



Australian Government
Australian Industrial Registry

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Mr P Gardner
Ryan Carlisle Thomas
Level 30, 80 Collins Street
MELBOURNE VIC 3001

Dear Mr Gardner

Re: Alteration of Rules of Flight Attendants Association of Australia– [R 2005/271]
Your Ref: PG:EF:205/0973

I refer to your letter of 2 September 2005 covering the written statement and notice of alterations of Darryl Watkins dated 2 September 2005 setting out particulars of various alterations to the rules of the Flight Attendants' Association of Australia, being alterations identified as follows:-

- alterations to rules 3, 5, 6, 10, 11, 27, 28, 28A, 33, 35, 39, 52 and 54;
- deletion of existing rules 7, 7A, 7B, 8, 9, 15 to 26 inclusive, 30, 31, 32, 34, 38, 41 to 47 inclusive, 49, 50, 51, 53, 56, 57, 58, 58A and Schedules A to H inclusive;
- insertion of new rules 7A, 7B, 7C, 7D, 18A, 19 to 25, 30, 32, 34, 38, 41 to 47, 49, 50, 51, 53, 56, 59 and 60; and
- consequential renumbering so that the rules are enumerated consecutively from rule 1 to rule 56;

The notice of alterations was lodged in the Industrial Registry on 2 September 2005.

The alterations identified above have been certified. My certificate is enclosed. I have earlier on 6 September 2005 certified the alteration to sub rule 39(3).

Yours sincerely,

Terry Nassios
Deputy Industrial Registrar
9 September 2005

PR962417

Workplace Relations Act 1996
[s159 RAO Schedule - certification of an alteration of rules]

Flight Attendants' Association of Australia
(R 2005/271)

CERTIFICATE

On 2 September 2005 the Flight Attendants' Association of Australia lodged in the Industrial Registry particulars of various alterations to its rules, identified as follows:

- alterations to rules 3, 5, 6, 10, 11, 27, 28, 28A, 33, 35, 39, 52 and 54;
- deletion of existing rules 7, 7A, 7B, 8, 9, 15 to 26 inclusive, 30, 31, 32, 34, 38, 41 to 47 inclusive, 49, 50, 51, 53, 56, 57, 58, 58A and Schedules A to H;
- insertion of new rules 7A, 7B, 7C, 7D, 18A, 19 to 25, 30, 32, 34, 38, 41 to 47, 49, 50, 51, 53, 56, 59 and 60;
- consequential renumbering so that the rules are enumerated consecutively from rule 1 to rule 56.

In my opinion the alterations comply with and are not contrary to the Workplace Relations Act, Schedule 1B, awards, certified agreements and old IR agreements, are not otherwise contrary to law and have been made under the rules of the organisation. I certify accordingly under subsection 159 of Schedule 1B of the Act.



T. Nassios
DEPUTY INDUSTRIAL REGISTRAR
9 September 2005

PR962201

Workplace Relations Act 1996
[s159 RAO Schedule - certification of an alteration of rules]

Flight Attendants' Association of Australia
(R 2005/271)

CERTIFICATE

On 2 September 2005 the Flight attendants' Association of Australia lodged in the Industrial Registry particulars of alterations to sub rule 39(3) of its rules.

In my opinion the alterations comply with and are not contrary to the Workplace Relations Act, Schedule 1B, awards, certified agreements and old IR agreements, are not otherwise contrary to law and have been made under the rules of the organisation. I certify accordingly under subsection 159 of Schedule 1B of the Act.



T. Nassios
DEPUTY INDUSTRIAL REGISTRAR

6 September 2005



Australian Government

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Mr P Gardner
Ryan Carlisle Thomas
Level 30, 80 Collins Street
MELBOURNE VIC 3001

Dear Mr Gardner

**Re: Alteration of Rules of Flight Attendants Association of Australia– [R 2005/271]
Your Ref: PG:EF:205/0973**

I refer to your letter of 2 September 2005 covering the written statement and notice of alterations of Darryl Watkins dated 2 September 2005 setting out particulars of various alterations to the rules of the Flight Attendants' Association of Australia, including alterations to sub rule 39(3) of the rules of the Association. The notice was lodged in the Industrial Registry on 2 September 2005.

The alterations to sub rule 39(3) have been certified. My certificate is enclosed. I note that the alterations certified in this instance will result in deferring the opening date of nominations for the elections due under the existing rules from 15 August 2005 until 30 September 2005.

In response to your letter of 22 July 2005, under subsection 189(2) of the Workplace Relations Act 1996, I am prepared to allow 15 September 2005 as the due date for the lodgement of the Association's prescribed information in relation to the elections due within the Association.

The remaining alterations that are the subject of Mr Watkin's notice will be certified in due course.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Terry Nassios', with a horizontal line above and a vertical line below.

Terry Nassios
Deputy Industrial Registrar
6 September 2005

Workplace Relations Act 1996

Workplace Relations (Registration and Accountability of Organisations)
Regulations

In the matter of alternations to the rules of the
Flight Attendants' Association of Australia

**NOTICE OF PARTICULARS OF ALTERATION OF RULES AND
DECLARATION PURSUANT TO REGULATION 126**

I, Darryl Watkins, Union Official of 18/538 Garderners Road, Alexandria in
the State of New South Wales **DECLARE AS FOLLOWS:**

1. I am the Divisional Secretary of the Domestic/Regional
Division of the Flight Attendants' ("FAAA") and I am
authorised to sign this declaration on behalf of the FAAA.
2. Rules alterations to the Rules of the Association particulars of
which are set out in the Resolution below have been made by
the Association:

"A. BE IT RESOLVED BY FEDERAL COUNCIL PURSUANT
TO RULE 54 THAT THE RULES OF THE
ASSOCIATION BE ALTERED IN THE FOLLOWING
RESPECTS:

(a) by omitting from Rule 39(3) the expression "15th of
August" and substituting "15th of October"; and

(b)(1) by omitting from Rule 3(5) the expression
"Branches and Sub-Branchees" and substituting
"Teams and groupings";

(2) by omitting Rule 3(13) and substituting the
following:

"(13) to form committees or groupings of members
to provide advice to Federal Council, Divisional
Councils or Divisional Executive*";

(3) by omitting Rule 5 and Rule 6 - and substituting
the following:

"5 - ASSOCIATION STRUCTURE

- (1) There shall be a Federal Council of the Association.
- (2) There shall be two Divisions of the Association, namely a Domestic/Regional Division and an International Division.
- (3) The Domestic/Regional Division shall have a Divisional Council and Divisional Executive*and the following Airline Industry Teams:

Qantas Team
Virgin Blue Team
Jet Star Team
Contract/Casual Team
Eastern/Sunstate Team
Small/Regional Air Services Team

- (4) The International Division shall have a Divisional Council.

6 - FEDERAL COUNCIL

- (1) Powers
 - (a) The powers of the Federal Council shall be subject to the powers of the Divisional Councils to manage the affairs of the Divisions including public relations, staff, funds and industrial matters;
 - (b) Subject to this rule, the Federal Council shall have power to:
 - (i) alter the Rules of the Association;
 - (ii) Deleted
 - (iii) set membership fees;

- (iv) superintend, manage and control the Association's affairs, property and funds;
- (v) delegate to Federal Officer(s) such of its powers as it may from time to time think fit;
- (vi) appoint from its members any sub-committee to act in an advisory or recommendatory function;
- (vii) determine anything wherein the Rules are silent;
- (viii) make grants to Divisions where special circumstances exist;
- (ix) expend funds in accordance with the Rules;
- (x) place on deposit or invest monies the property of Federal Council and to vary such investments and withdraw any monies so deposited;
- (xi) determine any appeal from any person against a fine, levy, suspension or expulsion; and
- (xii) to set capitation fees
- (xiii) to do all things necessary or beneficial to carry out the objects of the Association, consistent with the Rules.

(2) Duties

In addition to duties conferred elsewhere by the Rules, Federal Council shall:

- (a) give due consideration to all matters referred to it by any Divisional Council of the Association;
 - (b) determine the time and place of its meetings other than its Biennial Meeting;
 - (c) between meetings vote on matters submitted to it in accordance with the Rules;
 - (d) appoint an Auditor or Auditors to audit the
 - (e) report regularly to the Divisional Councils of the Association on the business of the Association;
- (3) Composition

Federal Council shall have a total of 26 members as follows:-

- (a) Divisional Presidents from each Division (2)
Divisional Vice-Presidents from each Division (2)
Divisional Secretaries from each Division (2)
Divisional Assistant Secretaries from each Division (2)
- (b) Each Domestic/Regional Division Airline Industry Team Co-ordinator (6)
- (c) Domestic/Regional Division Qantas Airline Industry Team Divisional Council Delegates (2) being the two delegates ranked highest at the election for Qantas Airline Industry Team Divisional Council Delegates in accordance with the Rules.
- (d) Domestic/Regional Division Virgin Blue Airline Industry Team Divisional Council Delegate (1) being the delegate ranked highest at the election for Virgin Blue

Airline Industry Team Divisional Council
Delegates in accordance with the Rules.

- (e) International Division Divisional Councillors (9)
- (4) Voting
 - (a) Each member of Federal Council shall have one vote provided that the President or other person presiding shall also exercise a casting vote in the event of a tied vote.
 - (b) In the event of a casual vacancy occurring:
 - in the office of International Division Divisional Councillor the officer from the Division who is selected by the Divisional Council shall exercise an additional vote during such vacancy;
 - in the office of Divisional President, Vice President, Secretary or Assistant Secretary, the officer who is selected by the Divisional Council shall exercise an additional vote during such vacancy;
 - in the office of Airline Industry Team Co-ordinator or Federal Council Delegate the Federal Council member from the Domestic/Regional Division selected by the Divisional Council shall exercise an additional vote during such vacancy.
 - (c) The powers of the Federal Council referred to in sub-rule (1) of this Rule shall only be exercised upon a resolution of the Federal Council passed by a two thirds majority of the members of the Council entitled to attend and vote.
- (5) Meetings
 - (a) The Biennial Meeting of Federal Council shall be held between 1 January and 31 March every second year commencing in 2001.

