

RULES

of

THE CIVIL SERVICE ASSOCIATION OF WESTERN AUSTRALIA INCORPORATED

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RULE

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THESE RULES HAVE BEEN CONSOLIDATED AND ARE CORRECT

DATED 17 JULY 2015

S. BASTIAN REGISTRAR 17JULY 2015

RULES

of

THE CIVIL SERVICE ASSOCIATION OF W.A. (INC)

1 - NAME

The name of the Association shall be "The Civil Service Association of Western Australia Incorporated".

2 - REGISTERED OFFICE

The Office of the Association shall be situated at 445 Hay Street, Perth, or at such other place as may from time to time be determined by the Council.

3 - OBJECTS

The principal objects of the Association shall be, by all lawful means, to protect and promote the interests of the membership by:-

- (a) encouraging and facilitating the democratic control of the Association by the membership and the participation of the membership in the development of the Association policy and action;
- (b) conducting negotiations with employers, making applications to industrial tribunals, effecting industrial regulation of the conditions under which members of the Association shall be employed, securing fairness and equity in conditions of employment for all members and ensuring that industrial regulation is efficient and effective;
- (c) representing the industrial welfare of individual members; and, in furtherance of such principal objects:-
- (d) To foster and develop the spirit of community of interest amongst the membership, officials and employees of the Association;
- (e) To manage and control a magazine, newspaper or Journal;
- (f) To encourage membership in the Association and to promote the standing of the membership within the community by all means of communication;
- (g) To initiate and implement, or assist in the implementation of services, other than

industrial services, for the benefit and/or advancement of the membership;

- (h) To raise funds by means of contributions, subscriptions, levies or such other means as necessary, to acquire and/or dispose of all means of property or other assets and to efficiently administer and account for the property and other assets to achieve the objects of the Association;
- (i) To develop the human and information resources of the Association for the betterment of the membership;
- (j) To co-operate, affiliate or amalgamate with other industrial organisations of employees whose objects are not inconsistent with, or repugnant to, the objects of the Association;
- (k) To assist any movement having for its objects the public welfare;
- (l) Deleted.
- (m) To enter into an agreement with the Community and Public Sector Union pursuant to Section 202 of the Australian Industrial Relations Act 1988 or any statutory provision amending, replacing or supplementing that provision.
- (n) To apply for membership of the Community and Public Sector Union for and on behalf of any member who is eligible for membership of the Federation.
- (o) To take all necessary steps to unite with and become the Western Australian Branch of the Community and Public Sector Union.
- (p) To provide appropriate representational services, including advocacy and industrial advice for members, delivered through Union officials, employees, councillors, delegates and agents.

and to do all manner of things which are right and proper to further the objects of the Association.

4 - POLITICAL

The Civil Service Association shall not be identified with any political party, and it shall be unconstitutional for any resolution toward that end to be carried at any General Meeting of the Association or of the Council thereof. No Officer or employee shall have any power whatever to publicly express views on any political party but may otherwise comment on issues affecting Association members, consistent with the Objects and other Rules of the Association.

5 - AFFILIATIONS

- (a) The Association may by resolution of Council affiliate with any organisation. Provided that affiliation with an organisation other than an organisation representing employees of government or government and/or public agencies, authorities, boards, instrumentalities, and business undertakings or trading concerns conducted by or on behalf of the government shall not be effected unless a simple majority decision is obtained of votes cast in a referendum of the financial members of the Association.
- (b) The Association shall be represented on the governing bodies and at meetings

of organisations referred to in subrule (a) by the President and/or the General Secretary or by their nominees or as may be determined by Council.

Where the Association is entitled to be represented by more than two persons, the Council shall determine which of the Association's Councillors and employees shall represent the Association and it may revoke such appointments as it thinks fit.

6 – MEMBERSHIP

- (a) Membership shall be confined to any person who is:
- (1) employed as a public service officer under and within the meaning of the Public Sector Management Act 1994 (WA); or
 - (2) employed under the Forests Act, the Main Roads Act or any Act now in force or hereafter enacted whereby any Board, Commission or other body is constituted to administer any such Act; or
 - (3) otherwise employed in any of the established Branches of the Public Service, including State trading concerns, business undertakings and government institutions controlled by Boards; or
 - (4) employed by the State of Western Australia; or
 - (5) employed by the Crown or by any Minister of the Crown in right of the State of Western Australia; or
 - (6) employed by any statutory body representing the State of Western Australia; or
 - (7) employed by any instrumentality or authority whether corporate or unincorporated acting under the control of or for or on behalf of or in the interest of the State of Western Australia; or
 - (8) employed in either House of Parliament of the State of Western Australia either -
 - (i) under the separate control of the President or Speaker or under their joint control; or
 - (ii) by a Committee appointed pursuant to the Joint Standing Rules and Orders of the Legislative Council and the Legislative Assembly.
 - (9) employed by any company or corporation in which issued shares are held by or for or on behalf of or in the interest of the State of Western Australia, or, if there are no issued shares, in which the Governing body by whatever name called includes nominees appointed by or on behalf of or in the interest of the State of Western Australia.
 - (10) in accordance with the agreement dated 30 May 2005 between the Civil Service Association of Western Australia and the Health Services Union of Western Australia as to the division of future membership coverage, a salaried employee (being a professional, administrative, clerical, technical and supervisory employee) employed either –

- (i) by the Metropolitan Health Service or by any other Western Australian State government person, enterprise or corporation in the Perth Dental Hospital and Community Dental Health Services or any other entity or unit howsoever described or named which provides any of the services provided by the Perth Dental Hospital and Community Dental Service henceforth; or
 - (ii) by the Metropolitan Health Service or by any other Western Australian State government person, enterprise, corporation, agency or management unit for the provision of alcohol and drug addiction services in substitution of the operations and services provided by the Alcohol and Drug Authority.
- (11) all salaried employees (being professional, administrative, clerical, technical and supervisory employees) employed by the Metropolitan Health Service Board ("Board") or by any other Western Australian State Government person, enterprise or corporation in the Perth Dental Hospital or any other such entity or unit howsoever described or named (including Perth Dental Hospital and Community Dental Services) which provides any of the services provided by Perth Dental Hospital or the Dental Services Branch of the Health Department of Western Australia as at 6 May 1998.
- (12) all salaried employees (being professional, administrative, clerical, technical and supervisory employees) employed by the Board in the Graylands Selby - Lemnos and Special Care Health Services ("GSL") who, as at 6 May 1998 were financial members of the CSA until such time as they resign, retire or are permanently transferred or redeployed from the GSL or cease to be a member of the CSA.
- (b)
 - (i) Provided that the following persons shall not be eligible for membership: Persons who are employed by an employer bound by an award made or an industrial agreement registered under the Industrial Relations Act 1979 and in force on 1st March, 1985 and to which an organization of employees registered under the aforementioned Act other than The Civil Service Association of Western Australia Incorporated is party, in the callings which on 1st March, 1985 were mentioned in any such award or agreement or in a classification, not specifically mentioned in the award or agreement as at the 1st of March, 1985 the duties of which are the same or substantially similar to any classification which was so mentioned. Notwithstanding the above, employees of the Lotteries Commission of WA, or however so named, shall be eligible for membership of The Civil Service Association of Western Australia Incorporated.
 - (ii) Notwithstanding the proviso in rule 6(b)(i), and without limiting the generality of rules 6(a)(10) and 6(a)(11), dental technicians, their apprentices or their trainees employed in the Perth Dental Hospital or Community Dental Health Services or any other entity or unit however described or named which provides any of the services formerly provided by Perth Dental Hospital or Community Dental Health Services shall be eligible for membership of The Civil Service Association of Western Australia Incorporated.
 - (iii) Provided further that save and except for the employees referred to in Rule 6(a)(11) and (12) all salaried employees (being professional, administrative, clerical, technical and supervisory employees) (including those listed in Schedule A to the Rules of the Hospital Salaried Officers' Association of Western Australia (Union of Workers)) employed by the Boards of any public

hospital constituted under the Hospital and Health Services Act 1927 (as amended) in such hospitals or for the provision of health services in any district or area in which such board or boards are required or have a duty to provide such services shall not be eligible for membership of The Civil Service Association of Western Australia Incorporated.

- (iv) Notwithstanding the proviso in rule 6(b)(i), technical officers and their supervisors employed in zoological or veterinary nursing functions by the Zoological Parks Authority [its transferee, transmittee, assignee or successor, however described] shall be eligible for membership of the Civil Service Association of Western Australia Incorporated.
- (c) In addition and notwithstanding the provisions of subrule (b) of this rule, membership shall be confined to:
 - (1) salaried officers employed by any University within Western Australia, engaged in professional, administrative, supervisory, technical, or clerical capacities other than:
 - (i) the Vice-Chancellor/s;
 - (ii) persons paid according to academic salary rates and who are substantially engaged in teaching duties or on original research;
 - (iii) persons whose conditions of engagement provide that their salary and status shall be equivalent to those of the academic staff.
- (d) In addition to and notwithstanding the provisions of subrule (b) of this rule, membership shall be confined to tradesmen who are employed as Foremen Tradesmen or Sub-Foremen Tradesmen by Ministers of the Crown, Government Instrumentalities, Agencies or Trading Concerns, excepting the Western Australian Government Railways Commission, the State Electricity Commission of Western Australia, the Metropolitan (Perth) Passenger Transport Trust and the Government Printing Office.
 Provided that the following persons shall not be eligible for membership:
 - (i) Supervisor Shipwrights and Supervisor Dockers employed by the State Shipping Service.
 - (ii) Assistant Dockmaster, South Slipway employed by the Hon. Minister for Works.
- (e) Notwithstanding any of the foregoing, such persons who are employees of the Civil Service Association of Western Australia (Incorporated) provided that such persons:
 - (1) are not eligible to hold the offices of President, Senior Vice-President, Junior Vice-President, Honorary Treasurer or Executive Committee member, and
 - (2) shall not include any persons employed in Level 1 and Level 2 positions and who are eligible for membership of the Australian Municipal, Administrative, Clerical and Services Union of Employees, WA Clerical and Administrative Branch.
- (f) No person under the age of fourteen years shall be a member.

