

Regulation 126(1) Notice of Particulars of Alterations to the CEPU Rules
Section A National Rule 6.1.4, 6.2.1.6 & new rule 36 –June 2016

**National Rules Alterations to facilitate the merger of the
Electrical & Communications Divisional Branches in Tasmania**

Proposed Alterations to the National Rules – Section A

1. Amend current National Rule 6.1.4 as follows:

“6.1.4 Membership of a division shall be determined in accordance with the following sub-rules:

6.1.4.1 Electrical, Energy and Services Division

New South Wales and Victoria – membership pursuant to sub-rules 2.1 and 2.2;

Queensland – membership pursuant to sub-rules 2.1, 2.2 and 2.4.5;

Western Australia – membership pursuant to sub-rules 2.1, 2.2 and 2.3;

~~Tasmania and~~ South Australia – membership pursuant to sub-rules 2.1, 2.2 and 2.4 excluding 2.4.5;

Tasmania – membership pursuant to Rule 2 excluding sub-rules 2.3 and 2.4.5; and

Northern Territory – membership pursuant Rules 2.1, 2.2 and, in the case of members employed in or in connection with Power and Water Corporation and its successors, sub-rule 2.4.

6.1.4.2 Plumbing Division

New South Wales, Victoria, Queensland, Western Australia- membership pursuant to rule 2.4 excluding 2.4.5; and

Northern Territory – membership pursuant to sub-rule 2.4 excluding both:

(i) members employed in or in connection with the Power and Water Corporation and its successors; and

(ii) members eligible by virtue of sub-rule 2.4.5.

6.1.4.3 Communications Division

All States (*except Tasmania*), the Northern Territory and the Australian Capital Territory - membership pursuant to sub-rules 2.5 – 2.21 inclusively.”

2. Amend sub-rule 6.2.1.6 as follows:

“6.2.1.6 matters pertaining solely to members covered by sub-rules 2.5. - 2.21 *inclusively (other than members located in the State of Tasmania)*, which shall be dealt with by the Communications Division unless otherwise decided by that Division.”

3. Insert a new National Rule 36 -Transitional Rule as follows:

36 - Transitional Rule

36.1 Introduction

36.1.1 The provisions of this Rule shall apply notwithstanding anything elsewhere contained in the Rules of the Union.

36.1.2 This Rule is intended to enable the merger of the Tasmanian Divisional Branch of the Electrical, Energy and Services Division and the Tasmanian Communications Division Branch of the Communications Division.

36.1.3 For the purposes of this Rule:

36.1.3.1 “merger date” shall mean the date of the certification of this Rule;

36.1.3.2 “transitional period” shall mean the period commencing on the merger date to the declaration of the ballot of the next quadrennial election as referred to in rule 15.27.1 of the Rules of Electrical, Energy and Services Division;

36.1.3.3 “merged Divisional Branch” shall mean the Tasmanian Divisional Branch of the Electrical, Energy and Services Division as constituted on and from the merger date; and

36.1.3.4 “TCD Branch” shall mean the Tasmanian Communications Division Branch of the Communications Division, as constituted immediately prior to the merger date.

36.2 Membership

36.2.1 On the merger date the TCD Branch will merge with the Tasmanian Divisional Branch of the Electrical, Energy and Services Division.

- 36.2.2 On and from the merger date, all members of the TCD Branch shall become members of the merged Divisional Branch and shall maintain continuity of membership, retain voting rights in accordance with the Rules of the Union and any privileges will be preserved. In the case of honorary and associate members of the TCD Branch, such members shall on and from the merger date become honorary members of the merged Divisional Branch. In the case of life members of the TCD Branch, such members shall on and from the merger date become honorary members of the merged Divisional Branch.
- 36.2.3 On and from the merger date, any period of membership and/or financial membership of the Union in the TCD Branch in accordance with the Rules of the Union prior to the merger date shall be deemed to be for all purposes membership and/or financial membership of the Union in the merged Divisional Branch. Any period of unfinancial membership in the TCD Branch in accordance with the Rules of the Union prior to the merger date shall be deemed for all purposes a period of unfinancial membership in the merged Divisional Branch.

36.3 Abolition of Offices

On the merger date all offices in the TCD Branch and the Tasmanian Divisional Branch of the Electrical, Energy and Services Division are abolished.

