

or suspend from benefit any member found guilty of wilfully acting contrary to the policy of the Union or the Divisional Branch.

A12.2 Where such fine, expulsion or suspension is imposed, the Divisional Branch Management Committee shall immediately notify the Sub-Branch to which the member belongs, of its decision.

A12.3 A fine imposed under this Rule shall not exceed \$10, nor shall any suspension from benefit exceed a period of three years.

A13. **REGISTER OF MEMBERS & OFFICERS**

A13.1 A register of members and all Officers of the Divisional Branch in the Divisional Branch shall be kept in the Divisional Branch Office.

A13.2 A financial member of the Divisional Branch may at all reasonable times inspect the books, membership records, documents and other property of the Divisional Branch.


REGISTRAR
28 FEB 1995

A14. **RECOVERY OF ARREARS:**

000000
QUEENSLAND
~~~~~

A14.1 If any member allows their arrears to amount to two half-years' contributions, due notice shall be sent to the members last known address, and the Divisional Branch Management Committee shall take the necessary steps for the recovery of such arrears by legal process.

A14.2 The trustees of the Divisional Branch after being authorised by the Divisional Branch Management Committee shall be empowered to take legal proceedings for recovery of arrears of contributions and fines, breaches of awards and recovery of accident compensation.

A14.3 The Divisional Branch Management Committee may from time to time place the collection of arrears of contributions owing by members in the hands of a solicitor or agent for collection.

A15. **PROPERTY & FUNDS OF THE DIVISIONAL BRANCH**

A15.1 For the purpose of carrying out all or any of the objects of the Union, there shall be a fund of the Divisional Branch and the Divisional Branch fund may be raised by entrance fees, subscriptions, donations, levies, contributions, dues and loans or by any other funds, assets or real property that may be attributed to the Divisional Branch Fund for its use and benefit pursuant to the Rules of the Union.

A15.2 Without limiting the generality of Divisional Branch Sub-rule A15.1 the Divisional Branch Fund shall consist of:-

- (a) any real or personal property of which the Divisional Branch by the Union Rules or by any established practice not inconsistent with the Union Rules, has, or holds for its use and benefit or in the absence of any limited term lease, bailment or arrangement, would have, the right of custody, control or management;
- (b) any entrance fees, subscriptions, fines, fees, or levies received by the Divisional Branch;
- (c) any interest, rents, dividends or other income derived from the investment of the funds of the Divisional Branch;



INDUSTRIAL REGISTRAR

28 FEB 1935

QUEENSLAND

A28. ELECTIONS FROM MANAGEMENT COMMITTEE

- A28.1 In any election from the Divisional Branch Management Committee the procedures set out in this Rule shall be observed.
- A28.2 If all Divisional Branch Management Committee members are in attendance at the Divisional Branch Management Committee meeting at which the election is to be held, viz. in the case of the Divisional Branch Vice-Presidents and the Divisional Branch Trustees during the month of July following the quadrennial elections, and in the case of other positions as may be determined by the Divisional Branch Management Committee, nominations shall be called and a ballot shall be held.
- A28.3 A member of the Divisional Branch Management Committee unable to attend the meeting of the Divisional Branch Management Committee at which an election was to have been held and who desires to nominate himself or some other qualified person for a position may do so by written notification to the Divisional Branch President. Such notification shall be sent to the Divisional Branch President not later than the time fixed for the commencement of the meeting.
- A28.4 The Returning Officer shall examine all nominations to ensure that they are in order and if any nominations are found to be defective the Returning Officer, before rejecting the nomination, shall notify the person concerned of the defect and where practicable to do so give him the opportunity of remedying the defect within a reasonable period.
- A28.5 The Returning Officer shall obtain sufficient ballot papers and envelopes for the election. The Returning Officer shall have a booth arranged so constructed as to enable the voter to mark the voters ballot paper without the names for which such delegate voted being seen.
- A28.6 The Returning Officer shall initial all ballot papers which shall not bear any other distinguishing mark. The Returning Officer shall provide for the voters identical means of marking the ballot papers. The Returning Officer shall issue to each voter a ballot paper and an envelope. The voter, after marking the ballot paper, shall place same in the ballot box provided by the Returning Officer for such purpose. Such ballot box may be inspected and/or sealed by any members of the Divisional Branch Management Committee or candidate.
- A28.7 Voting shall close one hour after the commencement of the meeting or at such times as all Divisional Branch Management Committee members have voted.
- A28.8 The Returning Officer shall thereupon open the ballot box and in the presence of the Divisional Branch Management Committee members who desire to be present, proceed to count the ballot. The candidate or candidates up to the number required receiving the highest number of votes shall be declared elected.
- A28.9 In the case of an equality of votes for any two or more candidates, the Returning Officer shall determine by lot which of the candidates is elected.
- A28.10 The Returning Officer shall notify the Divisional Branch Management Committee of the result of the ballot and the Divisional Branch Management Committee shall publish same in the Divisional Branch Management Committee minutes.
- A28.11 Should a vacancy occur in any of the above positions, the Divisional Branch Management Committee may fill the position within one month; but if the term remaining is more than twelve (12) months, and the Divisional Branch Management Committee desires to fill the position, an



election shall be held to fill the vacancy. In any such election, the provisions of this Rule shall apply with any necessary modifications.

A28.12 Where the Divisional Branch Executive decides not to convene a meeting for the purposes of filling a casual vacancy, a secret postal ballot of all members of the Divisional Branch Management Committee shall be held.

A28.13 In such election the Returning Officer shall immediately post to each Divisional Branch Management Committee member a properly initialled ballot paper on which no other distinguishing mark appears together with a business reply or stamped envelope for the return of same to the Post Office box marked on the envelope.

A28.14 On the morning of the eighth day following the dispatch of the ballot papers by the Returning Officer, the Returning Officer and the scrutineers appointed by the Divisional Branch Management Committee shall collect the ballot papers from the Post Office box and then proceed to the Union Office where they shall count the ballot. The candidate or candidates up to the number required receiving the highest number of votes shall be declared elected.

A28.15 The Returning Officer shall notify the Divisional Branch Management Committee of the result of the ballot and the Divisional Branch Management Committee shall publish same in the Divisional Branch Management Committee minutes.

A28.16 The Divisional Branch Management Committee shall appoint one of its members who is not a candidate as scrutineer and any candidate may appoint any member of the Divisional Branch to act as scrutineer on the candidates behalf. Any scrutineer shall be entitled to be present at and to observe all stages of the ballot.

A28.17 Any accidental or unavoidable omission or error in the carrying out or observance of this Rule shall not invalidate the election if such omission or error appears not to have affected the result of an election.

A28.18 In any election the Returning Officer and scrutineers shall conduct themselves in a sober, proper and impartial manner and do all things necessary to preserve the secrecy of the ballot, and the Returning Officer shall take all practicable steps to avoid irregularity from occurring in the conduct of the ballot.

A28.19 Scrutineers shall, as far as practicable, be present at all stages of the ballot.

A28.20 They shall obey any directions given to them by the Returning Officer.

A28.21 If any scrutineers or scrutineer are not present at any stage or stages of the ballot the Returning Officer may proceed nonetheless.

#### A29. RETURNING OFFICER AND SCRUTINEERS

A29.1 The Divisional Branch Management Committee shall appoint a Returning Officer and two scrutineers who shall not hold any Office in, and not be an employee of, the Union, the Divisional Branch or a Sub-Branch, to conduct all required ballots, including the quadrennial ballot. The Divisional Branch Management Committee shall appoint only after applications for the position have been called through all Sub-Branches of the Divisional Branch. The appointment shall be made by a majority vote of members of the Divisional Branch Management Committee at its last meeting prior to the quadrennial ballot.



INDUSTRIAL REGISTRAR

28 FEB 1995

QUEEN'S LAND

A29.2 Returning Officers may at any time in writing resign their position and shall resign if they desire to become a candidate at any elections held under the Rules of the Union.

A29.3 Any casual vacancy of Returning Officer shall be filled by the Divisional Branch Management Committee. Nomination for the position shall be called for by the Divisional Branch Management Committee, by notification in the Divisional Branch journal or the daily newspaper circulating in the capital city and in each Sub-Branch or district area at least twenty-eight (28) days before the closing of nominations.

REGISTRAR

28 FEB 1935

### A30. DELEGATES' MEETING

QUEENSLAND

Whenever it is necessary to obtain the opinion of members in any district with five hundred (500) members and upwards, it may be done by special summoned meetings of the Sub-Branches in such district, delegates to such specially summonsed meetings shall be elected from each Sub-Branch in proportion to the Sub-Branch membership in accordance with the following scale: Under 100 members, one delegate; 100 and under 250 members, two delegates; 250 and upwards, three delegates; who shall be paid according to Divisional Branch Rule A26.

### A31. DIVISIONAL BRANCH DELEGATE CONVENTION:

A31.1 The Divisional Branch Management Committee shall convene at regular intervals of not more than each two years (but at earlier intervals should it be deemed necessary) a Divisional Branch Delegates Convention consisting of delegates elected from Sub-Branches and jobs throughout the State and also comprised of members of the Divisional Branch Management Committee and full-time officials of the Divisional Branch.

A31.2 The method of financing such convention and the number of delegates that Sub-Branches and jobs may elect to attend such convention, shall be determined by the Divisional Branch Management Committee from time to time.

A31.3 A member nominating as a delegate to the Divisional Branch Delegates Convention must be financial in accordance with the Rules of the Divisional Branch at the time nominations are called.

A31.4 Items for the agenda of the Divisional Branch Delegate Convention shall be called for at least three months before the Convention assembles, and be in the hands of delegates to the Convention at least seven days before the Convention commences.

A31.5 The Divisional Branch Delegate Convention may recommend to the Divisional Branch Management Committee proposals for Divisional Branch Rule and policy changes.

### A32. ELECTION OF DELEGATES

The State Management Committee shall also elect such delegates as the Divisional Branch is entitled to the Australian Council of Trade Union's Congress, the Trades and Labor Council, the Queensland Building Trades Group and other such bodies.

### A33. SUB-BRANCHES:

A33.1 The Divisional Branch Management Committee shall have power to establish or disband Sub-Branches of fifty or more members on a locality basis and of less than fifty members on an industry basis if, in the opinion of the Divisional Branch Management Committee the members'



industrial interests warrant the formation or disbandment of a Sub-Branch.

A33.2 For the convenience of members, Sub-Branches may be opened in any town in the State. No Sub-Branch shall be opened without the consent of the Divisional Branch Management Committee. Each Sub-Branch shall have power to elect its own Officers and with the consent of the Divisional Branch Management Committee generally control its own business in accordance with the Rules of the Union and the Divisional Branch.

A33.3 In no case shall any Sub-Branch close or disband without the authority of the Divisional Branch Management Committee in which case all funds or other assets and property shall be handed over to the Divisional Branch Management Committee.

A33.4 Visiting Members

Members of any Sub-Branch may visit any other Sub-Branch on production of their membership card and with the permission of the Sub-Branch may speak on any question before the Sub-Branch but shall not be entitled to vote on any question.

A33.5 Clearances

Any member entering a Sub-Branch by clearance shall not have a vote in that Sub-Branch until the members clearance has been accepted by such Sub-Branch.

REGISTRAR  
28 FEB 1995  
QUEENSLAND

A33.6 Transfers

Sub-Branches shall accept a transfer for any member, and issue a transfer for any member who applies for same, subject to the provisions of Divisional Branch Rule A8 and all arrears of contributions shown on the clearance card sent from a Sub-Branch to another Sub-Branch shall be collected and retained by the Sub-Branch to which the members have been transferred.

A33.7 Sub-Branches Premises

Each Sub-Branch may obtain a room and a safe and/or steel cabinet and Office equipment for the safe keeping of Divisional Branch property provided the Divisional Branch Management Committee is advised of the cost of such facilities and has approved whatever payment is necessary to secure such facilities.

A33.8 Interpretation of Rules

Should any Rules of the Divisional Branch require interpretation, or be not clearly defined, they shall be sent to the Divisional Branch Management Committee for their decision. All such decisions shall be inserted in the minute book of the Sub-Branch.

A33.9 Resolutions to Divisional Branch Management Committee

Resolutions to the Divisional Branch Management Committee shall be submitted in writing to the Sub-Branch President, and the numbers of votes for and against such resolution, shall be stated when the resolutions are sent to the Divisional Branch Management Committee.

A33.10 Correspondence Confidential

All communications or copies of correspondence from the Divisional Branch Management

Committee shall remain the property of the Divisional Branch and information relating to such communications or correspondence shall not be divulged to any outside body or bodies without first obtaining the sanction of the Divisional Branch Management Committee.

A33.11 Sub-Branches allowed

In all cities and towns there shall be only one Sub-Branch and no other Sub-Branch shall operate within a radius of eight kilometres of the meeting place of such Sub-Branch except with the consent of the Divisional Branch Management Committee.

A33.12 Sub-Branch Officers

Sub-Branches shall elect the Sub-Branch Committee. The Sub-Branch Committee shall consist of President, Vice-President and Secretary and six committee members, one of whom may be an apprentice. Sub-Branches with more than 100 members may also elect a money steward and door keeper. The Sub-Branch Secretary may appoint sick stewards as they are required.

A33.13 Neglect of Duties

Any member neglecting the duties for which the members is elected shall, unless a satisfactory apology is furnished, be fined by their Sub-Branch or the Divisional Branch Management Committee any amount not exceeding ten dollars (\$10).

A33.14 Meetings: When Held

Sub-Branches of the Union shall meet at least bi-monthly to transact business and the time of opening and closing the Sub-Branch meeting shall be at the discretion of each Sub-Branch.

A33.15 Audit

The books of each Sub-Branch shall be sent each half-year to the Divisional Branch Office for audit in accordance with Divisional Branch Rule A38 in a manner similar to audit of Divisional Branch finances.

28 FEB 1995

A33.16 Levies

Sub-Branches shall have power to strike a levy of not more than \$4 for purely local purposes, provided due notice thereof has been given to members and provided that two-thirds of the members voting shall decide in favour of the levy. Voting shall be by ballot of the members of the Sub-Branches concerned. In no circumstances shall any levy be imposed which would so operate as to impose a liability for levies in a sum exceeding \$4 per annum on a member.

A33.17 Failing to Attend a Summoned Meeting

Any member residing within a five kilometre radius of the meeting place of the Sub-Branch who fails to attend a summoned meeting may be fined a sum not exceeding \$10.00 unless a satisfactory excuse is tendered.

A33.18 Special Meetings

The Sub-Branch President and Secretary, on a requisition signed by ten per centum of the members of the Sub-Branch shall call a special meeting of the Sub-Branch. No business shall



be transacted at such a meeting other than the business set out in the requisition or in the notice calling the meeting.

A33.19 By Laws

Sub-Branch by-laws may be registered under the "Queensland Industrial Relations Act 1990" as amended. The precise location of all meetings at which the business of the Sub-Branch shall be conducted shall be published six months in advance in the notice published half-yearly for that purpose. Copy of each such half-yearly notice shall be filed forthwith with the Industrial Registrar.

A33.20 Sub-Branch President

The Sub-Branch President shall preside at all meetings of the Sub-Branch and Sub-Branch committee, and shall conduct business according to the Rules laid down for the Sub-Branch President's guidance. If the Sub-Branch President is not present at the time of opening the meeting then the Sub-Branch Vice-President shall take the chair. Should the Sub-Branch Vice-President be absent, the members shall elect a chairman pro tem who shall exercise, for the purposes of the meeting its powers of the Sub-Branch President. The Sub-Branch President shall not enter debate on any question, but shall endeavour to bring the business to a speedy and successful issue. The Sub-Branch President shall have a deliberative vote only.

A33.21 Bank Book: Countersign Orders for PAYMENTS: Branch Resolutions

The Sub-Branch President shall sign the Sub-Branch minutes of the previous meeting, after they have been confirmed by the Sub-Branch. The Sub-Branch President shall examine the Sub-Branch bank book each night (when such book is not held by the bank) and report to the Sub-Branch the result of each banking transaction, the record to be inserted in the minute book. The Sub-Branch President shall countersign all orders for payment of money authorised by the Sub-Branch, and all orders for remittances to the Divisional Branch Management Committee when requested to do so by the Divisional Branch Secretary due to the Divisional Branch Management Committee under the Divisional Branch Rules. The Sub-Branch President shall also cause to be recorded in the minute book the number voting for and against all suggestions for alteration of Divisional Branch Rules or resolutions intended for the Divisional Branch Management Committee and the numbers present when the vote is taken.

A33.22 Sub-Branch Secretary

- (a) The Sub-Branch Secretary shall attend all meetings of the Sub-Branch or committee. The Sub-Branch Secretary shall conduct all correspondence and take the minutes of committee meetings. The Sub-Branch Secretary shall be responsible for the collecting of contributions, fines, and other money due to the Divisional Branch by members of the Sub-Branch Secretary's Sub-Branch.
- (b) The Sub-Branch Secretary shall keep a clear and correct account of all receipts and expenditure in connection with the Sub-Branch. The Sub-Branch Secretary shall register carefully the name, age and residence of every member, and shall within one month, forward to the Divisional Branch Secretary correctly filled in registration cards for all members admitted into the Sub-Branch, and also transfer cards for all members leaving the Sub-Branch. The Sub-Branch Secretary shall also notify the Divisional Branch Secretary of all resignations and deaths.

- (c) The Sub-Branch Secretary shall prepare, in duplicate, a half-yearly balance sheet and report, setting out all income and expenditure incurred during the period covered by such balance sheet, one copy to be forwarded to the Divisional Branch Management Committee within seven days after the half-yearly meeting. The Sub-Branch Secretary shall close the Sub-Branch's books at the end of January and July each year. Contributions for the next half year shall be due and payable at the end of March and September each year. The Sub-Branch Secretary shall give every facility to the auditors to examine all books and papers in connection with the Sub-Branch. The Sub-Branch Secretary shall read out to the Sub-Branch meeting a cash account. The Sub-Branch Secretary shall be the custodian of the official stamp of the Sub-Branch, and be ex-officio member of all sub-committees, but shall not have a vote on any matter in which the Sub-Branch Secretary is personally or financially interested.
- (d) The Sub-Branch Secretary shall supply all necessary advice to the Divisional Branch Office to enable it to advise the Sub-Branch members of the time, place and date of the half-year meeting, which shall be in March and September of each year. The Divisional Branch Secretary shall forthwith notify all Sub-Branch members thereof. The Sub-Branch Secretary shall supply all details to the Divisional Branch Office to enable it to advise members in arrears. Special meetings of the Sub-Branch may be called as decided by the Sub-Branch. The Sub-Branch Secretary shall perform all clerical and other duties appertaining to the position of the Secretary.
- (e) All Sub-Branch meetings called in accordance with this sub-clause shall be held at the place fixed by the Divisional Branches for conduct of the business of the Sub-Branch.

#### A33.23 Suspended Members

Members who owe one year's arrears of contributions shall be suspended. The Divisional Branch Secretary shall be advised regarding such members. They shall not be included in returns of membership or recognised when computing the number of members in the Sub-Branch.

#### A33.24 Clearances and Transfers

- (a) The Sub-Branch Secretary shall accept all clearances (that are permitted) from other Unions, also transfers from other divisions, divisional branch, Sub-Branches or other States, and shall issue transfers for any members applying for same. The Sub-Branch Secretary shall also transfer all members who do not comply with Divisional Branch Rule A36 to the Sub-Branches nearest to which they reside.
- (b) Sub-Branch Secretaries obtaining the transfers of members from other States or other Unions shall immediately fill in a duplicate card and forward same to the Divisional Branch Office.

#### A33.25 PAY BENEFITS

The Sub-Branch Secretary shall pay all benefits according to Divisional Branch Rule A26 and may be made to refund all expenditure that is made contrary to the provisions of the Divisional Branch Rules.

#### A33.26 RESIGNATION OR REMOVAL





- (a) In the event of resigning the Sub-Branch Secretary shall give one month's notice, or be fined \$1, except in the case of illness or removal from the town.
- (b) On the Sub-Branch Secretary's resignation or being removed from Office, or on demand of the Divisional Branch Management Committee, or whomsoever they may authorise, the Sub-Branch Secretary shall, within seven days, deliver up, books, documents and property of the said Sub-Branch to the Divisional Branch Management Committee or Trustee. Before the books are handed over to the Sub-Branch Secretary successor in Office they shall be audited.
- (c) Should the Sub-Branch Secretary fail to carry out any of the Sub-Branch Secretary duties to the satisfaction of the Sub-Branch, the Sub-Branch shall, upon the matter being reported, refer it to the Sub-Branch Committee, who shall investigate it and report to a subsequent meeting, which shall have power to deal with him according to the provisions of Sub-rule 33.13 of this Rule.

INDUSTRIAL REGISTRAR

28 FEB 1995

A33.27 Vice-President

The Sub-Branch Vice-President shall record the minutes of all Sub-Branch and special meetings and shall preside over meetings in the absence of the Sub-Branch President.

A33.28 Doorkeeper

The doorkeeper shall attend at the opening time of each Sub-Branch meeting, and shall assist the Sub-Branch President in maintaining order by keeping the door closed whilst any member is addressing the meeting; and shall not admit any disorderly member into the room; neither shall the Doorkeeper admit anyone who is not a member or who is not a candidate.

A33.29 Sub-Branch Finances

- (a) The funds of each Sub-Branch shall be banked as provided in the Divisional Branch Rules.
- (b) On a written authority signed by the Sub-Branch President and Sub-Branch Secretary any two members of the Sub-Branch Committee shall sign cheques for payment of accounts for expenditure, in conformity with the Divisional Branch Rules. Such cheques shall be countersigned by the Sub-Branch Secretary.

A33.30 Sub-Branch Committee:

In every Sub-Branch there shall be a committee elected in accordance with Divisional Branch Sub-rule A33.12 which shall meet when required on being summoned by the Sub-Branch Secretary, three to form a quorum. The President shall have a deliberative vote only. The minutes of the proceedings shall be signed by the Chairman at the close of each meeting, and submitted to the next Sub-Branch meeting for confirmation or otherwise. If necessary they shall examine and determine claims for lost tools. In the event of a member being charged with acting contrary to the policy of the Divisional Branch or the Union the Sub-Branch committee shall have power to refuse payment of any benefit to such member until the charge has been investigated by the Divisional Branch Management Committee and its decision conveyed to the Sub-Branch. They shall hear and decide all cases of appeal from a member against an Officer of the Sub-Branch. Any member of a Sub-Branch committee who is absent without reasonable excuse from three consecutive meetings shall be deemed to have vacated the members seat, and

the Sub-Branch shall fill the vacancy. The Committee shall meet at least once per half-year for the purpose of drawing up an agenda and making a report of the half-year's work for the half-yearly meeting of the Sub-Branch.

INDUSTRIAL REGISTRAR

28 FEB 1995

A33.31 Sick Stewards

QUEENSLAND

Sick stewards shall, when instructed by the Sub-Branch Secretary visit any member who is sick or who has met with an accident, and report to the next Sub-Branch meeting.

A33.32 Sub-Branch Returning Officer and Scrutineers:

- (a) The Sub-Branch Committee shall appoint a Sub-Branch Returning Officer and two scrutineers who shall not hold any Office in, and not be an employee of, the Union, Divisional Branch section or the Sub-Branch of the organisation to conduct all required ballots. The appointment shall be made by a majority vote of Sub-Branch Committee members at the first meeting of the Committee immediately following the yearly Sub-Branch elections.
- (b) Provided that should any vacancy occur in these positions the Sub-Branch Committee shall be empowered to fill such vacancy.

A33.33 Money Stewards

The money stewards shall attend the half-yearly Sub-Branch meetings punctually at the time of commencing of business, and shall take money and issue receipts to members.

A33.34 Election of Sub-Branch Officers

- (a) The election for Sub-Branch Officers shall be held in March of each year of the Divisional Branch Management Committee elections and be under the control of the Sub-Branch Returning Officer assisted by the Scrutineers.
- (b) The Sub-Branch Returning Officer shall call nominations for all Sub-Branch positions by notification in a newspaper circulating in the Sub-Branch area at least thirty-five (35) days prior to the March Sub-Branch meeting.
- (c) Nominations shall be in writing and be signed by two financial members. The person nominating must be a member of the Sub-Branch and financial no later than fourteen (14) days prior to nominations being called.
- (d) No member shall be a candidate for two or more Offices that, if elected to, shall be unable to hold at the one time.
- (e) Nominations shall close twenty-one (21) days prior to the March Sub-Branch meeting.
- (f) Should only sufficient nominations have been received by the Sub-Branch Returning Officer for the positions, as advertised, the Sub-Branch Returning Officer shall declare the person or persons so nominated as elected and supply forthwith a declaration of the ballot to the Sub-Branch Secretary, a copy of which shall be forwarded to the Divisional Branch Secretary.
- (g) Should there be more valid nominations than the number required to fill the vacancies



the Sub-Branch Returning Officer shall conduct a ballot which shall be held at the March yearly meeting.

- (h) Fourteen (14) days prior to such ballot taking place the Sub-Branch Returning Officer shall publish in a newspaper circulating in the Sub-Branch area a list of positions vacant, the names of persons nominating for each position/positions, the date and time of the ballot, and notifying all financial members they are eligible to vote either in person at the meeting or by application to the Sub-Branch Returning Officer for an absentee vote.
- (i) The Sub-Branch Returning Officer shall procure sufficient ballot papers to enable each member to vote should they so desire. For such purpose the Sub-Branch Secretary shall provide the Sub-Branch Returning Officer with a list of financial members eligible to vote. Each such ballot paper issued shall be signed by the Sub-Branch Returning Officer.
- (j) The Sub-Branch Returning Officer, upon receipt of an application for an absentee vote, shall forward to the applicant in a sealed envelope a signed ballot paper and a stamped envelope addressed to the Sub-Branch Returning Officer.
- (k) All completed ballot papers must be in the hands of the Sub-Branch Returning Officer by 9 p.m. on the night of the March yearly meeting when the ballot shall close.
- (l) The absentee vote envelopes shall then be opened and those votes, together with the votes cast at the meeting, be counted under the supervision of the Sub-Branch Returning Officer and Scrutineers and the result declared immediately.
- (m) The person or persons obtaining the highest number of votes shall be declared elected.
- (n) The Sub-Branch Returning Officer shall submit a report to the Sub-Branch Secretary. A copy of same to be forwarded to the Divisional Branch Secretary, showing the number of ballot papers printed, the absentee vote applications, the number used and the names of the candidates with the vote of each recorded.
- (o) The ballot papers used and unused and the absentee vote applications shall be held for a period of twelve (12) months before being destroyed.
- (p) The Sub-Branch committee shall be empowered to fill, by appointment, any vacancy or vacancies occurring in the period of twelve (12) months following the ballot for positions.

A33.35

Control of Sub-Branch's by Members of Sub-Branch

- (a) The Sub-Branch Secretary shall, on receipt of a request in writing signed by 10 per cent of the financial members of the Sub-Branch direct the conduct of a plebiscite of the financial members of the Sub-Branch on a matter concerning the Sub-Branch.
- (b) The Sub-Branch Committee may direct the conduct of the plebiscite of the financial members of the Sub-Branch on a matter concerning the Sub-Branch.
- (c) A plebiscite shall be conducted by secret ballot by a Sub-Branch Returning Officer in accordance with Divisional Branch Sub-rule A33.35 and shall be completed, in the case of a plebiscite under paragraph (a) within 2 months of the receipt by the Sub-Branch Secretary of the request and in the case of a direction under paragraph (b) within 2

months of the direction.

- (d) Where a request has been received under paragraph (a) or a direction given under paragraph (b), the Sub-Branch Committee shall not, so far as is practicable, until the completion of the plebiscite, act in relation to the matter the subject of the plebiscite.
- (e) Where a majority of financial members of the Sub-Branch voting at a plebiscite approve the matter submitted to plebiscite, the matter shall be carried out and the Sub-Branch Committee shall, so far as is practicable, implement the decision of the plebiscite.
- (f) Where a request is received under paragraph (a) of Divisional Branch Sub-rule A33.35 or a direction given under paragraph (b) of Divisional Branch Sub-rule A33.35, the Sub-Branch Secretary shall advise the Returning Officer and the Returning Officer shall direct the conduct of the plebiscite and shall take all necessary steps to ensure the secrecy of the ballot.
- (g) The Sub-Branch Returning Officer shall determine the opening and closing dates of the ballot.
- (h) The Sub-Branch Committee or the and (where the plebiscite is held following a request pursuant to paragraph (b) of Divisional Branch Sub-rule A33.35), the members who requested the plebiscite may each appoint 2 scrutineers for the conduct of the plebiscite and shall, before the opening of the ballot, advise the Sub-Branch Returning Officer of the name of each such scrutineer.
- (i) The Returning Officer shall on the opening date of the ballot forward or cause to be forwarded by prepaid post or otherwise to each financial member of the Sub-Branch, a ballot paper initialled by the Returning Officer together with a reply paid return envelope addressed to the Returning Officer at his address for the purpose of the conduct of the plebiscite. The ballot paper may contain, or be accompanied by, such directions to voters as the Returning Officer considers necessary.
- (j) Subject to paragraph (f) a scrutineer appointed under paragraph (c) may be present during the conduct of the ballot by the Sub-Branch Returning Officer including the counting of ballot papers returned in the plebiscite and may object to a ballot paper being counted on the ground that it does not clearly express the voter's attitude to the question to which the plebiscite is directed.
- (k) A scrutineer shall observe a direction given by the Sub-Branch Returning Officer during the conduct of the ballot and shall comply with any decision given by the Sub-Branch Returning Officer as to whether a ballot paper is to be counted as sufficiently expressing a voter's attitude to the question which is the subject of the plebiscite.
- (l) A voter shall cast a vote in a ballot under this Rule by completing the ballot paper forwarded to the voter under paragraph (d) in accordance with the directions to voters (if any) and forwarding the ballot paper to the Sub-Branch Returning Officer so as to reach the Sub-Branch Returning Officer no later than the closing date of the ballot.
- (m) A vote cast in the ballot shall be informal if the intention of the voter is not clear.
- (n) On completion of the counting of ballot papers returned in a plebiscite the Sub-Branch Returning Officer shall declare the result of the plebiscite by advising the Sub-Branch



Secretary in writing of the number of ballot papers forwarded to voters, the number approving the matter or the subject of the plebiscite, the number not approving and the number of informal votes.

- (o) Provided that nothing contained in this Rule prevents the conduct of the ballot by the Australian Electoral Commission or the Electoral Commission, Queensland.

A34. **AGGREGATE MEETINGS:**

Whenever it may be deemed necessary by the Divisional Branch Management Committee, or on the urgent representation of a majority of the Sub-Branches to the Divisional Management Committee, aggregate meetings shall be called by advertisement to decide such questions as the Divisional Branch Management Committee may decide or the Sub-Branches may require to be decided.

INDUSTRIAL REGISTRAR

28 FEB 1995

A35. **DELEGATION APPROVAL**

QUEENSLAND

No Sub-Branch shall have the power to delegate any member on Divisional Branch business for any period above one week in any half-year without first obtaining the approval of the Divisional Branch Executive. Any infringement of this Rule by any member or Sub-Branch shall be deemed misconduct, and members or Sub-Branches infringing this Rule may be fined by the Divisional Branch Management Committee any sum not exceeding \$20. This Rule shall not affect the Divisional Branch Rule allowing 10 percent of the Sub-Branch income to be used for local organising.

A36. **SHOP STEWARDS**

- A36.1 For the convenience of members, shop or job stewards may be appointed by Sub-Branches within the area under their control.

- A36.2 Should any shop or job steward be victimised, or be reasonably supposed to be victimised, from carrying out any duties for the Divisional Branch, the Divisional Branch Management Committee shall take all necessary steps to see that the member is compensated for any loss the Shop or Job Steward may incur.

A37. **APPRENTICES**

- A37.1 An apprentice making application to join the Divisional Branch shall pay dues for the remaining period of their indenture at the rate equivalent to the joining fee for the Divisional Branch per half-year. No additional joining fee shall be payable by apprentices.

- A37.2 Thereafter, upon completion of apprenticeship the apprentice shall transfer to full membership and payment of full Divisional Branch dues, levies, etc. as determined from time to time by the Divisional Branch Management Committee.

A38. **AUDIT OF ACCOUNTS**

- A38.1 The Divisional Branch Auditor who shall hold the qualification required for a competent person under the Regulations made under the Act hereinafter mentioned shall be appointed by the Divisional Branch Executive in accordance with the provisions of the Industrial Relations Act 1990 and shall be paid such fees as the Divisional Branch Executive may from time to time determine.

- A38.2 The Divisional Branch Auditor shall audit the books and financial statements of the Divisional Branch Executive at the end of each financial year and at such other times as the Branch Executive shall direct, shall have access to and examine all registers, books, papers, deeds, documents and accounts of the Divisional Branch Executive and may examine any Officer of the same in regard to the accounts, and is hereby authorised to obtain from any bank in which the Divisional Branch funds are deposited or invested a written statement from the bankers as to the balance of the account or accounts.
- A38.3 The Divisional Branch Auditor shall furnish a written statement that all accounts and statements certified to are in accordance with law and the Rules of the Union or the Divisional Branch, or, if unable to certify to the correctness of any of them, report forthwith to the Divisional Branch Executive in which respect they are incorrect.
- A38.4 The Divisional Branch Auditor shall have power to place before the Divisional Branch Executive any suggestions concerning the financial affairs of the Divisional Branch.
- A38.5 In the event of an Auditor so appointed being unable to act or refusing to act or resigning, the Divisional Branch Executive or the Divisional Branch shall appoint an Auditor qualified as aforesaid as a replacement.
- A38.6 The accounts of Sub-Branches shall be audited half-yearly in the manner provided in Divisional Branch Sub-rule A33.15.
- A38.7 The financial year of the Divisional Branch shall be the period ending 31st of December.

A39. **SPECIAL AUDITORS**

The Divisional Branch Management Committee may at any time appoint two auditors to audit the books of any Sub-Branch or direct that the books be forwarded to the Divisional Branch Office for audit.

INDUSTRIAL REGISTRAR

28 FEB 1995

A40. **DONATIONS/LOANS**

QUEENSLAND

- A40.1 The Divisional Branch Management Committee shall have the power to grant donations when application has been made in accordance with the provisions of these Divisional Branch Rules.
- A40.2 Payments may be made for the purpose of relieving cases of distress amongst members that are recommended by the Sub-Branches to and approved of, by the Divisional Branch Management Committee. It may be used for such payments assisting the Divisional Branches trade or any other trade.
- A40.3 All applications for donations to members shall be on a schedule provided by the Divisional Branch and no donation shall be made unless such schedule is filled in by the Sub-Branch Secretary and approved by the Divisional Branch Management Committee.
- A40.4 Requests for donations for purposes other than the relief of members shall be forwarded to the Divisional Branch Management Committee and shall contain full particulars of the purpose of the proposed donation.
- A40.5 No member who has been less than three (3) months in the Divisional Branch shall be eligible for assistance, and in no case shall payment of benefit be made to a member who is otherwise dis-entitled.



A40.6 Notwithstanding anything contained elsewhere in these Divisional Branch Rules a loan, grant or donation of any amount exceeding \$1,000.00 shall not be made by the Divisional Branch, unless the Divisional Branch Executive has satisfied itself:-

- (a) that the making of the loan, grant or donation would be in accordance with the other Divisional Branch Rules and Rules of the Union; and
- (b) 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 has approved the making of the loan, grant or donation.

#### A41. INTERPRETATION OF DIVISIONAL BRANCH RULES

The Divisional Branch Management Committee shall interpret all Rules of the Divisional Branch requiring interpretation.

#### A42. AFFILIATION:

The Divisional Branch Management Committee shall have the power to affiliate with any industrial, educational or political organisations within the State provided such affiliation is sanctioned by a majority of the members of the Divisional Branch voting. Such affiliation shall not interfere with the personal rights of the member's political code.

#### A43. DISPUTES WITH MANAGEMENT

In the event of a dispute arising, no official of the Divisional Branch shall interview the management with whom the Divisional Branch is in dispute unless accompanied by at least one member actively concerned in the dispute.

28 FEB 1995

#### A44. ALTERATION OF DIVISIONAL BRANCH RULES

QUEENSLAND

A44.1 These Rules may be altered or deleted or additions made thereto by a majority of members of the Divisional Branch Management Committee provided that at least 28 days notice to alter Divisional Branch Rules has been given by the Divisional Branch Management Executive to the Divisional Branch Management Committee.

A44.2 Provided that the Divisional Branch Management Committee may alter Divisional Branch Rules of which previous notice has not been given subject to two-thirds of Divisional Branch Management Committee members voting in favour of the alterations.

A44.3 Provided further that alterations to Divisional Branch Rules of an urgent nature may be made by a postal ballot, facsimile ballot or telephone Linkup of the State Management committee members to determine for or against the adoption of the alterations.

#### A45. DISSOLUTION

Whenever the number of members in this Divisional Branch is reduced to twenty-one (21) by deaths or exclusions, a majority of the remaining members may, at a meeting assembled at the Registered Office, finally dissolve the Divisional Branch subject to discharging all debts and liabilities legally incurred in the Divisional Branch's name and shall pay any balance to the



INDUSTRIAL REGISTRAR

28 FEB 1995

Construction, Forestry, Mining and Energy Union.

oooooo

QUEENSLAND

A46. **BALLOTS/PLEBISCITES - CONTROL OF BRANCH COUNCIL AND BRANCH EXECUTIVE BY MEMBER OF THE BRANCH**

- A46.1
- (a) The Divisional Branch Secretary shall, on receipt of a request in writing signed by 10 per cent of the financial members of the Divisional Branch direct the conduct of a plebiscite of the financial members of the Divisional Branch on a matter concerning the Divisional Branch.
  - (b) The Divisional Branch Management Committee or Divisional Branch Executive may direct the conduct of the plebiscite of the financial members of the Divisional Branch on a matter concerning the Divisional Branch.
  - (c) A plebiscite shall be conducted by secret ballot by a Returning Officer in accordance with Divisional Branch Sub-rule A46.2 and shall be completed, in the case of a plebiscite under paragraph (a) within 2 months of the receipt by the Branch Secretary of the request and in the case of a direction under paragraph (b) within 2 months of the direction.
  - (d) Where a request has been received under paragraph (a) or a direction given under paragraph (b), the Divisional Branch Management Committee or Divisional Branch Executive shall not, so far as is practicable, until the completion of the plebiscite, act in relation to the matter the subject of the plebiscite.
  - (e) Where a majority of financial members of the Divisional Branch voting at a plebiscite approve the matter submitted to plebiscite, the matter shall be carried out and the Divisional Branch Management Committee or Divisional Branch Executive shall, so far as is practicable, implement the decision of the plebiscite.
- A46.2
- (a) Where a request is received under paragraph (a) of Divisional Branch Sub-rule A46.1 or a direction given under paragraph (b) of Divisional Branch Sub-rule A46.1, the Divisional Branch Secretary shall advise the Returning Officer and the Returning Officer shall direct the conduct of the plebiscite and shall take all necessary steps to ensure the secrecy of the ballot.
  - (b) The Returning Officer shall determine the opening and closing dates of the ballot.
  - (c) The Divisional Branch Management Committee or the Divisional Branch Executive and (where the plebiscite is held following a request pursuant to paragraph (b) of Divisional Branch Sub-rule 46.1), the members who requested the plebiscite may each appoint 2 scrutineers for the conduct of the plebiscite and shall, before the opening of the ballot, advise the Returning Officer of the name of each such scrutineer.
  - (d) The Returning Officer shall on the opening date of the ballot forward or cause to be forwarded by prepaid post or otherwise to each financial member of the Divisional Branch, a ballot paper initialled by the Returning Officer together with a reply paid return envelope addressed to the Returning Officer at his address for the purpose of the conduct of the plebiscite. The ballot paper may contain, or be accompanied by, such directions to voters as the Returning Officer considers necessary.
  - (e) Subject to paragraph (f) a scrutineer appointed under paragraph (c) may be present during the conduct of the ballot by the Returning Officer including the counting of ballot



papers returned in the plebiscite and may object to a ballot paper being counted on the ground that it does not clearly express the voter's attitude to the question to which the plebiscite is directed.

- (f) A scrutineer shall observe a direction given by the Returning Officer during the conduct of the ballot and shall comply with any decision given by the Returning Officer as to whether a ballot paper is to be counted as sufficiently expressing a voter's attitude to the question which is the subject of the plebiscite.
- (g) A voter shall cast a vote in a ballot under this Rule by completing the ballot paper forwarded to the voter under paragraph (d) in accordance with the directions to voters (if any) and forwarding the ballot paper to the Returning Officer so as to reach the Returning Officer no later than the closing date of the ballot.
- (h) A vote cast in the ballot shall be informal if the intention of the voter is not clear.
- (i) On completion of the counting of ballot papers returned in a plebiscite the Returning Officer shall declare the result of the plebiscite by advising the Divisional Branch Secretary in writing of the number of ballot papers forwarded to voters, the number approving the matter or the subject of the plebiscite, the number not approving and the number of informal votes.

A46.3 Provided that nothing contained in this Rule prevents the conduct of the ballot by the Australian Electoral Commission or the Electoral Commission, Queensland.

#### A47. STANDING ORDERS AND DIVISIONAL BRANCH RULES OF DEBATE

A47.1 Call to Speak - the first speaker who attracts the attention of the President shall have precedence in speaking.

A47.2 Members addressing the meeting shall direct their speech to the Presiding Officer, and remain standing while so doing.

A47.3 Motions - no discussion shall take place on any motion unless such motion is duly proposed and seconded. Any number of amendments may be proposed.

A47.4 Amendment - when a motion shall have been duly proposed and seconded, the President shall proceed at once to take the votes thereon; unless some member rises to oppose it or to propose an amendment; but no amendment shall be in order unless notice be given to move the same before the proposer of the resolution has replied.

A47.5 No more than two members shall speak against any question before the meeting, and, if at the conclusion of the second speaker's remarks, no member rises to speak on the other side, the motion or amendment shall be put at once to the meeting.

A47.6 Question be now put - it shall be competent at any time during a debate for a member who has not already spoken to the question before the chair to move, without discussion, "That the question be now put", which on being duly seconded and carried, shall necessitate the submission of the motion at once to the meeting after the mover has replied.

A47.7 Speak only once - except in explanation, no member, other than the mover, shall speak more than once on the same motion.



INDUSTRIAL REGISTRAR

28 FEB 1995

QUEENSLAND

- A47.8 Time Limit - no member shall be allowed more than ten minutes to speak on a motion unless with the concurrence of the meeting.
- A47.9 Reply - the mover only shall have the privilege of reply, after which the motion shall be forthwith put to the meeting.
- A47.10 Questions of order shall be decided by the Chairman, whose ruling shall be final, unless it is challenged by a formal motion for that purpose.
- A47.11 President's right to speak - the President or Chairman for the time being may speak only on questions in which the interests of the Office he/she represents are directly involved. In the event of the President or Chairman desiring to speak on any question, he/she shall vacate the chair.
- A47.12 Limit to Debate - should any question have occupied the attention of the meeting for thirty (30) minutes, the discussion on such question shall be deemed to have closed, and the President shall forthwith call on the mover to reply, unless the meeting decided by resolution (carried by a majority of the members present) to continue the discussion of the matter in question.
- A47.13 Notice of Motion - at any meeting of the Sub-Branch any member may give notice of motion for a future meeting by (1) reading such notice to the meeting; or (2) handing a copy thereof to the President. Such notice of motion shall take precedence in the order in which it stands in the minute book, in relation to other similar notices, unless otherwise ordered by the Sub-Branch, and shall lapse if the member, or some member on his/her behalf, be not present when the order of the day for such notice is read.
- A47.14 Motion to Adjourn - no motion for the adjournment of the meeting shall be received while there is business before the President.
- A47.15 Moving Dissent from Chairman's Ruling - any member dissatisfied with the ruling of the Chairman may move a motion of dissent as follows, "That the Chairman's ruling be dissented from."
- 7.16 How Put - the motion shall then be put to the meeting by the Vice-Chairman, without discussion, in the following manner:-
- That the question is, "That the Chairman's ruling be upheld." Those in favour of upholding the Chairman's ruling say, "Aye". Those against the Chairman's ruling being upheld say, "No".
- A47.17 The mover only shall speak to the motion, except the Chairman, who may explain his/her reasons for the ruling given.
- A47.18 The Vice-Chairman shall not give a ruling on the question involved in the Chairman's ruling.
- A47.19 The Vice-Chairman's ruling shall only be dissented from a direct appeal to the meeting, the question being put by the Vice-Chairman without discussion.

### MINING & ENERGY DIVISIONAL BRANCH RULES





B1. **NAME**

The name of this Divisional Branch of the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland shall be the Mining and Energy Divisional Branch (hereafter in these Divisional Branch Rules referred to as the Divisional Branch).

B2. **DIVISIONAL BRANCH FUNDS**

B2.1 For the purpose of carrying out all or any of the objects of the Union, there shall be a fund of the Divisional Branch and the Divisional Branch fund may be raised by entrance fees, subscriptions, donations, levies, contributions, dues and loans or by any other funds, assets or real property that may be attributed to the Divisional Branch fund pursuant to the Rules of the Union.

B2.2 Without limiting the generality of Divisional Branch Sub-rule B2.1 the Divisional Branch Fund shall consist of:

- (a) any real or personal property of which the Divisional Branch by the Union Rules or by any established practice not inconsistent with the Union Rules, has, or holds for its use and benefit or in the absence of any limited term lease, bailment or arrangement, would have, the right of custody, control or management;
- (b) any entrance fees, subscriptions, fines, fees, or levies received by the Divisional Branch;
- (c) any interest, rents, dividends or other income derived from the investment of the funds of the Divisional Branch;
- (d) any superannuation or long service leave fund operated or controlled by the Divisional Branch for the benefit of its Officers or employees;
- (e) any sick pay fund, accident pay fund, funeral fund, benefit fund or like fund operated or controlled by the Divisional Branch for the benefit of its members;
- (f) any property acquired wholly or mainly by expenditure of the moneys of the Fund, or derived from other assets of the Fund;
- (g) the proceeds of any disposal of parts of the Fund.

INDUSTRIAL REGISTRAR

2 8 FEB 1995

B3. **MEMBERSHIP**

QUEENSLAND

B3.1 A candidate for membership of the Divisional Branch shall apply for membership to the Secretary of the Lodge at the place in which the candidate works, in writing, on the form prescribed and supplied by the Divisional Branch for that purpose. The signature of the candidate on the application form shall be witnessed by a member of the Lodge.

B3.2 A candidate for membership of the Divisional Branch shall be admitted if the candidate is a person who:-

- (a) by the nature of the candidate's occupation or employment engages in a calling that is a registered calling of the Union that relates to the Mining & Energy Divisional Branch; and
- (b) has the qualifications required by the eligibility rules of the Union that relate to the

Mining & Energy Divisional Branch; and

(c) is not of general bad character.

- B3.3 Lodge Secretaries shall sign and date membership application forms on the day they receive them. Subject to Sub-rule B3.3, a candidate for membership shall be deemed to be a member of the Divisional Branch from the date of the day of receipt of the membership application form by the Secretary of the Lodge.