- (b) The date and place of the Biennial Meeting shall be determined by the Divisional Secretaries at least three months before the date so determined.
- (c) Federal Council may meet at such other times and in such places as required."
- (4) by deleting the following Rules and Schedules:

Rule 7 - Federal Executive
 Rule 7A - Divisional Councils
 Rule 7B - Divisional Executives
 Rule 8 - Branch Councils
 Rule 9 - Branch Executives
 Rule 15 - Powers and Duties of Branch Secretary
 Rule 16 - Duties of Branch Assistant Secretary
 Rule 17 - Powers and Duties of Branch President
 Rule 18 - Powers and Duties of Branch Vice President
 Rule 26 - Meetings of Branch Members
 Rule 31 - Branch Funds
 Rule 57 - Transitional Rule
 Rule 58 - Transitional Rule February 2000
 Divisional Autonomy
 Rule 58A - Transitional Rule June 2001
 Schedules A, B, C, D, E, F, G and H;

- (5) by inserting a new Rule 7A, Rule 7B, Rule 7C and Rule 7D, as follows:

"7A - DIVISIONAL COUNCILS

- (1) (a) The Divisional Councils shall be the governing bodies of the respective Divisions and shall have power to control and manage the affairs of the Division including all matters concerning public relations, staff, funds and industrial matters.
- (b) Without limiting the foregoing the Divisional Councils shall have powers to:

- (i) alter the Rules of the Association in respect of matters affecting only the Division;
- (ii) Deleted
- (iii) set membership fees;
- (iv) control and manage the property, funds and other assets of the Division;
- (v) delegate to Divisional Officers (or officer) or to the Divisional Executive* such of its powers as it may from time to time consider appropriate;
- (vi) appoint from its members any sub-committee to act in an advisory or recommendatory function;
- (vii) determine anything wherein the Rules are silent;
- (viii) subject to the Rules, to levy members or a section of members of the Division;
- (ix) Deleted
- (x) appoint such persons or organizations it thinks fit to act in an advisory capacity;
- (xi) Deleted
- (xii) expend funds in accordance with the Rules;
- (xiii) place on deposit or invest monies the property of the Division and to vary such investments and withdraw any monies so deposited;

- (xiv) employ such staff as may be required by the Division and to fix salaries, allowances and conditions for all employees and Officers of the Division;
- (xv) determine any appeal from any person against a fine, levy, suspension or expulsion; and
- (xvi) do all things necessary or beneficial to carry out the objects of the Association, consistent with the Rules.
- (xvii) in the case of the Domestic/Regional Division create, alter or disband Airline Industry Teams.
- (xviii) in the case of the Domestic/Regional Division appoint, remove and direct Airline Industry Team workplace delegates.

(2) Duties

In addition to duties conferred elsewhere by the Rules, Divisional Council shall:

- (a) give due consideration to all matters referred to it by any member of the Council;
- (b) between meetings vote on matters submitted to it in accordance with the Rules;
- (c) appoint an Auditor or Auditors to audit the accounts of the Association;
- (d) appoint a Divisional Returning Officer;
- (e) in the case of the Domestic/Regional

Division give due consideration to all matters referred to it by any meeting of members of an Airline Industry Team.

7B - DIVISIONAL COUNCIL - INTERNATIONAL DIVISION

International Divisional Council

- (a) The International Divisional Council shall be the governing body of the Division and shall be constituted by the four Divisional Officers and nine Divisional Councillors elected by the membership as follows:
Sydney Qantas Long Haul base (5) Melbourne Qantas Long Haul base (1), Brisbane Qantas Long Haul base (1), Perth Qantas Long Haul base (1), all of whom are to be elected by the entire Qantas long haul membership and one Australian Airlines delegate to be elected from Australian Airlines members (see sub rule e below).
- (b) The International Divisional Council shall have a total of 13 members as follows:-
 - (i) Divisional Secretary (1)
Divisional Assistant Secretary (1)
Divisional President (1)
Divisional Vice-President (1)
 - (ii) Nine (9) International Divisional Councillors as follows: Sydney Qantas Long Haul base (5), Melbourne Qantas Long Haul base (1), Brisbane Qantas Long Haul base (1), Perth Qantas Long Haul base (1), Australian Airlines (1).
- (c) Voting
 - (i) Each member of Divisional Council shall have one vote provided that the President or other person presiding shall also exercise a casting vote in the event of a tied vote.
 - (ii) In the event of a casual vacancy occurring in the office of Divisional Secretary, Divisional Assistant Secretary, Divisional President, or Divisional Vice President, a Divisional Officer who is selected by the Divisional Council shall exercise an additional

vote pending the filling of the casual vacancy under the rules, and in the case of a vacancy in the office of a Divisional Councillor, any member of Divisional Council may be selected by the Divisional Council to exercise an additional vote pending the filling of the casual vacancy under the rules.

(d) Meetings

The International Divisional Council shall meet at least quarterly at such times and places as shall be determined by the Divisional Council or by the Divisional Secretary.

- (e) The International Divisional Councillors shall be elected by the entire Qantas long haul membership as follows: Sydney Qantas Long Haul base (5) Melbourne Qantas Long Haul base (1), Brisbane Qantas Long Haul base (1), Perth Qantas Long Haul base (1); Members shall only be eligible to stand for such positions where the member concerned is permanently employed at the Long Haul base specified. In the case of Australian Airlines, the Councillor shall be elected by and from Australian Airlines members. Where a Divisional Councillor ceases to be employed at the base in which he/she was employed when elected, the position shall be declared vacant and a casual vacancy shall occur in that position immediately.

**7C - DIVISIONAL COUNCIL -
DOMESTIC/REGIONAL DIVISION**

- (1) The Domestic/Regional Division Divisional Council shall have a total of 19 members as follows:-
- (a) Divisional Secretary (1)
Divisional Assistant Secretary (1)
Divisional President (1)
Divisional Vice-President (1)
 - (b) Each Airline Industry Team Co-ordinator (6)
 - (c) Divisional Council Delegates elected by and from the financial members of each Airline Industry Team as follows:-

Qantas Team (7)

Virgin Blue Team (2)

(2) Voting

(a) Each member of Divisional Council shall have one vote provided that the President or other person presiding shall also exercise a casting vote in the event of a tied vote.

(b) In the event of a casual vacancy occurring:

in the office of Divisional President, Vice President, Secretary or Assistant Secretary the Officer from the Divisional Council who is selected by the Divisional Council shall exercise an additional vote during such vacancy;

in the office of Divisional Council Delegate from an Airline Industry Team, the Airline Industry Team Co-ordinator of that team shall exercise an additional vote during such vacancy;

in the office of an Airline Industry Team Co-ordinator, the member of the Airline Industry Team selected by the Divisional Council following consideration of the recommendation (if any) of a General Meeting of the Airline Industry Team concerned shall exercise the vote of the Co-ordinator during such vacancy.

(3) Meetings

(a) The Annual Meeting of Divisional Council shall be held between 1 January and 31 March in each year.

(b) The date and place of the Annual Meeting shall be determined by Divisional Executive* at least three months before the date so determined.

(c) Divisional Council shall meet at such other times and in such places as determined by the Divisional Council, Divisional Executive* or Divisional Secretary.

7D - DIVISIONAL EXECUTIVE* - DOMESTIC/REGIONAL DIVISION

(1) Powers

- (a) The *Divisional Executive* shall be the Committee of Management of the Division and subject to the direction of and review of its action by Divisional Council, shall have the control and management of the affairs of the Division including all matters concerning public relations, staff, funds and industrial matters of the Division:
- (b) Divisional Executive* shall have the same powers as the Divisional Council. The Divisional Executive* may exercise those powers between meetings of the Divisional Council.
- (c) All acts and decisions of Divisional Executive* shall have full force and effect and validity unless and until such acts or decisions are reversed or amended by Divisional Council.

(2) Duties

In addition to duties conferred elsewhere by the Rules, Divisional Executive* shall:

- (a) give due consideration to all matters referred to it by the Divisional Council, an Airline Industry Team Co-ordinator or a meeting of members of an Airline Industry Team;
- (b) between meetings vote on matters submitted to it in accordance with the Rules;
- (c) report regularly to Divisional Council.

(3) Divisional Executive* shall be constituted as follows:-

Divisional Secretary (1)
Divisional Assistant Secretary (1)
Divisional President (1)
Divisional Vice President (1)
Each Airline Industry Team Co-ordinators (6)

(4) Voting

- (a) Each member shall have one vote provided that

the President or other person presiding shall also exercise a casting vote in the event of a tied vote.

(b) In the event of a casual vacancy occurring:

in the office of Divisional Officer, the Officer from the Divisional Council who is selected by the Divisional Council shall exercise an additional vote during such vacancy;

in the office of an Airline Industry Team Co-ordinator the member of the Airline Industry Team selected by the Divisional Council following consideration of the recommendation (if any) of a General Meeting of the Airline Industry Team concerned shall exercise the vote of the Co-ordinator during such vacancy.

(5) Meetings

The Divisional Executive* shall meet at least quarterly at such times and places as shall be determined by the Divisional Executive* or by the Divisional President and Secretary acting in conjunction."

(6) by omitting "Divisional Executive" wherever appearing in the Rules and substituting "Divisional Executive*";

(6A) by inserting in Rule 10(2) the expression "Divisional Council or" after the words "nominated by the";

(7) by omitting from Rule 10(4) the expression "Committees and/or Executives" and substituting the word "Councils";

(8) by inserting after Rule 11(q) the following new sub-rules (qa) and (qb):

"(qa) have the right to call and attend Airline Industry Team meetings;

(qb) control and direct Airline Industry Co-ordinators in the performance of their powers and duties under Rule 18A."