7 - MEMBERSHIP PROCEDURES

- (a) Application for membership can be made in any manner approved by Council. Any person applying for membership after a period of six months from the date of the commencement of employment, may be required to pay an entrance fee, as determined by Council.
- (b) All applications for membership shall be submitted to the Executive Committee for report and recommendation to the Council which shall have power to accept or reject any such application. Any applicant whose application for membership is rejected shall have the right of appeal to the next Annual General Meeting whose decision shall be final.
- (c) A register of the names of the officers and members of the Association shall be kept at the registered office and shall be open during ordinary business hours for inspection by any members or by the Registrar or any person appointed by the Registrar.
- (d) ~~Any member may discontinue membership by giving to the General Secretary three months' written notice of his or her intention to resign, or by paying a sum equal to three months' subscriptions in advance in lieu of notice. No resignation shall be accepted by the Executive Committee until all subscriptions, fines, levies, fees or other moneys then owing by that member to the Association shall have been paid; provided that the Council shall have power to remit the whole or any part of any such subscriptions, fines, levies, fees or other moneys as recommended by the Executive Committee.~~ **(Disallowed - See Order No 1188 of 1996 of 8/10/96)**
- (e) The Council may on the recommendation of the Executive Committee remove from the Register of Members the name of any person who ceased to be a member by reason of death, or of retirement, resignation or dismissal from employment.
- (f) ~~The Council shall remove from the Register of members the name of any member whose subscriptions or any levy, fine or penalty imposed on or payable by that member under this Constitution and Rules is in arrears for six months or longer, and no person whose name has been so removed shall be readmitted to membership until payment of arrears and of such entrance fee as the Council may determine has been made; Provided that the Executive Committee shall have power to remit the whole or any part of such arrears or entrance fee, subject to approval of Council.~~ **(Disallowed - See Order No 1188 of 1996 of 8/10/96)**
- (g) An Annual General Meeting or a Special General Meeting called for the purpose may by resolution confer Life Membership on any person, in recognition of long or special services rendered to the Association.
 - (1) A life member shall thereafter be entitled to all the rights and privileges of membership but shall be exempted from payment of subscriptions or levies.
 - (2) A life member who ceases to be or is not eligible for membership of the Association in accordance with Rule 6 - Membership shall not be entitled to the rights conferred upon financial members by this Constitution and Rules to nominate, be nominated or vote in any election or ballot.
- (h) Notwithstanding the provisions of any other rule to the contrary, no member shall be nominated for, elected to or hold office in the Association if she or he is or becomes an officer of any other registered organisation of employees other than the State Public Services Federation.

8 - AFFILIATION OF SUB ASSOCIATIONS

- (a) The Council may, subject to the following conditions, approve of the affiliation of any sub-association within the Association, namely:-
 - (1) that all its members are financial members of the Association.
 - (2) that its constitution and rules are not repugnant to nor inconsistent with this constitution and rules.
 - (3) that all elections for officers in an affiliated sub-association shall be by secret postal ballot of all financial members of the affiliated sub- association.
 - (4) that its constitution and rules contain a provision to the effect that any approach to the Government or to the Public Service Board or to any other authority shall be made only through the Council; provided that nothing contained in this sub-clause shall affect the right of direct approach to the permanent head of a department by an affiliated sub- association of members of that department.
 - (5) that a minimum membership of 30 be maintained.
- (b) The Council shall not approve of the affiliation of any such Sub-Association, except a Sub-Association which consists wholly of members who follow the same calling or type of calling, unless the majority of its members reside at a greater distance than 50 kilometres from the General Post Office, Perth. Provided that nothing contained in the clause shall prevent the Council from granting affiliations to:
 - (1) Sub-Associations constituted to watch over the specific interests of either female or male members and whose respective membership is restricted to members of the Civil Service Association of W.A. (Inc) of that particular gender;
 - (2) Or a Sub-Association of members from an industrial union which has amalgamated with the Association;
 - (3) Or any other Sub-Association whose formation is approved by a 2/3 majority of Councillors attending at Council. Such a Sub-Association shall not prejudice the interests of the general membership of the Association. Upon receipt of any petition, complaint, request or communication from any affiliated sub-association, the Council shall consider it and refer it forthwith to the appropriate authority with such comments, if any, as it thinks fit.
- (c) Upon receipt of any petition, complaint, request or communication from any affiliated sub-association, the Council shall consider it and refer it forthwith to the appropriate authority with such comments, if any, as it thinks fit.
- (d) No officer or member of any affiliated sub-association shall have power to act or to speak for the Association without the express authority of the Council.
- (e) An affiliated sub-association shall have the right to send an observer to meetings of Council and such observer shall have the right to require the Chair to submit business to Council, on behalf of the sub-association, which business shall be seconded by a member of Executive committee or another member of Council. The observer shall have the right to speak to such business and, by the permission of the Chair, either to or against any other question, but shall not have the right to vote at such meetings.

9 - ALTERATION OF CONSTITUTION

- (a) No amendment, addition to, variation, rescission, or substitution of this Constitution and Rules shall be made unless:
- (i) it has been passed by a majority of two thirds of the members eligible to vote and voting at a special general meeting convened for the purpose of considering such changes, provided that the quorum for such a meeting shall be one percent (1%) of financial members at the date of calling the meeting, or
 - (ii) it has been approved by a simple majority of members voting in a referendum conducted in accordance with Rule ~~24~~22, or
 - (iii) it has been passed by a majority of two thirds of the members of the Council in attendance and voting at a meeting of the Council, provided that notice of the proposed amendment, addition to, variation, rescission, or substitution has been posted or emailed to each Council member, at least twenty one (21) days prior to the meeting:

and unless a notice of the proposed alteration and the reasons therefore, is advertised on the Union's website, or by other means made accessible to the membership.

- (b) Should a special general meeting convened in accordance with sub-rule 9(a)(i) lapse for want of a quorum, the proposed changes shall be considered by the next meeting of Council, in accordance with sub-rule 9(a)(iii).
- (c)
 - (i) In the notice to members referred to in subrule (a) members are to be informed that they or any of them may object to the proposed alteration by forwarding a written objection to the Registrar to reach him no later than 21 days after the date of receipt of the notice.
 - (ii) In the notice to members referred to in subrule (a) and with respect to any proposed alteration of the rule relating to the qualification of persons for membership of the union, members are to be informed that they or any of them may object to making of the application for the proposed alteration and/or object to the proposed alteration by forwarding a written objection to the Registrar to reach him no later than 21 days after the date of receipt of the notice.
- (d) No alteration to any of the rules of the Association shall be or become effective until the Registrar has given to the Association a certificate that the alteration has been registered.
- (e) Any amendment, addition, variation, recession or substitution to the Constitution and Rules shall be published in the Civil Service Journal upon receipt by the Association from the Registrar of the certificate referred to in subrule (d) of this rule.

10 - DISSOLUTION OF THE CONSTITUTION

The Association shall not be dissolved except by a decision of a two-thirds majority of the members.

11 - SUBSCRIPTIONS AND LEVIES

- (a) The fortnightly subscription for membership of the Association shall be a percentage of a member's gross fortnightly salary, as determined by Council or a rate as determined by Council from time to time.

Subscriptions and levies and other fees payable by members of the Association may be paid:

- (i) at the office of the Association;
 - (i) by payment to a collector authorised by the General Secretary;
 - (ii) by an authority for deduction from salary and payment to the General Secretary,
 - (vi) by an authority for deduction from salary in accordance with an agreement between his/her employer and the Association whereby the employer agrees to deduct subscriptions from the salary of candidates for membership or members and to pay the same into a bank account in the name of the Association;
 - (v) by an authority in accordance with an arrangement approved by the Association providing for payments by instalments deducted from a bank, building society, credit union or similar account at monthly or more frequent intervals;
 - (vi) any other arrangement determined by Council from time to time.
- (c) If in the opinion of the Council it is at any time necessary or expedient to augment the funds of the Association or to provide funds to meet extraordinary expenditure lawfully incurred, or for any special purpose consistent with the objects of the Association, the Council shall have power to impose a levy or levies upon the members. Upon deciding to impose a levy or levies upon the members the Council shall cause a notice to be published in the Civil Service Journal stating the amount of the levy, the purposes for which the levy is to be applied and the date upon which payment is due. The publication of such notice as aforesaid shall be deemed to be sufficient notice to all members of the imposition of any levy, and the Council shall thereupon proceed to collect any such levy without further notice.
- (d) Any member whose subscriptions or levy fine or penalty imposed on or payable by that member under this Constitution and Rules, is in arrears for three months or longer shall be deemed "unfinancial" and shall cease to be entitled to any of the privileges, rights, advantages and benefits whatsoever arising out of membership, and shall vacate any office held by that member.
- (e) Any person who ceases to be a member, shall remain liable for, and shall pay to the Association, all moneys which, at the time of ceasing to be a member, may be due to the Association and any such person shall have no claim on any portion whatever of the property of the Association. All moneys owing to the Association by a member may be sued for by the General Secretary in the name of the Association.

