



Industrial Elections – ACT Office
GPO Box 1824
CANBERRA ACT 2601

Industrial Elections – ACT Office
1st Floor, 8 - 10 Hobart Place
CANBERRA ACT 2601

Reference: ACT N09/493

Telephone: (02) 6249 7943
Facsimile: (02) 6248 7559
Email: sonny.neoh@aec.gov.au

website: www.aec.gov.au ; ABN: 21 133 285 851

Mr John Cahill
Branch Secretary
CPSU, the Community and Public Sector Union
SPSF Group
NSW Branch
GPO Box 3365
SYDNEY NSW 2001

Dear Mr Cahill,

**CPSU, the Community and Public Sector Union
SPSF Group, NSW Branch – Election of Branch Delegates to Federal Council
Declaration of Results [E2009/10064 Refers.]**

I refer to my letter of 9 February 2010 concerning the arrangements for me to conduct an election for the above-mentioned positions in your Organisation and wish to advise that a ballot will not be necessary.

My declaration of the election is attached.

I will contact you shortly regarding the election of Federal Vice-President & Branch Representative on Federal Executive.

Yours sincerely

Sonny Neoh
Returning Officer
Australian Electoral Commission, Canberra

3 March 2010

cc Delegate of the General Manager, Fair Work Australia
All Candidates

**CPSU, the Community and Public Sector Union
SPSF Group
NSW Branch**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES.

Results of the election for the following offices conducted in accordance with the provisions of the Fair Work (Registered Organisations) Act 2009 and the rules of the organisation.

E2009/10064 Refers

**Branch Delegate to Federal Council (1)
(elected by and from members of Branch Council who are members of Sub-Branch No.1)**

Candidate

DAVIS, Ron

**Branch Delegates to Federal Council (10)
(elected by and from members of Branch Council excluding members of Branch Council
who are members of Sub-Branch No.1)**

Candidates

CAHILL, John
DELPRADO, Greg
DRUMMOND, Rex W
HARRIS, Adrienne
O'BRIEN, Shane
PARISSI, Leon
TURNER, Stephen
WALSH, Suzanne
WEBB, Brian
WETHERALL, Christopher

As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above candidates elected.

Sonny Neoh
Returning Officer
Australian Electoral Commission, Canberra

3 March 2010



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Mr John Cahill
Branch Secretary
CPSU, the Community and Public Sector Union
SPSF Group
NSW Branch
GPO Box 3365
SYDNEY NSW 2001

Dear Mr.Cahill,

**CPSU, the Community and Public Sector Union
SPSF Group, NSW Branch – Election of One Federal Vice-President
and One Branch Representative on Federal Executive.
Declaration of Results [E2009/10064 Refers.]**

I refer to my letter of 9 February 2010 concerning the arrangements for me to conduct an election for the above positions in your Organisation and wish to advise that a ballot will not be necessary.

My declaration of the uncontested offices is attached.

Yours sincerely

Sonny Neoh
Returning Officer
Australian Electoral Commission, Canberra

22 March 2010

cc Delegate of the General Manager, Fair Work Australia
All Candidates

**CPSU, the Community and Public Sector Union
SPSF Group
NSW Branch**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES.

Results of the election for the following offices conducted in accordance with the provisions of the Fair Work (Registered Organisations) Act 2009 and the rules of the organisation.

E2009/10064 Refers

Federal Vice-President (1)

Candidate

CAHILL, John

Branch Representative on Federal Executive (1)

Candidate

WALSH, Suzanne

As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above candidates elected.

Sonny Neoh
Returning Officer
Australian Electoral Commission, Canberra

22 March 2010

Australian Electoral Commission / AEC

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

**CPSU, the Community and Public Sector Union
SPSF Group, NSW Branch**

**Election of Branch Delegates to Federal Council, Federal Vice
President, and Branch Representative on Federal Executive**

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s:	E2009/10064
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RULES

Rules used for the election:	<i>[090VSPSF: Incorporates alterations of 14/11/05] [R2005/329]</i>
Rules difficult to apply/interpret:	- None
Model Rule reference (if any):	- None

ROLL OF VOTERS

There was no ballot. The roll of voters was not required.

IRREGULARITIES

Details of written allegations of irregularities, and action taken by AEC:	- None
Other irregularities identified, and action taken:	- None

ATTACHMENTS

1)	Declaration of Results – Branch Delegates to Federal Council
2)	Declaration of Results – Federal Vice-President & Branch Representative on Federal Executive

Sonny Neoh
Returning Officer
Australian Electoral Commission, Canberra
23 March 2010



FAIR WORK
AUSTRALIA

DECISION

Fair Work (Registered Organisations) Act 2009
s.189 – Arrangement for conduct of an election

CPSU, the Community and Public Sector Union
(E2009/10064)

T. NASSIOS

MELBOURNE, 24 DECEMBER 2009

Arrangement for conduct of election.

[1] On 23 October 2009 the New South Wales Branch of the SPSF Group of the abovenamed organisation lodged with Fair Work Australia the prescribed information in relation to an election for the following offices:

Branch Delegate to Federal Council (1)	(elected by and from members of Branch Council who are members of Sub-Branch No. 1)
Branch Delegates to Federal Council (10)	(elected by and from members of Branch Council excluding members of Branch Council who are members of Sub-Branch No. 1)
Federal Vice-President Branch Representative on Federal Executive	

[2] The above offices are well overdue and I am therefore satisfied that an election for the abovenamed offices is required to be held under the rules of the organisation and, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009*, I am making arrangements for the conduct of the election by the Australian Electoral Commission.

[3] The fact that the election notification lodged by the NSW Branch with respect to this matter has been lodged late does not obviate the need for a further election in 2010 to be held in accordance with the SPSF Group Rules (the Chapter C Rules of the organisation) to bring the election cycle back into synchronicity.



DELEGATE OF THE GENERAL MANAGER
FAIR WORK AUSTRALIA

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PUBLIC SERVICE ASSOCIATION OF NEW SOUTH WALES

General Secretary: John Cahill ♦ President: Sue Walsh

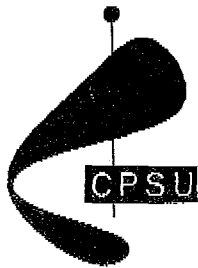
160 Clarence Street, Sydney

☒ GPO Box 3365, Sydney NSW 2001

Telephonic: 02 9220 0900

Facsimile: 02 9262 1623

E-mail: psa@psa.asn.au**To:** Cynthia Lo-Booth**From:** John Cahill**Fax:** (03) 9655 0410**Pages:** 2**Phone:****Date:** 17 December 2009**Re:** Elections Urgent For Review Please Comment Please Reply

**COMMUNITY & PUBLIC SECTOR UNION ♦ SPSF GROUP NSW BRANCH**

160 Clarence Street, Sydney NSW
Email: cpsu@psa.asn.au
State Branch Secretary: John Cahill

GPO Box 3365, Sydney NSW 2001
Internet: <http://www.psa.labor.net.au>

Phone: (02) 9290 1555 Fax: (02) 9262 1623
ABN: 11 681 811 732
State Branch President: Sue Walsh

IN REPLY
PLEASE QUOTE
FILE NUMBER:

ST:JC

17 December 2009

Ms Cynthia Lo-Booth
Tribunal Services and Organisations
Fair Work Australia
GPO Box 1994
MELBOURNE VIC 3001

By Fax (03) 9655 0410

Dear Cynthia

Re: Section 189 of Fair Work (Registered Organisations) Act 2009 (RO Act) CPSU – SPSF Group, New South Wales Branch Election – E2009/10064

I refer to your letter of 29 October 2009. I write to confirm that the positions we seek to conduct an election for are those listed in point 1. of your letter. In response to your questions, both in your correspondence and during our telephone conversation, I make the following points:

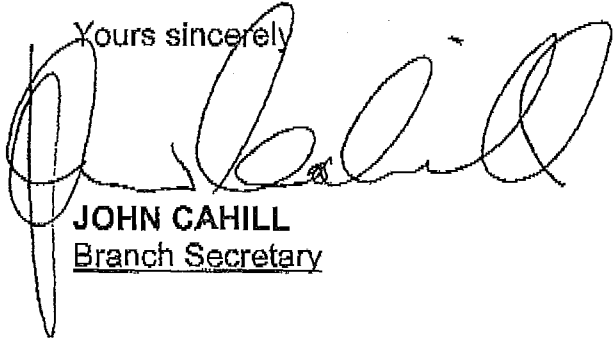
It is correct that the last time an election was held for these positions was 2004. There have been no other elections i.e. 2006 and 2008. The reason for this is that we changed the rules to allow for election of the council to every four years. In doing so we probably should have changed the rules similarly for these positions to every four years, however, we failed to do this. Further the last election for the council was conducted in 2008 and was not completed by the AEC until very close to the end of the year making it impossible to hold the elections we now seek in 2008. Therefore we are writing to request that the election now be conducted.

