may decide, constituting, conducting, carrying on and managing clubs, holiday centres and rest centres for members and former members (whether living or dead) and their families, being involved in socially responsible citizen actions and making financial provision for the carrying out of the objects of the Union;
- (xlii) contribute funds or other property to the Trust Funds for the purpose of furthering these objects including (but not limited to) advancing the interests of members and former members (whether living or dead), providing legal protection for and otherwise assisting members or former members (whether living or dead) and their families in the event of unemployment, sickness, injury, mortality or industrial dispute, advancing the living and working conditions of workers and their families, assisting kindred unions and other bodies having similar objectives, contributing to any charitable institutions that the Union may decide, constituting, conducting, carrying on and managing clubs, holiday centres and rest centres for members and former members (whether living or dead) and their families, being involved in socially responsible citizen actions and making financial provision for the carrying out of the objects of the Union;
- (xliii) to transfer Union assets to the Trust Funds for the purpose of furthering these objects including (but not limited to) advancing the interests of members and former members (whether living or dead), providing legal protection for and otherwise assisting members or former members (whether living or dead) and their families in the event of unemployment, sickness, injury, mortality or industrial dispute, advancing the living and working conditions of workers and their families, assisting kindred unions and other bodies having similar objectives, contributing to any charitable institutions that the Union may decide, constituting, conducting, carrying on and managing clubs, holiday centres and rest centres for members and former members (whether living or dead) and their families, being involved in socially responsible citizen actions and making financial provision for the carrying out of the objects of the Union;
- (xliv) extend the powers of the Union to the greatest possible extent for the benefit of members;
- (xlv) make financial provision for the carrying out of the objects;
- (xlvi) pursue such other objects as the Union Council or the Qld Management Committee may determine;
- (xlvii) enter into contracts and agreements for the purpose of carrying out the objects of the Union; and



(xlviii) do all things as may be necessary or incidental to the carrying out of the objects of the Union.

- (b) None of the objects expressed in sub-rule (a) are to be read in a way as to limit any other of those objects.

A6. POWERS

- (a) The Union has in achieving its objects all the powers of an individual.
- (b) Without limiting the powers expressed in sub-rule (a), the Union will achieve its objects by the application of all lawful means available to it including, without limitation, industrial, political and legal.
- (c) Without limiting the powers expressed in sub-rule (a), the Union will provide the funds and resources as necessary to achieve and further its objects, and expenditure out of the funds of the Union to achieve or further an object of the Union is an ordinary expense of the Union.

A7. ELIGIBILITY

SECTION A

- (a) The Union shall consist of an unlimited number of employees engaged or usually engaged as Electrical Fitters, Armature Winders, Electrical Mechanics, Battery Fitters, Railway Electricians, Telephone Fitters, Radio Workers, Cable Jointers, Linesmen, Arc Lamp Trimmers, Electrical Laborers, Electric Crane Attendants, Rail Welders and their Assistants, Electric Welders whose work is associated with the work of an Electrician, and Electricians engaged or usually engaged or employed in running and maintaining Electric Plants, Dynamo, Motor and Switchboard Attendants, and all employees whose callings are peculiar to the Electrical Industry. Also all other persons whether employees in the industry or not as have been appointed officers of the Union and admitted as members thereof.
- (b) Notwithstanding the foregoing provisions of this rule, the union does not have the right to enrol as members, employees of Mount Isa Mines Limited covered by the Mount Isa Mines Limited Award and the Mount Isa Mines Limited Tracing Employees Industrial Agreement.
- (c) All categories of employees who are employed in or in connection with the generation of electricity at Gladstone Power Station, including employees of contractors and/or subcontractors, except for those employees of contractors and subcontractors employed in areas of contract commercial cleaning, contract catering and contract security.
- (d) Notwithstanding the foregoing rules, the following classes of person shall also be eligible for membership; all employees of sugar mills, refineries, distilleries, terminals, storage operations or other sectors of the sugar industry (herein called the 'sugar industry') who, on 16 December 1994 were eligible for membership of The Plumbers and Gasfitters Employees Union of Australia, Queensland Branch, Union of Employees and any persons employed in the sugar industry subsequent to 16 December 1994 who would have been eligible for membership of the abovementioned unions if so employed on 16 December 1994.

- (e) Notwithstanding any other provisions in these rules, a person employed in the Private Pathology Industry shall not be eligible to become a member of the Industrial Organisation.



SECTION B

- (a) The Union shall consist of an unlimited number of persons eligible to be employed in the Railway Train Running Industry including Locomotive Drivers, Electric Train Drivers, Firemen, Electric-Helpers, Chargemen and Cleaners, Packers and Trimmers, Wash-out Men, Wash-out Men's Assistants, Motor Drivers and any other worker engaged in and about the working or management of or incidental to any Steam Locomotive, Diesel Electric Locomotives or Motor driven by electricity or other power used on the Railway.
- (b) Sub-rule (a) of this Section B shall apply provided that the Union shall only be eligible to represent members employed within Queensland.

A8. DIVISIONS

- (a) The Union will be divided into Divisions to which the membership will be attached under these Part A rules.
- (b) Divisions may be established on the basis of geographical location, industry, occupation or other basis as the Qld Management Committee considers appropriate.
- (c) The number of Divisions will be determined by the vote of the Qld Management Committee, provided that a proposal to alter the number of Divisions requires the unanimous consent of the members of the Qld Management Committee, before an amendment to these rules can occur.
- (d) Each Division has autonomy to decide matters which do not directly affect the members of another Division without interference by any other body within the Union, including but not limited to:
- (i) the industrial interests of the members attached to the Division;
 - (ii) the election of officers of the Division;
 - (iii) attaining or furthering the objects of the Union; and
 - (iv) structure of the Division.
- (e) Each Division has autonomy in relation to the funds and property held in the Divisional Fund of the Division.
- (f) Each Division has rules and has the power to make, alter or rescind the rules of the Division.
- (g) A Division has power to determine policy for that Division, not inconsistent with the Part A rules.
- (h) If there is an environmental matter that directly affects the employment of members of one (1) Division only, then that Division whose members are affected has the power to determine the policy of the Union on that matter.

- (i) Divisions may under their rules, be divided into sections along a geographic, occupational or industry basis and the members of the Division will be attached to those sections.



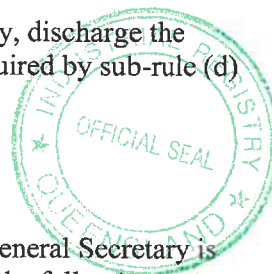
A9. ATTACHMENT OF MEMBERS TO DIVISIONS

- (a) A member will only be attached to one (1) Division.
- (b) The members to be attached to the ETU Division are those that are eligible for membership under rule A7 section A.
- (c) The members who are not attached under sub-rule (b) are to be attached to the AFULE Division.
- (d) Each member, on becoming a member, will be notified of the Division to which the member is attached.
- (e) A member who is otherwise eligible for membership of the Union but who has been attached to the wrong Division:
 - (i) will be promptly transferred to the correct Division; and
 - (ii) for the purpose of continuity in the Division to which they are transferred the period of membership in the Division from which they are transferred will be taken as a period of membership in the Division to which they are transferred.
- (f) A dispute as to the attachment of a member will be resolved under rule A23.
- (g) A member who is attached to a Division will be treated for all purposes as a financial member of that Division and is entitled to the rights, and required to comply with the obligations of a member of the respective Division under these Union rules.

A10. ADMISSION TO MEMBERSHIP

- (a) A person admitted to membership of a Division in the manner provided for under the Divisional rules becomes on the date of admission to the Division a member of the Union.
- (b) The Divisional Secretaries will promptly advise the General Secretary of the:
 - (i) admission to membership of a member of the Division; and
 - (ii) particulars, relating to members, which are required for the completion of the Union Register of Members.
- (c) The information required to be provided under sub-rule (b) may be provided electronically.
- (d) An applicant for membership will be informed in writing of the:
 - (i) financial obligations arising from membership; and
 - (ii) circumstances, and the manner, in which a member may resign from the Union.

- (e) The General Secretary may, by agreement with a Divisional Secretary, discharge the obligation provided by sub-rule (d) by providing the information required by sub-rule (d) in conjunction with the Division.



A11. REGISTER OF MEMBERS/REGISTER OF OFFICERS

- (a) The General Secretary will keep a register containing, as far as the General Secretary is able to determine, and arranged under membership of the Divisions, the following information in relation to members, their:
- (i) name;
 - (ii) residential address;
 - (iii) phone numbers;
 - (iv) email address;
 - (v) financial status;
 - (vi) date of admission;
 - (vii) date of resignation;
 - (viii) section; and
 - (ix) any other information required by the Act.
- (b) The General Secretary will update the Union Register of Members as necessary.
- (c) The Union Register of Members is conclusive proof for the purposes of these Union rules of the matters set out in the Union Register of Members.
- (d) The General Secretary will keep a register of officers of the Union which will contain:
- (i) the names;
 - (ii) the offices held; and
 - (iii) the addresses,
- of the officers of the Union.
- (e) The General Secretary will promptly update the Union Register of Officers as necessary.
- (f) The Union Register of Officers is conclusive proof for the purposes of these Union rules of the matters set out in the Union Register of Officers.

A12. ENTRANCE FEES

- (a) A Division may impose a requirement to pay entrance fees under the Division's rules.
- (b) A member is not required to pay an entrance fee to the Union other than as provided by sub-rule (a).

A13. SUBSCRIPTIONS

- (a) A Division may impose a requirement on its members to pay subscription fees to the Division under the Division's rules.
- (b) A member is not required to pay subscription fees to the Union other than as provided by sub-rule (a).



A14. LEVIES


- (a) A Division may impose a requirement on its members to pay a levy under the Divisions rules.
- (b) A member is not required to pay a levy to the Union other than as provided by sub-rule (a).

A15. UN-FINANCIAL MEMBERS

- (a) A member attached to a Division who is, under the Divisional rules, an un-financial member of the Division is also on, and from, the date of becoming an un-financial member of the Division an un-financial member of the Union.
- (b) A Divisional Secretary that has, under the rules of their Division, purged an un-financial member attached to their Division from the membership of the Division must promptly advise the General Secretary and the General Secretary must promptly purge that un-financial member from membership of the Union.
- (c) A Division may recover, on behalf of the Division, from a purged member who was attached to their Division monies due to, and recoverable by, the Union from the purged member.
- (d) The Union may at the request of the respective Division, recover from a purged member monies due to, and recoverable by, the Union.

A16. RIGHTS OF FINANCIAL MEMBERS

- (a) Only financial Ordinary Members may, subject to any other requirement of these rules:
 - (i) attend a meeting of the Union held under these Part A rules;
 - (ii) move, or second, a resolution of the Union permitted to be moved under these Part A rules;
 - (iii) speak to a resolution at a meeting of the Union held under these Part A rules;
 - (iv) exercise a vote in a ballot, or plebiscite, held under these Part A rules;
 - (v) move, or second, a nomination for a Union Office;
 - (vi) nominate for a Union Office; and
 - (vii) hold a Union Office.

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- (b) A Life Member may only exercise the rights, in relation to the respective Division to which they are attached, and as are provided to a life member of the respective Division by the rules of that Division
 - (c) An Honorary Member may only exercise the rights, in relation to the respective Division to which they are attached, and as are provided to an honorary member of the respective Division by the rules of that Division.
 - (d) A Political Member may only exercise the rights, in relation to the respective Division to which they are attached, as are provided to a political member of the respective Division by the rules of that Division.
 - (e) Associate Members may only exercise the rights, in relation to the respective Division to which they are attached, as are provided to associate members of the respective Division by the rules of that Division.
 - (f) Despite sub-rule (a) the rights that a member can exercise in relation to the Division to which they are attached are the rights provided to members of the respective Division by the rules of that Division.
 - (g) Sub-rule (a) does not provide a right or entitlement to a member of one Division to participate in the affairs of another Division.
 - (h) Despite sub-rule (b) a Life Member who is working, or who ordinarily works, in the callings of the Union and whom the Union is entitled to industrially represent, may exercise the rights provided under sub-rule (a).

A17. RECOVERY OF ARREARS

- (a) Claims for monies owing by a member to the Union under these Part A rules may be sued for in the name of the Union by the General Secretary.
- (b) Subject to sub-rule (c) monies owing by a member to a Division under the rules of the Division may be sued for by the Divisional Secretary of that Division in the name of the Union.
- (c) Monies owing by a member to a Division under the rules of the Division may at the request of the Divisional Secretary of that Division be recovered may be sued for in the name of the Union by the General Secretary.
- (d) Monies recovered under this rule will be attributed to the Divisional Fund of the respective Division to which the monies were owing.

A18. RESIGNATION

- (a) A member may resign from membership of the Union by notice given to the Union stating that the member resigns from the Union.
- (b) The resignation takes effect:
 - (i) if the notice states a day or time after the notice is given when the resignation takes effect, on the day or time; or
 - (ii) otherwise, when the notice is given.



- (c) A member who resigns from membership of the Union also resigns on, and from that date, from the membership of the Division to which they were attached.
- (d) The General Secretary will promptly notify the Divisional Secretary of the respective Division of the resignation of the member concerned.
- (e) A member who resigns from membership of a Division also resigns, on and from that date, from the membership of the Union.
- (f) The Divisional Secretaries will promptly advise the General Secretary of the names of members of their Division who resign and the date of their resignation.
- (g) Resignation does not affect the liability of a member, or former member, to pay monies that were owing by the member at the date of resignation to the Union or to the Division to which the member was attached, and such monies may be sued for under these Union rules.
- (h) A member resigning from the Union, who has complied with this rule, may request to be issued with a letter by the Divisional Secretary, of the Division to which they were as a member attached, stating that the member owes no money to the Union.

A19. UNION COUNCIL

- (a) There will be a Union Council which is comprised of the members of the Management Committees of the Divisions.

A20. POWERS OF THE UNION COUNCIL

- (a) The Union Council has the power to make recommendations to the Qld Management Committee:
 - (i) concerning the resolution of disputes, other than disputes about the attachment of members, between the Divisions;
 - (ii) as to whether or not officers are to be removed from office under these Part A rules.

A21. MEETINGS OF THE UNION COUNCIL

- (a) A meeting of the Union Council will be convened by the General Secretary when required to do so by these Part A rules.
- (b) The General Secretary will give 14 days notice of a meeting of the Union Council.
- (c) The notice for a meeting of the Union Council must set out the business sought to be dealt with at the meeting.
- (d) Only the business set out in the notice for the meeting of the Union Council is able to be dealt with at the meeting.
- (e) The General Secretary will provide to the members of the Union Council:
 - (i) notice of the meeting;



- (ii) notice of the business to be dealt with at the meeting; and
 - (iii) associated papers.
- (f) Notice of the meeting may be given by:
 - (i) post;
 - (ii) delivery;
 - (iii) facsimile;
 - (iv) E-mail; and/or
 - (v) SMS.
- (g) Meetings of the Union Council are to be conducted as meetings of persons assembled.
- (h) Meetings of the Union Council will be held at the principal office of the Union unless the Qld Management Committee determines otherwise.
- (i) The General President will chair meetings of the Union Council, however if the General President is not present within 15 minutes of the commencement of the meeting, or if present is unwilling to act, then the General Vice-President will act as the chair of the meeting with all the powers of the General President and if the General Vice-President is not present within 15 minutes of the commencement of the meeting, or if present is unwilling to act, then the meeting will nominate one of its members to act as chair of the meeting with all the powers of the General President.
- (j) The quorum for meetings of the Union Council is:
 - (i) one half ($\frac{1}{2}$) of the members plus one (1) of the Union Council; and
 - (ii) at least one quarter ($\frac{1}{4}$) of the members of each Divisional Management Committee.
- (k) The members of the Union Council have a deliberative vote at meetings of the Union Council as follows:
 - (i) each Division may at each meeting exercise ten (10) votes; and
 - (ii) each member of the management committee of a Division in attendance at the meeting will exercise a vote based on the formula:

(ten (10) \div Number of members of the management committee of a Division in attendance at the meeting)
- (l) The General President is not entitled to exercise a casting vote.
- (m) If in a ballot the vote is equal the motion is not carried,
- (n) A member of the Union Council not able to attend a meeting of the Union Council, of which notice has been given under these Part A rules, must make a request for leave of absence to the General Secretary.

- (o) A member of the Union Council not complying with sub-rule (n) may be subject to discipline under these Part A rules.



A22. QLD MANAGEMENT COMMITTEE


- (a) The Qld Management Committee will consist of the Union Officers.
- (b) The Qld Management Committee is the management committee of the Union.

A23. POWERS OF THE QLD MANAGEMENT COMMITTEE

- (a) Without limiting a power otherwise granted by these Part A rules the powers of the Qld Management Committee, subject to rule A49 include to:
- (i) further, and attain, the Objects for the benefit of members;
 - (ii) subject to the autonomy of the Division direct the policy of the Union in all matters affecting the interests of the members;
 - (iii) establish a special fund to achieve an object of the Union;
 - (iv) submit, under these Part A rules, a matter to members for decision by plebiscite;
 - (v) submit a matter to the Divisions, or a Division, for decision;
 - (vi) resolve, under these Part A rules, a dispute between the Divisions in relation to the attachment of members;
 - (vii) expend money from the Union Fund as necessary to achieve the Objects; and
 - (viii) do another act and/or thing incidental to further, and attain, the Objects.

A24. MEETINGS OF THE QLD MANAGEMENT COMMITTEE

- (a) The Qld Management Committee is to meet at least twice each year.
- (b) Sub-rule (a) does not prevent the Qld Management Committee from meeting as often as it determines.
- (c) The General Secretary will, subject to sub-rule (e) convene meetings by giving the members of the Qld Management Committee not less than 14 days notice of a meeting.
- (d) Notice of meetings may be given by:
- (i) post;
 - (ii) delivery;
 - (iii) facsimile;
 - (iv) E-mail; and/or
 - (v) SMS.

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- (e) Where the General President and the General Secretary consider that a matter requires urgent attention the General Secretary will call a meeting of the Qld Management Committee giving a minimum of four (4) hours notice.
 - (f) In calling a meeting under sub-rule (e), the General Secretary will give notice of the meeting under sub-rule (d) or orally and the meeting may be conducted by:
 - (i) a method by which members of the Qld Management Committee are able to communicate each with each other; or
 - (ii) means of a ballot by registered post, delivery, facsimile, E-mail and/or SMS, provided that:
 - (A) in the ballot all the members of Qld Management Committee must exercise a vote to constitute quorum; and
 - (B) in the ballot, decisions will be by three quarters ($\frac{3}{4}$) majority of the votes cast; and
 - (C) the ballot is to be open for seven (7) days from the day the General Secretary forwards the ballot.
 - (g) The General President will chair a meeting of the Qld Management Committee, however if the General President is not present within 15 minutes of the commencement of the meeting, or if present is unwilling to act, then the General Vice-President will act as the chair of the meeting with all the powers of the General President and if the General Vice-President is not present within 15 minutes of the commencement of the meeting, or if present is unwilling to act, then the meeting will nominate one of its members to act as chair of the meeting with all the powers of the General President.
 - (h) Quorum for a meeting of the Qld Management Committee is three quarters ($\frac{3}{4}$) of the members of the Qld Management Committee.
 - (i) Each member of the Qld Management Committee is entitled to cast one (1) vote in a ballot of the Qld Management Committee, and in the event of a tied vote the resolution is lost.
 - (j) The General President does not have a casting vote.

A25. MINUTES

- (a) The minutes of a meeting of the Qld Management Committee are to be promptly prepared and forwarded to each member of the Qld Management Committee by the General Secretary.
- (b) Upon confirmation, at the next meeting of the Qld Management Committee, the minutes are to be signed by the General President.
- (c) A copy of the minutes of each Qld Management Committee meeting are upon their being confirmed:
 - (i) available for inspection by members during business hours; and
 - (ii) provided to the Divisional Secretaries.



- (d) Minutes, once confirmed under sub-rule (b), are prima facie evidence of the matters set out in them and no further evidence, under these rules, is required to evidence the matters set out.


A26. ELECTIONS

- (a) Elections for the Union Offices will, on and from, 2019 and every four (4) years after, be conducted under the Union Election Procedure Rules.
- (b) Only members of a Management Committee of a Division may nominate for a Union Office to which they are otherwise entitled to nominate under these Part A rules.
- (c) In the elections to be held in 2019, and each four (4) years after, the Union Offices will be filled as follows:
- (i) General President – to be elected from the members of the AFULE Division Committee of Management;
 - (ii) General Vice-President– to be elected from the members of the ETU Division Committee of Management;
 - (iii) General Secretary– to be elected by from the members of the ETU Division Committee of Management; and
 - (iv) General Assistant Secretary– to be elected from the members of the AFULE Division Committee of Management.
- (d) Persons nominating for a Union Office must have their nomination moved and seconded by a member of the management committee of the Division of which they are a member.
- (e) The holder of a Union Office will be entitled to nominate for re-election to a Union Office if they are otherwise eligible under these Part A rules.
- (f) If a Union Officer ceases to hold office on the management committee of the Division to which they are attached, then from that time they cease to hold office on the Qld Management Committee.

A27. UNION ELECTION PROCEDURE DEFINITIONS

- (a) In these Union Election Procedure Rules, unless the contrary intention appears the words in column A have the meaning assigned immediately opposite in column B:

A	B
Ballot Box	a ballot box kept under rule A30
Candidate	a person: <ul style="list-style-type: none">(a) who has nominated for an Election under these Part A rules as a candidate for the office the election is about;(b) whose nomination has been accepted under these Union Election Procedure Rules; and



	(c) whose nomination has not been withdrawn
Election	in these Union Election Procedure Rules is an election for a Union Office
Initialled by the Manager	Includes being marked with a facsimile of the Manager's Initials
Manager	the manager of a Union election and is: <ul style="list-style-type: none"> (a) the electoral office conducting the election or ballot held under these Part A rules; or (b) if an exemption has been given under section 597 of the Act the returning office appointed under section 599 of the Act to conduct the election
Nominator	the person who, under these Part A rules, may propose or second a nomination of a candidate
Scrutineer	<ul style="list-style-type: none"> (a) a Candidate who acts personally as a scrutineer; or (b) a person appointed as a scrutineer for a Candidate under these Union Election Procedure Rules
Voter	A person who is entitled to vote in an election conducted under rule A26

A28. MANAGER OF ELECTION—FUNCTIONS AND POWERS

- (a) The Manager:
 - (i) is subject to the provisions of these Union Election Procedure Rules.
 - (ii) must not influence, or attempt to influence, the outcome of the election; and
 - (iii) must conduct the election under these Union Election Procedure Rules except where these Part A rules expressly provide otherwise; and
 - (iv) may take the action, and give the directions, the Manager considers reasonably necessary to ensure that the processes under which the election is conducted are transparent.
- (b) The Manager may take the action, and give the directions, the Manager considers reasonably necessary to:
 - (i) ensure no irregularities happen in the election; or
 - (ii) remedy a procedural defect that appears to the Manager to exist about the election.



A29. BALLOT PAPERS

- (a) A ballot paper for the election must:
 - (i) have a distinctive pattern that prevents it from being reproduced other than by the Manager or a person authorised by the Manager;
 - (ii) be a different colour from the colour used for ballot papers at the 2 previous elections held for the Union Officers;
 - (iii) list the names of each Candidate once only for each office the election is for, with the surname first, followed by the Candidate's other names; and
 - (iv) state how the Voter may vote.
- (b) The order of names on the ballot paper must be decided by lot drawn by the Manager.
- (c) If two (2) or more Candidates have the same surname and first names, the Candidates must be distinguished in an appropriate way.

A30. MANAGER MUST KEEP A BALLOT BOX

- (a) The Manager must in relation to each election maintain a ballot box and:
 - (i) keep the box in a safe place; and
 - (ii) seal the box in a way that:
 - (A) allows voting material to be put in it until the ballot finishes;
 - (B) prevents voting material from being taken from it until votes for the ballot are to be counted; and
 - (C) prevents the identification of Voters.

A31. ELECTIONS FROM MANAGEMENT COMMITTEES OF THE DIVISIONS

- (a) Each Union Officer will be elected by a collegiate electoral system.
- (b) The Electoral College will, in relation to the above offices, be the Union Council.
- (c) The Manager will call for nominations from among members of the Electoral College subject to these Union Election Procedure Rules, by written notice to each member of the management committees of the respective Divisions.
- (d) A person otherwise entitled to nominate under these Part A rules for a Union Office may not nominate for more than one (1) of the Union Offices.
- (e) Nominations must be in writing, signed by the person nominating as the candidate and seconded under these Part A rules
- (f) Nominations are to be delivered to the Manager prior to the commencement of the first meeting of the Union Council following the declaration of the quadrennial elections of each of the Divisions (for the purposes of this rule the 'Meeting').



- (g) If the Manager finds that a nomination is defective, the Manager will, before rejecting the nomination, notify the person concerned of the defect and, where it is practicable to do so, give the person the opportunity of remedying the defect.
- (h) The Manager will notify each member of the Union Council of the opening and closing time of the ballot which will be conducted at the Meeting.
- (i) If at the close of nominations, only the required number of nominations has been received for the Union Offices, the Manager will declare those Candidates elected.
- (j) If there are more than the required number of Candidates for an office the Manager will conduct at the Meeting an election by secret ballot of the members of the Electoral College.
- (k) The ballot will be determined by means of a first past the post system of voting.
- (l) A Candidate may under the Union Election Procedure Rules appoint a scrutineer.
- (m) The Manager will prepare ballot papers under the Union Election Procedure Rules.
- (n) The Manager will initial and hand to each member of the Union Council a ballot paper.
- (o) The members of the Union Council, whilst at the Meeting, will cast a vote by placing a cross or other mark against the name of the Candidate the Voter wishes to vote for, and by replacing the completed ballot paper in the ballot box under the control of the Manager.
- (p) A member who will not be present at the Meeting at which the ballot is to be held may:
 - (i) lodge a request with the Manager for an absentee vote, together with an address where the member can receive communications, and, if a member has done so, the Manager will not declare the result of the ballot until the member has been given a reasonable opportunity to vote; or
 - (ii) appoint another member of the Union Council attached to their respective Division to vote as their proxy and the appointed member will be entitled to vote in their own right and as proxy, provided that no member of the Electoral College can exercise more than one (1) proxy vote.
- (q) The Manager will count the votes under these Union Election Procedure Rules.
- (r) The Candidate securing the highest number of votes is to be declared elected.
- (s) The Manager must declare the result of a ballot, in writing, to the members of the Union Council as soon as practicable.

A32. COUNTING VOTES

- (a) To count votes the Manager must:
 - (i) admit the formal votes and reject the informal votes;
 - (ii) count the formal votes; and
 - (iii) count the informal votes.



- (b) A vote is informal only if:
 - (i) the ballot paper is not initialled by the Manager and the Manager is not satisfied the paper is authentic;
 - (ii) the ballot paper is marked in a way that allows the Voter to be identified; or
 - (iii) the ballot paper is not marked in a way that makes it clear how the Voter meant to vote.

A33. WHAT HAPPENS IF VOTES FOR 2 OR MORE CANDIDATES ARE EQUAL

- (a) If the Manager can not decide which Candidate is elected to an office because the votes cast for two (2) or more Candidates are equal, the Manager of the election must decide which Candidate is elected by drawing lots.
- (b) A decision under sub-rule (a) must be made in the presence of a scrutineer who wishes to attend.

A34. SCRUTINEERS

- (a) Each Candidate may appoint one (1) scrutineer exercising a right under this rule.
- (b) A Candidate may:
 - (i) act personally as a scrutineer; or
 - (ii) appoint another person (an 'appointee') as a scrutineer for the Candidate.
- (c) An appointment must be in writing and signed by the Candidate.
- (d) A Candidate must notify the Manager of the name of the Candidate's appointee as soon as possible after the appointee is appointed.
- (e) The Manager may refuse to allow an appointee to act as a scrutineer if:
 - (i) the Manager asks to inspect the appointment as a scrutineer; and
 - (ii) the appointee does not produce it.
- (f) Subject to sub-rule (k), a scrutineer may be present when:
 - (i) ballot papers or other voting material for a ballot are prepared and given to Voters; and
 - (ii) votes are counted.
- (g) Before votes are counted, a scrutineer may advise the Manager that the scrutineer considers an error has been made in conducting the ballot.
- (h) When votes are counted, a scrutineer may:
 - (i) object to a ballot paper being admitted as formal or rejected as informal by the Manager; or



- (ii) advise the Manager that the scrutineer considers an error has been made in conducting the ballot or counting votes.
- (i) If a scrutineer advises the Manager under sub-rule (g) or (h), the Manager must:
 - (i) decide whether the error has been made; and
 - (ii) if appropriate—direct action to correct or mitigate the error.
- (j) If a scrutineer objects under sub-rule (h), the Manager must:
 - (i) decide whether the ballot paper is to be admitted or rejected; and
 - (ii) note the decision on the ballot paper and initial the note.
- (k) The Manager may direct a person to leave the place where votes are being counted if the person:
 - (i) does not have the right to be present at the count; or
 - (ii) interrupts the count, other than to exercise a scrutineer's right.

A35. TAKING OFFICE

- (a) The persons declared elected by the Manager, within the meaning of the Union Election Procedure Rules, will subject to these Part A rules hold office on, and from, the date of the election.
- (b) A person elected to a Union Office will retain that office until a successor is duly elected unless the Union Officer dies, resigns or is otherwise removed from office under these Part A rules.

A36. CASUAL VACANCIES

- (a) Should a casual vacancy occur in any of the offices of the Union 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 will be filled by election under the Union Election Procedure Rules.
- (b) Should a casual vacancy occur in any of the offices of the Union 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 will be filled by the Qld Management Committee.
- (c) Where a casual vacancy is to be filled under sub-rule (b) then the Qld Management Committee will request of the respective Division to which the member of the Qld Management Committee, who has died, retired, resigned or been removed was attached, to provide a candidate, otherwise eligible under these Part A rules, suitable to fill the casual vacancy.
- (d) The Qld Management Committee will appoint the candidate, provided under sub-rule (c) to the casual vacancy.
- (e) Until the election to fill a casual vacancy required under sub-rule (a) is held the Qld Management Committee has the power to appoint a member of the respective Division to which the member of the Qld Management Committee, who has died, retired, resigned or



been removed was attached, and who is otherwise eligible to nominate for the office concerned, to act in the casual vacancy until an election is held and a candidate elected.

- (f) A member appointed or elected to fill a casual vacancy under this rule only holds office for the same period as the officer that they have replaced could have held that office.
- (g) A Member appointed under sub-rule (e) has the right to nominate in the election to fill the casual vacancy under this rule.
- (h) The General Secretary will cause the necessary steps to be taken for the conduct of the election under the Union Election Procedure Rules.

A37. COUNTERPART FEDERAL BODY ELECTION EXEMPTION

- (a) The offices of the Union (the 'state office') that correspond with the offices of the Counterpart Federal Body of the respective Division (the 'federal office'), due to the state office being similar to the federal office, are as follows:

Federal office

State office

Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, the Electrical Trades Union Division, Queensland and Northern Territory Divisional Branch	The Electrical Trades Union of Employees Queensland, ETU Division
Divisional Branch President	Divisional President
Divisional Branch Vice-President	Divisional Vice-President
Divisional Branch Secretary	Divisional Secretary
Divisional Branch Treasurer	Divisional Treasurer
Divisional Branch Executive Member	Divisional Executive Member
Divisional State Councillor	Divisional Councillor
Divisional Branch Assistant Secretary (if any)	Divisional Assistant Secretary (if any)

Australian Federated Union of Locomotive Employees	The Electrical Trades Union of Employees Queensland, AFULE Division
State President	Divisional President
State Vice-President	Divisional Vice-President



State Secretary	Divisional Secretary
Divisional Councillors	Divisional Councillors
Proxy Divisional Councillors	Proxy Divisional Councillors
Trustees (2)	Trustees (2)

(b) The General Secretary will:

- (i) make application for exemption from holding an election as soon as practicable following the declaration of a relevant election, held under the Fair Work (Registered Organisations) Act (Cth) (the 'federal election') for a respective Counterpart Federal Body; and
 - (ii) notify the membership of the Union or of a Division, as the case may be, of the making of the application for exemption, by means of a publication circulated to the relevant members free of charge; and
 - (iii) seek, in the making of an application for exemption, that a state office be filled by a person elected in the relevant federal election to the federal office that corresponds, under this rule, with the state office.
- (c) In the event of the exemption not being granted, or being only partially granted, the General Secretary will forthwith proceed to file the prescribed material required to be filed in relation to the holding of an election, or a relevant election, as the case may be, under these Union rules.
- (d) Without limitation to sub-rule (b) the Secretary of a Division may request that the General Secretary take the steps as may be required under these Part A rules to make application for an exemption from election ballot in relation to the offices of that Division.
- (e) A Divisional Secretary will do the things reasonably required by the General Secretary to assist the General Secretary in making the application for exemption from election ballot.
- (f) In the event of the exemption not being granted, or being only partially granted, a Divisional Secretary will promptly request the General Secretary file the prescribed material required to be filed in relation to the holding of an election, or a relevant election as the case may be, under the Part B or C rules and the General Secretary will promptly file that material.
- (g) The positions of the Union (the 'state positions') that correspond with the positions of the Counterpart Federal Body of the respective Division (the 'federal position'), due to the state positions being similar to the federal positions, are as follows:

Federal position	Sate position
Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, the Electrical	The Electrical Trades Union of Employees Queensland, ETU Division



Trades Union Division, Queensland and Northern Territory Divisional Branch	
Divisional Branch Conference Delegates	Divisional Biennial Conference Delegate
Divisional Branch Organisers	Divisional Organisers
Sub-Branch President, Vice-President and Secretary	Divisional Sub-Branch Committee members

Australian Federated Union of Locomotive Employees	The Electrical Trades Union of Employees Queensland, AFULE Division
Sub-Branch Secretary	Divisional Sub-Branch Secretary
Sub-Branch Chairperson	Divisional Sub-Branch Chairperson
Sub-Branch Vice-Chairperson	Divisional Sub-Branch Vice-Chairperson
Sub-Branch Committee members	Divisional Sub-Branch Committee members

- (h) The persons who fills the federal position will fill the state position on, and from, the date that they are declared elected to the federal position.

A38. GENERAL PRESIDENT

- (a) The General President will, subject to these Part A rules, preside at all meetings of the:
- (i) Union Council;
 - (ii) Qld Management Committee; and
 - (iii) Union,
- convened under these Part A rules.
- (b) The office of General President is honorary.
- (c) The General President will together with the other Union Officers:
- (i) facilitate the good government of the Union; and
 - (ii) seek to further, or attain, the Objects.

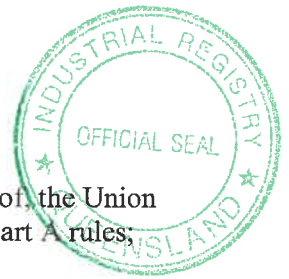
A39. GENERAL VICE-PRESIDENT



- (a) The General Vice-President will:
 - (i) in the absence of the General President; or
 - (ii) on the written request of the General President,
discharge the functions of the President.
- (b) The office of General Vice-President is honorary.
- (c) The General Vice-President will:
 - (i) facilitate the good government of the Union; and
 - (ii) seek to further, or attain, the Objects.

