

[300V: Incorporates alterations of 28 August 2020 [R2020/72]
(replaces rulebook dated 12 April 2018 [R2017/296])

I CERTIFY under section 161 of the *Fair Work (Registered Organisations) Act 2009* that the pages herein numbered 1 to 52 inclusive contain a true and correct copy of the registered rules of the Australian Principals Federation.

DELEGATE OF THE GENERAL MANAGER
FAIR WORK COMMISSION

Rules of the Australian Principals Federation

Contents

FEDERAL RULES	1	
1. - Name		1
2. - Eligibility for Membership		1
3. - Objects		1
4. - Registered Office		2
5. - Admission to Membership		2
6. - Sectors		3
7. - Joint Membership Provisions - Associated Bodies		3
7A. - Joint Membership Provisions – Branches and Associated Bodies		5
8. - Subscriptions		6
9. - Levies		7
10. - Unfinancial Members		7
11. - Register of Members		8
12. - Resignation from Membership		8
13. - Termination of Membership		9
14. - Rule Book		10
15. – Federal Officers of the Federation		10
16. – Federal Executive		10
17. – Federal Council		11
17A. - Duties of the Federal Officers and Federal Council Members		12
18. - General Meetings		13
18A. - General Meetings – Financial Reports		13
19. - Annual General Meeting		14
19A. - Meetings		14
20. - Fares and Expenses		14
20A. - Federal Electoral College		14
21. - Elections for Federal Council		15
21A. - Election for Federal Officers		17
21B. - Absentee Voting		20
22. - Casual Vacancies		20
23. - Federal President		21
24. - Federal Vice Presidents		22
25. - Federal Treasurer		22
26. - Federal Auditor		23
27. - Funds and Property		23
27A - Capitation Fees		25
28. - Removal of Officers		26
28A. – Expenditure Policies		26
29. - Arbitration Proceedings and Industrial Agreements		26
30. - Voting		27
31. - Quorums		27
32. - National Plebiscite		27
33. - Inspection of Books		28
34. - Dissolution		28
35. - Affiliation		28
36. - Loans, Grants and Donations		28
36A. - The Federation shall not seek or accept or authorise the receipt or acceptance of any loan, grant or other payment of money from any employer		28
37. - Alteration of Rules		28
38. - Standing Orders and Rules of Debate		29
39. - Legal Assistance Fund		29

TABLE OF CONTENTS

40. - Seal	29
41. - Discipline of Members	29
42. - Transitional Arrangements	30
43. - Transitional Rule 2003 – 2004	32
44. - Branches	32
45. - Branch Management Responsibility	33
46. - Transitional Rule 2007	35
47. - Standard Branch Rules	35
(1) Name.....	35
(2) Constitution.....	35
(3) Objects	36
(4) Head Office	36
(5) Subscriptions.....	36
(6) Unfinancial Members.....	36
(7) Branch Officers	36
(8) Branch Council	36
(9) Powers of Branch Council	37
(10) Elections for Branch Council.....	38
(11) General Meetings of the Branch	41
(12) General Meeting - Financial Reports	41
(13) Control of Branch Council Decisions	42
(14) Branch Executive	42
(15) Election of Branch Executive	43
(15A) Branch Electoral College	45
(16) Duties and Powers of Branch Executive.....	45
(17) Duties of Branch President	46
(18) Duties Of Branch Vice-President.....	47
(19) Duties of Branch Treasurer	48
(19A) Powers and Duties of Branch Councillors and Branch Executive Members	48
(20) Branch Funds	48
(21) Loans, Grants and Donations	49
(22) Discipline of Members.....	49
(23) Casual Vacancies	50
(24) Branch Auditor.....	51
(25) Legal Assistance Fund	51
(26) Returning Officer	51
(27) Scrutineers.....	52
(28) Register of Members.....	52
(29) Dissolution of Branch	52
(30) Suspension, Removal from Office and Expulsion of Branch Officers	52
(31) Levies.....	53
(32) Alteration of Standard Branch Rules	53

Note: This table of contents has been generated by the Fair Work Commission as an aid to using the rulebook, however it does not form part of the registered rules of the organisation. No reliance should be placed on the table of contents in interpreting the rules.

FEDERAL RULES

1. - Name

The name of the organisation shall be: AUSTRALIAN PRINCIPALS FEDERATION, which shall be referred to in these rules as the Federation.

2. - Eligibility for Membership

The Federation shall consist of persons who are employed as Principals or Assistant Principals in Victorian State schools and colleges including all persons who are members of the principal class as defined by the Victorian Teaching Service Act, 1981 as amended or any legislation succeeding thereto; and shall also consist of Principals and Deputy Principals (whether described or classified as school administrator, district Principals, associate Principals or assistant Principals or otherwise) of Western Australian Government Schools and Colleges.

3. - Objects

The objects of the Federation shall be:

- (a) to improve and maintain the interests of members in all matters relating to their employment;
- (b) to secure improved rates of pay and conditions of employment for members;
- (c) to take the necessary steps and actions under any industrial or other legislation, or otherwise, for the purpose of securing satisfactory industrial conditions in respect of the remuneration of labour, the hours of labour, the age of employees and other conditions in or about their employment;
- (d) to represent members individually and collectively before the relevant authorities and tribunals;
- (e) to represent members individually or collectively in negotiations with any relevant body, government or government department;
- (f) to promote co-operation between the Federation and all organisations representing the professional interests of members;
- (g) to seek legal advice and to engage legal counsel where necessary, on behalf of any member in responding to or defending allegations which, if proved, may lead to disciplinary action against the member;
- (h) to borrow or raise or secure the payment of money in such a manner as the Federation may think fit, to secure the same, or the repayment or performance of any debt liability, contract, guarantee or other engagement incurred, or to be entered into by the Federation in any way and to redeem and pay off such securities;
- (i) to sell, improve, manage, develop, exchange, lease, dispose of, turn to account, or otherwise deal with all or any part of the property and rights of the Federation;
- (j) to act as agent for and on behalf of members and non-members in a manner consistent with these objects and the rules and in the interests of members and to do all things incidental thereto;

5. - Admission to Membership

- (k) to facilitate the exchange of information and maximise cooperation between members employed in different categories of State Schools and in different State School systems for the purposes of advancing their respective interests;
- (l) to co-operate with any industrial association representing persons eligible to be members of the Federation including, without limiting the generality of matters the subject of agreement, by entering into written agreements with such industrial associations relating to membership, services, industrial representation and payment of subscriptions.
- (m) to do all such things as the Federation may from time to time deem incidental or conducive to the attainment of the above objects or any of them.

4. - Registered Office

The Registered Office of the Federation shall be located at Suite 1315A 401 Docklands Drive Docklands Vic 3008 or at such place in Melbourne or Perth as the Council may from time to time determine.

5. - Admission to Membership

- (a) An applicant for membership of the Federation shall complete, sign and forward to the President of the Branch to which the applicant is attached an application on the form prescribed by Federal Council for that purpose.
- (b) Subject to paragraph (c) of this rule, as from the date of receipt of such application, the applicant shall become and be a member of the Federation.
- (c) The Branch President shall have the power to refer any application for membership to the Branch Council for consideration and decision, in which case the applicant shall not become a member until notified in writing by the Branch President of his/her admission to membership by the Branch Council. The date of the decision of the Branch Council shall be deemed to be the date of admission to membership.
- (d) An applicant whose application for membership is refused by the Branch Council, shall have refunded to him/her any amount or amounts paid by way of subscriptions or fees.
- (e) An applicant for membership of the Federation shall be informed in writing of:
 - (i) the financial obligations arising from membership of the Federation; and
 - (ii) the circumstances and the manner in which a member of the Federation may resign from the Federation.
- (f) Notwithstanding the provisions of any other rule an applicant for membership may make application for membership conformably with any written agreement between the APF and any industrial association representing persons eligible to be members of the APF of which the applicant is a member or of which the applicant is applying to become a member, including, without limiting the generality of the foregoing, applying by authorising the relevant officer of the industrial association to make an application on his or her behalf.

6. - Sectors

- (a) For the purposes of these Federal Rules there shall be two sectors, the primary sector and the secondary sector.
- (b) On application for membership, the President of the Branch to which the applicant is attached shall allocate each applicant to the appropriate sector.
- (c) For the purposes of allocating members to sectors, those members who are employed in primary schools shall be allocated to the primary sector, those members who are employed in secondary schools to the secondary sector and all other members eligible in accordance with Rule 2 shall be allocated by the Branch President to a sector.
- (d) In the event of a dispute as to the allocation of a member of members to a sector, the Branch President shall refer the matter to the Branch Council for its consideration and determination.
- (e) In the event that a Branch determines that members of the Branch shall be allocated to a sector other than the primary or secondary sectors, members allocated to that other sector or sectors shall be allocated to either the primary or secondary sectors at the discretion of the Branch Council for all purposes relevant to membership of and voting for Federal Officers, Federal Council Members, Federal Executive Members and Federal Electoral College Members.

7. - Joint Membership Provisions - Associated Bodies

Notwithstanding any other provisions in these rules, the following provisions will apply to persons who are or persons who seek to become members of both an Associated Body and the Federation pursuant to an agreement between such an Associated Body and the Federation:

- (a) For the purposes of these rules “Associated Body” means:
 - (i) THE VICTORIAN ASSOCIATION OF STATE SECONDARY PRINCIPALS INCORPORATED;
 - (ii) THE VICTORIAN PRINCIPALS ASSOCIATION INCORPORATED or any successor to either of those bodies whatever name called; and
 - (iii) such other bodies as may be approved by the Federal Council by a resolution for the purposes of this Rule in respect of a sector or sectors.
- (b) Federal Council may enter into an agreement with an Associated Body whereby persons can be members of the Associated Body and the Federation, sign a joint application form for membership of an Associated Body and the Federation which application form makes clear to the applicant for membership that it is an application for membership of both the Associated Body and the Federation, make payments of one subscription to the Associated Body which subscription will be a subscription to both the Associated Body and the Federation, and whereby the Federation may receive payment from the Associated Body of or from the subscription paid to the Associated Body, and enter into all necessary arrangements consequent thereto or otherwise consistent with these rules.

- (c) During the currency of any agreement made pursuant to sub-paragraph (b) of this rule, the following shall apply:
 - (i) Applicants for membership of both the Associated Body and the Federation can apply for membership on a form approved by Branch Council which form is an application for membership of an Associated Body and an application for membership of the Federation provided it is clear on the face of the application for membership that the applicant is an applicant for membership of the Federation and for membership of the Associated Body and the applicant is able to choose not to join one or other of the Associated Body or the Federation.
 - (ii) Payment of a membership subscription to the Associated Body prescribed by the rules of the Associated Body being a subscription no less than the subscription prescribed by the rules of the Federation will constitute payment of the membership subscription due to the Federation in accordance with its rules and a member shall be required to make only one membership subscription to have financial membership of both the Associated Body and the Federation.
 - (iii) The Associated Body will make agreed monthly payments to the Federation of some or all of the subscriptions received by the Associated Body in accordance with this rule.
- (d) For the purposes of Rule 6, each member who is a member pursuant to the provisions of this rule and who is a member of the Associated Body the Victorian Association of State Secondary Principals' Incorporated, shall be allocated to the secondary sector and each member pursuant to this rule and who is a member of the Associated Body the Victorian Principals' Association Incorporated, shall be a member of the primary sector.
- (e) A member of an associated body approved by the Federal Council for the purposes of this Rule shall be allocated to the relevant sector identified by the Federal Council in respect of that associated body and class of members.
- (f) In the event of the termination of an agreement made in accordance with this rule, the Federation shall advise in writing all persons who are members pursuant to such agreement the following:
 - (i) The fact of such termination and its effective date;
 - (ii) The requirements of the rules regarding future payments of subscriptions and of the manner in which they may remain financial members of the Federation and the date being no less than two months from the cessation of payments, by which they will become unfinancial; and
 - (iii) That they will remain otherwise members of the Federation unless such members resign in accordance with the rules of the Federation.