I note that if this election was to be held early in 2010 we will be back on track for the regular conducting of these elections in even years. Further we will seek to change our rules to allow for these elections to be conducted every four years in line with the election for council.

I am available for any further discussion or questions on (02) 9220 0970.

Wishing you a Merry Christmas and a Happy New Year.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Cahill', written in a cursive style. The signature is positioned above the printed name and title.

JOHN CAHILL
Branch Secretary

29 October 2009

Mr John Cahill
Branch Secretary
New South Wales Branch
CPSU, the Community and Public Sector Union – SPSF Group
GPO Box 3365
SYDNEY NSW 2001

By email: cpsu@psa.asn.au

Attention: Mr Steve Turner
Branch Assistant Secretary



Dear Mr Cahill

**Re: Section 189 of Fair Work (Registered Organisations) Act 2009 (RO Act)
CPSU – SPSF Group, New South Wales Branch Election – E2009/10064**

I acknowledge receipt of the election request lodged with Fair Work Australia on 23 October 2009.

In order to process the election request I require you to:

1. Confirm whether the following positions are the offices you seek the General Manager to arrange for the AEC to conduct an election:
 - Branch Delegate to Federal Council (1) (elected by and from members of Council who are members of Sub-Branch No. 1)
 - Branch Delegates to Federal Council (10) (elected by and from members of Council excluding members of Branch Council who are members of Sub-Branch No. 1)
 - Federal Vice-President
 - Branch Representative on Federal Executive
2. If the abovementioned positions are the offices you seek the conduct of an election, please also provide further information regarding when these offices were last elected.

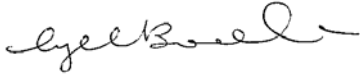
The reason for this request is because there is some confusion regarding the prescribed information lodged.

First, enclosed with the election request is *“a copy of the relevant rules of the union”* – the CPSU, the Community and Public Sector Union: Chapter C – SPSF Group New South Wales Branch Rules. These rules appear to govern the constitution and election process for Branch officers and delegates to *Branch Council*. The rules relating to the above offices and delegates to the Federal Council and Federal Executive are found in the CPSU, the Community and Public Sector Union Chapter C – SPSF Group Rules, more specifically rules 54B, 25A (Branch Delegates to Federal Council), 34(B), 55B (Federal Vice-President), 30(A) and 55B (Branch Representative on Federal Executive).

Second, the abovementioned positions all have 2 year terms (see rules 54B and 55B(A)). Sub-rule 54B(B) further provides that each election of delegates to Federal Council under rule 54B shall be conducted so that the result is declared between 1 June and 25 August in each *even-numbered year*. Our records show that these positions were elected in E2002/197 and E2004/291. There are no records for an election for these positions in the years 2006 and 2008. I require more information to explain this irregularity.

If you have any questions regarding this letter I may be contacted on (03) 8661 7989 (Wednesdays to Fridays) or by email at cynthia.lobooth@fwa.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'Cynthia Lo-Booth', with a stylized flourish at the end.

Cynthia Lo-Booth
Tribunal Services and Organisations

PUBLIC SERVICE ASSOCIATION OF NEW SOUTH WALES
General Secretary: John Cahill ♦ President: Sue Walsh
160 Clarence Street, Sydney
☒ GPO Box 3365, Sydney NSW 2001

Telephone: 02 9290 1555
Facsimile: 02 9262 1623
E-mail: psa@psa.asn.au



To: The Registrar

From: John Cahill

Fax: 9380 6990

Pages: 25 including cover

Phone:

Date: 22 October, 2009

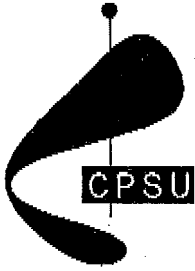
Re: Election of Federal Councillors – CPSU/SPSF Group

Urgent

For Review

Please Comment

Please Reply



COMMUNITY & PUBLIC SECTOR UNION ♦ SPSF GROUP NSW BRANCH

160 Clarence Street, Sydney NSW
Email: cpsu@psa.asn.au
State Branch Secretary: John Cahill

GPO Box 3365, Sydney NSW 2001
Internet: <http://www.psa.labor.net.au>

Phone: (02) 9290 1555 Fax: (02) 9262 1623
ABN: 11 681 811 732
State Branch President: Sue Walsh

IN REPLY
PLEASE QUOTE
FILE NUMBER:

JC:MG

22nd October, 2009

The Registrar
Australian Industrial Relations Commission
80 William St
EAST SYDNEY NSW 2010

BY FAX

Dear Sir,

RE : ELECTION OF FEDERAL COUNCILLORS -- CPSU/SPSF GROUP

Pursuant to the rules of the CPSU, I advise you that elections of Federal Councillors representing the SPSF Group, NSW Branch, are now due. The elections are collegiate, and are by and from the NSW Branch Council; one delegate is elected by and from the four State Councillors representing the NSW Sub-Branch No. 1, and ten councillors are elected by and from the remaining 17 members of the Branch Council.

In addition, election is required for a NSW Branch Vice President and a NSW Branch representative on the Federal Executive.

I enclose a copy of the relevant rules of the union, and a list of names and addresses of eligible nominees.

As these elections are now overdue, I would be grateful if you would arrange with the Australian Electoral Office to have such an election conducted as soon as possible.

As I will be on leave next week, NSW Branch Assistant Secretary Steve Turner can be contacted in regard to this.

Yours faithfully,

JOHN CAHILL
BRANCH SECRETARY

NAMES AND ADDRESSES OF ELIGIBLE NOMINEES

Office Held	Name	Address
President	Sue WALSH	160 Clarence St, Sydney 2000
Secretary	John CAHILL	160 Clarence St, Sydney 2000
Assistant Secretary	Steve TURNER	160 Clarence St Sydney 2000
Assistant Secretary	Shane O'BRIEN	160 Clarence St, Sydney 2000
Assistant Secretary Sub-Branch No. 1	Ron DAVIS	C/- SAS & FSS Trustee Corp, Level 17, 83 Clarence St, Sydney 2000
Vice President	Rex DRUMMOND	C/- 160 Clarence St SYDNEY 2000
Vice President	Adrienne HARRIS	C/- University of NSW KENSINGTON 2052
Vice President	Chris WETHERALL	DPI, Locked Bag 21 ORANGE 2800
Branch Councillor	Greg DELPRADO	C/- PSA House, 160 Clarence St, Sydney 2000
Branch Councillor	Margaret McLOUGHLIN- FULLICK	TAFE Hunter Institute Maitland Rd TIGHES HILL 2297
Branch Councillor	Jessie CHOY	C/- Health Care Complaints Commission, Level 13, 323 Castlereagh St, Sydney 2000
Branch Councillor	Jeff WALTERS	Newcastle Courthouse Church St NEWCASTLE 2300
Branch Councillor	Anthony HOWEN	C/- 160 Clarence St SYDNEY 2000
Branch Councillor	Christine JONES	160 Clarence St SYDNEY 2000
Branch Councillor	Kaye HIDDLESTONE	160 Clarence St SYDNEY 2000