A40. GENERAL SECRETARY

- (a) The General Secretary will:
 - (i) keep all records of the Union required to be kept under these Part A rules;
 - (ii) collect fees, and rents and other monies owing to the Union under these Part A rules;
 - (iii) promptly deposit all monies received on behalf of the Union under these Part A rules;
 - (iv) administer the Union on a day to day basis under these Part A rules;
 - (v) submit to each ordinary meeting of the Qld Management Committee a report of:
 - (A) monies received by the Union under these Part A rules; and
 - (B) accounts for payment to be made by the Union under these Part A rules;
 - (vi) prepare the Union's annual financial statement;
 - (vii) prepare the Union's annual budget;
 - (viii) on leaving office, deliver up all books, documents, and property of the Union held under these Part A rules to their successor;
 - (ix) be the officer to sue on behalf of the Union for matters arising under these Part A rules;
 - (x) when requested by a Divisional Secretary be the officer to sue on behalf of a Division for matters arising under that Division's rules;
 - (xi) perform other duties, and functions, as the Qld Management Committee may direct;



- (xii) appoint, and terminate, employees, contractors and/or agents to, and of, the Union required to fulfil the obligations of the Union that arise under these Part A rules;
 - (xiii) manage and co-ordinate the activities of the employees and contractors to, or of, the Union required to fulfil the obligations of the Union that arise under these Part A rules;
 - (xiv) ensure that a notice of a meeting required under these Part A rules is given under these Part A rules;
 - (xv) ensure that the minutes of a meeting held under these Part A rules are maintained under these Part A rules;
 - (xvi) maintain the Union Register of Members; and
 - (xvii) maintain the Union Register of Officers.
- (b) The General Secretary will ensure the Union is represented, as required by these Part A rules, in relation to relevant hearings before:
- (i) Commissions;
 - (ii) Tribunals;
 - (iii) Boards; and/or
 - (iv) Courts.
- (c) The office of General Secretary is honorary.
- (b) The General Secretary will together with the other Union Officers:
- (i) facilitate the good government of the Union; and
 - (ii) seek to further, or attain, the Objects.

A41. GENERAL ASSISTANT SECRETARY

- (a) The General Assistant Secretary will carry out the duties of the General Secretary during the General Secretary's temporary absence.
- (b) The General Assistant Secretary will assist the General Secretary in performing the General Secretary's duties and will perform such duties as the General Secretary delegates.
- (c) The General Assistant Secretary will perform such other duties and functions as the Qld Management Committee may direct.
- (d) The office of General Assistant Secretary is honorary.
- (c) The General Assistant Secretary will together with the other Union Officers:
 - (i) facilitate the good government of the Union; and
 - (ii) seek to further, or attain, the Objects.



A42. RETURNING OFFICER

- (a) The Qld Management Committee will appoint a Returning Officer.
- (b) The Returning Officer will not be:
 - (i) a member of;
 - (ii) the holder of any office in; or
 - (iii) be an employee of,the Union.
- (c) In the event of a Returning Officer being unable to discharge the duties of the office, or becoming a Candidate, the Qld Management Committee will terminate the appointment, and appoint a replacement Returning Officer.
- (d) The Returning Officer will be responsible for the conduct of ballots for the Union held under these Part A rules, except where an election for an office must be conducted by the Electoral Commission Queensland.

A43. CAPITATION FEES

- (a) For the purpose of this rule unless the contrary intention appears the words in column A have the meaning assigned immediately opposite in column B:

A	B
Capitation Rate	the rate determined by the Qld Management Committee
Capitation Fee	in relation to the relevant financial year and in relation to each Division, will be the amount calculated under sub-rule (b)
Capitation Number	the number of financial members of a Division, determined under the rules of that Division, as at the 1 st of January in each year.

- (b) The Capitation Fee for each Division is calculated by multiplying the Capitation Number by the Capitation Rate.
- (c) Divisions will pay the Capitation Fee on an annual basis unless the Qld Management Committee determines otherwise.
- (d) A Division that has Capitation Fees in arrears for more than two (2) years is un-financial and:
 - (i) a member of Union Council elected by, and from, that Division is not entitled to continue to exercise their functions as a member of the Union Council and the remaining members of the Union Council will exercise all the powers provided by these Part A rules;



- (ii) Union Officers elected by, and from, that Division are not entitled to continue to exercise the function of the Union Office to which they have been elected and the remaining members of the Qld Management Committee will exercise all the powers provided by these Part A rules; and
- (iii) rules A21(j) and A24(h) do not apply and quorum will be comprised of 50% of the members of respectively the Union Council and the Qld Management Committee who remain entitled under this rule to exercise the functions of the respective offices.

A44. EXECUTION OF DOCUMENTS / CHEQUES / NOTIFICATION OF DISPUTES

- (a) Documents required to be executed by an officer of the Union under these Part A rules will, subject to these Part A rules, be executed by two (2) of the Union Officers being one (1) Union Officer from each Division.
- (b) Two (2) of the Union Officers, being one (1) Union Officer from each Division, may:
 - (i) sign cheques; and/or
 - (ii) authorise payments by electronic funds transfer.
- (c) In the circumstances where an industrial dispute, within the meaning of the Act, exists and where the dispute remains unresolved despite attempts by the Union for its part to genuinely attempt a settlement of the Industrial Dispute in the manner required by the Act:
 - (i) for an industrial dispute arising from the Part A rules, then the General Secretary will forthwith give notification of the Industrial Dispute in the manner required by the Act;
 - (ii) for an industrial dispute arising from either the Part B rules or in respect of a member attached to the ETU Division then the Secretary of that Division will promptly give notification of the industrial dispute in the manner required by the Act and under rule B75; and
 - (iii) for an industrial dispute arising from either the Part C rules or in respect of a member attached to the AFULE Division, then the Secretary of that Division will promptly give notification of the industrial dispute in the manner required by the Act and under rule C50.

A45. FINANCIAL PERIOD

- (a) The financial year of the Union is from the 1st of July in a year to the 30th of June in the year immediately following.
- (b) Sub-rule (a) does not prevent a Division from adopting a different financial year.

A46. UNION FUND

- (a) The Union Fund will consist of:
 - (i) real, or personal property, of which the Union by:

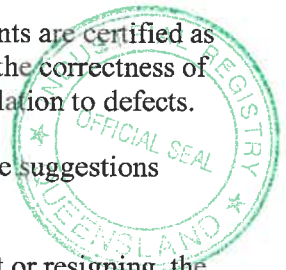


- (A) these Part A rules; or
- (B) any established practice not inconsistent with these Part A rules,
has, or in the absence of any limited term, lease, bailment or arrangement,
would have, the right of custody, control or management;
- (ii) entrance fees, subscriptions, levies or fines received by the Union under these Part A rules;
- (iii) capitation fees paid by the Divisions under these Part A rules;
- (iv) interest, rents, dividends or other income derived from the investment of the Union Fund;
- (v) benefit funds administered by the Union under these Part A rules for the benefit of the members;
- (vi) property acquired by expenditure from, or derived from, the assets of the Union Fund; and
- (vii) proceeds of any disposal of parts of the Union Fund.
- (b) All expenditure from the Union Fund must be made under these Part A rules.
- (c) The Union Fund will only be used:
 - (i) to seek, or attain, the Objects; and
 - (ii) for the necessary expenses of management of the Union incurred under these Part A rules.
- (d) Expenditure incurred under sub-rule (b) must be placed, as soon as practicable, before the Qld Management Committee for consideration and, if appropriate, ratification.

A47. AUDIT OF UNION ACCOUNTS

- (a) The Qld Management Committee will appoint, under the provisions of the Act, an auditor who will hold the qualification required for a competent person under the Act.
- (b) The auditor will:
 - (i) audit the Financial Statements of the Union, excluding its Divisions, at the end of each financial year and at other times as the Qld Management Committee directs;
 - (ii) have access to and examine registers, books, papers, deeds, documents, Financial Statements and accounts of the Union held or in the control of a Union Officer under these Part A rules;
 - (iii) have the discretion to examine a Union Officer in regard to the registers, books, papers, deeds, documents, Financial Statements and accounts of the Union held or in the control of a Union Officer under these Part A rules; and
 - (iv) obtain from a financial facility, in which the Union Fund is deposited and/or invested, a written statement of transactions and balances held.

- (c) The auditor will furnish a written statement that the Financial Statements are certified as correct under the Act and these Part A rules, or, if unable to certify to the correctness of any of them, promptly report to the Qld Management Committee in relation to defects.
- (d) The auditor has power to place before the Qld Management Committee suggestions concerning the financial affairs of the Union.
- (e) In the event of an appointed auditor being unable to act, refusing to act or resigning, the Qld Management Committee will promptly appoint an auditor qualified to be appointed under this rule as a replacement.



A48. BANKING/DISBURSEMENT

- (a) The Qld Management Committee may determine in relation to the Union Fund to:
 - (i) deposit it on current account in a financial facility that the Qld Management Committee determines;
 - (ii) deposit it on fixed deposit with a:
 - (A) bank; or
 - (B) financial institution carrying on business in the Commonwealth or elsewhere;
 - (iii) mortgage a:
 - (A) real; or
 - (B) personal, property;
 - (iv) subscribe for, or purchase, shares in a Company registered in the Commonwealth or elsewhere.
- (b) The name of an account in a financial facility, in relation to which monies comprising the Union Fund are deposited, must include the words:
 - (i) *"The Electrical Trades Union of Employees Queensland, [insert account name]"*.
- (c) Monies attributed to the Union Fund will be banked by the General Secretary as soon as practicable.
- (d) Disbursements from the Union made under these Part A rules will be made by cheque, direct debit, bank transfer, credit card or other convenient method of payment, provided that:
 - (i) it has been authorised in writing by the General Secretary and another Union Officer; and
 - (ii) the expenditure:
 - (A) is of a type that has been authorised by the Qld Management Committee;



- (B) the expenditure is within an authorised amount determined by the Qld Management Committee and to be applied for a particular purpose determined by the Qld Management Committee; or
 - (C) the particular transaction has been authorised by the Qld Management Committee.
- (e) The Qld Management Committee may, in relation to a particular account of the Union Fund, determine to maintain the account at a particular level.

A49. DIVISIONAL AUTONOMY

- (a) A Division will, unless these Part A rules otherwise provide, be autonomous in relation to:
 - (i) matters which do not directly affect the members of another Division;
 - (ii) its management;
 - (iii) its investment and use of its Divisional Fund;
 - (iv) furthering, and attaining, the Objects;
 - (v) the entrance fees, subscriptions, levies and fines that it requires members of the Division to pay;
 - (vi) its affiliations;
 - (vii) its policy;
 - (viii) the discipline of its members and officers;
 - (ix) the election of its officers;
 - (x) the creation of its sections;
 - (xi) the appointment of employees and agents engaged by the Union, at the direction and cost of the Division, to perform work on behalf of the Division; and
 - (xii) the appointment of Workplace Representatives and health and safety representatives on behalf of the Division.

A50. DISPUTE BETWEEN DIVISIONS

- (a) Disputes between Divisions as to the attachment of members to Divisions will be determined by the Qld Management Committee, and the determination of the Qld Management Committee will be final.
- (b) Disputes between Divisions, other than disputes referred to in sub-rule (a), where the parties to the dispute have in conjunction with the General Secretary attempted and failed to resolve it, will be referred to the Union Council which may recommend to the Qld Management Committee how the dispute can be resolved.



A51. LOANS, GRANTS AND DONATIONS

- (a) Loans, grants and donations of an amount exceeding \$1,000 will not be made by the Union Officers to any one (1) member, under these Part A rules, unless the Qld Management Committee has satisfied itself that:
 - (i) the making of the loan, grant or donation is made under these Part A rules;
 - (ii) in relation to a loan, that in the circumstances the security proposed to be given for the repayment of the loan is adequate and the proposed arrangements for the repayment of the loan are satisfactory,and it has approved the making of the loan, grant or donation.

A52. COMMON SEAL

- (a) The common seal of the Union will be kept at the Principal Office in the custody of the General Secretary.
- (b) The common seal will be affixed by the General Secretary to an instrument which is required to be executed under seal.

A53. INSPECTION OF RECORDS AND BOOKS

- (a) A financial Ordinary Member of the Union may in accordance with a member's rights, under the Act, inspect the records of the Union.

A54. AFFILIATION

- (a) The Qld Management Committee may determine that the Union affiliate, remain affiliated and/or become a member, or remain a member, of:
 - (i) the Queensland Council of Unions;
 - (ii) a political party representing the interests of the members;
 - (iii) industrial bodies which can promote the interests of the members; and/or
 - (iv) community bodies which can promote the interests of the members.
- (b) Despite sub-rule (a) nothing prevents a Division from separately affiliating, in the name of the Union and the Division, to such bodies as are provided for in sub-rule (a) or otherwise provided for in a Division's rules.
- (c) In determining to affiliate the Qld Management Committee will ensure that the Unions rules are complied with.
- (d) An affiliation and/or membership of the Union must occur in a way that ensures that there is no overlap in the payment of affiliation fees (between the Union and a Division) where those fees are calculated on a capitation basis.

A55. MISCONDUCT OF MEMBERS



- (a) For the purpose of this rule unless the contrary intention appears the words in column A have the meaning assigned immediately opposite in column B:

A	B
Section	(a) Union; (b) ETU Division; or (c) AFULE Division.
Bond	See sub-rule (c)(i)

(b) Charges by financial Ordinary Member

- (i) A financial Ordinary Member of a Section may charge another member of that Section with:
- (A) tampering with, falsifying or otherwise wilfully misusing membership cards, or any books or documents of the Section;
 - (B) contrary to these rules obtaining or keeping the possession of any books, papers or other documents or property belonging to the Section;
 - (C) knowingly failing to observe the Section's rules;
 - (D) knowingly failing to observe any resolution of the Section's Council or the Section's Committee of Management binding on them;
 - (E) grossly misbehaving;
 - (F) misappropriating the funds of the Section;
 - (G) substantially breaching the Section's rules;
 - (H) obstructing the Section's Council, the Section's Committee of Management, an officer or an employee, agent or any other lawful representative of the Section in any way in the performance of the functions of the Section;
 - (I) giving false or misleading information to the Section's Council, the Section's Committee of Management, an officer or an employee, agent or other lawful representative of the Union on a matter;
 - (J) obstructing an officer of the Section in the course of the officer's duties;
 - (K) obstructing an employee of the Section in the course of the employee's duties;
 - (L) wrongfully holding themselves out as occupying an office or position in the Section, or as being entitled to represent the Section provided that it will be a defence to this charge that the member honestly believed on reasonable grounds that they were entitled to act in that office or position;



- (M) aiding or encouraging a member to breach the Section's rules;
- (N) encouraging a member to resign from the Section;
- (O) knowingly encouraging a member to join an association, organisation or corporation which is in competition with the Section;
- (P) wrongfully causing injury to the reputation of the Section, an officer, an employee, agent or other lawful representative of the Section or a member;
- (Q) making false allegation against the Section, an officer, an employee, agent or other lawful representative of the Section or a member;
- (R) knowingly conducting themselves in a way that brought the Section, an officer, an employee, agent or other lawful representative of the Section or a member into disrepute;
- (S) after having been reasonably requested to assist, failing to assist the Section's Council, the Section's Committee of Management, an officer, an employee, agent or other lawful representative of the Section in the performance of the functions of the Section;
- (T) after having been reasonably requested to assist, failing to assist an officer or employee of the Section in the course of the officer's or employee's duties;
- (U) refusing to comply with the directions of the Section's Council and/or Section's Management Committee to show cause to a meeting of the Section's Council and/or Section's Management Committee why the member (refusing to comply) should not be suspended from membership or expelled from the Section; and/or
- (V) lending or selling to some other person their membership card or other document used to identify a person as a member.

(c) Processing of Charges

- (i) A charge will be made in writing to the Section's Secretary, or if in relation to the Section's Secretary then the Assistant Secretary, and must be accompanied by a bond in the sum of \$500.00, or other amount as the Section's Council determines, which, subject to this rule, will be refundable.
- (ii) The Section's Secretary may, and will, if directed by the Section's Committee of Management, summon the member charged before the Section's Committee of Management.
- (iii) The summons will:
 - (A) be in writing;
 - (B) set out the time and place of the hearing;
 - (C) set out the name of the person laying the charge; and
 - (D) set out the particulars of the charge.



- (iv) A member charged is entitled under part (iii) to sufficient particulars that make clear the matters with which the member is charged.
 - (v) The member charged will, having regard to the circumstances, be given reasonable notice, in writing, of the hearing and so as to permit the member to be in attendance at the meeting at which the Section's Committee of Management will consider the charge.
 - (vi) If required to attend at a place more than 80 kilometres from the member's address, the member will, if the member requests it, be given their return fare (by suitable means of transport) so as to permit the member to be in attendance at the meeting at which the Section's Committee of Management will consider the charge.
 - (vii) At the appointed time and place (or any time and place to which the meeting is adjourned or postponed and of which the member charged is notified) the charge may be heard, whether or not the person charged is present, provided that if the member charged provides an explanation satisfactory to the Section's Committee of Management for their absence then the Section's Committee of Management will adjourn the hearing of the matter to another time and/or place.
 - (viii) If the member charged attends the member will be informed of the substance and source of information adverse to them on which the Section's Committee of Management relies.
 - (ix) At the hearing of the charges, including the hearing of matters relating to penalty, the member will be given a reasonable opportunity to defend themselves and may, if the member wishes, provide written submissions to the Section's Committee of Management.
 - (x) A member may, at the hearing of charges, be represented by another financial member attached to the Section, but by no other person.
- (d) Power to Hear Charges
- (i) The Section's Committee of Management will have power to hear and determine charges under this rule.
 - (ii) In the hearing of the charges the Section's Secretary will be the prosecutor.
 - (iii) The Section's Committee of Management will determine whether the Section's Committee of Management will:
 - (A) hear evidence from any persons, whether members or not; and/or
 - (B) receive other material relevant to the charge,and may make this determination in advance of the hearing of the charges on the written application of the person acting as prosecutor or the member charged.
 - (iv) Subject to this rule the Section's Committee of Management can determine how it will proceed to determine a charge.
- (e) Findings of the Section's Committee of Management



- (i) If the Section's Committee of Management finds the member guilty, it may subject to rule A56 do one or more of the following:
 - (A) impose no penalty;
 - (B) fine the member any sum not exceeding \$1000.00;
 - (C) remove the member to the suspension list, provided that a member may only remain on the suspension list for a period of 12 months, at which time they must either be reinstated to membership or have the circumstances of their suspension reviewed by the Section's Committee of Management for the purpose of continuing the suspension for further periods of 12 months or reinstatement to membership; or
 - (D) expel the member from the Union.
- (ii) If the Section's Committee of Management finds the member liable then the Bond must be repaid to the financial Ordinary Member who brought the charges.
- (iii) The Section's Committee of Management must provide the member concerned with the determination in writing.
- (f) Suspension List
 - (i) A member who is removed to the suspension list, in accordance with this rule is, whilst on the suspension list:
 - (A) not entitled to exercise a privilege of membership; and
 - (B) liable for the payment of subscription fees, levies and fines.
- (g) Grounds for Removal of Office
 - (i) Provided that the provisions of this rule do not provide for, or enable, the dismissal from office of a person elected to an office within the Section unless the officer has been found guilty, pursuant to rule A57.
- (h) Frivolous Charges
 - (i) If upon investigation the charge is found to be frivolous the Bond will be forfeited to the Section.
- (i) Payment of Fines
 - (i) Where a member is fined under this rule, the member is required to pay the fine within 14 days of having been notified, in writing, of the imposition of the fine.
- (j) In the event that it is the Section's Secretary that is charged, the Section's Vice-President will act in the Section's Secretary's place for the purpose of this rule.

A56. APPEALS FROM THE DETERMINATION OF THE COMMITTEE OF MANAGEMENT

- (a) For the purpose of this rule, unless the contrary intention appears, the words in column A have the meaning assigned immediately opposite in column B:



A	B
Appeal Body	For the: (a) Union, the Union Council; (b) ETU Division, the ETU Divisional Council; or (a) AFULE Division, the AFULE Divisional Council
Appellant	The member appealing
Section	(a) Union; (b) ETU Division; or (c) AFULE Division.
Determination	A determination under rule A55 from the Section's Committee of Management

- (b) An appeal will lie at the instance of the member charged from a determination under rule A55 from the Section's Committee of Management to the Appeal Body (the Determination).
- (c) Notice of appeal must be given, by the member concerned, in writing within 14 days of the Determination being communicated to the member and must set out the:
 - (i) matters that the member seeks to be considered by way of appeal including penalty; and
 - (ii) grounds for the appeal.
- (d) The notice of the appeal must be given to the Section's Secretary.
- (e) The appeal is to be dealt with at a special meeting of the Appeal Body to be held within 60 days of receipt of the Notice of appeal.
- (f) The Appellant must be given 20 days written notice of the hearing.
- (g) The Appellant may attend the meeting at which the Appeal Body considers the appeal.
- (h) At the appointed time and place, or a time and place to which the meeting is adjourned or postponed and of which the Appellant is notified, the appeal may be heard whether or not the Appellant is present.
- (i) The Appeal Body may determine to conduct the hearing of the appeal by telephone and/or videolink, where the Appeal Body considers it appropriate to do so.
- (j) At an appeal, including an appeal relating to penalty, the Appellant, if present, must be given a reasonable opportunity to be heard.
- (k) The Appellant may provide written submissions to the Appeal Body.

- (l) The Appellant may, at an appeal, be represented by another financial Ordinary Member attached to the respective Section, but by no other person.
- (m) In the event that it is the Section's Secretary that is charged, the Section's Vice-President will act in the Section's Secretary's place for the purposes of this rule.
- (n) The determination of the Appeal Body is final.



A57. REMOVAL OF OFFICERS

- (a) For the purpose of this rule unless the contrary intention appears the words in column A have the meaning assigned immediately opposite in column B:

A	B
Section	<ul style="list-style-type: none"> (a) Union; (b) ETU Division; or (c) AFULE Division.

- (b) An Officer of a Section may be removed from office where:
 - (i) The officer has been found guilty under these Union rules, of:
 - (A) misappropriation of funds of the Section or the Union;
 - (B) a substantial breach of the rules of the Section or the Union; or
 - (C) gross misbehaviour or gross neglect of duty; or
 - (ii) where that office has ceased, under the rules of the Section to be eligible to hold that office.
- (c) A financial Ordinary Member of a Section may charge an officer of that Section with an offence referred to in sub-rule (b)(i) or make the allegation referred to in sub-rule (b)(ii).
- (d) The financial Ordinary Member making a charge or allegation will provide the Section's Secretary with written particulars of the matters charged or alleged.
- (e) The Section's Secretary must inform the officer charged of the charges, and of the particulars of the matters, by notice in writing by certified mail, or by other means as may be agreed to by the officer, in sufficient time to enable the officer to be in a position to respond to the allegation.
- (f) The charge must be promptly heard, and determined, by the Section's Council at a special meeting of the Section's Council called for that purpose.
- (g) The provisions of rule A55 relating to procedure will apply to the hearing of a charge or allegation under this rule.
- (h) When dealing with a charge the Section's Council will take reasonable steps to ensure that the charge or allegations are dealt with fairly and that a reasonable opportunity is

provided to the officer concerned to present their defence or response to the charge or allegation.



- (i) The determination of whether an officer is liable in relation to the matters charged or has ceased, under the rules of the Section, to be eligible to hold the office concerned, will be made by resolution passed by a majority of the members of the Section's Council at the special meeting.
- (j) The Section's Council, where it finds an officer guilty of a charge made in accordance with this rule, may determine to:
 - (i) censure the officer concerned;
 - (ii) suspend that officer from that office for a period not exceeding 60 days; or
 - (iii) remove the officer from office.
- (k) In the event that it is the Section's Secretary that is charged, the Section's Vice-President will act in the Section's Secretary's place for the purpose of this rule.
- (l) No appeal lies from a determination of the Section's Council.

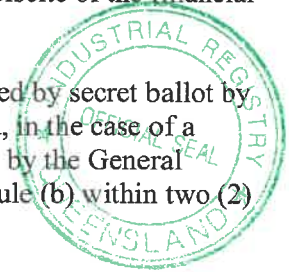
A58. MAKING OR ALTERATION OF UNION RULES

- (a) The Qld Management Committee has, subject to this rule, power to amend these Part A rules by resolution carried by a three-quarter ($\frac{3}{4}$) majority of the members of the Qld Management Committee.
- (b) Despite sub-rule (a) an amendment to the Part A rules cannot occur unless each Division, by its management committee, consents to the amendment concerned.
- (c) Notice of a proposal to amend the Part A rules must be given in writing to each member of the Qld Management Committee at least seven (7) days prior to the meeting of the Qld Management Committee that considers the resolution, unless each member of the Qld Management Committee consents to waive notice.
- (d) Notwithstanding the provisions of sub-rule (a), the Qld Management Committee does not have the power to amend the Part A rules providing for attachment of members of the Union to a Division unless each of the Divisions, by a three-quarter ($\frac{3}{4}$) majority, vote of the management committees of the respective Divisions approves the amendment.
- (e) The Part B and C rules may only be amended by the respective Division under the rules of that Division.
- (f) When advised of an amendment of the rules of a Division by the Divisional Secretary of the Division concerned, the General Secretary must promptly make application to the Registrar for certification of that amendment.

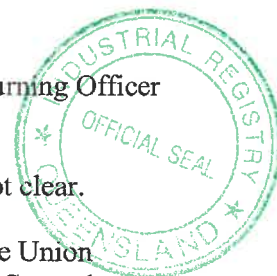
A59. PLEBESCITE

- (a) The General Secretary will, on receipt of a request in writing signed by 15% of the financial Ordinary Members, direct the conduct of a plebiscite of the financial Ordinary Members on a matter concerning the Union.

- (b) The Qld Management Committee may direct the conduct of a plebiscite of the financial Ordinary Members on a matter concerning the Union.
- (c) A plebiscite to be held under sub-rules (a) and (b) will be conducted by secret ballot by the Union Returning Officer under this rule and will be completed, in the case of a plebiscite under sub-rule (a) within three (3) months of the receipt by the General Secretary of the request and in the case of a plebiscite under sub-rule (b) within two (2) months of the direction of the Qld Management Committee.
- (d) Where a request has been received under sub-rule (a) or a direction given under sub-rule (b), the Qld Management Committee will not, so far as is practicable, until the completion of the plebiscite, act in relation to the matter the subject of the plebiscite.
- (e) Where a request is received under sub-rule (a) or a direction given under sub-rule (b), the General Secretary will advise the Union Returning Officer and the Union Returning Officer will direct the conduct of the plebiscite and take all necessary steps to ensure the secrecy of the ballot.
- (f) The Union Returning Officer will determine the opening and closing dates of the ballot.
- (g) The Qld Management Committee and, where the plebiscite is held following a request under sub-rule (a) of this rule, the members who requested the plebiscite may each appoint two (2) scrutineers for the conduct of the plebiscite and will, before the opening of the ballot, inform the Union Returning Officer of the name of each scrutineer appointed.
- (h) The Union Returning officer will:
- (i) on the opening of the ballot forward or cause to be forwarded by prepaid post or otherwise to each financial Ordinary Member, a ballot paper bearing the Union Returning Officer's signature together with a reply paid return envelope addressed to the Union Returning Officer at the Union Returning Officer's address for the purpose of the conduct of the plebiscite;
 - (ii) give directions to voters as the Union Returning Officer considers necessary;
 - (iii) give a direction that a voter must not make any mark on the ballot paper which will identify them and that any mark of that type will render the vote invalid;
 - (iv) provide for a method of permitting financial Ordinary Members to vote whilst preserving the secrecy of the ballot.
- (i) Subject to sub-rule (j) a scrutineer appointed under sub-rule (g) may be present during the conduct of the ballot by the Union Returning Officer including the counting of ballot papers returned in the plebiscite and may object to a ballot paper being counted on the ground that it does not clearly express the voter's attitude to the question to which the plebiscite is directed.
- (j) A scrutineer must observe a direction given by the Union Returning Officer during the conduct of the ballot and will comply with any decision given by the Union Returning Officer as to whether a ballot paper is to be counted as sufficiently expressing a voter's attitude to the question which is the subject of the plebiscite.
- (k) A voter will cast a vote in the ballot by completing the ballot paper forwarded to the voter under sub-rule (h) in conformity with the directions to voters and forwarding the



ballot paper to the Union Returning Officer so as to reach the Union Returning Officer no later than the closing date of the ballot.



- (l) A vote cast in the ballot will be informal if the intention of the voter is not clear.
- (m) On completion of the counting of ballot papers returned in a plebiscite the Union Returning Officer will declare the result of the plebiscite by advising the General Secretary in writing of the number of ballot papers forwarded to voters, the numbers approving the matter or the subject of the plebiscite, the number not approving and the number of informal votes.
- (n) Where at least 25% of the financial Ordinary Members vote in a plebiscite and 50% of the financial Ordinary Members voting approve the matter submitted to plebiscite, the matter is binding on the Union.
- (o) In the event of a tied plebiscite the proposal is declared lost.
- (p) Provided that upon the Qld Management Committee receiving a request in writing for a plebiscite it may, where the proposal contained in the request in writing for a plebiscite is capable of adoption by it, may determine to adopt the proposal contained in the request.
- (q) Where the Qld Management Committee makes a determination under sub-rule (p) the plebiscite is not required to be conducted.

A60. DISSOLUTION OF THE UNION

- (a) Whilst seven (7) financial Ordinary Members remain, the Union will not be dissolved.
- (b) Should the number of financial Ordinary Members fall below seven (7), the Union will be dissolved.
- (c) The Union will not be dissolved unless all the Divisions agree.
- (d) A Division will be dissolved if the number of financial members of that Division is reduced to seven (7) financial Ordinary Members or less.
- (e) Where a Division is dissolved and the Union continues, the property of that defunct Division is to be vested in the Division to which the members of the defunct Division are allocated.
- (f) In the event of a dissolution, all assets, after payment of all debts, will be held in trust by the Union Officers in a separate fund until a new union with objects similar to the Union and with seven (7) or more members can be formed, and the assets held in trust will then be transferred to that new union.

A61. STANDING ORDERS

- (a) For the purpose of this rule unless the contrary intention appears the words in column A have the meaning assigned immediately opposite in column B:

A	B
Section	(a) Union;

	(b) ETU Division; or (c) AFULE Division.
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- (b) The following procedures will be adhered to as far as practicable at all meetings of the Section held under the Section's rules.
- (c) The chair will take the chair for the meeting and upon ascertaining that a quorum is present will then declare the meeting open for the transaction of business, provided that if no quorum is present within 15 minutes, the meeting will not proceed to business.
- (d) The standing order for meetings will be:
 - (i) attendance and apologies;
 - (ii) business as notified;
 - (iii) minutes will be presented for confirmation, but no discussion will be allowed except as to their accuracy as a record of the proceedings;
 - (iv) correspondence;
 - (v) financial statements and accounts;
 - (vi) reports; and
 - (vii) general business on notice.
- (e) A motion on notice will be required to suspend the standing orders at a meeting.
- (f) A person seeking to suspend the standing order will give notice, under these rules, to the Section's Secretary.
- (g) A person, having relevant rights under these rules, may seven (7) days prior to a meeting give notice of a motion to be moved at that meeting by handing a copy of the motion to the Section's Secretary.
- (h) A notice of motion will be dealt with in the order in which it stands in the agenda, in relation to other similar notices, provided that a motion to adjourn the standing order will be dealt with prior to the agenda item of concern being dealt with.
- (i) No notice of motion entered on the notice paper will be proceeded with unless the person who has given such notice is present when the business is called in its order.
- (j) No notice of motion will proceed unless it is seconded.
- (k) Notices of motion not proceeded with will be struck out.
- (l) No new business will be taken later than three (3) hours after the commencement of a meeting unless an extension of time is granted by the meeting.
- (m) A person engaging in misconduct during a meeting or obstructing the business of the meeting will be called to order by the chair and if, after being called to order, the person persists in the misconduct or obstruction or otherwise refuses or fails to comply with the

chair's direction, that person may be excluded from taking any further part in the business of the meeting and may be physically expelled from the meeting.

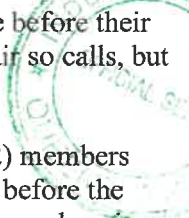


A62. RULES OF DEBATE

- (a) For the purpose of this rule unless the contrary intention appears the words in column A have the meaning assigned immediately opposite in column B:

A	B
Section	(a) Union; (b) ETU Division; or (c) AFULE Division.

- (b) The following rules of debate will be adhered to as far as practicable at all meetings of the Section held under the Section's rules.
- (c) No discussion will be allowed except on a motion or amendment, duly proposed and seconded.
- (d) A call for a seconder will only be put twice at which time if the motion or amendment has not been seconded it will lapse.
- (e) A member desiring to propose a motion or amendment or to discuss any matter under consideration must address the chair.
- (f) No member will address the meeting unless, and until, called upon by the chair.
- (g) When the chair speaks during a meeting the member then speaking, or offering to speak, will cease so that the chair may be heard without interruption.
- (h) The chair will call to order any speaker who departs from the question or who violates the courtesies or rules of debate.
- (i) If the chair determines to participate in a debate at a meeting then the chair will vacate the chair whilst participating, which will be taken by the person who acts, under these rules, in the absence of the chair.
- (j) Motions will be determined in the following manner:
- (i) the mover of the motion will have five (5) minutes at the time of moving the motion to present argument in support of the motion and three (3) minutes to reply, where the reply is limited to the answering of arguments advanced against the motion;
 - (ii) the seconder of a motion and all other speakers will be limited to three (3) minutes;
 - (iii) the meeting, on motion without debate, may extend the time of a speaker but an extension of time must not exceed three (3) minutes and the meeting may agree to further extensions on the same basis;

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- (iv) the chair will call attention to the time of all speakers one (1) minute before their time expires and motions for extensions may be made when the chair so calls, but not later;
 - (v) after the motion has been moved and seconded, no more than two (2) members will speak in succession on one side, either for or against a question before the meeting and if at the conclusion of the second speaker's remarks no member rises to speak on the other side, the motion or amendment will at once be put to the meeting, subject to part (i) of this sub-rule.
- (k) Votes at meetings will be subject to the following:
- (i) the chair will read the motion and determine the question on the voices, provided that the chair may call for a show of hands;
 - (ii) every question submitted to a meeting will be decided by a show of hands, unless a poll is demanded by five (5) members;
 - (iii) the chair will then declare the motion carried or lost.
- (l) In the event of a motion being carried or lost by a narrow majority, any three (3) members may demand a division and on a division being called for, those in favour will go to the side of the room on the chair's right and those against to the chair's left and the number on each side will be counted and the number of voters, for and against, will be recorded in the minutes.
- (m) At any time during debate on any motion it will be competent for a member who has not spoken to the motion to move an amendment, which will be subject to the following:
- (i) amendments must be seconded;
 - (ii) motions may be amended by adding words, by deleting words, or by deleting words and inserting others in their place;
 - (iii) the effect of a proposed amendment cannot be to establish a direct negative to the question contained in the motion;
 - (iv) only one amendment will be received at a time and that amendment must be disposed of before a further amendment may be considered or moved;
 - (v) amendments will be put before the original motion;
 - (vi) the mover of an amendment will not have a right of reply;
 - (vii) should an amendment be carried it becomes the substantive motion and thereon a further amendment may be proposed, however, if no further amendment is proposed, the amendment which has become the substantive motion, will be put without further debate subject to part (v) of sub-rule (j).
- (n) Where a motion is considered by a meeting without any amendments being proposed no member except for the mover of the motion will speak more than once on the motion, unless by way of personal explanation or with the consent of the meeting.
- (o) Where an amendment is proposed a member may speak for or against the proposed amendment.



- (p) A member who considers they have been misrepresented by a speaker may, with the indulgence of the chair, interrupt the speaker to correct the misrepresentation, but the member interrupting must not enter into argument.
- (q) It will be competent at any time during a debate for a member who has not spoken to a motion under consideration, to rise and move, that the question be now put but no discussion will be allowed and if this motion is seconded and carried, the chair will immediately call upon the member (if any) who may have the right of reply, and then, immediately following the reply, the chair will put the motion which will include the amendments (if any) that have been moved and accepted.
- (r) No motion on another subject will be submitted until the one before the chair is disposed of under this rule.
- (s) Should a question have occupied the attention of the meeting for 20 minutes, the discussion on such question will be closed and the chair will then call on the mover to reply, unless the meeting decides by resolution to continue the discussion of the matter in question.
- (t) A motion may be dealt with by:
 - (i) adoption as moved;
 - (ii) rejection as moved; or
 - (iii) adoption after amendment of the subject matter.
- (u) Any of the following motions, will be in order despite a motion (or motion with amendments) being before the meeting:
 - (i) The Order of the Day, i.e., that the next business in order be now taken;
 - (ii) postponement of the question, either to a definite time or a time to be fixed;
 - (iii) reference to a committee;
 - (iv) adjournment:
 - (A) of the debate;
 - (B) of the meeting.
- (v) A motion for adjournment:
 - (i) may be moved and seconded at any time during the meeting;
 - (ii) may be debated, provided that not more than four (4) speakers be allowed both for and against the motion, inclusive of the mover and seconder;
 - (iii) provides no right of reply for the mover of the motion;
 - (iv) will be successful if carried by a majority of the members present.
- (w) A second motion for adjournment will not be moved until the subject under discussion at the time of the first motion for adjournment has been disposed of.