12 - COUNCIL

- (a) The management of the Association shall be vested in a Council which shall be elected from the financial membership of the Association and shall comprise:
 - (i) One President, elected by all financial members by secret postal ballot.
 - (ii) Two Vice-Presidents, elected by all financial members by secret postal ballot.
 - (iii) One Honorary Treasurer, elected by all financial members by secret postal ballot.
 - (iv) One General Secretary, elected by all financial members by secret postal ballot.
 - (v) One Assistant General Secretary, elected by all financial members by secret postal ballot.
 - (vi) Councillors who are members of the Electorate they represent, elected by the financial members in such Electorate by secret postal ballot.
- (b)
 - (i) Each Electorate will be represented on Council by one ~~Councillor and one Proxy~~ Councillor for each 500 financial members or part thereof allocated to the Electorate as at 31st December in the year preceding an election.
 - (ii) Each ~~Councillor and Proxy~~ Councillor shall be elected for a term of four (4) years by and from the whole of the financial membership in the Electorate.
 - ~~(iii) Proxy Councillors shall perform the duties and exercise the powers of Councillors during the Councillors' absence, unavailability or when a position of Councillor is vacant. Should there be more than one Proxy Councillor within an Electorate, the allocation of proxies shall be by rotation.~~
- (c)
 - (i) The Association shall be divided into Electorates consisting of such members of the union as is determined by the Council from time to time in its discretion having regard to such advice as to the views of members affected as is available.
 - (ii) An Electorate may consist of all or some of the members employed in a Department, Statutory Authority, institution or other authority, or of members employed in a geographical area within or part of the Association, or of members employed in more than one Department, Statutory Authority, institution or other authority. The minimum number of members who may constitute an Electorate shall be 250 financial members.
- (d)
 - (i) There shall be one or more Health Electorates consisting of all members employed in or by a public hospital, private hospital, nursing home, public dental clinic, area health service, community health service or psychiatric service; or employed in or by any department, or part of a department or by any employer which a resolution of the Council declares to be a health service body.
 - (ii) There shall be one or more Higher Education Electorates consisting of all members employed in or by a University, College of Advanced Education, a

Department of Technical and Further Education, a College or Institute of Technical and Further Education; or employed in or by any department, or part of a department or by any employer which a resolution of the Council declares to be a higher ~~education~~education body.

- (iii) Where as a result of abolition, amalgamation or other alteration in the structure of a department, institution, authority, the basis for the constitution of an Electorate under sub-rule (c)(ii) of this rule or representation at ~~C~~Council under Rule 12 is varied, the Council may determine that the Electorate no longer exists and the tenure of all Councillors within the Electorate shall thereupon terminate. The Council shall forthwith determine new arrangements for the representation of members of the former Electorate. This paragraph shall not apply to the Health and Higher Education Electorates.
- (iv) Where a department, institution or authority has less than 250 financial members it shall be grouped with other Departments, institutions or authorities into an Electorate according to the criteria set out in sub-rule (c), if together they represent a combined membership of 250 or more financial members.
- (e) (i) Where ~~aan~~ Electorate has, for a period of not less than three consecutive months, a financial membership which would entitle members in that Electorate to elect an additional Councillor, an election for such vacancy shall be conducted in accordance with these Rules as an extraordinary vacancy. Provided that, unless Council determines otherwise, such election shall not be conducted if the entitlement to elect an additional Councillor arises within the six months immediately preceding the date a general election of Councillors is due to be held.
- (ii) Where the number of financial members in ~~aan~~ Electorate declines to such an extent that it has more Councillors than it is entitled to elect under these Rules, such Councillor or Councillors shall, nonetheless, continue to hold office for the balance of their term of office except where subrule (h) of this Rule applies.
- (f) (i) The general elections of Councillors representing Electorates, shall be held every four years and the first of such elections shall be in 1992.
- (ii) Councillors representing Electorates shall hold office from the day next following the day of the Annual General Meeting in the year in which they are elected to the day of the Annual General Meeting in the year of the next general elections.
- (iii) Any general election shall be completed on or before July 15 of the year in which it is held; and shall be conducted in accordance with this Constitution and Rules.
- (g) (i) The Council shall appoint a Returning Officer who is not an officer or employee of the Association to conduct all elections and referendums held in pursuance of this Constitution and Rules other than those conducted by affiliated sub-associations for the purpose of electing officers of the affiliated sub-associations.
- (ii) The Council shall at each August meeting fix the Returning Officer's honorarium for the past year.

- (h) A Councillor shall vacate his or her seat if he or she:-
 - (i) resigns;
 - (ii) ceases to be a member of the Association;
 - (iii) absents himself or herself from three or more consecutive meetings of the Council without leave of absence or other sufficient reason; Provided the reasons for the Councillor's non-attendance are fully investigated;
 - (iv) is elected to the position of President, Vice-President, Honorary Treasurer, General Secretary or Assistant General Secretary;
 - (v) is transferred from the Electorate by which he or she is elected.
- (i) (a) Any extraordinary vacancy occurring in the Council shall be filled as soon as practicable by an election conducted in accordance with this constitution and rules, provided that if the unexpired portion of the holder of the office immediately prior to the vacancy is less than six months the Council may at its discretion decide not to fill such extraordinary vacancy but provided further that where the Council has decided not to fill the extraordinary vacancy the Council shall conduct an election to fill such vacancy on requisition signed by at least 25% of the members eligible to vote in an election for that office.
- (b) Such election shall be by secret postal ballot of the financial members of the Electorate which the Councillor whose place is vacant previously represented.
- (c) In the case of a vacancy caused by insufficient nominations from any Electorate following the calling of nominations for the general election of Councillors, a supplementary general election by secret postal ballot by the financial members of the Electorates shall be conducted. Provided however that such supplementary general election shall be completed by October 15 in the year in which the general election is held.
- (d) Where no nomination is received from an Electorate subject of such supplementary general election, the Returning Officer shall recall nominations until such times as may be required to fill that or any other vacancy in existence at the conclusion of a supplementary general election.
- (e) Any Officer or Councillor elected to fill an extraordinary vacancy shall hold office for the balance of the term for which the Officer or Councillor whose place has been taken was elected.
- (j) (i) The Council shall meet at such times as may be deemed expedient, but not less than ten times a year.
- (ii) The General Secretary shall on receipt of a requisition signed by not less than 25% of Council call a special meeting of the Council to be held not more than 14 days after receipt of such requisition.
- (iii) A quorum shall be a majority of those entitled to attend and vote at the meeting.
- (iv) All meetings of the Council shall be held with open doors except upon such occasions as the Council may by resolution introduced without notice otherwise determine or when it has resolved itself into a committee of the

whole, unless the Council votes to allow persons who are not Councillors to attend and/or speak.

- (v) The powers of the Council shall continue notwithstanding any vacancy therein; Provided always that a quorum shall remain qualified to act.
- (k) If the President shall be absent from any meetings of the Council a Vice- President shall preside, and in the absence of those Officers, the Honorary Treasurer. Provided that if none of these officers are present, the Council shall appoint one of its members to preside.
- (l) The Council shall have power:
 - (i) To pay any charges or expenses incidental to the Association.
 - (ii) To make donations provided that a recommendation has been received from the Executive Committee. Assistance to affiliated sub- associations shall not be a donation within the meaning of this clause.
 - (iii) To take on lease or by purchase or otherwise acquire property for the purposes of the Association.
 - (iv) To establish an Association premises Building Fund and may direct the Executive Committee to pay any specified moneys to the credit of such fund. Any money so paid shall not be expended except for the purchase or erection of premises to be used for the Association's headquarters or for purposes connected therewith unless with the consent of a majority of the members present and voting at a General Meeting of the Association.
 - (v) To purchase, hire or otherwise acquire any books, newspapers, documents and other property necessary for the purpose of the Association.
 - (vi) To appoint any person whose services may be deemed necessary for the carrying out of the purposes of the Association and at any time to suspend or discharge any such person and to fix the remuneration to be paid for that person's services.
 - (vii) To make Standing Orders not inconsistent with the Constitution and Rules for the conduct of meetings of the Association, Council and Committees.
 - (viii) To expel, suspend, remove or fine up to a maximum of fifty dollars any member or Officer or employee who in the opinion of the council acts in a manner contrary to the interests of the Association, or whose conduct has been inconsistent with this Constitution and Rules or the Standing Orders, or who is incompetent or neglectful in the discharge of his or her duties, insofar as such duties relate to the affairs of the Association; Provided that opportunity shall be given (by registered letter with at least 7 ~~days-~~ noticedays' notice) every such member or Officer or employee to be heard in his or her own defence, and provided that every such member or Officer, or employee expelled, suspended, removed or fined, shall have the right of appeal to the next Annual General meeting or Special General meeting called for the purpose, whose decision shall be final.
 - (ix) To call Special General meetings to consider any subject deemed to require attention or upon receipt of a requisition from not less than 100 members.

- (x) To consider all matters or questions affecting the welfare of members and take such action as may be deemed necessary in regard thereto;
- (xi) To make arrangements for the election of representatives to appeal Boards and Tribunals and, in an emergency, the appointment of a representative.
- (xii) To grant leave of absence to any of its members.
- (xiii) To appoint such committees as may be deemed necessary.
- (xiv) To grant affiliation to sub-associations established under Rule 8.
- (xv) To invest any moneys of the Association in such manner as trust moneys may for the time being by law be invested. Provided, however, that moneys may be invested in such other manner as is directed by the resolution of a special general meeting called in accordance with Rule ~~24~~25 of this Constitution for that purpose.
- (xvi) To publish a journal to promote the interests of the Association.
- (xvii) To strike levies from time to time.
- (xviii) To delegate its authority as it may deem necessary.
- (xix) To award by resolution passed by a two-thirds majority of Councillors present and voting, a Testimonial Medal to any person in recognition of services rendered to the Association. The medal and manner of presentation shall be decided by the Council.
- (xx) Deleted.
- (xxi) To pay honoraria to Workplace Representatives and/or Councillors.
- (xxii) To enter into an agreement with the Community and Public Sector Union pursuant to Section 202 of the Australian Industrial Relations Act 1988 or any statutory provision amending, replacing or supplementing that provision.
- (m) The Council shall interpret doubtful rules and in matters in relation to which this Constitution and Rules are silent, may regulate its own procedure.
- (n) A report by the President and General Secretary of the activities of the Association during the preceding financial year, together with the financial statements, and following approval by Council shall be presented at the Annual General meeting and made available to members on the Association's web site. A summary of the report, approved by the General Secretary, shall be published in an official Association publication to all members. A full copy of the report shall be provided to any member who so requests.

