

Regulation 126(1) Notice of Alteration to the CEPU Rules

SECTION A – RULES ALTERATIONS – DECEMBER 2016

By amending Section A rules 20.2 of the CEPU National rules as follows:

20.2 *Financial Year and Audit*

*The financial year of the National Council shall terminate on 31 ~~December~~ ~~March~~ each year and an audited financial report, prepared in accordance with the Fair Work (Registered Organisations) Act 2009 or its successor, shall be approved by and presented to a meeting of the National Council in accordance with the Act ~~balance sheet shall be presented to the Annual Meeting of the National Council by the National Secretary.~~”*

By amending Section A rules 4.29.2 of the CEPU National rules as follows:

4.29.2 any remuneration paid during the disclosure period, to the officer ~~of~~ **by** the Union, Division or relevant Branch.”

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### SECTION B - RULES ALTERATIONS - DECEMBER 2016

1. Delete rule 2.10 and renumber 2.11 to 2.23 as 2.10 to 2.22 accordingly:

~~2.10—Facsimile Transmission—means the transmission of material by telefacsimile or any system which allows for the transmitting and reproducing of printed matter by telephone.~~

2. Amend rule 2.20.2 as follows

2.20.2 any remuneration paid during the disclosure period, to the officer ~~of~~ by the Division or relevant Branch.

3. Amend rule 3 as follows:

Any alterations, amendments or rescission of a divisional rule or new divisional rule shall first be adopted by the Divisional Council *or Divisional Executive* before being placed before the National Council for adoption.

4. Delete rule 4.2.1.3 and insert as follows:

4.2.1 An applicant for membership of the union may join the union by:

4.2.1.1 filling out an application form approved by the relevant committee of management for that purpose; or

4.2.1.2 applying for membership over the telephone; or

4.2.1.3 ~~applying for membership electronically via the internet or by email~~ *applying for membership electronically, such as via web browser, email, mobile phone app.*

5. Delete rule 4.2.7 and renumber rule 4.2.8 as rule 4.2.7 accordingly:

~~4.2.7—Divisional Branch Secretaries shall forward the names and known addresses of new members to the Divisional Secretary within one month from the date of their being accepted by them.~~

6. Delete rule 4.6.1 and insert a new rule 4.6.1 as follows:

#### 4.6 Resignation from Membership

~~4.6.1—A member may resign from membership if employed in an industry other than that represented by this Union or by giving three months' notice. Notice shall be in writing and addressed to the Secretary of the Divisional Branch to which the member is attached and delivered to that officer. The Secretary shall issue an official acknowledgement of receipt of such notice of resignation and the production of such acknowledgement shall be held to be proof that the member has tendered their resignation.~~

*4.6.1 A member shall resign from membership by giving notice in writing, addressed to the Secretary of the Divisional Branch to which the member is attached and*

*delivered to that officer. The Secretary shall issue an official acknowledgement of receipt of such notice of resignation and the production of such acknowledgement shall be held to be proof that the member has tendered their resignation.*

7. Delete rule 5.1 and insert a new rule 5.1 as follows:

**5.1 Entrance Fees**

~~5.1.1 Applicants for membership in this Division shall pay such entrance fees as determined by the State Council. Other applicants (excluding process workers) shall pay an entrance fee of two dollars (\$2.00). Such payment shall not be a condition precedent to membership.~~

~~5.1.2 Any persons seeking to join this Division of the Union or returning from the Unemployment Register may be required to pay a sum determined by the relevant state council, provided such sum does not exceed one third of the appropriate quarterly contributions for each unexpired month or part of a month in the current quarter calculated to the nearest fifty cents (50c).~~

**5.1 Entrance Fees**

*Applicants for membership in this Division shall pay such entrance fees as determined by the State Council. Such payment shall not be a condition precedent to membership.*

