APPENDIX A

FEDERAL BRANCH RULES

FEDERAL BRANCH RULES IN RELATION TO THE NORTHERN TERRITORY BRANCH

PART I - PRELIMINARY

1 - NAME

The name of the Branch shall be Australian Education Union, Northern Territory Branch.

2 - DEFINITIONS

In these Federal Branch Rules:-
"the Act" – means the *Fair Work (Registered Organisations) Act 2009* (Cth);
"the Regulations" – means the *Fair Work (Registered Organisations) Regulations 2009* (Cth); and
"the Union" – means Australian Education Union.

3 - MANAGEMENT

The Management of the Branch by the members shall be by means of:

(a) Branch Conference; and

(b) Branch Executive.

PART II - MEMBERSHIP

4 - ALLOCATION AND RE-ALLOCATION AND TRANSFER OF MEMBERSHIP

(a) The Branch Secretary on admitting a new member to the Union pursuant to Federal Rule 9 shall allocate the member to a Sub-Branch and a Region. Any member who is unemployed shall be allocated to the Unemployed Members Sub-Branch and the Region determined by the Branch Executive.

(b) The Branch Executive shall be entitled to re-allocate a new member to another Region and/or Sub-Branch if it thinks fit;

(c) A transfer of a membership from one Region and/or Sub-Branch to another may only be affected with the approval Branch Executive.

(d) No transfer of membership shall be affected less than two months before the date of Branch Annual Conference.

(e) A member may apply at any time for transfer of membership to another Region and/or Sub-Branch. Such application shall be made in writing to the Branch Secretary and shall state the reasons for the application. The application shall be referred by the Branch Secretary to the next meeting of Branch Executive for consideration and its decision shall be notified to the member by the Branch Secretary within 7 days of the decision being made.

5 - MEMBERSHIP RETURNS

Statements setting out the name, address and place of employment of each financial member of a Sub-Branch as at 31st March and 30th September each year shall be forwarded by the Branch Secretary to the respective Sub-Branch Secretary within 30 days of 31st March and 30th September.

PART III - CONSTITUTION MANAGEMENT AND POWERS

SECTION A - BRANCH CONFERENCE

6 - BRANCH CONFERENCE - POWERS

(a) The Branch Conference is, subject to this rule, the supreme governing body of the Branch.

(b) The Branch Conference has, subject to this rule, the power to:

(i) superintend, manage and control the Branch's affairs;
;
(ii) delegate to the Branch Executive all its powers other than the power to make, amend or rescind rules; and
(iii) direct that the opinion of financial members be obtained on any question by plebiscite.

(c) The Branch Conference has, subject to rule 16, the exclusive power to:

(i) amend these Branch rules.

(d) Despite sub-rule (a) the Branch Conference cannot exercise:

(i) power that includes powers that relate to the financial management of the Branch;
(ii) a power expressly reserved by these rules to be only exercised by the Branch Executive; and/or
(iii) a power expressly reserved by these rules to be only exercised by a Branch Officer.

7 - COMPOSITION OF BRANCH CONFERENCE

(a) Branch Conference shall be constituted by -

(i) members of the Branch Executive; and
(ii) Sub-Branch Delegates.

8 - SUB-BRANCH REPRESENTATION AT BRANCH CONFERENCE

(a) Each Sub-Branch shall be entitled to representation at Branch Conference by one delegate for each 20 members or part thereof.

(b) Each Sub-Branch Delegate shall be a financial member and be elected by the financial members of the Sub-Branch he/she represents.

(c) Each Sub-Branch Secretary shall notify the Branch Secretary in writing at least 6 weeks prior to the commencement of Branch Conference of the name, address and place of employment of each delegate of the Sub-Branch.

9 - PROXY BRANCH CONFERENCE DELEGATES

(a) A Branch Conference delegate unable to be present at the whole or any part of the Branch Conference may appoint by writing or telegram (or other electronic means) a financial member of the Branch to act as his/her proxy.

(b) A member appointed a proxy delegate shall not be a member of the Branch Executive, another delegate or another proxy delegate.

(c) A proxy delegate shall have all the powers of the delegate he/she represents.

10 - MEMBERS ATTENDING BRANCH CONFERENCE MEETINGS

Any financial member of the Branch may, with the permission of Branch Conference, attend and speak at a Branch Conference meeting.

11 - MEETINGS OF BRANCH CONFERENCE

(a) Branch Conference shall be held annually and, unless otherwise decided by the Branch Executive, shall be held during the May Day weekend.

(b) The commencing date of Branch Conference shall be determined by Branch Executive not less than 3 months before such date and the Branch Secretary shall notify in writing each Branch Executive member and each sub-Branch within 7 days of such determination and shall cause notification of such date to be inserted in the next issue of the Branch Newsletter.

(c) Branch Conference expenses, including expenses of delegates and others entitled to attend as Branch Conference members, may be paid by Branch Executive either in part or in whole.

(d) Branch Conference is to be conducted by a method by which the respective members of the Branch Conference can communicate with each other.

12 - SPECIAL BRANCH CONFERENCE

(a) Branch Conference or the Branch Executive may, and at the written request of 30 or more of the Sub-Branches shall, convene a Special Branch Conference.

(b) Each request for a Special Branch Conference shall specify the subject matter for discussion at the Conference.

(c) Branch Conference or the Branch Executive shall determine the matters to be included in the Agenda which shall include the subject matters set out in the written request by the Sub-Branches for the Special Branch Conference.

(d) The provisions of Rule 15 shall apply mutatis mutandis to a Special Branch Conference except that the Branch Executive may determine the periods of notice for the circulation of the agenda prior to a Special Branch Conference.

(e) Notwithstanding the provisions of this rule a matter not included in the agenda for the Special Conference, with the exception of proposed rule alterations, may be discussed at such Branch Conference provided a resolution that such matters be discussed is carried by a simple majority of the delegates present and entitled to vote.

(f) Delegates to a Special Branch Conference shall be those members elected under Rule 112.

(g) Special Branch Conference is to be conducted by a method by which the respective members of the Special Branch Conference can communicate with each other.

12A - OUT OF SESSION BALLOT OF BRANCH CONFERENCE

(a) An out of session ballot of the Branch Conference may be conducted where the Branch Secretary considers that a matter needs to be dealt with expeditiously by a ballot of the Branch Conference.

(b) Without limitation to sub-rule (a) the:

(i) Branch Conference; or
(ii) Branch Executive,

may direct the Branch Secretary to conduct an out of session ballot of the Branch Conference, where it determines that a matter needs to be dealt with expeditiously by a ballot of the Branch Conference.

(c) An out of session ballot is to be conducted by means of:

(i) post;
(ii) e-mail;
(iii) text message;
(iv) other electronic communication; and/or
(v) a mixture of those means.

(d) Where an out of session ballot of the Branch Conference is conducted:

(i) the Branch Secretary shall determine a time limit within which the ballots must be received, but which is no less than 14 days, provided that the Branch Secretary may determine a shorter time limit for e-mail/text message/electronic ballots;
(ii) 50% of the members of the Branch Conference plus one (1) casting a ballot in the time limited under paragraph (i) constitutes a quorum; and
(iii) determination of the ballot shall, unless these rules otherwise require, be by simple majority of the votes cast.

13 - VENUE OF BRANCH CONFERENCE MEETINGS

Branch Conference shall determine the venue of the next Branch Conference.

14 - VOTING AT BRANCH CONFERENCE

Each member (including the Branch President) attending the Branch Conference as a Sub-Branch delegate or a member of Branch Executive (but no others) shall be entitled to one vote at Branch Conference. In the event of equality of voting, the President shall have a second or casting vote.

15 - PROPOSALS FOR BRANCH CONFERENCE INCLUDING RULE ALTERATIONS

(a) The Branch Executive, Branch Conference Delegates (or their proxies) and Sub-Branches may submit proposals for consideration by Branch Conference. All such proposals shall be forwarded to the Branch Secretary at least 6 weeks before Branch Conference commences.

(b) The Branch Secretary shall prepare the agenda paper and 4 weeks before Branch Conference commences, forward a copy to each Sub-Branch Delegate, to each Branch Executive member, and to each Sub-Branch.

(c) Branch Conference, or a Special Branch Conference called for the purpose, may make, amend or rescind Federal Branch Rules, provided that:

(i) The proposed addition, amendment or rescission is proposed by Branch Executive or by a requisition of at least 10 Sub-Branches.

(ii) The proposed rule alterations have been distributed in writing to each Sub-Branch Delegate, each member of Branch Executive and each Sub-Branch at least 4 weeks before commencement of Branch Conference, or, in the case of a Special Branch Conference, within the timeframe specified in Rule 12 (d). Such distribution may be by post, email or facsimile.

(d) Notwithstanding the provisions of this rule, a matter not included in the agenda for Branch Conference, with the exception of proposed rule alterations, may be discussed by Branch Conference provided a resolution that such matter be discussed is carried by a simple majority of the votes of delegates present and entitled to vote.

16 - ALTERATION OF VOTING AND REPRESENTATION RIGHTS

Notwithstanding anything contained elsewhere in these Rules, Rules 6, 8(a), 13, 18, 22, 88, 89 and this rule shall not be rescinded or amended or the effect of these rules altered in any way, at Conference or pursuant to a Rule 88 reference to Sub-Branches, unless in either case two-thirds of the votes entitled to be cast (if all those entitled to attend and vote did attend and vote) are in favour of such amendment rescission or alteration.

SECTION B - BRANCH EXECUTIVE

17 - POWERS - BRANCH EXECUTIVE

(a) The Branch Executive shall be the committee of management of the Branch and, subject to Rules 6 and 16, the Branch Executive, when Branch Conference is not in Session, shall be the supreme governing body of the Branch and the acts of Branch Executive, including interpretation of these Rules, shall have the same effect as if those acts were acts of Branch Conference under rule 6.

(b) The Branch Executive is, to the exclusion of the Branch Conference, to exercise power in relation to the financial management of the Branch.

18 - CONSTITUTION OF BRANCH EXECUTIVE

(a) The Branch Executive shall consist of the following -

(i) Branch President,
(ii) Vice-President (General) and Vice-President (TAFE),
(iii) Branch Secretary,
(iv) Treasurer,
(v) Women's Officer,
(vi) Executive Councillors from each Region, elected on a basis of one member for every 200 members or part thereof;
(vii) An Executive Councillor representing Indigenous teachers and Indigenous education workers in schools and educational institutions.

(b) The Branch officers shall be the Branch President, Vice-President (General), Vice-President (TAFE), Branch Secretary, Treasurer and Women's Officer.

(c) For the purposes of Rule 136 only, the position of Secretary will be deemed to be a higher position than that of Vice-President (General) or Vice-President (TAFE).

19 - MEETINGS OF BRANCH EXECUTIVE

(a) The Branch Executive shall meet when determined by the Branch Secretary or in his/her absence by the Branch President.

(b) The Branch Secretary shall give reasonable notice of all meetings to all members of Branch Executive. Such notice may be given verbally, by telephone, by facsimile, email, telegram or by post. Seven days notice shall be given unless the Branch Secretary or in his/her absence, the Branch President considers that the circumstances of the calling of the meeting justify a shorter period of notice.

(c) There shall be at least six Branch Executive meetings held each year.

20 - SPECIAL MEETINGS OF BRANCH EXECUTIVE

(a) A special meeting of the Branch Executive shall be called -

(i) at the written request of not less than 4 members of the Branch Executive, such request to be delivered or notified by post, by facsimile, by email, or by telegram addressed to the Branch Secretary. Such written request shall state the matter or matters for discussion.

