

8. ENTRANCE FEE.

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Every person joining the Union shall pay an Entrance Fee of 10/- .  
Financial members of other Unions may be admitted to membership without payment  
of such Entrance Fee upon furnishing a clearance certificate of current date  
and proof that all dues have been paid to such recognised and approved Unions.

- (a) Each adult member shall pay as a contribution to the General Funds of the Union 90/- per annum, payable in one sum or by instalments. If a member elects to pay the amount in one sum such amounts shall be paid on or before the thirty-first day of January in each year. If a member elects to pay the amount by instalments, in no case shall instalments amount to less than 30/- on or before the thirty-first day of January, a further sum of 30/- on or before the twenty-eighth day of February, and a further sum of 30/- on or before the thirty-first day of March in each year.

Provided: that any member may pay by instalments the sum or sums, less than 30/-, 30/- and 30/- in any of the above months.

Provided: that at least the sums of 30/-, 30/- and 30/- have been paid by each of the said dates respectively, Such contributions and such instalments shall be payable to the Branch Secretary-Treasurer or to a duly authorised person on behalf of the Branch. Arrears of dues shall be a **first** charge upon any monies paid by any member.

- (b) The financial year of the Union shall commence on the first day of January and end on the thirty-first day of December in each year.
- (c) Persons becoming members subsequent to the thirty-first day of March and prior to the thirtieth day of June in any year shall pay a Subscription of 68/-. Persons becoming members subsequent to the thirtieth day of June and prior to the thirtieth day of September shall pay a subscription of 45/-. Persons becoming members subsequent to the thirtieth day of September and prior to the thirty-first day of December shall pay a subscription of 23/-. Such persons shall also pay the Entrance Fee of 10/- as provided in Rule 8, or furnish a current clearance or transfer from a recognised Trade Union.
- (d) Subscriptions of new members shall be paid in one instalment within twenty-eight days of becoming a member, and/or not more than three equal instalments, within three months of date of becoming a member.

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17. MONEY AND PROPERTIES OF THE  
BRANCH.

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All moneys subscribed by and property obtained on behalf of the members of the Branch shall be the property of the Branch as a whole.

The Branch shall have complete control of the funds of the Union within The State, and disbursements for both ordinary and extraordinary purposes shall be made and/or endorsed by resolution of the members, either at a Special or General Meeting of the Branch Committee of Management.

Any Sub-Branch leaving the Union or becoming defunct shall forfeit all right, title and interest in any of the moneys or properties of the Branch. The funds and properties of the Branch shall be held in trust by duly appointed Trustees under these Rules on behalf of the Branch as a whole. All moneys and properties of whatever kind shall be vested and held within the State. The Trustees, through the Secretary-Treasurer, shall make such investment from time to time, as may be directed by the Branch Committee of Management, and shall act only on a resolution of the Branch Committee of Management certified under the hands of the President and Secretary-Treasurer.

The Branch shall open and maintain in addition to its General Fund Account, special accounts to be known as the Contingent Fund Account (see Rule 10), the Long Service Leave Fund Account (see Rules 2 and 17), and Superannuation Fund Account (see Rule 2 and Rule 18).

The Long Service Leave account is for the purpose of paying Long Service Leave as herein provided. Whenever a full-time paid Official, or employee of the Branch, qualifies for Long Service Leave, the Branch shall deposit in its Long Service Leave Account from time to time, the amount necessary to pay for such Long Service Leave when it becomes payable. Moneys paid into the Long Service Leave Account shall not be used for any other purpose than payment of Long Service Leave, unless by resolution carried by a two-thirds majority of the Branch Committee of Management.

In the event of the death of an Officer or employee referred to in this Rule, all the Long Service Leave payments or Superannuation due to such Officer or employee shall be paid to the Officer's or employee's dependant or to such person or persons as shall be determined by the Branch Committee of Management.

Such Long Service Leave shall be granted to each of the Union's Staff of Employees and each full-time paid Official, on the following conditions:-

Thirteen weeks' Long Service Leave on or after the conclusion of ten (10) years' employment with the Union. Such Long Service Leave shall continue to accrue on a proportional basis after ten (10) years' service, and shall be taken at a time to be mutually agreed upon by the Branch Committee of Management and Official or employee concerned.