- (x) Questions of order will be decided by the chair, whose ruling will be final unless challenged by a formal motion submitted to the meeting.
- (y) A member may rise to a point of order when the member considers the rules of debate to have been violated provided that the member must submit the point of order to the chair, who will decide the question as prescribed in sub-rule (w).
- (z) Upon the point of order being raised, the member addressing the meeting at the time will take their seat and will remain seated until the point of order has been decided.
- (aa) A ruling given by the chair on a question may be subject to a motion of dissent calling the meeting to disagree with the ruling.
- (bb) On the motion of dissent being seconded, the chair will vacate the chair which will be taken by the person who acts, under the Section's rules, in the absence of the chair.
- (cc) No motion of dissent from the chair's ruling will be permitted unless it is made before other business has been proceeded to.
- (dd) The procedure to determine a motion of dissent will be as follows:
 - (i) the member moving the motion of dissent will be given five (5) minutes to support the motion;
 - (ii) the chair will be given five (5) minutes to defend their ruling;
 - (iii) the acting chair will then put the question and on the question being determined the chair will resume the chair.
- (ee) A report of a Committee officially presented will be received without motion, but the adoption of such report either absolutely, or by clauses, will be moved and seconded.
- (ff) It will be competent for a member to move the reconsideration of a resolution that has been passed by a meeting, provided that the member will have given notice at a previous meeting.
- (gg) It will be competent for a member to propose that a subject will be considered in a committee of the whole meeting and the vote on that proposition when seconded will then be taken without discussion.

A63. TRANSITIONAL – AMALGAMATION ETU AND AFULEQ

- (a) Under this rule the words in column A have, unless the context clearly implies the contrary, the meaning assigned immediately opposite in column B:

A	B
Amalgamation Day	the date prescribed by the Industrial Relations Commission as the day of amalgamation for the ETUQ and the AFULEQ
Amalgamated Union	the union formed by the amalgamation of the ETUQ and the AFULEQ



AFULEQ	the Australian Federation Union of Locomotive Employees, Queensland Union of Employees
Continuing Trustees (of a Division)	persons currently holding the office of trustee in the respective Division
ETUQ	The Electrical Trades Union of Employees Queensland on the day immediately preceding Amalgamation Day
Management Committee of a Division	the management committee of a Division established under the Part B and C rules
Inaugural Election	the first quadrennial elections to be conducted in accordance with these Union rules in 2018 in respect of the officers in Part A and in 2019 in respect of the offices in Parts B and C
Section	Is a section, branch, sub-branch or other operating unit of a Division under the Part B and C rules
Workplace Representative	financial Ordinary Members appointed as shop stewards or health and safety representatives under the Part B and C rules

- (d) The purpose of this rule is to provide for:
- (i) the amalgamation of the ETUQ and the AFULEQ to constitute the Amalgamated Union;
 - (ii) the conduct of the first election for the offices of the Amalgamated Union in the year 2018; and
 - (iii) the conduct of the first election for the offices of the Divisions in the year 2019.
- (e) This rule applies notwithstanding any other rule in Parts A, B and C.
- (f) The Part A, B and C rules will commence to operate on, and from, Amalgamation Day.
- (g) The Amalgamated Union and its members will comply with the rule changes effected on Amalgamation Day severably as provided for in this rule.
- (h) A person who was, on the day immediately preceding Amalgamation Day, a member of the ETUQ, other than a Life Member, an Honorary Member or an Associate Member, is on Amalgamation Day an Ordinary Member of the Amalgamated Union, without the payment of a further fee, attached to the ETU Division.
- (i) A person who was, on the day immediately preceding Amalgamation Day, a Life Member of the ETUQ will on Amalgamation Day be a Life Member of the Amalgamated Union, without the payment of a further fee, attached to the ETU Division.
- (j) A person who was, on the day immediately preceding Amalgamation Day, an Honorary Member of the ETUQ will on Amalgamation Day be an Honorary Member of the Amalgamated Union, without the payment of a further fee, attached to the ETU Division.



- (k) A person who was, on the day immediately preceding Amalgamation Day, an Associate Member of the ETUQ will on Amalgamation Day be an Associate Member of the Amalgamated Union, without the payment of a further fee, attached to the ETU Division.
- (l) A person who was, on the day immediately preceding Amalgamation Day, a member of the AFULEQ, other than a life member or a political member will on Amalgamation Day be an Ordinary Member of the Amalgamated Union, without the payment of a further fee, attached to the AFULE Division.
- (m) A person who was, on the day immediately preceding Amalgamation Day, a life member of the AFULEQ will on Amalgamation Day be a Life Member of the Amalgamated Union, without the payment of a further fee, attached to the AFULE Division.
- (n) A person who was, on the day immediately preceding Amalgamation Day, a political member of the AFULEQ will on Amalgamation Day be a Political Member of the Amalgamated Union without the payment of a further fee, attached to the AFULE Division.
- (o) A member of the Amalgamated Union who becomes a member under sub-rules (f), (h), (i), (j) or (l) will:
 - (iv) without the payment of a further subscription be a financial member of the Amalgamated Union for the same period as they would, but for the amalgamation, have been a financial member of respectively the ETUQ or the AFULEQ as the case may be; and
 - (v) following the period referred to in part (i), be obliged to make payment of subscriptions, as these Union rules require.
- (p) A member of the Amalgamated Union, who becomes a member, on or following Amalgamation Day, other than under sub-rules (g) and (k), is liable to pay subscriptions and fees under the Part B and C rules.
- (q) A person who on the day immediately preceding Amalgamation Day is a member of the ETUQ and liable to pay a levy is on Amalgamation Day liable to pay that levy to the ETU Division subject to these Union rules.
- (r) The person who on the day immediately preceding Amalgamation Day is a member of the AFUEQ and liable to pay a levy is on Amalgamation Day liable to pay that levy to the AFULE Division subject to these Union rules.
- (s) A person who on the day immediately preceding Amalgamation Day is a member of the ETUQ and liable to pay a fine is on Amalgamation Day liable to pay that fine to the ETU Division subject to these Union rules.
- (t) A person who on the day immediately preceding Amalgamation Day is a member of the AFUEQ and liable to pay a fine is on Amalgamation Day liable to pay that fine to the AFULE Division subject to these Union rules.
- (u) A member of the Amalgamated Union on, and from, Amalgamation Day is liable to pay levies and fines under the Part B and C rules.
- (v) The subscriptions and fees to be paid by members of the Amalgamated Union subsequent to Amalgamation Day will be:



- (vi) for members who were members of the ETUQ on the day immediately preceding Amalgamation Day at the level of subscriptions and fees paid by that member on the day immediately preceding Amalgamation Day; and
- (vii) for members who were members of the AFULEQ on the day immediately preceding Amalgamation Day at the level of subscriptions and fees paid by that member on the day immediately preceding Amalgamation Day.
- (w) The subscriptions and fees for new entrants to the Amalgamated Union will be the subscriptions or fees paid by a member of the respective membership category of the Division to which they are attached.
- (x) This rule does not prevent the Management Committee of a Division from determining the level of subscriptions or fees in relation to members attached to the Division under that Division's rules.
- (y) For the purpose of the rules of the Amalgamated Union, financial membership of the Amalgamated Union will be continuous with the period the person was a financial member, respectively of the ETUQ or the AFULEQ, as the case may be.
- (z) A member of the Amalgamated Union who was on the day immediately preceding Amalgamation Day an un-financial member of the ETUQ or the AFULEQ will remain un-financial until they become financial under respectively the Part B or C rules.
- (aa) The Qld Management Committee will on, and from, Amalgamation Day attach new entrants to the Amalgamated Union, to the respective Division under rule A9.
- (bb)
 - (i) On, and from, Amalgamation Day and up to the date members take office at the Inaugural Election the offices and positions under the Part A rules set out in column A will be held by the members set out in column B:

Part A – The Union	
A	B
General President	Warren Hinds
General Vice-President	Christopher McGaw
General Secretary	Peter Simpson
General Assistant Secretary	Greg Smith

- (ii) On, and from, Amalgamation Day and up to the date members take office at the Inaugural Election the offices and positions under the Part B rules set out in column A will be held by the members set out in column B:

Part B – ETU Division	
A	B



Offices	
Divisional President	Christopher McGaw
Divisional Vice President	Jeffrey Christoffell
Divisional Secretary	Peter Simpson
Divisional Treasurer	Jeffrey Christoffell
Divisional Trustee	Jeffrey Christoffell
Divisional Trustee	Gary Bloxsom
Divisional Trustee	Christopher McGaw
Divisional Executive	Joseph Fiteni
Divisional Executive	Jeffrey Christoffell
Divisional Executive	Lloyd Abbott
Divisional Executive	Gary Bloxsom
Divisional Executive	John Taylor
Divisional Executive	Benjamin King
Divisional Alternate Executive Members	Daryl Keding
Divisional Alternate Executive Members	Kevin Ferguson



Divisional Alternate Executive Members	Michael Coxon
Divisional Alternate Executive Members	Domenic McCann
Divisional Alternate Executive Members	David Hayes
Divisional Alternate Executive Members	Timothy Rogers
Apprentices Section	
Divisional Councillor	Benjamin King
Divisional Councillor	Domenic McCann
Divisional Councillor	Brayden Muir
Electrical Contracting Industry Section	
Divisional Councillor	Joseph Fiteni
Divisional Councillor	Alan Forrest
Divisional Councillor	Gregory Smith
Divisional Councillor	Clark Stein
Divisional Councillor	Craig Thomas
Divisional Councillor	Justin Venn
Divisional Councillor	Stephen Bravo
Divisional Councillor	Jorge Amaya



General Trade Section	
Divisional Councillor	Gary Baker
Divisional Councillor	Jeffrey Christoffell
Divisional Councillor	Daryl Keding
Divisional Councillor	Vacant
Divisional Councillor	Gerard Peroni
Divisional Councillor	Michael Maniaty
Divisional Councillor	Mitchell Lord
Manufacturing, Communications, Aerospace Section	
Divisional Councillor	Lloyd Abbott
Divisional Councillor	Kevin Ferguson
Divisional Councillor	Paul Gambley
Supply Authorities Section	
Divisional Councillor	Gregory Bloom
Divisional Councillor	Jason Sladden
Divisional Councillor	John Taylor
Divisional Councillor	Robert Hill



Divisional Councillor	Scott Sologinkin
Divisional Councillor	Cameron Humphreys
Divisional Councillor	Timothy Rogers
Divisional Councillor	Daniel Kilpatrick
Transport Section	
Divisional Councillor	Gary Bloxsom
Divisional Councillor	Michael Coxon
Divisional Councillor	Wayne Williams
Brisbane	
Divisional Biennial Conference Delegate	Thomas Brady
Divisional Biennial Conference Delegate	Peter Dimento
Divisional Biennial Conference Delegate	Benjamin Bentson
Divisional Biennial Conference Delegate	Geoffrey Lane
Cairns	
Divisional Biennial Conference Delegate	Ross Morton
Divisional Biennial Conference Delegate	Michael Thurston
Gladstone	



Divisional Biennial Conference Delegate	Lance Beckman
Divisional Biennial Conference Delegate	Robert Diflo
Divisional Biennial Conference Delegate	Michael Mitton
Gold Coast	
Divisional Biennial Conference Delegate	Christopher Strotton
Divisional Biennial Conference Delegate	Martin Tree
Ipswich	
Divisional Biennial Conference Delegate	Gordon Abbott
Divisional Biennial Conference Delegate	Colin Trim
Mackay	
Divisional Biennial Conference Delegate	Ian Rix
Divisional Biennial Conference Delegate	Michael Scriha
Divisional Biennial Conference Delegate	Timothy Swann
Mt Isa	
Divisional Sub-Branch Representative	Vacant
Rockhampton	
Divisional Biennial Conference Delegate	John Pummell
Divisional Biennial Conference Delegate	Jason Conway
Divisional Biennial Conference Delegate	Vacant



Sunshine Coast	
Divisional Biennial Conference Delegate	Karl Allen
Divisional Biennial Conference Delegate	Daniel Cella
Toowoomba	
Divisional Biennial Conference Delegate	Gerard Collins
Divisional Biennial Conference Delegate	Matthew Winters
Divisional Biennial Conference Delegate	Daniel Kilpatrick
Townsville	
Divisional Biennial Conference Delegate	Ian Coffey
Divisional Biennial Conference Delegate	Jeffrey Hume
Wide Bay	
Divisional Biennial Conference Delegate	Terry Franklin
Divisional Biennial Conference Delegate	Jason Phillips
Divisional Biennial Conference Delegate	Barry Schmidt
Transmission Distribution	
Divisional Biennial Conference Delegate	Eris Bruni
Divisional Biennial Conference Delegate	William George
Divisional Biennial Conference Delegate	Mark Stilianos
Divisional Biennial Conference Delegate	Duane Clarke



Divisional Biennial Conference Delegate	Russell Proctor
Divisional Biennial Conference Delegate	Adam Hazzard
Divisional Biennial Conference Delegate	Paul Evans
Generation	
Divisional Biennial Conference Delegate	Kenneth Andrew Law
Divisional Biennial Conference Delegate	James Aitken
Contracting Construction	
Divisional Biennial Conference Delegate	Glenn Ramsay
Divisional Biennial Conference Delegate	Warrick Watson
Divisional Biennial Conference Delegate	Mickell Walden
Divisional Biennial Conference Delegate	Jorge Amaya
Divisional Biennial Conference Delegate	Andrew Bailey
Divisional Biennial Conference Delegate	Joshua Baker
Divisional Biennial Conference Delegate	Aaron Self
Divisional Biennial Conference Delegate	Robert Wechsler
Coal	
Divisional Biennial Conference Delegate	Christopher Chant
Divisional Biennial Conference Delegate	Karl Rutch




Coca Cola	
Divisional Biennial Conference Delegate	Vacant
Divisional Biennial Conference Delegate	Joshua Williams
Positions	
Divisional Assistant Secretary	Peter Ong
Divisional Assistant Secretary	Keith McKenzie
Divisional Organiser	Walter Giordani
Divisional Organiser	Glenn Hall
Divisional Organiser	Jason Young

- (iii) On, and from, Amalgamation Day and up to the date members take office at the Inaugural Election the offices and positions under the Part C rules set out in column A will be held by the members set out in column B:

Part C – AFULE Division	
A	B
Offices	
Divisional President	Warren Hinds
Divisional Vice-President	Glen McGaw
Divisional Secretary	Greg Smith
Divisional Organiser	Mick McKitrick
Division 1	
Divisional Councillor	Peter Robins
Proxy Divisional Councillor	Vacant




Division 2	
Divisional Councillor	Vacant
Proxy Divisional Councillor	Vacant
Division 3	
Divisional Councillor	Stewart Rach
Proxy Divisional Councillor	Bruce Hodby
Division 4	
Divisional Councillor	John Pederson
Proxy Divisional Councillor	Shayne Ware
Division 5	
Divisional Councillor	Ian Casey
Proxy Divisional Councillor	Darryl Torrens
Division 6	
Divisional Councillor	Jim Melgert
Proxy Divisional Councillor	Vacant
Division 7	
Divisional Councillor	Kevin Voll
Proxy Divisional Councillor	Ben Levis
Positions	
Acacia Ridge Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Shane McGrath
Divisional Sub-Branch Committee Members (4)	Vacant
Beenleigh Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	John Brown
Divisional Sub-Branch Vice-Chairperson	Vacant



Divisional Sub-Branch Secretary	Ross Smith
Divisional Sub-Branch Committee Members (4)	Vacant
Bluff Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Bruce Hodby
Divisional Sub-Branch Committee Members (4)	Vacant
Bundaberg Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Conrad Cavanough
Divisional Sub-Branch Secretary	Chris Pianta
Divisional Sub-Branch Committee Members (4)	Cliff Norman Jon Limpus Malcolm McCarthy Michael Tipman
Caboolture Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Darryl Torrens
Divisional Sub-Branch Committee Members (4)	Vacant
Cairns Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Russell Dunne
Divisional Sub-Branch Vice-Chairperson	Shaun Wrobluskie
Divisional Sub-Branch Secretary	Vacant
Divisional Sub-Branch Committee Members (4)	Vacant



Callemondah Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Stewart Rach
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	John Sunderland
Divisional Sub-Branch Committee Members (4)	Andrew Campbell Derek MacDougall John Sunderland Vacant
Charleville Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Vacant
Divisional Sub-Branch Committee Members (4)	Vacant
Cloncurry Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Malcolm Sealy
Divisional Sub-Branch Committee Members (4)	Vacant
Coppabella Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Tom O'Rourke
Divisional Sub-Branch Committee Members (4)	Vacant
Emerald Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant



Divisional Sub-Branch Secretary	Vacant
Divisional Sub-Branch Committee Members (4)	Vacant
Fisherman Islands Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Jim Melgert
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Ross Chadwick
Divisional Sub-Branch Committee Members (4)	Vacant
Gracemere PN Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Michael Pickering
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Graham Wilkins
Divisional Sub-Branch Committee Members (4)	Vacant
Gympie North Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Vacant
Divisional Sub-Branch Committee Members (4)	Vacant
Goondiwindi Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Matt Herbert
Divisional Sub-Branch Vice-Chairperson	Aaron Price
Divisional Sub-Branch Secretary	Carl Williams
Divisional Sub-Branch Committee Members (4)	Vacant
Hughenden Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant



Divisional Sub-Branch Secretary	Bob Wilson
Divisional Sub-Branch Committee Members (4)	Vacant
Ipswich Passenger Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Murray Panzram
Divisional Sub-Branch Vice-Chairperson	Michael Cubit
Divisional Sub-Branch Secretary	Matt Bushnell
Divisional Sub-Branch Committee Members (4)	Vacant
Jilalan Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Ian Martin
Divisional Sub-Branch Vice-Chairperson	John Eaton
Divisional Sub-Branch Secretary	Jim Waters
Divisional Sub-Branch Committee Members (4)	Jeff Donaldson Brian O'Shea Daniel Rogers Vacant
Longreach Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Noel Hart
Divisional Sub-Branch Committee Members (4)	Vacant
Mackay Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Warren Hedrick
Divisional Sub-Branch Committee Members (4)	Vacant



Manly Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Ken Miles
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Danny McClurg
Divisional Sub-Branch Committee Members (4)	Vacant
Maryborough Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Paul Newman
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	John Pederson
Divisional Sub-Branch Committee Members (4)	Vacant
Mayne Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Brad St Ledger
Divisional Sub-Branch Vice-Chairperson	Clyde Ashton
Divisional Sub-Branch Secretary	Kevin Brooks
Divisional Sub-Branch Committee Members (4)	Frank Shadford Vacant
Mt Isa Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Ron Vander Kroft
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Vacant
Divisional Sub-Branch Committee Members (4)	Vacant
Nambour Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Mick Mills
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Des McGaw



Divisional Sub-Branch Committee Members (4)	Vacant
Petrie Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Dave Mitchell
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Sean Coggins
Divisional Sub-Branch Committee Members (4)	Vacant
Pring Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Graham Muir
Divisional Sub-Branch Secretary	Cameron Waldron
Divisional Sub-Branch Committee Members (4)	Vacant
Redbank Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	John Anderson
Divisional Sub-Branch Committee Members (4)	Vacant
Robina Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Michael Winn
Divisional Sub-Branch Committee Members (4)	Vacant
Rockhampton Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Shayne Ware
Divisional Sub-Branch Vice-Chairperson	Peta Crouch
Divisional Sub-Branch Secretary	Edward Mitchell



Divisional Sub-Branch Committee Members (4)	Gary Shaw Vacant
Roma Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Scott Johnstone
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Phill Dwyer
Divisional Sub-Branch Committee Members (4)	Phil Burrows Robert Foster Raymond Horne Tim Tiley
Springfield Central Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	John Anderson
Divisional Sub-Branch Committee Members (4)	Vacant
Shorncliffe Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Steve Rudken
Divisional Sub-Branch Committee Members (4)	Vacant
Springfield Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	John Sunderland
Divisional Sub-Branch Committee Members (4)	Vacant
Toowoomba Divisional Sub-Branch	



Divisional Sub-Branch Chairperson	Ben Levis
Divisional Sub-Branch Vice-Chairperson	George Berry
Divisional Sub-Branch Secretary	Sam Brotherton
Divisional Sub-Branch Committee Members (4)	Kevin Voll Vacant
Townsville Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Pat Lord
Divisional Sub-Branch Vice-Chairperson	Andrew Carris
Divisional Sub-Branch Secretary	Rob Daniel
Divisional Sub-Branch Committee Members (4)	Vacant
Pacific National – Townsville Divisional Sub-Branch	
Divisional Sub-Branch Chairperson	Vacant
Divisional Sub-Branch Vice-Chairperson	Vacant
Divisional Sub-Branch Secretary	Damien Martin
Divisional Sub-Branch Committee Members (4)	Vacant

(b)

- (i) The members of the ETUQ who were on the day immediately preceding Amalgamation Day attached to a section of the ETUQ as set out in column A will on, and from, Amalgamation Day and subject to the Part B rules be attached to the Section of the ETUQ as set out immediately opposite in column B:

A	B
ETUQ	ETUQ
Section	Divisional Section
Apprentices	Apprentices
Electrical Contracting Industry	Electrical Contracting Industry
General Trade	General Trade



Manufacturing, Communications, Aerospace	Manufacturing, Communications, Aerospace
Supply Authorities	Supply Authorities
Transport	Transport
Sub-Branch	Divisional Sub-Branch
Brisbane	Brisbane
Cairns	Cairns
Gladstone	Gladstone
Gold Coast	Gold Coast
Ipswich	Ipswich
Mackay	Mackay
Mt Isa	Mt Isa
Rockhampton	Rockhampton

- (i) The members of the AFULEQ who were on the day immediately preceding Amalgamation Day attached to a section of the AFULEQ as set out in column A will on, and from, Amalgamation Day and subject to the Part C rules be attached to the Section of the AFULE Division as set out immediately opposite in column B:

A	B
AFULEQ	AFULE Division
Division	Division
Division 1	Division 1
Division 2	Division 2
Division 3	Division 3
Division 4	Division 4
Division 5	Division 5
Division 6	Division 6
Division 7	Division 7

Sub-Branch	Divisional Sub-Branch
Acacia Ridge	Acacia Ridge
Beenleigh	Beenleigh
Bluff	Bluff
Bundaberg	Bundaberg
Caboolture	Caboolture
Cairns	Cairns
Callemondah	Callemondah
Charleville	Charleville
Charters Towers	Charters Towers
Cloncurry	Cloncurry
Coppabella	Coppabella
Emerald	Emerald
Fisherman Islands	Fisherman Islands
Gayndah	Gayndah
Gladstone	Gladstone
Goondiwindi	Goondiwindi
Hughenden	Hughenden
Ipswich	Ipswich
Ipswich Freight	Ipswich Freight
Jilalan	Jilalan
Jilalan BMA	Jilalan BMA
Longreach	Longreach
Mackay	Mackay
Manly	Manly
Maryborough	Maryborough
Mayne	Mayne



Mount Isa	Mount Isa
Nambour	Nambour
Petrie	Petrie
Pring	Pring
Redbank	Redbank
Robina	Robina
Rockhampton	Rockhampton
Roma	Roma
Shorncliffe	Shorncliffe
Stanwell	Stanwell
Toowoomba	Toowoomba
Townsville	Townsville



- (cc) If on Amalgamation Day a person who holds an office provided for by this rule is not available to hold an office referred to in this rule that operates on, and from, Amalgamation Day or has declined to hold an office that operates on, and from, Amalgamation Day, then the Qld Management Committee may fill the vacancy, subject to the Act, by appointment of a person otherwise qualified by these Union rules to hold the office.
- (dd) Quadrennial elections will occur in respect of the offices of the Amalgamated Union set out in Column A in the year set out immediately opposite in column B:

A	B
Qld Management Committee	2018
ETU Division	2019
AFULE Division	2019

, and every four years thereafter provided that to correlate the officers of the Union the election for the Qld Management Committee will, following 2018 be held in 2023 and the officers elected in 2018 will subject to these rules hold office until their successors are elected.



- (ee) As soon as is practicable following Amalgamation Day the General Secretary and the Divisional Secretaries will call a meeting of their respective bodies under the Part A, Part B or Part C rules, as the case may be.
- (ff) Workplace Representatives of the ETUQ or the AFULEQ will on Amalgamation Day be Workplace Representatives of the respective Division to which they are attached.
- (gg) The funds held in the Funds identified in column A on the day immediately preceding Amalgamation Day will on, and from, Amalgamation Day be held in the Funds identified in column B as provided for in the Part A, B or C rules referred to in column B.

A	B
ETUQ Union Fund	ETU Divisional Fund
AFULEQ Union Fund	AFULE Divisional Fund
ETUQ Mortuary Benefit Fund	ETU Division Mortuary Benefit Fund
AFULEQ Mortuary Benefit Fund	AFULE Division Mortuary Benefit Fund

- (hh) The liabilities of the ETUQ on the day immediately preceding Amalgamation Day will become the liabilities of the ETU Division on Amalgamation Day.
- (ii) The liabilities of the AFULEQ on the day immediately preceding Amalgamation Day will become the liabilities of the AFULE Division on Amalgamation Day.
- (jj) The Capitation Rate for the purposes of the Part A rules will on Amalgamation Day be an amount of \$2.00.
- (kk) An affiliation to a state or national organisation by the ETUQ or the AFULEQ will be maintained by the Amalgamated Union subject to these Union rules.
- (ll) A proceeding commenced, prior to Amalgamation Day, in the name of the ETUQ or the AFULEQ will on, and from, Amalgamation Day be continued in the name of the Amalgamated Union.
- (mm) A proceeding commenced under the ETUQ rules prior to Amalgamation Day, against a member of the ETUQ will on, and from, Amalgamation Day continue to be dealt with under these Union rules.
- (nn) A proceeding commenced under the AFULEQ rules prior to Amalgamation Day, against a member of the AFULEQ will on, and from, Amalgamation Day continue to be dealt with under these Union rules.
- (oo) A member of the ETUQ suspended prior to Amalgamation Day from membership for a period of time, under the rules of the ETUQ, will continue to be suspended from membership of the Amalgamated Union until the total period of suspension given by way of penalty under the rules of the ETUQ, has elapsed.
- (pp) A member of the AFULEQ suspended prior to Amalgamation Day from membership for a period of time, under the rules of the AFULEQ, will continue to be suspended from

membership of the Amalgamated Union until the total period of suspension given by way of penalty under the rules of the AFULEQ, has elapsed.



- (qq) The Returning Officer of the ETUQ on the day immediately preceding Amalgamation Day will, subject to these Union rules, on, and from, Amalgamation Day be the Returning Officer of the Amalgamated Union and the ETU Division.
- (rr) The Returning Officer of the AFULEQ on the day immediately preceding Amalgamation Day will subject to these Union rules, on, and from, Amalgamation Day be the Returning Officer of the AFULE Division.
- (ss) The Auditor of the ETUQ on the day immediately preceding Amalgamation Day will subject to these Union rules, on, and from, Amalgamation Day be the Auditor of the Amalgamated Union and the ETU Division.
- (tt) The Auditor of the AFULEQ on the day immediately preceding Amalgamation Day will subject to these rules, on, and from, Amalgamation Day be the Auditor of the AFULE Division.
- (uu) The books, papers, accounts, financial statements, records, documents, computer records and registers of the ETUQ as they existed on the day immediately preceding Amalgamation Day become, on Amalgamation Day, the property of the Amalgamated Union.
- (vv) The books, papers, accounts, financial statements, records, documents, computer records and registers of the AFULEQ as they existed on the day immediately preceding Amalgamation Day become, on Amalgamation Day, the property of the Amalgamated Union.
- (ww) Except as otherwise provided for in this rule, this rule may be altered by resolution of the Qld Management Committee provided that of the votes cast three-quarters ($\frac{3}{4}$) of the total vote are cast in favour of any alteration.
- (xx) The Continuing Trustees of the ETUQ will act as the trustees of the ETU Division but will retire on the declaration of the ETU Division's Quadrennial Election in 2019.
- (yy) The Continuing Trustees of the AFULEQ will act as the trustees of the AFULE Division but will retire on the declaration of the AFULE Division's Triennial Election in 2019.
- (zz) The Continuing Trustees of the ETUQ will exercise the power provided by the ETUQ rules on the day immediately preceding Amalgamation Day.
- (aaa) The Continuing Trustees of the AFULEQ will exercise the power provided by the AFULEQ rules on the day immediately preceding Amalgamation Day.
- (bbb) On, and from, Amalgamation Day, the ETU Division's President and the ETU Division's Secretary, if not Continuing Trustees, will not act as a trustee of the ETU Division until the day of the declaration of the ETU Division's Quadrennial Election in 2019.
- (ccc) On, and from, Amalgamation Day, the AFULE Division's President and the AFULE Division's Secretary, if not Continuing Trustees, will not act as a trustee of the AFULE Division until the day of the declaration of the AFULE Division's Triennial Election in 2019.



- (ddd) Despite sub-rule (aaa) if there are less than two (2) Continuing Trustees in the ETU Division, then the Divisional President and the Divisional Treasurer will immediately commence to act as trustees of the Division.
- (eee) Despite sub-rule (bbb) if there are less than two (2) Continuing Trustees in the AFULE Division, then the Divisional President and the Divisional Secretary will immediately commence to act as trustees of the Division.
- (fff) The Continuing Trustees of the ETU Division must prior to their retirement:
- (i) give the Divisional President and the Divisional Treasurer assets capable of transfer by delivery;
 - (ii) give the Divisional President and the Divisional Treasurer books, documents, and records in their possession or under their control relating to their trust; and
 - (iii) execute the documents necessary or desirable to evidence or give effect to this transition.
- (ggg) The Continuing Trustees of the AFULE Division must prior to their retirement:
- (i) give the Divisional President and the Divisional Secretary assets capable of transfer by delivery;
 - (ii) give the Divisional President and the Divisional Secretary books, documents, and records in their possession or under their control relating to their trust; and
 - (iii) execute the documents necessary or desirable to evidence or give effect to this transition.
- (hhh) Notwithstanding anything else in these Part A rules, for the period prior to the declaration of the 2018 quadrennial election, if an officer holding an office in Column A is temporarily absent then the person set out immediately opposite in Column B will perform the duties and functions of the office:

A	B
General President	The person in the Part C rules that performs the duties and functions of the Divisional President of the AFULE Division if the Divisional President is temporarily absent.
General Vice-President	The person in the Part B rules that performs the duties and functions of the Divisional President of the ETU Division if the Divisional President is temporarily absent.
General Secretary	The person in the Part B rules that performs the duties and functions of the Divisional Secretary of the ETU Division if the Divisional Secretary is temporarily absent.
General Assistant Secretary	The person in the Part C rules that performs the duties and functions of the Divisional

	Secretary of the AFULE Division if the Divisional Secretary is temporarily absent.
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SCHEDULE 1 - ELECTION PROCEDURE RULES

1. DEFINITIONS

- (a) In these Election Procedure rules, unless the contrary intention appears the words in column A have the meaning assigned directly opposite in column B:

A	B
Ballot box	a ballot box kept under rule 16
Candidate	a person: <ul style="list-style-type: none"> (a) who has nominated as a candidate for the office the election is about; (b) whose nomination has been accepted under rule 6; and (c) whose nomination has not been withdrawn.
Eligible member	a person who was a financial Ordinary Member of the Division 30 days before the starting time for nominations
Higher Office	<ul style="list-style-type: none"> (a) For the office of Divisional Vice President, the office of Divisional President; (b) For the office of Divisional Secretary, the office of Divisional President and Divisional Vice-President; (c) For the office of Divisional Assistant Secretary (if any), the office of Divisional President, Divisional Vice-President or Divisional Secretary; or (d) For the office of Divisional Organiser (if any), the office of Divisional President, Divisional Vice-President, Divisional Secretary or Divisional Assistant Secretary (if any)
Full time office	the offices of Divisional Secretary, Divisional Assistant Secretary (if any) and Divisional Organisers (if any)
Initialled	being marked with a facsimile of the Manager's initials





Manager	the manager of an election being the person appointed under the Act to manage and conduct an election require by these Divisional rules
member	a member of the Union and/or Division
Return envelope	see rule 15
Roll	the roll of voters prepared for an election under rule 10
Scrutineer	(a) a candidate who acts personally as a scrutineer; or (b) a person appointed as a scrutineer for a candidate under rule 23
Section	a Division or Divisional Sub-Branch
Voter	a person: (a) Who is an eligible member; and (b) Whose name is on the roll under rule 10
Voting material	see rule 15

2. MANAGER OF ELECTION – FUNCTIONS AND POWERS

- (a) The Manager:
- (i) must not influence, or attempt to influence, the outcome of the election;
 - (ii) must conduct the election under these Election Procedure Rules except where these Part A rules expressly provide otherwise;
 - (iii) may take the action, and give the directions, the Manager considers reasonably necessary to ensure that the processes under which the election is conducted are transparent.; and
 - (iv) must ensure suitable arrangements are made with Australia Post for the return of ballot papers to a box or locked bag at a post office.
- (b) The Manager may take the action, and give the directions, the Manager considers reasonably necessary:
- (i) to ensure no irregularities happen in the election; or
 - (ii) to remedy a procedural defect that appears to the Manager to exist about the election.
- (c) To ensure the integrity of an election, the address for return of ballot papers must not be the Section's usual postal address.



3. CLOSING DAY AND TIME FOR NOMINATIONS

- (a) The Manager must fix the opening day and closing day for nominations for office.
- (b) The closing day for nominations will be a date that allows for a ballot process to be conducted in accordance with these rules before the expiry of the term of office of the position for which the nominations are called.
- (c) The closing day must be at least 28 days after notice is given under rule 5.
- (d) Nominations open at midday on the opening day and close at midday on the closing day.

4. STARTING AND FINISHING DAYS OF BALLOT

- (a) If a ballot becomes necessary under rule 8, the Manager must fix the start and finish days for the ballot to decide the result of the election.
- (b) The start day must not be before the closing day for nominations for the offices to be filled at the election.

5. CALLING FOR NOMINATIONS

- (a) The Manager must call for nominations for the offices to be filled by notice given to members in one (1) of the following ways:
 - (i) by post to each member at the address recorded in the members' register;
 - (ii) if the Section publishes a journal or newsletter that it gives to its members free of charge, by advertisement in the journal or newsletter; or
 - (iii) in a daily newspaper circulating in the area where the Section's members live or work.
- (b) The notice must state:
 - (i) the opening day for nominations;
 - (ii) the closing day for nominations;
 - (iii) that nominations for office:
 - (A) open at midday on the opening day; and
 - (B) close at midday on the closing day;
 - (iv) who may nominate as a candidate in the election;
 - (v) that nominations for office must be written, signed by the nominee, nominated and seconded by financial Ordinary Members of the Section, and given to the Manager before nominations close;
 - (vi) the starting and finishing days for a ballot to decide the result of the election if a ballot becomes necessary under rule 8;

(vii) that only a person who was a financial Ordinary Member 30 days before the opening time for nominations may vote in the election; and

(viii) that the ballot will be decided by a first-past-the-post system of voting.