(ii) whenever circumstances arise which, in the opinion of the Branch President or Branch Secretary, call for a Special Meeting.

(b) The Special Meeting shall be convened by the Branch Secretary who shall give at least 24 hours notice to members - which notice may be given verbally, by telephone, by facsimile, email, telegram, or by post.

21 - BRANCH EXECUTIVE - VOTING BY POST

(a) When the Branch Executive is not in session the Branch Secretary may and shall, when so directed by the Branch President or requested by least 4 Executive Members, submit for decision any matter with which the Branch may deal in accordance with Rule 17.

(b) A matter submitted for decision under this Rule shall be in writing sent by post, facsimile or telegram.

(c) Each Branch Executive member shall, within 7 days of the date on which the submission is sent, return to the Branch Secretary by post, facsimile, email or telegram his/her vote in writing, signed by him/her and stating an affirmative or negative without qualification.

(d) Branch Executive members shall vote personally and proxy voting shall not be allowed.

(e) The Branch Secretary shall count the votes progressively as they are received and when a majority is available from those entitled to vote, shall report the result in writing, by facsimile, email or by telegram to the Branch President, who shall forthwith declare the result of the voting. In the event of an equality of votes the Branch President shall have and exercise a second or casting vote.

(f) All decisions given under this Rule shall have the same effect as if made in Meeting assembled.

(g) At the same time as the Branch Secretary, in accordance with this rule, sends a submission to Branch Executive members he/she shall post copies of the submission to all Regional Secretaries. When the President has declared the result of the voting, the Branch Secretary shall notify each Branch Executive Member and each Regional Secretary of the result and shall also notify the next ordinary meeting of the Branch Executive of the postal vote taken.

(h) This rule shall not apply if, at anytime up to and including the seventh day after the day of notification of the submission by the Branch Secretary to Branch Executive Members, a request has been made in accordance with the provisions of Rule 20 for a Special Meeting to discuss the matter submitted under this rule and that Special Meeting has been held.

22 - VOTING - BRANCH EXECUTIVE

(a) Each Branch Executive member or his/her proxy shall be entitled to one vote at meetings of the Branch Executive.

(b) In the event of equality of voting - the Chairperson of the meeting shall have a second or casting vote.

23 - PROXIES - BRANCH EXECUTIVE MEMBERS

(a) A Branch Executive member who is unable to attend the whole or any part of a Branch Executive meeting may appoint, in writing, a financial member of the Branch to act as his/her proxy and shall forthwith notify the Branch President or Branch Secretary of the appointment.

(b) A member appointed as a proxy under this rule may be another member of the Branch Executive providing that this person does not already hold a proxy vote.

(c) A proxy Branch Executive member shall have all the powers of the Branch Executive members he/she represents.

24 - ABSENCE FROM BRANCH EXECUTIVE MEETINGS

(a) A Branch Executive member shall not absent himself/herself from 2 consecutive meetings of the Branch Executive without permission from the Executive.

25 - REMOVAL FROM OFFICE BY BRANCH EXECUTIVE

(a) The Branch Executive may, if two thirds of its members present and entitled to vote so decide, at any time remove from office a Branch Executive member (including a salaried member) who has -

(i) ceased, according to the Federal Rules or the Federal Branch Rules, to be eligible to hold the office,

(ii) been found guilty, in accordance with the Federal Branch Rules, of any of the following -

(a) misappropriation of the Union's funds,
(b) a substantial breach of the Federal Rules or Federal Branch Rules,
(c) gross misbehaviour,
(d) gross neglect of duty.

(b) Any action taken under these rules shall be taken in accordance with the provisions of Rule 91 mutatis mutandis.

26 - BRANCH CONFERENCE AND BRANCH EXECUTIVE - CASUAL VACANCIES

The office of any Branch Conference Delegate, or member of the Branch Executive shall become vacant if he/she dies, resigns, ceases to be a member of the Branch or is removed from office.

27 - BRANCH CONFERENCE AND BRANCH EXECUTIVE - FILLING CASUAL VACANCY

A casual vacancy in the office of Branch Conference Delegate or Branch Executive Member shall be filled as follows:

(a) In the case of the Branch President, an election shall be held in accordance with these Rules as soon as practicable after the vacancy occurs. The elected person shall then hold office for the unexpired portion of his/her predecessor's term. Provided that where the remaining term of office is 12 months or less the Branch Executive may appoint a financial member to fill the vacancy for the remainder of the term.

(b) In the case of the Treasurer, the Vice-President (General), the Women's Officer, the Vice-President (TAFE) or the Executive Councillor representing Indigenous teachers and Indigenous education workers, an election shall be held in accordance with these Rules as soon as practicable after the vacancy occurs. The elected person shall then hold office for the unexpired portion of his/her predecessor’s term. Provided that the Branch Executive may, where the remaining term of office to which a member would be elected is less than three quarters of the term of office, fill the position by appointing:

(i) In the case of the Treasurer or the Vice-President (General) a member of Branch Executive who shall then hold office for the unexpired portion of his/her predecessor’s term.

(ii) In the case of the Women’s Officer, a female member of the Branch Executive who shall then hold office for the unexpired portion of her predecessor’s term.

(iii) In the case of the Vice-President (TAFE), a financial member from the TAFE division who shall then hold office for the unexpired portion of his/her predecessor's term.

(iv) In the case of the Executive Councillor representing Indigenous teachers and Indigenous education workers, an Indigenous member who shall then hold office for the unexpired portion of his/her predecessor's term.

(c) In the case of an Executive Councillor (other than the Executive Councillor representing Indigenous teachers and Indigenous education workers) an election shall be held in accordance with these Rules as soon as practicable after the vacancy occurs. The elected person shall then hold office for the unexpired portion of his/her predecessor's term. Provided that the relevant Regional Council may, where the remaining term of office to which a member would be elected is less than three quarters of the term of office, appoint to the position a financial member of that region who shall then hold office for the unexpired portion of his/her predecessor's term.

(d) In the case of the Branch Secretary an election shall be held in accordance with the Rules as soon as practicable after the vacancy occurs. The elected person shall then hold office for the unexpired portion of his/her predecessor's term. Provided that where the remaining term of office is one third (or less) of the original term then the Branch Executive may appoint a financial member to fill the position for the remainder of the term. In the case of an election the Executive may appoint a financial member to the position until the election process is complete.

(e) In the case of a Sub-Branch Delegate to Branch Conference, the President of the Sub-Branch concerned shall be deemed to be the holder of the office from the date on which the vacancy occurs until a successor is elected at the next annual election. Should the Sub-Branch President already be a Branch Conference Delegate, or a member of the Branch Executive or was the holder of the office at the date it became vacant, or if the office of the Sub-Branch President is then vacant then the Vice-President of the Sub-Branch concerned shall be the holder. Should there not be a Vice-President entitled to fill the vacancy, a meeting of the Sub-Branch shall be called as soon as possible for the purpose of appointing a member to fill the vacancy.

27A - GENERAL MEETING - FINANCIAL REPORTS

(1) The Branch Secretary shall convene a meeting of the members of the Branch upon a request in writing by members calling for a General Meeting for the purposes of considering the financial reports as described in the Act if such a request:

(i) is signed by no less than 5% of the members of the Branch as at the date of receipt of the request;

(ii) contains in relation to each signature:

(a) the date of signing;
(b) the signatory's name in capital letters;
(c) the name of the Sub-Branch to which the signatory is attached.

(2) The Branch Secretary shall give 28 days notice to the members of the Branch of any General meeting called pursuant to this Rule.

(3) The Branch Secretary shall give notice of any meeting to be conducted pursuant to this Rule by written notice sent or delivered to and posted in a conspicuous place at each members place of employment or by email communication to each member or by notice on the Branch website to all members who have immediate access to that website and to each Sub-Branch Secretary.

(4) All decisions at a meeting called in accordance with the Rule shall be by a show of hands except where a resolution is carried which determines to submit the question to a secret ballot.

(5) Attendance at meetings conducted under this rule shall be recorded and such attendance records shall be used to ensure that each member records only one vote.

SECTION C - REGIONS

28 - FORMATION OF REGIONS

(a) The names and borders of Regions shall be determined by Branch Conference from time to time and shall be appended to these rules but shall not form part of these rules.

(b) A Region may consist of those members who work in the same geographical areas.

(c) Each Region shall have a Regional Executive and a Regional Council.

29 - COMPOSITION OF THE REGIONAL COUNCIL

All members of the Region shall be eligible to attend Regional Council meetings.

30 - REGIONAL OFFICERS

(a) There shall be in each Region the following:-

Regional President
Regional Vice-President
Regional Secretary

(b) The occupiers of the above positions shall be the Regional Officers.

31 - REGIONAL EXECUTIVE/CONSTITUTION AND POWERS

(a) There shall be in each Region a Regional Executive which, subject to the control of Branch Conference and the Branch Executive, shall supervise, manage and control Regional affairs.

(b) A Regional Executive shall consist of the Regional officers and four Regional Councillors.

(c) A Branch Conference Delegate or Branch Executive Member shall be eligible for election as a Regional Officer or a Regional Councillor, or of the Region of which he/she is a member.

(d) A Regional Executive shall determine the location of its office.

(e) A Regional Council may authorise the formation of sub-committees as it sees fit.

32 - REGIONAL EXECUTIVE MEETINGS

(a) A Regional Executive shall meet as required but not more than 2 months shall elapse between 2 successive meetings other than between the last meeting in one year and the first meeting in the following year.

(b) The Regional Secretary shall give reasonable notice verbally, by post, by facsimile or by telegram of any meeting (including any adjourned meeting) to all persons entitled to attend.

(c) Meetings of the Regional Executive shall be held as determined by the Regional Officers or upon request to the Regional President, or Regional Secretary of one-quarter of the members of the Regional Executive.

(d) Each Regional Executive member or his proxy shall be entitled to one vote at meetings of the Regional Executive.

(e) In the event of equality of voting, the Chairperson of the meeting shall have a second or casting vote.

(f) A Regional Executive member shall not be absent from more than 3 consecutive meetings of the Regional Executive without reasonable excuse or permission from the Regional Executive.

33 - CHAIRPERSON OF REGIONAL EXECUTIVE MEETINGS

(a) The Regional President shall preside at all meetings of the Regional Executive.

(b) In the absence of the Regional President from any Regional Executive meeting the Regional Vice-President shall preside at the meeting, and in the absence of both the said officers, the Regional Executive may appoint one of its members to preside at the meeting.

34 - PROXIES - REGIONAL EXECUTIVE

If a Regional Executive member cannot attend a Regional Executive meeting the member may appoint in writing a proxy who is a financial member of the Region but is not a member of the Regional Executive.

35 - MEMBERS ATTENDING REGIONAL EXECUTIVE MEETINGS

Any financial member of the Branch may by permission of the meeting attend and speak at a meeting of such Regional Executive.

36 - CESSATION OF OFFICE REGIONAL EXECUTIVE MEMBER

The office of a Regional Executive member shall become vacant if the holder:-

(a) dies, resigns, or is removed under these Rules;

(b) ceases to be a member of the Union or is transferred out of the Region he/she represents.

37 - REMOVAL FROM OFFICE BY REGIONAL EXECUTIVE

The Regional Executive may at any time remove from office a member of the Regional Executive. The provisions of Rule 25 shall apply mutatis mutandis.