In the case of a member on the Unions staff or employees who has completed with the Union at least five year's service, Long Service Leave on a proportionate basis of thirteen weeks for ten years service may be taken, such leave to be taken at a time mutually agreed upon by the Branch Committee of Management and the official or employee concerned. Leave taken in accordance with this paragraph shall be in reduction of and not additional to the leave accruing pursuant to the preceding paragraph.

Each Fund shall be managed and administered by the Branch Committee of Management for the respective purposes set out in these Rules. All payments from the aforesaid Funds, shall be by cheque signed by either the Branch President or Vice-President, and one of the three Branch Trustees, and countersigned by the Branch Secretary-Treasurer.

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(a) A Fund known as the Superannuation Fund having been created, shall be managed and administered by the Branch Committee of Management for the benefit of all paid Officers, Officials and/or Employees of the Branch, which shall consist of:-

- (i) Amounts contributed by the said Officers, Officials and employees; and
- (ii) Amounts contributed by the Union; and
- (iii) Interest arising from the investment of the Fund and the accumulation thereof; and
- (iv) Any profits arising from any investment of the Fund; and
- (v) Any other moneys received by and on behalf of the Fund.

Regulations for the government and conduct of the Fund shall be hereunder and which shall be deemed to be incorporated into and form part of this Rule.

(b) Definitions:

"Contribution" means contribution to the Fund.

"Secretary" means the Branch Secretary-Treasurer.

"Trustees" means the Branch Trustees of the Union.

"The Fund" means the Superannuation Fund referred to in these Rules.

"Members" means paid officer, official or employee of the Union who is eligible to become a contributor to the Superannuation Fund.

"Salary" means the remuneration at which the Member is employed by the Union (other than expenses, etc.), calculated to the nearest pound.

"Service" means continuous service with the Union as an officer, official or employee.

"Year" means the financial year of the Union from 1st January to 31st December of each year.

(c) All moneys of the Fund shall be lodged to the credit of the Fund at a Branch of the Commonwealth Savings Bank or Rural Bank in the name of the Fund as determined by the Branch Committee of Management, all payments or withdrawals out of the Fund shall be made by cheque signed by the President or Vice-President, one Trustee and countersigned by the Branch Secretary-Treasurer, provided by the resolution the Committee of Management may direct the Secretary-Treasurer from time to time, to invest such Funds as is deemed desirable.

(d) All paid officers, officials and/or employees of the Union in receipt of a regular weekly salary, when they have been in the service of the Union for six months, shall become contributors to the Fund in accordance with the succeeding regulation.

(e) Each Member of the Superannuation Fund shall contribute out of his or her salary not less than 5 per cent. of such salary, as determined by resolution of the Committee of Management from time to time and calculated to the nearest pound.

Contributions shall be deducted from Members' salaries at the time payment of such salaries is being made, and paid to the Fund.

The Branch Secretary-Treasurer shall after making deductions issue, or cause to be issued, an official receipt for the amounts so deducted.

(f) The Union shall also pay to the Fund as a subsidy in respect of each member, as and when his contribution is paid, an amount up to or equal to the amount of contributions made by the Member of the Fund.

The Branch Committee of Management may at any time, amend, or suspend for any period, payment of contributions to the Fund, if, in the opinion of the Branch Committee of Management the finances of the Union do not warrant or permit the contributions or rate of contributions to continue, and upon twenty-eight days notice in writing to the Members concerned of such amendment or suspension.

Each Member of the Fund at the conclusion of the Financial Year shall receive a form setting out their financial position within the Fund.

(g) Members shall on leaving the service of the Union as officers, officials or employees, receive all moneys to their credit in the Fund at the date of leaving. Provided that no interest shall be paid to such Members in respect to any moneys paid into the Fund subsequent to 31st day of December preceding. Such interest shall, at the end of the year, be added to the credit of the remaining Members on a pro rata basis according to the amount of money each member has to his or her credit in the Fund.