8. Renumber rule 5.3.3 as 5.3.2.

9. Delete rule 5.5.1 as follows:

~~5.5.1 Unemployment Register~~

~~5.5.1.1 Members registering for employment at a Divisional Branch office shall be supplied with an unemployment register card by the Union, which they are required to return to the Divisional Branch office within a week in the event of obtaining employment, giving particulars on the card as to the date of starting and place of employment.~~

~~5.5.1.2 Any member who fails to return the said card within the time specified shall be liable to be fined 10c for each week worked in contravention of this rule.~~

~~5.5.1.3 Exemption from payment of union dues in the case of unemployment shall only be granted to members who fully comply with this rule. Provided further that such members shall also notify the Branch Secretary in writing at the end of each quarterly period when out of work.~~

10. Delete rule 5.5.2 and insert a new rule 5.5.1 as follows:

~~5.5.2 Should any financial member be prevented from following his avocation through unemployment or illness for a period of four weeks or more the Divisional Branch Executive shall have power to grant exemption from subscriptions in approved cases, and may order a refund of any portion of a prepaid subscription, provided that in all~~

~~such cases application for exemption shall be made to the State Divisional Branch Secretary in writing within one month from the date of ceasing work.~~

*5.5.1 Should any financial member be prevented from following their vocation through unemployment or illness for a period of four weeks or more, the Divisional Branch Secretary shall have power to grant exemption from subscriptions in approved cases, and may order a refund of any portion of a subscription, provided that in all such cases application for exemption shall be made to the Divisional Branch Secretary in writing within one month from the date of ceasing work, or such longer period as the Divisional Branch Secretary allows.*

11. Renumber rule 5.5.3 as rule 5.5.2.

12. Delete rule 5.5.4 and insert a new rule 5.5.3 as follows:

~~5.5.4—Exemption shall not be granted for any reasons other than those specifically mentioned in these sub rules unless authorised by a two thirds majority vote of the members present at specially summoned meetings of Divisional State Council or Divisional Branch Conference as the case may be.~~

*5.5.3 Exemption shall not be granted for any reasons other than those specifically mentioned in these sub rules unless authorised by the relevant Branch Executive.*

13. Delete rule 5.5.5 and insert a new rule 5.5.4 as follows:

~~5.5.5—Any member who has been granted exemption from payment of subscriptions who resumes work without reporting to the Union as prescribed by sub rule 5.5.1 shall pay a fine not exceeding ten cents per week, in addition to his/her ordinary dues, for every week worked in contravention of this rule.~~

*5.5.4 Any member who has been granted exemption from payment of subscriptions shall be liable for subscriptions from the date that they resume work.*

14. Amend rule 5.9 by deleting the words “or Divisional Branch Conference” as follows:

Life Membership shall be the highest honour the Union can confer on a member for services rendered. Life membership of the Division may only be conferred by the Divisional Council either on its own motion or on recommendation by the Divisional Executive or a Divisional Branch Executive or Divisional Branch State Council ~~or Divisional Branch Conference~~. Life membership of a Branch may only be conferred by the relevant Divisional State Council either on its own motion or by recommendation by the Divisional Branch Executive or Branch Conference.

The relevant Divisional State Council or Branch Executive will determine whether or not a member on whom life membership is conferred will be required to pay contributions.

15. Renumber rules 5.8 and 5.9 as 5.7 and 5.8 respectively.

16. Delete sub rule 11.2.3.3 and insert a new sub rule as follows:

~~11.2.3.3—Affiliation to a political party shall be determined by the members of each Branch in accordance with the governance structure of the Branch prescribed by rule 11.3. In accordance~~

~~with sub rule 11.5, Branch Conference shall determine the Branch affiliation to a political party unless the matter is urgent in which case the matter shall be determined by State Council in accordance with sub rule 11.7~~

*11.2.3.3 Affiliation by a Branch to a political party shall be determined by the relevant Divisional State Council.*