38 - REPRESENTATION BY REGIONAL EXECUTIVE

A Regional Executive may take up any matter concerning the members of its Region only.

39 - LIMIT OF POWER

A Regional Executive shall not act independently of the Branch Executive in regard to any matter which has been dealt with and decided by the Branch Executive.

40 - INTERPRETATION OF RULES

A Regional Executive may submit to the Branch Executive for determination any question of the interpretation of these Rules.

41 - ANNUAL REPORT

The Regional Annual Report, before it is published or circulated, shall be approved by the Regional Executive signed by the Regional Officers on behalf of the Regional Executive.

42 - CONTROL OF REGIONS

(a) Conference or the Branch Executive may remove from office any Regional Officer and Regional Executive member. The provisions of Rule 25 apply mutatis mutandis.

(b) A special election to fill any vacancies so created or otherwise existing in the Region shall be held within 4 months of the vacancy arising. Conference or Branch Executive may in special circumstances extend the period for conducting a special election by a period not exceeding an additional 6 months unless the ordinary elections become due within that period. The rules applicable to ordinary elections shall apply to such election with such modifications as are necessary.

43 - REGIONAL COUNCIL ANNUAL GENERAL MEETING

The Regional Council Annual General Meeting shall be held pursuant to Rule 46, as soon as possible after the commencement of the school year and before 31 March. It may be adjourned as provided in Rule 51 for not more than one month.

44 - REGIONAL COUNCIL ORDINARY GENERAL MEETING

A Regional Executive shall convene an Ordinary General Meeting at least once every term between 1st February and 30th November in each year. For the purpose of this rule only, an Annual General Meeting shall be deemed to be a Regional Council Ordinary General Meeting.

45 - SPECIAL GENERAL MEETINGS

Regional Council Special General Meetings shall be convened:

(i) by the Regional Executive at any time; or

(ii) by the Regional President or Secretary when requested in writing by ten of the Region's financial members provided that such request states shortly the matter or matters to be discussed.

46 - NOTICE OF REGIONAL COUNCIL GENERAL MEETING

(a) Proper notice shall be given to members of the holding of a general meeting, whether ordinary, special or annual.

(b) The Regional Executive shall determine the form of such notice.

(c) Such notice shall be given at least 7 days prior to the meeting and shall state shortly the business to be transacted.

47 - REQUISITIONS FOR REGIONAL COUNCIL SPECIAL GENERAL MEETING

Upon receipt of a requisition or of notice under Rule 45, a Special General Meeting shall be forthwith convened by the Regional President or Regional Secretary to be held within 14 days from the time of requisition or notice being received. If a meeting has not been convened within 7 days from such date the members making such requisition may themselves convene the meeting.

48 - BUSINESS/REGIONAL COUNCIL SPECIAL GENERAL MEETING

(a) The notice convening a Regional Council Special General Meeting shall include the business for which the meeting is called.

(b) No business shall be dealt with at any Regional Council Special General Meeting other than that stated in such notice.

(c) After all business for which the meeting has been called has been disposed of, any member may, for discussion only, bring under notice of the meeting any matter, but no motion shall be moved.

49 - CHAIRPERSON OF GENERAL MEETING

The President (or in his/her absence the Vice-President of the Region) shall preside at all Regional Council General Meetings. Should neither be present within 15 minutes after the time of commencement of the meeting, the members shall appoint a Chairperson for such meeting.

50 - LACK OF QUORUM

If, within half an hour from the time appointed for any Regional Council General Meeting to commence a quorum of members is not present, such meeting shall be adjourned.

51 - ADJOURNMENT OF A REGIONAL COUNCIL GENERAL MEETING

A Regional Council General Meeting may adjourn from time to time and from place to place. Subject to Rules 43 and 48 no business shall be transacted at such adjourned meetings other than that left unfinished.

52 - NOTICE OF ADJOURNED REGIONAL COUNCIL GENERAL MEETING

Proper notice of any adjourned Regional Council General Meeting shall be given to members.

53 - VOTING AT REGIONAL COUNCIL GENERAL MEETING

Each member of the Region including the Regional President but no others shall be entitled to one vote at Regional Council. In the event of equal voting a Regional President shall have a second or casting vote. All questions shall be decided by a majority of votes.

54 - DECISIONS OF REGIONAL COUNCIL GENERAL MEETING

A resolution of a General Meeting shall not be vetoed or disregarded by a Regional Executive.

SECTION D - SUB-BRANCHES

55 - FORMATION OF SUB-BRANCHES

(a) Branch Conference or Branch Executive may form new Sub-Branches.

(b) A Sub-Branch may consist of those members who are employed in a workplace or in an institution.

(c) The Sub-Branches composing the Branch are those workplaces or institutions determined from time to time.

56 - SUB-BRANCH EXECUTIVE

(a) In Sub-Branches with 10 or more members there shall be an Executive made up of a President, Vice President and Secretary.

(b) The Sub-Branch Executive, shall subject to the control of Branch Conference and the Branch Executive, supervise, manage and control Sub- Branch affairs.

(c) A Branch Conference Delegate or Branch Executive Member or Regional Executive member shall be eligible for election as Sub-Branch Executive member of the Sub-Branch of which he/she is a member.

(d) A Sub-Branch having 9 or less members shall have a Sub-Branch President only.

57 - SUB-BRANCH EXECUTIVE MEETINGS

(a) A Sub-Branch Executive shall meet as required provided that not more than 2 months shall elapse between 2 successive meetings excepting the months of January and December.

(b) The Sub-Branch Secretary (or in the absence of the Secretary, the President) shall give reasonable notice of Sub-Branch Executive Meeting, verbally or by letter to all persons entitled to attend.

(c) Meetings of the Sub-Branch Executive shall be held as determined by the Sub-Branch President or upon request to the Sub-Branch President of a majority of the members of Sub-Branch Executive.

58 - CHAIRPERSON OF SUB-BRANCH MEETINGS

(a) The Sub-Branch President shall preside at all meetings of the Sub-Branch Executive and at Sub-Branch General Meetings.

(b) In the absence of the Sub-Branch President from a meeting referred to in the previous Sub-Rule the Vice President (where one exists) shall preside at the meeting and, in the absence of both officers the Sub-Branch may appoint one of its members to preside at the meeting.

(c) The Sub-Branch President or in his/her absence the Vice President or a person appointed to preside at a meeting shall have a vote only when there is a tied vote.

59 - PROXIES

If a Sub-Branch Executive member cannot attend a Sub-Branch Executive meeting she/he may appoint in writing as his/her proxy a financial member of the Sub- Branch who is not a member of the Sub-Branch Executive.

60 - MEMBERS ATTENDING SUB-BRANCH EXECUTIVE MEETINGS

Any financial member of the Sub-Branch may by permission of the meeting attend and speak at a meeting of such Sub-Branch Executive.

61 - CESSATION OF OFFICE - SUB-BRANCH EXECUTIVE MEMBER

The office of a Sub-Branch Executive member shall become vacant if the holder:-

(a) dies, resigns or is removed under these Rules; or

(b) ceases to be a member of the Union or is transferred out of the Sub- Branch he/she represents.

62 - REMOVAL FROM OFFICE

The Branch Executive may at any time remove from office a member of the Sub- Branch Executive. The provisions of Rule 25 shall apply mutatis mutandis.

63 - REPRESENTATION BY SUB-BRANCH EXECUTIVE AND LIMIT OF POWER

A Sub-Branch Executive may take up any matter concerning the members of its Sub-Branch only. A Sub-Branch Executive shall not act independently of the Branch Conference or Branch Executive in regard to any matter which has been dealt with and decided by the Branch Conference or Branch Executive.

64 - INTERPRETATION OF RULES

A Sub-Branch Executive may submit to the Branch Executive for determination any question as to the interpretation of the Federal Branch Rules.

65 - GOVERNMENT OF SUB-BRANCHES

Each Sub-Branch shall have the power to govern itself provided that:-

(a) It shall elect delegates to Branch Conference in accordance with the Federal Branch Rules;

(b) It shall not have any rules or objects inconsistent with the Federal Rules or the Federal Branch Rules;

(c) It shall annually elect in accordance with Rule 114 members of the Sub- Branch Executive. The names of the persons elected shall be provided to the Branch Secretary within 2 weeks of the ballot being conducted.

(d) At least 4 meetings of the Sub-Branch shall be held each year.

(e) Sub-Branches may form an association with other sub-branches within a region having common educational interests and those sub-branches may apply to Branch Executive to be regarded as a sub-committee of the Regional Council.

66 - SUB-BRANCH ANNUAL GENERAL MEETING

The Sub-Branch Annual General Meeting shall be held during April in each year. It may be adjourned as provided in Rule 71 for not more than one month.

67 - SUB-BRANCH ORDINARY GENERAL MEETING

(a) At least one Sub-Branch general meeting shall be convened each half semester.

(b) General meetings or Special General Meetings may be held at other times as deemed necessary by the Sub-Branch Executive.

68 - SPECIAL GENERAL MEETING

Sub-Branch Special General Meetings shall be convened by the Sub-Branch President or Sub-Branch Secretary when requested in writing by a majority of the Sub-Branch financial members provided that such request states shortly the matter or matters to be discussed.

69 - NOTICE OF SUB-BRANCH GENERAL MEETING

Notice shall be given least 7 days prior to a Sub-Branch General Meeting and shall briefly state the business to be transacted.

70 - LACK OF QUORUM

If, within half an hour from the time appointed for any Sub-Branch General Meeting to commence, a quorum of members is not present, such meeting shall be adjourned.

71 - ADJOURNMENT OF A SUB-BRANCH GENERAL MEETING

A Sub-Branch General Meeting may adjourn from time to time and from place to place. No business shall be transacted at such adjourned meeting other than that left unfinished.

72 - NOTICE OF ADJOURNED SUB-BRANCH GENERAL MEETING

Proper notice of an adjourned Sub-Branch General Meeting shall be given to members.

73 - DECISIONS OF SUB-BRANCH GENERAL MEETING

The resolutions of a Sub-Branch General Meeting shall not be vetoed or disregarded by Sub-Branch Executive.

SECTION E - POWERS AND DUTIES OF OFFICERS

74 - BRANCH PRESIDENT

The Branch President shall be the Chief Executive Officer of the Branch and shall convene ordinary meetings of Conference and Branch Executive. He/she shall preside at all meetings of Conference and Branch Executive, superintend the discussion of questions tabled for consideration, preserve order so that business may be conducted in due form and with propriety and upon the minutes being confirmed, shall sign them. The Branch President may vote on any issue before a meeting over which he/she presides and in the event of an equality of votes on an issue may cast a second vote.

75 - ABSENCE OF BRANCH PRESIDENT AND BRANCH VICE-PRESIDENT

In the absence from any meeting of Branch Conference or Branch Executive of both the Branch President, the Vice-President (General) and the Vice-President (TAFE), the meeting shall appoint from its members a Chairperson who in the event of equality of voting, shall exercise a second vote.

76 - VICE-PRESIDENT (GENERAL) AND VICE PRESIDENT (TAFE)

The duties of the Vice-President (General) and the Vice-President (TAFE) shall be to assist the Branch President at all meetings of Branch Conference and the Branch Executive and in the absence of the President, the Vice-President (General) or the Vice-President (TAFE) shall occupy the chair and conduct the business and perform all the duties of the Branch President.

