

RULES
of
THE AUSTRALIAN WORKERS' UNION,
WEST AUSTRALIAN BRANCH,
INDUSTRIAL UNION OF WORKERS

CONTENTS

<u>RULE</u>	<u>PAGE</u>
1 - NAME	1
2 - REGISTERED OFFICE	1
3 - OBJECTS	1
4 - MEMBERSHIP	2
5 - AREA.....	13
6 - ADMISSION TO MEMBERSHIP	13
7 - RESIGNATION.....	14
8 - FREE MEMBERSHIP	14
9 - EXPULSION	14
10 - ROLLS OF OFFICERS AND MEMBERS.....	15
11 - RULE BOOKS, FREE.....	15
12 - CONTRIBUTIONS AND COMMISSION.....	15
13 - MEMBERSHIP TICKETS	15
14 - CONTRIBUTIONS - WHEN AND HOW PAYABLE.....	16
15 - FUNDS HOW HELD.....	18
16 - ACCOUNTS, BALANCE SHEET AND AUDIT	18
17 - FUNDS HOW WITHDRAWN.....	19
18 - MAINTENANCE OF "THE AUSTRALIAN WORKER"	19
19. - POLITICAL FUND	19
20 - GENERAL AND ANNUAL MEETINGS	19
21 - OFFICERS' ATTENDANCE AT MEETINGS	20
22 - QUORUM	20
23 - VOTING.....	20
24 – MANAGEMENT	20
25 - CONSTITUTION OF DIVISIONS	21
26 - MANAGEMENT OF DIVISIONS.....	21
27 - POWERS OF EXECUTIVE	22

28 - SPECIAL RULE RELATING TO TRUSTEES.....	23
29 - QUALIFICATION FOR HOLDING OFFICE.....	23
30 - ELECTIONS	25
31 – ELECTION PROCEDURES	26
31A - METHOD OF BALLOTING	29
32 - FILLING VACANT OFFICES.....	31
33 - EXECUTIVE AUTHORITY OVER OFFICERS AND	32
LAYING OF INFORMATION	32
34 - PRESIDENT AND VICE-PRESIDENTS.....	32
35 - SECRETARY AND ASSISTANT SECRETARY.....	33
36 - ALTERATION OF RULES	35
37 - INSPECTION OF BOOKS.....	36
38 - REPRESENTATION IN COURT	36
39 - AGREEMENTS, ETC	36
40 - RETURNS	36
41 - SETTLEMENT OF INDUSTRIAL DISPUTES	36
42 - USE OF FUNDS.....	36
43 - SEAL	37
44 - DISPUTES WITH MEMBERS	37
45 - DISSOLUTION OF UNION.....	37
46 - AUDITORS	37
47 - INCORPORATION IN THE A.W.U.....	37
48 - CONTROL OF ORGANISERS	38
49 - GENERAL DEFINITIONS CLAUSE	38
50 – AMALGAMATION.....	39
51 - TRANSITIONAL RULE	40

S. KEMP
DEPUTY REGISTRAR

RULES
of
THE AUSTRALIAN WORKERS' UNION
WEST AUSTRALIAN BRANCH
INDUSTRIAL UNION OF WORKERS

1 - NAME

The Union is an organisation of employees and shall be known as "The Australian Workers' Union, West Australian Branch, Industrial Union of Workers."

2 - REGISTERED OFFICE

The registered office of the Union shall be at Level 3, 25 Barrack Street, Perth, which shall be the address of the Secretary, and at which place the business of the Union shall be conducted. Any change in such registered office shall be duly registered.

3 - OBJECTS

The objects for which the Union is established are, by the provision and distribution of funds, and by all other lawful means, whether industrial, political, municipal or otherwise:

- (1) To regulate and protect the conditions of labour, the relations between workers and employers and between workers and workers.
- (2) To regulate conditions for the conduct of the trade, business or industry of the members.
- (3) To promote the general and material welfare of the members.
- (4) To provide legal assistance in defence of members' rights where deemed necessary.
- (5) To endeavour by political action to secure social justice.
- (6) To establish and maintain Labor journals.
- (7) To assist, by federation or otherwise, kindred organisations in upholding the rights and privileges of workers, and generally to assist in the emancipation of Labor.

- (8) To enrol in the Union all persons eligible to be members of the Union.
- (9) To replace the present competitive system by the collective ownership of the means of production, distribution and exchange.
- (10) To oppose the Australian Communist Party and the industrial, political and municipal aims and objectives of the said party and/or its members acting jointly or individually.
- (11) To oppose any body or persons incorporated or unincorporated, which in the opinion of the Executive by its constitution, aims, objectives, conduct, propaganda or otherwise, advocates, assists or encourages the overthrow by force or violence of the established Government of the Commonwealth of Australia or of a State or of any civilised country or of organised government.
- (12) To uphold the authority of constitutional government and the constitution of the Commonwealth of Australia and the States and to oppose the growth of doctrines and groups or organisations of persons incorporated or unincorporated which in the opinion of the Executive advocate, assist or encourage the overthrow by force or violence of the established Government of the Commonwealth of Australia or of a State or of any civilised country or of organised government.
- (13) To raise money by contributions, levies, fines, investments or otherwise for the purpose of carrying out the objects of the Union.

Disbursements in furtherance of any of the above objects shall be deemed to be part of the ordinary expenses of the Union.

4 - MEMBERSHIP

The Union shall consist of an unlimited number of workers employed or usually employed in any of the following industries or callings:-

- (1) Pastoral, Agricultural, Horticultural, Viticultural, Fruitgrowing, the growing of Flax, Guayule, Tobacco, Sugar, Rice, Cotton, and of Safflower and other oil seeds, Afforestation and Silviculture (including the harvesting and/or processing and/or packing of any products of the aforesaid industries), the production of firewood, dairying and rabbit trapping, the handling and/or storage of grain for milling and/or export, including domestic and other work performed at agricultural research stations and farms and agricultural schools and colleges.

- (2) Road making and road maintenance, other than in the building industry, and the construction, maintenance, conduct and operations of railways (but excluding the conduct and operations of railways by the Western Australian Government Railways Commission), bridges, water and sewerage works.
- (3) Metalliferous mining and the production of minerals (including the harvesting of salt, dredging and sluicing work), the transport, storage, loading and unloading, other than the loading and unloading of ships South of the 26th parallel of latitude, of minerals, metals and ores, the production and supplying of electric current, mechanical engineering, the smelting, reducing and refining of ores and metals (including the charcoal iron and steel industry) and the supplying of firewood for mines.
- (4) Stone quarrying, crushing and screening.
- (5) Surveying of land.
- (6) Fish trawling, cleaning and canning, net making, and all general labour in connection therewith.
- (7) Boring for water.
- (8) Destruction of noxious weeds and vegetation, or the treatment of the products thereof and the eradication of pests and vermin.
- (9) Manufacturing of cement and cement and fibrolite and fibre (other than glass fibre) cement articles.
- (10) Formation and maintenance of golf links, bowling greens, tennis courts, and of all gardens, lawns and greens in connection therewith.
- (11) Rubber working, the manufacturing of tyres and tubes, including the tyre retreading industry.
- (12) Service Station attendants, other than tradesmen and clerical workers, lubrication attendants and vehicle service attendants, other than tradesmen, in motor vehicle sales establishments. Workers other than tradesmen and clerical workers in rust prevention, cleaning and paint protection of motor vehicles.
- (13) Manufacture of sealing devices for bottles or jars, and the manufacture of badges and emblems (other than those made out of textile materials).
- (14) The clearing of land for cultivation, sub-division for settlement and formation of aerodromes and parking areas.
- (15) The laying of oil, gas, or steam pipe lines and the installation of electric power lines.

- (16) Work at immigration reception centres.

PROVIDED THAT all persons who have been appointed as officers or employees of the Union shall be entitled also to become and remain members of the Union during their continuance in office or employment; PROVIDED further that no person who is or is eligible to be a member of –

Eastern Goldfields Municipal and Road Board Labourers' Union of Workers;

Western Australian Municipal, Road Boards, Parks and Racecourse Employees' Union of Workers, Perth;

The Western Australian Government Tramways, Motor Omnibus and River Ferries Employees' Union of Workers, Perth;

The Builders Labourers' Union of Workers of Perth, Western Australia;

Except to the extent provided by subrule 28, Westralian Brickyard, Pottery, Porcelain and Roof Tile Fixers Employees' Union of Workers, Perth;

as constituted on the 19th day of August, 1947; or any other Union registered under the provisions of "Industrial Arbitration Act, 1912-1941" (as reprinted) at the date of registration of this Union shall be eligible for or admitted to Membership of the Union, but as from 7th day of March, 1979, the limitation herein imposed by virtue of the registration of the Sugar Refining Employees' Industrial Union of Workers, Fremantle, W.A., as 18 July 1941 shall no longer apply.