Office Held	Name	Address
Branch Councillor	Leon PARISSI	C/- TAFECOM, SIT Library, Building D, Mary-Ann St, Ultimo 2007
Branch Councillor	Bruce WADDINGTON	Dept of Lands 10 Valentine Ave PARRAMATTA 2150
Branch Councillor	Brian WEBB	C/- University of Wollongong, P O box 1144, Wollongong 2500
Branch Councillor Sub-Branch No. 1	– Gavin BARTIER	Dept of Lands 1 Prince Albert Rd Queens Square SYDNEY 2000.
Branch Councillor Sub-Branch No. 1	– Mark GORDON	C/- P O Box 240, NSW 2124
Branch Councillor Sub-Branch No. 1	– David GRIFFIN	C/- Veterinary Pathology, University of Sydney NSW 2006

[090V-NSWS: Incorporates alterations of 14/10/2005] [R2005/304]
(replaces rulebook dated 1/7/1994)

I CERTIFY under section 207 of the
Workplace Relations Act 1996 that the pages herein
numbered 1 to 20 both inclusive contain a true and
correct copy of the registered rules of the
CPSU, the Community and Public Sector Union;
Chapter C - SPSF Group New South Wales Branch Rules

DEPUTY INDUSTRIAL REGISTRAR

[IMPORTANT: Enquiries about these rules or other rules
relating to this organisation which are currently in
force may be directed to any registry of the Australian
Industrial Registry.]

Contents

Rules of the
CPSU, the Community and Public Sector Union
Chapter C - SPSF Group New South Wales Branch
Contents

RULES OF THE CPSU, SPSF GROUP NSW BRANCH..... 1

1 - NAME..... 1

2 - REGISTERED OFFICE..... 1

3 - INTERPRETATION..... 1

4 - ADMISSION TO MEMBERSHIP 2

5 - CONSTITUTION OF BRANCH COUNCIL 2

6 - BRANCH OFFICERS 3

7 - QUORUM OF BRANCH EXECUTIVE..... 4

8 - BRANCH FUND 4

9 - POSTAL BALLOT OF BRANCH EXECUTIVE AND BRANCH COUNCIL..... 4

10 - GENERAL AND SPECIAL MEETINGS 5

11 - INDUSTRY AND ADVISORY BODIES 5

12 - LOCAL REPRESENTATIVES..... 6

13 - BRANCH ASSOCIATES 7

14 - ELECTION OF BRANCH OFFICERS AND DELEGATES TO BRANCH COUNCIL..... 8

15 - SENIORITY OF VICE-PRESIDENTS 9

16 - ELECTION OF DELEGATES TO FEDERAL COUNCIL 10

17 - SPECIAL TRANSITIONAL RULE..... 10

18 - NAME OF SUB-BRANCH..... 10

19 - ELIGIBILITY FOR MEMBERSHIP OF SUB-BRANCH 10

20 - SPECIAL TRANSITIONAL RULE..... 10

21 - SUBSCRIPTIONS 11

22 - APPLICATIONS FOR MEMBERSHIP..... 11

23 - DUTIES OF THE SUB-BRANCH SECRETARY..... 11

24 - MEETINGS OF FEDERAL EXECUTIVE 12

25 - DUTY OF BRANCH COUNCILLORS 12

26 - SUB-BRANCH COUNCIL..... 12

27 - ELECTION OF COUNCIL 12

28 - POWERS OF COUNCIL..... 13

29 - ELECTION AND APPOINTMENT OF SUB-BRANCH OFFICERS 13

30 - EXECUTIVE..... 13

31 - PRESIDENT 14

32 - VICE PRESIDENTS..... 14

33 - MEETINGS OF COUNCIL..... 14

34 - MEETINGS OF THE SUB-BRANCH..... 15

35 - PLEBISCITE 16

36 - ORDER OF BUSINESS 17

37 - STANDING ORDERS..... 19

3 - INTERPRETATION

RULES OF THE CPSU, SPSF GROUP NSW BRANCH

PART A

RULES FOR THE OPERATION OF THE BRANCH AS A WHOLE

1 - NAME

The name of the Branch shall be the CPSU, the Community and Public Sector Union SPSF Group, New South Wales Branch, in these Rules called "the Branch".

2 - REGISTERED OFFICE

The office of the Branch shall be 160 Clarence Street, Sydney or such other address as the Branch Council shall from time to time resolve, and the records of the Branch shall be kept at such Branch, provided that the records of the "NSW Sub-Branch No.1" hereafter referred to as "the Sub-Branch" established by these Rules shall be kept at the specified premises for which permission is granted by the Registrar pursuant to Section 268(8) of the Industrial Relations Act 1988, which at the date of adoption of this rule shall be at the 4th Floor, 160 Clarence Street, Sydney.

3 - INTERPRETATION

A. Unless the context otherwise requires:

- (i) "Act means the Industrial Relations Act 1988, as amended;
- (ii) "Regulations" mean the Regulations made under the Act;
- (iii) the singular includes the plural and visa versa;
- (iv) the masculine includes the feminine and vice versa.

B. These Rules shall be read subject to the provisions of the Act and the Regulations such that:

- (i) unless the context otherwise requires every rule or part thereof shall be read as limited by the provisions of the Act and Regulations; and
- (ii) any rule or part thereof which cannot be so read shall be deemed to be severable from the balance of the rule or rules.

C. "Associated Body" shall mean:

- * The Public Service Association of New South Wales ("the PSA")
- * Professional Officers' Association of NSW ("the POA").

D. Where any of these Rules confer a duty the rule or rules concerned shall also be interpreted as conferring a power to perform the duty upon the officer, person or body specified as having that duty.

E. A member who works in Higher Education shall mean a member employed in or by a University, College of Advanced Education, a Department of Technical and Further Education, a College or Institute of Technical and Further Education or are employed in or by any department, or part of a department or by any employer which a resolution of the Branch Council declared to be a Higher Education Body.

5 - CONSTITUTION OF BRANCH COUNCIL

- F. A member who works in Health shall mean a member employed in or by a public hospital, private hospital or other private health service, nursing home, public dental clinic, area health service or community health service or facility providing ancillary patient services as determined by Branch Council, or are employed in or by any department, or part of a department or by any employer which a resolution of the Branch Council declares to be a Health Services Body.
- G. A member who works in School Education shall mean a member employed in the Department of School Education or by the Director-General of School Education or are employed in or by any department, or part of a department or by any employer which a resolution of the Branch Council declares to be a School Education Body.
- H. Unless otherwise expressly indicated reference in these Rules to a Branch Councillor shall include both Branch Officers and Delegates to Branch Council.
- I. "CPSU" and/or "the Union" shall mean "CPSU, the Community and Public Sector Union".
- J. "the Group" shall mean the CPSU SPSF Group.
- K. "the Federal Rules" shall mean the rules of the Group as contained in Chapters A or C of the rules of CPSU and as amended.

4 - ADMISSION TO MEMBERSHIP

The date of admission to membership of the Union and the Branch pursuant to Rule 6G(i) of Chapter C of the Federal rules shall be the date of receipt of the member's application at the office of the Branch, or at the specified premises of the Sub-Branch, as the case may be.