(9) by omitting from Rule 11(r) all words after the expression "office of the Division" and substituting "; and";

(10) by inserting a new Rule 18A as follows:

"18A - POWERS AND DUTIES OF AIRLINE INDUSTRY TEAM CO-ORDINATORS - DOMESTIC/REGIONAL DIVISION

An Airline Industry Team Co-ordinator shall:

- (a) preside over meetings of relevant Airline Industry Team Members and maintain a record of meetings of Team Members;
- (b) maintain regular liaison with and written reports to members of the Airline Industry Team concerned;
- (c) report to the Divisional Secretary in respect of industrial issues affecting members of the Team;
- (d) prepare and distribute members news letters;
- (e) provide written reports to Divisional Executive* and Council on matters affecting members of the Airline Industry Team concerned; and
- (f) co-ordinate and direct the activities of Airline Industry Team workplace delegates.
- (g) comply with directions given by the Divisional Secretary or Divisional Executive*."

(11) by omitting Rule 19, Rule 20, Rule 21, Rule 22, Rule 23, Rule 24 and Rule 25 and substituting the following:

"19 - DUTY TO ATTEND MEETINGS

- (1) All members of Federal Council, and a Divisional Council shall have a duty to regularly attend meetings of any body of the Association or Division of which they are a member and shall not absent themselves from more than three consecutive meetings without due cause.
- (2) A member of Divisional Executive* shall not be absent from two consecutive meetings of Divisional Executive* without due cause.

- (3) Divisional Officers Right to Attend Meetings
 - (a) Divisional Officers shall be entitled to attend and be heard at all meetings of members of a Division.
 - (b) Divisional Officers shall be entitled to attend and be heard at all meetings of committees appointed by Divisional Council, or Divisional Executive*.

20 - MEETINGS IN THE ASSOCIATION

- (1) Secretary to Notify
 - (a) One of the Divisional Secretaries shall summon any meetings of the Federal Council by notifying the time, date, place or mode of a meeting to the members of the body;
 - (b) The Divisional Secretary shall summon any meetings of the Divisional Council and Divisional Executive* by notifying the time, date and place or mode of a meeting to the members of the body which is to meet;
 - (c) The notification under paragraph (a) and (b) of this sub-rule shall be by letter, lettergram, facsimile or any similar mode.

- (2) Period of Notice

The period of notice for meetings shall be as set out below:

Federal Council 30 days

Divisional Council 30 days

Divisional Executive* 21 days

- (3) Agenda

- (a) Notices of meeting shall include agenda items provided that the body meeting may

determine to consider items not on the agenda.

- (b) Any member of Federal Council, Divisional Council or Divisional Executive* may submit agenda items provided that a member may only do so in relation to the body that member is part of.
 - (c) Divisional Executive* may submit items for inclusion on Divisional Council agenda.
 - (d) Divisional Council may submit items for Inclusion on Federal Council agenda.
- (4) Standing Orders

Federal Council, Divisional Council or Divisional Executive*, may each adopt such standing orders as will facilitate the conduct of the business of each body and may vary or suspend standing orders at any time by resolution.

- (5) At any meeting of the Federal Council the Chairperson for the meeting shall be the President of the Division whose Secretary first notified the meeting.

21 - SPECIAL MEETINGS

- (1) Special Meetings
- (a) Either Divisional Secretary may summon a special meeting of Federal Council and shall do so on receipt of a written request from -
 - (i) the Divisional President of his or her respective Division, or
 - (ii) 20% or more of the members of his or her respective Divisional Council.
 - (b) A Divisional Secretary may summon a special meeting of Divisional Council or Divisional Executive* and shall do so on receipt of a written request from -

- (i) the Divisional President; or
 - (ii) 20% or more of the members of Divisional Council in the case of Divisional Council; or
 - (iii) 20% or more of the members of Divisional Executive* in the case of Divisional Executive*.
- (c) Any request for a Special Meeting shall specify the matter for consideration by the meeting.
- (d) Notice under this sub-rule shall be not less than 2 days.
- (2) Special Meetings (Telephonic)
- (a) Federal Council

The Divisional Secretary may between meetings of Federal Council call a meeting of Federal Council to be conducted by telephone, radio or any other means by which members of the body concerned are able to communicate orally between themselves without being physically present at one meeting place.
 - (b) Divisional Councils and Divisional Executive*

The Divisional Secretary may between meetings of Divisional Council or Divisional Executive* call a meeting of Divisional Council or Divisional Executive* to be conducted by telephone, radio or any other means by which members of the body concerned are able to communicate orally between themselves without being physically present at one meeting place.
 - (d) Notice
 - (i) Meetings under this Sub-Rule shall

require the following periods of notice:-

Federal Council and Divisional Council - 48 hours

Divisional Executive* - 24 hours

- (ii) Notice of meetings under this Sub-Rule shall be in writing or orally to each member of the relevant body.

22 - VOTING BY POST

- (1) Between meetings of Federal Council a motion with reasons may be submitted in writing by two Divisional Officers to a Divisional Secretary. The Divisional Secretary shall cause a copy of each such motion to be submitted to each member of Federal Council within 10 days of receipt.
- (2) Deleted
- (3) Between meetings of Divisional Council a motion with reasons may be submitted in writing by two members of Divisional Council to the Divisional Secretary. The Divisional Secretary shall cause a copy of each such notice to be submitted to each member of the Divisional Council within 10 days of receipt.
- (4) Between meetings of Divisional Executive* a Divisional Secretary may and when requested by at least two Divisional Executive* members shall, submit in writing for decision by members of Divisional Executive* a motion on any matter Divisional Executive* may deal with.
- (5) Motions under Sub-Rule (1), (3) and (4) of this Rule shall be in writing and sent by letter, telegram, facsimile or any similar mode.
- (6) A vote under this Rule shall be notified by a member to the Divisional Secretary in writing sent by letter, telegram, facsimile or any similar mode within 10 days of the date the motion is sent to a member or such lesser time as the Divisional Secretary determines. A motion shall be carried under this Rule if a two thirds majority of

the members of the body entitled to vote, vote in favour of it, or in the case of Divisional Executive* or Divisional Council, if a simple majority of the members of the body entitled to vote, vote in favour of it.

- (7) The Divisional Secretary shall be entitled to count the votes as they are received and shall notify the result of a vote under this Rule to the members of the body involved.
- (8) All decisions made under this Rule shall have the same effect as if made in meeting assembled and the motion shall be recorded in the minutes with the result of the vote.

23 - PROXIES

- (a) A member of any body of the Association may give a written proxy to another member of that .
- (b) A proxy shall carry with it the right to exercise the vote or number of votes that the giver of the proxy would have been entitled to exercise at the relevant meeting.
- (c) A proxy may be given for the duration or session of a meeting or in relation to a specific matter.
- (d) A proxy may only be given in respect of physical meetings.
- (e) A proxy vote cannot be given in respect of a meeting of members or section of members of the Union.

24 - QUORUM

- (a) Federal Council, Divisional Council and Divisional Executive*

The quorum required at all meetings of Federal Council, Divisional Council and Divisional Executive* shall be 50% plus one of members comprising the relevant body provided further that in the case of Federal Council the number of members forming a quorum shall include members of both Divisions.

(b) No Quorum

If no quorum is obtained the Council or Executive*, as the case may be, may reconvene after 7 days at which time no quorum shall be required provided that no new items shall be added to the original agenda at the reconvened meeting.

25 - MEETINGS OF MEMBERS

- (1) Divisional Council , Divisional Executive* or Divisional Secretary may summon a meeting or series of meetings of the members or a section of members of the Division or of an Airline Industry Team.
 - (2) The Divisional Secretary shall fix the time, date and place of any such meeting.
 - (3) The Divisional Secretary shall notify the members concerned of a meeting under this Rule by notice sent or delivered to or posted upon a conspicuous place at each members place of employment as soon as practicable before such meeting.
 - (4) Where more than one meeting is held on a matter under this Rule and where a vote is taken on the same resolution at such meetings then the votes cast at all such meetings shall be counted together.
 - (5) All decisions at meetings of members under this Rule shall be taken by a show of hands except where a resolution is carried which determines to submit the question to a secret ballot.
 - (6) Attendance at meetings under this Rule shall be recorded and such attendance record shall be used to ensure that a member records only one vote."
- (12) by omitting in Rule 27(d) the word "Executive" and substituting the word "Council";
- (13) by omitting from Rule 28(e) and Rule 28(h) the expression "or Federal Executive" and by omitting from Rule 28(g) the expression "Federal Executive" and the expression "if Federal Executive is not meeting";

- (14) by omitting from Rule 28A(c) the expression "at its annual meeting";
- (15) by inserting in Rule 28A(g) the expression "and/or Divisional Council" after the expression "Divisional Executive" where second appearing;
- (16) by omitting Rule 30 and Rule 32 and substituting the following:

"30 - DIVISIONAL BUDGET

The Divisional Secretary shall submit to Divisional Council for its consideration a budget for the ensuing financial year setting out estimated amounts required in respect of proposed items of expenditure. The budget shall be in a form decided upon by Divisional Council or Division Executive* from time to time.