- B3.4 Notwithstanding anything hereinbefore contained, the Secretary of a Lodge may refer any membership application to the Secretary of the Divisional Branch. The Secretary of the Divisional Branch shall immediately refer any such application to be considered by the Divisional Branch Executive. In such a case a candidate shall not become a member of the Divisional Branch until the Divisional Branch Executive has approved the application and the Divisional Branch Secretary has notified the candidate to that effect in writing. The candidate in such a case shall be a member of the Divisional Branch from the date of the day of the Divisional Branch Secretary's letter of notification to the candidate. Where the Divisional Branch Executive, Divisional Branch Board of Management or the Divisional Branch Secretary decides against the admission to membership of a candidate, the candidate shall have a right to appeal to the Divisional Branch Board of Management. Where the Divisional Branch Board of Management decides to admit the candidate to membership the candidate shall be a member of the Divisional Branch from the date of the day of the Divisional Branch Board of Management's decision.
- B3.5 A candidate for membership of the Divisional Branch who works at a workplace in Queensland where no lodge of the Divisional Branch has been formed, shall apply for membership to the Secretary of the Divisional Branch in writing on the form prescribed and supplied by the Divisional Branch for that purpose. The signature of the candidate on the application form shall be witnessed by a member of the Divisional Branch. Subject to Divisional Branch Sub-rule B3.3, a candidate for membership under this sub-Rule shall be deemed to be a member of the Divisional Branch from the date of the day of receipt of the membership form by the Secretary of the Divisional Branch.
- B3.6 When a candidate is admitted to membership of the Divisional Branch, the new member's name, address and date of admission shall be entered in a book to be called the Lodge Register of Members, which shall be kept by the Lodge Secretary and also entered in a book to be called the Divisional Branch Register of Members and Officers, which shall be kept by the Secretary of the Divisional Branch, also entered in such Divisional Branch Register of Members and Officers shall be a list of Officers of the Divisional Branch which list shall be updated by the Divisional Branch Secretary from time to time.
- B3.7 Membership of the Divisional Branch shall be subject to Rules B4 and B5 of the Divisional Branch's Rules.
- B3.8 Candidates for membership when admitted to membership shall enjoy all advantages of membership for as long as the person complies with the Rules of the Union.
- B3.9 The Divisional Branch shall inform each candidate for membership in writing of:
- (a) the financial obligations arising from membership; and
  - (b) the circumstances and the manner in which a member may resign from the Divisional

  
 INDUSTRIAL REGISTRAR  
 28 FEB 1995  
 QUEENSLAND





INDUSTRIAL REGISTRAR

28 FEB 1995

QUEENSLAND

Branch.

B4. SUBSCRIPTIONS AND FEES

- B4.1 Every member shall pay such fines, fees, levies and subscriptions as may be prescribed or imposed from time to time according to the Rules of the Divisional Branch.
- B4.2 There shall be an entrance fee payable by a candidate for membership of the Divisional Branch on the candidate's admission to membership. The entrance fee shall be determined by the Divisional Branch Board of Management. Entrance Fees shall be retained by the Divisional Branch.
- B4.3 Subscriptions, fines, fees and levies owing by a member of the Divisional Branch may be paid to the Secretary of a member's Lodge, or a person authorised by the Secretary of the member's Lodge but to no other person or member.
- B4.4 Subject to Rule B5 any member owing subscriptions, fines, fees or levies or any of them for more than fourteen days shall be deemed to be unfinancial and shall not be entitled to any of the privileges of membership, including the right to vote, and shall be liable to be sued for the recovery of amounts owed to the Divisional Branch.
- B4.5 No member who has left the industry without paying all fines, fees, levies and subscriptions due by the member to the Divisional Branch shall become a financial member of the Divisional Branch again until their case has been considered by the Divisional Branch Board of Management and permission has been given by the Divisional Branch Board of Management for the member to regain financial status.
- B4.6 Any member deemed unfinancial under Sub-Rule B4.4 shall be deemed to have become a financial member of the Divisional Branch again from the date of the completion of payment by the member of all amounts owing to the Divisional Branch. Continuity of membership and lodge seniority shall be restored from the date of completion of payment of all sums owing to the Divisional Branch.
- B4.7 Membership subscriptions shall be set by the Annual meeting of the Divisional Branch Board of Management and shall be payable for fifty-two weeks per year.
- B4.8 Employees otherwise eligible to join the Divisional Branch and under eighteen years of age and not in receipt of adult wages shall be half members and pay half subscriptions, fees and levies.
- B4.9 Half members shall receive half financial benefits provided that they may if they so desire pay full subscriptions, fees and levies and shall then be entitled to full financial benefits.
- B4.10 Any member being sick or out of employment in any pay period and not in receipt for that pay of award wages or other award payments equivalent to eighty dollars per fortnight (where the member is paid fortnightly) or forty dollars per week (where the member is paid weekly), or other amounts which may be determined from time to time by the Annual meeting of Divisional Branch Board of Management, shall be exempt from the payment of subscriptions, fees or levies for that pay period.
- B4.11 Members on compensation shall pay subscriptions as if at work, however, members receiving compensation for permanent and total incapacity shall be exempt from paying subscriptions, fees and levies.

- B4.12 Divisional Branch subscriptions shall be at a rate to be determined by the Divisional Branch Board of Management.

**B5. SICK AND UNEMPLOYED MEMBERS**

- B5.1 Any member registered in accordance with this Rule as an unemployed member and/or member on sick leave of absence, shall be entitled to the privileges of membership and shall be entitled to vote on all matters affecting the Divisional Branch excepting upon any matter upon which any decision might be made which would or might involve the Divisional Branch in the declaration of a strike or in a stoppage of work or in the making of a levy or levies upon the members of the Divisional Branch.
- B5.2 Any member unable to pay subscriptions, fines, fees or levies by reason of the member being unemployed and/or on sick leave of absence and wishing to retain the rights and privileges conferred on the member by these Rules, shall be registered at least once in every quarter in the Divisional Quarterly Register of Unemployed and Sick Divisional Branch Members.
- B5.3 An unemployed or sick member may apply, in writing, to the Secretary of the Lodge for registration in the Divisional Branch Quarterly Register of Unemployed and Sick Members. A member of a Divisional Branch who is not also a member of a Lodge may apply for registration, in writing, to the Secretary of the Divisional Branch. The Application to the Lodge or Divisional Branch Secretary shall be signed by the member and the member's signature witnessed by a member of the Divisional Branch. The application shall also, if the applicant is a member of a Lodge, include the name of the Lodge of which the applicant is a member.
- B5.4 The Lodge or Divisional Branch Secretary shall sign and date applications as they are received. Lodge Secretaries shall send all such applications to the Divisional Branch Secretary immediately.
- B5.5 The Divisional Branch Secretary shall submit all applications to the Divisional Branch Board of Management to be considered and approved or not approved. Where an application is approved the Divisional Branch Secretary shall enter the applicant's name and address and the date of approval of the application by the Divisional Branch Board of Management in a book to be called the Divisional Branch Quarterly Register of Unemployed and Sick Members. The applicant shall then be duly registered for a period of three months from the approval of the member's application. The Divisional Branch Board of Management shall have the power to remove the name of any member from the Register for any reason it thinks fit or may at the same time or at any other time prescribe a period for which the member shall be ineligible for registration in the Register.
- B5.6 The Divisional Branch Secretary shall once in each quarter submit a list of names and addresses of members registered as unemployed or sick to the Divisional Branch Board of Management for consideration. Continuation of the registration of a member as an unemployed or sick member shall be at the discretion of the Divisional Branch Board of Management.

**B6. RESIGNATIONS**

- B6.1 A financial member may terminate membership of the Divisional Branch by written notice addressed and delivered to the Divisional Branch Secretary.
- B6.2 Notification of such resignation shall be taken as duly given if:-



INDUSTRIAL REGISTRAR

28 FEB 1995

QUEENSLAND



- (a) it is left at the registered Office of the Divisional Branch; or
- (b) it is addressed to the Divisional Branch, or any Officer thereof, and sent by post to the registered Office of the Divisional Branch.

- B6.3 If a financial member specifies in such notification a day or time at which the resignation is to be effective, being a day or time subsequent to the time when notification is duly given, the membership of the member shall be deemed to have terminated on the day, or at the time, specified and not before, unless membership is sooner terminated by the Union and/or the Divisional Branch in accordance with these Rules.
- B6.4 Any dues payable but not paid by a former member in relation to a period before a member's resignation took effect, may be sued for and recovered in the name of the Divisional Branch, in a Court of competent jurisdiction as a debt due to the Divisional Branch.
- B6.5 A notice may be delivered to a Lodge Secretary and shall be taken to have been received by the Divisional Branch when it was delivered.
- B6.6 A notice of resignation that has been received by the Lodge Secretary is not invalid because it was not addressed and delivered in accordance with Sub-Rule B6.1 of this Rule.
- B6.7 A resignation from membership is valid even if it is not effected in accordance with this Rule if the member is informed in writing by or on behalf of the Divisional Branch that the resignation has been accepted.

#### B7. CLEARANCES

Any member removing from one Lodge to another shall obtain from the Secretary of the Lodge at the workplace the member is leaving, a certificate declaring that the member has met all financial obligations owed by the member to the Union up to the member's last pay day. The member shall take their clearance certificate to the workplace to which the member is removing on the member's first day of work and hand the clearance certificate to the Secretary of the Lodge at the workplace.

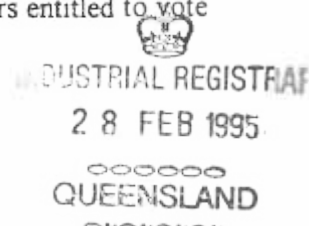
#### COPY OF DIVISIONAL BRANCH RULES

Every Lodge Secretary shall inform all newcomers of the existence of this Union and of this Divisional Branch and supply each such member with a copy of the Divisional Branch Rules within one month after the member commences work.

#### B9. ENTITLED TO VOTE

Subject to Rules B3, B4 and B5 of these Divisional Branch Rules, the members entitled to vote on any question shall be:

- (a) all financial members working in the industry;
- (b) all financial members unemployed or on sick leave of absence;
- (c) members registered according to Rule 5.1 in the Divisional Branch Quarterly Register of Unemployed and Sick Members.





INDUSTRIAL REGISTRAR

28 FEB 1995

QUEENSLAND

## B10. DIVISIONAL BRANCH CONVENTION

### Elections

- B10.1 The governing Body of the Divisional Branch shall be the Divisional Branch Convention.
- B10.2 The Divisional Branch Convention shall be composed of one delegate from each lodge in the Divisional Branch, the Divisional Branch Executive Officers, the Divisional Branch Councillors and the members of the Divisional Branch Board of Management.
- B10.3 The Divisional Branch Executive Officers, the Divisional Branch Councillors and the members of the Divisional Branch Board of Management shall be members of the Divisional Branch Convention.
- B10.4 Lodge representatives shall be elected by each lodge each four years according to the Ballot Rules of the Divisional Branch.

## B11. MEETINGS

- B11.1 The Divisional Branch Convention shall meet once in each four years.
- B11.2 All expenses of the Divisional Branch Convention shall be met by the Divisional Branch, including the expenses of lodge delegates.
- B11.3 Standing orders for Divisional Branch Convention shall be determined at the first session of the Divisional Branch Convention.
- B11.4 The Divisional Branch Board of Management shall determine the dates on which the Divisional Branch Convention is to meet.
- B11.5 Four months before the Divisional Branch Convention is to meet the Divisional Branch Secretary shall notify each Lodge Secretary in writing of the meeting of Convention and call for each lodge to submit agenda items. The Divisional Branch Secretary shall allow at least two months for agenda items to be submitted. The Divisional Branch Secretary shall, one month before the Divisional Branch Convention meets, prepare an agenda and send a copy to lodge secretaries and lodge representatives to the Divisional Branch Convention. The Divisional Branch Convention shall have the right to accept further agenda items submitted during the course of the Divisional Branch Convention.
- B11.6 The Divisional Branch President shall be the Chairman of the Divisional Branch Convention. The Divisional Branch Secretary shall act as Secretary to the Divisional Branch Convention.
- B11.7 All representatives to Divisional Branch Convention shall have a deliberative vote excepting the Chairman who shall have a casting vote as well as a deliberative vote.

## B12. POWERS AND DUTIES OF CONVENTION

- B12.1 The Divisional Branch Convention as the governing body of the Divisional Branch shall have power to do all business, acts or things and make any decision which in its own judgement are proper for the achievement of the objects of the Divisional Branch. Without limiting the generality of its powers of control of the Divisional Branch, the Divisional Branch Convention shall have power to:



- (a) review the conduct of the Divisional Branch in the time since the last meeting of the Divisional Branch Convention;
- (b) hear appeals from lodges and members against decisions made by any other body in the Divisional Branch;
- (c) debate and decide upon agenda items submitted by lodges;
- (d) discuss, alter and amend the Rules of the Divisional Branch;
- (e) discuss, alter and amend any policy of the Divisional Branch;
- (f) establish guidelines for the general conduct of the Divisional Branch by the Divisional Branch Board of Management and the Divisional Branch Executive Officers.



B12.2 The minutes of the Divisional Branch Convention shall be confirmed before Convention concludes and the minutes shall then be sent to the lodges for endorsement in the same way as decisions of the Divisional Branch Board of Management as provided for in Divisional Branch Rule B17. Only those decisions of the Divisional Branch Convention which are so endorsed shall become the binding policy of the Divisional Branch.

**B13. REFERENDA - CONTROL OF DIVISIONAL EXECUTIVE & DIVISIONAL BRANCH BOARD OF MANAGEMENT, & DIVISIONAL BRANCH CONVENTION BY MEMBERS**

B13.1 The Divisional Branch Secretary shall, on receipt of a request in writing signed by 10 per cent of the financial members of the Divisional Branch direct the conduct of a referendum of the financial members of the Divisional Branch on a matter concerning the Divisional Branch.

B13.2 The Divisional Branch Convention, Divisional Branch Board of Management or Divisional Branch Executive may direct the conduct of the plebiscite of the financial members of the Branch on a matter concerning the Divisional Branch.

B13.3 A referendum shall be conducted by secret ballot by a Divisional Branch Returning Officer in accordance with Sub-rule 13.6 and shall be completed, in the case of a referendum pursuant to Sub-rule 13.1 within 2 months of the receipt by the Branch Secretary of the request and in the case of a direction pursuant to Sub-Rule 13.2 within 2 months of the direction.

B13.4 Where a request has been received pursuant to Sub-rule 13.1 or a direction given pursuant to Sub-rule 13.2, the Divisional Branch Convention, Divisional Branch Board of Management or Divisional Branch Executive shall not, so far as is practicable, until the completion of the referendum, act in relation to the matter the subject of the plebiscite.

B13.5 Where a majority of financial members of the Branch voting at a referendum approve the matter submitted to referendum, the matter shall be carried out and the Divisional Branch Convention, Divisional Branch Board of Management or Divisional Branch Executive shall, so far as is practicable, implement the decision of the referendum.

B13.6 Where a request is received pursuant to Sub-rule 13.1 or a direction given pursuant to Sub-rule 13.2, the Divisional Branch Secretary shall advise the Returning Officer and the

Returning Officer shall direct the conduct of the referendum and shall take all necessary steps to ensure the secrecy of the ballot.

- B13.7 The Returning Officer shall determine the opening and closing dates of the ballot.
- B13.8 The Divisional Branch Convention, Divisional Branch Board of Management or Divisional Branch Executive and (where the plebiscite is held following a request pursuant to Sub-rule 13.2), the members who requested the referendum may each appoint 2 scrutineers for the conduct of the referendum and shall, before the opening of the ballot, advise the Divisional Branch Returning Officer of the name of each such scrutineer.
- B13.9 The Returning Officer shall on the opening date of the ballot forward or cause to be forwarded by prepaid post or otherwise to each financial member of the Divisional Branch, a ballot paper initialled by the Returning Officer together with a reply paid return envelope addressed to the Returning Officer at his address for the purpose of the conduct of the plebiscite. The ballot paper may contain, or be accompanied by, such directions to voters as the Returning Officer considers necessary.
- B13.10 Subject to Sub-rule 13.11 a scrutineer appointed pursuant to Sub-rule 13.8 may be present during the conduct of the ballot by the Returning Officer including the counting of ballot papers returned in the referendum and may object to a ballot paper being counted on the ground that it does not clearly express the voter's attitude to the question to which the referendum is directed.
- B13.11 A scrutineer shall observe a direction given by the Returning Officer during the conduct of the ballot and shall comply with any decision given by the Returning Officer as to whether a ballot paper is to be counted as sufficiently expressing a voter's attitude to the question which is the subject of the referendum.
- B13.12 A voter shall cast a vote in a ballot under this Rule by completing the ballot paper forwarded to the voter pursuant to Sub-rule 13.9 in accordance with the directions to voters (if any) and forwarding the ballot paper to the Divisional Branch Returning Officer so as to reach the Returning Officer no later than the closing date of the ballot.
- B13.13 A vote cast in the ballot shall be informal if the intention of the voter is not clear.
- B13.14 On completion of the counting of ballot papers returned in a referendum the Returning Officer shall declare the result of the referendum by advising the Divisional Branch Secretary in writing of the number of ballot papers forwarded to voters, the number approving the matter or the subject of the referendum, the number not approving and the number of informal votes.

- B13.15 Provided that nothing contained in this Rule prevents the conduct of the ballot by the Australian Electoral Commission or the Electoral Commission, Queensland.

B14. **DIVISIONAL BRANCH BOARD OF MANAGEMENT**

**Elections**

- B14.1 Between meetings of the Divisional Branch Convention the Divisional Branch shall be controlled and directed by the Divisional Branch Board of Management.





- B14.2 The Divisional Branch Board of Management shall be composed of the Divisional Branch President, Divisional Branch Vice-Presidents, Divisional Branch Secretary, Divisional Branch Assistant Secretary, three Divisional Branch Councillors and representatives of Lodges elected on an area basis.
- 28 FEB 1995  
QUEENSLAND  
GOVERNMENT REGISTRAR
- B14.3 Representation from the Lodges shall be as follows:
- Northern Division: comprising Collinsville Lodge, Newlands Lodge and North Goonyella Lodge; one representative;
- Moranbah Division: comprising Goonyella/Riverside Lodge and Peak Downs Lodge; one representative;
- Dysart Division: comprising Saraji Lodge and Norwich Park Lodge; one representative;
- Middlemount Division: comprising German Creek Lodge, Central Colliery Lodge, and Southern Colliery Lodge; one representative;
- Central Division: comprising Blair Athol Lodge and Oaky Creek Lodge; one representative;
- Emerald Division: comprising Gregory Lodge, Gordonstone Lodge, Yongala Lodge; one representative;
- Blackwater West Division: comprising Blackwater No. 1 Lodge and Curragh Lodge; one representative;
- Blackwater East Division: comprising South Blackwater Lodge, Cook Lodge, Yarrabee Lodge and Jellinbah Lodge; one representative;
- Moura/Callide Division: comprising Moura Lodge and Callide Lodge; one representative;
- Southern Division: comprising Tarong, Torbanlea, M W Haenke, Oakleigh, Ebenezer, Ebenezer Contractors, Jeebropilly, Jeebropilly Contractors and Rhondda/Oakleigh Lodge; one representative;
- Engineering Division: comprising one (1) representative elected by the aggregate Divisional Branch membership to represent trades persons who are members provided such person is a mechanical or electrical tradesperson working as such;
- Energy Division: comprising Callide B, Gladstone, Tarong, Stanwell and Swanbank Power Stations; one representative;
- Coal Ports Division: comprising Abbott Point, Dalrymple Bay, Hay Point, Barney Point, Gladstone Port Authority, and BTS Brisbane; one representative;
- B14.4 Division Lodge representatives as provided for in Divisional Branch Sub-rule B14.3 shall be elected every four years according to the Ballot Rules of the Divisional Branch. The elections shall be held in the month of October or November or December and the representatives elected shall take Office from the first of January next following their election.
- B14.5 Any extraordinary vacancy which occurs in an elected position within the Divisional Branch shall be filled by the holding of an election in accordance with the Ballot Rules of the

Divisional Branch and the member so elected shall hold Office for the remainder of the term for which the previous holder of the Office was elected. Provided that where the remainder of the term does not exceed:

- (a) 12 months; or
- (b) three - quarters of the term of Office, whichever is the greater, the Divisional Branch Board of Management, depending on the nature of the Office, may appoint by resolution any eligible member of the Divisional Branch to act in that Office for the remainder of the term.

## B15. MEETINGS

- B15.1 The Divisional Branch Board of Management shall meet at least three times a year. One meeting shall be held in February or March, one in June or July and one in October or November of each year. The Divisional Branch Board of Management shall meet at such other times as the Executive of the Divisional Branch may deem necessary. The October/November meeting of the Board shall be the Annual General Meeting.
- B15.2 At least one representative from each of three Lodge Divisions in addition to at least two Divisional Branch Executive Officers must be present at each meeting of the Divisional Branch Board of Management to form a quorum.
- B15.3 The President, Vice-Presidents, Secretary, Councillors and each of the Lodge representatives shall have a deliberative vote at any meeting of the Divisional Branch Board of Management. The President shall in the event of the Divisional Branch Board of Management being equally divided on any question, be entitled to a casting vote. Every member of the Divisional Branch Board of Management shall vote either for or against any proposition put to the meeting, or be fined the sum of ten dollars.
- B15.4 Any Officer or representative absenting himself/herself from any meeting of which the Officer or representative has been duly notified, by the Divisional Branch Secretary, in writing, at least seven days before the date of the meeting, without giving an explanation which is accepted by a majority of the members attending and voting at the next subsequent meeting of the Divisional Branch Board of Management, may be fined a sum not exceeding two hundred dollars as the Chairman may direct.
- B15.5 A special meeting of the Divisional Branch Board of Management may be convened by a majority of the Divisional Branch Executive, or upon written request to the Divisional Branch Secretary or the Divisional Branch President to call such special meeting signed by at least one representative from each of at least three Lodge Divisions. Upon receipt of such a request the Divisional Branch Secretary or the Divisional President shall convene a meeting of the Board.
- B15.6 The Divisional Branch Secretary shall issue or cause to be issued to Divisional Board of Management members, a notice of the date of the Divisional Branch Board of Management meeting at least fourteen days prior to the date of the meeting. The Divisional Branch Secretary shall issue or cause to be issued an agenda paper to members of the Divisional Branch Board of Management at least fourteen days prior to the meeting of the Divisional Branch Board of Management.

## B16. LODGE BUSINESS

  
INDUSTRIAL REGISTRAR  
28 FEB 1995

QUEENSLAND  
REGISTERED



- B16.1 Any Lodge having business for the consideration of the Divisional Branch, after having dealt with the same locally, shall forward it to the Divisional Branch Secretary to be submitted to the next following meeting of the Divisional Branch Executive or of the Divisional Branch Board of Management.
- B16.2 Each Lodge Secretary shall forward to the Divisional Branch Secretary within twenty-eight days from receiving same, or such other time as the Board may determine, the decision of the Lodge on any business that may be sent to it for its consideration by the Divisional Branch Executive or the Divisional Branch Board of Management. The decision of any Lodge failing to comply with this Rule, shall be null and void.
- B16.3 The Divisional Branch Executive or the Divisional Branch Board of Management may, and, upon requisition from Lodges whose combined financial membership is not less than twenty per cent of the Divisional Branch, shall, call special meetings of the Divisional Branch membership. The business to be done at such meetings shall be limited to that stated in the decision or requisition covering the meeting.

#### 7. ENDORSEMENT OF DECISIONS

- B17.1 All business transacted by the Divisional Branch Board of Management shall be confirmed before the meeting concludes and copies of the confirmed minutes shall be posted to the Lodges of the Divisional Branch.
- B17.2 The Executive Committee of each Lodge shall submit the confirmed resolutions of the Divisional Branch Board of Management to a meeting of the Lodge membership. The Secretary of each Lodge shall record the number of votes for and against each Divisional Branch Board of Management resolution. The Secretary shall send a return of the votes, signed and dated by him/her, to the Divisional Branch Secretary within six weeks of the date on which the Divisional Branch Secretary posted the Divisional Branch Board of Management minutes to the Lodges or such other time as the Divisional Branch Board of Management shall direct.
- B17.3 A resolution of the Divisional Branch Board of Management shall become the binding policy of the Divisional Branch if an aggregate Divisional Branch majority of the members of the Divisional Branch attending and voting at Lodge meetings which consider the Divisional Branch Board of Management resolutions, vote in favour of the resolution.
- B17.4 The Divisional Branch Board of Management shall from time to time decide a penalty for Lodges which do not send their minute returns to the Divisional Branch Secretary in the time allowed. Where there are extenuating circumstances the Divisional Branch Board of Management may, on consideration of a written explanation from the Secretary of the Lodge concerned, decide by a majority vote of the Divisional Branch Board of Management members attending and voting at the meeting at which the explanation is considered, delete, waive, reduce, or remove the penalty.

#### B18. POWERS AND DUTIES OF THE DIVISIONAL BRANCH BOARD OF MANAGEMENT

The powers and duties of the Divisional Branch Board of Management which shall act between meetings of the Divisional Branch Convention shall be as follows:

- (a) to deal with any grievances arising at any of the Lodges of the Divisional Branch in relation to work, wages and conditions;

28 FEB 1995

QUEENSLAND

- (b) to consider appeals from other Unions, and transact the business of the Divisional Branch;
- (c) to hear any appeals from any Lodge or member thereof;
- (d) to make, impose, order and enforce any levy, fee or subscription, on all members of the Divisional Branch, provided that no Divisional Branch Funds or money be granted to any political organisation without first being submitted to, and endorsed by the majority of members of the Divisional Branch;
- (e) to inflict any fine on any member or Lodge;
- (f) to suspend or expel any member or Lodge of the Divisional Branch, if such member or Lodge refuses to carry out the Rules of the Divisional Branch or of the Union, or to carry out any decision when instructed to do so by the Divisional Branch Board of Management. Where the Divisional Branch Board of Management decides to suspend or expel any member or lodge an explanation of the decision by the Divisional Branch Board of Management shall be sent by the Divisional Branch Secretary in writing to the Secretary of the Lodge or the member concerned. The Lodge Executive or the member shall have power to appeal against the Divisional Branch Board of Management's decision to the next following meeting of the Divisional Branch Board of Management and to address the Divisional Branch Board of Management verbally and/or in writing in support of the appeal. The Divisional Branch Board of Management decision then shall be final;
- (g) to receive and adopt or otherwise deal with the annual report and balance sheet of the Divisional Branch;
- (h) to fix, reduce, increase or alter the salaries and allowances of, and of all and every one of, the Officers of the Divisional Branch;
- (i) to reverse any decision of any Lodge, subject to Rule B17, and generally to do all acts, business or things which the Divisional Branch Board of Management decides are proper for the achievement of the objects of the Union.

B19. **THE DIVISIONAL BRANCH EXECUTIVE**

B19.1 **Executive Officers**

The Divisional Branch Executive shall consist of the Divisional Branch President, five Divisional Branch Vice-Presidents, Divisional Branch Secretary and Divisional Branch Assistant Secretary. The Divisional Branch President, Divisional Branch Vice-Presidents, Divisional Branch Secretary and Divisional Branch Assistant Secretary shall be full time Officers attached to the Divisional Branch Office.

B19.2 The Divisional Branch Executive Officers shall be elected by the Membership of the Divisional Branch each four years according to the Ballot Rules of the Divisional Branch. The elections shall be held each four years in the months of October, November or December. The Divisional Branch Executive Officers shall take Office for a term of four years as from the first of January following their election.

B19.3 Each Divisional Branch Officer shall remain in Office unless the Divisional Branch Officer



resigns their position by writing delivered at least one month in advance of the intended date of resignation, or unless removed from Office.

B19.4

A person elected to Office in the Divisional Branch shall not be dismissed from Office unless found guilty by the Divisional Branch Board of Management of misappropriation of funds of the Divisional Branch, a substantive breach of the Rules of the Divisional Branch, gross misbehaviour, gross neglect of duty or has ceased according to the Rules to be eligible to hold Office. Where dismissal of an Officer under this sub-Rule is contemplated the Divisional Branch Board of Management shall appoint a Committee of three Divisional Branch Board of Management members to investigate and report on the case. Where dismissal of an Officer under this sub-Rule is contemplated the Officer concerned shall have presented to the Officer by the Board's investigating committee a written statement of the charges alleged against the Officer. The Officer shall have full freedom to make a verbal and/or written response to the charges, and bring such material or witnesses as may be relevant to the charges, to both the investigating committee and the meeting of the Divisional Branch Board of Management which hears the report of the investigating committee. There shall elapse a period of not less than one month, or any greater period the Divisional Branch Board of Management shall determine, between the delivery to the Officer concerned of the written statement of charges against the Officer, and the hearing by the investigating committee of the Officer's response to the charges. The Officer may if the Officer wishes waive all or part of the minimum one month period of notification. The decision of the Divisional Branch Board of Management shall not take effect until endorsed by an aggregate Divisional majority of members attending and voting at Lodge meetings at which the business of that Divisional Branch Board of Management meeting is considered.

B19.5

In the event of an Office falling vacant the remaining members of the Divisional Branch Executive or the Divisional Branch Board of Management shall commence within twenty-one days from the date of such vacancy occurring, to fill the vacancy by election of a new Officer or Officers according to these Divisional Branch Rules.

B19.6

Where the period of the unexpired term of Office be less than six calendar months the successful candidate shall hold Office to the end of the term and for the succeeding term. Where the period of the unexpired term of Office is six calendar months or more the successful candidate shall at the end of the term, if the successful candidate wishes to remain in Office, stand for re-election according to these Divisional Branch Rules.

B19.7

The Divisional Executive Officers shall remain financial members of the Divisional Branch and retain full membership rights of the Lodges of which they were members at the time of their election to the Divisional Branch Office.

B20.

#### **DUTIES OF DIVISIONAL BRANCH EXECUTIVE OFFICERS**

B20.1

The Divisional Branch President - The Divisional Branch President shall preside at all meetings of the Divisional Branch Board of Management or meetings called by the Divisional Branch. The Divisional Branch President shall act in conjunction with the Divisional Branch Vice-Presidents, Divisional Branch Secretary and Divisional Branch Assistant Secretary in transacting the general business of the Divisional Branch and, in the absence of the Divisional Branch Secretary, shall attend to the correspondence of the Divisional Branch. The Divisional Branch President shall assist the Divisional Branch Secretary in the preparation of annual reports and accounts and arrange with the Secretary for the attendance of either at important meetings of the Lodges. The Divisional Branch President shall act as advocate for the Divisional Branch and ensure that the Divisional



INDUSTRIAL REGISTRAR

28 FEB 1995

QUEENSLAND

Branch Rules are carried out in the Lodges. The Divisional Branch President shall receive for his/her services such remuneration as shall be agreed upon from time to time between the Divisional Branch Presidents and the Divisional Branch Board of Management.

- B20.2 The Divisional Branch Vice-Presidents - The Divisional Branch Vice-Presidents shall act in conjunction with the Divisional Branch President and the Divisional Branch Secretary and the Divisional Branch Assistant Secretary in transacting the general business of the Divisional Branch. The Divisional Branch Vice-Presidents shall, in the absence of the Divisional Branch President, perform the duties of the Divisional Branch President, and on instruction of the Divisional Branch President, deputise for the Divisional Branch President. They shall receive for their services such remuneration as shall be agreed upon from time to time between themselves and the Divisional Branch Board of Management.
- B20.3 The Divisional Branch Secretary - The Divisional Branch Secretary's duties shall be to keep separate accounts of all monies received or paid on account of every particular fund and to keep separate accounts of the expenses of management and of all contributions on account thereof, and with the assistance of the Divisional Branch President, the Divisional Branch Vice-Presidents and the Divisional Branch Assistant Secretary, prepare a yearly Balance Sheet of the same, submit it to the first Divisional Board of Management Meeting after the end of the financial year and forward a copy to each Lodge. The Divisional Branch Secretary shall attend, and take minutes of the proceedings of all Divisional Branch Meetings. The Divisional Branch Secretary shall, with the Divisional Branch President, the Divisional Branch Vice-Presidents and the Divisional Branch Assistant Secretary, zealously attend to all correspondence, watch the interests of the Divisional Branch and do all in his/her power to advance the members' interests generally. The Divisional Branch Secretary shall arrange with the Divisional Branch President for attendance of either at important meetings of the various Lodges, and also be empowered with the concurrence of the Divisional Branch President to call special Divisional Branch Board of Management Meetings in all cases of emergency. The Divisional Branch Secretary shall be responsible to the Divisional Branch Board of Management and shall receive such remuneration as shall be agreed upon from time to time between himself/herself and the Divisional Branch Board of Management.
- B20.4 The Divisional Branch Assistant Secretary - The Divisional Branch Assistant Secretary shall act in conjunction with the Divisional Branch President, the Divisional Branch Vice-Presidents and the Divisional Branch Secretary in transacting the general business of the Divisional Branch. The Divisional Branch Assistant Secretary shall, in the absence of the Divisional Branch Secretary, perform the duties of the Divisional Branch Secretary and on the instruction of the Divisional Branch Secretary, deputise for the Divisional Branch Secretary. He/she shall receive for his/her services such remuneration as shall be agreed upon from time to time between himself/herself and the Divisional Branch Board of Management.
- B21. MEETINGS OF THE DIVISIONAL BRANCH EXECUTIVE
- B21.1 The Divisional Branch President or the Divisional Branch Secretary may convene a meeting of the Divisional Branch Executive at any time by oral or written communication to the other members of the Executive.
- B21.2 A quorum of any meeting of the Divisional Branch Executive shall be three.
- B21.3 The chairman of any meeting of the Divisional Branch Executive shall have a deliberative but not a casting vote.



INDUSTRIAL REGISTER

28 FEB 1995

QUEENSLAND



- B21.4 Where matters are due to be decided by the Divisional Branch Executive and an Officer cannot be present he/she may if he wishes record a vote by letter or facsimile. In such an event the decision of the majority shall be valid as had they assembled.

INDUSTRIAL REGISTRAR

28 FEB 1995

B22. **POWERS OF THE DIVISIONAL BRANCH EXECUTIVE**

QUEENSLAND

The Divisional Branch Executive shall, subject to the review of its actions by the next ensuing meeting of the Divisional Branch Board of Management, have the care, control, custody, superintendence, management and administration in all respects of the affairs, funds and property of the Divisional Branch. The Powers of the Executive shall include the following:

- (a) to suspend any member of the Divisional Branch Executive or of the Divisional Branch Board of Management or representatives of the Divisional Branch on any Board or Body for any breach or infringement of the Rules of the Divisional Branch or for any misconduct or dereliction of duty or any misapplication respecting the whole or any part of the funds, monies or other property of the Divisional Branch or non-compliance with or disobedience of any request or order contained in any resolution of the Divisional Branch Board of Management and to inflict any fine not exceeding fifty dollars. Where action is taken by the Divisional Branch Executive under this sub-Rule there shall be a general right of appeal by the member, representative, Councillor or body affected to the Divisional Branch Board of Management. This Sub-rule shall be read subject to Divisional Branch Sub-rule B19.4;
- (b) to consider and decide upon any application for admission to membership referred to it by a Lodge Secretary or other Officer;
- (c) to initiate, manage and control all actions, proceedings, industrial disputes and other matters, and to appoint agents, solicitors or counsel to appear for and represent the Divisional Branch or any of its members in any Court or proceedings, legal or otherwise;
- (d) to demand and collect all levies, subscriptions, fines and dues payable by the members;
- (e) to demand, receive and keep possession of all books and accounts of the Divisional Branch;
- (f) to demand, or cause to be made, an audit of the books and accounts of the Divisional Branch;
- (g) to engage such clerks or servants or other assistance that in its opinion are necessary for the proper carrying out of the business of the Divisional Branch and to pay such wages, salaries and allowances as to it shall seem proper;
- (h) to incur all necessary accounts, and expenditure for the proper upkeep of the Divisional Branch and to pay all sums so incurred;
- (i) to exercise such other powers as may be conferred upon them by the Divisional Branch Convention, Divisional Branch Board of Management or by any Rule of the Divisional Branch;
- (j) to appoint Committees or Sub-committees amongst the members of the Divisional Branch for specific purposes of enquiry and report in respect of any matter that may involve the interest of the Divisional Branch or any member thereof;

- (k) to submit such matters as may appear to it to be of sufficient importance to the Divisional Branch Board of Management for decision or directly to the members of the Divisional Branch for decision by ballot;
- (l) industrial agreements may be made, entered into and executed and may from time to time be altered, varied, modified or cancelled by or on behalf of the Divisional Branch by the Divisional Branch Executive. Any industrial agreement made, entered into or executed, shall be signed by the Divisional Branch President, the Divisional Branch Vice-Presidents, the Divisional Branch Secretary or the Divisional Branch Assistant Secretary. No industrial agreement shall be entered into unless its terms have first been approved by an aggregate majority of the members attending and voting at meetings of the Lodges of the Divisional Branch affected. Similar approval shall be obtained in respect of any alteration, variation or cancellation thereof. All other documents shall be executed on behalf of the Divisional Branch by the Divisional Branch Secretary, Divisional Branch President, Divisional Branch Vice-Presidents or Divisional Branch Assistant Secretary;
- (m) all acts of the Divisional Branch Executive done in pursuance of the powers granted it by these Divisional Branch Rules shall have full force and effect and be of full validity, unless such acts shall be reversed or altered or otherwise dealt with by the next ensuing meeting of the Divisional Branch Board of Management;
- (n) the Divisional Branch Executive shall, prior to the sitting of any meeting of the Divisional Branch Board of Management, prepare an agenda paper. The paper shall set out in such form as the Divisional Branch Executive may decide the matters to be brought before the Divisional Branch Board of Management for consideration, and a copy of such shall be sent to all members of the Divisional Branch Board of Management seven days before the meeting.

INDUSTRIAL REGISTR

28 FEB 1995

QUEENSLAND

## B23. ADDITIONAL OFFICERS

- B23.1 There shall be three Divisional Branch Union Inspectors and three Divisional Branch Councillors.
- B23.2 The Divisional Branch Union Inspectors and Divisional Branch Councillors shall be elected every four years by the members of the Divisional Branch according to the Ballot Rules of the Divisional Branch and shall take Office from the first of January next following their election.
- B23.3 The Divisional Branch Union Inspectors shall be full time Officers attached to the Divisional Branch Office and responsible to the Divisional Branch Executive. They shall be paid such remuneration as shall be agreed upon between each of them and the Divisional Branch Board of Management from time to time.
- B23.4 The Divisional Branch Union Inspectors elected in accordance with the Divisional Branch Rules shall, in conjunction with the local miners' Officer/s elected by the men working at the colliery to be inspected, inspect the whole of the collieries in Queensland where lodges are established and shall record the results of each inspection in a Record Book kept at the Divisional Branch Office for the purpose. The Divisional Branch Union Inspectors, by virtue of Office, shall attend all Divisional Branch Board of Management meetings without the right to vote but shall have the privilege of participating in all discussions.
- B23.5 The Divisional Branch Councillors shall be part time Officers of the Divisional Branch whose



duties shall be to attend meetings of the Divisional Branch and address lodges and other meetings of members at the direction of the Divisional Branch Board of Management and to attend meetings of the Divisional Branch Board of Management. The Divisional Branch Councillors shall be responsible to the Divisional Branch Executive and the Divisional Branch Board of Management.

**B24. CONTROL OF DIVISIONAL BRANCH COUNCILLORS & DIVISIONAL BRANCH UNION INSPECTORS**

The Divisional Branch Councillors and Divisional Branch Union Inspectors elected in accordance with the Divisional Branch Rules shall be subject to Divisional Branch Sub-rules B19.4, B19.5 and B19.6.

**B25. DIVISIONAL BRANCH EXECUTIVE CONTROL**

Subject to the control of the Divisional Branch Board of Management and the Divisional Branch Convention the property and funds of the Divisional Branch shall be under the control of the Divisional Branch Executive.

**B26. USE OF FUNDS**

B26.1 The funds of the Divisional Branch shall be applied and/or invested as follows: in such lawful manner as the Divisional Branch Board of Management or Divisional Branch Convention may decide, including, without limiting the generality of this sub-clause, deposit on current account or fixed deposit with any Bank or Financial Institution carrying on business within or outside the Commonwealth of Australia, the mortgage of real or personal estate whether situated within or outside the Commonwealth, the subscription for or purchase of shares in any Company registered and carrying on business in any State of the Commonwealth or elsewhere. Funds so applied shall only be realised on the authority of the Divisional Branch Executive or on the authority of the Divisional Branch Board of Management.

B26.2 Monies shall be drawn from the funds of the Divisional Branch only by cheque signed by two of the four Divisional Branch Executive Officers and/or the Office Manager.

B26.3 Loans, grants and donations of any amount exceeding \$1 000.00 shall not be made by the Divisional Branch unless the Divisional Branch Board of Management has satisfied itself that the making of the loan, grant or donation is in accordance with the Rules of the Divisional Branch and that, 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. Loans, grants and donations of an amount exceeding \$1,000.00 shall not be made unless approved by the Divisional Branch Board of Management.

**B27. BOOKS AND RECORDS**

The Divisional Branch Secretary shall keep or cause to be kept all books, records and papers which may be required by law, necessary to the preparation of any return or statement required by law, necessary for the information of the auditor or which may otherwise be required by the Divisional Branch Rules or by the Divisional Branch Board of Management or the Divisional Branch Convention.

**B28. FINANCIAL YEAR**



INDUSTRIAL REGISTRAR

28 FEB 1995

000000  
QUEENSLAND  
REGISTER

The financial year for the accounting purposes of the Divisional Branch shall end at 30 June in each year.

INDUSTRIAL REGISTRAR

28 FEB 1995

**B29. TRUSTEES**

B29.1 There shall be four Divisional Branch Trustees. The Divisional Branch Board of Management shall elect from among their members four trustees. The Divisional Branch Trustees shall hold Office for four years concurrently with the Divisional Branch Executive Officers. The Divisional Branch Trustees' Office shall be subject to Divisional Branch Sub-rules B19.4, B19.5 and B19.6.

B29.2 The Divisional Branch Trustees shall, under the direction of the Divisional Branch Board of Management, prosecute, or, if more convenient, direct any Officer to prosecute any member or other person suspected by them of any offence, legally punishable with reference to the affairs of the Divisional Branch and they themselves institute, or if more convenient, may direct any Officer or Officers to institute civil proceedings against any member or other person refusing to give up possession of any of the Divisional Branch's property; or doing or neglecting to do any act so as to render himself/herself or may themselves liable to legal proceedings in reference to affairs of the Divisional Branch.

B29.3 All funds, investments and other property of the Divisional Branch shall be vested in the Divisional Branch Trustees as joint tenants inter se and held by them in trust for the members of the Divisional Branch.

B29.4 The Divisional Branch Trustees and/or the Divisional Branch Board of Management shall without prejudice to any further power and duties conferred by the Divisional Branch Rules and by statute be vested with all and every of the powers and duties with which Divisional Branch Trustees may lawfully be vested. The Divisional Branch Board of Management shall have all necessary powers with regard to the bringing or defending of any action, suit, prosecution or complaint in the name of the Divisional Branch or authorise the Trustees to institute such proceedings.

B29.5 The Divisional Branch Trustees shall have power:

- (a) to receive money or other property paid, delivered or conveyed to them as Trustees of the Divisional Branch and to expend moneys without distinction between capital and income;
- (b) to invest, gift, donate, sell, exchange or otherwise dispose of investments or other property of the Divisional Branch and to deal with the funds of the Divisional Branch including purchase or otherwise acquiring of property out of the funds of the Divisional Branch;
- (c) to lend and advance money or give credit to any person or corporation; to guarantee, and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or corporation; to secure or undertake in any way the repayment of moneys lent or advanced to or the liabilities incurred by any persons or corporation; and otherwise to assist any person or corporation. This sub-Rule shall be subject to Divisional Branch Sub-Rule B26.3;
- (d) to borrow or raise or secure the payment of money and to secure the same or the repayment or performance of any debt, liability, contract, guarantee or other engagement



incurred or to be entered into by the Divisional Branch in any way, and to purchase, redeem or pay off any such securities;

- (e) to lease, licence, hire or otherwise give and acquire rights to use or occupy property of the Divisional Branch and for the purposes of the Divisional Branch and to carry on any business of the Divisional Branch;
- (f) to call upon any Lodge Secretary to submit to the Divisional Branch Trustees all documentation whether in the form of Contracts loans or otherwise together with full financial particulars and to render such further information as the Divisional Branch Trustees may require from time to time relating to any activity or transaction be it Commercial or otherwise of any Lodge which may in the opinion of the Divisional Branch Trustees contravene Divisional Branch Sub-rule B36.7 of the Divisional Branch Rules or be contrary to the objects of the Union as particularised in Rule 5 of these Rules.

B29.6 For the purpose of exercising a power listed above the Divisional Branch Trustees shall have all such powers ancillary or incidental to or conducive to the exercise of that power as they would have if they were exercising the listed power by employment of funds or in relation to property beneficially owned by them and were acting in a personal as against a fiduciary capacity. The powers conferred by this sub-Rule shall be in addition to such powers as are conferred upon Divisional Branch Trustees by any law for the time being in force in Australia or any of its States or Territories (everyone of which statutory powers the Divisional Branch Trustees shall be deemed to have notwithstanding that the power is exercised outside Australia or the State or Territory under the law of which same is conferred) and shall not be construed to be limited or restricted to or by the statutory powers or so as to impose upon the Divisional Branch Trustees any duties imposed by law upon Divisional Branch Trustees exercising the statutory powers.

B29.7 The Divisional Branch Trustees shall be fully and effectually indemnified out of the funds of the Divisional Branch in respect of any personal liability incurred in a proper exercise of the powers given by this Rule or by law and shall not be liable to the Divisional Branch or any of its members for any loss incurred in a proper exercise of such powers.

INDUSTRIAL REGISTRAR

28 FEB 1995

### B30. AUDITOR

30.1 An auditor appointed by the Divisional Branch Board of Management shall audit the accounts in July of each year, and see that the same are correctly kept in accordance with the Divisional Branch Rules and the requirements of the law. The auditor shall have power at any time to call for all books, records, papers vouchers and documents belonging to the Divisional Branch or any delegate, Officer or committee thereof, so far as is necessary to the task of carrying out the audit. The auditor shall make an annual report of the audit to the Divisional Branch and shall sign the necessary papers certifying to the audit and to the financial position of the Divisional Branch.

B30.2 The selection of an auditor, the presentation of the accounts and certificates by the auditor and all other matters to do with the audit, the keeping and presentation of accounts to the Divisional Branch Board of Management and to the membership, shall be according to the requirements forms and procedures of the law affecting the accounting and auditing practices of organisations registered under the provisions of the Industrial Relations Act.

### B31. OFFICE

The Office of the Divisional Branch shall be at Level 2, 61 Bowen Street, Spring Hill or such other place as may be decided upon by the Divisional Branch Board of Management from time

  
 INDUSTRIAL REGISTRAR  
 28 FEB 1995

OOOOOO  
 QUEENSLAND  
 ~~~~~

