

**Regulation 126(1) Notice of Alteration to
CEPU RULES – SECTION A
National Council**

1. By amending rule 3.4 to remove the word “award” as follows:

3.4 To ensure that ~~award~~ rates of pay and other provisions adequately reflect the training and skills of members.

2. By amending rule 7.7 as follows:

7.7 **National Council** *Out of Session Decisions* ~~Decisions by Correspondence~~

7.7.1 When National Council is not in session, any two of the National Executive Officers may submit any matter which is within the power of National Council as prescribed by "rule 7.1 Powers of National Council", to the members of the National Council for *an out of session decision* ~~a decision by correspondence~~.

7.7.2 Such matters may be forwarded by the National Secretary or someone nominated by him or her, either by post, facsimile transmission, or electronically (whether via electronic mail, sms, online or otherwise) to each National Councillor in such form as the National Secretary decides.

The National Secretary shall prescribe a time in which votes shall be returned which shall be a minimum of 7 days unless otherwise agreed by the National Executive Officers *submitting the matter* and may prescribe a preferred method by which Councillors should return their votes.

3. By amending rule 7A.11.1 as follows:

7A.11 **Meetings of National Executive by Telephone and/or Video Conferences and**
Out of Session Decisions ~~Postal Voting~~

7A.11.1 Where, in the opinion of the National Secretary it is more practical to hold a meeting of the National Executive by telephone or video conference, the rules applying to the holding of and voting at National Executive meetings will apply. Provided that any vote taken by telephone or video conference shall be ~~confirmed in writing to the National Secretary~~ *recorded in the minutes of the meeting*.

4. By amending rule 7A.11.2 as follows:

7A.11.2 Where in the opinion of the National Secretary it is considered impractical to hold a meeting of the National Executive, the National Secretary *or someone nominated by him/her* may submit a *matter question* ~~to the National Executive members~~ *for an out of session decision* by post, ~~or~~ *facsimile, or electronically (whether via electronic mail, sms, online or otherwise) in such a form as the National Secretary decides. The National Secretary may prescribe a time in which the vote may be returned and/or a preferred method by which the Executive members should return their vote. The Executive members shall record their vote on the matter so submitted and send*

it to the National Secretary by post, facsimile or electronically (whether via electronic mail, sms, online or otherwise) within the prescribed time where relevant. Each vote must be signed by, or be otherwise verifiably attributable to the Executive member recording it. If a time is prescribed for the return of the vote, failure to lodge a vote within that time means the vote will not be recorded. Failure to lodge a vote in a prescribed time will not render the decision invalid. A decision shall be deemed in the affirmative if the conditions of rule 7A.5 are met.

5. By amending rule 7A.14 as follows:

7A.14 The Committee of Management for Amalgamation

For all purposes of the *Fair Work (Registered Organisations) Act 2009 and its predecessors* ~~Industrial Relations Act 1988~~, as amended, and without limiting the generality thereof, for the purpose of amalgamation of this Union with other organisations, subject to the authorisation by National Council the National Executive shall, notwithstanding any other rule to the contrary, be the Committee of Management and shall be authorised to take all steps to effect an amalgamation and alter any rules for that purpose.

6. By amending rule 8.4.2.2 as follows:

8.4 National Secretary

8.4.1 The National Secretary shall be an honorary position.

8.4.2 The National Secretary shall be responsible for the day to day administration of the Union. In addition to the powers elsewhere set out in these rules, the National Secretary shall:

8.4.2.1 prepare and keep all necessary documents including all appropriate accounting records, for the National Council and auditors;

8.4.2.2 prepare and forward records and returns ~~to the Industrial Registrar~~ in accordance with the *Fair Work (Registered Organisations) Act 2009 and its predecessors* ~~Industrial Relations Act 1988~~;

7. By deleting 10.1 and inserting a new 10.1 as follows:

10 - EXPENSES FOR UNION BUSINESS

~~10.1—Expenses for National Council Business~~

~~All reasonable expenses of National Councillors and officers and employees of the National Council shall be met from the funds of the Union when attending meetings of the National Council or when engaged on union business at the request of the National Council or the National Executive Officers.~~

10.1 Expenses for National Council Business

10.1.1 When attending meetings of the National Council, all reasonable expenses of the National Councillors shall be met:

10.1.1.1 In the case of the Electrical, Energy and Services Division and the Plumbing Division - from the funds of the branch the Councillor represents; and

10.1.1.2 In the case of the Communications Division, from the funds of the Communications Division.

10.1.2 In the case of divisional officers, when attending meetings of the National Council, their expenses shall be met from the funds of the relevant division.

10.1.3 When an officer or employee of the union is engaged on union business at the request of the National Council, the National Executive or the National Executive Officers, unless otherwise decided by the National Council or Executive, any reasonable expenses incurred while on that business shall be met from the funds of the National Council.

8. By amending rule 10.2 as follows:

10.2 Expenses for National Executive Business

All expenses of National Executive members shall be met by the Division ~~or in the case of the Communications Division Industry Group~~ the Executive member represents.

9. By amending rule 11.2 as follows:

11.2 Altering a Term of National Council Office

For the purpose of synchronising elections for offices of National Council, the National Council may, *subject to the relevant provisions of the s.199 of the Fair Work (Registered Organisations) Act 2009, or its predecessors* ~~Industrial Relations Act 1988~~, alter the rules to prescribe an altered term of office provided that no incumbent holder of office shall have their term shortened.

10. By amending rule 17.2 as follows:

17.2 Agreements with State Registered Unions

The Union, where permitted to do so by the *Fair Work (Registered Organisations) Act 2009, its predecessors* ~~Industrial Relations Act 1988~~ or any other law, is authorised to enter into an agreement with a state registered union to the effect that the members of the state registered union concerned who are otherwise ineligible to join the union are eligible to become members of the union under the agreement.

11. By amending rule 18.1 as follows:

18.1 Processing of Litigation on behalf of the Union

Applications, notifications, references, appeals or any other matter or proceeding related to litigation in the *Fair Work Commission* ~~Australian Industrial Relations Commission~~, the Federal Court or other tribunal or court appropriate in the circumstances, may be lodged, or any process may be initiated and advanced, on behalf of the union by the National Council, National Secretary or a National Executive Officer after consultation with the other National Executive Officers, or any other person authorised by the National Council to do so in accordance with the powers of National Council.

12. By amending rule 19.2.1 as follows:

19.2 National Council Funding

19.2.1 Each Division shall pay to the National Council, on a basis proportionate to the respective financial membership of each Division, an amount that is determined by *the* National Council. *In the event that a Divisional branch fails to pay monies owed to the national fund by the end of each half year, it shall be considered unfinancial, and delegates from that branch shall not be entitled to vote at any meeting of the National Council or Executive until all monies owed is paid up.*

13. By amending rule 21 as follows:

21 - NEW RULES & ALTERATIONS TO RULES

21.1 Except as provided in this rule, the National Council shall have the exclusive power to make, amend or rescind the rules of the Union.

21.2 Divisional rules (set out in sections B, C and D) shall not be made, amended or rescinded by the National Council without the prior approval of the appropriate ~~Divisional Council~~ *Division*.

14. Insert a new rule 9.4 as follows:

9.4 The requirements as to notice and the circulation of agenda papers in these rules shall be directory and not mandatory and the accidental or inadvertent omission to give the full notice required to any person entitled to such a notice shall not of itself invalidate the proceedings of the meeting at which such matter is considered.