36.4 Divisional Branch Property

- 36.4.1 On the merger date the assets, funds and property of, and the debts and liabilities incurred by the TCD Branch shall be the assets, funds and property of, and the debts and liabilities of the merged Divisional Branch.
- 36.4.2 From the merger date the persons who held office as officers in the TCD Branch and the Tasmanian Divisional Branch of the Electrical, Energy and Services Division prior to the merger date shall take all and every action and execute such documents as may be necessary for, or helpful in, effecting the transfer of the assets funds and property and debts and liabilities of the TCD Branch to the merged Divisional Branch.

36.5 Transitional Merged Divisional Branch Structure

36.5.1 The holders of office in the Tasmanian Divisional Branch of the Electrical, Energy and Services Division shall on the merger date assume the office in accordance with the following schedule:

- 36.5.1.2 The office existing as at the date before the merger date is set out in Column 1.

36.5.1.3 The office in the merged Divisional Branch that will be occupied on and from the merger date is set out in Column 2. The duties of the office holder of the office identified in Column 2 shall generally be the duties relating to that office set out the Rules of the Union. Should any dispute arise as the performance of any duty amongst those in power to perform the duty it should be resolved by agreement and, failing agreement by decision of the State Council of the merged Divisional Branch. Subject to sub rule 36.7.5, any casual vacancy occurring in an office of the merged Divisional Branch during the transitional period shall be filled in accordance with rule 16.3 of the rules of the Electrical, Energy and Services Division.

Column 1	Column 2
Divisional Branch President	Divisional Branch President
Divisional Branch Secretary/National Councillor	Divisional Branch Secretary/National Councillor
Divisional Branch Vice President	Divisional Branch Vice President
Divisional Branch Treasurer	Divisional Branch Treasurer
Divisional Branch Organiser	Divisional Branch Organiser
Delegate to Divisional Branch Conference-Northern Section	Delegate to Divisional Branch Conference-Northern Section
Delegate to Divisional Branch Conference-Northern Section	Delegate to Divisional Branch Conference-Northern Section
Delegate to Divisional Branch Conference-Northern Section	Delegate to Divisional Branch Conference-Northern Section
Delegate to Divisional Branch Conference – North West Section	Delegate to Divisional Branch Conference – North West Section
Delegate to Divisional Branch Conference – North West Section	Delegate to Divisional Branch Conference – North West Section
Delegate to Divisional Branch Conference – North West Section	Delegate to Divisional Branch Conference – North West Section
Delegate to Divisional Branch Conference- Southern Section	Delegate to Divisional Branch Conference- Southern Section
Delegate to Divisional Branch Conference- Southern Section	Delegate to Divisional Branch Conference- Southern Section

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Section A – Rules Alterations – Merger of ED & CD Tasmanian Branches

	Southern Section
Delegate to Divisional Branch Conference- Southern Section	Delegate to Divisional Branch Conference- Southern Section
Delegate to Divisional Branch Conference- Southern Section	Delegate to Divisional Branch Conference- Southern Section
Delegate to Divisional Branch Conference- Southern Section	Delegate to Divisional Branch Conference- Southern Section
Divisional Branch State Councillor – Northern Section	Divisional Branch State Councillor – Northern Section
Divisional Branch State Councillor – Northern Section	Divisional Branch State Councillor – Northern Section
Divisional Branch State Councillor – North West Section	Divisional Branch State Councillor – North West Section
Divisional Branch State Councillor – North West Section	Divisional Branch State Councillor – North West Section
Divisional Branch State Councillor – Southern Section	Divisional Branch State Councillor – Southern Section
Divisional Branch State Councillor – Southern Section	Divisional Branch State Councillor – Southern Section
Divisional Branch State Councillor – Southern Section	Divisional Branch State Councillor – Southern Section
Divisional Branch State Councillor – Southern Section	Divisional Branch State Councillor – Southern Section
Divisional Branch Executive Member	Divisional Branch Executive Member
Divisional Branch Executive Member	Divisional Branch Executive Member
Divisional Branch Executive Member	Divisional Branch Executive Member
Divisional Branch Delegate to Divisional Council	Divisional Branch Delegate to Divisional Council
Divisional Branch Delegate to Divisional Council	Divisional Branch Delegate to Divisional Council
Divisional Branch Delegate to Divisional Council	Divisional Branch Delegate to Divisional Council