(h) Upon the death of a member whilst in the service of the Union, there shall be paid from the Fund to his or her executor, administrator, or, failing them, to such person or persons as may be determined by the Branch Committee of Management.

Provided that if any fraud on the Union by a Member of the Fund, or by a deceased Member of the Fund, or any defalcation in the accounts or collections due to the Union of Members is discovered, the Branch Committee of Management shall reimburse to the Union from the amount which would be otherwise due to the Member from the Fund, the amount of any loss sustained by it through the fraud or defalcation.

(i) The expenses of, or incidental to, the management of and administration of the fund shall be paid from the General Funds of the Union. If any dispute or doubt as to the interpretation of any of the provisions of the Fund, or the rights of any Member or other person, the decision of the dispute or doubt shall be wholly with the Branch Committee of Management whose decision shall be final and conclusive.

21. FINANCE COMMITTEE.

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The President, Vice-President, Secretary, Assistant Secretary and Trustees of the Branch shall constitute the Branch Finance Committee, whose duty it shall be to act in an advisory capacity to the Branch Committee of Management to bring down financial reports and recommendations for the benefit of the Committee of Management; have power to scrutinise and deal with all accounts to be passed for payment between Meetings of the Branch Committee of Management and act on emergency matters between Branch Committee of Management Meetings.



## 22. GOVERNMENT.

The supreme control of the Union shall be vested in a Committee of Management (hereinafter called the Branch Committee of Management), which shall consist of a Branch President, a Branch Vice-President, a Branch Secretary-Treasurer, the Assistant Secretary, three Branch Trustees, and ten Branch Committeemen provided that the representation of the Sub Branch to which the Assistant Secretary belongs shall be diminished by one and the Assistant Secretary shall represent and attend the meetings of the Branch Committee of Management in lieu of such representative.

Each Sub-Branch shall be represented on the Branch Committee of Management by the following number of Committeemen, elected each three years by a ballot of Members eligible to vote in the respective Sub-Branches.

### Representation.

Sydney Sub-Branch	7 Representatives
Newcastle Sub-Branch	3 Representatives
South Coast Sub-Branch	2 Representatives
Western Districts Sub-Branch	1 Representative
Southern Districts Sub-Branch	1 Representative
North Coast Sub-Branch	1 Representative

Within twenty-eight days of the declaration of the Poll, the Branch Committee of Management shall meet for the purpose of electing by and from Representatives on the Branch Committee of Management one Branch President, one Branch Vice-President, three Branch Trustees. The Branch Secretary-Treasurer shall be elected by a ballot of all Members of the Branch Committee of Management who are eligible to vote, at the same time and in the same manner as the election for Branch Organisers by the Branch Committee of Management.

Notwithstanding anything contained in these Rules, the Branch Returning Officer shall receive Nominations for Office from Members eligible to nominate for the position of Branch Secretary-Treasurer and Branch Organisers or Official Representatives (the number to be determined by the Branch Committee of Management) until twenty-eight days after the first Meeting of the incoming Branch Committee of Management and each six years thereafter.

Paid Officials shall hold office until relieved of Office in keeping with these Rules and/or their successors are elected and take Office.

Such Sub-Branch Executive Committee shall conduct the domestic business of the Sub-Branch between general Meetings of the Members of the Sub-Branch.

Notwithstanding anything contained in these Rules, should a Member of the Committee of Management be unable to be in attendance at a Meeting of the Committee of Management, the Sub-Branch Executive of which the Committeeman is a Representative may elect a "proxy" Committeeman to attend such Committee of Management Meeting to represent the interests of the Sub-Branch he so represents.

33. DUTIES OF BRANCH PRESIDENT,  
VICE-PRESIDENT, SECRETARY-TREASURER,  
ASSISTANT SECRETARY AND ORGANISERS.

The duties of the Branch Officers and Branch Organisers shall be as hereunder:-

President:

The Branch President shall preside, when practicable, at all Branch Meetings and Branch Committee of Management Meetings.

