

**Regulation 126(1) Notice of Alteration to
CEPU RULES – SECTION B2
Electrical, Energy and Services Division, NSW Branch Rules**

1. Amend rule 17.2 as follows:

17.2 The NSW Divisional State Council shall meet on the second Monday in ~~each month from February to December~~ *the months of February, April, June, August, October and December* at Level 5, 370 Pitt Street, Sydney, New South Wales 2000 at 6.00 pm or at such other time and place as may be decided at a specially summoned NSW Divisional State Council meeting. *Should the scheduled meeting date fall on a NSW public holiday, that meeting shall be held on the following Monday.*

2. Insert a new rule 17.3 as follows and renumber existing 17.3 as 17.4 as follows:

17.3 The Branch Executive shall meet on the second Monday in each month at Level 5, 370 Pitt Street, Sydney, New South Wales, 2000 or at such other place as may be decided at a specially summoned State Council meeting. Should the scheduled meeting date fall on a NSW public holiday, that meeting shall be held on the following Monday.

~~17.3.4~~ Sub-Branch meetings shall take place at such time and place as decided by the Sub-Branch subject to endorsement by the NSW Divisional State Council or NSW Divisional Branch Executive.

3. Amend rule 20.3.2 as follows:

20.3.2 NSW Divisional State Council shall hold regular meetings ~~each month from February to December~~ *on the second Monday in the months of February, April, June, August, October and December* and shall deal with any business submitted by NSW Divisional sub branches of the NSW Divisional Branch Executive.

4. Amend rule 20.2.1 as follows:

20.2.1 The NSW Divisional Branch Conference shall have power to *recommend alterations to rules and the formulation of policy*. NSW Divisional Branch Conference shall meet at least each alternate year at such time and place as may be decided by the NSW Divisional State Council.

5. Amend rule 20.3.1 as follows:

20.3.1 The government of the NSW Divisional Branch shall be vested in the NSW Divisional State Council ~~subject to the powers reserved to NSW Divisional Branch Conference~~.

6. Amend rule 41 as follows:

41 – ALTERATION OF RULES

41.1 The rules of the NSW Divisional Branch may be made, amended or rescinded by *the NSW Divisional State Council*.

- ~~(i) — NSW Divisional State Council or;~~
- ~~(ii) — NSW Branch Conference;~~

The NSW Divisional Branch Conference may recommend alterations to ~~these the rules or to the rules of a sub branch provided that the NSW Divisional State Council shall not exercise such power within three months before a scheduled meeting of the NSW Divisional Branch Conference, but shall refer such matter by way of recommendation for decision by NSW Divisional State Conference to the State Council. Any such recommendation or any recommendation about rules of a sub branch shall appear on the agenda for the NSW Divisional State Conference. The decision of the State Council regarding any such referral shall be reported to the next Branch Conference.~~

41.2 ~~Motions to alter the rules shall be forwarded to the NSW Divisional Branch Executive to be put on the agenda for the next NSW Divisional Branch Council meeting and shall appear on the agenda as advice for the NSW Divisional Branch Conference.~~

The rule will then read as follows:

41.1 *The rules of the NSW Divisional Branch may be made, amended or rescinded by the NSW Divisional State Council.*

The NSW Divisional Branch Conference may recommend alterations to these rules or to the rules of a sub branch to the State Council. The decision of the State Council regarding any such referral shall be reported to the next NSW Branch Conference.

6. Amend rule 20.4.1 as follows:

20.4.1 The NSW Divisional Branch Executive shall conduct all business between NSW Divisional State Council meetings. ~~and their decisions, with the exception of recommendations to NSW Divisional Branch Conference, shall be subject to the endorsement of NSW Divisional State Council.~~

7. Amend rule 20.5.3 as follows:

20.5.3 All decisions of NSW Divisional Sub-Branch meetings ~~other than recommendations to NSW Divisional Branch Conference~~ shall be considered as recommendations to NSW Divisional State Council, except that urgent matters may be referred to the NSW Divisional Branch Executive.