13 ~~13~~--- PROXY VOTING ON THE COUNCIL

- (a) A member of the Council who is unable to attend all or part of a meeting may appoint a proxy.
- (b) A proxy must be a financial member of the Union
- (c) A proxy has all the powers of the person they represent

- (d) The proxy must act in accordance with any direction issued by the person they represent.
- (e) The person appointing a proxy must advise the General Secretary in writing of the appointment.
- (f) A proxy is entitled to exercise votes allocated to them and votes allocated to the person they represent.]
- (g) At any meeting, a person shall not act as a proxy for more than one person.
- (h) A proxy may not be appointed for a meeting of the Executive Committee.

14 - EXECUTIVE COMMITTEE

- (a) The Executive Committee shall consist of the President, the two Vice Presidents, the Honorary Treasurer, the General Secretary and the Assistant General Secretary and six members who shall hold office for a term of four years elected in each even numbered year by the Council from its members.
- (b) The general election to the office of Executive Committee member shall be conducted in August by a secret postal ballot of Council members in accordance with the following procedures and the provisions of Rule ~~2223~~ - Elections, which shall apply with the necessary changes being made.
- (c)
 - (1) The Returning Officer shall determine the timetable for the election in accordance with Rule ~~2223~~(b)(1) and report the timetable so determined to the June meeting of Council.
 - (2) The Returning Officer shall, by notice in writing to each member of Council:
 - (i) advise the election timetable determined in accordance with Rule ~~2223~~ (b)(1) and-
 - (ii) call for nominations from financial members of Council, which shall be lodged with the Returning Officer at the place and by the time determined by the Returning Officer.
 - (3) The above notice shall be in accordance with Rule ~~2223~~(a)(2), and the provisions of Rule ~~2223~~(a)(1) shall not apply.
 - (4) Where, on the expiry of the period for lodging nominations, the number of eligible nominations is equal to or less than the number of vacancies, the Returning Officer shall declare in accordance with this Constitution that the members so nominated have been elected.
 - (5) Where, on the expiry of the period for lodging nominations, the number of eligible nominations less than the number of vacancies, the Returning Officer shall, as soon as practicable after the expiry of that period, so advise the General Secretary. On receipt of such advice the provisions of Rule ~~4314~~(g) shall apply.
 - (6) Each candidate shall be entitled to have posted free to each voter a

statement provided by the candidate in support of their claim for election.

- (i) The statement shall be in a form as determined by Council from time to time and shall be posted together with the ballot papers.
 - (ii) The Returning Officer shall determine a time and date for receipt of statements from candidates.
- (7) The full names and addresses of financial members of Council holding office as at the date of closing of nominations shall form the electoral roll for the election. -The Returning Officer shall be provided by the Association with a roll of the persons who, on date of closing of nominations, are entitled to vote in the election, and that roll shall:
 - (i) be certified as correct by the General Secretary;
 - (ii) show the full names and addresses in alphabetical order of surname, and where the surnames are identical in alphabetical order of first or given names (the surname being, in each case, given before the first or given name relating thereto).
- (8) The provisions of Rule 2223(e)(1), (2), (3) and (4) shall not apply to the above electoral roll.
- (d) The Executive Committee shall be responsible for the management and proper conduct of the business and the carrying out of the policy of the Association between meetings of the Council, subject to the resolutions and decisions of the Council and to the Constitution and these Rules and in particular shall:-
 - (1) Perform the duties allotted to it by the Council.
 - (2) Deal with and make recommendations to the Council in regard to all matters of finance.
 - (3) Examine all accounts and present them to the monthly meetings of the Council.
 - (4) Advise the Council as to the financial position of the Association.
 - (5) Supervise the receipt and banking of funds of the Association.
 - (6) Deal with such other matters as may be referred to it by the Council from time to time.
 - (7) Have power to authorise payment of any amount up to a level as determined by Council each year.
 - (8) Meet at least once in each month. Should the President deem it advisable to hold a special meeting of the Executive to consider any matter which in his or her opinion merits the holding of such meeting, he or she may instruct the General Secretary to summon a special meeting, and the General Secretary shall do so forthwith. Upon receipt of a requisition for a special meeting giving particulars of the nature of the business to be discussed and duly signed by at least four members of the Executive, the General Secretary shall forthwith summon a special meeting. All notices convening special meetings shall state the nature of the business to be considered and no business other than that mentioned in the notice summoning the meeting shall be transacted at any such meeting.

- (e) Seven members shall form a quorum.
- (f) Any member elected by and from the Council who shall absent himself or herself from three consecutive meetings of Executive Committee without leave of absence of the Council shall thereupon be deemed to have vacated his or her seat and that office shall be filled in accordance with provisions of clause (hf) below.
- (g) Where an elected member is granted leave of absence for 2 months or more, the Council shall appoint a replacement for such period of absence.
- (h) The Returning Officer shall open nominations for any casual vacancy at the next occurring Council meeting and close nominations 14 days later. If required, an election will be held as soon as practicable. The provisions of clause (b), with the necessary changes being made, shall apply to such casual elections. An Executive Committee member so elected shall hold office for the unexpired portion of the original term of office.
- (i) The General Secretary shall, whenever it is considered necessary by Council, and in accordance with the Industrial Relations Act 1979, request the Registrar to conduct an election for the offices of Executive Committee member. Should the Registrar grant the Association's request, such election shall be held substantially in accordance with this Constitution.

14—15 - PRESIDENT

- (a) The President who shall be a financial member of the Association shall be elected by secret postal ballot of all financial members of the Association for a term of four years. The President shall hold office from the day next following the day of the Annual General Meeting in the year of election to the day of the Annual General Meeting in the year of the next election for President. The first of such elections shall be held in 1978.
- (b) The duties of the office of President shall be to:
 - (1) preside at all General Meetings and meetings of the Council and the Executive Committee and preserve order thereat and upon the minutes being confirmed to sign the Minute Book in the presence of the meeting.
 - (2) enforce the rules, Association policies, and Standing Orders and have control of meetings at which he or she presides, and shall use all necessary power to secure and enforce order and expedition in the conduct of the business and good order of the members thereat.
 - (3) act in conjunction in all matters of urgency with the Vice-Presidents, the Treasurer, the General Secretary and the Assistant General Secretary. Provided that should any of the principal officers be unable to be consulted, such action shall be taken by no less than two principal officers together with the General Secretary.
 - (4) ensure as far as possible that the rules of the Association are performed and observed by officers and members of the Association.

- (5) request and receive an explanation from any officer or member of the Association in any case where the President believes that the rules of the Association have not been performed or observed and report thereon to Executive and Council.
- (6) generally act to safeguard the reputation, unity autonomy and property of the Association.
- (7) be an ex-officio member of all committees of the Association.
- (c) The President may call a meeting of the Council at any time.
- (d) The President may authorise any extraordinary expenditure up to a level as predetermined by Council each year.

~~15-16~~ - VICE-PRESIDENTS

- (a) There shall be two Vice-Presidents who shall be financial members of the Association and who shall be elected by secret postal ballot of all financial members of the Association for a term of four years. The Vice-Presidents shall hold office from the day next following the day of the Annual General Meeting in the year of election to the day of the Annual General Meeting in the year of the next election for Vice-Presidents. In the absence of the President, or whenever the President requests, or Council instructs, shall perform the duties of the President or such of those duties as may be specified in each request or instruction. The allocation of such duties between the Vice- Presidents shall be by rotation or by mutual agreement as the case may be.

~~16-17~~ - HONORARY TREASURER

- (a) The Honorary Treasurer who shall be a financial member of the Association shall be elected by secret postal ballot of all financial members of the Association for a term of four years. The Honorary Treasurer shall hold office from the day next following the day of the Annual General Meeting in the year of election to the day of the Annual General Meeting in the year of the next election for Honorary Treasurer. The first of such elections shall be held in 1978.
- (b) The duties of the Honorary Treasurer shall be to:-
 - (1) Furnish to the Council at the meeting next before the Annual General Meeting of the Association a detailed report of the Association's financial position. Such report shall be accompanied by properly prepared statements of accounts duly audited and certified by the Association's auditors. Such statements shall show under appropriate headings the revenue and expenditure, also estimates of the Association's assets and liabilities at the close of the year.
 - (2) Submit at each monthly meeting of Council a statement of income and expenditure for the month preceding the meeting. (27/2/89)
 - (3) Make all payments authorised by the Council in the manner provided for by Rule ~~26~~27(b).

- (4) Cause to be kept proper books showing the Association's financial transactions.
- (5) Obtain at the direction of the Council a fidelity guarantee bond for all persons responsible for the funds of the Association, the cost of the premium to be paid by the Association.
- (6) In the absence of the Vice President to assume all the duties and responsibilities of that office.

