



Mr Nicholas Wilson
Industrial Registrar
Level 35 Nauru House
80 Collins Street
Melbourne
Vic 3000



15 April 2005

Dear Registrar,

Proposed Rule Changes for the CPSU, PSU Group

I write regarding our application to alter Chapter B of the CPSU Rules, dealing with the PSU Group. These changes were approved by the CPSU National Council on 19 March 2005 and by the CPSU National Officers Committee on 31 March 2005, in accordance with our Rules and the requirements of the Act.

Attached is the notice required pursuant to Regulation 126 of the Workplace Relations (Registration and Accountability of Organisations) Regulations. A copy of this notice has also been placed on our web site.

Basis for Change

The changes we are proposing are necessary and urgent.

Since 1996, CPSU has had to operate in a dramatically different environment, brought about by a range of factors, including massive staff reductions in key industries. We have suffered a very significant decline in our membership. In May 1997 our membership was over 85,000, today our membership is around 62,000.

Associated with this loss in membership is a 30% decline in revenue. Our accumulated revenue loss for the period 1996 to 2004 is approximately \$36,000,000. Our income in nominal terms was \$7,500,000 less in 2004 than in 1996. Since 1996 our cumulative deficit is \$ -1,957,564, although we have achieved modest surpluses in the past 3 years.

During the same period, since 1996, our industrial workload has increased dramatically. In the APS prior to 1996 there was a single core agreement with a small number of additional deals. Today there are about 100 comprehensive collective agreements plus additional AWAs.

Our response has been a highly effective management of members' resources, by:

- Earlier Rule changes that better aligned our structures with members' interests and work organisations, moving from Branches to employer and industry based structures;
- Introduced national pooling and control of all funds, with the PSU Group becoming a single reporting unit (with the exception of the CSIRO Section);
- Paying off our debts, reducing our debt servicing costs by \$650,000 per annum;

- National integration of membership processing, IT systems, finance and administration, so as to reduce our finance and administration overhead from \$940,000 in 2001 to \$391,000 in 2004;
- Creating a central Member Service Centre to assist members nationally with their individual grievances and provide support to campaigns; and
- Focusing on organising staff to providing organising support to members on their issues, such as providing organising support in agency bargaining and campaigning.

This response has assisted us to stabilize our membership levels over the last three years and continue to achieve effective industrial outcomes. However we face new challenges, including:

- Approximately 20% of our membership are over the age of 52. Many of these members are in the CSS superannuation scheme, whose terms encourage participating employees to leave the workforce before turning 55;
- Changing workforce demographics; and
- An external environment that is becoming tougher, through government policy in our core industries and foreshadowed changes to industrial laws on issues such as bargaining and further limitations on right of entry.

To survive and thrive we must be able to adapt and adjust quickly to changes in our environment to stay relevant and effective for members. For these reasons we have rigorously assessed what works and what doesn't in our current structures and reframed our PSU Group Rules accordingly. A starting point was to produce Rules that strengthen the governance of the union and create structures that allow us to achieve the operational excellence needed to achieve outcomes for members.

Key Changes

Given the circumstances we face, many of the most difficult decisions for our National Management Committee (NMC) are about the allocation of staff. These decisions are critical and affect the whole of the union. NMC is constituted by full time officers elected by segments of the membership (Division and Regional Secretaries) who are accountable only to the members of their Division or Region. The approved Rules replace NMC with an Executive Committee comprised of full time National Officers who are all elected by our full membership. The constitution of the Executive Committee makes it more representative of and accountable to all the members affected by each of its decisions.

The new rules replace Division and Regional electoral structures with a whole of union approach. This will enable us to operate more effectively by deploying organising staff to support campaigns across the union at the times when members most need the support. By contrast, the current segmented structures impose significant barriers to even short term deployments of staff from one Division or Region to another.

Governing Council replaces National Council as the supreme decision making body of the union, subject to membership plebiscite. Governing Council is constituted by the National Officers and by the Section Secretaries for all Sections, plus Governing Councillors for large Sections, who are all directly elected by the members of each respective Section. The electoral structure for Governing Council provides consistent representation for all members, through the Sections, which are continued under the new rules, and provides representation at a ratio of around one representative per thousand members.

The powers of Governing Council are more explicit than were the powers of National Council. As the supreme decision making body, subject to membership plebiscite, it is made clear that Governing Council sets the strategic direction, the policy and the objectives of the union, endorses the strategic plan, and reviews it annually. For the first time the approved Rules make it explicit that the Executive Committee cannot rescind or make policy that is inconsistent with policy made by the Governing Council.

The approved Rules also improve governance through increased accountability of the National Secretary and the Executive Committee. Governing Council has the additional explicit power to review any decision of the Executive Committee. The National Secretary is required to provide a state of the union report to Governing Council.

Since 1996 our union has been prepared to change to build our relevance for members and to encourage members to participate. These approved Rules reflect the importance of membership participation to us. We have altered our structures and rules to reflect the many current practical forms of participation by members in the affairs of the union and to make it easier for members to participate. Members' participation is not limited to the important work of delegates and other elected positions. The approved Rules give us the capacity for the first time to formally recognise all forms of membership participation.

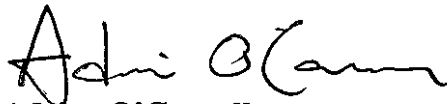
Conclusion

In the event that you, the relevant Deputy Registrar or Registry staff have any concern with the approved changes, please notify us of the concern so that we can seek to address it.

Based on these approved Rules there are some minor consequential changes to Chapter A of the CPSU Rules. Proofreading the Rules after they were approved has also identified a number of changes that we believe are needed for technical or consistency purposes. These changes are currently subject to further approval processes as is required by our Rules. A further application for these changes shall be submitted shortly. A schedule of these matters is also attached for your information.

I commend the approved Rules to you. Please contact me should there be any matters related to the certification process that need to be discussed.

Yours sincerely



Adrian O'Connell
National Secretary
PSU Group

Set out in this Schedule are the matters currently subject to the approval processes required by the CPSU rules.

Changes to Chapter A

As resolved by the National Officers Committee on 31 March 2005, still subject to approval by the SPSF Group Federal Council and the PSU Group National Council:

2.1 CHANGES TO CHAPTER A OF THE CPSU RULES

RESOLVED - [JNS O'Connell]

The National Officers Committee approves the following changes to Chapter A of the CPSU Rules due to the proposed amending of Chapter B of the CPSU Rules, detailed in item 2.1 and Attachment A of this Agenda:

That from the date of Certification of an amended Chapter B of the CPSU Rules, or from the date of Certification of these amendments to Chapter A of the CPSU Rules, whichever is approved by the Industrial Registry or the AIRC, provided that an amended Chapter B is Certified:

- i) In Sub-rules 15.d(i)(3) and 15.d(ii) of Chapter A, replace the words "National Council" with the words "Governing Council"
- ii) In Sub-rules 17.b(ii) and 24.a(i) of Chapter A, replace the words "National Management Committee" with the words "Executive Committee";
- iii) Add a new Rule 27 to Chapter A, titled "References to Governing Bodies" which shall read "References in these Rules to the Governing Council and Executive Committee of the PSU Group shall, during the transitional period specified in Part 7 of Chapter B, equally apply to the respective governing bodies specified therein."

The National Officers Committee resolves to recommend to PSU National Council and SPSF Federal Council that this change be approved and that certification is sought from the Industrial Registry as a matter of priority.

Changes to Attachment A – the approved Chapter B Rules of the PSU Group

Text of the Rule 2.6 National Council of the PSU Group Out of Session Vote 2005/2. The Vote closes on 22 April 2005 and the recommendation also requires approval of the CPSU National Officers Committee.

Background:

At National Council meeting 1.2005, the National Council resolved at 11.3.A that:

National Council resolves to recommend to the National Officers Committee that Chapter B of the CPSU, PSU Group Rules be amended in the following manner:

“That all the words following ‘Rules of the CPSU, Community and Public Sector Union Chapter B – PSU Group...’ be deleted and replaced with the words in Attachment A as amended with the leave of the meeting.”

This recommendation has now been approved by the National Officers Committee.

As you would all be aware from the hard work that you did, significant changes were made to the original draft of the Rules through the deliberations of the National Council.

Before submitting the approved Chapter B Rules to the Australian Industrial Registrar for Certification, they have been very carefully proof read. This process has picked up a small number of errors and omissions.

The purpose of this out of session vote is to recommend to the National Officers Committee, the rectification of those errors and omissions.

The matters for rectification are:

- 1) Sub-Rule 1.3(b)(x) of Attachment A deals with the power of Governing Council to delegate a power or task except for “a power contained in the following Rules:”. The first two of the Rules excluded as currently set out in Attachment A are:

1.3(b)(vii) recommending and/or approving the making, amendment or rescission of Rules in Chapters A or B,

1.3(b)(viii) setting the salaries, conditions and work location of Salaried Officers

The correct Rules references should be ~~1.3(b)(viii)~~ and 1.3(b)(ix) respectively.

- 2) Sub-Rule 1.10(b) of Attachment A sets out that the Executive Committee shall not exercise the powers of the Governing Council in respect to the same set of Rules. The first two of the Rules excluded as currently set out in Attachment A are:

1.3(b)(vii) recommending and/or approving the making, amendment or rescission of Rules in Chapters A or B,

1.3(b)(viii) setting the salaries, conditions and work location of Salaried Officers

The correct Rules references should be ~~1.3(b)(viii)~~ and 1.3(b)(ix) respectively.

- 3) Sub-Rule 1.11(a) of Attachment A currently states:

a. The Executive Committee shall meet at such times as the National Secretary determines, or when requested by a three or more of its members.

The word ~~“a”~~ should be deleted.

- 4) Sub-Rule 2.8(a) of Attachment A currently states:

a. A meeting of members in a workplace may be convened by a National Officer, Section Secretary, Section Councillor, Delegate, Deputy Delegate

or Workplace Representative giving reasonable notice to members and stating briefly the matter(s) to be discussed.

Governing Councillors are not included in this list and should be included.

- 5) Sub-Rules 2.21(l) to 2.21(r) deal with the establishment of Section Executives, the constitution and powers of Section Executives and Section Officers, other than the Section Secretary. Rule 3.24 deals with nominations, vacancies and appointments of Section Officers and Section Executive Members and includes the capacity for Governing Council to determine whether Section Officers are elected by and from the Section Council or by and from the membership of the Section.

However Rule 3.5 – Nominations only deals with the election of Section Officers from the membership of the Section. Therefore it is proposed that the current sub-Rule 6.4(c) be added to Rule 3.5 of Attachment A. Current sub-Rule 6.4(c) states:

Nominations for Section Officers elected by Section Councils and Section Executive Members shall be lodged with the Returning Officer not later than 12.00 noon on the last Wednesday in March in the year of the election.

Recommendation:

National Council resolves to recommend to the National Officers Committee that Attachment A, as referred to in National Council resolution 11.3.A of NC meeting 1.2005, be amended as follows:

- 1) That in sub-Rule 1.3(b)(x), the number “1.3(b)(vii)” be replaced with the number “1.3(b)(viii)” and the number “1.3(b)(viii)” be replaced with the number “1.3(b)(ix)”.
- 2) That in sub-Rule 1.10(b), the number “1.3(b)(vii)” be replaced with the number “1.3(b)(viii)” and the number “1.3(b)(viii)” be replaced with the number “1.3(b)(ix)”
- 3) That in sub-Rule 1.11(a) the word “a” be deleted.
- 4) That sub-Rule 2.8(a) be changed from:
 “A meeting of members in a workplace may be convened by a National Officer, Section Secretary, Section Councillor, Delegate, Deputy Delegate or Workplace Representative giving reasonable notice to members and stating briefly the matter(s) to be discussed.”

To:

“A meeting of members in a workplace may be convened by a National Officer, Section Secretary, Governing Councillor, Section Councillor, Delegate, Deputy Delegate or Workplace Representative giving reasonable notice to members and stating briefly the matter(s) to be discussed.”

- 5) That Rule 3.5 be changed from:
 - a. The Returning Officer shall call for nominations by notice which shall be given in a PSU Group publication published not later than 21 days prior to

the close of nominations, or in relation to any collegiate election not later than 14 days prior to the close of nominations, provided that where eligibility to nominate for a particular position is restricted to a particular group of members the Returning Officer may call for nominations by a notice published to that group of members only.

- b. Nominations for Governing Councillor, Section Secretary, Section Councillor positions and any Section Officer positions elected by Section members shall be lodged with the Returning Officer not later than 12.00 noon on the last Wednesday in September in the year of election.
- c. Nominations for National Officer positions shall be lodged with the Returning Officer not later than 12.00 noon on the last Wednesday in September in the year of election.
- d. Nominations shall be signed by two financial members of the PSU Group who are eligible to vote in the election and by the person nominated.

To:

- a. The Returning Officer shall call for nominations by notice which shall be given in a PSU Group publication published not later than 21 days prior to the close of nominations, or in relation to any collegiate election not later than 14 days prior to the close of nominations, provided that where eligibility to nominate for a particular position is restricted to a particular group of members the Returning Officer may call for nominations by a notice published to that group of members only.
- b. Nominations for Governing Councillor, Section Secretary, Section Councillor positions and any Section Officer positions elected by Section members shall be lodged with the Returning Officer not later than 12.00 noon on the last Wednesday in September in the year of election.
- c. Nominations for National Officer positions shall be lodged with the Returning Officer not later than 12.00 noon on the last Wednesday in September in the year of election.
- d. Nominations for Section Officers elected by Section Councils and Section Executive Members shall be lodged with the Returning Officer not later than 12.00 noon on the last Wednesday in the year of the election.
- e. Nominations shall be signed by two financial members of the PSU Group who are eligible to vote in the election and by the person nominated.

Further, National Council determines that these amendments only be made to the Rules of Chapter B subsequent to the certification by the Australian Industrial Registry of the Rules contained in Attachment A or at the time of certification by the Australian Industrial Registry of the Rules contained in Attachment A.

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

NOTICE OF PARTICULARS OF ALTERATION

IN the matter of:

CPSU, the Community and Public Sector Union re: Alteration of other Rules of Organisations (RAO Schedule s.159(1))

A. PARTICULARS OF THE ALTERATION

Rule Change

The CPSU has altered its rules as follows:

Delete all words following the words “Rules of the CPSU, Community and Public Sector Union Chapter B – PSU Group” in Chapter B – PSU Group Rules and replace it with Attachment A to this notice.

Comparison between old and new rules

For convenience, throughout this notice the proposed Rules and sub-Rules are referred to as ‘new rules’ and the current Rules and sub-Rules as ‘old rules’.

A detailed comparison of the new rules to the old rules follows. The comparison proceeds Part by Part and uses the new rules as the basis for comparison. It explains at a general level the most significant changes effected in each Part and then sets out the more detailed changes, providing explanatory comments where appropriate.

For the purposes of clarity, whenever a rule in the new rules is referred to it is done so as, for example ‘new rule 1.2’. Similarly, rules from the old rules are referred to as, for example, ‘old rule 2.4’.

New Rules	Old Rules
The new rules are structured as follows: Part 1 – Governance Part 2 – Operations Part 3 – Elections and Appointments Part 4 – Financial Part 5 – Administration Part 6 – Matters Relating To Specific Sections Part 7 – Transitional Provisions Schedule A Part 8 – CSIRO Section	The old rules had the following structure: Part 1 – General Part 2 – National & Division Management Part 3 – Sections & Workplaces Part 4 – Regions Part 5 – Financial Part 6 – Elections and Appointments Part 7 – Professional Officers Part 8 – CSIRO Section Part 9 – Tax Section

Part 9A – Tax Section Supplementary Provisions Part 9 – Tax Section Provisions Part 10 – Other Sections	Part 10 – Transitional Provisions
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PART 1 GOVERNANCE

General Overview

Part 1 of the new rules effect changes to the governance of the Union by:

- Creating a Governing Council, that replaces the National Council, as the supreme decision-making body of the Union subject to membership plebiscite. The new rules give the Governing Council more explicit powers and a more significant role in the governance of the Union.
- Removing the Divisional and Regional elected structures and the Professional Officers grouping.
- Creating additional salaried National Officer positions, which are elected by the full membership of the CPSU rather than by Divisional or Regional groupings of members. The National Officer positions are all salaried and additional National Officers, known simply as ‘Executive Committee Members’ join the National Secretary, Assistant National Secretary(s), National President and Deputy National President(s).
- Creating an Executive Committee that replaces the National Management Committee. Under the new rules the Executive Committee is constituted by a minimum of seven National Officers. Under the old rules the NMC was constituted by the National Secretary, Assistant National Secretary, Division Secretaries, salaried Regional Secretaries and honorary positions of Regional Secretary and honorary National Officers.
- Increasing the accountability of the National Secretary and the Executive Committee to the Governing Council.

The effect of these changes is that:

- The Governing Council is responsible for setting the strategic plan for the whole Union, setting the strategic direction and objectives of the Union and establishing policy for the operation of the Union. It is also empowered to review the acts and decisions of the Executive Committee.
- The Executive Committee acts within the whole of Union guidelines set by the Governing Council. Further, all members of the Executive Committee are have electoral accountability to the whole Union as a result of being elected by all members.
- By comparison, under the old rules, the National Council did not have such a clearly defined and central role in setting down guidelines for the National Management Committee to follow. Additionally, the National Management Committee comprised Secretaries of Divisions and Regions who represented the interests of their Division or Region only, rather than the interests of the whole Union.

Specific Comparison		
<i>New Rules</i>	<i>Old Rules</i>	<i>Comments</i>
General		<p>Through out:</p> <ul style="list-style-type: none"> • The old rule term ‘National Council’ is replaced with the new rule term ‘Governing Council’; • The old rule term ‘National Management Committee’ is replaced with the new rule term ‘Executive Committee’; and • The old rule term ‘National Councillor’ is replaced with the new rule term ‘Governing Councillor’.
Preamble	1.1 - PSU Group	The new rule inserts objectives. The old rules did not contain any objectives.
Definitions	1.3 - Definitions	<p>Changes arise principally from the changed structure of the Union. Some definitions have been moved elsewhere in the rules.</p> <ul style="list-style-type: none"> • Regions have been removed. • ‘Section’ is defined in new rule 2.19. • Divisions have been removed. • ‘National Officer’ is defined in new rule 2.11. • ‘National Secretary’ is defined in new rule 2.12. • The Professional Officers grouping has been removed. • The definition in old rule 1.3(f) is unnecessary given the new preamble and is removed. • The definition of Salaried Officer in old rule 1.3(g) has been amended so as to specifically name the officers of the Union who may be so designated by Governing Council as: <ul style="list-style-type: none"> ➤ The National Officers; ➤ The CSIRO Section Secretary and any CSIRO Assistant Section Secretary; and ➤ The ABC Section Secretary.
1.1 – Government of the PSU Group	1.2 – Management of the PSU Group	<ul style="list-style-type: none"> • The new rules divide the management of the CPSU into government and operations. The Union’s operations are dealt with in Part 2 of the new rules. This change is reflected in new rule 1.1: <ul style="list-style-type: none"> ➤ Section Councils and Section Executives are part of the operations of the Union, and in the new rules are dealt with in Part 2 – Operations. ➤ Regional Councils are removed. ➤ The Professional Officers Council is removed. ➤ The National Management Committee becomes

		<p>the Executive Committee.</p> <p>➤ The National Council becomes the Governing Council.</p> <ul style="list-style-type: none"> • New rule 1.1(a) amends the old rules by recognising plebiscites as one of the means by which the Union is governed. Although plebiscites existed in the old rules (old rule 1.29) they were not recognised as part of the means of governance of the Union. • New rule 1.1(b) is new and sets out the central role of Governing Council in the governance of the Union. • New rule 1.1(c) which requires that ‘governing bodies will: (i) Be representative of the diversity of the PSU group membership; and (ii) Recognise women as a majority in most workplaces and within our membership’ is a new requirement, not present in the old rules. • New rule 1.1 is complemented by new rule 2.1 (see below), which together, wholly replace old rule 1.2.
	Rules 1.4 to 1.9; 1.11; 1.13 to 1.15; 1.17 to 1.26; and 1.30 & 1.31	Each of these old rules has a corresponding new rule in new Part 5 – Administration (see below).
1.2 – Governing Council – Constitution	2.2 – National Council - Constitution	<ul style="list-style-type: none"> • In new rule 1.2 the term ‘Governing Council’ replaces the term ‘National Council’ through out. • New rule 1.2(a) only amends old rule 2.2(a) by the change in terms. • New rule 1.2(b) alters old rule 2.2(b) by removing Divisional Secretaries, Regional Secretaries and the Professional Officers Secretary. This arises from the removal of Divisions, Regions and the Professional Officers Grouping from the new rules. ‘Governing Councillors’ replace ‘National Councillors’. • The words ‘with 2000 or more financial members’ in old rule 2.2(c) are omitted in new rule 1.2(c) as they are unnecessary given the wording of new rule 1.2(d). • New rule 1.2(d) does not alter old rule 2.2(d) except that the phrase ‘an extra National Councillor’ is replaced with the phrase ‘an additional Governing Councillor’. The effect of the new rule is that Governing Councillors are elected in the same proportions under the new rules as the National Councillors were under the old rules. • New rule 1.2(e) alters old rule 2.2(e) by adding a provision that a position of Governing Councillor will become vacant if the Governing Councillor works in a

		<p>workplace outside the Section that elected him or her (or the electorate within the Section) for a period of greater than 6 months.</p> <ul style="list-style-type: none"> • New rule 1.2(f) limits the appointment of proxies to a proxy being a member of Governing Council or a member of the electorate represented by the member of Governing Council. Old rule 2.2(f) allowed any member of the PSU Group to be appointed as a proxy.
1.3 – Governing Council – Powers	2.3 – National Council - Powers	<ul style="list-style-type: none"> • Under new rule 1.3(a), the Governing Council remains the supreme governing body for the whole of the PSU Group of the Union, as it was under old rule 2.3(a). • New rule 1.3(b) amends old rule 2.3(b). The new rule gives Governing Council new powers, in addition to those contained in the old rule, to: <ul style="list-style-type: none"> ‘(ii) set the strategic direction and objectives of the Union; (iii) endorse and annually review the strategic plan; (iv) review the acts and decisions of the Executive Committee; (v) determine the allocation of members to sections; (vi) establish policy for the operation of the PSU Group.’ • New rule 1.3(b)(x) amends old rule 2.3(b)(x) by removing the power the National Management Committee had under the old rule to delegate a power or task to an ‘Executive’. • New rule 1.3(b)(x) does not change the decisions which are the sole preserve of Governing Council and which it may not delegate. <ul style="list-style-type: none"> ➤ old rule 1.13 becomes new rule 5.7. ➤ old rule 1.21 becomes new rule 5.15. ➤ old rule 1.23(k) becomes new rule 5.19(k). ➤ old rule 1.29(c)(i) becomes new rule 1.13(c)(i). ➤ old rule 2.3(b)(iii) becomes new rule 1.3(b)(viii). The reference to new rule 1.3(b)(vii) is a mistake which will be rectified in a further rule change. ➤ old rule 2.3(b)(iv) becomes new rule 1.3(b)(ix). The reference to new rule 1.3(b)(viii) is a mistake which will be rectified in a further rule change. ➤ old rule 2.19 is deleted as a consequence of Divisions being removed. ➤ old rule 4.1 is deleted as a consequence of Regions being removed. ➤ old rule 5.9 becomes new rule 4.10.

		<ul style="list-style-type: none"> ➤ old rule 5.12 becomes new rule 4.11. ➤ old rule 6.3 becomes new rule 3.16. • Old rules 2.3(b)(vi) and 2.3(c) provided for the National Council to enter into agreements with Sections relating to the operation of the Section. In the new rules the power for the Governing Council to enter into such agreements is not specified in new rule 2.3. The power to enter into such agreements is made explicit in relation to the CSIRO Section (in new rule 8.2) and in relation to the Food Inspectorial Section (in new rule 10.1(a)). • Old rule 2.3(b)(vii) is deleted as a consequence of the Professional Officers Council being removed.
1.4 - Governing Council - Ordinary Meetings	2.4 - National Council - Ordinary Meetings	<ul style="list-style-type: none"> • New rule 1.4(a) amends old rule 2.4(a) by removing the reference to the National President calling a meeting of Governing Council in the case of the absence or unavailability of the National Secretary. • New rule 1.4(b) increases the number of ordinary meetings from 1 to 2 per calendar year. The new rule also introduces a requirement that at least one of those meetings be in-face. This was not a requirement under old rule 2.4(b). • New Rule 1.4(d) makes changes to the list of persons and bodies that can submit proposals for consideration at ordinary meetings of the Governing Council. The new rule removes the Regional Councils and the Professional Officers Council from the bodies that are able to submit such proposals for consideration, consequent upon their removal from the new rules, as well as Section Executives. • New rule 1.4(d) adds a new provision that any member ‘may raise with a member of Governing Council any item for consideration as an agenda item at Governing Council meetings’. • The remainder of new rule 1.4 is unaltered from old rule 2.4.
1.5 – Governing Council - Special Meetings	2.5 - National Council - Special Meetings	<ul style="list-style-type: none"> • New rule 1.5(a) provides that when a majority of Governing Council members request a special Governing Council meeting, such request shall ‘state in writing the matter or matters for consideration’, rather than stating the matters for ‘discussion’, as was the requirement in the old rule. • New rule 1.5(b) inserts a requirement that should the Executive Committee or the National Secretary direct that a special meeting of Governing Council be convened, it must be so convened ‘to consider and determine specified matters’.

		<ul style="list-style-type: none"> • New rule 1.5(d) inserts a clarification to old rule 2.5(d) to the effect that reasonable notice of a special meeting of Governing Council shall be given by the National Secretary. • The remainder of new rule 1.4 contains no alterations to old rule 2.5 save consequential name changes.
1.6 – Governing Council - Out of Session Decisions	2.6 - National Council - Out of Session Decisions	<ul style="list-style-type: none"> • New rule 1.6(a) is the same as old rule 2.6(a) save changes to the sentence structure of the provision. • New rule 1.6(b) replaces the term ‘proposal’ in old rule 2.6(b) with the phrase ‘matter to be determined’, consistent with the language of new rule 1.6(a). • New rule 1.6(c) rewords old rule 2.6(c), however, the effect of the provision is unchanged: <ul style="list-style-type: none"> ➤ ‘the despatch of the proposal’ is altered to ‘the sending of the proposal’; ➤ ‘shall not be allowed’ is altered to ‘is not allowed’. • New rules 1.6(d) and 1.6(e) replace and make no alteration to old rules 2.6(d) and 2.6(e) respectively, except for consequential numbering changes. • New rule 1.6(f) is the same as old rule 2.6(f) save changes to the sentence structure of the provision. • New rule 1.6(g) inserts a new clarification that ‘Nothing in this Rule shall prevent the National Secretary or the Executive Committee from convening a meeting of the Governing Council to consider a matter instead of submitting it for an out of session vote.’ • Through out new rule 1.6, the phrase ‘post, hand, courier, facsimile or other electronic means’ has replaced the words used in old rule 2.6 ‘post, facsimile, other electronic means, courier or communication delivered by hand’.
1.7 - Governing Council - Voting	2.7 - National Council – Voting	<ul style="list-style-type: none"> • New rule 1.7 removes the right, contained in old rule 2.7(a), for members of Governing Council who hold more than one position on Governing Council to exercise a separate vote in respect of each position, in addition to any proxy vote. This is because with the removal of Divisions and Regions under the new rules it is not possible for a member of the Governing Council to hold more than one position on the Council. • New rule 1.7 also inserts an explicit provision to the effect that a tied vote is lost. This is consistent with old rule 1.28 to the effect that the chair should not have a casting vote on a tied vote.

1.8 - Duties of Governing Councillors	2.17 - Duties of National Councillors	<ul style="list-style-type: none"> • New rule 1.8 contains the same duties for Councillors as old rule 2.17, with the following additions: <ul style="list-style-type: none"> ➤ New rule 1.8(a)(ii) includes the new duty on Councillors to ‘fully advise their proxy on the matters on the agenda’. ➤ New rule 1.8(a)(iv) imposes the new duty to ‘be informed about matters and issues impacting upon the Union and consider their effect on the Union as a whole’. ➤ New rule 1.8(a)(v) imposes the new duty to ‘assist the National Officers and Section Secretary as required in the affairs of their Section’. ➤ New rule 1.8(a)(vi) imposes the new duty to ‘perform as required the tasks set out at Rule 2.3(e)’. Rule 2.3(e) sets out authorised tasks of a Delegate. ➤ New rule 1.8(a)(vii) imposes the new duty to ‘act in a manner consistent with [the new rules] and the decisions and policy of the Governing Council and the Executive Committee’.
1.9 - Executive Committee - Constitution	2.8 – National Management Committee – Constitution	<ul style="list-style-type: none"> • New rule 1.9(a) replaces old rule 2.8(a) and the change is to rename the ‘National Management Committee’ as the ‘Executive Committee’. • New rule 1.9(b) replaces old rule 2.8(b). It provides that the Executive Committee ‘shall consist of not less than 7 persons, and shall be constituted by the National Officers’. The alteration gives effect to the removal from the new rules of Divisional Secretaries and Regional Secretaries, who were elected by relevant parts of the Union. They are replaced with salaried National Officers who are elected by the whole of the Union membership. New rule 2.11 sets out the Officers that comprise the National Officers. • New rule 1.9(c) contains no alterations to old rule 2.8(c) save consequential name changes and the deletion of the final words of the rule, ‘of the National Management Committee’, which are redundant.
1.10 - Executive Committee - Powers	2.9 - National Management Committee - Powers	<ul style="list-style-type: none"> • New rule 1.10(a) replaces old rule 2.9(a). The old rule contained an incorrect reference to old rule 1.11. The old rule should instead have referred to old rule 1.12. The new rule corrects this mistake by referring to new rule 2.10 (the equivalent of old rule 1.12). New rule 1.10(a) also alters old rule 2.9(a) by inserting a reference to new sub-rule 1.10(c). The only other changes to the old rule by new rule 1.10(a) are consequential name changes.

		<ul style="list-style-type: none"> • New rule 1.10(b) replaces old rule 2.9(b) and does not change the powers of the Governing Council that the Executive Committee is not empowered to exercise under the old rule: <ul style="list-style-type: none"> ➤ old rule 1.13 becomes new rule 5.7. ➤ old rule 1.21 becomes new rule 5.15. ➤ old rule 1.23(k) becomes new rule 5.19(k). ➤ old rule 1.29(c)(i) becomes new rule 1.13(c)(i). ➤ old rule 2.3(b)(iii) becomes new rule 1.3(b)(viii). The reference to new rule 1.3(b)(vii) is a mistake which will be rectified in a further rule change. ➤ old rule 2.3(b)(iv) becomes new rule 1.3(b)(ix). The reference to new rule 1.3(b)(viii) is a mistake which will be rectified in a further rule change. ➤ old rule 2.19 is deleted as a consequence of Divisions being removed. ➤ old rule 4.1 is deleted as a consequence of Regions being removed. ➤ old rule 5.9 becomes new rule 4.10. ➤ old rule 5.12 becomes new rule 4.11. ➤ old rule 6.3 becomes new rule 3.16. • New rule 1.10(c) inserts a new requirement that ‘The Executive Committee shall not rescind or make policy inconsistent with policy made by the Governing Council’. • New rule 1.10(d) is in the same terms as old rule 2.9(c) save the consequential name changes and a reference to new sub-rule 1.10(c). • New rule 1.10(e) is new and empowers the Executive Committee to delegate powers or tasks allocated to it by the new rules to the following bodies or persons: <ul style="list-style-type: none"> ➤ a specified Officer of the PSU Group; ➤ a specified Committee; or ➤ a specified Council.
<p>1.11 - Executive Committee - Meetings</p>	<p>2.10 - National Management Committee - Meetings</p>	<ul style="list-style-type: none"> • Under new rule 1.11(a) the Executive Committee ‘shall meet at such times as the National Secretary determines or when requested by a (sic) three or more of its members’. By contrast, under old rule 2.10(a), the National Management Committee would also meet at the request of the National President or a quarter of the members of the Executive Committee made in writing to the National Secretary. • New rule 1.11(b) amends old rule 2.10(b) in accordance with structural changes in the new rules: <ul style="list-style-type: none"> ➤ In the new rule, Section Secretaries are given the

		<p>power to submit proposals for consideration by the Executive Committee rather than Section Councils and Section Executives. Under new rule 2.21(a) and 2.21(l) the Section Council and the Section Executive are established ‘to assist and provide advice to the Section Secretary’.</p> <ul style="list-style-type: none"> ➤ The reference to the Professional Officers Council in old rule 2.10(b) is removed from the new rule as a result of the Professional Officers Council being removed from the new rules. • New rule 1.11(c) makes no changes to old rule 2.10(c) aside from consequential name changes. • New rule 1.11(d) amends old rule 2.10(d) by altering the proportion of members of the Executive Committee necessary to request a matter to be considered and determined under the section. The proportion of members of the Executive Committee required to make such a request is changed from a quarter, under the old rules, to a half, under the new rules. • New rule 1.11(e) is amended to require minutes of the Executive Committee to be notified to members of the Governing Council by the National Secretary, in addition to the requirement in old rule 2.10(e) that decisions be so notified. The new rule also replaces the word ‘forthwith’ with the phrase ‘as soon as possible’. • New rule 1.11(f) amends old rule 2.10(f) by: <ul style="list-style-type: none"> ➤ Inserting a new explicit recognition that ‘In the case of a tied vote, the motion concerned shall be declared lost’; and ➤ Removing the provision that provided that any member of the committee who held more than one position on the committee could exercise a vote for each position. ➤ These changes mirror those made by new rule 1.7 in respect of the Governing Council (see above) in that a member of the Executive Committee may only hold a single position on the Committee.
1.12 - Executive Committee - Review	Not Included	<p>New rule 1.12 recognises the new power given to Governing Council in new rule 1.3(b)(iv) to ‘review the acts and decisions of the Executive Committee’ and sets out the process by which this review will occur.</p> <ul style="list-style-type: none"> • New rule 1.12(a) states that ‘Governing Council may review any decision of the Executive Committee’. • New rules 1.12(b) and 1.12(c) set out the process by

		<p>which decisions are reviewed. Under new rule 1.12(b) one member of the Governing Council may initiate the review process.</p> <ul style="list-style-type: none"> • New rule 1.12(d) makes it explicit that decisions of the Executive Committee have effect from the time of the decision.
1.13 - Plebiscites	1.29 - Plebiscites	<p>The important change that new rule 1.13 makes to the old rule 1.29 is that the new rule reduces the percentage of financial members of the PSU Group necessary to request a plebiscite from 10% to 5%. The new rule also extends the power to initiate a plebiscite to the Governing Council in addition to the Executive Committee, whereas under the old rule, only the National Management Committee possessed this power.</p> <p>The new rule also makes the following alterations:</p> <ul style="list-style-type: none"> • New rule 1.13(a) empowers Governing Council in addition to the Executive Committee to submit any question to a plebiscite of the relevant financial members, as noted above. The words ‘Region, a Division, a Section’ are also removed, as they are redundant. • New rule 1.13(b) makes amendments to the sentence structure of old rule 1.29(b), in addition to reducing the percentage of members of the Union necessary to request a plebiscite, as noted above. • New rule 1.13(c)(iii) amends old rule 1.29(c)(iii) to clarify that the Executive Committee, in preparing an objective statement of the arguments against the question is acting ‘on behalf of the Governing Council’. The new rule also removes the statement in old rule 1.29(c)(iii) that ‘Should the question be carried in the affirmative, it shall be put into effect forthwith’ because this is fully dealt with by new rule 1.13(k). • New rule 1.13(d) amends old rule 1.29(d) by clarifying the provision in the old rule that provided for the arrangements for a plebiscite to ‘be made by the National Management Committee at its expense’. The new rule instead provides that the arrangements for a plebiscite ‘shall be made by the Executive Committee at the Union’s expense’. • New rule 1.13(f) amends old rule 1.29(f) and replaces the words ‘in accordance with paragraph (c)(iii)’ in the old rule with the words ‘both for and against the proposal’. This amendment makes no change to the effect of the sub-rule. • New rule 1.13(i) amends old rule 1.29(i) by inserting a sentence to the effect that ‘The National Secretary

		<p>shall be responsible for ensuring the result is conveyed to members'. Under the old rules no person or body was explicitly responsible for ensuring members were informed of the result of a plebiscite.</p> <ul style="list-style-type: none">• New rule 1.13(1) limits the application of old rule 1.29(1) to plebiscites that are lost. Thus, the words 'No question submitted pursuant to paragraph (b) of this Rule, or a question substantially the same in substance or effect, shall be resubmitted to plebiscite ...' in the old rule are replaced with the words 'Where a question put to a plebiscite is lost, a question substantially the same in substance or effect, may not be resubmitted to plebiscite ...'.• Old rule 1.29 is otherwise unchanged by new rule 1.13, save consequential name changes.
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PART 2 – OPERATIONS

General Overview

Part 2 of the new rules deals with the operations of the Union, as distinct from its governance. In broad terms this Part sets out the means by which the strategic directions, policies and decisions developed through the mechanisms and bodies provided for in Part 1 are implemented.