7A. - Joint Membership Provisions – Branches and Associated Bodies

Notwithstanding any other provisions in these rules, the following provisions will apply to persons who are or persons who seek to become members of both an Associated Body and the Federation pursuant to an agreement between such Associated Body and the Federation through its Branch:

- (a) For the purposes of these rules “Associated Body” means:
 - (i) THE VICTORIAN ASSOCIATION OF STATE SECONDARY PRINCIPALS INCORPORATED;
 - (ii) THE VICTORIAN PRINCIPALS ASSOCIATION INCORPORATED or any successor to either of those bodies whatever name called; and
 - (iii) such other bodies as may be approved by a Branch Council by a resolution for the purposes of this Rule in respect of a sector or sectors.
- (b) A Branch Council may enter into an agreement with an Associated Body whereby persons can be members of the Associated Body and the Federation in the Branch which has entered into the agreement, sign a joint application form for membership of an Associated Body and the Federation in the Branch which has entered into the agreement which application form makes clear to the applicant for membership that it is an application for membership of both the Associated Body and the Federation, make payments of one subscription to the Associated Body which subscription will be a subscription to both the Associated Body and the Federation, and whereby the Branch may receive payment from the Associated Body of or from the subscription paid to the Associated Body, and enter into all necessary arrangements consequent thereto or otherwise consistent with these rules.
- (c) During the currency of any agreement made pursuant to sub-paragraph (b) of this rule, the following shall apply:
 - (i) Applicants for membership of both the Associated Body and the Federation can apply for membership on a form approved by a Branch Council which form is an application for membership of an Associated Body and an application for membership of the Federation in the Branch which has entered into the agreement provided it is clear on the face of the application for membership that the applicant is an applicant for membership of the Federation and for membership of the Associated Body and the applicant is able to choose not to join one or other of the Associated Body or the Federation.
 - (ii) Payment of a membership subscription to the Associated Body prescribed by the rules of the Associated Body being a subscription no less than the subscription prescribed by the rules of the Federation will constitute payment of the membership subscription due to the Federation in accordance with its rules and a member shall be required to make only one membership subscription to have financial membership of both the Associated Body and the Federation.
 - (iii) The Associated Body will make agreed monthly payments to the Branch of the Federation of some or all of the subscriptions received by the Associated Body in accordance with this rule.

- (d) For the purposes of Rule 6, each member who is a member pursuant to the provisions of this rule and who is a member of the Associated Body the Victorian Association of State Secondary Principals' Incorporated, shall be allocated to the secondary sector and each member pursuant to this rule and who is a member of the Associated Body the Victorian Principals' Association Incorporated, shall be a member of the primary sector.
- (e) A member of an associated body approved by the Branch Council for the purposes of this Rule shall be allocated to the relevant sector identified by the Branch Council in respect of that associated body and class of members.
- (f) In the event of the termination of an agreement made in accordance with this rule, the Branch shall advise in writing all persons who are members pursuant to such agreement the following:
 - (i) The fact of such termination and its effective date;
 - (ii) The requirements of the rules regarding future payments of subscriptions and of the manner in which they may remain financial members of the Federation and the date being no less than two months from the cessation of payments, by which they will become unfinancial; and
 - (iii) That they will remain otherwise members of the Federation unless such members resign in accordance with the rules of the Federation.

8. - Subscriptions

- (a) A member of the Federation shall pay to the Branch to which they are attached subscriptions as determined by the Federal Council from time to time. Annual subscriptions shall be due and payable on the first day of January in each calendar year in advance. The Branch Council may approve payment of subscriptions in instalments or by salary deduction or by transfer from an account at a financial institution.
- (b) The Branch Council may in special circumstances upon written application by a member waive subscriptions or arrears of subscriptions for a period of up to twelve months. Where the Branch Council has waived subscriptions or arrears of subscriptions, a member shall remain a financial member during the course of the period defined by the Branch Council as if that member had made payments throughout the period.
- (c) The Federal Council may fix a special subscription for a particular group or class of members for such period as is determined by the Federal Council having regard to the nature and level of services to be provided, the needs and circumstances of the group or class and such other matters as the Federal Council considers relevant.
- (d) A member may also pay subscriptions pursuant to a joint membership agreement of the kind referred to in Rule 5(f).

9. - Levies

Levies may be imposed on all members for the purpose of carrying out the objects of the Federation. The amount of any levies shall be decided by a majority of the Federal Council and when so decided shall be binding on all members and shall be paid to the Federation within such period as the Federal Council may determine.

10. - Unfinancial Members

- (a) A member owing annual subscriptions or levies for a period of two months after they first became due shall be unfinancial. Where a member who has elected to pay subscriptions by pay-roll deduction withdraws such pay-roll deduction, that member shall become unfinancial thirty days after such withdrawal of authority.
- (b) Should an employer refuse to make pay-roll deductions of subscriptions or levies, the Federation shall advise the member in writing of such refusal by the employer and extend to the member a period of three months grace after the annual subscription or levies first became due if at that time the subscription or levy remains owing, the member shall be unfinancial.
- (c) Where a member elects to pay subscriptions by transfer from a financial institution and such payments are not made, the President of the Branch to which the member is or was attached shall forthwith render to the member an account for the amount due and unpaid. Subscriptions shall be payable on the date the account is rendered and a member shall be unfinancial if the amount due and unpaid is not paid within the period of two months after the receipt of that account.
- (d) An unfinancial member shall not be entitled to:
 - (i) any of the rights or privileges of membership;
 - (ii) nominate for or hold any office or in any way participate in any ballot or election in the Federation; or
 - (iii) attend or speak or vote at any meetings of the Federation.
- (e) A member who has been exempted from payment of subscriptions in accordance with Rule 8(b) of these rules shall for the purposes of these rules retain continuity of membership and be financial but shall not, during the period of exemption, be eligible to nominate for or hold any office or in any way participate in any ballot or election in the Federation.
- (f) Notwithstanding any other provision in these rules a member who is a member of an industrial association with which the Federation has an agreement relating to membership and who applied for membership conformably with such an agreement shall be and remain a financial member of the Federation for so long as the industrial association pays to the Federation subscriptions on behalf of the member pursuant to such an agreement.

11. - Register of Members

- (a) Each Branch President shall be responsible for maintaining a Register of Members of their respective Branches. Such Register shall include:
 - (i) the full name of the member;
 - (ii) the full postal address of the member;
 - (iii) the date of admission of the member to the Federation;
 - (iv) any subscriptions levies and fines in arrears owing to the Federation by the member;
 - (v) the current employment location of the member;
 - (vi) the sector or sectors to which the member belongs.
- (b) The Register shall be kept up to date and available for production to any Officer of the Federation and to such other persons as may be authorised by the General Manager appointed under the Fair Work (Registered Organisations) Act 2009.

12. - Resignation from Membership

- (a) A member of the Federation may resign from membership by written notice addressed and delivered to the President of the Branch to which the member is or was attached.
- (b) A notice of resignation from membership of the Federation takes effect:
 - (i) where the member ceases to be eligible to become a member of the Federation
 - (a) on the day on which the notice is received by the Federation; or
 - (b) on the day specified in the notice, which is a day not earlier than the day when the member ceases to be eligible to become a member;whichever is later; or
 - (ii) in any other case:
 - (a) at the end of two weeks after the notice is received by the Federation; or
 - (b) on the day specified in the notice;whichever is the later.
- (c) Any dues payable put not paid by a former member of the Federation, in relation to a period before the member's resignation took effect, may be sued for and recovered in the name of the Federation in a court of competent jurisdiction, as a debt to the Federation.

- (d) A notice delivered to the Branch President shall be taken to have been received by the Federation when it was delivered.
- (e) A notice of resignation that has been received by the Federation is not invalid because it was not addressed and delivered in accordance with sub-section (a).
- (f) A resignation from membership of the Federation is valid even if it is not effected in accordance with this section if the member is informed in writing by or on behalf of the Federation that the resignation has been accepted.
- (g) Legal proceedings for the recovery of an amount payable by a person in relation to the person's membership of the Federation must not be commenced after the end of the period of twelve months starting on the day on which the amount becomes payable.
- (h) The amount ceases to be payable at the end of the period if legal proceedings to recover the amount have not been commenced by then.

13. - Termination of Membership

- (a) A member shall cease to be a member when:
 - (i) the member dies;
 - (ii) on the date a member's resignation takes effect as provided for in Rule 12;
 - (iii) a member being unfinancial in accordance with these rules has been given fourteen days' notice in writing to that member's last address shown on the register of members by the President of the Branch to which the member is or was attached of intention to terminate membership where the member fails to respond within that time by payment of all outstanding subscriptions, fees and levies; or
 - (iv) is expelled from the Federation in accordance with the provisions of Rule 41.
- (b) The Branch President shall notify each person whose membership is terminated in accordance with sub-rule 13(a)(iii) of this Rule of the termination of their membership stating the date of termination, the reason for the termination and the amount and nature of the debts owing to the Federation. The notification shall be made by certified mail to the last known address of the member as shown in the register.
- (c) In the event that a member has not paid the amount of dues required in relation to her or his membership and a continuous period of 24 months has elapsed since the amount became payable and the member's name has not already been removed from the Register of members then that member's name and postal address must be removed from the Register within 12 months after the end of the 24 month continuous period.

14. - Rule Book

Each member shall be supplied with a copy of the Registered Rules of the Federation upon application to the President of the Branch to which the member is attached.

15. – Federal Officers of the Federation

- (a) The Federal Officers of the Federation shall be the Federal President, Federal Senior Vice President, Federal Junior Vice President and Federal Treasurer. Such officers shall form the Federal Executive of the Federation. The Federal President and Federal Junior Vice President shall come from the opposite sector to the Federal Senior Vice President and Federal Treasurer.
- (b) At least one member of the Federal Executive shall be a member from the Western Australian Branch.
- (c) The Federal Officers of the Federation shall be elected by and from the Federal Electoral College. The electoral college shall meet for the purpose of electing the Federal Officers within one month of its election. The Federal Officers shall take up office from 1 January in the year following their election and shall hold office for a period of 3 years or until a successor has been elected and takes up office. A nominee for the position of any Federal Officer of the Federation shall be financial at the date of his/her nomination.

16. – Federal Executive

- (a) The Federal Executive shall conduct the affairs of the Federation between meetings of the Federal Council subject to these rules and the decisions of Federal Council and be the committee of management of the Federation. The Federal Executive shall have all the powers of the Federal Council except the power to make, add to, rescind or otherwise amend the rules of the Federation or to rescind or otherwise amend resolutions of Federal Council. The Federal Executive shall have the power and authority to lodge or file any claims, demands, disputes or other matters in the Australian Industrial Relations Commission or such other court or body as it may be necessary to file or lodge the same for determination.
- (b) The Federal Executive shall meet at least every 3 months at a time determined by the majority of the members of the Federal Executive at the preceding meeting of the Federal Executive or at a time determined by the Federal President.

17. – Federal Council

- (a) The Federal Council shall consist of not fewer than three Federal Councillors elected by and from the membership of each branch together with one extra Federal Councillor for each five hundred financial members of each Branch to be elected by and from the members of each Branch. Subject to this Rule there shall be an equal number of Federal Councillors elected from each of the primary and secondary sector in each Branch. Any remaining position shall be filled by a Federal Councillor from the sector to which the majority of the members of the Branch are attached.
- (b) Subject to these rules the Federal Council shall be the supreme governing body of the Federation and have the management and control of the affairs of the Federation and without limiting the generality of these powers, shall in particular have power to:
 - (i) to determine and direct the policy of the Federation;
 - (ii) to make, add to, amend rescind and/or otherwise alter these Rules;
 - (iii) to fix the remuneration and terms and conditions of employment of any Federal Officer who is also an employee of the Federation;
 - (iv) to appoint and remove such staff as it deems necessary and to fix the remuneration and terms and conditions of employment of those staff;
 - (v) to resolve that the Federation affiliate with any other organisation or body;
- (vi) to call general meetings of members as necessary;
- (vii) to appoint an national auditor;
- (viii) to delegate its authority on any matter to the Executive other than this power of delegation;
- (ix) to direct the movement of the funds of the Federal Council;
- (x) to interpret these rules;
- (xi) to direct the investment of the funds of the Federal Council;
- (xii) to dispose of or transfer any of the funds of the Federal Council or any securities in which the funds of the Federal Council have been invested;
- (xiii) to establish any committees or sub committees as it may from time to time determine provided that any such committee or sub committee shall not exercise any executive powers but shall have and exercise only advisory powers.
- (c) All decisions of the Federal Council shall be final and shall remain in force unless and until varied, amended or rescinded by it or by a plebiscite of members of the Federation.

- (d)
 - (i) The Federal Council shall meet at least annually at such time as resolved by the Federal Council (the annual meeting).
 - (ii) Special meetings of the Federal Council shall be held by resolution of the Federal Council or by decision of the Federal President in conjunction with the Vice Presidents.
 - (iii) At least one month's notice of the annual meeting shall be given to each member of the Federal Council and 7 days notice for a special meeting of the Federal Council.
 - (iv) A quorum for Federal Council shall be one half plus one of the members eligible to attend.
 - (v) Unless a Branch has paid all moneys owing to the Federal Council that Branch shall forfeit the right to representation on the Federal Council unless Federal Council determines otherwise whilst assembled in meeting.
- (e) Special meetings of Federal Council shall be held by resolution of Federal Council or by a decision of the President in conjunction with the Vice President.
- (f) The President shall give at least seven days notice of a special meeting of Federal Council.
- (g) Not less than 60 days prior to the annual meeting of the Federal Council the Federal President shall invite each member of Federal Council and each Branch to submit items for the agenda. Any items to be submitted for the agenda are to be submitted to the Federal President not less than 21 days prior to the annual meeting of Federal Council. An agenda will be forwarded by the Federal President not less than 14 days prior to the meeting. Federal Council may consider items which have not been placed on the agenda provided that a majority of the members present at the annual meeting of Federal Council agree.