32 - LOANS, GRANTS AND DONATIONS

A loan, grant or donation of an amount exceeding \$1,000 shall not be made by the Association, or a Division of the Association unless Federal Council, Divisional Council or Divisional Executive* as the case may be:-

- (a) has satisfied itself -
 - (i) that the making of the loan, grant or donation would be in accordance with the other Rules of the Association;
 - (ii) in relation to 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 repayment of the loan are satisfactory; and
 - (b) has approved the making of the loan, grant or donation."
- (17) by omitting from Rule 33(d) the expression "Federal Executive" and substituting the expression "Divisional Council or Divisional Executive*";

(18) by omitting Rule 34 and substituting the following:

"34 - ALLOCATION OF MEMBERS TO DIVISIONS AND TEAMS

- (1) All members of the Association shall be allocated to a Division and Branch in accordance with this Rule.
- (2) Divisional Allocation
 - (a) A member shall be allocated to the Domestic/Regional Division where the member is predominantly engaged in the operation of flights carrying passengers on short haul, domestic or regional routes within Australia or as provided for in sub-rule (c).
 - (b) Subject to sub-rule (c) of this Rule a member shall be allocated to the International Division where the member is predominantly engaged in the operation of flights carrying passengers on long haul international routes to and from locations within Australia.
 - (c) Notwithstanding sub-rules (a) and (b), all Ansett International flight attendants shall be allocated to the Domestic/Regional Division and all Ansett International flight attendants who have previously been allocated to the International Division shall be allocated to the Domestic/Regional Division.
 - (d) At a date no earlier than March, 2003 where a petition of no fewer than 10% of Ansett International flight attendant members requests a ballot of Ansett International members to decide whether all such members will be allocated to the Domestic/Regional Division or the International Division, a ballot will be held under the direction of the Divisional Secretary of the Domestic/Regional Division and in accordance with the plebiscite rule (Rule 45) with the necessary changes.

If a majority of members voting in such a ballot vote in favour of all Ansett International flight attendants being allocated to the International Division, such members (including existing such

members) shall from the date of the declaration of the result of the ballot be allocated to the International Division.

In this Rule Ansett International flight attendant means flight attendants engaged on Ansett International services.

(3) Airline Industry Team Allocation

(a) Members allocated to the Domestic/Regional Division shall be allocated to Airline Industry Teams on the following basis:-

(i) members employed by Qantas Airlines (or any related or associated entity other than an entity to which another Airline Industry Team relates) shall be allocated to the Qantas team;

(ii) members employed by Virgin Blue (or any related or associated entities) shall be allocated to the Virgin Blue team;

(iii) members employed by Jet Star (or any related or associated entities) shall be allocated to the Jet Star team;

(iv) members employed by any agency, labour hire company or like entity providing casual or contract flight attendant services to an unrelated airline or a service predominantly engaged in the operation of flights carrying passengers on short haul, domestic or regional routes within Australia shall be allocated to the Contract/Casuals team;

(v) members employed by Eastern Airlines (or any related or associated entity) or by Sunstate Airlines (or any related or associated entity) shall be allocated to the Eastern Sunstate team;

(vi) members employed by National Jet Systems, REX, Skywest (or any associated or related entity of any of those employers) or by any other employer (other than those

referred to in paragraphs (i) to (v) of this sub-rule) predominantly engaged in the operation of flights carrying passengers on short haul, domestic or regional routes within Australia shall be allocated to the Small/Regional Airservices team;

provided that a member whose employment is not otherwise provided for or in special circumstances may be allocated by the Divisional Secretary to such team as he or she considers appropriate but such allocation may be reviewed by the Divisional Executive*.

(4) Duty of Divisional Secretaries to Allocate Members

The Divisional Secretaries shall be responsible for allocating members to Divisions and to Airline Industry Teams and for re-allocation in accordance with this Rule.

(5) Disputes

(a) Any dispute about Divisional allocation or re-allocation under this Rule shall be referred to Federal Council as soon as practicable for determination.

(b) Any determination duly made under this sub-rule shall be final and binding on all Officers and members of the Association in accordance with the Rules."

(19) by inserting in Rule 35(7) the expression "Divisional Council or" after the word "Rules";

(20) by omitting Rule 38 and substituting the following:

"38 - APPOINTMENT OF FEDERAL AND DIVISIONAL RETURNING OFFICERS

(a) Federal Council at its Biennial Meeting shall appoint a Federal Returning Officer, Divisional Returning Officers or delegate to a Divisional Council the power to appoint its own Returning Officer.

(b) Such Returning Officers shall be neither the

holders of any Office in nor employees of the Association or any Division or Section of the Association.

(c) Subject to Section 210 of the Workplace Relations Act 1996 Returning Officers shall carry out the duties of the office so as to conform with the Rules and with the provisions of the Industrial Relations Act 1988.

(d) In the event of a position of Returning Officer becoming vacant for any reason the body which appointed that Returning Officer shall appoint a member qualified in the terms of (b) above to act for the balance of the term.

(21) by omitting Rule 39(3) as altered by paragraph (a) of this Resolution and substituting the following:

"(3) Branch Elections

Branch Elections shall not be conducted in 2005 or thereafter.";

(22) by inserting new Rule 39(4) and Rule 39(5) after Rule 39(3) as follows:

"(4) Elections for International Divisional Councillors shall be conducted in 2005 in accordance with the timetable in Rule 60. Nominations shall open on 15th October 2005 and remain open for 28 days. [Note: From 2008, nominations for International Divisional Councillor positions shall open on the 15th of February in the year of elections and remain open for 28 days. Elections shall be completed by 30th June.]

(5) Airline Industry Team Elections

Airline Industry Team Elections for Airline Industry Team Co-ordinators and Divisional Council Delegates shall be conducted in 2005 and each second year thereafter being completed by 15 December. Nominations shall open on 15 October in 2005 and remain open for 28 days."

(23) by omitting Rule 41, Rule 42, Rule 43, Rule 44, Rule 45, Rule 46, Rule 47, Rule 49, Rule 50, Rule 51 and Rule 53 and substituting the following:

"41 - NOMINATIONS FOR AND HOLDING OFFICE

- (1) Nominations
 - (a) Nominations for election to all positions of Officer of the Association shall be called by the Returning Officer by posting a notice to each member of the Association eligible to stand in the election under the Rules.
 - (b) Nominations shall be in writing signed by the nominee and by two financial members of the Association and shall have the consent of the person nominated endorsed thereon in writing.
 - (c)
 - (i) A member may only nominate for two positions at the elections for Divisional Officers of the Domestic/Regional Division.
 - (ii) A member may only nominate for two positions at the Airline Industry Team Elections in the Domestic/Regional Division.
 - (iii) A member may only nominate for one position at the Divisional Elections in the International Division.
 - (d) The nomination form shall be addressed to the Returning Officer and shall state the full name and address and place of employment of the nominee and the Office for which the member is nominated.
 - (e) A separate nomination form shall be submitted in respect of each Office for which a person is nominated.
 - (f) If the Returning Officer finds a nomination to be defective the Returning Officer shall, before rejecting the nomination notify the person concerned of the defect and where it is practicable to do so, give that person the opportunity of remedying the defect within not less than seven days after being notified.

(2) Qualifications for Office

Subject to the Rules:-

- (a) A candidate for any position of Divisional Officer of the Association shall have been a financial member of the Association for a period of twelve months immediately preceding the date of closing of nominations for Office.
- (b) A candidate for any other position within the Association shall be a financial member of the Association at the date of closing of nominations

(3) Holding Office in Other Organisations

No person who holds office or any paid position in any other organisation registered under the Workplace Relations Act 1996 shall be eligible to nominate or be eligible to hold Office in the Association.

(4) Re-allocation

- (a) Where a member being a Divisional Councillor or Airline Team Co-ordinator or Divisional Council Delegate is re-allocated to another Division such member shall thereupon be ineligible to hold such Office which shall become vacant immediately.
- (b) Where a Divisional Officer is re-allocated to the other Division he or she shall thereupon be ineligible to hold such office which shall become vacant immediately.
- (c) Where a Divisional Councillor of the International Division ceases to be employed at the Qantas base (or otherwise at Australian airlines) where he/she was elected to the position of International Divisional Councillor he/she shall thereupon be ineligible to hold such office which shall become vacant immediately.
- (d) Where an Airline Team Co-ordinator or Divisional Council Delegate ceases to be eligible under Rule 34 to be allocated to the Airline Team from which he or she was elected, he/she shall thereupon be

ineligible to hold such office which shall become vacant immediately.

(5) Association Employees

- (a) A member who whilst a member has never been employed in a position covered by the Eligibility Rule of the Association other than as an employee of the Association shall not be eligible to nominate for or hold a position of elected Officer of the Association.
- (b) A member (other than an elected Officer of the Association) who when admitted to membership was eligible for membership otherwise than by virtue of holding a position as an employee of the Association and who thereafter becomes an employee of the Association shall not be eligible to nominate for or hold a position of elected Officer of the Association whilst employed by the Association.

42 - VOTING

The following provisions shall apply to elections of Divisional Officers and to Divisional Elections and Airline Industry Team Elections

- (a) If at the close of nominations, not more than one candidate is nominated for any one position, the person nominated shall be declared elected unless the candidate be standing for a higher ranked position which the Rules do not allow to be held at the same time in which case the declaration shall be withheld until that higher position is determined. In the event the candidate is elected to the higher ranked position the nomination for the lower ranked position shall be declared void.
- (b) If more than one candidate is nominated for any one position, the Returning Officer shall prepare or cause to be prepared ballot papers which shall:-
 - (i) be initialled by the Returning Officer;
 - (ii) show the names of the candidates in alphabetical order;

- (iii) contain instructions as to how to record a vote;
 - (iv) indicate that the ballot paper should not be marked in such a way as to identify the voter;
 - (v) indicate the method of return of the ballot paper and the date of return which shall be not later than 28 days from the date of issue of the last ballot paper.
- (c) (1) A roll of voters shall be prepared by the Returning Officer which shall include all financial members of the Association or Division or Airline Industry Team as the case may be as at seven days prior to the opening of nominations.
- (2) If a member who is entitled to vote at any election held under the Rules will be absent from the member's usual address during a ballot such member may apply to the Returning Officer for a ballot paper to be sent to an address such member nominates.
- (d) (1) Within fourteen days of the close of nominations the Returning Officer shall issue to each member whose name appears on the roll of voters, by prepaid post an envelope which shall contain:
- (i) A ballot paper prepared in accordance with Sub-Rule (b) of this Rule.
 - (ii) A declaration envelope.
 - (iii) A prepaid envelope by which the member may return the ballot paper by post without expense to the member.
 - (iv) Any other document required for the conduct of the election as determined by the Returning Officer.