to time.

B32. ACCESS TO BOOKS

Each member of the Divisional Branch or person having an interest in the funds, shall, at all reasonable times, have access to the books and records both of the Lodge of which he/she is a member and of the Divisional Branch.

B33. EXPENSES

Travelling fares, wages and other expenses as prescribed from time to time shall be allowed to representatives to the Divisional Branch Board of Management, representatives to any other conferences convened by the Divisional Branch, and any other meeting or conference approved by the Divisional Branch Executive, Divisional Branch Board of Management or Divisional Branch Convention and shall be defrayed by the Divisional Branch Board of Management.

B34. FORMATION OF LODGES

B34.1 The Divisional Branch Executive shall take whatever steps are necessary to establish lodges of the Divisional Branch at all workplaces in Queensland.

B34.2 Where there is no lodge at a workplace or where a new workplace has started work and the Divisional Branch Executive is of the opinion that a lodge should be formed, the Divisional Branch Executive shall announce, in whatever way is best suited to the circumstances of the workplace, that a meeting will be held of eligible workers for the purposes of forming a lodge of the Divisional Branch. The announcement shall state that a committee, Officers and representatives of the lodge, as required by the Divisional Branch Rules, will be elected at the foundation meeting.

B34.3 The foundation meeting shall be chaired by a member of the Divisional Branch Executive, by a member of the Divisional Branch Board of Management or by a Divisional Branch Councillor.

B34.4 The foundation meeting shall be conducted according to the standing orders for Divisional Branch Lodge Meetings.

B34.5 The foundation meeting shall elect a committee, Officers and representatives as required by the Divisional Branch Rules.

B35. WHERE THERE ARE NO LODGES

Any member of the Divisional Branch starting work at a workplace where there is no Lodge of the Divisional Branch shall pay to the Secretary of the Lodge nearest to the members workplace all subscriptions, contributions, fees, dues and levies which shall be determined as payable by the member by the Divisional Branch Executive.

B36. MANAGEMENT OF LODGES

B36.1 Each Lodge shall be managed by a Committee consisting of a Chairman, Secretary, Treasurer and four members.

B36.2 The Committee shall be elected by the Lodge, according to the Ballot Rules of the Divisional Branch, provided that a Lodge shall, elect the Committee on an annual basis.

- B36.3 No member under eighteen years of age shall be eligible to serve on the Committee.
- B36.4 The Chairman shall preside at all meetings and have both a deliberative and a casting vote.
- B36.5 A majority of members of the Committee, including either the Lodge Chairman or Lodge Secretary shall form a quorum.
- B36.6 All lodge meetings shall be conducted according to the standing orders of the Divisional Branch.
- B36.7 Each lodge shall have power to make by-laws for its own guidance and control of its members. Such by-laws shall not be in contravention of the Rules of the Divisional Branch or the Union and shall not become operative until submitted to and approved by the Divisional Branch Executive.

B37. **POWERS AND DUTIES OF LODGE CHAIRMEN**

The Chairman shall preside at all meetings and in conjunction with the Secretary and Treasurer ensure that the Rules of the Union and the Divisional Branch and the Lodge are carried out. The Chairman shall act as advocate and spokesman for the Lodge and generally act in the interests of the membership.

INDUSTRIAL REGISTR

28 FEB 1995

B38. **POWERS AND DUTIES OF LODGE SECRETARY**

QUEENSLAND

The Secretary shall, in conjunction with the Chairman and Treasurer, ensure that the Rules of the Union, the Divisional Branch and the Lodge are carried out. The Secretary shall be responsible for keeping the books and records of the Lodge including a minute book for recording resolutions of Lodge meetings, a register of agreements made with the employer at the workplace, a correct account of the wages received by the lodge members and together with the Treasurer a record of the contributions, fines, fees, levies and other monies paid by members of the Lodge.

B39. **POWERS AND DUTIES OF TREASURER**

The Treasurer shall, in conjunction with the Chairman and Secretary ensure that the Rules of the Union, the Divisional Branch and the Lodge are carried out. The Treasurer shall be responsible for receiving and paying monies of the Lodge. The Treasurer shall, in conjunction with the Secretary, keep accurate records of all payments and receipts and provide the financial returns to the Divisional Branch Office required by these Rules. The Treasurer and Secretary together shall ensure the prompt remittance to the Divisional Branch Office of all sums of money due according to the Divisional Branch Rules. The Treasurer shall produce for inspection the books, vouchers and other records of receipts and payments when called upon to do so by the Divisional Branch Executive or Lodge Committee.

B40. **POWERS AND DUTIES OF LODGE COMMITTEES**

- B40.1 The Lodge Committee shall do whatever may be necessary to ensure that the health, lives and interests of their fellow workers are to the utmost protected.
- B40.2 The Lodge Committee shall have power to strike a special levy to pay for Lodge expenses legitimately incurred in the conduct of Lodge business. Such special levy shall not be collected unless endorsed by a majority of members of the Lodge attending and voting at a meeting of the

lodge. The Committee of any lodge, with the concurrence of such lodge, shall have power to fine any member whose conduct has been or is inconsistent with the Rules of the Union, of the Divisional Branch or decisions of the lodge reached by majority vote; but any such member shall have the right of appeal to the Board of Management. All appeals shall be sent by the Lodge Secretary to the Divisional Branch Secretary. Where a fine has been imposed the amount of the fine shall be forwarded with the appeal.

B41. FINANCIAL

B41.1 Subscriptions, fees, fines, dues and levies shall be collected fortnightly by all Lodges unless provision is otherwise specifically made by agreement between the Divisional Branch Executive and the Lodge Committee.

B41.2 Lodges shall use the individual receipt method of acknowledging and recording the payment of money by members and all Lodges with a membership of twenty-five or over shall adopt the cheque account method of payment of monies.

B41.3 All accounts and property of the Lodge shall be held in the names of the Chairman, Secretary and Treasurer of the Lodge on behalf of the Lodge.

B41.4 The Lodge Secretary shall submit an annual return to the Divisional Branch Secretary showing the income and expenditure of his/her Lodge and also send a contributions book and a receipt book for inspection by the Divisional Branch Auditors. The return shall cover the Divisional Branch financial year.

B41.5 Each Lodge shall elect two auditors each year. The auditors shall examine the accounts of the Lodge half yearly. The auditors shall sign the annual statements of Lodge receipts and expenditure which are prepared for the Divisional Branch Secretary.

INDUSTRIAL REGISTRAR

28 FEB 1995

B42. STRIKES

QUEENSLAND

B42.1 No lodge of this Divisional Branch shall begin a strike before the Lodge's grievance has been considered by the Divisional Branch Board of Management.

B42.2 In every case, before a strike is begun the Divisional Branch Board of Management shall offer to the employer or employees the option of settling the dispute by conciliatory means. If no settlement is reached by conciliation the Divisional Branch Board of Management shall have free power to take whatever steps are necessary having regard to the Rules of the Union, the Divisional Branch and the Commonwealth and State industrial laws.

B42.3 No lodge of the Divisional Branch shall begin a strike unless a majority of Lodge members attending and voting at a meeting called to consider the question shall vote in favour of the strike.

B42.4 No general strike of the Divisional Branch shall take place unless an aggregate Divisional Branch majority of members of lodges attending and voting at meetings called to consider the question shall vote in favour of the strike.

B42.5 The conduct of negotiations in any dispute shall be under the direction of the Divisional Branch Executive and the Divisional Branch Board of Management.

B42.6 In the case of a strike conducted in accordance with the Divisional Branch Rules, or a lockout

by the employers, the Divisional Branch Executive in consultation with the Divisional Branch Board of Management shall have power to levy members of lodges for support of the members on strike or locked out. Such levies shall not be collected unless endorsed by an aggregate Divisional Branch majority of members of the Divisional Branch attending and voting at meetings called to consider the question.

B43. LODGE REFERENDA - CONTROL OF LODGE COMMITTEE BY MEMBERS

B43.1 The Lodge Secretary shall, on receipt of a request in writing signed by 10 per cent of the financial members of the Lodge direct the conduct of a referendum of the financial members of the Branch on a matter concerning the Lodge.

B43.2 The Lodge Committee may direct the conduct of the referendum of the financial members of the Lodge on a matter concerning the Lodge.

B43.3 A referendum shall be conducted by secret ballot by a Lodge Returning Officer in accordance with Sub-rule B43.6 and shall be completed, in the case of a referendum pursuant to Sub-rule B43.1 within 2 months of the receipt by the Branch Secretary of the request and in the case of a direction pursuant to Sub-Rule B43.2 within 2 months of the direction.

B43.4 Where a request has been received pursuant to Sub-rule B43.1 or a direction given pursuant to Sub-rule B43.2, the Lodge Committee shall not, so far as is practicable, until the completion of the referendum, act in relation to the matter the subject of the plebiscite.

B43.5 Where a majority of financial members of the Lodge voting at a referendum approve the matter submitted to referendum, the matter shall be carried out and the Lodge Committee shall, so far as is practicable, implement the decision of the referendum.

B43.6 Where a request is received pursuant to Sub-rule B43.1 or a direction given pursuant to Sub-rule B43.2, the Lodge Secretary shall advise the Returning Officer and the Returning Officer shall direct the conduct of the referendum and shall take all necessary steps to ensure the secrecy of the ballot.

28 FEB 1995

B43.7 The Returning Officer shall determine the opening and closing dates of the ballot.

QUEENSLAND

B43.8 The Lodge Committee members or the Lodge Committees and (where the referendum is held following a request pursuant to Sub-rule B43.2), the members who requested the referendum may each appoint 2 scrutineers for the conduct of the referendum and shall, before the opening of the ballot, advise the Lodge Returning Officer of the name of each such scrutineer.

B43.9 The Returning Officer shall on the opening date of the ballot forward or cause to be forwarded by prepaid post or otherwise to each financial member of the Lodge, a ballot paper initialled by the Returning Officer together with a reply paid return envelope addressed to the Returning Officer at his address for the purpose of the conduct of the referendum. The ballot paper may contain, or be accompanied by, such directions to voters as the Returning Officer considers necessary.

B43.10 Subject to Sub-rule B43.11 a scrutineer appointed pursuant to Sub-rule B43.8 may be present during the conduct of the ballot by the Returning Officer including the counting of ballot papers returned in the referendum and may object to a ballot paper being counted on the ground that it does not clearly express the voter's attitude to the question to which the referendum is directed.

FEB 1995

- B43.11 A scrutineer shall observe a direction given by the Returning Officer during the conduct of the ballot and shall comply with any decision given by the Returning Officer as to whether a ballot paper is to be counted as sufficiently expressing a voter's attitude to the question which is the subject of the referendum.
- B43.12 A voter shall cast a vote in a ballot under this Rule by completing the ballot paper forwarded to the voter pursuant to Sub-rule B43.9 in accordance with the directions to voters (if any) and forwarding the ballot paper to the Lodge Returning Officer so as to reach the Returning Officer no later than the closing date of the ballot.
- B43.13 A vote cast in the ballot shall be informal if the intention of the voter is not clear.
- B43.14 On completion of the counting of ballot papers returned in a referendum the Returning Officer shall declare the result of the referendum by advising the Lodge Secretary in writing of the number of ballot papers forwarded to voters, the number approving the matter or the subject of the referendum, the number not approving and the number of informal votes.
- B43.15 Provided that nothing contained in this Rule prevents the conduct of the ballot by the Australian Electoral Commission or the Electoral Commission, Queensland.

B44. PRIVATE AGREEMENTS/EMPLOYMENT WHILST ON LONG SERVICE LEAVE

- B44.1 No member of this Union will be permitted to enter into any private agreement relating to the work performed pursuant to the Industry/s of the Divisional Branch at any workplace, without first submitting such agreement to the Divisional Branch Executive for its approval or otherwise.
- B44.2 Members of the Divisional Branch shall not take other employment whilst on long service leave. Any member taking other employment whilst on long service leave shall forfeit all lodge seniority rights and be deemed to be a new starter on starting work after the completion of the long service leave. Any member taking employment whilst on long service leave shall, in addition to the members formal award entitlements to days of leave, take leave equivalent to the total number of days worked in other employment.

INDUSTRIAL REGISTR

28 FEB 1995

B45. ALTERATION OF DIVISIONAL BRANCH RULES

- B45.1 Proposed new Divisional Branch Rules may be made and any of the Rules of the Divisional Branch may be altered, amended, added to or rescinded upon an examination and a report being received from the Rules Committee of members of the Divisional Branch Board of Management or Divisional Branch Convention appointed from time to time as the occasion arises by the Divisional Branch Board of Management or Divisional Branch Convention as the case may be.
- B45.2 The report of the Rules Committee shall be discussed by the Divisional Branch Board of Management or Divisional Branch Convention and the proposed Divisional Branch Rules change submitted for approval by a majority of the members present and voting at that meeting of the Divisional Branch Board of Management or Divisional Branch Convention and then submitted for the approval of the membership in the same manner as other Divisional Branch Board of Management or Divisional Branch Convention resolutions.

B46. DISSOLUTION OF THE DIVISIONAL BRANCH

While seven financial members remain in the Divisional Branch, the Divisional Branch shall not be dissolved. Should the number of members at any time fall below seven the Divisional Branch

shall be dissolved. In the event of a dissolution, all monies, after payment of all just debts, shall be held on trust by the Divisional Branch in a separate fund until such time as a new Divisional Branch containing seven or more members can be formed.

B47. DIVISIONAL BALLOT RULES

B47.1 Elections for each directly elected Office in the Divisional Branch shall be by secret postal ballot in accordance with the provisions of the Industrial Relations Act Industrial Relations Regulations and pursuant to the Union Rules.

B47.2 The Divisional Branch Board of Management shall appoint a Returning Officer to conduct elections within the Divisional Branch. Such Returning Officer shall not be the holder of any Office in or be an employee of the Divisional Branch or a Lodge.

B47.3 The Returning Officer shall determine the times and dates of the commencement and close of the period for lodging nominations of candidates for election to an Office having regard to:

- (a) the date of the expiration of the term of Office of the holder of the Office;
- (b) the time required to lodge the nominations;
- (c) the time required to complete the election.

B47.4 The Returning Officer shall, within the period of 21 days before the date of commencement of the period for lodging nominations of candidates for an election for an Office within the Divisional Branch, cause to be published in a newspaper or newspapers a notice setting out:

- (a) the title of the Office;
- (b) the form in which nominations are to be made;
- (c) the place for lodging nominations;
- (d) the times and dates of the commencement and close of the period for lodging nominations, and inviting nominations of persons, eligible for election for the Office under the Divisional Branch Rules to stand as candidates for election to the Office.

B47.5 The Returning Officer shall, in respect of an election for an Office within a Divisional Branch determine the newspaper or newspapers in which the notice shall be published having regard to any particular region to which the functions of the Office relate.

B47.6 A person is not eligible for election for an Office unless that person's nomination is in writing and is signed by that person and two other financial members.

B47.7 Where the Returning Officer finds that a document lodged at the place and within the period determined by the Returning Officer pursuant to Sub-rule B47.3 of this Rule and purporting to be the nomination of a person as a candidate for an election to an Office is not a nomination in accordance with the provisions of this paragraph the Returning Officer shall, before rejecting the nomination, notify the person concerned by facsimile of the defect and, where it is practicable to do so, give the person the opportunity of remedying the defect within not less than seven days after the person is so notified.


INDUSTRIAL REGISTRAR
28 FEB 1995

QUEENSLAND


- B47.8 A person is not eligible for election unless the nomination of the person as a candidate for election is lodged at the place determined by the Returning Officer pursuant to Sub-rule B47.4(c) of this Rule and within the period for lodging nominations pursuant to Sub-rule B47.3 or Sub-rule B47.7 of this Rule.
- B47.9 Where on the expiry of the period for lodging the nomination of a candidate for election to an Office, only one candidate is nominated for election for the Office, the Returning Officer shall declare pursuant to Sub-rule B47.37 of this Rule that the candidate has been elected to that Office.
- B47.10 The names and addresses of members of the Divisional Branch who are entitled under the Divisional Branch Rules to vote in an election shall form the roll of votes for the election.
- B47.11 The Returning Officer shall prepare a roll of voters who, on the fourteenth day before the date determined pursuant to Sub-rule B47.17 of this Rule for the commencement of issuing ballot papers, are entitled to vote in the election.
- B47.12 The Returning Officer shall add to the roll of voters the names and addresses of persons who, after the day referred to in Sub-rule B47.11 of this Rule become entitled to vote in the election.
- B47.13 The Returning Officer shall delete from the roll of voters the names of persons who, after the day referred to in Sub-rule B47.11 of this Rule cease to be entitled to vote in the election.
- B47.14 The Returning Officer shall, at the place where he/she carried out his/her functions as Returning Officer, make the roll of voters in an election for an Office available for inspection by members or by any person authorised by the Returning Officer, during the ordinary hours of business in the period that commences on the day referred to in Sub-rule B47.11 of this Rule and ends on the day on which the result of the election is declared.
- B47.15 Where any person entitled to vote in an election will be absent from the address shown on the register of members or from the meeting at which the election is to be conducted for the duration of the ballot, the person may apply to the Returning Officer for an absentee vote. In any such case the Returning Officer shall take such steps as are necessary to allow that person to cast a vote.
- B47.16 The Returning Officer shall use, for the purpose of receiving ballot papers in respect of an election a private box at a post Office being a private box used exclusively for that purpose. Access to the private box shall be under the exclusive control of:
- (a) persons authorised by the Australia Post for the purpose;
 - (b) the Returning Officer; and
 - (c) persons authorised in writing by the Returning Officer for the purpose.
- B47.17 Where more than one candidate is nominated for election for an Office the Returning Officer shall determine the date of commencement of issuing ballot papers and the time and date of the close of the ballot having regard to:
- (a) the date of expiration of the term of Office of the holder of the Office;
 - (b) the time required to send and return ballot papers by post; and



(c) the time required to complete the election.

B47.18 As soon as practicable after the date determined for the commencement of issuing ballot papers in respect of an election, the Returning Officer shall issue by posting by prepaid post, to each person:

- (a) whose name is on the roll of voters referred to in Sub-rule B47.11 of this Rule;
- (b) whose name is, under Sub-rule B47.12 of this Rule added to the roll; and
- (c) whose name has not, before the issue of the ballot paper been deleted from the roll under Sub-rule B47.13 of this Rule, at the address shown on the roll, a ballot paper in a sealed envelope.

B47.19 Where in respect of an election the Returning Officer has issued a ballot paper to a person whose name is, after the issue of a ballot paper, deleted from the roll of voters the person shall be deemed to be entitled to vote in the election.

B47.20 The envelope referred to in Sub-rule B47.18 of this Rule shall bear an instruction that, if it is not delivered to the addressee, it should be returned to a specified private box at a post Office other than the private box referred to in Sub-rule B47.16 of this Rule.

B47.21 Access to the private box referred to in Sub-rule B47.16 of this Rule shall be under the exclusive control of:

- (a) persons authorised by the Australia Post for the purpose;
- (b) The Returning Officer; and
- (c) persons authorised in writing by the Returning Officer for the purpose.

B47.22 The envelope referred to in Sub-rule B47.18 of this Rule shall contain:

- (a) a ballot paper showing the time and date of the close of the ballot, being a ballot paper initialled by the Returning Officer or bearing a facsimile of those initials;
- (b) an envelope addressed to the private box referred to in Sub-rule B47.16 of this Rule being an envelope that may be posted without expense to the voter;
- (c) written instructions to the voter how to mark the ballot paper in order to record a formal vote in accordance with the Divisional Branch Rules; and
- (d) any other document required for the conduct of the election.

B47.23 The names of candidates for election for an Office shall appear on the ballot paper for that election in the alphabetical order of the surnames of the candidates or, in relation to candidates whose surnames are identical in the alphabetical order of their Christian or given names.

B47.24 The Returning Officer shall include on the ballot paper instructions to the voter that are substantially in accordance with the following form:

- (a) do not put on the ballot paper any mark or writing by which you can be identified;



- (b) fold the ballot paper in a manner that conceals the way in which it is marked;
- (c) place the ballot paper in the envelope that is supplied and that is addressed to the Returning Officer; and
- (d) seal the envelope and post it to reach the Returning Officer before the time of the close of the ballot.

B47.25 Where, on application before the time of the close of the ballot in an election, the Returning Officer is satisfied that a ballot paper or return envelope issued to a person whose name is on the roll of voters, has not been received or has been lost, destroyed or spoilt, the Returning Officer shall issue to that person a duplicate ballot paper, or return envelope, as the case may be.

B47.26 An application by a person for a duplicate ballot paper, or return envelope, for an election shall be in writing setting out the grounds on which the application is made and declaring that the person has not voted in the election and shall, if practicable, be accompanied by any evidence that is available of that non-receipt, loss, destruction or damage.

B47.27 The Returning Officer may, at any time before the close of the ballot for an election for an Office and shall, as soon as practicable after the time of the close of the ballot:

- (a) place unopened into a container or containers envelopes, addressed to the private box referred to in Sub-rule B47.16 of this Rule received by the Returning Officer before the time of the close of the ballot;
- (b) seal each of the containers;
- (c) endorse on each of the containers:
 - (i) the name of the Divisional Branch and the title of the Office;
 - (ii) the words "Ballot papers received from voters on or before the closing date".
 - (iii) the Returning Officer's signature; and
 - (iv) the date of signing.
- (d) keep each of the containers in safe custody until the containers are opened in accordance with Sub-rule B47.29 of this Rule.

B47.28 The Returning Officers shall:

- (a) place unopened into a container or containers envelopes addressed to the private box referred to in Sub-rule B47.16 of this Rule received by the Returning Officer after the time of the close of the ballot for an election for an Office within the Divisional Branch;
- (b) seal each of the containers;
- (c) endorse on each of the containers:
 - (i) the name of the Divisional Branch and the title of the Office;

- (ii) the words "Ballot papers received from voters after the closing date;
 - (iii) the Returning Officer's signature; and
 - (iv) the date of signing;
- (d) subject to the requirements of the Industrial Relations Act keep each of the containers in safe custody.

B47.29 The Returning Officer shall, as soon as practicable after the time of the close of the Ballot, open the sealed containers referred to in Sub-rule B47.27 of this Rule, with-draw the ballot paper from each envelope and without looking at the manner in which the ballot is marked, place each ballot paper in a ballot box, provided for the purpose for scrutiny in accordance with Sub-rule B47.30 of this Rule.

B47.30 The Returning Officer shall open the ballot box in which ballot papers have been placed, withdraw each ballot paper and after rejecting informal ballot papers:

- (a) count the number of votes to ascertain which candidate is successful in the election to the relevant Office;
- (b) place into a container or containers the ballot papers admitted as formal, seal each of the containers and endorse on each of the containers:
 - (i) the name of the Divisional Branch and the title of the Office;
 - (ii) the words "Ballot papers admitted as formal";
 - (iii) the Returning Officer's signature; and
 - (iv) the date of signing.
- (c) place into a container or containers the ballot papers rejected as informal, seal each of the containers and endorse on each of the containers:
 - (i) the name of the Divisional Branch and the title of the Office;
 - (ii) the words "Ballot papers rejected as informal";
 - (iii) the Returning Officer's signature; and
 - (iv) the date of signing.
- (d) subject to the requirements of the Industrial Relations Act, keep each of the containers in safe custody.

B47.31 The Returning Officer shall reject as informal a ballot paper that:

- (a) does not bear the initials of the Returning Officer or the facsimile of those initials that is referred to in Sub-rule B47.22(a) of this Rule;
- (b) has upon it a mark or writing by which the voter can be identified; or



- (c) is not marked substantially in accordance with the instructions referred to in Sub-rule B47.22(c) of this Rule.

B47.32 Where, during the scrutiny, the Returning Officer is informed by a scrutineer appointed under Sub-rule B47.33 of this Rule that the scrutineer objects to a ballot paper being admitted as formal, or rejected as informal, as the case may be, the Returning Officer shall decide the matter and endorse the Returning Officer's decision on the ballot paper.

B47.33 Each candidate nominated for election may, in writing, appoint a scrutineer in respect of that election, being a person other than a candidate, and may, in writing, appoint another such person to carry out the functions of the scrutineer where the first mentioned person does not carry out those functions.

B47.34 Subject to Sub-rule B47.35 a scrutineer appointed under this regulation may:

- (a) be present while the Returning Officer carries out his/her functions under Sub-rules B47.27, B47.28, B47.29, B47.30, B47.31 and B47.32 of this Rule; and
- (b) direct the attention of the Returning Officer to any irregularity concerning the issue of ballot papers, the admission of any envelope to scrutiny, the admission of a ballot paper as formal, the rejection of a ballot paper as informal or the counting of the votes.

B47.35 Where a scrutineer appointed under this Rule:

- (a) interrupts the scrutiny otherwise than in accordance with Sub-rule B47.34(b) of this Rule; or
- (b) fails to carry out a lawful request by the Returning Officer,

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

B47.36 A scrutineer appointed under this paragraph shall comply with direction by the Returning Officer under Sub-rule B47.35 of this Rule.

B47.37 As soon as is practicable the Returning Officer shall declare the result of an election by giving notice in writing to the Divisional Branch of the result.

B47.38 When declaring the result in respect of the election the Returning Officer shall also declare in respect of the election:

- (a) the number of ballot papers issued (other than duplicate ballot papers);
- (b) the number of duplicate ballot papers issued;
- (c) the number of ballot papers admitted as formal; and
- (d) the number of ballot papers rejected as informal.

B47.39 The Returning Officer shall at all times, as far as is practicable, ensure that no irregularities occur in the conduct of the Ballot.

INDUSTRIAL REGISTRATION
28 FEB 1995
QUEENSLAND

B48. UNION PREFERENCE

Preference shall be given to financial members of this Union excepting those members who are temporary members working for contractors not respondent to the Award.

B49. RETIRED MEMBERS

Any member contributing to the funds of the Divisional Branch for five years and over, in the event of ceasing work through old age or infirmity shall be exempt from payment of subscriptions, levies and fines and may still remain a member of the Divisional branch, but will not be allowed to vote in Divisional Branch or Union ballots.

B50. MEMBERS DISCHARGED

In the event of any member of this Divisional Branch being discharged from their employer, the member may report same to the Committee of the members lodge who shall investigate the case, and should it be proved that the member violated no working rules of the workplace, shall request that the member be reinstated in the members employment, and if refused the case shall be referred to the Divisional Branch Board of Management, and if the member is considered a victimised member, the member shall be considered for payment in accordance with the practice of the Divisional Branch.

INDUSTRIAL REGISTRAR

28 FEB 1995

B51. HOURS OF EMPLOYMENT

No member of this Union shall work in or about any workplace for more than seven hours in any one day, unless the Chairman and Secretary of the Lodge to which such member belongs gives the member special permission, and all cases in which such permission is given shall be reported by the Lodge Secretary to the next meeting of the Divisional Branch Board of Management.

 OOOOOO
 QUEENSLAND
 1995
B52. MEMBERS WORKING ON HOLIDAYS

Any member of this Divisional Branch working on award statutory holidays or any day set apart by the Divisional Branch shall be fined twenty-five dollars (\$25.00), work of actual necessity excepted.

B53. MORTUARY BENEFIT FUND

B53.1 A levy of fifty cents (50c) per member, per fortnight, (or whatever amount which the Divisional Branch Board of Management may decide from time to time is necessary), shall be struck to provide a Mortuary Benefit Fund. Money standing to the credit of the fund shall not be used for any purpose other than those specified in this Divisional Branch Rule.

B53.2 In the consequence of the death of any member or half member of the Divisional Branch the Divisional Branch Executive shall, at its discretion, pay to the next of kin, or to any relative, or to a beneficiary under the Will of such deceased member, or to the executor of the deceased's Estate, or to any other person, who, in the opinion of the Divisional Branch Executive, has a valid claim, the sum of seven hundred dollars (\$700.00) or whatever amount the Divisional Branch Board of Management may decide from time to time, providing however that the Divisional Branch Board of Management or Divisional Branch Executive shall have the right to make no such payment in consequence of the death of a member or half member where it can be clearly established that payment of the Mortuary benefit will in no way benefit any of the abovementioned persons, provided further, that upon exercising this right to make no Mortuary

Benefit Payment, the Divisional Branch Executive shall report all the circumstances surrounding its action to the next Meeting of the Divisional Board of Management.

B53.3

For the purpose of this Divisional Branch Rule, and to determine eligibility for payment of the Mortuary benefit, a member or half member shall be defined as:-

- (a) a person who is employed in the coal mining industry as a member of the Mining & Energy Divisional Branch at the date of the members death;
- (b) a retrenched person who has been a financial member of the Mining & Energy Divisional Branch (or a member of a Union whose members have in a process of amalgamation been allocated to the Mining & Energy Divisional Branch) for a least ten (10) years prior to the date of retrenchment, provided that such retrenched member, upon electing to remain a contributor to the Mortuary Benefit Fund shall pay, within two (2) weeks of the date of the member's retrenchment such contribution as may be calculated in accordance with this Divisional Branch Rule to maintain the member as a financial member of the Fund up until the close of the last fortnightly period in respect of which Divisional Branch contributions are payable in the year during which the member was retrenched provided further that such retrenched member shall also pay, before the close of the first fortnightly period ending in February of each year in respect of which Divisional Branch Contributions are payable, such contributions as may be calculated in accordance with this Divisional Branch Rule to maintain the member as a financial member of the Fund for the ensuing year, provided however, that a retrenched member, who would qualify for a Miners' Pension on any date subsequent to the members retirement would be liable for contributions to the Fund only up until such qualifying date;
- (c) a person who leaves the coal mining industry of that persons own accord and who has, upon the date of so leaving, been a financial member of the Mining & Energy Divisional Branch for a period of time sufficient to enable that person to qualify for a Miners' Pension or Superannuation on any subsequent date provided however, that such a person shall pay contributions to the Fund as though that person were a retrenched member;
- (d) a person who retires, or who has retired, from the coal mining industry on the Miners' Pension as a member of the Mining & Energy Divisional Branch;
- (e) a person who goes out of the coal mining industry on phthisis compensation as a member of the Mining & Energy Divisional Branch;
- (f) a person who goes out of the coal mining industry medically qualified for a Commonwealth Invalid Pension as a member of the Mining & Energy Divisional Branch and whose medical qualifications for same continues.

B53.4

This Divisional Branch Rule shall be deemed to have become operative on and from Monday, the 12th August, 1968.

INDUSTRIAL REGISTRAR

28 FEB 1995

B54.

STANDING ORDERS

QUEENSLAND

B54.1

Every member desiring to speak, shall rise in place and address themselves to the Chairman and members.

B54.2

When two (2) or more person rise to speak together, the Chairman shall call upon the member, who in the Chairman's opinion, first rose to their place.

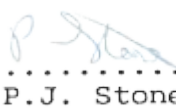
- B54.3 No member may speak more than once to a question before the Meeting, except in explanation or reply, and no member shall speak for more than ten (10) minutes on any question, except by permission of the Chairman.
- B54.4 A reply will only be allowed to a member who has moved a resolution.
- B54.5 It shall be competent for a member, when the member seconds a motion or amendment without speaking to it to address the meeting at any subsequent period of the debate.
- B54.6 Any amendment destroying or altering the intention of a motion shall be in order, but an amendment in relation to a different subject shall not be in order, nor shall any further amendment be accepted until the first has been disposed of.
- B54.7 Any member having made a motion, may withdraw it with the consent of the seconder, before it is debated, but not afterwards without permission of the Meeting.
- B54.8 When amendments have been carried, the main question as amended shall be put.
- B54.9 Any member may request that the question or matter in discussion be stated for the members information, at any time during the debate, but not so as to interrupt a member speaking.
- B54.10 When the Chairman is putting a question, no member shall leave the meeting, nor while a member is speaking, shall any member in any way interrupt that member, and no member shall leave the meeting without the permission of the Chairman.
- B54.11 When a member is called to order, the member shall take their seat until the point is determined.
- B54.12 Any member using disorderly language, shall be deemed out of order, and failing to obey the ruling of the chair, be fined twenty-five cents (25c) for each offence.
- B54.13 Any motion for adjournment shall be put without discussion.
- B54.14 When any business has been dealt with, and decided by the meeting, no appeal against the decision shall be allowed, unless some additional evidence is forthcoming, satisfactory to the presiding Officer.
- B54.15 No member will be permitted to obstruct the business of any meeting, nor will swearing, drinking or gambling be allowed. Any person failing to comply with this rule may be fined at the direction of the meeting.