5 - CONSTITUTION OF BRANCH COUNCIL

- A. Branch Council shall consist of:
 - (i) the Branch Officers;
 - (ii) ten Delegates to the Branch Council who are Branch members not allocated to the Sub-Branch; and
 - (iii) three Branch Councillors who are Branch members allocated to the Sub-Branch.
- B. In relation to the Delegates to the Branch Council who are Branch members not allocated to the Sub-Branch:
 - (i) There shall be a number of positions of Delegate reserved for members who work in Higher Education, for members who work in School Education and for members who work in Health. Each of the numbers of reserved positions shall be calculated by multiplying twice the number of financial members in the class concerned by the number of Delegates to the Branch Council who do not represent the Sub-Branch and dividing the result by three times the number of financial members in the Branch who are not allocated to the Sub-Branch.

6 - BRANCH OFFICERS

- (ii) A number of positions of Delegate to Branch Council shall be reserved for women and a number reserved for men. Each of the numbers of reserved positions shall be calculated by multiplying twice the number of financial members who are not allocated to the Sub-Branch who are women or men, as the case may be, by the number of Delegates to the Branch Council who do not represent the Sub-Branch and dividing the result by three times the number of financial members in the Branch who are not allocated to the Sub-Branch.
 - (iii) In any of the above calculations any fractional remainder shall be disregarded. If the result of the calculation is zero then the number of reserved positions shall be one.
 - (iv) If in any election the number of members nominated from any of the classes for which a position is reserved is less than its number of reserved positions then for the purpose of that election the number of reserved positions shall be equal to the number of members nominated from the class.
- C. In relation to the Delegates to the Branch Council who are Branch members allocated to the Sub-branch the election of those Delegates to the Branch Council from the members of the Sub-Branch shall be by and from one electorate consisting of financial members of the Sub-Branch.
- D. In this rule a reference to "financial members" is a reference to financial members as at 31st December in the year preceding an election.
- E. The Branch Secretary may as soon as practicable after the 31st December in each year but no later than the 28th February of the next year provide to a meeting of the Branch Council a report on membership as at the 31st December of that year showing the number of financial members in the Branch and in each class of member relevant to determining any matter under this rule. If such report is provided it shall be conclusive that the number of financial members and their disposition is as stated therein.
- F. The disposition of financial members into a class of members relevant to determining any matter under this rule shall be determined by the Branch Secretary by reference to the membership and subscription records held by the Branch or the Associated Bodies as the case may be. The membership and subscription records are deemed to be conclusive as to the disposition of financial members. Where a member may be in more than one class of members relevant to determining any matter under this rule the Branch Secretary shall determine the disposition of the member.
- G. At every meeting of the Branch Council the quorum necessary for the transaction of any business of the Branch Council shall be eight, including six Delegates who are Branch members not allocated to the Sub-Branch, and two Delegates who are Branch members allocated to the Sub-Branch in relation to any business before the Branch Council raised by or relating to the affairs of the Sub-Branch.

6 - BRANCH OFFICERS

The Branch Officers shall be the Branch Executive and shall comprise:

- (i) the Branch President;
- (ii) three Branch Vice Presidents;

9 - POSTAL BALLOT OF BRANCH EXECUTIVE AND BRANCH COUNCIL

- (iii) the Branch Secretary;
- (iv) two Branch Assistant Secretaries who are elected by Branch members not allocated to the Sub-Branch; and
- (v) one Branch Assistant Secretary who shall be known as "Branch Assistant Secretary Sub-Branch No.1" and who is elected by Branch members allocated to the Sub-Branch.

7 - QUORUM OF BRANCH EXECUTIVE

At every meeting of the Branch Executive the quorum necessary for the transaction of the business of the Branch Executive shall be four, provided that no business specifically relating to the affairs or operation of the Sub-Branch shall be transacted unless the said quorum includes the Branch Assistant Secretary Sub-Branch No.1.

8 - BRANCH FUND

- A. Branch Council or Branch Executive may by resolution from time to time authorise the disbursement of moneys standing to the credit of the Branch Fund for the achievement of the objects of the Branch and for its administration.
- B. Subject to Sub-Rule (D) hereof any two members of the Branch Executive may sign cheques on behalf of the Branch provided that the Branch Secretary, or in his absence, a Branch Assistant Secretary shall always be one signatory of any such cheque.
- C. For the purposes of the general administration of the Branch, including payment of salaries, honoraria, remittance of monies due to the Federal Fund, travelling expenses, payroll deductions, Federal and State taxes, rates, rent, interest on loans, accounts for stationery, printing, hire of premises for meetings, legal costs and disbursements, transcript, telephone telegraph telex and postal services and expenses of like kind reasonably incidental to the general administration of the Branch, the prior authority of Branch Council or Branch Executive shall not be necessary before such cheques are signed or accounts paid.
- D. Disbursement of monies of the Branch relating solely to the operations of the Sub-Branch shall be made by cheques signed on behalf of the Branch by the Branch Assistant Secretary Sub-Branch No.1 in lieu of the Branch Secretary and one other member of the Branch Executive including the Branch Secretary.

9 - POSTAL BALLOT OF BRANCH EXECUTIVE AND BRANCH COUNCIL

Any decision required to be made by Branch Executive or Branch Council may be made by post and any decision so made shall be valid and effectual for all purposes as if that decision had been made by Branch Executive or Branch Council (as the case may be) in meeting assembled provided that:

- (i) Every member of the Branch Executive or Branch Council (as the case may be) is forwarded by pre-paid registered post or by electronic facsimile transmission a copy of the question upon which that member's vote is required; and
- (ii) Not less than 50% of those entitled to vote thereon do exercise a vote within the time appointed by the Branch Secretary in forwarding the question upon which the member's votes are required.

11 - INDUSTRY AND ADVISORY BODIES

10 - GENERAL AND SPECIAL MEETINGS

- A. The Branch Council or Branch Executive may convene General Meetings of members of the Branch by resolution specifying the motions to be considered and the date of the meetings.
- B. Not less than five percent of members of the Branch may by signing a requisition or requisitions in common form, require that special meetings of members of the Branch be held to consider motions specified in the requisition or requisitions. Such special meetings shall be so convened as to be held within twenty-eight days of the date when the requisitions are received by the Branch President or other Branch Officer. The decision of such special meetings shall, subject to these rules, be performed or observed by Branch Council and Branch Executive.
- C. When General or Special Meetings are to be held pursuant to sub-rule (A) or (B) of this rule, meetings shall be held in Sydney, and in such other places as the Branch Council or Branch Executive determines.
- D. At least seven days notice of the meetings shall be given by advertisement in at least one Sydney metropolitan daily newspaper and at least one local newspaper, or the metropolitan daily newspaper, circulating in each town in which a meeting is to be held, and by circular to local representatives and assistant local representatives, specifying the date, time and place of the meeting and the terms of the motions to be considered.
- E. Meetings shall be chaired by the Branch President or a delegate of the President. The Chairperson of each meeting shall bring to the attention of the meeting any reports provided by the Branch Executive or the Branch Secretary.
- F. Each motion shall be put to each meeting in the form notified without amendment. Each vote shall be taken by a count and the numbers of members voting for and against each motion shall be recorded.
- G. At the conclusion of each meeting, the Chairperson shall notify the Branch Secretary by telex or electronic facsimile transmission of the numbers of members recorded as voting for and against each motion. The numbers shall be tallied by the Branch Secretary and the total vote so arrived at shall determine each motion, provided that no resolution shall be carried in this manner unless at least five percent of the financial members of the branch have attended and voted.
- H. Each motion and recommendation to be considered by meetings held under this rule shall specifically define any action to be taken by the Branch or its members if the motion is adopted.

11 - INDUSTRY AND ADVISORY BODIES

- A. The Branch Council or the Branch Executive may establish an Industry or Advisory Body for any class or group of members.
- B. The functions of each Industry and Advisory Body shall be to enquire into, consider and report to and advise the Branch upon matters of concern to the particular class or group of members, and to exercise such other functions as may be delegated to it by the Branch Council, or the Branch Executive. No such Body shall exercise any functions of management required by the Act to be performed by a body comprising person holding offices in the Group.