- 36.5.2 In addition, for the transitional period there shall be the following additional offices in the merged Divisional Branch:
- 36.5.2.1 Delegate to Divisional Branch Conference – Communications;
 - 36.5.2.2 Delegate to Divisional Branch Conference – Communications;
 - 36.5.2.3 Delegate to Divisional Branch Conference – Communications;
 - 36.5.2.4 Delegate to Divisional Branch Conference – Communications;
 - 36.5.2.5 Divisional Branch State Councillor – Communications;
 - 36.5.2.6 Divisional Branch State Councillor – Communications; and
 - 36.5.2.7 Divisional Branch Executive Member – Communications.
- 36.5.3 The additional offices referred to in sub rule 36.5.2 shall be filled in accordance with rule 36.7.5.
- 36.5.4 For the transitional period:
- 36.5.4.1 the offices of State Councillor Communications shall be a full members of the Divisional State Council of the merged Divisional Branch, and shall have all the rights and responsibilities which accrue to a member of the Divisional State Council;
 - 36.5.4.2 the offices of Delegate to Divisional Branch Conference-Communications shall be a full member of the Divisional Branch Conference of the merged Divisional Branch and shall have all the rights and responsibilities which accrue to a member of the Divisional Branch Conference; and
 - 36.5.4.3 the office of Divisional Branch Executive member - Communications shall be a full member of the Divisional Branch Executive of the merged Divisional Branch and shall have all the rights and responsibilities which accrue to a member of the Divisional Branch Executive.
- 36.5.5 The term of office for all transitional offices shall be until the end of the transitional period.
- 36.5.6 For the transitional period, there shall be no additional representation of the Communications Section on the Divisional State Council, Divisional Branch Conference or Divisional Branch Executive of the merged Divisional Branch.
- 36.5.7 For the transitional period, there shall also be a merged Divisional Branch Organiser - Communications, to be appointed in accordance with sub rule 36.7.4.

36.6 Communications Section

For the transitional period there shall be established a Communications Section of the merged Divisional Branch consisting of such members eligible to be members under Section A sub-rule 2.5 - 2.21 inclusively.

36.7 Tasmanian Communications Advisory Committee

36.7.1 For the transitional period, there will be a Tasmanian Communications Advisory Committee to the Divisional State Council. This Committee shall:

36.7.1.1 have the power to make recommendations to the Divisional State Council of the merged Divisional Branch in respect of the administration of matters affecting the interests of those members who are members of the Communications Section; and

36.7.1.2 exercise such power as is otherwise detailed in this rule.

36.7.2 For the transitional period, the Tasmanian Communications Advisory Committee shall be comprised of those persons who, immediately prior to the merger date, were members of the Branch Committee of Management of the TCD Branch, provided that such persons:

36.7.2.1 remain financial members of the merged Divisional Branch;

36.7.2.2 are members of the Communications Section of the merged Divisional Branch; and

36.7.2.3 do not otherwise resign from or cease to hold the position.

36.7.3 Any extraordinary vacancy that may occur in the Tasmanian Communications Advisory Committee shall be filled by appointment by the Divisional State Council of the merged Divisional Branch provided that any vacancy shall only be filled by a member of the Communications Section.

36.7.4 As soon as practicable after the merger date, the Divisional Branch Secretary shall convene the inaugural meeting of the Tasmanian Communications Advisory Committee. The inaugural meeting shall:

36.7.4.1 elect a chair of the Tasmanian Communications Advisory Committee;

36.7.4.2 set such future meeting dates as the Tasmanian Communications Advisory Committee deems fit;

36.7.4.3 elect, via collegiate election, for the transitional period, the:

(i) position of merged Divisional Branch Organiser - Communications;

(ii) four (4) offices of Delegate to Divisional Branch Conference- Communications;

- (iii) two (2) offices of Divisional State Councillor - Communications; and
- (iv) office of Divisional Branch Executive member- Communications

36.7.5 Only financial members of the Communications Section shall be eligible to hold the position of merged Divisional Branch Organiser – Communications.

36.7.6 In the event of a casual vacancy arising in any of the offices or position referred to in sub rule 36.7.4, such vacancy shall be filled by appointment by the Tasmanian Communications Advisory Committee provided that any such vacancy shall only be filled by a member of the Communications Section of the merged Divisional Branch.