77 - DUTIES OF BRANCH SECRETARY

(a) For the purpose of this rule, the words in column A have the meaning assigned opposite in column B:

A	B
Act	Fair Work (Registered Organisations) Act
Financial Records	records, however recorded or stored, to the extent that they relate to the finances or financial administration of the Union and includes: registers; records of financial information; Financial Reports; annual returns; documents relating to or recording financial transactions; and Financial Statements
Financial Statements	a financial document that explains the methods and calculations about how the Union's accounts are made up and correctly recorded and explains the Union's transactions and financial position

(b) The Branch Secretary has the power and responsibility to:

(i) maintain the records of the Branch under the Act;
(ii) maintain the Financial Records under the Act;
(iii) prepare an annual budget for the Branch Executive's consideration;
(iv) prepare the general purpose financial report and operating report to be filed by the Branch;
(v) liaise with the Branch auditor;
(vi) ensure compliance with the Act;
(vii) provide notice, and make declarations, on behalf of the Branch;
(viii) notify industrial disputes under the Act; and
(ix) attend all meetings of Branch Conference and the Branch Executive;
(x) seek the prompt payment of monies owing to the Branch;
(xi) receive all moneys paid to the Branch;
(xii) ensure that all monies received are promptly deposited to the credit of the Branch's bank account;
(xiii) oversee all payments to be made by the Branch;
(xiv) ensure that a detailed and current account of all money transactions is maintained;
(xv) provide a statement of the Branch's current account to ordinary meetings of the Branch:
a. Conference; and
b. Branch Executive;
(xvi) be the designated officer of the Branch under the Act, subject to a determination of the Branch Executive that another Branch officer perform the function.

(c) The Branch Secretary has the other powers and duties provided under these rules.

(d) The Branch Secretary is a member of the finance committee and each other sub-committee of the Branch and may attend meetings of any such committee to provide a report to the Branch Executive.

(e) Despite sub-rule (b), the Branch Secretary cannot exercise a power expressly reserved by these rules to only be exercised by, respectively, the:

(i) Branch Conference;
(ii) Branch Executive; or
(iii) another Branch Officer.

(f) The Branch Secretary shall also carry out other such duties as determined by Branch Conference or the Branch Executive.

78 - DUTIES OF TREASURER

(a) The Treasurer shall:

(i) convene, and chair, meetings of the finance committee of the Branch Executive;
(ii) assist the Branch Secretary to prepare the:

a. annual budget;
b. general purpose financial report; and

(iii) have such other duties as shall be determined by:

a. Branch Conference; or
b. Branch Executive.

79 - DUTIES OF WOMEN'S OFFICER

The Women's Officer shall:-

(a) monitor and promote policies which have specific relevance to women and girls;

(b) liaise with relevant groups both within and outside the Union;

(c) provide advice on womens' issues; and

(d) carry out such other duties as may be determined by Branch Conference or the Branch Executive.

80 - DUTIES OF EXECUTIVE COUNCILLORS

The duties of Executive Councillors for a region shall be to represent, report and be responsible to the members in that Region.

81 - REGIONAL PRESIDENT

The Regional President shall be the Chief Executive Officer of the Region and shall preside at all Regional Council Meetings.

82 - REGIONAL VICE-PRESIDENT

The Regional Vice-President shall exercise the powers and duties of the Regional President during his/her absence.

83 - DUTIES OF REGIONAL SECRETARY

The duties of the Regional Secretary shall be to-

(a) Convene and attend all Regional Executive and Regional Council meetings and to keep a record of proceedings;

(b) to deal with correspondence;

(c) to have charge of the documents of the Region;

(d) forward to the Branch Secretary as required a statement of the number of financial members in the Region on the last days of March and September in each year;

(e) prepare for presentation to the Annual Meeting, the Annual Report of the Region;

(f) forward promptly to the Branch Secretary a copy of all Minutes of all meetings of the Regional Executive and all General Meetings of the Regional Council and a copy of the Annual Report and Balance Sheet;

(g) keep the Regional Executive informed on matters of interest to members in the Region;

(h) carry out such other duties as may be required by the Regional Executive.

84 - SUB-BRANCH PRESIDENT

The Sub-Branch President shall be the Chief Executive Officer and shall preside at all Sub-Branch meetings.

85 - SUB-BRANCH VICE-PRESIDENT

The Sub-Branch Vice President (where one exists) shall exercise the powers and duties of the Sub-Branch President during his absence.

86 - DUTIES OF SUB-BRANCH SECRETARY OR PRESIDENT

The Sub-Branch Secretary or in Sub-Branch with 9 or less members the Sub-Branch President shall -

(a) convene meetings and keep a record of proceedings;

(b) deal with correspondence;

(c) have charge of the documents of the Sub-Branch;

(d) maintain a Register of the name, date of admission and address of employment of each member of the Sub-Branch and supply a copy of same to the Branch Secretary when required;

(e) forward to the Branch Secretary as required a statement of the number of financial members in the Sub-Branch as at the last days of March and September in each year;

(f) promptly forward to the Branch Secretary a copy of all minutes of all meetings of the Sub-Branch;

(g) carry out such other duties as may be required by the Sub-Branch Officers.

SECTION F - GENERAL MANAGEMENT

87 - QUORUMS

At meetings under these Rules, a quorum shall be:-

(a) Branch Conference - 50 members who are entitled to attend and vote;

(b) Branch Executive - a majority of members;

(c) Regional Council - 10% of members or 10 whichever is the lesser;

(d) Regional Executive - majority of its members;

(e) Sub-Branches - a majority of its members in any Sub-Branches with less than 10 members and 30% of members in any Sub-Branches with more than 10 members.

88 - REFERENCE TO BRANCH CONFERENCE MEMBERS

(a) Notwithstanding any contrary provisions in the Branch Rules, the Branch Executive or any 4 Regional Executives may between Branch Conferences direct the Branch Secretary to take a vote of all Sub-Branch Delegates to Branch Conference and members of the Branch Executive on any matter submitted by either of them including a proposal to make, amend or rescind rules or to change a Branch Conference Policy, but not including a proposal to hold a general plebiscite.

(b) The Branch Executive or the Regional Executive submitting the proposal may supply a concise statement in support of the proposal. When the 4 Regional executives submit a proposal the Branch Executive may supply a concise statement of its views on the proposal.

(c) Upon receipt of such direction the Branch Secretary shall without delay, refer the proposal to all Sub-Branch Delegates to Branch Conference and members of the Branch Executive for decisions together with copies of any such statements.

(d) A Sub-Branch Delegate to Branch Conference or any member of Branch Executive to have his/her vote on the proposal taken into account shall notify the Branch Secretary in writing, by facsimile, email or by telegram of his/her vote so that it is received by him/her no later than 30 days from the date on which the Branch Secretary posted the reference.

(e) The Branch Secretary shall count the votes for and against the proposal as soon as they are received.

(f) Votes of Sub-Branch Delegates to Branch Conference or members of Branch Executive not received by the Branch Secretary within the period of 30 days shall not be counted.

(g) The failure of Sub-Branch Delegates to Branch Conference, or a member of the Branch Executive, to vote in the prescribed time shall not invalidate the result of the reference.

(h) The provisions of Rule 87(a) as to Branch Conference quorum shall not apply to a reference under this Rule.

(i) The Branch Secretary shall immediately notify by telegram, facsimile, email or letter all Sub-Branches and Branch Conference Members of the acceptance or rejection of the reference as soon as it can be established from the votes received.

(j) The number of votes with which a Sub-Branch shall be credited in a reference under this rule shall be the same as the number of delegates to which it would be entitled at Branch Conference.

(k) Should there be an equality of voting, the Branch President shall have a second or casting vote and thereby decide the reference.

(l) A vote of a Branch Conference Member shall be in the form of a simple affirmative or negative. Any vote which is in any way qualified shall be invalid.

(m) Notwithstanding Rule 87(a) a decision on a proposal shall be by a simple majority of votes cast in accordance with this rule except in respect of proposals relating to the rules referred to in Rule 16 when the voting requirements shall be those specified in Rule 16.

(n) A decision of Branch Executive under this Rule shall be deemed for all purposes to have the same effect as if such decision had been made by Branch Conference.

(o) Pending the result of a reference under this rule a decision of Branch Conference or the Branch Executive which is subject of such reference shall be binding in all respects.

89 - BRANCH PLEBISCITE

(a) Branch Conference or the Branch Executive may obtain the opinion of members of the Branch on any question by submitting it to a plebiscite of financial members.

(b) Branch Conference or the Branch Executive shall, if requested in writing by 3 Regional Executives or 10 per cent of the total financial membership of the Branch, direct that the opinion of financial members be obtained on any question by plebiscite.

(c) The arrangements for taking of a plebiscite shall be made by the Branch Executive at its expense.

(d) The Branch Executive shall appoint a Returning Officer and Assistant Returning Officer and Scrutineers.

(e) In any plebiscite, the Branch Executive shall prepare and issue to each financial member a ballot paper with an objective summary of the arguments for and against the question.

(f) Voting by proxy shall not be permitted in a plebiscite.

(g) The Returning Officer shall within 5 days of completion of the plebiscite send the final result of the ballot as a whole to each Sub-Branch.

(h) A question voted on in a plebiscite shall be carried if -

(i) at least 35 per cent of the financial members of the Branch vote, and

(ii) a majority of those voting vote in favour of the proposal.

(i) When a question has been carried by a plebiscite the decision shall be put into effect by Branch Conference or by the Branch Executive forthwith.

(j) When a question submitted to plebiscite pursuant to paragraph (b) of this rule is resubmitted to a plebiscite within a period of 2 years of the declaration of the ballot, such question shall be carried only if in a majority of the Regions a majority of the votes cast is in its favour.

90 - CONTROL OF REGIONAL EXECUTIVE AND SUB-BRANCH EXECUTIVE BY MEMBERS

If a meeting of a Regional Council or a Sub-Branch requests that a plebiscite of members be held on proposal that the Regional Executive or Sub-Branch Executive take or refrain from taking any specified action or adopt or refrain from adopting any specified policy in the conduct of the Region's or Sub-Branch's business, the Regional or Sub-Branch Executive shall forthwith proceed to conduct a plebiscite of members of the Region or the Sub-Branch in the manner prescribed by Rule 89. The result of the plebiscite shall be given effect to by the Regional Executive or Sub-Branch Executive as circumstances may require.

91 - DISCIPLINE

(a) Branch Conference or the Branch Executive may at any time summon any member to show cause why it should not deal with him/her upon allegation of a breach by him/her of any Rule or of his/her refusal to obey any lawful resolution of Branch Conference or of the Branch Executive.

(b) The summons shall -

(i) state the allegation;
(ii) state the time and place of hearing;
(iii) be signed by the Branch Secretary or Branch President;
(iv) be delivered personally to the member concerned or posted to him/her by registered or certified mail in time to give him/her at least 14 days notice of the hearing; and
(v) state that she/he shall be entitled to be heard and to produce witnesses in her/his own defence and to ask questions relating to the allegations.

(c) Branch Conference or the Branch Executive, if it considers the allegation sustained, may, subject to Rule 25, expel or suspend for a period not exceeding twelve months or impose a fine not exceeding $40.00 as penalty. A member shall not be expelled or suspended in accordance with this sub-rule unless he/she has been found guilty of conduct referred to in Rule 25.

(d) Any member expelled shall not be readmitted to membership except by vote of Branch Conference.