The declaration envelope and prepaid

envelope referred to in this subrule shall each be in the form prescribed in Schedule 1B of the Workplace Relations Act 1996 and the Workplace Relations (Registration and Accountability of Organisations) Regulations, provided that the prepaid envelope shall also bear an instruction for return to the Returning Officer if not delivered to the addressee.

- (2) If a member entitled to vote at any election held under the Rules will be absent from such member's usual address during a ballot then the member may apply to the Returning Officer for a ballot paper to be sent to an address the member nominates.
- (e) (1) For the purpose of receiving completed ballot papers the Returning Officer shall use a private post office box which shall be a different private box than the one which shall be used to receive envelopes which were not delivered to the addressee.
 - (2) Access to these private boxes shall be under the exclusive control of the Returning Officer and persons authorised in writing by the Returning Officer.
- (f) Where a person eligible to vote requires a duplicate ballot paper or return envelope a request shall be made in writing, before the close of the ballot, setting out the reasons for such a request and a declaration that such a person has not cast a vote. Subject to being satisfied by the request the Returning Officer shall issue to that person a duplicate ballot paper or return envelope as the case may be.
- (g) All votes shall be counted by the Returning Officer as soon as possible and within seven days of the close of the ballot.
- (h) (i) The Returning Officer shall declare elected the person who receives the highest number of votes in the ballot for any position.
 - (ii) In the event of a tie in the voting, the Returning

Officer shall decide the ballot by lot.

- (i) Any person so declared elected in terms of the Rules shall take office from the declaration of the poll.
- (j) The Returning Officer shall at the time of declaring the result advise the Divisional Secretary in writing of:
 - (i) the result of the ballot for any position, including the number of votes received by each candidate;
 - (ii) the number of ballot papers, other than duplicate ballot papers, issued;
 - (iii) the number of duplicate ballot papers issued;
 - (iv) the number of ballot papers admitted as formal; and
 - (v) the number of ballot papers rejected as informal.
- (k) The Returning Officer shall take such steps as are necessary to ensure that all ballot papers, envelopes, lists and other documents used in connection with, or relevant to, an election for an office are preserved and kept at the Association's Registered Office for a period of one year after the completion of the election.
- (l) The Returning Officer shall in the case of the Airline Industry Team Elections for Divisional Council Delegates in the Qantas Airline Industry Team and the Virgin Blue Airline Industry Team rank the candidates in order according to the number of votes received by each candidate with the person receiving the highest number of vote being ranked first the next highest second, and so on, for the purpose of determining which of the Divisional Council Delegates from each Airline Industry Team shall be members of the Federal Council in accordance with the Rules. In the event of a tie in the voting, the Returning Officer shall decide the ranking by lot. The Returning Officer shall at the time of declaring the result of election for Divisional Council Delegates advise the Divisional Secretary of the ranking of candidates under this sub-rule. In the event that the number of nominations for Divisional Council Delegate positions in the Qantas or Virgin Blue Airline Industry Team do not exceed the number of vacancies the ranking

of candidates shall be determined by the Returning Officer by lot.

43 - ELECTION OF DIVISIONAL OFFICERS - GENERAL

- (a) Subject to the Rules elections for the Divisional Officers, namely the Divisional Secretary, Divisional Assistant Secretary, Divisional President and Divisional Vice-President shall be conducted by secret postal ballot of all financial members of the Association eligible to vote who have been allocated to the Division concerned.
- (b) Subject to the Rules a member elected as a Divisional Officer shall hold Office from the declaration of the poll at which that member is elected until the declaration of the poll at which that member's successor is elected and such member shall be eligible for re-election.
- (c) No person shall hold more than one Divisional Officer position simultaneously.
- (d) Should any person be nominated for more than one Divisional Officer position ballot papers shall where necessary be prepared so that voters shall be able to indicate their order of preference for the candidates by recording a vote in numerical order against each candidate for the respective positions.
- (e)
 - (1) A candidate elected to a higher ranked position shall not be eligible to receive votes for a lower ranked position. Where a candidate has been elected to a higher ranked office, the Divisional Returning Officer shall disregard the votes for such candidate in a lower office and record the next vote in order of preference indicated on the ballot paper.
 - (2) For the purposes of this Sub-Rule the following ranking shall apply:-
 - Divisional Secretary
 - Divisional Assistant Secretary
 - Divisional President
 - Divisional Vice President
- (f) A member shall not simultaneously hold a Divisional

Officer position and a Divisional Councillor position or Airline Industry Team Co-ordinator position or Divisional Council Delegate position.

- (g) Where a member, being an Airline Industry Team Co-ordinator is declared elected to a Divisional Officer position that member thereupon shall no longer be eligible to hold the Airline Industry Team Co-ordinator position which shall become vacant immediately.

44 - DIVISIONAL COUNCILLOR AND AIRLINE INDUSTRY TEAM ELECTIONS - GENERAL

- (a) Subject to the Rules Divisional Elections for Divisional Councillor position shall be held by secret postal ballot of all financial members of the International Division eligible to vote.
- (ab) Subject to the Rules Airline Industry Team Elections for the positions of Airline Industry Team Co-ordinator from each Airline Industry Team and the seven Divisional Council Delegates from the Qantas Airline Industry Team and the two Divisional Council Delegates from the Virgin Blue Airline Industry Team shall be held by secret postal ballot of the financial members of each Airline Industry Team concerned.
- (b) Subject to the Rules a member elected to an Office set out in Sub-Rule (a) or (ab) above shall hold Office from the declaration of the poll at which the member was elected until the declaration of the poll at which that member's successor is elected and such member shall be eligible for re-election.

- (c) No persons shall hold simultaneously the Offices of:-

more than one Divisional Councillor position;

- (2) Airline Industry Team Co-ordinator and Divisional Council Delegate;
- (3) more than one Divisional Council Delegate position in the Domestic/Regional Division.
- (d) Should any person be nominated for Offices which they could not hold simultaneously as a consequence of this Rule then:-

- (1) Ballot papers shall where necessary be prepared so that voters shall be able to indicate their order of preference for the candidates by recording a vote in numerical order against each candidate for the respective Offices.
 - (2) A candidate elected to a higher ranked Office shall not be eligible to receive votes for a lower ranked Office. Where a candidate has been elected to a higher ranked Office the Returning Officer shall disregard the votes for such candidate in a lower ranked Office and record the next vote in order of preference indicated on the ballot paper.
 - (3) For the purposes of this Sub-Rule the ranking of Offices in the Domestic/Regional Division shall be Airline Industry Team Co-ordinator and Divisional Council Delegate.
- (e) A member shall not simultaneously hold a Divisional Officer position and a Divisional Councillor or Airline Industry Team position.
 - (f) Where a member being a Divisional Officer is declared elected to an Airline Industry Team position that member thereupon shall no longer be eligible to hold the Divisional Officer position which shall become vacant immediately.
 - (g) The two highest ranked Divisional Council Delegates from the Qantas Airline Industry Team at the election for Divisional Council Delegates from that Team shall by virtue of holding office as Divisional Council Delegates and that ranking be members of the Federal Council.
 - (h) The Divisional Council Delegate from the Virgin Blue Airline Industry Team ranked highest at the election for Divisional Council Delegate from that Team shall by virtue of holding office as Divisional Council Delegate and that ranking be a member of the Federal Council.

45 - CONTROL OF DECISIONS BY PLEBISCITE

- (1) Federal Council
 - (a) Decisions of Federal Council shall be final and binding

on

all members of the Association unless amended or rescinded by Federal Council except that a majority of the financial members of the Association voting by plebiscite shall have the power to:

- (i) direct Federal Council on a matter or matters;
- (ii) veto any acts or decisions of Federal Council

provided that the provisions of this Rule shall not apply to any matter or matters or to any acts of decisions (including the approval of a resolution or resolutions pursuant to Section 240 of the Workplace Relations Act 1996) with respect to an amalgamation between the Association and another organisation or organisations pursuant to the provisions of Part IX of Division 7 of that Act.

- (b)
 - (i) Where the Divisional Secretary receives a request for a plebiscite signed by 5% of financial members of the Association, then within a period of 60 days from the date of receipt the Divisional Secretary shall cause a plebiscite to be held and completed.
 - (ii) The request shall specify the direction sought to be made and or the acts or decisions sought to be vetoed.
 - (c) Where a majority of the financial members of the Association voting, vote in favour of a proposition put in a plebiscite then the proposition shall be deemed to be carried and the decision given immediate effect only where more than 33% of the financial members of the Association have voted.
 - (d) The Divisional Secretary shall within seven days notify all members of Federal Council of the result of the plebiscite.
 - (e) The plebiscite shall be conducted by the Divisional Returning Officer by secret postal ballot and the Rules relating to the conduct of elections of Divisional Officers shall apply with the necessary changes.
- (2) Divisional Councils and Divisional Executive*

Sub-Rule (1) of this Rule shall apply with necessary changes to Divisional Councils and to Divisional Executive* including that in the case of Divisional Councils and Executive* the references in sub-rule (1) to "members of the Association" shall be taken to be references to members of the Division.

- (3) Scrutineers
 - (a) Federal/Council and Divisional Executive* may appoint Scrutineers in relation to plebiscites conducted under Sub-Rule (1) and (2) of this Rule The members requesting a plebiscite may also appoint scrutineers.
 - (b) The Rules of the Association in relation to scrutineers shall otherwise apply with the necessary changes.