- (17) The catching and the treatment of whales and the by-products therefrom, (excepting Masters, Mates and Marine Engineers).
- (18) Foremen employed in the sleeper cutting and/or saw milling industry (but excluding foremen not exclusively employed as such, and tradesmen foremen), and further excluding that portion of the State of Western Australia comprised within a radius of twenty two and a half (22.5) kilometres of the General Post Office, Perth.
- (19) The construction, maintenance and/or demolition of floating docks, graving docks, slipways, bridges, viaducts, causeways, wharves, jetties, breakwaters, moles, retaining walls, and all sheds, and buildings, on or about floating docks, graving docks, slipways, wharves and jetties, and the dredging of harbours, rivers and passages. Provided that workers who are employed in the following vocations shall not be eligible for membership: Fitters, Coppersmiths, Turners, Pattern makers, Tool and Gauge makers, Scalemakers and adjusters, Blacksmiths, Shipsmiths, Toolsmiths, Angle-iron Smiths, Springmakers, Millwrights, Oxy-acetylene and Electric Welders and Cutters, Locksmiths, Mechanical and Scientific Instrument Makers, Motor Mechanics, Motor Cycle Mechanics, Aircraft Mechanics, Die Sinkers, Milling Machinists, Press Tool Makers, Drilling Machinists and the assistants to all the foregoing tradesmen, Carpenters, Painters, Bricklayers, Rubble Wallers, Plasterers,

Stone Masons, Plumbers and Sheet Metal Workers, Moulders, Coremakers, Shipwrights, Masters, Mates, Marine Engineers, Clerks and Watchmen, Electrical Workers (except such as are covered by paragraph "15" hereof). Provided further that no person who is eligible to be a member of the "Coastal and E.G. Government Water, Sewerage and Drainage Employees' Industrial Union of Workers" as constituted on the 4th day of July, 1952, shall be admitted to membership of the Union.

- (20) (a) Boring for oil, refining, treating, processing, packing, pumping, and all work whatsoever in or in connection with the boring for oil, refining, treating, processing, packing and pumping of oil, and the manufacture (including the extraction) of the by-products of oil, when such manufacture (including extraction) is incidental to and consequent upon the refining of oil carried on by a company whose principal business is oil refining; Provided that workers who are employed in the following vocations shall not be eligible for membership: Fitters, Coppersmiths, Turners, Patternmakers, Tool and Gauge makers, Scalemakers and adjusters, Blacksmiths, Shipsmiths, Toolsmiths, Angle-Iron Smiths, Springmakers, Millwrights, Oxy-acetylene and Electric Welders and Cutters, Locksmiths, Mechanical and Scientific Instrument Makers, Motor Mechanics, Motor Cycle Mechanics, Aircraft Mechanics, Die Sinkers, Press Tool Makers, Milling Machinists, Bolt and Nut Machinists, Drilling Machinists in the Engineering Industry, and the assistants to all the foregoing tradesmen; Carpenters, Painters, Bricklayers, Rubble Wallers, Plasterers, Stone Masons, Plumbers and Sheet Metal Workers, Moulders, Coremakers, Masters, Mates, Marine Engineers, Clerks, Watchmen, Cleaners, Electrical Workers (except such as are covered by paragraph "15" hereof), Builders' Labourers employed to assist building tradesmen on the construction of buildings.
- (b) Boring for natural gas and the production, distribution, treatment and storage of natural gas, and all work in connection with the boring for natural gas and the production, distribution, treatment and storage of natural gas: Provided that, no person, who immediately prior to the 23rd of March, 1966, was not eligible for membership of the Union and who is or is eligible to be a member of –

The Federated Engine Drivers and Firemen's Union of Workers of Western Australia.

The Collie Federated Engine Drivers and Firemen's Union of Western Australia.

Transport Workers' Union of Australia, Industrial Union of Workers, Western Australian Branch.

Municipal Councils, Road Boards and Local Government Employees' Association of Workers, Western Australia.

Municipal Road Boards, Parks and Race Course Employees' Union of Workers, Perth - Western Australia.

Federated Moulders (Metals) Union of Workers, Perth.

Australasian Society of Engineers' Industrial Union of Workers, Perth, W.A.

Australasian Society of Engineers' Industrial Union of Workers, Fremantle.

The Australasian Society of Engineers, Collie River District, Industrial Union of Workers.

Australasian Society of Engineers' Industrial Union of Workers, Goldfields No. 1 Branch.

Australasian Society of Engineers' Industrial Union of Workers, Midland Junction Branch.

The Association of Architects, Engineers, Surveyors, and Draughtsmen of Australia, Union of Workers, Western Australian Division.

The Boilermakers Society of Australia, Union of Workers, Coastal Districts, W.A.

Electrical Trades Union of Workers of Australia (Western Australian Branch), Perth.

Federated Ship Painters and Dockers' Union of Australia (West Australian Branch) Union of Workers.

The Seamen's Union of Western Australia Industrial Union of Workers, Fremantle.

Building Trades Association of Unions of Western Australia (Association of Workers).

The West Australian Gas Works Industrial Union of Workers.

Amalgamated Engineering Union of Workers, Perth Branch.

Amalgamated Engineering Union of Workers, Kalgoorlie Branch.

as constituted on the 23rd of March, 1966, shall be eligible for or admitted to membership of the Union.

- (21) Iron and Steel Rolling, and all work in or in connection with iron and steel rolling (including all persons engaged in the following locality: "All that area of land and the waters of Cockburn Sound contained within boundaries starting from the intersection of the South-Eastern side of Rockingham Road (Road No. 695) and the North-Eastern side of Ocean Street and extending West to the low-water mark of the said sound and onwards for a distance of 1.6 kilometres; thence North to a point situated in prolongation Westerly of the Northern side of Russell Road (Road No. 678); thence Easterly along that prolongation to the low-water mark of Cockburn Sound and onwards for a distance of 4.8 kilometres; thence South to a point situate East of the starting point) and thence West to the starting point loading and discharging material or matter of any kind used in or in connection with iron and steel rolling".

PROVIDED THAT workers who are employed in the following vocations shall not be eligible for membership: Fitters, Coppersmiths, Turners, Patternmakers, Tool and Gauge makers, Scalemakers and adjusters, Blacksmiths, Shipsmiths, Toolsmiths, Angle-Iron Smiths, Springmakers, Millwrights, Oxy-acetylene and Electrical Welders and Cutters, Locksmiths, Mechanical and Scientific Instrument Makers, Motor Mechanics, Motor Cycle Mechanics, Aircraft Mechanics, Die Sinkers, Press Toolmakers, Milling Machinists, Bolt and Nut Machinists, Drilling Machinists, and the assistants to all the foregoing tradesmen: Carpenters, Painters, Bricklayers, Rubble Wallers, Plasterers, Stone Masons, Plumbers and Sheet Metal Workers, Moulders, Coremakers, Clerks, Watchmen, Cleaners, Electrical Workers (except such as are covered by paragraph "15" hereof), Builders' Labourers employed to assist building tradesmen on construction of buildings.

No Person employed in any of the industries or callings mentioned in paragraphs "17" to "21" hereof (both inclusive) and who by reason of such employment is eligible to be a member of any Union affiliated with the Federated Engine Drivers and Firemen's Association (Western Australian Branch) Association of Workers on the 11th August, 1952, shall be eligible to be a member of this Union.

- (22) All work in or in connection with Stevedoring operations in that portion of the State of Western Australia North of the 26th parallel of latitude.
- (23) All workers (other than journeymen, apprentices, and workers employed or usually employed in or in connection with the construction, repair, demolition or removal of any building) employed in or in connection with the construction of foundations for machinery or plant.
- (24) In or in connection with the extraction from wood of a base for tanning compound. Provided that, no person who is eligible to be a member of any other Union (other than persons eligible for membership in the Wood Extract Industrial Union of Workers, South West Land Division, W.A.) registered under the provisions of the Industrial Arbitration Act, 1912-1952 on the 3rd day of May, 1955, shall be eligible for membership of this Union in the industry referred to in this paragraph.
- (25) All workers engaged in or in connection with the Manufacture of articles of asbestos, of articles which are a compound of asbestos and one or more other materials the processing of such articles of asbestos or asbestos compounds into finished products.
- (26) The manufacture or preparation of bitumen emulsion, asphalt emulsion, bitumen or asphalt preparation, hot mixed asphalt, cold paved asphalt, and mastic asphalt or similar materials.
- (27) The production or manufacture of aluminium for use as a raw material in the manufacture of articles.
- (28) The Union shall also consist of workers engaged in the manufacture of bricks at the enterprise trading as Narrogin Brick.

Provided that workers who are employed in the following vocations shall not be eligible for membership: Fitters, Coppersmiths, Turners, Patternmakers, Tool and Gauge makers, Scalemakers and adjusters, Blacksmiths, Boilermakers and Steel Constructional Tradesmen, Shipsmiths, Toolsmiths, Angle-Iron Smiths, Spring Makers, Millwrights, Oxy-acetylene and Electrical Welders and Cutters, Locksmiths, Mechanical and Scientific Instrument Makers, Motor Mechanics, Motor Cycle Mechanics, Aircraft Mechanics, Die Sinkers, Press Tool Makers, Machinists, Bolt and Nut Machinists, Drilling Machinists, Riggers, Ladders, and the assistants to all the foregoing tradesmen: Carpenters, Painters, Bricklayers, Rubble Wallers, Plasterers, Stonemasons, Plumbers and Sheet Metal Workers, Moulders, Coremakers, Clerks, Watchmen, Cleaners, Electrical Workers (except such as are covered by paragraph "15" hereof), Builders' Labourers employed to assist building tradesmen on construction of buildings.

No Person, who is eligible under subclauses (26) and (27) to be a member of any Union affiliated with the Federated Engine Drivers and Firemen's Association (Western Australian Branch) Association of Workers on the 11th April, 1963, shall be eligible to be a member of this Union.