6. NOMINATION PROCEDURE

- (a) A nomination for office must be nominated and seconded by a financial Ordinary Member of the Section and signed by the nominee and given to the Manager before nominations close.
- (b) A person may nominate for more than one (1) office provided that no person may nominate for more than one (1) full time office and/or position.
- (c) The Manager must accept a nomination if:
 - (i) it complies with sub-rule (a); and
 - (ii) the nominee is an eligible member.
- (d) A candidate may withdraw their nomination by written notice given to the Manager no later than seven (7) days after nominations close.

7. WHAT HAPPENS IF A NOMINATION IS DEFECTIVE

- (a) The Manager must reject a nomination given to the Manager after nominations have closed.
- (b) If a nomination for an office is defective, other than because the nominee is not qualified to hold the office or because the nomination was made after the closing time, the manager must:
 - (i) reject it;
 - (ii) give the nominee notice of the defect; and
 - (iii) if practicable, give the nominee an opportunity to remedy the defect provided that, where practicable, such opportunity will be for not less than seven (7) days.
- (c) If practicable, the notice must be given before nominations close.
- (d) Failure to give the notice does not invalidate the election.

8. WHEN A BALLOT MUST BE HELD

- (a) If there are more candidates for election to an office than the number to be elected, the Manager must conduct a secret postal ballot under these Election Procedure Rules.

9. ELECTION WITHOUT BALLOT

- (a) The Manager must declare a candidate elected to an office if:
 - (i) nominations have closed;



- (ii) the candidate does not hold another office;
- (iii) the candidate has:
 - (A) not nominated for a higher office; or
 - (B) nominated for a higher office and is not elected to the higher office; and
- (iv) if the election is for the Section's President, the Section's Vice-President, Section's Secretary or Section's Assistant Secretary(if any), the candidate is the only candidate; or
- (v) if the election is for another type of office - the number of candidates for the office is not more than the number of offices of the same type to be elected at the same time.

10. ROLL - PREPERATION

- (a) A roll for a ballot must be prepared at the direction of the Manager.
- (b) The Manager must ensure the roll:
 - (i) states:
 - (A) the name of each person who is an eligible member of the organisation in alphabetical order; and
 - (B) each eligible member's address, opposite their name.
 - (ii) is closed 30 days before the day on which nominations open.
 - (iii) is completed when nominations for the election close.
- (c) The Section must give the Manager:
 - (i) a copy of its Members' Register; and
 - (ii) access to the Section's records reasonably necessary for the manager to ensure the roll is accurate.

11. ROLL - INSPECTION

- (a) The Manager must make the roll for the election available for inspection in the period that:
 - (i) starts on the day after the roll must be completed under rule 10;
 - (ii) ends 30 days after the result of the election is declared; and
 - (iii) at the Manager's office when it is open for business.
- (b) A candidate, member or a person authorised by the Manager may inspect the roll, free of charge.

- (c) If, during the period stated in sub-rule (a), a candidate or member asks for a copy of the roll or a stated part of the roll, the Manager must give the person the copy, free of charge.

12. WHEN SOMEONE CAN CLAIM A RIGHT TO VOTE

- (a) Despite rule 10(b), if an eligible member's name does not appear on the roll, the member may apply to the Manager to have the member's name included on the roll.
- (b) If the Manager is satisfied the applicant is an eligible member, the Manager must include the applicant's name on the roll.

13. BALLOT PAPERS

- (a) A ballot paper for the election must:
- (i) have a watermark or other distinctive pattern that prevents it from being reproduced other than by the Manager or a person authorised by the Manager;
 - (ii) be of paper that will hide a vote marked on it from view when it is folded once;
 - (iii) be a different colour from the colour used for ballot papers at the two (2) previous elections held for the Section;
 - (iv) list the names of each candidate once only for each office the election is for, with the surname first, followed by the candidate's other names;
 - (v) state how the voter may vote;
 - (vi) state that the voter must sign the declaration envelope or the vote will not be counted; and
 - (vii) state that the voter must return the ballot paper to the Manager so it is received on or before the finish day of the ballot.
- (b) The order of names on the ballot paper must be decided by lot.
- (c) If two (2) or more candidates have the same surname and first names, the candidates must be distinguished in an appropriate way.

14. DECLARATION ENVELOPE

- (a) The declaration envelope provided to a voter by the Manager must comply with the following form:
- (i) the declaration envelope must be a smaller envelope that fits inside the return envelope without needing to be folded;
 - (ii) the declaration envelope must contain on it a removable flap or label with the following details printed on it:
 - (A) the name and postal address of the voter;
 - (B) the declaration mentioned in sub-rule (b);





- (C) a place for the signature of the voter.
- (b) The declaration must state that the voter:
 - (A) is the voter named on the envelope; and
 - (B) has voted on the ballot paper contained in the envelope; and
 - (C) has not voted before in this ballot.
- (c) To preserve the secrecy of the vote, the Manager must remove the flap or label mentioned in sub-rule (a)(ii) from the declaration envelope before removing the ballot paper from the declaration envelope.

15. DISTRIBUTING VOTING MATERIAL

- (a) The Manager must post the following things (the “voting material”) to each voter:
 - (i) a ballot paper initialed by the Manager;
 - (ii) an unsealed reply paid envelope (a “return envelope”) addressed to the Manager;
 - (iii) a declaration envelope;
 - (iv) other material the Manager considers appropriate for the ballot including, for example, directions or notes to help the eligible member to comply with these Election Procedure rules and cast a valid vote.
- (b) Voting material must be posted to each voter:
 - (i) in a sealed envelope to the voter’s address on the roll; and
 - (ii) as soon as practicable, but no earlier than two (2) days before the starting day of the ballot.
- (c) The voting declaration must state: ‘I certify that I am the person whose name appears on this envelope and I have voted on the ballot paper enclosed’.
- (d) If a voter gives the Manager a notice that the voter will be at an address other than the address stated on the roll when voting material is to be given, the Manager must post the material to the other address.
- (e) Before posting voting material to a voter, the Manager must mark a ballot number for each voter on:
 - (i) the roll against the voter’s name; and
 - (ii) the declaration envelope.
- (f) The Manager must give each voter a different ballot number.
- (g) The ballot numbers must start with a number chosen by the manager.
- (h) A ballot paper must not be marked in a way that could identify the voter.

16. MANAGER MUST KEEP A BALLOT BOX

- (a) The Manager must get a ballot box and:
 - (i) keep the box in a safe place; and
 - (ii) seal the box in a way that:
 - (A) allows voting material to be put in it until the ballot finishes; and
 - (B) prevents voting material from being taken from it until votes for the ballot are to be counted.



17. DUPLICATE VOTING MATERIAL

- (a) This rule applies if voting material posted to a voter:
 - (i) has not been received by the voter;
 - (ii) has been lost or destroyed; or
 - (iii) if the document is a ballot paper, has been spoilt.
- (b) The voter may apply to the Manager for a duplicate of the document.
- (c) The application must:
 - (i) be received by the Manager on or before the finish day of the ballot;
 - (ii) state the grounds on which it is made;
 - (iii) if practicable, be substantiated by evidence verifying or tending to verify, the grounds;
 - (iv) state that the voter has not voted at the ballot; and
 - (v) if the document is a spoilt ballot paper, be accompanied by the ballot paper.
- (d) If the application complies with sub-rule(c), the Manager must:
 - (i) if the document is a spoilt ballot paper:
 - (A) mark 'spoilt' on the paper;
 - (B) initial the paper beside that marking and keep the paper; and
 - (C) give a fresh ballot paper to the voter; or
 - (ii) otherwise, give a duplicate of the document to the voter.

18. CANDIDATE STATEMENTS

- (a) Candidates for election will be given equal opportunity to express their views to members of the Section in a statement that is given to each member with their ballot papers.

- (b) Statements shall be limited to no more than 200 words and must be in the hands of the Returning Officer before the close of nominations. Statements may be submitted in electronic or other form which is acceptable to the Returning Officer. If the Returning Officer forms the view that a statement is defamatory it must not be distributed with the ballot paper/s.

19. HOW LONG IS BALLOT OPEN

- (a) A ballot must remain open for:
- (i) at least 21 days; and
 - (ii) no longer than 49 days.



20. HOW TO VOTE

- (a) A voter may vote only by completing the following steps:
- (i) completing a ballot paper by:
 - (A) writing a tick or cross in the square opposite the name or names of the number of candidates the voter may vote for under rule 21; and
 - (B) complying with the instructions on the paper about how to vote;
 - (ii) putting the ballot paper in a declaration envelope;
 - (iii) sealing the declaration envelope;
 - (iv) filling in and signing the voting declaration on the removable flap or label on the declaration envelope;
 - (v) putting the declaration envelope in the return envelope;
 - (vi) sealing the return envelope;
 - (vii) complying with any direction given under rule 16(a)(iv);
 - (viii) returning the return envelope to the Manager so that the envelope is received on or before the finish day for the ballot.

21. HOW MANY VOTES MAY BE CAST

- (a) A voter may vote for only the following number of candidates on a ballot paper:
- (i) for an election for Section's President, Section's Vice-President or Section's Secretary or Section's Assistant Secretary (if any), one (1) candidate;
 - (ii) for an election for another type of office, the number of candidates that is not more than the number of offices of the same type to be elected at the same time.



22. HOW MANAGER MUST DEAL WITH VOTING MATERIAL

- (a) The Manager must put all voting material returned to the Manager in the ballot box until voting has ended.
- (b) If, after the finishing day for the election, the Manager receives a return envelope apparently containing a ballot paper for the election, the Manager must:
 - (i) keep the envelope sealed;
 - (ii) mark the envelope 'Received by the Manager after the finishing day for the ballot'; and
 - (iii) keep the envelope in safe custody, but separately from return envelopes received before or on the finishing day.

23. SCRUTINEERS - APPOINTMENT

- (a) A candidate may:
 - (i) act personally as a scrutineer; or
 - (ii) appoint another person (an "appointee") as a scrutineer for the candidate.
- (b) An appointment must be in writing and signed by the candidate.
- (c) A candidate must notify the Manager of the name of the candidate's appointee as soon as possible after the appointee is appointed.
- (d) The Manager may refuse to allow an appointee to act as a scrutineer if:
 - (i) the Manager asks to inspect the appointment as a scrutineer; and
 - (ii) the appointee does not produce it.

24. SCRUTINEERS' RIGHTS

- (a) Subject to rule 25, a scrutineer may be present when:
 - (i) ballot papers or other voting material for a ballot are prepared and given to voters;
 - (ii) voting material is received and put in safe custody under rule 22; and
 - (iii) votes are counted.

25. SCRUTINEERS – NUMBERS ATTENDING

- (a) Each candidate may have only one (1) scrutineer exercising a right under rule 24 for each official present where the ballot is being conducted.
- (b) In sub-rule (a) official means:
 - (i) if the ballot is being conducted by the electoral commission, an electoral officer; or

- (ii) if the ballot is not being conducted by the electoral commission:
 - (A) the Manager; or
 - (B) any other person appointed by the Manager to exercise the Manager's powers for the election.



26. INITIAL SCRUTINY OF VOTING MATERIAL

- (a) As soon as possible after the ballot finishes, the Manager of the ballot must:
 - (i) seal the ballot box in a way that prevents voting material from being put in it; and
 - (ii) take the ballot box to the place where votes are to be counted.
- (b) The Manager must then:
 - (i) unseal the ballot box;
 - (ii) take out the return envelopes;
 - (iii) open each return envelope and take out the declaration envelope;
 - (iv) examine the declaration and mark off the voter's name on the roll;
 - (v) check the ballot number on the declaration against the ballot number marked against the voter's name on the roll; and
 - (vi) ensure the declaration is signed.
 - (vii) separate the removable flap or label containing the declaration from the declaration envelope.
- (c) After complying with sub-rule (b), the Manager must put the declaration envelopes in a container and the removable declaration flaps or labels into another container if satisfied:
 - (i) each declaration is signed; and
 - (ii) the ballot number on each declaration corresponds with the ballot number marked beside the voter's name on the roll.
- (d) However, the Manager must not put a ballot envelope or declaration in the containers mentioned in sub-rule (c) if:
 - (i) the Manager reasonably believes the voter to whom it was sent did not sign the declaration; or
 - (ii) the person named on the declaration is not the person to whom it was sent.
- (e) Sub-rule (d) does not apply if the Manager is satisfied the person who filled in and signed the declaration:
 - (i) is a voter;
 - (ii) has not previously voted in the ballot; and

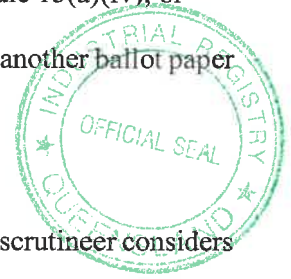
- (iii) has a reasonable explanation for using someone else's ballot material.
- (f) The Manager must keep declaration envelopes and removable declaration flaps or labels excluded under sub-rule (d) separate from other declaration envelopes and declarations.
- (g) A declaration is valid only if:
 - (i) it complies with sub-rule (c)(i) and (ii); and
 - (ii) sub-rule (d) does not apply.
- (h) A valid declaration must be accepted as valid, and an invalid declaration must be rejected by the Manager.
- (i) If a declaration is accepted as valid by the Manager the Manager must:
 - (i) note the acceptance of validity on the declaration; and
 - (ii) record the correct ballot number on the roll against the name of the voter who signed the declaration.
- (j) After separating the removable flaps or labels containing the declarations from the declaration envelopes, the Manager must, in the following order:
 - (i) seal the container holding declarations;
 - (ii) open the declaration envelopes not excluded under sub-rule (d) and take out the ballot papers;
 - (iii) if a declaration envelope contains more than one (1) ballot paper for each office the election is for, mark each of the ballot papers from the envelope 'informal under rule 27(b)(v);
 - (iv) put all of the ballot papers in the ballot box.



27. COUNTING VOTES

- (a) To count votes the Manager must:
 - (i) admit the formal votes and reject the informal votes;
 - (ii) count the formal votes, and record the number for each candidate; and
 - (iii) count the informal votes.
- (b) A vote is informal only if:
 - (i) the ballot paper is not initialed by the Manager and the Manager is not satisfied the paper is authentic;
 - (ii) the ballot paper is marked in a way that allows the voter to be identified;
 - (iii) the ballot paper is not marked in a way that makes it clear how the voter meant to vote; or

- (iv) the ballot paper does not comply with a direction given under rule 15(a)(iv); or
- (v) the ballot paper was taken from a ballot envelope that contained another ballot paper for the office the election is for.



28. SCRUTINEERS' OBJECTIONS

- (a) Before votes are counted, a scrutineer may advise the Manager that the scrutineer considers an error has been made in conducting the ballot.
- (b) When votes are counted, a scrutineer may:
 - (i) object to a ballot paper being admitted as formal or rejected as informal by the Manager; or
 - (ii) advise the Manager that the scrutineer considers an error has been made in conducting the ballot or counting votes.
- (c) If a scrutineer advises the Manager under sub-rule (a) or (b)(ii), the Manager must:
 - (i) decide whether the error has been made; and
 - (ii) if appropriate - direct action to correct or mitigate the error.
- (d) If a scrutineer objects under sub-rule (b)(i), the Manager must:
 - (i) decide whether the ballot paper is to be admitted or rejected; and
 - (ii) note the decision on the ballot paper and initial the note.

29. DIRECTION BY MANAGER TO LEAVE COUNT

- (a) The Manager may direct a person to leave the place where votes are being counted if the person:
 - (i) does not have the right to be present at the count; or
 - (ii) interrupts the count, other than to exercise a scrutineer's right.

30. HOW RESULT IS DECIDED

- (a) The method of deciding the result of a ballot is by a first-past-the post system.
- (b) If only one (1) office of the same type is to be filled in an election, the candidate with the most formal votes is elected.
- (c) If more than one (1) office of the same type is to be filled, that number of candidates corresponding with the number of offices to be filled who have the most formal votes are elected.
- (d) This rule is subject to rule 31 and 32.



31. WHAT HAPPENS IF VOTES FOR TWO OR MORE CANDIDATES ARE EQUAL

- (a) If the Manager can not decide which candidate is elected to an office because the votes cast for two (2) or more candidates are equal, the Manager must decide which candidate is elected by drawing lots.
- (b) decision under sub-rule (a) must be made in the presence of any scrutineer who wishes to attend.

32. WHAT HAPPENS IF MULTIPLE NOMINEES ARE ELECTED

- (a) If a candidate is elected to an office and the candidate is also elected to a higher office, the Manager may only declare the candidate elected to the higher office.
- (b) In such event, the person with the next highest number of votes will be declared the holder of the junior position.

33. DECLARATION OF BALLOT

- (a) The Manager must:
 - (i) make a signed declaration of the result of the election or ballot as soon as possible after the votes for the election or ballot are counted; and
 - (ii) within one (1) day of making the declaration, give a copy of it to:
 - (A) the Section's Secretary; and
 - (B) for an election, each candidate.

PART B RULES

B1. NAME

- (a) The name of the Division is the 'ETU Division'.

B2. PRINCIPLE OFFICE

- (a) The Principal Office of the Division is 41 Peel Street, South Brisbane or other place as the Divisional Executive may determine.


B3. DEFINITIONS

- (a) In these Divisional rules, unless the contrary intention appears the words in column A have the meaning assigned immediately opposite in column B:

A	B
Act	Industrial Relations Act 1999



Associate Member	a person who has applied for and been accepted as an Associate Member under these Divisional rules
CEPU	the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia
Counterpart Federal Body	the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, Electrical, Energy and Services Division, Queensland Divisional Branch
Distress and Mortality Fund	the distress and mortality fund provided for under these Divisional rules
Divisional Biennial Conference	the meeting under rule B32
Divisional Biennial Conference Delegate	a delegate elected to, and entitled to vote at, a Divisional Biennial Conference
Divisional Councillor	a person holding office as a member of the Divisional Council under these Divisional rules
Divisional Executive Member	a person holding office as a member of the Divisional Executive under these Divisional rules
Divisional Journal	a publication produced or adopted by the Division and which is provided free of charge to members by means of print or electronic media
Divisional Officers	see rule B55
Divisional Officers Register	the register of Divisional Officers attached to the Division and maintained by the Divisional Secretary under these Divisional rules
Divisional Positions	see rule B56
Divisional Members Register	the register of members attached to the Division and maintained by the Divisional Secretary under these Divisional rules
Divisional Section	a Section of the Division established under these Divisional rules



Divisional Sub-Branch	a sub-branch of the Division established under these Divisional rules
Divisional Sub-Branch Committee	the management committee of a Divisional Sub-Branch
Divisional Sub-Branch Representative	a delegate elected to, and entitled to vote at, a Divisional Biennial Conference
Election Procedure Rules	the rules set out under Part A Schedule 1
Financial Member	a member of the Division who is financial
Financial Statements	a financial document that explains the methods and calculations by which the Division's accounts are made up and correctly recorded and explain the Division's transactions and financial position
Honorary Member	a member of the Division who has applied for and been granted honorary membership under these Divisional rules
Life Member	a member of the Division who has been appointed as a life member under these Divisional rules
member	includes: an Ordinary Member; a Life Member; an Honorary Member; a Political Member; and an Associate Member, of the Division
Minutes	a summarised record of the proceedings of a meeting
Office	the office of: Divisional President Divisional Vice-President Divisional Secretary

	Divisional Assistant Secretary (if any) Divisional Treasurer a member of the Divisional Council a member of the Divisional Executive
OK Card	an OK Card in the form determined by the Divisional Executive
Ordinary Member	a member working, or ordinarily working, in the callings of the Union and whom the Division is entitled to industrially represent
Political Member	a member of this Division who has been appointed as a political member under these Divisional rules
Positions	the position of: Divisional Organiser Divisional Biennial Conference Delegate Divisional Sub-Branch Committee Members
Principal Office	the place referred to in rule B2
Quadrennial Elections	the elections held under these Divisional rules each four (4) years commencing in 2019 in respect of the Offices and Positions of the ETU Division
Subscriptions	the payment of a fee that equates, when taking into account period i.e. payments, to the annual sum
Tradesperson	a person working within the trade callings of the Division
Un-financial Member	a member who is un-financial under these Divisional rules
Unemployed Member	an Ordinary Member who is not gainfully employed in an occupation falling within the callings of the Division





B4. INTERPRETATION

- (a) In these Divisional rules:
 - (i) these Divisional rules will be read consistently with the Part A rules and the interpretations that apply to the Part A rules apply to these Divisional rules; and
 - (ii) a reference to the Division's callings is a reference to the Union's Part A callings.

B5. POWERS

- (a) The Division will, unless these Divisional rules otherwise provide, be autonomous in relation to:
 - (i) matters which do not directly affect the members of another Division;
 - (ii) its management;
 - (iii) its investment and use of its Divisional Fund;
 - (iv) furthering, and attaining, the Objects;
 - (v) the entrance fees, subscriptions, levies and fines that it requires members of the Division to pay;
 - (vi) its affiliations;
 - (vii) its policy;
 - (viii) the discipline of its members and officers;
 - (ix) the creation of its sections;
 - (x) the appointment of employees and agents engaged by the Union, at the direction and cost of the Division, to perform work on behalf of the Division; and
 - (xi) the appointment of workplace representatives and health and safety representatives on behalf of the Division.

B6. COMPOSITION OF THE DIVISION

- (a) The Division will consist of:
 - (i) Ordinary Members of the Union attached to the Division under these Divisional rules;
 - (ii) Life Members;
 - (iii) Honorary Members;
 - (iv) Political Members; and
 - (v) Associate Members.




B7. APPLICATION FOR MEMBERSHIP

- (a) For the purpose of this rule unless the contrary intention appears the words in column A have the meaning assigned immediately opposite in column B:

A	B
Application Form	the form determined by the Divisional Executive under sub-rule (b)(i)

- (b) An application for membership of the Division will be:
- (i) in the form determined by the Divisional Executive;
 - (ii) accompanied by the material required by the Divisional Executive; and
 - (iii) signed by the applicant.
- (c) The Division may publish the Application Form in a way the Divisional Executive determines appropriate.
- (d) The Division may, despite sub-rule (c), publish, and accept, an application for membership by the internet, and in relation to an application received by the internet the provisions of the Electronic Transactions (Queensland) Act 2001 (Qld) apply and an applicant for membership will be held to have signed the Application Form if the requirements of s14 of the Electronic Transactions (Queensland) Act 2001 (Qld) are met.
- (e) The Divisional Secretary may, despite sub-rule (b):
- (i) waive the completion of the Application Form by an applicant;
 - (ii) accept an application that is in some other form; or
 - (iii) accept applications that are made by phone.
- (f) No omission, irregularity or want of form will invalidate an application for membership made in accordance with this rule, provided that:
- (i) the applicant intended the document submitted to the Division to be an application for membership; and
 - (ii) the Division treated the document submitted as an application for membership.
- (g) An application is accepted and membership commences, subject to sub-rule (h), when the application is received by the Divisional Secretary or another person authorised by the Divisional Executive, whichever is the earlier provided that if a member applies for membership from a date preceding receipt of the application the Divisional Secretary may determine that membership commences from that date.
- (h) The Divisional Secretary may refer an application for membership to the Divisional Executive for its determination where the Divisional Secretary has concerns in relation to the applicant's bona fides.

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- (i) An application, referred in accordance with sub-rule (h), will be considered by the Divisional Executive who will, if satisfied with the bona fides of the applicant, accept the application, admit the applicant to membership of the Division and that membership will commence, when it otherwise would have commenced in accordance with sub-rule (g), as if the application had not been referred.
 - (j) The Divisional Executive may reject an application if they do not accept the applicant is bona fide, provided that where an application is rejected, monies paid by the applicant in respect of membership of the Division will be reimbursed.
 - (k) The Divisional Secretary will report all applications for membership to the next ordinary meeting of the Divisional Council.
 - (l) An applicant for membership will, subject to these Divisional rules, when admitted to membership in accordance with this rule, be entitled to the benefit of Membership Rights.
 - (m) An applicant for membership must be informed in writing of:
 - (i) a member's financial obligations; and
 - (ii) how, and when, a member may resign from membership.
 - (n) This rule does not prevent an application for membership of the Division being a joint application with the CEPU.

B8. DISPUTED MEMBERSHIP

- (a) In the event of a dispute as to the membership of a person admitted as a member and recorded in the membership register of the Division, then the fact of the person having:
 - (i) signed and delivered an application;
 - (ii) paid an entrance fee;
 - (iii) paid a subscription to the Division; and/or
 - (iv) paid a part payment on account of an entrance fee and/or a subscription,is proof of membership under these Divisional rules.

B9. MEMBERSHIP TRANSFERS

- (a) A member of the Electrical Division of the CEPU on being transferred from another state to Queensland, will be admitted to the Division without payment of entrance fees on production of a certificate from the Secretary of the Divisional Branch of the CEPU, to which the member of the CEPU belonged, confirming that the member was a financial member of the CEPU at the time of transfer.

B10. RESIGNATION FROM MEMBERSHIP

- (a) A member may terminate membership of the Division by notice given to the Division or to the Union stating that the member resigns from the Division and/or the Union.
- (b) The resignation takes effect:



- (i) if the notice states a day or time after the notice is given when the resignation takes effect, on the day or time; or
- (ii) otherwise, when the notice is given.
- (c) A Subscription paid by a member in respect of a period beyond the end of the quarter in which the member's notice of resignation takes effect will be remitted to the member if requested by the member.
- (d) Termination of membership by resignation does not affect the liability of the former member to pay the fees or levies owing at the date of resignation, and these moneys may be sued for and recovered, by the Divisional Secretary on behalf of the Division in the name of the Union.
- (e) A member being aware of the death of another member must notify the Divisional Secretary.

B11. DIVISIONAL MEMBERS REGISTER

- (a) The Divisional Secretary will keep a Divisional Register containing, as far as the Divisional Secretary is able to determine, and arranged under membership of Divisional Sub-Branches and Divisional Sections, the following member information:
 - (i) names;
 - (ii) address;
 - (iii) phone numbers;
 - (iv) email address;
 - (v) place of employment;
 - (vi) occupation;
 - (vii) Divisional Sub-Branch;
 - (viii) Divisional Section; and
 - (ix) other information required by the Act.
- (b) A member changing the information required for the Divisional Members Register must notify the Divisional Secretary who must promptly amend the Divisional Members Register.
- (c) A member being aware of the death of another member must notify the Divisional Secretary.
- (d) The Divisional Members Register is conclusive proof for the purposes of these Divisional rules of the matters set out in the Divisional Members Register.

B12. DIVISIONAL OFFICERS REGISTER

- (a) The Divisional Secretary will keep a register of the officers of the Division which will contain:



- (i) the names;
 - (ii) the offices held; and
 - (iii) the addresses,
- of the officers of the Division.
- (b) The Divisional Secretary will promptly update the Divisional Officers' Register as necessary.

B13. PURGING THE REGISTER

- (a) The Divisional Secretary will remove from the Divisional Members Register, members who have:
 - (i) resigned their membership;
 - (ii) been un-financial, in accordance with these Divisional rules, for a period of two (2) years;
 - (iii) had their membership terminated in accordance with these Divisional rules; or
 - (iv) died.
- (b) The Divisional Secretary will, when directed by the Divisional Executive, promptly remove from the Divisional Members Register members that the Divisional Executive consider are no longer eligible for membership, and whose membership is to be terminated for that reason.
- (c) The Divisional Secretary will:
 - (i) give notice to a member removed from the Divisional Members Register of the member's removal; and
 - (ii) ensure that the notice provided in accordance with paragraph (i) sets out the reason for the removal of the member.
- (d) The removal of a person from the Divisional Members Register in accordance with sub-rule (b) must be reported to the Divisional Council meeting after the removal.

B14. ENTRANCE FEES

- (a) An applicant for membership of the Division employed as a Tradesperson, or in classifications receiving equal to, or in excess of, a Tradesperson's rates of pay, will pay an entrance fee of \$10.00 or other sum as the Divisional Executive determines.
- (b) An applicant for membership of the Division employed in a classification other than a Tradesperson will pay an entrance fee of \$2.00 or other sum as the Divisional Executive determines.
- (c) The payment of an entrance fee is not a condition precedent to membership.
- (d) A person returning from an exemption under rule B26 is not required to pay an entrance fee.

B15. SUBSCRIPTIONS



- (a) For the purpose of this rule unless the contrary intention appears the words in column A have the meaning assigned immediately opposite in column B:

A	B
Scheme	the scheme in place under sub-rule (d)

- (b) Subject to these Divisional rules the Divisional Subscriptions which a member must pay will be determined, on an annual basis, by the Divisional Council.
- (c) Divisional Subscriptions are due to be paid on the first day of January and July each calendar year.
- (d) The Division must have a Scheme in place for a member to pay a member's Subscriptions to the Division.
- (e) The Scheme may permit payment of a member of the member's Subscriptions by:
- (i) cash, cheque or electronic payment;
 - (ii) payroll deduction;
 - (iii) direct debit;
 - (iv) credit card; and/or
 - (v) other means as the Divisional Executive determines

B16. PAYMENT OF ANNUAL SUBSCRIPTIONS

- (a) A member who, prior to the end of the preceding year, pays in full the annual Subscription for the current year will receive a discounted rate for the current year, determined by deducting 10% of the Subscription rate (excluding fees and levies) calculated to the nearest \$1.00.
- (b) The annual Subscription rate will only apply to the current year, and all Subscriptions paid, except under sub-rule (a), are to be paid at the quarterly or six (6) monthly rate.
- (c) Despite sub-rules (a) and (b), the Divisional Council may determine, in respect of the whole, or part, of the Division's membership, that:
- (i) the discounted rate for the current year is applicable only when that year's Subscription is paid prior to the end of the preceding year; and
 - (ii) whether a 10% discount on fees applies to members who have been continuously financial for the previous 12 months and who agree to pay for the next 12 months in advance prior to the commencement of the third quarter of a year.

B17. RECEIPT FOR SUBSCRIPTIONS

- (a) The Division will provide a written receipt to a member within 20 days of the member paying Subscriptions, where the payment is made in accordance with rule B15(e)(i).

- (b) The Division will provide, annually, a receipt to a member paying Subscriptions where the payment is made in accordance with rules B15(e)(ii) – (v)
- (c) Receipts provided in accordance with this rule may be provided electronically.



B18. MEMBERS ENGAGED AS PART TIME EMPLOYEES

- (a) Members who are working part-time, for a regular number of hours not exceeding 24 hours per week, may make application to pay membership Subscriptions at not less than 50% of the full time equivalent Subscriptions rate.

B19. MEMBERSHIP OF THE CEPU

- (a) Notwithstanding rules B14 and B15, a member of the Division will not be required to pay an entrance fee, Subscriptions or fees which might otherwise be payable under these Divisional rules and will be deemed for all purposes of these Divisional rules to be a Financial Member, despite rule B28, for the whole of a period during which the member of the Division is:
 - (i) under the registered rules of the CEPU, a financial member of the CEPU; and
 - (ii) attached to the Electrical Division, Queensland Divisional Branch of the CEPU.
- (b) If a member of the Division, who is entitled to the benefit of this rule, ceases to be a financial member of the CEPU or, being a financial member of the CEPU, ceases to be assigned to the Electrical Division, Queensland Divisional Branch of the CEPU, then the member, from the happening of either event, becomes liable for payment of all membership fees and other payments under these Divisional rules as if the member had either joined the Division on the date that:
 - (i) they had become un-financial under the rules of the CEPU; or
 - (ii) had ceased to be assigned to the Electrical Division, Queensland Divisional Branch of the CEPU,

whichever is the earlier, however upon:

- (iii) the payment of arrears to the CEPU and the member otherwise becoming a financial member of the CEPU; and
- (iv) the member again being assigned to the Electrical Division, Queensland Divisional Branch of the CEPU,

arrears or liability to pay membership fees and other fees arising under this rule will be extinguished.

B20. HONORARY MEMBERSHIP

- (a) When a financial Ordinary Member:
 - (i) is forced to permanently retire through ill health or accident before reaching 55 years; or
 - (ii) reaches the age of 55 years and ceases to work in the callings of the Division,the member is eligible to apply for honorary membership.

- (b) The Divisional Council is to determine the fees to be paid by an Honorary Member.
- (c) Where a determination is made under sub-rule (b) then those fees (if any) must be paid for an Honorary Member to be a financial Honorary Member.
- (d) A financial Honorary Member is entitled to the rights of a financial Ordinary Member of the Division including access to the Distress and Mortality Scheme.



B21. LIFE MEMBERSHIP

- (a) Life membership is the highest honour the Division can confer on a member for services rendered to the Division.
- (b) Life membership may be conferred by the Divisional Council on:
 - (i) its own motion; or
 - (ii) recommendation by the Divisional Executive.
- (c) A member on whom life membership is conferred is:
 - (iii) not required to pay Subscriptions; and
 - (iv) entitled to the rights of a financial Ordinary Member of the Division including access to the Distress and Mortality Scheme.

B22. ASSOCIATE MEMBERSHIP

- (a) A member who has resigned from membership of the Division by reason of ceasing to be eligible for membership may apply for Associate Membership.
- (b) The Divisional Executive is to determine the fees to be paid by an Associate Member.
- (c) An Associate Member is not entitled to:
 - (i) vote in an election of the Division or the Union;
 - (ii) vote in a ballot of the Division or the Union;
 - (iii) nominate a person to hold a office in the Division or the Union; and/or
 - (iv) hold an office in the Division or the Union.
- (d) An Associate Member is, subject to sub-rule (c), entitled to receive the benefits determined by the Divisional Executive.
- (e) An Associate Member who recommences employment in a calling of the Division is ceases to be an Associate Member.
- (f) An Associate Member may resign membership of the Division under rule B10.

B23. POLITICAL MEMBER

- (a) A member who is elected to the parliament of the Commonwealth, or Qld, or a local authority may retain membership as a Political Member, provided that a Political Member must pay Subscriptions under these Divisional rules.

B24. LEVIES

- (a) The Divisional Council may determine to levy Ordinary Members for a purpose provided under these Divisional rules.
- (b) The Divisional Secretary will notify Ordinary Members of the:
 - (i) imposition of a levy; and
 - (ii) purpose for which the levy has been imposed.
- (c) Levies imposed under sub-rule (a) are to be paid not later than 28 days after the date of the Divisional Secretary gives notice of the imposition of the levy.
- (d) Ordinary Members will pay a levy imposed under sub-rule (a) to the Division
- (e) The Divisional Council may not impose levies exceeding the annual Subscription in a financial year.
- (f) An Ordinary Member who fails to pay a levy imposed under this rule is un-financial until the levy is paid.
- (g) The Divisional Council may determine to waive payment of a levy, in whole or in part, for a member where it is satisfied that the circumstances of a member justify waiver.
- (h) A levy must be used for the purpose for which it is raised, provided that if the purpose for which the levy is raised is achieved, then the Divisional Council may determine that remaining monies from the levy be paid to the Divisional Fund.



B25. RIGHTS OF MEMBERS

- (a) A financial Ordinary Member is entitled to:
 - (i) attend Divisional meetings, Divisional Section meetings and Divisional Sub-Branch meetings to which they are attached;
 - (ii) move or second resolutions at Divisional meetings, Divisional Section meetings and Divisional Sub-Branch meetings to which they are attached;
 - (iii) vote in a ballot of the Division;
 - (iv) vote in a ballot of the Divisional Section and Divisional Sub-Branch to which they are attached;
 - (v) nominate or second nominations for an office of the Division, the position of Divisional Biennial Conference Delegate or a position of the Divisional Section or Divisional Sub-Branch to which they are attached;
 - (vi) hold office in the Division, hold the position of Divisional Biennial Conference Delegate or a position in the Divisional Section or Divisional Sub-Branch to which they are attached;
 - (vii) receive the Divisional Journal free of charge;
 - (viii) access the Distress and Mortality Scheme;

- (ix) access discount purchasing services and affiliations; and
 - (x) otherwise participate in the business of the Division as provided by these Divisional rules.
- (b) A financial Honorary Member is entitled to:
- (i) attend Divisional meetings, Divisional Section meetings and Divisional Sub-Branch meetings to which they are attached;
 - (ii) move or second resolutions at Divisional meetings, Divisional Section meetings and Divisional Sub-Branch meetings to which they are attached;
 - (iii) vote in a ballot of the Division;
 - (iv) vote in a ballot of the Divisional Section and Divisional Sub-Branch to which they are attached;
 - (v) nominate for and hold an office or position as provided by these Divisional rules;
 - (vi) second nominations as provided by these Divisional rules;
 - (vii) receive the Divisional Journal free of charge;
 - (viii) access Distress and Mortality Scheme;
 - (ix) access discount purchasing services and affiliations; and
 - (x) otherwise participate in the business of the Division as provided by these Divisional rules.
- (c) A Life Member is entitled to:
- (i) attend Divisional meetings, Divisional Section meetings and Divisional Sub-Branch meetings to which they are attached;
 - (ii) move or second resolutions at Divisional meetings, Divisional Section meetings and Divisional Sub-Branch meetings to which they are attached;
 - (iii) vote in a ballot of the Division;
 - (iv) vote in a ballot of the Divisional Section and Divisional Sub-Branch to which they are attached;
 - (v) nominate for and hold an office or position as provided by these Divisional rules;
 - (vi) second nominations as provided by these Divisional rules;
 - (vii) receive the Divisional Journal free of charge;
 - (viii) access Distress and Mortality Scheme;
 - (ix) access discount purchasing services and affiliations; and
 - (x) otherwise participate in the business of the Division as provided by these Divisional rules.