17. Amend rule 11.3.1.1 as follows:

### **11.3 Government of Divisional Branches**

11.3.1 Each Divisional Branch, unless otherwise provided in these rules, shall be governed by *Divisional State Council and Divisional Branch Executive.*

~~11.3.1.1 Divisional Branch Conference;~~

~~11.3.1.2 Divisional State Council;~~

~~11.3.1.3 Divisional Branch Executive.~~

18. Delete rule 11.5 and insert a new rule as follows:

### ~~11.5 Branch Conference Power to Alter Rules & Policy~~

~~The Divisional Branch Conference shall have the power to recommend the alteration of Divisional Branch rules in accordance with rule 3 "New Rules & Alterations or Rescission of Rules" of this Section and to formulate divisional branch policy. This power includes the determination of affiliation to a political party within that State.~~

### **11.5 Branch Conference role with Rules & Policy**

*The Divisional Branch Conference shall have the power to recommend the alteration and formulation of Divisional Branch rules and policies. Any such recommendations must be placed on the agenda of the next meeting of that Branch's State Council.*

19. Amend rule 11.7.1 by deleting the following words as follows:

### **11.7 Divisional State Council**

11.7.1 Each Divisional Branch shall form a Divisional State Council in which shall be vested the government of the Divisional Branch ~~subject to the powers reserved to Divisional Branch Conference except with respect to affiliation to a political party which may be determined by State Council in between meetings of the Branch Conference.~~

The rule will then read as follows:

### **11.7 Divisional State Council**

11.7.1 Each Divisional Branch shall form a Divisional State Council in which shall be vested the government of the Divisional Branch.

20. Amend rule 11.7.9 as follows:

- 11.7.9 State Councils shall hold regular monthly, quarterly, or half-yearly meetings, and shall deal with any business submitted by divisional sub-branches, district agencies, sections ~~or the Divisional Branch Executive~~ *or the Divisional Branch Conference*, ~~and shall exercise the powers otherwise vested in Conference, except as to the alteration of divisional branch rules.~~

The rule will then read as follows:

- 11.7.9 State Councils shall hold regular monthly, quarterly, or half-yearly meetings, and shall deal with any business submitted by divisional sub-branches, district agencies, sections, the Divisional Branch Executive or the Divisional Branch Conference.

21. Amend rule 34.1.1.2 as follows:

- 34.1.1.2 Knowingly failing to observe any resolution of the Divisional Council, Divisional Executive or Divisional Executive Committee or ~~of the Divisional Branch Conference~~ Divisional Branch State Council *or*, ~~Divisional Branch Executive, Divisional Sub-Branch or Section Committee or Divisional Sub-Branch or Section meeting to which he/she belongs;~~

The rule will then read as follows:

- 34.1.1.2 Knowingly failing to observe any resolution of the Divisional Council, Divisional Executive or Divisional Executive Committee or the Divisional Branch State Council or Divisional Branch Executive;

## Regulation 126(1) Notice of Alteration to the CEPU Rules

### SECTION D - RULES ALTERATIONS - DECEMBER 2016

1. Delete the references to "Tasmanian" in the index to the Rules of the Division - Rules 46 and 75:
2. Delete paragraph (viii) of sub-rule (a) of Rule 44:

#### 44. FORMATION OF BRANCHES

(a) The Division shall consist of the following Branches:

- (i) the New South Wales (including residents in the ACT) Postal and
- (ii) Telecommunications Branch;
- (iii) the New South Wales (including residents in the ACT) Telecommunications and
- (iv) Services Branch;
- (v) the Victorian Postal and Telecommunications Branch;
- (vi) the Victorian Telecommunications and Services Branch;
- (vii) the Queensland Communications Division Branch;
- ~~(viii) the South Australian and Northern Territory Communications Division Branch;~~
- (ix) the Western Australian Communications Division Branch;
- (x) the Tasmanian Communications Division Branch;
- (xi) and such further or other Branches as may from time to time be determined by Divisional
- (xii) Conference.