17A. - Duties of the Federal Officers and Federal Council Members

In addition to the duties conferred elsewhere by the rules the Federal Officers shall attend all meetings of the Federal Executive and Federal Council, all members of the Federal Council shall attend all meetings of the Federal Council and all such persons shall otherwise carry out the resolutions of the Federal Council and Federal Executive.

18. - General Meetings

- (a) Federal Council and Federal Executive of the Federation may call a General Meeting of members of the Federation as necessary.
- (b) A Special General Meeting must be called by the Federal President at the request of not less than fifty financial members. A request from members for a Special General Meeting shall state the business to be discussed at the meeting.
- (c) The Federal President shall give at least five working days notice of the time, place and agenda of a General Meeting by written notice sent to each member or by email communication to each member or by notice published on the Federation website to all members who have access to that website.
- (d) The quorum for a General Meeting other than the Annual General Meeting shall be one hundred members, at least twenty five of whom must be members from each sector. The quorum for the Annual General Meeting shall be fifteen.
- (e) A Special General Meeting shall not be competent to deal with any matters other than the reason set out in the petition of members or the notification of such meeting as given by Federal Council or Federal Executive.
- (f) A Special General Meeting must be held within fourteen days following the receipt of the petition of members calling for the meeting.

18A. - General Meetings – Financial Reports

- (a) The Federal President shall summon a General Meeting of members of the Federation upon receipt of a written request signed by no less than 5% of the membership of the Federation calling for a General Meeting for the purpose of considering the auditor's report, the general purpose financial report and the operating report.
- (b) A General Meeting of members of the Federation called pursuant to this rule may be conducted as a series of meetings held at different locations.
- (c) The Federal President shall give 28 days notice to the members of the Federation of any General Meeting called pursuant to this rule.
- (d) The Federal President shall give notice of any General Meeting to be conducted pursuant to this rule by written notice sent to each member or by e-mail communication to each member or by notice published on the Federation website to all members who have access to that website.
- (e) A General Meeting conducted pursuant to this rule is taken to have been completed at the time of the last of the meetings in any series of meetings.
- (f) All decisions in a meeting called in accordance with the rule shall be taken by a show of hands except where a resolution is carried which determines to submit the question to secret ballot.

Attendance at a General Meetings conducted under this rule shall be recorded and such attendance record shall be used to ensure that each member records only one vote.

19. - Annual General Meeting

- (a) The Annual General Meeting of the Federation shall be held each year before the end of November on a date and at a time and at a place to be determined by Federal Council or Federal Executive. The Annual Meeting may be held in conjunction with a Federal Council meeting or a General meeting. The President shall give notice of the Annual Meeting by written notice sent to each member or by email communicating to each member or by notice published on the Federation website to all members who have access to that website, not less than 4 weeks prior to the Annual Meeting. Any financial member may attend the Annual General Meeting.
- (b) The Agenda for the Annual General Meeting shall be:
 - (i) reports on membership and activities for the year;
 - (ii) audited annual financial report;
 - (iii) financial reports for current calendar year;
 - (iv) other business of which notice has been given

19A. - Meetings

- (a) Any meeting of the Federation may be conducted by means of telephone, radio, video – conferencing or any other method by which members are able to communicate with each other without being physically present.
- (b) Minute books shall be kept by the Federation and each Branch in which are recorded proceedings and resolutions of meetings of the committee of management of the Federation or Branch as the case may be.

20. - Fares and Expenses

Federal Council shall determine from time to time the fares and expenses to be paid to or on behalf of members of Federal Council and Federal Executive when attending meetings of Federal Council or Federal Executive or when attending to the business of the Federation. Such fares and expenses shall be paid out of the Federal funds of the Federation.

20A. - Federal Electoral College

- (a) There shall be a Federal Electoral College constituted by persons declared elected as Federal Councillors.
- (b) Members of the Federal Electoral College shall hold office as members of the Federal Electoral College until the declaration of the next election of Federal Councillors (excluding any election to fill any casual vacancies).

21. - Elections for Federal Council

- (a) The provisions of this rule shall apply to the election for Federal Council members other than the Federal Officers.
- (b)
 - (i) The Federal Councillors from Victoria shall be elected by secret postal ballot by and from financial members of the Victorian Branch;
 - (ii) The Federal Councillors from Western Australia shall be elected by secret postal ballot by and from the financial members of the Western Australian Branch;
 - (iii) All Councillors shall take office from January 1 in the year following their election and shall hold office for a period of 3 years or until a successor thereto has been elected.
- (c) A nominee for any office in the federation must be a financial member of the Federation at the date of his/her nomination.
- (d) At its first meeting after its election, Federal Council shall appoint a Federal Returning Officer for the conduct of any election of Federal Council members, of the Federal Electoral College and of Federal Officers of the Federation and for the conduct of any national plebiscite as may be necessary. The duly appointed Federal Returning officer shall hold office until a successor is duly appointed.
 - (i) A Returning Officer need not be a member of the Federation; and
 - (ii) in any event shall not be the holder of any office in or an employee of the Federation.
 - (iii) The Returning Officer shall have the power to appoint such assistants as he/she deems necessary provided that such assistants shall at all times be subject to the absolute control and direction of the Returning Officer.
- (e)
 - (i) The Federal Returning Officer shall call for nominations for Federal Council Members not later than 1 September by circular posted, emailed or faxed to all eligible members of the Federation specifying the dates, times, places and postal addresses for the receipt of nominations by the Returning Officer.
 - (ii) Nominations shall close twenty-one days after they are called.
 - (iii) All candidates must be nominated in writing by two financial members of the Federation. The nomination shall be signed by the candidate nominated and the nominators. Nominations must be received by the Federal Returning Officer at the address provided for the receipt of nominations by the Returning Officer by 5.00 p.m. on the day on which nominations close. The Returning Officer is to determine the method of receipt of nominations taking account of the most efficient and effective way.
 - (iv) The Federal Returning Officer shall check the nominations received for compliance with the requirements of these rules and shall reject any that do not so comply; provided that in the event of his/her finding a defect in the nomination, he/she before rejecting such nomination notify the person concerned of the defect and where possible, give him/her the opportunity to remedy the defect within seven days of his/her having been so notified.
 - (v) If there are no more nominations than there are vacancies for a position, he/she shall declare the nominated person(s) elected to the position(s).

- (vi) If more nominations are received than there are vacancies for a position, he/she shall have ballot papers printed and delivered to him/her containing the names of the candidates for each position in order determined by lot, indicating the number to be elected to each position, the manner in which votes shall be recorded. The ballot shall open no later than four weeks after the close of nominations and shall close twenty-one days thereafter.
- (vii) He/she shall be responsible for the safe custody of the ballot papers.
- (viii) He/she shall obtain from the printers a certificate of the number of ballot papers printed.
- (ix) He/She shall forward by prepaid post:
 - A. a ballot paper;
 - B. a declaration envelope in the form prescribed by the Fair Work (Registered Organisations) Regulations;
 - C. another envelope in the form prescribed by the Fair Work (Registered Organisations) Regulations; and provide facilities for the return of the completed ballot paper by post by the voter without expense to the voter.
- (x) He/she shall arrange for the use of a post office box or other receptacle to which ballot papers may be returned to him/her and after the closing of the ballot he/she shall collect the ballot papers from the box or receptacle in the presence of scrutineers at the appointed time and place.
- (xi) Upon collecting the same, he/she shall, in the presence of the scrutineers (if so requested) count all the votes cast and subject to sub clause (xii) of this clause, declare the result of the ballot.
- (xii) In the event of a tie occurring the result shall be determined by the Returning Officer drawing lots provided that if one of the tied candidates is a retiring office holder from the position subject of the ballot, he/she shall be declared elected. Tied candidates shall be entitled to be present at the drawing of lots in person or by scrutineer appointed in writing for that purpose.
- (xiii) The Returning Officer shall declare the result of the election by giving notice of the result in writing to the next meeting of Council. The Returning Officer shall, at the same time and in the same manner as the Returning Officer declares the result of the election, declare the following information in relation to the ballot:
 - a) the total number of persons on the roll of voters;
 - b) the total number of ballot papers issued;
 - c) the total number of envelopes that were returned undelivered by the closing date of the ballot (if applicable);
 - d) the total number of ballot papers received by the Returning Officer;
 - e) the total number of ballot papers rejected as informal.

- (xiv) The system of voting in any election conducted pursuant to these rules shall be the first past the post system.
- (xv) The roll of voters for any election to be conducted in accordance with this rule is to be closed 7 days before the day on which nominations for the election open.
- (f) Any candidate may if he/she so desires appoint a scrutineer who is a financial member of the Federation to represent him/her at the ballot. The candidate appointing the scrutineer shall before the closing of the ballot, notify the Returning Officer in writing of the name of the scrutineer. Such scrutineer shall:
 - (i) be entitled to be present throughout the ballot and may query the inclusion or exclusion of any vote in the count but the Returning Officer shall have the final determination of any votes or queries;
 - (ii) not be entitled to remove, mark, alter or deface any ballot paper or other document used in connection with the election;
 - (iii) not interfere with or attempt to influence any member at the time such member is casting his/her vote.
- (g) A voter shall record his/her votes by marking sequential numbers on the ballot paper, commencing with the number 1 in the squares opposite the names of the candidates so as to indicate the order of the voter's preference, provided that failure by a voter to mark a preference beyond the number of candidates to be elected shall not invalidate the vote of that voter.
- (h) Notwithstanding matters elsewhere contained in these rules to the extent required by law elections for Federal Council, the Federal Electoral College and Federal Officers shall be conducted by the Australian Electoral Commission in accordance with these rules.

21A. - Election for Federal Officers

- (a) The provisions of this rule shall apply to the election of Federal Officers.
- (b) The Federal Officers shall be elected by the members of the Federal Electoral College by secret ballot from among the members of the Federal Electoral College eligible to hold such office or position by ballot commencing at the first meeting of the Federal Electoral College after the declaration of the election of the ballot referred to in the preceding rule. The Federal Electoral College shall meet within one month of the said declaration. The Federal President shall be responsible for calling and convening the meeting of the Federal Electoral College by giving each of the members of the Federal Electoral College not less than 7 days notice in writing of the meeting.
- (c) **[VACANT]**
- (d) The term of office of the Federal Officers and members of the Federal Executive shall be three years or until their successors have been elected.
- (e) **[VACANT]**

- (f) (i) The Federal Returning Officer (unless such elections are conducted by an employee of the Australian Electoral Commission in accordance with law) shall at the commencement of the meeting of the Federal Electoral College at which the Federal Officers are to be elected, call for nominations;
- (ii) Candidates must be nominated in writing by 2 members of the Federal Electoral College and the nomination shall be signed by the candidate nominated and the nominators;
- (iii) The Federal Returning Officer shall check the nominations received for compliance with the requirements of the rules and shall reject any that do not so comply;
- (iv) Provided that in the event of the Federal Returning Officer finding a defect in the nomination, the Federal Returning Officer before rejecting such nomination shall advise the person concerned of the defect and where possible give the nominee the opportunity to remedy the defect immediately;
- (v) If there are no more nominations then there are vacancies for a position the Federal Returning Officer shall declare the nominated person(s) elected to the position(s);
- (vi) If more nominations are received than there are vacancies for a position the Federal Returning Officer shall prepare ballot papers containing the names of the candidates for each position in an order to be determined by lot, and the manner in which votes shall be recorded.
- (vii) The Federal Returning Officer shall be responsible for the safe custody of the ballot papers;
- (viii) Subject to sub rule (ix) hereof the Federal Returning Officer shall provide to each member of the Federal Electoral College a ballot paper, shall make such arrangements as she/he considers necessary to enable each member of Federal Electoral College to mark their paper free from observation and shall arrange for the return by each member of Federal Electoral College of ballot papers to a box or receptacle. If, pursuant to sub rule (ix) hereof an absentee member has requested an absentee ballot the Federal Returning Officer shall provide members of the Federal Electoral College present at the meeting:
 - (a) a ballot paper naming the candidates in the election;
 - (b) a declaration and envelope in the form prescribed by the Fair Work (Registered Organisations) Regulations;

- (ix) A member of the Federal Electoral College who is unable to attend a meeting of the Federal Electoral College (absentee member) may request, in writing prior to the relevant meeting, that the Federal Returning Officer provide them with a ballot paper (absentee ballot). Upon such a request the Returning Officer shall, within 7 days following the Federal Electoral College meeting, provide (and record the date of the provision thereof) a ballot paper by delivering the same in person or by forwarding by prepaid post. The Returning Officer shall provide by either means:
 - (a) a ballot paper naming the candidates in the election;
 - (b) a declaration and envelope in the form prescribed by the Fair Work (Registered Organisations) Regulations;
 - (c) another envelope in the form prescribed by the Fair Work (Registered Organisations) Regulations; and
 - (d) provide facilities for the return of the absentee ballot paper by post by the member without expense to the member. The absentee member must return the ballot paper within **3 weeks** of receipt thereof. If the Returning Officer has provided the ballot paper by sending it prepaid post the date of receipt thereof shall be deemed the next working day after postage. If the absentee member returns the absentee ballot paper by prepaid post the Returning Officer shall be deemed to have received it the next working day after postage.
- (x) Following the return of the ballot papers or at the expiration of 3 weeks after the receipt of the last absentee ballot provided to an absentee member, whichever earlier occurs, the Federal Returning Officer shall, in the presence of the scrutineers (if so requested) count all the votes cast and declare the result of the ballot;
- (xi) In the event of a tie occurring the result shall be determined by the Federal Returning Officer drawing lots in the presence of the tied candidates providing that if one of the tied candidates is a retiring office holder from the position the subject of the ballot concerned he or she shall be declared elected;
- (g) The system of voting in an election conducted pursuant to this rule shall be the first past the post system. A separate election shall be held for each Federal office position in the following order:
 - (i) President;
 - (ii) Senior Vice-President;
 - (iii) Junior Vice-President;
 - (iv) Treasurer;
- (h) Any candidate may if he or she so desires appoint a scrutineer who is a member of the Federal Electoral College to represent him or her at the ballot. Rule 21(f) shall apply with the necessary changes to scrutineers in respect of elections under this rule.