- (d) A financial Associate Member is entitled to:
 - (i) attend Divisional meetings;
 - (ii) speak at Divisional meetings;
 - (iii) receive the Divisional Journal free of charge; and
 - (iv) otherwise participate in the business of the Division as provided by these Divisional rules.
- (e) A financial Political Member is entitled to:
 - (i) attend Divisional meetings; and
 - (ii) receive the Divisional Journal free of charge.

B26. EXEMPTION FROM SUBSCRIPTIONS

- (a) The Divisional Executive may exempt a member from the payment of their annual Subscription during extended absence from being able to work in the Division's callings, on:
 - (i) written application made by the member; and
 - (ii) for the period of absence,provided that the Divisional Executive may delegate this power to the Divisional Secretary and the Divisional Secretary must report all waivers to the Divisional Executive.
- (b) A member who has been granted a waiver exemption in accordance with sub-rule (a) is under these Divisional rules a financial Ordinary Member for the period the exemption is granted.

B27. RIGHTS OF EXEMPT MEMBERS

- (a) A member who has, under these Divisional rules, been granted exemption from payment of contributions is entitled during the period of exemption to the rights the Divisional Executive determines are reasonable from the circumstances of the exemption.

B28. UN-FINANCIAL MEMBERS

- (a) A member will be un-financial if in arrears of fines, levies or Subscriptions for a period of one (1) month.
- (b) A member failing to pay a levy and/or fine under these Divisional rules is deemed to be in arrears of Subscriptions to the amount of the fine and/or levy, as the case may be.
- (c) Monies received from a member required to pay a fine or a levy will be first attributed to the payment of the fine, then payment of the levy and then Subscriptions.
- (d) Un-financial members are liable, subject to the Act, for the payment of the arrears of fines, levies or Subscriptions.
- (e) The Divisional Secretary may seek recovery, under the rules of the Union, of any monies owed by a member



B29. GOVERNMENT OF THE UNION

- (a) The Division, unless otherwise provided by these Divisional rules, is to be governed by the Divisional Council.
- (b) The Division, unless otherwise provided by these Divisional rules, will between meetings of the Divisional Council be governed by the Divisional Executive.
- (c) Despite sub-rules (a) and (b) these Divisional rules may expressly reserve powers to be exercised only by the:
 - (i) Divisional Council; or
 - (ii) Divisional Executive.

B30. DIVISIONAL BIENNIAL CONFERENCE- COMPOSITION

- (a) Divisional Biennial Conference Delegates are to be elected by, and from, the financial Ordinary Members, Life Members and/or financial Honorary Members attached to the Divisional Sub-Branches in accordance with these Divisional rules.
- (b) A Divisional Biennial Conference will be held in 2017 and each two (2) years after.
- (c) The Divisional Council may determine to convene a special Divisional Biennial Conference meeting.

B31. DIVISIONAL BIENNIAL CONFERENCE - FUNCTIONS

- (a) The Divisional Biennial Conference may recommend the:
 - (i) alteration of these Divisional Branch rules; and
 - (ii) formulation of Divisional Branch policy.
- (b) A recommendation made under sub-rule (a) is to be considered at the next following meeting of the Divisional Council.
- (c) A recommendation made under sub-rule (a) does not bind the Divisional Council.

B32. DIVISIONAL BIENNIAL CONFERENCE - MEETINGS

- (a) The Divisional Secretary will give notice to the members of the Divisional Biennial Conference of a Divisional Biennial Conference meeting.
- (b) Notice under sub-rule (a) is to provide the:
 - (i) time;
 - (ii) date;
 - (iii) place; and
 - (iv) agenda,for the Divisional Biennial Conference meeting.

- (c) Notice under sub-rule (a) is to be given in writing at least 28 days prior to a meeting.
- (d) Where a Divisional Biennial Conference Delegate is unable to attend the Divisional Biennial Conference they are entitled to nominate a proxy to attend and vote at the meeting, provided that such proxy meets the same criteria for nomination as the respective Divisional Biennial Conference Delegate was required to meet.



B33. DIVISIONAL BIENNIAL CONFERENCE - SPECIAL MEETINGS

- (a) The Divisional Secretary will give notice to the members of the Divisional Biennial Conference of a special Divisional Biennial Conference meeting.
- (b) Notice under sub-rule (a) is to provide the:
 - (v) time;
 - (vi) date;
 - (vii) place; and
 - (viii) agenda,for the special Divisional Biennial Conference meeting.
- (c) Notice under sub-rule (a) is to be given as it can practicably be given in the circumstances requiring a special Divisional Biennial Conference meeting.
- (d) Only the business notified on the agenda under sub-rule (b) is to be considered by the Divisional Biennial Conference.

B34. DIVISIONAL COUNCIL - COMPOSITION

- (a) The Division will have a Divisional Council comprised of the:
 - (i) Divisional President;
 - (ii) Divisional Secretary; and
 - (iii) Divisional Councillors representing the Divisional Sections.

B35. DIVISIONAL COUNCIL - POWERS AND DUTIES

- (a) Subject to these Divisional rules and the power expressly reserved to the Divisional Executive, the Divisional Council will be the governing body of the Division and is to conduct the business and affairs of the Division and its determination on a matter is final and binding on Divisional members.
- (b) Subject to these Divisional rules the Divisional Council has the power to:
 - (i) authorise the formation of Divisional Sub-Branches;
 - (ii) authorise the formation of Divisional Sections;
 - (iii) determine the policy of the Division in all matters affecting Divisional members;
 - (iv) appoint auditors on behalf of the Division;

- (v) ensure that the Divisional Sub-Branches observe these Divisional rules and the Union rules;
 - (vi) hear and decide appeals from a Divisional Sub-Branch, a Divisional Section or a Divisional member;
 - (vii) give effect to a decision of a ballot of Divisional members held under these Divisional rules;
 - (viii) receive, the annual report and balance-sheet of the Division;
 - (ix) fix a time and place for the Divisional Biennial Conference;
 - (x) settle a dispute between a Divisional Sub-Branch and its attached members;
 - (xi) settle a dispute between a Divisional Section and its attached members;
 - (xii) submit a matter to the Divisional members for decision by ballot;
 - (xiii) delegate a power to the Divisional Executive;
 - (xiv) take action under these Divisional rules as it determines to ensure these Divisional rules are observed;
 - (xv) take action under these Divisional rules as it determines to attain the Objects; and
 - (xvi) subject to the Union rules, amend these Divisional rules.
- (c) The Divisional Council will appoint delegates:
- (i) at its first meeting subsequent to a Quadrennial Election to the affiliated bodies of the Division; and
 - (ii) to bodies to which the Division affiliates between Quadrennial Elections.
- (d) To ensure representation with affiliated bodies of the Division the Divisional Executive, whilst awaiting a determination under sub-rule (c), may appoint a temporary delegate to an affiliated body of the Division.
- (e) Delegates to affiliated bodies of the Division who are not members of the Divisional Council will, when requested by the Divisional Secretary:
- (i) provide a written report; or
 - (ii) attend a Divisional Council meeting to provide an oral report,
- of their delegation to the affiliated body.
- (f) The Divisional Council may determine, not less than three (3) months prior to the opening of nominations for a Quadrennial Election, to combine the offices of the Divisional Secretary and the Divisional Treasurer.



B36. DIVISIONAL COUNCIL - MEETINGS

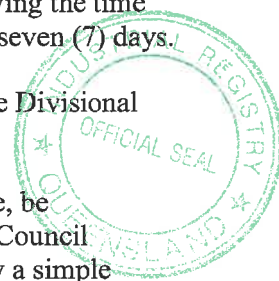
- (a) The Divisional Council will meet at least four (4) times a year, on the dates the Divisional Council determines at the first Divisional Council meeting held in each year,

provided that the Divisional Council may meet at other times as the Divisional Council, or the Divisional Executive, determines.

- (b) The Divisional Secretary will, in consultation with Divisional Executive members, formulate an agenda setting out the business to be dealt with at a Divisional Council meeting.
- (c) The Divisional Secretary will give Divisional Council members at least seven (7) days' notice of a Divisional Council meeting and will provide to the Divisional Council members:
 - (i) notice of the meeting;
 - (ii) an agenda for the meeting inclusive of business submitted by the Divisional Sections and/or the Divisional Executive; and
 - (iii) associated papers.
- (d) A Divisional Council meeting will be held at the Principal Office unless the Divisional Council, or the Divisional Executive, determines otherwise.
- (e) Notice of a Divisional Council meeting required to be given under sub-rule (c) is to be given in accordance with these Divisional rules.
- (f) The Divisional President will chair a Divisional Council meeting, however if the Divisional President is not present within 15 minutes of the commencement of the meeting, or if present is unwilling to act, then the Divisional Vice-President will act as the chair of the meeting with the powers of the Divisional President and if the Divisional Vice-President is not present within 15 minutes of the commencement of the meeting, or if present is unwilling to act, then the meeting will nominate one (1) of its members to act as chair of the meeting and the member appointed will chair the meeting with the powers of the Divisional President.
- (g) The quorum for a Divisional Council meeting is, subject to sub-rule (j), a simple majority of the members of the Divisional Council plus one (1) entitled to attend the meeting and to vote.
- (h) A member of the Divisional Council not able to attend a Divisional Council meeting, of which notice has been given under these Divisional rules must:
 - (i) make a request for leave of absence to the Divisional Council; or
 - (ii) nominate a proxy to attend and vote at the meeting, provided that such proxy meets the same criteria for nomination as the respective State Councillor was required to meet.
- (i) A member of the Divisional Council absent from three (3) consecutive Divisional Council meetings without seeking leave of absence or without tendering an explanation satisfactory to the Council may be liable for misconduct under these Divisional rules.
- (j) Despite sub-rule (g) if a member of the Council has applied for, and been granted, a leave of absence by the Divisional Council then the number of members of the Divisional Council entitled to attend the meeting will be reduced by the persons who have been granted a leave of absence, provided that the quorum cannot be less than one (1) member from each Section holding office on the Divisional Council.

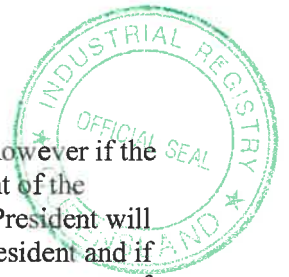


- (k) If at a Divisional Council meeting no quorum is present 30 minutes following the time fixed for the commencement of the meeting, the meeting is adjourned for seven (7) days.
- (l) A Divisional Council meeting may be conducted by a method in which the Divisional Council members are able to communicate each with each other.
- (m) A question arising at a Divisional Council meeting will, wherever possible, be determined by consensus, provided that a question arising at a Divisional Council meeting, which cannot be determined by consensus, will be determined by a simple majority of the votes entitled to be cast by those present and entitled to vote at the Divisional Council meeting.
- (n) A Divisional Council member has a deliberative vote only at a Divisional Council meeting.
- (o) The Divisional President is not entitled to exercise a casting vote.



B37. DIVISIONAL COUNCIL – SPECIAL MEETINGS

- (a) The Divisional Secretary will on the determination of the:
 - (i) Divisional Council; or
 - (ii) Divisional Executive,to hold a special Divisional Council meeting, promptly convene a special Divisional Council meeting.
- (b) The business to be dealt with at a special Divisional Council meeting is the business determined by the Divisional Council or the Divisional Executive, as the case may be, requesting the meeting, and no other business may be dealt with.
- (c) The Divisional Secretary will give Divisional Council members notice of a special Divisional Council meeting as is practicable, but at least 24 hours' notice must be given by the means available.
- (d) A special Divisional Council meeting will be held at the Principal Office unless the Divisional Secretary determines otherwise.
- (e) The quorum for a special Divisional Council meeting is a simple majority of the Divisional Council members plus one (1), entitled to attend the special Divisional Council meeting.
- (f) Despite sub-rule (e) if a Divisional Council member has previously applied for, and been granted, a leave of absence by the Divisional Council then the number of Divisional Council members entitled to attend the special Divisional Council meeting will be reduced by the persons who have been granted a leave of absence, provided that the quorum cannot be less than one (1) member from each Section holding office on the Divisional Council
- (g) If at a special Divisional Council meeting no quorum is present 30 minutes following the time fixed for the commencement of the special meeting, the meeting lapses.
- (h) A special Divisional Council meeting may be conducted by a method in which the Divisional Council members are able to communicate each with each other.



- (i) The Divisional President will chair a special Divisional Council meeting, however if the Divisional President is not present within 15 minutes of the commencement of the special meeting, or if present is unwilling to act, then the Divisional Vice-President will act as the chair of the special meeting with the powers of the Divisional President and if the Divisional Vice-President is not present within 15 minutes of the commencement of the special meeting, or if present is unwilling to act, then the special meeting will nominate one (1) of its members to act as chair of the special meeting and the member appointed will chair the special meeting with the powers of the Divisional President.
- (j) A question arising at a special Divisional Council meeting will, wherever possible, be determined by consensus, provided that a question arising at a special Divisional Council meeting, which cannot be determined by consensus, will be determined by a simple majority of the votes entitled to be cast by those present and entitled to vote at the special Divisional Council meeting.
- (k) A Divisional Council member has a deliberative vote only at a special Divisional Council meeting.

B38. DIVISIONAL COUNCIL – DETERMINATIONS OUT OF SESSION

- (a) Where the Divisional President and Divisional Secretary consider that a matter requires prompt attention a ballot of the Divisional Council members may be conducted by:
 - (i) courier;
 - (ii) post;
 - (iii) facsimile transfer;
 - (iv) E-mail; and/or
 - (v) by other means of print communication,provided that:
 - (vi) in the ballot one-half ($\frac{1}{2}$) the Divisional Council members plus one (1), exercising a majority of the votes entitled to be cast and voting, constitutes a quorum;
 - (vii) the Divisional Secretary will determine a time limit in which the ballots must be received; and
 - (viii) determination of the ballot will, unless these Divisional rules otherwise require, be by simple majority of the votes cast.

B39. DIVISIONAL EXECUTIVE - COMPOSITION

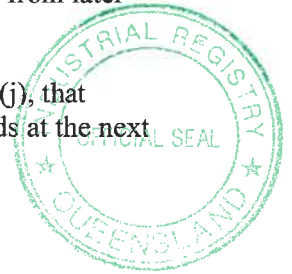
- (a) The Divisional Executive will consist of the:
 - (i) Divisional President;
 - (ii) Divisional Secretary; and
 - (iii) one (1) Divisional Executive Member elected by the Divisional Council from each of the Divisional Sections represented on the Divisional Council.

B40. DIVISIONAL EXECUTIVE - POWERS AND DUTIES



- (a) Subject to the exercise of power expressly reserved to the Divisional Council:
 - (i) between meetings of the Divisional Council, the Divisional Executive is to conduct the business and affairs of the Division and its determinations are binding on Divisional members; and
 - (ii) the Divisional Executive is directly responsible to the Divisional Council for action it takes.
- (b) Subject to these Divisional rules the Divisional Executive has:
 - (i) reserved to it full financial responsibility regarding the disbursement of the funds of the Division; and
 - (ii) the right to veto a proposed expenditure from the Divisional Fund.
- (c) Without limitation to sub-rule (b)(i), the Divisional Executive may:
 - (i) disburse monies for carrying on the business of the Division;
 - (ii) fix allowances of officers of the Division;
 - (iii) fix allowances for members who perform functions on behalf of the Division; and
 - (iv) provide financial assistance to members in respect of compensation claims and common law arising out of compensable injuries.
- (d) Other than in relation to a determination involving the exercise of a power expressly reserved to the Divisional Executive, two (2) Divisional Sections may by their representative members on the Divisional Executive request the Divisional Council review a determination made by the Divisional Executive.
- (e) A request under sub-rule (d) must be made in writing to the Divisional Secretary.
- (f) In the event of request under sub-rule (d) the:
 - (i) determination to be reviewed will not be implemented until the review is complete and subject to the review;
 - (ii) Divisional Secretary will promptly convene a Divisional Council meeting to review the determination; and
 - (iii) Divisional Council meeting under part (ii) is to be held within seven (7) days of the request being made to the Divisional Secretary.
- (g) The Divisional Executive is to appoint the Returning Officer.
- (h) The Divisional Executive will determine, prior to the calling of the Quadrennial Elections, the number of Divisional Assistant Secretaries.
- (i) The Divisional Executive may determine, not less than three (3) months prior to the opening of nominations for a Quadrennial Election determine the number (if any) of the Divisional Organisers to be elected and their designations (if any).

- (j) In the event that the Divisional Executive determines under sub-rule (h) that there will be no Divisional Assistant Secretary, nothing prevents the Divisional Executive from later determining to create the office.
- (k) In the event that the Divisional Executive determines, under sub-rules (h) or (j), that there will be Divisional Assistant Secretaries, then the term of the offices ends at the next Quadrennial Election.



B41. DIVISIONAL EXECUTIVE - MEETINGS

- (a) The Divisional Executive will meet at least 12 times per year as determined by the Divisional Secretary, and at the times its members determine.
- (b) The Divisional Secretary will, upon the request of the Divisional President, summon a Divisional Executive meeting.
- (c) Divisional Executive members will be notified in writing by the Divisional Secretary of the time, date, place and agenda of a Divisional Executive meeting, provided that the Divisional Executive will meet at the Principal Office unless the Divisional Executive otherwise determines.
- (d) The Divisional Secretary will give members of the Divisional Executive notice of the Divisional Executive meeting as practicable, but at least 24 hours' notice must be given by the means available.
- (e) Despite sub-rule (d) where the Divisional President and the Divisional Secretary consider that a matter requires urgent attention a Divisional Executive meeting will be called by the Divisional Secretary and the Divisional Secretary will give notice of the meeting as is practicable by the means available.
- (f) A Divisional Executive meeting may be conducted by a method by which members of the Divisional Executive are able to communicate each with each other.
- (g) The Divisional President will chair a Divisional Executive meeting, however if the Divisional President is not present within 15 minutes of the commencement of the meeting, or if present is unwilling to act, then the Divisional Vice-President will act as the chair of the meeting with the powers of the Divisional President and if the Divisional Vice-President is not present within 15 minutes of the commencement of the meeting, or if present are unwilling to act, then the meeting will nominate one (1) of its members to act as chair of the meeting with the powers of the Divisional President.
- (h) Subject to this rule, at a Divisional Executive meeting a majority of the Divisional Executive members, being one-half (½) the number of persons plus one (1), constitutes a quorum.
- (i) If at a Divisional Executive meeting no quorum is present at the expiry of 30 minutes after the time fixed for the commencement of the meeting then:
 - (i) the meeting will be adjourned for not less than one (1) day nor more than five (5) days;
 - (ii) Divisional Executive members will be given notice, in accordance with sub-rule (d), of the date, time and place to which the meeting has been adjourned; and

- (iii) if at the adjourned meeting no quorum is present, those present will be deemed to be quorum for the purpose of the business to be determined.
- (j) A Divisional Executive member absent from three (3) consecutive Divisional Executive meetings without satisfactory explanation is liable to be dealt with for misconduct under these Divisional rules.
- (k) A question arising at a Divisional Executive meeting will, wherever possible, be determined by consensus, provided that a question arising at a Divisional Executive meeting, which cannot be determined by consensus, will be determined by a simple majority of the votes entitled to be cast by those present and entitled to vote at the Divisional Executive meeting.
- (l) A member of the Divisional Executive has a deliberative vote only at a Divisional Executive meeting.
- (m) Voting at a Divisional Executive meeting will be by show of hands except if the meeting determines otherwise.

B42. DIVISIONAL EXECUTIVE – SPECIAL MEETINGS

- (a) The Divisional Secretary will on the determination of the Divisional Executive to hold a special meeting, promptly convene a special Divisional Executive meeting.
- (b) The business to be dealt with at a special Divisional Executive meeting is the business determined by the Divisional Executive when requesting the meeting, and no other business may be dealt with.
- (c) The Divisional Secretary will give members of the Divisional Executive notice of the special Divisional Executive meeting as practicable, but at least 24 hours' notice must be given by the means available.
- (d) A special Divisional Executive meeting will be held at the Principal Office unless the Divisional Secretary determines otherwise.
- (e) The quorum for a special Divisional Executive meeting is a simple majority of the members of the Divisional Executive plus one (1) entitled to attend the special meeting.
- (f) If at a Divisional Executive meeting no quorum is present 30 minutes following the time fixed for the commencement of the special meeting, the meeting lapses.
- (g) A special Divisional Executive meeting may be conducted by a method by which members of the Divisional Executive are able to communicate each with each other.
- (h) The Divisional President will chair a special Divisional Executive meeting, however if the Divisional President is not present within 15 minutes of the commencement of the special meeting, or if present is unwilling to act, then the Divisional Vice-President will act as the chair of the special meeting with the powers of the Divisional President and if the Divisional Vice-President is not present within 15 minutes of the commencement of the special meeting, or if present is unwilling to act, then the special meeting will nominate one (1) of its members to act as chair of the special meeting and the member appointed will chair the special meeting with the powers of the Divisional President.
- (i) A question arising at a special Divisional Executive meeting will, wherever possible, be determined by consensus, provided that a question arising at a special Divisional

Executive meeting, which cannot be determined by consensus, will be determined by a majority of votes entitled to be cast by those present and entitled to vote at the special Divisional Executive meeting.

- (j) A member of the Divisional Executive has a deliberative vote only at a special Divisional Executive meeting.



B43. DIVISIONAL EXECUTIVE – DETERMINATIONS OUT OF SESSION

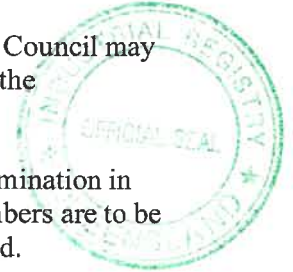
- (a) Where the Divisional President and the Divisional Secretary consider that a matter requires prompt attention a ballot of the Divisional Executive members, may be conducted by:
 - (i) courier;
 - (ii) post;
 - (iii) facsimile transfer;
 - (iv) E-mail; and/or
 - (v) by other means of print communication,provided that:
 - (vi) in the ballot one-half (½) the Divisional Executive members plus one (1), exercising a majority of the votes entitled to be cast and voting, constitutes a quorum;
 - (vii) the Divisional Secretary will determine a time limit in which the ballots must be received; and
 - (viii) a determination of the ballot will, unless these Divisional rules otherwise require, be by simple majority of the votes cast.

B44. DIVISIONAL SUB-BRANCHES - COMPOSITION

- (a) The Division will be divided into Divisional Sub-Branches and members will be attached to a Divisional Sub-Branch where one (1) relevantly exists.
- (b) Subject to the approval of the Divisional Council a Divisional Sub-Branch may be formed by ten (10) or more financial Ordinary Members:
 - (i) employed by the same employer; and
 - (ii) residing or working within convenient geographical areas; or
 - (iii) at another place where it appears to the Divisional Council to be appropriate and convenient.
- (c) The Divisional Council has the power in relation to a Divisional Sub-Branches to:
 - (i) vary;
 - (ii) merge; and/or
 - (iii) dissolve,

the Divisional Sub-Branch and may assign the members attached to a Divisional Sub-Branch to another Divisional Sub-Branch.

- (d) Where a Divisional Sub-Branch is established, or dissolved, the Divisional Council may alter the representation of another Divisional Sub-Branch to accommodate the establishment or dissolution of a Divisional Sub-Branch.
- (e) The Divisional Secretary must, when the Divisional Council makes a determination in accordance with sub-rule (c) or (d), promptly inform members, where members are to be transferred, of the Divisional Sub-Branch to which they are to be transferred.
- (f) A Divisional Sub-Branch will elect by, and from, the Financial Members attached to the Divisional Sub-Branch, a Divisional Sub-Branch Committee.



B45. DIVISIONAL SUB-BRANCHES - POWERS AND DUTIES

- (a) A determination of a Divisional Sub-Branch does not bind the Divisional Council and will be treated by the Divisional Council as a recommendation to the Divisional Council.
- (b) Divisional Sub-Branches can not hold funds.

B46. DIVISIONAL SUB-BRANCHES - COMMITTEE

- (a) A Divisional Sub-Branch will elect a Divisional Sub-Branch Committee comprising of:
 - (i) a Divisional Sub-Branch Chairperson; and
 - (ii) not less than three (3) or more than five (5) Divisional Sub-Branch Committee members.
- (b) For the purpose of determining the number of Divisional Sub-Branch Committee members, the Divisional Sub-Branch Chairperson will be counted as a Divisional Sub-Branch Committee member.
- (c) All members of the Divisional Sub-Branch Committee will be elected biennially by the Financial Members attached to the Divisional Sub-Branch subject to this rule and under these Divisional rules.
- (d) At the first Divisional Sub-Branch Committee meeting following biennial elections, the Divisional Sub-Branch Committee will elect a member of the Divisional Sub-Branch Committee as the Divisional Sub-Branch Chairperson.
- (e) At each Divisional Sub-Branch Committee meeting, the Divisional Sub-Branch Committee will elect a member of the Divisional Sub-Branch Committee to act in the capacity of Divisional Sub-Branch minute secretary for that meeting.
- (f) A member of the Divisional Sub-Branch Committee who is no longer attached to that Divisional Sub-Branch will immediately cease to be a member of the Divisional Sub-Branch Committee
- (g) The Divisional Sub-Branch Committee will, subject to these Divisional rules and the control of the Divisional Council, do the things necessary for the control and management of the affairs of the Divisional Sub-Branch.

- (h) The Divisional Sub-Branch Committee will, through its Chairperson when requested by the Divisional Executive, submit a report of the business of Divisional Sub-Branch and/or other matters as the Divisional Executive requires.

B47. DIVISIONAL SUB-BRANCH COMMITTEE - MEETINGS

- (a) Each Divisional Sub-Branch Committee will meet at the times its members determine.
- (b) The Divisional Secretary will, upon the request of the Divisional Sub-Branch Chairperson or two (2) Divisional Sub-Branch Committee members, summon a Divisional Sub-Branch Committee meeting.
- (c) The Divisional Sub-Branch Committee will meet at the place that the Divisional Sub-Branch Committee determines.
- (d) Divisional Sub-Branch Committee members will be notified of the time, date and place of Divisional Sub-Branch Committee meetings by the means that the Divisional Secretary considers practicable.
- (e) The Divisional Secretary will give the notice as is practicable, but at least 24 hours', when summoning Divisional Sub-Branch Committee members to a Divisional Sub-Branch Committee meeting.
- (f) The Divisional Sub-Branch Chairperson will chair the Divisional Sub-Branch Committee meeting, however if the Divisional Sub-Branch Chairperson is not present within 15 minutes of the commencement of the meeting, or if present is unwilling to act, then the meeting will appoint one (1) of its members to act as chair of the meeting.
- (g) Subject to this rule, at a Divisional Sub-Branch Committee meeting the attendance of three (3) Financial Members of the Divisional Sub-Branch Committee constitutes a quorum.
- (h) If at any meeting of the Divisional Sub-Branch Committee no quorum is present at the expiry of 30 minutes after the time fixed for the commencement of the meeting then the meeting lapses.
- (i) A question arising at a Divisional Sub-Branch Committee meeting will, wherever possible, be determined by consensus, provided that a question arising at a Divisional Sub-Branch Committee meeting, which cannot be determined by consensus, will be determined by a majority of votes entitled to be cast by those present and entitled to vote at the Divisional Sub-Branch Committee meeting.
- (j) A determination will be by simple majority of the votes entitled to be cast by those present, and entitled to vote, at a Divisional Sub-Branch Committee meeting.
- (k) A Divisional Sub-Branch Committee member has a deliberative vote at a Divisional Sub-Branch Committee meeting, provided that in the event of a tied ballot the Divisional Sub-Branch Chairperson has both a deliberative and casting vote.
- (l) Voting at a Divisional Sub-Branch Committee meeting will be by show of hands except if the meeting determines otherwise.
- (m) The minutes of a Divisional Sub-Branch Committee meeting will be promptly prepared by the Divisional Sub-Branch minute secretary and forwarded to the Divisional Secretary and to each member of the Divisional Sub-Branch Committee.



- (n) The Divisional Sub-Branch Chairperson must ensure that a copy of the minutes of each Divisional Sub-Branch Committee meeting is available for the inspection when requested by a member attached to the Divisional Sub-Branch.

B48. DIVISIONAL SUB-BRANCH CHAIRPERSON

- (a) The Divisional Sub-Branch Chairperson will preside at all meetings of the Divisional Sub-Branch when present and preserve order so that business may be conducted with propriety and in conformity with Standing Orders.


B49. DIVISIONAL SUB-BRANCH SECRETARY

- (a) The Divisional Secretary may, if requested by the Divisional Sub-Branch Chairperson, assist the Divisional Sub-Branch Chairperson in conducting the affairs of the Divisional Sub-Branch.

B50. DIVISIONAL SUB-BRANCHES - MEETINGS

- (a) Each Divisional Sub-Branch will hold a meeting of the Divisional Sub-Branch members when the Divisional Sub-Branch Committee determines.
- (b) Divisional Sub-Branch members will be notified of the time, date and place of Divisional Sub-Branch meetings by the means that the Divisional Secretary considers practicable.
- (c) Only the following persons may attend meetings of a Divisional Sub-Branch:
- (i) the Financial Members attached to that Divisional Sub-Branch;
 - (ii) the Divisional Officers, and
 - (iii) other persons whom the Divisional Sub-Branch Committee determines to invite.
- (d) Unless granted leave by a respective Divisional Sub-Branch Committee, the following persons must attend meetings of the Divisional Sub-Branch to which they are attached, the:
- (i) Divisional Council members;
 - (ii) Divisional Executive members; and
 - (iii) Divisional Officers.
- (e) For a Divisional Sub-Branch meeting, having attached the financial membership in column A the quorum required for a meeting will be the number of Financial Members set out immediately opposite in column B:

A	B
Up to and including 100 Financial Members	Five (5) Financial Members
101 to 1,000 Financial Members	Ten (10) Financial Members
over 1,000 Financial Members	15 Financial Members

- 
- (f) A guardian may be appointed by, and from, the members in attendance at a Divisional Sub-Branch meeting to confirm a member's credentials before they are permitted to participate in the meeting.
 - (g) The Divisional Sub-Branch will meet at the place that the Divisional Sub-Branch Committee determines.
 - (h) The Divisional Secretary will, upon the request of the Divisional Sub-Branch Chairperson, summon a Divisional Sub-Branch meeting.
 - (i) The Divisional Secretary will give members of the Divisional Sub-Branch notice of the Divisional Sub-Branch meeting as practicable, but at least 24 hours' notice must be given by the means available.
 - (j) If at a Divisional Sub-Branch meeting no quorum is present at the expiry of 30 minutes after the time fixed for the commencement of the meeting then the meeting lapses, provided that if there are at least five (5) Financial Members present, recommendations from those members will be submitted to the Divisional Council for consideration.
 - (k) The Divisional Sub-Branch Chairperson will chair a Divisional Sub-Branch meeting, however if the Divisional Sub-Branch Chairperson is not present within 15 minutes of the commencement of the meeting, or if present is unwilling to act, then the meeting will appoint one (1) of its members to act as chair of the meeting.
 - (l) A question arising at a Divisional Sub-Branch meeting will, wherever possible, be determined by consensus, provided that a question arising at Divisional Sub-Branch meeting, which cannot be determined by consensus, will be determined by a majority of votes entitled to be cast by those present and entitled to vote at the Divisional Sub-Branch meeting.
 - (m) A Divisional Sub-Branch Committee member has a deliberative vote at a Divisional Sub-Branch meeting, provided that in the event of a tied ballot the Divisional Sub-Branch Chairperson has both a deliberative and casting vote.
 - (n) Voting at a Divisional Sub-Branch meeting will be by show of hands except if the meeting determines otherwise.
 - (o) The decisions of a Divisional Sub-Branch meeting are recommendations to the Divisional Council.
 - (p) The minutes of each Divisional Sub-Branch meeting will be promptly prepared by the Divisional Sub-Branch minute secretary (appointed for that meeting) and forwarded to the Divisional Secretary.

B51. DIVISIONAL SECTIONS - COMPOSITION

- (a) The Division will be divided into Divisional Sections and members will be attached to a Divisional Section where one relevantly exists.
- (b) Divisional Council will determine the Divisional Sections which may be constituted by members who work:
 - (i) in the general trade;

- (ii) in the electricity supply entities;
- (iii) in the transport industry;
- (iv) in the manufacturing industry;
- (v) in the communications or aerospace industries;
- (vi) in the electrical contracting industry;
- (vii) in an apprenticeship;
- (viii) in geographical areas; and
- (ix) in other industries/criteria.



- (c) The determination under sub-rule (b) is to occur at a Divisional Council meeting held prior to the calling of nominations for a Quadrennial Election.
- (d) The Divisional Sections are constituted following a determination under sub-rule (b) for the term the officers of the Divisional Council, who made the determination, hold office as a result of the Quadrennial Election concerned.
- (e) For a Divisional Section meeting having the membership in column A the quorum required is the number of Financial Members set out immediately opposite in column B:

A	B
Up to and including 100 attached Financial Members	Five (5) Financial Members
101 to 1,000 attached Financial Members	Ten (10) Financial Members
over 1,000 attached Financial Members	15 Financial Members

- (f) A guardian may be appointed to confirm a member's credentials before they are permitted to participate in a Divisional Section meeting.

B52. DIVISIONAL SECTION MEETINGS

- (a) The Divisional President and the Divisional Secretary may, when they consider that a matter affecting a Divisional Section requires the attention of a Divisional Section meeting, summon a Divisional Section meeting.
- (b) The Divisional Secretary will, on receipt of a written requisition setting out a request to discuss an industrial matter affecting the Divisional Section and signed by at least one-third (1/3) of the Financial Members attached to a Divisional Section, summon a meeting of that Divisional Section for the purpose of discussing that matter.
- (c) The Divisional Secretary will give notice of the meeting as is practicable and the Financial Members attached to the respective Divisional Section will be notified of the

time, date and place of the Divisional Section meetings by the means that the Divisional Secretary considers practicable.

- (d) The Divisional Secretary may, on receipt of a request under sub-rule (b), determine to defer the Divisional Section meeting until the Divisional Executive has had an opportunity of considering the industrial matter requested to be discussed.
- (e) The Divisional President will chair a Divisional Section meeting, however if the Divisional President is not present within 15 minutes of the commencement of the meeting, or if present is unwilling to act, then the meeting will appoint one (1) of its members to act as chair of the meeting.
- (f) If at a Divisional Section meeting no quorum is present at the expiry of 30 minutes after the time fixed for the commencement of the meeting then the meeting lapses, provided that if there are at least ten (10) Financial Members present, recommendations from those members will be submitted to the Divisional Executive for consideration.
- (g) A question arising at a Divisional Section meeting will, wherever possible, be determined by consensus, provided that a question arising at a Divisional Section meeting, which cannot be determined by consensus, will be determined by a majority of votes entitled to be cast by those present and entitled to vote at the Divisional Section meeting.
- (h) Voting at a Divisional Section meeting will be by show of hands except if the meeting determines otherwise.
- (i) A determination of a Divisional Section meeting will be a recommendation to the Divisional Executive.

