

**RULES OF
THE PLUMBERS AND GASFITTERS EMPLOYEES UNION OF
AUSTRALIA WEST AUSTRALIAN BRANCH INDUSTRIAL UNION OF WORKERS**

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**RULES OF
THE PLUMBERS AND GASFITTERS EMPLOYEES' UNION OF AUSTRALIA,
WEST AUSTRALIAN BRANCH, INDUSTRIAL UNION OF WORKERS**

1 - NAME

The name of this Union shall be "The Plumbers and Gasfitters Employees' Union of Australia, West Australian Branch, Industrial Union of Workers".

2 - REGISTERED OFFICE

The registered office of the Union at which place the business of the Union shall be conducted shall be 401 Oxford Street, Mount Hawthorn, or such other place as may from time to time be determined by the Committee of Management and notified to the Registrar of the Western Australian Industrial Relations Commission.

3 - OBJECTS

1. To enrol in the Union persons eligible to be members.
2. To advance the interests of members and secure a proper classification structure with appropriate rates of pay.
3. To ensure adequate training is available for members including the maintenance of the principles of the apprenticeship system.
4. To ensure that award rates of pay and other provisions adequately reflect the training and skills of members.
5. To advance and protect the vocational interests of members including seeking and maintaining representation on all relevant authorities, committees and bodies.
6. To provide legal protection for members with respect to industrial and work injury related matters where deemed necessary.
7. To assist members in the event of unemployment, sickness, injury, mortality or industrial dispute.

8. To establish Divisions, Branches and Sub Branches of the Union and organise members into Divisions, Branches and Sub Branches throughout Australia.
9. To publish a union journal, newspaper or other media.
10. To advance the living and working conditions of workers and their families, and to assist kindred Unions and other bodies having these objectives.
11. To affiliate to, federate with, amalgamate with, or otherwise combine with any trade, industrial union or association or any political party or any other organisation having objects similar in whole or in part to the objects of this Union.
12. To hold, purchase, lease, mortgage, sell or otherwise deal in property.
13. To make financial provision for the carrying out of these objectives.
14. To uphold the right of combination of labour, and to improve, protect and foster the best interests of the Union and its members, and to assist them to obtain their rights under industrial and social legislation.
15. To secure preference of employment for unionists.
16. To establish and maintain an employment bureau for members.
17. To contribute to any charitable institution that the members may decide.
18. To constitute, conduct, carry on and manage clubs, holiday and rest centres for members.
19. To co-operate and maintain social contact with members, other unions, labour bodies and socially responsible organisations both in Australia and overseas.
20. To be involved, whether on a Divisional basis or as the whole union, in socially responsible citizen actions.
21. To assist in the establishment and/or maintenance of labour newspaper and other media.
22. To bring about the socialisation of production, distribution and exchange and the development and protection of effective enterprises.
23. To promote the policy of equality of status and opportunity for all members.
24. To pursue such other objects as the Council and/or the various Divisions or Divisional Branches shall from time to time determine being consistent with the express wishes of the membership as determined by these Rules.

4 - CONSTITUTION

1. The Union shall consist of an unlimited number of persons who have been admitted as members in accordance with the Rules of the Union, and who are bona fide workers employed or usually employed as plumbers on house, ship, sanitary, chemical or general plumbing work on water (hot or cold), steam, gas air, vacuum, heating or ventilation, appliances, fittings, services or installations and who executes any gas fitting, pipe fitting, domestic engineering work or drainage work in connection therewith; together with such other person whether employed in the industry or not, as have been appointed officers of the Union or its branches, and admitted as members thereof.
2. No person shall be a member of this Union (except as an honorary member as hereinafter provided) who is not a worker within the meaning of the Industrial Relations Act, 1979 or any subsequent amendment thereof.
3. The locality for which the Union is registered is the State of Western Australia.
4. Any person may be admitted as an honorary member of the Union by the Committee of Management, and such honorary member shall not be required to pay any entrance fee or contribution in accordance with Rule 10 - Enrolment Fees and Rule 11 - Contributions. An Honorary member shall be entitled to speak, but not to vote, at any meeting of the Union.

5 - COUNTERPART FEDERAL BODY

Each Office within the Union will be held by the person who in accordance with the rules of the Communications, Electrical, Energy, Postal, Plumbing and Allied Services Union of Australia Plumbing Division WA Branch holds the corresponding office in that body.

6 - ADMISSION TO MEMBERSHIP

1. Every person making application to become a member of the Union shall be informed in writing of the financial obligations arising from membership; and the circumstances, and the manner in which a member may resign from the Union by the Secretary.
2. Application for membership shall be made on the form prescribed by the Union, which form may be obtained at any office of the Union.
3. Each applicant shall sign his/her application, and fill in, or cause to be filled in, the information and particulars required thereon.
4. The signature of each applicant on his/her application shall be witnessed.
5. Each application shall be lodged with the Secretary of the Union.
6. An objection to any such applicant may be made within thirty (30) days of the date thereof, otherwise such applicant shall be deemed to be a member as from the date upon which the application was made.