46 - FILLING OF CASUAL VACANCIES

- (1) A casual vacancy occurring in a position of Officer within the Association shall be filled by an election where the unexpired part of the term exceeds 12 months or three quarters of the term of the Office, whichever is the greater.

The election shall be conducted in accordance with Rules relevant to the election to fill the Office so far as is practicable and only a member eligible to nominate for and hold the Office may be elected.

- (2) Where the unexpired part of the term does not exceed the greater of the periods in Sub-Rule (1) then a financial member of the Association otherwise eligible to nominate for and hold the Office in question may be appointed to fill it provided that:
 - (a) in the case of a casual vacancy in any Divisional Officer position or in the position of Divisional Councillor the vacant position shall be filled by Divisional Council.

Deleted
 - (b) in the case of a casual vacancy occurring in the office of Airline Industry Team Co-ordinator or Airline Industry Team Divisional Council Delegate (whether or not a member of Federal

Council) then the member shall be appointed by the Divisional Council following consideration of a recommendation (if any) made by a meeting of members of the relevant Airline Industry Team.

47 - INDUSTRIAL AGREEMENTS

No Industrial Agreement will be entered into unless the contents have been agreed by a majority of the Divisional Council or Divisional Executive* of the Division whose members are substantially affected by the agreement.

49 - SIGNED RESOLUTION TO BE VALID

A resolution of Federal Council or Divisional Executive* duly signed by all members of Federal Council or Divisional Executive* shall be valid and effectual as if such resolution had been duly passed at a duly convened meeting of Federal Council or Divisional Executive*. Every such resolution shall be recorded in the minutes.

50 - SEAL

The Common Seal of the Association shall be kept in the custody of the Divisional Secretaries acting in conjunction. The Divisional Secretaries shall co-operate in making the seal available for use by the respective Divisional Officers. The seal shall be affixed to any instrument or document required to be under seal. The affixing of the seal shall be attested by the Divisional Secretary and one other member of Divisional Council or Divisional Executive* pursuant to a minuted resolution of Divisional Council or Divisional Executive*.

Save as otherwise provided by the Rules any Industrial Agreement or other instrument not required by law to be under seal may be signed on behalf of the Association by the Divisional Secretary and one other member of Divisional Council or Divisional Executive*.

51 - MISCONDUCT AND REMOVALS

- (a) Members of Federal Council
 - (i) Federal Council may remove from Office a any member of Federal Council at a meeting of Federal Council to which the person concerned has been summoned in writing signed by the Divisional Secretary or Divisional President to show cause

why such person should not be removed.
Provided that no such person shall be removed from Office unless found guilty of misappropriation of the funds of the Association, a substantial breach of the Rules of the Association, or gross misbehaviour or gross neglect of duty or has ceased according to the Rules to be eligible to hold Office.

- (ii) A person summoned to show cause pursuant to paragraph (i) of this Sub-Rule shall be given at least fourteen days notice of the time and place of the meeting of Federal Council to which such person is summoned. The notice shall also specify the ground or grounds upon which it is proposed to consider the removal. Federal Council may proceed to hear and determine a matter under this Sub-Rule notwithstanding the absence of the person summoned if due notice of the hearing has been given in accordance with this Sub-Rule.
- (aa) Divisional Officers and Members of Divisional Council and Divisional Executive*
- (i) Divisional Council may remove from Office a Divisional Officer or any member of Divisional Council or Divisional Executive* at a meeting of Divisional Council to which the person concerned has been summoned in writing signed by the Divisional Secretary or Divisional President to show cause why such person should not be removed. Provided that no such person shall be removed from Office unless found guilty of misappropriation of the funds of the Association, a substantial breach of the Rules of the Association, or gross misbehaviour or gross neglect of duty or has ceased according to the Rules to be eligible to hold Office.
 - (ii) A person summoned to show cause pursuant to paragraph (i) of this Sub-Rule shall be given at least fourteen days notice of the time and place of the meeting of Divisional Council to which such person is summoned. The notice shall also specify the ground or grounds upon which it is proposed to consider the removal. Divisional Council may proceed to hear and determine a matter under this Sub-Rule notwithstanding the absence of the

person summoned if due notice of the hearing has been given in accordance with this Sub-Rule.

- (b) Deleted
- (ba) Airline Industry Team Co-ordinator.
- (i) The Divisional Council may remove from office an Airline Industry Team Co-ordinator at a meeting of Divisional Council to which the person concerned has been summoned in writing signed by the Divisional Secretary or Divisional President to show cause why such person should not be removed.
- (ii) The provisions of sub-rule (aa) shall also apply in respect of any such removal.
- (c) Members

A member (other than an Officer of the Association) may be charged by another member (such charge to be made in writing, signed by the charging member and delivered to the Divisional Secretary) with:

- (1) Contravening or failing to observe any of the Rules of the Association; and/or
- (2) Contravening or failing to observe any resolution or direction of Federal Council Divisional Council or Divisional Executive* of the Association and/or
- (3) Defrauding or attempting to defraud the Association or its Branches; and/or
- (4) Misappropriating any of the Funds of the Association; and/or
- (5) Misappropriating any of the property of the Association; and/or
- (6) Making a false charge against a fellow member; and/or
- (7) Violating or attempting to violate the terms of any applicable Industrial Award or Agreement or entering or attempting to enter into any agreement with any employer or any employee thereof

contrary to the provisions of any applicable Award or Agreement secured by the Association; and/or

- (8) Behaving in a disorderly or abusive manner towards another member; and/or
- (9) Assisting, encouraging, or promoting, any of the foregoing offences being committed by any other person or member; and

may be summoned to a special meeting of the Divisional Council or Divisional Executive* of the Division to which the member belongs. The member shall be allowed to cross-examine the member making the charge and to give an explanation of any relevant conduct.

- (ii) The intention of the Divisional Council or Divisional Executive** to consider and act in relation to the alleged misconduct of such member shall be stated in the notice convening such a meeting. The matter may be dealt with in the absence of the member charged should the member fail to attend the meeting.
- (iii) A member so summoned who fails to give an explanation satisfactory to the Divisional Council or Divisional Executive* concerning the charge at such a meeting may subject to Sub-Rules (c)(iv) and (c)(v) herein be suspended for a period not exceeding 12 months or expelled from the Association, or fined an amount which shall not exceed the annual membership fee.
- (iv) A decision to expel or suspend or fine a member must be agreed upon by a two-thirds majority vote of the members of the Divisional Council or Divisional Executive* present at such a meeting. A member so charged shall be given one month's notice of the meeting at which the charge is to be considered and the charge made and shall be heard at such meeting if so requested.
- (v) Any member after being notified of expulsion, suspension or fine, may, on making a written application to the Divisional Secretary within 21 days of such notification, apply to Divisional Council to review a Divisional Executive* decision. The matter shall be considered by the next meeting of Divisional Council occurring immediately after the receipt of the application

by the Divisional Secretary. The decision of Council shall be final and binding.

- (vi) A member suspended from the membership of the Association shall be liable to pay and shall pay all membership fees, fines and levies accruing or becoming payable by such member to the Association during the period of suspension.
- (vii) Where a member is fined such member shall pay to the Association the amount of the fine within 3 months of the fine being imposed. If the full amount of the fine is not paid within 3 months the member shall be deemed to be unfinancial for the purposes of the Rules.

53 - DISSOLUTION

- (a) Where a motion for dissolution of the Association is forwarded to Federal Council by a Divisional Council, the Divisional Secretary, within fourteen days of its receipt, shall refer such motion to each Divisional Council whereupon each Division, within twenty-eight days shall call a Special General Meeting of its members at which a vote shall be taken on the matter of dissolution.
 - (b) Deleted
 - (c) Where a majority of the financial members at each Division's Special General Meeting vote in favour of the dissolution the Divisional Secretary shall arrange for a plebiscite of all financial members of the Association to be held.
 - (d) The decision of the plebiscite shall be determined by a majority of the valid votes cast.
 - (e) In the event of dissolution of the Association, any remainder of its net assets after discharge of all its just debts and other legal obligations shall not be distributed to its members, but shall be distributed to such body or bodies as the Federal Council shall determine which body or bodies shall have similar restrictions upon distribution of assets to its members, to an extent at least as great as are herein imposed on the Association."
- (24) by omitting from Rule 52(b) the expression

"members of Federal Council and each Branch Secretary" and substituting "each member of Federal Council";

- (25) by omitting from Rule 54(a)(i) and (ii) and Rule 54(d) the expression "and each Branch Secretary";
- (26) by omitting from Rule 54(b) the expression "by any Branch Council through the Branch" and substituting "through the Divisional";
- (27) by omitting Rule 56 - Definitions and substituting the following:

"56 - DEFINITIONS

- (a) "Airline Industry Team Elections" means the elections conducted in accordance with the Rules every 2 years for the offices of Airline Industry Team Co-ordinator and Divisional Council Delegates in the Domestic/Regional Division.
- (b) "Airline Industry Team position" means all or any of the positions of Airline Industry Team Co-ordinator or Divisional Council Delegate.
- (c) "Divisional Councillor" - to avoid any doubt, a person elected as a Divisional Councillor of the International Division shall also be by virtue of that office, a Federal Councillor.
- (d) "Divisional Elections" means the elections conducted in accordance with the rules every four years (or otherwise specified) for the offices of Divisional Officers and Divisional Councillors in the International Division.
- (e) "Divisional Executive*" means the Divisional Executive of the Domestic/Regional Division.
- (f) "Divisional Officers" means the Divisional Secretary, Divisional Assistant Secretary, Divisional President and Divisional Vice President.
- (g) "Returning Officer" where used without being preceded by the words "Divisional" means in the case of elections for Divisional Officers the Divisional Returning Officer

and in the case of Airline Industry Team elections an Airline Industry Team Returning Officer.