B53. AGGREGATE MEETINGS

- (a) The Divisional Executive may summon aggregate meetings of the whole of the members of the Division residing within convenient distance of the place of meeting for the purpose of discussing an industrial matter or business relative to the policy of the Division.
- (b) The quorum for an aggregate meeting is ten (10) Financial Members.
- (c) If at an aggregate meeting no quorum is present at the expiry of 30 minutes after the time fixed for the commencement of the meeting then the meeting lapses.
- (d) The Divisional President will chair an aggregate meeting, however if the Divisional President is not present within 15 minutes of the commencement of the meeting, or if present is unwilling to act, then the meeting will appoint one (1) of its members to act as chair of the meeting.
- (e) A question arising at an aggregate meeting will, wherever possible, be determined by consensus, provided that a question arising at an aggregate meeting, which cannot be determined by consensus, will be determined by a majority of votes entitled to be cast by those present and entitled to vote at the aggregate meeting.
- (f) Voting at an aggregate meeting will be by show of hands except if the meeting determines otherwise.

- (g) A determination of an aggregate meeting will be a recommendation to the Divisional Council.



B54. MINUTES

- (a) The minutes of each meeting of the Divisional Council will be prepared by the Divisional Secretary and forwarded, in draft, to each member of the Divisional Council.
- (b) Upon confirmation, at the next meeting of the Divisional Council the minutes will be signed by the chair of the meeting.
- (c) The minutes of each meeting of the Divisional Executive will be prepared by the Divisional Secretary and forwarded, in draft, to each member of the Divisional Executive.
- (d) Upon confirmation, at the next meeting of the Divisional Executive the minutes will be signed by the chair of the meeting.
- (e) The minutes of a meeting, if signed by the chair in accordance with this rule, are proof of the matters recorded in them without any further proof.

B55. DIVISIONAL OFFICERS

- (a) The Divisional Officers are the:
- (i) Divisional President;
 - (ii) Divisional Vice-President;
 - (iii) Divisional Treasurer (if any);
 - (iv) Divisional Secretary;
 - (v) Divisional Assistant Secretary (if any);
 - (vi) Divisional Executive Member; and
 - (vii) Divisional Councillors.

B56. DIVISIONAL POSITIONS

- (a) The Divisional Positions are the:
- (i) Divisional Organisers (if any);
 - (ii) Division Biennial Conference Delegate; and
 - (iii) Divisional Sub-Branch Committee Members.

B57. DIVISIONAL PRESIDENT

- (a) The Divisional President will, subject to these Divisional rules and the Union rules:
- (i) chair all meetings of the:



- (A) Divisional Biennial Conference;
 - (B) Divisional Council;
 - (C) Divisional Executive; and
 - (D) Divisional Meetings;
- (ii) preserve order at meetings;
 - (iii) ensure that the business of a meeting is conducted with propriety and in conformity with the Standing Orders;
 - (iv) ensure that minutes are confirmed in accordance with these Divisional rules ;
 - (v) ensure, in conjunction with the Divisional Secretary, that these Divisional rules are observed; and
 - (vi) be a member of all committees of the Divisional Council.
- (b) The Divisional President will perform other functions and obligations as:
 - (i) provided by these Divisional rules; or
 - (ii) directed by the Divisional Council or the Divisional Executive.
 - (c) If required the Divisional President will act as a trustee in conjunction with the Divisional Treasurer and will have the powers of a trustee under the Trusts Act (Q).
 - (d) The Divisional Council will determine, prior to the opening of nominations for the office of Divisional President, the office to be:
 - (i) full time;
 - (ii) part time; or
 - (iii) honorary.
 - (e) Despite sub-rule (d) nothing prevents the Divisional Council determining, in the circumstances of a casual vacancy arising in the office of Divisional President the office to be:
 - (i) full time;
 - (ii) part time; or
 - (iii) honorary.
 - (f) Despite sub-rule (d) nothing prevents the Divisional Council determining with the consent of the Divisional President that the office of Divisional President that is full time be:
 - (i) part time; or
 - (ii) honorary.

- (g) Despite sub-rule (d) nothing prevents the Divisional Council determining with the consent of the Divisional President that the office of Divisional President that is part time be honorary.
- (h) Where a determination is made under sub-rules (d), (e), (f) or (g) then, subject to a further determination being made under sub-rules (d), (e), (f) or (g), that determination remains effective.



B58. DIVISIONAL VICE-PRESIDENT

- (a) The Divisional Vice-President will, subject to these Divisional rules and the Union rules:
 - (i) assist the Divisional President in the carrying out of the Divisional President's functions and obligations;
 - (ii) act as the Divisional President in the Divisional President's temporary absence; and
 - (iii) carry out functions of the Divisional President that the Divisional President may delegate to the Divisional Vice-President.
- (b) The Divisional Vice-President will perform other functions and obligations as:
 - (i) provided by these Divisional rules; or
 - (ii) directed by the Divisional Council or the Divisional Executive.
- (c) The office of Vice-President is honorary.

B59. DIVISIONAL SECRETARY

- (a) The Divisional Secretary will, subject to these Divisional rules and the Union rules:
 - (i) be the principal officer and chief administrative officer of the Division;
 - (ii) be responsible for managing the day to day affairs of the Division;
 - (iii) take action and defend action on behalf of the Division;
 - (iv) prosecute matters on behalf of the Division;
 - (v) give notice of, and administer, meetings of the Division;
 - (vi) attend, and keep minutes of, meetings of the Division;
 - (vii) conduct the Division's correspondence;
 - (viii) collect, receipt and deposit monies payable to the Division;
 - (ix) make payments on behalf of the Division;
 - (x) account for monies received and disbursed by the Division;
 - (xi) invest funds as directed by the Divisional Executive;
 - (xii) direct the performance of employees and agents engaged on behalf of the Division;

- (xiii) lodge for safe-keeping all securities and other legal documents of the Division;
 - (xiv) prepare and produce Financial Statements;
 - (xv) ensure that the Division complies with its audit requirements;
 - (xvi) maintain the Divisional Members Register;
 - (xvii) maintain the Divisional Officers Register;
 - (xviii) prepare, and file, returns required to be filed by the Division;
 - (xix) submit recommendations, when the Divisional Secretary determines it appropriate to do so, to the Divisional Biennial Conference, the Divisional Council or the Divisional Executive, Sub-branches and committees of the Division;
 - (xx) edit the Divisions publications; and
 - (xxi) ensure, in conjunction with the Divisional President, that these Divisional rules are observed.
- (b) The Divisional Secretary will perform other functions and obligations as:
- (i) provided by these Divisional rules;
 - (ii) provided by the Union rules; or
 - (iii) directed by the Divisional Council or the Divisional Executive.
- (c) The Divisional Secretary may delegate to the Divisional Assistant Secretary (if any) functions and obligations of the Divisional Secretary, on the terms the Divisional Secretary determines.
- (d) The Divisional Secretary is a member of all committees of the:
- (i) Divisional Council; and
 - (ii) Divisional Executive.
- (e) The Divisional Secretary will, when vacating office, deliver Financial Statements, documents and other property of the Division in the Divisional Secretary's possession or control to the successor in office to the Divisional Secretary or to another officer determined by the Divisional Executive.
- (f) The office of the Divisional Secretary is full time.



B60. DIVISIONAL TREASURER

- (a) The Divisional Treasurer (if any) will assist the Divisional Secretary in relation to the finances of the Division and carry out functions and obligations as the Divisional Secretary directs.
- (b) The Divisional Treasurer (if any) will perform other functions and obligations as:
 - (i) provided by these Divisional rules; or

- (ii) directed by the Divisional Council or the Divisional Executive.
- (c) If required the Divisional Treasurer will act as a trustee in conjunction with the Divisional President and will have the powers of a trustee under the Trusts Act (Q).
- (d) The office of Divisional Treasurer (if any) is honorary.



B61. DIVISIONAL ASSISTANT SECRETARY (IF ANY)

- (a) The Divisional Assistant Secretary (if any) will carry out functions and obligations as the Divisional Secretary directs.
- (b) The Divisional Assistant Secretary (if any) will be engaged on the terms and conditions as the Divisional Executive determines.

B62. DIVISIONAL ORGANISER (IF ANY)

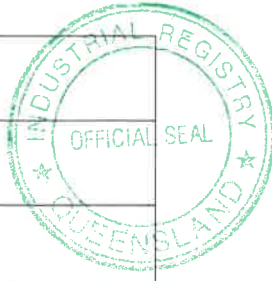
- (a) The Divisional Organisers (if any) will carry functions and obligations as the Divisional Secretary directs.
- (b) The Divisional Organisers (if any) will be engaged on the terms and conditions as the Divisional Executive determines.

B63. DIVISIONAL RETURNING OFFICER

- (a) The Divisional Executive will, at its first meeting held immediately following Divisional Officers taking office in the Quadrennial Elections, appoint a Returning Officer.
- (b) The Returning Officer will not be:
 - (i) a member of;
 - (ii) the holder of any office in; or
 - (iii) be an employee of,
 the Union.
- (c) The Returning Officer will be responsible for the conduct of ballots of the Division as required under these Divisional rules, except where an election for an office must be conducted by the Electoral Commission Queensland.
- (d) In the event of a Returning Officer being unable to discharge the duties of the office, or becoming a Candidate, the Divisional Executive will terminate the appointment, and appoint a replacement Returning Officer.

B64. DIVISIONAL BIENNIAL CONFERENCE - ELECTION

- (a) The number of Divisional Biennial Conference Delegates to be elected at a Quadrennial Election from, a Divisional Sub-Branch is provided by sub-rule (b).
- (b) A Divisional Sub-Branch having at 31 March in the year of the last Quadrennial Election the financial membership in column A is entitled to be represented at the Divisional Biennial Conference by the number of Divisional Biennial Conference Delegates set out immediately opposite in column B:




A	B
50 – 100 Financial Members	One (1) Delegate
101 – 500 Financial Members	Two (2) Delegates
501 - 1,000 Financial Members	Three (3) Delegates
1,001 - 1,500 Financial Members	Four (4) Delegates
1,501 - 2,000 Financial Members	Five (5) Delegates
2,001 - 2,500 Financial Members	Six (6) Delegates
2,501 - 3,500 Financial Members	Seven (7) Delegates
3,501 and over Financial Members	Eight (8) Delegates and one (1) additional Delegate for each 1000 Financial Members over 3,501

- (c) A Divisional Biennial Conference Delegate representing a Divisional Sub-Branch must be attached to that Divisional Sub-Branch.
- (d) A member of the Divisional Council is a delegate to the Divisional Biennial Conference, but if also elected as a Divisional Biennial Conference Delegate by a Divisional Sub-Branch, is not entitled to more than one (1) vote at the Divisional Biennial Conference.

B65. DIVISIONAL COUNCIL - ELECTION

- (a) Divisional Councillors are to be elected by, and from, the Financial Members attached to the Divisional Sections in accordance with these Divisional rules.
- (b) The number of Divisional Councillors to be elected from a Divisional Section is under sub-rule (c).
- (c) A Divisional Section having at 31 March in the year of the last Quadrennial Election the financial membership in column A is entitled to be represented on the Divisional Council by the number of Divisional Councillors set out immediately opposite in column B:

A	B
50 – 100 Financial Members	One (1) Delegate
101 – 500 Financial Members	Two (2) Delegates



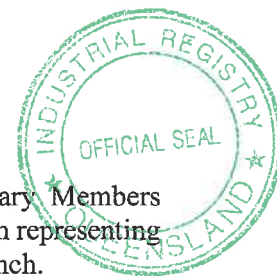
501 - 1,000 Financial Members	Three (3) Delegates
1,001 - 1,500 Financial Members	Four (4) Delegates
1,501 - 2,000 Financial Members	Five (5) Delegates
2,001 - 2,500 Financial Members	Six (6) Delegates
2,501 - 3,500 Financial Members	Seven (7) Delegates
3,501 and over Financial Members	Eight (8) Delegates and one (1) additional Delegate for each 1000 Financial Members over 3,501

B66. DIVISIONAL EXECUTIVE - ELECTION

- (a) The election of Divisional Executive members to represent a Divisional Section:
 - (i) is to be conducted as a collegiate election;
 - (ii) with the college to be the Divisional Council;
 - (iii) is to occur at the first meeting Divisional Council meeting following a Quadrennial Election;
 - (iv) is to permit only Divisional Councillors who represent a Divisional Section to nominate for, be elected to and hold office as a Divisional Executive Member; and
 - (v) is to be conducted under the Union rules.
- (b) Excepting the Divisional Secretary, full time or part time officers and position holders are not eligible to be elected to the Divisional Executive.

B67. QUALIFICATION FOR CANDIDATES

- (a) Only financial Ordinary Members, financial as at the date of the calling of nominations who have been continuously financial for a period of two (2) years, may nominate for office as a Divisional Officer.
- (b) Only financial Ordinary Members and Honorary Members, financial as at the date of the calling of nominations who have been continuously financial for a period of one (1) year, and Life Members may nominate for office as a Divisional Councillor or to hold a position as a Divisional Biennial Conference Delegate.
- (c) Only financial Ordinary Members, Life Members and Honorary Members attached to a Divisional Section may nominate for an office or a position representing that Divisional Section.



- (d) Only financial Ordinary Members, Life Members and financial Honorary Members attached to a Divisional Sub-Branch may nominate for an office or a position representing that Divisional Sub-Branch or for a position within that Divisional Sub-Branch.
- (e) Only financial Ordinary Members, Life Members and Honorary Members attached to a Divisional Section may vote in a ballot electing a member to represent that Divisional Section.
- (f) Only financial Ordinary Members, Life Members and financial Honorary Members attached to a Divisional Sub-Branch may vote in a ballot electing a member to represent that Divisional Sub-Branch or for a position within that Divisional Sub-Branch.
- (g) A Financial Member nominating for an office or position representing a Divisional Section must have their nominations seconded by two (2) Financial Members attached to that Divisional Section.
- (h) A Financial Member nominating for an office or position representing a Divisional Sub-Branch or for an office or position within a Divisional Sub-Branch must have their nomination seconded by two (2) Financial Members attached to that Divisional Sub-Branch.
- (i) A financial Ordinary Member nominating for a Divisional office (other than Divisional Vice-President) must have their nomination seconded by two (2) financial Ordinary Members.
- (j) A Divisional Councillor nominating for Divisional Executive must be nominated by another Divisional Councillor in attendance at the meeting of Divisional Council at which the election occurs.
- (k) A Divisional Councillor nominating for the office of Divisional Vice-President must be nominated by two (2) other Divisional Councillors in attendance at the meeting at which the election occurs.
- (l) All Divisional Officers, other than those referred to in sub-rule B68(a), will be directly elected by the members by elections held under the Election Procedure Rules.
- (m) A Divisional Officer, Divisional Councillor and Divisional Biennial Conference Delegate elected under these Divisional rules will hold their respective office or position under these Divisional rules for a period of four (4) years until their successors are declared elected, they resign, are removed from their office, or position, or die.

B68. COLLEGIATE ELECTION

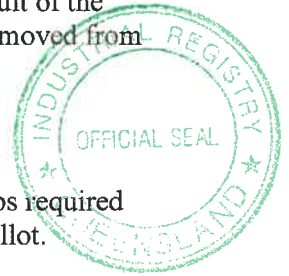
- (a) For the purpose of this rule unless the contrary intention appears the words in column A have the meaning assigned immediately opposite in column B:

A	B
Manager	a manager of the election
Meeting	the first meeting of the Divisional Council following Quadrennial Elections
Member	a member of the Electoral College

- (b) The Divisional Vice-President and Divisional Executive Members (other than the Divisional President and Divisional Secretary) will be elected by a Collegiate Electoral System.
- (c) The Electoral College will be the Divisional Council.
- (d) The Divisional Secretary will appoint, under the Act, a Manager.
- (e) The Manager will by written notice to each Member of the Electoral College call for nominations from among the Members of the Electoral College subject to rule B66.
- (f) Nominations are to be in writing, signed by the candidate and seconded under rule B66 and will be delivered to the Manager prior to the commencement of the Meeting.
- (g) If the Manager finds that a nomination is defective, the Manager will, before rejecting the nomination, notify the person concerned of the defect and, where it is practicable to do so, give the person the opportunity of remedying the defect.
- (h) The Manager will conduct the ballot at the Meeting.
- (i) If, at the close of nominations, only the required number of nominations has been received for the offices, the Manager will declare the candidates elected.
- (j) If there are more than the required number of candidates for an office, the Manager will conduct at the Meeting an election, in relation to that office, by secret ballot of the Electoral College.
- (k) A candidate may appoint a scrutineer, and the provision of Election Procedure Rules in relation to scrutineers will apply.
- (l) The Manager will arrange for the preparation of ballot papers on which the candidates' names will appear in alphabetical order.
- (m) The Manager will initial and hand to each Member a ballot paper.
- (n) The Manager will give directions for voting in the ballot.
- (o) Each Member will cast a vote by completing the ballot paper in accordance with the Manager's directions.
- (p) A Member who will not be present at the Meeting at which the ballot is to be held may:
 - (i) lodge a request with the Manager for an absentee vote, together with an address where the Member can receive communications, and, if a Member has done so, the Manager will not declare the result of the ballot until that Member has been given reasonable opportunity to vote; or
 - (ii) appoint another Member to vote as their proxy and the appointed Member will be entitled to vote in their own right and as proxy, provided that no Member can exercise more than one (1) proxy vote.
- (q) The candidate or candidates securing the highest number of votes is to be declared elected by the Manager.
- (r) The Manager will declare the result in writing to the Divisional Council.



- (s) A candidate elected takes office on the declaration by the Manager of the result of the election and holds office until their successors are elected, they resign, are removed from office or die.



B69. COUNTERPART FEDERAL BODY ELECTION EXEMPTION

- (a) The Divisional Secretary may request that the General Secretary take the steps required under the Part A rules to make application for an exemption from election ballot.
- (b) The Divisional Secretary will take the steps and do the things reasonably required by the General Secretary to assist the General Secretary in making the application for exemption from election ballot in accordance with the Part A rules.
- (c) In the event of the exemption not being granted, or being only partially granted, the Divisional Secretary will promptly ensure the filing by the General Secretary of the prescribed material required to be filed in relation to the holding of an election, or a relevant election, as the case may be, pursuant to the these Part B rules.

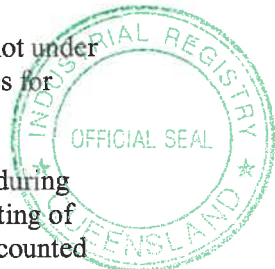
B70. CASUAL VACANCIES

- (a) Subject to the Union rules, a casual vacancy occurring in an office of the Division, where the unexpired portion of the term of office is less than 12 months or three quarters (3/4) of the term, whichever is the greater, will be filled by the Divisional Council appointing a member entitled to nominate for the office, unless these Divisional rules otherwise provide.
- (b) A casual vacancy occurring in an office of the Division where the unexpired portion of the term of office is more than 12 months, or three quarters (3/4) of the term, which ever is the greater, will be filled by election in accordance with the Election Procedure Rules.
- (c) A member appointed or elected under this rule, will hold office for the unexpired term of their predecessor unless they resign, die or are removed from office under these Divisional rules or the Union rules.
- (d) The Divisional Council may appoint a member eligible to nominate for office under these Divisional rules to perform the functions of the office during the period between the casual vacancy occurring and the declaration of an election required under sub-rule (b) and will be entitled to vote and to nominate for the office concerned.
- (e) A casual vacancy occurring in a Divisional Position where the unexpired portion of the term of the position is less than 12 months or three quarters (3/4) of the term, whichever is the greater, will be filled by the Divisional Council appointing a member entitled to nominate for the position.
- (f) A casual vacancy occurring in a Divisional Position where the unexpired portion of the term of the position is more than 12 months, or three quarters (3/4) of the term, which ever is the greater, will be filled by election in accordance with the Election Procedure rules.
- (g) The person so appointed or elected will assume all duties, responsibilities, rights and entitlements of the Divisional Position.
- (h) If the Divisional Secretary is unable to attend to their duties through any temporary cause or temporary absence, the Divisional Council may appoint a Deputy Divisional Secretary to act during any such temporary absence who will perform the functions and obligations, and exercise the power of, the Divisional Secretary.



B71. CONTROL OF THE UNION AND DIVISIONAL SUB-BRANCHES BY THE MEMBERS

- (a) The Divisional Secretary will, on receipt of a request in writing signed by 15% of the financial Ordinary Members of the Division direct the conduct of a referendum of the financial Ordinary Members of the Division on a matter concerning the Division.
- (b) The Divisional Secretary or the Divisional Executive may direct the conduct of a referendum of the financial Ordinary Members of the Division, attached to a Divisional Section or attached to a Divisional Sub-Branch, as the case may be, on a matter concerning the Division, the Divisional Section or the Divisional Sub-Branch.
- (c) Despite sub-rule (b) a referendum of the financial Ordinary Members attached to a Divisional Section or a Divisional Sub-Branch cannot occur if the outcome of the matter to be considered would impact on members of the Division other than those attached to the Divisional Section or the Divisional Sub-Branch, as the case may be, and in that circumstance only a referendum of all the financial Ordinary Members of the Division can occur.
- (d) A referendum is a secret ballot conducted by the Divisional Returning Officer and will be completed, in the case of a referendum under sub-rule (a) within two (2) months of the receipt by the Divisional Secretary of the request and in the case of a referendum under sub-rule (b) within two (2) months of the direction by the Divisional Executive.
- (e) Where a request has been received under sub-rule (a) or a direction given under sub-rule (b), the Divisional Executive will not, so far as is practicable, until the completion of the referendum, act in relation to the matter the subject of the referendum.
- (f) Where a request is received under sub-rule (a) or a direction given under sub-rule (b), the Divisional Secretary will advise the Divisional Returning Officer and the Divisional Returning Officer will direct the conduct of the referendum and will take all necessary steps to ensure the secrecy of the ballot.
- (g) The Divisional Returning Officer will determine the opening and closing dates of the referendum ballot.
- (h) The Divisional Executive and, where the referendum is held following a request under sub-rule (a) the members who requested the referendum, may each appoint two (2) scrutineers for the conduct of the referendum and will, before the opening of the ballot, advise the Divisional Returning Officer of the name of each scrutineer.
- (i) The Divisional Returning Officer must:
 - (i) on the opening date of the ballot forward by prepaid post to financial Ordinary Members of the Division, Divisional Section or the Divisional Sub-Branch, as the case may be, a ballot paper bearing the Divisional Returning Officer's signature together with a reply paid return envelope addressed to the Returning Officer's address for the purpose of the referendum;
 - (ii) give directions to voters as the Divisional Returning Officer considers necessary;
 - (iii) give a direction that a voter will not make a mark on the ballot paper which will identify the voter and that such a mark will render the vote invalid; and
 - (iv) provide for a method of permitting financial Ordinary Members to vote whilst preserving the secrecy of the ballot.

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- (j) The Divisional Returning Officer may determine to conduct the referendum ballot under sub-rule (i) either fully, or in part, by an electronic balloting system that provides for security and secrecy to the same extent as a postal ballot under sub-rule (i).
- (k) Subject to sub-rule (l) a scrutineer appointed under sub-rule (h) may be present during the conduct of the ballot by the Divisional Returning Officer including the counting of ballot papers returned in the referendum and may object to a ballot paper being counted on the ground that it does not clearly express the voter's attitude to the question to which the referendum is directed.
- (l) A scrutineer will observe a direction given by the Divisional Returning Officer during the conduct of the ballot and must comply with a direction of the Divisional Returning Officer.
- (m) A voter will cast a vote in a ballot under this rule by completing the ballot paper forwarded to the voter under sub-rule (i) in accordance with the directions to voters and forwarding the ballot paper to the Divisional Returning Officer so as to reach the Divisional Returning Officer no later than the closing date of the ballot.
- (n) A vote cast in the ballot will be informal if the intention of the voter is not clear.
- (o) On completion of the counting of ballot papers returned in a referendum the Divisional Returning Officer will declare the result of the referendum by advising the Divisional Secretary in writing of the number of ballot papers forwarded to voters, the number approving the matter, the number not approving and the number of informal votes.
- (p) Provided that upon the Divisional Executive receiving a request in writing for a referendum it may, or the Divisional Council may, where the proposal contained in the request in writing for a referendum is capable of adoption, of its own motion adopt the proposal contained in the request for a referendum and
- (q) The adoption of the proposal sub-rule (p) means that the referendum is not required.
- (r) Where at least 25% of the financial Ordinary Members vote in a plebiscite and 50% of the financial Ordinary Members voting approve the matter submitted to plebiscite, the matter is binding on the Union.
- (s) In the event of a tied referendum the proposal will be declared lost.

B72. INDUSTRIAL AGREEMENTS AND EXECUTION OF DOCUMENTS

- (a) Agreements that apply to members attached to the Division and other documents may be executed by, or on behalf of, the Division by the Divisional Secretary or by a member of the Divisional Executive approved by the Divisional Council.
- (b) Applications to the Queensland Industrial Relations Commission, the Courts or other tribunals are to be filed by the Divisional Secretary or as otherwise required by the Act.

B73. NOTIFICATION OF INDUSTRIAL DISPUTES AND OTHER LEGAL PROCEEDINGS

- (a) If an industrial dispute affecting members of the Division, within the meaning of the Act, exists and remains unresolved despite genuine attempts by the Division to resolve it, then the Divisional Secretary will promptly give notice as required by the Act.



B74. DIVISIONAL FUND

- (a) Subject to the Act, the funds and property of this Division will be under the control of the Divisional Executive and held in the Divisional Fund.
- (b) Subject to sub-rule (c) the Divisional Fund will be invested as the Divisional Executive determines.
- (c) The Divisional Executive may invest the Divisional Fund in:
 - (i) Government securities, bonds or debentures;
 - (ii) a fixed deposit with a financial institution; or
 - (iii) real property,but will not make another investment without the approval of a two-thirds (2/3) majority of the members of the Divisional Executive.
- (d) The Divisional Executive has power to raise and disburse the Divisional Fund to seek to attain the Objects.
- (e) The Divisional Fund may be disbursed by resolution of the Divisional Executive.
- (f) The Divisional Secretary will promptly deposit monies accruing to the Divisional Fund into a bank account titled 'Electrical Trades Union of Employees Queensland, ETU Division – [purpose of account]'.
- (g) All disbursements of the Division made from the Divisional Fund will be made by cheque, direct debit, bank transfer, credit card or other convenient method of payment provided that:
 - (i) it has been authorised in writing by the Divisional Secretary and one of the following, the:
 - (A) Divisional President;
 - (B) Divisional Vice-President;
 - (C) Divisional Treasurer;
 - (D) Divisional Assistant Secretary (if any); and
 - (ii) the expenditure:
 - (A) is of a type that has been authorised by the Divisional Executive;
 - (B) the expenditure is within an authorised amount determined by the Divisional Executive and to be applied for a particular purpose determined by the Divisional Executive; or
 - (C) the particular transaction has been authorised the Divisional Executive.
- (h) Except in cases of urgency all proposals to commit the Division to new expenditure will be referred to the Divisional Executive.

- (i) The Divisional Executive may, in relation to a particular account of the Division Fund, determine to maintain an account at a particular level.
- (j) The Divisional Executive may authorise an amount for petty cash purposes and such amounts will be expended on the imprest system of banking.
- (k) The Divisional Secretary will keep all books and accounts necessary for carrying out the work of the Division as provided in these Divisional rules and the Union rules.
- (l) The funds of the Division may only be expended on seeking to attain the Objects.



B75. FINANCIAL YEAR

- (a) The financial year of the Division will be from 1 January to 31 December in each year.

B76. LOANS, GRANTS OR DONATIONS

- (a) Notwithstanding any other provisions of these Divisional rules, a loan, grant or donation of an amount exceeding \$1,000.00 will not be made by the Division unless the Divisional Executive or Divisional Council has approved the making of the loan, grant or donation and has satisfied itself:
 - (i) that the making of the loan, grant or donation would be under these Divisional rules; and
 - (ii) in relation to a loan - that, in the circumstances the security proposed to be given for the repayment of the loan is adequate and the proposed arrangements for the repayment of the loan are satisfactory.
- (b) Despite sub-rule (a), a financial hardship payment of not more than \$3,000.00 may be made by the Divisional Secretary following a request, in writing, from a member setting out the nature of the financial hardship and the reason it has occurred.
- (c) Provided that a financial hardship payment under sub-rule (b) must be made on the condition that if the Divisional Executive, at its next meeting following the making of the payment, does not approve the payment then the payment must be repaid as determined by the Divisional Executive.

B77. AUDITORS


- (a) The Divisional Executive will appoint an Auditor, who will be a Chartered Accountant or a registered Public Accountant, to annually audit the Division's accounts.
- (b) The Auditor may call for the books, papers, and other financial documents belonging to the Division and the Financial Statements.
- (c) The Auditor must report to the Divisional Executive and certify as required under the Act the audit and the financial position of the Division.

B78. WORKPLACE REPRESENTATIVES AND OCCUPATIONAL HEALTH AND SAFETY REPRESENTATIVES

- (a) Workplace Representatives and Occupational Health and Safety Representatives will be appointed by the Division under this rule.



- (b) Where two (2), or more, financial Ordinary Members are employed in a business, a Workplace Representative may be elected by, and from, the financial Ordinary Members in that business.
- (c) Where two (2), or more, financial Ordinary Members are employed in a business, an Occupational Health and Safety Representative may be elected by, and from, the financial Ordinary Members in that business.
- (d) Elections for a Workplace Representative and the Occupational Health and Safety Representative will occur as required.
- (e) Nominations for a Workplace Representative and/or an Occupational Health and Safety Representative will be called for at a meeting of financial Ordinary Members employed in a respective business.
- (f) If more than one (1) nomination is received a vote will be taken at a meeting of financial Ordinary Members employed in the respective business.
- (g) A financial Ordinary Member elected as a Workplace Representative and/or the Occupational Health and Safety Representative is to advise the Divisional Secretary of the election.
- (h) The functions of a Workplace Representative are to:
 - (i) recruit new members;
 - (ii) where directed by the Divisional Secretary receive members contributions on behalf of the Division and ensure all members are financial;
 - (iii) promptly forward money collected to the Divisional Secretary and not later than 28 days after receipt;
 - (iv) report on industrial conditions and the claims of members to the Divisional Secretary;
 - (v) notify the Divisional Secretary of any arrivals or departures of members from the district or business and changes of address; and
 - (vi) act as a representatives of the Division only when requested to by the Divisional Secretary and only to the extent requested by the Divisional Secretary.
- (i) The duties of the Occupational Health and Safety Representative will be to:
 - (i) represent members employed in the business on matters relating to occupational, health and safety;
 - (ii) report to, and consult with, the Divisional Secretary, the Workplace Representative and the financial Ordinary Members represented on all matters relating to occupational, health and safety;
 - (iii) take the action lawfully available and necessary to achieve a safe working environment.
- (j) Where the Occupational Health and Safety Representative and the Workplace Representative are not the same person, the Workplace Representative is the senior representative of the Division in the business.

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- (k) Where a Workplace Representative resigns their position, they will immediately notify the Divisional Secretary and will return Divisional property in their possession to the Divisional Secretary.
 - (l) As soon as possible, following a resignation, a meeting will be called at the business to elect a successor.
 - (m) A Workplace Representative must promptly deliver Divisional property in their possession to the Divisional Secretary when requested by the Divisional Secretary.
 - (n) Where an Occupational Health and Safety Representative resigns their position, they will immediately notify the Divisional Secretary and will return Divisional property in their possession to the Divisional Secretary.
 - (o) As soon as possible, following a resignation, a meeting will be called at the business to elect a successor.
 - (p) The Divisional Council or the Divisional Executive may produce a protocol for the way Workplace Representatives and/or Occupational Health and Safety Representatives are to exercise their functions.
 - (q) A protocol, under sub-rule (p) is binding on Workplace Representatives and Occupational Health and Safety Representatives.
 - (r) A Workplace Representative or Occupational Health and Safety Representative may be removed from their position by resolution of the Divisional Council or the Divisional Executive subject to the Workplace Representative or Occupational Health and Safety Representative being given procedural fairness appropriate to the circumstances of the case.

B79. ENFORCING DECISIONS

- (a) It is the duty of Divisional officers, Divisional members, Workplace Representatives and representatives (inclusive of occupational health and safety representatives) to comply with these Divisional rules, to require all members to comply with these Divisional rules and to take reasonable steps to secure such compliance.
- (b) Members must comply with the determinations of the Division made under these Divisional rules.
- (c) If the Divisional Council considers that a Divisional Sub-Branch or Divisional Section has failed to comply with a determination of the Division binding the Divisional Sub-Branch or Divisional Section the responsible Divisional Sub-Branch or Divisional Section may be suspended until the Divisional Sub-Branch or Divisional Section, as the case may be, complies.
- (d) No adverse decision may be made under this rule without affording to the body concerned the benefits of procedural fairness appropriate to the circumstances of the case.

B80. REGULARITY OF PROCEEDINGS

- (a) A body constituted under these Divisional rules may continue to function notwithstanding a vacancy on that body, provided the required quorum is present when

that body meets to conduct business or when a quorum is otherwise required by these Divisional rules.

- (b) No failure to give notice, and no defect in any notice given, calling any meeting of any body constituted under these Divisional rules will invalidate proceedings of a body of the Division unless the failure or defect results in the non-attendance of some member otherwise able and willing to attend.
- (c) A failure or defect under sub-rule (b) may be waived in writing by the member entitled to the notice before, during or after the meeting.
- (d) Notices and communications of whatsoever kind required to be sent to a member under these Divisional rules may be sent to the member at the member's address in the Register, except as may be otherwise provided or required under these Divisional rules or the Union rules.
- (e) A notice sent by post is deemed to have been received by the member in the ordinary course by post.
- (f) No decision or proceeding of a body provided for under these Divisional rules will be invalidated by the presence or participation of a person not entitled to be present or to participate if apart from that person the required quorum was present at the meeting of the body or as otherwise required by these Divisional rules and the vote of that person did not determine the decision or the result of the proceedings and no objection to their presence or participation was taken at the time.

B81. UNION JOURNAL

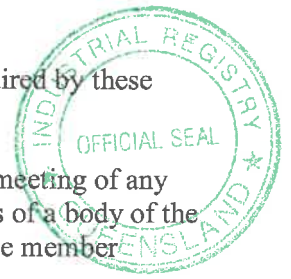
- (a) The Division may own, publish and issue a Division Journal or may contribute to the production and cost of a journal published and issued by the Counterpart Federal Body or by the CEPU.

B82. INSPECTION OF BOOKS

- (a) A member of the Division may inspect the records and books of the Division in accordance with the Act.

B83. DISTRESS AND MORTALITY FUND / BUILDING FUND

- (a) The Division may establish funds to provide distress, disability and mortality benefits for Financial Members.
- (b) If the Division determines to establish a distress and mortality fund, it may require members to contribute to the fund.
- (c) A distress and mortality fund will not operate unless its rules have been considered by the Divisional Executive, which may approve the rules or refer them for consideration at the next following meeting of the Divisional Council.
- (d) Access to the distress and mortality fund will be in accordance with the rules of the distress and mortality fund.
- (e) The Division may establish a building fund for the purposes of purchasing of such real property as may be required from time to time by the Division.



- (f) If the Division determines to establish a building fund, it may require members to contribute to the fund.
- (g) A building fund will not operate unless its rules have been considered by the Divisional Executive, which may approve the rules or refer them for consideration at the next following meeting of the Divisional Council.