28 FEB 1995
 QUEENSLAND


.....
G. Betts, STATE SECRETARY


.....
D. Holloway, STATE PRESIDENT


.....
W.W. Trohear, STATE SECRETARY


.....
P.J. Stone, STATE PRESIDENT


.....
P. Neilson, STATE SECRETARY


.....
A. Vickers, STATE PRESIDENT



"B2"

**RESOLUTION PASSED BY THE STATE MANAGEMENT COMMITTEE OF THE
AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS,
PLASTERERS, PAINTERS AND DECORATORS OF AUSTRALASIA, UNION
OF EMPLOYEES, QUEENSLAND**

- "1. That the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland amalgamate with the Federated Engine Drivers' and Firemen's Association of Australasia, Union of Employees, Queensland and the Queensland Colliery Employees Union of Employees (the principal amalgamation) or in the alternative if the principal amalgamation does not succeed then for the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland to amalgamate with either the Federated Engine Drivers' and Firemen's Association of Australasia, Union of Employees, Queensland or the Queensland Colliery Employees Union of Employees, and authorise the State Secretary to make application for amalgamation to the State Industrial Relations Commission and to meet the legal requirements.
2. That the rules of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators, Engine Drivers, Firemen and Colliery Employees of Australasia, Union of Employees, Queensland be deleted in their entirety and that the rules attached hereto as Schedule 1 be adopted as the new rules of the Union following a successful amalgamation either of the principal amalgamation or of an alternative amalgamation.
3. That the Scheme of Amalgamation and Outline of the Scheme of Amalgamation, attached as Schedules 2 and 3 respectively, be adopted.
4. That a Community of interest exists between the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and its members and the Federated Engine Drivers' and Firemen's Association of Australasia, Union of Employees, Queensland and its members and the Queensland Colliery Employees Union of Employees and its members, and authorise the State Secretary to make application for a community of interest declaration to the State Industrial Relations Commission and to meet the legal requirements.
5. That the YES case in support of the proposed amalgamation be adopted.
6. That should there be concerted opposition to the name of the Amalgamated Industrial Organisation being the Construction, Forestry, Mining & Energy, Union of Employees, Queensland that the Secretary be directed to amend the application to seek that the name of the Amalgamated Industrial Organisation be the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators, Engine Drivers, Firemen, and Colliery Employees of Australasia, Union of Employees, Queensland.

INDUSTRIAL REGISTRAR

28 FEB 1995

000000
QUEENSLAND

7. That the Management Committee of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland resolves that the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland use its financial and other resources in support of the proposed principal or alternative amalgamations with the Federated Engine Drivers' and Firemens' Association of Australasia, Union of Employees, Queensland and the Queensland Colliery Employees Union of Employees.
8. If as a consequence of applications and rule changes made pursuant to these resolutions the Commission refuses to adopt and/or ratify such application or rule changes on the ground that the application and/or the rule change does not comply with the Act and/or any other law, then the Secretary shall be authorised to amend such application or rule change to conform with the requirements of the Commission, provided that such amendment does not substantially depart from the scope and ambit of these resolutions.

DATE RESOLVED: 24/11/94

.....
W.W. Trohear, STATE SECRETARY

.....
P.J. Stone, STATE PRESIDENT

.....
G. Betts, STATE SECRETARY

.....
D. Holloway, STATE PRESIDENT

.....
W.W. Trohear, STATE SECRETARY

.....
P.J. Stone, STATE PRESIDENT

.....
P. Nielson, STATE SECRETARY

.....
A. Vickers, STATE PRESIDENT

INDUSTRIAL REGISTRAR

28 FEB 1995

"C"

#2

000000
QUEENSLAND
~~~~~

PROPOSED CALLINGS OF THE PROPOSED AMALGAMATING INDUSTRIAL ORGANISATIONS.

Carpenters and joiners and without limiting the meanings of the terms to include ship joiners, joiners in sawmills and joinery mills, bridge carpenters, sheet metal ceiling fixers, shop fitters and show case makers, wood turners and all wood working machinists in such callings; and boat builders, ships' carpenters, shipwrights and fibro cement fixers.

Stonemasons, marble masons, polishers, machinists, sawyers and all other persons engaged in the dressing and preparation and/or erection of stone, marble or slate also those engaged in the preparation and/or erection of terrazzo or similar compositions.

Bricklayers, tuck pointers, coke slab wall erectors, gas retort erectors, gas retort repairers, fire clay block layers, floor tilers, wall tilers, roof tilers, slaters, concrete block layers, artificial stone layers, terra cotta fixers, majolica fixers, earthenware duct layers, glazed earthenware urinal fixers, earthenware pipe drain layers in or about a building - cutters of brickwork for doorways or windows.

Plasterers, tilers, lathers, modellers, casters, slaters, terrazzo workers and floor specialists.

Without limiting the meaning of the foregoing callings, all persons employed in or on internal and external plastering work, internal and external cementing work, casting and fixing of fibrous and other plaster materials, including press work, fixing of wood and metal lathing or cork slabs or slabs of any material or any similar substitute that may be used as a means for attaching plaster. Top dressing of all concrete work. Plastering work in or in connection with sewers, septic tanks, water tanks or other tanks or pits, cooling chambers. The using of enamellite or gritless asphalt.

Painting and Decorating in or in connexion with Buildings and Structures (Commercial, Residential, Industrial or Otherwise) General and Ship Painting, including Naval Ships, Launches, Boats and other Small Craft with the Brush, Spray, Roller or other Tool.

The Painting of or in connexion with Prefabricated Buildings and Structures, (Commercial, Residential, Industrial or Otherwise) and any Prefabricated or other Parts of Prefabricated Buildings and Structures as aforementioned.

Painting and decorating of or in connection with plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise); painting and decorating of or in connection with prefabricated plant, machinery, and equipment, fences and posts, (commercial, residential, industrial or otherwise); painting and decorating of prefabricated ship and prefabricated parts of ships of every kind and the painting and decorating of prefabricated launches and boats and the prefabricated parts of launches and boats of every kind.

INDUSTRIAL REGISTRAR

28 FEB 1995

000000  
QUEENSLAND

## Painting Traffic Lines.

The painting of the exterior of pipe lines on or above the surface of the earth, conduits, valves, condensers, cocks, control and/or regulating stations or sub-stations, and/or pumping, suction, syphon or booster stations or sub-stations, and/or storage holders, pressure regulating holders and/or trestles, bridges, viaducts, pylons, and any other supports, and all machinery and appurtenances relating to the foregoing on water, land, or seas, used or to be used for the purposes of storing and/or regulating and/or conveying liquids or gases including natural oils and gases.

The application of Paint or like Matter of Substitutes with a Brush, Spray, Roller or other Tool in any of the aforementioned Branches of the Trade.

Glazing, Glass Cutting, Cutting and Fixing Vitrolite or Like material, the Fixing of Glass by any means in any place prepared for its reception, Fitting and Fixing Glazing Bars, Glass Processing.

Leadlight and Metal Glazing, including cutting Glass, Assembling and Fixing Glass by means of Lead and/or Metal Sections.

Sandblasting or Gravure Work, Designs and Lay-Outs for Patterns on Glass; all work connected with Sandblasting or Gravure Operations on Glass.

Paperhanging, Applying and/or Fixing Wallhangings or Coverings, Decorating, Kalsomining, Distempering, Colourwashing, Limewashing, Staining, Plastic Relief and Texture Work, Graining, Marbling, Gilding, Enamelling, Varnishing and Lacquering.

Employees who mix and/or apply and/or fix paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative or protective coatings and/or finishes, or putty, stopping, caulking mixtures, compositions or compounds, oils, varnishes, water-colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings (coatings shall not be read and construed to include the applying and fixing of lagging, or the work of applying or fixing of coatings consisting of plaster and/or lime and/or cement and/or aggregate when such substances are mixed or blended with water or the coating of pipes with bitumen and/or wrapping with burlap or hessian or in the State of Victoria only work covered by the description of industry in connexion with the Victorian Plasterers Association is registered as at 1st November, 1962 but shall include any subsequent coats of paint or other like material for the purposes of protection or decoration) or other materials used in any of the callings specified in rule 2, Constitution hereof (other than mixing of paint, paint mixtures, protective coatings and/or plastic coatings and/or finishes and/or mixtures, putty, putty mixtures, stopping, caulking mixtures, compositions or compounds, oils, oil mixtures, varnishes, varnish mixtures, watercolours, water-colour mixtures, lacquers, lacquer mixtures, stains and removers, stain removal mixtures in paint and chemical factories) and/or other material used in the painting and decorating trade with a brush, spray, roller or other tool or remove paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative coatings and/or finishes or putty, stopping or caulking mixtures, compositions or compounds, oils, varnishes, water colours,



lacquers, stains, wallpapers, wallhangings or coverings, coatings, or other materials used in the painting and decorating trade by heat, flame, water, solvents, electrical, mechanical, air powered or hand tools or by grit, shot, or other abrasives or by any other means.

Signwriting, Lettering of Every Description, Size or Shape, Applied by Brush or any Other Like Means, on Any Surface or Material; Designing and/or Lettering of Price Tickets and Show Cards (Where such work is of such a kind as is done by a Signwriter or Person employed wholly on this class of work); Designing and Laying-Out of Windows, Posters, Show Windows, Theatre Displays, Honour Rolls, Illuminated Addresses, Neon Signs, Stencils, Display Banners, and Cut-Out Displays of all Descriptions, either Pictorial, Scenic or Lettering (where such Designing is not done by an Architect or Architectural Draftsman) using Scotchlite or any other Similar Materials (Whether Luminous or Otherwise) together with all Processes Concerned therewith; Traffic Signs and/or Symbols; all Pictorial Work in connection with any Signs or Advertisements generally performed by a Signwriter (excluding work done by a Commercial Artist or a Ticket Writer under the Shop Assistants' Award).

Pictorial or Scenic Painting, Production of Signs or Posters by means of Stencils, Screens, or like Methods or by any other work incidental thereto.

Preparing the Work and Materials required in any of the aforementioned Branches of the Trade.

Persons whether engaged in any Industrial Pursuit or not who have been appointed Officers of the Union or its Sub-Branched and admitted as Members thereof.

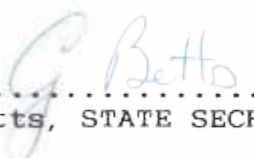
Engine Drivers, all classes  
Firemen  
Crane Drivers  
Mobile Crane Drivers  
Fork Lift Drivers  
Dynamo Attendants  
Motor Drivers or Motor Attendants  
Greasers  
Engine Cleaners  
Cleaners  
Trimmers  
Tow Motor Drivers  
Excavator Drivers  
Pump Attendants  
Pile Driving Machine Drivers



and any other workers assisting in and about the work incidental to any engine, boiler or machinery connected with production or utilisation of power on land or any harbour, or river, and boiler attendants attending boilers not generating steam for power purposes.

Surface Labourers  
Pitheadmen in charge of shafts  
Pitheadmen in charge of tunnels  
Bracemen in charge of sinking shafts  
Underground Labourers, other than miners

Pitbottomers  
 Shiftmen miners  
 Shiftmen miners (working in wet places)  
 Sinkers (working in dry places)  
 Sinkers (working in wet places)  
 Wheelers, Horsedriers, Jig-runners, and Rope-runners  
 Men employed on the coal cutting and Boring machines  
 Roadmen  
 Shotfirers  
 Timbermen  
 Colliery Carpenters  
 Colliery Blacksmiths  
 Deputies and Firemen  
 Carters  
 Cokeburners  
 Horsekeepers  
 Motor drivers

  
 .....  
 G. Betts, STATE SECRETARY

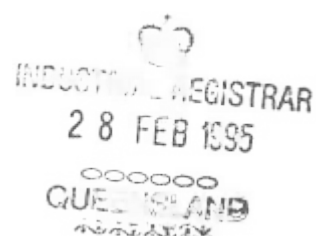
  
 .....  
 D. Holloway, STATE PRESIDENT

  
 .....  
 W.W. Trohear, STATE SECRETARY

  
 .....  
 P.J. Stone, STATE PRESIDENT

  
 .....  
 P. Nielson, STATE SECRETARY

  
 .....  
 A. Vickers, STATE PRESIDENT











"C1"

#1

REGISTERED CALLINGS OF THE AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS, PLASTERERS, PAINTERS AND DECORATORS OF AUSTRALIA, UNION OF EMPLOYEES, QUEENSLAND

Carpenters and joiners and without limiting the meanings of the terms to include ship joiners, joiners in sawmills and joinery mills, bridge carpenters, sheet metal ceiling fixers, shop fitters and show case makers, wood turners and all wood working machinists in such callings; and boat builders, ships' carpenters, shipwrights and fibro cement fixers.

Stonemasons, marble masons, polishers, machinists, sawyers and all other persons engaged in the dressing and preparation and/or erection of stone, marble or slate also those engaged in the preparation and/or erection of terrazzo or similar compositions.

Bricklayers, tuck pointers, coke slab wall erectors, gas retort erectors, gas retort repairers, fire clay block layers, floor tilers, wall tilers, roof tilers, slaters, concrete block layers, artificial stone layers, terra cotta fixers, majolica fixers, earthenware duct layers, glazed earthenware urinal fixers, earthenware pipe drain layers in or about a building - cutters of brickwork for doorways or windows.

Plasterers, tilers, lathers, modellers, casters, slaters, terrazzo workers and floor specialists.

Without limiting the meaning of the foregoing callings, all persons employed in or on internal and external plastering work, internal and external cementing work, casting and fixing of fibrous and other plaster materials, including press work, fixing of wood and metal lathing or cork slabs or slabs of any material or any similar substitute that may be used as a means for attaching plaster. Top dressing of all concrete work. Plastering work in or in connection with sewers, septic tanks, water tanks or other tanks or pits, cooling chambers. The using of enamellite or gritless asphalt.

Painting and Decorating in or in connexion with Buildings and Structures (Commercial, Residential, Industrial or Otherwise) General and Ship Painting, including Naval Ships, Launches, Boats and other Small Craft with the Brush, Spray, Roller or other Tool.

The Painting of or in connexion with Prefabricated Buildings and Structures, (Commercial, Residential, Industrial or Otherwise) and any Prefabricated or other Parts of Prefabricated Buildings and Structures as aforementioned.

Painting and decorating of or in connection with plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise); painting and decorating of or in connection with prefabricated plant, machinery, and equipment, fences and posts, (commercial, residential, industrial or otherwise); painting and decorating of prefabricated ship and prefabricated parts of ships of every kind and the painting and decorating of prefabricated launches and boats and the prefabricated parts of launches and boats of every kind.


 INDUSTRIAL REGISTRAR

28 FEB 1935

## Painting Traffic Lines.

 000000  
 QUEENSLAND

The painting of the exterior of pipe lines on or above the surface of the earth, conduits, valves, condensers, cocks, control and/or regulating stations or sub-stations, and/or pumping, suction, syphon or booster stations or sub-stations, and/or storage holders, pressure regulating holders and/or trestles, bridges, viaducts, pylons, and any other supports, and all machinery and appurtenances relating to the foregoing on water, land, or seas, used or to be used for the purposes of storing and/or regulating and/or conveying liquids or gases including natural oils and gases.

The application of Paint or like Matter of Substitutes with a Brush, Spray, Roller or other Tool in any of the aforementioned Branches of the Trade.

Glazing, Glass Cutting, Cutting and Fixing Vitrolite or Like material, the Fixing of Glass by any means in any place prepared for its reception, Fitting and Fixing Glazing Bars, Glass Processing.

Leadlight and Metal Glazing, including cutting Glass, Assembling and Fixing Glass by means of Lead and/or Metal Sections.

Sandblasting or Gravure Work, Designs and Lay-Outs for Patterns on Glass; all work connected with Sandblasting or Gravure Operations on Glass.

Paperhanging, Applying and/or Fixing Wallhangings or Coverings, Decorating, Kalsomining, Distempering, Colourwashing, Limewashing, Staining, Plastic Relief and Texture Work, Graining, Marbling, Gilding, Enamelling, Varnishing and Lacquering.

Employees who mix and/or apply and/or fix paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative or protective coatings and/or finishes, or putty, stopping, caulking mixtures, compositions or compounds, oils, varnishes, water-colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings (coatings shall not be read and construed to include the applying and fixing of lagging, or the work of applying or fixing of coatings consisting of plaster and/or lime and/or cement and/or aggregate when such substances are mixed or blended with water or the coating of pipes with bitumen and/or wrapping with burlap or hessian or in the State of Victoria only work covered by the description of industry in connexion with with the Victorian Plasterers Association is registered as at 1st November, 1962 but shall include any subsequent coats of paint or other like material for the purposes of protection or decoration) or other materials used in any of the callings specified in rule 2, Constitution hereof (other than mixing of paint, paint mixtures, protective coatings and/or plastic coatings and/or finishes and/or mixtures, putty, putty mixtures, stopping, caulking mixtures, compositions or compounds, oils, oil mixtures, varnishes, varnish mixtures, watercolours, water-colour mixtures, lacquers, lacquer mixtures, stains and removers, stain removal mixtures in paint and chemical factories) and/or other material used in the painting and decorating trade with a brush, spray, roller or other tool or remove paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative coatings and/or finishes or putty, stopping or caulking mixtures, compositions or compounds, oils, varnishes, water colours,



lacquers, stains, wallpapers, wallhangings or coverings, coatings, or other materials used in the painting and decorating trade by heat, flame, water, solvents, electrical, mechanical, air powered or hand tools or by grit, shot, or other abrasives or by any other means.

Signwriting, Lettering of Every Description, Size or Shape, Applied by Brush or any Other Like Means, on Any Surface or Material; Designing and/or Lettering of Price Tickets and Show Cards (Where such work is of such a kind as is done by a Signwriter or Person employed wholly on this class of work); Designing and Laying-Out of Windows, Posters, Show Windows, Theatre Displays, Honour Rolls, Illuminated Addresses, Neon Signs, Stencils, Display Banners, and Cut-Out Displays of all Descriptions, either Pictorial, Scenic or Lettering (where such Designing is not done by an Architect or Architectural Draftsman) using Scotchlite or any other Similar Materials (Whether Luminous or Otherwise) together with all Processes Concerned therewith; Traffic Signs and/or Symbols; all Pictorial Work in connection with any Signs or Advertisements generally performed by a Signwriter (excluding work done by a Commercial Artist or a Ticket Writer under the Shop Assistants' Award).

Pictorial or Scenic Painting, Production of Signs or Posters by means of Stencils, Screens, or like Methods or by any other work incidental thereto.

Preparing the Work and Materials required in any of the aforementioned Branches of the Trade.

Persons whether engaged in any Industrial Pursuit or not who have been appointed Officers of the Union or its Sub-Branches and admitted as Members thereof.

  
.....  
G. Betts, STATE SECRETARY

  
.....  
D. Holloway, STATE PRESIDENT

  
.....  
W.W. Trohear, STATE SECRETARY

  
.....  
P.J. Stone, STATE PRESIDENT

  
.....  
P. Nielson, STATE SECRETARY

  
.....  
A. Vickers, STATE PRESIDENT

28 FEB 1995  
QUEENSLAND  
RECORDING









"C2"

#2

REGISTERED CALLINGS OF THE FEDERATED ENGINE DRIVERS' AND FIREMENS'  
ASSOCIATION OF AUSTRALASIA, UNION OF EMPLOYEES, QUEENSLAND

Engine Drivers, all classes  
Firemen  
Crane Drivers  
Mobile Crane Drivers  
Fork Lift Drivers  
Dynamo Attendants  
Motor Drivers or Motor Attendants  
Greasers  
Engine Cleaners  
Cleaners  
Trimmers  
Tow Motor Drivers  
Excavator Drivers  
Pump Attendants  
Pile Driving Machine Drivers

and any other workers assisting in and about the work incidental  
to any engine, boiler or machinery connected with production or  
utilisation of power on land or any harbour, or river, and boiler  
attendants attending boilers not generating steam for power purposes.

*G. Betts*  
.....  
G. Betts, STATE SECRETARY

*D. Holloway*  
.....  
D. Holloway, STATE PRESIDENT

*W.W. Trohear*  
.....  
W.W. Trohear, STATE SECRETARY

*P.J. Stone*  
.....  
P.J. Stone, STATE PRESIDENT

*P. J. Nielson*  
.....  
P. Nielson, STATE SECRETARY

*A. Vickers*  
.....  
A. Vickers, STATE PRESIDENT









"C3"

#2

REGISTERED CALLINGS OF THE QUEENSLAND COLLIERY EMPLOYEES UNION OF  
EMPLOYEES

Surface Labourers  
Pitheadmen in charge of shafts  
Pitheadmen in charge of tunnels  
Bracemen in charge of sinking shafts  
Underground Labourers, other than miners  
Pitbottomers  
Shiftmen miners  
Shiftmen miners (working in wet places)  
Sinkers (working in dry places)  
Sinkers (working in wet places)  
Wheelers, Horsedriviers, Jig-runners, and Rope-runners  
Men employed on the coal cutting and Boring machines  
Roadmen  
Shotfirers  
Timbermen  
Colliery Carpenters  
Colliery Blacksmiths  
Deputies and Firemen  
Carters  
Cokeburners  
Horsekeepers  
Motor drivers

*G. Betts*  
.....  
G. Betts, STATE SECRETARY

*D. Holloway*  
.....  
D. Holloway, STATE PRESIDENT

*W. W. Trohear*  
.....  
W.W. Trohear, STATE SECRETARY

*P. J. Stone*  
.....  
P.J. Stone, STATE PRESIDENT

*P. J. Nielson*  
.....  
P. Nielson, STATE SECRETARY

*A. Vickers*  
.....  
A. Vickers, STATE PRESIDENT









"D"

#9

SCHEME OF AMALGAMATION OF THE AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS, PLASTERERS, PAINTERS AND DECORATORS OF AUSTRALIA, UNION OF EMPLOYEES, QUEENSLAND, THE FEDERATED ENGINE DRIVERS' AND FIREMENS' ASSOCIATION OF AUSTRALASIA, UNION OF EMPLOYEES, QUEENSLAND AND THE QUEENSLAND COLLIERY EMPLOYEES UNION OF EMPLOYEES

1. The Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland (hereinafter "ASCJBPPDAUEQ") is authorised to receive on behalf of the applicants, service of documents in connection with the proposed amalgamation and in connection with each proposed alternative amalgamation.
2. The ASCJBPPDAUEQ is to become the proposed amalgamated Industrial Organisation.
3. The proposed de-registering Industrial Organisations shall be the:
  - (a) The Federated Engine Drivers' and Firemens' Association of Australasia, Union of Employees, Queensland (hereinafter the "FEDFA");
  - (b) The Queensland Colliery Employees Union of Employees (hereinafter the "QCEUE").
4. It is proposed that:
  - (a) The name of the proposed amalgamating Industrial Organisation shall be the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland (hereinafter the "CFMEUEQ") and
  - (b) The name of ASCJBPPDAUEQ shall be changed to the CFMEUEQ;
  - (iii) The name of FEDFA shall be changed to the CFMEUEQ;
  - (iv) The name of QCEUE shall be changed to the CFMEUEQ.
- 5.(a) All members of the proposed de-registering Industrial Organisations are to become, upon the coming into force of the amalgamation, without payment of an entrance fee, members of the proposed amalgamated Industrial Organisation; and
  - (b) All Life Members of the proposed de-registering

0436.jp/1

  
 INDUSTRIAL REGISTRAR  
 28 FEB 1995  
 000000  
 QUEENSLAND

Industrial Organisations are to become, upon the coming into force of the amalgamation, without payment of an entrance fee, Life Members of the proposed amalgamated Industrial Organisation.

6. The following arrangements shall exist in relation to the property of the proposed de-registering Industrial Organisations:
  - (a) (i) The property and other assets of the FEDFA shall become those of the proposed amalgamated Industrial Organisation;
  - (ii) The property and other assets of the QCEUE shall become those of the proposed amalgamated Industrial Organisation;
  - (b) The management of the property and other assets of the proposed amalgamated Industrial Organisation shall be conducted by the State Executive.
7. The following arrangements shall exist in relation to the liabilities of the proposed de-registering Industrial Organisations:
  - (a) (i) The liabilities of the FEDFA shall become those of the proposed amalgamated Industrial Organisation;
  - (ii) The liabilities of the QCEUE shall become those of the proposed amalgamated Industrial Organisation;
  - (b) The management of the liabilities of the proposed amalgamated Industrial Organisation shall be conducted by the State Executive.
8. It is proposed to alter the Eligibility Rules of the ASCJBPPDAUEQ by adding the Eligibility Rules of the FEDFA, and the QCEUE. This alteration shall not result in any extension to the Eligibility Rules of the ASCJBPPDAUEQ, the FEDFA, and the QCEUE.
9. It is proposed to alter the Registered Callings of the ASCJBPPDAUEQ by adding the Registered Callings of the FEDFA, and the QCEUE. This alteration does not result in any extension of the Registered Callings of the ASCJBPPDAUEQ, the FEDFA, and the QCEUE.
10. The Constitution of the FEDFA, and the QCEUE shall be included in the amended Rules of the ASCJBPPDAUEQ. The ASCJBPPDAUEQ's Rules shall be amended by:
  - (a) The deletion of all the Rules to provide for rules in accordance with the Queensland

## Industrial Relations Act 1990;

- (b) By the addition of a rule to provide for a Divisional Branch structure;
- (c) By the addition of a rule to provide for a Sub-Branch structure;
- (d) The addition of a transitional rule to provide for the transition of Officers; Members; Life Members; Workplace Representatives; allocation to Divisional Branches; Assets and Liabilities; Divisional Branch Funds; Auditor; Election and Affiliations of the proposed amalgamated Industrial Organisation;
- (e) Such other amendments as are otherwise referred to in this Scheme of Amalgamation.

Attached hereto and marked "A" is a copy of the proposed Rules of the proposed amalgamated Industrial Organisation.

11. (a) There is an alternative Scheme of Amalgamation and it is proposed that if:
- (i) The members of either the FEDFA, or the QCEUE do not approve the amalgamation (hereinafter the "Unapproving Organisation"), and
  - (ii) The members of either of the FEDFA, or the QCEUE other than the Unapproving Organisation approve, in the alternative, the amalgamation so far as it involves the ASCJBPPDAUEQ (hereinafter referred to as the "Approving Organisation"), and
  - (iii) The members of the ASCJBPPDAUEQ approve, in the alternative, the amalgamation so far as it involves the Approving Organisation,

then such Industrial Organisation shall amalgamate with the ASCJBPPDAUEQ.

- (b) The particulars of the differences between the proposed principal amalgamation and each alternative amalgamations are as follows:
  - (i) only the Organisation whose members approve the alternative amalgamation (hereafter "Approving Organisation") shall be deregistered;



- (ii) only the name of Approving Organisation and the ASCJBPPDAUEQ shall be altered to the CFMEUEQ;
- (iii) only the members, Life members, and honorary members of the Approving Organisation, shall without payment of an entrance fee, became members of the proposed amalgamated Industrial Organisation;
- (iv) Only the property and other assets of the Approving Organisation shall become those of the proposed amalgamated Industrial Organisation;
- (v) Only the liabilities of the Approving Organisation shall become those of the proposed amalgamated Industrial Organisation;
- (vi) The eligibility rules of the ASCJBPPDAUEQ shall be altered by adding to its eligibility rules the eligibility rules of the Approving Organisation;
- (vii) The registered callings of the ASCJBPPDAUEQ shall be altered by adding to its registered callings the registered callings of the Approving Organisation;
- (viii) Only the constitution of the Approving Organisation shall be provided for in the amended rules of the ASCJBPPDAUEQ;
- (ix) All decisions binding on the Approving Organisation, all awards and agreements binding on the Approving Organisation and all pending proceedings in the Commission or elsewhere to which the Approving Organisation was a party, shall be binding in a like manner on the proposed amalgamating Industrial Organisation and/or the proposed amalgamating Industrial Organisation shall be a party to such pending proceedings, as the case may be;
- (x) The subscription fees for membership of the proposed amalgamating Industrial Organisation shall on amalgamation day be the fees as are respectively set out hereunder in relation to each of the ASCJBPPDAUEQ, the FEDFA, and the QCEUE, saving always that the transitional rules of the proposed amalgamating Industrial

Organisation shall provide for subscription fees of the former members of the Approving Organisation and of the formers members of the ASCJBPPDAUEQ only.

12. It is proposed that the first elections for the proposed amalgamated Industrial Organisation shall occur as follows:-

13. It is proposed that:

- (a) All decisions of the Commission binding on the ASCJBPPDAUEQ, the FEDFA, and the QCEUE,
- (b) All Awards and Agreements of the Commission binding on the ASCJBPPDAUEQ, the FEDFA, and the QCEUE,
- (c) All pending proceedings in the Commission or elsewhere in relation to which the ASCJBPPDAUEQ, the FEDFA, or the QCEUE were parties,

shall be binding in a like manner on the proposed amalgamated Industrial Organisation or the proposed amalgamated Industrial Organisation shall be a party to such pending proceedings, as the case may be.

14. It is proposed that annual subscription fees for membership of the proposed amalgamated Industrial Organisation shall on amalgamation day be as follows:-

Former Member of the ASCJBPPDAUEQ - For members who were members of the ASCJBPPDAUEQ on the day prior to the day fixed by the Commission for amalgamation at the level of such subscription fees on that day.

Former Member of the FEDFA - For members who were members of the FEDFA on the day prior to the day fixed by the Commission for amalgamation at the level of such subscription fees on that day.

Former Member of the QCEUE - For members who were members of the QCEUE on the day prior to the day fixed by the Commission for amalgamation at the level of such subscription fees on that day.

.....  
G. Betts, STATE SECRETARY

.....  
D. Holloway, STATE PRESIDENT

  
.....  
W.W. Trohear, STATE SECRETARY

  
.....  
P.J. Stone, STATE PRESIDENT

  
.....  
P. Nielson, STATE SECRETARY

  
.....  
A. Vickers, STATE PRESIDENT

  
INDUSTRIAL REGISTRAR  
28 FEB 1995  
OOOOOO  
QUEENSLAND  
~~~~~


"E"

#7

OUTLINE OF AMALGAMATION OF THE AMALGAMATED SOCIETY OF CARPENTERS,
JOINERS, BRICKLAYERS, PLASTERERS, PAINTERS AND DECORATORS OF
AUSTRALIA, UNION OF EMPLOYEES, QUEENSLAND, THE FEDERATED ENGINE
DRIVERS' AND FIREMENS' ASSOCIATION OF AUSTRALASIA, UNION OF
EMPLOYEES, QUEENSLAND AND THE QUEENSLAND COLLIERY EMPLOYEES UNION
OF EMPLOYEES

1. Parties to the amalgamation

The parties to the amalgamation are the existing organisations of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland (hereinafter the "ASCJBPPDAUEQ"), the Federated Engine Drivers' and Firemens' Association of Australasia, Union of Employees, Queensland (hereinafter the "FEDFA") and the Queensland Colliery Employees Union of Employees (hereinafter the "QCEUE").

2. Name of the amalgamated Industrial Organisation

It is proposed that the ASCJBPPDAUEQ, the FEDFA and the QCEUE shall change their names and adopt the name of the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland (hereinafter "CFMEUEQ") as the name of the New Union.

3. Nature of the Amalgamation

It is proposed that the host Industrial Organisation in the proposed amalgamation shall be the ASCJBPPDAUEQ and that the FEDFA and the QCEUE shall be deregistered.

4. Members

All present members and life members of the ASCJBPPDAUEQ, the FEDFA and the QCEUE shall become members or life members as the case may be of the New Union.

Members financial status in the New Union shall be the same as it is in the Union to which they presently belong and they shall remain as financial members of the New Union for the same period of time as they are presently entitled to remain as financial members of either the ASCJBPPDAUEQ, the FEDFA or the QCEUE as the case may be.

Unfinancial members of the ASCJBPPDAUEQ, the FEDFA and the QCEUE shall also be members of the New Union but shall

remain as unfinancial members until they become financial pursuant to the rules of the New Union or are removed as unfinancial members from the roll of members as provided for in the rules of the New Union.

No entrance fee shall be charged to members or life members of the ASCJBPPDAUEQ, the FEDFA and the QCEUE to join the New Union.

5. Subscription Fees

Subscription fees for members of the New Union shall on amalgamation day be charged as follows:

The annual subscription fees to be paid by members of the Union subsequent to amalgamation day shall be:-

- (a) For members who were members of the ASCJBPPDAUEQ on the day prior to amalgamation day at the level of such subscription fees on the day prior to amalgamation day;
- (b) For members who were members of the FEDFA on the day prior to amalgamation day at the level of such subscription fees on the day prior to amalgamation day.
- (c) For members who were members of the QCEUE on the day prior to amalgamation day at the level of such subscription fees on the day prior to amalgamation day.

Subscription fees entrants to the Union who were not members of the ASCJBPPDAUEQ, the FEDFA or the QCEUE on the day prior to amalgamation day:

- (a) For new members of the Mining & Energy Divisional Branch shall be an amount equivalent to the level of fees of members of the QCEUE on the day prior to amalgamation day.
- (b) For new members of the Construction & General Divisional Branch shall be an amount equivalent to the level of fees of members of the ASCJBPPDAUEQ on the day prior to amalgamation day.

Provided always that the Respective Divisional Branch Executive and/or the Divisional Branch Board of Management as the case may be of the Union shall be able to determine the scales of subscription fees in relation to their Divisional Branch in accordance with Divisional Branch rules.

6. Structure of the Amalgamated Industrial Organisation

The structure of the New Union shall be comprised of:-

0407.jp/2


 INDUSTRIAL REGISTRAR
 28 FEB 1995
 000000
 QUEENSLAND
 ~~~~~

- \* State Conference
- \* State Executive
- \* Divisional Branches

This structure provides for the Offices of the New Union and it is proposed that the present Office bearers of the ASCJBPPDAUEQ, the FEDFA and the QCEUE shall be translated into the New Union as follows:-

State Executive:-

On amalgamation day the State Executive shall be as set out hereunder:

|                                 |                 |
|---------------------------------|-----------------|
| Joint State Secretary           | Wallace Trohear |
| Joint State Secretary           | Greg Betts      |
| Joint State President           | Andrew Vickers  |
| Joint State President           | Des Holloway    |
| Joint State President           | Peter Stone     |
| Joint State Vice President      | John Guinnane   |
| Joint State Vice President      | Kevin Andersen  |
| Joint State Vice President      | Peter Neilson   |
| Joint State Assistant Secretary | Gary Howcroft   |
| Joint State Assistant Secretary | Geoff Wilson    |
| Joint State Assistant Secretary | Paul Waters     |

State Conference:-

On amalgamation day the members of the State Conference shall be as set out hereunder:

- (a) The State Executive;
- (b) Mining & Energy Divisional Branch Board of Management members:

HALL, G.  
 KUNST, R.  
 BARRON, R.  
 LATIFI, H.  
 O'BRIEN, M.  
 CLARK, R.  
 BUTLER, B.  
 READIE, J.  
 MORLEY, R.  
 FECHNER, R.  
 CURRIE, M.  
 LAMBLEY, J.  
 BARKER, R.  
 BEST, R.  
 COLEMAN, R.  
 CONWAY, P.  
 NESBIT, J.  
 HEUMILLER, P.  
 BLOXSOM, D.

  
 INDUSTRIAL REGISTRAR  
 28 FEB 1995  
 OOOOOO  
 QUEENSLAND  
 ~~~~~

STAKER, R.

- (c) Construction & General Divisional Branch Management Committee members:

Positions:

	POUTNEY, Allan
	HALL, Brian
(Trustee)	BOSTOCK, Robert
(Trustee)	RICHARDSON, Trevor
	GRUER, John
	SCOTT, Alex
	TUCKER, Brian
	PEARSON, Frank
	MARCUS, Kim
	HORN, Geoffrey
(Trustee)	VAN DER HORST, Rudy
	HOPTON, Ben
	DOUGLAS, Selwyn
	WILSON, Lawrie
	SCHUBER, Brian
	HAYES, Rodney
	SPENCER, James
	RAMPTON, Noel
	CURREN, Bill
	GENRIC, Laurie
	BEATTIE, Russell
	PRICE, Chris
	ROSIER, Terry

★ **Divisional Branches**

Mining & Energy Divisional Branch Board of Management Members:

President	VICKERS, A.
Secretary	NEILSON, P.
Assistant Secretary	BETTS, G.
Vice President	LAMBLEY, J.
Vice President	BARKER, R.
Vice President	HEUMILLER, P.
Vice President	BLOXSOM, D.
Vice President	STAKER, R.
	HALL, G.
	KUNST, R.
	BARRON, R.
	LATIFI, H.
	O'BRIEN, M.
	CLARK, R.
	BUTLER, B.
	READIE, J.
	MORLEY, R.
	FECHNER, R.
	CURRIE, M.


 INDUSTRIAL REGISTRAR
 28 FEB 1995
 QUEENSLAND
 ~~~~~



BEST, R.  
COLEMAN, R.  
CONWAY, P.  
NESBIT, J.  
HOLLOWAY, D.

Construction & General Divisional Branch Committee of Management members:

Positions:

|                                                 |                                                 |
|-------------------------------------------------|-------------------------------------------------|
| Divisional Branch Secretary                     | TROHEAR, Wallace                                |
| Divisional Branch Assistant Secretary           | HOWCROFT, Gary                                  |
| Divisional Branch Assistant Secretary           | WATERS, Paul                                    |
| Divisional Branch Assistant Secretary (Trustee) | WILSON, Geoff<br>POUTNEY, Allan<br>STONE, Peter |
| Divisional Branch President (Trustee)           | HALL, Brian                                     |
| (Trustee)                                       | BOSTOCK, Robert                                 |
| (Trustee)                                       | RICHARDSON, Trevor                              |
|                                                 | GRUER, John                                     |
|                                                 | SCOTT, Alex                                     |
|                                                 | TUCKER, Brian                                   |
|                                                 | PEARSON, Frank                                  |
|                                                 | MARCUS, Kim                                     |
| Divisional Branch Vice-President                | ANDERSEN, Kevin                                 |
| (Trustee)                                       | HORN, Geoffrey                                  |
|                                                 | VAN DER HORST, Rudy                             |
|                                                 | HOPTON, Ben                                     |
| Divisional Branch Vice-President                | Guinnane, John                                  |
|                                                 | DOUGLAS, Selwyn                                 |
|                                                 | WILSON, Lawrie                                  |
|                                                 | SCHUBER, Brian                                  |
|                                                 | HAYES, Rodney                                   |
|                                                 | SPENCER, James                                  |
|                                                 | RAMPTON, Noel                                   |
|                                                 | CURREN, Bill                                    |
|                                                 | GENRIC, Laurie                                  |
|                                                 | BEATTIE, Russell                                |
|                                                 | PRICE, Chris                                    |
|                                                 | ROSIER, Terry                                   |



INDUSTRIAL REGISTRAR

28 FEB 1995

0000000

QUEENSLAND

~~~~~

7. Objects

The objects of the New Union are to ensure maximum co-operation between the ASCJBPPDAUEQ, the FEDFA and the QCEUE. All previous Office Bearers of the ASCJBPPDAUEQ, the FEDFA and the QCEUE shall be entitled to vote in their respective Divisional Branch Management Committee and Divisional Branch Board of Management and shall have representation on State Executive and at State Conference. The basis of such representation shall be on the proportion that the

membership of the ASCJBPPDAUEQ, the FEDFA and the QCEUE bear to the membership of the New Union, with representation being effected through the new Divisional Branch structure.

8. Rules

The rules of the New Union shall be the rules of the ASCJBPPDAUEQ with appropriate amendments.

It is proposed that two Divisional Branches be created:-

* Mining & Energy Divisional Branch

All members engaged or usually engaged in the Industries of mining and processing, the transport and handling of mining products, the electricity generation and supply industry, and such other members as may be allocated by State Conference;

* Construction and General Divisional Branch

All members, of the Union, other than members allocated to the Mining & Energy Divisional Branch and that are not otherwise allocated to any other Divisional Branch.

On amalgamation it is proposed that the membership of the New Union be allocated into the Industry Divisions.

9. Eligibility Rules and Registered Callings

The Eligibility Rules of the FEDFA and the QCEUE shall be inserted into the rules of the ASCJBPPDAUEQ. This shall not have the effect of extending the eligibility rules of the New Union, beyond those that presently exist for the ASCJBPPDAUEQ, the FEDFA and the QCEUE.

The Registered Callings of the FEDFA and the QCEUE shall be inserted into the Registered Callings of the ASCJBPPDAUEQ. This shall not have the effect of extending the Registered Callings of the New Union beyond those that presently exist for the ASCJBPPDAUEQ, the FEDFA and the QCEUE.

10. Transition Rules

The New Union shall operate under the rules of the ASCJBPPDAUEQ with appropriate alteration to provide for combined eligibility rules and registered callings. It is also necessary for transitional rules to be provided which "translate" aspects of the ASCJBPPDAUEQ, the FEDFA and the QCEUE into the New Union structure.

The transition Rule provides for translation as follows:-

- * The Rule shall apply from the date of amalgamation being approved or as the case may be from the date of either of the alternative amalgamations being approved.
- * For the translation of:
 - State Executive Officers
 - State Conference members
 - Divisional Branches & Divisional Branch structures
 - Sub-Branches & Sub-Branch structures
 - Lodges & Lodge structures
 - Trustees
 - Office Stewards, Job Stewards and Work Place representatives
 - Members
 - Life members
 - Honorary members
 - Financial status of members
 - Liabilities
 - Property and Assets
 - Affiliation to state or national organisations
- * For the filling of vacancies caused either casually or by persons not taking up positions on the day of amalgamation.
- * For State Conference to meet in accordance with the rules and for the first such meeting.
- * For elections to be conducted in 1996 with Officers to take Office on the 2nd of January, 1997.
- * For the New Union's Auditor and for the Auditor of the Divisional Branches.
- * For subscription fees,

and such other amendments as are otherwise referred to in this scheme.

11. Sub-Branches/Lodges

It is proposed that the Sub-Branches and/or Lodges of the ASCJBPPDAUEQ, the FEDFA and the QCEUE shall be translated into the New Union, shall continue to operate and shall be referred to as Sub-Branches and/or Lodges dependent on the Rules of the Divisional Branch.

12. Stewards and Workplace Representatives

It is proposed that shop stewards, job stewards, work representatives, job delegates or other delegates howsoever

called shall be translated into the New Union, shall continue to operate and shall be referred to as shop stewards, job stewards, work place representatives, job delegates or other delegate howsoever called.