(h) "The Rules" means the Rules of the Association registered in accordance with the provisions of the Workplace Relations Act 1996."

(28) by inserting a new Rule 59 and a new Rule 60 as follows:

"59 - TRANSITIONAL RULE 2005 - AIRLINE INDUSTRY TEAM STRUCTURE FOR DOMESTIC/REGIONAL DIVISION

Application

(1) The provisions of this Rule 59 shall take effect upon certification by the Industrial Registrar and shall apply notwithstanding anything else contained in the Rules.

Purpose

(2) The purpose of this Rule is to provide for transitional arrangements in the Domestic/Regional Division from State Branches to an Airline Industry Team Structure.

Interpretation

(3) For the purposes of this Rule:

"State Branches" refers to the Queensland, New South Wales, South Australian, Victorian and Western Australian Branches of the Domestic/Regional Division;

"the Airline Industry Teams" refers to the Qantas, Virgin Blue, Jet Star, Contract/Casuals, Eastern/Sunstate and the Small/Regional Air Services Teams of the Domestic/Regional Division.

Members

(4) Persons who are members of the Domestic/Regional Division allocated to one of the State Branches shall from the date of certification until the closing of the rolls in the First Ordinary Airline Industry Team Elections be allocated by operation of this sub-rule to an Airline Industry Team as follows:

(a) members employed by Qantas Airlines (or any related or

associated entity other than an entity to which another Airline Industry Team relates) shall be members of the Division allocated to the Qantas Team;

- (b) members employed by Virgin Blue (or any related or associated entities) shall be members of the Division allocated to the Virgin Blue Team;
 - (c) members employed by Jet Star (or any related or associated entities) shall be members of the Division allocated to the Jet Star Team;
 - (d) members employed by any agency, labour hire company or like entity providing casual or contract flight attendant services and who are predominantly engaged in the operation of flights carrying passengers on short haul, domestic or regional routes within Australia shall be members of the Division allocated to the Contract/Casuals Team;
 - (e) members employed by Eastern Airlines (or any related or associated entity) or by Sunstate Airlines (or any related or associated entity) shall be members of the Division allocated to the Eastern/Sunstate Team;
 - (f) members employed by National Jet Systems, REX, Skywest (or any associated or related entity of any of those employers) or by any other employer (other than those referred to in paragraphs (a) to (e) of this sub-rule) predominantly engaged in the operation of flights carrying passengers on short haul, domestic or regional routes within Australia shall be members of the Division allocated to the Smaller/Regional Air Services Team.
- (5) No further membership fee shall be due or payable in respect of members allocated to an Airline Industry Team pursuant to this sub-rule by reason only of such allocation.

Holders of Office

- (6) The holders of Office in each of the State Branches of the Domestic/Regional Division as at the date of certification of this Rule shall continue to hold office until 15 December 2005, unless any such office holder otherwise ceases to hold office in accordance with the Rules.

Airline Industry Team Branches

- (7) Each of the Airline Industry Teams in the Domestic/Regional Division shall come into existence on 15 December 2005.

State Branches

- (8) Upon the coming into existence of the Airline Industry Teams each of the State Branches shall cease to exist.

Timing of Effect of Rule Alterations

- (9) The alterations to these Rules providing for the new Airline Industry Team Structure and the subject of the Federal Council Resolution of August 2005 shall, following certification and subject to sub-rule (10) of this Rule take effect from 15 December 2005.
- (10) Prior to 15 December 2005 and the establishment of the Airline Industry Teams and the taking effect of the alterations referred to in sub-rule (9), the alterations to those Rules shall, despite sub-rule (9), take effect from the date of certification to the extent necessary to permit the conduct of Airline Industry Team Elections in accordance with the Rules as altered.

First Ordinary Election

- (11) The first ordinary election in respect of Airline Industry Team Co-ordinators and Divisional Council Delegates to be conducted in accordance with these Rules shall be with the opening of nominations on 15 October 2005.
- (12) The Returning Officer for the first Airline Industry Team Elections shall be the Divisional Returning Officer subject to s.182 of Schedule 1B to the Workplace Relations Act 1996.

State Branch Officers

- (13) Upon the declaration of the polls for Airline Industry Team elections to be completed by 15 December 2005 the officers in State Branches of the Domestic/Regional Division shall go out of office including without limitation: Branch Returning Officers, Branch Secretary, Branch Assistant Secretary, Federal/Divisional Council Delegate, Branch President, Branch Vice President, and Branch Councillor.

Branch Funds

- (14) The Branch Funds of each State Branch immediately preceding the

going out of existence of the State Branches shall be and become by operation of this sub-rule Divisional Funds of the Domestic/Regional Division.

- (15) Prior to 15 December 2005 the Branch Secretary or Assistant Branch Secretary of each State Branch of the Domestic/Regional Division shall close the accounts held in the name of the State Branch and transfer such funds into the Divisional Funds of the Division and place all other funds and property of the State Branch concerned or held on behalf of or in trust for the State Branch concerned into the Divisional Funds of the Division and the State and Assistant Secretary Branch shall be empowered by operation of this sub-rule to sign and execute all documents and to do all things necessary to give effect to such transactions and without limitation shall be empowered to close any accounts held in the name of or for or on behalf of or in trust for the Branch.
- (16) In default of a State Branch Secretary and Assistant Secretary effecting the transfer of State Branch funds to the Divisional Fund in accordance with sub-rule (14) the Divisional Secretary on and from the declaration of the polls for positions in the Airline Industry Team Branches shall exercise the powers and authorities contained in sub-rule (14) in respect of the former State Branch concerned for the purposes of sub-rule (14) and transferring the State Branch funds and property to the Divisional Fund.

State Branch Books and Records

- (17) Each State Branch Secretary and other State Branch officer upon going out of office shall deliver or forward to the Divisional Secretary all books, records and documents of the State Branch including without limitation minutes, correspondence, banking records, financial reports, membership records and industrial records and files.

Audit

- (18) The accounting records of each of the State Branches of the Domestic/Regional Division shall be audited in respect of the period from the beginning of the last financial year of the State Branch concerned up to the date of their going out of existence.

Declaration of Poll – Co-ordination

- (19) The declaration of the poll in respect of the election for each position to be conducted following the calling for nominations on 15 October 2005 shall be deferred until 15 December 2005.

- (20) Upon the declaration of polls each person elected to a position shall take the office.
- (21) For the avoidance of doubt the two highest ranked Divisional Council Delegates in the election for Divisional Council Delegates from the Qantas Airline Industry Team, and the highest ranked Divisional Council Delegate in the election for Divisional Council Delegates from the Virgin Blue Airline Industry Team, shall by virtue of holding office as Divisional Council Delegate and that ranking be members of Federal Council.

60 - TRANSITIONAL RULE 2005 - INTERNATIONAL DIVISION

Application

- (1) The provisions of this Rule 60 shall take effect upon certification by the Industrial Registrar and shall apply notwithstanding anything else contained in the Rules.

Purpose

- (2) The purpose of this Rule is to provide for transitional arrangements in the International Division from State Branches to a single Divisional Structure with no branches.

Interpretation

- (3) For the purposes of this Rule:

“the State Branches” refers to the New South Wales, Victorian and Western Australian Branches of the International Division.

“the 2005 Elections” refers to the election conducted for members of the International Divisional Council and Federal Council (not being the Divisional Secretary, Divisional Assistant Secretary, Divisional President, Divisional Vice President, all of whom are serving terms to which they have been elected which expire in March 2008).

Members

- (4) Persons who are members of the International Division allocated to one of the State Branches from the date of certification until the closing of the rolls in the first ordinary elections in 2005 (the 2005 elections) shall be allocated by operation of this sub-rule to their place of employment purely for the purpose of determining their eligibility to stand for the position of International Divisional Councillor (which position is also a Federal Councillor) as follows: Sydney Qantas Long

Haul base, Melbourne Qantas Long Haul base, Brisbane Qantas Long Haul base, Perth Qantas Long Haul base, and Australian Airlines.

Holders of Office

- (5) The holders of Office in each of the State Branches of the International Division as at the date of certification of this Rule shall continue to hold office until 15 December 2005, unless any such office holder otherwise ceases to hold office in accordance with the Rules.

State Branches

- (6) On and from 15 December 2005, each of the State Branches shall cease to exist.

Timing of Effect of Rule Alterations

- (7) The alterations to these Rules to provide for the new single International Division structure and the subject of the Federal Council Resolution of August 2005 shall, following certification and subject to sub-rule (10) of this Rule take effect from 15 December 2005.
- (8) Prior to 15 December 2005 and the establishment of the single International Division structure and the taking effect of the alterations referred to in sub-rule (7), the alterations to those Rules shall, despite sub-rule (7), take effect to the extent necessary to permit the conduct of the 2005 Elections in accordance with the Rules as altered.

First Ordinary Election

- (9) The first ordinary election in respect of International Division Councillors to be conducted in accordance with these Rules shall be with the opening of nominations on 15 October 2005.
- (10) The Returning Officer for the 2005 Elections shall be the Divisional Returning Officer subject to s.182 of Schedule 1B to the Workplace Relations Act 1996.

State Branch Officers

- (11) Upon the declaration of the polls for the 2005 elections, the officers in State Branches of the International Division shall go out of office including without limitation: Branch Returning Officers, Branch Secretary, Branch Assistant Secretary, Federal/Divisional Council Delegate, Branch President, Branch Vice President, and Branch Councillor.