Part 2 of the new rules makes changes to the management of the operations of the Union by:

- specifying the role of Sections and Section Councils as an operational rather than a governance role;
- better defining the role and duties of National Officers and Section Secretaries and providing all National Officers with a clear operational role;
- establishing that membership views are ‘the primary consideration’ in matters affecting the workplace.
- formalising the roles for a broader range of Union representatives in workplaces: Delegates, Deputy Delegates, Workplace Representatives and Contacts; and
- introducing organising committees, which provide a flexible forum for managing the Union in a workplace. This allows the Union to build representative structures around any community of interest or issue of concern to members arising out of their work, rather than being limited to operating through elected structures.

The effect of these changes is:

- To allow organisational units within the Union to be formed as is required from time to time so as to best achieve the aims and objectives of the Union within the strategic directions and policy established by the Governing Council and the Executive Committee (pursuant to Part 1 - Governance); and
- To allow the operational leadership of the Union (the National Officers) to be deployed wherever they are most needed within the Union, as required from time to time.
- To provide formal recognition of the role played by Delegates and Deputy Delegates and to formally recognise the work done by activists through the addition of Workplace Representatives and Contacts.
- To formally place the views of members at the centre of the Union’s operations.
- To reflect the role of Sections following the PSU Group becoming a single reporting unit (with the exception of the CSIRO Section).

Specific Comparison

<i>New Rules</i>	<i>Old Rules</i>	<i>Comments</i>
2.1 – Operations of the PSU Group	1.2 – Management of the PSU Group	<p>The new rules separate the governance of the Union from the operations of the Union. New rule 2.1 sets out the means through which the Union will operate (as opposed to the means by which the Union is governed, which is set out in new rule 1.1)</p> <p>New rule 2.1 also distinguishes between the persons and bodies through which the Union will operate (new rule 2.1(a), and the persons who will assist the Union in its operations (new rule 2.1(b)).</p>

		<ul style="list-style-type: none"> • New rule 2.1(a) provides that the Union will operate through the following bodies in addition to those found in old rule 1.2: <ul style="list-style-type: none"> ➤ Workplace Delegates, Deputy Delegates, Representatives and Contacts; ➤ Organising Committees; and ➤ membership consultation and meetings. • Representatives and Contacts are new categories of members under the rules and are defined in new rules 2.4 and 2.5 respectively. • Similarly, Organising Committees are new bodies in the Union’s rules. They are defined in new rule 2.6. • Membership consultation is specifically provided for in new rule 2.7. • In addition, new rule 2.1(b) provides that the Union will be assisted in its operations by the following people: <ul style="list-style-type: none"> ➤ National Officers; ➤ Section Secretaries; ➤ staff appointed by the National Secretary. • New rule 2.1(c) mirrors new rule 1.1(c). It, like new rule 1.1(c), is a new requirement, not present in the old rules and states that ‘In accordance with any Union policy, operational bodies will: (i) Be representative of the diversity of the PSU group membership; and (ii) Recognise women as a majority in most workplaces and within our membership’.
2.2 - Workplaces	3.9 - Workplaces	<ul style="list-style-type: none"> • New rule 2.2(a) gives power to the Governing Council to allocate members to workplaces, rather than the National Management Committee, as was the case under old rule 3.9. • The requirement in old rule 3.9 that the body allocating members to workplaces only do so ‘after giving prime consideration to any recommendations of the Sub-section and the Professional Officers Council is replaced with a requirement that the members in a workplace be determined by the Governing Council from time to time, ‘taking into account any recommendations of a relevant body or officer.’ • New rule 2.2(b) is new and records that ‘Elected Delegates and Deputy Delegates, Workplace Representatives and Contacts, shall assist the Union to organise and represent workers in the workplace’.
2.3 - Workplace	3.10 – Workplace	<ul style="list-style-type: none"> • Under the new rules, as under the old, workplaces may elect a Delegate and Deputy Delegate and may

Delegates	Delegates; 3.11 Workplace Delegates – Election; 3.12 - Workplace Delegates – Recall 3.13 – Workplace Delegates - Vacancies	<p>have more than one delegate. In general, however, new rule 2.3 more fully articulates the role of the Delegate and Deputy Delegate than did old rule 3.10.</p> <ul style="list-style-type: none"> • New rule 2.3(a) makes the following changes to old rule 3.10: <ul style="list-style-type: none"> ➤ New rule 2.3(a) provides that ‘A workplace may elect a Delegate, and may also elect a Deputy Delegate’ in place of the wording in the old rule 3.10(a) that Delegates and Deputy Delegates were to be elected ‘by and from the members of the Workplace’. The new rule retains the fundamental principle of Delegates and Deputy Delegates being elected by members in a workplace. ➤ The provision in old rule 3.10(a) that a Workplace Delegate and Deputy Workplace Delegate be elected annually has been removed and replaced with the new rule 2.3(g) to the effect that ‘The process for electing a Delegate will be determined by the Governing Council. The term of office of a Delegate will, unless determined otherwise by the Governing Council, be 1 year’. This new provision also effectively replaces old rule 6.9(c) which provided that ‘the term of office for Workplace Delegates and Deputy Delegates shall be 1 year from the 1st of July’. ➤ Under new rule 2.3(a) the Executive Committee continues to have power to determine that specific workplaces have more than one Delegate. New rule 2.3(a) also makes it clear that the Executive Committee may determine that a workplace also has more than one Deputy Delegate. This power was not explicit in the old rules. • New rules 2.3(b), (d) and (e) specifically list the duties and powers of a Delegate and of a Deputy Delegate, whereas old rule 3.10(b) provided, in relation to both Workplace Delegates and Deputy Delegates that their ‘duties and powers’ were to ‘be as determined from time to time by the National Council’. • New rule 2.3(c) alters the role of the Deputy Delegate to be to ‘assist the Delegate’ from the role under old rule 3.10(b) which was to ‘perform the duties and exercise the powers of the Workplace Delegate during the Workplace Delegate’s absence or unavailability’. • Old rule 3.11 is removed and replaced with new rule
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		<p>2.3(g), referred to above.</p> <ul style="list-style-type: none"> • Old rule 3.12 is removed and replaced with new rule 2.3(i) which provides that ‘A Delegate may be removed by a majority vote of a meeting of members in the workplace’. • Old rule 3.13 is amended by new rule 2.3(h). While new rule 2.3(h) is expressed in different terms to old rule 3.13(a) it retains the same meaning: <ul style="list-style-type: none"> ➤ New rule 2.3(h) refers only to the position of Delegate, rather than both positions of Delegate and Deputy Delegate under old rule 3.11(a). ➤ New rule 2.3(h) states that should the conditions in the rule be met the position will ‘lapse’ as opposed to it becoming ‘vacant’ under the terms of old rule 3.13(a). ➤ The conditions for a position lapsing under new rule 2.3(h) have also amended old rule 3.13(a) insofar as the previous condition that ‘the occupant is transferred permanently or temporarily to another workplace ...’ is replaced with the condition that the Delegate ‘ceases to be a member of the Union or leaves the workplace that elected him or her ...’. ➤ The provision in old rule 3.13(a) that, for the purpose of the sub-rule, ‘a position shall become vacant at the expiration of the three calendar months period’ is replaced by new rule 2.3(h) which defines the time period as ‘a continuous period of greater than three months’. • Old rule 3.13(b) which facilitated the appointment of a replacement Delegate or Deputy Delegate with a financial member appointed by the SDC is removed and replaced with new rule 2.3(h) which provides that ‘The workplace may elect, if it chooses to do so, a replacement Delegate for the remainder of the term using the same process as for the election of the Delegate’: <ul style="list-style-type: none"> ➤ SDCs have been removed from the new rules (except in Parts 8, 9A and 9, which contain rules specific to particular sections of the Union). • New rule 2.3 also introduces wholly new rules 2.3(f) and (j): <ul style="list-style-type: none"> ➤ New rule 2.3(f) provides that the Union ‘shall as far as practicable provide such training and assistance to Delegates as is necessary to ensure that they can comply with relevant legislation and Union policy, and to enable them to perform their functions professionally and competently. It is
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		<p>expected that Delegates shall attend such training’.</p> <ul style="list-style-type: none"> ➤ New rule 2.3(j) provides that ‘The National Secretary shall keep a list of all elected Delegates’.
2.4 - Workplace Representatives	Not Included	<p>This is a wholly new rule that introduces a new category of Union representative to the rules. In summary:</p> <ul style="list-style-type: none"> • New rule 2.4(b) gives Workplace Representatives the same duties and functions as Delegates under new rules 2.3(b) and 2.3(e). • New rule 2.4(a) makes the Governing Council responsible for credentialing and authorising the number of Workplace Representatives in a workplace, in accordance with Union policy; • Once authorised as a Workplace Representative, a member shall be a Workplace Representative for any workplace in which the member is employed. • Under new rule 2.4(e), authorised Workplace Representatives are re-credentialled each year by the Governing Council. The views of members of the workplace, as are available, will be taken into account when re-credentialling a Workplace Representative. • New rule 2.4(h) provides that the National Secretary shall keep a list of all authorised Workplace Representatives. • New rules 2.4(f) and (g) provide for the circumstances in which a Workplace Representative may cease to hold office: <ul style="list-style-type: none"> ➤ New rule 2.4(f) allows a Workplace Representative to request that they be removed from the list of authorised Workplace Representatives; and ➤ New rule 2.4(g) provides that a Workplace Representative may be removed: <ul style="list-style-type: none"> • by the Governing Council if they ‘cease to be a member of the Union, where the Workplace Representative has failed to comply with Union policy or acted contrary to a decision or direction of a relevant body or official’; • by a majority vote of a meeting of members in the workplace; or • where they are not re-credentialled under new rule 2.4(e). • New rule 2.4(c) contains the same training obligations for Workplace Representatives as are

		contained in new rule 2.3(f) for Delegates (see above).
2.5 - Workplace Contacts	Not Included	<p>New rule 2.5, like new rule 2.4, is wholly new and introduces a further new category of Union representative into the rules: ‘Workplace Contacts’.</p> <ul style="list-style-type: none"> • New rule 2.5(a) provides that members may be recognised by the Governing Council as Workplace Contacts. <p>New rule 2.5(a) sets out the principal function of the Workplace Contact to ‘help to further and protect the industrial interests of the Union and its members by assisting the Union to distribute authorised Union publications to workers in the workplace’. New rule 2.5(b) provides, additionally, that Workplace Contacts ‘may also assist to arrange meetings of workers when requested’.</p>
2.6 - Organising Committees	Not Included	<p>Like new rule 2.5, this rule is wholly new. It creates new committees called ‘Organising Committees’, thereby formally recognising the range of committees that currently exist throughout the Union. Under the new rules Organising Committees are sufficiently flexible to meet the needs of the workplace or workplaces from which their members derive.</p> <ul style="list-style-type: none"> • New rule 2.6(a) provides that ‘the Union may establish Organising Committees in an agency, a workplace or a group of workplaces (within an agency or across agencies)’. • New rule 2.6(a) also provides that the functions of Organising Committees are to: <ul style="list-style-type: none"> ‘(i) provide advice to the National Secretary and relevant officers and staff of the Union on particular workplace matters; (ii) assist the Union to organise the agency or workplace(s); (iii) assist in the conduct of particular campaigns; and/or (iv) provide a forum for the consideration of matters of particular interest to a grouping of Union members (including by not limited to occupational or regional interests)’. • New rule 2.6(b) sets out the persons who are entitled to participate in any Organising Committee. The list includes not only relevant formal office holders but also ‘such members as are interested and necessary for the efficient and effective operation of the Organising Committee’.

		<ul style="list-style-type: none"> • Under new rule 2.6(c), an Organising Committee ‘shall act in accordance with Union policy and decisions of the Governing Council and the Executive Committee’. • An Organising Committee may be disbanded by the Governing Council pursuant to new rule 2.6(e). Organising Committees ‘dealing with a particular issue’ will also ‘normally be expected to cease operation once the matter with which they are dealing has been finalised’, pursuant to new rule 2.6(d).
2.7 - Membership Consultation	Not Included	<ul style="list-style-type: none"> • The importance of this new rule is to be found in new rule 2.1, which lists membership consultation and meetings as one of the means by which the Union will operate. • The process set out in this new rule, by contrast with the bodies and offices through which the Union’s operations were managed under the old rules, provides for direct member participation rather than relying solely on elected representatives and representative forums. • This new rule requires the National Secretary to ensure that the view of affected members is the ‘primary consideration’ in determining: <ul style="list-style-type: none"> (i) Industrial disputes affecting those members; (ii) Bargaining in the workplace; (iii) All industrial action proposed to be taken by affected members; and (iv) Industrial situations or other matters of concern affecting the workplace. • New rule 2.7(b) provides for the means by which members views are to be determined.
2.8 - Workplace Meetings	3.14 - Workplace Meetings	<ul style="list-style-type: none"> • New rule 2.8 (a) amends old rule 3.14(a) by expanding the persons who may convene a meeting of members in a workplace to ‘a National Officer, Section Secretary, Section Councillor, Delegate, Deputy Delegate or Workplace Representative’. By contrast, under old rule 3.14, only a Delegate could convene such a meeting. • New rule 2.8(b) amends old rule 3.14(b) by limiting the resolutions that ‘shall not lapse for want of a mover’ at a meeting of members in a workplace to resolutions proposed by ‘a National Officer, Section Secretary, Section Council or Organising Committee’. The result is that resolutions proposed by other persons will lapse in the absence of a mover. • New rule 2.8 does not otherwise amend old rule 3.14.

<p>2.9 - Meetings in more than One Workplace</p>	<p>1.16 – Industrial Meetings & National Votes</p>	<ul style="list-style-type: none"> • New rule 2.9 contains only minor changes to old rule 1.16. <ul style="list-style-type: none"> ➤ New rule 2.9(a) replaces the provision empowering the National Secretary to convene ‘Meetings of members of the PSU Group, or of a specified portion of members’ in old rule 1.16(a) with words which simply empower the National Secretary to convene ‘meetings of members’. ➤ New rule 2.9(b) makes no amendment to old rule 1.16(b). ➤ New rule 2.9(c) replaces the phrase ‘Resolutions shall be determined’ with the phrase ‘Resolutions will be carried’. The new rule also slightly amends the grammar in the old rule but without substantive effect. ➤ New rule 2.9(d) removes the reference in old rule 1.16(d) to a seconder.
<p>2.10 - Industrial Disputes and Representations</p>	<p>1.10 –Members Representation 1.12 - Industrial Disputes & Execution of Agreements</p>	<p>New rule 2.10 amends old rules 1.10 and 1.12 so as to deal more comprehensively with industrial disputes and representation. The new rule envisages industrial issues being submitted to the Union by members, particular Officers, or particular committees of the Union. These issues are managed by the National Secretary, or his or her authorised representative, who may take an industrial matter up with an employer or employers, or submit an industrial dispute to conciliation and/or arbitration and/or any other necessary resolution process.</p> <ul style="list-style-type: none"> • New rule 2.10(a) amends old rule 1.10 by providing that a member may submit an issue arising from their employment to ‘the Union’, rather than to ‘the National Secretary, Division Secretary, Section Secretary, Regional Secretary, Professional Officers Secretary or the Secretary of the Sub-section Delegates Committee’ as the old rule 1.10 provided. • New rule 2.10(a) also amends old rule 1.10 by inserting a provision for ‘A Section Secretary, Governing Councillor, Delegate or Workplace Representative, or a Section Council or Organising Committee’ to submit a matter of concern arising from the employment of workers to the Union for attention. • New rule 2.10(b) inserts a new power for the National Secretary to ‘take up an industrial matter with the appropriate employer(s).’ The new rule adapts old rule 1.12(c) to this new power, and provides that ‘The Union shall be represented by a representative or representatives appointed by the National Secretary’.

		<ul style="list-style-type: none"> • New rule 2.10(c) complements new rule 2.10(b) by empowering the National Secretary to ‘authorise a Section Secretary, Governing Councillor, Delegate or Workplace Representative, or a Section Council or Organising Committee to carry out lawful tasks and action to assist in resolving the industrial matter’. New rule 2.10(c) also replaces old rule 3.4(c) in its entirety. • Allowing for consequential name changes, new rule 2.10(d) retains the provisions in the old rules 1.12(a) and 1.12(b), except that the word ‘solely’ is removed. New rule 2.10(e) reproduces old rule 1.12(c). These rules relate to the submission of disputes by the National Secretary to conciliation or arbitration and settlement of disputes. • New rule 2.10(f) replaces the people authorised to execute industrial and other agreements and documents under old rule 1.12(d) (being ‘any of the National Officers or a Division, Regional or Section Officer so authorised for the purpose by the National Management Committee’) with ‘a National Officer or other person(s) authorised for the purpose by the Executive Committee’.
2.10 - Industrial Disputes and Representations	1.10 –Members Representation 1.12 - Industrial Disputes & Execution of Agreements	<p>New rule 2.10 amends old rules 1.10 and 1.12 so as to deal more comprehensively with industrial disputes and representation. The new rule envisages industrial issues being submitted to the Union by members, particular Officers, or particular committees of the Union. These issues are managed by the National Secretary, or his or her authorised representative, who may take an industrial matter up with an employer or employers, or submit an industrial dispute to conciliation and/or arbitration and/or any other necessary resolution process.</p> <ul style="list-style-type: none"> • New rule 2.10(a) amends old rule 1.10 by providing that a member may submit an issue arising from their employment to ‘the Union’, rather than to ‘the National Secretary, Division Secretary, Section Secretary, Regional Secretary, Professional Officers Secretary or the Secretary of the Sub-section Delegates Committee’ as the old rule 1.10 provided. • New rule 2.10(a) also amends old rule 1.10 by inserting a provision for ‘A Section Secretary, Governing Councillor, Delegate or Workplace Representative, or a Section Council or Organising Committee’ to submit a matter of concern arising from the employment of workers to the Union for attention. • New rule 2.10(b) inserts a new power in the National

		<p>Secretary to ‘take up an industrial matter with the appropriate employer(s).’ The new rule adapts old rule 1.12(c) to this new power, and provides that ‘The Union shall be represented by a representative or representatives appointed by the National Secretary’.</p> <ul style="list-style-type: none"> • New rule 2.10(c) complements new rule 2.10(b) by empowering the National Secretary to ‘authorise a Section Secretary, Governing Councillor, Delegate or Workplace Representative, or a Section Council or Organising Committee to carry out lawful tasks and action to assist in resolving the industrial matter’. New rule 2.10(c) also replaces old rule 3.4(c) in its entirety. • Allowing for consequential name changes, new rule 2.10(d) retains the provisions in the old rules 1.12(a) and 1.12(b), except that the word ‘solely’ is removed. New rule 2.10(e) reproduces old rule 1.12(c). These rules relate to the submission of disputes by the National Secretary to conciliation or arbitration and settlement of disputes. • New rule 2.10(f) replaces the people authorised to execute industrial and other agreements and documents under old rule 1.12(d) (being ‘any of the National Officers or a Division, Regional or Section Officer so authorised for the purpose by the National Management Committee’) with ‘a National Officer or other person(s) authorised for the purpose by the Executive Committee’.
<p>2.11 - National Officers</p>	<p>2.1 - National Officers; 2.14 – Duties of an Assistant National Secretary; 2.15 – Duties of National President; 2.20 – Division Officers; 3.2 – Section Officers & Section Councillors; 3.3 – Duties of Section Officers & Section Councillors.</p>	<ul style="list-style-type: none"> • Aside from changes in sentence structure, new rule 2.11(a) amends old rule 2.1 by: <ul style="list-style-type: none"> ➤ Requiring that there be one Assistant National Secretary and limiting the total number of Assistant National Secretaries to no more than two; ➤ Limiting the number of possible Deputy National Presidents to no more than two (there was no limit to the number that National Council could designate under the old rule); and ➤ providing for Governing Council to determine that there be one or more Executive Committee members, who shall also be National Officers. • New rule 2.11 inserts provisions, with some amendment, that were common to old rules 2.14, 2.15 and 2.16. <ul style="list-style-type: none"> ➤ 2.11 (c) provides that a National Officer shall be under the day to day direction of the National Secretary with respect to their duties (this provision effectively replaces the obligation

		<p>under old rules 2.14(a), 2.15(b) and 2.16.2.11(d) provides that subject to the Assistant National Secretary acting in the place of the National Secretary (set out in new rule 2.13(b)) ‘in the absence or unavailability of a National Officer for any period, the Executive Committee may appoint a financial member of the Union to act in place of the National Officer. Any member so acting shall not lose any other office held within the Union merely because they are so acting’. This provision effectively replaces old rules 2.14(d). This provision is now extended to all National Officer positions on the basis that they effectively replace Division Secretaries and Regional Secretaries as the full time operational officers of the Union, and this provision applied to Division Secretaries and Regional Secretaries under the old rules (old rules 2.20(e) and 4.2(d) respectively).</p> <ul style="list-style-type: none"> • 2.11(c) is a new rule that provides that a National Officer is not under the direction of the National Secretary with respect to any vote that they might exercise on any decision-making body. • New rule 2.11 also amends the old rules by providing that there will be at least 7 National Officers and making it clear, in new rule 2.11(b), that all National Officers are salaried officers. Under old rule 1.3 ‘salaried officers’ were defined as those officers for which National Council determined a salary, without specifying any particular officers.
<p>2.12 - Duties of National Secretary</p>	<p>2.12 - Duties of National Secretary</p>	<ul style="list-style-type: none"> • Under new rule 2.12, the National Secretary remains the Executive Officer of the Union. However, the new rule explicitly spells out some specific duties of the National Secretary where the old rule 2.12 did not. The duties of the National Secretary complement the powers and duties of the Governing Council in new rule 1.3. • The words of the old rule 2.12(a) that the National Secretary was ‘responsible for the effective operation of the PSU Group’ are changed by new rule 2.12(a) to read ‘responsible for the effective administration and operation of the PSU Group’. New rule 2.12(a) also inserts a new general provision that ‘The National Secretary shall do all things necessary to further and protect the industrial interests of the PSU Group and its members’. • New rule 2.12(b), ‘without limiting the generality of paragraph (a)’ explicitly lists tasks that the National

		<p>Secretary ‘shall’ perform. These tasks are:</p> <ul style="list-style-type: none"> ‘(i) ensure that decisions of Governing Council are implemented; (ii) develop the strategic plan to achieve the directions and objectives of the Union; (iii) prepare a budget each year for the operations of the Union consistent with the strategic plan; (iv) provide a ‘state of the Union’ report to each meeting of Governing Council, including the participation of women representatives at all levels of the Union; (v) determine the work allocation of the Salaried Officers. (vi) appoint and direct such staff as are necessary to assist the PSU Group conduct its affairs, and fix the salary, remuneration, duties and delegated responsibilities of such staff; (v) attend meetings of Governing Council and the Executive Committee and participate in votes taken by such bodies; (vi) perform as required the tasks set out at Rule 2.3(e).’
<p>2.13 - Duties of Assistant National Secretary</p>	<p>2.14 - Duties of an Assistant National Secretary</p>	<ul style="list-style-type: none"> • The most substantial change to the rules caused by new rule 2.13 is the insertion of specific duties for the Assistant National Secretary. • The new rules insert the same specific duties for all National Officers except the National Secretary (although the National President has some additional duties). These common duties are found in each new rule 2.13, 2.14, 2.15 and 2.16, and are to: <ul style="list-style-type: none"> ➤ ‘render such assistance as may be required by the National Secretary in the administration and operation of the PSU Group’. ➤ ‘attend meetings of the Governing Council and the Executive Committee or fully advise his or her proxy on the matters on the agenda’. ➤ ‘vote on out of session motions under Rule 1.6 and matters under consideration under Rule 1.11(d)’. ➤ ‘act in a manner consistent with these Rules and the decisions and policy of the Governing Council and the Executive Committee’. ➤ ‘perform as required the tasks set out at Rule 2.3(e)’. ➤ ‘carry out such other duties as directed’. • In addition, new rule 2.13 (a) amends old rule 2.14(a) by:

		<ul style="list-style-type: none"> ➤ replacing the words ‘Subject to the direction of the National Council’ with the words ‘Subject to any relevant decision of the Governing Council’; and ➤ inserting specific duties (new rules 2.13(a)(ii) to 2.13(a)(vi)) in addition to the duty in old rule 2.14(a) to ‘render such assistance to the National Secretary as may be required in the administration of the PSU Group’ (as referred to above). ➤ omitting the direction that the Assistant National Secretary ‘shall be under the direction of the National Secretary’. This direction is now found in new rule 2.11(c), outlined above. <ul style="list-style-type: none"> • New rule 2.13(b) amends old rule 2.14(b) by providing that in the absence of the National Secretary, the Assistant National Secretary ‘will act’ in the place of the National Secretary. By contrast, in the absence of the National Secretary old rule 2.14(b) provided that ‘the National Secretary or the National Management Committee may direct an Assistant National Secretary to act ...’. • The new rule does, however, require the Executive Committee to appoint an Assistant National Secretary to act in the absence of the National Secretary if there is more than one Assistant National Secretary. • New rule 2.13(c) mirrors old rule 2.14(c), only replacing the phrase ‘to act in the National Secretary’s stead’ with the phrase ‘to act in the place of the National Secretary’. • Old rule 2.14(d) is removed as the circumstance is fully covered by new rule 2.11(d).
2.14 - Duties of National President	2.15 - Duties of National President	<ul style="list-style-type: none"> • As in relation to new rule 2.13, so too the most substantial change brought about by new rule 2.14 is the insertion of specific duties for the position of National President in addition to those under the old rules. • The duties in old rule 2.15(a) are retained in new rules 2.14(a)(iv) and (v), with, in addition to some grammatical changes, the following alterations: <ul style="list-style-type: none"> ➤ rather than National President simply being empowered to ‘preside at meetings’, the National President will ‘chair meetings ... in accordance with the Rules of debate’; ➤ In addition to signing the minutes once they are confirmed, the National President must ‘cause minutes of the meetings referred to in sub-

		<p>paragraph (iv) to be kept’.</p> <ul style="list-style-type: none"> • New duties are inserted by new rules 2.14(a)(i) to (iii) and 2.14(a)(vi) to (vii) (as set out in the second dot point on new rule 2.13 above) which replace the duties in old rule 2.15(b).
2.15 - Duties of Deputy National Presidents	2.16 - Duties of a Deputy National President	<ul style="list-style-type: none"> • New rule 2.15 explicitly spells out new duties for the Deputy National President, just as new rules 2.12, 2.13 and 2.14 have done for other National Officers. • New rule 2.15 removes the duty in old rule 2.16 ‘to assist the National President at all meetings of the National Council and National Management Committee’, and inserts new duties in substitution of this duty in sub-rules 2.15(a)(i) to (v) (as set out in the second dot point on new rule 2.13 above). • Old rule 2.16, which required the Deputy National President, in the absence of the National President, to ‘occupy the chair and conduct the business and perform all the duties of the National President’, is replaced by new rule 2.15(b). This new rule provides that the Deputy National President, in the ‘absence or unavailability’ of the National President shall ‘act in the place of the National President and exercise all the functions and powers of the National President’. • New rule 2.15(b) also provides for the Executive Committee to appoint one of the Deputy National Presidents to act if there is more than one, or to appoint another member of the Executive Committee to so act if there are no Deputy National Presidents.
2.16 - Duties of Executive Committee Members	Not Included	<ul style="list-style-type: none"> • New rule 2.11(a) provides that Executive Committee Members are National Officers. The duties of Executive Committee Members inserted by new rule 2.16 reflect those of the other National Officer positions (as set out in the second dot point on new rule 2.13 above).
2.17 - National Officer - Cessation	2.11 - National Officer - Cessation	<ul style="list-style-type: none"> • Except for consequential numbering changes, new rule 2.17 makes no alteration to old rule 2.11.
2.18 - Attendance of National Officers at Meetings	2.18 - Attendance of National Officers at Meetings	<ul style="list-style-type: none"> • New rule 2.18 amends old rule 2.18 by the removal of the words ‘in this chapter’. Otherwise the old rule remains unchanged.
Not retained	Rules 2.19 to 2.23	<ul style="list-style-type: none"> • These rules, which relate to Divisions, have been removed from the new rules.