13. Management

The management of the Property, Assets and Liabilities of the New Union shall be undertaken by the State Executive of the New Union. The Property, Assets and Liabilities of the ASCJBPPDAUEQ, the FEDFA and the QCEUE shall be translated to the New Union and shall become the property, assets and liabilities of the New Union. Provided that the benefit and use of property presently held by the respective Unions shall be allocated to the Divisional Branch Fund to which the members are respectively allocated. By this process the autonomy of the Divisional Branches shall be preserved.

14. Employees

The New Union shall have authority under its rules to appoint such employees and/or agents as are necessary in the view of the State Divisional Branches to service the New Unions Divisional Branches.

15. Existing Agreement and Awards

All existing agreements and awards of the ASCJBPPDAUEQ, the FEDFA and the QCEUE shall be binding on the New Union.

16. Pending Proceedings

The New Union shall be a party to any pending proceedings to which the ASCJBPPDAUEQ, the FEDFA and the QCEUE are presently parties.

17. Auditor

It is proposed that the Auditor for the New Union shall be the auditor of the ASCJBPPDAUEQ but that the Queensland Construction & General Divisional Branch and the Mining & Energy Divisional Branch shall respectively retain the auditors of the ASCJBPPDAUEQ and the QCEUE.

18. Elections

It is proposed that the first elections of the New Union shall be held in 1996. At that time all Offices in the Union shall be subject to election and such persons as are

elected shall take office on the 2nd of January, 1997.

19. Principles

The establishment of the New Union is designed to achieve the following objectives:-

- (a) democratic Representation of members,
- (b) equitable Industrial Representation of members,
- (c) enhanced organisation of members on a geographical, industrial and occupational basis,
- (d) the establishment of Divisional Branches to retain the industrial identity of the membership, whilst at the same time allowing the members to be part of and participate in a larger, more influential and more dynamic Union,
- (e) each Divisional Branch, shall within the Divisional structure of the Union have extensive power and authority which will ensure that the members are involved in determining issues that affect their wages, employment, safety, work rights and conditions of employment,
- (f) the Rules of the New Union provide that each Divisional Branch shall have autonomy over all matters that do not directly affect the members of the other Divisional Branch.

20. Alternative Amalgamation

It is proposed that in the event of the principal amalgamation not being approved by the membership of the ASCJBPPDAUEQ, the FEDFA and the QCEUE that an amalgamation in the alternative between either the ASCJBPPDAUEQ and the FEDFA, or the ASCJBPPDAUEQ and the QCEUE be approved.

In the event of the principal amalgamation not being approved and an alternative amalgamation being approved the transitional rules, the application and the scheme of amalgamation shall operate only to effect the amalgamation as between these Unions whose members approve the amalgamation and shall not effect the membership or rules of the other Union. Further there will be translation only of Offices and Officers from the Unions actually amalgamating to the New Union.

21. Alteration of Rules

The New Unions rules may be altered, deleted or additions made thereto by the State Executive or Conference and in

respect of Divisional Branch rules by the Divisional Branch Executives, Divisional Branch Management Committees, Divisional Branch Boards of Management and/or Divisional Conventions as the case may be pursuant to the Rules of the Union.

G. Betts
.....
G. Betts, STATE SECRETARY

D. Holloway
.....
D. Holloway, STATE PRESIDENT

W.W. Trohear
.....
W.W. Trohear, STATE SECRETARY

P.J. Stone
.....
P.J. Stone, STATE PRESIDENT

P. Nielson
.....
P. Nielson, STATE SECRETARY

A. Vickers
.....
A. Vickers, STATE PRESIDENT



"F"

**RESOLUTION PASSED BY THE STATE MANAGEMENT COMMITTEE OF THE
AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS,
PLASTERERS, PAINTERS AND DECORATORS OF AUSTRALASIA, UNION
OF EMPLOYEES, QUEENSLAND**

- "1. That the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland amalgamate with the Federated Engine Drivers' and Firemen's Association of Australasia, Union of Employees, Queensland and the Queensland Colliery Employees Union of Employees (the principal amalgamation) or in the alternative if the principal amalgamation does not succeed then for the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland to amalgamate with either the Federated Engine Drivers' and Firemen's Association of Australasia, Union of Employees, Queensland or the Queensland Colliery Employees Union of Employees, and authorise the State Secretary to make application for amalgamation to the State Industrial Relations Commission and to meet the legal requirements.
2. That the rules of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators, Engine Drivers, Firemen and Colliery Employees of Australasia, Union of Employees, Queensland be deleted in their entirety and that the rules attached hereto as Schedule 1 be adopted as the new rules of the Union following a successful amalgamation either of the principal amalgamation or of an alternative amalgamation.
3. That the Scheme of Amalgamation and Outline of the Scheme of Amalgamation, attached as Schedules 2 and 3 respectively, be adopted.
4. That a Community of interest exists between the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and its members and the Federated Engine Drivers' and Firemen's Association of Australasia, Union of Employees, Queensland and its members and the Queensland Colliery Employees Union of Employees and its members, and authorise the State Secretary to make application for a community of interest declaration to the State Industrial Relations Commission and to meet the legal requirements.
5. That the YES case in support of the proposed amalgamation be adopted.
6. That should there be concerted opposition to the name of the Amalgamated Industrial Organisation being the Construction, Forestry, Mining & Energy, Union of Employees, Queensland that the Secretary be directed to amend the application to seek that the name of the Amalgamated Industrial Organisation be the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators, Engine Drivers, Firemen, and Colliery Employees of Australasia, Union of Employees, Queensland.

INDUSTRIAL REGISTRAR

28 FEB 1995

000000
QUEENSLAND

7. That the Management Committee of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland resolves that the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland use its financial and other resources in support of the proposed principal or alternative amalgamations with the Federated Engine Drivers' and Firemens' Association of Australasia, Union of Employees, Queensland and the Queensland Colliery Employees Union of Employees.
8. If as a consequence of applications and rule changes made pursuant to these resolutions the Commission refuses to adopt and/or ratify such application or rule changes on the ground that the application and/or the rule change does not comply with the Act and/or any other law, then the Secretary shall be authorised to amend such application or rule change to conform with the requirements of the Commission, provided that such amendment does not substantially depart from the scope and ambit of these resolutions.

DATE RESOLVED: 24.11.94

.....
W.W. Trohear, STATE SECRETARY

.....
P.J. Stone, STATE PRESIDENT

.....
G. Betts, STATE SECRETARY

.....
D. Holloway, STATE PRESIDENT

.....
W.W. Trohear, STATE SECRETARY

.....
P.J. Stone, STATE PRESIDENT

.....
P. Nielson, STATE SECRETARY

.....
A. Vickers, STATE PRESIDENT


INDUSTRIAL REGISTRAR
28 FEB 1995
000000
QUEENSLAND


"G"

**RESOLUTION PASSED BY THE STATE MANAGEMENT COMMITTEE OF THE
FEDERATED ENGINE DRIVERS' AND FIREMEN'S ASSOCIATION OF
AUSTRALASIA, UNION OF EMPLOYEES, QUEENSLAND**

- "1. That the Federated Engine Drivers' and Firemen's Association of Australasia, Union of Employees, Queensland amalgamate with the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and the Queensland Colliery Employees Union of Employees (the principal amalgamation) or in the alternative if the principal amalgamation does not succeed then for the Federated Engine Drivers' and Firemen's Association of Australasia, Union of Employees, Queensland to amalgamate with the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland, and authorise the State Secretary to make application for amalgamation to the State Industrial Relations Commission and to meet the legal requirements.
2. That the Scheme of Amalgamation and Outline of the Scheme of Amalgamation, attached as Schedules 2 and 3 respectively, be adopted.
4. That a Community of interest exists between the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and its members and the Federated Engine Drivers' and Firemen's Association of Australasia, Union of Employees, Queensland and its members and the Queensland Colliery Employees Union of Employees and its members, and authorise the State Secretary to make application for a community of interest declaration to the State Industrial Relations Commission and to meet the legal requirements.
5. That the YES case in support of the proposed amalgamation be adopted.
6. That should there be concerted opposition to the name of the Amalgamated Industrial Organisation being the Construction, Forestry, Mining & Energy, Union of Employees, Queensland that the Secretary be directed to amend the application to seek that the name of the Amalgamated Industrial Organisation be the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators, Engine Drivers, Firemen, and Colliery Employees of Australasia, Union of Employees, Queensland.
7. That the Management Committee of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland resolves that the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland use its financial and other resources in support of the proposed principal or alternative amalgamations with the Federated Engine Drivers' and Firemen's Association of Australasia, Union of Employees, Queensland and the Queensland Colliery Employees Union of Employees.



INDUSTRIAL REGISTRAR

28 FEB 1995

QUEENSLAND

8. If as a consequence of applications and rule changes made pursuant to these resolutions the Commission refuses to adopt and/or ratify such application or rule changes on the ground that the application and/or the rule change does not comply with the Act and/or any other law, then the Secretary shall be authorised to amend such application or rule change to conform with the requirements of the Commission, provided that such amendment does not substantially depart from the scope and ambit of these resolutions.

DATE RESOLVED: 10.10.94

G. Betts
.....
G. Betts, STATE SECRETARY

D. Holloway
.....
D. Holloway, STATE PRESIDENT



G. Betts
.....
G. Betts, STATE SECRETARY

D. Holloway
.....
D. Holloway, STATE PRESIDENT

W. W. Trohear
.....
W.W. Trohear, STATE SECRETARY

P. J. Stone
.....
P.J. Stone, STATE PRESIDENT

P. J. Nielson
.....
P. Nielson, STATE SECRETARY

A. Vickers
.....
A. Vickers, STATE PRESIDENT

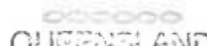
"H"

RESOLUTION PASSED BY THE STATE MANAGEMENT COMMITTEE OF THE QUEENSLAND COLLIERY EMPLOYEES UNION OF EMPLOYEES

1. That the Queensland Colliery Employees Union of Employees amalgamate with the Federated Engine Drivers' and Firemen's Association of Australasia, Union of Employees, Queensland and the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland (the principal amalgamation) or in the alternative if the principal amalgamation does not succeed then for the Queensland Colliery Employees Union of Employees to amalgamate with the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland, and authorise the State Secretary to make application for amalgamation to the State Industrial Relations Commission and to meet the legal requirements.
2. That the Scheme of Amalgamation and Outline of the Scheme of Amalgamation, attached as Schedules 2 and 3 respectively, be adopted.
3. That a Community of interest exists between the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and its members and the Federated Engine Drivers' and Firemen's Association of Australasia, Union of Employees, Queensland and its members and the Queensland Colliery Employees Union of Employees and its members, and authorise the State Secretary to make application for a community of interest declaration to the State Industrial Relations Commission and to meet the legal requirements.
4. That the YES case in support of the proposed amalgamation be adopted.
6. That should there be concerted opposition to the name of the Amalgamated Industrial Organisation being the Construction, Forestry, Mining & Energy, Union of Employees, Queensland that the Secretary be directed to amend the application to seek that the name of the Amalgamated Industrial Organisation be the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators, Engine Drivers, Firemen, and Colliery Employees of Australasia, Union of Employees, Queensland.
7. That the Management Committee of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland resolves that the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland use its financial and other resources in support of the proposed principal or alternative amalgamations with the Federated Engine Drivers' and Firemen's Association of Australasia, Union of Employees, Queensland and the Queensland Colliery Employees Union of Employees.
8. If as a consequence of applications and rule changes made


 INDUSTRIAL REGISTRAR

28 FEB 1995


 QUEENSLAND

pursuant to these resolutions the Commission refuses to adopt and/or ratify such application or rule changes on the ground that the application and/or the rule change does not comply with the Act and/or any other law, then the Secretary shall be authorised to amend such application or rule change to conform with the requirements of the Commission, provided that such amendment does not substantially depart from the scope and ambit of these resolutions.

DATE RESOLVED: 31.1.95


.....
P. Nielson, STATE SECRETARY


.....
A. Vickers, STATE PRESIDENT


INDUSTRIAL REGISTRAR
28 FEB 1995
QUEENSLAND
~~~~~

  
.....  
G. Betts, STATE SECRETARY

  
.....  
D. Holloway, STATE PRESIDENT

  
.....  
W.W. Trohear, STATE SECRETARY

  
.....  
P.J. Stone, STATE PRESIDENT

  
.....  
P. Nielson, STATE SECRETARY

  
.....  
A. Vickers, STATE PRESIDENT







# "I"

## THE YES CASE

### THE STATEMENT IN SUPPORT OF THE PROPOSED AMALGAMATION

The membership of the Federated Engine Drivers' and Firemens' Association of Australasia, Union of Employees, Queensland and the Queensland Colliery Employees Union of Employees have voted overwhelmingly YES for their unions to amalgamate with the Construction, Forestry, Mining and Energy Union. A landslide win for the YES vote in the amalgamation ballot is a big win for members as we will now have the ability to deliver improved services, contain costs, and use our combined resources to spread unionism and union conditions to a greater extent throughout the State.

The amalgamation whilst finalised at Federal level is yet to be completed at a State level. To finalise the process an application has been made to the Queensland Industrial Relations Commission to amalgamate the Federated Engine Drivers' and Firemens' Association of Australasia, Union of Employees, Queensland, the Queensland Colliery Employees Union of Employees and the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland to form the State registered union of the Construction, Forestry, Mining and Energy Union.

The proposed amalgamation is in line with the ACTU policy to build twenty super unions which will have the resources to service their membership and minimise demarcation disputes.

For members to achieve the total benefits of an amalgamation of these unions it must be supported at the State level so that the process can be completed.

Therefore, if we are successful in building the CFMEU our forefathers aspirations will have been fulfilled with the Construction and Mining Divisions of the new union.

The living standards and welfare of all members and their families depend on the existence of a strong effective union. The superior resources of a combined Federated Engine Drivers' and Firemens' Association of Australasia, Union of Employees, Queensland, the Queensland Colliery Employees Union of Employees and the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland amalgamated union will provide a sound base for your union to effectively address issues such as industry and award restructuring, Enterprise Bargaining, overseas trade (export prices on coal), wages, health and safety, and to meet the particular needs of working women, migrant workers and young workers.

0438.jp/1

  
 INDUSTRIAL REGISTRAR  
 28 FEB 1995  
 QUEENSLAND



It is logical that the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland, the Federated Engine Drivers' and Firemens' Association of Australasia, Union of Employees, Queensland and the Queensland Colliery Employees Union of Employees combine to protect Industry coverage. Today, and in the future, a most serious industrial relations climate exists with Section 118A of the Federal Industrial Relations Act and section 45 of the State Industrial Relations Act allowing application to exclude unions from the right to represent their traditional members in many industries.

Employers and some other unions have already undertaken these attacks on workers in the Local Government, Sugar, Waterfront, and other industries, and the list gets longer each week.

Only by combining more closely with other unions will members be able to remain with the union of their choice.

Importantly this amalgamation will give us the resources to protect the interests of our members. This is truly the best of both worlds.

The establishment of a new union based on a number of Divisions each with their own committee to lead the work of that Division is designed to achieve two basic objectives:

1. To give the members of the new union the benefits of industrial unionism, including more extensive and more efficient services.
2. To establish a union structure which will enable other unions to join in circumstances where they will be able to maintain their identity whilst at the same time being part of a larger more influential, more efficient and dynamic union.

Therefore, the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland, the Federated Engine Drivers' and Firemens' Association of Australasia, Union of Employees, Queensland and the Queensland Colliery Employees Union of Employees ask you to vote in support of the amalgamation by voting yes, returning your ballot paper and encouraging your workmates to do the same.

ALL MEMBERS OF THE AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS, PLASTERERS, PAINTERS AND DECORATORS OF AUSTRALIA, UNION OF EMPLOYEES, QUEENSLAND, THE FEDERATED ENGINE DRIVERS' AND FIREMENS' ASSOCIATION OF AUSTRALASIA, UNION OF EMPLOYEES, QUEENSLAND AND THE QUEENSLAND COLLIERY EMPLOYEES UNION OF EMPLOYEES HAVE BEEN ASKED TO AMALGAMATE TO FORM THE STATE CFMEUEQ. YOUR ELECTED REPRESENTATIVES AND OFFICIALS RECOMMEND THAT YOU VOTE "YES".

THERE HAS NEVER BEEN A MORE PRESSING TIME TO AMALGAMATE.

WORKERS NEED STRENGTH IN NUMBERS!

*G. Betts* ..... *D. Holloway* .....  
G. Betts, STATE SECRETARY      D. Holloway, STATE PRESIDENT

*W.W. Trohear* ..... *P.J. Stone* .....  
W.W. Trohear, STATE SECRETARY      P.J. Stone, STATE PRESIDENT

*P. Nielson* ..... *A. Vickers* .....  
P. Nielson, STATE SECRETARY      A. Vickers, STATE PRESIDENT

  
INDUSTRIAL REGISTRAR  
28 FEB 1995  
OOOOOO  
QUEENSLAND  
~~~~~


2 June, 1995]

SECTION B CALC OF 11 PUBLIC HOLIDAY \$PER YEAR

11 PUBLIC HOLIDAYS PER YEAR AT TIME AND A-HALF FOR 3 OF EVERY 4 OFFICERS	3576.00
11 PUBLIC HOLIDAYS PER YEAR AT TIME FOR 1 OF EVERY 4 OFFICERS	794.64
TOTAL @ 11	48077.04
COST OF PUBLIC HOLIDAYS PER OFFICER	1502.41
COST OF PUBLIC HOLIDAYS PER OFFICER (@ 45.7/52)	1320.39
TOTAL A (6734.80) + B (1320.39)	8055.19
TOTAL DIVIDED BY 26	309.82
309.82 AS A % OF BASE SALARY	31.19 %

SCHEDULE 4

MINIMUM STAFFING LEVELS

1. The following minimum staffing levels will apply to each shift:-

Non-sitting days

Saturday/Sunday	Day Shift	5
	Night Shift	5
Monday to Friday	Day Shift	6
	Night Shift	5

Sitting Days

Saturday/Sunday	Day Shift	5
	Night Shift	5
Monday to Friday	Day Shift	6
(Excluding Friday Night)	Night Shift	6

- 1.1 If staffing levels fall below the set minimum for a shift then additional permanent Parliamentary Security Officer/s will be requested to work, subject to the provisions of clause 4.2, to restore the shift to the set minimum level.
- 1.2 Procedures will be developed to ensure that overtime which may be required to be worked will be equitably distributed between employees.

Pursuant to the *Industrial Relations Act 1990*, the provisions of this Industrial Agreement are approved.

R.E. BECHLY, Commissioner.

This Industrial Agreement was filed in my office on the twelfth day of December, 1994, was approved by the Commission and was registered No. IA48 of 1994, in the Register of Industrial Agreements kept by me.

Dated this twenty-first day of December, 1994.

R.H. BLUMSOM,
Assistant Industrial Registrar.

Operative Date: 12 December 1994
Industrial Agreement - Parliamentary Service Commission.

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1990

- s. 398 - application for approval for submission of amalgamation to ballot
s. 397 - application for declaration of community of interest
s. 400 - application for exemption from ballot

Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland

AND

Federated Engine Drivers' and Firemens' Association of Australasia Queensland Branch, Union of Employees

AND

Queensland Colliery Employees Union of Employees

(No. U6 of 1995)

CHIEF INDUSTRIAL COMMISSIONER HALL

18 May 1995

Application for Approval for Submission of Amalgamation to Ballot - Proposed De-registering Organisation 'State Branch of National Organisation - *McJannet v. White* (1994) 122 ALR 82 Considered - Application Refused.

DECISION

By an application filed with the Industrial Registrar on 28 February 1995 the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland (hereafter the "ASCJBPPDAUEQ"), the Federated Engine Drivers' and Firemens' Association of Australasia Queensland Branch, Union of Employees (hereafter the "FEDFA") and the Queensland Colliery Employees Union of Employees (hereafter the "QCEUE") jointly sought approval for submission to ballot of a proposed amalgamation of the three organisations. An application under s. 397 seeking a declaration that there is a community of interest between the three organisations in relation to their industrial interests was filed at the same time. Each of the organisations filed an application under s. 400 seeking exemption from the requirement that a ballot of its members be held in relation to the amalgamation. Each of the s. 400 applications was based on s. 417 (exemption from ballot - recognition of federal ballot). Success of each of those applications would, of course, make it unnecessary to consider the application under s. 397.

In the circumstances of the case it is necessary to say something of the proposed amalgamation.

- (a) It is proposed that ASCJBPPDAUEQ will be the amalgamated industrial organisation.
- (b) It is proposed that each of FEDFA and QCEUE shall be de-registered.
- (c) It is proposed that the name ASCJBPPDAUEQ shall be changed to Construction, Forestry, Mining and Energy Industrial Union of Employees, Queensland (hereafter CFMEUEQ).

15229_1.DOC

- (d) Oddly, it is proposed that the name of FEDFA shall be changed to CFMEUEQ and the name QCEUE shall be changed to CFMEUEQ.

- (e) It is proposed that –

- (i) All members of the proposed de-registering industrial organisations become, upon the coming into force of the amalgamation, without payment of an entrance fee, members of the proposed amalgamated industrial organisation; and
- (ii) All life members of the proposed de-registering industrial organisations become, upon the coming into force of the amalgamation, without payment of an entrance fee, life members of the proposed amalgamated industrial organisation; and
- (iii) All honorary members of the proposed de-registering industrial organisations are to become, upon the coming into force of the amalgamation, without payment of an entrance fee, honorary members of the proposed amalgamated industrial organisation.

- (f) It is proposed that –

- (i) The property and other assets of FEDFA and QCEUE shall become the property and assets of the proposed amalgamated industrial organisation; and
- (ii) The management of the property and assets of the proposed amalgamated industrial organisation shall be conducted by the State Executive thereof.
- (iii) The liabilities of FEDFA and QCEUE shall become those of the proposed amalgamated industrial organisation; and
- (iv) The management of the liabilities of the proposed amalgamated industrial organisation shall be conducted by the State Executive.

- (g) It is proposed so to alter the eligibility rule of ASCJBPPDAUEQ that all persons eligible for membership of any one of the three organisations and no other persons will be eligible for membership of the proposed amalgamated organisation immediately after the amalgamation takes effect.

It is important to record also, that pursuant to s. 395, the application contains a provision to the effect that if ASCJBPPDAUEQ and FEDFA approve of the amalgamation and QCEUE does not ASCJBPPDAUEQ and FEDFA are to amalgamate, and that if ASCJBPPDAUEQ and QCEUE approve of the amalgamation and FEDFA does not ASCJBPPDAUEQ and QCEUE are to amalgamate. There is no provision to the effect that if FEDFA and QCEUE approve of the amalgamation and ASCJBPPDAUEQ does not, FEDFA and QCEUE are to amalgamate. Having regard to s. 395(1)(c) which, in the case where one of the existing organisations is the proposed amalgamated organisation, requires that organisation to be an approving organisation, I think that I should proceed on the footing that the nomination of ASCJBPPDAUEQ as the amalgamated organisation was deliberate and not casual, and is an essential element of the proposal for the submission of which to ballot approval is sought. I reject the submission that, if the application cannot succeed if FEDFA is a proposed de-registering organisation, I should assess the application on the assumption that FEDFA is the proposed amalgamated organisation. It may be that at the negotiating table the roles are

interchangeable. Such an application may yet be made. It does not follow that I may ignore the terms of the application and treat the roles as interchangeable.

I do not set out the detail of the alternative amalgamations. It is sufficient to say that they are a repetition of the proposals set out above modified no more than is necessary to accommodate the deletion of one of the de-registering organisations, even the oddity that the name of the approving proposed de-registering organisation is to change to CFMEUEQ is repeated.

It is not customary to probe the antecedents and status of what appear to be existing industrial organisations jointly applying for approval for the submission of a proposed amalgamation to ballot. In ordinary circumstances a body which appears to be an existing industrial organisation is treated as an existing industrial organisation. Section 389 (b) seems to me to be ample justification for the practice.

In the case of this application, the circumstances are not ordinary. The decision in *Sharpe v Goodhew* (1990) 96 ALR 251 is in the public domain. In *Sharpe v Goodhew* (1990) 96 ALR 251 Pincus J held one of the existing industrial organisations jointly pressing this application viz. FEDFA, to have no separate corporate identity and to be merely part of the Federated Engine Drivers' and Firemen's Association of Australasia, an organisation registered under *Industrial Relations Act 1988* (C'th). If that view be correct this application squarely raises the question whether the *Industrial Relations Act 1990* provides for the amalgamation of an industrial organisation which is registered under that Act and which is not part of a nationally registered organisation with an industrial organisation registered under the Act which is part of a nationally registered union, where the body first mentioned is the proposed amalgamated organisation and the body which is part of the national body is the (or a) proposed de-registering organisation.

I say "if that view be correct" without disrespect. The application now pursued is not a cause of action which merged in the judgement in *Sharpe v Goodhew* (1990) 96 ALR 251. Having regard to s. 407 of the Act and *Industrial Relations Regulation 1990*, s. 33 and to the circumstance that the application is not contested, I have some difficulty in treating this matter as a matter between parties. In any event the parties to *Sharpe v Goodhew* (1990) 96 ALR 251 are not the parties to this matter. There is no room for the operation of either *res judicata* or *issue estoppel*, compare *Port of Melbourne Authority v Anshun Pty Ltd* (1981) 147 CLR 589 at 597 per Gibbs C.J., Mason and Aickin JJ. If the issue is re-litigated, the evidence may well be different. Further materials may have come to light. Materials not tendered in *Sharpe v Goodhew* (1990) 96 ALR 251 may be thought to have great relevance by those who have had the advantage of perusing *Frizziero v Rice* (1992) 36 FCR 449 and *McJannet v White* (1994) 122 ALR 82.

Mr Rothman of counsel, who appeared for the applicants, does not shrink from the decision in *Sharpe v Goodhew* (1990) 96 ALR 251. He asks that I explicitly proceed on the basis that FEDFA is part of a national organisation and submits that an industrial organisation registered under the Act which is part of a national organisation may, by utilising the machinery of the Act, amalgamate with an industrial organisation registered under the Act which is not part of a national organisation. The submission is said to be correct whether the industrial organisation which is part of the national organisation is (as here) the (or a) proposed de-registering organisation or the proposed amalgamated organisation. Alternatively, the submission is said to be correct at least in the case where the industrial organisation which is part of the national organisation is the proposed amalgamated organisation, and that I should treat this application as if that were the scheme.

I have already given my reasons for rejecting the alternative submission. To the principal submission I shall shortly turn. The submission that I should proceed on an explicit assumption that FEDFA is part of a national organisation calls for some comment. I can see no advantage in reciting an unestablished conclusion as the basis of an approval for submission of a proposed amalgamation to ballot. There is nothing which is fair, practical or non-legalistic, see s. 389(b), in encouraging the members of organisations registered under the Act to act on the assumption that an amalgamation is sound when its foundations are designed to facilitate subsequent challenge. In my view, if the principal submission fails, the application must be dismissed if, as here, no material is placed before the Commission to justify a finding that FEDFA is not part of a national organisation. (If the submission succeeds the status of FEDFA is irrelevant.)

The stumbling block to acceptance of Mr Rothman's principal submission is the decision of the Full Court of the Federal Court of Australia in *McJannet v White* (1994) 122 ALR 82. The decision, I should say, is now challenged in the High Court. The challenge, I am told, is not set down for hearing until the last quarter of the year, may take some time to resolve and may go off on the question whether the Federal Court had jurisdiction to decide the matter. Mr Rothman on behalf of the objectors submits that I should not await the outcome of the High Court challenge. It is in the nature of the proceedings that there is no objectors. I am required to be quick, s. 389(b). In those circumstances it seems to me that the proper course is to hear the matter. Whilst I recognise that the adoption of that course may, if the High Courts' decision is inconsistent with the basis on which this matter is resolved, lead to further litigation, it seems to me that I must give weight to the applicants' election to run that risk. The risk that all may be undone is in any event no different in nature than the risk carried by all amalgamating organisations in consequence of the policy previously referred of not probing antecedents and status.

The material facts in *McJannet v White* (1994) 122 ALR 82 (at the appellate level) were as follows:—

The Media, Entertainment and Arts Alliance (hereafter the Alliance) is an organisation of employees under the *Industrial Relations Act 1988* (C'th). It came into being as the Alliance on 18 May 1992 following the amalgamation of three organisations of employees one of which was the Australian Theatrical and Amusement Employees Association (the ATAEA). The ATAEA had first become registered as a organisation of employees on 10 February 1910 under earlier Commonwealth Legislation albeit it under a different name. In February 1917 the Queensland Branch of the ATAEA successfully sought registration under the *Industrial Arbitration Act 1916* (Qld). It was accepted that if that registration were valid transitional provisions in the *Industrial Relations Act 1990* and its predecessors had the consequence that the Queensland Branch was in June 1992 an industrial organisation under the *Industrial Relations Act 1990*. For the purposes of the system established by that Act it was known as the Australian Theatrical and Amusement Union of Employees (hereafter ATAUE). In that month (June 1992) the Alliance and others instituted proceedings in the Industrial Division of the Federal Court of Australia seeking orders against ATAUE and six individual respondents restraining ATAUE and those six respondents from taking further steps to implement a purported amalgamation between ATAUE and The Australian Workers' Union of Employees, Queensland, another body registered as a organisation of employees under *Industrial Relations Act 1990*. The applicants also sought a declaration that the Queensland Branch of ATAEA and ATAUE were one in the same and a declaration that all the assets and all interests in property held in the name of ATAUE were assets of the Alliance. Orders were sought directing the six individual respondents and ATAUE to transfer property and to account for money or assets and to hand over records of the ATAUE to the Alliance. A declaration was also sought that all

members of ATAUE were members of the Alliance. The primary judge rejected the applicants' case. By the time the appeal was heard the amalgamation of ATAUE and The Australian Workers' Union of Employees, Queensland had been effected. It was for that reason that the orders made in favour of the successful appellants (the applicants) differed a little from those which had been originally sought.

To the orders actually granted I shall presently turn. It is, however, helpful to an understanding of the significance of those orders to go first to the consequences which the *Industrial Relations Act 1990* attributes to an amalgamation effected thereunder. Before doing so I take the liberty of stressing the obvious. The material facts in *McJannet v White* (1994) 122 ALR 82 are the material facts of this case save that the amalgamation under the *Industrial Relations Act 1990* has yet, of course, to be effectuated. There is similarity even to the extent that just as ATAEA had become the Alliance as a result of an amalgamation under the *Industrial Relations Act 1988* (C'th), the Federated Engine Drivers' and Firemens' Association of Australasia had, as a result of a complex web of amalgamations under the *Industrial Relations Act 1988* (C'th), become the Construction, Forestry, Mining and Energy Union.

The amalgamation of industrial organisations is dealt with at Division 9 of Part 14 of the *Industrial Relations Act 1990*.

Subdivisions 3 to 5 deal with the process by which organisations registered pursuant to the Act may amalgamate. The process involves the proposed amalgamated organisations developing a scheme for amalgamation. The scheme is a matter of some significance. A copy of it must be filed with the application for approval for submission of the proposed amalgamation to ballot. The Industrial Registrar must supply a copy to the Electoral Commission. The Electoral Official conducting the ballot (see later) must supply a copy of the scheme to any persons entitled to vote therein if such a person so requests, *Industrial Relations Regulation* s. 48. The scheme must be approved by the Committee of Management of each of the industrial organisations concerned in the amalgamation. The scheme may involve the de-registration of each of the industrial organisations involved and the registration of an association as an industrial organisation. It may involve the creation of an amalgamated organisation whose eligibility rule encompasses persons ineligible to join any one of the organisations involved in the amalgamation. It may as here provide with the de-registration of all but one of the organisations involved in the amalgamation, the selection of the remaining organisation involved in the amalgamation as the proposed amalgamated organisation, and the adoption of an eligibility rule for the proposed amalgamated organisation which does not involve the consequence that a person who is not eligible for membership in an existing industrial organisation concerned of the amalgamation would be eligible for membership of the proposed amalgamated organisation immediately after the amalgamation takes effect. If the scheme secures the approval of the Commission (no extension to eligibility being involved), the Act provides for a ballot to be conducted of the members of each of the organisations concerned in the amalgamation. The majority required in such ballots depends upon whether or not the Commission, on application, is satisfied that there is a community interest between the members of the organisations in relation to their industrial interests. In some cases (with which I need not presently deal) the Commission may grant exemption from the requirement that a ballot be held.

The effect of an amalgamation is dealt with at Subdivision 6. The Commission is required, after consultation with the industrial organisations involved in the amalgamation, to fix a day as the day with which the amalgamation is to take effect. On that day, if the proposed amalgamated organisation is not (as here) already registered, the Industrial Registrar must enter, in the register kept

15229_1.DOC

under s. 80(1)(b), the prescribed particulars in relation to that organisation. If the proposed amalgamated organisation is (as here) an existing industrial organisation any proposed alteration to its rules takes effect. The Commission must de-register the proposed de-registering industrial organisations. The persons who, immediately before that day, were members of the proposed de-registering organisations become, by force of the Act and without payment of entrance fee members of the proposed organisation. On that same day all the assets and all the liabilities of each of the industrial organisation cease to be assets and liabilities of that organisation and become the assets and the liabilities of the amalgamated organisation. A decision of the Commission that was, immediately before that day binding on a proposed de-registering industrial organisation and its members becomes, by force of the section, binding on the proposed amalgamated organisation and its members and has effect for all purposes as if references in the decision to a de-registered organisation included references to the amalgamated organisation. Pending proceedings against a de-registered organisation continue as if the amalgamated organisation is, and had always been, the de-registered organisation.

I return now to the orders made in *McJannet v White* (1994) 122 ALR 82.

The orders were as follows:-

- (1) The appeal be allowed.
- (2) The order made on 19 October 1992, dismissing the application, be set aside.
- (3) It be declared that:-
 - (a) the industrial association the subject of a purported registration pursuant to the *Industrial Arbitration Act 1916 (Qld)* on 18 March 1917, under the name "Queensland Branch of the Australian Theatrical and Amusement Union of Employees", was then, and thereafter remained, the Queensland Branch of the Australian Theatrical and Amusement Employees Association;
 - (b) all assets and interests in property held by, or on behalf of, the entity called Queensland Branch of the Australian Theatrical and Amusement Union of Employees immediately prior to its purported amalgamation with The Australian Workers' Union of Employees, Queensland were assets and interests belonging to Media Entertainment and Arts Alliance; and
 - (c) the purported amalgamation between the Queensland Branch of the Australian Theatrical and Amusement Union of Employees and The Australian Workers' Union of Employees, Queensland pursuant to the *Industrial Relations Act 1990 (Qld)* is void and of no effect.
- (4) The first and fifth respondents take all actions open to them to vest in Media Entertainment and Arts Alliance all assets and interests in property held by, or on behalf of, the entity called Queensland Branch of the Australian Theatrical and Amusement Union of Employees at the date of the purported amalgamation of that entity and The Australian Workers' Union of Employees, Queensland and all assets and interests and property acquired by, or on behalf of, the amalgamated body out of such assets or interests.
- (5) There be liberty to apply to a single judge of the court for such further orders as may be necessary to achieve

restitution to Media Entertainment and Arts Alliance of all assets and interests in property belonging to it and all assets and interests in property acquired out of such assets or interests.

The orders are incompatible with the view that the amalgamation of ATAUE and The Australian Workers' Union of Employees, Queensland had the effect described in Subdivision 6 of Division 9 Part 14 of the *Industrial Relations Act 1990*. There is nothing in that Act to suggest that it was the Legislature's intention that to facilitate amalgamations which do not have that effect. On the narrow view that the *ratio decidendi* of *McJannet v White* (1994) 122 ALR 82 is to be derived from the material facts and the order of the Court, compare Cross, *Precedent in English Law*, Clarendon Law Series, (1961) 1st ed. at 66, I consider the decision to be fatal to the present application.

Examination of the reasons for the decision advances the applicants' interest not at all.

Black CJ held that the registration of the Queensland Branch of ATEA was ineffective because registration and incorporation of the body registered were inseverable and the incorporation provisions of the Act of 1916 were inconsistent with a law of the Commonwealth, viz. *Conciliation and Arbitration Act 1904*, so as to attract the operation of s. 109 of the Constitution. Wilcox J concurred with that view. It is however proper to say that His Honour's remarks went beyond what was necessary for His Honour's decision. Wilcox J (at 118) had earlier said:

"..... Conformably with the findings made in all the earlier cases (*Allingham, Bailey v Krantz, Sharpe v Goodhew and Frizziero v Rice*), the court should hold that what was registered under the Queensland Act in 1917 was the Queensland Branch of the ATAUE. The court should also hold that this identity was not lost by the fact of registration or incorporation, if either of those events validly occurred. To the extent that either Wanstall ACJ in *Allingham* or Ray J in *Frizziero v Rice* suggested that this result would occur their view should not be accepted. Neither judge explained the conceptual basis for ascribing metamorphic qualities to registration or incorporation. I do not know what it might be. If that result did occur, it would plainly pose a massive problem in relation to the validity of the registration or incorporation. The effect of the State legislation would be to deprive federal organisations of their branches in those States where registration resulted in incorporation.

Once this conclusion is reached, the fundamental issue in the case is resolved. The association presented for registration under the Qld Act was the Queensland Branch of the federal organisation. It had no separate existence before registration. It acquired no separate existence by virtue of registration. Whether or not the registration was valid, the branch remained part of the federal organisation. Being part of a larger organisation, it was incapable of amalgamating, independently of the large organisation, with AWUE or any other body. If the federal organisation (ATAUE), of which it was a part, amalgamated with one or more other organisations, as it did to form the Alliance, the entity the subject of the Queensland registration became part of the amalgamated body.

15229_1.DOC

Immediately prior to the federal amalgamation any assets held in the name of the Queensland-registered body were assets of the federal organisation. Upon amalgamation they became assets of the Alliance. In my opinion, the appellants were entitled to the relief they sought before Ryan J. Orders along those lines ought now be made, updated to deal with the purported State amalgamation that has since occurred.

In one sense, it is not necessary to pronounce upon the validity of the 1917 registration. The matter of validity cannot affect the identity of the entity purportedly registered. But the question of validity has been argued before a bench of five judges. It is a question that will arise if the Alliance seeks to take advantage of the State registration in the Queensland Industrial Commission, as seems likely. It also raises issues of considerable general importance. As the reported cases demonstrate, it has been commonplace for branches of federally-registered organisations to become registered under State Acts. Under the circumstances, this court should address the question."

Black CJ, I should add, agreed with the view that if the larger organisation amalgamated the ATAUE amalgamated with it, but that ATAUE could not "itself" (to use an inaccurate pronoun) amalgamate with an organisation registered under the *Industrial Relations Act 1990*. His Honour said (at 85):

"I agree with Wilcox J that the Queensland Branch of the ATAEA was incapable of amalgamating, independently of the larger organisation, with The Australian Workers' Union of Employees, Queensland or any other body. It remained part of the federal organisation, and assets held in its name were assets of the federal organisation. Upon amalgamation of the federal organisation the assets became those of the Alliance by reason of s. 253R of the Act."

On either approach this application must fail.

The reasons of Northrop J and of the primary judge, Ryan J, must with respect be put aside. Both Northrop J and Ryan J accepted that the registration of the Queensland Branch of ATAEA gave birth to a new organisation. That is the very proposition which Mr Rothman did not put.

Gray J, with whom Keely J agreed, held that the registration of the Queensland Branch of ATAEA under the *Industrial Arbitration Act 1916* was effective, that the registration and the incorporation provisions were severable, that the Queensland Branch of ATAEA continued to be an inseverable part of that nationally registered organisation and that "[m]anifestly inconsistent with the Industrial Relations Act was any attempt to amalgamate the branch with any other entity registered under State legislation. This must be so whether or not the provisions relating to incorporation are regarded as severable from those related to registration. That is to say, whether or not the Queensland Branch of the ATAEA became registered on 18 March 1917 under the 1916 Qld Act, no legislation of the State of Queensland could effect an amalgamation between that branch and The Australian Workers' Union of Employees, Queensland." (at 138-9).

On its face His Honour's reasons are incompatible with the proposition that a branch of a nationally registered organisation may register in the Queensland system and then amalgamate with another industrial organisation registered in the Queensland system. Yet it is on the reasoning of Gray J that Mr Rothman relies.

It is Mr Rothman's submission that ".....the FEDFAQ being a corporate branch of the CFMEU and acting in accordance with the rules of the CFMEU on amalgamation with separate bodies (assuming that to be the case) has taken a step, authorisedly (sic.), inconsistent with its continued existence as a branch of the CFMEU. In that case the ASC&J, Qld, being the last organisation, under such name as is approved by this Commission, continues as an industrial organisation separate and distinct from the CFMEU."

I find myself unable to accept that argument, and not merely because it is difficult to regard taking a step authorised by the rules of the CFMEU as "inconsistent with its continued existence as a branch of CFMEU."

First, if the amalgamation provisions of the *Industrial Relations Act 1990* are in their application to bodies such as FEDFA inconsistent with the *Industrial Relations Act 1988 (C'th)* so as to attract the operation of s.109 of the Constitution, they are inoperative to the extent of the inconsistency. Nothing that FEDFA or the nationally registered Construction, Forestry, Mining and Energy Union may do or include within its rules may revive that which the constitution makes inoperative.

Second, each of Black CJ, Wilcox, Keely and Gray JJ seem to have accepted that a state statute might not provide for the incorporation of a branch of a nationally registered organisation without attracting the operation of s. 109 of the Constitution. Each of Black CJ, Wilcox, Keely and Gray JJ seem to have accepted that a suitably worded state statute might provide for the participation of a branch of a nationally registered organisation in the state system of industrial relations and provide for its registration so long as the step of incorporation was not taken. Indeed, Keely and Gray JJ considered the *Industrial Arbitration Act 1916*, after severance, to be such a statute. Each of Black CJ, Wilcox, Keely and Gray JJ accepted that if such a statute were enacted a branch of a nationally registered organisation might register under it. No member of the Court suggests that a branch of a national organisation might take the decision so to register without regard to the rules of the national organisation of which it is a part. Such a proposition is inconsistent with the proposition that both before and after the registration the branch is an inseverable part of the national organisation. True it is that there was some discussion of the consequence and the remedy where the non-compliance does not come to light for many years, as indeed there was in *Sharpe v Goodkew* (1990) 96 ALR 251. But there was no suggestion that non-compliance noted at the outset might be ignored. In summary, the proposition that a branch might be registered but not incorporated is a proposition based on the assumption that one is speaking of a branch authorised by the rules of the organisation (including the branch rules) to so register. Gray J (at 135) put the matter thus:-

"Given that many organisations have been constituted traditionally as federations or unions of branches consisting of their members living and working in the various States, there is nothing remarkable about those branches, within the authority given to them under the rules of the organisations, seeking to pursue improvements in the wages and conditions of their members by reliance on State legislation. If, in order to pursue that end, a branch finds that it is necessary to become registered, there is no particular reason why it may not do so. The placing of a name of a branch on a register cannot of itself involve any derogation from the scheme of the C&A Act or the Act or any interference with the conceptual nature of an organisation. A branch is, after all identifiable, and can be given a name. The writing of this

15229_1.DOC

name in a register does not itself involve any change in the nature of the branch or anything inconsistent with that nature." (Emphasis added).