He shall preserve order so that the business of the Meeting may be conducted with due decorum and propriety. Upon confirmation of the minutes he shall sign the minute book in the presence of the Meeting. He shall preserve order and give an impartial decision on all questions submitted to him. Should he wish to speak on any question other than a point of order he shall leave the chair and call upon the Vice-President to take charge of the Meeting while speaking, and shall immediately resume the chair when finished speaking. He shall have power to fine any Member who, after being warned by the Chairman, persists in disorderly conduct, up to and not exceeding the sum of Five Pounds (£5), for such offence. A Member so fined shall be notified in writing and shall have the right to appeal to the next Meeting of the Branch Committee of Management. He shall also have power to order the removal from the Meeting Room of any Member who persists in disorderly conduct. No full-time paid official shall hold the position of Branch President.

Vice-President:

The Branch Vice-President shall assist the Branch President to conduct all Meetings and act as Chairman of any Meetings in his absence and have all the powers and privileges of the Branch President at such Meetings. No full-time paid official shall hold the position of Branch Vice-President.

Branch Secretary-Treasurer:

The Branch Secretary-Treasurer shall be competent to discharge all the duties assigned to him by the Branch Committee of Management and shall attend all Meetings connected with the Branch when practicable. He shall attend, or cause attention to be given, to all correspondence and keep copies of all letters and wires despatched. He shall give, or cause to be given, an official receipt for all moneys received, and bank, or cause to be banked, such moneys to the credit of the Branch as soon as practicable after receiving same or not less frequently than one each week. He shall keep, or cause to be kept, all documents, books and accounts relating to the business of the Branch. He shall issue, or cause to be issued, notices to Members, particularly to those who are in arrears with their dues. He shall hand over to the Branch Auditor all property, books, documents and moneys belonging to the Branch within 24 hours after being requested to do so by resolution passed by two-thirds of the Members present at any Meeting of the Branch Committee of Management. He shall, if deemed necessary, find security in such sum as the Branch Committee of Management may decide, the premium to be paid by the Branch. He shall draw up an annual report on the activities and disposition of the Branch as a whole and submit same, along with the Branch Balance Sheet and Auditors' Report to the Branch Comm-

ittee of Management, and upon adoption of same to all Sub-Branches. The Secretary-Treasurer shall be the custodian of the movable property of the Branch. He shall be responsible for the administration, organisation and management of the officers, staff and the Branch as a whole and those connected with the work thereof between Meetings of the Branch Committee of Management, to whom he shall deliver a progress report from Meeting to Meeting and receive directions as provided by the Rules of the Branch. He shall have power to call Meetings of Members in connection with his responsibilities of administration and organisation. He shall discharge such duties as may be allocated to him from time to time by the Branch Committee of Management. The Branch Secretary-Treasurer shall be responsible to the Branch Committee of Management for the administration and organisation of Sub-Branches and report in relation thereto to the Branch Committee of Management from time to time.

#### Assistant Secretary:

The Assistant Secretary shall assist the Branch Secretary in the discharge of his duties and shall act as Branch Secretary in the Branch Secretarys absence. He shall record the minutes of all meetings of the Branch Committee of Management and Finance Committee.

#### Trustees:

The Trustees shall be responsible for the safe custody of all documents, securities and accumulated funds of the Branch. Such documents, securities and funds shall be deposited by the Branch Secretary in the name of the Branch. The Branch Trustees shall act on a resolution of the Branch Committee of Management under the hands of the Branch President and Branch Secretary-Treasurer. The Branch Trustees shall act upon a direction of the Branch Committee of Management to control all property of the Branch and invest any accumulated funds of the Branch in securities or investments allowed by law as the Branch Committee of Management may direct. No full-time paid official shall hold the position of Branch Trustee.

#### Branch Organisers or Official Representatives:

Branch Organisers and Official Representatives shall assist, as directed, in the work of the Branch generally and discharge such duties as may be allotted to them by the Branch Secretary-Treasurer from time to time. All moneys collected by them shall be paid over to the Branch Secretary-Treasurer or his Representative within one week of collection.

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34. ELIGIBILITY FOR POSITIONS.