17-18 - WORKPLACE DELEGATES

- (a)
 - (1) Each Electorate shall be divided into Workplaces. A Workplace shall consist of such members as are determined from time to time by the Council after giving prime consideration to any recommendations of the Electorate.
 - (2) A Workplace Delegate and a Deputy Workplace Delegate shall be elected for a term of four (4) years in each odd-numbered year by and from the financial membership in each Workplace by secret ballot under the provisions of these Rules. Delegates and Deputy Delegates shall hold office from the day next following the Annual General Meeting in the year in which they are elected to the day of the Annual General Meeting in the next odd-numbered year.
 - (3) A Deputy Delegate shall perform the duties and exercise the powers of the Delegate during the Delegate's absence, un-availability or when the position of Delegate is vacant.
 - (4) The office of a Delegate or Deputy Delegate shall become vacant if he or she dies, resigns, is removed from office under these Rules, ceases to be a member of the Association or is transferred out of the Workplace represented for a period in excess of three months.
- (b)
 - (1) There shall be an Electorate Delegates Committee (hereafter termed the EDC) in each Electorate. An EDC shall consist of all of the Workplace Delegates in the Electorate. A Councillor or Proxy Councillor of the Electorate, who is not a Workplace Delegate, shall be ex-officio a member of the EDC.
 - (2) An EDC:
 - i) may submit a proposal for consideration by Council or the Executive;
 - ii) shall assist in the work of the Association;
 - iii) shall report to Council, Executive, the General Secretary or an Electorate meeting of members on any matter;
 - iv) shall, subject to these Rules, oversight the activity of the Electorate in an industrial dispute relating to a matter pertaining only to that part of a Department, Statutory Authority, Institution or Authority covered by the EDC;
 - v) may convene Electorate meetings

vi) shall subject to these rules determine its own method of operating.

- (3) An EDC is empowered to make representations to management in accordance with Association Rules and policy on any matter which affects that Electorate only. This includes the power to nominate any financial member in the Electorate as a representative to a joint union/management committee, provided that final power of decision remains with a meeting of the EDC or members of the Electorate. The General Secretary, Executive or Council may take control at any time of a matter which the EDC is pursuing.
 - (4) An EDC may direct a Councillor from the Electorate or her/his proxy as to the manner which that Councillor shall vote or exercise her/his functions as a Councillor. Should any such direction be contrary to a direction of an Electorate Meeting, the direction of the Electorate Meeting shall prevail. The provisions of subrule (g) of this Rule shall apply to any direction given under this subrule.
- (c)
- (1) An EDC shall meet in person and/or by post, facsimile, telephone conference or other electronic means, when directed by Council, the Executive or the General Secretary, or when the Chair or Secretary or majority of the EDC members thinks fit, provided that at least one meeting shall be held in each of the quarters ending 31st March, 30th June, 30th September and 31st December in each year.
 - (2) A meeting of an EDC shall be convened by the Chair or the Secretary of the EDC or the General Secretary giving reasonable notice of the meeting to members of the EDC and stating the purpose of the meeting.
 - (3)
 - i) the first meeting of an EDC may be convened by any member of the EDC or the General Secretary.
 - ii) in convening the first meeting of an EDC at least one week's written notice shall be given to all members of the EDC.
 - (4) Any financial member of the Electorate, not being a member of the EDC, may attend a meeting of the EDC and by leave of the meeting speak but not vote at the meeting.
- (d)
- (1) Each member of an EDC, other than an ex-officio member who shall have one vote only, shall have a vote equal to the number of financial members in the Workplace represented. The number of financial members for the Workplace is deemed to be the number of financial members for that Workplace that was recorded at the Association Office at the close of nominations for the immediately preceding annual election of Workplace Delegates.
 - (2) The Chair of an EDC shall not have a casting vote and in the event of an equality of votes the question shall be determined in the negative.
 - (3) Where between the annual election of Workplace Delegates a new Workplace is created or the Workplace structure of an Electorate is otherwise amended, the number of financial members for the new or amended Workplace and for all other Workplaces in the Electorate for the purposes of determining the vote of the Workplace Delegate, shall be deemed to be the number of financial members for that Workplace as recorded at the Association Office as at the date of creation or amendment of

the Workplace.

- (e) (1) As soon as practicable after the commencement of the term of office of an EDC, the Returning Officer shall conduct an election for the positions of Chair and Secretary of the Committee.
- (2) In all elections conducted under this Subrule the following procedures shall be observed:
 - i) The Returning Officer shall fix a time and date for the closing of nominations and shall notify same to the members constituting the EDC for which the election is being held.
 - ii) Nominations shall be lodged with the Returning Officer.
 - iii) The ballot shall take place at the EDC meeting after the closing of nominations if possible and if not, as soon thereafter as practicable.
 - iv) Any member of the EDC who is unable to be present at the holding of the ballot may apply to the Returning Officer for a ballot paper and may deliver or post such ballot paper so as to reach the Returning Officer prior to the closing of the ballot.
 - v) At the conclusion of the counting of the votes, the Returning Officer shall declare the successful candidate(s) elected at the meeting at which the ballot is held if possible and if not, as soon thereafter as practicable.
 - iv) The provisions of Rule 2223 of these Rules shall apply, with the necessary alterations, to elections conducted under this subrule.
- (3) Pending the filling of a position of Chair or Secretary of aan EDC under subclause (e)(1) of this Rule, the EDC may appoint one of its members to act in the position. The person so appointed shall cease to act when the position is filled pursuant to subclause (e)(2) of this Rule.
- (4) Where a vacancy exists in the position of either Chair or Secretary of aan EDC following the conduct of an election under subclause (e)(1) of this Rule, that vacancy may be filled by appointment by the EDC of one of its members. The person so appointed shall hold office for the remainder of the term of office of the position.
- (5) The respective duties of the Chair and Secretary of the EDC shall include:
 - i) Chair - to Chair meetings of the EDC, to carry out any representation requested by the EDC within its authority.
 - ii) Secretary - to keep a written record of meetings, to forward a copy of such records to the General Secretary within 7 days of a meeting, to give notice of meetings where appropriate, to carry out such representation tasks as may be required. The Secretary shall also be required to advise the General Secretary of variations in office holders of the EDC.
- (6) The office of a Chair or Secretary of aan EDC shall become vacant if she or he dies, resigns, is removed from office under these Rules, ceases to be a member of the Association or ceases to be a member of the EDC.

- (f) Workplace Delegates shall:
- (1) distribute written material authorised by the Association to members in the workplace.
 - (2) promote knowledge and an understanding of Association policies and activities.
 - (3) advise the EDC and Association staff of the views of the members in the workplace and any important issues or changes in the workplace.
 - (4) hold meetings of members in the workplace to discuss matters of common interest or concern.
 - (5) make representations to management and take action in accordance with these rules and Association policy to resolve matters affecting members in the workplace only.
 - (6) refer unresolved workplace matters, or matters affecting members outside the delegate's own workplace, to Association industrial staff and/or to the EDC, who may in turn refer the matter to the Council via the Electorate's Councillor.
 - (7) advise members of their industrial entitlements.
 - (8) endeavour to protect the working conditions and award rights of members in the workplace.
 - (9) strengthen union organisation in the workplace by recruiting potential members, and informing members about actions taken on their behalf.
 - (10) advise of changes of membership in the workplace.
 - (11) attend all meetings of the EDC.
- (g)
- (1) For the purposes of these Rules it shall be a breach of these Rules and of a delegate's or councillor's duty thereunder to vote or exercise the function of a Workplace Delegate or Councillor in a manner which is contrary to a direction by the workplace or electorate which the delegate or councillor represents; and
 - (2) For the purposes of this Rule a direction of a workplace means a direction by resolution of any workplace meeting which clearly and expressly sets out the attitude of the workplace to an explicit proposal or course of action referred to in the resolution, or of reasonably close similarity to such a proposal or course of action. Any such direction shall have no effect unless communicated to the Workplace Delegate concerned prior to the transaction of the business which is the subject of direction.
 - (3) For the purposes of this Rule a direction of an electorate means a direction by resolution of any electorate meeting or EDC meeting which clearly and expressly sets out the attitude of the electorate or EDC to an explicit proposal or course of action referred to in the resolution, or of reasonable close similarity to such a proposal or course of action. Any such direction shall have no effect unless communicated to the Councillor concerned prior to the transaction of the business which is the subject of direction.
- (h)
- (1) All elections required to be conducted by this Rule shall be conducted in accordance with Rule 2223 - Elections, with the necessary changes being

made.

- (2) The provisions of subrule ~~2223~~(a) shall not apply provided that the Returning Officer shall not less than 21 days before the date of commencement of the period for lodging nominations of candidates for an election for the offices of Workplace Delegate and Deputy Workplace Delegate, cause to be published in the Civil Service Journal a notice in accordance with subrule ~~2223~~(a)(2).
- ~~(i) (1) The Council shall determine a workplace structure in accordance with subrule (a) within sixty (60) days following the registration of this Rule.~~
- ~~(2) It shall be the responsibility of the Councillor or Councillors representing each Electorate to ascertain the views of that Electorate as to the appropriate workplace structure of that Electorate. Should the views of the electorate not be available within the required time, the Council shall proceed to determine the workplaces and any failure to comply with the requirements of subrule (a)(1) shall not invalidate the election conducted in accordance with subrule(i)(3).~~
- ~~(3) The Returning Officer shall conduct an extraordinary election for the offices of Workplace Delegate and Deputy Delegate and nominations for the offices shall open within thirty (30) days of the Council determining the Workplace structure in accordance with subclause (i)(1).~~
- ~~(4) The Workplace Delegates and Deputy Workplace Delegates elected in accordance with this subrule shall hold office until the day of the Annual General Meeting in 1993.~~

18-19 - AUDITORS

- (a) Two Auditors, qualified Public Accountants, not being members of the Association, shall except as where hereinafter provided be appointed by the Annual General Meeting for a term of two years; Provided that there shall not be more than two Auditors holding office at the same time during any year and provided further that the retiring Auditor shall be eligible for re-election. Immediately after the expiration of each financial year the accounts of the Association shall be examined and the correctness of the Statement of Accounts and Statement of Receipts and Expenditure shall be ascertained and certified by the Auditors.
- (b) The Auditors shall:-
 - (1) have access to and examine all books, papers, deeds, documents and accounts of the Association; may examine any office bearer or officer of the Association in regard to the accounts and may obtain from any financial institution in which the funds of the Association are deposited or invested a written statement from the bankers as to the balance of the account or accounts. They shall also satisfy themselves as to the number of banking accounts used by the Association.
 - (2) furnish a written statement that all documents certified to are in accordance with law and the Constitution of the Association or if unable to certify to the correctness of the statements or any of them placed before them, report to the President in what respect they are incorrect.
 - (3) in addition to the annual audit, make such audits as may from time to time be directed by the Council.