If authority to register does not confer authority to register where incorporation is the inseparable consequence, why should an authority to amalgamate with an organisation registered under the state law be construed to permit an amalgamation with the consequences at Part 14 Division 9 Subdivision 6? One consequence at Subdivision 6 is that the members of the branch become members of a larger amalgamated organisation and, in the conduct of their affairs, are governed by the rules of the amalgamated organisation instead of the rules of the national organisation. The assets and rights in the custody and control of the branch, including "its" industrial rights, also pass to the amalgamated organisation though they are in truth the assets and rights of the national organisation. In my view Subdivision 6 so alters, impairs and detracts from the operation of the *Industrial Relations Act 1988* (C'th), compare *State of Victoria v The Commonwealth* (1937) 58 CLR 618 at 630 per Dixon J, that no amount of consent by the national organisation may overcome the s. 109 difficulty.

Third, I do not accept that an organisation registered under the *Industrial Relations Act 1988* (C'th) may validly have a rule authorising a change in the rules of one of its branches otherwise than on compliance with s. 205 of that Act.

Some attempt was made to argue, in reliance on English authorities relating to unincorporated associations, that a branch might effectively (though wrongfully and in breach of the association's constitution) repudiate the larger body of which it is part. It is not necessary to go to those authorities. It is the effect of s. 109 that a law of the Commonwealth prevails over any inconsistent State law, including any rule of the common law, *Metal Trades Industry Association v. Amalgamated Metal Workers' and Shipwrights' Union* (1983) 152 CLR 632 at 642 per Gibbs CJ, Wilson and Dawson JJ. Amalgamation of a branch of a national organisation with an industrial organisation registered under a state statute which gives amalgamation the effect at Subdivision 6 of Division 9 of Part 14 of the *Industrial Relations Act 1990* may not be brought about by any state statute or combination of statute and common law.

I dismiss the application.

Dated this eighteenth day of May, 1995.

D.R. HALL, Chief Industrial Commissioner.

Appearances:-

Mr S. Rothman instructed by Nall Payne Craswell for the Applicants.

Date of Operation: N/A

Decision - Application Dismissed

Released: 19 May 1995

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1990
s. 319 - notice of industrial dispute

Federated Clerks' Union of Australia,
North Queensland Branch, Union of Employees

AND

Cairns Base Hospital and Peninsula and
Torres Strait Regional Health Authority

(No. D595 of 1994)

COMMISSIONER BLOOMFIELD

24 May 1995

Dispute - Arbitrated Matter - Manning Levels - Commission Arbitrated Pursuant to s. 319(4) - Management Conceded Increases Necessary - Flow on Implications - Inability of Public Sector Body to Fund Additional Staffing Levels - Policy Considerations - Commission Declined to Exercise Jurisdiction.

DECISION

This matter first came to the Commission's attention in December of 1994 when a dispute was notified to the Commission by the Federated Clerks' Union of Australia, North Queensland Branch, Union of Employees (FCUNQ) requesting the assistance of the Commission in relation to a dispute at the Cairns Base Hospital about the staffing levels of ward clerks. During the course of the conference it was agreed between the parties that there would be a close examination of the staffing requirements and a written report would be prepared and made available to the Commission which indicated the results of the parties' discussions and deliberations.

When the matter resumed on 11 January 1995 it was clear that the issue of staffing levels had not been resolved and that the respective positions of the parties had apparently become more entrenched. As a consequence the Commission determined that it would proceed to resolve the dispute by arbitration pursuant to s. 319(4) of the Act with such hearing to commence in Cairns on Friday 24 February.

When the matter came on for hearing on 24 February, Mr O'Donnell of FCUNQ called the current, and some previous, ward clerks who each gave evidence (to varying degrees) on what were said to be the deleterious effects upon them caused by under-staffing in the ward clerks area(s) at Cairns Base Hospital. The witnesses gave evidence about: feeling overworked; stressed; fatigued; the likelihood of making mistakes because of the pressures, fatigue and stress; and their concern about the level of service that they were providing to both patients and other health professionals.

Evidence was also given about the potential for files to go missing and the possibility of putting documents in the wrong file or files because of the accumulation of work pressures and time constraints caused by the under-staffing.

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1990

^{C28}
(No. U6 of 1995)

APPLICATION

INDUSTRIAL REGISTRAR
8 JUN 1995
QUEENSLAND

TO: The Industrial Registrar, Industrial Registrar' Office, Central Plaza II, 66 Eagle Street, Brisbane, and such other persons as the Registrar may direct.

TAKE NOTICE THAT I JOHN WARREN PAYNE, Solicitor of Nall, Payne Craswell, Solicitors, 19th Level, 141 Queen Street, Brisbane, Telephone (07) 221 2044, Facsimile: (07) 229 9842, DX 40095 Brisbane, being authorised to represent the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland, the Federated Engine Drivers' and Firemen's Association of Australasia Queensland Branch, Union of Employees and the Queensland Colliery Employees Union of Employees.

1. Apply for orders by way of appeal under S.118(2) of the Industrial Relations Act (1990) hereinafter "the Act" in relation to the decision of Chief Industrial Commissioner Hall in application no. U6 of 1995 being a decision made on 18 May, 1995:-

- (a) quashing the decision under appeal, which decision dismissed the application;
- (b) in substitution thereof granting the application for approval for submission to ballot of the proposed amalgamation of the three applicant organisations and referring to the Chief Industrial Commissioner the applications for declaration of community of interest under Section 397 and for exemption from ballot under Section 400 of Act;
- (c) further and/or in the alternative, remitting the causes therein, with or without directions, to the Chief Industrial Commissioner to deal with in accordance with the law.

And attach hereto a Schedule 1, the grounds upon which such appeal ought to be allowed.

2. Further, I apply for directions as to the conduct of this Application with respect to the following matters:-

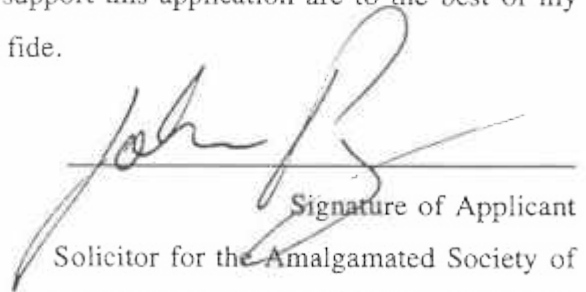
- (a) Nature of the Hearing;

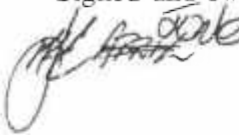
W:\U02\93118\9561485 U15

- (b) Place and Time of Hearing;
- (c) Such other matters as I may be advised.

Additionally, I make oath and swear as follows:-

- 3. I am fully authorised in compliance with the Act and the Rules of Court to make this application.
- 4. The grounds of appeal relied upon to support this application are to the best of my knowledge, information or belief bona fide.


Signature of Applicant
Solicitor for the Amalgamated Society of
Carpenters, Joiners, Bricklayers, Plasterers,
Painters and Decorators of Australia, Union
of Employees, the Federated Engine Drivers'
and Firemen's Association of Australasia,
Queensland Branch, Union of Employees
and Queensland Colliery Employees Union
of Employees.

Signed and sworn by the abovenamed Deponent at Brisbane this 8th day of
, 1995, before me


A Justice of the Peace

If there is no attendance before the Court by the Respondent or agent, Counsel/Solicitor at the time and place fixed by the Registrar, the proceeding may be heard and the Respondent will be liable to suffer judgement or an order against such person in their absence.

SCHEDULE 1
GROUND OF APPEAL

The Chief Industrial Commissioner erred in law, or, further or alternatively, made orders in excess or want of the Commission's jurisdiction, or, further or alternatively refused to make orders and exercise its jurisdiction in that:-

1. Contrary to section 408(1) took into account matters otherwise than the matters specified as to that which the Commission must consider.
2. Contrary to section 408(2) failed to grant the application as required by the subsection.
3. The decision misunderstood and misapplied a decision of the Full Court of the Federal Court of Australia in McJannet -v- White.
4. The decision of the Chief Industrial Commissioner is otherwise contrary to law or has otherwise made in excess of want of jurisdiction or was otherwise a failure or refusal to exercise jurisdiction.
5. The Applicant reserves the right to abandon or add to these Grounds of Appeal within a reasonable time, given the ex parte nature of the proceedings below.



Industrial Registrar's Office

Industrial Court and Queensland Industrial Relations Commission

14th Floor, Central Plaza 2,
66 Eagle Street, (Corner Elizabeth and Creek Streets), BRISBANE QLD 4000
Postal Address: GPO Box 373, BRISBANE QLD 4001
General Enquiries: (07) 3227 8060 Facsimile: (07) 3221 6074

20 October 1995

The Secretary
Amalgamated Society of Carpenters, Joiners,
Bricklayers, Plasterers, Painters and Decorators
of Australasia, Union of Employees, Queensland
366 Upper Roma Street
BRISBANE, 4000

Dear Sir/Madam

Reference is made to a decision by Chief Industrial Commissioner Hall of 18 October 1995 in case numbers B149 and B234 of 1993 and B81 of 1994 altering your registered eligibility rule.

Enclosed is a Certificate of Registration of Alteration of Rules resulting from such decision.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'KB. Jones'.

KB. JONES
Acting Industrial Registrar

Industrial Relations Act 1990
(Section 346)

(Nos. B149 and B234 of 1993 and B81 of 1994)

CERTIFICATE OF REGISTRATION OF ALTERATION OF RULES

I hereby certify that pursuant to the Act the alteration of rule number 1.2.3 of the rules of Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland a copy of which is appended hereto, has been registered.

Dated at Brisbane this eighteenth day of October, 1995.



K.B. JONES
Acting Industrial Registrar



Industrial Registrar's Office

Industrial Court and Queensland Industrial Relations Commission

14th Floor, Central Plaza 2,
66 Eagle Street, (Corner Elizabeth and Creek Streets), BRISBANE QLD 4000
Postal Address: GPO Box 373, BRISBANE QLD 4001
General Enquiries: (07) 3227 8060 Facsimile: (07) 3221 6074

20 October 1995

The Secretary
Amalgamated Society of Carpenters, Joiners,
Bricklayers, Plasterers, Painters and Decorators
of Australasia, Union of Employees, Queensland
366 Upper Roma Street
BRISBANE, 4000

Dear Sir/Madam

Reference is made to a decision by Chief Industrial Commissioner Hall of 18 October 1995 in case numbers B149 and B234 of 1993 and B81 of 1994 altering your registered eligibility rule.

Enclosed is a Certificate of Registration of Alteration of Rules resulting from such decision.

Yours faithfully

A handwritten signature in cursive script, appearing to read 'KB. Jones'.

KB. JONES
Acting Industrial Registrar

Industrial Relations Act 1990
(Section 346)

(Nos. B149 and B234 of 1993 and B81 of 1994)

CERTIFICATE OF REGISTRATION OF ALTERATION OF RULES

I hereby certify that pursuant to the Act the alteration of rule number 1.2.3 of the rules of Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland a copy of which is appended hereto, has been registered.

Dated at Brisbane this eighteenth day of October, 1995.



K.B. JONES
Acting Industrial Registrar



Industrial Registrar's Office

Industrial Court and Queensland Industrial Relations Commission

14th Floor, Central Plaza 2,
66 Eagle Street, (Corner Elizabeth and Creek Streets), BRISBANE QLD 4000
Postal Address: GPO Box 373, BRISBANE QLD 4001
General Enquiries: (07) 3227 8060 Facsimile: (07) 3221 6074

29 February 1996

The Secretary
Amalgamated Society of Carpenters, Joiners,
Bricklayers, Plasterers, Painters and Decorators
of Australasia, Union of Employees, Queensland
366 Upper Roma Street
BRISBANE, QLD, 4000.

Dear Sir

Reference is made to a decision by Chief Industrial Commissioner Hall of 19 February 1996 in case number B286 of 1993 altering your registered eligibility rule.

Enclosed is a Certificate of Registration of Alteration of Rules resulting from such decision.

Yours faithfully


E. EWALD
Industrial Registrar

Industrial Relations Act 1990
(Section 346)

(No.B286 of 1993)

CERTIFICATE OF REGISTRATION OF ALTERATION OF RULES

I hereby certify that pursuant to the Act the alteration of the rules of Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland by inserting a new rule 1.2.4, a copy of which is appended hereto, has been registered.

Dated at Brisbane this nineteenth day of February, 1996.


E. EWALD
Industrial Registrar

**RULES OF
AMALGAMATED SOCIETY OF CARPENTERS, JOINERS,
BRICKLAYERS, PLASTERERS, PAINTERS AND DECORATORS OF
AUSTRALASIA, UNION OF EMPLOYEES, QUEENSLAND**

1. Name and Constitution

- 1.1 The name shall be the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland.
- 1.2.1 The Union shall consist of an unlimited number of persons, employed or usually employed as carpenters or joiners, including ship carpenters or joiners, or as stonemasons, marble masons, polishers, machinists, sawyers and all other persons engaged in the dressing and preparation and/or erection of stone, marble or slate also those engaged in the preparation and/or erection of terrazzo or similar compositions; also those employed in or usually employed in the following callings:- Bricklaying, tuckpointing, coke slab wall erection, gas retort repairers, fire clay block layers, floor tilers, roof tilers, slaters and shinglers, Terracotta fixer; majolica fixers, earthenware pipe drain layers in or about a building, cutters of brickwork for doorways, windows etc. plasterers; fibrous plasterers; tilers; floor specialists; lathers; together with such other persons, whether employees in the industry or not, as have been appointed officers of the Association and admitted as members hereof.
- 1.2.2 This union shall also consist of an unlimited number of persons employed in or usually employed in the painting and decorating industry in connection with buildings and structures, plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise), general and ship painting, including the following:
- (a) On ships the painting of all accommodation and appurtenances thereto provided for passengers and ships complement, hospitals and pharmacies wherever situated, chart rooms, wheel houses and other navigational offices aboard ships including naval ships of every kind, and the painting of prefabricated ships and prefabricated parts of ships of every kind.
 - (b) The painting of launches and boats of every kind and the painting of prefabricated launches and boats and the prefabricated parts of launches and boats of every kind.
 - (c) The painting of or in connection with all buildings and structures, plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise). The painting of or in connection with prefabricated buildings and structures, plant, machinery and equipment, (commercial, residential, industrial or otherwise) and any prefabricated or other parts or prefabricated building and structures as aforementioned.
 - (d) The painting of the exterior of pipe lines on or above the surface of the earth, conduits, valves, condensers, cocks, control and/or regulating stations or sub-stations, and/or pumping, suction, syphon or booster stations or sub-stations, and/or storage holders, pressure regulating holders and/or trestles, bridges, viaducts, pylons, and any other supports, and all machinery and appurtenances relating to the foregoing on water, land, or seas, used or to be used for the purposes of storing and/or regulating and/or conveying liquids or gases including natural oils and gases.
 - (e) Glazing, glass cutting, glass processing, cutting and fixing vitrolite or like material, the fixing of glass by any means in any place prepared for its reception, fitting and fixing glazing bars.
 - (f) Paperhanging, applying and/or fixing wallhangings or coverings, decorating, kalsomining, distempering, plastic relief and texture work, graining, marbling, gilding, enamelling, varnishing and lacquering.
 - (g) Signwriting, designing and/or lettering of price tickets and showcards.
 - (h) Pictorial or scenic painting, or production of signs or posters by means of stencils, screens or like methods or any other work incidental thereto including cut-out displays of all descriptions, pictorial, scenic or lettering.
 - (i) Leadlight and metal glazing including cutting glass, assembling and fixing such glass by means of lead and/or metal sections.
 - (j) Employees who mix and/or apply and/or fix paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative or protective coatings and/or finishes, putty stopping, caulking mixtures, compositions or compounds, oils, varnishes, water- colours,

lacquers, stains, wallpapers, wall hangings or coverings, coatings (coatings shall not be read and construed to include the applying and fixing of lagging, or the work of applying or fixing of coatings consisting of plaster and/or lime and/or cement and/or aggregate when such substances are mixed or blended with water or the coating of pipes with bitumen and/or wrapping with burlap or hessian or other like material for the purposes of protection or decoration) or other materials used in any of the callings specified in rule 1.2.2, Constitution hereof (other than mixing of paint, paint mixtures, protective coatings and/or plastic coatings and/or finishes and/or mixtures, putty, putty mixtures, stopping, caulking mixtures, compositions or compounds, oils, oil mixtures, varnishes, varnish mixtures, water colours, water-colour mixtures, lacquers, lacquer mixtures, stains and removers, stain removal mixtures in paint and chemical factories) and/or other materials used in the painting and decorating trade with a brush, spray, roller or other tool or remove paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative coatings and/or finishes or putty, stopping, or caulking mixtures, compositions or compounds, oils, varnishes, water colours, lacquers, stains, wallpapers, wallhangings or coverings, coatings, or other materials used in the painting and decorating trade by heat, flame, water solvents, electrical, mechanical, air powered or hand tools or by grit, shot, or other abrasives or by any other means.

- (k) The union shall also consist of an unlimited number of persons engaged in preparing the work and materials required in any of the aforementioned branches of the trade together with such other persons whether engaged in any industrial pursuit or not who have been appointed officers of the union or its branches and admitted as members thereof but shall not include persons employed in connection with the production or preparation of manufactured goods, plant, machinery, equipment, packages, or containers for sale or purposes of distribution.

- 1.2.3 Nothing in these rules shall make eligible for membership any employee employed in or in connection with the conduct of Hamilton Island and Dent Island as part of the Island Tourist Resort Industry other than employees of contractors and/or subcontractors employed on the mainland and performing work on Hamilton Island and Dent Island from time to time.

Provided further that, notwithstanding the foregoing provisions of this rule, the union does not have the right to enrol as members, employees of Mount Isa Mines Limited covered by the Mount Isa Mines Limited Award and the Mount Isa Mines Limited Tracing Employees Industrial Agreement.

- 1.2.4 Notwithstanding any other provision in these rules, a person employed by a sugar mill, refinery, distillery, terminal or storage operation, and milling, refining, distilling, terminal, storage or other sectors of the sugar industry shall not be eligible to become a member of the union.

- 1.3 The seal of the Union shall be oval in shape inscribed in the outer edge the letters "ASCJBPP & D of Australasia Union of Employees" and it shall have on the inner space the words "Queensland State Management Committee".

2. Objects

- 2.1 To uphold the right of combination of labour, and to improve, protect, and foster the best interests of the union and its members, and to assist them to obtain their rights under industrial and social legislation.
- 2.2 To regulate the conditions under which all members of the union may be employed.
- 2.3 To affiliate to, federate with, amalgamate with, or otherwise combine with any trade or industrial union, or association, or associations of trade unions, or any other organisation having objects similar in whole or in part to the objects of this union.
- 2.4 To establish a fund for the assistance and support of trade unionists and to carry out the objects of the union.
- 2.5 To pay benefits to members in distress.
- 2.6 To establish Sub-branches or sections of the union throughout the State.
- 2.7 To further any scheme that has for its objects the establishment of Labour research and information, the establishment and maintenance of Labour and trade union newspapers and wireless broadcasting stations, and to invest in shares in such newspapers and radio stations.

Industrial Relations Act 1990

s. 118(2) – appeal from decision of industrial commission

Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers,
Painters and Decorators of Australasia, Union of Employees, Queensland

AND

Federated Engine Drivers' and Firemens' Association of Australasia
Queensland Branch, Union of Employees

AND

Queensland Colliery Employees Union of Employees

(No. C28 of 1995)

JUSTICE MACKENZIE, PRESIDENT

12 March 1996

JUDGMENT

The decision appealed against was given prior to the decision of the High Court in *re McJannett; Ex parte Minister for Employment, Training and Industrial Relations for the State of Queensland* ((1995) 132 A.L.R. 198). The basis upon which the Commission's decision proceeds is inconsistent with the High Court decision and the appeal must therefore be allowed and the application remitted to the Commission to be dealt with according to law. I order accordingly.

Dated this twelfth day of March, 1996.

K.G.W. MACKENZIE, President.

Appearances:—

Mr S. Rothman (instructed by Nall, Payne and Crasswell) for the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland; Federated Engine Drivers' and Firemens' Association of Australasia Queensland Branch, Union of Employees and Queensland Colliery Employees Union of Employees

Operative Date: N/A

Judgment – C & J and F.E.D.F.A. and Q.C.E.U.

Released: 12 March 1996

Industrial Relations Act 1990
(Section 346)

(No. B136, B293 and B307 of 1993)

CERTIFICATE OF REGISTRATION OF ALTERATION OF RULES

I hereby certify that pursuant to the Act the alteration of the rules of Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland by inserting a new rule 1.2.5, a copy of which is appended hereto, has been registered.

Dated at Brisbane this first day of May, 1996 .



E. EWALD
Industrial Registrar

Industrial Relations Act 1990
s. 45 – application for organisational coverage

Queensland Confederation of Industry Limited,
Union of Employers

AND

Queensland Nurses' Union of Employees
and Others

(No. B136 of 1993)

Queensland Nurses' Union of Employees

AND

Australian Liquor, Hospitality and Miscellaneous Workers Union,
Queensland Branch, Union of Employees and Others

(No. B293 of 1993)

The Australian Workers' Union of Employees, Queensland

AND

Australian Liquor, Hospitality and Miscellaneous Workers Union,
Queensland Branch, Union of Employees and Others

(No. B307 of 1993)

CHIEF INDUSTRIAL COMMISSIONER HALL

1 May 1996

ORDER

THESE MATTERS coming on for hearing before the Nominated Commissioner on 1 May 1996, this Commission doth order that the rules of each of the below industrial organisations of employees be altered as described as from 1 May 1996:–

(1) The rules of the Australian Liquor, Hospitality and Miscellaneous Workers Union, Queensland Branch, Union of Employees are altered by inserting the following new sub-rule at the end of sub-rule (ii) (13) of Rule 3 – Constitution:–

“(14). Notwithstanding the foregoing rules, the following classes of persons shall also be eligible for membership: being persons who are or may be employed in the Private Pathology Industry and who may be employed in the capacity of pathology specimen collectors, couriers and clerical employees associated with the general administration of a practice, including any clerical functions associated with the activities of collectors or couriers, storeworkers, carpenters and all other employees not otherwise covered by the State Public Services Federation Queensland Union of Employees.”.

(2) The rules of the State Public Services Federation Queensland Union of Employees are altered by inserting the following new sub-rule at the end of sub-rule B(aa) of Rule 6 – Eligibility for Membership:–

“(aaa) Notwithstanding the foregoing rules, the following classes of persons shall be eligible for membership: being persons who are employed in the Private Pathology Industry and who may be employed in the capacity of scientists, technicians, laboratory assistants, attendants, employees engaged in any clerical functions within the laboratory or which are directly associated with the technical functioning of a laboratory as well as electrical, electronic and instrument tradesperson, technicians and assistants thereto.”.

(3) The rules of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland are altered by inserting the following new paragraph at the end of Rule 1.2.4 – Name and Committee:–

"1.2.5. Notwithstanding any other provision in the rules, a person employed in the Private Pathology Industry shall not be eligible to become a member of the Industrial Organisation."

(4) The rules of The Australian Workers' Union of Employees, Queensland are altered by inserting the following new sub-rule in Rule 6 – Eligibility for Membership:–

"163. Notwithstanding any other provision in these rules, a person employed in the Private Pathology Industry shall not be eligible to become a member of the Industrial Organisation."

↓ (5) The rules of the Australian Municipal, Administrative, Clerical and Services Union, Central and Southern Queensland Clerical and Administrative Branch, Union of Employees are altered by inserting the following new paragraph at the end of the first paragraph, under Rule 5 – Constitution:–

✓ "Notwithstanding any other provision in these rules, a person employed in the Private Pathology Industry shall not be eligible to become a member of the Industrial Organisation."

(6) The rules of The Electrical Trades Union of Employees of Australia, Queensland Branch are altered by inserting the following new rule at the end of Rule 2 – Constitution:–

"2B. Notwithstanding any other provisions in these rules, a person employed in the Private Pathology Industry shall not be eligible to become a member of the Industrial Organisation."

(7) The rules of the Federated Clerks' Union of Australia, North Queensland Branch, Union of Employees are altered by inserting the following new paragraph at the end of the third paragraph under Rule 4 – Constitution:–

"Notwithstanding any other provision in these rules, a person employed in the Private Pathology Industry shall not be eligible to become a member of the Industrial Organisation."

(8) The rules of The Federated Storemen and Packers' Union of Employees of Australia (Queensland Branch) are altered by inserting the following new paragraph at the end of the first paragraph under Rule 2 – Constitution:–

"Notwithstanding any other provision in these rules, a person employed in the Private Pathology Industry shall not be eligible to become a member of the Industrial Organisation."

(9) The rules of the Transport Workers' Union of Australia, Union of Employees (Queensland Branch) are altered by inserting the following new subclause (d) under Rule 4 – Conditions of Eligibility for Membership:–

"(d) Notwithstanding any other provisions in these rules, a person employed in the Private Pathology Industry shall not be eligible to become a member of the Industrial Organisation."

Dated this first day of May, 1996.

By the Commission,
[L.S.] E. EWALD,
Industrial Registrar.

Operative Date: 1 May 1996
Order – Rules

Released: 03 MAY 1996

Industrial Relations Act 1990
(section 346)

(No. U34 of 1996)

CERTIFICATE OF REGISTRATION OF ALTERATION OF RULES

I hereby certify that pursuant to the Act, the alteration of rule numbers 13.5.1, 13.2 and 13.2.2 of the rules of Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland has been approved and registered.

Dated at Brisbane this first day of November, 1996.


E EWALD
Industrial Registrar



QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1990

(No. ..U..³⁴..... 1996)



APPLICATION

TO: The Registrar of the Queensland Industrial Relations Commission,
Fourteenth Floor, Central Plaza II, 66 Eagle Street, Brisbane and such other
persons as the Commission may direct.

TAKE NOTICE THAT I, William Wallace Trohear, Secretary, of the Amalgamated Society
of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia,
Union of Employees, Queensland, 366 Upper Roma Street, Brisbane Qld 4000.

being authorised to represent the Amalgamated Society of Carpenters, Joiners,
Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees,
Queensland:

1. **Apply for a** partial alteration of Rules No(s) 13.5.1, 13.2, & 13.2.2 of the
Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and
Decorators of Australasia, Union of Employees, under Section 346 of the Industrial
Relations Act 1990 and attach hereto as Schedule 1 to this application a full
statement of my claim.
- (a) Schedule 2 is a true and correct copy of resolution passed in accordance with the
existing organisation's rules agreeing to such alterations;
- (b) The rules proposed are in accordance with provisions of the Industrial Relations Act
1990 and are attached as Schedule 3; and
- (c) The existing rules have been complied with in making the new Rules.

William Wallace Trohear
1.11.96

c:\mr\winword\commission\appasejb.doc



Additionally I make oath and say as follows:

2. I am fully authorised in compliance with the Act and the Rules of Court to make this Application.
3. The statement of material facts relied on to support this Application are to the best of my knowledge, information or belief true and correct.

SWORN by the abovenamed
Deponent at Brisbane this 01st
day of October, 1996

Before me:



NOTE 1: If there is no attendance before the Commission, by the Respondent or Agent, Counsel or Solicitor at the time and place fixed by the Registrar, the proceedings may be heard and the respondent will be liable to suffer a Decision or an Order against such person in their absence.



Additionally I make oath and say as follows:

- 2 I am fully authorised in compliance with the Act and the Rules of Court to make this Application.
- 3 The statement of material facts relied on to support this Application are to the best of my knowledge, information or belief true and correct.

SWORN by the abovenamed
Deponent at Brisbane this 18th
day of October, 1996

REPLACEMENT PAGE 1/1/1996

Before me:

William Wallace Trohear

William Wallace Trohear
SECRETARY



C. Anderson

C. dec.

A JUSTICE OF THE PEACE/
A COMMISSIONER OF DECLARATIONS

NOTE 1: If there is no attendance before the Commission, by the Respondent or Agent, Counsel or Solicitor at the time and place fixed by the Registrar, the proceedings may be heard and the respondent will be liable to suffer a Decision or an Order against such person in their absence.

SCHEDULE 1
Statement of Facts and Issues

1. The application seeks to amend the Representation of the State Management Committee for the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees arising out of the recent amalgamation
2. For whatever other reasons the Commission may deem met.



c:\mr\winword\commission\appascjb.doc



CONSTRUCTION, FORESTRY, MINING & ENERGY UNION
Construction & General Division
Queensland Construction Workers Divisional Branch

*(Amalgamated Society of Carpenters, Joiners, Bricklayers,
Plasterers, Painters & Decorators of Australasia,
Union of Employees, Queensland)*

*(Federated Engine Drivers' and Firemen's Association of
Australasia, Queensland Branch, Union of Employees)*

366 Upper Roma Street, Brisbane
Ph: (07) 3236 2355
Fax: (07) 3236 2230

State President: PJ Stone

State Secretary: WW Trohear

State Assistant Secretaries:

G.J. Howcroft
P.B. Waters
G.J. Wilson

SCHEDULE 2

mr:ca

18th October, 1996

The Registrar
Queensland Industrial Relations Commission
G.P.O. Box 373
BRISBANE Q. 4001



Dear Sir,

Attached is the copy of the resolutions that went to the State Management Committee members and were passed by majority on Friday, 11th October, 1996 and we seek to have the resolutions reflected in the alterations of the rules with this application.

With best wishes,

Yours faithfully

W.W. Trohear
STATE SECRETARY

RESOLUTIONS

1. It is resolved that Rule be amended by deleting the Sub-rule in its entirety and inserting in lieu thereof the following:

13.5.1. The State Management Committee shall elect from its members an Executive of six members including the State Secretary, the State President (Honorary), the two (2) State Assistant Secretaries and two (2) members, one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.1 and one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.2.

☒ Support

☐ Reject

2. It is resolved that Rule 13.2 is amended by adding the following paragraphs at the end of the Sub-rule:

On and from 2 January, 1997, the State Management Committee of the Union shall consist of fifteen (15) members, including the State President (Honorary), State Secretary and two (2) State Assistant Secretaries. The State Assistant Secretaries shall be elected by and from those members who are eligible for membership of the Union, by virtue of Rule 1 Sub-rules 2.1 and 2.2 respectively. The State President (Honorary) shall be elected by, and from all members of the Union who are eligible to nominate and vote. There shall be twelve (12) members on the State Management Committee who shall be elected by and from the two sub-groups, which shall include a position in the sub-group to which the State President belongs, and they shall be elected as follows:

- (i) ten (10) from those eligible for membership by virtue of rule 1 Sub-rule 2.1;
- (ii) two (2) from those eligible for membership by virtue of rule 1 Sub-rule 2.2.

☒ Support

☐ Reject

3. It is resolved that Rule 13.2.2 is amended by deleting it in its entirety and inserting in lieu thereof the following:

The State Management Committee shall elect from its members two (2) State Vice Presidents one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.1 and one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.2. Any nominee for these positions must have had one years financial membership.

☒ Support

☐ Reject



COLUMN 1

13.5.1

The State Management Committee shall elect from its members an executive of six members including the State Secretary and State Assistant Secretary. In addition to the above members there shall be a further two (2) (Painter) members of the State Executive, one of whom is Assistant Secretary (Painter).

COLUMN 2

Rule 13.5.1 is amended by deleting the Sub-rule in its entirety and inserting in lieu thereof the following:

"13.5.1

The State Management Committee shall elect from its members an Executive of six members including the State Secretary, the State President (Honorary), the two (2) State Assistant Secretaries and two (2) members, one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.1 and one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.2. "

COLUMN 3

13.5.1

The State Management Committee shall elect from its members an Executive of six members including the State Secretary, the State President (Honorary), the two (2) State Assistant Secretaries and two (2) members, one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.1 and one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.2.



SCHEDULE 3

COLUMN 1

COLUMN 2

COLUMN 3

13.5.1 The State Management Committee shall elect from its members an executive of six members including the State Secretary and State Assistant Secretary. In addition to the above members there shall be a further two (2) (Painter) members of the State Executive, one of whom is Assistant Secretary (Painter)

Rule 13.5.1 is amended by deleting the Sub-rule in its entirety and inserting in lieu thereof the following:

13.5.1 The State Management Committee shall elect from its members an Executive of six members including the State Secretary, the State President (Honourary), the two (2) State Assistant Secretaries and two (2) members, one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.1 and one of whom is eligible for membership pursuant to Rule Sub-rule 2.2. "

13.5.1 The State Management Committee shall elect from its members an Executive of six members including the State Secretary, the State President (Honourary), the two (2) State Assistant Secretaries and two (2) members, one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.1 and one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.2.

INDUSTRIAL REGISTRAR
18 OCT 1996
QUEENSLAND

COLUMN 1

13.2 *Composition of State Management Committee:*

The State Management Committee shall consist of fourteen (14) members, including the State President, State Secretary and State Assistant Secretary, all of whom shall be elected in accordance with these Rules.

Further, until the 2nd January, 1997, there shall be a further three (3) representatives (Painters) who shall exercise a vote each 1/5th proportion of the size of painter membership within the Union. And a further Vice President (Painter) and Assistant Secretary (Painter) both of whom shall exercise voting rights in accordance with 1/5th proportion of the size of Painter membership within the Union.



COLUMN 2

Rule 13.2 is amended by adding the following paragraphs at the end of the Sub-rule:

" On and from 2 January, 1997, the State Management Committee of the Union shall consist of fifteen (15) members, including the State President (Honorary), State Secretary and two (2) State Assistant Secretaries. The State Assistant Secretaries shall be elected by and from those members who are eligible for membership of the Union, by virtue of Rule 1 Sub-rules 2.1 and 2.2 respectively. The State President (Honorary) shall be elected by and from all members of the Union who are eligible to nominate and vote. There shall be twelve (12) members on the State Management Committee who shall be elected by and from the two sub-groups, which shall include a position in the sub-group to which the State President belongs, and they shall be elected as follows:

- (i) ten (10) from those eligible for membership by virtue of rule 1 Sub-rule 2.1;
- (ii) two (2) from those eligible for membership by virtue of rule 1 Sub-rule 2.2."

COLUMN 3

13.2 *Composition of State Management Committee:*

The State Management Committee shall consist of fourteen (14) members, including the State President, State Secretary and State Assistant Secretary, all of whom shall be elected in accordance with these Rules.

Further, until the 2nd January, 1997, there shall be a further three (3) representatives (Painters) who shall exercise a vote each 1/5th proportion of the size of painter membership within the Union. And a further Vice President (Painter) and Assistant Secretary (Painter) both of whom shall exercise voting rights in accordance with 1/5th proportion of the size of Painter membership within the Union.

On and from 2 January, 1997, the State Management Committee of the Union shall consist of fifteen (15) members, including the State President (Honorary), State Secretary and two (2) State Assistant Secretaries. The State Assistant Secretaries shall be elected by and

COLUMN 1

13.2 *Composition of State Management Committee:*

The State Management Committee shall consist of fourteen (14) members, including the State President, State Secretary and State Assistant Secretary, all of whom shall be elected in accordance with these Rules.

Further, until the 2nd January, 1997, there shall be a further three (3) representatives (Painters) who shall exercise a vote each 1/5th proportion of the size of painter membership within the Union. And a further Vice President (Painter) and Assistant Secretary (Painter) both of whom shall exercise voting rights in accordance with 1/5th proportion of the size of Painter membership within the Union.

COLUMN 2

Rule 13.2 is amended by adding the following paragraphs at the end of the Sub-rule:

" On and from 2 January, 1997, the State Management Committee of the Union shall consist of fifteen (15) members, including the State President (Honorary), State Secretary and two (2) State Assistant Secretaries. The State Assistant Secretaries shall be elected by and from those members who are eligible for membership of the Union, by virtue of Rule 1 Sub-rules 2.1 and 2.2 respectively. The State President (Honorary) shall be elected by and from all members of the Union who are eligible to nominate and vote. There shall be twelve (12) members on the State Management Committee who shall be elected by and from the two sub-groups, which shall include a position in the sub-group to which the President belongs, and they shall be elected as follows:

- (i) ten (10) from those eligible for membership by virtue of rule 1 Sub-rule 2.1;
- (ii) two (2) from those eligible for membership by virtue of rule 1 Sub-rule 2.2."

COLUMN 3

13.2 *Composition of State Management Committee:*

The State Management Committee shall consist of fourteen (14) members, including the State President, State Secretary and State Assistant Secretary, all of whom shall be elected in accordance with these Rules.

Further, until the 2nd January, 1997, there shall be a further three (3) representatives (Painters) who shall exercise a vote each 1/5th proportion of the size of painter membership within the Union. And a further Vice President (Painter) and Assistant Secretary (Painter) both of whom shall exercise voting rights in accordance with 1/5th proportion of the size of Painter membership within the Union.

On and from 2 January, 1997, the State Management Committee of the Union shall consist of fifteen (15) members, including the State President (Honorary), State Secretary and two (2) State Assistant Secretaries. The State Assistant Secretaries shall be elected by and

INDUSTRIAL REGISTRAR
18 OCT 1996
QUEENSLAND

from those members who are eligible for membership of the Union, by virtue of Rule 1 Sub-rules 2.1 and 2.2 respectively. The State President (Honorary) shall be elected by and from all members of the Union who are eligible to nominate and vote. There shall be twelve (12) members on the State Management Committee who shall be elected by and from the two sub-groups, which shall include a position in the sub-group to which the State President belongs, and they shall be elected as follows:

- (i) ten (10) from those eligible for membership by virtue of rule 1 Sub-rule 2.1;
- (ii) two (2) from those eligible for membership by virtue of rule 1 Sub-rule 2.2.



09497

REPLACEMENT PAGE 1/1/96


INDUSTRIAL REGISTRAR
18 OCT 1996
QUEENSLAND

from those members who are eligible for membership of the Union, by virtue of Rule 1 Sub-rules 2.1 and 2.2 respectively. The State President (Honorary) shall be elected by and from all members of the Union who are eligible to nominate and vote. There shall be twelve (12) members on the State Management Committee who shall be elected by and from the two sub-groups, which shall include a position in the sub-group to which the State President belongs, and they shall be elected as follows:

- (i) ten (10) from those eligible for membership by virtue of rule 1 Sub-rule 2.1;
- (ii) two (2) from those eligible for membership by virtue of rule 1 Sub-rule 2.2.

COLUMN 1

13.2.2

The State Management Committee shall elect from its members two (2) Vice Presidents. Any nominee for these positions must have had one years financial membership.

COLUMN 2

Rule 13.2.2 is amended by deleting it in its entirety and inserting in lieu thereof the following:

"13.2.2.

The State Management Committee shall elect from its members two (2) State Vice Presidents one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.1 and one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.2. Any nominee for these positions must have had one years financial membership."

COLUMN 3

13.2.2 The State Management Committee shall elect from its members two (2) State Vice Presidents one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.1 and one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.2. Any nominee for these positions must have had one years financial membership.



COLUMN 1	COLUMN 2	COLUMN 3
13.2.2 The State Management Committee shall elect from its members two (2) Vice Presidents. Any nominee for these positions must have had one years financial membership.	Rule 13.2.2 is amended by deleting it in its entirety and inserting in lieu thereof the following: " The State Management Committee shall elect from its members two (2) State Vice Presidents one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.1 and one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.2. Any nominee for these positions must have had one years financial membership. "	13.2.2 The State Management Committee shall elect from its members two (2) State Vice Presidents one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.1 and one of whom is eligible for membership pursuant to Rule 1 Sub-rule 2.2. Any nominee for these positions must have had one years financial membership.

INDUSTRIAL REGISTRAR
18 OCT 1996
QUEENSLAND

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1990

s.398 - Application for Amalgamation

Industrial Relations Regulations 1990

Regulations 3.27

019 OF 1997,

INDU
29 AUG 1997

TO: The Industrial Registrar, Industrial Registrar's Office, Levels 13 & 14, Central Plaza Two, 66 Eagle Street, Brisbane.

Application is hereby made by the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters & Decorators of Australasia Union of Employees ("ASC&J") and the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees ("FFTS"), for approval to put a request for amalgamation to ballot.

We hereby state as follows :-

1. The ASC&J is authorised to receive on behalf of the applicants, service of documents in connection with the proposed amalgamation.
2. The ASC&J is to become the proposed amalgamated industrial organisation.
3. The proposed de-registering industrial organisation shall be the FFTS.
4. It is proposed that the name of the ASC&J shall be changed to the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland ("CFMEU(Q)")
5.
 - (a) all members of the proposed de-registering industrial organisation are to become, upon the coming into force of the amalgamation, without payment of an entrance fee, members of the proposed amalgamated industrial organisation; and
 - (b) all life members of the proposed de-registering industrial organisation are to become, upon the coming into force of the amalgamation, without payment of an entrance fee, life members of the proposed amalgamated industrial organisation;
 - (c) all honorary members of the proposed de-registering industrial organisation are to become, upon the coming into force of the amalgamation, without payment of an entrance fee, honorary members of the proposed amalgamated industrial organisation.
6. The following arrangements shall exist in relation to the property of the proposed de-registering industrial organisation:

- (a) the property and other assets of the FFTS shall become those of the proposed amalgamated industrial organisation; and
 - (b) the management of the property and other assets of the proposed amalgamated industrial organisation shall be conducted by the State Executive.
7. The following arrangements shall exist in relation to the liabilities of the proposed de-registering industrial organisations:
 - (a) the liabilities of the FFTS shall become those of the proposed amalgamated industrial organisation; and
 - (b) the management of the liabilities of the proposed amalgamated industrial organisation shall be conducted by the State Executive.
8. It is proposed to alter the eligibility rules of the ASC&J to those attached (marked "A"). This alteration shall not result in any extension to the eligibility rules of the ASC&J or the FFTS. The eligibility rules of the ASC&J and the FFTS are attached (marked "A1" and "A2" respectively).
9. The existing rules of the ASC&J are being deleted in their entirety and replaced with a new set of rules, two copies are attached hereto (marked "B1") together with a true copy of the resolution of the State Executive of the ASC&J amending the Rules of the ASC&J (marked "B2"). The constitution of the FFTS shall be included in the rules of the ASC&J.
10. There are no alternative amalgamations.
11. It is proposed to alter the registered callings of the ASC&J to those attached (marked "C"). This alteration does not result in any extension of the registered callings of the ASC&J or the FFTS. The registered callings of the ASC&J and the FFTS (marked "C1" and "C2" respectively).
12. It is proposed that the first elections for the proposed amalgamated industrial organisation shall occur in respect of offices held by the former officers of the FFTS within 2 years of the day preceding amalgamation day, with officers to take office on the day 2 years following amalgamation day and in respect of all offices of the Union to be held in 2000 with officers to take office from the 02.01.2001.
13. A copy of the scheme of amalgamation is attached (marked "D").
14. A copy of the written outline of the scheme of amalgamation is attached (marked "E").
15. A true copy of the resolution of the Committee of Management of the ASC&J adopting the scheme of amalgamation is attached (marked "F").
16. A true copy of the resolution of the Committee of Management of the FFTS adopting the scheme of amalgamation is attached (marked "G").