7. Such notice of objection shall be lodged in writing and shall be dealt with by the Committee of Management.
8. Application for membership may be accepted or rejected by the Committee of Management. It shall be sufficient grounds for rejection if the applicant has not established to the satisfaction of the Committee of Management by trade test or otherwise his/her ability to carry out the particular type of work the member proposes to undertake.
9. Should an application be rejected by the Committee of Management there shall be the right of appeal to a General Meeting of the Union.

7 - MEMBER TO BE IN ONLY ONE UNION

1. A member of this Union shall not be a member of or be in any way connected with any other Organisation/Association of Plumbers and Gasfitters within the State of Western Australia without the sanction of the Committee of Management.
2. Any member contravening this Rule shall be liable to be dealt with in accordance with Rule 36 - Offences and Charges.

8 - MEMBERS CHANGING ADDRESS

A member changing his/her place of abode shall immediately notify the Secretary of such change. Should the member not notify the Secretary within one month of the change of address the member shall be liable to be dealt with in accordance with Rule 36. - Offences and Charges.

9 - GOVERNMENT

1. The business of the Union shall be subject always to the review and control of a Special or General Meeting be conducted by a Committee of Management consisting of:
 - (i) President
 - (ii) Vice-President
 - (iii) Secretary
 - (iv) Assistant Secretary (if any)
 - (v) Two Trustees
 - (vi) Organisers (if any) and
 - (vii) not more than nine (9) other Committeepersons, the number of whom shall be determined by the Annual Meeting or Special Meeting of the members.

Provided always that the full time officers shall not exercise a vote at any meeting of the Committee.

2. A majority of the members of the Committee shall form a quorum.
3. The Committee of Management shall:-
 - (a) be entrusted with the management of the business of all meetings, and with the direction and recording of all proceedings in connection therewith;
 - (b) transact any business requiring immediate attention, and shall report to the next meeting of the Union.
 - (c) not allocate any moneys from the General Fund held by the Union except in accordance with these Rules.
 - (d) have power to call a Special meeting for any time or at any place in cases of important or urgent business requiring the immediate attention of the Union.
 - (e) have the power to employ temporary Organisers. Such temporary Organisers to be eligible for election to the office of Organiser in accordance with these Rules.
4. The Committee of Management shall meet as often as may be necessary, and except where such meetings are held at regular periods, such meetings shall be convened by:
 - (a) Notice posted to the last known address of each member of such Committee not less than twenty-four (24) hours before the time fixed for such meeting; or
 - (b) telegram or other convenient method where urgency does not permit of the notice being given in accordance with the preceding Sub-Rule 4(a)
5. If present at the calling of the roll, each member of the Committee may be allowed an amount of not more than fifteen dollars and fifty cents (\$15.50) per night of attendance for incidental expenses, plus any reasonable expenses incurred.

10 - ASSISTANT SECRETARY OR ORGANISER

1. The Union may determine at Annual Meeting or Special Meeting of members to establish the offices of Assistant Secretary and/or Organiser in which event such officers shall be elected pursuant to Rule 23 - Elections to Office. The salary of each such officer shall be as the Committee of Management may from time to time determine.
2. Such officer or officers as may be so elected shall generally assist in conducting the business of the Union under the direction of the Secretary

and shall carry out the duties of the Secretary during his/her temporary absence.

11 - ENROLMENT FEES

Applicants for enrolment who have signed the official form and have been accepted in accordance with Rule 5 - Admission to Membership, shall pay an amount respectively, to be decided by resolution of a meeting of the Union or the Committee of Management of the Union which shall be:

- (a) Adults, not less than twenty dollars (\$20.00) nor more than fifty dollars (\$50.00);
- (b) first year apprentice or juniors - not exceeding two dollars (\$2.00);
second year apprentices or juniors - not exceeding four dollars (\$4.00);
third year apprentices or juniors - not exceeding six dollars (\$6.00);
fourth/final year apprentices - not exceeding eight dollars (\$8.00).
- (c) If on Clearance or Transfer from a Trade Union or Industrial Organisation within six (6) months immediately subsequent to the date such Clearance or Transfer was issued not exceeding twenty dollars (\$20.00).

12 - CONTRIBUTIONS

The contributions payable quarterly, half yearly, or annually in advance by each member of the Union, excluding levies, fines or other charges, as adopted by the Branch shall be:

1. The adult contribution shall be as follows:
 - (a) The annual adult contribution rate shall be determined each year by a Branch Meeting;
 - (b) In the absence of a determination by the Branch, the previous year's rate shall apply;
 - (c) the quarterly and half-yearly adult contribution shall be one quarter and one half respectively of the annual contribution referred to in 11.1(a); and
 - (d) the year for the purpose of this formula shall begin on the 1st April and end on the following 31st March. Quarters shall commence on the first day of April, first day of July, first day of October, and the first day of January respectively;
2. Where a member has been unemployed for an extended period or has been intermittently employed the member shall have the right to have his/her account for contributions rebated for the time not worked by the Committee of Management. Such rebate to be at the rate of contributions paid by the member.

The member shall apply in writing and shall supply all documentation and information required by the Committee of Management.

3. A financial member who has attained the age of sixty (60) years and who has had a continuous membership in the Union of not less than twenty (20) years, who has ceased to work at the trade or who receives an old age pension may by resolution of the Committee of Management be wholly exempt from all Union dues.
4. Apprentices or recognised trainees:

1st year at trade	\$2.00 per quarter
2nd year at trade	\$4.00 per quarter
3rd year at trade	\$6.00 per quarter
4th year at trade	\$8.00 per quarter
Final year at trade	\$8.00 per quarter
5. Away from the trade or provisional member, not more than six dollars (\$6.00) per quarter.