8. Amend rule 22.10.1 as follows:

22.10.1 Where during any period an ~~officer~~ *elected official* of the NSW Divisional Branch serves concurrently as an ~~officer~~ *elected official* of the Electrical Trades Union of Australia, New South Wales Branch (“the ETU”) (an organisation registered under the Industrial Relations Act 1996 of NSW), the following provisions shall apply:-

- (a) Such ~~officer~~ *official* shall in respect of any such period of service be entitled to receive one salary only, and any payment by way of salary (whether during leave or otherwise) made by the ETU shall to that extent ~~and extinguish any liability which might otherwise have attached to the NSW Divisional Branch~~ *satisfy any entitlement or obligation arising under the rules of the NSW Divisional Branch;*
- (b) Such ~~officer~~ *official* shall not in respect of any such period of service be entitled to retiring allowance or superannuation both under the rules of the ETU and of the NSW Divisional Branch, and any payment by way of retiring allowance or superannuation made under the rules of the ETU shall to that extent be a satisfaction of any *entitlement or obligation arising under the rules of the NSW Divisional Branch;*
- (c) Such ~~officer~~ *official* shall not in respect of any such period of service be entitled to paid leave both under the rules of the ETU and of the NSW Divisional Branch, and any payment for leave made under the rules of the ETU shall to that extent be a satisfaction of any *entitlement or obligation arising under the rules of the NSW Divisional Branch.*

9. Amend rule 26.1 as follows:

26.1 The NSW Divisional Branch Treasurer shall attend NSW Divisional Branch Executive and NSW Divisional State Council meetings, the annual meeting and NSW Divisional Branch Conference and shall examine accounts, rendered by the NSW Divisional Branch Secretary, ~~sign all cheques~~ and receive contributions paid in at meetings.

10. Delete rules 34.2.1, 34.2.2 and 34.2.3 and insert new rules 34.2.1, 34.2.2 and 34.2.3 as follows:

~~34.2 — Withdrawals~~

~~34.2.1 Except for the petty cash current account referred to in this sub-rule, and subject to the provisions of sub-rule 27.3, all withdrawals shall be by:~~

~~34.2.1.1 cheque which shall bear the signatures of the NSW Divisional Branch Secretary, the NSW Divisional Branch President, and in his/her absence the NSW Divisional Vice President, the Divisional Branch Treasurer and in his/her absence any one of the NSW Divisional Branch trustees, who shall be the only persons authorised to operate the NSW Divisional Branch's banking accounts, or~~

~~34.2.1.2 Electronic Funds Transfer authorised by the NSW Divisional Branch Secretary or the NSW Divisional Branch President, and in their absence the NSW Divisional Vice President or the Divisional Branch Treasurer and in their absence any one of the NSW Divisional Branch Trustees, who shall be the only persons authorised to operate the NSW Divisional Branch's banking accounts.~~

~~34.2.2 Except the petty cash current accounts referred to in this sub-rule, no officer shall sign a cheque or make an electronic funds transfer until same has been passed by the NSW Divisional Branch Executive Committee; provided that the NSW Divisional Branch Executive may confer a general authority upon the NSW Divisional Branch Secretary and officers authorised to sign cheques or make an electronic funds transfer for ordinary business expenditure such as weekly salaries as they become due, postage stamps, witnesses' expenses, etc., without waiting for a meeting of the NSW Divisional Branch Executive. Any such payments shall be reported to the next meeting of the NSW Divisional Branch Executive.~~

~~34.2.3 The NSW Divisional State Council may authorise the operation of current accounts for petty cash purposes, for a limited amount to be decided by the NSW Divisional Branch Executive from time to time. Such accounts shall be operated on the imprest system of banking and cheques shall bear the signature of the NSW Divisional Branch Secretary or such other officer as the NSW Divisional State Council may decide.~~

34.2 Withdrawals

34.2.1 The Divisional Branch Executive may, on the recommendation of the Divisional Branch Secretary, approve a budget for the Divisional Branch expenditure.

34.2.2 The Divisional Branch Secretary may expend the funds of the Branch for purposes including but not limited to:

34.2.2.1 the ordinary expenses of managing the Branch;

34.2.2.2 recurrent expenditure of the Branch;

34.2.2.3 budgeted expenditure of the Branch;

34.2.2.4 purposes determined by resolution of the State Council or Executive;

provided that the Divisional Branch Secretary, following the expenditure, must report the expenditure to the next meeting of the monthly Divisional Branch Executive and the bi-monthly Divisional Branch State Council.