(e) A member suspended may appeal against his/her suspension at the next meeting of Branch Conference.

(f) Should any member against whom an allegation is made fail to appear at the hearing or fail to provide a satisfactory explanation of his/her non- attendance, Branch Conference or the Branch Executive may proceed with the hearing of the allegation in his/her absence on being first satisfied that notice of the hearing in accordance with this Rule has been served on him/her.

92 - ATTENDANCE OF BRANCH OFFICERS AT MEETINGS

A Branch officer may, subject to the Federal Branch Rules, attend and speak at any meeting.

93 - LEGAL COSTS

Branch moneys may be spent in payment of legal costs incurred in the furtherance of the Objects of the Union.

94 - EXECUTION OF AGREEMENTS

All industrial and other agreements and documents may be executed by any 2 of the Branch President, Branch Vice-President (General), Vice-President (TAFE) or the Branch Secretary.

95 - SUBMISSION OF INDUSTRIAL DISPUTE TO CONCILIATION AND ARBITRATION

(a) The Branch Executive may submit an industrial dispute to conciliation and arbitration in accordance with the Act provided that the dispute affects members employed under an Award only applicable to persons employed in the Northern Territory.

(b) The Branch Executive shall notify the Federal Secretary of any industrial dispute affecting members employed under an Award which is also applicable to members of the Union outside the Northern Territory.

(c) Where the Industrial Relations Commission has been notified of a dispute pursuant to this Rule the Branch Executive shall have full power to transact all business and do or authorise all acts and things in connection with such submission;

(d) The Branch shall be represented at the hearing of a dispute notified pursuant to this Rule by a representative or representatives appointed by the Branch Executive.

96 - AFFILIATION

(a) Branch Conference may, in accordance with this Rule, decide to affiliate with any organization or body whose operations are mainly confined to the Northern Territory.

(b) Branch Conference shall determine each year whether existing affiliations should be renewed.

(c) Branch Conference shall not consider a proposal for affiliation with an organization unless the purpose and aims of the organization and the cost to the Branch of the affiliation is published in the official Journal of the Branch.

97 - DELETED

98 - HEAD OFFICE

The registered office of the Branch shall be in such town or city in Northern Territory as Branch Conference from time to time determines.

SECTION G - FINANCIAL

99 - FUNDS AND INVESTMENTS

(a) The Branch funds referred to in rule 62 of the Federal Rules shall be administered by the Branch Executive in accordance with this rule.

(b) The funds and property of the Branch shall be applied to the following purposes -

(1) to meeting the costs of the management of the Branch, Regions and Sub-Branches;

(2) subscribing to any organization with which the Branch may become affiliated;

(3) reimbursing members for loss of time and expenses incurred on behalf of the Union;

(4) paying for gifts presented to persons who have provided meritorious service to the Branch;

(5) paying expenses incurred in proceedings in the Commission or in court on behalf of members;

(6) providing assistance to members who are unemployed as a result of taking an active and judicious part in the affairs of the Branch;

(7) expenditure on the general improvement of the trade of the Branch; and

(8) any expenditure or otherwise provided for under the Federal Rules or the Federal Branch Rules.

(c) The Branch President, Branch Secretary and Treasurer shall ensure that all monies received on behalf of the Branch are deposited under the name Australian Education Union, Northern Territory Branch in a financial institution determined by the Branch Executive. The funds may be invested in a fixed deposit account, on current account, or in any other manner authorized by Branch Conference. All payments of accounts shall be signed by any 2 of the Branch President, Branch Secretary or Treasurer.

(d) (1) For the purposes of this paragraph ordinary purposes shall mean purposes permitted by the Federal Branch Rules and extraordinary purposes shall mean purposes not otherwise provided for in the Federal Rules or Federal Branch Rules.

(2) Conference or Branch Executive may authorize the expenditure of money from the funds of the Branch for ordinary purposes.

(3) Funds of the Branch may be expended for extraordinary purposes provided that Branch Conference or Branch Executive have recommended the expenditure and the recommendation has been sent to all Regional Councils and the recommendation has been adopted by a majority of the Regions representing at least two-thirds of the members of the Branch which have, at Regional Council meetings, adopted the recommendation.

100 - FINANCIAL YEAR

The Financial Year of the Branch for all purposes shall be 1 January to 31 December.

101 - STATEMENT OF BRANCH ACCOUNTS

(a) The Branch Secretary shall maintain or cause to be maintained the accounting records required to be maintained under the Act and Regulations and, in respect of each financial year, prepare or cause to be prepared the accounts and other statements required to be prepared under the Act and Regulations.

(b) The accounts and statements prepared pursuant to the previous paragraph shall be submitted by the Branch Secretary to the Branch Auditor.

(c) On receipt of the Auditor's Report the Branch Secretary shall forthwith forward copies of the Report to the Branch Executive.

(d) The Branch Executive may resolve for the purposes of sub-section 265(2) of the Act to provide members of the Branch with a summary of the Branch Auditor's Report, accounts and statements referred to in this Rule.

102 - SUBSCRIPTIONS AND OTHER PAYMENTS BY MEMBERS

(a) Membership Subscriptions shall be fixed on an annual basis in each year in advance.

(b) The amount of the annual subscriptions shall be fixed by the Branch Executive.

(c) All subscriptions and other moneys due and payable shall be paid to the Union on behalf of the Branch.

(d) The annual subscription shall be paid

(i) in advance, and may be paid in the following ways:
- a. annually in one (1) instalment;
- b. each six months by two (2) equal instalments; or
- c. in accordance with a scheme approved by the Branch Executive by periodic deduction from:
  - i. salary;
  - ii. a member’s account at a financial institution; or
  - iii. a credit card.

103 - LOANS, GRANTS AND DONATIONS

The Branch shall not make any loan, grant or donation of an amount exceeding $1,000.00, unless the Branch Executive has:

(a) satisfied itself -

(i) that the making of the loan, grant or donation would be in accordance with other rules of the Branch; and

(ii) in the case of a loan that, in the circumstances, the security proposed to be given for the repayment of the loan is adequate and the proposed arrangements for the re-payment of the loan is satisfactory; and

(iii) approved the making of the loan, grant or donation.

(b) The Branch Secretary shall keep a register of all grants, loans and donations made by the Branch Executive during the financial year, showing the relevant particulars of any such loans, grants and donations.

(c) The Branch Secretary shall as soon as practicable after the end of each financial year lodge with the Registered Organisations Commissioner a statement showing the relevant particulars in relation to each loan, grant or donation of an amount exceeding the amount specified under section 269 of the Act.

104 - BRANCH AUDITOR

The Branch Executive shall each year or when a casual vacancy occurs appoint a person having the qualifications prescribed in the Act and the Regulations as Branch Auditor. The Branch Auditor shall have full and complete access to all books and documents of the Branch.

PART IV - ELECTIONS

105 - ELIGIBILITY TO NOMINATE AND VOTE

(a) Financial Members only shall be eligible -

(i) to nominate or be nominated to any position within the Branch and for the position of Federal Delegate;

(ii) to vote at any election or any meeting or in any plebiscite; provided that the roll of voters for any election to be conducted pursuant to these rules is to be closed seven days before the day on which nominations are opened in relation to all elections by a direct voting system for offices in the Branch.

(b) Any member of Branch Executive shall be eligible for election to Federal Executive provided that the member is nominated by 2 financial members attached to the Branch.

105A – CANDIDATE STATEMENTS

In elections conducted pursuant to these Rules, each candidate may submit a statement in support of the candidature. The candidate statements shall be in a form prescribed by guidelines approved by the Branch Executive. The Branch Secretary or other duly authorised Branch Officer shall be responsible for arranging for the publication of candidate statements in any or all of the following: the Branch journal, the Branch website; and via bulletin distributed to members electronically.

106 - RETURNING OFFICER

(a) Branch Conference shall appoint a Returning Officer to conduct the elections for positions of members of the Branch Executive, Federal Delegates and Federal Executive Member, and any other elections or ballots as required.

(b) The Returning Officer may appoint the Australian Electoral Commission to undertake some elections.

(c) The Returning Officer shall be a financial member of the Union but shall not be the holder of any position in or be employed by the Union, the Branch or any Sub-Branch or Region.

107 - DUTIES OF RETURNING OFFICER

(a) All Returning Officers, Deputy Returning Officers and Scrutineers in any election held under these Rules shall do all things necessary to preserve the secrecy of the ballot and to ensure the proper and regular conduct of the ballot as prescribed by these rules.

(b) A Returning Officer for each election conducted under these rules shall, at the conclusion of the counting of votes, submit to the President a written report on the election. This report shall include full details of the conduct, the voting and the result of the election.

(c) Subject to these rules and the Act the decision of the Returning Officer on any matter concerning the election and the conduct thereof shall be final.

(d) If, at any time prior to the declaration of the election an irregularity should occur in the conduct of the election which in the opinion of the Returning Officer may affect the result of the election, the Returning Officer shall declare void the election or where appropriate, any step in or in connection with the election.

(e) Where the Returning Officer has made a declaration pursuant to paragraph (d) he/she shall hold another election or take whatever steps are required to be taken again and then proceed with the uncompleted steps in the election.

(f) In exercising powers pursuant to paragraph (e) the Returning Officer may, subject to the Act, waive the requirements of the Rules to the extent necessitated by the practicalities of the situation.

(g) Where the Returning Officer has made a declaration pursuant to paragraph (d) with respect to an election for an office the person holding that office immediately prior to the election shall remain in office until his/her successor is elected.

108 - ELECTION OF MEMBERS OF BRANCH EXECUTIVE

(a) The Branch President shall be biennially elected by financial members of the Branch by secret postal ballot.

(b) The Vice-President (General) shall be elected from and by the financial members of the General Division, and the Vice-President (TAFE) shall be biennially elected by and from the financial members of the TAFE Division. The Treasurer shall be biennially elected by and from financial members of the Branch. The Woman's Officer shall be a female, biennially elected by and from financial members of the Branch. These elections shall be by secret postal ballot.

(c) The Branch Secretary shall be elected for a term of 3 years by secret postal ballot.

(d) Executive Council Members shall be biennially elected by financial members of their respective Regions in a secret postal ballot from 2001.

(e) The Council Member representing Indigenous teachers and Indigenous education workers to be elected biennially by secret postal ballot from 2000. This Executive Council member must be an Indigenous person, and will be nominated and voted for by financial members of the branch.

109 - NOMINATIONS - BRANCH EXECUTIVE

Nominations for positions on Branch Executive shall be called in accordance with this Rule -

(a) The Returning Officer shall call for nominations not later than 22nd July. The closing date for nominations shall be 5.00 p.m. on the 21st day of August;

(b) Nominations shall be in writing, signed by 2 financial members and by the candidate as acceptance of the nomination;

(c) The Returning Officer shall call for nominations by sending to all Sub- Branches a notice which shall specify the following:-

(i) the designations of the positions for which nominations are being called and the number of positions to be filled in respect of each designation;

(ii) the time and date of closure of nominations;

(iii) that a nomination to be valid shall be signed by at least 2 financial members other than the member nominated and by the latter to indicate that she/he consents to the nomination;

(iv) that a separate form of nomination must be submitted in respect of each position for which a member is nominated;

(d) A Returning Officer shall only accept a nomination for Branch Executive positions which comply with the requirements of these Rules. When she/he received a defective nomination, she/he shall forthwith notify the person concerned of the defect and, where it is practicable to do so, give him/her the opportunity of remedying the defect which shall, where practicable, be not less than 7 days after his/her so being notified;

(e) Subject to (d) a Returning Officer shall notify all candidates of the acceptance or rejection of their nominations.