Notwithstanding anything contained in the foregoing, drivers and/or loaders and/or operators and/or washers of all mechanically propelled or animal-drawn vehicles or implements or machines and their assistants, stablemen and yardmen, employed in or in connection with the cartage, conveyance, movement or transportation of persons, goods, merchandise, wares, implements, machines, vehicles, live-stock, material or matter of any kind shall not be eligible for membership in this Union, except such persons who are employed –

(a) in farming, mining (other than coal mining), or pastoral industries; or

(b) in or in connection with –

(i) agriculture, forestry, land clearing, water conservation or irrigation;

(ii) construction and/or maintenance of railways, roads or bridges; or

(iii) stevedoring operations,

by any Government department or public statutory body established by or under a law of the State to carry out all or any functions of such a department or by any port authority; or

(c) in supplying of firewood for gold mines; or

(d) as fork lift operators in the asbestos cement or fibre (other than glass fibre) cement industry; or

(e) as fork lift operators in the sugar refinery industry.

- (29) Piano and/or Piano Player Makers, Repairers and Tuners, Organ Makers and/or Repairers, Makers and/or Repairers of Gramophones, and all other musical instruments of which wood forms a part.
- (30) Clock Case Makers and/or Repairers of which wood forms a part, Makers of Sewing Machine Stands of wood, Makers of Wireless Instrument Cases or Cabinets of wood, Billiard Table Makers and Fitters, Wood Mantelpiece Makers, Overmantel Makers, Cabinet Makers, Chair Makers, Couch Makers, Veneer Makers in Furniture Factories, Wood Turners, Wood Carvers, Upholsterers (including Upholsterers of Tubular Steel Furniture), Bedding Makers, Wire Mattress Makers, Picture Frame Makers, Bamboo, Pith, Cane and Wicker Workers, Baby Carriage Makers, French Polishers, Enamellers of Furniture and Spraying Machine Operators engaged in the manufacture and/or repair of furniture and Assemblers of furniture, Estimators of furniture of any description, Carpet and Linoleum Planners and Cutters and Measurers and Carpet Sewers, Soft Furnishing Makers of all descriptions and including without limitation thereof Makers of Curtains, Drapes, Loose Covers, Bedspreads and Jabos, Iron Bedstead Makers, Metal Furniture Makers of all descriptions and Makers of Tubular Steel Furniture (except such persons employed as Chromium and/or Electro Platers and/or Polishers) and Designers of furniture of all descriptions.
- (31) All Woodworking Machinists employed in preparing and/or handling material for the above employees including the programming and operating of computerised and numerically controlled machines and persons machining materials that are wood substitutes for the above employees. Provided that such persons are solely or substantially engaged in the manufacture of furniture.
- (32) Glass Bevellers, Cutters, Polishers and Silverers, Lead-Light Glaziers and Cutters, Brilliant Cutters, Sandblasters of Glass, Draughtsmen and Painters.
- (33) Such other persons not being qualified tradesmen or apprentices who are employed or usually employed in the foregoing occupations may be admitted as "Furniture Workers".
- (34) In addition to the aforementioned workers, the Union shall also consist of an unlimited number of persons employed, or usually employed, as follows: Coffin Makers, Iron Bedstead Makers employed in Furniture or Bedding factories, Makers of Plastic and/or similar furniture and including without limitation thereof Makers of Fibreglass furniture and Foam Rubber furniture makers and Makers of Tubular Steel Furniture (except such persons employed as Chromium and/or Electro Platers and/or Polishers).

- (35) Carpet and Linoleum Planners and all Floor Covering Layers, Outdoor Hands employed in measuring and/or fixing furnishings of any description and including without limitation thereof, the installation of blinds, awnings, curtains and drapes and the tracks to which the aforementioned are to be attached and shall include canvas blind cutting and/or making and/or fixing and Venetian Blind Makers and/or Fixers, Wire Blind Makers and/or Fixers, Packers of Furniture, Pictures, Carpets, Drapings, Plate and Sheet Glass in warehouses, shops, factories or stores.
- (36) Timber Stackers, Yardmen and Labourers employed in furniture factories, Cementers of Leadlights, Rag Pickers and Fumigators for furniture and upholstery.
- (37) Males or Females wheresoever employed in the manufacture of upholstery, carpets, drapings, furnishings of all descriptions, pianos, mattresses, venetian blinds, wire blinds, mantelpieces, billiard tables, overmantels, bedding, picture frames, bamboo, cane, pith and wicker work, and upholstery machinists, upholstery cutters and semi-skilled operatives of all descriptions involved in the manufacture of upholstery and including the making of cushions, together with such other persons, whether employees engaged in the industry or not, who have been appointed officers of the Union.
- (38) The Union shall consist of workers employed or usually employed in the sawmilling, sleeper cutting and wood chipping industry as hereinafter defined throughout the South West Land Division of the State of Western Australia excluding the locality comprised within a radius of forty-five (45) kilometres from the G.P.O. Perth, together with the persons who from time to time are elected General Secretary and/or Organiser and/or Industrial Officer of the Union. Notwithstanding the foregoing persons engaged in felling or cutting of timber in plantations at Gnangara, Mundaring, Yanchep and Pinjar shall be eligible for membership of the Union provided that such persons as at 2 November 1992 are not eligible to be members of any other Union registered in the State of Western Australia.
- (39) For the purpose of this Rule, the sawmilling, sleeper cutting and wood chipping industries shall include felling, hewing, splitting or otherwise dealing with timber in the bush, transporting such timber to a mill or railway, constructing and maintaining roads or railway lines used in connection with timber or wood chipping mills, sawing, machining, chipping, milling or dealing with timber in any other way in a sawmill or woodchipping mill and despatching the timber or timber product to a railway or seaport; and shall include:
- (a) The work of and incidental to the preserving, stacking, seasoning and treatment treating of timber, whether within or without the curtilage of sawmill premises.
 - (b) The work of peeling logs for plywood and all other work incidental to the manufacture of plywood and particle boards.

- (c) The work of and incidental to timber yards of retail merchants at which the business of saw milling is not carried out.

A person shall not be a member of the Union (except in the capacity of an honorary member or a member who or whose personal representative is entitled to some financial benefit or financial assistance under the rules of the Union while not being a worker) who is not an employee within the meaning of the Industrial Relations Act, 1979.

PROVIDED that no person shall be eligible to be a member of the Union unless they were eligible to be a member of:

The Australian Workers' Union, West Australian Branch, Industrial Union of Workers;
or

The Forest Products, Furnishing and Allied Industries Industrial Union of Workers,
WA

As at the date of the amalgamation of the two Unions on 19 September 2012.

- (40) Subject to sub clause (41) the Union shall consist of an unlimited number of persons comprising those -
 - (a) who are employed in the manufacture, packing, bottling, blending, refining, pulping, brewing, mixing, the following:- pastry, confectionery, biscuits, cakes, cake ornaments, ice, ice cream, grocers' sundries, chemists' sundries.
 - (b) who are engaged in processing by canning, quick-freeze, or other methods of preservation of poultry, rabbits, game, fruit, vegetables, fish including crustaceans and molluscs or any part thereof.
 - (c) who are employed or usually employed in or in connection with the handling, candling, grading, packing, pulping, dehydrating, oiling or by any other method processing eggs, with the exception of transport workers, worked engaged in any clerical capacity, or workers employed in or about warehouses which do not deal solely in eggs or workers employed in or about retail shops.
 - (d) who are employed assisting in the production or putting up for sale the products or wares of factories or establishments manufacturing and/or dealing with any of the classes of goods referred to in paragraphs (a), (b) and (c) of this sub-rule.
 - (e) PROVIDED such persons are not eligible to join any other existing organisation registered under the Industrial Relations Act 1979.
 - (f) who are engaged in packing fruit (other than apples or pears) but only where that work is done in connection with a process designed to preserve the fruit or improve its appearance.

- (g) who are engaged in the preparation and packing of edible fungus.
- (h) who whether employed in the industry or not are for the time being officers of the union.
- (i) The following persons shall not be eligible for membership of the Union:

Persons employed as production employees in the poultry processing industry by Inghams Enterprises Pty Ltd situated, as at 14 September 2000, in Baden Street and Powell Street, Osborne Park or at such other location or locations at which the said enterprise at Osborne Park may subsequently be carried out. In this paragraph, Inghams Enterprises Pty Ltd includes its successors, assignees, transmittes or any purchaser of the whole or any part of its business.

- (41) In sub-rule (40) each of the following terms shall have the respective meaning hereby assigned to it -

"Grocers' Sundries", means and includes cereal and farinaceous foods, tea, coffee and/or chicory essence, coffee chicory, cocoa, honey, jams, self-raising flour, salt, starch, bird seed, matches, sauces, vinegar, pickles, chutneys, rice, sago, tapioca, macaroni, vermicelli, spaghetti, mustard, spices, herbs, condiments, peppers, soups, fish, and fish pastes, Italian paste, flavouring and colouring essences, peel, preserved fruits, dried fruits, health salines, nuts and nut foods and products, edible oils, margarine, eggs, baking powder, custard powder, blanc mange powder, jelly or jelly crystals, gelatine, vegetables, methylated spirits, turpentine, linseed oils, oils, benzine and polishing materials.

"Polishing Materials" means and includes oils, boot blacking, boot paste, boot polish, harness dressing, harness compounds, ebonite shine, stove polish, metal polish, knife polish, washing blue, moulders' blacking, moulders' plumbago preparations, grinding charcoal or coal dust.

"Chemists Sundries" means and includes tartaric acid, citric acid, alum, bicarbonate of soda, cream of tartar, fruit essences, cordials as manufactured by manufacturing chemists, patent medicines, ointments, hair oils, cosmetics, toilet preparations other than soap, essential oils and health salines.

PROVIDED that no person shall be eligible to be a member of the Union unless they were eligible to be a member of:

The Australian Workers' Union, West Australian Branch, Industrial Union of Workers;

or

The Food Preservers' Union of Western Australia, Union of Workers

As at the date of the amalgamation of the two Unions on [*date of amalgamation*]

5 - AREA

This Union may admit to membership any person referred to in Rule 4 within the State of Western Australia.