<p>2.19 - Sections, Part 6 and Schedule A</p>	<p>3.1 - Sections 3.8 – Sub-Sections</p>	<ul style="list-style-type: none"> • New rule 2.19 (a) amends old rule 3.1(a) by: <ul style="list-style-type: none"> ➤ inserting the prefatory words ‘To ensure the efficient and effective organising of members’; ➤ providing that rather than the National Council having power to ‘divide the membership of the PSU Group into Sections’, under the new rule the Governing Council shall ‘from time to time allocate the membership of the PSU Group into Sections’; and ➤ inserting the power to allocate members to Sub-Sections as well as Sections. • New rule 2.19(b) makes no alteration to old rule 3.1(b). • New rule 2.19(c) amends old rule 3.1(c) to apply to decisions of the Governing Council to abolish, as well as decisions to form, a Section. • New rule 2.19(d) inserts references to Sub-Sections, uses the term ‘acting’ in place of ‘pro-tem’ and makes consequential changes in numbering to old rule 3.1(d). • The references in the new rule to Sub-Sections mean that new rule 2.19(d) also replaces old rule 3.8(b). However the reference in old rule 3.8(b) to old rule 3.2(c) is not replicated. • The old rules which referred to specific Sections which were required to exist (old rules 3.1(e) to (h)) are removed and replaced with the provisions of Part 6 and Schedule A. The provisions of Part 6 and Schedule A are dealt with below.
<p>2.20 - Section Secretaries and 2.21 - Section Operations.</p>	<p>3.2 – Section Officers & Section Councillors 3.3 – Duties of Section Officers & Section Councillors</p>	<p>New rule 2.20 brings together provisions from the old rules relating to Section Secretaries (old rules 3.2 and 3.3) as well as inserting a list of specific duties for the position of Section Secretary.</p> <ul style="list-style-type: none"> • The first sentence of new rule 2.20(a) which states ‘There shall be a Section Secretary for each Section.’ replaces the first part of old rule 3.2(a) which stated, ‘The Section Officers shall be a Section Secretary...’. • New rule 2.20(a) replaces old rule 3.3(a). It amends the old rule by: <ul style="list-style-type: none"> ➤ providing that rather than the Section Secretary being under the direction of the National Secretary ‘subject to the direction of the National Council and subject to the direction of the Section Council which is not inconsistent with the direction of the National Council’, the Section Secretary is under the direction of the National Secretary subject only to ‘any relevant decision of

		<p>the Governing Council’.</p> <ul style="list-style-type: none"> ➤ inserting new specific duties for the position of Section Secretary. ➤ New rules 2.20(a)(i) and (ii) effectively replace the old duty to ‘render such assistance to the National Secretary as may be required in the operation of the PSU Group particularly in relation to the members of the PSU Group in the Section’. The new rules provide instead that the Section Secretary shall: <ul style="list-style-type: none"> ‘(i) assist the relevant National Officers to manage the affairs of their Section; (ii) represent the members of their Section on Governing Council’. ➤ The duties inserted by new rules 2.20(a)(iii), (iv), (vi) and (vii) mirror the duties in new rules 2.16(ii) to (v) for Executive Committee Members, which are also reflected in new rules 2.13, 2.14 and 2.15, as referred to above. ➤ New rules 2.20(a)(v) ‘be informed about matters and issues impacting upon the Union and consider their effect on the Union as a whole’ and (viii) ‘inform the National Secretary of any absences of Section Council members and any resulting temporary arrangements’ are new duties not found in the old rules. <ul style="list-style-type: none"> • New rule 2.20(b) replaces old rule 3.2(d). Aside from some changes in expression and sentence structure, the new rule adds provisions with the effect that the position of Section Secretary, in addition to the circumstances in which the position became vacant under old rule 3.2(d), will become vacant: <ul style="list-style-type: none"> ➤ if the holder resigns; or ➤ if the holder ‘is working in a workplace outside the Section for a continuous period of greater than 6 months’. • New rule 2.20(b) does not deal with the circumstances in which other Section Officer positions will become vacant, as does old rule 3.2(e). New rule 3.24(e) deals with the vacancy of these positions. • New rule 2.20(c) replaces the provisions of old rules 3.3(f) and 3.3(g). The effect of new rule 2.20(c) is that where a Section Secretary is absent or unavailable the Section Council may appoint a member from the Section to act as Section Secretary, except where there is no Section Council when the Executive Committee exercises the power to appoint
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		an acting Section Secretary, having regard to such views of the members of the Section as are available.
2.21 - Section Operations.	<p>3.2 – Section Officers & Section Councillors;</p> <p>3.3 – Duties of Section Officers & Section Councillors;</p> <p>3.4 – Section Councils – Constitution & Powers;</p> <p>3.5 – Section Council Meetings;</p> <p>3.6 – Section Executives – Constitution & Powers;</p> <p>3.7 – Section Executive – Meetings;</p> <p>3.8 – Sub-Sections.</p>	<ul style="list-style-type: none"> • New rule 2.21 provides general rules for Sections. In general terms it encompasses key provisions previously found in old rules 3.2 to 3.8. Other matters related to the operation of Sections, in addition to those contained in this new rule, are now found in policy determined by the Governing Council from time to time. • New rule 2.21(a) defines the role of Section Council as to “assist and provide advice to the Section Secretary’ replacing the first part of old rule 3.4(a) which defines the Section Council as the ‘supreme body’ of the Section and completely replacing old rule 3.4(b). • New rule 2.21(a) inserts a provision whereby the members in a Section may establish a Section Council ‘should they wish to do so’. The process for establishing a Section Council is determined by the Governing Council. • New rule 2.21(a) also provides that ‘subject to anything contained elsewhere in these Rules, Section Councils shall operate in accordance with any policy determined by the Governing Council and the provisions of this Rule’. • New rule 2.21(b) replaces the remainder of old rule 3.4(a). The new rule makes the following changes to the old rule: <ul style="list-style-type: none"> ➤ It deletes the reference to the Section Council being ‘the supreme body of the Section’. ➤ It amends the constituency of the Section Council in line with changes elsewhere in the new rules by removing ‘Division Secretary’ and ‘Assistant Division Secretaries who are also members of the Section’. ➤ It includes as a member of a Section Council ‘any Salaried Officer responsible for the Section’. • New rule 2.21(c) replaces old rule 3.2(c). Aside from consequential name changes, and differences in sentence structure, it alters the old rules by inserting a new requirement that the Governing Council ‘take into account the number of members and workplaces in the Section, geographic distribution and other communities of interest in determining the number of Section Councillors, as well as the views of the Section Secretary’. New rule 2.21(c) also removes the reliance of old rule 3.2(c) on Sub-Sections, but

		<p>inserts a provision allowing the Governing Council to ‘group Section members into sub-section electorates for the purpose of electing Councillors’.</p> <ul style="list-style-type: none"> • New rule 2.21(d) replaces old rule 3.3(j). The new rule amends the old rule whereby Section Councillors were required to ‘where possible attend all meetings’ by providing that ‘The duties of a Section Councillor shall be to attend meetings of the Section Council’. In addition the new rule provides wholly new duties for Section Councillors to ‘participate in its deliberations, represent the members of their Section or Section electorate at Section Council, and assist the Section Secretary with the effective operation of the Section’. The new rule also provides that Section Councillors ‘shall perform, as required, the tasks set out in new rule 2.3(e)’. • New rule 2.21(e) replaces old rule 3.4(i). Aside from some changes in sentence structure, the new rule only amends the old rule by adding the requirement that a Section Council ‘should operate with the minimum necessary formalities’. In other respects it does not change the old rule. • New rule 2.21(f) deals with the circumstances in which a position of Section Councillor becomes vacant, previously dealt with in old rule 3.2(e). It amends the old section by replacing references in the old rule to the Sub-section of which the Councillor was a member, with references to the electorate that elected him or her. Therefore the new rule also wholly removes the provision in the old rule that dealt with the vacancy of a position held by a Section Councillor who represented members of an electorate within a Sub-section. Otherwise new rule 2.21(f) amends the old rule by inserting an additional circumstance whereby the position of Section Councillor may become vacant ‘if the holder... leaves the electorate that elected him or her for a continuous period of greater than 3 months’. • New rule 2.21(g) effectively replaces old rules 3.5(a) and 3.5(b). The new rule removes references to a Division Secretary convening a meeting of Section Council, and removes references to one quarter of members of the Section Council convening a meeting by request to the Section Secretary. Aside from changes in the sentence structure and consequential name changes, the new rule does not further amend the old rule. • Aside from consequential name changes, new rule 2.21(h) is in the same terms as old rule 3.4(d).
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		<ul style="list-style-type: none"> • New rule 2.21(i) replaces old rule 3.4(e). It removes the requirement in the old rule that ‘Section Council shall not act independently, or in breach of policy in any matter which has been determined by the National Council, National Management Committee or a National Plebiscite’ and replaces it with a requirement that a Section Council not act ‘contrary to decisions of Governing Council, the Executive Committee, or a National Plebiscite or act in breach of policy’. • New rule 2.21(j), aside from some changes in sentence structure, is in the same terms as old rule 3.4(f). • New rule 2.21(k) replaces old rule 3.8(a). The new rule amends old rule 3.8(a) by providing that the members in the Section ‘may establish such sub-sections as are deemed necessary’, rather than the National Council dividing Sections into Sub-sections ‘having regard to such advice as to the views of members affected as is available’ as was the case under the old rule. Although, the new rule does require that sub-sections be approved by Governing Council. • New rule 2.21(k) further amends the old rules by clarifying that a sub-section ‘may be specific to an agency within the Section’. Further, new rule 2.21(k) requires that ‘The structures and operations of the sub-section will be as approved by the Governing Council and must not be inconsistent with the operations of the section as prescribed by this Rule’. • New rule 2.21(l) amends old rule 3.6(a) with the effect that the function of the Section Executive in the old rule ‘to be the managing body of the Section under the control of the Section Council’ is, in the new rule, ‘to assist and provide advice to the Section Secretary in the management of the affairs of a Section that has a Section Council’. • New rule 2.21(m) replaces old rules 3.6(b) and 3.6(c). The new rule changes the old rule by: <ul style="list-style-type: none"> ➤ removing the Division Secretary as a member of the Section Executive; and ➤ removing the words in old rule 3.6(b) that provided that the Section Executive ‘may include the National Councillors of the Section and/or Section Executive Members’ and instead providing that the Governing Council ‘may determine such other positions that shall be members of the Section Executive as necessary’.
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		<p>This phrase also replaces old rule 3.6(c) in its entirety.</p> <ul style="list-style-type: none"> • New rule 2.21(n) reproduces old rule 3.6(f) with only some grammatical changes. • Instead of providing that the Section Officers must include a Section Secretary and a Section President, as was the effect of old rule 3.2.(a), new rule 2.21(o) requires only that Section Officers must include a Section Secretary but that the Section Officers ‘may, subject to Governing Council approval’, include a Section President. • New rule 2.21(o) also amends old rule 3.2(a) by removing a Section Treasurer from the list of people who the Governing Council may approve for inclusion as Section Officers. This is because, with the exception of the CSIRO Section, the CPSU is now a single Reporting Unit. The CSIRO Section is a separate reporting unit and therefore has its own rule retaining a Treasurer in Part 8. There is no other requirement, however, for Sections to have Treasurers. • New rule 2.21(p) omits the first sentence of old rule 3.2(b) but otherwise reproduces the old rule without alteration. The first sentence of old rule 3.2(b) is dealt with in Part 8 and Part 10 with respect to the CSIRO and ABC Sections respectively. • Aside from some changes made in sentence structure by new rule 2.21(r), new rules 2.21(q) and (r) reproduce old rules 3.3(f) and (g) respectively without alteration.
2.22 – Duties of Section Officers	3.3 – Duties of Section Officers & Section Councillors	<ul style="list-style-type: none"> • New rule 2.2(a) makes changes to old rule 3.3(c) insofar as under the new rule, instead of the Assistant Section Secretary rendering such assistance ‘as may be required in the administration of the Section’, the Assistant Section Secretary shall render ‘such assistance as may be required in the operations of the Section and perform as required the tasks set out at Rule 2.3(e)’. This is consistent with the duties of all National Officers and Section Officers, as set out above. • Similarly, new rule 2.2(b) amends old rule 3.3(b) by introducing new requirements that the Section President ‘perform the duties of the Chair as specified in Rule 5.10’, and ‘render such other assistance to the Section Secretary as may be required and perform as required the tasks set out at Rule 2.3(e)’. The new rule also deletes the requirements from the old rule that the Section

		<p>President</p> <ul style="list-style-type: none"> ➤ ‘upon the minutes being confirmed sign them’ and ➤ ‘subject to the direction of Section Council, perform such duties as may be allocated by the Section Secretary’. <ul style="list-style-type: none"> • New rule 2.22(c) replaces old rule 3.3(d) and (e). It repeats the terms of old rule 3.3(d) and adds to the Deputy Section President an obligation to ‘render such other assistance to the Section Secretary as may be required and perform as required the tasks set out at Rule 2.3(e)’. It also repeats the substance of old rule 3.3(e) without alteration, although using different terms: under the new rule rather than determining ‘which Deputy Section President will perform the duties of Section President in the Section President’s absence’ the Section Council ‘shall select one of them to act in the place of the Section President’. • New rule 2.22(d) amends old rule 3.6(g). The new rule retains the obligations contained in the old rule and adds an obligation to a Section Executive member to ‘render such other assistance to the Section Secretary as may be required and perform as required the tasks set out at Rule 2.3(e)’. • The effect of the changes outlined above in new rules 2.21 and 2.22 is that the following old rules are removed and not replaced: <ul style="list-style-type: none"> ➤ 3.3(h) and 3.3(i); ➤ 3.4(b) to 3.4(c) and 3.4(g) to 3.4(h); ➤ 3.5(b) to 3.5(d); ➤ 3.6(d) to 3.6(e) and 3.6(h); and ➤ 3.7(a) to 3.7(e). <p>Consistent with new rule 2.21(a), where it is deemed necessary by the Governing Council, procedures contained in these deleted rules will be regulated by policy determined by the Governing Council.</p>
Not retained.	2.19 – 2.23 - Divisions	<ul style="list-style-type: none"> • There are no Division structures, including Division Secretaries and Division Assistant Secretaries in the new Rules.
Not retained.	3.15 – 3.18 – Sub-Section Delegates Committees	<ul style="list-style-type: none"> • Not retained.
Not Retained	3.19 – Attendance of Division Officers	<ul style="list-style-type: none"> • Not retained.

	Division Officers and Section Officers at Meetings	
Not Retained	3.20 – Section Group Councils	<ul style="list-style-type: none"> • Not retained.
Not Retained	3.21 – Workplace Delegates – Proxies	<ul style="list-style-type: none"> • Not retained.
Not retained.	4.1 to 4.5 - Regions	<ul style="list-style-type: none"> • Not retained.
Not retained.	7.1 to 7.7 - Professional Officers	<ul style="list-style-type: none"> • Not retained.

PART 3 – ELECTIONS AND APPOINTMENTS

General Overview

Part 3 replaces Part 6 in the old rules. Aside from restructuring the order of provisions within the Part, the only changes of any significance that it makes are:

- the limitation of a member to stand for election for one salaried officer position only.
- the insertion of provisions into the new Part for the nomination of persons in teams.

Specific Comparison

<i>New Rules</i>	<i>Old Rules</i>	<i>Comments</i>
3.1 - Advice to Industrial Registrar	6.1 - Advice to Industrial Registrar	<ul style="list-style-type: none"> • New rule 3.1 replaces and makes no alteration to old rule 6.1.
3.2 - Appointment of Returning Officer	6.2 - Appointment of Returning Officer	<ul style="list-style-type: none"> • New rule 3.2 replaces and makes no alteration to old rule 6.2.
3.3 - Duties of Returning Officer	6.7 - Duties of Returning Officer	<ul style="list-style-type: none"> • Aside from changes consequential upon the removal of the Regional Secretary and the Professional Officers Secretary in the new rules, and consequential numbering changes, new rule 3.3 only alters old rule 6.7 by inserting a provision in new rule 3.3(c) that makes it clear in the case of a defective nomination that ‘If the defect is not remedied the Returning Officer must reject the nomination’.
3.4 - Eligibility to Nominate and Vote	6.8 - Eligibility to Nominate and Vote; 6.21 - Members Barred From Office	<ul style="list-style-type: none"> • New rules 3.4(a) to (e) mirror old rules 6.8(a) to (e). • Old rule 6.8(f) is deleted consequent upon the removal of Divisions in the new rules. • New rule 3.4(g) restructures old rule 6.8(h)(i) and removes that last phrase of old rule 6.8(h)(i) which relates to Divisions. • New rule 3.4(h) mirrors old rule 6.8(j) except that the word ‘Sub-Section’ is replaced with the word ‘Section’. • New rule 3.4 omits the matters dealt with in old rules 6.8(h)(ii) and 6.8(i). These matters are dealt with, however, in new rules 3.24(a) and (b). • Old rules 6.8(k), 6.8(l), 6.8(m) and 6.8(n) are deleted consequent on the removal of Regional and Professional Officers structures in the new rules. • New rule 3.4(i) is a wholly new rule which, in effect, limits a member to nominating for one salaried officer position only. • New rules 3.4(j) to 3.4(m) mirror old rules 6.21(a) to

		<p>6.21(d) with the following minor alterations:</p> <ul style="list-style-type: none"> ➤ the words ‘an Officer’ in old rule 6.21(c)(ii) are replaced in new rule 3.4(l)(ii) with the phrase ‘a person holding an office’; ➤ the words ‘shall be entitled to hold such office’ in old rule 6.21(d) are replaced with the words ‘may hold those positions’.
3.5 - Nominations	6.4 - Nominations	<ul style="list-style-type: none"> • Aside from the deletion of the word ‘National’ in the title ‘National Returning Officer’ in old rule 6.4(a), new rule 3.5(a) makes no alteration to the old rule. • New rules 3.5(b) and 3.5(c) effectively replicate old rule 6.4(b) with the exception that references to the positions of ‘Division Officers’, ‘Regional Secretary’, ‘Professional Officers Secretary’ and ‘Professional Officers Councillors’ are deleted consequent to the removal of the relevant structures from the new rules. • As a result of oversight, old rule 6.4(c) is not replicated in the new rules. However, a further rule change currently subject to Union approval processes, will rectify the mistake. • New rule 3.5(b) replaces and makes no alteration to old rule 6.4(d)
3.6 - Nominations - Withdrawal	6.10 - Nominations - Withdrawal	<ul style="list-style-type: none"> • New rule 3.6 replaces and makes no alteration to old rule 6.10.
3.7 – Team Nominations	Not Included	<ul style="list-style-type: none"> • This rule is a wholly new rule which allows for the nomination of persons for National Officer positions in teams. As a result of this new rule there are consequential changes to old rule 6.12 that are contained in new rule 3.8 (outlined below).
3.8 - Ballot Procedures - General	6.12 - Ballot Procedures - General	<ul style="list-style-type: none"> • New rules 3.8(a)(i) and (ii) are wholly new rules which provide for the circumstance in which no more nominations for election to a position are received than the number of positions available, and alternatively, where there are more nominations received than positions available. • New rule 3.8(b) amends old rule 6.12(e) by inserting the prefatory words ‘Unless otherwise specified in these Rules’. • New rules 3.8(c), 3.8(d) and 3.8(e) replicate old rules 6.12(f), 6.12(g) and 6.12(h) respectively. • New rules 3.8(f), 3.8(g) and 3.8(h) replicate old rules 6.12(b), 6.12(c) and 6.12(d) respectively. • New rule 3.8(i) rephrases old rule 6.12(a) and amends it by inserting a reference to candidates’ team

		<p>nominations, as well as to their names. In addition, the new rule inserts a provision dealing with the order in which team nominations will appear on the ballot paper by reference to other teams, and to individuals.</p> <ul style="list-style-type: none"> • New rule 3.8(j) is a wholly new provision further dealing with the position and description of team nominations on the ballot. • New rule 3.8(k) is a new provision requiring that appropriate instructions on how to complete the ballot paper be ‘included on, or forwarded with, the ballot paper’.
3.9 - Ballot Procedures - Collegiate Elections	6.13 - Ballot Procedures - Collegiate Elections	<ul style="list-style-type: none"> • Aside from a change in the structure of the rule, consequential naming and numbering changes within new rule 3.9, and the replacement of the word ‘will’ in old rule 6.13(b) with the word ‘shall’ in new rule 3.9(c), the new rule only changes the old rule by the addition a new rule 3.9(h). • New rule 3.9(h) is a new provision dealing with National Officer positions elected from Governing Council. In effect, it limits positions to no more than one from any Section.
3.10 - Method of Voting	6.14 - Method Of Voting	<ul style="list-style-type: none"> • New rule 3.10 replaces and makes no alteration to old rule 6.14 aside from consequential numbering changes.
3.11 - Counting of Votes - Election of One Candidate Only	6.15 - Counting Of Votes - Election Of One Candidate Only	<ul style="list-style-type: none"> • New rule 3.11 replaces and makes no alteration to old rule 6.15.
3.12 - Counting of Votes - Election of More than One Candidate	6.16 - Counting Of Votes - Election Of More Than One Candidate	<ul style="list-style-type: none"> • New rule 3.12 replaces and makes no alteration to old rule 6.16.
3.13 - Scrutineers	6.11 - Scrutineers	<ul style="list-style-type: none"> • New rule 3.13 replaces and makes no alteration to old rule 6.11.
3.14 - Vacancies	6.5 - Vacancies	<ul style="list-style-type: none"> • New rule 3.14 only makes alterations to sub-rule (c) of old rule 6.5. In all other respects new rule 3.14 mirrors the terms of old rule 6.5. • New rule 3.14(c) makes the following changes to old rule 6.5(c): <ul style="list-style-type: none"> ➤ References in old rule 6.5(c)(i) and (iii) relating to Divisions and to Division Officers are removed; ➤ New rule 3.14(c)(i) restructures and rewords old rule 6.5(c)(i) without change in effect;

		<ul style="list-style-type: none"> ➤ In the context of the body which is entitled to appoint persons to vacant positions, new rules 3.14(c)(ii), (iii) and (iv) amend old rules 6.5(c)(ii) and (iii) by changing the ‘the relevant Section Council’ as the appointing body to ‘the Section Council (or the Executive Committee where there is no Section Council, having regard to such views of the members of the Section as is available)’. ➤ Old rule 6.5(c)(iii) is restructured into new rules 3.14(c)(iii) and (iv) but without any change in the effect. ➤ New rule 3.4(c)(v) amends old rule 6.5(c)(vi) by providing that ‘the Section Council’, rather than ‘the relevant SDC’ shall appoint a relevant person to a Section Councillor vacancy. ➤ The new rule removes old rules 6.5(c)(vii) to (x), as they deal with positions that have been removed in the new rules. ➤ New rule 6.5 does not deal with Section Officer, or Section Executive vacancies (old rules 6.5(c)(iv) and (v)), however, these particular vacancies are dealt with in new rule 3.24(c).
3.15 - Filling of New Positions	6.6 - Filling of New Positions	<ul style="list-style-type: none"> • New rule 3.15 replaces and makes no alteration to old rule 6.6.
3.16 - Fixing of Minimum Salaries & Location of Salaried Officers	6.3 - Fixing of Minimum Salaries & Location of Salaried Officers	<ul style="list-style-type: none"> • New rule 3.16 replaces and makes no alteration to old rule 6.3.
3.17 - Term of Office - Certain Offices	6.9 - Term of Office - Certain Offices	<ul style="list-style-type: none"> • Aside from changes consequent upon changes to the structure of the Union in the new rules, and the inclusion of ‘Section Secretaries’ in the new rule, new rule 3.17 makes no further amendment to old rule 6.9(a). • New rule 3.17 does not deal with the matters in old rules 6.9(b) and 6.9(c). The content of old rule 6.9(b) is dealt with in new rule 3.24(f) and the content of old rule 6.9(c) is dealt with in 2.3(g).
3.18 - Holding More than One Positions	6.17 - Candidate For More Than One Position	<ul style="list-style-type: none"> • New rule 3.18(a) amends old rule 6.17(a) by inserting an additional circumstance enlivening the section’s operation – namely, ‘where a person accepts an appointment to a position and is not eligible to hold simultaneously a position already held’. • New rule 3.19(b) amends old rule 6.17(b) by inserting the words ‘(if any)’ after the words ‘in

		<p>accordance with the preference shown’.</p> <ul style="list-style-type: none"> • New rule 3.19(c) amends old rule 6.17(c) by removing references to a Division or Region and removes the exception ‘except as provided under Rule 2.14(c) or (d)’ as being redundant. • Old rules 6.17(i) and 6.17(k) are replaced by new rule 3.18(d) which is in the following terms: ‘A person is not eligible to hold simultaneously more than one of the offices listed herein and the higher or highest position shall be ascertained from the following table: <ul style="list-style-type: none"> (i) National Secretary (ii) Assistant National Secretary (iii) National President (iv) Deputy National President (v) Executive Committee Member (vi) Salaried Section Secretary (vii) Section Secretary (viii) Governing Councillor.’ • The changes affected by new rule 3.18(d) limit any person to holding only one position in the governance structure of the Union. The new rule retains the hierarchy of positions. • Old rules 6.17 (d), (e), (f), (g), (h), (j) and (l) are removed.
3.19 - Retention of Ballot Papers	6.18 - Retention Of Ballot Papers	<ul style="list-style-type: none"> • New rule 3.19 replaces and makes no alteration to old rule 6.18.
3.20 - Election Appeals	6.19 - Election Appeals	<ul style="list-style-type: none"> • New rule 3.20 replaces and makes no alteration to old rule 6.19.
3.21 - Election Appeals Committee	6.20 - Election Appeals Committee	<ul style="list-style-type: none"> • New rule 3.21 replaces and makes no alteration to old rule 6.20, except for consequential numbering changes and alteration of the names of governing bodies.
3.22 - Forfeiture of Office	6.22 - Forfeiture Of Office	<ul style="list-style-type: none"> • New rule 3.22 replaces and makes no alteration to old rule 6.22.
3.23 - Election Advertising and Comments	6.23 - Election Advertising And Comment	<ul style="list-style-type: none"> • New rule 3.23 amends old rule 6.23 by removing the references to Division Officers, Professional Officers Secretary, Professional Officers Councillor and Regional Secretary. These changes are consequent upon the structural changes in the Union rules. The new rule also replaces the right of ‘Section Officers’ with the right of ‘salaried Section Secretary’ to such free space in Union publications to put forward their claims for election. In all other respects the old rule is

		unchanged by the new rule.
3.24 – Nominations, Vacancies and Appointments of Section Officers	Rules 3.2, 6.5, 6.8 and 6.9.	<ul style="list-style-type: none"> • New rule 3.24(a) replaces and amends old rule 6.8(h)(ii) by: <ul style="list-style-type: none"> ➤ removing the reference in the old rule to ‘Section Treasurers’; ➤ providing that the persons named in the new rule shall be elected ‘by and from the members of the Section Council ...’ rather than ‘by and from the Section Council...’; ➤ deleting the circumstance dealt with in the old rule whereby a Deputy Section President represented members of an electorate within a Section; and ➤ retaining the provision that the Governing Council will determine the method of election in accordance with the paragraph, but restructuring the way in which that provision is expressed. • New rule 3.24(b) mirrors old rule 6.8(i) without making any change to it. • New rule 3.24(c) mirrors old rule 6.5(c)(iv) in particular, and incorporates the other relevant provisions in old rule 6.5 without change (by reference to new rule 3.14). • New rule 3.24(d) makes no alteration to old rule 6.5(d). • New rule 3.24(e) replaces old rule 3.2(d) in relation to Section Officers. The new section amends the old section by: <ul style="list-style-type: none"> ➤ removing references to the circumstance where a Section Officer is elected by and from the Section Council; ➤ removing references to the circumstance where a Deputy Section President represents members of an electorate within a Section; and ➤ adding the provision (by reference to new rule 2.20) that a Section Officer position may become vacant if the holder ‘is working in a workplace outside the Section for a continuous period greater than 6 months’. • Aside from a change in structure, new rule 3.24(f) mirrors old rules 6.9(a) and 6.9(b) in relation to Section Officers.

PART 4 – FINANCIAL

General Overview

Part 4 replaces Part 5 in the old rules.

The most significant change to the rules in this part are the changes consequent upon the CPSU becoming a single Reporting Unit (except for the CSIRO Section) for the purposes of reporting to the Australian Industrial Registry with effect from 1 July 2001. Rules foreshadowing the implementation of this change from 1 July 2001 and references to pre-existing arrangements have been removed.

The effect of the changes from 1 July 2001 is that Sections are not able to manage separate funds (except insofar as the provisions of Part 8 allow the CSIRO to do so).

Specific Comparison

<i>New Rules</i>	<i>Old Rules</i>	<i>Comments</i>
4.1 - Financial Year	5.1 - Financial Year	<ul style="list-style-type: none"> New rule 4.1 replaces and makes no alteration to old rule 5.1.
4.2 - PSU Group National Funds and Property	5.2 - PSU Group National Funds and Property	<ul style="list-style-type: none"> New rule 4.2 amends old rule 5.2 by: <ul style="list-style-type: none"> ➤ inserting a new provision in new rule 4.2(g) that includes amongst the Funds and Property of the Union ‘any and all intellectual property of the PSU Group’ and gives examples of what is included in this category of property; and ➤ removing the provision in old rule 5.2(h) for an agreement relating to a Section whereby the Union may provide ‘superintendence, management and control by a Section Council’ of certain funds, property, liabilities and income. In all other respects, new rule 4.2 mirrors old rule 5.2.
4.3 - Receipt of Moneys	5.3 - Receipt of Moneys	<ul style="list-style-type: none"> Aside from consequential name changes, new rule 4.3 replaces old rule 5.3 and alters it by removing the prefatory words in old rule 5.3(a) and deleting old rules 5.3(b) and (d). These changes reflect the removal of the provision in old rule 5.2(h) for an agreement relating to a Section whereby the Union may provide ‘superintendence, management and control by a Section Council’ of certain funds, property, liabilities and income, referred to above.
4.4 - Expenditure of PSU Group National Funds	5.4 - Expenditure of PSU Group National Funds	<ul style="list-style-type: none"> New rule 4.4(b) amends old rule 5.4(b) by replacing the requirement for disbursements of PSU Group Funds to be approved by the National President, with a requirement for the disbursement to be approved by ‘a National Officer authorised for that purpose’. In all other respects the new rule mirrors the old rule.
4.5 -	5.5 - Investments	<ul style="list-style-type: none"> New rule 4.5 amends old rule 5.5 by removing old

Investments		<p>rules 5.5(c) and 5.5(d). These changes reflect the removal of the provision in old rule 5.2(h), referred to above, whereby Section Councils were able to retain control of certain funds.</p> <ul style="list-style-type: none"> • Old rule 5.5 is otherwise unchanged by new rule 4.5.
4.6 – Loans, Grants and Donations	5.6 – Loans, Grants and Donations	<ul style="list-style-type: none"> • New rule 4.6 only amends old rule 5.6 by deleting the sub-rules relating to the ability of Section Councils to retain control of certain funds (old rule 5.6(b) in this case).
4.7 - Duties of Accounting Officer	2.13 - Duties of Accounting Officer	<ul style="list-style-type: none"> • Old rule 2.13 is only amended by new rule 4.7 insofar as the reference in the old rule to the appointment, if the Executive Committee so determines, of ‘an Assistant National Secretary’ as the Accounting Officer is amended to refer instead to ‘a National Officer’.
4.8 - Statement of National Accounts	5.7 - Statement of National Accounts	<ul style="list-style-type: none"> • The only change that new rule 4.8 makes to old rule 5.7 is the addition of a provision in new rule 4.8(b) that ‘A copy of the full report will be provided to each member of the Governing Council’. The new rule otherwise does not amend the old rule.
4.9 - Annual Budget	5.8 - Funds - Allocation Within PSU Group	<ul style="list-style-type: none"> • New rule 4.9 alters old rule 5.8 as follows: <ul style="list-style-type: none"> ➤ New rule 4.9(a) places sole responsibility on the National Secretary to prepare an annual budget for approval by the Executive Committee, rather than the responsibility being shared, as it was under the old rule, by ‘The National Secretary, Division Secretaries and Regional Secretaries, Secretaries of Sections so designated by the National Management Committee and the Professional Officers Secretary’. ➤ New rule 4.9(a) inserts a requirement that the National Secretary prepare the budget ‘consistent with the strategic plan’. ➤ The new rule removes old rules 5.8(a)(ii) and 5.8(b), both of which were consistent with old rule 5.2(h), which has also been removed in the new rules. These old rules related to the ability of a Section to prepare its own budgets and allocate its own funds. ➤ However, new rule 4.9(b) does preserve Operating Agreements existing as at 30 December 2004, authorising Section Secretaries to prepare a budget for the operation of the Section. For this purpose, new rule 4.9(b) reproduces old rule 5.8(c) though deleting the words ending the rule: ‘whose decisions in relation to any such matters shall be binding upon

		each Section’ because they are redundant.
4.10 - Subscriptions	5.9 - Subscriptions	<ul style="list-style-type: none"> • New rule 4.10 alters old rule 5.9 by the deletion from old rule 5.9(c) of those words which, consistent with old rule 5.2(h), allowed for agreement to be reached for a Section to retain subscriptions received in respect of member of the Section. • In all other respects new rule 4.10 mirrors old rule 5.9.
4.11 - Levies on Members	5.12 - Levies on Members	<ul style="list-style-type: none"> • Old rule 5.12 is only changed by new rule 4.11 by the replacement of the phrase ‘in designated Divisions, Sections or Regions’ with the phrase ‘in designated Sections or Sub-Sections’ in new rule 4.11(c)(iii). This change flows from the structural changes to the Union in the new rules.
4.12 - Subscriptions & Levies Waver	5.11 - Subscriptions & Levies Waver	<ul style="list-style-type: none"> • New rule 4.12 replaces and makes no alteration to old rule 5.11.
4.13 - Honoraria	5.10 - Honoraria	<ul style="list-style-type: none"> • New rule 4.13 replaces and makes no alteration to old rule 5.10 aside from deleting the words at the end of the rule: ‘to the National Council or Section’, as they are redundant.
4.14 - Payment of Fines	5.13 - Payment of Fines	<ul style="list-style-type: none"> • New rule 4.14 replaces and makes no alteration to old rule 5.13.
4.15 - Recovery of Subscriptions	5.14 - Recovery of Subscriptions	<ul style="list-style-type: none"> • New rule 4.15 replaces and makes no alteration to old rule 5.14.
Not retained	5.15 – Section Funds & Expenditure	<ul style="list-style-type: none"> • Old rule 5.15 is removed in the new rules.
4.16 - Appointment of Auditors	5.16 - Appointment of Auditors	<ul style="list-style-type: none"> • New rule 4.16 alters old rule 5.16 by removing the right of the Executive Committee ‘to delegate power to a Section Council or Section Executive to appoint an Auditor for the Section’ contained in old rule 5.16(a), and the associated provision in old rule 5.16(b). This is a result of the fact that, as referred to above, the CPSU, aside from the CSIRO Section which maintains a separate right to appoint an auditor to the section, is a single reporting unit, and therefore requires only one auditor to be appointed.
4.17 - Expenditure in Relation to Meetings	5.17 - Expenditure in Relation to Meetings	<ul style="list-style-type: none"> • New rule 4.17 replaces and makes no alteration to old rule 5.17.

PART 5 – ADMINISTRATION

General Overview

Part 5 largely mirrors the Administration provision found in Part 1 of the old rules. It makes changes consequent upon the changes elsewhere in the new rules, but does not itself make significant changes to the administrative processes of the Union.

Specific Comparison

<i>New Rules</i>	<i>Old Rules</i>	<i>Comments</i>
5.1 - Admission	1.4 - Admission	<ul style="list-style-type: none"> • New rule 5.1 amends old rule 1.4 as follows: <ul style="list-style-type: none"> ➤ old rule 1.4(a) is amended in the first sentence of new rule 5.1(a) to read ‘Applications for membership of the PSU Group shall be approved by the Executive Committee’. This does not effect a substantive change to the old provision. ➤ the provisions in old rule 1.4(b) are restructured and in the new rules are found, although differently expressed, in the second sentence of new rule 5.1(a), and in new rule 5.1(b). Again, these changes do not effect any substantive change to the old provision. ➤ New rule 5.1(c) further amends the old rule by adding the approval of their membership to the matters of which applicants for membership must be informed.
5.2 – Financial Member	1.5 – Financial Member	<ul style="list-style-type: none"> • New rule 5.2 replaces and makes no alteration to old rule 1.5.
5.3 - Resignation of Membership	1.6 - Resignation of Membership	<ul style="list-style-type: none"> • New rule 5.3 replaces and makes no alteration to old rule 1.6.
5.4 - Forfeiture	1.7 - Forfeiture	<ul style="list-style-type: none"> • New rule 5.4 replaces and makes no alteration to old rule 1.7.
5.5 - Re-Admission to Membership	1.8 - Re-Admission to Membership	<ul style="list-style-type: none"> • New rule 5.5 replaces and makes no alteration to old rule 1.8.
5.6 - Liability of Former Members	1.9 - Liability of Former Members	<ul style="list-style-type: none"> • New rule 5.6 replaces and makes no alteration to old rule 1.9.
5.7 - Affiliation	1.13 - Affiliation	<ul style="list-style-type: none"> • New rule 5.7 replaces and makes no alteration to old rule 1.13.
5.8 - Quorums	1.14 - Quorums	<ul style="list-style-type: none"> • Aside from the removal of the provisions relating to the rules of quorum in the CSIRO Section Council (which are contained in new rule 8.12 in Schedule A of the new rules) new rule 5.8 replaces and makes no alteration to old rule 1.14.