13 - LEVIES

1. The Committee of Management shall have the power to impose a levy upon members of the Union for any of the Objects of the Union. Provided always that no levy in excess of twenty dollars (\$20.00) per member be imposed during any one year unless the proposal to impose such levy has been submitted to the members by referendum and agreed to by a majority of those voting thereon.
2. Such levy shall be paid to the Secretary within twenty-eight (28) days of it taking effect, or within such extended period as may be decided upon by the Committee of Management.
3. The Committee of Management, if it deems it expedient to at any time and for any purpose, levy all or any section of the membership, but shall first submit the question to such members either by referendum or at a meeting specially convened to consider such question: Provided always that any member entitled to exercise a vote thereon, but being unable to attend such special meeting may record his/her vote on the question in writing, telegram or facsimile, such to be in the hands of the President or Secretary not later than one-half (1/2) hour after the start of the meeting and at the place of such special meeting.
4. If the levy be affirmed by a majority of the members voting on the question, it shall become obligatory on all or upon the designated section of the members, and be payable in accordance with the resolution.
5. Any levy imposed upon members or any section of members shall be the first charge on any monies paid to the Union.

14 - EXEMPTION OF PAYMENTS

1. A member shall not be entitled to any exemption until three (3) months after the date of the member's last admission to membership.
2. A member shall be exempt from all payments to the Union who is wholly unemployed for any period:-
 - (a) through lack of work;
 - (b) through illness or other like causes; or
 - (c) members who have been on Workers Compensation for more than twenty-six (26) weeks in any one year and/or who are only in receipt of the weekly compensation payments paid under a "Workers' Compensation Act" and are not on full pay;of which due notice has been lodged in writing with the Secretary provided such member is not in receipt of an allowance from the Union.
3. All exemptions allowed shall be at the rate of contributions paid by such member.
4. Any member so exempt who fails to report at least once during each week of unemployment or illness shall be liable to the forfeiture of further exemption for such period.

15 - ARREARS

A member owing more than one quarter's dues for fees, contributions, levies and fines shall be deemed unfinancial and shall not be entitled to exercise a vote.

16 - PRESIDENT

1. The President, so far as possible, shall:-
 - (a) preside at all meetings of the Union, and superintend the discussion of all business tabled for consideration;
 - (b) sign all minutes of meetings when confirmed, vouchers and other documents to which the Presidents signature is requisite;
 - (c) exercise a deliberate vote only. In the event of the vote on any question being equal, it shall pass in the negative;
 - (d) be ex-officio President of all committees;
2. A member shall immediately leave the meeting when requested to do so by the President after having been warned by the President that the member will be ordered from the meeting for acting contrary to the Rules by:

- (a) failure to be seated and refrain from further comment when requested to do so;
- (b) failure to observe Rule 54 - Standing Orders
- (c) failure to observe Rule 35 - Meetings.

The meetings shall not continue until the members in attendance have carried out the directions of the President and the member so directed has left the meeting.

17 - VICE-PRESIDENT

1. The Vice-President shall take the Chair in the absence of the President, and shall also then have and may exercise all the powers of the President.
2. In ordinary cases the Vice-President shall assist the President in maintaining order at the meetings of the Union.

18 - TRUSTEES

The Trustees shall be elected pursuant to Rule 23 - Elections to Office, and shall be responsible for the safe keeping of the funds and property in the custody, control and management of the Union and shall sign all cheques required by the provisions of Rule 32 - Funds.

19 - SECRETARY

1. The Secretary shall be elected by the members, as provided for in Rule 23 - Elections to Office and shall receive such salary as a General or Special Meeting may from time to time determine.
2. The Secretary shall:
 - (a) attend all meetings, take note of all necessary proceedings, sign all cheques, money orders or documents to which the Secretary's signature is requisite, and countersign all cash accounts on behalf of the Union.
 - (b) cause to be received all enrolment fees, contributions, levies, fines and dues payable by members to the Union.
 - (c) cause to be kept and produced as may be required, all books, documents and accounts to the auditors, together with a balance sheet showing correctly the financial and numerical position of the Union.
 - (d) cause to be attended to and filed all correspondence or copies thereof and make out and forward all returns that are from time to time required, pursuant to the Industrial Relations Act, 1979.

- (e) read at each ordinary meeting of the Union or Committee of Management an account of the receipts and expenditure for the Union from meeting to meeting.
- (f) be an ex-officio member and Secretary of all committees.
- (g) cause to be kept a register of all members in the State.
- (h) be liable to a fine of eleven dollars (\$11.00) if he/she fails to forward any returns required within the time specified in these Rules.
- (i) cause to be kept a current account of the receipts and expenditure of the Union.

20 - AUDITOR

The Committee of Management shall appoint as auditor a competent person who shall at least once each year as soon after the 31st day of March as is practical and at other such times as the President or Committee of Management shall direct, audit the books and accounts of the Union and make a report on the audit to the Union. The auditor shall in the report draw the attention of the Union to any deficiencies or other matters which he/she may think proper. The auditor shall have full and complete access to all books, vouchers, papers and documents of the Union.