6 - ADMISSION TO MEMBERSHIP

- (1) A person applying for membership shall sign an application form and shall be deemed to be a member of the Union as from the date of signing such form, provided that if within one month after such date the Executive of the Union so decides, s/he shall cease to be a member from the date of such decision, in which event any moneys paid by way of contributions shall be repaid and s/he shall return any membership ticket received by him.
- (2) A person applying for membership shall pay to the Union Secretary, Organiser, Representative or other authorised person, the prescribed contribution, and shall receive and retain a ticket entitling him or her during its currency so long as he or she is qualified under Rule 4 of these rules to all rights and privileges of membership so long as s/he remains a member and remains loyal to the Rules and Constitution of the Union.
- (3) Any person, who has received such ticket may be required by notice in writing given at any time to such person by the Union Executive to produce to such Executive on any date stated in such notice, not being less than one month after the date of such notice, evidence satisfactory to such Executive that such person was at the time of receiving his or her ticket, and has continued to be entitled to become and remain a member of the Union. In default of such evidence the Executive may by resolution declare that such person did not become or has ceased to be, a member of the Union and such declaration shall be binding on such person and upon all members of the Union.
- (4) It shall be a breach of this Rule to back-date any application form.
- (5) The form of application referred to in sub-rule (1) hereof shall be determined from time to time by the Executive.

7 - RESIGNATION

- (1) Resignation of membership of the Union shall be effected by the giving of written notice of intention to resign to the Secretary.
- (2) Notice of resignation takes effect on the day on which the notice is received or on a later day specified in the notice.
- (3) Any member resigning shall be liable for the payment of all subscriptions, fines and levies owing to the Union under these Rules at the date of leaving, and such monies may be sued for and recovered in the name of the Union.

8 - FREE MEMBERSHIP

- (1) Membership tickets having the words "Rule 8" printed thereon shall be issued under this Rule by the Union Secretary, under the following provisions to any member of the Union who has been financial for the preceding five years:
 - (a) who is over the age of 65 years and who is not earning the minimum wage;
 - (b) who is permanently incapacitated and is not earning the minimum wage.
- (2) Provided that the person making the application for a Rule 8 ticket shall make a Statutory Declaration to the effect that he is not earning the minimum wage.

9 - EXPULSION

Any officer of the Union believing that any member has been guilty of any breach of the rules or misconduct shall report such breach of the rules or misconduct to the Executive or to the Secretary which, or who, may call upon such member to show cause to the Executive why he should not be expelled from the Union. The officer concerned shall supply in writing the grounds of the alleged offence. The Executive shall appoint a day for the hearing of the application, of which at least twenty-one days' notice shall be given such member, and if satisfied of the truth of the charge, and that it is of sufficient gravity to warrant expulsion, have power to expel such member from membership; but such extreme penalty shall not be imposed unless the Executive is satisfied that the person guilty of such offence deliberately committed the offence.

In lesser offences a fine not exceeding \$40.00 may be imposed. Provided that any member so expelled shall have the right of appeal to the succeeding General Meeting, which may reverse, affirm, modify or alter the decision of the Executive; provided always that the General Meeting shall have the same jurisdiction as the Executive for the purpose of this Rule.

Any member who has been expelled shall not be re-admitted without the sanction of the Executive or General Meeting.

10 - ROLLS OF OFFICERS AND MEMBERS

- (1) The Secretary shall keep a correct register of the names, postal and residential addresses and occupations of all Officers and of the name, postal and residential address and number of ticket of each member of the Union, and shall supply a copy of the same to the National Secretary when required and to supply the National Secretary particulars of any resignations as they are received.
- (2) The Secretary shall ensure the above mentioned register is purged on not less than four occasions in each year by striking off the names of members whose membership has ended by operation of sections 64A or 64B of the Industrial Relations Act 1979 or by the operation of these rules.

11 - RULE BOOKS, FREE

Each member shall be entitled to a Rule Book, free of charge, on application to the Registered Office.

12 - CONTRIBUTIONS AND COMMISSION

The rates of contribution payment by members and the rates of commission payable to members of this union shall be the rates determined from time to time under Rules 9, 10, 25(1)(o)(iii) and 58 of the Constitution and General Rules of the Australian Workers' Union as registered with Fair Work Commission.

13 - MEMBERSHIP TICKETS

- (1) Membership tickets shall:
 - (a) be uniform in size, shape and colour and the name of the Union shall be printed clearly thereon.
- (2) It shall be a breach of these Rules for any person issuing membership tickets to back-date a ticket butt or membership ticket.

14 - CONTRIBUTIONS - WHEN AND HOW PAYABLE

WHEN CONTRIBUTIONS ARE PAID

- (1) Quarterly contributions are due and payable on the first day of the first month of each quarter and must be paid no later than the last day of the first month of each quarter. Quarters are deemed to begin on the first day of July, October, January and April respectively.
- (2) Annual contributions are payable by members as determined from time to time by the National Executive. Annual contributions become payable on the first day of July each year and must be paid either by way of a lump sum or over such period and in such part payments as may be determined by the Secretary.

PAYING CONTRIBUTIONS

- (3) All contributions, fines, levies and dues owing by a member must be paid to the Secretary or other duly appointed representative of the Union on whose register the member is enrolled, and such duly appointed representatives must immediately pay all such moneys received into the registered office of the Union.

WAIVING PAYMENT OF CONTRIBUTIONS

- (4) National Executive may if it sees fit and subject to the agreement of the Union Executive, waive payment of the whole or any portion of contributions, levies or other dues owing by any member or class of member if in its opinion special circumstances exist which make it desirable or reasonable to do so.

PAYROLL DEDUCTIONS

- (5) Notwithstanding anything elsewhere contained in the Rules, the Secretary or other authorised Officers may, subject to the approval of the National Executive, make an arrangement with an employer for deducting, on the written authority of a member in the employment of the employer, amounts by way of contributions, levies, or other moneys payable to The Australian Workers' Union, from the wages or moneys payable to a member by the employer. So long as such arrangement is in force, and a written authority by a member employed by the employer for the making of deductions in accordance with the arrangement remains in force, the member is (unless the member was an unfinancial member of The Australian Workers' Union at the end of the quarter immediately preceding that during which he gave the authority) to be deemed to be a financial member of The Australian Workers' Union and the Union and to be fully financial in The Australian Workers' Union and the Union, notwithstanding any other provision of these Rules. If such member owes any money to The Australian Workers' Union (whether by way of arrears owing at the time the authority came into force, or other amounts the collection of which is not provided for by the arrangement) such money remains owing by the member and may be recovered by The Australian Workers' Union, but does not affect their financial status as determined under this subrule.

A member who was unfinancial at the end of the quarter immediately preceding that during which he gave the authority continues to remain unfinancial until he pays all amounts owing at such end of quarter, but as from the date of such payment their financial status is to be determined as if he had made such payment prior to giving authority.

Where such an arrangement was made, or such an authority was given before this subrule came into force, the financial status of any member who has given the authority, or has given any authority pursuant to the arrangement, is to be determined as if this subrule had been in force at that time.

DIRECT DEBIT PAYMENTS

- (6) Notwithstanding anything elsewhere contained in the Rules, the Secretary or other authorised Officers may, subject to the approval of the National Executive, make an arrangement with a financial institution for deducting, on the written authority of a member who holds an account with the financial institution, amounts by way of contributions, levies or other moneys payable to The Australian Workers' Union, from the member's account. So long as such arrangement is in force, and a written authority by a member who holds an account with the financial institution for the making of deductions in accordance with the arrangement remains in force, the member is (unless he was an unfinancial member of The Australian Workers' Union at the end of the quarter immediately preceding that during which he gave the authority) to be deemed to be a financial member of The Australian Workers' Union and the Union and to be fully financial in The Australian Workers' Union the Union, notwithstanding any other provision of these Rules. If such member owes any money to The Australian Workers' Union (whether by way of arrears owing at the time the authority came into force, or other amounts the collection of which is not provided for by the arrangement) such money remains owing by the member and may be recovered by The Australian Workers' Union, but does not affect their financial status as determined under this subrule. A member who was unfinancial at the end of the quarter immediately preceding that during which he gave the authority continues to remain unfinancial until he pays all amounts owing at such end of quarter, but as from the date of such payment their financial status is to be determined as if he had made such payment prior to giving authority.

Within this subrule "financial institution" includes a bank, building society, credit union or credit card organisation.

Where such an arrangement was made or such an authority given before this subrule came into force, the financial status of any member who has given the authority or has given any authority pursuant to the arrangement, is to be determined as if this subrule had been in force at the time.

15 - FUNDS HOW HELD

- (1) All property and funds for the use of the Union shall vest in and be under the control of the Executive.
- (2) The Executive shall have power to invest such funds in the same manner as cash under the control of the Supreme Court which may from time to time be invested and shall also have power to invest such funds in shares in any limited liability company carrying on business in the Commonwealth.
- (3) The Executive may cause funds to be expended in the purchase of land and buildings or in the purchase of land and the erection thereon of buildings either for the purpose of union offices or otherwise. It may cause to be sold or converted the whole or any portion of any real estate into money and the proceeds arising from such sale and conversion to be applied in the purchase of real estate or in the purchase of Shares or cause the same to be placed on deposit in any banking or financial institution. The Executive may borrow and sell, mortgage or exchange any real or personal property held as aforesaid and give a valid discharge for any moneys raised on mortgage or otherwise.
- (4) The Executive may cause to be leased any real or personal property of the Union held for the use of the Union.