(a) No person or persons shall be eligible to nominate for or hold the positions of Branch President, Branch Secretary-Treasurer, unless he or they are and have been financial Members of the Union continuously for the previous three years and is, or are, financial at the time of his or their appointment or election, and remain financial during their period of Office, and have not worked outside the Transport Industry for a period exceeding six months immediately prior to their Nomination for the purpose of these rules work in the Transport Industry shall include time worked as a paid official of the Union.

(b) No person shall be eligible to nominate for or to hold the position of Organiser or Branch Representative, for which payment is made in excess of £5 per week, unless he has been a financial Member of the Union continuously for the previous twelve months and is financial at the time of his appointment and/or election and remains financial during the period of Office and has not worked outside the Transport Industry for a period exceeding six months immediately prior to his Nomination for the purpose of these rules work in the Transport Industry shall include time worked as a paid official of the Union.

(c) No person of the age of 65 years or over shall be eligible to nominate for any one of the foregoing positions, unless he has previously held the position for which he is nominating, and, subject to as hereafter set out, no person occupying any such position shall continue to do so after the end of the financial year of the Branch following his reaching the age of 68 years.

Notwithstanding anything hereinbefore contained, a person relinquishing a position referred to in the foregoing may, by permission of the Branch Committee of Management, by Resolution, continue to occupy the position held by him, until relieved by his successor.

(d) No person or persons shall be eligible to nominate for or hold a position as a Member of the Branch Committee of Management or a Sub-Branch Executive Committee, unless he or they were financial at the date of their Nomination, and remain financial during the period of their Office, and have not worked outside the Transport Industry for a period exceeding six months prior to their Nomination.

Representation from a Sub-Branch on the Branch Committee of Management or a Sub-Branch Executive Committee when constituted, or other Committees or Delegations of the Union shall not consist of more than 50% (fifty per cent.) paid officials of the Union.

### 35. PAID OFFICERS AND OTHERS.

(a) The Branch Committee of Management shall from time to time fix the salaries and/or allowances to be paid to its Officers and others employed.

(b) No full-time Officer, Organiser or other employee of the Branch shall be permitted to accept employment outside the Union, for which he received any remuneration, without permission from the Branch Committee of Management.

(c) All full-time Officers and employees of the Branch shall be granted four weeks' annual leave on full pay, and after each ten years' service, shall be granted, in addition to annual leave, thirteen weeks' long service leave on full pay. Such long service leave may be granted in full, or in part, by mutual agreement with the Branch Committee of Management at any time after becoming due. Any accumulated long service leave not granted in accordance with the foregoing, and any period of service of ten years or more, shall be paid for upon termination of office or engagement.

All full time officers and employees of the Branch who have completed with the Union at least five year's service, long service leave on a proportionate basis of thirteen weeks for ten years service may be taken, such leave to be taken at a time mutually agreed upon by the Branch Committee of Management and the official or employee concerned.

In the event of the death of an Officer or employee referred to in this Rule, all long service leave and superannuation payments due to such Officer or employee, shall be paid to the Officer's or employee's dependant, or to such person or persons as shall be determined by the Branch Committee of Management. Provided that where any Officer or employee has qualified for long service leave in accordance with the foregoing and has completed a period of five years' service or more towards another ten years' service, he or she shall be paid pro rata for such period upon termination of his or her Office or engagement. Provided further that any Officer or employee hereinbefore mentioned who has been proved guilty of theft of funds or property of the Union shall lose all his or her rights in respect to long service leave under this Rule, unless otherwise resolved by the Branch Committee of Management.

"Service", for the purpose of this Rule, shall include service with any other Union, which may be amalgamated with this Union from time to time.

The Branch shall open and maintain a special account at the Bank where its General Fund Account is kept, to be known as the "Long Service Leave Account", for the purpose of paying long service leave as herein provided.

Whenever a full-time paid Officer or employee qualifies for long service leave payment, the Branch shall deposit in its Long Service Leave Account from time to time, the amount necessary to pay for such long service leave when it becomes payable.

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39. STANDING ORDERS AND RULES OF DEBATE.

The Standing Orders and Rules of Debate shall be as follows:-

(a) The first Member who attracts the attention of the Chairman shall have precedence in appealing.

(b) Members addressing the Meeting shall direct their discourse to the Chairman, and shall remain standing while so doing.