110 - BALLOT - BRANCH EXECUTIVE

The ballot for Branch Executive positions shall be held in accordance with this rule.

(a) On the closing of nominations, the Returning Officer shall cause a ballot paper to be printed in respect of those positions for which an election is necessary. Such ballot paper may contain provision for voting for more than one position or separate ballot papers may be prepared in respect of each contested position. A ballot paper shall:

(i) list candidates for each position in the order determined by lot by the Returning Officer and state the position for which they are candidates;

(ii) include instructions on how to vote;

(iii) state the date and time of closing of the ballot and the postal address to which the ballot paper shall be returned.

(b) All members who are financial members of the Union attached to the Branch at the date of closing of the roll of voters shall be eligible to vote. The Branch Secretary, shall provide the Returning Officer with a list of such members showing the full name and address and place of employment of each member.

(c) Not later than 14th September the Returning Officer shall forward by prepaid post to each financial member a ballot paper in respect of each position to be voted on. Such envelope shall also contain a smaller declaration envelope in which the voter shall place his/her completed ballot paper or papers and a larger pre-addressed envelope for return to the Returning Officer. Both envelopes shall be in the form prescribed by the Regulations.

(d) Ballot papers shall be returned to the Returning officer not later than 5.00 p.m. on 15th October. Only ballot papers then received by the Returning Officer shall be included in the count.

111 - ELECTION OF REGIONAL OFFICERS AND COMMITTEE

(a) All Regional Executive Members shall be elected by the financial members of the Region by secret ballot.

(b) Regional Officers and Councillors (other than any full time officer) shall be annually elected at an election conducted prior to the Annual General Meeting.

(c) A full time Regional Officer shall be elected for a term of one, two or three years as the Branch Executive shall determine.

(d) The Regional Returning Officer shall call for nominations between 15th February and 22nd February by notice forwarded to each member of the Region. Nominations shall close on 15th March and ballot papers forwarded to members by 22nd March. The closing date of voting shall be 5.00 p.m. on 6th April.

(e) The Regional Returning Officer shall declare the result of the ballot at the Annual General Meeting immediately prior to the closure of the meeting.

(f) The minimum salary and conditions of employment of a full time Regional Officer shall be fixed by the Branch Executive before nominations for the position are called for.

(g) The provisions of the rules relating to Branch Executive elections shall apply mutatis mutandis to elections conducted under this rule.

112 - ELECTION OF BRANCH CONFERENCE DELEGATES

(a) Each Sub-Branch shall elect its Branch Conference delegates by secret ballot of its financial members conducted in February and March of each year. The periods for calling and submitting of nominations and the conduct of voting shall be the same as applicable under the preceding clause relating to annual Sub-Branch elections and must be concluded 6 weeks prior to Branch Conference.

(b) Branch Conference Delegates shall hold office from the date on which they are declared elected until the date of election of the Branch Conference Delegates to the next Ordinary Branch Conference. Branch Conference Delegates so elected shall be entitled to attend all special meetings of Branch Conference held in such period.

(c) Elections under this rule shall be conducted in the manner prescribed by the rules providing for Branch Executive elections, mutatis mutandis.

113 - ELECTION OF FEDERAL CONFERENCE DELEGATES REPRESENTING THE GENERAL DIVISION AND FEDERAL CONFERENCE DELEGATES REPRESENTING THE TAFE DIVISION

(a) This Rule is subject to Rule 30 of the Federal Rules.

(b) The Branch Returning Officer shall conduct an election for Federal Delegates to Federal Conference:-

(i) each 2 years at the same time as the election for positions on Branch Executive; or

(ii) at such earlier time as shall be notified by the Federal Returning Officer to the Branch Returning Officer as is necessary for filling a casual or extraordinary vacancy or for electing a further Federal Delegate or Delegates following an increased entitlement pursuant to Rule 24 of the Federal Rules.

(c) ELECTION OF FEMALE FEDERAL DELEGATES

(i) This Rule shall operate in conjunction with other Federal Branch Rules relating to the election of Federal Delegates to Federal Conference provided that where there is any

inconsistency this Rule shall prevail over any inconsistent provision in any other Federal Branch Rule.

(ii) In addition to any other information required to be set out in the notification of the calling of nominations for election of Federal Delegates to Federal Conference the notification shall include the following additional information:

(a) the number of Federal Delegates to be elected and the number of female delegates to be elected, and

(b) advice that if the number of female candidates is less than the number of female delegates to be elected the remaining position or positions in question will be filled by a male candidate or candidates.

(iii) In addition to any other information required to be set out on ballot papers for Federal Delegates the ballot paper shall include the following additional information:

(a) the candidates full names and, in accordance with the candidates preference, the title Mr., Mrs. Ms. or Miss; and

(b) the number of Federal Delegates to be elected and the number of female Federal Delegates to be elected.

(iv) The Branch Returning Officer shall determine in accordance with the next Sub-Rule whether it is necessary to hold an election.

(v) The Branch Returning Officer shall conduct a ballot:

(a) for all positions - where the number of candidates for Federal Delegate positions exceeds the number of Federal Delegate positions to be filled; and

(b) remaining positions - where the Branch Returning Officer has ascertained that the number of nominations from female candidates is less than or equal to the number of positions for female Federal Delegates and the number of male candidates is more than the number of remaining positions.

(vi) (a) This Sub Rule applies to the counting of votes where it is necessary to conduct an election to fill Federal Delegate positions required by this Rule to be filled by female candidates.

(b) The Branch Returning Officer shall count the votes and allocate preferences in accordance with the procedure set out in Schedule A and determine whether the minimum number of female Federal Delegates have been elected in accordance with this Rule.

(c) If the minimum number of female delegates have been elected in accordance with this Rule, the Branch Returning Officer shall declare all the successful candidates elected in accordance with Sub Rule 107(b).

(d) In the event that the minimum number of female Federal Delegates have not been elected, the Branch Returning Officer shall:

(i) eliminate such male candidate or candidates as are necessary to allow the election of the minimum number of female delegates. The male candidate or candidates to be elected shall be the last candidate or candidates elected

during the counting of the votes and the allocation of preferences referred to in sub-rule 113(c)(vi)(b), and

(ii) declare elected the female candidate or candidates as eliminated in counting of the votes and the allocation of preferences during the counting of the votes and the allocation of preferences referred to in sub-rule 113(c)(vi)(b).

(d) (i) A joint election by members of the Union assigned to the T.A.F.E. Division in the A.C.T., Northern Territory and Tasmanian Branches shall be conducted subject to the Federal Branch Rules and this sub rule.

(ii) The Branch Returning Officers for each Branch shall call for nominations from persons within the Branch assigned to the T.A.F.E. Division.

(iii) After the close of nominations each Branch Returning Officer shall consult with the Branch Returning Officers for the other Branches to determine whether a ballot is required.

(iv) In the event that the number of nominations corresponds with the number of delegates to be elected, the Branch Returning Officers shall jointly declare the person or persons elected.

(v) Where an election is required the Branch Returning Officers shall jointly prepare a ballot paper which sets out the names of all persons nominating from each of the Branches.

(vi) Voters shall be instructed to return ballot papers to the Branch Returning Officer of the Branch to which they are attached.

(vii) On receipt of completed ballot papers each Branch Returning Officer shall count the first preference votes and then confer by telephone with the Branch Returning Officers for the other two Branches and determine having regard to the number of votes cast in each of the Branches, whether a candidate has received an absolute majority of first preference votes.

(viii) If a candidate has received an absolute majority of first preference votes that candidate shall be jointly declared elected by the Branch Returning Officers.

(ix) In the event that no candidate has received an absolute majority of first preference votes the provisions of Schedule A to the Branch Rules in relation to preferential voting shall apply and the Branch Returning Officers shall jointly determine the successful candidate or candidates and jointly declare the successful candidates or candidates elected.

114 - ELECTION OF FEDERAL EXECUTIVE MEMBERS

(a) Branch Executive shall biennially elect to the Federal Executive the number of members permitted to be elected by the Branch pursuant to Rule 35 of the Federal Rules.

(b) The Branch Returning Officer shall call for nominations for Branch members of Federal Executive by notifying all members of the Branch Executive in writing at least 7 days prior to the first Branch Executive meeting held following the election for Branch Executive members.

(c) Nominations shall close, at the time appointed for the holding of the meeting referred to in the previous sub-rule.

(d) The Branch Returning Officer shall, if an election is necessary conduct a secret ballot at the meeting of the Branch Executive referred to in Sub- Rule (b).

(e) The rules relating to the election of Branch Executive members shall apply mutatis mutandis apart from the requirement that a postal ballot be conducted.

114A - CONDUCT OF ELECTION OF NATIONAL TAFE COUNCIL DELEGATES AND TAFE COUNCIL EXECUTIVE MEMBERS

1. Subject to sub-rule (2), the provisions of Rule 114 shall apply mutatis mutandis to the election of National TAFE Council Delegates and TAFE Council Executive Members.

2. The election of National TAFE Council Delegates and TAFE Council Executive Members shall be conducted in the following manner:

   (i) the elections for the National TAFE Council Delegates and TAFE Council Executive Members shall be simultaneously conducted;

   (ii) persons eligible to nominate may nominate for both the position of National TAFE Council Delegate and TAFE Council Executive Member;

   (iii) the votes for the position of TAFE Council Executive Member shall be counted first and the successful candidate determined;

   (iv) where a successful candidate has been determined in accordance with the previous paragraph, the successful candidate shall be eliminated from the election for the National TAFE Council Delegate position and the second and subsequent preference votes cast for the person shall be allocated as first and subsequent preference votes for the remaining candidates.

114B - ELECTION OF NATIONAL ABORIGINAL AND TORRES STRAIT ISLANDER EDUCATION COMMITTEE MEMBERS REPRESENTING THE GENERAL DIVISION AND THE TAFE DIVISION

(1) This rule is subject to Rules 73 and 74 of the Federal Rules.

(2) The Branch Returning Officer shall conduct an election for one (1) National ATSIEC (General Division) member and one (1) National ATSIEC (TAFE Division) member

   (i) each two years at the same time as the election of Federal Conference Delegates or in any event according to a timetable which permits the declaration of the election on or before 30 November of the year prior to taking office. Provided that the first elections for National ATSIEC (General Division) member and the National ATSIEC (TAFE Division) member shall be held as soon as practicable in 1998 and in any event no later than 30 September 1998; or

   (ii) at such time as shall be notified by the Federal Returning Officer to the Branch Returning Officer as is necessary for filling a casual or extraordinary vacancy.

(3) The National ATSIEC (General Division) member shall be elected by and from the General Division members of the Branch. The election shall be conducted in accordance with Rules 109 and 110 (with the necessary changes being made) except that the member being nominated must be an Aboriginal or Torres Strait Islander member.

(4) The National ATSIEC (TAFE Division) member shall be elected by and from the TAFE Division members of the Branch. The election shall be conducted in accordance with Rules 109 and 110 (with the necessary changes being made) except that the member being nominated must be an Aboriginal or Torres Strait Islander member.

114C - ELECTION OF NATIONAL PRINCIPAL COMMITTEE (GENERAL DIVISION) MEMBER

(1) This rule is subject to Rule 75 of the Federal Rules.