21 - FINANCIAL YEAR

The Union shall close its financial period on the 31st day of March in each year.

22 - RETURNING OFFICER

The Committee of Management shall appoint a Returning Officer not later than the first day of March 1991 and every four years thereafter. The Returning Officer shall retain the position until the appointment of a successor. A person appointed to the position of Returning Officer shall be a financial member of the Union but he/she shall not be the holder of any other office, and shall not be an employee of the Union or sub-branch of the Union. If the Returning Officer in the conduct of an election finds a nomination to be defective he/she shall, before rejecting the nomination, notify the person concerned of the defect and where it is practicable to do so, give the candidate the opportunity of remedying the defect, where practicable, within seven (7) days after being so notified.

23 - ELECTIONS TO OFFICE

1. Elections shall be held in 1995 and every four (4) years thereafter for the following Officers and representatives:
 - (i) President

- (ii) Vice-President
 - (iii) Two Trustees
 - (iv) the number of committee persons not exceeding nine (9) as determined by Rule 8. - Government.
 - (v) Secretary
 - (vi) Assistant Secretary (if any)
 - (vii) Organiser (if any)
2. The Returning Officer shall call for nominations for election to each of the offices in Sub-rules (1) and (2) above. Each nomination shall be in writing and shall be signed by the candidate.
 3. Every member of the Union shall be eligible to nominate for all offices, who has been a member of the Union for a total period of not less than twelve (12) months and who is financial at the time of nomination.
 4. Nominations shall be called for by advertisement in a daily newspaper circulating in the State. The closing date for nominations shall be the last Monday in April 1995, and in each fourth year thereafter.
 5. If no more nominations for election to any office are received than the number of vacancies in such office, then the Returning Officer shall forthwith declare the person or persons nominated to have been elected to such office.
 6. If there are more nominations for election to any office than there are vacancies in such office the Returning Officer shall fix dates when the ballot shall open and close provided that the ballot shall close not later than the 30th day of June. The period between the opening and closing dates of the ballot shall not be less than ten (10) days nor more than twenty-one (21) days.
 7. The election shall be by means of a secret postal ballot and the Union shall provide the Returning Officer with a post office box address for the return of the ballot papers.
 8. The Returning Officer shall obtain the keys of a box at a Post Office in the capital city of the State of Western Australia. Such keys shall not pass from the possession of the Returning Officer at any time during the election. The Returning Officer shall give each scrutineer reasonable notice of his/her intention to open the post office box and any scrutineer may as a result of such notice be in attendance.
 9. The Returning Officer shall have compiled a list of all members of the Union who are eligible to vote and shall use such list in the conduct of said election.
 10. Every member of the Union who is financial at the closing time for nominations shall be eligible to vote.

11. The election shall be conducted under the "first past the post" voting system. The position of all candidates' names for each office on the ballot paper shall be drawn for.
12. The Returning Officer shall cause to be prepared sufficient ballot papers which shall not be numbered or otherwise marked except with the Returning Officer's initials together with pre-paid envelopes addressed to the box number at the Post Office referred to in Sub-Rule (10) above. The ballot paper shall contain in a prominent position the date and time of the closing of the ballot and ballot papers received after that date shall not be included in the ballot.
13. The Returning Officer shall by pre-paid post forward a ballot paper and reply-paid envelope in the presence of such scrutineers as wish to be present on a date to be determined by the Returning Officer to each voter entitled to vote in accordance with the voters' list.
14. A candidate may in writing appoint any member of the Union who is not a candidate in the election to be his/her scrutineer but such scrutineer shall not in any way obstruct the Returning Officer in the performance of his/her duties nor shall the scrutineer in any way interfere with the conduct of the ballot.
15. A scrutineer shall, so far as it is possible having regard to the time of appointment and to the form of election to be conducted, be entitled to observe the forwarding of nomination forms by the Returning Officer, the consideration of nomination forms, to inspect the nomination forms, to observe the form and distribution of ballot papers, the collection of the envelopes containing the ballot papers from the post office box where appropriate, the checking of votes, the conduct and determination of the election by lot and the declaration of the ballot and to observe every act performed or directed by the Returning Officer which may affect the result of the election. The Returning Officer shall take all reasonable steps by notification or otherwise to enable each scrutineer to exercise these entitlements. A scrutineer shall direct the attention of the Returning Officer to any irregularity he/she may detect whether in the nomination forms, nominations, the form of distribution of ballot papers, the admission and counting of any ballot paper, or in respect of any other matters to be observed or done under these Rules. A scrutineer shall do all these things necessary so that the conduct of the election shall conform to these Rules and so that the secrecy of the ballot shall be observed.
16. At the close of the ballot the Returning Officer in the presence of the scrutineers of all candidates (if available) shall count all the ballot papers and shall within fourteen (14) days of the close of the ballot declare the result of the elections and the persons declared elected shall occupy their respective positions forthwith.
17. A person elected to office pursuant to the provisions of this Rule shall retain it until a successor is duly elected unless he/she dies, resigns or is removed from office in accordance with the Rules. The holder of an office

shall be entitled to nominate for re-election to any office if he/she is otherwise eligible in accordance with the Rules.