(c) No discussion shall take place on any motion or amendment unless such motion is duly proposed and seconded. Any number of amendments may be proposed and discussed simultaneously with an original motion or amendment.

(d) When a motion shall have been duly proposed and seconded, the Chairman shall at once proceed to take the vote thereon, unless some Member rises to oppose it or to propose an amendment; but no amendment shall be in order unless notice be given to move same before the proposer of the motion has replied.

(e) No more than two Members shall speak in succession on one side, either for or against any question before the meeting, and if, at the conclusion of the second speaker's remarks, no Member rises to speak on the other side, the motion or amendment shall be at once put to the Meeting.

(f) It shall be competent at any time during a debate for a Member who has not already spoken to the question before the chair to move without discussion: "That the question be now put", which, on being duly seconded and carried, shall entail the submission of the motion at once to the Meeting after the mover has replied.

(g) No Member, except the mover, shall speak more than once on the same motion, except in explanation. The seconder of a motion must exhaust his right to speak at the time he seconds the motion or amendment, or lose the right to speak on the matter before the chair.

(h) No Member shall be allowed more than ten minutes to speak to a motion, unless with the concurrence of the Meeting, providing always that at Sub-Branch Meetings, the time of discussion for any matter shall not exceed forty minutes. The mover shall be allowed ten minutes for speaking in support of his motion, subsequent speakers five minutes, and the mover of the motion five minutes in reply. These times may be extended by resolution, but in no case shall the time for discussion of any matter at a Sub-Branch Meeting exceed fifty minutes, including extensions.

(i) The mover only shall have the privilege of reply, after which the motion shall be forthwith put to the Meeting.

(j) Questions of Order shall be decided by the Chairman, whose ruling shall be final, unless it is challenged by a formal motion of dissent submitted to the Meeting.

(k) In the event of the President or Chairman desiring to speak on any question, he shall vacate the chair while speaking to the matter under consideration.

(l) An amendment to the motion being carried, the amendment then becomes the motion and shall forth-with be put to the Meeting.

(m) Any Member may move a resolution for the suspension of Standing Orders to deal with Business as a matter of urgency, provided there shall be not more than one suspension of Standing Orders at each Meeting or session.

#### Moving Dissent from the Chairman's Ruling.

(n) Any Member dissatisfied with the ruling of the Chairman may move a motion of dissent as follows:

"That the Chairman's Ruling be dissented from."

The Motion shall then be put to the Meeting by the Vice-Chairman, without discussion (other than explanations by the mover and Chairman), in the following manner:

The question is: "That the Chairman's ruling be upheld". Those in favour of the motion, say "Aye", those against the motion say "No,"

The mover only shall speak to the motion, except the Chairman, who may explain his reasons for the ruling given.

The Vice-Chairman shall not give a ruling on the question involved in the Chairman's Ruling.

The Chairman's Ruling shall only be dissented from by a direct appeal to the meeting, the question being put by the Vice-Chairman without discussion.

#### Motion for Adjournment.

(o) A motion for the Adjournment of any business or of any Meeting may be proposed without discussion at any time during such Meeting, and shall at once be put to the Meeting by the President or Chairman.

Such Adjournment shall follow if carried by a vot. of the Members present.

(p) The presiding Officer at any ordinary or Special Meeting shall not put to the Members any propositions or amendments contrary to the Rules of the Branch or the Union.

(q) If any Member brings forward at any Meeting a proposition tending to destroy a Sub-Branch or the Branch, he may be charged and dealt with under the provisions of Rule 42 of these Rules.



49. LEGAL PROCEEDINGS.

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(a) All fees, levies and dues payable by Members, may be sued for and recovered in the name of the Union in any Court of competent jurisdiction by the Branch Secretary-Treasurer or such other person authorised by resolution of the Branch Committee of Management or Branch Secretary-Treasurer.

(b) The Branch Secretary-Treasurer shall be the Officer to sue or be sued, on behalf of the Union. Provided that in the absence of the Branch Secretary-Treasurer, the Assistant Secretary shall, for the purpose of this clause be treated in all respects and be competent to sue and be sued for and on behalf of the Union.