17. A true copy of the rules of the proposed amalgamated industrial organisation are attached and marked "B1" as referred to in paragraph 9 of this application.
18. All decisions, awards and agreements of the Industrial Relations Commission that are binding on the ASC&J and the FFTS shall be binding in a like manner on the proposed amalgamated industrial organisation.
19. The proposed amalgamated industrial organisation shall be bound by any pending proceedings to which the ASC&J or the FFTS are parties.
20. Attached hereto (marked "H") is a copy of the "Yes" case in support of the proposed amalgamation which "Yes" case is filed on behalf of the ASC&J and the FFTS.
21. It is proposed that subscription for membership of the proposed amalgamated industrial organisation shall be at the date of amalgamation as follows :-
- (a) subscription fees of members of the ASC&J on amalgamation shall remain at the level such fees were on the day prior to amalgamation day;
 - (b) subscription fees of members of the FFTS on amalgamation shall remain at the level such fees were on the day prior to amalgamation day;
 - (c) new members of the CFMEU(Q) - persons who are admitted to membership on amalgamation day or subsequent to amalgamation day and who are not members of either the ASC&J or the FFTS on the day preceding amalgamation day then the level of the subscription fee shall be the subscription fee of the Divisional Branch to which the member is assigned on admission to the CFMEU(Q), with the subscription fees of the Divisional Branches being as follows:
 - (i) For members of the Construction and General Divisional Branch an amount equivalent to the subscription fee paid by members of the ASC&J on the day prior to amalgamation day.
 - (ii) For members of the Furnishing Divisional Branch an amount equivalent to the subscription fee paid by members of the FFTS on the day prior to amalgamation day.

Additionally :-

22. That we, the undersigned do solemnly and sincerely declare that :-
- 22.1 The Committees of Management of the respective industrial organisations have passed a resolution approving the amalgamation listed in this application.
 - 22.2 That any proposed alterations of the rules of existing industrial organisations concerned in the amalgamation have been made under the



INDUSTRIAL REGISTRAR

29 AUG 1997

QUEENSLAND

rules of the industrial organisation.

22.3 We are officers of and are fully authorised in compliance with the Act and the Rules of Court to make this application on behalf of the respective industrial organisations.

22.4 That all the statements made in this application and the annexed documents are to the best of our knowledge, information or belief true and correct in every particular;

And we make this solemn declaration and affirmation conscientiously believing the same to be true by virtue of the provisions of the Oaths Act 1867-1988.

Signed [Signature]

SECRETARY

Signed [Signature]

PRESIDENT

INDUSTRIAL REGISTRAR
29 AUG 1997
QUEENSLAND

for and on behalf of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters & Decorators of Australasia Union of Employees,

Taken and declared
before me at Brisbane this

28th day of August, 1997

Reg No 72333 Kelle Egerton JP (Qual)
A Justice of the Peace/Solicitor

Signed [Signature]

SECRETARY

Signed [Signature]

PRESIDENT

for and on behalf of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees,

Taken and Declared
before me at Brisbane this

21st day of August, 1997

[Signature]
A Justice of the Peace/Solicitor



INDUSTRIAL REGISTRAR

29 AUG 1997

QUEENSLAND

"A"

ELIGIBILITY FOR MEMBERSHIP

1. The Union shall consist of an unlimited number of persons, employed or usually employed as carpenters or joiners, including ship carpenters or joiners, or as stonemasons, marble masons, polishers, machinists, sawyers and all other persons engaged in the dressing and preparation and/or erection of stone, marble or slate also those engaged in the preparation and/or erection of terrazzo or similar compositions; also those employed in or usually employed in the following callings:- Bricklaying, tuckpointing, coke slab wall erection, gas retort repairers, fire clay block layers, floor tilers, roof tilers, slaters and shinglers, Terracotta fixer, majolica fixers, earthenware pipe drain layers in or about a building, cutters of brickwork for doorways, windows etc. plasterers; fibrous plasterers; tilers; floor specialists; lathers; together with such other persons, whether employees in the industry or not, as have been appointed Officers of the Association and admitted as members hereof.
2. This Union shall also consist of an unlimited number of persons employed in or usually employed in the painting and decorating industry in connection with buildings and structures, plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise), general and ship painting, including the following:
 - (a) On ships the painting of all accommodation and appurtenances thereto provided for passengers and ships complement, hospitals and pharmacies wherever situated, chart rooms, wheel houses and other navigational Offices aboard ships including naval ships of every kind, and the painting of prefabricated ships and prefabricated parts of ships of every kind.
 - (b) The painting of launches and boats of every kind and the painting of prefabricated launches and boats and the prefabricated parts of launches and boats of every kind.
 - (c) The painting of or in connection with all buildings and structures, plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise). The painting of or in connection with prefabricated buildings and structures, plant, machinery and equipment, (commercial, residential, industrial or otherwise) and any prefabricated or other parts or prefabricated building and structures as aforementioned.
 - (d) The painting of the exterior of pipe lines on or above the surface of the earth, conduits, valves, condensers, cocks, control and/or regulating stations or sub-stations, and/or pumping, suction, syphon or booster stations or sub-stations, and/or storage holders, pressure regulating holders and/or trestles, bridges, viaducts, pylons, and any other supports, and all machinery and appurtenances relating to the foregoing on water, land, or seas, used or to be used for the purposes of storing and/or regulating and/or conveying liquids or gases including natural oils and gases.

- (e) Glazing, glass cutting, glass processing, cutting and fixing vitrolite or like material, the fixing of glass by any means in any place prepared for its reception, fitting and fixing glazing bars.
- (f) Paperhanging, applying and/or fixing wall hangings or coverings, decorating, kalsomining, distempering, plastic relief and texture work, gilding, marbling, gilding, enamelling, varnishing and lacquering.
- (g) Signwriting, designing and/or lettering of price tickets and showcards.
- (h) Pictorial or scenic painting, or production of signs or posters by means of stencils, screens or like methods or any other work incidental thereto including cut-out displays of all descriptions, pictorial, scenic or lettering.
- (i) Leadlight and metal glazing including cutting glass, assembling and fixing such glass by means of lead and/or metal sections.
- (j) Employees who mix and/or apply and/or fix paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative or protective coatings and/or finishes, putty stopping, caulking mixtures, compositions or compounds, oils, varnishes, water-colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings (coatings shall not be read and construed to include the applying and fixing of lagging, or the work of applying or fixing of coatings consisting of plaster and/or lime and/or cement and/or aggregate when such substances are mixed or blended with water or the coating of pipes with bitumen and/or wrapping with burlap or hessian or other like material for the purposes of protection or decoration) or other materials used in any of the callings specified in Rule 1.2.2, Constitution hereof (other than mixing of paint, paint mixtures, protective coatings and/or plastic coatings and/or finishes and/or mixtures, putty, putty mixtures, stopping, caulking mixtures, compositions or compounds, oils, oil mixtures, varnishes, varnish mixtures, water colours, water-colour mixtures, lacquers, lacquer mixtures, stains and removers, stain removal mixtures in paint and chemical factories) and/or other materials used in the painting and decorating trade with a brush, spray, roller or other tool or remove paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative coatings and/or finishes or putty, stopping, or caulking mixtures, compositions or compounds, oils, varnishes, water colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings, or other materials used in the painting and decorating trade by heat, flame, water solvents, electrical, mechanical, air powered or hand tools or by grit, shot, or other abrasives or by any other means.
- (k) The Union shall also consist of an unlimited number of persons engaged in preparing the work and materials required in any of the aforementioned branches of the trade together with such other persons whether engaged in any industrial pursuit or not who have been appointed Officers of the Union or its branches and admitted as members thereof but shall not include persons employed in connection with the production or preparation of manufactured goods, plant,

29 AUG 1997

QUEENSLAND

machinery, equipment, packages, or containers for sale or purposes of distribution.

3. Nothing in these rules shall make eligible for membership any employee employed in or in connection with the conduct of Hamilton Island and Dent Island aspart of the Island Tourist Resort Industry other than employees of contractors and/or subcontractors employed on the mainland and performing work on Hamilton Island and Dent Island from time to time.
4. Provided further that, notwithstanding the foregoing provisions of this rule, the union does not have the right to enrol as members, employees of Mount Isa Mines Limited covered by the Mount Isa Mines Limited Award and the Mount Isa Mines Limited Tracing Employees Industrial Agreement.

INDUSTRIAL REGISTRAR

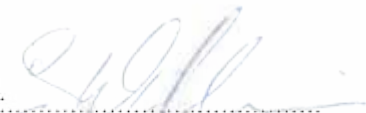
29 AUG 1997

Notwithstanding any other provision in these rules, a person employed by a sugar mill, refinery, distillery, terminal or storage operation and milling, refining, distilling, terminal, storage or other sectors of the sugar industry shall not be eligible to become a member of the union.

5. The Union also shall consist of an unlimited number of members who are employed in, or competent to be employed in or in connexion with the following industries or trades: Piano and piano-player makers and tuners, organ-makers, and makers of gramophones and all other musical instruments, cabinet-makers, wood-carvers, billiard table makers and fitters, clock-case makers, coffin-makers, 3-ply veneer workers, chair and couch makers, or other articles of sitting accommodation, sewing machines, upholsterers, carpet and linoleum planners and all floor covering layers, outdoor hands, measuring, fixing, soft furnishings, blind cutting, making, painting, fixing, french-polishers, enamellers, spraying machine operators, makers of wireless instrument cases or cabinets, woodturners, mantel-piece makers, overmantel-makers, mattress-makers, wire-weavers, picture-frame makers, bedding-makers, quiltmakers (including eiderdown), venetian and wire-blind makers, bamboo pith and cane and wicker workers, packers of crockery and furniture mantle-pieces, pictures, carpets, drapery, plate and sheet glass in warehouses, shops, factories or stores, glass bevellers, glass benders, glass worker (excepting those on spectacles, lenses or frames and employees in firms where such employees are engaged on work connected with the manufacture or repair of scientific, precision or other instruments such as binoculars, microscopes, military, aircraft and naval instruments), glass lampshade workers, safety glass workers, toy makers and/or toy repairers in establishments where the chief product or products or one of the chief products manufactured in such establishments is otherwise provided for herein; cutters, silverers, glaziers, glass polishing, cutting, painting, cementing, leadlight glaziers and cutters, and all woodworking or other machinists, and operators of other mechanical devices preparing material for above employees; millwright's baby carriage makers, upholstresses, new and second-hand carpet, drapery, table and lampshade hands; flock-workers, rag-pickers and fumigators; timber stackers, yardmen and labourers, and all other employees working in new and secondhand furniture factories, piano factories, organ factories, mantel-piece factories, billiard-table factories, overmantel factories, bedding-factories, mattress factories, venetian and wire-blind factories, picture-frame factories, plate-glass factories, luxfer glazing factories, bamboo pith cane; Reed-tex, Hytex, and wicker-work factories, sewing machine factories, flock factories, window background workers, display article

workers, refrigerator workers, incubator workers, together with such other persons, whether employees engaged in the industries or not, as have been appointed officers of the Union and admitted as members thereof, provided that a branch may issue a clearance to any member whom it may be considered should not retain his membership on the ground that he is working in an industry not governed by any awards of the Society.

Signed: 
SECRETARY
ASC&J

Signed: 
SECRETARY
FFTS

Signed: 
PRESIDENT
ASC&J

Signed: 
PRESIDENT
FFTS


INDUSTRIAL REGISTRAR

29 AUG 1997

000000
QUEENSLAND
~~~~~

## "A1"

## ELIGIBILITY FOR MEMBERSHIP

1. The Union shall consist of an unlimited number of persons, employed or usually employed as carpenters or joiners, including ship carpenters or joiners, or as stonemasons, marble masons, polishers, machinists, sawyers and all other persons engaged in the dressing and preparation and/or erection of stone, marble or slate also those engaged in the preparation and/or erection of terrazzo or similar compositions; also those employed in or usually employed in the following callings:- Bricklaying, tuckpointing, coke slab wall erection, gas retort repairers, fire clay block layers, floor tilers, roof tilers, slaters and shinglers, Terracotta fixer; majolica fixers, earthenware pipe drain layers in or about a building, cutters of brickwork for doorways, windows etc. plasterers; fibrous plasterers; tilers; floor specialists; lathers; together with such other persons, whether employees in the industry or not, as have been appointed Officers of the Association and admitted as members hereof.
2. This Union shall also consist of an unlimited number of persons employed in or usually employed in the painting and decorating industry in connection with buildings and structures, plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise), general and ship painting, including the following:
  - (a) On ships the painting of all accommodation and appurtenances thereto provided for passengers and ships complement, hospitals and pharmacies wherever situated, chart rooms, wheel houses and other navigational Offices aboard ships including naval ships of every kind, and the painting of prefabricated ships and prefabricated parts of ships of every kind.
  - (b) The painting of launches and boats of every kind and the painting of prefabricated launches and boats and the prefabricated parts of launches and boats of every kind.
  - (c) The painting of or in connection with all buildings and structures, plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise). The painting of or in connection with prefabricated buildings and structures, plant, machinery and equipment, (commercial, residential, industrial or otherwise) and any prefabricated or other parts or prefabricated building and structures as aforementioned.
  - (d) The painting of the exterior of pipe lines on or above the surface of the earth, conduits, valves, condensers, cocks, control and/or regulating stations or sub-stations, and/or pumping, suction, syphon or booster stations or sub-stations, and/or storage holders, pressure regulating holders and/or trestles, bridges, viaducts, pylons, and any other supports, and all machinery and appurtenances relating to the foregoing on water, land, or seas, used or to be used for the purposes of storing and/or regulating and/or conveying liquids or gases including natural oils and gases.
  - (e) Glazing, glass cutting, glass processing, cutting and fixing vitrolite or like

29 AUG 1997

INDUSTRIAL REGISTRAR

29 AUG 1988

QUEENSLAND

material, the fixing of glass by any means in any place prepared for reception, fitting and fixing glazing bars.

- (f) Paperhanging, applying and/or fixing wall hangings or coverings, decorating, kalsomining, distempering, plastic relief and texture work, graining, marbling, gilding, enamelling, varnishing and lacquering.
- (g) Signwriting, designing and/or lettering of price tickets and showcards.
- (h) Pictorial or scenic painting, or production of signs or posters by means of stencils, screens or like methods or any other work incidental thereto including cut-out displays of all descriptions, pictorial, scenic or lettering.
- (i) Leadlight and metal glazing including cutting glass, assembling and fixing such glass by means of lead and/or metal sections.
- (j) Employees who mix and/or apply and/or fix paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative or protective coatings and/or finishes, putty stopping, caulking mixtures, compositions or compounds, oils, varnishes, water-colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings (coatings shall not be read and construed to include the applying and fixing of lagging, or the work of applying or fixing of coatings consisting of plaster and/or lime and/or cement and/or aggregate when such substances are mixed or blended with water or the coating of pipes with bitumen and/or wrapping with burlap or hessian or other like material for the purposes of protection or decoration) or other materials used in any of the callings specified in Rule 1.2.2, Constitution hereof (other than mixing of paint, paint mixtures, protective coatings and/or plastic coatings and/or finishes and/or mixtures, putty, putty mixtures, stopping, caulking mixtures, compositions or compounds, oils, oil mixtures, varnishes, varnish mixtures, water colours, water-colour mixtures, lacquers, lacquer mixtures, stains and removers, stain removal mixtures in paint and chemical factories) and/or other materials used in the painting and decorating trade with a brush, spray, roller or other tool or remove paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative coatings and/or finishes or putty, stopping, or caulking mixtures, compositions or compounds, oils, varnishes, water colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings, or other materials used in the painting and decorating trade by heat, flame, water solvents, electrical, mechanical, air powered or hand tools or by grit, shot, or other abrasives or by any other means.
- (k) The Union shall also consist of an unlimited number of persons engaged in preparing the work and materials required in any of the aforementioned branches of the trade together with such other persons whether engaged in any industrial pursuit or not who have been appointed Officers of the Union or its branches and admitted as members thereof but shall not include persons employed in connection with the production or preparation of manufactured goods, plant, machinery, equipment, packages, or containers for sale or purposes of distribution.



3. Nothing in these rules shall make eligible for membership any employee employed in or in connection with the conduct of Hamilton Island and Dent Island aspart of the Island Tourist Resort Industry other than employees of contractors and/or subcontractors employed on the mainland and performing work on Hamilton Island and Dent Island from time to time.

Provided further that, notwithstanding the foregoing provisions of this rule, the union does not have the right to enrol as members, employees of Mount Isa Mines Limited covered by the Mount Isa Mines Limited Award and the Mount Isa Mines Limited Tracing Employees Industrial Agreement.

5. Notwithstanding any other provision in these rules, a person employed by a sugar mill, refinery, distillery, terminal or storage operation and milling, refining, distilling, terminal, storage or other sectors of the sugar industry shall not be eligible to become a member of the union.

Signed:   
SECRETARY  
ASC&J

Signed:   
SECRETARY  
FFTS

Signed:   
PRESIDENT  
ASC&J

Signed:   
PRESIDENT  
FFTS



"A2"

**ELIGIBILITY FOR MEMBERSHIP**

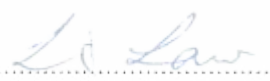
1. The Union also shall consist of an unlimited number of members who are employed in, or competent to be employed in or in connexion with the following industries or trades: Piano and piano-player makers and tuners, organ-makers, and makers of gramophones and all other musical instruments, cabinet-makers, wood-carvers, billiard table makers and fitters, clock-case makers, coffin-makers, 3-ply veneer workers, chair and couch makers, or other articles of sitting accommodation, sewing machines, upholsterers, carpet and linoleum planners and all floor covering layers, outdoor hands, measuring, fixing, soft furnishings, blind cutting, making, painting, fixing, french-polishers, enamellers, spraying machine operators, makers of wireless instrument cases or cabinets, woodturners, mantel-piece makers, overmantel-makers, mattress-makers, wire-weavers, picture-frame makers, bedding-makers, quiltmakers (including eiderdown), venetian and wire-blind makers, bamboo pith and cane and wicker workers, packers of crockery and furniture mantle-pieces, pictures, carpets, drapery, plate and sheet glass in warehouses, shops, factories or stores, glass bevellers, glass benders, glass worker (excepting those on spectacles, lenses or frames and employees in firms where such employees are engaged on work connected with the manufacture or repair of scientific, precision or other instruments such as binoculars, microscopes, military, aircraft and naval instruments), glass lampshade workers, safety glass workers, toy makers and/or toy repairers in establishments where the chief product or products or one of the chief products manufactured in such establishments is otherwise provided for herein; cutters, silverers, glaziers, glass polishing, cutting, painting, cementing, leadlight glaziers and cutters, and all woodworking or other machinists, and operators of other mechanical devices preparing material for above employees; millwright's baby carriage makers, upholstresses, new and second-hand carpet, drapery, table and lampshade hands; flock-workers, rag-pickers and fumigators; timber stackers, yardmen and labourers, and all other employees working in new and secondhand furniture factories, piano factories, organ factories, mantel-piece factories, billiard-table factories, overmantel factories, bedding-factories, mattress factories, venetian and wire-blind factories, picture-frame factories, plate-glass factories, luxfer glazing factories, bamboo pith cane; Reed-tex, Hytex, and wicker-work factories, sewing machine factories, flock factories, window background workers, display article workers, refrigerator workers, incubator workers, together with such other persons, whether employees engaged in the industries or not, as have been appointed officers of the Union and admitted as members thereof, provided that a branch may issue a clearance to any member whom it may be considered should not retain his membership on the ground that he is working in an industry not governed by any awards of the Society.

Signed:   
 SECRETARY  
 ASC&J

Signed:   
 SECRETARY  
 FFTS

  
 INDUSTRIAL REGISTRAR  
 29 AUG 1997

Signed:   
 PRESIDENT  
 ASC&J

Signed:   
 PRESIDENT  
 FFTS

WAL02/96736/9752172.U14

"B2"

**RESOLUTION PASSED BY THE STATE MANAGEMENT COMMITTEE OF THE AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS, PLASTERERS, PAINTERS AND DECORATORS OF AUSTRALASIA, UNION OF EMPLOYEES, QUEENSLAND**

- "1. That the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland amalgamate with the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees and authorise the Secretary to:-
  - (a) make application for amalgamation to the State Industrial Relations Commission;
  - (b) to meet the legal requirements; and
  - (c) to make application for exemption from ballot on the basis of the relative sizes of the 2 unions and/or on the basis of amalgamation of the federal counterpart bodies of the the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees should such applications be available pursuant to the Industrial relations Act.
2. That the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland:-
  - (a) change its name to the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
  - (b) amend its Eligibility Rule to include the present Eligibility Rules of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees;
  - (c) amend its Registered Callings to include the present Registered Callings of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees;
  - (d) make such amendments to the Rules as are necessary to provide for industry divisional branches; and
  - (e) make such amendments to the Rules as are necessary to comply with the Industrial Relations Act 1990.
3. That the draft set of rules of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators of Australasia, Union of Employees, Queensland, which reflect the proposed amalgamation, and which are annexed hereto as attachment 1 be adopted as the new rules of the union following an amalgamation with the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees.
4. That the Scheme of Amalgamation and written Outline of the Scheme of Amalgamation which are annexed hereto as attachment 2 and 3 respectively be adopted .
5. That if a Community of interest is determined to exist between the members of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and the members of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees that the Secretary make application for a Community of Interest Declaration in relation to the

INDUSTRIAL REGISTRAR  
29 AUG 1997

QUEENSLAND  
NOTED



amalgamation.

-   
**INDUSTRIAL REGISTAR**  
**29 AUG 1997**  
**QUEENSLAND**
6. That the YES case statement annexed hereto as attachment 1 in support of the proposed amalgamation be adopted.
  7. That should there be concerted opposition to the name of the amalgamated industrial organisation being the Construction, Forestry, Mining & Energy Union of Employees, Queensland that the Secretary be directed to amend the application to seek that the name of the amalgamated industrial organisation be the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators, and Furnishing Trades of Australasia, Union of Employees, Queensland.
  8. That the Committee of Management of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland resolves that the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland use its financial and other resources in support of the proposed amalgamation with the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees.
  9. If as a consequence of applications and rule changes made pursuant to these resolutions the Commission refuses to adopt and/or ratify such application or rule changes on the ground that the application and/or the rule change does not comply with the Act and/or any other law, then the Secretary shall be authorised to amend such application or rule change to conform with the requirements of the Commission, provided that such amendment does not substantially depart from the scope and ambit of these resolutions.
  10. That the Committee of Management of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland resolves that it discontinue its application for amalgamation being application U6 of 1995 (FEDFAQ & QCEUE).
  11. That the Committee of Management of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland authorise the Secretary to further discuss amalgamation with the Australian Building Construction Employees and Builders' Labourers' Federation (Queensland Branch) Union of Employees with a view to amalgamating with the Australian Building Construction Employees and Builders' Labourers' Federation (Queensland Branch) Union of Employees following upon amalgamation with the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees.
  12. That the Committee of Management of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland authorise the Secretary to further discuss amalgamation with the Federated Engine Drivers and Firemans Association of Australasia and the Queensland Colliery Employees Union of Employees with a view to amalgamating with the those Unions following upon amalgamation with the Australian Building Construction Employees and Builders' Labourers' Federation (Queensland Branch) Union of Employees.

DATE RESOLVED \_\_\_\_\_

  
W.W. Trohear  
STATE SECRETARY.

  
P. J. Stone  
STATE PRESIDENT.

"C"

REGISTERED CALLINGS OF THE AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS, PLASTERERS, PAINTERS AND DECORATORS OF AUSTRALIA, UNION OF EMPLOYEES, QUEENSLAND AND THE FEDERATED FURNISHING TRADE SOCIETY OF AUSTRALASIA (QUEENSLAND BRANCH) UNION OF EMPLOYEES

Carpenters and joiners and without limiting the meanings of the terms to include ship joiners, joiners in sawmills and joinery mills, bridge carpenters, sheet metal ceiling fixers, shop fitters and show case makers, wood turners and all wood working machinists in such callings; and boat builders, ships' carpenters, shipwrights and fibro cement fixers.

Stonemasons, marble masons, polishers, machinists, sawyers and all other persons engaged in the dressing and preparation and/or erection of stone, marble or slate also those engaged in the preparation and/or erection of terrazzo or similar compositions.

Bricklayers, tuck pointers, coke slab wall erectors, gas retort erectors, gas retort repairers, fire clay block layers, floor tilers, wall tilers, roof tilers, slaters, concrete block layers, artificial stone layers, terra cotta fixers, majolica fixers, earthenware duct layers, glazed earthenware urinal fixers, earthenware pipe drain layers in or about a building or external brickwork for doorways or windows.

Plasterers, tilers, lathers, modellers, casters, slaters, terrazzo workers and floor specialists.

Without limiting the meaning of the foregoing callings all persons employed in or on internal and external plastering work, internal and external cementing work, casting and fixing of fibrous and other plaster materials, including press work, fixing of wood and metal lathing or cork slabs or slabs of any material or any similar substitute that may be used as a means for attaching plaster. Top dressing of all concrete work. Plastering work in or in connection with sewers, septic tanks, water tanks or other tanks or pits, cooling chambers. the using of enamellite or gritless asphalt.

Painting and Decorating in or in connection with Buildings and Structures (Commercial, Residential, Industrial or Otherwise) General and Ship Paining, including Naval Ships, Launches, Boats, and other Small Craft with the Brush, Spray, Roller or other Tool.

The Painting of or in connection with Prefabricated Buildings and Structures, (Commercial, Residential, Industrial or Otherwise) and any prefabricated or other Parts of Prefabricated Buildings and Structures as aforementioned.

Painting and decorating of or in connection with plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise); painting and decorating of or in connection with prefabricated plant, machinery, and equipment, fences and posts, (commercial, residential, industrial or otherwise); painting and decorating of prefabricated ship and



prefabricated parts of ships of every kind and the painting and decorating of prefabricated launches and boats and the prefabricated parts of launches and boats of every kind.

#### Painting Traffic Lines.

The painting of the exterior of pipe lines on or above the surface of the earth, conduits, valves, condensers, cocks, control and/or regulating stations or sub-stations, and/or pumping, suction, siphon or booster stations or sub-stations, and/or storage holders, pressure regulating holders and/or trestles, bridges, viaducts, pylons, and any other supports, and all machinery and appurtenances relating to the foregoing on water, land, or seas, used or to be used for the purposes of storing and/or regulating and/or conveying liquids or gases including natural oils and gases.

The application of Paint or like Matter or Substitutes with a Bruce, Spray, Roller or other Tool in any of the aforementioned Branches of the Trade.

Glazing, Glass Cutting, Cutting and Fixing Vitrolite or Like material, the Fixing of Glass by any means in any place prepared for its reception, Fitting and Fixing Glazing Bars, Glass Processing.

Leadlight and Metal Glazing, including cutting Glass, Assembling and Fixing Glass by means of Lead and/or Metal Sections.

Sandblasting or Gravure Work, Designs and Lay-Outs for Patterns on Glass, all work connected with Sand blasting or Gravure Operations on Glass.

Paperhanging, Applying and/or Fixing Wallhangings or Coverings, Decorating, Kalsomining, Distempering, Colourwashing, Limewashing, Staining, Plastic Relief and Texture Work, Graining, Marbling, Gilding, Enamelling, Varnishing and Lacquering.

Employees who mix and/or apply and/or fix paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative or protective coatings and/or finishes, or putty, stopping, caulking mixtures, compositions or compounds, oils, varnishes, water-colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings (coatings shall not be read and construed to include the applying and fixing of lagging, or the work of applying or fixing of coatings consisting of plaster and/or lime and/or cement and/or aggregate when such substances are mixed or blended with water or the coating of pipes with bitumen and/or wrapping with burlap or hessian or in the State of Victoria only work covered by the description of industry in connection with the Victorian Plasterers Association is registered as at 1st November, 1962 but shall include any subsequent coats of paint or other like material for the purposes of protection or decoration) or other materials used in any of the callings specified in rule 2, Constitution hereof (other than mixing of paint, paint mixtures, protective coatings and/or plastic coatings and/or finishes and/or mixtures, putty, putty mixtures, stopping, caulking mixtures, compositions or compounds, oils, oil mixtures, varnishes, varnish mixtures, water-colours, water-colour mixtures, lacquers, lacquer mixtures, stains and removers, stain removal mixtures in paint and chemical factories) and/or other material used in the painting and decorating trade with a brush, spray, roller or other tool or remove paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative coatings and/or finishes or putty, stopping or caulking mixtures, compositions



or compounds, oils, varnishes, water colours, lacquers, stains, wallpapers, wallhangings, or coverings, coatings, or other materials used in the painting and decorating trade by heat, flame, water, solvents, electrical, mechanical, air powered or hand tools or by grit, shot, or other abrasives or by other means.

Signwriting, Lettering of Every Description, Size or Shape, Applied by Brush or any Other Like Means, on Any Surface or Material; Designing and/or Lettering of Price Tickets and Show Cards (Where such work is of such a kind as is done by a Signwriter or Person employed wholly on this class of work); Designing and Laying-Out of Windows, Posters, Show Windows, Theatre Displays, Honour Rolls, Illuminated Addresses, Neon Signs, Stencils, Display Banners, and Cut-Out Displays of all Descriptions, either Pictorial, Scenic or Lettering (where such Designing is not done by an Architect or Architectural Draftsman) using Scotchlite or any other Similar Materials (Whether luminous or Otherwise) together with all Processes Concerned therewith; Traffic Signs and/or Symbols; all Pictorial Work in connection with any Signs or Advertisements generally performed by a Signwriter (excluding work done by a Commercial Artist or a Ticket Writer under the Shop Assistants' Award).

Pictorial or Scenic Painting, Production of Signs or Posters by means of Stencils, Screens, or like Methods or by any other work incidental thereto.

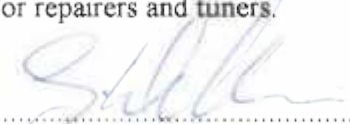
Preparing the Work and Materials required in any of the aforementioned Branches of the Trade.

Persons whether engaged in any Industrial Pursuit or not who have been appointed Officers of the Union or its sub-Branches and admitted as Members thereof.

Wood machinists, wood turners, chair and/or divan makers and/or assemblers, component assemblers, french polishers, mattress makers, machine operators in bedding factories, spring makers and assemblers, unit padders, upholsterers, coffin makers and polishers outside the City of Brisbane, tailerouters, cabinet makers, chair makers, wood carvers, tape edge machine operators, wire weavers, cane and bamboo workers, packers, storemen, sewing machines, glass bevellers and silverers, glass cutters, glass benders and general work in connection therewith, billiard table makers and fitters, clock case makers, 3-ply veneer workers, floor covering layers, blind cutters, blind makers, blind painters and blind fixers, instrument case makers, mantle piece makers, toy makers and repairers, baby carriage makers, new and second hand carpet drapery, table and lamp shade hands, flock workers, rag pickers and fumigators, display article workers, picture frame makers, musical instrument makers and/or repairers and tuners.

  
ASC&J, STATE SECRETARY

  
INDUSTRIAL REGISTRAR

  
FFTS, STATE SECRETARY

29 AUG 1997

QUEENSLAND

  
ASC&J, STATE PRESIDENT

  
FFTS, STATE PRESIDENT

W:\U02\96736\9752174.U14

"C1"

REGISTERED CALLINGS OF THE AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS, PLASTERERS, PAINTERS AND DECORATORS OF AUSTRALIA, UNION OF EMPLOYEES, QUEENSLAND AND THE FEDERATED FURNISHING TRADE SOCIETY OF AUSTRALASIA (QUEENSLAND BRANCH) UNION OF EMPLOYEES

---

Carpenters and joiners and without limiting the meanings of the terms to include ship joiners, joiners in sawmills and joinery mills, bridge carpenters, sheet metal ceiling fixers, shop fitters and show case makers, wood turners and all wood working machinists in such callings; and boat builders, ships' carpenters, shipwrights and fibro cement fixers.

Stonemasons, marble masons, polishers, machinists, sawyers and all other persons engaged in the dressing and preparation and/or erection of stone, marble or slate also those engaged in the preparation and/or erection of terrazzo or similar compositions.

Bricklayers, tuck pointers, coke slab wall erectors, gas retort erectors, gas retort repairers, fire clay block layers, floor tilers, wall tilers, roof tilers, slaters, concrete block layers, artificial stone layers, terra cotta fixers, majolica fixers, earthenware duct layers, glazed earthenware urinal fixers, earthenware pipe drain layers in or about a building - cutters of brickwork for doorways or windows.

Plasterers, tilers, lathers, modellers, casters, slaters, terrazzo workers and floor specialists.

Without limiting the meaning of the foregoing callings all persons employed in or on internal and external plastering work, internal and external cementing work, casting and fixing of fibrous and other plaster materials, including press work, fixing of wood and metal lathing or cork slabs or slabs of any material or any similar substitute that may be used as a means for attaching plaster. Top dressing of all concrete work. Plastering work in or in connection with sewers, septic tanks, water tanks or other tanks or pits, cooling chambers, the using of enamellite or gritless asphalt.

Painting and Decorating in or in connection with Buildings and Structures (Commercial, Residential, Industrial or Otherwise) General and Ship Painting, including Naval Ships, Launches, Boats, and other Small Craft with the Brush, Spray, Roller or other Tool.

The Painting of or in connection with Prefabricated Buildings and Structures, (Commercial, Residential, Industrial or Otherwise) and any prefabricated or other Parts of Prefabricated Buildings and Structures as aforementioned.

Painting and decorating of or in connection with plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise); painting and decorating of or in connection with prefabricated plant, machinery, and equipment, fences and posts, (commercial, residential, industrial or otherwise); painting and decorating of prefabricated ship and



prefabricated parts of ships of every kind and the painting and decorating of prefabricated launches and boats and the prefabricated parts of launches and boats of every kind.

#### Painting Traffic Lines.

The painting of the exterior of pipe lines on or above the surface of the earth, conduits, valves, condensers, cocks, control and/or regulating stations or sub-stations, and/or pumping, suction, siphon or booster stations or sub-stations, and/or storage holders, pressure regulating holders and/or trestles, bridges, viaducts, pylons, and any other supports, and all machinery and appurtenances relating to the foregoing on water, land, or seas, used or to be used for the purposes of storing and/or regulating and/or conveying liquids or gases including natural oils and gases.

The application of Paint or like Matter of Substitutes with a Bruce, Spray, Roller or other Tool in any of the aforementioned Branches of the Trade.

Glazing, Glass Cutting, Cutting and Fixing Vitrolite or Like material, the Fixing of Glass by any means in any place prepared for its reception, Fitting and Fixing Glazing Bars, Glass Processing.

Leadlight and Metal Glazing, including cutting Glass, Assembling and Fixing Glass by means of Lead and/or Metal Sections.

Sandblasting or Gravure Work, Designs and Lay-Outs for Patterns on Glass; all work connected with Sand blastering or Gravure Operations on Glass.

Paperhanging, Applying and/or Fixing Wallhangings or Coverings, Decorating, Kalsomining, Distempering, Colourwashing, Limewashing, Staining, Plastic Relief and Texture Work, Graining, Marbling, Gilding, Enamelling, Varnishing and Lacquering.

Employees who mix and/or apply and/or fix paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative or protective coatings and/or finishes, or putty, stopping, caulking mixtures, compositions or compounds, oils, varnishes, water-colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings (coatings shall not be read and construed to include the applying and fixing of lagging, or the work of applying or fixing of coatings consisting of plaster and/or lime and/or cement and/or aggregate when such substances are mixed or blended with water or the coating of pipes with bitumen and/or wrapping with burlap or hessian or in the State of Victoria only work covered by the description of industry in connection with the Victorian Plasterers Association is registered as at 1st November, 1962 but shall include any subsequent coats of paint or other like material for the purposes of protection or decoration) or other materials used in any of the callings specified in rule 2, Constitution hereof (other than mixing of paint, paint mixtures, protective coatings and/or plastic coatings and/or finishes and/or mixtures, putty, putty mixtures, stopping, caulking mixtures, compositions or compounds, oils, oil mixtures, varnishes, varnish mixtures, water-colours, water-colour mixtures, lacquers, lacquer mixtures, stains and removers, stain removal mixtures in paint and chemical factories) and/or other material used in the painting and decorating trade with a brush, spray, roller or other tool or remove paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative coatings and/or finishes or putty, stopping or caulking mixtures, compositions

INDUSTRIAL REGISTRAR

29 AUG 1997

QUEENSLAND



or compounds, oils, varnishes, water colours, lacquers, stains, wallpapers, wallhangings, or coverings, coatings, or other materials used in the painting and decorating trade by heat, flame, water, solvents, electrical, mechanical, air powered or hand tools or by grit, shot, or other abrasives or by other means.

Signwriting, Lettering of Every Description, Size or Shape, Applied by Brush or any Other Like Means, on Any Surface or Material; Designing and/or Lettering of Price Tickets and Show Cards (Where such work is of such a kind as is done by a Signwriter or Person employed wholly on this class of work); Designing and Laying-Out of Windows, Posters, Show Windows, Theatre Displays, Honour Rolls, Illuminated Addresses, Neon Signs, Stencils, Display Banners, and Cut-Out Displays of all Descriptions, either Pictorial, Scenic or Lettering (where such Designing is not done by an Architect or Architectural Draftsman) using Scotchlite or any other Similar Materials (Whether luminous or Otherwise) together with all Processes Concerned therewith; Traffic Signs and/or Symbols; all Pictorial Work in connection with any Signs or Advertisements generally performed by a Signwriter (excluding work done by a Commercial Artist or a Ticket Writer under the Shop Assistants' Award).

Pictorial or Scenic Painting, Production of Signs or Posters by means of Stencils, Screens, or like Methods or by any other work incidental thereto.

Preparing the Work and Materials required in any of the aforementioned Branches of the Trade.

Persons whether engaged in any Industrial Pursuit or not who have been appointed Officers of the Union or its sub-Branches and admitted as Members thereof.

  
ASC&J, STATE SECRETARY

  
FFTS, STATE SECRETARY

  
ASC&J, STATE PRESIDENT

  
FFTS, STATE PRESIDENT

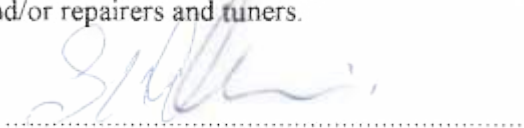
  
INDUSTRIAL REGISTRAR  
29 AUG 1997  
QUEENSLAND

"C2"

REGISTERED CALLINGS OF THE FEDERATED FURNISHING TRADE SOCIETY OF AUSTRALASIA (QUEENSLAND BRANCH) UNION OF EMPLOYEES

Wood machinists, wood turners, chair and/or divan makers and/or assemblers, component assemblers, french polishers, mattress makers, machine operators in bedding factories, spring makers and assemblers, unit padders, upholsterers, coffin makers and polishers outside the City of Brisbane, tailerouters, cabinet makers, chair makers, wood carvers, tape edge machine operators, wire weavers, cane and bamboo workers, packers, storemen, sewing machines, glass bevellers and silverers, glass cutters, glass benders and general work in connection therewith, billiard table makers and fitters, clock case makers, 3-ply veneer workers, floor covering layers, blind cutters, blind makers, blind painters and blind fixers, instrument case makers, mantle piece makers, toy makers and repairers, baby carriage makers, new and second hand carpet drapery, table and lamp shade hands, flock workers, rag pickers and fumigators, display article workers, picture frame makers, musical instrument makers and/or repairers and tuners.

  
ASC&J, STATE SECRETARY

  
FFTS, STATE SECRETARY

  
ASC&J, STATE PRESIDENT

  
FFTS, STATE PRESIDENT

  
INDUSTRIAL REGISTRAR  
29 AUG 1997  
000000  
QUEENSLAND  
~~~~~

"D"

SCHEME OF AMALGAMATION OF THE AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS, PLASTERERS, PAINTERS & DECORATORS OF AUSTRALASIA UNION OF EMPLOYEES ("ASC&J") AND THE FEDERATED FURNISHING TRADE SOCIETY OF AUSTRALASIA, QUEENSLAND BRANCH, UNION OF EMPLOYEES ("FFTS")

1. The ASC&J is authorised to receive on behalf of the applicants, service of documents in connection with the proposed amalgamation and in connection with each proposed alternative amalgamation.
2. The ASC&J is to become the proposed amalgamated industrial organisation.
3. The proposed de-registering industrial organisation shall be the FFTS.
4. It is proposed to change the name of the ASC&J to the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland (hereinafter the "CFMEU(Q)").
5.
 - (a) all members of the proposed de-registering industrial organisations are to become, upon the coming into force of the amalgamation, without payment of an entrance fee, members of the proposed amalgamated Industrial organisation; and
 - (b) all life members of the proposed de-registering industrial organisations are to become, upon the coming into force of the amalgamation, without payment of an entrance fee, life members of the proposed amalgamated industrial organisation.
6. The following arrangements shall exist in relation to the property of the proposed de-registering industrial organisation:
 - (a) the property and other assets of the FFTS shall become those of the proposed amalgamated industrial organisation; and
 - (b) the management of the property and other assets of the proposed amalgamated industrial organisation shall be conducted by the State Executive.
7. The following arrangements shall exist in relation to the liabilities of the proposed de-registering industrial organisation:
 - (a) the liabilities of the FFTS shall become those of the proposed amalgamated industrial organisation; and
 - (b) the management of the liabilities of the proposed amalgamated industrial organisation shall be conducted by the State Executive.
8. It is proposed to alter the eligibility rules of the ASC&J by adding the eligibility rules of

the FFTS. This alteration shall not result in any extension to the eligibility rules of the ASC&J or the FFTS.