19-20 - GENERAL SECRETARY

- (a) The General Secretary, who shall be a financial member of the Association shall be elected by secret postal ballot of all financial members of the Association for a term of four years and shall be a full time paid officer of the Association. The General Secretary shall be the executive officer of the Association, and subject to the direction of the Council, shall be responsible for the administration of the Association, the management of the Association Office and the direction of the employees of the Association including the Assistant General Secretary.
- (b) The General Secretary shall have the charge and custody of all moneys belonging to the Association and shall make arrangements so that within one week of receipt all such moneys received by the Association are paid to the credit of the Association's authorised financial accounts. The General Secretary shall arrange for the issue of an official numbered receipt for all moneys received from any source other than subscriptions.
- (c) The General Secretary shall take charge of the books and documents of the Association and discharge such other duties and services as may be assigned the General Secretary by the Council or Executive Committee and shall cause correct entries to be made of all matters and things done in the course of proceedings of the Association and shall, whenever required by the Council, render to them an account of all transactions, matters and things relating to the Association or its affairs, over which he or she may have cognisance.
- (d) The General Secretary shall convene all meetings of the Association and Council and Committees, and on receipt of a requisition properly signed in accordance with Rules 12 and 2425, shall call a special General Meeting of the Association or a meeting of the Council as the case requires.
- (e) The General Secretary shall be appointed to the governing bodies of other corporations controlled by the Association as will enable that officer to fully discharge the duties and responsibilities of the office under the Rules of the Association.
- (f) The General Secretary shall arrange for the following records to be kept:-
 - (1) A register of the members of the Association showing the name and residential address of each member and details of the financial status of each member in respect of his or her membership.
 - (2) A list of the names, residential addresses and occupations of the persons holding offices in the Association.
 - (3) An account in proper form, of the receipts, payments, funds and effects of the Association.
 - (4) Such other records as are prescribed from time to time by the Industrial Relations Act.
- (g) The General Secretary shall file with the Registrar once in each year, at such time as is prescribed, a copy of the records required to be kept under Rule 1920(g)(1) and (2) certified by statutory declaration by the General Secretary to be a correct statement of the information contained therein.
- (h) The General Secretary shall file with the Registrar, in such manner and within such

time as is prescribed, notification of changes in the holding of offices.

- (i) The General Secretary shall, once in every year, cause the accounts of the Association to be properly audited by a duly qualified public accountant, and shall within one calendar month after the completion of the yearly audit of the accounts of the Association, deliver to the Registrar a duly audited balance sheet of the assets and liabilities of the Association, made up to the date of closing of the accounts, and also a duly audited statement of the receipts and expenditure of the Association during the year, the subject of such audit.
- (j) The General Secretary, other officers or employees of the Association, or other persons appointed by Council for the purpose, shall represent the Association in proceedings before the Industrial Relations Commission.
- (k) The General Secretary may apply for membership of the Community and Public Sector Union for and on behalf of any Association member who is eligible for membership of the Community and Public Sector Union provided that on each occasion that such an application is intended to be made the General Secretary shall write to the member advising:
 - (i) of the financial obligations arising from membership of the Community and Public Sector Union, and
 - (ii) the circumstances and the matter in which a member may resign from the Community and Public Sector Union, and
 - (iii) that the application will be made on specified date unless the member instructs the General Secretary otherwise.

20--21 - ASSISTANT GENERAL SECRETARY

The Assistant General Secretary who shall be a financial member of the Association shall be elected by secret postal ballot of all financial members of the Association for a term of four years and shall be a full-time paid officer of the Association. The Assistant General Secretary shall:

- (a) assist the General Secretary in the performance of the duties of the General Secretary; and
- (b) in the absence of the General Secretary, or whenever the General Secretary requests, or Council or Executive Committee instructs, shall perform the duties of the General Secretary or such of those duties as may be specified in each request or instruction.

21--22 - REFERENDUM

- (a) The Council or an Annual or Special General Meeting shall have power to remit any question which in its opinion is of more than ordinary importance for determination by ballot of all the members.
- (b) The Returning Officer shall forward a referendum ballot paper to each financial member of the Association. Such referendum ballot paper shall contain full particulars regarding the matter upon which a decision is asked and shall clearly state the date of the closing of the ballot. The system of distribution and return of referendum ballot papers shall be determined by the Returning Officer.

- (c) The Returning Officer shall certify to the Council the result of the referendum which shall be binding upon all members of the Association.

22--23 - ELECTIONS

- (a) (1) The Returning Officer shall not less than 14 days and not more than 21 days before the date of commencement of the period for lodging nominations of candidates for an election for the offices, of President, Vice President, Treasurer, General Secretary, Assistant General Secretary and Councillor, ~~and Proxy Councillor~~, cause to be published in a newspaper circulating widely within the State a notice stating that the Returning Officer is about to conduct elections for certain offices of the Council of the Civil Service Association.
- (2) The notice shall state the title of the office or offices, the form in which nominations are to be made, the place of lodging nominations and the times and dates of the commencement and close of the period for lodging nominations, which shall be a period of not less than 14 days. The notice shall invite nominations from financial members eligible for election for the office or offices listed in the notice. The notice shall also state the date of commencement of issuing ballot papers and the time and date of the close of the ballot should an election be required.
- (3) The Returning Officer shall cause to be published in The Civil Service Journal a notice containing the same information to that prescribed above but, in so doing, the Returning Officer may publish more than 21 days before or less than 14 days before the commencement of the period for lodging nominations.
- (b) (1) The Returning Officer shall determine the times and dates of the commencement and close of the period for lodging nominations of candidates for election for an office and the date of commencement of issuing ballot papers and the time and date of close of the ballot, having regard to:
- (a) the date of expiration of the term of office of the holder of the office;
 - (b) the time required to lodge nominations;
 - (c) the time required to send and return ballot papers by post; and
 - (d) the time required to complete the election.
- (2) The Returning Officer shall determine the place for lodging nominations of candidates for election.
- (c) (1) A member is not eligible for election for an office unless the nomination is signed by that member signifying willingness to accept the office if elected and is also signed by two financial members eligible to vote in the election.
- (2) Where the Returning Officer finds that a document lodged at the place and within the period determined by the Returning Officer and purporting to be the nomination of a person as a candidate for an election for an office is not a valid nomination, the Returning Officer shall before rejecting the nomination, notify the member concerned of the defect, and, where it is practicable to do so, give the opportunity of remedying the defect within 7

days of the member being notified of the defect.

- (3) A member nominated as a candidate may, by notice signed by him or her, witnessed by an elector and addressed to and lodged with the Returning Officer at any time before seven (7) days following for the expiry of the period for lodging nominations, withdraw his or her consent to the nomination and that member shall thereupon be deemed not to have been nominated.
- (d)
 - (1) Where, on the expiry of seven (7) days following the expiry of the period for lodging the nomination of a candidate for election for an office, only one candidate is nominated for election for the office, the Returning Officer shall declare in accordance with these Rules that the candidate has been elected to that office.
 - (2) Where, on the expiry of the period for lodging the nomination of a candidate for election for an office, no nomination for that office has been received, the Returning Officer shall, as soon as practicable after the expiry of that period, so advise the General Secretary.
 - (3) Where the Returning Officer advises the General Secretary that no nomination for an office has been received, the Council shall act in accordance with Rule 12(g)(i)(c).
- (e)
 - (1) The full names and addresses of financial members of the Association shall form the electoral roll for the election.
 - (2) The Returning Officer shall be provided by the Association with a roll of the persons who, on the twenty-first day before the date determined under Rule 2223(b)(1) for the commencement of issuing ballot papers, are entitled to vote in the election, and that roll shall:
 - (a) be so provided fourteen days before the date so determined;
 - (b) be certified as correct by the General Secretary;
 - (c) show the full names and addresses in alphabetical order of surname, and where the surnames are identical in alphabetical order of christian or given names (the surname being, in each case, given before the christian or given name relating thereto) with a consecutive number against each name in a margin at the left hand side of the surname.
 - (3) The Returning Officer shall add to the roll the names and addresses of persons who, until the date of commencement determined in accordance with Rule 2223(b)(1) become entitled to vote in the election.
 - (4) The Returning Officer shall delete from the roll the names of persons who, until the date of commencement determined in accordance with Rule 2223(b)(1) cease to be entitled to vote in the election.
 - (5) The Returning Officer shall, at the place where he or she carries out the functions of Returning Officer, make the electoral roll applicable to an election for an office available for inspection by members of the Association, or by any person authorised by the Returning Officer, during the ordinary hours of business in the period that commences on the date of commencement determined in accordance with Rule 2223(b)(1) and ends on the day on which the result of the election is declared.

(f) The Returning Officer shall use, for the purpose of receiving ballot papers in respect of an election, a private post office box used exclusively for that purpose.

(g) (1) As soon as practicable after the date determined under Rule 2223(b)(1) for the commencement of issuing ballot papers in respect of an election, the Returning Officer shall issue, by posting by pre-paid post, to each person:

- (a) whose name is on the roll;
- (b) whose name is added to the roll;
- (c) whose name has not, before the issue of the ballot paper, been deleted from the roll,

a ballot paper and the other ballot material in a sealed envelope and provide for the return of the ballot paper without expense to the voter.