(b) Subject to these Rules, a Branch shall be autonomous in relation to matters affecting only members of the Branch and shall, in accordance with the Rules elect Branch Officers and manage the affairs of the Branch. All Branches shall comply with resolutions of Divisional Conference and Executive.

3. Delete the word "Tasmanian" from the heading to Rule 46:

**46 INDUSTRY SECTIONS – QUEENSLAND, SOUTH AUSTRALIAN AND NORTHERN TERRITORY, WESTERN AUSTRALIAN AND ~~TASMANIAN~~ COMMUNICATIONS DIVISION BRANCHES**

4. Delete the first sentence of sub-rule (a) of Rule 46 and insert as follows:

**46 Industry Sections – Queensland, South Australian And Northern Territory, Western Australian And Tasmanian Communications Division Branches**

- (a) ~~The Queensland, South Australian and Northern Territory, Western Australian and Tasmanian Communications Division Branches shall have two (2) Industry Sections and each member shall be allocated to an Industry Section. The Industry Sections shall be constituted in the following manner:~~

- (a) “the Queensland, South Australian and Northern Territory and Western Australian Communications Divisional Branches shall have two (2) Industry Sections and each member shall be allocated to an industry Section.”

5. Delete the words "and Tasmania" from the heading to Rule 75:

75 **BRANCH MANAGEMENT – QUEENSLAND, SOUTH AUSTRALIA/NORTHERN TERRITORY, WESTERN AUSTRALIA ~~AND TASMANIA~~**

6. Delete the last sentence of sub-rule (b) of Rule 75 and insert as follow:

75 Each Branch shall have for its management a Branch Committee of Management consisting of a Branch President, two (2) Branch Vice Presidents, Branch Secretary, Branch Assistant Secretary (except for the Queensland and Western Australian Communications Division Branch), full-time Branch Organisers as specified in this sub-rule and not fewer than four (4) nor more than eighteen (18) Sectional Representatives who shall be elected for a period of four (4) years. Provided that any person elected to an office which has been declared a full-time office shall be elected for a term of office of four (4) years. ~~For the purposes of Branch administration the following Branch offices shall be declared full-time positions:~~

~~Queensland: Branch President, Branch Secretary;~~

~~South Australia/Northern Territory: Branch President, Branch Secretary;~~

~~Western Australia: Branch President, Branch Secretary;~~

~~Tasmania: Branch Secretary.~~

"For the purposes of Branch administration the following Branch offices shall be declared full-time positions:

Queensland: Branch President, Branch Secretary;

South Australian Northern Territory: Branch President, Branch Secretary; and

Western Australia: Branch President, Branch Secretary."

7. Amend sub-rule (a) of Rule 84 by deleting the words "(with the exception of the Tasmanian Branch, in which branch the requisition must be signed by not less than fifty (50) of five percent (5%) of financial members whichever is the lower)" as follows:

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- (a) Upon the receipt of a requisition signed by not less than one hundred (100) or five per cent (5%) of financial members of a Branch whichever is the lower ~~(with the exception of the Tasmanian Branch, in which Branch the requisition must be signed by not less than fifty (50) or five per cent (5%) of financial members whichever is the lower)~~, the Branch Secretary or Branch President shall make provision to call an Extraordinary Branch General Meeting to take place at the Branch headquarters or a suitable location in close proximity to the Branch headquarters.

8. Amend of sub-rule (d) of Rule 84 by deleting the first sentence and inserting as following:

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- (d) ~~At all Extraordinary Branch General Meetings one hundred (100) financial members shall constitute a quorum, with the exception of the Tasmanian Branch in which Branch fifty (50) financial members shall constitute a quorum.~~ If the required members be not present thirty minutes after the advertised time of commencement, the meeting shall lapse.

"At all Extraordinary Branch. General Meeting's one hundred (100) financial members shall constitute a quorum."

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