12 - LOCAL REPRESENTATIVES

- C. Industry and Advisory Bodies shall be subject to decisions of the Branch Council, Branch Executive and General Meetings and shall comply with any directions given to them by the Branch Executive or Branch Council.
- D. The Branch Council may make by-laws not inconsistent with these Rules to regulate the constitution, powers, duration, terms of appointment, business, meetings and conferences of Industry and Advisory Bodies either generally or in any particular case. Subject to any such by-laws the Branch Executive may give such directions as it thinks expedient to provide for the management of Industry and Advisory Bodies.
- E. Where any general committee is established in an Industry or Advisory Body the Branch Council or Branch Executive shall make such provisions as are appropriate, having regard to the composition of the Body, to ensure reasonable representation of both women and men on the committee, and shall take as a general guide the provisions regarding reserved positions on the Branch Council.
- F. Each such Body shall exercise the functions of any Advisory Body under this rule. Their constitution, powers, duration, terms of appointment, business, meetings and conferences shall continue to operate in the manner provided in any rules or by-laws of or applying to the body concerned until Branch Council or the Branch Executive makes alternative provisions.

12 - LOCAL REPRESENTATIVES

- A. The Branch Executive or in the case of members attached to the Sub-Branch, Sub-Branch Council may appoint local representatives in particular defined localities whose duties in respect of that locality shall be:
 - (i) At the request of the Branch Council or Sub-Branch Council, or Branch Executive to inform members employed in the locality of the activities of the Union.
 - (ii) To inform the Branch Council and Branch Executive through the Branch Secretary or Sub-Branch Council through the Branch Assistant Secretary, Sub-Branch No.1, as the case may be, of matters affecting the industrial interests and welfare of members employed in the locality.
 - (iii) As required by the Branch Council or Branch Executive or Sub-Branch Council or under these Rules to arrange in the locality meetings of members employed in the locality or other meetings of members.
- B. The Branch Executive or Sub-Branch Council may appoint deputy local representatives to assist local representatives in the performance of their duties and to act in their place in their absence.
- C. The Branch Executive or Sub-Branch Council may appoint assistant local representatives to assist local representatives in the performance of their duties in respect of particular defined areas within their locality.
- D. The Branch Executive or Sub-Branch Council may appoint persons to act as local representative, deputy or assistant local representative where there is a temporary vacancy in such position or the person appointed is temporarily unable to perform his or her duties.

13 - BRANCH ASSOCIATES

- E. A city, town or other place shall be designated by the Branch Executive or Sub-Branch Council for each locality and each area within a locality for which a local representative or assistant local representative is appointed as the headquarters of the local representative or assistant local representative.
- F. Any appointment of local representative, deputy local representative or assistant local representative shall have effect until:
- (i) the appointee dies or resigns the appointment by notice in writing to the Branch Secretary or Branch Assistant Secretary Sub-Branch No.1, as the case may be;
 - (ii) the Branch Executive or Sub-Branch Council appoints another person in place of the appointee; or
 - (iii) the Branch Executive or Sub-Branch Council varies or abolishes the definition of the locality or area.
- G. No local representative, deputy local representative or assistant local representative shall exercise any functions of management required by the Act to be performed by persons holding offices in the Union.

13 - BRANCH ASSOCIATES

- A. The following person shall be entitled to be admitted as Associates of the Branch if not eligible for membership of the Group but who are:
- (i) retired persons who prior to retirement were members of the Branch; or
 - (ii) widows or widowers of persons who prior to retirement or death were members or Associates of the Branch; or
 - (iii) trainee or cadet officers; or
 - (iv) persons admitted as Associate members of an Associated Body before the second of July, 1974; or
 - (v) persons not otherwise eligible to be enrolled as an Associate who were, prior to their retirement, financial members of an association or Union affiliated with the Combined Public Service Unions; or
 - (vi) students attending any recognised university or other tertiary institution and engaged in a course of study which would, upon its successful completion, render the student suitable for employment in any of the professions, callings or avocations followed by members of the Group; or
 - (vii) person eligible to be an Associate of an Associated Body.
- B. The Branch Council shall have power to:
- (i) fix and collect enrolment fees and subscriptions for Associates;
 - (ii) determine the conditions under which a person shall cease to be an Associate;
 - (iii) organise groups and committees of Associates, and provide administrative and financial support for their activities;

14 - ELECTION OF BRANCH OFFICERS AND DELEGATES TO BRANCH COUNCIL

- (iv) provide for the participation of Associates in Provident or welfare Funds or other activities of or supported by the Branch;
- (v) provide for the participation in activities of Associates (including groups or committees) of financial members of the Branch who are also persons of one of the kind described in the preceding paragraphs.
- (vi) provide for the participation of the Retired Associates Body in the activities of other retiree groups and for affiliation with appropriate Councils and organisations which seek to promote the welfare of pensioners, superannuants and senior citizens.

C. Enrolment as an Associate shall not entitle a person to any of the rights of membership.

14 - ELECTION OF BRANCH OFFICERS AND DELEGATES TO BRANCH COUNCIL

A. The Branch shall elect a Branch Secretary four-yearly by secret postal ballot of the whole of the financial membership of the Branch. The persons eligible to accept nomination shall be:

- (i) all financial members of the Branch;
- (ii) the General Secretary, Assistant General Secretary and the elected members of the Executive of an Associated Body;
- (iii) employees of the Branch of the Group; and
- (iv) employees of an Associated Body.

B. The Branch shall elect three Branch Assistant Secretaries four-yearly by secret postal ballot two of whom shall be elected by the financial membership of the Branch not allocated to the Sub-Branch and the Branch Assistant Secretary Sub-Branch No.1 who shall be elected by the financial membership allocated to the Sub-Branch.

- (i) The persons eligible to accept nomination for election as Branch Assistant Secretary elected by members not allocated to the Sub-Branch shall be:
 - (a) all financial members of the Branch not allocated to the Sub-Branch;
 - (b) the General Secretary, Assistant General Secretaries and the elected members of the Executive of the PSA;
 - (c) employees of the Branch of the Group not working in or for the Sub-Branch; and
 - (d) employees of the PSA.
- (ii) The persons eligible to accept nomination for election as Branch Assistant Secretary Sub-Branch No.1 shall be:
 - (a) all financial members of the Branch allocated to the Sub-Branch;
 - (b) the Secretary, Assistant Secretary and the elected members of the Executive of the POA;

15 - SENIORITY OF VICE-PRESIDENTS

- (c) employees of the Branch of the Group working in or for the Sub-Branch; and
 - (d) employees of the POA.
- C. This Branch shall elect a Branch President and three Branch Vice-Presidents four yearly by secret postal ballot of the whole of the financial membership of the Branch. The persons eligible to accept nomination shall be:
- (i) all financial members of the Branch; and
 - (ii) the General Secretary, Assistant Secretaries and the elected members of the Executive of an Associated Body.
- D. The Branch shall elect ten Delegates to Branch Council being members not allocated to the Sub-Branch four yearly by secret postal ballot of the financial membership not allocated to the Sub-Branch. The persons eligible to accept nomination shall be:
- (i) all financial members of the Branch not allocated to the Sub-Branch; and
 - (ii) the General Secretary, Assistant General Secretaries and the elected members of the Executive of the PSA.
- E. The Branch shall elect three Delegates to Branch Council being members allocated to the Sub-Branch four yearly by secret postal ballot of the financial membership of the Branch allocated to the Sub-Branch. The persons eligible to accept nomination shall be:
- (i) all financial members of the Branch allocated to the Sub-Branch; and
 - (ii) the Secretary, Assistant Secretary and the elected members of the Executive of the POA.
- F. Nominations shall be in writing and shall be signed by the person accepting nomination and two members of the Branch proposing them (provided that in the case of elections held pursuant to sub-rules B, D and E of this rule the two nominators shall be members allocated to the portion of the Branch membership to which that election is confined) and specifying the office or offices for which they are being nominated.