18. The Returning Officer shall make reasonable arrangements for the recording of absentee votes
19. In conducting the ballot, the Returning Officer shall take all reasonable steps and may give all reasonable directions to ensure that no irregularity occurs.

24 - METHOD OF VOTING

The "first past the post" system means that each vote is of equal value and having been cast is only counted once. In a ballot for one office only the voter shall record his/her vote by placing the figure "1" in the square opposite the name of the candidate for whom he/she desires to vote. The voter shall not put a mark alongside the name of any other candidate. The candidate who receives the highest total of votes shall thereupon be declared elected. In a ballot for more than one office, ie., where two or more candidates are to be elected, the voter shall record his/her vote by placing the figure "1" in the squares opposite the names of the candidates for whom he/she desires to vote. The voter shall not put a mark alongside the name of any other candidate. The candidates who receive the highest total of votes shall thereupon be declared elected.

25 - RESIGNATION, INCAPACITY OR REMOVAL OF OFFICERS AND MEMBERS OF THE COMMITTEE OF MANAGEMENT.

1. (a) Where a casual vacancy occurs in the office of President, Vice-President, Secretary, Assistant Secretary, Trustee or Committee members such vacancy may be filled by appointment by the Committee of Management of a member eligible to nominate for and hold the office pursuant to Rule 8 - Government and Rule 23 - Elections to Office. The member so appointed shall hold the office in accordance with the Rules for so much of the unexpired part to the term of office as does not exceed three quarters of the term of office.
- (b) Where the unexpired part of the term of office exceeds that specified in Sub-Rule (1)(a) the vacancy may be filled by ordinary election so far as is practicable in accordance with the provisions of Rule 8 - Government and Rule 23 - Elections to Office for the unexpired part of the term of the office.
- (c) In this Sub-Rule "ordinary elections" means an election in accordance with Rule 8 - Government and Rule 23 - Elections to Office, "term" in relation to the office means the total period for which the last person elected to the office by an ordinary election (other than an ordinary election to fill a casual vacancy in the office) was entitled by virtue of that election to hold the office in accordance with the Rules without being re-elected.

2. The Committee of Management may pending the investigation of charge or complaint against any Officer or other member of the Committee of Management suspend such person from performing all or any of his/her duties for a period not exceeding three (3) months.
 - (a) The Committee of Management may remove from office any Officer or member of the Committee at a meeting of the Committee of Management to which the person concerned has been summoned in writing signed by the Secretary or President to show cause why he/she should not be removed. Provided that no such person shall be removed from office unless he/she has been found guilty of misappropriation of the funds of the Union, a substantial breach of the Rules of the Union, or gross misbehaviour or gross neglect of duty, or has ceased, according to the Rules, to be eligible to hold the office.
 - (b) A person summoned to show cause pursuant to paragraph (a) of Sub-Rule 2 of this Rule shall be given at least fourteen (14) days notice of the time and place of the meeting of the Committee of Management to which he/she is summoned. The notice summoning him/her shall also specify the ground or grounds upon which it is proposed to consider his/her removal. The Committee of Management may proceed with a hearing to determine a matter under this Sub-Rule notwithstanding the absence of the person summoned if due notice of the hearing has been given in accordance with this Sub-Rule.
 - (c) An Appeal shall lie from any decision pursuant to this Rule from the Committee of Management to a Special Summomed meeting of the Union. Notice of Appeal shall be given in writing to the Secretary within fourteen (14) days of the decision being communicated to him/her and shall set forth in full all the matters he/she desires to be considered.

26 - RETIRING AGE

Notwithstanding anything contained within these Rules, any person holding any office, and who has reached the age of sixty-five (65) years, shall be and become automatically retired from any and every office which he/she holds, always provided that he/she shall hold office until the next ordinary election of officers or the end of the current financial year, whichever is the sooner.

27 - UNEMPLOYMENT

1. Each member must first consult the office before applying to any employer for a position or before answering any advertisement for labour.
2. Each member must first obtain an O.K. Card before commencing any employment.
3. Each member upon becoming unemployed shall, within the subsequent forty-eight (48) hours, notify the Secretary in writing.

4. Each unemployed member must themselves report to the Secretary at least once during each week of unemployment. If any member fails to so report, the member shall be deemed to be working, and his/her name shall be removed from the unemployment register.
5. Each unemployed member shall, before commencing work in any employment, personally or by telephone, report to the Secretary the name of the employer, also the place and conditions of employment.

28 - LOANS, GRANTS AND DONATIONS

A loan, grant or donation of an amount exceeding \$1,000 shall not be made by the Union, unless the Committee of Management:

- (a) has satisfied itself:-
 - (i) that the making of the loan, grant or donation would be in accordance with the other Rules; and
 - (ii) in relation to a loan - that, in the circumstances, the security proposed to be given for the repayment of the loan is adequate and the proposed arrangements for the repayment of the loan are satisfactory; and
- (b) has approved the making of the loan, grant or donation.

29 - FUNDS - HOW RAISED

The funds of the Union shall consist of enrolment fees, contributions, levies and fines paid by members, together with any other monies received.

30 - FUNDS - HOW COLLECTED

All enrolment fees, contributions, levies and fines payable by members shall be paid to the Secretary. The Union's printed official receipt must be obtained for all moneys paid.