5.9 - Rules of Debate	1.15 - Rules of Debate	<ul style="list-style-type: none"> • New rule 5.9 replaces and makes no alteration to old rule 1.15.
5.10 – Chair of meetings	Not Included	<ul style="list-style-type: none"> • This is a wholly new rule which, in general terms, introduces a standard practice for all Councils, Committees and meetings of members to elect their own Chair who then has responsibility for chairing the meeting and causing minutes of the meeting to be kept.
5.11 - Life Membership	1.17 - Life Membership	<ul style="list-style-type: none"> • New rule 5.11 amends old rule 1.17 by restructuring the rule, deleting the references to ‘a Regional Council’ and ‘the Professional Officers Council’ and inserting a provision allowing for a recommendation to come from ‘a member of Governing Council’.
5.12 - Service Awards	1.18 - Service Awards	<ul style="list-style-type: none"> • New rule 5.12 removes references to Regional Council and removes the right for such awards to be given services to ‘an associated body’ contained in old rule 1.18. The new rule also deletes references to ‘the Professional Officers Council’ and inserts a provision allowing for a recommendation to come from ‘a member of the Governing Council’.
5.13 - Publications and Bulletins	1.19 - Publications	<ul style="list-style-type: none"> • New rule 5.13 alters old rule 1.19 as follows: <ul style="list-style-type: none"> ➤ new rule 5.13(a) requires the PSU Group to publish an annual report. ➤ new rule 5.13(b), in addition to the Executive Committee which was empowered by the old rules for the purpose, also empowers ‘the National Secretary, or a person authorised for the purpose by the Executive Committee or the National Secretary’ to authorise publications. ➤ new rule 5.13(b) also extends the list of publications that may be distributed in addition to official journals from ‘other journals or publications’ to ‘other journals, bulletins, surveys, petitions, newsletters, forms or other publications’ ➤ new rule 5.13(b) also inserts a provision allowing for such publications to be distributed ‘including by electronic means’.
5.14 - Dismissal of Elected Officers	1.20 - Dismissal of Elected Officers	<ul style="list-style-type: none"> • New rule 5.14 replaces and makes no alteration to old rule 1.20.
5.15 - Removal from Office by Governing Council	1.21 - Removal from Office by National Council	<ul style="list-style-type: none"> • New rule 5.15 replaces and makes no alteration to old rule 1.21.

5.16 – ‘No Confidence’ Motions	1.24 – ‘No Confidence’ Motions	<ul style="list-style-type: none"> • Aside from changes resulting from the removal of the Professional Officers Council and the Regional Council from the new rules, and consequential name changes, new rule 5.16 replaces and makes no alteration to old rule 1.24.
5.17 - Appeals to Governing Council	1.11 – Appeals to National Council	<ul style="list-style-type: none"> • New rule 5.17(a) amends old rule 1.11(a) by removing references to an action or decision of ‘a Regional Council, a Section Council, a Section Executive, a Sub-section Delegates Committee, the Professional Officers Council’, but retaining the right of a member to appeal against ‘any action or decision of the Executive Committee, a PSU Group Officer or a PSU Group employee which affects the member’s rights or privileges as a member of the Union’. • New rules 5.17(c) and (d) replace old rules 1.11(c), (d) and (e). The new rules alter the process whereby appeals are managed and recommendations made to the Governing Council. <ul style="list-style-type: none"> ➤ In accordance with the changes to new rule 5.17(a) outlined above, the new rule requires the National Secretary to forward the appeal to ‘the relevant Officers’ rather than ‘the relevant Regional Secretary, Division Secretary or Section Secretary or Professional Officers Secretary’. ➤ The new rule maintains the period of 21 days between the receipt by the National Secretary of the appeal and the completion of any reports, although it removes the division of this time frame into the 7 and 14 day periods provided for in old rules 1.11(c) and (d). ➤ The new rule also requires that any enquiries by the National Secretary be completed within this 21 day period, whereas the old rule only provided for enquiries by the National Secretary after the receipt of the report from a relevant Secretary (which was required to be produced within 21 days of the National Secretary’s receipt of the appeal) and did not provide any further time limit for the enquiries to take place. ➤ The process is otherwise unchanged under the new rules.
5.18 - Disputes and Charges	1.22 - Disputes and Charges	<ul style="list-style-type: none"> • New rule 5.18 mirrors old rule 1.22 with the exception of: <ul style="list-style-type: none"> ➤ the replacement of the phrase ‘member of the PSU Group’ with the word ‘member’; and ➤ the change of reference in new sub-rule (e) from ‘the provisions of these Rules’ to ‘the provisions

		of paragraph (c)'. Neither of these changes effect any substantive change to the old rules.
5.19 - Disputes Tribunals	1.23 - Disputes Tribunals	<ul style="list-style-type: none"> New rule 5.19 replaces and makes no alteration to old rule 1.23.
5.20 - Validity of Acts	1.25 - Validity of Acts	<ul style="list-style-type: none"> New rule 5.20 replaces and makes no alteration to old rule 1.25 except for consequential name changes and the removal of references to Section Executive, Regional Council and Professional Officers Council.
5.21 - Delegation of Powers	1.26 - Delegation of Powers	<ul style="list-style-type: none"> New rule 5.21 amends old rule 1.26 by removing old rule 1.26(a) and the table of specific delegations. The new rule continues to require the National Secretary, in new rule 5.21(a), to keep a schedule of 'operative delegations' made under the rules and to provide the schedule 'to each National Officer, Governing Councillor and Section Secretary. (sic) and any financial member of the PSU Group upon request', as did old rule 1.26(b). The new rules otherwise make no change to the old rules.
	Rules 1.27 and 1.28	<ul style="list-style-type: none"> These old rules are removed from the new rules.
5.22 - Register of Members	1.30 - Register of Members	<ul style="list-style-type: none"> New rule 5.22 replaces and makes no alteration to old rule 1.30.
5.23 - Staff Barred from Appointment as Proxy	1.31 - Staff Barred from Appointment as Proxy	<ul style="list-style-type: none"> New rule 5.23 amends old rule 1.31 by removing the exception to the general prohibition on the appointment of a salaried employee of the Union as proxy for an office holder of the PSU Group, for the office of Workplace Delegate or Deputy Delegate.
PART 6 – MATTERS RELATING TO SPECIFIC SECTIONS		
Overview		
Part 6 contains only a reference to Schedule A (considered below), which sets out matters relating to specific Sections within the Union which differ to the general provisions in the rest of the new rules.		

PART 7 – TRANSITIONAL PROVISIONS

General Overview

Part 7 contains provisions to facilitate a short transitional period to fit the timing of the election cycle. Broadly speaking, the provisions in this Part of the new rules deal with:

- the continuation of persons holding offices that continue under the new rules;
- the translation of persons holding offices on Councils or Committees that change name under the new rules;
- creating transitional positions for persons holding offices that are not continuing or changing name, but will cease to exist under the new rules;
- creating a transitional Governing Council and Executive Committee and continuing the operation of Section Councils;
- establishing when the electoral cycle will commence for positions to be elected under the new rules; and
- continuing decisions and policy of the governing bodies of the Union, made under the old rules.

Specific Examination

<i>New Rules</i>	<i>Comments</i>
7.1 – Continuation of Certain Office Holders	<ul style="list-style-type: none"> • This new rule continues the National Secretary, Assistant National Secretary, National President, Deputy National President, Section Secretaries and Section Councillors elected or appointed as such under the old rules in these offices under the new rules until 31 December 2005. • New rule 7.1(b) also makes it clear that the duties of persons holding these offices are the duties contained in the new rules.
7.2 – Translation of Certain Office Holders	<ul style="list-style-type: none"> • New rule 7.2 provides that National Councillor's appointed as such under the old rules will become 'Transitional Governing Councillors' under the new rules until 31 December 2005. • As under new rule 7.1(b), so too new rule 7.2(b) provides that the duties of persons holding the office of Transitional Governing Councillor are the duties contained in the new rules.
7.3 – Transitional Office Holders	<ul style="list-style-type: none"> • New rule 7.3 provides that the Division Secretaries, Assistant Division Secretaries, Regional Secretaries, Regional Councillors and the Professional Officers Secretary appointed as such under the old rules take up Transitional positions under the new rules until 31 December 2005. • Under new rule 7.3(b) the duties of holders of these Transitional positions are to 'provide such assistance as is necessary to the National Secretary in the operation and affairs of the Union'.

7.4 – Transitional Governing Council	<ul style="list-style-type: none"> • New rule 7.4 establishes a Transitional Governing Council which operates until 31 December 2005 and is constituted by the National Officers, the Section Councillors, the Transitional Governing Councillors, the Transitional Division Secretaries, the Transitional Regional Secretaries and the Transitional Professional Officers Secretary.
7.5 – Transitional Executive Committee	<ul style="list-style-type: none"> • This new rule creates a Transitional Executive Committee that operates until 31 December 2005 and is constituted by the National Officers, the Transitional Division Secretaries and the Transitional Regional Directors.
7.6 - Transitional Section Councils and Section Officer Positions	<ul style="list-style-type: none"> • New rule 7.6(a) continues the existence of Section Councils that existed under the old rules immediately prior to the certification of the new rules. • New rule 7.6(b) provides that Section Officers elected as such by and from the members of the Section under the old rules continue in the same positions under the new rules (except for the Section Treasurer who becomes Transitional Section Treasurer under the new rules) until 31 December 2005. • New rule 7.6(d) provides that Section Officers elected as such by and from the Section Council under the old rules continue in the same positions under the new rules (except for the Section Treasurer who becomes Transitional Section Treasurer under the new rules) until 30 June 2006. • New rules 7.6(c) and 7.6(e) provide that the duties of these officers whose positions are continued are the duties provided for under the new rules, except that the duties of the Transitional Section Treasurer are to ‘provide such assistance as is necessary to the Section in the operation and affairs of the Section’. • New rule 7.6(f) provides duties for Section Officers in circumstances where the Section Council of which they were members ceases to exist, but their term of office continues.
7.7 – Continuation of Other Positions	<ul style="list-style-type: none"> • New rule 7.7(a) provides for the continuation of all Sub-Section Officer positions elected by and from the members of the Sub-Section until the end of the current term of office. • New rule 7.7(b) provides for elected Delegates or Deputy Delegates to continue as such under the new rules, until the end of the current term of office.

7.8 - Decisions	<ul style="list-style-type: none">• New rule 7.8 continues in force all decisions and policy of the National Council and/or the National Management Committee made on or before the day before the certification of the new Rules, and deems such decisions and policy to have been made by the Governing Council and/or the Executive Committee as the case may be.
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SCHEDULE A		
General Overview		
<p>Schedule A contains the rules for the CSIRO Section, the Tax Section, the Food Inspectorial Section and the ABC Section that are different to the rules that apply to other Sections in the Union. In the case of the Tax Section there are two separate Parts to the Schedule: Part 9, which contains the Tax Section Rules, and Part 9A, which extracts those parts of the old rules on which Part 9 relies.</p>		
Specific Comparison		
<i>New Rules</i>	<i>Old Rules</i>	<i>Comments</i>
Part 8 – CSIRO Section		
8.1 - CSIRO Section	8.1 - CSIRO Section	<ul style="list-style-type: none"> • New rules 8.1(a) and (b) are in the same terms as old rule 3.1(e) with the exception that: <ul style="list-style-type: none"> ➤ the new rule deletes the power of the National Council in the old rule, upon the advice of the CSIRO Section Council, to rename the Section; and ➤ new rule 8.1(a) corrects an error in the old rule regarding persons eligible to be members of the CSIRO Section pursuant to by replacing the reference in the old rule to ‘sub-rule 4G’ with a reference to ‘sub-Rule 4H’, which is the correct eligibility Rule for members of the CSIRO Section. • New rules 8.1(c) to (e) are in the same terms as old rules 8.1(b) to (d) respectively.
8.2 - Operating Agreement		<ul style="list-style-type: none"> • New Rule 8.2(a) replaces old rule 2.3(b)(vi), insofar as it was relevant to the CSIRO Section, whereby the National Council was able to enter into agreements with a Section Council relating to the operation of that Section Council. In this schedule such an agreement is called an ‘Operating Agreement’. Provisions of this kind are found in each Part of Schedule A as they facilitate the ongoing separate existence (to varying degrees) of the Sections of the Union referred to in the Schedule. • New rule 8.2(b) sets out the general matters that an Operating Agreement may include. • New rule 8.2(c) sets out the financial matters that an Operating Agreement may provide. • New rule 8.2(d) provides that any such Agreement entered into with the CSIRO Section prior to 31 December 2004 shall continue in force and have the same force and effect as if it were an Agreement

		made under new rule 8.2(a).
8.3 - CSIRO Section Funds and Expenditure	8.6 - Sub-Section Funds: Expenditure	<ul style="list-style-type: none"> • In general terms, new rule 8.3 mirrors old rule 5.15. <ul style="list-style-type: none"> ➤ New rules 8.3(a) recognises the source of the funds which underpin the operations of the CSIRO Section and mirrors, in general content, old rule 5.15(a). ➤ New Rule 8.3(b) mirrors old rule 5.15(b). ➤ New rule 8.3(c) mirrors old rule 5.15(c) with the exception of the removal of the provision in the old rule dealing with the circumstance should the Section President be unavailable to approve recommended expenditure. ➤ New rule 8.3(d) is based upon new rule 4.6. ➤ New rule 8.3(e) mirrors old rule 5.15(d). ➤ New rule 8.3(f) mirrors old rule 5.15(e). ➤ New rule 8.3(g) is in the same terms as old rule 8.6. ➤ New rule 8.3(h) calls up new rule 4.8 and 4.16 to apply to CSIRO funds and specifies that the CSIRO Section Executive appoints its auditors.
8.4 - Section Operations		<ul style="list-style-type: none"> • New rule 8.4 is new and establishes the constitution and powers of the CSIRO Section Council. It also provides for the Section Council to establish a Section Executive and such Sub-Sections as it considers necessary and as are approved by the Governing Council.
8.5 – Section Officers		<ul style="list-style-type: none"> • New rule 8.5 mirrors old rule 3.2(a) and (b) with the exception that the provision empowering National Council to allocate members to electorates for the purpose of electing Deputy Section Presidents is omitted, which is addressed at new rule 2.21(p).
8.6 – Sub-Section Officers	8.2 – Sub-Section Officers 8.5 - Vacancies	<ul style="list-style-type: none"> • New rule 8.6(a) is in the same terms as old rule 8.5(c). • New rule 8.6(b) is in the same terms as old rule 8.2(b). • New rule 8.6 removes old rule 8.2(c) because it is redundant in the context of the new rules, and instead, in new rule 8.6(c), retains old rule 8.2(d). • Old rule 8.2(a) is deleted.
8.7 - Duties		<ul style="list-style-type: none"> • This is a new rule that is drawn from provisions found in the old rules, as follows:

		<ul style="list-style-type: none"> ➤ new rule 8.7(a) reproduces old rule 3.3(c); ➤ new rule 8.7(b) reproduces old rule 3.3(b)(i); ➤ new rule 8.7(c) reproduces old rules 3.3(d) and (e); ➤ new rule 8.7(d) reproduces old rules 3.3(i)(i) and (iii); ➤ new rule 8.7(f) reproduces old rule 3.6(g); and ➤ new rule 8.7(e) reproduces old rule 3.18(c) with the exception of the removal of the reference in the old rule to the Division Secretary. <ul style="list-style-type: none"> • Old rule 8.8 is deleted.
8.8 - Workplace Delegates	8.3 - Workplace Delegates	<p>New rule 8.8 replaces old rule 8.3.</p> <ul style="list-style-type: none"> • New rule 8.8(a) mirrors old rule 8.3(b) • New rule 8.8(b) amends old rule 8.3(c) by providing that instead of the SDC determining the number of Workplace Delegates to be elected from each workplace, that task is to be performed by the Section Council. • New rule 8.8(c) mirrors old rule 8.3(c). • Old rule 8.3(a) is deleted.
8.9 – Sub-Section Delegates Committees		<ul style="list-style-type: none"> • Rule 8.9 is a wholly new rule, although, new rule 8.9(a) is similar in terms to old rule 3.15, and new rule 8.9(b) contains powers and duties broadly found in old rule 3.16.
8.10 - Section Elections	8.4 - Section Elections	<ul style="list-style-type: none"> • New rule 8.10 replaces and makes no alteration to old rule 8.4, except for consequential numbering changes.
8.11 – Nominations and Vacancies	8.5 - Vacancies	<ul style="list-style-type: none"> • New rule 8.11(a) is a new provision reflecting the capacity of the Section to have a salaried Assistant Section Secretary. • New rules 8.11(b) and (c) are in the same terms as new rules 3.24(a) and (b) respectively, which in turn mirror old rules 6.8(h)(i) and 6.8(i). • New rule 8.11(d) is in the same terms as new rule 3.24(c) except for the additional reference to Section Treasurer. • New rules 8.11(e), (f) and (h) mirror the terms of old rules 8.5(a), (b) and (c) respectively. • New rule 8.11(g) refers to new rule 2.20. • New rule 8.11(i) is in similar terms to new rule 3.24(f), except that new rule 8.11(i) also refers to the term of office for a Section Treasurer.
8.12 - Quorums	8.7 - Quorums	<ul style="list-style-type: none"> • New rule 8.12 replaces and makes no alteration to old rule 8.7, except for consequential numbering

		changes.
8.13 - Proxies	8.9 - Proxies	<ul style="list-style-type: none"> • New rule 8.13 replaces and makes no alteration to old rule 8.9.
8.14 – Voting		<ul style="list-style-type: none"> • New rule 8.14 is a wholly new rule, but is in similar terms to the old rules. <ul style="list-style-type: none"> ➤ New rule 8.14(b) and the table in that sub-rule mirror the terms of old rule 1.28. ➤ New rule 8.14(a) is in similar terms to old rule 3.5(d).
Not Retained	8.8 – Section Officers	<ul style="list-style-type: none"> • Not Retained, see new rule 8.7.
Part 9A – Tax Section Supplementary Provisions		
9A.1 - Tax Section		<ul style="list-style-type: none"> • New rule 9A.1(a) mirrors old rule 3.1(f) with the exceptions that: <ul style="list-style-type: none"> ➤ The new rule replaces the phrase ‘the day before the commencement of the operation of this Rule’ in the old rule with the date ‘31 December 1996’. ➤ the new rule deletes the power of the National Council in the old rule, upon the advice of the Tax Section Council, to rename the Section accordingly.
9A.2 - Section Operations		<ul style="list-style-type: none"> • New rules 9A.2(a) and 9A.2(b) are consistent with new rule 2.21. • New rule 9A.2(c) provides that there shall be sub-section officers.
9A.3 – Section and Sub-Section Officers		<ul style="list-style-type: none"> • New rule 9A.3(a) is in the same terms as old rule 3.2(a) with the exception that a Section Treasurer is not provided for in the new rule as a Section Officer. • New rule 9A.3(b) mirrors old rule 3.19(a)
9A.4 - Duties		<ul style="list-style-type: none"> • New rule 9A.4 mirrors old rule 3.18(c), without alteration.
9A.5 – Sub-Section Delegates Committees		<ul style="list-style-type: none"> • New rule 9A.5(a) mirrors old rule 3.15, without alteration. • New rule 9A.5(b) and (c) are drawn from the provisions of old rules 3.16(b) and (g).
9A.6 – Nominations, Vacancies and Appointments		<ul style="list-style-type: none"> • New rule 9A.6(a) mirrors old rule (and new rule) 9.3(a) and new rule 9A.6(b), (c) and (d) mirror old rule (and new rule) 9.7(a), (b) and (c) with the exception that new rules 9A.6(b) and (c) refer to Workplace Delegates.

9A.7 – Additional Matters		<ul style="list-style-type: none"> The matters contained in this rule ensure the proper operation of Part 9.
Part 9 – Tax Section Provisions		
Rules 9.1 to 9.8	Rules 9.1 to 9.8	<ul style="list-style-type: none"> New rules 9.1 to 9.8 are identical to old rules 9.1 to 9.8. As referred to above, the new rules contained in Part 9A function so as to facilitate the continuing operation of the rules in this Part.
Part 10 – Other Sections		
10.1 – Food Inspectorial Section		<ul style="list-style-type: none"> New rule 10.1(a) mirrors old rule 3.1(h) with the exception that the new rule deletes the power of the National Council in the old rule, upon the advice of the Food Inspectorial Section Council, to rename the Section accordingly. New rule 10.1(b) replaces old rule 2.3(b)(vi), insofar as it was relevant to the operations of the Food Inspectorial Section, whereby the National Council was able to enter into agreements with a Section Council relating to the operation of that Section Council. Such an agreement is called an ‘Operating Agreement’. New rule 10.1(c) calls up the provisions of new rule 8.2 insofar as it specifies the contents of any Operating Agreement entered into with the Food Inspectorial Section. New rule 10.1(d) continues in force any Operating Agreement in place prior to 31 December 2004 as if it were an Agreement under paragraph (b).
10.2 – ABC Section		<ul style="list-style-type: none"> New rule 10.2(a) mirrors old rule 3.1(g) with the exception that the new rule deletes the power of the National Council in the old rule, upon the advice of the ABC Section Council, to rename the Section accordingly. New rule 10.2(b) is a wholly new rule that provides, in effect, that the National Secretary will review the continuation of the position of ABC Section Secretary as a salaried officer and that prior to making any recommendation to the Governing Council in this regard the National Secretary will obtain the views of the ABC Section Council. New rule 10.2(c) mirrors the first sentence of old rule 3.2(b).

B. DECLARATION OF OFFICER OF CPSU

I, Adrian O’Connell, National Secretary of the PSU Group of CPSU, the Community and Public Sector Union (“CPSU”), of 191-199 Thomas Street, Haymarket in the State of New South Wales, declare as follows:

- 1) I am authorised by the rules of the CPSU to make this declaration.
- 2) The alteration to the rules of the CPSU, the subject of the application to which this declaration and the notice of which it forms a part refer, was made in accordance with the rules of the CPSU. The following actions were taken under the rules of the CPSU to make the alteration.
- 3) An ordinary meeting of the National Council of the PSU Group of the CPSU (“the National Council”) took place in Sydney between 18 and 20 March 2005.
- 4) On 18 March 2005 the CSIRO Section Council carried the following motion:
“That Council endorse the Schedule A document dated 16 March 2005 and recommend to the PSU Group National Council changes related to Part 8 of Chapter B – PSU Group Rules as contained in this Schedule.”
- 5) On 19 March 2005 the following resolution was resolved by National Council 58 votes to 16, with one absent:

“11.3.A RULES OF THE PSU GROUP

RESOLVED – [NS A. O’Connell]

National Council resolves to recommend to the National Officers Committee that Chapter B of the CPSU, PSU Group Rules be amended in the following manner:

‘That all the words following *‘Rules of the CPSU, Community and Public Section Union Chapter B – PSU Group...’* be deleted and replaced with the words in Attachment A as amended with the leave of the meeting.’ ”

- 6) Attachment A, referred to in Resolution 11.3.A, was tabled at the meeting of National Council on 19 March 2005.
- 7) A total of fourteen amendments were proposed to Attachment A. Only two of these proposed amendments were accepted with the leave of the National Council meeting on 19 March 2005.
- 8) The following amendment to the words in Attachment A was accepted with the leave of the National Council meeting:

“AMENDMENT 1 – 1.1(c) AND 2.1(c) OF AMENDED ATTACHMENT A

ACCEPTED WITH THE LEAVE OF THE MEETING – [ANS Gillespie]

That 1.1(c) be replaced with:

‘In accordance with any union policy governing bodies will:

- (i) Be representative of the diversity of the PSU group membership; and

- (ii) Recognise women as a majority in most workplaces and within our membership.’

That 2.1(c) be replaced with:

‘In accordance with any union policy governing bodies will:

- (i) Be representative of the diversity of the PSU group membership; and
- (ii) Recognise women as a majority in most workplaces and within our membership.’ ”

- 8) In addition the following amendment was accepted by the mover with the leave of the National Council meeting:

“AMENDMENT 5 – 2.12(iv) OF AMENDED ATTACHMENT A

ACCEPTED BY THE MOVER WITH THE LEAVE OF THE MEETING – [Carol Jordan]

Amend 2.12(iv) to read ‘Provide a state of the Union report to each meeting of the Governing Council, including the participation of women representatives at all levels of the Union.’ ”

- 9) Further to resolution 11.A.3, referred to in paragraph 5 above, on 19 March 2003 I proposed the following resolution which was resolved unanimously:

“11.3.B OPERATION OF RESOLUTION 11.3.A

[MOTION MOVED IN AMENDED FORM WITH THE LEAVE OF THE MEETING]

RESOLVED – [NS A. O’Connell]

National Council further resolves that the preceding resolution operates severally in respect of each rule and sub-rule in the said set to the intent that if any one rule/s or sub-rule/s should for any reason not be certified, such rule/s or sub-rule/s shall be considered severable so that the remaining rules or sub-rules may be certified by a Registrar notwithstanding such omission.

National Council notes that in the event that the Registrar does not certify any rule or sub-rule that this will be referred back to National Council by the National Secretary for consideration and formal decision if the change is substantive.”

- 10) On 29 March 2005 the CSIRO Section Council recommended to the National Officers Committee of the CPSU that in accordance with Rule 8.1(b), the Rules in Part 8 be amended in the form as adopted at our CPSU, PSU Group National Council in its meeting of 18-20 March 2005.

- 11) On 31 March 2005 the National Officers Committee of the CPSU met. It was unanimously resolved by the National Officers Committee as follows:

“2.1 CHANGES TO CHAPTER B OF THE CPSU RULES

RESOLVED – [JNS A. O’Connell]

The National Officers Committee notes the report of JNS O’Connell on the recommendation from the PSU group National Council to alter the Rules in Chapter B.

The National Officers Committee approves that the Rules in Chapter B be amended in the following manner:

‘That all the words following *‘Rules of the CPSU, Community and Public Sector Union Chapter B – PSU Group...’* be deleted and replaced with the words in Attachment A as tabled.’ ”

- 12) Attachment A as tabled at the National Officers Committee consisted of Attachment A that was tabled at the National Council meeting on 19 March 2005, as altered by the amendments accepted with the leave of the National Council meeting on 19 March 2005 that I have already referred to.
- 13) A copy of Attachment A as tabled at the National Officers Committee is attached to this notice.
- 14) The particulars set out in the notice of which this declaration forms a part are true and correct to the best of my knowledge and belief.

Adrian O’Connell
National Secretary
CPSU, PSU Group

Date:

CHAPTER B - PSU GROUP - RULES

Preamble: The Rules in this Chapter apply to the PSU Group. The Rules seek to ensure:

- the democratic control of the Union by its members;
- the effective operation of the Union;
- the protection of Union members exercising their lawful right to organise collectively;

In this Chapter:

"**member**" means a member of the PSU Group

"**Salaried Officer**" means such of:

- the National Officers,
- the CSIRO Section Secretary and any CSIRO Assistant Section Secretary; and
- the ABC Section Secretary

for whom Governing Council has determined a salary;

"**Union**" means the PSU Group unless the context indicates otherwise.

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PART 1 – GOVERNANCE

1.1 - GOVERNMENT OF THE PSU GROUP

- a. The PSU Group shall be governed by financial members by means of:
 - (i) a Governing Council;
 - (ii) an Executive Committee;
 - (iii) membership plebiscites.

- b. The Governing Council shall determine the strategic direction and objectives of the Union. A strategic plan shall be developed to achieve the direction and objectives which shall be endorsed by Governing Council and reviewed annually.

- c. In accordance with any union policy, governing bodies will:
 - (i) Be representative of the diversity of the PSU group membership; and
 - (ii) Recognise women as a majority in most workplaces and within our membership.

1.2 - GOVERNING COUNCIL - CONSTITUTION

- a. There shall be a Governing Council of the PSU Group.

- b. The Governing Council shall be constituted by the National Officers, the Section Secretaries, the Governing Councillors and any other positions as specified in these Rules.

- c. Governing Councillors shall be elected by and from the financial members of Sections, provided that the Governing Council may allocate members of the Section to electorates for the purpose of electing the Governing Councillors of the Section.

- d. A Section shall be entitled to a Governing Councillor for the first complete 2000 financial members and an additional Governing Councillor for each additional 1,000 financial members thereafter. For the purpose of this paragraph, financial membership shall be determined as at the 30 June immediately prior to the election of Governing Councillors.

- e. A position of Governing Councillor shall become vacant if the holder resigns or ceases to be a member of the Section, or is working in a workplace outside the Section for a continuous period greater than 6 months, or in the case of a Councillor elected by a designated electorate within the Section, ceases to be a member of that electorate, or is working in a workplace outside the designated electorate for a continuous period greater than 6 months.

- f. If a member of the Governing Council cannot attend the whole or part of a Governing Council meeting, they may appoint as proxy another member of the Governing Council, or a financial member of the PSU Group from the electorate which the Governing Councillor represents. The proxy so appointed has all the powers of the member of the Governing Council represented. Such appointments shall be notified in writing to the Chair of the meeting. No member of the Governing Council may be appointed as a proxy for more than one absent member of the Governing Council at any meeting.

1.3 - GOVERNING COUNCIL - POWERS

- a. Subject to Rule 1.13 (Plebiscites) the Governing Council shall be the supreme governing body of the PSU Group.
- b. Without limiting the generality of paragraph (a), the Governing Council has the power to:
 - (i) superintend, manage and control the PSU Group's affairs, property and funds;
 - (ii) set the strategic direction and objectives of the Union;
 - (iii) endorse and annually review the strategic plan;
 - (iv) review the acts and decisions of the Executive Committee;
 - (v) determine the allocation of members to Sections;
 - (vi) establish policy for the operation of the PSU Group;
 - (vii) interpret these Rules;
 - (viii) recommend to the National Officers Committee the making, amendment or rescission of Rules in this Chapter and approve the making, amendment or rescission of Rules in Chapter A;
 - (ix) set the salaries, conditions and work location of the Salaried Officers of the PSU Group; and
 - (x) in respect of any particular matter, and without limiting any specific delegation contained in these Rules, delegate a power or task to a specified Officer of the PSU Group or a specified Committee or Council other than a power contained in the following Rules:

Rules Excluded:

- | | |
|--------------|--|
| 1.3(b)(vii) | recommending and/or approving the making, amendment or rescission of Rules in Chapters A or B, |
| 1.3(b)(viii) | setting the salaries, conditions and work location of Salaried Officers |
| 1.13(c)(i) | holding a meeting of the Governing Council to consider a plebiscite request |
| 3.16 | fixing the minimum salaries and work location of Salaried Officers prior to nominations |
| 4.10 | subscriptions |
| 4.11 | levies on members |
| 5.7 | affiliation |
| 5.15 | removal from office by the Governing Council |
| 5.19(k) | determination of disputes. |

1.4 - GOVERNING COUNCIL - ORDINARY MEETINGS

- a. The Governing Council shall meet whenever it so decides or whenever determined by the Executive Committee, or the National Secretary. The National Secretary shall give reasonable notice of Governing Council meetings to all members of the Governing Council.
- b. At least two ordinary meetings of the Governing Council shall be held in each calendar year, at least one of which shall be in-face.
- c. The Governing Council or failing it the National Secretary shall determine the dates and venue of all meetings of the Governing Council provided that the Executive Committee may determine that an ordinary meeting be conducted by telephone conference, video conference or other electronic means.

- d. The Executive Committee, individual members of the Governing Council, and Section Councils may submit proposals for consideration at ordinary meetings of the Governing Council. Any PSU Group member may raise with a member of the Governing Council any item for consideration as an agenda item at Governing Council meetings. All agenda proposals shall be forwarded to the National Secretary at least three weeks before the meeting.
- e. The National Secretary shall forward a copy of the agenda for ordinary meetings to each member of the Governing Council at least two weeks prior to the meeting.
- f. Notwithstanding the provisions of paragraph (d), a meeting of Governing Council held under this Rule may consider other matters not on the agenda provided that a two-thirds vote of those attending the meeting agree to consider the matter or matters.

1.5 - GOVERNING COUNCIL - SPECIAL MEETINGS

- a. A majority of members of the Governing Council may request a special meeting of the Governing Council which shall be held within twenty-eight days of receipt of such request. The members of the Governing Council, when requesting a special Governing Council meeting, shall state in writing the matter or matters for consideration at the special meeting.
- b. The Executive Committee or the National Secretary may direct that a special meeting of the Governing Council be convened to consider and determine specified matters.
- c. A special meeting of Governing Council may consider and determine any matter within the power of the Governing Council.
- d. A special meeting shall be convened by the National Secretary. Reasonable notice of a special meeting shall be given by the National Secretary. The notice shall state shortly the matter or matters to be discussed. The notice may be given by telephone, written communication delivered by hand, post, courier, facsimile or other electronic means.
- e. A special meeting of the Governing Council may be conducted by telephone conference, video conference or other electronic means.
- f. A decision made under this Rule shall have the same effect as if made under Rule 1.4.

1.6 - GOVERNING COUNCIL – OUT OF SESSION DECISIONS

- a. When the Governing Council is not in session, the Executive Committee or the National Secretary may submit to members of Governing Council for decision any matter with which the Governing Council may deal in accordance with Rule 1.3. The National Secretary shall submit to members of Governing Council such a matter for decision when so requested by a quarter of the members of the Governing Council.
- b. The matter to be determined shall be in writing and be sent by post, facsimile, other electronic means, courier or communication delivered by hand.
- c. Each member of the Governing Council shall within fourteen days of the sending of the proposal, advise the National Secretary of their vote in writing by post, hand, courier, facsimile or other electronic means, stating a simple yes or no without qualification. Proxy voting is not allowed under this Rule.