- (i) Rule 21(g) shall apply to elections under this rule.
- (j) The Federal Officers on being declared elected shall take office in accordance with sub-rules 15(a) and 15(c).
- (k) Voting by proxy in an election by Federal Electoral College for the Federal Officers in the Federation shall not be permitted.

21B. - Absentee Voting

In any election in the Federation, other than elections for the Federal Officers and Branch Executive Members, if a person entitled to receive a ballot paper is absent or likely to be absent from the address appearing for that person on the roll of voters, that person may, by notice in writing delivered to the Federal Returning Officer or Branch Returning Officer (as may be appropriate) prior to the opening of the ballot, advise the relevant Returning Officer of the address to which such a ballot paper is to be forwarded, and each shall be forwarded accordingly.

22. - Casual Vacancies

- (a) A casual vacancy shall occur in any Federal office including that of Federal Councillor, where the holder of the office dies, resigns, is removed from office, or ceases to hold office, in accordance with the rules.
- (b) Where a casual vacancy occurs and the unexpired portion of the term of office is more than twelve months, the vacancy shall be filled by election in accordance with Rule 21 or Rule 21A as may be applicable.
- (c) Where a casual vacancy occurs and the unexpired portion of the terms of office is less than twelve months, the Federal Executive may appoint by resolution an eligible member to the office for such unexpired portion of the term.

23. - Federal President

The Federal President shall

- (a) be the registered officer of the Federation to sue and be sued on its behalf;
- (b) be the public spokesperson for the Federation in all matters on which a statement of the policy or opinion of the Federation is sought;
- (c) summon by notice in writing to each member and attend, unless excused, all meetings of Federal Council, Federal Executive and keep or cause to be kept minutes of the same;
- (d) preside at all meetings of Federal Council, Federal Executive and at all General Meetings of the Federation, at all meetings of the Federal Electoral College and preserve order;
- (e) in respect of the business of Federal Council and Federal Executive and as otherwise required by law the Federal President shall:
 - (i) answer and file all correspondence;
 - (ii) keep or cause to be kept the records required to be kept by an organisation pursuant to the provisions of the Fair Work (Registered Organisations) Act 2009 as amended from time to time;
 - (iii) lodge and file with and furnish to the Industrial Registrar all such documents as are required to be lodged, filed or furnished under the Act at the prescribed times and in the prescribed manner;
 - (iv) issue or cause to be issued proper receipts for all monies received by or on behalf of the Federation;
 - (v) receive all monies on behalf of the Federation and pay the same within seven days into such financial institution as Federal Council may direct to the credit of the Federation and enter in a book kept for the purpose particulars of all amounts so received and paid;
 - (vi) assist the Treasurer draw up a report and balance sheet each financial year and forward copy of same to each member of Federal Council within three months of the end of the financial year to which it relates;
 - (vii) submit his/her books, accounts and receipts annually or as often as may be required by Federal Council to the auditors and give them such assistance as they may require in the audit;
 - (viii) be responsible for the books, records, property and monies of the Federation and within 48 hours of receiving a request from Federal Council to do so, deliver to Federal Council such books, records, property and monies;
- (f) take all reasonable steps to increase membership of the Federation;
- (g) be ex-officio member of all committees of Federal Council;
- (h) carry out such other duties as Federal Council or Federal Executive may from time to time assign.

24. - Federal Vice Presidents

- (a) The Federal Senior Vice President and the Federal Junior Vice President, subject to the direction of the Federal President, shall assist the Federal President in the execution of his/her duties and when requested by the Federal President shall carry out such functions of the Federal President in his/her absence as the Federal President authorises in writing.
- (b) In the absence of the Federal President, the Federal Senior Vice President shall preside over all meetings of the Federation otherwise presided over by the Federal President and when so doing shall exercise all the powers and functions of the Federal President. In the absence of the Federal President and the Federal Senior Vice President the Federal Junior Vice President shall preside over meetings of the Federal Council or Federal Executive or any meeting held by a decision of the Federal Council and when so doing shall exercise all the powers and functions of the Federal President.
- (c) In the event that the Federal President and the Federal Senior Vice President are both absent from a meeting the Federal Junior Vice President shall preside over such meetings and when so doing shall exercise all the powers and functions of the Federal President.

25. - Federal Treasurer

In respect of the business of the Federal Council and Federal Executive and as otherwise required by law the Federal Treasurer shall:

- (a) keep or cause to be kept in appropriate books of account a correct statement of all monies received and expended by or on behalf of the Federation;
- (b) submit to Federal Council all accounts for payment with his/her recommendations and make all authorised payments from the funds of the Federation, such payments to be made by cheque to be signed by any two members of the Federal Executive;
- (c) prepare and submit to each meeting of Federal Council an up to date financial statement and when called upon to do so by the Federal President or Federal Council or Federal Executive, produce all relevant books in support of the same;
- (d) prepare and draw up an annual balance sheet and statement of accounts and sign same;
- (e) submit the books of the Federation, accounts and receipts annually or as often as may be required or directed by Federal Council to the Auditor;
- (f) sit, if required, with the Auditor when he/she is auditing the books and give him/her as much assistance as he/she may require; and

Provided always that the Federal Treasurer may depute the Federal President or a member of a recognised Institute of Accountants approved by the Federal Council to keep the books of the Federation, in which event he/she shall remain responsible for the supervision of their preparation and their accuracy.

26. - Federal Auditor

The Federal Auditor shall:

- (a) be appointed annually by Federal Council;
- (b) be a competent person within the meaning of the Act and the Regulations;
- (c) perform such functions and duties as are prescribed by the Act and the Regulations and such other functions and duties not inconsistent with the Act and the Regulations as are required by Federal Council or Federal Executive;
- (d) have access to and examine if desired all books, papers, deeds, documents and accounts of the Federal Council and Federal Executive and be empowered to question any office bearer or officer or employee of the Federation with regard to same and to obtain from any financial institution at which the funds of the Federation are deposited such information as he/she requires;
- (e) have power to place before Federal Council any suggestions he/she may wish to make concerning the financial affairs of the Federation .

27. - Funds and Property

- (a) The funds of the Federation shall be divided into:
 - (i) the funds which are allocated to and belong to the Federal Council;
 - (ii) the funds which are allocated to and belong to the Branches.
- (b) There shall be allocated to and belong to the Federal Council:
 - (i) any real or personal property of which the Federal Council or Federal Executive of the Federation by these Rules or by any established practice not inconsistent with these Rules, has, or in the absence of any limited term lease bailment or arrangement would have the right of custody, control or management;
 - (ii) moneys received from each Branch as capitation fees;
 - (iii) any interest, rents, dividends or other income derived from the investment or use of such funds or property;
 - (iv) any superannuation or long service leave or other fund operated or controlled by the Federation as a whole in accordance with these Rules for the benefit of its officers or employees;
 - (v) any sick pay fund, accident pay fund, funeral fund, legal assistance fund or other like fund operated by the Federation as a whole in accordance with these Rules for the benefit of its members;

- (vi) any property acquired wholly or mainly by expenditure of the monies of such funds and property derived from other assets of such funds and property;
 - (vi) the proceeds of any disposal of parts of such funds and property;
 - (vii) levies raised pursuant to Rule 9; and
 - (viii) moneys received by the Federal Council from any other sources.
- (c) The funds and property which are allocated to and belong to the Federation shall be controlled by Federal Council. Subject to that control, Federal Executive shall have the power to expend the funds of the Federation for the purposes of carrying out the objects of the Federation. For the expenditure of the funds of the Federation on the general administration of the Federation and for purposes reasonably incidental to the general administration of the Federation, the prior authority of Federal Council shall not be necessary before cheques are signed or accounts paid.
- (d) The financial year of the Federation shall end on the 30th day of June in each year.
- (e) There shall be allocated to and belong to each Branch:
 - (i) subscriptions received by the Branch after deducting therefrom the capitation fee referred to in sub-rule 27(b) of this Rule;
 - (ii) levies imposed by Branch;
 - (iii) interest on investments made by Branch;
 - (iv) moneys received by the Branch from any other source.
- (f) The Federal Council and each Branch Council shall nominate the bank through which its financial matters are contracted.

27A - Capitation Fees

- (a) Each Branch shall pay to the Federal Council a capitation fee in respect of its financial members of an amount determined by the Federal Council from time to time.
- (b) Each Branch shall furnish a return specifying the number of financial members in the Branch as at 31 December each year.
- (c) The capitation fee payable by each Branch in respect of each of its members shall not be altered without the consent of the Federal Council.
- (d) Notwithstanding any other provision in the Rules payment of capitation fees to the Federal Council shall be a first charge on all Branch funds other than those specially raised for specific purposes.
- (e) Each Branch President shall furnish to the Federal President the return of members referred to in sub-rule 27A(b) no later than 31 January in each year.
- (f) The Federal President shall notify each Branch President not later than 1 April in each year the total amount of the annual capitation fees payable by the Branch to Federal Council for the period beginning on 1 July of that year:
 - (i) the said annual capitation fee shall be paid at intervals of no less than 3 months by each Branch to the Federal Council in four equal instalments. Such payments to be made no later than the dates to be determined by Federal Council from time to time;
 - (ii) notwithstanding the foregoing sub-rule Branches wishing to do so may pay in monthly instalments if so desired providing that full quarterly payments are made by the dates determined in accordance with the foregoing sub-rule.
- (g) Each Branch President shall forward to the Federal President the amount of the said instalments by the dates determined by Federal Council pursuant to sub-rule 27.A(f)(i).
- (h) Notwithstanding any other provision of the Rules:
 - (i) no Branch Council or other body within a Branch and no Branch Officer has the power to direct a Branch President not to make the payment of capitation fees due to the Federal Council nor to direct the Branch President, Treasurer or other relevant officer not to sign the necessary cheque therefore;
 - (ii) where a Branch President fails to make any of the payments to the Federal Council substantially in the manner set out in this Rule the Branch concerned shall forfeit the right to representation on the Federal Council unless Federal Council determines otherwise whilst assembled in a meeting.

28. - Removal of Officers

- (a) A Federal Officer of the Federation or a member of Federal Council may be removed from office if Federal Council by a majority resolution of members voting finds the Federal Officer or Federal Councillor guilty of misappropriation of the funds of the Federation, a substantial breach of the Rules of the Federation, gross misbehaviour or gross neglect of duty or finds that he/she has ceased to be eligible, according to these Rules to hold office.
- (b) Such person may be reported by any member under this Rule. Any report shall be in writing and shall be forwarded to the Federal President who shall notify the person reported of the details of the report.
- (c) The person reported shall be given not less than fourteen days notice in writing of the time and place of the meeting at which the report is to be heard and determined and shall be entitled to attend such meetings and to be heard but not to vote thereat.
- (d) A person shall be ineligible to hold office in the Federation if he/she ceases to be a financial member of the Federation.

28A. – Expenditure Policies

The Federation and each of its Branches shall develop and implement policies relating to the expenditure of the Federation or Branch as the case may be.