34.2.3 The Divisional Branch Secretary will not expend any funds other than those referred to in 34.2.2.1 to 34.2.2.4 without the authorisation of Divisional Branch Executive.

34.2.4 Except for any limited expenses paid through the use of credit card, any expenditure under 34.2.2.1 to 34.2.2.4 must be authorised by the Divisional Branch Secretary and the Divisional Branch Assistant Secretary or the Divisional Branch Secretary and any other officer authorised to do so by the Divisional Branch Executive.

34.2.5 Prior to a meeting where the Divisional Branch Secretary must report expenditure as required by this Rule, the Divisional Branch Secretary shall prior to holding the meeting, ensure that the following records are made available for inspection at the registered office of the Branch by the members of the Divisional Branch Executive:

- 34.2.5.1 *invoices;*
- 34.2.5.2 *receipts;*
- 34.2.5.3 *financial returns;*
- 34.2.5.4 *taxation returns;*
- 34.2.5.5 *statements of accounts; and*
- 34.2.5.6 *documents, relating to, or supporting, the expenditure concerned.*

11. Renumber existing rule 34.2.4 as rule 34.2.6 and amend as follows:

~~34.2.4.6~~ ~~Divisional State Council~~ *The NSW Divisional Branch Executive* may authorise the issuing and operation of credit cards to ~~officers~~ *officials* and employees for specific expense purposes.

34.2.~~4.6.1~~ Credit cards issued to ~~officers~~ *officials* or employees will be for such limited credit amount as is decided by the NSW Divisional Branch Executive from time to time.

34.2.~~4.6.2~~ The NSW Divisional Branch shall develop and implement policy and procedures relating to the issuing and use of credit cards.

Affirmative Action Rules Alterations

12. Amend rule 20.3.3 as follows:

20.3.3. The NSW Divisional State Council shall consist of the NSW Divisional Branch President, NSW Divisional Branch Secretary, *Affirmative Action (Women) Councillor* and NSW Divisional State Councillors representing members of the respective Sections on the following basis:

13. Amend rule 20.3.4 as follows:

20.3.4 NSW Divisional State Councillors *and the Affirmative Action (Women) Councillor* shall be elected every four years as prescribed by rule 22.

14. Insert a new rule 20.4.4 as follows:

22.4.4 The position of Affirmative Action (Women) Councillor shall be open to nomination of female members only.

15. Amend rule 22.1 as follows:

22.1 Elections

22.1.1 There shall be an election conducted every four years for the positions of NSW Divisional Branch President/National Councillor, NSW Divisional Branch Secretary/National Councillor, NSW Divisional Branch Assistant Secretary, NSW Divisional Branch Organiser, Delegates to Divisional Council, NSW Divisional State Councillors, *NSW Affirmative Action (Women) Councillor*, Delegates to NSW Divisional Branch Conference, Chairpersons of NSW Divisional Sub-Branched and Secretaries of NSW Divisional Sub-Branched. The election shall be by postal ballot by such members as are qualified to vote in accordance with this rule.

16. Amend rule 22.8.3 as follows:

22.8.3 If a delegate to NSW Divisional Branch Conference, *the NSW Affirmative Action (Women) Councillor*, or a delegate to NSW Divisional State Council resigns, dies or is removed from office, NSW Divisional State Council may appoint a member of the NSW Divisional Sub-Branch as a NSW Divisional Branch Conference Delegate or a member of the Section as a NSW Divisional State Council Delegate, *or a female member as the Affirmative Action (Women) Councillor*, who is eligible to nominate for the office in accordance with the rules to the office. Provided that if the unexpired portion of the term exceeds three quarters of the term of the office or if it is less but the NSW Divisional State Council so decides an election shall be held to fill the office.

Such elections shall be conducted within six (6) months of the vacancy occurring in accordance with rule 22 with such adoptions as may be necessary to make them applicable.

The successful candidate shall hold office for the unexpired term of his/her predecessor unless he/she resigns, dies or is removed from office in accordance with the rules. Pending the declaration of such election the NSW Divisional State Council may appoint a member of the said NSW Divisional Sub-Branch or Section, *or female member who is* eligible to nominate for the office in accordance with the rules to the office.