- d. The National Secretary shall count the votes progressively as they are received and when a majority is available from those entitled to vote shall declare the result of the voting by notification to members of the Governing Council.
- e. A decision given under this Rule shall have the same effect as if made under Rule 1.4.
- f. At any time up to and including the day of the notification of the decision by the National Secretary, a quarter of the members of the Governing Council can request that the matter not be considered under the provisions of this Rule. Once such a request is made, no further action shall be taken until the matter is determined by a meeting of the Governing Council held pursuant to Rules 1.4 or 1.5. A request under this paragraph is to be made in writing to the National Secretary and delivered by post, hand, courier, facsimile, or other electronic means.
- g. Nothing in this Rule shall prevent the National Secretary or the Executive Committee from convening a meeting of the Governing Council to consider a matter instead of submitting it for an out of session decision.

1.7 - GOVERNING COUNCIL - VOTING

Each member of the Governing Council is entitled to one vote at meetings of the Governing Council held under Rules 1.4 and 1.5 and in votes taken under Rule 1.6 and one additional vote if holding a proxy. In the case of a tied vote, the motion concerned shall be declared lost.

1.8 – DUTIES OF GOVERNING COUNCILLORS

- a. Governing Councillors shall:
 - (i) represent the members of their Section on Governing Council;
 - (ii) attend meetings of Governing Council or fully advise their proxy on the matters on the agenda;
 - (iii) vote on out of session motions under Rule 1.6;
 - (iv) be informed about matters and issues impacting upon the Union and consider their effect on the Union as a whole;
 - (v) assist the National Officers and Section Secretary as required in the affairs of their Section;
 - (vi) perform as required the tasks set out at Rule 2.3(e); and
 - (vii) act in a manner consistent with these Rules and the decisions and policy of the Governing Council and the Executive Committee.

1.9 - EXECUTIVE COMMITTEE - CONSTITUTION

- a. There shall be an Executive Committee of the PSU Group.
- b. The Executive Committee shall consist of not less than 7 persons, and shall be constituted by the National Officers.
- c. If a member of the Executive Committee cannot attend the whole or part of an Executive Committee meeting, they may appoint as proxy another member of the Executive Committee or any member of the Governing Council to act as their proxy at the meeting. The proxy so appointed shall have all the powers of the member of the Executive Committee represented. Such appointments shall be notified in writing to the Chair of the meeting. No member of the Executive Committee may be appointed as a proxy for more than one absent member of the Executive Committee at any meeting.

1.10 - EXECUTIVE COMMITTEE - POWERS

- a. When the Governing Council is not sitting, the Executive Committee shall, subject to paragraphs (b) and (c) of this Rule and any limitations determined by the Governing Council, exercise all powers of the Governing Council and shall be responsible for the management of the PSU Group's affairs, property and funds, including the handling of industrial disputes pursuant to Rule 2.10 and the interpretation of the Rules in this Chapter.
- b. The Executive Committee shall not exercise any of the powers of the Governing Council in relation to Rules specified herein:

Rules Excluded:

- 1.3(b)(vii) recommending and/or approving the making, amendment or rescission of Rules in Chapters A or B,
 - 1.3(b)(viii) setting the salaries, conditions and work location of Salaried Officers
 - 1.13(c)(i) holding a meeting of the Governing Council to consider a plebiscite request
 - 3.16 fixing the minimum salaries and work location of Salaried Officers prior to nominations
 - 4.10 subscriptions
 - 4.11 levies on members
 - 5.7 affiliation
 - 5.15 removal from office by the Governing Council
 - 5.19(k) determination of disputes.
- c. The Executive Committee shall not rescind or make policy inconsistent with policy made by the Governing Council.
 - d. Except as provided in paragraphs (b) and (c) of this Rule, unless the contrary intention appears for the purpose of exercising any power, a reference in these Rules to the Governing Council shall be deemed to include the Executive Committee when the Governing Council is not sitting, and a decision of the Executive Committee shall have the same force and effect as if it were made by the Governing Council.
 - e. The Executive Committee may, in respect of any particular matter, and without limiting any specific delegation contained in these Rules, delegate a power or task to a specified Officer of the PSU Group or a specified Committee or Council that is a power or task allocated by these Rules to the Executive Committee.

1.11 - EXECUTIVE COMMITTEE - MEETINGS

- a. The Executive Committee shall meet at such times as the National Secretary determines, or when requested by a three or more of its members.
- b. Proposals for consideration by the Executive Committee may be submitted to the National Secretary by members of the Executive Committee, Governing Councillors and Section Secretaries. All such proposals shall be forwarded to the National Secretary. The National Secretary shall include such proposals in an agenda for the next convenient meeting of the Executive Committee.
- c. The National Secretary shall give reasonable notice of meetings to all members of the Executive Committee. The National Secretary shall, as far as is practicable, forward to each member of the Governing Council before the commencement of an Executive Committee meeting, a copy of the agenda for the Executive Committee meeting.
- d. The Executive Committee may consider and determine any matter by post, facsimile, written communication delivered by hand or courier, telephone conference, video conference or other electronic means, when so requested by the National Secretary or at the request of half of the members of the Executive Committee. A decision so made shall have the same force and effect as if made in meeting assembled.
- e. Decisions (and any minutes) of the Executive Committee shall be notified as soon as possible to members of the Governing Council by the National Secretary.
- f. Each member of the Executive Committee shall be entitled to one vote at meetings of the Executive Committee or votes taken under the provisions of paragraph (d) and one additional vote if holding a proxy. In the case of a tied vote, the motion concerned shall be declared lost.

1.12 - EXECUTIVE COMMITTEE – REVIEW

- a. Governing Council may review any decision of the Executive Committee. The process shall be as set out in this Rule.
- b. A Governing Council member seeking review shall notify the National Secretary in writing of that fact within 30 days of the decision being made. The National Secretary shall then forward the request for review to Governing Council members.
- c. If one quarter of Governing Council members confirm within 14 further days that they seek a review, then the National Secretary shall either forward the decision to an out of session vote of Governing Council in accordance with the provisions of Rule 1.6, or call a special meeting of the Governing Council to consider the matter.
- d. Any decision taken by the Executive Committee shall have effect unless and until Governing Council decides otherwise, and no action taken by the Executive Committee prior to a review by Governing Council shall be considered without power in any way.

1.13 – PLEBISCITES

- a. The Governing Council or the Executive Committee may obtain the opinion of members of the PSU Group or any combination of the members of the PSU Group on any question by submitting it to a plebiscite of the relevant financial members.
- b. Subject to paragraph (c), the Executive Committee shall, if the National Secretary is requested in writing by 5 percent of the financial members of the PSU Group, obtain the opinion of financial members on any question by plebiscite. A request for a plebiscite pursuant to this paragraph shall be in the form of an affirmative question and shall be accompanied by an objective statement of the facts and arguments in support of the question.
- c.
 - (i) When a request is received pursuant to paragraph (b), it shall be submitted to a special meeting of the Governing Council to be held within 30 days of receipt of the request by the National Secretary. Should the question be agreed to by the Governing Council, the decision shall be put into effect forthwith.
 - (ii) Should the question be determined in the negative by the Governing Council, it shall thereupon be referred to a plebiscite of financial members, provided that the Governing Council may determine that several plebiscites shall be conducted by a single ballot of financial members.
 - (iii) The Executive Committee on behalf of the Governing Council shall prepare an objective statement of the arguments against the question to accompany the question and statement in support.
- d. The arrangements for the taking of a plebiscite under paragraphs (a) or (b) shall be made by the Executive Committee at the Union's expense.
- e. The Executive Committee shall appoint a Returning Officer and such Assistant Returning Officers and Scrutineers as it deems necessary.
- f. In a plebiscite, the Returning Officer shall issue to each financial member, with the ballot paper, the statements prepared both for and against the proposal.
- g. Voting by proxy is not permitted in a plebiscite.
- h. Assistant Returning Officers shall count the ballot and immediately
 - (i) inform the Returning Officer of the tally; and
 - (ii) forward all ballot papers received to the Returning Officer.
- i. The Returning Officer shall declare the final result of the ballot as a whole in writing to the National Secretary. The National Secretary shall be responsible for ensuring the result is conveyed to members.
- j. Any question put pursuant to any provision of this Rule shall be determined by a simple majority.
- k. When a question is carried in the affirmative by plebiscite it shall be put into effect forthwith.
- l. Where a question put to a plebiscite is lost, a question substantially the same in substance or effect, may not be resubmitted to plebiscite within a period of two years from the declaration of a ballot, provided that this provision shall not preclude the Governing Council from submitting any question to plebiscite at any time.

PART 2 – OPERATIONS

2.1 – OPERATIONS OF THE PSU GROUP

- a. The PSU Group will operate through means of:
 - (i) Workplace Delegates, Deputy Delegates, Representatives and Contacts;
 - (ii) Organising Committees;
 - (iii) membership consultation and meetings;
 - (iv) Section Councils (where established) and Section Executives (where established); and
 - (v) the Executive Committee
- b. The PSU Group will be assisted in its operations by:
 - (i) National Officers;
 - (ii) Section Secretaries; and
 - (iii) staff appointed by the National Secretary
- c. In accordance with any union policy, operational bodies will:
 - (i) Be representative of the diversity of the PSU group membership; and
 - (ii) Recognise women as a majority in most workplaces and within our membership.

2.2 – WORKPLACES

- a. The Governing Council shall allocate members into workplaces. A workplace shall consist of such members as are determined from time to time by the Governing Council, taking into account any recommendation of a relevant body or officer.
- b. Elected Delegates and Deputy Delegates, and Workplace Representatives and Contacts, shall assist the Union to organise and represent workers in the workplace.

2.3 - WORKPLACE DELEGATES

- a. A workplace may elect a Delegate, and may also elect a Deputy Delegate. The Executive Committee may determine that specified workplaces shall have more than one Delegate and/or Deputy Delegates. In this Rule, a reference to a Delegate includes a Deputy Delegate, except where the context requires otherwise.
- b. A Delegate shall work with and assist the relevant officers and staff of the PSU Group:
 - (i) to represent and protect the industrial interests of workers;
 - (ii) to organise workers; and
 - (iii) to further and protect the industrial interests of the Union.
- c. A Deputy Delegate shall assist the Delegate.
- d. A Delegate shall also help co-ordinate the activities of any Deputy Delegates, Workplace

Representatives or Contacts in the workplace.

- e. A Delegate may carry out any lawful task authorised by the Union or these Rules, which includes but is not limited to the following authorised tasks:
 - (i) distributing authorised Union publications and bulletins to workers;
 - (ii) calling and conducting meetings of members and workers;
 - (iii) recruiting workers to join the Union;
 - (iv) canvassing the workers to identify matters of concern;
 - (v) acting as a representative or witness for a member in a workplace matter;
 - (vi) meeting with relevant management representatives;
 - (vii) putting authorised Union publications on Union notice boards; and
 - (viii) organising workers to participate in lawful action authorised by the Union.
- f. The Union shall as far as practicable provide such training and assistance to Delegates as is necessary to ensure that they can comply with relevant legislation and Union policy, and to enable them to perform their functions professionally and competently. It is expected that Delegates shall attend such training.
- g. The process for electing a Delegate will be as determined by the Governing Council. The term of office of a Delegate will, unless determined otherwise by the Governing Council, be 1 year.
- h. The position of Delegate shall lapse if a Delegate ceases to be a member of the Union or leaves the workplace that elected him or her for a continuous period of greater than 3 months. The workplace may elect, if it chooses to do so, a replacement Delegate for the remainder of the term using the same process as for the election of the Delegate.
- i. A Delegate may be removed by a majority vote of a meeting of members in the workplace.
- j. The National Secretary shall keep a list of all elected Delegates.

2.4 - WORKPLACE REPRESENTATIVES

- a. A workplace shall have as many Workplace Representatives as are credentialed and authorised from time to time by the Governing Council in accordance with Union policy.
- b. A Workplace Representative will provide the same assistance as set out in Rule 2.3(b) and may carry out the same functions as set out in Rule 2.3(e).
- c. The Union shall as far as practicable provide such training and assistance to Workplace Representatives as is necessary to ensure that they can comply with relevant legislation and Union policy, and to enable them to perform their functions professionally and competently. It is expected that Workplace Representatives shall attend such training.
- d. Once authorised as a Workplace Representative, a member shall be a Workplace Representative for any workplace in which the member is employed.
- e. Authorised Workplace Representatives shall be re-credentialed each year by the Governing Council. The views of the members of the workplace as are available will be taken into account when re-credentialing Workplace Representatives.
- f. A Workplace Representative may request that they be removed from the list of authorised Workplace Representatives and such request shall be complied with as soon as practicable.
- g. A Workplace Representative shall be removed from the list of authorised Workplace

Representatives by the Governing Council if they cease to be a member of the Union, where the Workplace Representative has failed to comply with Union policy or acted contrary to a decision or direction of a relevant body or official, by a majority vote of a meeting of members in the workplace, or where they are not re-credentialed in accordance with paragraph (e).

- h. The National Secretary shall keep a list of all authorised Workplace Representatives.

2.5 – WORKPLACE CONTACTS

- a. Members may be recognised by the Governing Council as Workplace Contacts. A Workplace Contact will help to further and protect the industrial interests of the Union and its members by assisting the Union to distribute authorised Union publications to workers in the workplace. Authorised Union publications shall be publications produced pursuant to Rule 5.13.
- b. A Workplace Contact may also assist to arrange meetings of workers when requested.

2.6 - ORGANISING COMMITTEES

- a. In accordance with any relevant policy, the Union may establish Organising Committees in an agency, a workplace or group of workplaces (within an agency or across agencies) as are necessary from time to time to:
 - (i) provide advice to the National Secretary and relevant officers and staff of the Union on particular workplace matters;
 - (ii) assist the Union to organise the agency or workplace(s);
 - (iii) assist in the conduct of particular campaigns and/or
 - (iv) provide a forum for the consideration of matters of particular interest to a grouping of Union members (including but not limited to occupational or regional interests).
- b. All of the relevant Section Secretaries, Governing Councillors, Workplace Delegates and Representatives from the agency, workplace or group of workplaces (as the case may be) shall be entitled to participate in any Organising Committee along with such members as are interested and necessary for the efficient and effective operation of the Organising Committee.
- c. An Organising Committee shall act in accordance with Union policy and decisions of the Governing Council and the Executive Committee.
- d. Organising Committees dealing with a particular matter will normally be expected to cease operating once the matter with which they are dealing has been finalised.
- e. Any Organising Committee may be disbanded by the Governing Council.

2.7 – MEMBERSHIP INVOLVEMENT

- a. The National Secretary will ensure that the views of affected members are the primary

consideration in determining:

- (i) industrial disputes affecting those members;
 - (ii) bargaining in the workplace;
 - (iii) all industrial action proposed to be taken by affected members; and
 - (iv) industrial situations or other matters of concern affecting the workplace.
- b. The views of such members will be determined through meetings and/or such other means (including but not limited to petitions, surveys and polling) as are practicable and convenient and which maximise participation.

2.8 – WORKPLACE MEETINGS

- a. A meeting of members in a workplace may be convened by a National Officer, Section Secretary, Section Councillor, Delegate, Deputy Delegate or Workplace Representative giving reasonable notice to members and stating briefly the matter(s) to be discussed.
- b. There shall be no quorum for meetings held under this Rule. Any resolution proposed for consideration at the meeting by a National Officer, Section Secretary, Section Council or Organising Committee shall not lapse for want of a mover at the meeting.

2.9 – MEETINGS IN MORE THAN ONE WORKPLACE

- a. Where an industrial situation or other matter of concern requires consideration by members in a number of different workplaces, the National Secretary may convene meetings of members to consider the matter. Reasonable notice shall be given. The nature of the industrial situation or other matter shall be specified in the notice.
- b. Where meetings of members or of a specified portion of members are held in a number of locations under the provisions of paragraph (a) or pursuant to a direction of the Executive Committee to consider a proposed resolution, the meeting shall be convened in accordance with this Rule. Any proposed resolution shall be voted on without alteration, addition or deletion, and the number of votes cast for and against shall be advised to the National Secretary forthwith.
- c. Resolutions will be carried by a simple majority of votes cast and the resolution will be binding on the PSU Group and all members subject to the resolution.
- d. There shall be no quorum for meetings held under this Rule and any resolution shall not lapse for want of a mover at the meeting.

2.10 – INDUSTRIAL DISPUTES AND REPRESENTATION

- a. A member may submit in writing an issue arising from the member's employment or

membership to the Union for attention. A Section Secretary, Governing Councillor, Delegate or Workplace Representative, or a Section Council or Organising Committee, may submit a matter of concern arising from the employment of workers to the Union for attention.

- b. The National Secretary may take up an industrial matter with the appropriate employer(s). The Union shall be represented by a representative or representatives appointed by the National Secretary.
- c. The National Secretary may authorise a Section Secretary, Governing Councillor, Delegate or Workplace Representative, or a Section Council or Organising Committee to carry out lawful tasks and action to assist in resolving the industrial matter.
- d. The National Secretary on the authority of the Governing Council or the Executive Committee may submit an industrial dispute relating to the PSU Group to conciliation and/or arbitration and/or any other necessary resolution process. The Executive Committee shall transact all business and do or authorise all acts in connection with the dispute including entering into an agreement in settlement of a dispute.
- e. The Union shall be represented at the hearing of a dispute by a representative or representatives appointed by the National Secretary.
- f. All industrial and other agreements and documents may be executed by a National Officer, or other person(s) authorised for the purpose by the Executive Committee.

2.11 – NATIONAL OFFICERS

- a. The National Officers shall be a National Secretary, a National President and an Assistant National Secretary. The Governing Council may determine that there be a second Assistant National Secretary, who shall also be a National Officer. The Governing Council may also determine that there be one or two Deputy National Presidents and one or more Executive Committee Members, who shall also be National Officers.
- b. All National Officers shall be Salaried Officers.
- c. A National Officer shall be under the day to day direction of the National Secretary with respect to their duties, but not with respect to any vote that they might exercise on any decision making body.
- d. Subject to Rule 2.13, in the absence or unavailability of a National Officer for any period, the Executive Committee may appoint a financial member of the Union to act in place of the National Officer and exercise all the functions and powers of the National Officer. Any member so acting shall not lose any other office held within the Union merely because they are so acting.

2.12 - DUTIES OF NATIONAL SECRETARY

- a. The National Secretary shall be the Executive Officer of the PSU Group and, subject to the direction of the Governing Council, shall be responsible for the effective administration and operation of the PSU Group. The National Secretary shall do all things necessary to further and protect the industrial interests of the PSU Group and its members.
- b. Without limiting the generality of paragraph (a), the National Secretary shall:
 - (i) ensure that decisions of Governing Council are implemented;

- (ii) develop the strategic plan to achieve the directions and objectives of the Union;
- (iii) prepare a budget each year for the operations of the Union consistent with the strategic plan;
- (iv) provide a “state of the Union” report to each meeting of Governing Council, including the participation of women representatives at all levels of the Union;
- (v) determine the work allocation of the Salaried Officers;
- (vi) appoint and direct such staff as are necessary to assist the PSU Group conduct its affairs, and fix the salary, remuneration, duties and delegated responsibilities of such staff ;
- (vii) attend meetings of Governing Council and the Executive Committee and participate in votes taken by such bodies;
- (viii) perform as required the tasks set out at Rule 2.3(e).

2.13 - DUTIES OF ASSISTANT NATIONAL SECRETARY

- a. Subject to any relevant decision of the Governing Council, an Assistant National Secretary shall:
 - (i) render such assistance as may be required by the National Secretary in the administration and operation of the PSU Group;
 - (ii) attend meetings of the Governing Council and the Executive Committee or fully advise his or her proxy on the matters on the agenda;
 - (iii) vote on out of session motions under Rule 1.6 and matters under consideration under Rule 1.11(d);
 - (iv) act in a manner consistent with these Rules and the decisions and policy of the Governing Council and the Executive Committee;
 - (v) perform as required the tasks set out at Rule 2.3(e); and
 - (vi) carry out such other duties as directed.
- b. In the absence or unavailability of the National Secretary for any period, the Assistant National Secretary will act in place of the National Secretary and exercise all the functions and powers of the National Secretary. If there is more than one Assistant National Secretary, the Executive Committee shall appoint one of them to so act.
- c. In the absence of an Assistant National Secretary to act in the place of the National Secretary the Executive Committee may appoint a financial member of the PSU Group to act in place of the National Secretary and exercise all the functions and powers of the National Secretary. Any member so acting shall not lose any other office held within the PSU Group merely because they are so acting.

2.14 - DUTIES OF NATIONAL PRESIDENT

- a. Subject to any relevant decision of the Governing Council, the National President shall:

- (i) render such assistance as may be required by the National Secretary in the administration and operation of the PSU Group;
- (ii) attend meetings of the Governing Council and the Executive Committee or fully advise his or her proxy on the matters on the agenda;
- (iii) vote on out of session motions under Rule 1.6 and matters under consideration under Rule 1.11(d);
- (iv) when present, chair meetings of the Governing Council and the Executive Committee and, in accordance with the Rules of debate, superintend the discussion of questions tabled for consideration and preserve order so that business can be conducted in due form and with propriety;
- (v) cause minutes of the meetings referred to in sub-paragraph (iv) to be kept, and sign the minutes once they are confirmed;
- (vi) act in a manner consistent with these Rules and the decisions and policy of the Governing Council and the Executive Committee;
- (vii) perform as required the tasks set out at Rule 2.3(e); and
- (viii) carry out such other duties as directed.

2.15 - DUTIES OF DEPUTY NATIONAL PRESIDENTS

- a. Subject to any relevant decision of the Governing Council, a Deputy National President shall:
 - (i) render such assistance as may be required by the National Secretary in the administration and operation of the PSU Group;
 - (ii) attend meetings of the Governing Council and the Executive Committee or fully advise their proxy on the matters on the agenda;
 - (iii) vote on out of session motions under Rule 1.6 and matters under consideration under Rule 1.11(d);
 - (iv) act in a manner consistent with these Rules and the decisions and policy of the Governing Council and the Executive Committee;
 - (v) perform as required the tasks set out at Rule 2.3(e); and
 - (v) carry out such other duties as directed.

- b. In the absence or unavailability of the National President, a Deputy National President shall act in the place of the National President and exercise all the functions and powers of the National President. If there is more than one Deputy National President the Executive Committee shall appoint one of the Deputy National Presidents to so act, or if there are no Deputy National Presidents, the Executive Committee shall appoint another member of the Executive Committee to so act.

2.16 - DUTIES OF EXECUTIVE COMMITTEE MEMBERS

- a. Subject to any relevant decision of the Governing Council, an Executive Committee Member shall:
 - (i) render such assistance as may be required by the National Secretary in the administration and operation of the PSU Group;
 - (ii) attend meetings of the Governing Council and the Executive Committee or fully advise their proxy on the matters on the agenda;
 - (iii) vote on out of session motions under Rule 1.6 and matters under consideration under Rule 1.11(d);
 - (iv) act in a manner consistent with these Rules and the decisions and policy of the Governing Council and the Executive Committee;
 - (v) perform as required the tasks set out at Rule 2.3(e); and
 - (vi) carry out such other duties as directed.

2.17 - NATIONAL OFFICER CESSATION

The office of any National Officer shall become vacant if the holder resigns, ceases to be a member of the PSU Group or is removed from that office under Rule 5.15.

2.18 – ATTENDANCE OF NATIONAL OFFICERS AT MEETINGS

A National Officer may, subject to the Rules, attend and speak at any meeting held under the Rules.

2.19 - SECTIONS

- a. To ensure the efficient and effective organising of members, the Governing Council shall from time to time allocate the membership of the PSU Group into Sections (including Sub-Sections where necessary) consisting of those members of the PSU Group irrespective of their residence or location who have a common interest.
- b. No member shall belong to more than one Section.
- c. A decision of the Governing Council to form or abolish a Section shall have regard to such advice as to the views of members affected as is available.
- d. Where as a result of abolition, amalgamation or other significant alteration in the structure of an employing authority the basis for the constitution of a Section or Sub-Section under this Rule is significantly varied, the Governing Council may determine that the Section or Sub-Section no longer exists and the tenure of all holders of office within the Section or Sub-Section shall thereupon terminate. The Governing Council shall forthwith determine new arrangements for the representation of members of the former Section including the acting appointment of office holders pending the declaration of an election held under the provisions of Part 3 to fill the positions.

2.20 - SECTION SECRETARIES

- a. There shall be a Section Secretary for each Section. Subject to any relevant decision of the Governing Council the Section Secretary shall be under the direction of the National Secretary and shall:
 - (i) assist the relevant National Officers to manage the affairs of their Section;
 - (ii) represent the members of their Section on Governing Council;
 - (iii) attend meetings of Governing Council, or ensure that they properly credential a proxy and fully advise their proxy on the matters on the agenda;
 - (iv) vote on out of session motions under Rule 1.6;
 - (v) be informed about matters and issues impacting upon the Union and consider their effect on the Union as a whole;
 - (vi) act in a manner consistent with these Rules and the decisions and policy of the Governing Council and the Executive Committee;
 - (vii) perform as required the tasks set out at Rule 2.3(e); and
 - (viii) inform the National Secretary of any absences of Section Council members and any resulting temporary arrangements.
- b. A position of Section Secretary will become vacant if the holder resigns or ceases to be a member of the Section, or is working in a workplace outside the Section for a continuous period greater than 6 months.
- c. In the absence or unavailability of a Section Secretary for any period, the Section Council (or the Executive Committee where there is no Section Council having regard to such views of the members of the Section as is available) may appoint a financial member of the relevant Section of the Union to act in the place of the Section Secretary and exercise all functions and powers of the Section Secretary.

2.21 – SECTION OPERATIONS

- a. To assist and provide advice to the Section Secretary, members in a Section may establish a Section Council should they wish to do so. The process will be as determined by the Governing Council. Subject to anything contained elsewhere in these Rules, Section Councils shall operate in accordance with any policy determined by the Governing Council and the provisions of this Rule.
- b. Section Council will consist of the Section Secretary, any other Section Officers, the Governing Councillors representing the Section and Section Councillors, as well as any Salaried Officer responsible for the Section.
- c. The members of the Section shall elect as many Section Councillors as are approved for the Section by the Governing Council. The Governing Council shall take into account the number of members and workplaces in the Section, geographic distribution and other communities of interest in determining the number of Section Councillors, as well as the views of the Section Secretary. The Governing Council may group Section members into sub-section electorates for the purpose of electing Councillors.
- d. The duties of a Section Councillor shall be to attend meetings of Section Council and participate in its deliberations, represent the members of their Section or Section electorate at Section Council, and assist the Section Secretary of the effective operation of the Section. Section Councillors shall also perform as required the tasks set out at Rule 2.3(e).
- e. A Section Council may determine its own method of operation, subject to these Rules, and should operate with the minimum necessary formalities.

- f. A position of Section Councillor shall become vacant if the holder ceases to be a member of the electorate that elected him or her, or leaves the electorate that elected him or her for a continuous period of greater than 3 months.
- g. The Section Council shall meet whenever it so determines or upon the direction of the Governing Council, the Executive Committee, the National Secretary or the Section Secretary. Reasonable notice of meetings shall be given to each member of the Section Council by the Section Secretary.
- h. A Section Council shall refer any matter concerning members of the Union generally to the Governing Council, the Executive Committee or the National Secretary.
- i. A Section Council must not act contrary to decisions of Governing Council, the Executive Committee, or a National Plebiscite, or act in breach of policy in any matter which has been determined by the Governing Council or Executive Committee.
- j. A Section Council (or other body within the Section) shall not institute legal proceedings unless with the approval of the Governing Council or the Executive Committee.
- k. Members in a Section may establish such sub-sections as are deemed necessary and as are approved by the Governing Council. These may be specific to an agency within the Section. The structures and operations of the sub-section will be as approved by the Governing Council and must not be inconsistent with the operations of the Section as prescribed by this Rule.
- l. To assist and provide advice to the Section Secretary in the management of the affairs of a Section that has a Section Council, the Governing Council may determine that there be a Section Executive.
- m. A Section Executive shall consist of the Section Officers and Governing Council may determine such other positions that shall be members of the Section Executive as necessary.
- n. A Section Executive shall determine its own method of operation provided it is not inconsistent with the provisions of the Rules.
- o. The Section Officers shall be the Section Secretary and may, subject to Governing Council approval, include:
 - (i) a Section President.
 - (ii) a Deputy Section President or more as determined by the Governing Council.
 - (ii) an Assistant Section Secretary or more as determined by the Governing Council.
- p. Governing Council may allocate members of a Section to electorates for the purpose of electing Deputy Section Presidents.
- q. In the absence of the Section Secretary in respect of any period the Section Secretary or the Section Council determines, an Assistant Section Secretary shall act in the Section Secretary's stead and exercise all the functions and powers of the Section Secretary.
- r. In the absence or unavailability of an Assistant Section Secretary to act in the Section Secretary's stead:
 - (i) the Section Council may appoint a financial member of the Section to act in the Section Secretary's stead and exercise all the functions and the powers of the Section Secretary.

- (ii) the Section Council may appoint a financial member of the Union to act in the salaried Section Secretary's stead and exercise all the functions and the powers of the Section Secretary.

2.22 DUTIES OF SECTION OFFICERS

- a. Subject to any direction of the Section Council, an Assistant Section Secretary shall be under the direction of the Section Secretary and shall render such assistance as may be required in the operations of the Section and perform as required the tasks set out at Rule 2.3(e).
- b. A Section President shall if present preside at all meetings of the Section Council and Section Executive and perform the duties of the Chair as specified in Rule 5.10, and shall render such other assistance to the Section Secretary as may be required and perform as required the tasks set out at Rule 2.3(e).
- c. A Deputy Section President shall assist the Section President in the exercise of their duties and in the absence of the Section President perform all the duties of the Section President and shall render such other assistance to the Section Secretary as may be required and perform as required the tasks set out at Rule 2.3(e). Should there be more than one Deputy Section President, the Section Council shall select one of them to act in the place of the Section President.
- d. The duties of a Section Executive Member shall be to attend meetings of the Section Executive and shall render such other assistance to the Section Secretary as may be required and perform as required the tasks set out at Rule 2.3(e).

PART 3 - ELECTIONS AND APPOINTMENTS

3.1 - ADVICE TO INDUSTRIAL REGISTRAR

The National Secretary shall within the time provided in the Workplace Relations Act 1996 and the regulations made under that Act advise the Industrial Registrar of elections required to be conducted in the PSU Group, with a view to ensuring that no irregularity occurs in or in connection with the election.

3.2 - APPOINTMENT OF RETURNING OFFICER

If for any reason the Industrial Registrar pursuant to Rule 3.1 does not arrange for the conduct of an election, the Executive Committee shall appoint a Returning Officer and such Assistant Returning Officers as it considers necessary to conduct the election.

3.3 - DUTIES OF RETURNING OFFICER

- a. Returning Officers and Assistant Returning Officers shall be financial members of the Union but shall not be holders of any other office in the Union or, except in the case of elections conducted under Rule 2.3, be employed by the Union.
- b. Returning Officers, Assistant Returning Officers and Scrutineers in any election held under these Rules shall do all things necessary to preserve the secrecy of the ballot and to ensure the proper and regular conduct of the ballot as prescribed by these Rules.
- c. If a Returning Officer conducting an election finds a nomination to be defective the Returning Officer shall, before rejecting the nomination, notify the person concerned of the defect and, where it is practicable to do so, give the member the opportunity to remedy the defect within seven days of the member being notified of the defect. If the defect is not remedied the Returning Officer must reject the nomination.
- d. If no more than the requisite number of valid nominations is received for any office, the Returning Officer shall declare the members nominated to be elected to such position.
- e. A Returning Officer for each election conducted under these Rules shall, on the conclusion of the counting of votes, declare the result of the election in a written report to the National Secretary or Section Secretary on such election. This report shall include full details of the conduct, the voting and the result of the election.

3.4 - ELIGIBILITY TO NOMINATE AND VOTE

- a. Only members who are financial at the closing of nominations for any election for any office shall be eligible to nominate or be nominated for any office within the PSU Group.
- b. Financial members only shall be entitled to vote at any meeting or plebiscite.
- c. Only members who are financial at the day on which the roll of voters for any election is closed shall be entitled to vote in that election.
- d. The roll of eligible voters shall be closed 28 days before the day on which nominations open for the particular election.
- e. National Officers shall be elected by and from the members of the PSU Group.
- f. Governing Councillors shall be elected by the members of the relevant Section or Section electorate as determined by Governing Council.
- g.
 - (i) Salaried Section Secretaries shall be elected by the members of the relevant Section of the PSU Group, from the members of the PSU Group;
 - (ii) All other Section Secretaries shall be elected by and from the members of the relevant Section of the PSU Group.
- h. Section Councillors shall be elected by and from the members of the Section or Section electorate to be represented.
- i. A person is not eligible to nominate in the same election for more than one of the following positions:
 - (i) National Secretary
 - (ii) Assistant National Secretary
 - (iii) National President
 - (iv) Deputy National President
 - (v) Executive Committee Member;
 - (vi) a salaried Section Officer position.
- j. Notwithstanding the provisions of any other Rule to the contrary and except as provided by this Rule, no member shall be nominated for, elected to or hold office or position in the PSU Group if he or she is or becomes a member of any other registered organisation whose eligibility Rules include any area of employment specified in Rules 2 and 3 of Chapter A.
- k. A member of the PSU Group who is employed by the ABC and who is or becomes a member of another registered organisation whose eligibility Rules include employment by the ABC and which also has an award covering members in the ABC shall be eligible to be nominated for, elected to, or hold any position within the ABC Section.
- l. A salaried employee of the Union shall be eligible to nominate for election to, but not hold any office within the PSU Group, provided that any such employee resigning their employment with the Union on or after the declaration of the poll and prior to the commencement of the term of office, shall be entitled to hold such office.