B84. AMENDMENTS TO RULE

- (a) The Divisional Council will have the power to alter, amend or rescind any part of these Divisional rules, in accordance with the following process:
 - (i) An amendment to these Divisional rules may be proposed by:
 - (A) the Divisional President; or
 - (B) the Divisional Secretary.
 - (ii) A proposed amendment to these Divisional rules must be provided in writing.
 - (iii) The Divisional Secretary must provide a copy of the proposed amendment in writing to the Divisional Councillors at least two (2) weeks prior to the date of the Divisional Council at which the proposed amendments will be considered.
 - (iv) Where practicable the Divisional Secretary is to seek feedback by providing each Divisional Sub-Branch with a copy of the proposed amendment at least one (1) month prior to the date of the Divisional Council meeting at which the proposed amendments are to be considered.
 - (v) Feedback under sub-rule (d) must be tabled at the Divisional Council prior to the proposed amendment being voted upon.
 - (vi) A simple majority is required to approve an amendment.
- (b) Despite sub-rule (a) the Divisional Council and the Divisional Executive have the power to make, amend or rescind a rule to comply with:
 - (i) the Act; or
 - (ii) an order of the Commission.
- (c) Despite sub-rule (a) the Divisional Executive may at a meeting, or by a ballot held under rule B43, by a three quarter ($\frac{3}{4}$) majority of those entitled to vote, determine to alter the rules.

B85. CONDITIONS

- (a) The Division may provide for the conditions of full-time officers, Industrial officers and for full-time positions as a schedule to these Part B rules.

B86. DISSOLUTION OF THE DIVISION

- (a) Whilst seven (7) members remain, the Division will not be dissolved.
- (b) Should the number of members at any time fall below seven (7), the Division will be dissolved.

- (c) In the event of dissolution, all monies, after payment of all debts, will be held on trust by the Trustees in a separate fund until such time as a new union containing seven (7) or more members can be formed.



B87. STANDING ORDERS

- (a) The rules of the Union that provide for procedure of meetings will apply, with such amendment that may be necessary, for a Divisional meeting.

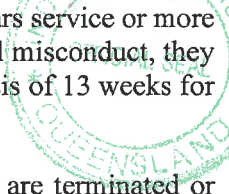
B88. RULES OF DEBATE

- (a) The rules of the Union that provide for conduct of debate of meetings will apply, with such amendment that may be necessary, for a Divisional meeting.

SCHEDULE 1: OFFICERS SALARIES, LEAVE AND RETIRING ALLOWANCE

- (a) Full time or part time Divisional Officers or Industrial Officers engaged for the Division (for the purposes of this rule, "Officers") will be paid such sum for their services as may be determined by the Divisional Council with the right reserved to all Officers to seek review from a private arbitrator, being a Queensland Industrial Relations Commissioner if dissatisfied with their remuneration.
- (b) A full time Officer is entitled to 18 days sick leave annually where such leave, if not taken, is to accumulate and part time Officers will be entitled to such leave on a pro rata basis.
- (c) When an Officer has exhausted their credit of sick leave, the Divisional Executive may recommend to Divisional Council authorisation of further sick leave with pay, provided satisfactory medical evidence is available.
- (d) Sub-rule (c) applies from the date of commencement of an Officer's service with the Division
- (e) A full time Officer is entitled to a minimum of five (5) weeks' annual leave on full pay, plus 1 extra week's pay per annum and part time Officers will be entitled to such leave and such entitlement on a pro rata basis.
- (f) Officers will be entitled to long service leave as provided by this sub-rule.
- (g) Long service leave will accrue and may be taken in periods of not less than two (2) weeks, at the discretion of an Officer, subject to one (1) month's notice of their intention, under the following table:

Length of Service	On Full Salary
After ten (10) years' service	13 weeks (exclusive of public holidays therein)
For every further completed additional period of five (5) years' service	Six (6) and a half (½) weeks (exclusive of public holidays therein)

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- (h) Provided further that where the services of an Officer with three (3) years service or more are terminated or cease for any reason other than for serious and willful misconduct, they will be entitled to be paid a proportionate amount calculated on the basis of 13 weeks for ten (10) years of service.
- (i) Where the services of an Officer with ten (10) years or more service are terminated or cease for any reason, long service leave will be deemed to have accrued for their total length of service and the cash equivalent in respect of such accrued long service leave computed in weekly periods, less such leave already taken, will be paid to the Officer.
- (j) For the purpose of sub-rule (h), the death of an officer will be deemed to constitute a termination of their services.
- (k) An Officer who has completed eight (8) years or more service as of 1 September 1997 will have the option of:
- (i) at the time of retirement, to be paid a retiring allowance calculated on the basis of three (3) weeks' salary at the ordinary rate for their position payable at the time such allowance is paid for each year calculated on a weekly basis; or
 - (ii) have their retirement allowance entitlement in full or in part rolled over into an approved superannuation scheme;
 - (iii) an Officer who elects to exercise this option will from the time of their election, receive a payment equivalent of 5.8% of their salary entitlement paid into an approved superannuation scheme on a monthly basis.
- (l) An Officer exercising the option at sub-rule (m) whose services after eight (8) years' service are terminated other than for misconduct, or cease for any reason, will be paid a retiring allowance calculated on the basis of three (3) weeks' salary at the ordinary rate for their position payable at the time such allowance is paid for each year calculated on a weekly basis.
- (m) For the purpose of this sub-rule, the death of an Officer will be deemed to constitute a retirement or termination of the Officer's services.
- (n) From 1 September 1997, Officers who have less than eight (8) years' service will receive a retirement allowance equivalent to 5.8% of salary paid on a monthly basis into an approved superannuation scheme from the commencement of their service.
- (o) Provided, further, that a full time officer appointed to a full time position by the Divisional Council will be credited by the Council with the full time of the Officer's service, for the purpose of this rule.
- (p) For the purposes of this sub-rule, an approved superannuation scheme will be a scheme approved by the Divisional Executive or Divisional Council.
- (q) In addition to any other provision of this rule, the Division will pay superannuation in the amount of:
- (iv) the amount applicable under the superannuation guarantee levy; and
 - (v) 1% of ordinary time earnings; and

- (vi) any further contribution as may be determined payable by the Divisional Executive from time to time,

to an approved superannuation fund.

- (r) The Division may establish a trust fund to meet its liability to pay Officers long service leave and/or retirement and retiring allowances as prescribed by this rule.
- (s) Any monies paid in to such funds will be kept separate and distinct from the general funds of the Division and such fund will be administered by the Divisional Executive.
- (t) No Officer, who is also an Officer, Organiser or Industrial Officer of the Counterpart Federal Body, will, by this rule, become entitled to any payments or benefits if they are entitled to payment of what can be characterised as the same, or a similar, benefit or entitlement under the rules of the CEPU.



PART C RULES



C1. NAME

- (a) The name of the Division is the 'AFULE Division'.


C2. PRINCIPLE OFFICE

- (a) The Principle Office of the Division is Suite 45, Level 8 'K' Tower, 269 Wickham Terrace, Fortitude Valley or other place as the Divisional Council determines.

C3. DEFINITIONS

- (a) In these Divisional rules, unless the contrary intention appears the words in column A have the meaning assigned immediately opposite in column B:

A	B
Act	Industrial Relations Act 2016
Annual Subscription	the fee set out in accordance with rule C9
Contributions	membership contributions for Ordinary Membership under these Divisional rules
Counterpart Federal Body	the Australian Federated Union of Locomotive Employees
CPI	the weighted consumer price index for Brisbane for the previous 4 quarters for which data has been released
Division	this Division of the Union
Divisional Committee of Management	the committee of management of the Division
Divisional Council	the divisional council of the Division
Divisional Councillor	those members of Divisional Council other than the Divisional President, the Divisional Vice-President, and the Divisional Secretary
Divisional Fund	the fund provided for in rule C55
Divisional Members Register	the register, maintained by the Divisional Secretary under these Divisional rules, of members attached to the Division
Divisional Officer	a member of the Divisional Council
Divisional Officers Register	the register, maintained by the Divisional Secretary under these Divisional rules, of Divisional Officers attached to the Division
Divisional Publication	published communications forwarded to members, or sections of members, by means of print and other media



Divisional Principle Office	the place referred to in rule C2
Divisional Sub-Branch	a divisional sub-branch established under these Divisional rules
Divisional Website	the website administered by the Division
Divisional Workplace Representatives	a representative appointed under these Divisional rules
Election Procedure Rules	the rules set out under Part A Schedule 1
Financial Statements	a financial document that explain the methods and calculations by which the Division's accounts are made up and correctly recorded and explain the Division's transactions and financial position
General Meeting	a general meeting of the Divisional members
Life Member	a Member entitled to membership under rule C9
Member	a member of the Division
Minutes	a summarised record of the proceedings of a meeting
Mortality Fund	the mortality fund provided for under these Divisional rules
Ordinary Member	a member working, or ordinarily working, in the Division's Callings and whom the Division is entitled to industrially represent
Political Member	a Member entitled to membership under rule C10
PRD Scheme	a scheme where a member provides written authority to their employer for the payment of Contributions to the Division to be deducted, on such regular basis as the Division determines, from the member's salary
Quadrennial Elections	the Divisional elections required to be held each four (4) years in respect of the office of Divisional Secretary
Triennial Elections	the Divisional elections required to be held each three (3) years in respect of the offices and positions of the AFULE Division

C4. INTERPRETATION

- (a) In these Divisional rules:
- (i) these Divisional rules will be read consistently with the Part A rules and the interpretations that apply to the Part A rules apply to these Divisional rules; and
 - (ii) a reference to the Division's callings is a reference to the Union's Part B callings.



C5. POWERS

- (a) The Division will, unless these Divisional rules otherwise provide, be autonomous in relation to:
- (i) matters which do not directly affect the members of another Division;
 - (ii) its management;
 - (iii) its investment and use of the Divisional Fund;
 - (iv) furthering, and attaining, the Objects;
 - (v) the entrance fees, Contributions, levies and fines that it requires members of the Division to pay;
 - (vi) its affiliations;
 - (vii) its policy;
 - (viii) the discipline of its members and officers;
 - (ix) the appointment of employees and agents engaged by the Union, at the direction and cost of the Division, to perform work on behalf of the Division; and
 - (x) the appointment of Divisional Workplace Representatives.

C6. COMPOSITION OF THE DIVISION

- (a) The Division will consist of:
- (i) Ordinary Members of the Union attached to the Division under these Divisional rules;
 - (ii) Life Members; and
 - (iii) Political Members.

C7. APPLICATION FOR MEMBERSHIP

- (a) In this rule, unless the contrary intention appears, the words in column A have the meaning assigned immediately opposite in column B:

A	B
Application Form	the form determined by the Divisional Committee of Management under sub-rule (b)(i)

- (b) An application for membership of the Division will be:
- (i) in the form determined by the Divisional Committee of Management;
 - (ii) accompanied by the material required by the Divisional Committee of Management; and



- (iii) signed by the applicant.
- (c) The Division may publish the Application Form in the way the Divisional Committee of Management determines appropriate.
- (d) The Division may, despite sub-rule (b), publish, and accept, applications for membership by the internet, and in relation to any applications received by the internet the provisions of the Electronic Transactions (Queensland) Act 2001 (Qld) apply and an applicant for membership will be held to have signed the Application Form if the requirements of s14 of the Electronic Transactions (Queensland) Act 2001 (Qld) are met.
- (e) The Divisional Secretary may, despite sub-rule (b):
 - (i) waive the completion of the Application Form by an applicant;
 - (ii) accept an application that is in some other form; or
 - (iii) accept applications made by phone.
- (f) No omission, irregularity or want of form will invalidate an application for membership made under this rule, provided that:
 - (i) the applicant intended the document submitted to the Division to be an application for membership; and
 - (ii) the Division treated the document submitted as an application for membership.
- (g) An application is accepted and membership commences, subject to sub-rule (h), when the application is received by the Divisional Secretary or another person authorised by the Divisional Committee of Management, whichever is the earlier.
- (h) The Divisional Secretary may refer an application for membership to the Divisional Committee of Management for its determination where the Divisional Secretary has concerns in relation to the applicant's bona fides.
- (i) An application, referred in accordance with sub-rule (h), will be considered by the Divisional Committee of Management who will, if satisfied with the bona fides of the applicant, accept the application, admit the applicant to membership of the Division and that membership will commence, when it otherwise would have commenced in accordance with sub-rule (g), as if the application had not been referred.
- (j) The Divisional Committee of Management may reject an application if they do not accept the applicant is bona fide, provided that where an application is rejected, monies paid by the applicant in respect of membership of the Division will be reimbursed.
- (k) The Divisional Secretary will report applications for membership to the next ordinary meeting of the Divisional Council.
- (l) An applicant for membership will, subject to these Divisional rules, when admitted to membership in accordance with this rule, be entitled to the benefit of Membership Rights.
- (m) An applicant for membership must be informed in writing of:
 - (i) a member's financial obligations; and

- (ii) how, and when, a member may resign from membership.
- (n) This rule does not prevent the application for membership of the Division being a joint application with the Australian Federated Union of Locomotive Employees.



C8. DISPUTED MEMBERSHIP

- (a) In the event of a dispute as to the membership of a person admitted as a Member and recorded in the membership register of the Division, then the fact of the person having:
 - (i) signed and delivered an application;
 - (ii) paid an entrance fee;
 - (iii) paid a Contribution to the Division; and/or
 - (iv) paid a part payment on account of a Contribution,is proof of membership under these Divisional rules.

C9. LIFE MEMBERS

- (a) A financial Member nominated by a Divisional Sub-Branch who has rendered special service to the Division may be appointed a life member by resolution of the Divisional Council and a member so appointed will be entitled to the full rights of membership provided by these Divisional rules, and whilst working in the Division's Callings is entitled to all the rights of a financial Ordinary Member.
- (a) A request for life membership must be at the request of the member's Divisional Sub-Branch.

C10. POLITICAL MEMBERS

- (a) A Member who is elected to the parliament of the Commonwealth, Queensland, or a local authority of Queensland may retain membership as a political member, provided that a political member must pay Contributions under these Divisional rules.

C11. ATTACHMENT OF MEMBERS TO SUB-BRANCHES

- (a) The Divisional Secretary will attach a Member, on the admission of the Member to membership, to a Divisional Sub-Branch.
- (b) The Divisional Secretary may request the Divisional Committee of Management to determine which Divisional Sub-Branch a Member, or any group of Members, should be attached to.
- (c) Two (2) members of the Divisional Committee of Management may, in writing, request the Divisional Secretary to refer to the Divisional Committee of Management the determination of which Divisional Sub-Branch a Member, or a class of Members, should be attached to.
- (d) A Member may request the Divisional Committee of Management to reconsider the determination of the Divisional Secretary to attach the Member to a Divisional Sub-Branch, and, if making a request for reconsideration, must advise the Divisional Committee of Management of the:



- (i) Divisional Sub-Branch to which they are attached;
 - (ii) Divisional Sub-Branch to which they wish to be attached; and
 - (iii) basis for the request for reconsideration.
- (e) Subject to the determination made by the Divisional Committee of Management in accordance with this rule, nothing in this rule prevents the Divisional Secretary from changing the attachment of a Member from one (1) Divisional Sub-Branch to another where the circumstances of the Member, or the Divisional Sub-Branch, alter.

C12. RESIGNATION FROM MEMBERSHIP

- (a) A Member may terminate membership of the Division by notice given to the Division or to the Union stating that the Member resigns from the Division and/or the Union.
- (b) The resignation takes effect:
- (i) if the notice states a day or time after the notice is given when the resignation takes effect, on the day or time; or
 - (ii) otherwise, when the notice is given.
- (c) A Contribution paid by a Member in respect of a period beyond the end of the quarter in which the Member's notice of resignation takes effect will be remitted to the Member if requested by the Member.
- (d) Termination of membership by resignation does not affect the liability of the former Member to pay the fees or levies owing at the date of resignation, and these monies may be sued for and recovered, by the Divisional Secretary on behalf of the Division in the name of the Union.

C13. CONTRIBUTIONS

- (a) In this rule, unless the contrary intention appears, the words in column A have the meaning assigned immediately opposite in column B:

A	B
Scheme	the scheme in place under sub-rule (d)

- (2) Subject to these Divisional rules the Divisional Contributions payable by Members will be determined, on an annual basis, by the Divisional Council.
- (3) Divisional Contributions are due to be paid on the first day of January and July each calendar year.
- (4) The Division must have a scheme in place for a member to pay a Member's Contribution to the Division.
- (5) The Scheme may permit payment of a Member of the Member's Contributions by:
- (i) cash, cheque or electronic payment;
 - (ii) payroll deduction;




- (iii) direct debit;
 - (iv) credit card; and/or
 - (v) other means as the Divisional Committee of Management determines.
- (6) Every six (6) months the Divisional Secretary will transfer, as a minimum, the sum of:
- (vi) \$2.00 per Member to the Legal Contingency Fund; and
 - (vii) \$3.00 per Member to the Mortality Fund,
- (7) The Divisional Council may determine to transfer greater amounts than provided for under sub-rule (f).

C14. RECEIPT FOR CONTRIBUTIONS

- (a) The Division will provide a written receipt to a Member within 20 days of the Member paying their Contributions, where the payment is made in accordance with a scheme under rule C16(e)(i).
- (8) The Division will provide, annually, a receipt to a Member paying their Contributions where the payment is made in accordance with a scheme under rule C16(e)(ii) – (v).
- (9) Receipts provided in accordance with this rule may be provided electronically.

C15. DIVISIONAL MEMBERS REGISTER

- (a) The Divisional Secretary will keep a register of Members containing, as far as the Divisional Secretary is able to determine, and arranged under membership of the Divisional Sub-Branches, the following Member information:
 - (i) name;
 - (ii) residential address;
 - (iii) postal address;
 - (iv) contact phone numbers;
 - (v) email address;
 - (vi) place of employment;
 - (vii) date of admission as a Member;
 - (viii) financial status;
 - (ix) the date membership ends;
 - (x) the Divisional Sub-Branch to which they are attached;
 - (xi) other information required by the Divisional Committee of Management; and
 - (xii) other information required by the Act.


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- (b) A Member changing the information required for the Divisional Members Register must notify the Divisional Secretary who must promptly amend the Divisional Members Register.
 - (c) A member being aware of the death of another member must notify the Divisional Secretary.
 - (d) The Divisional Secretary will promptly update the Divisional Members Register on becoming aware of a change in information.
 - (e) The Divisional Members Register is conclusive proof for the purposes of these Divisional rules of the matters set out in the Divisional Members Register.

C16. DIVISIONAL OFFICERS REGISTER

- (a) The Divisional Secretary will keep a register of the officers of the Division which will contain the following information:
 - (i) the names;
 - (ii) the offices held; and
 - (iii) the addresses,of the officers of the Division.
- (b) An officer changing the information required for the Divisional Officers Register must notify the Divisional Secretary who must promptly amend the Divisional Officers Register.
- (c) The Divisional Secretary will promptly update the Divisional Officers Register on becoming aware of a change in information.
- (d) The Divisional Officers Register is conclusive proof for the purposes of these Divisional rules of the matters set out in the Divisional Officers Register.

C17. PURGING THE REGISTER

- (a) The Divisional Secretary will remove from the Divisional Members Register, Members who have:
 - (i) resigned their membership;
 - (ii) been un-financial, in accordance with these Divisional rules, for a period of 12 months;
 - (iii) had their membership terminated in accordance with these Divisional rules; or
 - (iv) died.
- (b) The Divisional Secretary will, when directed by the Divisional Committee of Management, promptly remove from the Divisional Members Register Members that the Divisional Committee of Management consider are no longer eligible for membership, and whose membership is to be terminated for that reason.
- (c) The Divisional Secretary will:

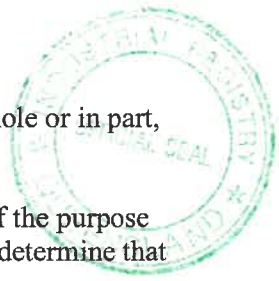
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- (i) give notice to a Member removed from the Divisional Members Register of the Member's removal; and
 - (ii) ensure that the notice provided in accordance with paragraph (i) sets out the reason for the removal of the Member.
- (d) The removal of a person from the Divisional Members Register in accordance with sub-rule (b) must be reported to the Divisional Council meeting after the removal.

C18. MEMBERSHIP OF THE AUSTRALIAN FEDERATED UNION OF LOCOMOTIVE EMPLOYEES

- (a) Notwithstanding rule C13, a Member will not be required to pay an entrance fee or membership Contributions which might otherwise be payable under these Divisional rules and will be deemed for all purposes of these Divisional rules to be a financial Ordinary Member, despite rule C13, for the whole of a period during which the Member is under the registered rules of the Australian Federated Union of Locomotive Employees, a financial member of the Australian Federated Union of Locomotive Employees.
- (b) If a Member, who is entitled to the benefit of this rule, ceases to be a financial member of the Australian Federated Union of Locomotive Employees, becomes liable for payment of all membership fees and other payments under these Divisional rules as if the Member had joined the Division on the date that they had become un-financial under the rules of the Australian Federated Union of Locomotive Employees, however upon the payment of arrears to the Australian Federated Union of Locomotive Employees and the Member otherwise becoming a financial Ordinary Member of the Australian Federated Union of Locomotive Employees, arrears or liability to pay membership fees and other fees arising under this rule are extinguished.

C19. LEVIES

- (a) The Divisional Council may determine to levy Ordinary Members for a purpose provided under these Divisional rules.
- (b) Levies imposed under sub-rule (a) will be expressed as a percentage of the annual Contribution rate for the year in which the levy is imposed.
- (c) The Divisional Secretary will notify Ordinary Members of the:
 - (i) imposition of a levy; and
 - (ii) purpose for which the levy has been imposed.
- (d) Levies imposed under sub-rule (a) are to be paid not later than 28 days after the date of the Divisional Secretary gives notice of the imposition of the levy.
- (e) Ordinary Members will pay a levy imposed under sub-rule (a) to the Division.
- (f) The Divisional Council may not impose a levy exceeding in total 30% of the annual Contribution in a calendar year.
- (g) An Ordinary Member who fails to pay a levy imposed under sub-rule (a) is un-financial until the levy is paid.

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- (h) The Divisional Council may determine to waive payment of a levy, in whole or in part, where it is satisfied that the circumstances of a member justify waiver.
 - (i) A levy must be used for the purpose for which it is raised, provided that if the purpose for which the levy is raised is achieved, then the Divisional Council may determine that remaining monies from the levy be paid to the Divisional Fund.
 - (j) The Divisional Council can determine to create special funds to be used for a purpose.
 - (k) The credit balance of a special fund will be maintained at the level, if any, determined by the Divisional Council.

C20. UNFINANCIALITY

- (a) Subject to these Divisional rules an Ordinary Member is un-financial if:
 - (i) Contributions;
 - (ii) levies; and
 - (iii) fines,are unpaid three (3) months after the commencement of each half (1/2) yearly period.
- (b) An un-financial Ordinary Member is not entitled to the benefit of Membership Rights.
- (c) A Member other than an Ordinary Member who has not paid the fees, required to be paid by them under these Divisional rules, is not entitled to the benefit of Membership Rights to which the Member would otherwise be entitled.
- (d) Un-financial Members are liable, subject to the Act, for the payment of their arrears of fines, levies or Contributions.
- (e) The Divisional Secretary may seek recovery, under the rules of the Union, of monies owed by a Member.

C21. MEMBERSHIP RIGHTS

- (a) A financial Ordinary Member of the Division is entitled to:
 - (i) attend a Divisional meeting and a Divisional Sub-Branch meeting to which they are attached;
 - (ii) move or second resolutions at a Divisional meeting and a Divisional Sub-Branch meeting to which they are attached;
 - (iii) vote in a ballot of the Division;
 - (iv) vote in a ballot of the Divisional Sub-Branch to which they are attached;
 - (v) nominate or second nominations for an office of the Division or of the Divisional Sub-Branch to which they are attached;
 - (vi) hold office in the Division or in the Divisional Sub-Branch to which they are attached;



- (vii) receive the Divisional Journal free of charge; and
 - (viii) otherwise participate in the business of the Division as provided under these Divisional rules.
- (b) A financial Political Member and a Life Member is entitled to:
- (i) attend a Divisional meeting;
 - (ii) speak at a Divisional meeting;
 - (iii) receive the Divisional Journal free of charge; and
 - (iv) otherwise participate in the business of the Division as provided under these Division rules.

C22. GOVERNMENT

- (a) The Division is to be administered by the Divisional Council.
- (b) Between Divisional Council meetings the Division is to be administered by the Divisional Committee of Management.
- (c) The Divisional Committee of Management is the committee of management of the Division.

C23. DIVISIONAL COUNCIL

- (a) The Divisional Council consists of the:
 - (i) Divisional President;
 - (ii) Divisional Secretary;
 - (iii) Divisional Vice-President; and
 - (iv) Divisional Councillors.
- (b) In the event of a Divisional Councillor being unable to attend a Divisional Council meeting, a Proxy Divisional Councillor will attend instead.
- (c) A Proxy Divisional Councillor attending a Divisional Council meeting has the same powers and obligations as a Divisional Councillor.
- (d) A Divisional Councillor and a Proxy Divisional Councillor will be elected by, and from, the Ordinary Members attached to those Divisional Sub-Branches that make up a Divisional Sections as determined under sub-rule (f).
- (e) The Divisional President, Divisional Vice-President, Divisional Councillors and Proxy Divisional Councillors will be elected at a Triennial Election in accordance with the Election Procedure Rules.
- (f) The Divisional Committee of Management will, prior to the calling of nominations for the election of Divisional Councillors, determine the:



- (a) number of Divisional Sections in which Divisional Councillors are to be elected from; and/or
- (b) Divisional Sub Branches which comprise each of the Divisional Sections, at a meeting held in the year that an election of Divisional Councillors is required to be held.
- (g) The Divisional Committee of Management may:
 - (a) add new Divisional Sections or Divisional Sub Branches as they are formed; and
 - (b) remove Divisional Sections or Divisional Sub Branches if they dissolve.

C24. DIVISIONAL COUNCIL – COMPOSITION

- (a) The Division will have a Divisional Council comprised of the:
 - (i) Divisional President;
 - (ii) Divisional Secretary; and
 - (iii) Divisional Councillors representing the Divisional Sections.

C25. DIVISIONAL COUNCIL - POWERS AND DUTIES

- (a) Subject to these Divisional rules and the power expressly reserved to the Divisional Committee of Management, the Divisional Council is the governing body of the Division and is to conduct the business and affairs of the Division and its determination on a matter is final and binding on Members.
- (b) The Divisional Council may determine prior to the opening of nominations for the Triennial Elections that the office of Divisional President is to be a full-time office.

C26. DIVISIONAL COUNCIL - MEETINGS

- (a) The Divisional Council will meet at least three (3) times a year, on the date the Divisional Council determines at the first Divisional Council meeting held in each year, provided that the Divisional Council may meet at other times as the Divisional Council, or the Divisional Committee of Management, considers necessary.
- (b) The Divisional Secretary will, in consultation with Divisional Committee of Management members, formulate an agenda setting out the business to be dealt with at a Divisional Council meeting.
- (c) The Divisional Secretary will give Divisional Council members at least 14 days' notice of a Divisional Council meeting and will provide to the Divisional Council members:
 - (i) notice of the meeting;
 - (ii) an agenda for the meeting inclusive of business submitted by the Divisional Sub-Branches, and/or the Divisional Committee of Management; and
 - (iii) associated papers.



- (d) A Divisional Council meeting will be held at the Principal Office unless the Divisional Council, or the Divisional Committee of Management, determines otherwise.
- (e) Notice of the meeting required to be given under sub-rule (c) is to be given under these Divisional rules.
- (f) The Divisional President will chair a Divisional Council meeting, however if the Divisional President is not present within 15 minutes of the commencement of the meeting, or if present is unwilling to act, then the Divisional Vice-President will act as the chair of the meeting with the powers of the Divisional President and if the Divisional Vice-President is not present within 15 minutes of the commencement of the meeting, or if present is unwilling to act, then the meeting will nominate one (1) of its members to act as chair of the meeting and the member appointed will chair the meeting with the powers of the Divisional President.
- (g) The quorum for a Divisional Council meeting is, subject to sub-rule (j), a simple majority of the members of the Divisional Council plus one (1) entitled to attend the meeting and to vote.
- (h) A member of the Divisional Council not able to attend a Divisional Council meeting, of which notice has been given under these Division rules, must make a request for leave of absence to the Divisional Council.
- (i) A member of the Divisional Council absent from three (3) consecutive Divisional Council meetings without seeking leave of absence or without tendering an explanation satisfactory to the Council may be liable for misconduct under these Division rules.
- (j) If a member of the Divisional Council has applied for, and been granted, a leave of absence by the Divisional Council then the number of members of the Divisional Council entitled to attend the meeting will be reduced by the persons who have been granted a leave of absence, provided that the quorum cannot be less than three (3) Members holding office on the Divisional Council.
- (k) If at a Divisional Council meeting no quorum is present within 30 minutes following the time fixed for the commencement of the meeting, the meeting lapses.
- (l) A Divisional Council meeting may be conducted by a method by which members of the Divisional Council are able to communicate each with each other.
- (m) A question arising at a Divisional Council meeting will, wherever possible, be determined by consensus, provided that a question arising at a Divisional Council meeting which cannot be determined by consensus, will be determined by a majority of votes of those present and entitled to vote.
- (n) A member of the Divisional Council has a deliberative vote only at a Divisional Council meeting.

C27. DIVISIONAL COUNCIL – SPECIAL MEETINGS

- (a) The Divisional Secretary will on the determination of the:
 - (i) Divisional Council; or
 - (ii) Divisional Committee of Management;



- (iii) to hold a special meeting, promptly convene a special Divisional Council meeting.
- (b) The business to be dealt with at a special Divisional Council meeting is the business determined by the Divisional Council or the Divisional Committee of Management, as the case may be, requesting the meeting, and no other business may be dealt with.
- (c) The Divisional Secretary will give members of the Divisional Council notice of the special Divisional Council meeting as is practicable, but at least 24 hours' notice must be given by any means available.
- (d) A special Divisional Council meeting will be held at the Principal Office unless the Divisional Secretary determines otherwise.
- (e) The quorum for a special Divisional Council meeting is, subject to sub-rule (g), a simple majority of the members of the Divisional Council plus one (1) entitled to attend the special meeting.
- (f) A member of the Divisional Council not able to attend a special Divisional Council meeting, of which notice has been given under these Divisional rules, must make a request for leave of absence to the Divisional Council.
- (g) If a member of the Divisional Council has previously applied for, and been granted, a leave of absence by the Divisional Council then the number of members of the Divisional Council entitled to attend the special meeting will be reduced by the persons who have been granted a leave of absence, provided that the quorum cannot be less than three (3) Members holding office on the Divisional Council.
- (h) If at a special Divisional Council meeting no quorum is present within 30 minutes following the time fixed for the commencement of the special meeting, the meeting lapses.
- (i) A special Divisional Council meeting may be conducted by a method by which members of the Divisional Council are able to communicate each with each other.
- (j) The Divisional President will chair a special Divisional Council meeting, however if the Divisional President is not present within 15 minutes of the commencement of the special meeting, or if present is unwilling to act, then the Divisional Vice-President will act as the chair of the special meeting with the powers of the Divisional President and if the Divisional Vice-President is not present within 15 minutes of the commencement of the special meeting, or if present is unwilling to act, then the special meeting will nominate one (1) of its members to act as chair of the special meeting and the member appointed will chair the special meeting with the powers of the Divisional President.
- (k) A question arising at special Divisional Council meeting will, wherever possible, be determined by consensus, provided that a question arising at a special Divisional Council meeting, which cannot be determined by consensus, will be determined by a majority of votes of those present and entitled to vote.
- (l) A member of the Divisional Council has a deliberative vote only at a special Divisional Council meeting.



C28. DIVISIONAL COUNCIL – DETERMINATIONS OUT OF SESSION

- (a) Despite rules C26 and C27, where the Divisional President and Divisional Secretary consider that a matter requires prompt attention a ballot of the members of the Divisional Council may be conducted on the matter by means of:
- (i) courier;
 - (ii) post;
 - (iii) facsimile transfer;
 - (iv) E-mail; or
 - (v) by other means of print communication,
- provided that:
- (vi) in the ballot one-half ($\frac{1}{2}$) the members of the Divisional Council plus one (1), exercising a majority of the votes entitled to be cast and voting, constitutes a quorum;
 - (vii) the Divisional Secretary will determine a time limit in which the ballots must be received; and
 - (viii) determination of the ballot will, unless these Divisional rules otherwise require, be by simple majority of the votes cast.

C29. DIVISIONAL COMMITTEE OF MANAGEMENT - COMPOSITION

- (a) The Divisional Committee of Management consists of the:
- (i) Divisional President;
 - (ii) Divisional Vice-President;
 - (iii) Divisional Secretary; and
 - (iv) Divisional Council members attached to two (2) Divisional Sections that the Divisional Committee of Management determines are in the metropolitan area.
- (b) For the purposes of sub-rule (a)(iv), the Divisional Committee of Management, when making a determination under rule C23(f), must determine which two (2) Divisional Sections are in the metropolitan area.

C30. DIVISIONAL COMMITTEE OF MANAGEMENT – POWERS AND DUTIES

- (a) The Divisional Committee of Management may:
- (i) deal with a matter of urgency;
 - (ii) call a meeting of the Divisional Council; and
 - (iii) exercise, between meetings of the Divisional Council, the powers of the Divisional Council necessary to administer the day to day affairs of the Division.



C31. DIVISIONAL COMMITTEE OF MANAGEMENT - MEETINGS

- (a) The Divisional Committee of Management will meet at least three (3) times a year, on the date the Divisional Committee of Management determines at the first Divisional Committee of Management meeting held in each year, provided that the Divisional Committee of Management may meet at other times as the Divisional Committee of Management considers necessary.
- (b) The Divisional Secretary will formulate an agenda setting out the business to be dealt with at a Divisional Committee of Management meeting.
- (c) The Divisional Secretary will give Divisional Committee of Management members at least 14 days' notice of a Divisional Committee of Management meeting and will provide to the Divisional Committee of Management members:
 - (i) notice of the meeting;
 - (ii) an agenda for the meeting inclusive of business submitted by the Divisional Sub-Branches, and/or the Divisional Council; and
 - (iii) associated papers.
- (d) A Divisional Committee of Management meeting will be held at the Principal Office unless the Divisional Committee of Management determines otherwise.
- (e) Notice of the meeting required to be given under sub-rule (c) is to be given under these Divisional rules.
- (f) The Divisional President will chair a Divisional Committee of Management meeting, however if the Divisional President is not present within 15 minutes of the commencement of the meeting, or if present is unwilling to act, then the Divisional Vice-President will act as the chair of the meeting with the powers of the Divisional President and if the Divisional Vice-President is not present within 15 minutes of the commencement of the meeting, or if present is unwilling to act, then the meeting will nominate one (1) of its members to act as chair of the meeting and the member appointed will chair the meeting with the powers of the Divisional President.
- (g) The quorum for a Divisional Committee of Management meeting is three (3) members of the Divisional Committee of Management.
- (h) A member of the Divisional Committee of Management absent from three (3) consecutive Divisional Council meetings without seeking leave of absence or without tendering an explanation satisfactory to the Council may be liable for misconduct under these Divisional rules.
- (i) If at a Divisional Committee of Management meeting no quorum is present 30 minutes following the time fixed for the commencement of the meeting, the meeting is adjourned for seven (7) days.
- (j) A Divisional Committee of Management meeting may be conducted by a method by which members of the Divisional Committee of Management are able to communicate each with each other.
- (k) A question arising at a Divisional Committee of Management meeting will, wherever possible, be determined by consensus, provided that a question arising at a Divisional



Committee of Management meeting which cannot be determined by consensus, will be determined by a majority of votes of those present and entitled to vote.

- (l) A member of the Divisional Committee of Management has a deliberative vote only at a Divisional Committee of Management meeting.