16 - ACCOUNTS, BALANCE SHEET AND AUDIT

- (1) The financial year shall terminate on the 30th day of June in each year and all books and accounts shall close on that day.
- (2) A properly audited Balance Sheet and the Auditor's report thereon, together with duplicate copies, all certified by two of the officers duly authorised to sign such documents, shall be filed with the Registrar of WAIRC within one month after completion of the Auditor's report.
- (3) A copy of such balance sheet and report certified by the Auditor, and the Annual Report of the Secretary shall be submitted by such Secretary to the next Annual General Meeting of the members specially called for the purpose
- (4) The Union shall follow the system of book-keeping prescribed by Convention.
- (5) The Secretary shall issue –
 - (a) an Annual Report and Balance Sheet:
 - (b) detailed balance sheet showing all items of receipt and expenditure, assets and liabilities of the Union and financial membership thereof, together with statement of tickets sold and unsold:

- (c) a statement showing the financial position of the Union with approximate amounts of assets and liabilities for the period between the annual audit and the meeting of Convention, or as near to that date as practicable.

17 - FUNDS HOW WITHDRAWN

- (1) The funds of the Union shall be banked in the name of the Union in such bank as may be decided upon by the Executive of the Union.
- (2) All funds over and above the working expenses shall be placed in the Commonwealth Savings Bank or other bank or banks, on current account or fixed deposit as the Executive may approve.
- (3) No funds shall be withdrawn from the bank except by cheque signed by the Secretary and countersigned by the President, Vice-President or Assistant Secretary.
- (4) Notwithstanding sub rule (3) the Secretary may withdraw funds by electronic transfer.

18 - MAINTENANCE OF "THE AUSTRALIAN WORKER"

- (1) The Union shall contribute to the cost of maintaining "The Australian Worker" as determined by the National Executive of The Australian Workers' Union from time to time.

19. - POLITICAL FUND

DELETED.

20 - GENERAL AND ANNUAL MEETINGS

- (1) The Annual General Meeting of the members of the Union shall be held at any time before 31st December of each year and at such places as may be determined by the Executive. Such meetings shall consider Balance Sheets, discuss any resolution brought forward and take any constitutional action they may deem advisable. Only financial members shall be entitled to attend or vote at such meetings.
- (2) General Meetings of members may be called at any time by the Executive. All General Meetings shall be convened by advertisement in a newspaper circulating in the district in which the office of the Union is situated. The advertisement shall state the nature of the business to be transacted. At least 28 days' notice in the case of Annual General Meetings and 7 days' notice in the case of other General Meetings shall be given.

- (3) When deemed necessary, General or Executive Meetings may be postponed by the order of two officers, of whom the Secretary shall be one.
- (4) Upon receipt of a requisition signed by not less than one hundred financial members of the Union, the Secretary shall call an Extraordinary General Meeting of the Union to take place at the offices of the Union at a time decided upon by the Executive, providing the business to be discussed is legitimate Union business. Each member signing the requisition shall state clearly his ticket number for the current year, his full name and address, his occupation and his present or last place of employment, giving the date when he left his employment if he is not currently employed.
- (5) The Quorum for an Extraordinary General Meeting shall be seventy-five members. Notice of the time and place of an Extraordinary General Meeting shall be given in the manner prescribed in sub-rule (2) of this Rule.

21 - OFFICERS' ATTENDANCE AT MEETINGS

Any officer summoned to attend any meeting or any member of the Executive who shall be absent from any meeting of the Union without having previously notified the President or Chairman of such intended absence shall be considered to have committed a neglect of duty. No such person shall leave a meeting without the consent of the meeting and any officer or member of the Executive absenting himself without reasonable grounds from three consecutive meetings shall be liable to forfeit his office.

22 - QUORUM

At all General Meetings, wherever held, fifteen members shall form a quorum. At meetings of the Executive 50% of the members of the Executive shall form a quorum.

23 - VOTING

No member shall be allowed to vote at any meeting of the Union or on any business connected therewith without first producing his current ticket or giving proof to the satisfaction of the President or Chairman that he is a member of the Union. Voting at all meetings shall be by show of hands unless five members present demand a ballot, in which case a ballot shall be taken.

24 - MANAGEMENT

- (1) Subject to the Rules of the Union or decision by plebiscite of the whole of the financial members of the Union, the Union shall be managed by an Executive which shall consist of the following officers:

A President, two Vice-Presidents, Secretary and Assistant Secretary of the Union, together with nine financial members elected as hereinafter provided. Each member of the Executive shall hold office for four years.

- (2) No resolution shall be adopted unless there is in favour of such resolution a majority of the Executive entitled to vote.
- (3) From such time as the Executive may determine, each office in the Union shall be held by the person who, in accordance with Rule 33 of the Constitution and General Rules of The Australian Workers' Union, holds the corresponding office in the Counterpart Federal Body.

25 - CONSTITUTION OF DIVISIONS

The Executive may create or eliminate Divisions and from time to time fix the boundaries thereof.

26 - MANAGEMENT OF DIVISIONS

Subject to Rule 24:-

- (1) A Division shall be managed by a Divisional Committee which shall consist of the President, two Vice-Presidents and Secretary of the Division and one Representative from each Section within the Division.
- (2) The Divisional Committee shall have control of the affairs of the Union within the Division and shall be empowered to create or eliminate Sections.
- (3) The Vice-Presidents shall be elected by secret ballot by members within the Division and in respect of such ballot the provisions of rules 29, 30 and 31 with such alterations as may be necessary shall apply.
- (4) Each Section Representative shall be elected by secret ballot at a general meeting of the members within the Section.
- (5) At any meeting of the Divisional Committee five members shall constitute a quorum.
- (6) A member shall not be eligible for election to the Divisional Committee unless he is or has been working in the industry or industries within the Division.
- (7) If for any reason a Section Representative cannot be present at a meeting of the Divisional Committee, the Section may appoint some other member of the Section to be proxy for such Section Representative either generally or for a particular meeting.
- (8) Should a member of the Divisional Committee absent himself from three consecutive meetings thereof without a satisfactory reason his seat on the Divisional Committee shall be declared vacant.

- (9) (a) A Divisional Management bank account in the name of the Union shall be opened by the Divisional Secretary and three officers of the Union in which the Division is situated and no expenditure shall be made except by cheque which shall be signed by the Divisional Secretary and one of the said officers.
 - (b) All books, vouchers and accounts shall be audited annually by one duly certified Auditor appointed by the Executive.
 - (c) The Divisional Management Fund shall consist of moneys forwarded from time to time by the Executive.
 - (d) The Divisional Committee shall supply the Executive with the exact details of all payments made from the Management Account.
- (10) The Secretary of the Division shall bank all monies received by him on behalf of the Union to the credit of the Executive's account. Bank deposit slips for the amounts paid into the Executive's account shall be remitted to the Executive as soon as conveniently possible. At the end of each month a certificate setting out the amount deposited to the credit of the Executive during that month shall be obtained from the bank and forwarded to the Executive.
- (11) Subject to the decision of the Divisional Committee it shall be the duty of the Secretary of the Division to prepare all papers and documents necessary for all applications made to a tribunal constituted under the "Industrial Relations Act, 1979", or any subsequent amendment thereof and to appear on and conduct all such applications on behalf of the Division but he should nevertheless be at liberty to authorise any other officer of the Union to carry out all or any such duties on his behalf.
- (12) Upon the receipt of a requisition signed by 15 financial members within the Division the Secretary of the Division shall call a general meeting of such members provided that the business to be discussed at such meeting is legitimate Union business. If the Secretary of the Division shall neglect or refuse to call such meeting within seven days after the receipt of such requisition the members signing the requisition may themselves call the meeting and such meeting shall have full power to act as if convened in the usual way.

27 - POWERS OF EXECUTIVE

- (1) The Executive shall have the power –
 - (a) To decide any question affecting the Union which may arise under these Rules.
 - (b) To make, alter or rescind any by-laws for the guidance of and generally to have absolute control of the affairs of the Union, subject always to the Constitution and Rules of the Union or plebiscite of the whole of the members of the Union.

- (c) Appoint as Returning Officer some person who is not:-
 - (i) an unfinancial member of the Union:
 - (ii) the holder of any office in the Union:
 - (iii) an employee of the Union.
 - (d) To dismiss from office any officer who has been found guilty in accordance with the Rules of the Union of misappropriation of funds of the Union, or of a substantial breach of the Rules of the Union, or of gross misbehaviour during the performance of his duties or gross neglect of duty or if such officer has ceased according to the Rules of the Union to be eligible to hold such office.
- (2) Not less than two-thirds of the total number of members of the Executive may by writing signed by them exercise all the powers of the Executive upon the Secretary informing members of the Executive by post or receipted personal delivery of any matter in regard to which a decision is required; provided that the powers of the Executive shall not be so exercised in writing in regard to any matter relating to the appointment, election, displacing or dismissing of any member of the Executive.
 - (3) Subject as provided in these Rules the highest authority of the Union shall be the Executive.
 - (4) Executive Committeemen shall exercise all the rights and privileges of members of the Executive except where they pertain to a particular office.