29. - Arbitration Proceedings and Industrial Agreements

- (a) Federal Council or Federal Executive shall have the power and authority to lodge or file any claims, demands, disputes or other matters with the Australian Industrial Relations Commission or such other court or body as it may be necessary to file or lodge the same for determination.
- (b) The Federal President or in his/her absence the Federal Senior Vice President and in his/her absence the Federal Junior Vice President shall have the discretionary power to lodge or file any claim, demands, disputes or other matters provided that any use of such discretionary power shall be ratified by Federal Council or Federal Executive at its first meeting after such discretion is exercised.
- (c) The Federal President or any other officer determined by the Federal Council shall be the officer(s) authorised to sign any claims, demands, disputes or other matters on behalf of Federal Council or Federal Executive.
- (d) The Federation may be represented at the hearing of any such claim, demand, dispute or matter by the Federal President or by any other officer or person as the Federal Council or Federal Executive may decide.
- (e) Federal Council shall have the power and authority to negotiate and enter into industrial agreements. Such agreements may be signed for or on behalf of the Federation by the Federal President.

30. - Voting

- (a) Voting at all meeting of Federal Council and Federal Executive and general meetings of members shall be by show of hands or by such other method determined by the Chair of the meeting by which the voting intention of each member can be ascertained, except as Federal Council shall decide otherwise.
- (b) In the event that a member of Federal Council or Federal Executive being for any reason or at any time unable to be present at any meeting of the same or unable to exercise his/her vote as a delegate under these rules;
 - (i) he/she may appoint in writing another member of Federal Council or Federal Executive as the case may be as his/her proxy to exercise his/her vote at such meeting;
 - (ii) At meetings of Federal Council and Federal Executive, the Chairperson shall have a deliberative and casting vote.

31. - Quorums

The quorum for any meeting of Federal Council or Federal Executive shall be one half of the persons entitled to attend and vote, provided that at least one member of each sector is present.

32. - National Plebiscite

- (a) A national plebiscite of all financial members of the Federation may be held for any purpose at the discretion of Federal Council or Federal Executive.
- (b) A national plebiscite must be held if required by a requisition in writing and signed by not less than five per cent of the financial members of the Federation.
- (c) Federal Council shall approve for issue with the ballot paper a fair summary of the arguments for and against the questions to be voted on in the national plebiscite.
- (d) Any such plebiscite shall be conducted by secret postal ballot and shall be under the absolute control and direction of the Federal Returning Officer appointed by Federal Council appointed for that purpose. The Federal Returning Officer shall:
 - (i) prepare ballot papers which shall contain the question to be voted on;
 - (ii) cause to be posted to each member entitled to vote in the plebiscite a ballot paper initialled by the Federal Returning Officer, together with a reply paid envelope addressed to the Federal Returning officer, the summary approved by Federal Council and such directions and instructions as may seem necessary for the conduct of the plebiscite;
 - (iii) determine the time and date for the closure of the ballot;
 - (iv) take such steps as are necessary to ensure that a result is correctly ascertained;
 - (v) report the result of the plebiscite to the first meeting of Federal Council after the conclusion of counting of the votes cast.
- (e) A simple majority decision of members voting shall be final and shall prevail over any contrary decision of Federal Council or Federal Executive.

33. - Inspection of Books

- (a) Any financial member of the Federation may, upon the giving the Federal President 72 hours notice of his/her wish to do so make such inspection of documents as required to be kept by the Fair Work (Registered Organisations) Act 2009, at a reasonable time during normal office hours.
- (b) Any written agreement pursuant to Rules 5, 7 and 7A shall be available for inspection by any member or applicant for membership upon written request to the Federal President.

34. - Dissolution

The Federation shall not be dissolved so long as there are at least 100 members. The question of dissolution shall be determined by plebiscite in accordance with these rules. The provisions of this Rule shall not apply to any amalgamation with any other trade union or organisation.

35. - Affiliation

The Federation may, by resolution of Federal Council, affiliate with any organisation or association.

36. - Loans, Grants and Donations

The Federal Council may not make any loan, grant or donation of any amount exceeding \$500 unless Federal Council is satisfied that the making of the loan, grant or donation would be in accordance with other Rules of the Federation and;

- (i) in relation to loans, the security proposed to be given for the repayment of the loan is adequate and the proposed arrangements for the repayment of the loan are satisfactory; and
- (ii) Federal Council has approved the making of the loan, grant or donation.

36A. - The Federation shall not seek or accept or authorise the receipt or acceptance of any loan, grant or other payment of money from any employer

- (a) The Federation shall not seek or accept or authorise the receipt or acceptance of any loan, grant or other payment of money from any employer of its members for itself or its use but this will not include money paid by an employer at the direction or request of an employee in respect of Federation membership fees or subscriptions.(b) Notwithstanding anything else in these Rules this Rule 36A shall not be rescinded or altered unless the requirements of Rule 37 have been satisfied and the Resolution so passed is approved by plebiscite of members conducted under Rule 32.

37. - Alteration of Rules

- (a) Federal Council shall have the power to make new Rules or to add to, amend, rescind or otherwise alter these Rules by resolution carried by a two thirds majority of the members voting at a meeting of the Federal Council.
- (b) Notice of any proposal for the making of a new Rule or for the adding to, amendment, rescission or other alteration of any of these Rules shall be given in writing to each member of Federal Council at least one month prior to the relevant meeting of Federal Council provided that any such proposal may itself be amended when being considered by the relevant meeting of Federal Council.

38. - Standing Orders and Rules of Debate

Federal Council shall determine from time to time the standing orders and rules of debate to apply to meetings of Federal Council, Federal Executive and general meetings of members. A copy of such standing orders and rules of debate shall be supplied by the Federal President to any financial member of the Federation who requests a copy.

39. - Legal Assistance Fund

The Federation may provide finance for legal assistance to members and finance challenges to Acts or proposed Acts or any other matters which Federal Council deems to be appropriate. Federal Council may establish guidelines for the provision of such assistance.

40. - Seal

- (a) The Federation shall have a common seal which shall be kept in the exclusive custody of the Federal President.
- (b) Any document not required by law to be under seal may be executed by the Federal President and another Federal Officer or in the absence of the Federal President any two Federal Officers.
- (c) Any document required by law to be under the seal shall be executed on behalf of the Federation by affixing the seal of the Federation thereto and by being signed by the Federal President.

41. - Discipline of Members

- (a) Any financial member of the Federation may charge another member in writing with:
 - (i) wilfully refusing to obey or breaching any of the rules of the Federation; or
 - (ii) wilfully refusing to obey a resolution carried by any meeting of the Council or the Executive;
 - (iii) defrauding or attempting to defraud the funds of the Federation.
- (b) Any charge shall be made in writing to the President.
- (c) The President shall notify the member of the nature of the complaint within 5 working days and the member shall have not less than 7 working days to provide a written response to the complaint.
- (d) The Executive of the Federation shall hear the charges, except an Executive member who is subject to a charge or charges may not sit on the Executive in considering the charges.
- (e) If the Executive intends to proceed to hear the matter, the member shall be called to appear before the Executive which will hear the complaint as it sees fit.

- (f) The Executive shall have power to determine the penalty which is to apply for any confirmed breach of discipline. If the Executive finds the member guilty of the charges it may do one or more of the following, keeping in mind the seriousness of the offence:
- (i) impose no penalty; or
 - (ii) issue a reprimand; or
 - (iii) expel the member from the Federation.

42. - Transitional Arrangements

- (a) (i) Notwithstanding anything provided elsewhere in these Rules, those persons who subscribe their names to the initial members list of the Federation at the meeting held on 13 February, 1998 shall be deemed to be financial members of the Federation from that date. Any eligible person who on or before 28 February, 1998 completes, signs and forwards to the Federation an application in the form approved by the meeting held on 13 February, 1998 shall become a financial member of the Federation from the date of receipt of such application.
- (ii) Persons admitted to financial membership of the Federation pursuant to (i) hereof, shall be treated as financial members of the Federation until such time as payment is due of the subscription (if any) which the Council determines shall be payable by members for the period from the commencement of membership until 1 January, 1999 provided that the Council shall so determine the subscription within three months of 13 February, 1998.
- (b) Notwithstanding anything provided elsewhere in these rules, the following persons shall hold the offices and positions specified next to their names and shall continue to hold such offices and positions in accordance with these rules until 1 January, 2000 or the election of their successors in accordance with these rules or until earlier resignation or removal from the office or position:

President:	Ian Linnett
Vice President:	Ray Heathcote
Treasurer:	Anne Coughlin
General Representative:	Deborah Patterson
Secondary Sector State wide Representative on Executive and Council elected by the Sector:	Ted Brierley
Primary Sector State wide Representative on Executive and Council elected by the Sector:	Janice Szmal
Secondary Sector Representative on Executive and Council elected by the Sector:	Harvey Wood
Primary Sector Representative on Executive and Council elected by the Sector:	Mal Corr

Barwon South West – secondary sector representative: Edna Russell

Barwon South West – primary sector representative: John Hayes

Central Highlands Wimmera – secondary sector representative: Ed Pearce

Central Highlands Wimmera – primary sector representative: Graham Ross

Eastern – secondary sector representative: Rod Martin

Eastern – primary sector representative: Nick Farley

Gippsland – secondary sector representative: Val Jones

Gippsland – primary sector representative: Henry Scholtes

Goulburn North East – secondary sector representative: Trevor Wickham

Goulburn North East – primary sector representative: Les Harrison

Loddon Campaspe Mallee – secondary sector representative: Geoff Ireland

Loddon Campaspe Mallee – primary sector representative: Richard Wood

Northern – secondary sector representative: Warren Thomas

Northern – primary sector representative: Terry Howard

Southern – secondary sector representative: Julie Podbury

Southern – primary sector representative: Michael Small

Western – secondary sector representative: Christine Anderson

Western – primary sector representative: Carol Castano

- (c) Elections for offices shall be held in 1999 in accordance with rule 21.
- (d) Casual vacancies occurring in any office shall be filled in accordance with rule 22.
- (e) The meeting held on 13 February, 1998 and the subsequent meeting called by that meeting to confirm the minutes of that meeting and to hear a report of progress shall be and be deemed to be validly called, quorate and validly conducted general meetings of the Federation and the business transacted by those meetings shall be deemed to be validly transacted for the purposes of these rules.

43. - Transitional Rule 2003 – 2004

- (a) This rule shall apply from the date of its approval under rule 37 until the rule alterations approved by the Council on 21 February 2003 in respect of rule 16, 17, 17A, 21 and 21A come into effect. (Note: the date of effect of those alterations was fixed by the Council for 1 September 2003 to permit the then current holders of office to serve the terms for which they were elected).
- (b) The membership of the Council provided for by rule 17 shall be increased as follows:
 - (i) One representative of the Western Australian members of the Federation elected by secret postal ballot of the Western Australian members, in accordance with rule 21(c), 21(e) to (i) inclusive, with the necessary changes. That representative shall take office within 60 days of 50 such members being admitted to membership;
 - (ii) A further one representative for each 100 Western Australian members in excess 50 members shall also be elected provided that the date for the calculation of membership in excess of 50 shall be at 1 June 2003 and the Representatives so elected shall take office from 1 August 2003;
 - (iii) The representatives elected under this sub-rule shall hold office until the taking of office of the member of the next Council.
- (c)
 - (i) The membership of the Executive provided for by rule 16 shall be increased by one representative of the Western Australian members of the Federation.
 - (ii) The Western Australian Representative on the Executive shall be the Western Australian member elected to the Council and in the event of more than one such representative the senior Representative.
 - (iii) For the purpose of this sub-rule the senior Western Australian Representative shall be the Representative first elected or, in the event all Western Australian Representatives to the Council are elected at the same election the Representative elected with the most votes.

44. - Branches

- (a) The membership of the Federation shall be formed into Branches in Victoria and Western Australia and in such other State or Territory as the Federal Council may determine from time to time and subject to these rules and the control and direction of the Federal Council the Branch shall be responsible for its own government. The members shall be attached to the Branch in the State or Territory in which they are employed. The Federal Executive shall resolve any dispute as to the Branch to which a member is attached.
- (b) Each Branch Council may constitute, dissolve or reform sub-branches, sections or groups (howsoever named) and determine or vary the offices, powers and duties of such bodies.
- (c) Subject to this Rule each Branch shall be governed by the Standard Branch Rules of these Rules. Each Branch Council shall subject to the Fair Work (Registered Organisations) Act 2009 and the Rules of the Federation have power to modify the standard Branch Rules in relation to that Branch. Any such modification shall not be inconsistent with any of the Rules of the Federation and shall be part of those Rules and shall form part of the standard Branch Rules of these Rules.