(2) The Branch Returning Officer shall conduct an election for one (1) National Principal Committee (General Division) member.

(i) each two years at the same time as the election of Federal Conference Delegates or in any event according to a timetable which permits the declaration of the election on or before 30 November of the year prior to taking office. Provided that the first elections for National Principal Committee (General Division) member shall be held as soon as practicable; or

(ii) at such time as shall be notified by the Federal Returning Officer to the Branch Returning Officer as is necessary for filling a casual or extraordinary vacancy.

(3) The National Principal Committee (General Division) member shall be elected by and from the General Division members of the Branch. The election shall be conducted in accordance with Rules 109 and 110 (with the necessary changes being made) except that the member being nominated must be a Principal member.

114D - ELECTION OF NATIONAL EARLY CHILDHOOD COMMITTEE (GENERAL DIVISION) MEMBER

(1) This rule is subject to Rule 76 of the Federal Rules.

(2) The Branch Returning Officer shall conduct an election for one (1) National Early Childhood Committee (General Division) member.

(i) each two years at the same time as the election of Federal Conference Delegates or in any event according to a timetable which permits the declaration of the election on or before 30 November of the year prior to taking office. Provided that the first elections for the National Early Childhood Committee (General Division) member shall be held as soon as practicable; or

(ii) at such time as shall be notified by the Federal Returning Officer to the Branch Returning Officer as is necessary for filling a casual or extraordinary vacancy.

(3) The National Early Childhood Committee (General Division) member shall be elected by and from the General Division members of the Branch. The election shall be conducted in accordance with Rules 109 and 110 (with the necessary changes being made) except that the member being nominated must be an early childhood practitioner.

115 - ELECTION OF SUB-BRANCH EXECUTIVE

(a) All Sub-Branch Executive Members shall be annually elected by the financial members of the Sub-Branch at an election conducted at the Sub- Branch Annual General Meeting.

(b) The Sub-Branch Returning Officer shall call for nominations not more than 30 days nor later than 14 days before the Annual General Meeting by notice forwarded to or given to each member of the Sub-Branch. Nominations shall close immediately before the time appointed for holding the Annual General Meeting.

(c) The Sub-Branch Returning Officer shall obtain from the Branch Secretary or the Regional Secretary copies of the roll of financial members of the Sub-Branch as at the date of the opening of nominations. On the date of the closing of nominations the Sub-Branch Returning Officer shall

obtain advice from the Branch Secretary or the Regional Secretary of any changes to the roll of financial members.

(d) The conduct of elections in accordance with this Rule shall be an agenda item at the Sub-Branch Annual General Meeting. When the agenda item for holding elections is reached, the Sub-Branch Returning Officer shall preside over the meeting for the purposes of conducting the election.

(e) The Sub-Branch Returning Officer shall where, no more than the required number of nominations are received or where less than the required number of nominations are received, declare the persons nominated elected.

(f) Where it is necessary to conduct an election, the Sub-Branch Returning Officer shall permit all candidates to address the meeting for no more than 5 minutes and, if directed by a majority of members present, allow further time for members to address questions to candidates.

(g) At the expiration of the time for candidates to address members and respond to members' questions, the Sub-Branch Returning Officer shall distribute ballot papers to all persons eligible to vote, instruct them on how to cast their vote and give members a reasonable time to complete their ballot papers.

(h) At the expiration of the time for completing ballot papers the Returning Officer shall declare the ballot closed and count all votes cast and forthwith declare the successful candidates elected.

(i) The Sub-Branch Returning Officer shall take all necessary steps to ensure that members are able to exercise their vote without intimidation and to ensure the secrecy and security of the ballot.

(j) Other provisions of these Federal Branch Rules shall apply to the conduct of Sub-Branch Executive elections to the extent that the provisions contained in the other Rules can be applied without conflict with the provisions of this Rule. In the event of conflict this Rule shall prevail.

(k) In the event that there are insufficient nominations for a position on the Sub-Branch Executive, the Sub-Branch Returning Officer may call nominations from financial members of the Union within the Sub-Branch attending the Annual General Meeting to fill the positions in question. On receipt of a nomination or nominations the Sub-Branch Returning Office shall either declare the person elected or if necessary, conduct a ballot.

116 - SUB-BRANCH AND REGIONAL AUDITOR

(a) The Branch Executive may direct a Region or Sub-Branch Executive to appoint a Regional or Sub-Branch Auditor.

(b) Where a direction has been made by Branch Executive under this Rule, the Region or Sub-Branch Executive shall each year or when a casual vacancy occurs appoint a person having the qualifications prescribed in the Act and the Regulations as Region or Sub-Branch Auditor. The Region or Sub- Branch Auditor shall have full and complete access to all books and documents of the Region or Sub-Branch.

117 - INSUFFICIENT NOMINATIONS

In the event that the number of nominations for a position for which elections are required by the Rules to be held is less than the number of positions to be filled the position shall be filled in accordance with the provisions relating to casual vacancies.

118 - CASUAL VACANCY

A casual vacancy occurring in any position on the Branch Executive shall be filled as in Rule 27 or in the case of the Branch Executive Councillors by appointment by the appropriate Regional Council. The financial member so appointed shall hold office for the unexpired portion of the term of office of the member replaced.

119 - CASUAL VACANCY - REGIONAL OFFICERS

Subject to the Act and any provision to the contrary in these rules a casual vacancy occurring in any Regional Executive shall be filled by appointment by the appropriate Regional Executive. The financial member so appointed shall hold office for the unexpired portion of the term of office of the member replaced.

120 - CASUAL VACANCY - SUB-BRANCH EXECUTIVE

Subject to any provisions of the Act and any provisions to the contrary contained in these rules a casual vacancy occurring in any Sub-Branch Executive position shall be filled by appointment at a Sub-Branch meeting.

121 - NOMINATION FORMS

Nominations shall be in writing, state the position the person is nominated for and be signed by the candidate and by at least 2 financial members entitled to vote in the ballot.

122 - ELIGIBILITY TO NOMINATE AND VOTE

(a) Financial members only shall be eligible to nominate or be nominated for or be elected to a position within the Branch.

(b) Subject to Rule 105(a)(ii) financial members only shall be entitled to vote at any election.

(c) Financial members only shall be entitled to vote at any meeting or in a plebiscite.

123 - LIST OF REGIONAL MEMBERS

(a) The Branch Secretary and the Regional Secretary shall maintain a current list of financial and unfinancial members in each Region.

(b) When required the Regional Secretary shall supply to the Branch or Regional Returning Officer a copy of the list of financial members of the Region.

124 - CALLING FOR NOMINATIONS - REGIONAL AND SUB-BRANCH ELECTIONS

For any position in which an election is held in a Region or Sub-Branch other than a position on a Sub-Branch Executive, the Regional or Sub-Branch Returning Officer shall call for nominations by notice forwarded by post or delivered to each place of employment within the Region and Sub-Branch in the manner prescribed by Rule 109.

125 - CLOSING OF NOMINATIONS - REGIONAL AND SUB-BRANCH ELECTIONS

(a) Nominations to be received by the Regional or Sub-Branch Returning Officer shall be addressed to him/her at the address stated in the notice calling for nominations. Only those nominations

received by him/her by 5.00 p.m. on the date of closing of nominations stated in such notice shall be accepted;

(b) Subject to Rule 128, the Regional and Sub-Branch Returning Officer shall notify all candidates of the acceptance or rejection of their nomination.

126 - RETURNING OFFICERS - REGIONS

The Regional Executive, at its first meeting after 1st February each year shall appoint a Returning Officer and such Assistant Returning Officer(s) as it may determine. The Returning Officer and Assistant Returning Officers shall be financial members and shall not be candidates for any election then being conducted nor the holders of any other office in, nor be employees of the Union, Branch or Region or any Sub-Branch. The Returning Officer may call on the Regional Secretary to make available to him/her such clerical assistance as she/he requires to perform his/her duties.

127 - RETURNING OFFICER - SUB-BRANCHES

Each Sub-Branch Executive, at its first meeting after 1st February each year shall appoint a Returning Officer and such Assistant Returning Officer(s) as it may consider necessary. The Returning Officer and Assistant Returning Officer(s) shall be financial members and shall not be candidates for any election then being conducted nor the holders of any other office in, nor be employees of the Union Branch, a Region or any Sub-Branch. The Returning Officer may call on the Branch Secretary to make available to the Returning Officer such clerical assistance as the Returning Officer requires to perform his/her duties.

128 - REGIONAL AND SUB-BRANCH NOMINATIONS - REJECTION

The Regional or Sub-Branch Returning Officer shall reject a nomination not complying with the requirements of these Rules or not substantially in the form prescribed provided that in the case of a defective nomination received by him/her she/he has first notified the person concerned of the defect, and where practicable to do so, given him/her the opportunity of remedying the defect within 7 days of his/her being so notified.

129 - NOMINATIONS - WITHDRAWAL

(a) Subject to the Federal Rules, a nominee in a ballot conducted in accordance with these Rules may withdraw their nomination after nominations have closed, provided that such withdrawal is exercised within seven (7) days after the date on which nominations are advised to the Branch.

(b) Such withdrawal of nomination shall be by notice in writing to the Returning Officer signed by the nominee and submitted by hand, post, email or facsimile.

130 - SCRUTINEERS

The following provisions shall apply to scrutineers -

(a) Each candidate may appoint a scrutineer to represent him/her at his/her own expense;

(b) A person so appointed shall be a member of the Branch not being a candidate at the election;

(c) Appointment shall be by notice in writing forwarded or delivered to the Returning Officer;

(d) Each scrutineer shall be entitled to be present on all occasions when the Returning Officer is taking any step in the conduct and counting of the ballot;

(e) Each scrutineer shall so conduct himself/herself as not to interfere with the due performance of the Returning Officer's duties;

(f) Each scrutineer shall forthwith report to the Returning Officer an irregularity which she/he may observe and if required by the Returning Officer make any request for information or any objection in writing;

(g) The Returning Officer shall answer all reasonable enquiries as to time and place at which she/he will take any step in connection with the election.

131 - BALLOT PAPERS

(a) The Returning Officer shall determine by lot the position on a ballot paper of the name of each candidate.

(b) A Returning Officer, at any election under these Rules, shall initial each ballot paper before she/he issues it.

(c) When the Returning Officer is required to forward ballot papers to voters she/he shall forward such ballot papers at least 14 days before the closing date of the ballot or such longer period as the Branch Executive may decide.

(d) Non-receipt of ballot paper by any member shall not necessarily invalidate an election.

(e) A postal ballot shall be utilised for all elections conducted under these Rules other than elections for Sub-Branch Executive Members.

132 - METHOD OF VOTING

(a) Voting shall be on an optional preferential system in all elections under the Federal Branch Rules.

(b) In optional preferential voting, the voter shall vote by marking on the ballot paper the numeral "1" opposite the name of the candidate of his/her first preference. She/he may then place one or more of the numerals "2, 3" etc., as appropriate against candidates name or names.

(c) Any ballot marked only with the numeral "1" shall be valid.

(d) Except where provided in these Rules voting by proxy shall not be permitted.

(e) Having filled in the ballot paper, the voter shall place it in the declaration envelope, which she/he shall seal after signing the removable flap or label. She/he shall then place the declaration envelope inside the larger envelope, seal it and forward it to the Returning Officer at the address pre-printed on the larger envelope. Both envelopes shall be in the form prescribed by the Regulations.