28 - SPECIAL RULE RELATING TO TRUSTEES

DELETED

29 - QUALIFICATION FOR HOLDING OFFICE

- (1) Persons who are not members of the Union are incapable of holding any Office in the Union.
- (2) Only financial members of the Union are entitled to nominate candidates for Office.
- (3) No member is eligible for nomination for election to an Office unless they:
 - (a) Have signed the pledge described in subrule (5) of this Rule; and
 - (b) Have been a continuously financial member for the 12 months immediately preceding the opening date for nominations; and

- (c) For the period of 12 months immediately preceding the opening date for nominations:
 - (i) Were employed in any of the industries and callings specified in Rule 4, or if not so employed has been unemployed and bona fide seeking such employment; or
 - (ii) Were an Officer of the Union.
- (4) All candidates including those elected or appointed to fill a vacancy shall sign a pledge that they will:
 - (a) At all times loyally and conscientiously carry out the Rules and policy of The Australian Workers' Union as laid down by the National Executive or the National Conference from time to time;
 - (b) Not join any industrial or political body or organisation which is opposed to the policy of The Australian Workers' Union;
 - (c) Not assist in the advocacy of any policy which is in contravention to a policy of The Australian Workers' Union.
- (5) No person is eligible to be nominated for or to hold or to continue to hold any Office in the Union or to be employed by the Union in any capacity if:
 - (a) They are or become a member of a House of Parliament of the Commonwealth or of any State thereof; or
 - (b) They become or have been within a six month period prior to the opening of the nomination period, employed, appointed or elected to any position with another Union whether it be as an officer, representative, agent, delegate or employee without first receiving the authority of the Executive of the Union.
 - (c) They have within the preceding 5 years been convicted in any Court of any offence in the nature of stealing, misappropriation, embezzlement, larceny, false pretences, forgery, burglary or unlawful receipt or retention of property where the property belongs to the Union.
- (6) The Returning Officer may require a candidate for any of the respective Offices to furnish satisfactory evidence that their candidature complies with such qualification.
- (7) Any Office becoming vacant through the operation of this Rule must be filled in the same manner as if it has been vacated by resignation.

30 - ELECTIONS

OFFICES TO BE ELECTED

- (1) In January of 2013 and every fourth year thereafter, nominations must be invited for offices of:-
 - (a) President, two Vice-Presidents, Secretary, Assistant Secretary and Seven Executive Committee members.

METHOD OF CALLING NOMINATIONS

- (2) Notifications of the calling for nominations must appear by newspaper advertisement.

OPENING AND CLOSING OF NOMINATIONS

- (3) Nominations are to open on the second Wednesday of January and close fourteen days later at 12 noon.

DETAILS OF NOMINATORS

- (5) The nomination paper must be signed by at least two financial members and must contain the name and address of those members. The nominating members must form part of the electorate for the election of the Office concerned.

DETAILS OF CANDIDATE

- (5) Each candidate must consent to the nomination in writing and must also state their occupation, name, date of birth and address. The nomination paper must contain either the candidate's ticket or a certificate from the Secretary in order to show the candidate has been a continuously financial member for the 12 months immediately preceding the opening date of nomination.

NOMINATIONS TO BE POSTED

- (6) Nominations must be forwarded in a closed envelope with the word "nomination" written on the envelope and addressed to the Returning Officer.
- (7) Nominations for all positions must close on the same date.

WITHDRAWAL OF NOMINATION

- (8) Provided that candidates, with the consent of their nominators, may withdraw their nomination for any position within seven (7) days of the close of nominations or such other period as may be fixed by the Returning Officer.

- (9) In the event of there being more candidates nominated than are required for any of the Offices, an election must take place by secret postal ballot in accordance with these Rules.

31 – ELECTION PROCEDURES

This Rule applies to all elections conducted under the Rules of the Union.

GENERAL POWER OF RETURNING OFFICER

- (1) Where a Returning Officer is conducting an election or taking a step in relation to an election for an office in the Union the Returning Officer:
- (a) subject to paragraph (b) must comply with the rules of the Union; and
 - (b) may in spite of anything in the rules of the Union, take any action, and give any directions, as the Returning Officer considers necessary:
 - (i) to ensure that no irregularities occur in or in relation to the election; or
 - (ii) to remedy any procedural defects that appear to the Returning Officer to exist in the Rules of the Union.

GENERAL DUTY OF RETURNING OFFICER

- (2) The Returning Officer must conduct themselves so as to ensure that, so far as is practicable and to the best of their foresight and ability, no irregularity occurs in or in connection with the election, and they must not seek to influence any voter to vote for or against any candidate.

INVALIDITY

- (3) No error or omission in the carrying out or observance of any Rule is to invalidate an election unless the error or omission is of such a nature that the result of the election has or may have been affected.
- (4) If, notwithstanding any Rule limiting the right to vote in any election to members of a particular financial status, any member not of that particular financial status is permitted to vote as a result of accident or any bona fide error of fact or misconstruction of the Rules, that member must, if otherwise qualified, be deemed to have been entitled to vote.

ABSENT VOTING

- (5) The Returning Officer must take such steps as are necessary to enable any member, who may be temporarily absent from their registered address for the whole period in which voting is open, to record an absent vote. Provided that any request for an absent vote must be made within five (5) days of the close of nominations. No absent vote is to be counted, if for any reason, the member has been issued with a normal vote, unless the unused normal vote is returned to the Returning Officer prior to the close of voting.

CORRECTING DEFECTIVE NOMINATIONS

- (6) In any election, the Returning Officer upon finding that a nomination is defective, may notify the person concerned of the defect and, where it is practicable to do so, give them the opportunity of remedying the defect within seven days. Where the person concerned has remedied the defect the nomination is valid notwithstanding that it is not remedied until after opening date for nominations. In any election conducted at a meeting at which nominations close, the time for remedying any defect is to be that which the Returning Officer considers reasonable in the circumstances.

PERIOD OF OFFICE

- (7) Unless otherwise provided and subject to the Rules, all persons elected hold Office until their successors take Office.

SCRUTINEERS

- (8) Each candidate may appoint a scrutineer to represent him or her at their own expense. A scrutineer must not be a candidate for any Office. Appointment must be by notice in writing to the Returning Officer. Each scrutineer is entitled to be present on all occasions when the Returning Officer is taking any step in the conduct and counting of the ballot.
- (9) It is the duty of each scrutineer to conduct himself or herself so as not to interfere with the due performance of the Returning Officer's duties and to immediately report to the Returning Officer any irregularity which is observed. They must if so required by the Returning Officer make any objection or any request for information in writing. The Returning Officer must answer all reasonable inquiries by any scrutineer as to the time and place at which he or she will take any step in connection with the election, but is not otherwise under any duty to notify scrutineers of such matters.

DECLARATION OF RESULT

- (10) The Returning Officer must count the votes and declare the result as quickly as possible. The declaration must, in addition to any other method of declaration provided in the Rules, be made to the Secretary and that Officer must on request inform any candidate or scrutineer of the terms of the declaration.

DEATH OF A CANDIDATE

- (11) Where two (2) or more candidates are nominated for any Office and one of those candidates dies before the close of ballot the election must be discontinued and a new election held. If under the Rules the election for such Office is to be held at the same time and in the same manner as elections for other Offices and the ballot papers in respect of such other Offices have not been dispatched, the Returning Officer may extend any time prescribed by these Rules in order to permit all of the elections to be held at the same time. If the ballot papers have already been dispatched, or if the Returning Officer considers it impracticable to hold the elections at the same time, he or she must hold the election for the Office for which a new election is to be held in the manner prescribed by the Rules but at times fixed by him or her.
- (12) Where two (2) or more candidates are nominated for any Office and one of those candidates dies after the close of ballot and before the declaration of the ballot, the election must be discontinued and a new election held if, and only if, the candidate who died would have been elected to the Office if they had not died.
- (13) If a successful candidate for any Office dies after the declaration of the result of the ballot, but before taking Office, a casual vacancy is deemed to have occurred in that Office as from the day on which the successful candidate would have been entitled to take Office, but any necessary steps to fill such vacancy may be taken at any time after the candidate's death.
- (14) Where in the case of an election for any Office, a candidate for that Office dies after the close of nominations and before the declaration of the ballot and a new election is required to be held pursuant to either subrule (11) or (12), then the Executive may appoint some member of the Union who qualifies for Office in accordance with Rule 29 to act in the respective Office, as the case may be, until the result of such last mentioned ballot is declared.

TIED VOTES

- (15) In the event of the votes of two or more candidates, one of whom is the sitting Officer, being equal, the sitting Officer must be declared to be elected. In other cases of equal voting the Returning Officer is to determine the ballot by drawing lots.

CEASING TO HOLD OFFICE

- (16) Any person elected to any Office or position in the Union ceases to hold such Office or position upon ceasing to be a member of the Union.

METHOD OF VOTING

- (17) The method of voting in any election held under these Rules shall be by marking the ballot paper with a cross against the name of the candidate desired. On counting the ballot the Returning Officer shall proceed in the "First Past the Post" method, i.e. the candidate in the various positions receiving the greatest number of votes is to be declared elected. Where a member records a vote for more or less persons than are required to fill any particular office the vote insofar as it relates to such office is to be disallowed.

LIMITATION ON HOLDING OFFICE

- (18) No member is eligible to nominate for or to hold at any one time:
- (a) more than one full time Office;
 - (b) more than one Office on the Executive;
- (19) Provided that nothing in this Rule is to prevent the holder of an Office from being appointed or elected to fill a casual vacancy pursuant to Rule 32, except that, where this Rule prevents a member holding two Offices at the same time, such appointment for election pursuant to Rule 32 must effect the resignation by the member appointed or elected from the Office that the member held immediately prior to the appointment or election to the subsequent Office.

31A - METHOD OF BALLOTING

- (1) Subject to Rule 31 only those members who are financial members in the Union 7 days before the opening of nominations in the year in which the election is held, shall be entitled to a ballot paper. A list of members in the Union recorded as being financial at this date shall be compiled from the Register of members as soon as possible and certified by the Secretary as a list of members entitled to receive a ballot paper.