For the purpose of this paragraph a person is not a salaried employee of the Union merely by reason that:

- (i) a person holding an office accepts paid secondment to work for the Union on a specific task for a period not exceeding 6 months, the terms of which secondment are duly authorised by decision of the Executive Committee;

- (ii) a person holding an office is in receipt of a salary or reimbursement of salary in respect of performance of the functions of the office held or of relieving an Officer for a period approved in accordance with the Rules.
- m. The provisions of paragraph (l) shall not apply to the position of Workplace Delegate or Deputy Delegate, in that a salaried employee of the Union may hold those positions.

3.5 - NOMINATIONS

- a. The Returning Officer shall call for nominations by notice which shall be given in a PSU Group publication published not later than 21 days prior to the close of nominations, or in relation to any collegiate election not later than 14 days prior to the close of nominations, provided that where eligibility to nominate for a particular position is restricted to a particular group of members the Returning Officer may call for nominations by a notice published to that group of members only.
- b. Nominations for Governing Councillor, Section Secretary, Section Councillor positions and any Section Officer positions elected by Section members shall be lodged with the Returning Officer not later than 12.00 noon on the last Wednesday in September in the year of election.
- c. Nominations for National Officer positions shall be lodged with the Returning Officer not later than 12.00 noon on the last Wednesday in September in the year of election.
- d. Nominations shall be signed by two financial members of the PSU Group who are eligible to vote in the election and by the person nominated.

3.6 - NOMINATIONS - WITHDRAWAL

Nominations for any election under the Rules may not be withdrawn after the close of nominations.

3.7 – TEAM NOMINATIONS

- a. In an election for National Officers a group of eligible members may nominate as members of a "team nomination" which must have a name.
- b. The name of a team nomination must not be the same as another team nomination, or be deceptive in any way.
- c. Where the name of the team nomination uses the name of one of the candidates of the team nomination, the first and last name of the candidate must be used. A team nomination cannot use as its name the name of any candidate in the election who is not a member of the team.
- d. In determining which team nomination may use a name (which is not a candidate's name) regard is to be had to all relevant factors including the history of use of the name in question.
- e. If the name of any team nomination is the same as another team nomination, or the Returning Officer believes it deceptive in any way, the Returning Officer must approach the teams concerned and have the teams make such changes as are necessary to remedy the situation. The Returning Officer will take into account the matters in paragraph (d). The Returning Officer may refuse to accept a team nomination where the situation is not remedied, but must provide a reasonable opportunity for members of the team to nominate

- individually.
- f. Subject to these Rules, a team must nominate a candidate for each National Officer position which is being contested whereupon each person will be considered to have nominated for each position concerned.
 - g. A team nomination must be in writing and signed by each candidate.
 - h. No member of a team nomination may nominate in the election other than for that team nomination.
 - i. In the event of a withdrawal by a member of a team nomination prior to nominations closing, the person who has withdrawn can be replaced by another eligible person who is not a member of any other team nomination, and who consents to becoming a member of the team nomination.
 - j. The discovery of a candidate's ineligibility will not affect the validity of the election of any other member of a team nomination of which that candidate is a member, nor will it lead to the rejection of a team nomination or in any way affect the nomination of the other members of the team nomination.

3.8 - BALLOT PROCEDURES - GENERAL

- a.
 - (i) If no more nominations for election to a position are received than the number of such positions available, the Returning Officer must immediately declare the person or persons nominated elected to the position.
 - (ii) If more nominations for election to a position are received than the number of such positions available, a ballot must be conducted by the Returning Officer.
- b. Unless otherwise specified in these Rules, a secret postal ballot shall be utilised for all elections to be conducted under this Part for any position to be filled by a direct voting system. A declaration envelope as defined in the Workplace Relations Act 1996 must be used in every election conducted by secret postal ballot.
- c. "Postal ballot" means a ballot for the purposes of which a ballot paper is to be sent by prepaid post to each person entitled to vote and facilities are to be provided for the return of the completed ballot paper by post by the voter without expense to the voter.
- d. Unless otherwise requested by the member, ballot papers shall be posted to the home address of the member as listed in the records of the PSU Group.
- e. A member eligible to vote who shall be away from their place of employment or normal postal address recorded on the PSU Group's records during the polling period may apply in writing to the relevant Returning Officer, prior to the despatch of ballot papers, and a ballot paper shall be sent to the address specified by the voter prior to the closing of the ballot. For the vote to be accepted, it must be received by the Returning Officer prior to the closing of the ballot.
- f. A Returning Officer, at any election under these Rules, shall initial each ballot paper before it is issued.
- g. When the Returning Officer is required to forward ballot papers to voters, they shall be forwarded at least fourteen days before the closing date of the ballot, or such longer period as the Executive Committee may decide.

- h. Non-receipt of ballot paper by any member shall not necessarily invalidate an election.
- i. The position of all candidates' names and team nominations on the ballot paper must be determined by drawing lots. Team nominations will appear first on any ballot paper, the position of the teams to be determined by drawing lots. The names of individual candidates will then appear to the right of the team nominations, the position of individual candidates to be determined by drawing lots.
- j. If there is at least one team nomination for National Officer positions:
 - (i) a single ballot paper for the National Officer positions must be used.
 - (ii) the name of the team nomination must appear at the top of the ballot paper, immediately above the members of the team nomination.
- k. Appropriate instructions on how to complete the ballot paper must be included on, or forwarded with, the ballot paper.

3.9 - BALLOT PROCEDURES - COLLEGIATE ELECTIONS

- a. In all elections conducted under a collegiate electoral system the procedures in this Rule shall be observed.
- b. The Executive Committee shall determine whether the secret ballot shall:
 - (i) take place at the next meeting of the body constituting the college; or
 - (ii) be conducted as a postal ballot.
- c. Where the Executive Committee has determined that the ballot shall be conducted in accordance with paragraph (b)(ii) the Executive Committee shall fix a time and date for the close of the ballot.
- d. Nominations shall be lodged with the relevant Returning Officer.
- e. Any member of the college who is unable to be present at the holding of a ballot held in accordance with paragraph (b)(i) may apply in writing to the Returning Officer for a ballot paper and may deliver or post such ballot paper so as to reach the Returning Officer prior to the closing of the ballot.
- f. At the conclusion of the counting of the votes in any postal ballot, the Returning Officer shall declare the successful candidate or candidates elected to the National Secretary. The National Secretary shall cause the report of the Returning Officer to be notified to the members of the college as soon thereafter as practicable.
- g. At the conclusion of the counting of the votes in any ballot held at a meeting of the college, the Returning Officer shall declare the successful candidate or candidates elected at the meeting at which the ballot is held if possible or if not as soon thereafter as practicable.
- h. With respect to a collegiate election for National Officer positions, there shall be no more than one successful candidate from any Section. Of the candidates from any particular Section, who would otherwise be elected, the candidate who shall be declared elected is:
 - (i) the candidate for the highest position as defined in Rule 3.18; and
 - (ii) subject to sub-paragraph (i), the candidate who secures the highest number of votes among candidates from the Section;

All other candidates from the Section shall be excluded from the ballot.

3.10 – METHOD OF VOTING

- a. Voting shall be on the preferential system, as detailed in this Rule and Rules 3.11 and 3.12, in all elections under these Rules.
- b. The voter shall vote by marking on the ballot paper the numbers 1, 2 and so on as the case requires opposite at least the same number of candidates as there are positions to be filled.
- c. Notwithstanding any other Rule, voting by proxy shall not be permitted.

3.11 - COUNTING OF VOTES - ELECTION OF ONE CANDIDATE ONLY

Where one candidate only is to be elected the Returning Officer shall observe the following procedure to determine the successful candidate:

- a. A candidate who receives more than half the number of first preference votes cast shall be the successful candidate.
- b. Should no candidate be successful on the first count, the candidate who receives the least number of first preference votes shall be excluded from the count and the candidate's second preference votes shall thereupon be distributed among the remaining candidates. A candidate then receiving more than half the total number of votes cast shall thereupon be the successful candidate.
- c. The above procedure shall be continued until one candidate has received the requisite number of votes to become the successful candidate.
- d. If on any count two or more candidates each receive the same number of votes the Returning Officer shall decide by lot which candidate shall remain in the count.

3.12 - COUNTING OF VOTES - ELECTION OF MORE THAN ONE CANDIDATE

Where two or more candidates are to be elected the Returning Officer shall observe the following procedure to determine the successful candidate:

- a. The votes shall be classified into two categories as follows:
 - (i) The preference votes to the number of vacancies to be filled shall be termed "primary" votes, and shall have equal value in the first count and be credited to the candidate for whom they are cast, whether marked 1, 2, 3, etc., according to the number of vacancies;
 - (ii) The preference votes beyond those referred to in (i) shall be termed "secondary" votes and shall have rank according to their numerical number and shall be allocated in rank order unless the ranking secondary vote has been previously allocated.
- b. The primary votes shall first be counted and a list shall be prepared of the candidates in order according to the primary votes cast for them. The candidate who is lowest on the list thus compiled shall be excluded from the count.

- c. Each ballot paper on which such excluded candidate received a primary vote shall then be examined to determine its secondary vote and the preference so found shall be allotted to the appropriate unexcluded candidate on the first count.
- d. On the conclusion of the second count, the above procedure or exclusion of candidates from the count and the distribution of their secondary votes shall continue until the required number of successful candidates has been determined.
- e. If, in any count, the next available preference vote of an excluded candidate is cast in favour of an excluded candidate, such preference vote shall be disregarded and the next available preference vote cast in favour of a remaining candidate shall be added to the votes credited to that candidate.
- f. If, in any count, two or more candidates each receive the same number of votes and one of them has to be excluded, the Returning Officer shall decide by lot which candidate shall remain in the count.

3.13 - SCRUTINEERS

A candidate in any election under these Rules may appoint a financial member or members of the PSU Group, other than a candidate at the election, as scrutineer or scrutineers. Any scrutineer may attend all stages of the election and shall abide by any directions of the Returning Officer during such attendance.

3.14 - VACANCIES

- a. When a vacancy occurs for any reason in an office the vacancy shall be filled by election under the provisions of this Part, except as provided in paragraph (c) of this Rule.
- b. Such nominations shall only be called once in any calendar year and the closing date for such nominations shall be 12.00 noon on the last Wednesday in September.
- c. If a casual vacancy occurs in an office and the remainder of the term of office is less than 12 months:
 - (i) the Governing Council shall appoint a financial member of the PSU Group to a vacant National Officer position;
 - (ii) the Section Council (or Executive Committee where there is no Section Council having regard to such views of the members of the Section as is available) shall appoint a financial member of the Section to a Governing Council vacancy, or in the case of a position elected from an electorate within the Section, the Section Council shall appoint a financial member of the relevant Section electorate to the Governing Council vacancy;
 - (iii) the Section Council (or the Executive Committee where there is no Section Council, having regard to such views of the members of the Section as is available) shall appoint a financial member of the PSU Group to a salaried Section Secretary vacancy; and
 - (iv) the Section Council (or the Executive Committee where there is no Section Council having regard to such views of the members of the Section as is available) shall appoint a financial member of the Section to a vacancy of Section Secretary that is not salaried;
 - (v) the Section Council shall appoint a financial member of the Section to a Section Councillor vacancy.

- d. The person so elected or appointed under paragraph (a) or (c) above shall hold office for the unexpired portion of the term of office.
- e. Pending the filling of a vacancy under paragraph (a), the relevant body may appoint an eligible member in accordance with the criteria listed in paragraph (c) to act in the vacant position.

3.15 - FILLING OF NEW POSITIONS

Where between elections the number of offices in the PSU Group is increased, or where an entitlement to representation on any body comes into existence, the additional office or offices shall be filled as though they were vacancies under the provisions of this Part.

3.16- FIXING OF MINIMUM SALARIES & LOCATION OF SALARIED OFFICERS

The minimum salaries and work location of Salaried Officers shall be fixed by Governing Council before nominations are called for.

3.17 - TERM OF OFFICE - CERTAIN OFFICES

- a. The term of office for National Officers, Governing Councillors, Section Secretaries, Section Councillors and any Section Officers elected by Section members shall be three years from the 1st of January in the year immediately following their election.

3.18 – HOLDING OF MORE THAN ONE POSITION

- a. If a candidate is successful in more than one ballot and is not eligible to hold simultaneously all such positions, or where a person accepts an appointment to a position and is not eligible to hold simultaneously a position already held, the person shall be deemed to be the successful candidate for, or to hold, only the higher or highest of such positions.
- b. In the counting of votes for any lower position a successful candidate for a higher position shall be the first to be eliminated from the ballot for the lower position and their votes allocated in accordance with the preference shown (if any) on such votes.
- c. A National Officer may not hold any office within a Section.
- d. A person is not eligible to hold simultaneously more than one of the offices listed herein and the higher or highest position shall be ascertained from the following table:
 - (i) National Secretary
 - (ii) Assistant National Secretary
 - (iii) National President
 - (iv) Deputy National President

- (v) Executive Committee Member
 - (vi) Salaried Section Secretary
 - (vii) Section Secretary
 - (viii) Governing Councillor
- e. Where a person already holds a lower position on the table in paragraph (d) at the time of the declaration of the ballot or the appointment to a higher position, the person shall be deemed to have resigned the lower position, and the vacancy created shall be filled in accordance with these rules.

3.19 - RETENTION OF BALLOT PAPERS

All ballot papers, envelopes, lists and other documents used in connection with, or relevant to an election under these Rules, and not otherwise kept by the Returning Officer, shall be preserved and kept at the registered office of the PSU Group for a period of one year after the completion of the election.

3.20 - ELECTION APPEALS

- a. Any member who is either a voter or a candidate at an election under these Rules may appeal against the result of such election.
- b. Such appeal shall be in writing and shall set out the grounds of the appeal and shall reach the National Secretary at any time during the conduct of the ballot and up to fourteen days after the declaration of the result of the election.
- c. With the appeal shall be lodged a deposit of \$100 which shall be returned to the depositor unless the Election Appeals Committee considers the appeal was not made on reasonable grounds.

3.21 - ELECTION APPEALS COMMITTEE

- a. The Governing Council on receiving an appeal in respect of an election shall appoint an Election Appeals Committee of three members of the Governing Council to hear and determine the appeal.
- b. The National Secretary shall, within seven days from the appointment of the Election Appeals Committee, convene a meeting of members of that Committee.
- c. The members of the Committee shall appoint one of their number as Chair.
- d. Each member of the Committee shall exercise one vote.
- e. At the hearing of the appeal the appellant and any member whose election is challenged shall be entitled to give and call evidence on their own behalf and to question any person giving evidence and to request the production of documents relating to the election. Hearings of the Election Appeals Committee may be held by telephone or video conference.

- f. The committee shall decide the appeal in one of the following three ways:
 - (i) by dismissing the appeal;
 - (ii) by setting aside the result appealed against and declaring another member or members elected; or
 - (iii) by directing the Returning Officer to conduct a new election for the office or offices concerned.
- g. The decision of the Committee shall be notified by its chair to the Governing Council, the National Secretary and all parties concerned.
- h. Subject to the provisions of the Workplace Relations Act 1996 the decision of the Election Appeals Committee shall be final and not subject to appeal.
- i. The provisions of Rules 3.20 and 3.21 do not apply to any election conducted through the Industrial Registrar.

3.22 - FORFEITURE OF OFFICE

- a. A member who holds any office or position in the PSU Group thereof shall at all times be a financial member.
- b. An office or position held by a member who is unfinancial shall be deemed to have become vacant and to be a casual vacancy created at the expiration of two calendar months from the date on which such member became unfinancial should they not become a financial member within that period.
- c. Notwithstanding the foregoing provisions the business of a meeting shall not necessarily be invalid, if otherwise in conformity with these Rules, by reason only of the fact that an unfinancial member voted at such meeting.

3.23 - ELECTION ADVERTISING AND COMMENT

- a. Free Space for Election Candidates
 - (i) Where there is more than one candidate for a position of National Officer they shall be entitled to free space in the National Journal or other PSU Group publication to put forward their claims for election.
 - (ii) Where there is more than one candidate for the position of Governing Councillor or salaried Section Secretary they shall be entitled to free space in a relevant PSU Group publication to put forward their claims for election.
 - (iii) Where candidates are entitled to free space in a journal or other publication, equal space shall be made available, the order within the publication to be determined in ballot paper order.
 - (iv) A candidate for more than one office shall be entitled to only one space.
- b. Advertising by Candidates

Except as is provided in paragraph (a) above no PSU Group publication shall publish any advertisement on behalf or in support of any candidate for a position in a PSU Group election.
- c. Right to Reply

If any item submitted for publication in an edition of any official PSU Group publication published between the calling of nominations in an election and the closing date for voting in the election comments on any other candidate directly or indirectly that article shall not be accepted for publication unless:

- (i) a copy of the item is sent to the candidate or candidates commented on in the article at least 7 days prior to the closing date for acceptance of items for the publication; and
 - (ii) the candidate or candidates commented on are given reasonable space to reply in the same publication in which the original comment is published.
- d. Where there is more than one candidate for the position of National Officer, Governing Councillor, Section Secretary or other positions for elections by the AEC that involve a membership ballot, candidates shall be entitled to have a statement of up to 250 words distributed with the ballot paper. Where candidates are entitled to a statement, equal space shall be made available, the order within the document to be determined in ballot paper order.

3.24 NOMINATIONS VACANCIES AND APPOINTMENTS OF SECTION OFFICERS

- a. Any Assistant Section Secretary, any Section President and any Deputy Section President shall be elected by and from the members of the Section Council, or by and from the members of the Section, as determined by the Governing Council.
- b. Section Executive Members shall be elected by and from the Section Council.
- c. A vacancy occurring in a Assistant Section Secretary, Section President, Deputy Section President or Section Treasurer position shall be dealt with in accordance with Rule 3.14 except that where the remainder of the term of office is less than 12 months, the Section Council shall appoint a financial member of the Section to the vacancy.
- d. Any person elected or so appointed under this Rule shall hold office for the unexpired portion of the term of office.
- e. A Section Officer position shall become vacant in the same way as applies to Section Secretaries under Rule 2.20.
- f. The term of office for any Assistant Section Secretary, any Section President, or any Deputy Section President shall be:
 - (i) if elected by and from the members of the Section, the same as for a Section Secretary;
 - (ii) if elected by and from the Section Council, 3 years from the 1st of July in the year immediately following the election of the Section Secretary.

PART 4 – FINANCIAL

4.1 - FINANCIAL YEAR

The financial year of the PSU Group shall end for all purposes on the 30th June.

4.2 - PSU GROUP FUNDS AND PROPERTY

The PSU Group Funds and Property shall consist of:

- a. any real or personal property of which the Governing Council of the PSU Group, by these Rules or by any established practice not inconsistent with these Rules, has, or, in the absence of any limited term lease, bailment or arrangement, would have the right to custody, control or management;
- b. any monies paid to the PSU Group by way of membership subscriptions, levies, rents, or by members in respect of levies or fines imposed by the Governing Council or donations from any source;
- c. any interest, rents, dividends, or other income derived from the investment or use of such funds and property;
- d. any superannuation, long-service leave or annual leave or other fund operated or controlled by the PSU Group as a whole in accordance with these Rules for the benefit of its officers or employees;
- e. any sick pay fund, accident fund, insurance fund, funeral fund or like fund operated by the PSU Group as a whole in accordance with these Rules for the benefit of its members;
- f. any property acquired wholly or mainly by expenditure of the monies of such funds and property or derived from other assets of such funds and property;
- g. any and all intellectual property of the PSU Group, which includes any contractual rights which may exist in relation to any innovation or work, and all statutory and other proprietary rights (including rights to require information be kept confidential) in respect of inventions, patents, trade marks, designs, copyright, know-how, trade secrets, and all other rights with respect to intellectual property including all rights to apply for the same and, for the avoidance of doubt, including copyright in works and sound recordings and broadcasts vesting by virtue of the Copyright Act 1968 (Cth.);
- h. the proceeds of any disposal of parts of such funds and property; and
- i. with effect from 1 July 2001:
 - (i) all funds, property and liabilities under the superintendence, management and control of any Branch, Section or the Professional Division as at 30 June 2001; and
 - (ii) all income derived from any source which is receivable on or after 1 July 2001

4.3 - RECEIPT OF MONIES

- a. All monies received by the Union, or income derived from any source receivable shall be remitted forthwith to the Governing Council and promptly deposited into a PSU Group account designated by the Executive Committee.
- b. All monies received in respect of Union owned buildings and premises shall be remitted forthwith to the Governing Council and the Governing Council shall pay all accounts in respect of such buildings.

4.4 - EXPENDITURE OF PSU GROUP FUNDS

- a. PSU Group Funds may only be expended in furthering the Union's Objects.
- b. Disbursements in regard to expenditure of PSU Group Funds may be made against the authority of a resolution of the Governing Council or Executive Committee, or upon the recommendation of the National Secretary and the approval of a National Officer authorised for that purpose with a copy of any such approval to be provided to the Accounting Officer for inclusion in the statement of receipts and expenditure for the period in which it occurred.
- c. Payment of all accounts for expenditure authorised in accordance with paragraph (b) shall be made from such account as the Governing Council or the Executive Committee may from time to time direct:
 - (i) by cheque signed by two persons, at least one of whom is a National Officer or an officer of the PSU Group delegated by the Executive Committee to sign cheques, and one of whom may be an employee authorised by the Executive Committee, to sign cheques; or
 - (ii) by a system of funds transfer approved by the Executive Committee.
- d. The Accounting Officer shall provide regular statements of receipts and expenditure to the Executive Committee and Governing Council.

4.5 - INVESTMENTS

- a. The PSU Group Funds and Property held by the Governing Council shall be for the benefit of members generally.
- b. The Governing Council or Executive Committee shall have the power to invest the whole or part of such PSU Group Funds or Property and to vary such investments.

4.6 - LOANS, GRANTS AND DONATIONS

- a. A loan, grant or donation of an amount exceeding \$1,000 shall not be made by the PSU Group, unless the Executive Committee or the Governing Council:
 - (i) has satisfied itself:
 - (a) that the making of the loan, grant or donation would be in accordance with the other Rules of the PSU Group; and
 - (b) 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
 - (ii) has approved the making of the loan, grant or donation.

4.7 - ACCOUNTING OFFICER

- a. The Accounting Officer for the purpose of the Workplace Relations Act 1996 shall be the National Secretary or, if the Executive Committee so determines, a National Officer.
- b. The Accounting Officer shall:
 - (i) maintain a detailed account of all money transactions;
 - (ii) keep the books of account regularly posted and produce all books, vouchers and documents to the Executive Committee, National Auditor or National Secretary when required;
 - (iii) attend audit meetings at the request of the National Auditor and supply all information required;
 - (iv) provide regular statements of receipts and expenditure to the Executive Committee and Governing Council;
 - (v) prepare the statements of account required by the Workplace Relations Act 1996.

4.8 - STATEMENT OF ACCOUNTS

- a. The PSU Group shall prepare and present statements of account in accordance with the provisions of Chapter 8 of Schedule 1B of the Workplace Relations Act 1996 ("the Schedule"). Terms used in this Rule shall have the same meaning as the term is used in the Schedule.
- b. The Executive Committee may determine that a concise report for the financial year be provided free of charge to each member. A copy of the full report will be provided to each member of the Governing Council.
- c. Subject to paragraph (d), the full report for a financial year shall be presented to the Executive Committee.

- d. At the conclusion of each financial year, where 5% of the members of the PSU Group call for a general meeting to receive the full report, the full report shall be presented to a general meeting. Such a general meeting shall be dealt with in accordance with this paragraph.
 - (i) The petition shall state "We the undersigned PSU Group members call for a general meeting of members to receive the full financial report for the last ending financial year".
 - (ii) The petition shall be addressed to the National Secretary, and must be signed and dated by each signatory, and must also include the membership number of each signatory.
 - (iii) So that proper notice can be given to members, and so that the general meeting can be held within the time periods prescribed by the Schedule, the petition must be received by 1 December, or 21 days after the provision to members of the report required by s.265(1), whichever is the later.
 - (iv) The general meeting shall be held in Sydney. The National Secretary shall advise all members of the time and place by notice published on the PSU Group website and in workplace bulletins.
 - (v) There shall be no quorum for the general meeting.
 - (vi) To avoid doubt, a general meeting can only be held to receive the full financial report for the last ending financial year.

- e. If the Industrial Registrar has issued a certificate stating that the Reporting Units shall be other than the PSU Group, then:
 - (i) references in this Rule to the Executive Committee shall be taken to be references to the management committee of the respective Reporting Units;
 - (ii) references in this Rule to the National Secretary shall be taken to be references to the Secretary of the respective Reporting Units.
 - (iii) references in this Rule to members of the PSU Group shall be taken to be references to the members of the respective Reporting Units; and
 - (iv) in all respects the terms of this Rule (Rule 4.8) shall be applied to those Reporting Units.

4.9 – ANNUAL BUDGET

- a. The National Secretary shall prepare a budget for the operation of the PSU Group consistent with the strategic plan, for approval by the Executive Committee.

- b. Notwithstanding the provisions of paragraph (a), an Operating Agreement existing as at 30 December 2004 may authorise a Section Secretary to prepare a budget for the operation of the Section, for approval by the Executive Committee. Where that has occurred, the respective Section Council shall be responsible for the expenditure of any funds allocated in accordance with that budget, subject always to overriding control by resolution of the Governing Council.

4.10 - SUBSCRIPTIONS

- a. Membership subscriptions shall be determined from time to time by the Governing Council.
- b. Subscriptions shall be fixed on a fortnightly basis, provided that Governing Council may also fix rates for subscriptions payed other than on a fortnightly basis.
- c. All subscriptions received shall be paid to the Governing Council.
- d. In the case of members who sign and present to the PSU Group, at the time of application for membership, an authority for deduction from an account held with a financial institution or from salary, liability for payment shall commence on the date of the first deduction effected.
- e. For members whose subscriptions are not deducted from an account held with a financial institution or from salary, liability for payment shall commence on the first pay day immediately following admission to membership.
- f. Any member shall be entitled to pay subscriptions annually in advance. Such a member shall not be liable to pay any increase in subscriptions in relation to the period of advance payment, which was approved after the payment was made.

4.11 - LEVIES ON MEMBERS

- a. The Governing Council may impose levies upon members as provided in paragraphs (b) and (c) after consideration of reports on the decisions of meetings of members on a proposal for such levy.
- b. A levy may be set at different amounts for members in different salary ranges.
- c. A levy may be imposed on:
 - (i) all members;
 - (ii) all members in a designated occupational grouping or groupings; or
 - (iii) all members in designated Sections or Sub-Sections.
- d. Such levies shall be deposited into a PSU Group account designated by the Executive Committee.

4.12 - SUBSCRIPTIONS & LEVIES WAIVER

- a. The Executive Committee shall have power to waive subscriptions and levies in whole or in part payable by a member for any period during which the member:
 - (i) is absent from their employment on leave without pay; or
 - (ii) satisfies the Executive Committee that the payment of such subscriptions would involve significant personal hardship.
- b. Notwithstanding the above, the Executive Committee may determine additional policy to apply in relation to the waiver of subscriptions and levies in whole or in part.

4.13 - HONORARIA

The Governing Council may determine from time to time an amount to be paid as an honorarium to any member for services rendered.

4.14 - PAYMENT OF FINES

A fine must be paid by a member to the National Secretary within thirty days of the date of notification to the member of the imposition of such fine.

4.15 - RECOVERY OF SUBSCRIPTIONS

The National Secretary is empowered to sue on behalf of and in the name of the Union for monies owing by members.

4.16 - APPOINTMENT OF AUDITORS

The Executive Committee shall appoint, annually or whenever a casual vacancy occurs, as National Auditor and Auditor of designated Sections which have not appointed under delegation a separate Auditor, a person having the qualifications prescribed from time to time in the Workplace Relations Act 1996 and the Regulations thereunder, and such person shall have full and complete access to all books and documents of the PSU Group and relevant Sections.

4.17 - EXPENDITURE IN RELATION TO MEETINGS

Where a meeting is to be held under these Rules and holding the meeting in person would involve significant travel and related expenses, the meeting shall be conducted by telephone conference, video conference, other electronic means or any other method by which members participating in the meeting are able to communicate with each other, unless the expenditure for holding the meeting in person is approved in accordance with the provisions of these Rules.

PART 5 – ADMINISTRATION

5.1 - ADMISSION

- a. Applications for membership of the PSU Group shall be approved by the Executive Committee. Upon approval of the application for admission (or re-admission) the applicant shall be enrolled as a member and shall be liable for payment of subscriptions.
- b. A membership form shall be approved by the Executive Committee and shall contain the approved privacy statement. Applicants for membership shall use the approved form.
- c. Applicants for membership shall be informed in writing of:
 - (i) the approval of their membership;
 - (ii) the financial and other obligations of membership; and
 - (iii) the circumstances, and the manner, in which a member may resign from the Union.

5.2 - FINANCIAL MEMBER

- a. A financial member is one who at the date of determining their financiality is no more than thirty days in arrears.
- b. A member who has not paid subscriptions and amounts in accordance with paragraph (a) shall be an unfinancial member until the requirements of paragraph (a) have been met.
- c. Subject to these Rules a person who has been admitted to membership and for whom the Union has received a signed authority for the ongoing deduction of subscriptions from an account held with a financial institution or from salary or from another financial source, shall be deemed to be a financial member as from the date they are admitted as a member, provided that any subscription not deducted or otherwise outstanding at any time shall continue to be due and may be recovered from the member in accordance with these Rules. If at any time an employing authority suspends or terminates the deduction of subscriptions from salary, the member shall cease to be deemed to be financial unless the subscriptions for the periods following such suspension or termination are paid in accordance with paragraph (a) of this Rule.

5.3 - RESIGNATION OF MEMBERSHIP

- a. A member of the Union may resign from membership by written notice addressed and delivered to the National Secretary or relevant Section Secretary.
- b. A notice of resignation from membership of the Union takes effect:
 - (i) where the member ceases to be eligible to be a member of the Union:
 - (a) on the day on which the notice is received by the Union; or
 - (b) on the day specified in the notice, which is a day not earlier than the day when the member ceases to be eligible to be a member;
 - whichever is later; or
 - (ii) in any other case:
 - (a) at the end of two weeks after the notice is received by the Union; or
 - (b) on a day specified in the notice
 - whichever is later.
- c. Any subscriptions, fines or levies owing to the Union but not paid by a former member of the Union, in relation to a period before the member's resignation took effect, may be sued for and recovered in the name of the Union, in a court of competent jurisdiction, as a debt due to the Union.
- d. A notice delivered for the purposes of paragraph (a) shall be taken to have been received by the Union when it was delivered.
- e. A notice of resignation that has been received by the Union is not invalid because it was not addressed and delivered in accordance with paragraph (a). A resignation from membership of the Union is valid even if it is not effected in accordance with this Rule if the member is informed in writing by or on behalf of the Union that the resignation has been accepted.

5.4 - FORFEITURE

Any unfinancial member who continues to be unfinancial for the thirty days immediately following the date on which he or she became unfinancial shall, if the Executive Committee passes a resolution to that effect, cease to be a member and forfeit all rights of membership as from a date determined by the Executive Committee. The Executive Committee shall only exercise power under this Rule if the member remains unfinancial after being notified in writing at their last known address of their unfinanciality and the intention of the Executive Committee after 14 days notice to forfeit their membership if they remain unfinancial.

5.5 - RE-ADMISSION TO MEMBERSHIP

An applicant for re-admission to membership shall not be enrolled as a member until he or she has paid any subscriptions and other moneys due at the date of cessation of membership.

5.6 - LIABILITY OF FORMER MEMBERS

Any person who ceases to be a member shall remain liable for all moneys owing by him or her to the Union at the time of ceasing to be a member unless the Executive Committee releases him or her in whole or part from such liabilities.

5.7 - AFFILIATION

Only the Governing Council may approve the affiliation of the PSU Group or any grouping of its members with any organisation or body.

5.8 - QUORUMS

- a. At meetings of any Council or Committee held under these Rules, a quorum shall be a majority of its members or their proxies.
- b. If within half an hour from the time appointed for the commencement of any meeting to be held under these Rules a quorum of members is not present, the meeting shall lapse.
- c. Where any member present at a meeting holds a proxy in accordance with these Rules, that proxy shall also be counted in determining the quorum for the meeting.

5.9 – RULES OF DEBATE

The Rules of Debate for meetings held under this Chapter shall be determined by Governing Council.

5.10 – CHAIR OF MEETINGS

- a. Except as provided for elsewhere in these Rules, any meeting of a Council or Committee shall elect a member of the Council or Committee to be the Chair of the meeting. Councils and Committees may elect a Chair for a specified term determined by the Council or Committee.
- b. At a meeting of members, the meeting shall elect a person to be the Chair.
- c. The Chair shall preside at the meeting(s) and in accordance with the Rules of debate shall superintend the discussion of questions tabled for consideration, and shall preserve order so that business can be conducted in due form and with propriety.
- d. The Chair of any Council or Committee shall cause minutes of the meeting to be kept, and upon the minutes being confirmed shall sign them. The Chair of any other meeting shall keep a record of any motion moved and carried.

5.11 - LIFE MEMBERSHIP

- a. The Governing Council may elect to Life Membership any member who has rendered special

- or valuable services to the Union, on the recommendation of the Executive Committee, a Section Council, or a member of the Governing Council.
- b. A Life Member shall thereupon become entitled, without payment of any subscriptions or other moneys, to all the privileges of a financial member other than the right to be nominated for, elected to or hold office in the PSU Group unless they are otherwise eligible for membership of the Union in accordance with Part 1 of Rule 2 of Chapter A.
 - c. The Governing Council may, for sufficient cause, cancel such Life Membership.

5.12 - SERVICE AWARD

The Governing Council may confer a Meritorious Service Award on any member or former member who has rendered long or special services to the Union. The Governing Council may confer a Meritorious Service Award on any member or former member on the recommendation of the Executive Committee, a Section Council, or a member of the Governing Council.

5.13 – PUBLICATIONS AND BULLETINS

- a. The PSU Group will publish an annual report. In addition, an official PSU Group journal or journals may be published by the Executive Committee and shall be the official organ(s) of the PSU Group.
- b. The Executive Committee or the National Secretary, or a person authorised for the purpose by the Executive Committee or the National Secretary, may authorise other journals, bulletins, surveys, petitions, newsletters, forms or other publications for distribution, including by electronic means, to specific membership groupings.