- (d) The Branch President of any Branch which modifies the application of the Standard Branch Rules in relation to that Branch shall within 7 days of the passing of the motion so modifying the standard Branch Rules file with the General Manager of the Fair Work Commission full particulars of the alteration in such form and manner that the General Manager is able to form an opinion whether or not the modification complies with and is not contrary to the provisions of the Act, of the Regulations made under the Act or an award made pursuant to the Fair Work Act 2009 and is not otherwise contrary to law and has been made in accordance with the relevant procedures laid down by the rules of the Federation.
- (e) The Branch President of any Branch who files particulars with the General Manager pursuant to this Rule shall on the day he or she so files forward to the Federal President a true copy of the said particulars and shall thereafter forward to the Federal President a copy of all correspondence and documents and transcript with respect to the General Manager's or the Fair Work Commission dealing with the alteration.

45. - Branch Management Responsibility

- (a) It shall be the responsibility of each Branch to adopt and maintain an accounting system which complies with the applicable accounting standards and which enables it to identify at any time the financial position of the Branch and its capacity to meet its financial obligations as and when they may arise.
- (b) Each Branch President shall forward to the Federal President copies of such returns as the Branch is required to file with the Australian Industrial Registrar pursuant to the Fair Work (Registered Organisations) Act 2009 or any amending legislation at the times and in the form required by that Act.
- (c) In the event that the monthly operating accounts in relation to any Branch show an operating loss for 3 successive quarters or otherwise show an operating loss of such significance in any one or more quarters as to cause the Federal President to form the opinion that there is a substantial risk that one of the circumstances as set out in sub-rule (e) below may occur, the Federal President shall report such matters to the Federal Executive as soon as is reasonably practicable.
- (d) It shall be the responsibility of each Branch Council to provide a written explanation for any failure to pay its capitation to the Federal Council within 14 days of the same occurring and to provide to the Federal Council such further explanation as may be required by the Federal Council.
- (e) Where in the opinion of Federal Council any one of the following circumstances has arisen in relation to a Branch:
 - (i) the Branch has failed to discharge its obligation to pay capitation or any other moneys due and payable to the Federal Council without adequate explanation or agreed arrangement or discharge of such obligation;
 - (ii) the Branch has incurred a liability which it is unable to discharge;
 - (iii) the Branch has engaged in conduct which is likely to expose the Federation to the risk of deregistration, the Federal Council shall immediately request a full written explanation from the Branch President on behalf of the Branch Council. Such explanation shall be provided by the Branch President within 14 days.

- (f) Where a Branch Council by its Branch President fails to provide a full written explanation of the kind referred to in sub-paragraph (d) within 14 days, or provides a written explanation which in the opinion of Federal Council is not satisfactory, the Federal Council shall have power to direct the Branch Council in any one or more of the following terms:
 - (i) direct the Branch Council to provide a comprehensive statement of its accounts current to the date of the request;
 - (ii) direct the Branch Council to cease incurring a debt or liability or take such steps as may be necessary to reduce or avoid the debt or liability;
 - (iii) direct the Branch Council to cease engaging in conduct which is likely to expose the Federation to the risk of deregistration;
 - (iv) direct the Branch Council to cease engaging in conduct likely to cause the debt or liability;
 - (v) direct the Branch Council to take such steps as to rectify the situation the subject of concern and to provide a report of progress within a specified period of time.
- (g) Where the Federal Council has made directions pursuant to sub-rule (f), it may direct and authorise the Federal President, the Federal Senior Vice President and/or such other person or persons as the Federal Council sees fit to work in the Branch to manage or monitor compliance with the Federal Council direction.
- (h) Where Federal Council is of the opinion that a Branch Council whether by itself or by the Branch President has without reasonable cause failed to comply with the direction issued pursuant to sub-rule (f) of this Rule, and that this has the potential to result in serious adverse consequences for the Federation, the Federal Council shall have the power to take any of the steps set out in the sub-rules below after giving the Branch Council and/or the Branch President adequate opportunity to explain its conduct:
 - (i) suspend the powers of the Branch Council and/or Branch President for a specified period upon such terms as Federal Council may determine;
 - (ii) appoint a manager to manage and conduct the affairs of the Branch for a specified period;
 - (iii) assume control of the affairs of the Branch including the employment of Branch staff and officers, the maintenance of Branch records and the conduct of the Branch business;

- (i) The powers referred to in sub-rule (h) of this Rule may be exercised only for the purposes of enabling the Federal Council to take the steps necessary to discharge the liability or resolve the matter which gave rise to the issuing of the direction given under sub-rule (f) of this Rule. The period specified for the purposes of the exercise of powers pursuant to sub-rule (f) of this Rule shall not exceed 3 months. Federal Council may extend the specified period for one further period of 3 months by further expressed decision of the Federal Council following a further opportunity being accorded to the Branch Council or Branch President to be heard on the matter. During the specified period Federal Council shall ensure that provision is made for adequate representation of the interests of the members of the Branch. During the specified period the members of the Branch shall be entitled to petition the Federal Council in writing signed by not less than 5% of the financial membership of the Branch in relation to any matter affecting the Branch. The Federal Council shall ensure that prior to the commencement of a period during which it proposes to exercise the powers provided for in the two preceding sub-rules, members of the Branch are informed by appropriate means of the nature of their representation and of their capacity to petition the Federal Council during that period.

46. - Transitional Rule 2007

- (a) On and from the date this rule is certified the Federal Council and each Branch Council shall enter into an agreement as to which funds of the Federation are allocated to and belong to the Federal Council and which funds of the Federation are allocated to and belong to each of the Branches. The Federal Council and each Branch Council shall further enter into an agreement by which capitation fees are to be paid by each of the Branches for the remainder of the financial year in which the rule is approved. Notwithstanding any other provision in the rules members who have paid subscriptions pursuant to any joint membership agreement and to continue to pay pursuant to a joint membership agreement either pursuant to Rule 7 or Rule 7A shall be and remain financial members of the Federation.

47. - Standard Branch Rules

(1) Name

The name of the Branch shall be the Australian Principals Federation (here set out name of State or Territory in which the Branch is located) Branch.

(2) Constitution

The Branch shall consist of all members of the Federation employed within the State or Territory of (herein set out the name of State or Territory).

(3) Objects

The objects of the Branch shall be the objects of the Federation as set out in Rule 3 of the Rules of the Federation.

(4) Head Office

The Head Office of the Branch shall be at such place as the Branch Council may from time to time decide.

(5) Subscriptions

Subscriptions shall be paid in accordance with the provisions of Rules 7, 7A or 8 of the Federation's Rules.

(6) Unfinancial Members

Any member who is unfinancial in accordance with Rules 7, 8 and 10 of the Federation's Rules may be fined by resolution of the Branch Council. The Council may instruct the Branch President to sue for recovery of arrears of subscriptions fines and levies.

(7) Branch Officers

- (a) The Branch Officers shall be the Branch President, Branch Vice President and Branch Treasurer. The Branch Vice President shall be drawn from a different sector of which the Branch President is a member.
- (b) A Branch Officer shall cease to be eligible to hold such office if he or she is absent from three (3) consecutive meetings of Branch Council without having tendered an apology accepted by Branch Council.

(8) Branch Council

- (a) The affairs of the Branch shall be managed by a Branch Council which, subject to these Rules, shall be the highest policy and decision making body of the Branch.
- (b) The Branch Council shall consist of such number of Branch Councillors as may be determined by each Branch Council, provided:
 - (i) there shall be no fewer than 12 Branch Councillors;
 - (ii) there shall be an equal number of Branch Councillors from the primary and secondary sectors and such number of Branch Councillors from such other sector as may be determined by the Branch Council;
 - (iii) subject to sub-rule (iv) Branch Council may determine that some or all of the Branch Councillors shall be elected by and from members employed in geographical regions within the Branch as determined by the Branch Council from time to time;
 - (iv) if Branch Council makes a determination pursuant to sub-rule (iii) there shall be an equal number of Branch Councillors from each region and equal number of Branch Councillors elected by and from the members in each sector in each region;

- (v) subject to sub-rules (iii) and (iv) the representatives of each sector shall be elected by secret postal ballot by and from the financial members of the respective sector.
- (c) The quorum for a meeting of the Branch Council shall be a simple majority of the members of the Council eligible to attend thereat.
- (d)
 - (i) The Branch Council shall meet at least annually at such time as resolved by the Branch Council (the Annual Meeting);
 - (ii) Special Meetings of the Branch Council shall be held by resolution of the Branch Council or by decision of the Branch President in conjunction with the Branch Vice President;
 - (iii) At least one months notice of the Annual Meeting shall be given to each member of the Branch Council and 7 days notice for a Special Meeting of the Branch Council.

(9) Powers of Branch Council

- (a) The Branch Council shall in addition to any powers conferred elsewhere by the Federation's Rules shall have the power to do all things necessary to carry out the objects of the organisation and the Branch consistently with these rules and:-
 - (i) carry on the financial administration of the Branch
 - (ii) acquire or take on lease or otherwise obtain for use any office, or building for the purposes of the Federation
 - (iii) purchase, hire or otherwise acquire any property necessary for the purposes of the Federation
 - (iv) employ any person and at any time suspend or dismiss any such person
 - (v) investigate complaints and grievances of members and/or Sub-Branche s and investigate and settle disputes within a Branch
 - (vi) make, vary or repeal any by-laws for the regulation of the affairs of the Branch
 - (vii) transact any business of the Branch that may require immediate attention and report same to the next Branch General Meeting or to Branch Members by other means
 - (viii) transact or report on any business referred to it by any Branch General Meeting and submit to such Meeting any recommendations consistent with the objects of the Federation
 - (ix) appoint a Branch Returning Officer
 - (x) make available to Branch Auditors all information and books necessary for the execution of their duties
 - (xi) prepare and submit reports and membership returns as required by the Federal Council or Federal Executive

- (xii) submit annually for the approval of Branch Council or a General Meeting of Branch members the annual auditors' report, balance sheet and financial statement. The Branch Council may also submit such other report of the affairs and activities of the branch as it may determine
- (xiii) organise the conduct of Branch elections and plebiscites
- (xiv) represent the Federation in the conciliation, arbitration and settlement of industrial disputes within the Branch's jurisdiction
- (xv) have power to levy members of the Branch when it is deemed necessary by the Branch Council to achieve a particular object.
- (xvi) subject to these Rules, have power to determine the time and place of meetings.
- (xvii) to direct the movement of the funds of the Branch.
- (xviii) to direct the investment of the funds of the Branch.
- (xix) to dispose of or transfer any of the funds of the Branch or any securities in which the funds of the Branch have been invested.

(10) Elections for Branch Council

- (a) The provisions of this rule shall apply to the election of Branch Council members.
- (b) The electorate for Branch Council elections shall be in accordance with Rule 47(8) (Branch Council).
- (c) Candidates may only nominate as a representative for the sector of which they are a member.
- (d) Members are only entitled to vote for candidates for election representative of the sector of which they are a member.
- (e) All Councillors shall take office from 1 January in the year following their election and shall hold office for a period of three years or until a successor has been elected.
- (f) A nominee for any office in the Branch must be a financial member of the Branch at the date of his/her nomination.
- (g) At its first meeting after taking office, the Branch Council shall appoint a Returning Officer for the conduct of any elections, ballots or plebiscites as may be necessary throughout the following three years provided that a duly appointed Returning Officer shall hold office until a successor is appointed. A Returning Officer:
 - (i) need not be a member of the Federation; and
 - (ii) shall not be the holder of any office in, or an employee of, the Federation.