(2) Where, in respect of an election, the Returning Officer has issued a ballot paper to a person whose name is, after the issue of the ballot paper, deleted from the roll, the person shall be deemed to be entitled to vote in the election.

(3) The envelope shall bear an instruction that, if it is not delivered to the addressee, it should be returned to the private post office box referred to in Rule 2223(f).

(4) The envelope shall contain:

- (a) a ballot paper initialled by the Returning Officer or bearing a facsimile of those initials;
- (b) an envelope marked "ballot paper"; and
- (c) an envelope addressed to the Returning Officer at the private post office box referred to in Rule 2223(f) being an envelope

that may be posted without expense to the voter, the back of which envelope may be used as a counterfoil and, where the back of that envelope is not so used, a separate counterfoil, the counterfoil being numbered to coincide with the number shown against the name of that person on the electoral roll.

(5) The counterfoil shall be numbered with a number coinciding with the voter's consecutive number on the electoral roll, and shall make provision for the endorsement thereon of:

- (a) the office or offices to which the election relates;
- (b) the full name of the voter;
- (c) the address of the voter; and
- (d) the signature of the voter.

(6) The ballot paper for an election for an office shall be in a form that is determined by the Returning Officer.

(7) The Returning Officer shall obtain from the printer of the ballot papers a certificate stating the number of ballot papers printed in respect of the election.

- (8) The full names of candidates for election for an office shall appear on the ballot paper for that election, in the alphabetical order of the surnames of the candidates or, in relation to candidates whose surnames are identical, in the alphabetical order of their christian or given names.
- (9) The Returning Officer shall include on the ballot paper information and instructions to the voter that is substantially in accordance with the following form:
 - (a) the title of the office to which the election relates;
 - (b) the time and date of the close of the ballot;
 - (c) how to mark the ballot paper in order to record a formal vote;
 - (d) not to put on the ballot paper any mark or writing by which the voter can be identified;
 - (e) to place the ballot paper, when completed, in the envelope marked "ballot paper" and then to seal that envelope;
 - (f) to complete the details on the counterfoils; and
 - (g) to place the ballot paper envelope (and the counterfoil if a separate one is used) in the envelope addressed to the Returning Officer, and then to seal the envelope addressed to the Returning Officer and post it to reach the Returning Officer before the time of the close of the ballot.
- (h) (1) A member eligible to vote, who will be away from the address recorded on the Association's records during the polling period, may apply in writing to the Returning Officer prior to the date of commencement of issuing ballot papers determined in accordance with Rule 2223(b)(1), for a ballot paper, and a ballot paper shall be sent to the address specified by the voter prior to the closing of the ballot. For the vote to be accepted, it must be received by the Returning Officer prior to the closing of the ballot.
- (2) Upon application before the time of the close of the ballot in an election, and where the Returning Officer is satisfied that a ballot paper or return envelope issued to a person whose name is on the electoral roll, has not been received or has been lost, destroyed or spoilt, he or she shall issue to that person a duplicate ballot paper, or return envelope, as the case may be. An application by a person for a duplicate ballot paper, or return envelope, for an election shall be in writing setting out the grounds on which the application is made and declaring that the person has not voted in the election and shall, if practicable, be accompanied by any evidence that is available of that non-receipt, loss, destruction or damage.
- (i) At the time of the close of the ballot, but not before, and in the presence of the scrutineers, or where a scrutineer has been informed in accordance with Rule 2223(~~pm~~)(2) but is not present at the appointed time, in his or her absence the Returning Officer shall:
 - (1) collect all envelopes from the private box at the post office;
 - (2) take all the envelopes so collected to the place of count and proceed to make

the count; and

(3) keep all those envelopes in safe custody until the count is complete.

- (j) The Returning Officer, in consultation with the Council, shall make provision for the preservation, in the custody of the Association, of:
 - (1) all ballot papers admitted as formal;
 - (2) all ballot papers rejected as informal;
 - (3) all counterfoils relating to the ballot papers, whether formal or informal;
 - (4) all envelopes received after the close of the ballot;
 - (5) the marked electoral roll against which the counterfoils were checked; and
 - (6) unused ballot papers, counterfoils and other documents prepared in connection with the election, which shall be respectively placed in separate containers, each endorsed with the name of the Association and the office to which the election relates and shall be sealed, signed and dated by the Returning Officer and retained for a period of not less than one year after the date of the election.
- (k) (1) The Returning Officer, before proceeding to count the number of votes to ascertain which candidate is successful in the election, shall:
 - (a) check each counterfoil against the member's name on the electoral roll and, if the voting papers are in order, mark the roll;
 - (b) remove the ballot paper envelope from the envelope addressed to the Returning Officer and place the ballot paper envelope, unopened, into a separate container until all counterfoils are checked; and
 - (c) when all the counterfoils are checked and cleared, open the ballot paper envelopes,

and shall then proceed with the count.
- (2) Where any voting papers are rejected, the Returning Officer shall replace the counterfoil and the envelope marked "ballot paper" in the envelope in which they were received, endorse the latter envelope "rejected" with the reasons for rejection and set it aside for safe keeping.
- (3) The Returning Officer shall reject as informal a ballot paper that:
 - (a) does not bear the initials of the Returning Officer or the facsimile of those initials;
 - (b) has upon it a mark or writing by which the voter can be identified;
 - (c) is not marked substantially in accordance with the instructions; or
 - (d) does not indicate the member's vote or if, when there are more than two candidates, it is not marked to indicate the voter's preference as regards all candidates.

- (4) Where, during the scrutiny, the Returning Officer is informed by a scrutineer appointed under Rule ~~2223~~(pm)(1) that the scrutineer objects to a ballot paper being admitted as formal, or rejected as informal, as the case may be, the Returning Officer shall decide the matter and endorse his or her decision on the ballot paper.
- (5) Voting by proxy shall not be permitted.
- (6) Voting shall be by means of a preferential ballot. When only one candidate is to be elected and there are not more than two candidates, the elector shall mark his or her vote on the ballot paper by placing the numeral 1 opposite the name of the candidate for whom he or she votes.

When only one candidate is to be elected and there are more than two candidates the elector shall mark his or her vote on the ballot paper by placing the numeral 1 opposite the name of the candidate for whom he or she votes as his or her first preference, and shall give contingent votes for all the remaining candidates by placing the numerals 2, 3 and so on (as the case requires) opposite their names so as to indicate by such numerical sequence the order of his or her preference.

When two or more candidates are to be elected, the elector shall mark his or her vote on the ballot paper by placing the numeral 1 opposite the name of the candidate for whom he or she votes as his or her first preference and the numeral 2 opposite the name of the candidate for whom he or she votes as his or her second preference, and shall give contingent votes for all the remaining candidates by placing the numerals 3, 4 and so on (as the case requires) opposite their names so as to indicate by such numerical sequence the order of his or her preference.

- (7) The Returning Officer may, from time to time, adjourn the scrutiny and count to a day and hour to be fixed by him or her and notified to the scrutineers.
- (8) Subject as hereunder provided, the method of conducting the count shall be the same as that prescribed under the Electoral Act, 1907 and Regulations for counting of votes taken at State Elections, provided that:

When two or more candidates are to be elected, the count of the votes will proceed until one candidate has received an absolute majority, when he or she shall be declared elected. The first elected candidate shall then be eliminated from the count, and to proceed with the election of the second candidate, all the ballot papers shall be brought into operation and again sorted into first preference votes. The first preference votes of the eliminated successful candidate shall be distributed according to the second preference markings shown thereon to the remainder of the candidates, and when added to their respective first preference votes, shall constitute the first count for the second candidate. The procedure from then on shall be the same as in the counting of votes for the election of one candidate.

- (l) If a candidate is successful in more than one ballot and is not eligible to hold simultaneously all such positions, that candidate shall be deemed to be the successful candidate for only the higher or highest of such positions.
- (m) In the counting of votes for any lower position, a successful candidate shall be the

first to be eliminated from the ballot for the lower position and her or his votes allocated in accordance with the preference shown on such votes.

- (n) A candidate is not eligible to hold simultaneously more than one of the offices listed herein and the higher or highest position shall be ascertained from the following table:
 - (1) President
 - (2) Vice-President
 - (3) Honorary Treasurer
 - (4) General Secretary
 - (5) Assistant General Secretary
 - (6) Councillor
- (o) A ballot paper shall not be informal for any reason other than the reasons stated in Rule ~~2223~~(k)(3) but shall be given effect to the voter's intention so far as his or her intention is clear and, in particular, when only one candidate is to be elected and there are only two candidates a ballot paper shall not be informal by reason only of the voter having indicated his or her vote by a cross instead of the numeral 1.
- (p)
 - (1) Each candidate nominated for election may, by written notice given to the Returning Officer, not less than 7 days prior to the close of the ballot, appoint a member of the Association to be a scrutineer in respect of that election, being a member other than a candidate, and may by notice in like manner appoint another such member to carry out the functions of scrutineer where the first-mentioned member does not carry out those functions.
 - (2) A scrutineer shall be given sufficient notice, in writing, by the Returning Officer prior to the date and time when the Returning Officer opens the private box at the post office, to enable him or her to be present while the Returning Officer performs his or her functions.
 - (3) Subject to ~~2223~~(~~pm~~)(4), a scrutineer appointed under these Rules may:
 - (a) be present while the Returning Officer carries out his or her functions under Rule ~~2223~~(k)(~~1~~);
 - (b) direct the attention of the Returning Officer to any irregularity concerning the issue of ballot papers, the admission of any envelope to scrutiny, the admission of a ballot paper as formal, the rejection of a ballot paper as informal or the counting of the votes;
 - (c) Where any scrutineer objects to the inclusion of or exclusion of a ballot paper, the Returning Officer shall mark the ballot paper "admitted" or "rejected" according to his or her decision on the objection and initial such marking, such decision shall be final subject only to reversal by a two-thirds majority of the Council.
 - (4) Where a scrutineer:
 - (a) interrupts the scrutiny otherwise than in accordance with Rule ~~2223~~(~~km~~)(~~43~~); or

(b) fails to carry out a lawful request by the Returning Officer,

the Returning Officer may direct the scrutineer to leave the place where the scrutiny is being conducted.