5.14 - DISMISSAL OF ELECTED OFFICERS

Notwithstanding anything elsewhere contained in these Rules no person elected to an office within the PSU Group shall be dismissed from that office unless the person has been found guilty, in accordance with the Rules of the Union, of misappropriation of the funds of the Union, a substantial breach of the Rules of the organisation or gross misbehaviour or gross neglect of duty or has ceased, according to the Rules of the Union, to be eligible to hold the office.

5.15 - REMOVAL FROM OFFICE BY GOVERNING COUNCIL

- a. The Governing Council, if two-thirds of its members present and entitled to vote so decide,

may at any time remove from office any officer elected or appointed under these Rules who has:

- (i) Misappropriated the funds of the PSU Group.
 - (ii) Committed a substantial breach of the Rules.
 - (iii) Been found guilty of gross misbehaviour or gross neglect of duty.
- b. Any such person shall be given twenty-one days' notice in writing by the National Secretary or National President of the charge and of the time and place of the meeting at which the charge is to be dealt with, and shall be entitled to be heard on his or her own defence before any motion for removal is put.

5.16 - "NO CONFIDENCE" MOTIONS

- a. A motion of "no confidence" in an Officer may be moved at a meeting of Governing Council or Section Council provided that:
- (i) notice of such motion was given at a previous meeting.
 - (ii) notice of intention, including the substantial details of the allegation, are given in writing to the officer at least 21 days prior to the meeting.
 - (iii) the Officer is given adequate time and opportunity to reply to the allegation at the meeting.
- b. A motion of "no confidence" shall be carried only if the votes of two-thirds of those present and entitled to vote, are cast in favour.

5.17 – APPEALS TO GOVERNING COUNCIL

- a. Any member may appeal to the Governing Council against any action or decision of the Executive Committee, a PSU Group Officer or a PSU Group employee which affects the member's rights or privileges as a member of the Union.
- b. The appeal shall be forwarded to the National Secretary. It shall be in writing and must state the decision or action appealed against and the rights or privileges affected by the decision or action.
- c. The National Secretary shall forward a copy of the appeal to the relevant Officers, and shall obtain reports from the relevant Officers as to the material circumstances concerning the appeal, and make such other enquiries as are necessary. All such enquiries and reports shall be completed within 21 days of the receipt of the appeal by the National Secretary.
- d. After having considered the relevant material the National Secretary shall provide a report and a recommendation to the Governing Council concerning the appeal.
- e. Should the appeal relate to any action or decision of the National Secretary, references in paragraphs (b) to (d) shall be read as references to the National President.

5.18 - DISPUTES AND CHARGES

- a. The following are offences with which a member may be charged under this Rule.

- (i) misappropriation of the funds of the Union.
 - (ii) a substantial breach of the Rules of the Union.
 - (iii) gross misbehaviour or gross neglect of duty.
 - (iv) an infringement of the Union's Rules, resolutions, or directions lawfully given.
- b. A member may lay a charge, within 28 days of the occurrence of the alleged offence, against any other member alleging that member has been guilty of one or more of the offences mentioned in paragraph (a).
 - c. Any such charge shall be in writing, accompanied by a deposit of \$100, signed by the member laying the charge and shall be delivered to the National Secretary. The deposit shall be retained by the National Secretary until the charge is finally dealt with.
 - d. Within 7 days of receiving such charge, the National Secretary shall forward the original charge to the Chair of the Disputes Tribunal and forward a copy to the member charged.
 - e. The Executive Committee may instruct the National Secretary or another National Officer to lay a charge on its behalf against a member. The provisions of paragraph (c) as to a deposit shall not apply to such a charge.
 - f. A charge must, in order to be valid, state clearly the nature of the offence alleged, the date or dates of the occurrence of the offence alleged and must also contain particulars of the alleged facts on which the charge is based.
 - g. As soon as a charge is laid under this Rule, no discussion of the matter shall take place at any meeting held under these Rules until such time as the charge is finally dealt with.
 - h. Notwithstanding paragraph (b), a charge against an officer alleging an offence of the kind set out in sub-paragraphs (i) to (iii) of paragraph (a) may be laid by a member at any time.
 - i. Should a charge be laid against the National Secretary, references in paragraphs (c) and (d) shall be read as references to the National President.

5.19 - DISPUTES TRIBUNALS

- a. Disputes Tribunals of 3 members shall be appointed from time to time by the Executive Committee for the purposes of hearing charges under Rule 5.18. Where a member of a Disputes Tribunal is a person who is subject to a charge under Rule 5.18 then that person shall not be a member of the Tribunal that determines the charge.
- b. The Disputes Tribunal shall be reimbursed by the Executive Committee for all necessary out of pocket expenses.
- c. The Disputes Tribunal may, subject to these Rules, establish its own procedures. Hearings of the Disputes Tribunal may be held by telephone or video conference.
- d. Any member charged shall be entitled to be represented at any hearing of the Disputes Tribunal by any other member of the PSU Group but not otherwise.
- e. A Disputes Tribunal, may after consideration of the charge made, conclude that there is no case to answer and accordingly dismiss the charge without holding any hearing.
- f. In the event of the Tribunal finding that there is a prima facie case to answer, it shall proceed to hear the charge and afterwards notify its recommendation in writing as soon as practicable

- to the member charged, the member laying the charge and the National Secretary or National President.
- g. Any member charged shall attend at a time and place fixed by members of the Disputes Tribunal.
 - h. No member shall be required to attend before a Disputes Tribunal without receiving reasonable travel expenses and compensation for loss of pay.
 - i. If the Disputes Tribunal considers that a member is guilty of the charge alleged under Rule 5.18, it may recommend to the Governing Council one or more of the following:
 - (i) imposition of a fine not exceeding \$250; or
 - (ii) deprivation of any right of membership for any specified period not exceeding six months; or
 - (iii) removal of the member from any office or position if any of the offences set out in sub-Rules 5.15(a)(i)-(iii) are proven.
 - j. The member charged may, within 21 days of the forwarding of the Disputes Tribunal recommendation, provide a written response to the National Secretary.
 - k. Not earlier than the expiration of the 21 day period as provided in paragraph (j), the National Secretary shall submit the recommendation of the Disputes Tribunal, and any response from the member charged, to the Governing Council for determination under Rule 1.4, 1.5 or 1.6.
 - l. After the Governing Council has dealt with the recommendation, the Disputes Tribunal shall direct the National Secretary to either refund the deposit to the member laying the charge or pay the deposit into the PSU Group's funds.

5.20 - VALIDITY OF ACTS

Notwithstanding anything contained elsewhere in the Rules of this Chapter any act done, resolution passed, business transacted or ballot conducted at the Governing Council, the Executive Committee, or a Section Council shall not, if otherwise in conformity with the Rules of this Chapter, be invalid by reason only of the fact that a member or members may not have representation on the relevant body through an electorate determined under these Rules.

5.21 - DELEGATION OF POWERS

- a. The National Secretary shall maintain a schedule of operative delegations made under these Rules and shall provide such schedule to each National Officer, Governing Councillor and Section Secretary. and any financial member of the PSU Group upon request.

- b. In determining to make delegations the Governing Council or Executive Committee shall have regard to, but not be limited by:
- (i) the most administratively appropriate arrangements;
 - (ii) the objective of minimising any duplication of responsibilities;
 - (iii) the size and any special factors relating to the specific Section; and
 - (iv) the provisions of the Workplace Relations Act 1996.

5.22 - REGISTER OF MEMBERS

The PSU Group shall keep a register of its members and shall keep all other records as are required to be maintained by Organisations under the Workplace Relations Act 1996, in the manner and at the place prescribed by the Act and Regulations.

5.23 - STAFF BARRED FROM APPOINTMENT AS PROXY

Notwithstanding that she or he may be a financial member of the Union no salaried employee of the Union shall be appointed as proxy for any office holder of the PSU Group.

PART 6 – MATTERS RELATING TO SPECIFIC SECTIONS

Schedule A sets out matters relating to specific Sections.

PART 7 – TRANSITIONAL PROVISIONS

The provisions contained in this Part shall prevail to the extent of any conflicting provisions in the Rules of Chapter B.

7.1 - CONTINUATION OF CERTAIN OFFICE HOLDERS

- a. The holder of an Office or position listed in Column 1 below as at the day before the certification of these Rules shall occupy the corresponding Office or position listed in Column 2 on and from the date of certification of these Rules until the end of the current term of office specified in Column 3 provided the holder of the Office remains eligible to hold the position in accordance with these Rules.

Column 1	Column 2	Column 3
National Secretary	National Secretary	31 December 2005
Assistant National Secretary	Assistant National Secretary	31 December 2005
National President	National President	31 December 2005
Deputy National President	Deputy National President	31 December 2005
Section Secretary	Section Secretary	31 December 2005
Section Councillor	Section Councillor	31 December 2005

- b. The duties of the Offices set out in Column 2 above shall be the duties contained in these Rules.

7.2 – TRANSLATION OF CERTAIN OFFICE HOLDERS

- a. The holder of an Office listed in Column 1 below as at the day before the certification of these Rules shall occupy the corresponding Office listed in Column 2 on and from the date of certification of these Rules until the end of the current term of office specified in Column 3 provided the holder of the Office remains eligible to hold the position in accordance with these Rules.

Column 1	Column 2	Column 3
National Councillor	Transitional Governing Councillor	31 December 2005

- b. The duties of the Offices set out in Column 2 above shall be the duties contained in these Rules.

7.3 – TRANSITIONAL OFFICE HOLDERS

- a. The holder of an Office listed in Column 1 below as at the day before the certification of these Rules shall occupy the corresponding Office listed in Column 2 on and from the date of certification of these Rules until the end of the current term of office specified in Column 3 provided the holder of the Office remains eligible to hold the position in accordance with these Rules. Should a vacancy occur in any Transitional position prior to the expiration of the term of office, the position shall be abolished on and from the date of the vacancy.

Column 1	Column 2	Column 3
Division Secretary	Transitional Division Secretary	31 December 2005
Assistant Division Secretary	Transitional Assistant Division Secretary	31 December 2005
Regional Secretary	Transitional Regional Director	31 December 2005
Regional Councillor	Transitional Regional Councillor	31 December 2005
Professional Officers Secretary	Transitional Professional Officers Secretary	31 December 2005

- b. The duties of the Offices in Column 2 above shall be to provide such assistance as is necessary to the National Secretary in the operation and affairs of the Union.

7.4 - TRANSITIONAL GOVERNING COUNCIL

From the date of certification of these Rules until 31 December 2005, the Governing Council shall be constituted by the National Officers, the Transitional Governing Councillors, Transitional Division Secretaries, Section Secretaries, the Transitional Professional Officers Secretary and Transitional Regional Directors.

7.5 - TRANSITIONAL EXECUTIVE COMMITTEE

From the date of certification of these Rules until 31 December 2005, the Executive Committee shall be constituted by the National Officers, the Transitional Division Secretaries, and the Transitional Regional Directors.

7.6 – TRANSITIONAL SECTION COUNCILS AND SECTION OFFICER POSITIONS

- a. From the date of certification of these Rules until 31 December 2005, Section Councils existing prior to the date of certification of these Rules shall continue to operate in accordance with the provisions of these rules. From 1 January 2006 those Section Councils that are established in accordance with these Rules shall operate.
- b. The holder of an Office or position listed in Column 1 below as at the day before the certification of these Rules shall occupy the corresponding Office or position listed in Column 2 on and from the date of certification of these Rules until the end of the current term of office specified in Column 3 provided the holder of the Office remains eligible to hold the position in accordance with these Rules, where the holder of an Office listed in Column 1 was elected by and from the members of the Section or by and from the members of a Section electorate.

Column 1	Column 2	Column 3
Assistant Section Secretary	Assistant Section Secretary	31 December 2005
Section President	Section President	31 December 2005
Deputy Section President	Deputy Section President	31 December 2005
Section Treasurer	Transitional Section Treasurer	31 December 2005
Section Executive Member	Section Executive Member	31 December 2005

- c. The duties of the Offices set out in Column 2 of paragraph (b) above shall be the duties contained in these Rules, except that the duties of Transitional Section Treasurer shall be to provide such assistance as is necessary to the Section Secretary in the operation and affairs of the Section.
- d. The holder of an Office or position listed in Column 1 below as at the day before the certification of these Rules shall occupy the corresponding Office or position listed in Column 2 on and from the date of certification of these Rules until the end of the current term of office specified in Column 3 provided the holder of the Office remains eligible to hold the position in accordance with these Rules, where the holder of an Office listed in Column 1 was elected by and from the Section Council.

Column 1	Column 2	Column 3
Assistant Section Secretary	Assistant Section Secretary	30 June 2006
Section President	Section President	30 June 2006
Deputy Section President	Deputy Section President	30 June 2006
Section Treasurer	Transitional Section Treasurer	30 June 2006
Section Executive Member	Section Executive Member	30 June 2006

- e. If the Section Council is established under paragraph (a) of this Rule, the duties of the Offices set out in Column 2 of paragraph (d) above shall be the duties contained in these Rules, except that the duties of Transitional Section Treasurer shall be to provide such assistance as is necessary to the Section Secretary in the operation and affairs of the Section.
- f. Where a Section Council is not established under paragraph (a) of this Rule, the duties of the Offices set out in Column 2 of paragraph (d) above shall be the duties contained in these Rules, except that the duties of Transitional Section Treasurer shall be to provide such assistance as is necessary to the Section Secretary in the operation and affairs of the Section until 31 December 2005. From 1 January 2006 the duties of the Offices set out in Column 2 of paragraph (d) above shall be to provide such assistance as is necessary to the Section Secretary in the operation and affairs of the Section.

7.7 – CONTINUATION OF OTHER POSITIONS

- a. The holder as at the day before the certification of these Rules of any CSIRO Sub-Section Officer position, Tax Sub-Section Officer position, or any other Sub-Section Officer position elected by and from the members of the Sub-Section shall occupy the same position until the end of the current term of office provided the holder of the Office remains eligible to hold the position in accordance with these Rules.
- b. An elected Delegate or Deputy delegate on the day before the certification of these Rules shall continue to be a Delegate or Deputy Delegate until the end of the current term of office provided they remain eligible to hold the position in accordance with these Rules.

7.8 - DECISIONS

All decisions and policy of the National Council and/or the National Management Committee of the PSU Group made on or before the day before the certification of these Rules and having effect on the day before the certification of these rules shall continue in force and be deemed to have been made by the Governing Council and/or the Executive Committee as the case may be.

SCHEDULE A

PART 8 - CSIRO SECTION

8.1 - CSIRO SECTION

- a. There shall be a CSIRO Section of the PSU Group. Membership of the CSIRO Section shall consist of all members of the CSIRO Section on the day before the commencement of the operation of this Rule, members employed by the Commonwealth Scientific and Industrial Research Organisation (herein referred to as the CSIRO), and shall be open to persons who are eligible to be members of the Union pursuant to sub-Rule 4H of Part 1 of Rule 2 of Chapter A. The Governing Council may, acting only on the advice of the CSIRO Section Council, determine the members or classes of members who shall also be members of the CSIRO Section.
- b. The provisions contained in this Part (Part 8) shall apply to the CSIRO Section and shall prevail to the extent of any conflicting provisions in the Rules of Chapter B.
- c. The Rules in this Part may be amended or rescinded by the National Officers Committee only on the recommendation of the Governing Council and the CSIRO Section Council.
- d. The CSIRO Section may only be dissolved by Governing Council on the recommendation of the CSIRO Section Council.
- e. Any reference in this Part to "Section" shall be read as a reference to the "CSIRO Section". Any reference in this part to a "Sub-section" shall be read as a reference to a "CSIRO Sub-section".

8.2 – OPERATING AGREEMENT

- a. The Governing Council may enter into an Agreement (hereinafter called an "Operating Agreement") with the CSIRO Section relating to the operation of the Section consistent with the Rules on the basis that an Operating Agreement may only be varied or rescinded with the agreement of the CSIRO Section Council.
- b. An Operating Agreement may include but not be limited to:
 - (i) the structure of the Section;
 - (ii) the delegations made to the Section Secretary or Section Council;
 - (iii) provisions relating to the finances of the Section
- c. Notwithstanding other provisions in the Rules, an Operating Agreement:
 - (i) may provide for the superintendence, management and control by the Section Council of funds, property and liabilities, and all income of the Section Council derived from any source;
 - (ii) may provide that all income of a Section shall be promptly deposited into a Section account designated by the Section Executive;
 - (iii) may provide that any funds under the superintendence, management and control of the Section shall be for the benefit of the Section members generally;

- (iv) may give the Section Council the power to invest the whole or any part of any funds or property under the superintendence, management and control of the Section, and to vary such investments;
 - (v) may provide for the direct payment to and the retention of subscriptions received in respect of members of the Section to be retained by the Section Council in whole or in part;
 - (vi) may authorise the Section Secretary to prepare a budget for the operation of the Section for approval by the Section Council or Section Executive, which shall include the allocation of funds for broader CPSU activities;
 - (vii) may provide for the payment of all liabilities of the Section to be first met out of the funds of the Section; and
 - (viii) may provide for the setting of subscriptions by the Governing Council only on the recommendation of Section Council.
- d. Any such Agreement entered into with the CSIRO Section prior to 31 December 2004 shall continue in force and have the same force and effect as if it were an Agreement made under paragraph (a).

8.3 - CSIRO SECTION FUNDS & EXPENDITURE

- a. The CSIRO Section funds shall be constituted by any monies allocated to or retained by the Section under the provisions of an Operating Agreement.
- b. Any CSIRO Section funds shall be maintained with a bank or financial institution approved by the Section Council, in the name of the Section.
- c. Disbursements in regard to expenditure of any CSIRO funds shall be made against the authority of a resolution of the Section Council or upon the recommendation of the Section Secretary and the approval of the Section President, with such approvals included in a statement of receipts and expenditure for the period in which it occurred, submitted to the Section Council at each ordinary meeting.
- d. A loan, grant or donation of an amount exceeding \$1,000 shall not be made by the CSIRO Section unless the Section Council or the Section Executive:
 - (i) has satisfied itself:
 - (a) that the making of the loan, grant or donation would be in accordance with the other Rules of the PSU Group; and
 - (b) 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
 - (ii) has approved the making of the loan, grant or donation.
- e. Payment of any Section accounts shall be by cheque signed by two persons, at least one of whom is a Section Officer and one of whom may be an employee authorised by the Section Council to sign cheques, or by a system of funds transfer approved by the Executive Committee.
- f. The Section shall keep proper records of the details of any monies received and paid by it.
- g. The Section Council may establish separate accounts for the use by designated Sub-Section delegates Committees within limits and expenditure guidelines determined by the Section Council. Payment out shall be by cheque signed by any of the Sub-Section Officers. All such

expenditure shall be advised to the Section Treasurer at such times as the Section Secretary, Section Treasurer or Section Councillor requires.

- h. The provisions of Rules 4.8 and 4.16 shall apply to CSIRO funds with the necessary changes being made, and subject to the terms of any Operating Agreement. To avoid doubt, the CSIRO Section Executive shall appoint the auditors under Rule 4.16.

8.4 – SECTION OPERATIONS

- a. There shall be a CSIRO Section Council consisting of those persons specified in Rule 2.21 and such Section Officer positions as are approved by the Governing Council.
- b. The CSIRO Section Council shall have the power to superintend, manage and control the affairs of the Section and any Section funds.
- c. The Section Council may establish a Section Executive to be the managing body of the Section, consisting of the Section Officers and if the Section Council determines, Section Executive Members.
- d. A Section Executive may establish its own method of operation provided it is not inconsistent with the provisions of the Rules.
- e. To assist the Section Council, the Section Council shall establish such Sub-Sections as it considers necessary and as are approved by the Governing Council, and shall establish such of those Sub-Section Officer positions as are at Rule 8.7(e) as it requires.

8.5 – SECTION OFFICERS

- a. The Section Officers shall be the Section Secretary and a Section President and may, subject to Governing Council approval, include:
 - (i) a Deputy Section President or more as determined by the Governing Council.
 - (ii) an Assistant Section Secretary or more as determined by the Governing Council.
 - (iii) a Section Treasurer.
- b. A salaried Section Secretary and a salaried Assistant Section Secretary not otherwise a member of the Section shall be deemed to be a member of the Section.

8.6 – SUB-SECTION OFFICERS

- a. A position of Sub-Section Officer shall become vacant if the holder ceases to be a member of the Sub-Section.
- b. Sub-Section Officers shall be elected by and from members of the Sub-Section.
- c. The terms of office for Sub-section Officers shall be 2 years from 1 July in the year of their election.

8.7 – DUTIES

- a. Subject to a direction of the Section Council, an Assistant Section Secretary shall be under the direction of the Section Secretary and shall render such assistance as may be required in the administration of the Section.
- b. A Section President shall if present preside at all meetings of the Section Council and Section Executive and perform the duties of the Chair as specified in Rule 5.10.
- c. A Deputy Section President shall assist the Section President in the exercise of their duties and in the absence of the Section President perform all the duties of the Section President. Should there be more than one Section Deputy President, the Section Council shall select one of them to act in the place of the Section President.
- d. A Section Treasurer shall, subject to the provisions in Part 4:
 - (i) take charge of any monies received by the Section Council and within seven days of receipt deposit such monies to the credit of the Section with the financial institution nominated by the Section Council; and
 - (ii) at all times when required by the Section Council, Section Executive, the Governing Council or the Executive Committee give a statement of the financial affairs of the Section.
- e. The respective duties of the Sub-Section Officers shall be:
 - (i) Sub-Section Secretary - to keep written records of meetings, to forward a copy of such records to the Section Secretary, to give notice of meetings where appropriate under these Rules, to carry out such representation tasks as may be required and, subject to the direction of the Section Council, perform such duties as are determined by the Section Secretary.
 - (ii) Sub-Section President - to chair meetings of the SDC and to carry out any representation requested by the SDC within its authority.
 - (iii) Deputy Sub-Section President - assist the President and perform the duties of the President in their absence or unavailability.
 - (iv) Assistant Sub-Section Secretary - assist the Secretary and perform the duties of the Secretary in their absence or unavailability.
- f. The duties of a Section Executive Member shall be to attend meetings of the Section Executive.

8.8 – WORKPLACE DELEGATES

- a. Workplace Delegates shall be elected annually by and from the members of each Workplace by secret postal ballot under the provisions of Rule 8.10.
- b. The Section Council, shall determine the number of Workplace Delegates to be elected from each Workplace.
- c. The term of office for Workplace Delegates shall be 1 year from 1 July in the year of election.

8.9 – SUB-SECTION DELEGATES COMMITTEES

- a. There shall be a Sub-Section Delegates Committee (SDC) in each Sub-Section consisting of the delegates from all of the workplaces in the Sub-Section. A Sub-Section Officer or Section Councillor of the Sub-Section who is not a delegate shall be an ex-officio member of the Sub-Section.
- b. An SDC shall, subject to any decision or policy of the Governing Council, assist in the work of the Section, particularly with respect to the Sub-Section they represent, and shall determine its own method of operation provided it is not inconsistent with these rules.

8.10 - SECTION ELECTIONS

- a. The Section Secretary shall within the time provided in the Workplace Relations Act 1996 advise the Industrial Registrar of elections required to be conducted for Section and Sub-Section Officers and Workplace Delegates, with a view to ensuring that no irregularity occurs in or in connection with the elections.
- b. If for any reason the Industrial Registrar does not arrange for the conduct of an election for Sub-Section Officers or Workplace Delegates, the Section Council shall appoint such Returning Officers as it considers necessary to conduct the election.
- c. The Returning Officer shall then proceed in accordance with the provisions of Part 3. The Returning Officer shall call for nominations for any Sub-section Officer or Workplace Delegate position by notice sent to members of the respective Sub-section or Workplace and/or a notice published in a newsletter or journal.
- d. Nominations shall close at 12 noon on the last Wednesday in March.

8.11 – NOMINATIONS AND VACANCIES

- a. A salaried Assistant Section Secretary shall be elected by the Section members from the members of the PSU Group.
- b. A non-salaried Assistant Section Secretary, a Section President, a Section Deputy President and a Section Treasurer shall be elected by and from the members of the Section Council, or by and from the members of the Section, as determined by the Governing Council.
- c. Section Executive Members shall be elected by and from the Section Council.
- d. A vacancy occurring in a Section President, Assistant Section Secretary, Deputy Section President or Section Treasurer position shall be dealt with in accordance with Rule 3.14 except that where the remainder of the term of office is less than 12 months, the Section Council shall appoint a financial member of the Section to the vacancy.
- e. Where a vacancy occurs for any reason in the position of Sub-Section Officer or Workplace Delegate, such vacancy shall be filled by appointment by the Sub-Section Delegates Committee, except that any vacancy in an office of Sub-Section Officer occurring where there is 12 months or more of the term of office remaining shall be filled by election by and from the members of the Sub-section.
- f. Any person elected or so appointed under this Rule shall hold office for the unexpired portion of the term of office.
- g. A Section Officer position shall become vacant in the same way as applies to Section Secretaries under Rule 2.20.

- h. A Sub-Section Officer position shall become vacant if the holder ceases to be a member of the Sub-Section.
- i. The term of office for an Assistant Section Secretary, a Section President, a Deputy Section President or a Section Treasurer shall be:
 - (i) if elected by and from the members of the Section, the same as for a Section Secretary;
 - (ii) if elected by and from the Section Council, 3 years from the 1st of July in the year immediately following the election of the Section Secretary

8.12 - QUORUMS

Notwithstanding the provisions of Rule 5.8, a quorum for a meeting of the CSIRO Section Council shall be two Section Officers or their proxies and a majority of the Section Councillors or their proxies.

8.13 - PROXIES

- a. Each Section Councillor shall appoint, whenever necessary, a proxy who is either a member of their Sub-Section Delegates Committee, or who holds an elected office in the CSIRO Section.
- b. A Section Officer who is unable to attend a meeting of the Section Council shall appoint, whenever necessary, a proxy who holds an elected office in the CSIRO Section.
- c. If a Workplace Delegate cannot attend a meeting of a Sub-Section Delegates Committee they may appoint as her/his proxy a financial member of their Workplace or another member of the SDC. If a Sub-Section Officer cannot attend a meeting of a Sub-Section Delegates Committee they may appoint as her/his proxy a financial member of their Sub-Section or another member of the SDC.
- d. All proxy appointments shall be notified in writing to the Chair of the meeting. No member may hold more than one proxy at any meeting.

8.14 – VOTING

- a. Subject to specific provisions elsewhere in these Rules, each member of the Section Council, Section Executive, Sub-Section Council and Sub-Section Executive shall be entitled to one vote at any meeting of those bodies and one additional vote if holding a proxy.
- b. When requested by any member of a body as listed in Column 1 in the following table, voting on any matter by a member of that body as listed in the corresponding row of Column 2 shall be in accordance with the weighting as determined in accordance with the formula as listed in the corresponding row of Column 3. For the purposes of this Rule, financial membership shall be determined as at the end of the preceding quarter.

Column 1	Column 2	Column 3
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Sub-section Delegates Committee	ex-officio members Workplace Delegates	1 vote each 1 vote for each financial member or in the case of Workplaces with multiple Workplace Delegates, each Workplace Delegate shall have a vote equal to the number of financial members in the Workplace divided by the number of Workplace Delegates for that Workplace, and/or their proxies, attending the meeting.
Section Council	Section Officers Governing Councillors Section Councillors	1 vote each 1 vote each 1 vote for each 100 financial members or part thereof of the members represented, or in the case of Sub-sections with multiple Section Councillors, the number of votes determined by this formula shall be divided equally between the Section Councillor positions.

PART 9A - TAX SECTION SUPPLEMENTARY PROVISIONS

9A.1 - TAX SECTION

- a. There shall be a Tax Section. Membership of the Tax Section shall consist of members of the Tax Section on 31 December 1996 and all members employed by the Australian Taxation Office. Governing Council may, acting only on the advice of the Tax Section Council, determine the members or classes of members who shall also be members of the Tax Section.
- b. The provisions contained in this Part (Part 9A) and in Part 9 shall prevail to the extent of any conflicting provisions in the Rules of Chapter B.

9A.2 – SECTION OPERATIONS

- a. There shall be a Tax Section Council consisting of those persons specified in Rule 2.21, the Tax Section President and such Section Officer positions as are approved by the Governing Council.
- b. To assist in the management of the affairs of the Section, the Section Council shall establish such Sub-Sections as it considers necessary and as are approved by the Governing Council.
- c. To assist and provide advice to the Section Secretary in the management of the affairs of the Sub-Section, there shall be Sub-Section Officers in each Sub-Section.

9A.3 – SECTION AND SUB-SECTION OFFICERS

- a. The Section Officers shall be the Section Secretary and a Section President and may, subject to Governing Council approval, include:
 - (i) a Deputy Section President or more as determined by the Governing Council.
 - (ii) an Assistant Section Secretary or more as determined by the Governing Council.
- b. The Sub-Section Officers shall be a Sub-Section Secretary and a Sub-Section President, provided that a Sub-Section Delegates Committee may determine that there also be a Deputy Sub-Section President and/or an Assistant Sub-Section Secretary.

9A.4 – DUTIES

- a. The respective duties of the Sub-Section Officers shall be:
 - (i) Sub-Section Secretary - to keep written records of meetings, to forward a copy of such records to the Section Secretary, to give notice of meetings where appropriate under these Rules, to carry out such representation tasks as may be required and, subject to the direction of the Section Council, perform such duties as are determined by the Section Secretary.
 - (ii) Sub-Section President - to chair meetings of the SDC and to carry out any representation requested by the SDC within its authority.

- (iii) Deputy Sub-Section President - assist the President and perform the duties of the President in their absence or unavailability.
- (iv) Assistant Sub-Section Secretary - assist the Secretary and perform the duties of the Secretary in their absence or unavailability.

9A.5 – SUB-SECTION DELEGATES COMMITTEES

- a. There shall be a Sub-section Delegates Committee (herein termed the SDC) in each Sub-Section. An SDC shall consist of all of the Workplace Delegates in the Sub-Section. A Sub-Section Officer or a member of Section Council who is in the Sub-Section, who is not a Workplace Delegate, shall be ex-officio a member of the SDC. The relevant Deputy Delegate may attend where a Workplace Delegate is absent.
- b. An SDC shall, subject to any decision or policy of the Governing Council, assist in the work of the Section, particularly with respect to the Sub-Section they represent, and shall determine its own method of operation provided it is not inconsistent with these rules.
- c. The Section Secretary, Section Council, National Secretary or Executive Committee may take control at any time of a matter which the SDC is pursuing.

9A.6 – NOMINATIONS, VACANCIES AND APPOINTMENTS

- a. Sub-Section Officers shall be appointed by the SDC from its members.
- b. Where a vacancy occurs for any reason in the position of Sub-Section Officer or Workplace Delegate, such vacancy shall be filled by appointment of a financial member of the Sub-Section by the Sub-Section Delegates Committee.
- c. Any person elected or so appointed under this Rule shall hold office for the unexpired portion of the term of office.
- d. A Sub-Section Officer position shall become vacant if the holder ceases to be a member of the Sub-Section.

9A.7 – ADDITIONAL MATTERS

- a. References in Rule 9.1 to the National Council shall be read as references to the Governing Council.
- b. The reference in Rule 9.6(b) to Part 6 shall be read as a reference to Part 3.

PART 9 - TAX SECTION PROVISIONS

9.1 - TAX SECTION

- a. The provisions contained in this Part shall prevail to the extent of any conflicting provisions in the Rules of Chapter B.
- b. The Rules in this Part may be amended or rescinded by the National Officers Committee only on the recommendation of the National Council and the Tax Section Council.
- c. The Tax Section may only be dissolved by National Council on the recommendation of the Tax Section Council.
- d. Any reference in this Part to "Section" shall be read as a reference to the "Tax Section". Any reference in this part to a "Sub-section" shall be read as a reference to a "Tax Sub-section".

9.2 - SDC EXECUTIVE

- a. There shall be an SDC Executive in each Sub-section which, subject to the direction of the Sub-section Delegates Committee, shall exercise all the powers of the SDC.
- b. The SDC Executive shall consist of the Sub-section Officers, the Section Councillors representing the Sub-section and five SDC Executive Members.
- c. The SDC Executive shall meet in person and/or by telephone conference and may determine any matter by post, facsimile or other electronic means.
- d. The SDC Executive shall meet when directed by the Section Council, Section Executive, Section Secretary, the SDC or when requested by the Sub-section President or the Sub-section Secretary or a majority of SDC Executive Members.
- e. A meeting of the SDC Executive shall be convened by the Section Secretary or the Sub-section Secretary giving reasonable notice of the meeting to the members of the SDC Executive and the matter or matters to be dealt with at the meeting.
- f. Each member of the SDC Executive shall have one vote.
- g. Decisions of the SDC Executive shall be notified to members of the SDC by the Sub-section Secretary as soon as possible after the Executive meeting. If at any time up to and including the seventh day after the issue of the notification, a majority of the members of the SDC, requests in writing to the Section Secretary or Sub-section Secretary that the decision be not implemented, then no action shall be taken until the decision is ratified by the SDC.
- h. A decision of the SDC Executive shall only be altered or overturned by the SDC where the number of voting members of the SDC present for the vote on the decision to alter or overturn the SDC Executive decision is greater than the number of voting members of the SDC Executive who were present when the decision was made.

9.3 - ELECTION TO OFFICE - ELIGIBILITY TO NOMINATE AND TO VOTE

- a. Sub-section Officers shall be elected by and from the members of the Sub-section.
- b. SDC Executive Members shall be appointed by and from the SDC.

9.4 - HOLDING OF MORE THAN ONE OFFICE

A member shall be entitled to hold any number of offices except that:

- a. no member shall hold more than one office on Section Council;
- b. no Section Officer during a term of office shall hold the position of Section Councillor or act as a proxy for a Section Councillor; and
- c. no member shall hold more than one of the offices of Sub-section Secretary, Assistant Sub-section Secretary, Sub-section President, Deputy Sub-section President, or SDC Executive Member.

9.5 - TERMS OF OFFICE

The terms of office of SDC Executive Members shall be 1 year from 1 July in the year of their appointment.