133 - COUNTING OF VOTES

When the prescribed time for voting has expired but not before, the Returning Officer, after notifying scrutineers of his intention to do so, shall collect the envelopes containing the ballot papers from the Post office box and proceed to count the ballot.

134 - COUNTING OF VOTES - ELECTION OF ONE CANDIDATE ONLY

Where one candidate only is to be elected, the Returning officer shall observe the following procedure to determine the successful candidate:-

(a) A candidate who receives more than half the number of first preference valid votes cast shall be the successful candidate;

(b) Should no candidate be successful on the first count, the candidate who receives the least number of first preference valid votes shall be excluded from the count and any of his/her available second preference votes shall thereupon be distributed amongst the remaining candidates. A candidate then receiving more than half the total number of valid votes cast shall thereupon be the successful candidate;

(c) The above procedure shall be continued until one candidate has received the requisite number of votes to become the successful candidate;

(d) If on any count two or more candidates each receive the same number of votes the Returning Officer shall decide by lot which candidate shall remain in the count.

135 - COUNTING OF VOTES - ELECTION OF MORE THAN ONE CANDIDATE BY PREFERENTIAL VOTING

Where 2 or more candidates are to be elected the Returning officer shall observe the following procedure to determine the successful candidate:

(a) The votes shall be classified into 2 categories as follows-

(1) The preference votes up to the number of vacancies to be filled shall be termed 'primary' votes and shall have equal value in the first count and be credited to the candidate for whom they are cast, whether marked 1, 2, 3, etc., according to the number of vacancies.

(2) The preference votes beyond those referred to in (1) shall be termed secondary votes, and shall have rank according to their numerical number and shall be allocated in rank order unless the ranking secondary vote has been previously allocated.

(b) The 'primary' votes shall first be counted and a list shall be prepared of the candidates in order according to the primary votes cast for them. The candidate who is lowest on the list thus compiled shall be excluded from the count.

(c) Each ballot paper on which such excluded candidate received a 'primary' vote shall then be examined to determine its 'secondary' vote and the preference so found shall be allotted to the appropriate unexcluded candidate on the first count.

(d) On the conclusion of the second count, the above procedure of exclusion of candidates form the count and the distribution of their secondary votes shall continue until the required number of successful candidates has been determined.

(e) If, in any count, the next available preference vote of an excluded candidate is cast in favour of an excluded candidate, such preference vote shall be disregarded and the next available preference vote cast in favour of a remaining candidate shall be added to the votes credited to that candidate.

(f) If, in any count, two or more candidates each receive the same number of votes and one of them has to be excluded, the Returning Officer shall decide by lot which candidate shall remain in the count.

136 - CANDIDATE FOR MORE THAN ONE POSITION

(a) If a candidate is successful in more than one ballot and if she/he is not eligible to hold simultaneously all such positions, she/he shall be deemed to be the successful candidate for only the higher or highest of such positions.

(b) In the counting of votes for any lower position a successful candidate for a higher position shall be the first to be eliminated from the ballot for the lower position and when preferential voting applies his/her votes allocated in accordance with the preference shown on such votes.

(c) The order of seniority of positions on the Branch Executive shall be as set out in Rule 18.

137 - DECLARATION OF THE POLL

(a) The Returning Officer shall declare the poll within 7 days of the close of the poll.

(b) In the case of Executive members, the candidates declared elected shall subject to these Rules, take office on the 3rd Monday of January following their election and shall continue in office until their successors take office.

(c) In the case of Regional Council and Sub-Branch Executive members they shall take office immediately on the conclusion of the Regional Council or Sub-Branch Annual Meeting and shall continue until their successors are elected.

138 - RETENTION OF BALLOT PAPERS

All ballot papers, envelopes, lists and other documents used in connection with, or relevant to, an election under the Federal Branch Rules, shall be preserved and kept at the registered office of the Branch (or if the election is for an office in a Region or Sub-Branch, at the registered office of that Region or Sub-Branch) for a period of one year after the completion of the election.

139 - PERSONS BARRED FROM OFFICE

Notwithstanding the provisions of any other rule to the contrary no member shall be nominated for, elected to or hold office or a position in the Branch or a Region or a Sub-Branch if she/he is or becomes the holder of an office or position in any other organization registered under the Act.

140 - FORFEITURE OF OFFICE

(a) A member who holds any office or position in the Branch or a Region or a Sub-Branch thereof shall at all times be a financial member;

(b) An office or position held by a member who is unfinancial shall be deemed to have become vacant and to be a casual vacancy created at the expiration of 2 calendar months from the date on which such member became unfinancial should she/he not become a financial member within that period;

(c) Notwithstanding the foregoing provisions, the business of a meeting shall not necessarily be invalid, if otherwise in conformity with these rules, by reason only of the fact that an unfinancial member voted at such meeting.

RULE 141 (pursuant to s.141(1)(ca))

BRANCH POLICIES AND PROCEDURES

The branch shall develop and implement policies and procedures relating to the expenditure of the branch.

SCHEDULE 1 – REGIONS AND BOUNDARIES[2]

The 2025 Branch Conference endorsed the following regions with application from 30 June 2025:

Barkly
Big Rivers
Central
Darwin
East Arnhem
Top End

[2] In May 2025 the AEU NT Branch Conference endorsed the following Regions with application from 30 June 2025. This appendix shall not form part of the Northern Territory Federal Branch Rules – see Federal Branch Rule 28(a).

SCHEDULE OF REGION BOUNDARIES – SUB-BRANCH ALLOCATION[3]

In May 2025 the AEU NT Branch Conference endorsed the following Region Boundaries - Sub-Branch Allocation, with application from 30 June 2025:

Barkly Region

That as of the 30 June 2025, the AEU NT Barkly Region is to consist of the following Sub-Branches:

Alekarenge School	Canteen Creek School	Murray Downs School
Alpurrurulam School	CDU - Barkly	Neutral Junction School
Ampilatwatja School	CDU - Tennant Creek	Newcastle Waters School
Arlparra School	Elliott School	Rockhampton Downs School
Barkly Regional Education Office	Epenarra School	Tennant Creek High School
BIITE Barkly	Mungkarta Homeland Learning Centre	Tennant Creek Primary School

Note: No Sub-Branches moving to the Barkly Region.

[3] Note: These Regions and Boundaries are current as at June 2025. This appendix shall not form part of the Northern Territory Branch rules – see Federal Branch rule 28(a).

Big Rivers Region

That as of 30 June 2025 the AEU NT Big Rivers Region is to consist of the following Sub-branches:

Amanbidji School	Kalkaringi school	Mataranka School
Barunga School	Katherine Education Office	Minyerri School
BIITE Katherine	Katherine High School	Ngukurr School
Borroloola School	Katherine School of the Air	Numbulwar School
Bulla Camp School	Katherine South Primary School	Pigeon Hole School
Bulman School	Kiana School	Pine Creek Primary School
Casuarina Street Primary School	Kintore Street School	Robinson River School
CDU - Katherine Campus	Lajamanu School	Timber Creek School
Clyde Fenton Primary School	MacFarlane Primary School	Urapunga School
Jilkminggan School	Manyallaluk School	**Wugularr School**
		Yarralin School

Note: Sub-Branches moving to the Big Rivers Region are in bold.

Central Region

That as of 30 June 2025 the AEU NT Central Region is to consist of the following Sub-branches:

Acacia Hill School	Corella Creek School	Nyirrpi School
AEU NT Office Alice Springs	Finke School	Owen Springs Subset CSC
Alcoota School	Gillen Primary School	Papunya School
Alice Springs Language Centre	Haasts Bluff School	Ross Park Primary School
Alice Springs Regional Office	Harts Range School	Sadadeen Primary School
Alice Springs School of the Air	Imanpa School	Stirling School
Amoonguna School	Irrkerlantye	**Ti Tree School**
Areyonga School	Laramba School	Titjikala School
BIITE Central Australian Campus	Larapinta Primary School	Wallace Rockhole School
Bonya School	M'Bunghara School	Walungurru School
Bradshaw Primary School	Mount Allen School	Watarrka School
Braitling Primary School	**Mulga Bore School**	Watiyawanu School
CDU - Alice Springs Campus	Mutitjulu School	**Willowra School**
Centralian Middle School	NT Correctional Services Alice Springs	Yuendumu School
Centralian Senior College	Ntaria School	Yulara School

Note: Sub-Branches moving to the Central Region are in bold

Darwin Region

That as of 30 June 2025 the AEU NT Darwin Region is to consist of the following Sub-branches:

AEU-NT Office	Larrakeyah Primary School	NTSDE Darwin
Alawa Primary School	Leanyer Primary School	Parap Primary School
Anula Primary School	Ludmilla Primary School	Parliament House
Casuarina Senior College	Malak Primary School	Sanderson Middle School
CDU - Darwin Casuarina Campus	Malak Re-Engagement Centre	School Sport NT
Darwin High School	Manunda Terrace Primary School	Stuart Park Primary School
Darwin Languages Centre	Millner Primary School	Student Support Greater Darwin
Darwin Middle School	Mimik-Ga Early Intervention Learning Hub	Teacher Registration Board
DET Mitchell Centre	Moil Primary School	Top End School of Flexible Learning
Dripstone Middle School	Nakara Primary School	Transition Support Unit
Harbourview	Nemarluk School	Wagaman Primary School
Henbury School	Nightcliff Middle School	Wanguri Primary School
Jingili Primary School	Nightcliff Primary School	Wulagi Primary School
Karama Primary School	NT Music School*	

Note 1: There are no Sub-Branches moving to the Darwin region.

*Note 2: Where a Sub-Branch operates across multiple Regions, individual members shall be assigned by the Branch Secretary or Branch Executive to the Region corresponding to the workplace in which they are most regularly based.

East Arnhem Region

That as of 30 June 2025 the AEU NT East Arnhem Region is to consist of the following Sub-Branches:

Alyangula Area School	BIITE North East Arhnem	Nhulunbuy High School
Alyarrmandumanja Umbakumba School	CDU - Nhulunbuy Campus	Nhulunbuy Primary School
	Gapuwiyak School	Ramingining School
Angurugu School	Laynhapuy Homelands School	Shepherdson College
Arnhem Regional Office	Milingimbi School	Yirrkala School
Baniyala Garrangali School	Milyakburra School	

Note: There are no Sub-Branches moving to the East Arnhem Region.

Top End Region

That as of 30 June 2025 the AEU NT Top End Region is to consist of the following Sub-Branches:

Adelaide River Primary School	Gunbalanya School	Palmerston Regional Office
Bakewell Primary School	Howard Springs Primary School	Peppimenarti School
Batchelor Area School	Humpty Doo Primary School	Pularumpi School
Bees Creek Primary School	Jabiru Area School	Rosebery Primary School
Belyuen School	Mamaruni School	Taminmin College
Berry Springs Primary School	**Maningrida School**	Tipperary Station School
BIITE - Batchelor	Middle Point School	Tivendale School
Douglas Daly Primary School	Milikapiti School	**Warruwi School**
Driver Primary School	Moulden Primary School	Woodroffe Primary School
Dundee Beach School	Nganambala School	Woolaning School
Durack Primary School	Nganmarriyanga School	Woolianna School
Forrest Parade School	Palmerston College 10-12 Campus	Zuccoli Primary School
Girraween Primary School	Palmerston College 7-9 Campus	
Gray Primary School	Palmerston Re-Engagement Centre	

Note: Sub-Branches moving to the Top End Region are in bold.