15 - SENIORITY OF VICE-PRESIDENTS

Where there has been a ballot conducted for the election of persons to the offices of Vice-President the order of seniority of the Vice-Presidents shall be the order of their election. Where no ballot was required the order of seniority of the Vice-Presidents shall be fixed by agreement between the Vice-Presidents, advised in writing to the President or the chair of a Branch Council Meeting. If no agreement has been received by the time the first meeting of the Branch Council after the election is due to close the Branch Council may determine the order. If an election is declared between Branch Council Meetings and no agreement is advised to the President within one month of its completion the Branch Council may determine the order by postal ballot. The most senior Vice-President shall be known as the Senior Vice-President.

20 - SPECIAL TRANSITIONAL RULE

16 - ELECTION OF DELEGATES TO FEDERAL COUNCIL

The Delegates to Federal Council elected by the Branch pursuant to Rule 54B of Chapter C of the Federal rules shall include one Delegate elected by and from the members of Branch Council who have been elected by members allocated to the Sub-Branch.

17 - SPECIAL TRANSITIONAL RULE

- A. Elections shall be held in 1993 for the offices of the Branch pursuant to sub-rule B of rule 64 of Chapter C of the Federal rules and the persons then elected shall hold office until the election of their successors in 1996. There shall be no election held in 1994.
- B. The Branch Executive shall act promptly to alter, rescind or add to these Rules to the extent necessary to comply with the requirements of the Industrial Registrar or Federal Council.

PART B

RULES FOR THE OPERATION OF THE SUB-BRANCH

18 - NAME OF SUB-BRANCH

There shall be established a special Sub-Branch to be known as the SPSF Group NSW Sub-Branch No.1.

19 - ELIGIBILITY FOR MEMBERSHIP OF SUB-BRANCH

Subject to rule 62B(i) of Chapter C of the Federal rules the persons who are members, or who are eligible to be members of the Sub-Branch shall be those persons who:

- (i) at the date of amalgamation between The State Public Services Federation and The Professional Officers' (State Public Services and Instrumentalities) Association (the "PO (SPS&I) A") were members of the New South Wales Branch of the PO (SPS&I) A and who, by the operation of Section 249 (3)(d) of the Industrial Relations Act 1988, from the date of the said amalgamation are members of the New South Wales Branch of the amalgamated organisation, The State Public Services Federation; or
- (ii) subsequent to the date of the said amalgamation are eligible for membership of and apply to join the Branch and who are also at the time of such application members of the POA.

20 - SPECIAL TRANSITIONAL RULE

- A. Pursuant to Rule 62 of Chapter C of the Federal rules the rules in this part of these Rules shall apply notwithstanding anything in these Rules or Chapter C of the Federal Rules to the contrary.
- B. The Branch Council shall have no power to amend rescind or otherwise alter these Rules as they affect the operation of the Sub-Branch or the rights of members allocated to the Sub-Branch insofar as any amendment or other alteration might adversely affect the operation of the Sub-Branch or the rights of members allocated to the Sub-Branch except in the following circumstances;
 - (i) the arrangements with respect to the relationship between the Branch and the Sub-Branch as provided in this part of these Rules shall continue to operate until 31 December, 1994 or until the time of the determination provided for in sub-paragraph (iii) hereunder whichever is the later;

23 - DUTIES OF THE SUB-BRANCH SECRETARY

- (ii) between 1 January, 1994 and 31 December, 1994 the officers and members of Branch Council not allocated to the Sub-Branch will enter into negotiations with the officers and members of Branch Council allocated to the Sub-Branch in order to determine arrangements as to the overall structure of the Branch to operate from 1 January, 1995 so that these Rules may be amended to reflect that structure pursuant to the power vested in Branch Council by Rule 13 (i) of Chapter C of the Federal rules; and
- (iii) in the event that agreement is not reached between members of Branch Council in the negotiations referred to in sub-paragraph (ii) above the arrangements provided in this part of these Rules shall continue to operate until they are reviewed, and any new arrangements to operate in the future are determined by Federal Council whereupon Federal Council may instruct the Branch to make such alterations to these Rules as are so determine by Federal Council.

21 - SUBSCRIPTIONS

The provisions of Rule 44B of Chapter C of the Federal rules shall apply, and during the currency of an agreement between the Union and the POA providing for the payment of the monies due to the Union any member of the Sub-Branch who pays subscriptions to the POA in an amount equivalent to or greater than the amount payable by such members as entrance fees, subscriptions, levies and other fees to the Union under Chapter C of the Federal rules shall be and be deemed to be for all purposes of Chapter C of the Federal rules and these Rules, a financial member of the Union.

22 - APPLICATIONS FOR MEMBERSHIP

A candidate for membership of the Branch who is a person eligible to be a member of the Sub-Branch shall apply to the Branch by supplying the information required by Chapter C of the Federal rules to the Branch Assistant Secretary Sub-Branch No.1 (who shall hereafter be referred to as "the Sub-Branch Secretary").

23 - DUTIES OF THE SUB-BRANCH SECRETARY

- A. The Sub-Branch Secretary shall, subject to these Rules, perform mutatis mutandis, the duties of Branch Secretary in relation to the Sub-Branch.
- B. The entrance fees and subscriptions payable by members eligible to be members of the Sub-Branch shall be paid to the Sub-Branch Secretary who shall receive and deal with such monies at all times in accordance with Chapter C of the Federal rules and shall forthwith forward such monies to the Branch Secretary.
- C. The Sub-Branch membership, register and records relating to persons eligible for membership of the Sub-Branch shall be controlled and maintained by the Sub-Branch Secretary.
- D. Notice in writing of resignation by a member eligible to be a member of the Sub-Branch shall be addressed to the Sub-Branch Secretary and shall be delivered or posted to 4th Floor, 160 Clarence Street, Sydney or such other office of the Sub-Branch as may be subsequently notified to the Branch Council by the Sub-Branch Secretary and approved by the Federal Industrial Registrar, and the Sub-Branch Secretary shall supply a list of such resignations each month to the Branch Secretary.

27 - ELECTION OF COUNCIL

- E. The duties of the Sub-Branch Secretary shall also include:
- (i) Where the Branch Secretary requires membership information to comply with paragraph (ix) of Rule 23 of Chapter C of the Federal rules the Sub-Branch Secretary shall supply the required information upon request to do so.
 - (ii) The register and records relating to members allocated to the Sub-Branch shall be made available to the Branch Returning Officer or the Federal Returning Officer or other persons designated in the Industrial Relations Act 1988 as having the responsibility of conducting elections for the purpose of conducting ballots upon written request from such officer or person.
 - (iii) Responsibility for the recruitment of persons who would ordinarily be eligible for membership of the Sub-Branch.

24 - MEETINGS OF FEDERAL EXECUTIVE

In the event that the Branch Representatives on Federal Executive do not include one member from the Sub-Branch the Sub-Branch shall be entitled to nominate one participating but not voting observer of meetings of Federal Executive, the costs of such observer to be borne by the Federal Fund on the same basis as for Branch Representatives on Federal Executive for so long as Federal Council has by resolution agreed that such costs should be disbursed from the Federal Fund.

25 - DUTY OF BRANCH COUNCILLORS

For the purpose of these Rules it shall be the duty of a Branch Councillor elected by and from members allocated to the Sub-Branch to vote or exercise the functions of a Branch Councillor in a manner that is consistent with a direction by the Sub-Branch Council in relation to matters dealt with by the Branch Council or Branch Executive.