31 - FUNDS - HOW APPLIED

The funds of the Union may be applied to the following purposes:-

- (a) Defraying the cost of management of the Union,
- (b) ~~Subscribing to any organisations with which the Union may become affiliated.~~
Disallowed by Order 2197/97 dated 30/1/98
- (c) Defraying any expenses incurred in any appeal to a State Board, Arbitration Commission or Court out of the General Fund.

- (d) Making payments in connection with any matters provided for by these Rules or affecting the general interest of the members.

32 - FUNDS

1. All moneys shall be banked at least once during each week in the name of the Union, in the Commonwealth Bank, or any other bank as determined from time to time by the Committee of Management.
2. All disbursements shall be authorised or endorsed by the Committee of Management and shall be made by cheque, signed by at least one trustee and the Secretary.
3. The funds shall consist of:-
 - (a) the General Fund, which shall include all enrolment fees, contributions and fines, except as hereinafter prescribed;
 - (b) the Incidental Fund, as prescribed which shall be wholly at the disposal of the Union for any purpose whatsoever, as may be decided upon by a General meeting of the Union.
 - (c) funds raised for special purposes,
 - (d) interest which may accrue to the credit of each Fund, shall be allotted to such fund;
 - (e) any real or personal property of which the Union has or is entitled to have the right of custody control or management;
 - (f) any superannuation or long-service leave or retiring allowance fund operated or controlled by the Union for the benefit of its officials or office staff;
 - (g) any property acquired wholly or mainly by expenditure of the moneys of the general fund or derived from other assets of the general fund;
 - (h) the proceeds of any disposal of parts of the general Fund.

33 - RECOVERY OF DUES

All claims for fees, contributions, levies, fines or liabilities of any kind due or payable to the Union by any member thereof may be sued for and recovered in the name of the Union by the Secretary or any other person authorised by the Committee of Management.

34 - QUARTERLY MEETINGS

The Quarterly Meetings of the Union shall be the General Meetings of the Union which are held during the months of March, June, September and December of each year. The meeting held in June shall be deemed to be the Annual General Meeting of the Union. All Quarterly Meetings shall be summoned Meetings of the Union.

35 - MEETINGS

1. Meetings except for those provided for in Rule 34 shall not commence earlier than 5.30pm nor continue later than 9.30pm unless a motion be agreed to by a majority of the members present provided that meetings do not extend beyond two hours with a maximum of one half hour extension of time. (That is: Meetings will continue for no longer than two and one half hours.)
2. Wherever possible, the Union shall conduct its meetings at the registered office of the union or at such other place as may from time to time be determined by the Committee of Management.
3. The Annual Meetings for the reception of the Balance Sheet and Financial Statement shall be held on the last meeting night in June of each year.
4. Notice of all Special or General Summoned Meetings shall be given by an advertisement in a daily paper, or by summon notice forwarded, at least two days prior to time meeting, to each member, to the address last recorded by the Secretary or at the office of the Union.
5.
 - (a) The Committee of Management shall when deemed necessary, have power to call a Special Meeting, for any time or at any place;
 - (b) the President and Secretary shall convene a special summoned meeting of the members at the written request of any number of financial members, which shall be not less than the number required to constitute a quorum at such meeting.
 - (c) the Secretary shall when deemed necessary call a summoned meeting after consultation with the President.
6. The quorum necessary for the transaction of business of General and Special Meetings shall be:
 - (a) up to 100 members 6
 - (b) over 100 and up to 500 members 8
 - (c) over 500 and up to 1000 members 10
 - (d) over 1000 and up to 1500 members 12
 - (e) over 1500 and up to 2000 members 14
 - (f) over 2000 members 16

The quorum shall be calculated for the ensuing year on the first day of April in the year.

7. No member shall behave in an insulting or offensive manner at any meeting of the Committee of Management or of the Union. Any member continuing to behave in such an insulting or offensive manner shall be required to leave the meeting at the direction of the President.

36 - OFFENCES AND CHARGES

1. Always provided that no members may be expelled and/or fined without having been given a full opportunity to be heard and that no member elected to an office shall be dismissed from any office within the Union unless the member has been found guilty in accordance with the Rules of misappropriation of the funds of the Union, a substantial breach of the rules of the Union or gross misbehaviour or gross neglect of duty or has ceased according to the Rules to be eligible to hold office, the Committee of Management shall have the power to expel, suspend and/or fine any member any sum up to, but not exceeding six hundred and twenty-five dollars (\$625.00) for each offence, who:-
 - (a) fails to comply with or violates any Rule of the Union;
 - (b) works knowingly in contravention of any Award, Determination Order or Agreement between the Union and an employer or employers;
 - (c) refuses or fails to obey any motion duly resolved in the affirmative at:
 - (i) any annual or special meeting or its Committee of Management.
 - (ii) sectional meetings of members employed on a job site or employed by an employer or employers in a section of the plumbing industry. Provided that no sectional meeting of members can make any decision contrary to decisions made by the Committee of Management or General Meeting.
 - (d) allows his/her arrears of contributions to exceed more than one quarter's dues as specified in Rule 11 - Contributions;
 - (e) fails to attend, without reasonable excuse or apology, a meeting of the Union or the Committee of Management, when summoned to do so by the Secretary.
 - (f) commits any fraudulent or unlawful act in relation to the funds or property of the Union, or in relation to any election held under the Rules;
 - (g) is guilty of wrongfully applying for work with the intention of depriving another member of his/her situation.