Only members, who are recorded as being financial members 7 days before the opening of nominations, are to be included on this list and only members whose names appear on this list are to receive a ballot paper. Any member claiming to have been a financial member 7 days before the opening of nominations and whose name is not on the list may request the Returning Officer either in writing or personally to investigate his or her case and, if upon investigation the Returning Officer is satisfied that the member was a financial member 7 days before the opening of nominations, he shall provide that member with a ballot paper.

The roll of voters shall close 7 days before the opening of nominations.

The certified list of members entitled to vote shall be sent to the Returning Officer by the Secretary immediately it is compiled.

- (2) Ballot papers shall have printed thereon the closing date of the ballot and names of candidates placed in order determined by lot drawn by the Returning Officer and the positions and Offices required to be filled or particulars of the question submitted for determination.
- (3) Ballot papers together with stamped addressed outer prepaid envelopes and a smaller inner "declaration" envelope marked "Ballot Paper" shall be posted by the Returning Officer by pre-paid post to financial members on the certified list of members entitled to vote at the address recorded on that list. .
- (4) After recording the vote, members shall place the ballot paper in the declaration envelope marked "Ballot Paper", and sign the declaration in the place indicated for the voter's signature on the removable flap or label and insert the declaration envelope in the stamped addressed outer envelope and post same. If the member's signature is not recorded on the declaration envelope, the ballot paper shall not be counted in the ballot.
- (5) The Returning Officer shall make a complete return of voting and note all discrepancies and shall forward copies of same to the Secretary.
- (6) Ballot papers, envelopes and other documents shall be kept for a period of one year after the completion of an election.
- (7) A ballot paper shall be posted to every financial member at their place of residence as shown on the books of the Union, or if his place of residence is not shown and cannot be ascertained, at their place of employment. The Returning Officer shall cause such ballot papers to be printed and shall obtain from the printer a certificate stating the number of ballot papers printed and that the type was broken up immediately upon the completion of the printing.
- (8) The ballot shall open on the third Wednesday in April and close at 12 noon on the fourth Monday following. Voting shall be by secret postal ballot.
- (9) The closing date of every ballot shall be notified in the official publication of the Union or by newspaper advertisement.
- (10) Upon completion of the count, or where the ballot is conducted by his or her deputies in accordance with this Rule, upon the compilation of a total result as contained in the separate counts made by his deputies, the Returning Officer shall formally declare the ballot at a time and place of which notice has been given to the scrutineers and shall present to the first meeting of the Executive after his or her formal declaration a detailed report covering the full conduct of the ballot.
- (11) A successful candidate shall take Office on the first day of July following their election and shall hold Office until their successor takes Office.

- (12) The provisions of subrule (1) to (11) of this Rule shall apply to any extraordinary election held under Rule 32. Provided that any extraordinary election shall be held amongst members who were financial members at the end of the quarter which preceded the date upon which the ballot is to open. The ballot for any such election shall be open for a period of at least fifteen days and the opening and closing dates shall be decided by the Executive. A successful candidate shall take Office on the declaration of the ballot.
- (14) Notwithstanding anything contained in these rules the procedure to be followed for election to office in the union shall be in accordance with the requirements of the Industrial Relations Act 1979 and the Industrial Arbitration (Union Elections) Regulations 1980. Wherever these rules are inconsistent with the provisions of the Act or Regulations, the provisions of the Act and Regulations shall prevail.

32 - FILLING VACANT OFFICES

- (1) (a) Should a vacancy occur in any elected Office in the Union, through any cause whatsoever, the vacancy may be filled except where paragraph (c) applies by appointment by the Executive.
- (b) The person so appointed is to hold Office for so much of the unexpired part of the term of the Office as does not exceed:
- (i) twelve (12) months; or
 - (ii) three-quarters of the term of the Office;
- whichever is the greater.
- (c) Where the unexpired part of the term of Office exceeds that specified by subrule 1(b) of this Rule, the Executive as the case may be, must within one month of the vacancy occurring direct the Returning Officer to conduct an election in accordance with these Rules to fill the vacancy.
- In this Rule "Term of 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 without being re-elected.
- (d) The provisions of these Rules relating to ordinary periodic elections including the provisions as to pledge and qualification for Office, apply, insofar as they are capable of application, to any election held to fill a vacancy under this Rule.
- (e) Any person elected or appointed to fill a vacancy under this Rule is to hold Office for the balance of the term of Office during which the vacancy occurred.

- (2) Where, pending the filling of a vacancy pursuant to this Rule, or while a regular Office holder is absent or incapacitated, it is necessary for the proper conduct of business that some person perform the duties of such Office, the Executive may appoint an acting Officer.

33 - EXECUTIVE AUTHORITY OVER OFFICERS AND LAYING OF INFORMATION

- (1) The Secretary of the Union is authorised to make complaints and lay information on behalf of the Union against any representative, agent or member of the Union embezzling or stealing funds or property of the Union.
- (2) Any officer or member of the Union believing that any officer has been guilty of misappropriation of the funds of the Union or of a substantial breach of the Rules of the Union or of gross misbehaviour during the performance of his duties or gross neglect of duty or has ceased according to the Rules of the Union to be eligible to hold such office of the Union shall report such breach to the Secretary of the Union who may call upon such Officer to show cause to the Executive why he should not be expelled from the Union.
- (3) The Executive shall appoint a day for the hearing of the alleged offence of which at least twenty-one days notice in writing shall be given to such officer.
- (4) If the Executive is satisfied after inquiry that any Officer of the Union has been guilty of misappropriation of the funds of the Union or of a substantial breach of the Rules of the Union or of gross misbehaviour during the performance of his duties or gross neglect of duty or has ceased according to the Rules of the Union to be eligible to hold office the Executive may remove such Officer from his position.

34 - PRESIDENT AND VICE-PRESIDENTS

PRESIDENT

- (1) The President has the powers, duties and functions to:
- (a) Preside at all Union and Delegate meetings, and see that the business is conducted in a proper manner.
 - (b) Be empowered to call meetings of the Executive and to act generally in the furtherance of the objects of the Union.
 - (c) Have a deliberative vote only.
- (2) The President must carry out such other functions as are determined from time to time by the Executive or Secretary.

VICE-PRESIDENTS

- (3) The duty of the Vice-President is to assist the President at meetings of the Union. In the absence of the President, one of the Vice-Presidents is to occupy the Chair, conduct the business, and perform all duties of the President. In the absence of the President and Vice-Presidents from any Union meeting, some other member is to be chosen by the meeting to preside thereat.

35 - SECRETARY AND ASSISTANT SECRETARY

- (1) The Secretary is to be the recognised head of the Union and has the powers, duties and functions to:
- (a) Act generally according to the instructions of the Executive and be responsible for the administration of the Union.
 - (b) Appoint, control and dismiss the clerical, research, accountancy and other staff of the Union and Divisions.
 - (c) Cause to be kept a correct account of all moneys received and expended, but must not under any consideration pay, lend or otherwise appropriate any of the funds of the Union for any particular purpose whatsoever, except in accordance with the Rules, resolutions and Minutes of the Executive and Delegate or General Meetings.
 - (d) Attend all General and Executive Meetings and Delegate Meetings of the Union, and take Minutes of same or have them taken.
 - (e) Zealously attend to all correspondence and answer such questions as may be asked in accordance with the Rules of the Union.
 - (f) Have kept a memo book and have inserted the date of postage of all correspondence and have kept copies of same.
 - (g) Sign all letters and returns and have inserted in the Union's account books details including the date of all moneys received and expended.
 - (h) As far as practicable keep a correct Register of the names, postal addresses and occupations of all Officers and of the name, postal address and number of ticket of each member in the Union and the date on which each person became a member of the Union, and must supply a copy of the Register of members to the National Secretary when required.
 - (i) Forward to the National Secretary every three months a return showing the numerical strength of the Union and the financial status of the Union's membership.

- (j) Make available to members at meetings of the Union or Delegate Meeting, the National Balance Sheet and Statement of accounts of The Australian Workers' Union as soon as practicable after these have been issued from the National Office.
- (k) Make such returns and perform such duties as are expressed or implied in the Rules of the Union.
- (l) Report the result of any ballots conducted by the Returning Officer at the next meeting of the Executive insofar as any elections held by the Returning Officer are concerned.
- (m) Be empowered to convene any meetings of the Union, Divisions and the Executive and shall be entitled to speak and vote at all meetings, and to authorise any Secretary of a Division or Organiser to convene meetings of members.
- (n) Prepare or have prepared such documents for such tribunal as are required from time to time by the Union and to conduct cases before the tribunal on behalf of the Union shall be empowered to authorise and direct any Officer or paid employee of the Union to prepare papers for presentation to the tribunal, conduct cases before the tribunal.
- (o) Engage legal assistance if deemed necessary to assist the Union or any Officer or employee of the Union in any of the above matters or in regard to any matter which the Secretary is entitled to have brought before any tribunal or in regard to which the Secretary is entitled to give assistance to a member under the Rules.
- (p) Dismiss any job representative who breaches the Rules or who acts contrary to the policies of the Union, whether appointed by the Organiser or elected by a ballot of members provided that any person so dismissed has the right of appeal to the Executive.
- (q) Comply with any decision or direction as to the management and control of the Union as may be made by National Conference, National Executive or Executive.

ASSISTANT SECRETARY

- (2) The Assistant Secretary must carry out such functions as are determined from time to time by the Executive or the Secretary. In the absence of the Secretary, or pending the decision of the Executive in the event of such Office being vacant the Assistant Secretary is to exercise the powers and perform the duties of Secretary.