9.6 - SUB-SECTION ELECTIONS

- a. If for any reason the Industrial Registrar does not arrange for the conduct of an election for Sub-section Officers, the Section Secretary shall appoint a Returning Officer who shall conduct the election.
- b. The Returning Officer shall call for nominations for the positions of Sub-section Officers by notice which shall be published to all members of the Sub-section not later than 21 days prior to the close of nominations.
- c. Nominations shall be lodged with the Returning Officer not later than 12.00 noon on the last Wednesday in March in the year of election.
- d. The provisions of Part 6 shall apply to elections held pursuant to this Rule.

9.7 - VACANCIES

- a. Where a vacancy occurs for any reason in the offices of Sub-section Officer or SDC Executive Member, such vacancy shall be filled by appointment by the SDC.
- b. Any person elected or so appointed under this Rule shall hold office for the unexpired portion of the term of office.
- c. The office of SDC Executive Member shall become vacant if the holder ceases to be a member of the SDC.

9.8 - SUB-SECTION FUNDS: EXPENDITURE

The Section Executive may establish separate accounts for the use by designated Sub-section Delegates Committee or SDC Executive within limits and expenditure guidelines determined by the Section Executive. Payment out shall be by cheque signed by any one of the Sub-section Officers. All such expenditure shall be advised to the Section Treasurer at such times the Section Secretary, Section Treasurer or Section Executive requires.

PART 10 – OTHER SECTIONS

10.1- FOOD INSPECTORIAL SECTION

- a. There shall be a Food Inspectorial Section. Membership of the Food Inspectorial Section shall consist of all members who are employed in Food Inspectorial Grades in the Australian Public Service. Governing Council may, acting only on the advice of the Food Inspectorial Section Council, determine the members or classes of members who shall also be members of the Food Inspectorial Section.
- b. The Governing Council may enter into an Agreement (hereinafter called an "Operating Agreement") with the Food Inspectorial Section relating to the operation of the Section consistent with the Rules on the basis that an Operating Agreement may only be varied or rescinded with the agreement of the Food Inspectorial Section Council.
- c. The provisions of Rule 8.2 shall apply to any Operating Agreement made with the Food Inspectorial Section
- d. Any such Agreement entered into with the Food Inspectorial Section prior to 31 December 2004 shall continue in force as if it were an Agreement made under paragraph (b).

10.2 – ABC SECTION

- a. There shall be an ABC Section. Membership of the ABC Section shall consist of all members employed by the Australian Broadcasting Corporation as constituted under the Australian Broadcasting Act, 1983 together with members employed by the Symphony Orchestras and subsidiary companies owned by the Australian Broadcasting Corporation. The Governing Council may, acting only on the advice of the ABC Section Council, determine the members or classes of members who shall also be members of the ABC Section.
- b. In the event of a vacancy in, and/or prior to the calling for nominations to fill the position of, the ABC Section Secretary, the National Secretary will review the continuation of the position as a salaried officer. The National Secretary shall obtain the views of the ABC Section Council prior to making any recommendation to the Governing Council as to the continuation of the position as a salaried officer.
- c. A salaried ABC Section Secretary not otherwise a member of the Section shall be deemed to be a member of the Section.

****END of RULES****

The following are not in order of importance.

Rule	Comments
Table of contents	Do you consider this forms part of the rules or can it be excised? The Registry produces a table of contents for rulebooks using Microsoft Word TOC function - this avoids the need for organisation to always pass rule alterations to update TOC when rule numbers change.
1.3 b.(x) & 1.10 e.	These subrules do not limit the bodies to whom the powers may be delegated to bodies consisting only of holders of office. Additional wording clarifying that the powers would not be so used would overcome this.
2.20 b.	As salaried section secretaries are not required to be from the section - how does the last leg of this provision operate in respect to them? Should this provision be limited to non-salaried secretaries?
3.4 b.	not offensive but does not seem to belong in Part 3?
3.4 i.	<p>As discussed - a submission outlining the reasons for restricting members from nominating for more than one of the listed positions is sought. While there is a clear reason for such a restriction where first past the post voting is employed (to ensure that each member's vote carries some weight), - there is no immediately obvious reason why such a restriction should apply where preferential voting is employed. On it's face, it restricts members from running for positions for which they feel qualified and thus limits the choices members have for electing persons they are feel are most suited to a particular office. As an example only, it severely limits a person currently holding a "lower" office from running for a "higher" office, as they would have to effectively give up the opportunity to continue in their current office to nominate for the higher position.</p> <p>An explanation of the reasoning behind the adoption of the restriction will assist in testing the provision against the provisions of s142(1)(c) of the RAO Schedule and the objects set out in s5 of the Schedule.</p>
3.9 h.	As discussed - this subrule has no work to do and should be deleted to avoid confusion. Alternatively certification of the subrule could be refused preferably with written agreement of the organisation.
3.24 a. 3.24 c. 3.24 f.	<p>It is not clear whether it is intended that a provision for Section Treasurer be made. As Part 8 provides for the CSIRO section treasurer, and the other sections do not handle funds, it seems likely that the reference to section treasurer should be deleted in 3.24 c.</p> <p>See comments on subrule 9.8 re the reference therein to a tax section treasurer.</p>
3.24 f.	<p>Should Section Executive Members be included here?</p> <p>The rules do not appear to specify the length or start date of term of office for Section Executive Members.</p> <p>Also - in the schedule of additional matters - the proposed new 3.5 d. is missing the words "in March" after the word "Wednesday".</p>
4.4 c. (i)	A plain reading of this provision seems to give the result that the second signatory to cheques could be any person at all without qualification?
4.8 d. (iii)	<p>As discussed - the 21 day restriction in this subrule would mean that a member may have only 21 days from receipt of the financial report, to form an opinion, seek advice, discuss with other members and then collect over 3000 signatures on a petition. This would be so difficult that it appears well outside the spirit and intent of the financial reporting provisions introduced in the RAO schedule, and may offend s142(c). It is acknowledged this reflects a current rule, however either removal of the restriction, or alteration of the 21 days to say 12 months would be more in keeping with the requirements of Chapter 8 of the RAO schedule and s142.</p> <p>There is nothing in ss265 & 266 of the Schedule which requires a general meeting held pursuant to the type of rule provisions referred to in s266(3), to be held within a</p>

	particular timeframe.
4.8 d. (iv)	The holding of a general meeting of a branch in one place, where the membership of the branch is spread throughout Australia, does not seem consistent with s142(c) and the objects of the RAO schedule. In the context of this rule, it also seems inconsistent with the spirit and intent of the financial reporting provisions of the Schedule. The insertion of provisions for holding the meeting as a series of meetings as allowed for in s266(2) of the schedule would overcome this. It is again acknowledged that this provision reflects a current rule.
5.1 c.	The layout of rule 5.1 seems to result in a person being informed of the matters required under s141(1)(d) at the same time as they are informed that they have become a member. The legislative requirement is that “applicants for membership” be informed (presumably intended to enable them to make an informed decision as to whether or not to join?). The difficulty could be overcome by moving the requirement to inform members of the approval of their membership into a separate sentence in 5.1 a.
5.14 & 5.15	These provisions would be more easily read if these rules were amalgamated so as to incorporate the requirements of s141(1)(c), (which are currently in 5.14), into the substantive rule (5.15)
Part 6	How is this intended to appear in the rules? The reference to Schedule A is not immediately obvious?
7.3 a.	It is not clear how a person could remain (or not remain) eligible to hold one of the positions listed “in accordance with <u>these</u> rules” as the positions will not be referred to in <u>these</u> rules.
8.3 h. 8.4 c.	Subrule 8.3 h assumes there will always be a CSIRO Section Executive, whereas r8.4c makes an Executive optional. This needs clarification in line with whatever was intended.
8.3 g. 8.4 a. 8.5 a.	The last sentence of subrule 8.3 g seems to assume there will always be a CSIRO Section Treasurer, whereas the effect of r8.4 a. does not seem to require a Section Treasurer as a member of section council unless they are a Section Officer. Subrule 8.5 a. provides for an optional Section Treasurer as an section officer. This needs clarification in line with whatever was intended.
8.5 a. 8.11	There does not appear to be a start date or length of term of office specified for CSIRO Section Executive Members. Should they be include in 8.11 i.?
9A.7 b.	The reference in 9A.7 b. should be to Rule 9.6(d)?
9.8	r9.8 assumes the power of the Tax Section Executive to handle funds, and to have a Section Treasurer, which does not appear to be the intention of the rules as a whole. This rule should be deleted to avoid confusion. As no alterations to Part 9 were recommended by the Tax Section Council, it does not seem an option for a registrar to refuse to certify 9.8 as there is no alteration to that rule before the registrar.
10.1 b. & c.	The reference in 10.1 c. to Rule 8.2 appears to have the effect that an Operating Agreement with Food Inspectorial Section could include provisions regarding the management and control of funds, which appears inconsistent with the scheme of the rules as a whole. This provision should be altered so as to limit the matters which may be included in such an agreement. If it was the intention to allow that the Section Council may have management and control of funds, then we would need to examine the rules again in that light.
10.1 d.	Could you please forward a copy any agreement which would continue in force as a result of r10.1 d., so as to enable consideration of any issues which might arise in relation to the rules and the Act.

Ken,

Set out below is a table setting out our brief responses to the comments that you provided by e-mail on 20 May 2005 and the matters I raised in our phone conversation yesterday. Attached are:

- the draft recommendation we have prepared for the consideration of our National Council, based on our conversation yesterday; and
- a copy of our submission with respect to Rule 3.4 i.

I understood from our phone conversation that you were comfortable with these responses. These responses and the draft recommendation are provided for your comment and to confirm our discussion of yesterday. Please contact me if there are any questions or comments from the Registry in respect of any of these matters.

In respect of the submission on Rule 3.4 i., I understand that the submission is material to the Registrar determining whether to accept this Rule. Your early advice on this determination would be appreciated.

I understood from our phone conversation, that you were considering whether certification would proceed for the Rule change application, while these further matters are dealt with as set out here. Your early advice on this matter would also be appreciated.

I will forward you a word copy of Attachment A, the CPSU Chapter B Rules in a separate e-mail.

Please contact me if you have any queries or if there are any matters not dealt with to the satisfaction of the Registry.

Yours Sincerely

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Rule Number	Brief Description of Change in Draft Recommendation	Brief Response to Registry Comments
Table of Contents	See Item 1 - Excise the Table of Contents from the Rules.	Agree to proposal.
1.3 b.(x)	See Item 2 – Additional words to clarify that powers and tasks that may only be performed by Officers shall only be performed by Officers.	Agree – not our intent. We note that the Registry may have better words than the ones we have used here.
1.10 e.	See Item 3 – Additional words to clarify that powers	Agree – not our intent. We note that the Registry may have better words than

	and tasks that may only be performed by Officers shall only be performed by Officers.	the ones we have used here.
2.20 b.	See Item 4 - Insert the word "non-salaried" before the words "Section Secretary".	Agree.
3.4 b.	See Items 5 & 6 -Replace 3.4 b. with DELETED and specify financial members to vote in new 2.8 c.	Agree.
3.4 i.	n/a	Submission on this point is attached.
3.9 h.	See Item 7 - Delete Rule.	Agree.
3.24 c.	See Item 8 - Remove reference to Section Treasurer.	Agree.
3.24 f.	See Item 9 - Include reference to Section Executive Member.	Agree.
3.5 d in schedule.	See Item 17 - Insert words "in March"	Agree
4.4 c. (i)	n/a	<p>This Rule is an exact duplication of current Rule 5.4(c) and other Rules changes do not affect it.</p> <p>All persons with authority to sign checks are so authorised by the NMC currently and will be so authorised by the Executive Committee once the Rules are certified.</p> <p>Is there any matter here that needs to be addressed?</p>
4.8 d. (iii)	n/a	<p>Rules 4.8 d. (iii) and (iv) are the current Rules that were approved by the Registry eighteen months ago.</p> <p>The Rules were developed in close consultation with the relevant Registry staff. They were also the subject of detailed discussions at the National Council and NMC of the PSU Group.</p> <p>If the Registrar has concerns with these Rules and brings those concerns to our attention then we will participate in good faith in a reconsideration of these Rules. However, we say that the maintenance of these Rules should not affect certification of the current changes before the Registry.</p>

4.8 d. (iv)	n/a	See response to 4.8 d. (iii).
5.1 c.	See Item 10 – Move first point of 5.1 c. to 5.1 a.	Agree.
5.14 & 5.15	n/a	<p>These Rules replicate current Rules 1.20 and 1.21. Rule 5.14 sets out that the only reasons for dismissal are those specified in the Act plus eligibility. Rule 5.15 sets out the process for removal from office where one or more of the reasons specified in the Act is met.</p> <p>We say that it is not necessary to change these provisions and that these provisions are unaffected by the rest of the Rule change.</p>
Part 6	n/a	Schedule A contains Parts 8, 9A, 9 and 10. The Title “Schedule A” should appear on its own page.
7.3 a.	See Item 11 - Clarify the Rules reference by changing reference to “these Rules as at 1 May 2005.”	Agree.
8.3 h. and 8.4 c.	n/a	<p>We note the comments of the Registry. We propose to discuss these matters with the CSIRO Section as a separate process.</p> <p>Further we advise that there is a CSIRO Section Executive. There are no proposals that we are aware of to disestablish the CSIRO Section Executive and any such decisions would require the approval of the CSIRO Section Council and the Governing Council. On this basis we say that the matter need not delay certification.</p>
8.3 g., 8.4 a. and 8.5 a.	n/a	<p>We note the comments of the Registry. We propose to discuss these matters with the CSIRO Section as a separate process.</p> <p>Further we advise that there is a CSIRO Section Treasurer. There are no proposals that we are aware of to discontinue the CSIRO Section Treasurer as a Section Officer and any such decisions would require the approval of the CSIRO Section Council and the Governing Council. On this basis we say that the matter need not delay certification.</p>

8.5 a. and 8.11	n/a	<p>We note the comments of the Registry. We propose to discuss these matters with the CSIRO Section as a separate process.</p> <p>A term for all Section Executive Members is established by the change we are proposing to 3.24 f. and this will also apply to the CSIRO Section. On this basis we say that the matter need not delay certification.</p>
9A.7 b.	See Item 12 - Alter reference to Rule 9.6(d).	Agree.
9.8	n/a	<p>We note the comments of the Registry. We propose to discuss these matters with the Tax Section as a separate process.</p> <p>We agree that this should not affect certification.</p>
10.1 b., 10.1 c. and 10.1 d.	See Item 13 - Add the following to Rule 10.1 c.: "except that the Section shall not superintend, manage or control funds."	Agree to limit matters that can be dealt with in an Operating Agreement with the Food Inspectorial Section. The CPSU is a single reporting unit, with the exception of the CSIRO Section, for financial purposes and it is not our intention that this should alter. The Food Inspectorial Section is part of the single reporting unit and does not currently superintend, manage or control funds.
CPSU Proposed Changes		
1.2 f.	See Item 14 - Alter reference from "Governing Councillor" to "member of Governing Council"	Rule 1.2 f. deals with members of Governing Council appointing proxies, however a reference that should be for all members is currently restricted to Governing Councillors only.
2.15 a.	See Item 15 - Swap (vi) and (v)	There is an error in the order of the roman numerals used in this Rule.
3.23 a.	See Item 16 - Delete the word "salaried" before the words "Section Secretary".	Access to Free Space for Election Candidates is restricted to Governing Councillor and salaried Section Secretary candidates, not honorary Section Secretary candidates.

CPSU Submission re proposed rule 3.4(i)

1. The CPSU makes this submission to address an issue raised by the Registry with respect to the proposed PSU Group rules. Specifically, the Registry has raised a concern that proposed rule 3.4(i) might be contrary to the objects of s.5 of the RAO Schedule, and 142(1)(c).
2. The proposed rule states:

“A person is not eligible to nominate in the same election for more than one of the following positions:

 - (i) National Secretary
 - (ii) Assistant National Secretary
 - (iii) National President
 - (iv) Deputy National President
 - (v) Executive Committee Member;
 - (vi) a salaried Section Officer position.
3. The positions at (i) – (v) are the full time elected National positions within the PSU Group, responsible essentially for the day to day operations of the Group as a whole. There are proposed to be 7 of these positions. The positions at (vi) are Section positions which command a salary, essentially because of the full time nature of the role. There are likely to ever only be a small number of these positions and at present there are 2.
4. The CPSU notes that this proposed rule was one that was discussed at some considerable length at National Council. Indeed, an amendment to delete the proposed rule was formally moved and debated. It was a strongly held and argued for position that candidates commit themselves to a position, and then convince the voting members that they would be the best person for that position. Credibility was seen as an issue, as were some of the other matters raised in this submission. The amendment was ultimately lost 60-15, the strong view of the meeting being in favour of the proposed rule.
5. The CPSU says that this fact should be taken into account when considering the proposed rule. Whilst it is accepted that a rule that is contrary to the Act cannot survive, whatever the strongly expressed view of a meeting or body, the CPSU submits that the right of a union to choose its own rules is one which has been recognised by the Courts (see eg Lawley v TWU (1987) 22 IR 11). As was

said in MOA v Lancaster *“it is for the members, or those entrusted by the members in that regard, to decide the content of the rules”* and therefore the strongly expressed view of National Council should be weighed in favour of the rule in any consideration as to its allowability.

6. The CPSU acknowledges that the rule imposes a limitation but submits that on the authority of MOA v Lancaster (1981) 54 FLR 129, not every provision in a set of rules need promote or be consistent with the Objects of the Act. Further, *“the Court is concerned with all the objects of the Act and questions of balance must arise”*: McLeish v Kane (1979) 36 FLR 89. The CPSU submits that the proposed rule enhances the democratic functioning and control of the organisation, and encourages participation in the affairs of the CPSU, both of which are Objects in s.5.
7. A concern of the CPSU is to try and ensure that more members participate in the electoral process than has been the recent case, particularly with respect to these positions. A higher participation rate clearly improves democratic control, and a rule which promotes participation must be consistent with the Object at s.5(b).
8. Various elements introduced by the proposed rules had this objective in mind, and need to be seen as a whole. Team nominations and a single ballot paper are two such additional measures. Under current rules, members receive separate ballot papers for each position and the same name may appear on all of them. Anecdotal evidence indicates this causes confusion with respect to names appearing more than once for different positions and the multiple ballot papers further complicates and confuses voters. Voters may not be familiar with many of the names, and end up simply deciding not to vote at all, or not to vote for some of the positions.
9. By contrast, a single paper with names appearing only once alongside specific positions, and where candidates can be grouped into teams, is a less complicated and possibly more informative ballot process. Recognition of some or even one name where these are grouped into teams may well improve ballot return. Confusion or frustration which might be caused by seeing the same names for many positions is reduced.

10. Another intent of the proposed rule was to remove the impression (or even the actuality) that a candidate “will take any position that they can get”. These positions are significant and important positions within the organisation, and a commitment to run and be elected to a position with a specific role and responsibility was seen as important. It was also seen as an aspect of democratic control in that a member knows which candidates want to lead the union by becoming elected to specific positions. They can also tell which candidates believe they will work well together as a team in different positions.
11. In the mind of a voting member, when a person nominates for multiple positions, which one do they really want? Which one do they think they are best for, and will they be satisfied being elected to a lower position? Can members be confident they will they bring the same enthusiasm to the role of Executive Committee Member when they really wanted to be National Secretary? Whilst these things may not go directly to democratic control, they are an important part of a democratic decision and process.
12. A matter which does go directly to democratic control is that by nominating for multiple positions, you may well “disenfranchise” a voter who is determined to elect a particular candidate into any position. Assume candidate X nominates for every position, and member A would like them to be National Secretary but wants them in the leadership team in whatever position candidate X can win. Member A therefore casts their first preference vote for every position for candidate X.
13. Under the current rules, candidates being elected to multiple positions is dealt with by rules 6.17(a) and (b), and in conjunction with optional preferential voting (a component of both the current and proposed rules) this “disenfranchising” can be seen. Assume that member A does not express a preference beyond a first preference for the position of National Secretary and National President in the above scenario. Candidate X wins the National Secretary ballot, and as such is the first candidate excluded from the count for National President (see 6.17(b)). However as no preference is expressed, the ballot is exhausted, effectively preventing member A from casting a vote for the National President position. A significant number of votes cast in the same way can significantly distort the ballot outcome, diminishing democratic control.

14. Compulsory preferential voting adds additional problems, and is not supported by the CPSU. The possibility of casting an invalid vote is increased if all squares have to be numbered sequentially. Further, members being forced to cast a vote for persons they do not want to elect or know nothing about, albeit a low preference vote, may well result in some members not voting at all. First past the post voting is also not supported, as this would very obviously exclude all the votes cast for a position where that candidate has already been elected to a higher position.
15. There are other scenarios where this distortion can occur and whilst other elements of the rules have an affect, what is clear is that a single candidate standing for multiple positions has a capacity to distort a ballot outcome in a way that is not possible if the proposed rule applies.
16. Members should be able to give consideration to who they believe will be the best group of people to occupy the key positions within their union, and vote in a way which best gives effect to the outcome of that consideration. This is particularly so with respect to a smaller rather than a larger group. The CPSU submits that the proposed rule, when considered with the other proposed rules, best does this and thereby gives greatest effect to the objects of the Act.
17. Finally, the CPSU submits that the proposed rule does not have the necessary quality to offend s.142(1)(c). *“To be oppressive, a condition, obligation or restriction must be burdensome, harsh and wrongful. To be unreasonable, it must be immoderate and inappropriate. To be unjust, it must be contrary to right and justice and to ordinary standards of fair play” (MOA v Lancaster).* Simply being a restriction or limitation is not enough; see eg Doyle v AWU (1986) 12 FCR 197. The CPSU submits that when considered in context and when taking into account the matters already referred to, the restriction is not one that has the requisite degree of offence or injustice.
18. In all the circumstances the rule should be allowed.

Recommendation:

National Council resolves to recommend to the National Officers Committee that Attachment A, as referred to in National Council resolution 11.3.A of NC meeting 1.2005, or, in the event that certification by the Australian Industrial Registry has occurred, that Chapter B of the CPSU Rules be amended as follows:

1) The table of contents is excised from the Chapter B Rules.

2) That Rule 1.3 b. (x) is altered from:

in respect of any particular matter, and without limiting any specific delegation contained in these Rules, delegate a power or task to a specified Officer of the PSU Group or a specified Committee or Council other than a power contained in the following Rules:

To:

in respect of any particular matter, and without limiting any specific delegation contained in these Rules, delegate a power or task to a specified Officer of the PSU Group or a specified Committee or Council other than a power contained in the following Rules, except that where a specific power or task must be exercised by an Officer, as defined in the RAO Schedule of the Workplace Relations Act 1996, that power or task shall only be delegated to an Officer, so defined, or a Committee or Council constituted only of Officers, so defined:

3) That Rule 1.10 e. is altered from:

The Executive Committee may, in respect of any particular matter, and without limiting any specific delegation contained in these Rules, delegate a power or task to a specified Officer of the PSU Group or a specified Committee or Council that is a power or task allocated by these Rules to the Executive Committee.

To:

The Executive Committee may, in respect of any particular matter, and without limiting any specific delegation contained in these Rules, delegate a power or task to a specified Officer of the PSU Group or a specified Committee or Council that is a power or task allocated by these Rules to the Executive Committee, except that where a specific power or task must be exercised by an Officer, as defined in the RAO Schedule of the Workplace Relations Act 1996, that power or task shall only be delegated to an Officer, so defined, or a Committee or Council constituted only of Officers, so defined.

4) That Rule 2.20 b. is altered from:

A position of Section Secretary will become vacant if the holder resigns or ceases to be a member of the Section, or is working in a workplace outside the Section for a continuous period greater than 6 months.

To:

A position of non-salaried Section Secretary will become vacant if the holder resigns or ceases to be a member of the Section, or is working in a workplace outside the Section for a continuous period greater than 6 months.

- 5) That Rule 3.4 b. is altered from:
Financial members only shall be entitled to vote at any meeting or plebiscite.
To:
DELETED
- 6) That a new Rule 2.8 c. is inserted that states:
Only financial members shall be entitled to vote at any meeting held under these Rules.
- 7) That Rule 3.9 h is deleted. The rule currently states:
With respect to a collegiate election for National Officer positions, there shall be no more than one successful candidate from any Section. Of the candidates from any particular Section, who would otherwise be elected, the candidate who shall be declared elected is:
(i) the candidate for the highest position as defined in Rule 3.18; and
(ii) subject to sub-paragraph (i), the candidate who secures the highest number of votes among candidates from the Section;
All other candidates from the Section shall be excluded from the ballot.
- 8) That Rule 3.24 c. is altered from:
A vacancy occurring in a Assistant Section Secretary, Section President, Deputy Section President or Section Treasurer position shall be dealt with in accordance with Rule 3.14 except that where the remainder of the term of office is less than 12 months, the Section Council shall appoint a financial member of the Section to the vacancy.
To:
A vacancy occurring in a Assistant Section Secretary, Section President, or Deputy Section President position shall be dealt with in accordance with Rule 3.14 except that where the remainder of the term of office is less than 12 months, the Section Council shall appoint a financial member of the Section to the vacancy.
- 9) That Rule 3.24 f. is altered from:
The term of office for any Assistant Section Secretary, any Section President, or any Deputy Section President shall be:
(i) if elected by and from the members of the Section, the same as for a Section Secretary;
(ii) if elected by and from the Section Council, 3 years from the 1st of July in the year immediately following the election of the Section Secretary.
To:
The term of office for any Assistant Section Secretary, any Section President, any Deputy Section President or any Section Executive Member shall be:
(i) if elected by and from the members of the Section, the same as for a Section Secretary;

(ii) if elected by and from the Section Council, 3 years from the 1st of July in the year immediately following the election of the Section Secretary.

10) That Rule 5.1 is altered from:

a. Applications for membership of the PSU Group shall be approved by the Executive Committee. Upon approval of the application for admission (or re-admission) the applicant shall be enrolled as a member and shall be liable for payment of subscriptions.

b. A membership form shall be approved by the Executive Committee and shall contain the approved privacy statement. Applicants for membership shall use the approved form.

c. Applicants for membership shall be informed in writing of:

(i) the approval of their membership;

(ii) the financial and other obligations of membership; and

(iii) the circumstances, and the manner, in which a member may resign from the Union.

To:

a. Applications for membership of the PSU Group shall be approved by the Executive Committee. Upon approval of the application for admission (or re-admission) the applicant shall be enrolled as a member, shall be liable for payment of subscriptions and shall be informed in writing of the approval of their membership.

b. A membership form shall be approved by the Executive Committee and shall contain the approved privacy statement. Applicants for membership shall use the approved form.

c. Applicants for membership shall be informed in writing of:

(i) the financial and other obligations of membership; and

(ii) the circumstances, and the manner, in which a member may resign from the Union.

11) That Rule 7.3 a. is altered from:

The holder of an Office listed in Column 1 below as at the day before the certification of these Rules shall occupy the corresponding Office listed in Column 2 on and from the date of certification of these Rules until the end of the current term of office specified in Column 3 provided the holder of the Office remains eligible to hold the position in accordance with these Rules. Should a vacancy occur in any Transitional position prior to the expiration of the term of office, the position shall be abolished on and from the date of the vacancy.

Column 1	Column 2	Column 3
Division Secretary	Transitional Division Secretary	31 December 2005
Assistant Division Secretary	Transitional Assistant Division Secretary	31 December 2005
Regional Secretary	Transitional Regional Director	31 December 2005
Regional Councillor	Transitional Regional Councillor	31 December 2005
Professional Officers Secretary	Transitional Professional Officers Secretary	31 December 2005

To:

The holder of an Office listed in Column 1 below as at the day before the certification of these Rules shall occupy the corresponding Office listed in Column 2 on and from the date of certification of these Rules until the end of the current term of office specified in Column 3 provided the holder of the Office remains eligible to hold the position in accordance with these Rules as at 1 May 2005. Should a vacancy occur in any Transitional position prior to the expiration of the term of office, the position shall be abolished on and from the date of the vacancy.

Column 1	Column 2	Column 3
Division Secretary	Transitional Division Secretary	31 December 2005
Assistant Division Secretary	Transitional Assistant Division Secretary	31 December 2005
Regional Secretary	Transitional Regional Director	31 December 2005
Regional Councillor	Transitional Regional Councillor	31 December 2005
Professional Officers Secretary	Transitional Professional Officers Secretary	31 December 2005

- 12) That Rule 9A.7 b. is altered from:

The reference in Rule 9.6(b) to Part 6 shall be read as a reference to Part 3.

To:

The reference in Rule 9.6(d) to Part 6 shall be read as a reference to Part 3.

- 13) That Rule 10.1 c. is altered from:

The provisions of Rule 8.2 shall apply to any Operating Agreement made with the Food Inspectorial Section

To:

The provisions of Rule 8.2 shall apply to any Operating Agreement made with the Food Inspectorial Section, except that the Section shall not superintend, manage or control funds.

- 14) That Rule 1.2 f. is altered from:

If a member of the Governing Council cannot attend the whole or part of a Governing Council meeting, they may appoint as proxy another member of the Governing Council, or a financial member of the PSU Group from the electorate which the Governing Councillor represents. The proxy so appointed has all the powers of the member of the Governing Council represented. Such appointments shall be notified in writing to the Chair of the meeting. No member of the Governing Council may be appointed as a proxy for more than one absent member of the Governing Council at any meeting.

To:

If a member of the Governing Council cannot attend the whole or part of a Governing Council meeting, they may appoint as proxy another member of the Governing Council, or a financial member of the PSU Group from the electorate which the member of Governing Council represents. The proxy so appointed has all the powers of the member of the Governing Council represented. Such appointments shall be notified in writing to the Chair of the meeting. No member of the Governing Council may be appointed as a proxy for more than one absent member of the Governing Council at any meeting.

15) That Rule 2.15 a. (vi) is renumbered as 2.15 a. (v) and Rule 2.15 a. (v) is renumbered as Rule 2.15 a. (vi).

16) That Rule 3.23 a. is altered from:

a. Free Space for Election Candidates

(i) Where there is more than one candidate for a position of National Officer they shall be entitled to free space in the National Journal or other PSU Group publication to put forward their claims for election.

(ii) Where there is more than one candidate for the position of Governing Councillor or salaried Section Secretary they shall be entitled to free space in a relevant PSU Group publication to put forward their claims for election.

(iii) Where candidates are entitled to free space in a journal or other publication, equal space shall be made available, the order within the publication to be determined in ballot paper order.

(iv) A candidate for more than one office shall be entitled to only one space.

To:

a. Free Space for Election Candidates

(i) Where there is more than one candidate for a position of National Officer they shall be entitled to free space in the National Journal or other PSU Group publication to put forward their claims for election.

(ii) Where there is more than one candidate for the position of Governing Councillor or Section Secretary they shall be entitled to free space in a relevant PSU Group publication to put forward their claims for election.

(iii) Where candidates are entitled to free space in a journal or other publication, equal space shall be made available, the order within the publication to be determined in ballot paper order.

(iv) A candidate for more than one office shall be entitled to only one space.

17) That Rule 3.5 d. approved by National Council in vote 2005.3, conducted pursuant to the current Rule 2.6, is altered from:

Nominations for Section Officers elected by Section Councils and Section Executive Members shall be lodged with the Returning Officer not later than 12.00 noon on the last Wednesday in the year of the election.

To:

Nominations for Section Officers elected by Section Councils and Section Executive Members shall be lodged with the Returning Officer not later than 12.00 noon on the last Wednesday in March in the year of the election.



Australian Government
Australian Industrial Registry

Statutory Services Branch
Level 35, Nauru House
80 Collins Street, Melbourne, VIC 3000
GPO Box 1994S, Melbourne, VIC 3001
Telephone: (03) 8661 7777
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2 June 2005

Mr Adrian O'Connell
National Secretary
PSU Group
CPSU, the Community and Public Sector Union
Level 6
191-199 Thomas Street
Haymarket VIC 2000

Dear Mr O'Connell

Re: **R2005/161 - Alterations to Rules of CPSU, the Community and Public Sector Union**

I have received your letter dated 15 April 2005, and notice and declaration of the same date, covering particulars of alterations to the rules of the **CPSU, the Community and Public Sector Union**, being the deletion and replacement of the rules in Chapter B, the PSU Group rules. The particulars of the alterations were lodged in the Industrial Registry on 21 April 2005.

I also received email correspondence on 27 May 2005 from Alistair Waters of the CPSU, setting out responses to a number of issues raised in email correspondence from Ken Ophel of the Registry forwarded on 25 May 2005.

In considering the alterations, I have taken note of the further proposed alterations to Chapters A and B of the CPSU rules outlined in the "Schedule of Additional Matters", attached to your letter of 15 April 2005, and the actions proposed to be taken in relation to various matters set out in the email correspondence of 27 May 2005 referred to above. I ask that these be attended to as soon as possible.

I note that the resolution of the National Officers Committee making the alterations, is framed in terms of deleting and replacing all the words in Chapter B. Notwithstanding that, as there appear to be no changes to the words in Part 9 of the Chapter B rules, I have taken the view that for the purpose of rule 9.1(a), no alterations to the Rules in Part 9 of Chapter B are before me for consideration.

The alterations have been certified. My certificate is enclosed.

yours sincerely

A handwritten signature in dark ink, appearing to be 'Terry Nassios', written over a faint, light-colored background.

Terry Nassios
Deputy Industrial Registrar

Workplace Relations Act 1996

s.159 RAO Schedule - Alteration of other rules of organisation

CPSU, the Community and Public Sector Union
(R2005/161)

CERTIFICATE

On 15 April 2005, the abovenamed organisation lodged in the Industrial Registry particulars of alterations to its rules, being the deletion and replacement of the rules in Chapter B, (the PSU Group rules).

In my opinion, the alterations comply with and are not contrary to the Workplace Relations Act, Schedule 1B, awards, certified agreements and old IR agreements, are not otherwise contrary to law and have been made under the rules of the organisation. I certify accordingly under subsection 159(1) of Schedule 1B of the Act.



T. Nassios
DEPUTY INDUSTRIAL REGISTRAR

2 June 2005