- (h) The Returning Officer shall have the power to appoint such assistants as he/she deems necessary provided that such assistance shall at all times be subject to the absolute control and direction of the Returning Officer.
 - (i) The Returning Officer shall call for nominations for Branch Council not later than 1 September in the year in which the term of the current council expires, by circular, posted, emailed or faxed to all eligible members of the Branch, specifying the dates, times, places and postal addresses for the receipt of nominations by the Returning Officer.
 - (ii) Nominations shall close 21 days after they are called.
 - (iii) All candidates must be nominated in writing by two financial members from the same sector as the sector for which the candidate is nominating. The nomination shall be signed by the nominee and the nominators.
 - (iv) Nominations must be received by the Returning Officer at the address provided for the receipt of nominations by the Returning Officer by 5.00pm on the day on which nominations close. The Returning Officer is to determine the method of receipt of nominations taking account of the most efficient and effective way.
 - (v) The Returning Officer shall check the nominations received for compliance with the requirements of the rules and shall reject any that do not comply, provided that in the event of there being a defect in the nomination, before rejecting the nomination the Returning Officer shall notify the person concerned of the defect and where possible, given him/her the opportunity to remedy the defect within 7 days of his/her having been so notified.
 - (vi) In the event of only one nomination for a position being received the Returning Officer shall declare the nominee elected to that position.
 - (vii) If more nominations are received than there are vacancies for a position, the Returning Officer shall have ballot papers printed containing the names of the candidates for each position in order determined by lot, the number of nominees to be elected to each position and the manner in which votes shall be recorded.
 - (viii) The ballot shall open no later than 4 weeks after the close of nominations and shall close 21 days thereafter.
 - (ix) The Returning Officer shall be responsible for the safe custody of the ballot papers and shall obtain from the printers a certificate of the number of ballot papers printed.
 - (x) The Returning Officer shall forward by pre-paid post:
 - (A) a ballot paper naming the candidates in the sector to which the member has been allocated;
 - (B) a declaration and envelope in the form prescribed by the Fair Work (Registered Organisations) Regulations;
 - (C) another envelope in the form prescribed by the Fair Work (Registered Organisations) Regulations; and

- (D) provide facilities for the return of the completed ballot paper by post by the voter without expense to the voter.
- (xi) The Returning Officer shall arrange for the use of a post office box or other receptacle to which ballot papers may be returned to him/her and after the closing of the ballot he/she shall collect the ballot papers from the box or receptacle in the presence of scrutineers at the appointed time and place.
- (xii) Upon collecting the ballot papers the Returning Officer shall in the presence of the scrutineers (if so requested), count all the votes cast and subject to subclause (xiii) of this clause, declare the result of the ballot.
- (xiii) In the event of a tie occurring the result shall be determined by the Returning Officer drawing lots in the presence of the tied candidates, provided that if one of the tied candidates is a retiring office holder from the position which is the subject of the tied result, the retiring office holder shall be declared elected.
- (xiv) The Returning Officer shall report the result of the election to the next meeting of the Branch Council and shall submit to that meeting a full report of the ballot indicating the number of ballots printed, the number distributed and the number on hand and any other relevant matters including any matters prescribed by the Fair Work (Registered Organisations) Regulations.
- (xv) The roll of voters for any election to be conducted in accordance with this rule is to be closed 7 days before the day on which nominations for the election open.
- (xvi) The Returning Officer, in consultation with the Executive, shall make provision for the preservation in the custody of the Branch ballot papers in accordance with the Fair Work (Registered Organisations) Regulations, if any.
- (xvii) The system of voting in any election conducted pursuant to the rules shall be “first past the post”.
- (xviii) Any candidate may appoint a scrutineer who is a financial member of the Federation to represent him/her at the ballot. The candidate appointing the scrutineer shall, before the ballot closes, notify the Returning Officer in writing of the name of the scrutineer. The appointed scrutineer shall:
 - (A) be entitled to be present throughout the ballot and may query the inclusion or exclusion of any vote in the count but the Returning Officer shall have the final determination of any votes or queries;
 - (B) not be entitled to remove, mark, alter or deface any ballot paper or other document used in connection with the election; and
 - (C) not interfere with or attempt to influence any member at the time such member is casting his/her vote.

- (xix) A voter shall record his/her votes by marking sequential numbers on the ballot paper commencing with the number 1 in the squares opposite the names of the candidate so as to indicate the order of the voters preference, provided that failure by a voter to mark a preference beyond the number of candidates to be elected shall not invalidate the vote of that voter.
- (i) Notwithstanding matters elsewhere contained in these rules to the extent required by law elections for Branch Council, the Branch Electoral College and Branch Officers shall be conducted by the Australian Electoral Commission in accordance with these Rules.

(11) General Meetings of the Branch

- (a) A General Meeting of the Branch may be called by the Branch Council for any purpose it determines.
- (b) A General Meeting of the Branch shall be called by the Branch President on receipt of a written request of at least five per cent (5%) of the members in a Branch, specifying the purpose for which the meeting is to be called. The General Meeting shall be held within twenty-eight (28) days of the receipt of such written request provided always that 75 per cent (75%) of those members calling the meeting shall attend, otherwise the meeting shall be null and void.
- (c) Not less than 14 days prior to any General Meeting held in accordance with this sub rule the Branch President shall notify all members either in writing or by publication of the date, time and place of a General Meeting of the Branch and such notification shall specify the purpose or purposes for which such meeting has been called pursuant to sub rules (a) and (b) of this Rule.
- (d) A duly constituted General Meeting of members attended by at least 5% of the membership or 100 members of the Branch, whichever is the greater, shall have power to direct the Branch Council on matters of policy and administration.

(12) General Meeting - Financial Reports

- (a) The Branch President shall summon a meeting of the members of the Branch upon receipt of a written request signed by no less than 5% of the membership of the Branch calling for a general meeting for the purpose of considering the auditors report, the general financial report and the operating report.
- (b) A general meeting of the members of the Branch called pursuant to this Rule may be conducted as a series of meetings held at different locations.
- (c) The Branch President shall give 28 days notice to the members of the Branch of any general meeting called pursuant to this Rule.
- (d) The Branch President shall give notice of any meeting to be conducted pursuant to this Rule by written notice sent or delivered to or posted on a conspicuous place at each members place of employment or by email communication to each member or by notice published on the Branch website to all members who have immediate access to that website, or by publication sent to each member at their home address or by notice to each member.

- (e) A meeting conducted pursuant to this Rule is taken to have been completed at the time of the last of the meetings in any series of meetings.
- (f) All decisions at a meeting held in accordance with this Rule shall be taken by a show of hands except where a resolution is carried which determines to submit the question to a secret ballot.
- (g) Attendance at meetings conducted under this Rule shall be recorded and such attendance records shall be used to ensure that each member records only one vote.

(13) Control of Branch Council Decisions

- (a) Decisions of the Branch Council shall be final and binding on all members unless subsequently amended or rescinded by the Branch Council except that a majority of the financial members of the Branch, voting by plebiscite shall have power to veto any acts or decisions of the Branch Council.
- (b) Where the Branch President receives a motion or direction of veto signed by at least ten percent (10%) of the financial members of the Branch, then within a period of twenty-eight days of such motion having been received, he or she shall cause a plebiscite to be held on such motion.
- (c) Where any motion of veto is made the subject of a plebiscite the motion is passed if a majority of the financial members of the Branch vote in favour of such a motion. The majority decision shall be given immediate effect.
- (d) Prior to the plebiscite being taken, the Branch President shall prepare and forward to all members an adequate and impartial statement concerning the matter at issue so that voters may be properly informed.
- (e) The Branch President shall within seven days notify all Branch Councillors of the result of the plebiscite.

(14) Branch Executive

There shall be a Branch Executive consisting of:

- (a) the Branch President;
- (b) the Branch Vice President;
- (c) Branch Treasurer;
- (d) Branch Executive Member from the Primary Sector;
- (e) Branch Executive Member from the Secondary Sector;

- (f) Branch Executive Member from such other sector as may be determined by the Branch Council;
- (g) No person on the Branch Executive shall hold more than one of the offices or positions referred to in sub rule 14(a)-(f).

(15) Election of Branch Executive

- (a) The provisions of this rule shall apply to the election of the officers of Branch President, Branch Vice President and Branch Treasurer and the Branch Executive Member positions on the Executive.
- (b) The offices of Branch President, Branch Vice President and Branch Treasurer and the positions of Branch Executive Members shall be elected by the members of the Branch Electoral College by secret ballot from among the members of the Branch Electoral College eligible to hold such office or position by ballot commencing at the first meeting of the Branch Electoral College which meeting shall occur for the purposes of electing the Branch Officers set out above within one month of its election. The Branch President shall be responsible for calling and convening the meeting of the Branch Electoral College by giving each of the members of the Branch Electoral College not less than 7 days notice in writing of the meeting.
- (c) The first Branch Council meeting shall be held prior to March in the year in which Branch Council Members take office following their election.
- (d) The term of office of the office holders and members of the Branch Executive shall be three years or until their successors have been elected.
- (e) [VACANT]
- (f) The Branch Returning Officer (unless such elections are conducted by an employee of the Australian Electoral Commission in accordance with Law) shall call for nominations at the commencement of the meeting of the Branch Electoral College at which the Branch Officers and Branch Executive Members are to be elected.
 - (i) candidates must be nominated in writing by two members of the Branch Electoral College and the nomination shall be signed by the nominee and the nominators;
 - (ii) the Branch Returning Officer shall check the nominations received for compliance with the rules and shall reject any that do not so comply, provided that in the event of a defective nomination, the Branch Returning Officer before rejecting such nomination shall advise the person concerned of the defect and where possible give the nominee the opportunity to remedy the defect immediately;
 - (iii) in the event of only one nomination for a position being received the Branch Returning Officer shall declare the nominee elected to that position;

- (iv) if more nominations are received than there are vacancies for a position the Branch Returning Officer shall prepare ballot papers containing the names of the candidates for each position in an order to be determined by lot, and the manner in which votes shall be recorded.
- (v) the Branch Returning Officer shall be responsible for the safe custody of the ballot papers;
- (vi) subject to sub rule (vii) hereof the Branch Returning Officer shall provide to each member of the Branch Electoral College a ballot paper, shall make such arrangements as she/he considers necessary to enable each member of the Branch Electoral College to mark their ballot paper free from observation and shall arrange for the return by each member of Branch Electoral College ballot papers to a box or receptacle. If pursuant to sub rule (vii) hereof an absentee member has requested an absentee ballot the Branch Returning Officer shall provide members of the Branch Electoral College present:
 - (a) a ballot paper naming the candidates in the election;
 - (b) a declaration and an envelope in the form prescribed by the Fair Work (Registered Organisations) Regulations;
- (vii) a member of the Branch Electoral College who is unable to attend a meeting of the Branch Electoral College (absentee member) may request in writing prior to the relevant meeting, that the Branch Returning Officer provide them with a ballot paper (absentee ballot). Upon such a request the Returning Officer shall, within 7 days following the Branch Electoral College meeting, provide (and record the date of the provision thereof) a ballot paper by delivering the same in person or by forwarding by prepaid post. The Returning Officer shall provide by either means:
 - (a) a ballot paper naming the candidates in the election;
 - (b) a declaration and envelope in the form prescribed by the Fair Work (Registered Organisations) Regulations;
 - (c) another envelope in the form prescribed by the Fair Work (Registered Organisations) Regulations; and
 - (d) provide facilities for the return of the absentee ballot paper by post by the member, via prepaid envelope provided to the absentee member.. The absentee members must return the ballot paper within 3 weeks of the conclusion of the ballot period.
- (viii) in the event of a tie occurring the result shall be determined by the Branch Returning Officer drawing lots providing that if one of the tied candidates is a retiring office holder from the position the subject of the ballot concerned he or she shall be declared elected. Tied candidates shall be entitled to be present at the drawing of lots in person or by scrutineer appointed in writing for that purpose.

- (g) The system of voting in an election conducted pursuant to this rule shall be the first past the post system but where one candidate has been eliminated by election to a higher position, the next preference shown shall be regarded as the operative vote. For the purpose of this subclause, the order of seniority of position shall be:
 - (i) Branch President;
 - (ii) Branch Vice President;
 - (iii) Branch Treasurer;
 - (iv) Branch Executive Member.
- (h) Any candidate may appoint a scrutineer who is a member of the Branch Electoral College to represent him or her at the ballot. Branch Rule 47(10)(h)(xviii) shall apply with necessary changes to scrutineers in respect of elections under this rule.
- (i) Following the return of the Ballot Papers or at the expiration of 3 weeks after the receipt of the last absentee ballot provided, whichever earlier occurs the Branch Returning Officer shall, in the presence of scrutineers (if so requested) count all the votes cast and declare the result of the ballot.
- (j) The Branch Officers on being declared elected shall take office from 1 January in the year following their election.
- (k) For the avoidance of doubt the outgoing Branch Officers shall not be entitled to vote in the election for the Branch Officers and members of the Branch Executive unless they are also members of the current Branch Electoral College.
- (l) Voting by proxy in an election of Branch Electoral College for the officers in the Branch and members of the Branch Executive shall not be permitted. cast and declare the result of the ballot.

(15A) Branch Electoral College

- (a) There shall be a Branch Electoral College constituted by persons declared elected as Branch Councillors.
- (b) Members of the Branch Electoral College shall hold office as members of the Branch Electoral College until the declaration of the next election of Branch Councillors (excluding any election to fill any casual vacancies).

(16) Duties and Powers of Branch Executive

- (a) The first Branch Executive Meeting shall be called by the President within one month after the formation of the Branch.
- (b) Subject to any decision or direction of the Branch Council the Branch Executive shall conduct the affairs of the Branch between Branch Council meetings and shall be the committee of management of the Branch for the purposes of the (Fair Work Registered) Organisations Act 2009.
- (c) Subject to sub rule (b) hereof the Branch Executive shall meet at least every three months at a time determined by the majority of the members of the Branch Executive at its preceding meeting or at a time determined by the Branch President.

- (d) Subject to any decision or direction of Branch Council the Branch Executive shall have all the powers of Branch Council except the powers in Branch Rules 22,30,31 and 32 or powers expressly reserved to itself by Branch Council or the power to rescind or amend any decision of Branch Council.
- (e) The Branch Executive shall subject to these Rules carry out the duties delegated or imposed on it by Branch Council.
- (f) The quorum for a meeting of the Branch Executive shall be a simple majority of the members of the Branch Executive eligible to attend.