- (5) A scrutineer shall comply with a direction by the Returning Officer given under Rule ~~2223~~(pm)(4).
- (q) (1) The Returning Officer, on completion of a count, shall forthwith declare the result of an election in the presence of any scrutineers and candidates who may be present at the time.
- (2) The Returning Officer shall also declare the result of the election by giving notice of the result in writing to the General Secretary of the Association at its registered office.
- (3) The Returning Officer shall, in the manner and at the time of declaring the result of an election, declare in respect of the election:
 - (a) the number of ballot papers, other than duplicate ballot papers, issued;
 - (b) the number of duplicate ballot papers issued;
 - (c) the number of ballot papers admitted as formal;
 - (d) the number of ballot papers rejected as informal;
 - (e) the number of unused ballot papers;
 - (f) the number of ballot papers certified by the printer;
 - (g) the number of votes admitted as recorded in favour of each candidate.
- (r) The Returning Officer, or a person taking a step in or in connection with an election, may take such action and give such directions as he or she considers necessary in order to ensure the secrecy of the ballot and that no irregularities occur in or in connection with the election or to remedy any inconsistency or inadequacy that arises in the application of the rules of the Association to the conduct of an election for an office.
- (s) Each office in the Association may, from such time as the Council may determine, be held by the person who, in accordance with the Rules of the Western Australian Branch of the Community and Public Sector Union, SPSF Group, holds the corresponding office in the Branch.
- (t) The Council shall determine the salary and conditions packages for the full- time offices of General Secretary and Assistant General Secretary prior to the call of nominations in the year of election. The salary and conditions packages shall:
 - (i) take effect from the declaration of the elections and shall not be increased or improved for a period of two (2) years from the declaration.
 - (ii) be notified to the members of the Association prior to the call of nominations by such means as the Council may determine.

- (iii) not be varied without the consent of the persons occupying the offices for the term of each office.

~~23~~–~~24~~ - ANNUAL GENERAL MEETING

- (a) The Annual General Meeting of members of the Association shall be held in the month of September each year.
- (b) At least fourteen ~~days notice~~**days' notice** of the date, time and place for the holding of any Annual General Meeting of members of the Association shall be published in an official Association Publication directed to all members and in a Perth daily paper.
- (c) The text of details of any motions of which notice has been given shall appear in the notice published in an official Association Publication.
- (d) No business shall be transacted at the Annual General Meeting other than that stated in the notice convening the meeting. Members intending to have business incorporated in such notice shall give notice in writing to the General Secretary on or before the fifteenth day of June.
- (e) The Council shall determine what additional items to include on the Agenda in sufficient time to allow the agenda to be published at least 14 days prior to the Annual General Meeting.
- (f) The President, or in the absence of that officer, a Vice-President, or in the absence of those officers, the Honorary Treasurer shall preside at all general meetings of the Association, but in the event of none of these officers being present within fifteen minutes after the time appointed for the meeting then the members shall elect a chairperson for that meeting.
- (g) Whenever a general meeting shall lapse for the want of a quorum, or by the resolution of the members present be adjourned to a future date, notice thereof shall be given by circular or advertisement as determined by the chairperson of the meeting.
- (h) If within half an hour from the time appointed for the meeting a quorum of members be not present, the meeting shall stand adjourned to a date within fourteen days thereafter; and if at such adjourned meeting a quorum of members be not present, it shall be adjourned sine die.
- (i) The Chairperson may with the consent of any general meeting, adjourn the same from time to time and from place to place but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- (j) At any general meeting 50 members shall form a quorum.
- (k) Every member shall have one vote, and all questions save where otherwise provided shall be decided by a majority of the votes cast; provided that the Council, or a general meeting shall have full power to remit any question of more than ordinary importance for determination by all members. Voting by proxy will not be permitted but members who reside **or who will be located**, outside a 50 kilometre radius of the Perth Town Hall at the time of an Annual General Meeting, may vote by letter addressed to the President or Chairperson at the Association's Office,

provided that any such letters, setting out the grounds on which the votes are claimed must be received at the Association's Office at least 24 hours before the holding of any meeting at which it is desired that the votes should be recorded.

- (l) At every meeting resolutions shall be decided by a show of hands, or in such other way as the Chairperson of the meeting may think fit but if demanded by at least ten members, a ballot shall be taken at the meeting, or at any adjourned meeting thereof, in such manner as the chairperson shall direct. In all cases in which there shall be an equality of votes, the chairperson shall have a casting vote, and the result shall be determined by him or her.
- (m) Any resolution formally carried at a general meeting of the Association shall be an instruction to the Council and officers of the Association; Provided that the Council, after mature consideration, may defer action on any such resolution, pending the calling of a special general meeting, within one month, to further discuss the subject. If the resolution be re-affirmed by the special general meeting, the Council shall then carry out the direction of such meeting.
- (n) The Association may, at any annual general meeting by a majority of two- thirds of the members present and voting, remove from office any member of the Council of the Association before the expiration of that member's period of office.
- (o) In order to ensure that the meeting is conducted efficiently and that members of the Association shall have adequate opportunity to express their views the Council's Standing Orders shall apply with the necessary alterations.

24-25 - SPECIAL GENERAL MEETINGS

- (a) Special General Meetings shall be convened under the following circumstances and conditions.
 - (1) Whenever it is considered necessary by the Council; or
 - (2) On receipt by the Council of a requisition in writing stating the objects and signed by not less than 100 members of the Association; or
 - (3) By the General Secretary in the event only of there being no quorum of the Council competent to vote at a Council meeting held for the purpose of considering the circumstances as set forth by paragraphs (1) and (2) hereof.

Upon receipt of such requisition a special general meeting shall be forthwith convened by the General Secretary to be held within 28 days from the receipt of such requisition, but if the same be not convened within fourteen days from the date of receipt the requisitionists may themselves convene a meeting.
- (b) No business shall be transacted at any meeting other than that stated in the notice convening the meeting, and no motion shall be considered, or other business transacted, at any meeting which is not included within the objects and purposes for which the meeting is convened and no amendments shall be allowed upon any motion contained in the notice convening any meeting not directly pertinent thereto.
- (c) Whenever a special general meeting shall lapse for the want of a quorum or by the resolution of the members present be adjourned to a future day, notice thereof shall be given by circular or advertisement as determined by the chairman of the meeting.

- (d) If within half an hour from the time appointed for the meeting a quorum of members be not present, the meeting if convened upon the requisition of members, shall be dissolved; in any other case, it shall stand adjourned to a date within fourteen days thereafter; and if at such adjourned meeting a quorum of members be not present, it shall be adjourned sine die.
- (e) Rule ~~23~~24 clauses (b), (c), (f), (i), (j), (k), (l), (n) and (o) shall also apply to special general meetings.

25--26 - SEAL

The Common Seal of the Association shall be in the custody of the General Secretary or such person as the Council may direct, and shall not be affixed to any document or instrument except pursuant to a resolution of the Council or of the Executive Committee and in the presence of the President, or, in the absence of that officer, a Vice-President, who shall, with the General Secretary, or, in the absence of that officer, the Assistant General Secretary, sign any such document or instrument.

26--27 - MISCELLANEOUS PROVISIONS

- (a) (1) No part of the income or property of the Association shall be paid or transferred directly or indirectly by way of dividend, bonus or other pecuniary profit to members; provided that nothing herein shall prevent the payment in good faith of remuneration and/or honoraria to any officers or servants of the Association or to any member thereof in return for services actually rendered to the Association.
- (b) Cheques and other instruments drawn against funds deposited to the credit of the Association with banks or other financial institutions shall be signed by the General Secretary, or a person delegated for the purpose by the General Secretary, or the Assistant General Secretary, and one other person who is either:
 - (i) the Honorary Treasurer, or in the absence of that officer,
 - (ii) the President, or
 - (iii) a Vice-President, or
 - (iv) a person appointed by Council for the purpose of signing cheques and other such instruments.
- (c) The financial year of the Association shall commence on the 1st July in each year and shall terminate on the 30th June of year next following.
- (d) The Accounts and books of the Association shall be available at all convenient times for inspection by any financial member of the Association or by the Registrar or any person appointed by him for the purpose.
- (e) Each member shall be entitled to receive a copy of this Constitution and Rules upon request.

28 - INTERPRETATION OF WORDS

"Singular and Plural"

Words importing the singular number only shall include the plural number and words importing the plural number only shall include the singular number.

"Councillor"

Means the elected member to Council.

28--29 - STANDING ORDERS

In accordance with Rule 12(j)(vii), Council may make Standing Orders for the conduct of meetings of the Association, Council and Committees. Such Orders shall not form part of the Association's Constitution and Rules.

29--30 - C.S.A. CLUB

Deleted.

30--31 - CONFLICT OF INTEREST

All officers of the Association and all officers in the employ of the Association who have a pecuniary or other interest in any matter which conflicts - or can be reasonably shown to have the potential to conflict - with the conduct of their official duties, shall provide a written statement disclosing the fact and nature of that interest to the Council and Annual General Meeting, as soon as practicable after the relevant facts have come to the officer's attention.

32- PROXY COUNCILLOR TRANSITION RULE

Any Proxy Councillor declared to hold that office at the 2021 elections will continue to hold that office and to perform the duties, and exercise the powers of, a Councillor in the absence, unavailability or following the vacancy of the Councillor position until the expiration of the term.