Branch Funds

- (12) The Branch Funds of each State Branch immediately preceding the going out of existence of the State Branches shall be and become by operation of this sub-rule Divisional Funds of the International Division.
- (13) Prior to 15 December 2005 the Branch Secretary or Assistant Branch Secretary of each State Branch of the International Division shall close any accounts held in the name of the State Branch and transfer such funds into the Divisional Funds of the Division and place all other funds and property of the State Branch concerned or held on behalf of or in trust for the State Branch concerned into the Divisional Funds of the Division and the State and Assistant Secretary Branch shall be empowered by operation of this sub-rule to sign and execute all documents and to do all things necessary to give effect to such transactions and without limitation shall be empowered to close any accounts held in the name of or for or on behalf of or in trust for the Branch.
- (14) In default of a State Branch Secretary and Assistant Secretary effecting the transfer of State Branch funds to the Divisional Fund in accordance with sub-rule (13) the Divisional Secretary on and from the declaration of the 2005 elections shall exercise the powers and authorities contained in sub-rule (13) in respect of the former State Branch concerned for the purposes of sub-rule (13) and transferring the State Branch funds and property to the Divisional Fund.

State Branch Books and Records

- (15) Each State Branch Secretary and other State Branch officer upon going out of office shall deliver or forward to the Divisional Secretary all books, records and documents of the State Branch including without limitation minutes, correspondence, banking records, financial reports, membership records and industrial records and files.

Audit

- (16) The accounting records of each of the State Branches of the International Division shall be audited in respect of the period from the beginning of the last financial year of the State Branch concerned up to the date of their going out of existence.

Declaration of Poll - Co-ordination

- (17) The declaration of the poll in the 2005 elections for each office to be elected shall be conducted following the calling for nominations on 15 October 2005 but be deferred until 15 December 2005.

- (18) Upon the declaration of polls each person elected to an office shall take the office.

Dates & Terms of Office - New International Divisional Structure

- (19) To avoid any doubt, the offices and the terms of office in the International Division after December 2005 shall be (in order to synchronise elections for all offices):

In the case of the Divisional Secretary, Divisional Assistant Secretary, Divisional President, and Divisional Vice President: (i.e. whose positions were last elected in March 2004), a term of office until March 2008, and after that, every four years.

International Divisional Councillors who will be elected on and from December 2005, a term of office from December 2005 until March 2008, and after that, every four years."

- (29) By the re-numbering the Rules as altered by the foregoing paragraphs in accordance with the Column B in the following table:

<u>Column A</u> <u>Existing/Amended Rule Numbers</u>	<u>Column B</u> <u>Rules As Re-numbered</u>
1. Name	1. Name
2. Registered Office	2. Registered Office
3. Objects	3. Objects
4. Persons Eligible for Membership	4. Persons Eligible for Membership
5. Association Structure	5. Association Structure
6. Federal Council	6. Federal Council
7. Federal Executive	
7A. Divisional Councils	7. Divisional Councils
7B. Divisional Council International Division	8. Divisional Council International Division
7C. Divisional Council - Domestic/Regional Division	9. Divisional Council - Domestic/Regional Division
7D. Divisional Executive - Domestic/Regional Division	10. Divisional Executive - Domestic/Regional Division
8. Branch Councils	
9. Branch Executives	
10. Cross Divisional Committee	11. Cross Divisional Committee
11. Powers and Duties of Divisional Secretary	12. Powers and Duties of Divisional Secretary
12. Duties of Divisional Assistant Secretary	13. Duties of Divisional Assistant Secretary
13. Powers and Duties of Divisional	14. Powers and Duties of the

President	Divisional President
14. Powers and Duties of Divisional Vice-President	15. Powers and Duties of Divisional Vice-President
15. Powers and Duties of Branch Secretary	
16. Duties of Branch Assistant Secretary	
17. Powers and Duties of Branch President	
18. Powers and Duties of Branch Vice President	
18A. Powers and Duties of Airline Industry Team Co-ordinators - Domestic/Regional Division	16. Powers and Duties of Airline Industry Team Co-ordinators - Domestic/Regional Division
19. Duty to Attend Meetings	17. Duty to Attend Meetings
20. Meetings in the Association	18. Meetings in the Association
21. Special Meetings	19. Special Meetings
22. Voting by Post	20. Voting by Post
23. Proxies	21. Proxies
24. Quorum	22. Quorum
25. Meetings of Members	23. Meetings of Members
26. Meetings of Branch Members	
27. Financial Year and Audit	24. Financial Year and Audit
28. Federal Funds	25. Federal Funds
28A. Divisional Funds	26. Divisional Funds
29. Levies	27. Levies
30. Branch Budget/Divisional Budget	28. Divisional Budget
31. Branch Funds	
32. Loans, Grants and Donations	29. Loans, Grants and Donations
33. Admission to Membership	30. Admission to Membership
34. Allocation of Members to Divisions and Branches/Teams	31. Allocation of Members to Divisions and Teams
35. Membership Fees	32. Membership Fees
36. Resignation	33. Resignation
37. Liability of Former Members	34. Liability of Former Members
38. Appointment of Federal and Branch/Divisional Returning Officers	35. Appointment of Federal and Divisional Returning Officers
39. Elections Dates	36. Election Dates
40. Appointment, Duties and Conduct of Scrutineers	37. Appointment, Duties and Conduct of Scrutineers
41. Nominations for and Holding Office	38. Nomination for and Holding Office
42. Voting	39. Voting
43. Election of Divisional Officers - General	40. Election of Divisional Officers - General
44. Branch/Divisional Councillor and	41. Divisional Councillor and Airline

Airline Industry Team Elections - General	Industry Team Elections General
45. Control of Decisions by Plebiscite	42. Control of Decision by Plebiscite
46. Filling of Casual Vacancies	43. Filling of Casual Vacancies
47. Industrial Agreements	44. Industrial Agreements
48. Notifying Industrial Disputes	45. Notifying Industrial Disputes
49. Signed Resolution to be Valid	46. Signed Resolution to be Valid
50. Seal	47. Seal
51. Misconduct and Removals	48. Misconduct and Removals
52. Amalgamation	49. Amalgamation
53. Dissolution	50. Dissolution
54. Alteration of Rules	51. Alteration of Rules
55. Regularity of Proceedings	52. Regularity of Proceedings
56. Definitions	53. Definitions
57. Transitional Rule	
58. Transitional Rule February 2000 - Divisional Autonomy	
58A. Transitional Rule June 2001 Additional International Divisional Branches in Victoria and Western Australia and Domestic/Regional Representation of Victorian and New South Wales Branches	
58B. 'Associate' Members - International Division	54. 'Associate' Members - International Division
59. Transitional Rule August 2005 - Airline Industry Team Structure - Domestic/Regional Division	55. Transitional Rule August 2005 - Airline Industry Team Structure - Domestic/Regional Division
60. Transitional Rule August 2005 - International Division Divisional Structure	56. Transitional Rule August 2005 - International Division Divisional Structure
Schedule A	
Schedule B	
Schedule C	
Schedule D	
Schedule E	
Schedule F	
Schedule G	
Schedule H	
Appendix A	Appendix A
3 - Description of Industry	3 - Description of Industry
5 - Eligibility	5 - Eligibility
Appendix B	Appendix B
2 - Constitution	2 - Constitution
2A - Description of Industry	2A - Description of Industry

(30) By amending each reference in the Rules to another Rule to accord with the re-numbered Rule in Column B of the Table in sub-paragraph (29) above of the Resolution.

3. The rules alterations referred to in paragraph 2 of this Notice were made in accordance with the Rules of the Association.
4. The action taken under the Rules of the Association to make the alterations was as follows:
 - (a) on 22 August 2005 I received a proposal for alterations to the Rules by Memorandum from Andrew Smedley Divisional Assistant Secretary, International Division and Tom Snowball Divisional Assistant Secretary, Domestic/Regional Division, both of whom are members of Federal Council. Pursuant to Rule 54(b);
 - (b) in accordance with Rule 54(c) on 22 August 2005, I arranged for written notice of the proposal to alter the Rules to be given to each member of the Federal Council together with a brief explanation of reasons for the alteration. On the same day, 22 August 2005, in accordance with Rule 54(a)(ii) at least 30 days written notice of the closing date of the ballot in respect of the proposal was given to each member of Federal Council and each Branch Secretary;
 - (c) A closing date of the ballot being at least 30 days after the date of the Notice of Alterations as required by Rule 54(a)(ii) was fixed. A postal ballot of the members of the Federal Council conducted in accordance with Rule 54 commencing on 22 August 2005;
 - (d) as the postal votes of members entitled to vote were received they were counted by the Divisional Secretaries;
 - (e) the proposed rule alterations were approved by a two thirds majority of the members of Federal Council entitled to vote voting in favour of the resolution set in paragraph 2 above. As at the date of making this statement 26 votes have been received in favour of the resolution containing the proposed alterations. This constitutes the required two thirds majority of the 36 members of Federal Council entitled to vote.

- (f) on the date of making this Declaration each member of Federal Council and each Branch Secretary is to be forwarded notice in writing of the decision on the vote.
- (g) The Federal Council by the same means also passed the following resolution:

"B. BE IT FURTHER RESOLVED BY FEDERAL COUNCIL THAT UPON THE LODGEMENT OF THE DETAILS OF THE FOREGOING ALTERATIONS TO THE RULES IN THE INDUSTRIAL REGISTRY, THE INDUSTRIAL REGISTRAR BE REQUESTED TO PROGRESS AND CERTIFY THE ALTERATION CONTAINED IN PARAGRAPH (a) OF RESOLUTION A IMMEDIATELY AND THAT CONSIDERATION AND CERTIFICATION OF THE ALTERATIONS REFERRED TO IN PARAGRAPH (b) OF RESOLUTION A BE PROGRESSED THEREAFTER."

- 6. In accordance with Rule 54(e) I am now taking the steps by way of this notice to lodge details of the changes in the Industrial Registry.

Dated: _____

Signed: _____

Daryl Watkins
Divisional Secretary Domestic/Regional Division