(17) Duties of Branch President

- (a) The Branch President shall:
- (b) have the power to:
 - (i) summon meetings of Branch Council or Branch Executive on her/his own initiative;
 - (ii) direct, control and supervise the officers and employees of the Branch;
 - (iii) authorise expenditure of the Branch funds up to the sum of \$3,000.00 without first obtaining the authority of Branch Council or Branch Executive provided that she/he shall report such expenditure to the next meeting of Branch Council;
 - (iv) delegate any of her/his powers or duties to Branch Vice President or other Member of the Branch Executive subject to first obtaining the approval of the Branch Executive.
- (c) Be directly and personally responsible for:
 - (i) keeping of proper books of account and other financial records;
 - (ii) issuing of receipts and the prompt banking of monies received on behalf of the Branch;
 - (iii) preparation and certification of progress reports and financial statements;
 - (iv) [VACANT];
 - (v) having the books in readiness and making all arrangements necessary for audits as directed by Branch Council;
 - (vi) whenever practicable attending all meetings of Branch Council and Branch Executive and such other meetings as directed and keeping of correct minutes of the proceedings of such meetings;
 - (vii) sending all correspondence on behalf of the Branch and keeping a copy thereof;
 - (viii) issuing notices to members;

- (ix) presiding at all General Meetings of the Branch, at all meetings of Branch Council, at all meetings of the Executive and of the Branch Electoral College;
 - (x) keeping all documents, vouchers and papers belonging to the Branch;
 - (xi) carrying out the instructions of Branch Council and Branch Executive and exercising a general control over the affairs of the Branch and reporting her/his official acts to the Branch Council or Branch Executive at each meeting;
 - (xii) summoning within a reasonable time the first meeting of any committee appointed by Branch Council or Branch Executive;
 - (xiii) paying without delay all monies received by her/him on behalf of the Branch into a bank or other financial institution approved by Branch Council;
 - (xiv) delivering up all books, documents vouchers and papers of the Branch when called upon to do so by Branch Council.
- (d) Executing all documents on behalf of the Branch.
- (e) Preparing all returns required by the Fair Work (Registered Organisations) Act 2009, and furnishing a copy to the Registrar at the time appointed by the said Act for such returns to be made;
- (f) Keeping a register of the members of the Branch setting out the date of entry to membership and, if excluded from membership, the date and cause of such exclusion and preparing a summary of such register for presentation at a Branch Council meeting when required to do so;
- (g) Subject to the direction of Branch Council, making arrangements for all meetings of the Branch and keeping a record of business transacted at such meetings;
- (h) Performing such other duties as provided for by these rules or as Branch Council may determine from time to time;
- (i) Summoning by notice in writing to each member of the Branch Council, Branch Executive and Branch Electoral College, all meetings of the Branch Council, Branch Executive and Branch Electoral College.

(18) Duties Of Branch Vice-President

- (a) The Branch Vice-President shall, subject to the direction of the President,
- (i) assist the Branch President at all times in the performance of her/his duties, and,
 - (ii) in the absence of the Branch President, act in her/his stead and exercise all the functions and powers of the Branch President.

(19) Duties of Branch Treasurer

The Treasurer shall, subject to the direction of the Branch President:

- (a) keep or cause to be kept accounting records that are in accordance with generally accepted accounting principles and truly record and explain the financial transactions and financial position of the Branch, including but not limited to, a record of all moneys received and expended by or on behalf of the Branch;
- (b) submit to the Branch Executive all accounts for approval for payment and make all authorised payments from the funds of the Branch;
- (c) prepare and submit to each meeting of Branch Council an up to date financial statement and when called upon to do so by the Branch President or Branch Council, produce all relevant books in support of the same;
- (d) prepare and draw up an annual balance sheet and statement of accounts and sign the same;
- (e) submit the financial records of the Branch, including accounts and receipts to the auditor annually or as directed by Branch Council; and
- (f) assist the Branch Auditor as required.

Provided always that the Branch Treasurer may nominate the Branch President or a member of a recognised institute of accountants approved by the Branch Council to keep the books of the Branch, in which event the Branch Treasurer shall remain responsible for the supervision of their preparation and their accuracy.

(19A) Powers and Duties of Branch Councillors and Branch Executive Members

In addition to the powers and duties conferred elsewhere by these rules it shall be the duty of each member of the Branch Council to attend all meetings of the Branch Council. In addition to the duties conferred elsewhere by these rules it shall be the duty of Branch Executive to attend all meetings of the Branch Executive.

(20) Branch Funds

- (a) Branch funds shall be the funds allocated and belonging to the Branch as described in Federal Rule 27.
- (b) All books and accounts and other financial documents shall be duly presented for audit to the Branch Auditor who shall be a qualified practising accountant.
- (c) Copies of an audited balance sheet and statements of receipts and expenditure of the Branch shall be presented to the Branch Council at least once per year.

- (d) The Branch Council shall control and administer the funds of the Branch and cheques drawn on the Branch account or funds disbursed therefrom. Subject to the direction of Branch Council, the Branch President is authorised any disbursement of moneys therefrom.

(21) Loans, Grants and Donations

- (a) A loan, grant or donation of an amount exceeding \$1,000 shall not be made by the Branch unless the Branch Council -
 - (i) has satisfied itself -
 - (A) that the making of the loan, grant or donation would be in accordance with the other Rules of the Branch; and
 - (B) in relation to a loan the security proposed to be given for the repayment of the loan is adequate and the proposed arrangements for the repayment of the loan are satisfactory; and
 - (ii) has approved the making of the loan, grant or donation.

(22) Discipline of Members

- (a) A Branch Council may by summons in writing call upon any member in the Branch against whom it is alleged that he or she has:
 - (i) tampered with, falsified or otherwise wilfully misused membership cards, or any books or documents of the Federation,
 - (ii) contrary to the Federation's Rules obtained or kept the possession of any books, papers or other documents or property belonging to the Federation,
 - (iii) refused to obey the Rules of the Federation,
 - (iv) grossly misbehaved, or
 - (v) refused to comply with the directions of the Branch Council to show cause to a meeting of Branch Council why he or she should not be suspended from membership or expelled from the Federation.
- (b) The Summons to show cause shall:
 - (i) state the allegation together with particulars thereof;
 - (ii) disclose the evidence on which the allegation is based;
 - (iii) be signed by the Branch President or Branch Vice President;
 - (iv) state the time, date and place at which the member is to show cause;

- (v) be delivered personally to the member concerned (or posted by registered mail to his or her last known address) at least twenty- one (21) days before the meeting at which the matter is to be determined;
 - (vi) have attached to it a copy of this Rule.
- (c) Should any member against whom an allegation is made fail to appear at the hearing and fail to provide a satisfactory explanation of his or her non attendance the Branch Council may proceed with the hearing of the allegation in his or her absence provided it is first satisfied that notice of the hearing in accordance with this Rule has been served on him or her.
- (d) The evidence relating to the alleged offence shall be heard by the Branch Council and the member concerned shall be heard in his or her defence personally and/or in writing.
- (e) If in the opinion of the Branch Council the member is guilty of the alleged offence it may:
 - (i) suspend the member for a period not exceeding three months; or
 - (ii) expel the member from the Federation.
- (f) The Branch President shall promptly inform the member by registered letter of the decision of Branch Council.
- (g) A member suspended or expelled from membership of the Federation pursuant to this Branch Rule shall have a right of appeal to a general meeting of the Branch called and held in accordance with Rule 11 of these Branch Rules, provided that the decision of the Branch Council or the written request of the requisite number of members to call such a meeting is made or received within twenty-eight days of the decision against which the appeal is made.
- (h) No member suspended from membership of the Federation shall attend any meeting of the Federation unless at the request of that meeting and shall not during the period of suspension exercise any right of membership.
- (i) Subject to the provisions of Fair Work (Registered Organisations) Act 2009 a person expelled from membership of the Federation pursuant to this Rule shall not be readmitted to membership without leave of the Branch Council.

(23) Casual Vacancies

- (a) A casual vacancy shall occur in any office within the Branch, where the holder of the office dies, resigns, is removed from office, or ceases to hold office in accordance with the rules.
- (b) Where a casual vacancy occurs and the unexpired portion of the term of office is more than 12 months, the vacancy shall be filled by election in accordance with the Rules.

- (c) Where a casual vacancy occurs and the unexpired portion of the term of office is less than 12 months, the Branch Executive may appoint, by resolution, an eligible member to the office for the unexpired portion of the term.

(24) Branch Auditor

- (a) An auditor shall:
 - (i) be appointed annually by Branch Council;
 - (ii) be a competent person within the meaning of the Act and regulations;
 - (iii) perform such functions and duties as are prescribed by the Fair Work (Registered Organisations) Act 2009 and such other functions and duties not inconsistent with the Fair Work (Registered Organisations) Act 2009 as directed by Branch Council or the Branch Executive;
 - (iv) have access to all books, papers, deeds, documents and accounts of the Branch and be empowered to question any Branch Officer or employee of the Federation with regard to the same and to obtain from any financial institution at which the funds of the Federation are deposited such information as he/she requires; and
 - (v) make recommendations to Branch Council concerning the financial affairs of the Branch.

(25) Legal Assistance Fund

- (a) The Branch may provide finance for legal assistance to members and finance measures taken toward law and policy reform and any other matters the Branch Council deems appropriate.
- (b) Branch Council may establish guidelines for the provision of such assistance.
- (c) The final decision regarding the provision of assistance in accordance with this clause rests with Branch Council.

(26) Returning Officer

- (a) Except where otherwise provided for in the standard Branch Rules the Branch Returning Officer shall conduct any election for any office in the Branch or any ballot for a plebiscite in accordance with the provisions of the election for the equivalent Federal Officer for the holding of a Federal Plebiscite as if they applied to elections of Branch Officers and the conducting of a Branch Plebiscite.
- (b) The Branch Returning Officer shall not be a candidate for any election or the subject of any plebiscite conducted by him or her, nor shall he or she be the holder of any office in, or an employee of, the Federation, or of a Branch, Section or Division of the Federation.

(27) Scrutineers

Subject to any other rule a candidate in any Branch election or a member representing the signatories to a motion or direction under Rule 47(13)(b) in any Branch plebiscite or any member of the Branch Council may, if he or she so desires, appoint a scrutineer who is a financial member of the Federation to represent him or her at the ballot. The person appointing a scrutineer shall before the commencement of the ballot, notify the Returning officer in writing of the name of such scrutineer. The provisions of Federal Rules relating to the conduct of scrutineers in any election for Federal Officers shall apply in relation to the operation of this Rule as if reference were made to the election of Branch Officers.

(28) Register of Members

A register of the names and addresses of the Officers and members of the Branch shall be kept by the Branch President in the office of the Branch. A member shall notify the Branch President in writing within 14 days of any change of that member's address. Any notice which is required to be given to a member under these Rules shall be forwarded to the address of that member last appearing on that register of members.

(29) Dissolution of Branch

The Branch shall not be dissolved unless the financial membership of the Branch falls below 20. If at any time the Branch should dissolve, the books, papers, documents and vouchers of the Branch shall immediately be handed over to the Federal President and the funds of the Branch, if any, shall be invested in the Bank and be held in trust by the Federal Council for the benefit of any future Branch of the Federation which may be formed in the centre in which the Branch dissolved.

(30) Suspension, Removal from Office and Expulsion of Branch Officers

- (a) Each Branch Council shall have in relation to the holder of any office in the Branch the same powers as are conferred on the Federal Council in Rule 28 of the Federal Rules in relation to officers of the Federation. For the purposes of this Rule references to Federal Officer and Federal Councillor in that Rule shall be read as references to Branch Officer and Branch Councillor respectively and the provisions of that Rule subject to the remainder of this Rule shall apply *mutatis mutandis* to the operation of this Rule.
- (b) An officer suspended or removed from office pursuant to this Branch Rule shall have a right of appeal to a General Meeting of the Branch called and held in accordance with Rule 11 of these Branch Rules provided that the decision of the Branch Council or the written request of the requisite number of members to call such a meeting is made or received within twenty-eight days of the decision against which the appeal is made.

(31) Levies

Notwithstanding the provisions of Federal Rule 9 levies may be imposed on all members of a Branch for the purpose of carrying out the objects of the Federation within the Branch. The amount of any levies shall be decided by a majority of the Branch Council and when so decided shall be binding on all members and shall be paid to the Branch within such period as the Branch Council may determine.

(32) Alteration of Standard Branch Rules

- (a) Branch Council shall have the power to modify the standard Branch Rules in relation to that Branch by resolution carried by a simple majority of the members voting at a meeting of the Branch Council.
- (b) Notice of any proposal for the modification of the Standard Branch Rules shall be given in writing to each member of the Branch Council and the Federal President at least one month prior to the relevant meeting of the Branch Council.

*** END OF RULES ***