C32. DIVISIONAL COMMITTEE OF MANAGEMENT – SPECIAL MEETINGS

- (a) The Divisional Secretary will on the determination of the Divisional Committee of Management to hold a special meeting, promptly convene a special Divisional Committee of Management meeting.
- (b) The business to be dealt with at a special Divisional Committee of Management meeting is the business determined by the Divisional Committee of Management requesting the meeting, and no other business may be dealt with.
- (c) The Divisional Secretary will give members of the Divisional Committee of Management notice of the special meeting as is practicable, but at least 24 hours' notice must be given by any means available.
- (d) A special Divisional Committee of Management meeting will be held at the Principal Office unless the Divisional Secretary determines otherwise.
- (e) The quorum for a special Divisional Committee of Management meeting is three (3) members of the Divisional Committee of Management
- (f) If at a special Divisional Committee of Management meeting no quorum is present 30 minutes following the time fixed for the commencement of the special meeting, the meeting lapses.
- (g) A special Divisional Committee of Management meeting may be conducted by a method by which members of the Divisional Committee of Management are able to communicate each with each other.
- (h) The Divisional President will chair a special Divisional Committee of Management meeting, however if the Divisional President is not present within 15 minutes of the commencement of the special meeting, or if present is unwilling to act, then the Divisional Vice-President will act as the chair of the special meeting with the powers of the Divisional President and if the Divisional Vice-President is not present within 15 minutes of the commencement of the special meeting, or if present is unwilling to act, then the special meeting will nominate one (1) of its members to act as chair of the special meeting and the member appointed will chair the special meeting with the powers of the Divisional President.
- (i) A question arising at a special Divisional Committee of Management meeting will, wherever possible, be determined by consensus, provided that a question arising at a special Divisional Committee of Management meeting, which cannot be determined by consensus, will be determined by a majority of votes of those present and entitled to vote.
- (j) A member of the Divisional Committee of Management has a deliberative vote only at a special Divisional Committee of Management meeting.



C33. DIVISIONAL COMMITTEE OF MANAGEMENT – DETERMINATIONS OUT OF SESSION

- (a) Despite rules C31 and C32, where the Divisional President and Divisional Secretary consider that a matter requires prompt attention a ballot of the members of the Divisional Committee of Management may be conducted on the matter by means of:
 - (i) courier;
 - (ii) post;
 - (iii) facsimile transfer;
 - (iv) E-mail; or
 - (v) by other means of print communication,provided that:
 - (vi) in the ballot three (3) members of the Divisional Committee of Management voting, constitutes a quorum;
 - (vii) the Divisional Secretary will determine a time limit in which the ballots must be received; and
 - (viii) determination of the ballot will, unless these Divisional rules otherwise require, be by simple majority of the votes cast.

C34. VOTING AT MEETINGS

- (a) Unless otherwise provided for in these Divisional rules, voting at all meetings held under the Divisional rules, is to be by show of hands.

C35. MINUTES

- (a) The Minutes of each meeting of the Divisional Council will be prepared by the Divisional Secretary and forwarded, in draft, to each member of the Divisional Council.
- (b) Upon confirmation, at the next meeting of the Divisional Council the Minutes will be signed by the chair of that meeting.
- (c) The Minutes of each meeting of the Divisional Committee of Management will be prepared by the Divisional Secretary and forwarded, in draft, to each member of the Divisional Committee of Management.
- (d) Upon confirmation, at the next meeting of the Divisional Committee of Management the Minutes will be signed by the chair of that meeting.
- (e) The Minutes of a meeting, if signed by the chair in accordance with this rule, are evidence of the matters recorded in them without further proof.

C36. THE DIVISIONAL PRESIDENT

- (a) The Divisional President is elected by, and from, the financial Ordinary Members under these Divisional rules.
- (b) The Divisional President will:



- (i) chair a meeting of the:
 - (A) Divisional Council; and
 - (B) Divisional Committee of Management,and preserve order so that business may be conducted with propriety; and
- (ii) consult with the Divisional Secretary on matters affecting the welfare of the Division.
- (c) From 1st January 2017 the Divisional President will be paid an honorarium of \$700 per annum adjusted annually by CPI, to be paid for each completed month in office.
- (d) If required the Divisional President will act as a trustee in conjunction with the Divisional Secretary and will have the powers of a trustee under the Trusts Act (Q).
- (e) Subject to these rules the office of Divisional President is honorary.

C37. THE DIVISIONAL VICE-PRESIDENT

- (a) The Divisional Vice-President is elected by, and from, the financial Ordinary Members under these Divisional rules.
- (b) The Divisional Vice-President will assist the Divisional President in the performance of the Divisional President's duties and perform such of the duties of the Divisional President as the Divisional President requests.
- (c) When requested by the Divisional President, or in the temporary absence of the Divisional President, the Divisional Vice-President will relieve the Divisional President and perform the duties and exercise the same rights and responsibilities as the Divisional President.
- (d) The office of the Divisional Vice-President is honorary.

C38. THE DIVISIONAL SECRETARY

- (a) The Divisional Secretary is elected by, and from, the financial Ordinary Members under these Divisional rules.
- (b) The term of office for the Divisional Secretary is four (4) years.
- (c) The Divisional Secretary once elected will continue to hold office until the Divisional Secretary resigns, is removed from office under these Divisional rules, dies or a successor is declared elected to the office.
- (d) The Divisional Secretary is:
 - (i) the principal officer and chief administrative officer of the Division;
 - (ii) responsible for managing the day to day affairs of the Division;
 - (iii) to take action, and defend action, on behalf of the Division;
 - (iv) to prosecute matters;
 - (v) to give notice of, and administer, meetings of the Division;



- (vi) to attend, and keep minutes of, meetings of the:
 - (A) Divisional Council; and
 - (B) Divisional Committee of Management;
- (vii) to conduct the Division's correspondence;
- (viii) to collect, receipt and deposit monies payable to the Division;
- (ix) to make payments on behalf of the Division;
- (x) to account for monies received and disbursed by the Division;
- (xi) to invest funds as directed by the Divisional Council or the Divisional Committee of Management;
- (xii) to lodge for safe-keeping securities and other legal documents;
- (xiii) to prepare and produce Financial Statements;
- (xiv) to attend to the annual audit of the Divisions accounts;
- (xv) to ensure that the Division complies with its audit requirements;
- (xvi) to maintain the Divisional Members Register;
- (xvii) to maintain the Divisional Officers Register;
- (xviii) to prepare, and file, returns;
- (xix) to submit recommendations to the:
 - (A) Divisional Council;
 - (B) Divisional Committee of Management; and
 - (C) Divisional Sub-Branchees;
- (xx) to edit Divisional Publications;
- (xxi) to ensure as far as practicable that these Divisional rules are observed;
- (xxii) to carry out other duties as the Divisional Council requires; and
- (xxiii) to perform other duties as are provided by these Divisional rules.
- (e) The Divisional Secretary will attend a meeting of the Divisional Council and the Committee of Management.
- (f) The Divisional Secretary is, ex officio, a member of all committees of the Divisional Council.
- (g) When requested by the Divisional Secretary, or in the temporary absence of the Divisional Secretary, the Divisional President will relieve the Divisional Secretary and perform the duties and exercise the same rights and responsibilities as the Divisional Secretary.



- (h) The Divisional Secretary will, when vacating office, deliver all Financial Statements, documents and other property of the Division, in the Divisional Secretary's possession or control, to the successor in office to the Divisional Secretary, or to an officer determined by the Divisional Committee of Management.
- (i) If required the Divisional Secretary will act as a trustee in conjunction with the Divisional President and will have the powers of a trustee under the Trusts Act (Q).
- (j) The office of Divisional Secretary is full time.

C39. DIVISIONAL SUB-BRANCHES

- (a) The Divisional Council may determine to form a Divisional Sub-Branch and the Divisional President and Divisional Secretary will take the steps necessary for the formation of the Divisional Sub-Branch and will appoint temporary Divisional Officers of the Divisional Sub-Branch, to act until the Divisional Sub-Branch elects its own Divisional Officers.
- (b) There will be a Divisional Sub-Branch Committee in each Divisional Sub-Branch consisting of the Divisional Sub-Branch Chairperson, Divisional Sub-Branch Vice-Chairperson, Divisional Sub-Branch Secretary and four (4) Divisional Sub-Branch Committee members.
- (c) The Divisional Sub-Branch Officers will be elected every three (3) years by, and from, the members of the Divisional Sub-Branch in accordance with these Divisional rules.
- (d) At a Divisional Sub-Branch Committee meeting, two (2) members of the Divisional Sub-Branch Committee, in addition to the Divisional Sub-Branch Chairperson and Divisional Sub-Branch Secretary, constitute a quorum.
- (e) The Divisional Sub-Branch Chairperson, in conjunction with the Divisional Sub-Branch Secretary, will be the representative of the Divisional Sub-Branch members in matters with the employer, provided that in the absence of the Divisional Sub-Branch Chairperson, the Divisional Sub-Branch Vice-Chairperson will act, and in the absence of both the Divisional Sub-Branch Chairperson and Divisional Sub-Branch Vice-Chairperson, a member of the Divisional Sub-Branch Committee will act.
- (f) A Divisional Sub-Branch Committee meeting may be summoned by the Divisional Sub-Branch Secretary on the giving of seven (7) days notice to all members of the Divisional Sub-Branch Committee, verbally or in writing, the date, time and location of the Divisional Sub-Branch Committee meeting.
- (g) A Divisional Sub-Branch meeting may be summoned by the Divisional Sub-Branch Secretary by the posting of a notice on the Divisional notice board at least one (1) week prior to the date of the meeting. This notice will clearly state the date, time and location of the Divisional Sub-Branch meeting.
- (h) At a Divisional Sub-Branch meeting five (5) financial members will constitute a quorum.
- (i) The Divisional Sub-Branch Chairperson:
 - (i) will where practicable preside at a Divisional Sub-Branch meeting and conduct the business with propriety and decorum;
 - (ii) is to sign the minutes of a Divisional Sub-Branch meeting; and



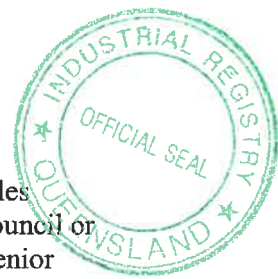
- (iii) when necessary, or on the request of 12 financial Ordinary Members or half (1/2) the Divisional Sub-Branch membership, whichever is the lesser, convene a special Divisional Sub-Branch meeting.
- (j) The Divisional Sub-Branch Chairperson has a deliberative vote only.
- (k) The Divisional Sub-Branch Vice-Chairperson will assist the Divisional Sub-Branch Chairperson in conducting the business of a Divisional Sub-Branch meeting and preside in the Divisional Sub-Branch Chairperson's absence with the powers of the Divisional Sub-Branch Vice-Chairperson.
- (l) The Divisional Sub-Branch Secretary will attend, where practicable, an ordinary or special Divisional Sub-Branch meeting.
- (m) The Divisional Sub-Branch will be responsible for notifying all members of the Divisional Sub-Branch, the time and place of an ordinary or special Divisional Sub-Branch meeting, by posting suitable a notice in the workplace.
- (n) The Divisional Sub-Branch Secretary must give one (1) months notice of resignation from this position where practicable.
- (o) The Divisional Sub-Branch Secretary is required to report to the Divisional Secretary every three (3) months as to their activities and functions.
- (p) The Divisional Sub-Branch Secretary is to advise the Divisional Secretary of the transfers of members into, or out of, depots, new members, deceased members and resignations.

C40. DIVISIONAL RETURNING OFFICER

- (a) The Divisional Committee of Management will, at its first meeting held immediately following Divisional Officers taking office in the Triennial Elections, appoint a Divisional returning officer.
- (b) The Divisional returning officer will not be:
 - (i) a member of;
 - (ii) the holder of any office in; or
 - (iii) be an employee of,the Union.
- (c) The Divisional returning officer will be responsible for the conduct of all ballots for the Division held under these Divisional rules, except where an election for an office must be conducted by the Electoral Commission Queensland.
- (d) In the event of the Divisional returning officer being unable to perform the obligations of a Divisional returning officer the Divisional Committee of Management will terminate the appointment, and appoint a replacement Divisional returning officer.

C41. ELECTION OF OFFICERS

- (a) The election of Divisional Officers will, subject to this rule, be conducted under the Election Procedure Rules of the Part A rules.



- (b) Subject to this rule, in the event of a Member entitled under these Divisional rules gaining election for more than one (1) office or position, at either Divisional Council or Divisional Sub-Branch level they will be deemed to become the holder of the senior office or position and consequently forfeit the election of the junior office or position and the nominee with the next highest number of votes will be declared the holder of the junior office or position.
- (c) For the purpose of elections, offices on the Divisional Council in seniority order are:
 - (i) One (1) Divisional Secretary, one (1) Divisional President, one (1) Divisional Vice-President, Divisional Councillors .
- (d) For the purpose of elections, positions in Divisional Sub-Branch in seniority order are:
 - (i) Divisional Sub-Branch Secretary, Divisional Sub-Branch Chairperson, Divisional Sub-Branch Vice-Chairperson, Divisional Sub-Branch Committee members.
- (e) Offices and positions at the Divisional Council and Divisional Sub-Branch levels may be held simultaneously by an elected Member, other than the Divisional Secretary, including a Trustee.

C42. COUNTERPART FEDERAL BODY ELECTION EXEMPTION

- (a) The Divisional Secretary may request that the General Secretary take the steps required under the Part A rules to make application for an exemption from election ballot.
- (b) The Divisional Secretary will take the steps and do the things reasonably required by the General Secretary to assist the General Secretary in making the application for exemption from election ballot in accordance with the Part A rules.
- (c) In the event of the exemption not being granted, or being only partially granted, the Divisional Secretary will promptly ensure the filing by the General Secretary of the prescribed material required to be filed in relation to the holding of an election, or a relevant election, as the case may be, pursuant to the these Part C rules.

C43. TERM OF OFFICE

- (a) The term of office for the Divisional Secretary is four (4) years.
- (b) The term of office for the Divisional President, the Divisional Vice-President, the Divisional Councillor and the Proxy Divisional Councillor is three (3) years.
- (c) The term of positions on a Divisional Sub-Branch is three (3) years.

C44. ELECTION OF DIVISIONAL SUB-BRANCH POSITIONS

- (a) Elections for Divisional Sub-Branch Officers will be conducted in accordance with the Election Procedure Rules of the Part A rules.

C45. FILLING OF CASUAL VACANCY

- (a) Subject to the Union rules, a casual vacancy occurring in an office of the Division, where the unexpired portion of the term of office is less than 12 months or three quarters (3/4) of the term, whichever is the greater, will be filled by the Divisional Committee of Management appointing a Member entitled to nominate for the office, unless these Divisional rules otherwise provide.



- (b) A casual vacancy occurring in an office of the Division where the unexpired portion of the term of office is more than 12 months, or three quarters (3/4) of the term, which ever is the greater, will be filled by election in accordance with the Election Procedure Rules.
- (c) A member appointed or elected under this rule, will hold office for the unexpired term of their predecessor unless they resign, die or are removed from office under these Divisional rules or the Union rules.
- (d) The Divisional Committee of Management may appoint a Member eligible to nominate for office under these Divisional rules to perform the functions of the office during the period between the casual vacancy occurring and the declaration of an election required under sub-rule (b) and will be entitled to vote and to nominate for the office concerned.
- (e) A casual vacancy occurring in a Position of the Division where the unexpired portion of the term of the position is less than 12 months or three quarters (3/4) of the term, whichever is the greater, will be filled by the Divisional Committee of Management appointing a Member entitled to nominate for the position.
- (f) A casual vacancy occurring in a Position of the Division where the unexpired portion of the term of the position is more than 12 months, or three quarters (3/4) of the term, which ever is the greater, the vacancy will be filled by election in accordance with the Election Procedure rules.
- (g) The person so appointed or elected will assume all duties, responsibilities, rights and entitlements of the Position.
- (h) If the Divisional Secretary is unable to attend to their duties through any temporary cause or temporary absence, the Divisional Committee of Management may appoint a Deputy Divisional Secretary to act during the temporary absence who will perform the functions and obligations, and exercise the power of, the Divisional Secretary.

C46. AUDITOR

- (a) The Divisional Committee of Management will appoint an Auditor, who will be a Chartered Accountant or a registered Public Accountant, to annually audit the Division's accounts.
- (b) The Auditor may call for the books, papers, and other financial documents belonging to the Division and the Financial Statements.
- (c) The Auditor must report to the Divisional Committee of Management and certify as required under the Act the audit and the financial position of the Division.

C47. ALTERATION OF RULES

- (a) The Divisional Council will have the power to alter, amend or rescind any part of these Divisional rules, in accordance with the following process:
 - (i) An amendment to the rules may be proposed by:
 - (A) a Divisional Sub-Branch;
 - (B) the Divisional President; or
 - (C) the Divisional Secretary;



- (ii) A proposed amendment to the rules must be provided to the Divisional Secretary in writing.
- (iii) The Divisional Secretary must provide a copy of a proposed amendment in writing to the Divisional Councillors at least two (2) weeks prior to the date of the Divisional Council at which the proposed amendments will be considered.
- (iv) Where practicable the Divisional Secretary is to seek feedback by providing each Divisional Sub-Branch with a copy of a proposed amendment at least one (1) month prior to the date of the Divisional Council meeting at which the proposed amendments are to be considered.
- (v) Feedback under sub-rule (d) must be tabled at the Divisional Council prior to a proposed amendment being voted upon.
- (vi) A simple majority is required to approve an amendment.
- (b) Despite sub-rule (a) the Divisional Council and the Divisional Committee of Management both have the power to make, amend or rescind a rule to comply with:
 - (i) the Act; or
 - (ii) an order of the Commission.
- (c) Despite sub-rule (a) the Divisional Committee of Management may by a three quarter ($\frac{3}{4}$) majority determine to alter the rules.
- (d) If under sub-rule (c) the Divisional Committee of Management determines to alter these Divisional rules, the Divisional Secretary must publicise the determination within seven (7) days of the determination by notice to the financial Members on the Divisional Website and made available to the Members at the registered office.
- (e) If within 14 days after the date of giving notice under sub-rule (d) the Divisional Secretary receives a written request for a referendum on the proposed alteration signed by at least 150 financial Ordinary Members, then the Divisional Secretary will direct the Divisional Returning Officer to, as soon as practicable, conduct a referendum as to whether or not the financial Ordinary members of the Division approve the determination of the Divisional Committee of Management
- (f) If the Divisional Secretary does not receive a request under sub-rule (e) the alteration which the Divisional Council determined may be certified by the QIRC.
- (g) If the Divisional Secretary receives a request within sub-rule (e) then:
 - (i) if the referendum approves of the alteration set out in the determination of the Divisional Council it may be certified by the QIRC;
 - (ii) if the referendum does not approve of the determination, the determination of the Divisional Council is rescinded.

C48. MORTALITY BENEFIT

- (a) Should a financial Ordinary Member who is contributing to the benefit fund die a mortality benefit will be paid in accordance with these Divisional rules.



- (b) An amount of \$4,000, or other amount as the Divisional Committee of Management determines, will be paid as soon as possible to an eligible person nominated by the financial Ordinary member.
- (c) An amount equal to 50% of the above entitlement will be paid as soon as possible to the Member on advice to the Divisional Office that the Member's spouse/partner has passed away.
- (d) To establish a Mortality Fund for the purpose of meeting payments promptly each Ordinary Member will pay a mortality levy of \$3.00, or other amount as the Divisional Committee of Management determines, each half (½) year to maintain the funds of the Mortality Fund.
- (e) For the purpose of this rule an Ordinary Member will be deemed to be un-financial if the \$3.00 levy is unpaid three (3) months after the commencement of each half (½) yearly period.
- (f) Should a contributing Ordinary Member die within three (3) months after the commencement of each half (½) yearly period and the member has not paid the \$3.00 mortality levy the amount of the unpaid levy will be deducted from the benefit.
- (g) For the purpose of this rule, an Ordinary Member will, subject to sub-rule (f), be deemed to cease being entitled to payment under sub-rule (b) if un-financial under sub-rule (e).
- (h) The Divisional Secretary, Divisional President (when employed full time by the Division in that position) and financial Political Members contributing to this fund will be entitled to a payment under sub-rule (b).
- (i) A Life Member no longer engaged in the Division's Callings is not entitled to a payment under sub-rule (b).

C49. SPECIAL GRANTS

- (a) Notwithstanding any other provisions of these Divisional rules, a loan, grant or donation of an amount exceeding \$1,000.00 will not be made by the Division unless the Divisional Committee of Management or Divisional Council has approved the making of the loan, grant or donation and has satisfied itself:
 - (i) that the making of the loan, grant or donation would be under these Divisional rules; and
 - (ii) in relation to a loan - that, in the circumstances the security proposed to be given for the repayment of the loan is adequate and the proposed arrangements for the repayment of the loan are satisfactory.
- (b) Despite sub-rule (a), a financial hardship payment of not more than \$3,000.00 may be made by the Divisional Secretary following a request, in writing, from a Member setting out the nature of the financial hardship and the reason it has occurred.
- (c) Provided that a financial hardship payment under sub-rule (b) must be made on the condition that if the Divisional Committee of Management, at its next meeting following the making of the payment, does not approve the payment then the payment must be repaid as determined by the Divisional Committee of Management.



C50. ASSISTANCE TO MEMBERS

- (a) A financial Ordinary Member who, whilst performing their duty, and in consequence of an accident whilst performing their duty, becomes liable to criminal prosecution, and who desires the Division to act on the member's behalf, may, if the Divisional Council considers the member's defence warranted, have the necessary expenses of the member's defence defrayed from the funds of the Division, if in the opinion of the Divisional Council, the funds be not sufficient to meet the necessary expenditure, a special levy may be imposed on all members to cover the expense.
- (b) When a financial Ordinary Member has been charged with an indictable offence committed whilst performing their duty, the Divisional Council may, at the conclusion of the action, defray the cost or such portion of the cost of the defence as it deems expedient to meet.
- (c) A financial Ordinary Member seeking consideration under this rule will furnish, through the member's Divisional Sub-Branch, information to the Divisional Secretary, promptly following the financial Ordinary Member becoming aware that a proceeding is being commenced
- (d) A financial Ordinary Member who considers they have been unjustly dealt with by or on behalf of their employer in respect of the performance of their duty, may submit the case to their Divisional Sub-Branch Secretary furnishing a written statement, together with all correspondence bearing on the matter and details of the evidence proposed to be given in their support.
- (e) If an enquiry has been held into the matter, a copy of the evidence taken will also be submitted, if procurable.
- (f) The Divisional Sub-Branch or Divisional Sub-Branch Committee will then determine whether, and if so, what action is to be taken, provided that, in the likelihood of an Industrial Dispute occurring, the Divisional Sub-Branch will immediately forward all relevant information to the Divisional Secretary so as to enable the matter to be dealt with by the Division.
- (g) A financial Ordinary Member of the Division has the right of appeal, through the member's Divisional Sub-Branch to the Divisional Council, whose decision is final.
- (h) Should a financial Ordinary Member be injured or killed in the performance of their duty, the case will be remitted by the Divisional Sub-Branch to which the financial Ordinary member belongs, to Divisional Council, who will use every endeavour to secure adequate compensation for those entitled to it.
- (i) A financial Ordinary Member on whose behalf the Division acts, gives by these Divisional rules, an undertaking that if the compensation case is successfully concluded that the member be obliged to promptly pay an amount equalling the costs incurred in prosecuting the case to Divisional Fund, provided that if the case is unsuccessfully completed, the Division is to pay the costs incurred in prosecuting the case.
- (j) The Divisional Council is required to authorise a compensation case taken by legal firm.

C51. CONTROL BY MEMBERS

- (a) The Divisional Secretary will, on receipt of a request in writing signed by 15% of the financial Ordinary Members of the Division, or of two (2) Divisional Sub-Branches,



direct the conduct of a referendum of the financial Ordinary Members of the Division on a matter concerning the Division.

- (b) The Divisional Secretary or the Divisional Committee of Management may direct the conduct of a referendum of the financial Ordinary Members of the Division, attached to a Divisional Section or attached to a Divisional Sub-Branch, as the case may be, on a matter concerning the Division, the Divisional Section or the Divisional Sub-Branch.
- (c) Despite sub-rule (b) a referendum of the financial Ordinary Members attached to a Divisional Section or a Divisional Sub-Branch cannot occur if the outcome of the matter to be considered would impact on members of the Division other than those attached to the Divisional Section or the Divisional Sub-Branch, as the case may be, and in that circumstance only a referendum of all the financial Ordinary Members of the Division can occur.
- (d) A referendum is to be a secret ballot conducted by the Divisional returning officer appointed under these Divisional rules, who may not be a member or employee of the Division, and will be completed, in the case of a referendum under sub-rule (a) within two (2) months of the receipt by the Divisional Secretary of the request and in the case of a referendum under sub-rule (b) within two (2) months of the direction by the Divisional Committee of Management.
- (e) Where a request has been received under sub-rule (a) or a direction given under sub-rule (b), the Divisional Committee of Management will not, so far as is practicable, until the completion of the referendum, act in relation to the matter the subject of the referendum.
- (f) Where a request is received under sub-rule (a) or a direction given under sub-rule (b), the Divisional Secretary will advise the Divisional returning officer and the Divisional returning officer will direct the conduct of the referendum and will take all necessary steps to ensure the secrecy of the ballot.
- (g) The Divisional returning officer will determine the opening and closing dates of the referendum ballot.
- (h) The Divisional Committee of Management, where the referendum is held following a request under sub-rule (a), the members who requested the referendum may each appoint two (2) scrutineers for the conduct of the referendum and will, before the opening of the ballot, advise the Divisional returning officer of the name of each scrutineer.
- (i) The Divisional returning officer must:
 - (i) on the opening date of the ballot forward by prepaid post to financial Ordinary Members of the Division, Divisional Section or the Divisional Sub-Branch, as the case may be, a ballot paper bearing the Divisional returning officer's signature together with a reply paid return envelope addressed to the returning officer's address for the purpose of the referendum;
 - (ii) give directions to voters as the Divisional returning officer considers necessary;
 - (iii) give a direction that a voter will not make a mark on the ballot paper which will identify the voter and that such a mark will render the vote invalid; and
 - (iv) provide for a method of permitting financial Ordinary Members to vote whilst preserving the secrecy of the ballot.



- (j) The Divisional returning officer may determine to conduct the referendum ballot under sub-rule (h) either fully, or in part, by an electronic balloting system that provides for security and secrecy to the same extent as a postal ballot under sub-rule (i).
- (k) Subject to sub-rule (l) a scrutineer appointed under sub-rule (h) may be present during the conduct of the ballot by the Divisional returning officer including the counting of ballot papers returned in the referendum and may object to a ballot paper being counted on the ground that it does not clearly express the voter's attitude to the question to which the referendum is directed.
- (l) A scrutineer will observe a direction given by the Divisional returning officer during the conduct of the ballot and must comply with a direction of the Divisional returning officer.
- (m) A voter will cast a vote in a ballot under this rule by completing the ballot paper forwarded to the voter under sub-rule (i) in accordance with the directions to voters and forwarding the ballot paper to the Divisional returning officer so as to reach the Divisional returning officer no later than the closing date of the ballot.
- (n) A vote cast in the ballot will be informal if the intention of the voter is not clear.
- (o) On completion of the counting of ballot papers returned in a referendum the Divisional returning officer will declare the result of the referendum by advising the Divisional Secretary in writing of the number of ballot papers forwarded to voters, the number approving the matter or the subject of the referendum, the number not approving and the number of informal votes.
- (p) Provided that upon the Divisional Committee of Management receiving a request in writing for a referendum it may, or the Divisional Council may, where the proposal contained in the request in writing for a referendum is capable of adoption, of its own motion adopt the proposal contained in the request for a referendum and
- (q) The adoption of the proposal sub-rule (p) means that the referendum is not required.
- (r) Where a majority of the financial Ordinary Members of the Division, a Divisional Section or a Divisional Branch, as the case may be, voting at a referendum approve the matter submitted to referendum, the matter will be carried out and the Divisional Committee of Management will, so far as is practicable, implement the decision of the referendum.
- (s) In the event of a tied referendum the proposal will be declared lost.

C52. ELIGIBILITY TO HOLD OFFICE

- (a) An officer of the Division will cease to be eligible to hold office if the officer:
 - (i) is un-financial in accordance with these Divisional rules;
 - (ii) resigns in writing to the Divisional Secretary; or
 - (iii) is no longer eligible to nominate for the respective office.
- (b) A position holder will cease to hold that position if they:
 - (i) are un-financial in accordance with these Divisional rules;



- (ii) resign in writing to the Divisional Secretary;
 - (iii) resign in writing to the Divisional Sub-Branch Secretary; or
 - (iv) are no long eligible to nominate for the respective position.
- (c) Only Ordinary Members who have been continuously financial for a period of two (2) years prior to the opening of nominations for the Quadrennial Election of Divisional Secretary, may nominate for the office of Divisional Secretary.
- (d) A Trustee will cease to be eligible to hold office if no longer a resident in the metropolitan area of Brisbane.

C53. INSPECTION OF BOOKS

- (a) A Member may inspect the records and books of the Division in accordance with the Act.

C54. DIVISIONAL FUND

- (a) Subject to the Act, the funds and property of this Division will be under the control of the Divisional Committee of Management and held in the Divisional Fund.
- (b) Subject to sub-rule (c) the Divisional Fund will be invested in such financial institutions as the Divisional Committee of Management determines.
- (c) The Divisional Committee of Management may invest the Divisional Fund in:
- (i) Government securities, bonds or debentures; or
 - (ii) a fixed deposit with a financial institution,
- but will not make another investment without the approval of a two-thirds (2/3) majority of the members of the Divisional Committee of Management.
- (d) The Divisional Committee of Management has power to raise and disburse the Divisional Fund to seek to attain the Objects.
- (e) The Divisional Fund may be disbursed by resolution of the Divisional Committee of Management.
- (f) The Divisional Secretary will promptly deposit monies accruing to the Divisional Fund into a bank account titled 'Electrical Trades Union of Employees Queensland, AFULE Division – [purpose of account]'.
- (g) All disbursements of the Division made from the Divisional Fund will be made by cheque, direct debit, bank transfer, credit card or other convenient method of payment provided that:
- (i) it has been authorised in writing by the Divisional Secretary and one of the following, the:
 - (A) Divisional President; or
 - (B) Divisional Vice-President; or



- (ii) the expenditure:
 - (A) is of a type that has been authorised by the Divisional Committee of Management;
 - (B) the expenditure is within an authorised amount determined by the Divisional Committee of Management and to be applied for a particular purpose determined by the Divisional Committee of Management; or
 - (C) the particular transaction has been authorised the Divisional Committee of Management.
- (h) Except in cases of urgency all proposals to commit the Division to new expenditure will be referred to the Divisional Committee of Management for report.
- (i) The Divisional Committee of Management may, in relation to a particular account of the Division Fund, determine to maintain an account at a particular level.
- (j) The Divisional Committee of Management may authorise an amount for petty cash purposes and such amounts will be expended on the imprest system of banking.
- (k) The Divisional Secretary will keep all books and accounts necessary for carrying out the work of the Division as provided in these Divisional rules and the Union rules.
- (l) The funds of the Division may only be expended on seeking to attain the Objects.

C55. MEMBERS VISITING OTHER SUB BRANCHES

- (a) A financial Ordinary Member is entitled to attend a meeting of another Divisional Sub-Branch on production of satisfactory evidence of membership, and may speak to business, but will not be allowed to bring forward any motion or vote.

C56. ATTENDANCE AT DIVISIONAL COUNCIL

- (a) Members may attend a meeting of the Divisional Council, but no person who is not a member of the Divisional Council whose meeting is then being held, will speak on any question, or take part in the business of such meeting, except on the invitation of the Divisional Council.
- (b) Provided that the Divisional Council may at any time resolve itself into a Committee of the whole for the purpose of consideration of any particular matter or matters, and in that case, the meeting room is to be cleared of all persons other than members of the Divisional Council or those persons invited by the Divisional Council to remain.

C57. AFFILIATION WITH ALP, QCU

- (a) This Division will remain affiliated through the Union with the Australian Labour Party and the Queensland Council of Unions, until a ballot financial Ordinary Members determines otherwise.

C58. STANDING ORDERS

- (a) The Union rules that provide for procedure of meetings will apply, with such amendment that may be necessary, for a Divisional meeting.



C59. RULES OF DEBATE

- (a) The Union rules that provide for conduct of debate of meetings will apply, with such amendment that may be necessary, for a Divisional meeting.

C60. WORKPLACE REPRESENTATIVES

- (a) Workplace Representatives and Occupational Health and Safety Representatives will be appointed by the Division under this rule.
- (b) Where two (2), or more, financial Ordinary Members are employed in a business, a Workplace Representative may be elected by, and from, the financial Ordinary Members in that business.
- (c) Where two (2), or more, financial Ordinary Members are employed in a business, an Occupational Health and Safety Representative may be elected by, and from, the financial Ordinary Members in that business.
- (d) Elections for a Workplace Representative and the Occupational Health and Safety Representative will occur as required.
- (e) Nominations for a Workplace Representative and/or an Occupational Health and Safety Representative will be called for at a meeting of financial Ordinary Members employed in a respective business.
- (f) If more than one (1) nomination is received a vote will be taken at a meeting of financial Ordinary Members employed in the respective business.
- (g) A financial Ordinary Member elected as a Workplace Representative and/or the Occupational Health and Safety Representative is to advise the Divisional Secretary of the election.
- (h) The functions of a Workplace Representative are to:
 - (i) recruit new members;
 - (ii) where directed by the Divisional Secretary receive members contributions on behalf of the Division and ensure all members are financial;
 - (iii) promptly forward money collected to the Divisional Secretary and not later than 28 days after receipt;
 - (iv) report on industrial conditions and the claims of members to the Divisional Secretary;
 - (v) notify the Divisional Secretary of any arrivals or departures of members from the district or business and changes of address; and
 - (vi) act as a representatives of the Division only when requested to by the Divisional Secretary and only to the extent requested by the Divisional Secretary.
- (i) The duties of the Occupational Health and Safety Representative will be to:
 - (i) represent members employed in the business on matters relating to occupational, health and safety;



- (ii) report to, and consult with, the Divisional Secretary, the Workplace Representative and the financial Ordinary Members represented on all matters relating to occupational, health and safety;
- (iii) take the action lawfully available and necessary to achieve a safe working environment.
- (j) Where the Occupational Health and Safety Representative and the Workplace Representative are not the same person, the Workplace Representative is the senior representative of the Division in the business.
- (k) Where a Workplace Representative resigns their position, they will immediately notify the Divisional Secretary and will return Divisional property in their possession to the Divisional Secretary.
- (l) As soon as possible, following a resignation, a meeting will be called at the business to elect a successor.
- (m) A Workplace Representative must promptly deliver Divisional property in their possession to the Divisional Secretary when requested by the Divisional Secretary.
- (n) Where an Occupational Health and Safety Representative resigns their position, they will immediately notify the Divisional Secretary and will return Divisional property in their possession to the Divisional Secretary.
- (o) As soon as possible, following a resignation, a meeting will be called at the business to elect a successor.
- (p) The Divisional Council or the Divisional Committee of Management may produce a protocol for the way Workplace Representatives and/or Occupational Health and Safety Representatives are to exercise their functions.
- (q) A protocol, under sub-rule (p) is binding on Workplace Representatives and Occupational Health and Safety Representatives.
- (r) A Workplace Representative or Occupational Health and Safety Representative may be removed from their position by resolution of the Divisional Council or the Divisional Executive subject to the Workplace Representative or Occupational Health and Safety Representative being given procedural fairness appropriate to the circumstances of the case.

C61. DISSOLUTION

- (a) The Division will not be dissolved unless an absolute majority of two thirds (2/3) of the members of the Division so decide. This decision is to be taken by a ballot conducted in accordance with these Divisional rules.
- (b) Provided that the proposal to dissolve has first appeared on the agenda paper for the Divisional Council meeting and has been dealt with by the Divisional Council as provided by these Divisional rules.