36 - ALTERATION OF RULES

- (1) Notwithstanding anything contained in these rules, and subject to the provisions of the Industrial Relations Act 1979 and any subsequent amendment thereof, no rule shall be altered or repealed, and no new rule shall be added except by a majority vote of the members present in person at a General Meeting of the Union specially called for the purpose, of which seven days' previous notice, specifying the time, place and objects of such meeting shall have been given.
- (2) Notice of such General Meeting shall be given by publication of an advertisement in a newspaper circulating in the district in which the head office of the Union is situated, and by posting a copy of the notice in a conspicuous place outside the said office. Fifteen members shall form a quorum at such meeting. Such alterations, repeals or additions of rules shall be subject to the requisites of the Industrial Relations Act 1979 and any subsequent amendment thereof, and shall be registered with the Registrar of WAIRC.
- (3) An alteration to these Rules shall not be or become effective until the Registrar of WAIRC has given to the Union a Certificate that the alteration has been registered pursuant to the Industrial Relations Act 1979.
- (4) No application shall be made to the Registrar of WAIRC for the registration of any proposed alteration to these Rules unless the Union has taken reasonable steps to adequately inform financial members of the proposed alteration and the reasons.
- (5) Further to subrule (4), the Union shall also inform the financial members that
 - (i) The union intends to apply to the Registrar of WAIRC for the registration of the proposed alteration after the expiration of 28 days from the date of the publication of notice in the West Australian newspaper.
 - (ii) The members or any of them may object to the proposed alteration by forwarding written objection to the Registrar of WAIRC to reach the Registrar no later than 28 days from the date of the publication of the notice in the West Australian newspaper.
- (6) Where the Union and another organisation propose to amalgamate, the provisions of Rule 50- Amalgamation shall apply in lieu this Rule.

37 - INSPECTION OF BOOKS

The books of the Union and register of members shall be open for inspection by any person having an interest in the funds of the Union, at the registered office during office hours.

38 - REPRESENTATION IN COURT

The Union shall be represented in any proceedings to which the Union is affected and/or may be a party under the provisions of the Industrial Relations Act 1979 the Fair Work Act 2009 (Cth) and other relevant legislation or any proceeding relating to these Rules, by the Secretary or a nominee of the Secretary, or by any other person appointed for the purpose by the Executive.

39 - AGREEMENTS, ETC

All Industrial Agreements, Deeds and other Instruments for and on behalf of the Union shall be made and executed by the Secretary and sealed with the seal of the Union.

40 - RETURNS

The Secretary shall from time to time at or within the prescribed time file with or deliver to the Registrar of WAIRC such copy records and other documents as are required to be filed or delivered under the provisions of the Industrial Relations Act 1979 and any subsequent amendment thereof.

41 - SETTLEMENT OF INDUSTRIAL DISPUTES

All Industrial Disputes in which the Union or any of its members may be concerned shall, unless settled by mutual consent, be referred or otherwise at the discretion of the Secretary for settlement pursuant to the provisions of the Industrial Relations Act 1979 or other relevant legislation.

42 - USE OF FUNDS

No part of the funds or property of the Union shall be paid or applied for, or in connection with, or to aid or assist any person or persons engaged in any strike or lock-out within the State of Western Australia.

43 - SEAL

The Union shall have a seal, of which the following is a description:

An oval containing the letters "A.W.U." in the centre, surrounded by the words "West Australian Branch Industrial Union of Workers." The seal shall be in the custody of the Secretary and shall not be altered or renewed except as provided in these Rules or upon an order of the Executive and shall not be used except on order signed by the President or a Vice-President or by resolution of the Union or Executive.

44 - DISPUTES WITH MEMBERS

Any dispute between the Union and a member or members, or any dispute concerning the Union between a member and another member or members and members, shall be settled in the first instance by the Executive. Any member not satisfied with the decision of the Executive may appeal to a General Meeting of the Union provided he has notified the Executive of his intention to do so in time to enable notice of the appeal to appear in the notice convening the meeting.

45 - DISSOLUTION OF UNION

The Executive may submit the question of the dissolution of the Union to a plebiscite of the whole membership to be taken by ballot; and if two-thirds of the whole number of financial members vote in favour of such dissolution the Union shall be dissolved and the funds remaining after all liabilities have been discharged shall be divided equally amongst the financial members.

46 - AUDITORS

Auditors, qualified as such by examination (not being members of the Union) shall be appointed by the Executive. They shall at least once a year when instructed by the Executive take the Secretary's books and balance sheets, with all receipts and other documents, compare them and draw up a correct report on the same. Auditors finding any deficiencies shall state the particulars in their report and lay the same before the following meeting of the Executive.

47 - INCORPORATION IN THE A.W.U.

The Union shall be incorporated with and be a branch of The Australian Workers' Union an organisation of employees registered under the provisions of the Fair Work (Registered Organisations) Act 2009 (Commonwealth Statute) and any subsequent amendments thereof.

Membership of the said Union shall be synonymous with membership of the organisation and admission to or cessation of membership of the Union shall ipso facto constitute admission to and cessation of membership of the said organisation except where the admission to or the cessation of membership of the Union results from the transfer of membership to or from another branch of the said organisation.

Such of the rules of the said organisation as were registered under the provisions of the said Commonwealth Statute on the 22nd day of November, 1974 shall be incorporated in these Rules and shall be applicable to the Union and its members except insofar and to the extent that such rules are inconsistent with these Rules or the Industrial Relations Act 1979 and any subsequent amendment thereof, in which case these Rules shall prevail.

48 - CONTROL OF ORGANISERS

- (1) All Organisers shall in all cases conform to the direction of the Union Secretary or Divisional Secretary by which they are employed.

49 - GENERAL DEFINITIONS CLAUSE

In the interpretation of these Rules the following definition shall be taken as a guide:-

- (1) "Convention" means the Bi-Annual Convention of The Australian Workers' Union.
- (2) "Executive" means the governing body of the Union constituted in accordance with the provisions of Rule 24.
- (3) "Financial" means having paid all monies due and payable under these Rules.
- (4) "Financial Member" means a member who has paid all contributions and dues payable under these rules and is entitled to the full benefits of membership in the Union.
- (5) "Officers" shall include the President, Secretary, Assistant Secretary, Vice-Presidents, , Organisers and Executive Committeemen.
- (6) "Organiser" means an officer elected or appointed in the manner appearing hereinbefore.
- (7) "Ticket" means a membership card of the Union issued in accordance with Rule 13.
- (8) "Returning Officer" for the purposes of conducting elections in accordance with the Rules shall be a person who is not the holder of any office in, and is not an employee of the Union.
- (9) "Union" means "The Australian Workers' Union, West Australian Branch, Industrial Union of Workers" registered under the provisions of the Industrial Relations Act 1979 of Western Australia.
- (10) "The Australian Workers' Union" means the Organisations registered under the provisions of the Commonwealth Fair Work (Registered Organisations) Act 2009.

50 – AMALGAMATION

- (1) The Union may amalgamate with any other employee organisation provided:
 - (a) That the provisions of this rule have been adhered to; and
 - (b) The other amalgamating organisation has approved the proposed amalgamation in accordance with its rules.
 - (c) The amalgamated Organisation will retain the name The Australian Workers' Union, West Australian Branch, Industrial Union of Workers.
- (2) Where the Union and another organisation propose to amalgamate, the provisions of this rule shall apply in lieu of Rule 36 – Alteration of Rules.
- (3) Any proposed amalgamation requires approval by a majority vote of the Executive.
- (4) An application for amalgamation shall not be made to the Registrar of WAIRC unless the Union has taken reasonable steps to adequately inform financial members of the proposed amalgamation.
- (5) Further to subrule (4), the Union shall also inform financial members:
 - (a) The Union intends to apply to the Registrar of WAIRC for registration of the amalgamated organisation after the expiration of 28 days from the date the publication of notice in the West Australian newspaper; and
 - (b) The member may object to the proposed amalgamation by forwarding a written objection to the Registrar of WAIRC to reach the Registrar no later than 28 days from the date of the publication of the notice in the West Australian newspaper.
- (6) A person holding an office in the Union or in the other amalgamating organisation may upon the coming into force of the amalgamation hold an office in the proposed amalgamated organisation. Provided that no person is to hold an office in the amalgamated organisation for more than four (4) years after the amalgamation takes effect without an election being held in relation to that office.

51 – TRANSITIONAL RULE

- (1) From the date of the approval of the amalgamation of The Australian Workers' Union, West Australia Branch, Industrial Union of Workers and The Food Preservers' Union of Western Australia Union of Workers, the following persons shall constitute a Transitional Executive pending the election referred to in Rules 24 and 29 of these rules:

President	Andy Hacking	Refinery Worker
Vice Presidents (2)	Chris King	Mine Worker
	Jake Pascoe	Hydroblaster
Secretary	Mike Zoetbrood	Union Official
Assistant Secretary	Brad Gandy	Union Official
Committee members (9)	Peter Hampton	Water Industry Worker
	Craig Ramirez	Concrete Worker
	Dene Cullen	Union Official
	Stephen Price	Union Official
	Dee Solly	Laboratory Technician
	Nic Pavolich	Mine Worker
	Daniel Connors	Union Official
	Tristan Gulvin	Refinery Worker
	Bishir Ahmed	Food manufacturing worker (Former FPU President)

- (2) During the period immediately after the amalgamation until the results are declared in accordance with Rule 31A, the Transitional Executive will have all powers as provided by Rule 27 – Powers of Executive.

*** END RULES **