26 - SUB-BRANCH COUNCIL

Subject to Chapter C of the Federal rules and these Rules relating to the operation of the Branch as a whole, including the Sub-Branch, the operation and affairs of the Sub-Branch shall be governed by a Council (hereafter referred to as "Council") consisting of the Sub-Branch Secretary and 50 representatives elected by and from the whole of the financial membership of the Sub-Branch.

Those persons who are financial members of the Group allocated to the Sub-Branch and eligible to accept nomination for other officers within the Group in accordance with Federal Rule 57E of Chapter C, shall be eligible to accept nomination as a representative on the Sub-Branch Council.

27 - ELECTION OF COUNCIL

- A. Members of Council shall be elected four yearly in the same manner as and in accordance with the provisions of Chapter C of the Federal rules and these Rules relating to the election to an office within the Group, provided that elections shall be held in 1993 at the same time as elections are being conducted for the Branch as a whole and the persons then elected shall hold office until the election of their successors in 1996.

30 - EXECUTIVE

- B. Upon the date of operation of these Rules Council shall comprise those persons who are at that date members of the Council of the POA and those persons shall hold office until the election of their successors in the elections in 1993 required by sub-rule A of this rule.

28 - POWERS OF COUNCIL

- A. In addition to the specific powers conferred on Council by the provisions of these Rules, and subject only to the control and direction of members of the Sub-Branch in general meeting assembled and the powers of the National Officers Committee, Federal Council and Federal Executive in Chapter C of the Federal rules and Branch Council or Branch Executive in these Rules the Council shall be charged with and be responsible for the general administration, management and control of the affairs of the Sub-Branch and do or authorise all acts reasonably necessary to foster the interests of the Sub-Branch and to protect and further the interests of the Sub-Branch and its members.
- B. Council may from time to time constitute committees or sub-committees which shall perform or discharge such duties and functions as Council may direct or delegate, provided that no such committee or sub-committee shall exercise any of the functions of management required by the Act to be performed by a body comprising persons holding offices in the Union.
- C. Council may establish Advisory Bodies of the Sub-Branch which shall consist of members grouped according to their locations and or vocations and may from time to time alter, vary or abolish any Advisory Group, provided that no such Advisory Body may perform any of the functions of management of the Sub-Branch.
- D. Council may convene a conference of delegates of members at any time. The business of Sub-Branch conference and the method of selection of delegates thereto shall be determined by Council. Resolutions of conference shall be recommendations and not directions to Council.
- E. Pursuant to the power given to it by rule 12 of these Rules, Council authorises the Sub-Branch Secretary to appoint, on the advice of a Councillor and/or an Advisory Body, representatives to act on behalf of the Sub-Branch in workplaces as required to further the interests of the Sub-Branch provided that no such representative may perform any of the functions of management of the Sub-Branch.

**29 - ELECTION AND APPOINTMENT OF SUB-BRANCH OFFICERS
(OTHER THAN SUB-BRANCH SECRETARY)**

Following the Annual General Meeting in any year, Council shall elect the Sub-Branch President, Senior Vice-President, Junior Vice-President, and five Executive members of the Sub-Branch by secret ballot by and from members of Council in accordance with the rules relating to the election of persons to offices within the Group. Any vacancy that occurs in relation to these offices shall be filled in accordance with the provisions of rule 56 of Chapter C of the Federal rules mutatis mutandis, by Council.

30 - EXECUTIVE

- A. The Sub-Branch Officers including the Sub-Branch Secretary shall comprise the Sub-Branch Executive, which shall, between meetings of Council, supervise the business of the Sub-Branch.

33 - MEETINGS OF COUNCIL

- B. The Executive shall:
- (i) Deal with matters which cannot reasonably or practicably be deferred until the next meeting of Council.
 - (ii) Carry out such functions as Council may, from time to time, delegate to it.
- C. All decisions of the Executive shall be subject to endorsement by Council.
- D. Meetings of the Executive shall be convened by the President at such times and places as the President considers expedient.
- E. Four members of the Executive shall constitute a quorum.

31 - PRESIDENT

The President shall:

- A. Be Chairperson at all meetings of the Sub-Branch or Council or Executive at which the President is present.
- B. Be an ex officio member of all committees and sub-committees constituted by the Sub-Branch or by Council.
- C. Superintend the discussion of all business tabled for consideration at such meetings.
- D. Enforce the Rules and Standing Orders of the Sub-Branch and preserve good order among the members present.
- E. Possess a deliberative and, in the case of equality, possess and exercise a casting vote.
- F. Sign the Minutes of the proceedings of meetings when adopted by subsequent meetings.

32 - VICE PRESIDENTS

Two Vice-Presidents shall be elected by separate elections, one of whom shall be the Senior Vice-President.

The Vice-Presidents shall assist the President in the duties of that Office, and in the absence of the President, the Council or general meeting assembled shall elect the Senior Vice-President to be the chair. In the absence also of the Senior Vice-President, the remaining Vice-President shall be elected as the chair.

If the President and both Vice-Presidents are absent from a meeting of the Sub-Branch or a meeting of Council, the chair shall be occupied by the Sub-Branch Secretary who shall call for nominations for the position of Acting Chairperson for that Meeting. The members present shall thereupon elect one of their number to act as Chair for that Meeting.

33 - MEETINGS OF COUNCIL

- A. The Sub-Branch Secretary shall within fourteen days after the Annual General Meeting, convene the first meeting of Council.

34 - MEETINGS OF THE SUB-BRANCH

- B. Thereafter, Council shall as far as practicable meet at least once during each calendar month on a regular day and at such time and place as a majority of members of Council shall determine.
- C. Council may from time to time by resolution vary the day, place or time of such meeting.
- D. Special meetings of Council may be convened at any time by:
 - (i) The Council, or
 - (ii) The President, or
 - (iii) Upon seven days' notice by the Sub-Branch Secretary at the written requisition of fifteen Councillors.
- E. Twenty Councillors shall constitute a quorum. Should a quorum be not present within thirty minutes of the time appointed, or at any time during the meeting, such meeting shall be deemed postponed to such date as the Chairperson shall determine. If, after thirty minutes of the time allotted by the Chairperson for such meeting, a quorum be not present, the Councillors present shall be deemed a quorum and the postponed meeting shall thereafter be deemed competent to transact any business for which the postponed meeting was convened.
- F. Resolutions at any meeting of Council shall be carried by a majority of votes.
- G. A resolution passed at any meeting of the Council shall not be rescinded or recommitted at such meeting except by a majority of not less than two-thirds of the Councillors present.
- H. A resolution passed at any meeting of the Council shall not be rescinded at any subsequent meeting unless notice of intention to move for such rescission shall have been given in the notice convening such meeting. Notice in writing of the proposed rescission motion shall be given to the Sub-Branch Secretary at least fourteen days prior to the date of the further meeting of Council.

34 - MEETINGS OF THE SUB-BRANCH

- A. Meetings of the Sub-Branch shall be Annual General Meetings, General Meetings or Special General Meetings.
- B. The Annual General Meeting shall be held in the month of June in each year at such time and place as Council shall determine, provided that in 1993 the Annual General Meeting shall be held as soon as practicable after the date of operation of these Rules.
- C. Council may at any time by resolution convene a General Meeting of members specifying the matters to be considered at such meetings.
- D. A Special General Meeting shall be convened by the Sub-Branch Secretary on written requisition signed by not less than two hundred members of the Sub-Branch.
- E. A requisition for a Special General Meeting shall specify the matters to be considered by such meeting.
- F. The Sub-Branch Secretary shall convene a Special General Meeting within twenty-one days after the receipt of requisition therefor, signed by the requisite number of members.