2. No penalty under this section shall be imposed unless the following procedures shall have been carried out:
 - (a) the charge shall be made in writing and be accompanied by a fee of twenty-eight (\$28.00) dollars by a member to the Secretary who shall thereupon arrange for the charge to be dealt with by the next most convenient meeting of the Committee of Management;
 - (b) the member charged shall be summoned to attend such a meeting by a written notice specifying the time and place of the meeting and forwarding a copy of the charge;
 - (c) the summons may be served personally or by certified mail to the members last known place of abode;
 - (d) not less than seven (7) days notice of the meeting shall be given to the member charged;
 - (e) at the appointed time and place or at a time and place to which the meeting is adjourned, the charge shall be investigated whether or not the member is in attendance;
 - (f) the member laying the charge and the member charged shall be given a full opportunity of being heard;
 - (g) should the Committee of Management find the charge frivolous, the complaint shall be dismissed and the deposit of twenty-eight (\$28.00) dollars may be forfeited.
3. After a penalty of expulsion, suspension and/or fine is imposed by the Committee of Management, an appeal against such penalty may be made in writing to the Secretary within twenty-eight (28) days of the decision. The appeal shall be dealt with at a special summoned meeting of the Union and the member laying the charge and the member appealing shall each be given a full opportunity of being heard.

37 - MAKING KNOWN THE BUSINESS OF THE UNION

Any member making known the business of the Union to any but members, or making known the name of any member who has voted against persons becoming members of the Union, or has voted on any other business, may be fined a sum not exceeding six hundred and twenty-five (\$625.00) dollars by the Committee of Management.

38 - INSPECTION OF BOOKS

The Register of Members and books of the Union shall be open for inspection by any financial member of the Union, at the registered office at all reasonable times.

39 - REPRESENTATION BEFORE COURT

The Union shall be represented before the Western Australian Industrial Relations Commission, The Western Australian Industrial Appeal Court or any other tribunal appointed pursuant to the provisions of the Industrial Relations Act, 1979, or any subsequent amendment thereof by the Secretary or by some other person selected by the Secretary for the purpose at a Special Meeting of the Union.

40 - UNION SEAL

The Union shall have a Seal which shall be oval shape bearing the words "The Plumbers and Gasfitters Employees' Union of Australia" around the circumference and the words "West Australian Branch, Industrial Union of Workers" in the centre thereof. The seal shall be in custody of the Secretary and shall be affixed to all documents specified in Rule 42 emanating from the Union.

41 - INDUSTRIAL AGREEMENTS, ETC

All Industrial Agreements, Deeds and Instruments made for and on behalf of the Union shall be made and executed under the Seal of the Union. The Seal shall not be affixed by any other person other than the Secretary subject to that Industrial Agreement, Deed or Instrument being endorsed by the Committee of Management.

42 - RESIGNATION OF MEMBERS

1. ~~A member of the Union may resign from membership by written notice addressed and delivered to the Secretary.~~ **(Disallowed - See Order No 870 of 1996 of 4/11/96)**
2. A notice of resignation from membership of the Union takes effect:
 - (a) where the member ceases to be eligible to become a member of the Union:
 - (i) on the day the notice is received by the Union; or
 - (ii) on the day specified in the notice, which is a day not earlier than the day when the member ceases to be eligible to become a member;whichever is the later; or
 - (b) ~~in any other case:~~
 - (i) ~~at the end of 3 months after the notice is received by the Union; or~~
 - (ii) ~~on the day specified in the notice;~~

~~whichever is the later.~~ **(Disallowed - See Order No 870 of 1996 of 4/11/96)**

3. Any dues payable but not paid by a former member of the Union in relation to a period before the member's resignation from the Union 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.
4. A notice delivered to the Secretary shall be taken to have been received by the Union when it was delivered.
5. A notice of resignation that has been received by the Union is not invalid because it was not addressed and delivered in accordance with Sub-Rule 1.
6. 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 had been accepted.

43 - BALANCE SHEET TO BE FORWARDED TO THE REGISTRAR

The Secretary shall within one calendar month after completion of the yearly audit of the accounts, furnish to the Registrar of Industrial Unions, on the prescribed form, a duly audited statement of receipts and expenditure and balance sheet of the assets and liabilities of the Union made to the 31st March immediately preceding.

44 - NAMES AND ADDRESSES OF MEMBERS FOR THE REGISTRAR

In the month of January in every year a list of the names of members, officers and trustees as at the close of the last preceding month, with their addresses, and any other particulars required by the Registrar shall be furnished to the Registrar of Industrial Unions in the form prescribed in the regulations made under the Industrial Relations Act, 1979, or any subsequent amendment thereof, in that behalf.

45 - AMENDMENT OF RULES

Subject to the operation of any Adopting provision in these Rules in accordance with Section 71A of the Industrial Relations Act 1979:

1. The union shall have the right to make rules for its own use and guidance. Rules may be amended, added to, varied, repealed by notice of any proposed alteration to the rules being laid before the Committee of Management or before a special meeting of the union called for the purpose, which may amend, add to, vary or repeal the rules or any part of them in accordance with the proposal in the said notice or any reasonable amendment of same.
2. No amendment, addition to, variation, repeal, or substitution of these rules shall be made unless a notice of the proposed alteration, and the reasons therefore, is distributed to all members.

3. In the notice referred to in sub-rule (2) members are to be informed that they or any of them may object to the proposed alteration by forwarding a written objection to the Registrar to reach him / her no later than twenty one (21) days after the date of receipt of the notice referred to in (2) above.

46 - DISSOLUTION

This Union shall not be dissolved while there are fifteen (15) or more financial members in favour of carrying on the Union and opposed to the winding up thereof.

No vote shall be taken for the dissolution of the Union while a case is before the Western Australian Industrial Commission in which the Union is directly interested.

47 - LIFE MEMBERSHIP

1. The Committee of Management shall have the power to confer life membership on any member who has rendered special and valuable service to the Union and a certificate of Life Membership shall be issued to such a member.
2. Life Membership shall be the highest honour the Union can confer on a member for services rendered.
3. A member upon whom Life Membership is conferred shall not be required to pay contributions and shall be entitled to all the benefits of membership.
4. Life Membership shall not be taken away unless the member so honoured has been proved to have done something to the detriment of the best interests of the members of the Union.

48 - STEWARDS

1. The Committee of Management may, in writing, appoint a steward or representative, who shall perform and carry out the following duties in respect of all members in the city, town or district, or who are employed by the firm or firms, specified in the appointment:-
 - (a) receive fees, contributions, levies and fines from such members;
 - (b) watch over the general interests of the Union and report to the Secretary any infringement of the Rules;
 - (c) give for all moneys received on behalf of the Union a printed receipt from a duplicate receipt book to be supplied by the Secretary;
 - (d) at least once in each month pay all moneys received to the Secretary or in such shorter time as directed by the Secretary.

2. The Committee of Management shall at all times have the power to terminate the appointment of a Shop Steward or representative.

49 - STANDING ORDERS

1. The following order of business shall be observed at General meetings, unless otherwise decided by a majority of members present at the meeting:
 - (a) declare the meeting open for business;
 - (b) reading and confirmation, or otherwise, of all minutes of meetings not previously dealt with;
 - (c) reading of urgent correspondence not previously dealt with or correspondence referred by the Committee of Management;
 - (c) business arising from such correspondence;
 - (e) report of Committee of Management and business arising therefrom;
 - (f) report of any special committee and business arising therefrom;
 - (g) consideration of a motion, notice of which has been previously given;
 - (h) report of delegates and stewards in that order;
 - (i) unfinished business;
 - (j) new business;
 - (k) accounts not previously dealt with by the Committee of Management to be presented and passed for payment;
 - (l) general business;
 - (m) declare the meeting closed.
2. Notwithstanding the provision of sub-rule (1) above, the presentation of the balance sheet and the auditors report thereon shall be made immediately following the confirmation of the minutes on Annual Meeting nights.
3. Subject to the provisions of sub-rule (2) above, the union may by resolution carried at a special meeting called for that purpose, fix an allotted time for all meetings during which standing orders are to be considered to be automatically suspended, so that questions may be asked and answers given, provided always that Rule 55 - Rules of Debate, shall apply.

50 - RULES OF DEBATE

1. A discussion shall not be permitted except upon a motion or amendment that has been duly seconded.
2. Not more than three (3) amendments (only one (1) of which can be discussed at a time), can be received on an original motion, and providing the second or third be not carried, the question shall be put to the vote.
3. The mover of any original motion shall be allowed ten (10) minutes to introduce same, and five (5) minutes to reply. No other member shall be allowed to speak for more than five (5) minutes at any one time unless a majority of members present (by resolution) agree to the time limit of any speaker being extended to such length as may be specified in such resolution.
4. A member shall not speak more than once upon any question, except in answer to an inquiry, or to make a personal explanation, or in reply to the original motion.
5. After two consecutive speakers have spoken, either for or against a question before the chair, and there being no other speakers on the other side, the President shall put such motion or amendments to the vote.
6. Three members can claim an open division on any question.
7. A member shall not be allowed to enter or retire during the reading of the minutes, or during a discussion or election.
8. That new business will not be in order unless introduced within one and one half (1 1/2) hours of the commencing time on ordinary meeting nights, and within two (2) hours of commencing time on summoned meeting nights, unless notice of the same has been given before that time has elapsed.
9. It shall be competent for a majority of the members present at any meeting to carry a resolution extending the time of such meeting.
10. Any motion carried by a general meeting cannot be again debated or rescinded without (notice of motion being given) the consent of a two thirds (2/3) majority of members present at a subsequent or special meeting.
11. Provided always: That where these Rules and Standing Orders are silent and unless inconsistent therewith, the Union may adopt the procedure and Rules of Debate of the Trades and Labor Council with which the Union is affiliated.

51 - DELEGATE AND COMMITTEE EXPENSES

All reasonable expenses of members of the Committee of Management and members of the Union shall be defrayed out of the funds of the Union when

attending Committee of Management meetings or when engaged upon Union business at the request of the Committee of Management.