35 - PLEBISCITE

- G. Every Meeting of the Sub-Branch shall be convened either by notice published in the official journal of the POA or by written notice to the members, either medium to be forwarded to reach their mailing address not later than seven days prior to such meeting, specifying the nature and purpose of such meeting.
- H. At Annual General Meetings and General Meetings, a quorum shall consist of fifty members; at Special General Meetings a quorum shall consist of one hundred members.
- I. If, within fifteen minutes after the time appointed for Annual General Meetings or General Meetings, a quorum of members be not present, the members present shall be deemed a quorum and the meeting shall thereafter be deemed competent to transact any business for which the meeting was convened.
- J. If, within thirty minutes after the time appointed for a Special General Meeting, a quorum of members be not present, such meeting shall lapse.
- K. A resolution carried at any Meeting in respect of matters specifically appearing on the Agenda of such meeting shall thereafter bind Council. Provided, however, that resolutions carried at an Annual General Meeting in the course of general business shall be recommendatory only.
- L. A resolution passed at any Meeting shall not be rescinded or recommitted at such meeting, except by a majority of not less than two-thirds of the members present.
- M. A resolution passed at any Meeting shall not be rescinded at any subsequent Meeting unless notice of intention to move for such rescission shall have been given in the notice convening such meeting.

35 - PLEBISCITE

- A. The opinions of members may from time to time be obtained by plebiscite on any matter arising under this part of these Rules or affecting the Sub-Branch or its members.
- B. A plebiscite shall be taken if:
- (i) Council so resolves, or
 - (ii) A General or Special General Meeting of the Sub-Branch so resolves, or
 - (iii) Upon receipt by Council of a petition signed by one-fifth of the members of the Sub-Branch requiring a plebiscite and specifying the issue to be determined.
- C. The issue to be determined by plebiscite shall be reduced to writing by direction of Council and forwarded to each member.
- D. Council shall fix a date being not earlier than fourteen days after the dispatch of voting papers to members, by which votes on a plebiscite shall be returned to the Sub-Branch Secretary.
- E. Council shall be bound by the result of any plebiscite.
- F. At the next Council Meeting after the close of voting, the Sub-Branch Secretary shall announce the result of the plebiscite and shall cause notice thereof to be published in the next issue of the official journal of the POA, or by notification to members, if Council so directs.

36 - ORDER OF BUSINESS

A. ANNUAL GENERAL MEETINGS

At every Annual General Meeting of the Sub-Branch the order of business shall be as follows:

- (i) Formal opening of meeting.
- (ii) Reading and confirmation of Minutes of the previous Annual General Meeting and any General or Special General Meetings held since that meeting.
- (iii) Apologies for absence.
- (iv) Receipt of the Sub-Branch Secretary's annual report, discussion thereon and adoption thereof.
- (v) Declaration by Returning Officer of election of Council for ensuing year.
- (vi) Motions of which notice has been given.
- (vii) General Business.
- (viii) Closure of meeting.

B. GENERAL MEETINGS

At every General Meeting of the Sub-Branch, the order of business shall be as follows:

- (i) Formal opening of meeting.
- (ii) Reading by the Sub-Branch Secretary of the notice convening the meeting, followed by any explanation thereon considered necessary by the Chairperson.
- (iii) Reading and confirmation of Minutes of previous meeting (where appropriate).
- (iv) Apologies for absence.
- (v) Consideration of the business for which the General Meeting has been convened.
- (vi) Closure of meeting.

C. SPECIAL GENERAL MEETING

At every Special General Meeting, the order the business shall be as follows:

- (i) Formal opening of meeting.
- (ii) Reading by the Sub-Branch Secretary of the notice convening the meeting, the requisition therefor and an affirmation by the Sub-Branch Secretary that such requisition has been signed by the requisite number of members in the terms of rule 34D of these Rules.
- (iii) Apologies for absence.
- (iv) Consideration of the business for which the Special General Meeting has been requisitioned.

36 - ORDER OF BUSINESS

- (v) Closure of meeting.

D. MEETING OF COUNCIL

At every regular monthly meeting of Council of the Sub-Branch, the order of business shall be as follows:

- (i) Formal opening of meeting.
- (ii) Apologies for absence.
- (iii) Reading and confirmation of Minutes of previous regular Council meeting and any Special Council Meetings held since that meeting.
- (iv) Filling of casual vacancies.
- (v) Reading of correspondence and ordering thereon.
- (vi) Consideration of Notices of Motion.
- (vii) Presentation of Reports.
- (viii) Matters placed on the business paper pursuant to a resolution of Council.
- (ix) General business.
- (x) Closure of meeting.

E. SPECIAL MEETINGS OF COUNCIL

At every special meeting of Council of the Sub-Branch, the order of business shall be as follows:

- (i) Formal opening of meeting.
- (ii) Apologies for absence.
- (iii) Announcement of purpose for which meeting is convened.
- (iv) Consideration of business for which meeting is convened.
- (v) Closure of meeting.

F. ADJOURNED MEETINGS OF THE SUB-BRANCH OR OF COUNCIL

Where by resolution a meeting of the Sub-Branch or of Council is adjourned, such meeting on resuming shall deal only with the uncompleted portion of the Agenda of the original meeting.

G. POSTPONED MEETINGS OF THE SUB-BRANCH OR OF COUNCIL

Where a meeting of the Sub-Branch or of Council is postponed, the original Agenda only shall be dealt with at the postponed meeting.

37 - STANDING ORDERS

The Standing Orders for meetings of the Sub-Branch or the Council shall be as follows:

- A. Notice of Motion shall be in writing signed by the proposer and shall reach the Sub-Branch Secretary at least seven days before a Council meeting, or six weeks before any other meeting.
- B. Unless otherwise decided by Council, all motions, notice of which has been given, shall be taken in the order in which they have been received by the Sub-Branch Secretary.
- C. In the absence of the proposer of a notice of motion such notice of motion shall lapse.
- D. A motion or amendment shall not be open to discussion until it has been seconded. All amendments shall be considered and put before the original motion.
- E. One amendment only shall be before the meeting for discussion at any one time but any member desirous or moving a further amendment may indicate an intention of moving such further amendment during the discussion of the amendment before the meeting.
- F. At all meetings, every member shall have one vote, except as elsewhere specifically provided in the case of the Chairperson. Voting by proxy shall not be permitted.
- G. At any meeting any resolution may be decided on the voices of the members present and voting but in the event of any dissent shall be decided upon a show of hands, unless the meeting resolves that a ballot be conducted.
- H. Except where otherwise provided to the contrary, all motions shall be carried by majority of members voting.
- I. Objection shall not be taken to the validity of any vote except at the meeting at which such vote is cast.
- J. A member may speak once only, and not for longer than three minutes on any question, except the mover of a resolution, who shall have five minutes to introduce the subject and three minutes for reply. Provided that a meeting may, by resolution (which shall be put without debate) extend the time allowed to a speaker.
- K. A member proposing a motion shall be held to have spoken thereon but a member seconding a motion without comment shall not be held to have spoken on it.
- L. Any member may rise to a point of order, whereupon the speaker shall be seated and the Chairperson shall forthwith determine the point of order. No discussion shall be permitted on the point of order and the Chairperson's decision subject to a motion of dissent shall be final. A motion of dissent shall not require a seconder. Upon dissent being moved the Chairperson shall vacate the chair in favour of an Acting Chair.

37 - STANDING ORDERS

Only the mover and the Chairperson may speak to the motion which shall be put by the Acting Chair in the following form "that the Chairperson's ruling be upheld".

- M. At any stage of the debate, other than when a member is speaking, any member who has not already spoken on the matter under discussion may move that "The question be now put". Such motion being duly seconded shall be put without debate. The carrying of such motion shall entail the submission forthwith of the substantive motion to the meeting, subject only to the proposer's right of reply.
- N. Should the Chair elect to take part in the debate, the Chair shall be vacated first in favour of a Chairperson elected by the Meeting. The original Chairperson shall not re-occupy the Chair until the question before the meeting has been resolved or adjourned.
- O. A meeting of Council or any meeting of the Sub-Branch may by resolution suspend for that meeting all or any of the foregoing Standing Orders.

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