9. It is proposed to alter the registered callings of the ASC&J by adding the registered callings of the FFTS. This alteration does not result in any extension of the registered callings of the ASC&J or the FFTS.
10. The constitution of the FFTS shall be included in the amended rules of the ASC&J. The ASC&J rules shall be amended by:
 - (a) the deletion of all current rules to provide for rules in accordance with the Industrial Relations Act 1990;
 - (b) providing for a divisional branch structure;
 - (c) providing for a sub-branch structure;
 - (d) providing for the transition of officers; members; life members; workplace representatives; allocation to divisional branches; assets and liabilities; divisional branch funds; auditor; election and affiliations of the proposed amalgamated industrial organisation;
 - (e) changing the name to the CFMEU(Q);
 - (f) providing for such other amendments as are otherwise referred to in this Scheme of Amalgamation.
11. There is no alternative Scheme of Amalgamation.
12. It is proposed that the first elections for the proposed amalgamated industrial organisation shall occur;
 - (a) in respect of offices held by the former officers of the FFTS within 2 years of the day preceding amalgamation day, with officers to take office in the offices formerly held by former officers of the FFTS on the day 2 years following amalgamation day;
 - (b) in respect of all offices of the Union in 2000 with officers to take office from the 02.01.2001.
13. It is proposed that:
 - (a) all decisions of the Commission binding on the ASC&J and the FFTS,
 - (b) all awards and agreements of the Commission binding on the ASC&J and the FFTS,
 - (c) all pending proceedings in the Commission or elsewhere in relation to which the

INDUSTRIAL
REGISTRAR
29 AUG 1997
QUEENSLAND

ASC&J and the FFTS were parties,

shall be binding in a like manner on the proposed amalgamated industrial organisation or the proposed amalgamated industrial organisation shall be a party to such pending proceedings, as the case may be.

14. It is proposed that annual subscription fees for membership of the proposed amalgamated industrial organisation shall on amalgamation day be as follows:-

- (a) former members of the ASC&J - members who were members of the ASC&J on the day prior to the day fixed by the Commission for amalgamation at the level of such subscription fees on that day;
- (b) former member of the FFTS - members who were members of the FFTS on the day prior to the day fixed by the Commission for amalgamation at the level of such subscription fees on that day;
- (c) new members of the CFMEU(Q) - persons who are admitted to membership on amalgamation day or subsequent to amalgamation day and who were not members of either the ASC&J or the FFTS on the day preceding amalgamation day then the level of the subscription fee shall be the subscription fee of the Divisional Branch to which the member is assigned on admission to the CFMEU(Q), with the subscription fees of the Divisional Branches being as follows:
 - (i) members of the Construction & General Divisional Branch - at the same level of subscription fee as was paid by former members of the ASC&J on the day prior to the day fixed by the Commission for amalgamation;
 - (ii) members of the Furnishing Divisional Branch - at the same level of subscription fee as was paid by former members of the FFTS on the day prior to the day fixed by the Commission for amalgamation.


ASC&J STATE PRESIDENT


INDUSTRIAL REGISTRAR


FFTS STATE PRESIDENT

29 AUG 1997

000000
QUEENSLAND


ASC&J STATE SECRETARY


FFTS STATE SECRETARY

"E"

#4

OUTLINE OF AMALGAMATION OF THE AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS, PLASTERERS, PAINTERS & DECORATORS OF AUSTRALASIA UNION OF EMPLOYEES ("ASC&J") AND THE FEDERATED FURNISHING TRADE SOCIETY OF AUSTRALASIA, QUEENSLAND BRANCH, UNION OF EMPLOYEES ("FFTS")

1. Parties to the Amalgamation

The parties to the amalgamation are the existing organisations of the ASC&J and the FFTS.

2. Name of the Amalgamated Industrial Organisation

It is proposed that the ASC&J shall change its name and adopt the name of the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland (hereinafter the "CFMEU(Q)") as the name of the new union.

3. Nature of the Amalgamation

It is proposed that the host industrial organisation in the proposed amalgamation shall be the ASC&J and that the FFTS shall be deregistered.

4. Members

All present members and life members of the ASC&J and the FFTS shall become members or life members as the case may be of the new union.

Members financial status in the new union shall be the same as it is in the union to which they presently belong and they shall remain as financial members of the new union for the same period of time as they are presently entitled to remain as financial members of the ASC&J or the FFTS as the case may be.

Unfinancial members of the ASC&J and the FFTS shall also be members of the new union but shall remain as unfinancial members until they become financial pursuant to the rules of the new union or are removed as unfinancial members from the roll of members as provided for in the rules of the new union.

No entrance fee shall be charged to members or life members of the ASC&J or the FFTS to join the new union.

5. Subscription Fees

Subscription fees for members of the new union shall on amalgamation day be charged as follows:

W:\J02\96736\9721839.U14

INDUSTRIAL REGISTRAR
29 AUG 1997
QUEENSLAND

- (a) The annual subscription fees to be paid by members of the union subsequent to amalgamation day shall be:-
- (i) for members who were members of the ASC&J on the day prior to amalgamation day at the level of such subscription fees on the day prior to amalgamation day;
 - (ii) for members who were members of the FFTS on the day prior to amalgamation day at the level of such subscription fees on the day prior to amalgamation day.
- (b) Subscription fees entrants to the Union who were not members of the ASC&J or the FFTS on the day prior to amalgamation day:
- (i) for new members of the Queensland Construction and General Divisional Branch shall be an amount equivalent to the level of fees of members of the ASC&J on the day prior to amalgamation day;
 - (ii) for new members of the Furnishing Divisional Branch shall be an amount equivalent to the level of fees of members of the FFTS on the day prior to amalgamation day.

Provided always that the Executive and/or the Committee of Management of the CFMEU(Q) shall be able to determine the scales of subscription fees in relation to the Divisional Branches in accordance with the rules of the new union.

6. Structure of the Amalgamated Industrial Organisation

The structure of the new union shall be comprised of:-

- * State Conference
- * State Executive
- * Divisional Branches

This structure provides for the Offices of the New Union and it is proposed that the present office bearers of the ASC&J and the FFTS shall be translated into the new union as follows:-

State Executive:-

On amalgamation day the State Executive shall be as set out hereunder:

State President	P Stone
Vice President	L law
State Secretary	W Trohear
Assistant Secretary	G Williams



State Conference:

On amalgamation day the members of the State Conference shall be as set out hereunder:

- (a) The State Executive;
- (b) Furnishing Divisional Branch Committee Members;
- (c) Queensland Construction & General Divisional Branch Committee members.

Each member of State Conference shall exercise a vote on the State Conference equal to the percentage the number of financial members of the Division from which the member derives bears to the financial membership of the Union divided by the number of members of the Divisional Branch entitled to vote. Provided that nothing in this sub-rule prevents proxy voting or multiple voting. Provided further that the members of the State Executive shall exercise their votes as members of the Divisional Branch from which they derive and shall not have a vote ascribed to them because of their office on the State Executive.

Furnishing Divisional Branch Committee Members:

President	Leslie Law (Trustee)
Vice Presidents (2)	John Forrest
	Denise Hunter
Secretary	Greg Williams (Trustee)
Assistant Secretary	Danielle Widgery
Committee of Management (6)	Michael Stevenson
	Donald Baul
	Stephen Williams
	Rodney Black
	Ursula Korableff
	Vincent Breen

INDUSTRIAL REGISTRAR
29 AUG 1997
QUEENSLAND

Queensland Construction & General Divisional Branch Committee Members:

State President	Peter Stone
State Secretary	Wallace Trohear
State Assistant Secretaries (2)	Gary Howcroft
	Paul Waters
Vice Presidents (2)	Kevin Carroll
	John Guinane

Ronnie Gasgoyne
 John Gruer
 Brian Hall
 Bill Kilmister
 Frank Pearson
 Alan Pountney
 Trevor Richardson
 Bradley Daniels

7. **Objects**

The objects of the new union are to ensure maximum co-operation between the ASC&J and the FFTS. All previous office bearers of the ASC&J and the FFTS, shall be entitled to vote in their respective Divisional Branch Committees and shall have representation on State Executive and at State Conference. The basis of such representation shall be on the proportion that the membership of the ASC&J and the FFTS bear to the membership of the new union, with representation being effected through the new Divisional Branch structure.

8. **Rules**

The rules of the new union shall be the rules of the ASC&J with appropriate amendments.

It is proposed that 2 Industry Divisional Branches be created, and each member of the Union shall be allocated to the relevant Industry and Industry Divisional Branch in accordance with the following: :-

i. **Furnishing Divisional Branch**

All members engaged or usually engaged in the Industries of offsite furniture and cabinet construction and manufacture and who are eligible to be members of the Union pursuant to Sub-rule 4.5 of the Rules of the Union being the eligibility of the FFTS, and such other members as may be allocated by State Conference.

ii. **Queensland Construction and General Divisional Branch**

All members, of the Union, other than members allocated pursuant to Sub-rule 6.2 of the Rules of the Union, that is persons who are allocated to the Furnishing Divisional Branch.

On amalgamation it is proposed that the membership of the new union be allocated into the Industry Divisions.

9. **Eligibility Rules and Registered Callings**

The eligibility rules of the FFTS, shall be inserted into the rules of the ASC&J. This shall not have the effect of extending the eligibility rules of the new union, beyond those

that presently exist for the ASC&J and the FFTS.

The registered callings of the FFTS shall be inserted into the registered callings of the ASC&J. This shall not have the effect of extending the registered callings of the new union beyond those that presently exist for the ASC&J and the FFTS.

10. Transition Rules

The new union shall operate under the rules of the ASC&J with appropriate alteration to provide for combined eligibility rules and registered callings. It is also necessary for transitional rules to be provided which "translate" aspects of the ASC&J and the FFTS, into the new union structure.

The transition rule provides for translation as follows:-

- * from the date of amalgamation being approved, for the translation of:
 - State Executive Officers
 - State Conference members
 - Divisional Branches & Divisional Branch structures
 - Sub-Branches & Sub-Branch structures
 - Office Stewards, Job Stewards and Work Place representatives
 - Members
 - Life members
 - Honorary members
 - Financial status of members
 - Liabilities
 - Property and Assets
 - Affiliation to state or national organisations;
- * for the filling of vacancies caused either casually or by persons not taking up positions on the day of amalgamation;
- * for State Conference to meet in accordance with the rules and for the first such meeting;
- * for elections for the Furnishing Divisional Branch to be conducted within 2 years of the day preceding Amalgamation Day with Officers to take Office on the day 2 years following the day preceding Amalgamation Day;
- * for elections for the Union to be conducted in 2000 with Officers to take Office in 2001;
- * for the new union's Auditor and for the Auditor of the Divisional Branches;
- * for subscription fees;

and such other translations as are otherwise referred to in this outline.



11. **Sub-Branches**

It is proposed that the Sub-Branches of the ASC&J and the FFTS, as the case may be, shall be translated into the new union, shall continue to operate and shall be referred to as Sub-Branches.

12. **Stewards and Workplace Representatives**

It is proposed that shop stewards, job stewards, work representatives, job delegates or other delegates howsoever called of the ASC&J and the FFTS shall be translated into the new union, shall continue to operate and shall be referred to as shop stewards, job stewards, work place representatives, job delegates or other delegates howsoever called.

13. **Management**

The management of the property, assets and liabilities of the new union shall be undertaken by the State Executive of the new union. The property, assets and liabilities of the ASC&J and the FFTS shall be translated to the new union and shall become the property, assets and liabilities of the new union. Provided that the benefit and use of property presently held by the respective unions shall be allocated to the Industry Divisional Branch Fund to which the members are respectively allocated. By this process the autonomy of the Industry Divisional Branches shall be preserved.

14. **Employees**

The new union shall have authority under its rules to appoint such employees and/or agents as are necessary in the view of the State Executive to service the new unions Industry Divisional Branches.

15. **Existing Agreement and Awards**

All existing agreements and awards of the ASC&J and the FFTS, shall be binding on the new union.

16. **Pending Proceedings**

The new union shall be a party to any pending proceedings to which the ASC&J or the FFTS are presently parties.

17. **Auditor**

It is proposed that the Auditor for the new union shall be the Auditor of the ASC&J.

18. **Elections**

It is proposed that the first elections for the proposed amalgamated industrial organisation shall occur:

INDUSTRIAL REGISTRAR
29 AUG 1997
000000
QUEENSLAND
STAMP

- (a) in respect of offices held by the former officers of the FFTS within 2 years of the day preceding amalgamation day, with officers to take office in the offices formerly held by former officers of the FFTS on the day 2 years following amalgamation day;
- (b) in respect of all offices of the Union in 2000 with officers to take office from the 02.01.2001.

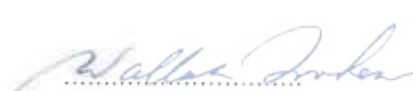
19. Principles

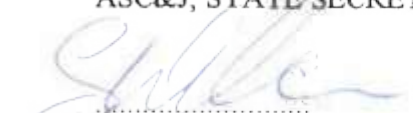
The establishment of the new union is designed to achieve the following objectives:-

- (a) democratic representation of members;
- (b) equitable industrial representation of members;
- (c) enhanced organisation of members on a geographical, industrial and occupational basis;
- (d) the establishment of Industry Divisional Branches to retain the industrial identity of the membership, whilst at the same time allowing the members to be part of and participate in a larger, more influential and more dynamic Union;
- (e) each Industry Divisional Branch, shall within the Divisional structure of the union have extensive power and authority which will ensure that the members are involved in determining issues that affect their wages, employment, safety, work rights and conditions of employment;
- (f) the rules of the new union provide that each Industry Divisional Branch shall have autonomy over all matters that do not directly affect the members of the other Industry Divisional Branches.

20. Alteration of Rules

The rules of the new union may be altered, deleted or additions made thereto by the Executive or Committee of Management and in respect of Industry Divisional Branch rules by the Industry Division Committees pursuant to the rules of the union.


ASC&J, STATE SECRETARY


FFTS, STATE SECRETARY


ASC&J, STATE PRESIDENT


FFTS, STATE PRESIDENT

"F"

RESOLUTION PASSED BY THE STATE MANAGEMENT COMMITTEE OF THE AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS, PLASTERERS, PAINTERS AND DECORATORS OF AUSTRALASIA, UNION OF EMPLOYEES, QUEENSLAND

- "1. That the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland amalgamate with the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees and authorise the Secretary to:-
 - (a) make application for amalgamation to the State Industrial Relations Commission;
 - (b) to meet the legal requirements; and
 - (c) to make application for exemption from ballot on the basis of the relative sizes of the 2 unions and/or on the basis of amalgamation of the federal counterpart bodies of the the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees should such applications be available pursuant to the Industrial relations Act.
2. That the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland:-
 - (a) change its name to the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
 - (b) amend its Eligibility Rule to include the present Eligibility Rules of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees;
 - (c) amend its Registered Callings to include the present Registered Callings of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees;
 - (d) make such amendments to the Rules as are necessary to provide for industry divisional branches; and
 - (e) make such amendments to the Rules as are necessary to comply with the Industrial Relations Act 1990.
3. That the draft set of rules of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators of Australasia, Union of Employees, Queensland, which reflect the proposed amalgamation, and which are annexed hereto as attachment 1 be adopted as the new rules of the union following an amalgamation with the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees.
4. That the Scheme of Amalgamation and written Outline of the Scheme of Amalgamation which are annexed hereto as attachment 2 and 3 respectively be adopted .
5. That if a Community of interest is determined to exist between the members of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and the members of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees that the Secretary make application for a Community of Interest Declaration in relation to the

INDUSTRIAL RELATIONS COMMISSION
29 AUG 1997
QUEENSLAND

amalgamation.

6. That the YES case statement annexed hereto as attachment 4 in support of the proposed amalgamation be adopted.
7. That should there be concerted opposition to the name of the amalgamated industrial organisation being the Construction, Forestry, Mining & Energy, Union of Employees, Queensland that the Secretary be directed to amend the application to seek that the name of the amalgamated industrial organisation be the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators, and Furnishing Trades of Australasia, Union of Employees, Queensland.
8. That the Committee of Management of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland resolves that the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland use its financial and other resources in support of the proposed amalgamation with the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees.
9. If as a consequence of applications and rule changes made pursuant to these resolutions the Commission refuses to adopt and/or ratify such application or rule changes on the ground that the application and/or the rule change does not comply with the Act and/or any other law, then the Secretary shall be authorised to amend such application or rule change to conform with the requirements of the Commission, provided that such amendment does not substantially depart from the scope and ambit of these resolutions.
10. That the Committee of Management of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland resolves that it discontinue its application for amalgamation being application U6 of 1995 (FEDFAQ & QCEUE).
11. That the Committee of Management of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland authorise the Secretary to further discuss amalgamation with the Australian Building Construction Employees and Builders' Labourers' Federation (Queensland Branch) Union of Employees with a view to amalgamating with the Australian Building Construction Employees and Builders' Labourers' Federation (Queensland Branch) Union of Employees following upon amalgamation with the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees.
12. That the Committee of Management of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland authorise the Secretary to further discuss amalgamation with the Federated Engine Drivers and Firemans Association of Australasia and the Queensland Colliery Employees Union of Employees with a view to amalgamating with the those Unions following upon amalgamation with the Australian Building Construction Employees and Builders' Labourers' Federation (Queensland Branch) Union of Employees.

DATE RESOLVED

W.W. Trohear
STATE SECRETARY.

INDUSTRIAL
29 AUG 1997

P. J. Stone
STATE PRESIDENT.

"G"

RESOLUTION PASSED BY THE COMMITTEE OF MANAGEMENT OF THE FEDERATED FURNISHING TRADE SOCIETY OF AUSTRALASIA, QUEENSLAND BRANCH, UNION OF EMPLOYEES

"1. That the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees amalgamate with the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and authorise the Secretary to:-

- (a) make application for amalgamation to the State Industrial Relations Commission;
- (b) to meet the legal requirements; and
- (c) to make application for exemption from ballot on the basis of the relative sizes of the 2 unions and/or on the basis of amalgamation of the federal counterpart bodies of the the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees should such applications be available pursuant to the Industrial relations Act.

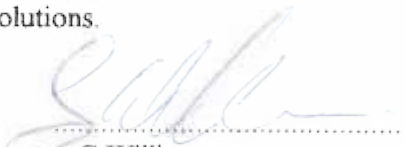
INDUSTRIAL REGISTRAR

29 AUG 1997

2. That the Scheme of Amalgamation and written Outline of the Scheme of Amalgamation which are annexed hereto as attachment 1 and 2 respectively be adopted.
3. That if a Community of interest is determined to exist between the members of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and the members of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees that the Secretary make application for a Community of Interest Declaration in relation to the amalgamation.
4. That the YES case statement annexed hereto as attachment 3 in support of the proposed amalgamation be adopted.
5. The draft rules as proposed and as annexed as attachment 4 are appropriate for the amalgamated Union and are endorsed.
6. That should there be concerted opposition to the name of the amalgamated industrial organisation being the Construction, Forestry, Mining & Energy, Union of Employees, Queensland that the Secretary be directed to amend the application to seek that the name of the amalgamated industrial organisation be the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators, and Furnishing Trades of Australasia, Union of Employees, Queensland.
7. That the Committee of Management of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees, resolves that the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees use its financial and other resources in support of the proposed amalgamation with the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators, and Furnishing Trades of Australasia, Union of Employees, Queensland.

8. If as a consequence of applications and rule changes made pursuant to these resolutions the Commission refuses to adopt and/or ratify such application or rule changes on the ground that the application and/or the rule change does not comply with the Act and/or any other law, then the Secretary shall be authorised to amend such application or rule change to conform with the requirements of the Commission, provided that such amendment does not substantially depart from the scope and ambit of these resolutions.

DATE RESOLVED 11/3/97


G Williams
Secretary

Signed: 
SECRETARY
ASC&J

Signed: 
SECRETARY
FFTS

Signed: 
PRESIDENT
ASC&J

Signed: 
PRESIDENT
FFTS


INDUSTRIAL REGISTRAR
29 AUG 1997
QUEENSLAND

"H"
**STATEMENT OF SUPPORT OF THE
PROPOSED AMALGAMATION
CFMEU (Q.)**

ASC & J

Amalgamated Society of Carpenters, Joiners,
Bricklayers, Plasterers, Painters and Decorators
of Australasia, Union of Employees, Queensland

FFTS

Federated Furnishing Trades Society
of Australasia (Queensland Branch),
Union of Employees

THE NEW C.F.M.E.U. (Q.)

Construction, Forestry, Mining, Energy, Industrial Union of Employees, Queensland.

THE NEW UNION

VOTE YES TO AMALGAMATION



THE NEW UNION STRONGER FOR YOU

A Better Deal for Members



As a combined union the ASC & J and the FFTS shall have over 12000 members with the combined resources needed to:

- * Provide job security, wages and conditions of employment
- * Provide fast, efficient service
- * Provide improved training and career opportunities
- * Provide greater influence when dealing with employers
- * Provide for ensuring membership control over decision making in the Union and in the workplace

Better Union Services



By pooling our resources at a state level, we can give members better Union services and better value for money.

United campaigns can be run on important issues such as job security, better deals on superannuation, improved training and career prospects, parental leave, workplace health and safety, anti-discrimination and other workplace issues.

Improved communication system and regular information.

A broader range of membership benefits such as discounted and free financial and legal advice, membership of the Union Shopper, enhanced credit facilities and special offers.

Free training courses on work related issues.



The New Structure



Amalgamation does not mean that a lot of changes have to be made in the day to day structure of each Union.

The changes will be at the state level, where a new structure shall be put in place to bring the two Unions together as partners in the New Union.

In practice the New Union will be made up of 2 industry divisions, the:

- * Furnishing Divisional Branch
- * Queensland Construction and General Divisional Branch

Members of the ASC & J and the FFTS shall be assigned to an Industry Division according to the nature of their employment. All members shall have the same rights and shall have representatives on the various bodies of the New Union:

- * The State Conference
- * The State Executive
- * Divisional Branch Committees

The Process



To ensure integration of the membership is achieved as democratically as possible, transitional Rules have been developed which:

- * Translate the office bearers of each of the two Unions into the structure of the New Union
- * Provide for elections for the New Union to occur in 2000
- * Provide for the first annual Branch Council to be held in 2000

There is more information about the structure of the New Union in the "Outline of Scheme for Amalgamation".

The Yes Box



Your Ballot papers asks you only the one question - to support the amalgamation simply place a ✓ in the Yes box.

Voting is secret and anonymous



Every vote is confidential and is returned directly to an independent body, the Queensland Electoral Commission who open the envelopes and count the votes.

After you have filled out your Ballot paper place it in the envelope marked "Ballot Paper Only" and seal it. Then put the "Ballot Paper Only" envelope in the "Reply Paid" envelope and post it straight away.

A New Union in 2 Easy Steps



1. Place a ✓ in the Yes Box on your Ballot paper.
2. Put it in the "Ballot Paper Only" envelope and put this envelope in the "Reply Paid" envelope and post it, its free.

INDUSTRIAL REGISTRAR

29 AUG 1997

QUEENSLAND

Question for Voters

Do you approve the proposed amalgamation of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland with the following organisation, namely the Federated Furnishing Trades Society of Australasia, (Queensland Branch), Union of Employees, in accordance with the scheme for amalgamation, a copy of the outline of which has been sent to you with this Ballot Paper?

✓ YES

Place a ✓ in the Yes box

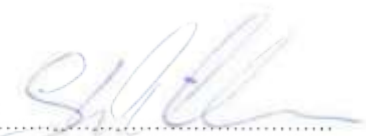
INDUSTRIAL REGISTRAR
29 AUG 1997
000000
QUEENSLAND



THE NEW UNION STRONGER FOR YOU

Signed: 
SECRETARY
ASC&J

Signed: 
PRESIDENT
ASC&J

Signed: 
SECRETARY
FFTS

Signed: 
PRESIDENT
FFTS

QUEENSLAND INDUSTRIAL RELATIONS
COMMISSION,
LEVEL 14, CENTRAL PLAZA II
66 EAGLE STREET (CORNER ELIZABETH
& CREEK STREETS), BRISBANE QLD 4000.
Phone: 3227 8060
Facsimile: 3221 6074

APPLICATION NO. 1119 1997.

RECEIVED

29 AUG 1997

000000
000000
000000



INDUSTRIAL REGISTRAR

29 AUG 1997

000000
QUEENSLAND

FILED BY

Nail Payne Solicitors
(Contact Person John Payne)

ADDRESS

19th Floor
141 Queen St
Brisbane 4000

CONTACT

Mr. John Payne

PHONE (07) 3221 2044

MOBILE ()

FAX (07) #145

\$120.00
5192926

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

INDUSTRIAL REGISTRAR

NOTICE OF WITHDRAWAL

01 SEP 1997

The Industrial Registrar
GPO Box 373
BRISBANE QLD 4001

000000
QUEENSLAND
Phone: (07) 3221 8060
Fax: (07) 3221 6074

14th Floor, 66 Eagle Street,
(Cnr Elizabeth and Creek Streets), Brisbane, 4000

(CASE NO. U6/1995)

APPLICANTS: The Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australia, Union of Employees, Queensland (the "ASCJBPPDAUOEQ")

and

The Federated Engine Drivers and Firemen's Association of Australasia, Union of Employees, Queensland (the "FEDFA")

and

The Queensland Colliery Employees Union of Employees (the "QCEUE")

MATTER: APPLICATION FOR APPROVAL OF AMALGAMATION

Take notice that in accordance with Section 321 of the Industrial Court Rules, *Workplace Relations Act 1997* I seek Leave to Withdraw the application.

WITHDRAWAL	
URGENT	☒
COMMISSIONER:	HALL
APPROVED:	[Signature]
DATE:	4/9/97
HEARING/CONF:	☐ YES ☐ NO
DATE/S:	
ASSOCIATE, PLEASE RETURN FILE TO EXECUTIVE SECRETARY TO CANCEL HEARING/CONF. DATE/S.	
MEMO REQUIRED:	☐ YES ☐ NO

(SIGNED)

[Signature]
(Agent for Applicant)

Dated this 1st day of September, 1997

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Organisations Act 1997Amended S.104 - Application for Amalgamation

INDUSTRIAL REGISTRAR

01 OCT 1997


 QUEENSLAND

TO: The Industrial Registrar, Industrial Registrar's Office, Levels 13 & 14, Central Plaza Two, 66 Eagle Street, Brisbane

Application is hereby made by the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters & Decorators of Australasia Union of Employees ("ASC&J") and the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees ("FFTS"), for approval to put a request for amalgamation to ballot.

We hereby state as follows :-

1. The ASC&J is authorised to receive on behalf of the applicants, service of documents in connection with the proposed amalgamation.
2. The ASC&J is to become the proposed amalgamated industrial organisation.
3. The proposed de-registering industrial organisation shall be the FFTS.
4. It is proposed that the name of the ASC&J shall be changed to the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland ("CFMEU(Q)").
5.
 - (a) all members of the proposed de-registering industrial organisation are to become, upon the coming into force of the amalgamation, without payment of an entrance fee, members of the proposed amalgamated industrial organisation; and
 - (b) all life members of the proposed de-registering industrial organisation are to become, upon the coming into force of the amalgamation, without payment of an entrance fee, life members of the proposed amalgamated industrial organisation;
 - (c) all honorary members of the proposed de-registering industrial organisation are to become, upon the coming into force of the amalgamation, without payment of an entrance fee, honorary members of the proposed amalgamated industrial organisation.
6. The following arrangements shall exist in relation to the property of the proposed de-registering industrial organisation:
 - (a) the property and other assets of the FFTS shall become those of the proposed amalgamated industrial organisation; and

- (a) the property and other assets of the FFTS shall become those of the proposed amalgamated industrial organisation; and
 - (b) the management of the property and other assets of the proposed amalgamated industrial organisation shall be conducted by the State Executive.
7. The following arrangements shall exist in relation to the liabilities of the proposed de-registering industrial organisations:
- (a) the liabilities of the FFTS shall become those of the proposed amalgamated industrial organisation; and
 - (b) the management of the liabilities of the proposed amalgamated industrial organisation shall be conducted by the State Executive.
8. It is proposed to alter the eligibility rules of the ASC&J to those attached (marked "A"). This alteration shall not result in any extension to the eligibility rules of the ASC&J or the FFTS. The eligibility rules of the ASC&J and the FFTS are attached (marked "A1" and "A2" respectively).
9. The existing rules of the ASC&J are being deleted in their entirety and replaced with a new set of rules, two copies are attached hereto (marked "B1") together with a true copy of the resolution of the State Executive of the ASC&J amending the Rules of the ASC&J (marked "B2"). The constitution of the FFTS shall be included in the rules of the ASC&J.
10. There are no alternative amalgamations.
11. It is proposed to alter the registered callings of the ASC&J to those attached (marked "C"). This alteration does not result in any extension of the registered callings of the ASC&J or the FFTS. The registered callings of the ASC&J and the FFTS (marked "C1" and "C2" respectively).
12. It is proposed that the first elections for the proposed amalgamated industrial organisation shall occur in respect of offices held by the former officers of the FFTS within 2 years of the day preceding amalgamation day, with officers to take office on the day 2 years following amalgamation day and in respect of all offices of the Union to be held in 2000 with officers to take office from the 02.01.2001.
13. A copy of the scheme of amalgamation is attached (marked "D").
14. A copy of the written outline of the scheme of amalgamation is attached (marked "E").
15. A true copy of the resolution of the Committee of Management of the ASC&J adopting the scheme of amalgamation is attached (marked "F").
16. A true copy of the resolution of the Committee of Management of the FFTS adopting the scheme of amalgamation is attached (marked "G").



INDUSTRIAL REGISTRAR

01 OCT 1997

QUEENSLAND

17. A true copy of the rules of the proposed amalgamated industrial organisation are attached and marked "B1" as referred to in paragraph 9 of this application.
18. All decisions, awards and agreements of the Industrial Relations Commission that are binding on the ASC&J and the FFTS shall be binding in a like manner on the proposed amalgamated industrial organisation.
19. The proposed amalgamated industrial organisation shall remain as a party to any pending proceedings to which the ASC&J or the FFTS are parties.
20. Attached hereto (marked "H") is a copy of the "Yes" case in support of the proposed amalgamation which "Yes" case is filed on behalf of the ASC&J and the FFTS.
21. It is proposed that subscription for membership of the proposed amalgamated industrial organisation shall be at the date of amalgamation as follows :-
 - (a) subscription fees of members of the ASC&J on amalgamation shall remain at the level such fees were on the day prior to amalgamation day;
 - (b) subscription fees of members of the FFTS on amalgamation shall remain at the level such fees were on the day prior to amalgamation day;
 - (c) new members of the CFMEU(Q) - persons who are admitted to membership on amalgamation day or subsequent to amalgamation day and who are not members of either the ASC&J or the FFTS on the day preceding amalgamation day then the level of the subscription fee shall be the subscription fee of the Divisional Branch to which the member is assigned on admission to the CFMEU(Q), with the subscription fees of the Divisional Branches being as follows:
 - (i) For members of the Construction and General Divisional Branch an amount equivalent to the subscription fee paid by members of the ASC&J on the day prior to amalgamation day.
 - (ii) For members of the Furnishing Divisional Branch an amount equivalent to the subscription fee paid by members of the FFTS on the day prior to amalgamation day.

Additionally :-

22. That we, the undersigned do solemnly and sincerely declare that :-
 - 22.1 The Committees of Management of the respective industrial organisations have passed a resolution approving the amalgamation listed in this application.
 - 22.2 That any proposed alterations of the rules of existing industrial organisations concerned in the amalgamation have been made under the

INDUSTRIAL REGISTRAR

01 OCT 1997

QUEENSLAND

rules of the industrial organisation.

22.3 We are officers of and are fully authorised in compliance with the Act and the Rules of Court to make this application on behalf of the respective industrial organisations.

22.4 That all the statements made in this application and the annexed documents are to the best of our knowledge, information or belief true and correct in every particular;

And we make this solemn declaration and affirmation conscientiously believing the same to be true by virtue of the provisions of the Oaths Act 1867-1988.

Signed.....*W. TROHEAR*.....

SECRETARY

Signed.....*P. STONE*.....

PRESIDENT

for and on behalf of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters & Decorators of Australasia Union of Employees,

Taken and declared
before me at Brisbane this

day of



.....
A Justice of the Peace/Solicitor

Signed.....*G. WILLIAMS*.....

SECRETARY

Signed.....*L. LAW*.....

PRESIDENT

for and on behalf of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees,

Taken and Declared
before me at Brisbane this

day of , 1997

.....
A Justice of the Peace/Solicitor



"A"
ELIGIBILITY FOR MEMBERSHIP

INDUSTRIAL REGISTRAR

01 OCT 1997

QUEENSLAND

1. The Union shall consist of an unlimited number of persons, employed or usually employed as carpenters or joiners, including ship carpenters or joiners, or as stonemasons, marble masons, polishers, machinists, sawyers and all other persons engaged in the dressing and preparation and/or erection of stone, marble or slate also those engaged in the preparation and/or erection of terrazzo or similar compositions; also those employed in or usually employed in the following callings:- Bricklaying, tuckpointing, coke slab wall erection, gas retort repairers, fire clay block layers, floor tilers, roof tilers, slaters and shinglers, Terracotta fixer; majolica fixers, earthenware pipe drain layers in or about a building, cutters of brickwork for doorways, windows etc. plasterers; fibrous plasterers; tilers; floor specialists; lathers; together with such other persons, whether employees in the industry or not, as have been appointed Officers of the Association and admitted as members hereof.

2. This Union shall also consist of an unlimited number of persons employed in or usually employed in the painting and decorating industry in connection with buildings and structures, plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise), general and ship painting, including the following:
 - (a) On ships the painting of all accommodation and appurtenances thereto provided for passengers and ships complement, hospitals and pharmacies wherever situated, chart rooms, wheel houses and other navigational Offices aboard ships including naval ships of every kind, and the painting of prefabricated ships and prefabricated parts of ships of every kind.

 - (b) The painting of launches and boats of every kind and the painting of prefabricated launches and boats and the prefabricated parts of launches and boats of every kind.

 - (c) The painting of or in connection with all buildings and structures, plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise). The painting of or in connection with prefabricated buildings and structures, plant, machinery and equipment, (commercial, residential, industrial or otherwise) and any prefabricated or other parts or prefabricated building and structures as aforementioned.

 - (d) The painting of the exterior of pipe lines on or above the surface of the earth, conduits, valves, condensers, cocks, control and/or regulating stations or sub-stations, and/or pumping, suction, syphon or booster stations or sub-stations, and/or storage holders, pressure regulating holders and/or trestles, bridges, viaducts, pylons, and any other supports, and all machinery and appurtenances relating to the foregoing on water, land, or seas, used or to be used for the purposes of storing and/or regulating and/or conveying liquids or gases including natural oils and gases.

WAU021967369752170.U14

machinery, equipment, packages, or containers for sale or purposes of distribution.

3. Nothing in these rules shall make eligible for membership any employee employed in or in connection with the conduct of Hamilton Island and Dent Island aspart of the Island Tourist Resort Industry other than employees of contractors and/or subcontractors employed on the mainland and performing work on Hamilton Island and Dent Island from time to time.
4. Provided further that, notwithstanding the foregoing provisions of this rule, the union does not have the right to enrol as members, employees of Mount Isa Mines Limited covered by the Mount Isa Mines Limited Award and the Mount Isa Mines Limited Tracing Employees Industrial Agreement.

Notwithstanding any other provision in these rules, a person employed by a sugar mill, refinery, distillery, terminal or storage operation and milling, refining, distilling, terminal, storage or other sectors of the sugar industry shall not be eligible to become a member of the union.

5. The Union also shall consist of an unlimited number of members who are employed in, or competent to be employed in or in connexion with the following industries or trades: Piano and piano-player makers and tuners, organ-makers, and makers of gramophones and all other musical instruments, cabinet-makers, wood-carvers, billiard table makers and fitters, clock-case makers, coffin-makers, 3-ply veneer workers, chair and couch makers, or other articles of sitting accommodation, sewing machines, upholsterers, carpet and linoleum planners and all floor covering layers, outdoor hands, measuring, fixing, soft furnishings, blind cutting, making, painting, fixing, french-polishers, enamellers, spraying machine operators, makers of wireless instrument cases or cabinets, woodturners, mantel-piece makers, overmantel-makers, mattress-makers, wire-weavers, picture-frame makers, bedding-makers, quiltmakers (including eiderdown), venetian and wire-blind makers, bamboo pith and cane and wicker workers, packers of crockery and furniture mantle-pieces, pictures, carpets, drapery, plate and sheet glass in warehouses, shops, factories or stores, glass bevellers, glass benders, glass worker (excepting those on spectacles, lenses or frames and employees in firms where such employees are engaged on work connected with the manufacture or repair of scientific, precision or other instruments such as binoculars, microscopes, military, aircraft and naval instruments), glass lampshade workers, safety glass workers, toy makers and/or toy repairers in establishments where the chief product or products or one of the chief products manufactured in such establishments is otherwise provided for herein; cutters, silverers, glaziers, glass polishing, cutting, painting, cementing, leadlight glaziers and cutters, and all woodworking or other machinists, and operators of other mechanical devices preparing material for above employees; millwright's baby carriage makers, upholstresses, new and second-hand carpet, drapery, table and lampshade hands; flock-workers, rag-pickers and fumigators; timber stackers, yardmen and labourers, and all other employees working in new and secondhand furniture factories, piano factories, organ factories, mantel-piece factories, billiard-table factories, overmantel factories, bedding-factories, mattress factories, venetian and wire-blind factories, picture-frame factories, plate-glass factories, luxfer glazing factories, bamboo pith cane; Reed-tex, Hytex, and wicker-work factories, sewing machine factories, flock factories, window background workers, display article

- (e) Glazing, glass cutting, glass processing, cutting and fixing vitrolite or like material, the fixing of glass by any means in any place prepared for its reception, fitting and fixing glazing bars.
- (f) Paperhanging, applying and/or fixing wall hangings or coverings, decorating, kalsomining, distempering, plastic relief and texture work, graining, marbling, gilding, enamelling, varnishing and lacquering.
- (g) Signwriting, designing and/or lettering of price tickets and showcards.
- (h) Pictorial or scenic painting, or production of signs or posters by means of stencils, screens or like methods or any other work incidental thereto including cut-out displays of all descriptions, pictorial, scenic or lettering.
- (i) Leadlight and metal glazing including cutting glass, assembling and fixing such glass by means of lead and/or metal sections.
- (j) Employees who mix and/or apply and/or fix paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative or protective coatings and/or finishes, putty stopping, caulking mixtures, compositions or compounds, oils, varnishes, water-colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings (coatings shall not be read and construed to include the applying and fixing of lagging, or the work of applying or fixing of coatings consisting of plaster and/or lime and/or cement and/or aggregate when such substances are mixed or blended with water or the coating of pipes with bitumen and/or wrapping with burlap or hessian or other like material for the purposes of protection or decoration) or other materials used in any of the callings specified in Rule 1.2.2, Constitution hereof (other than mixing of paint, paint mixtures, protective coatings and/or plastic coatings and/or finishes and/or mixtures, putty, putty mixtures, stopping, caulking mixtures, compositions or compounds, oils, oil mixtures, varnishes, varnish mixtures, water colours, water-colour mixtures, lacquers, lacquer mixtures, stains and removers, stain removal mixtures in paint and chemical factories) and/or other materials used in the painting and decorating trade with a brush, spray, roller or other tool or remove paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative coatings and/or finishes or putty, stopping, or caulking mixtures, compositions or compounds, oils, varnishes, water colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings, or other materials used in the painting and decorating trade by heat, flame, water solvents, electrical, mechanical, air powered or hand tools or by grit, shot, or other abrasives or by any other means.
- (k) The Union shall also consist of an unlimited number of persons engaged in preparing the work and materials required in any of the aforementioned branches of the trade together with such other persons whether engaged in any industrial pursuit or not who have been appointed Officers of the Union or its branches and admitted as members thereof but shall not include persons employed in connection with the production or preparation of manufactured goods, plant,


 INDUSTRIAL REGISTRAR
 01 OCT 1997

QUEENSLAND
 INDUSTRIAL REGISTRAR

workers, refrigerator workers, incubator workers, together with such other persons, whether employees engaged in the industries or not, as have been appointed officers of the Union and admitted as members thereof, provided that a branch may issue a clearance to any member whom it may be considered should not retain his membership on the ground that he is working in an industry not governed by any awards of the Society.

Signed: *[Signature]*
SECRETARY
ASC&J

Signed: *[Signature]*
SECRETARY
FFTS

Signed: *[Signature]*
PRESIDENT
ASC&J

Signed: *[Signature]*
PRESIDENT
FFTS


INDUSTRIAL REGISTRAR
01 OCT, 1997
000000
QUEENSLAND
~~~~~

## "A1"

## ELIGIBILITY FOR MEMBERSHIP

1. The Union shall consist of an unlimited number of persons, employed or usually employed as carpenters or joiners, including ship carpenters or joiners, or as stonemasons, marble masons, polishers, machinists, sawyers and all other persons engaged in the dressing and preparation and/or erection of stone, marble or slate also those engaged in the preparation and/or erection of terrazzo or similar compositions; also those employed in or usually employed in the following callings:- Bricklaying, tuckpointing, coke slab wall erection, gas retort repairers, fire clay block layers, floor tilers, roof tilers, slaters and shinglers, Terracotta fixer; majolica fixers, earthenware pipe drain layers in or about a building, cutters of brickwork for doorways, windows etc. plasterers; fibrous plasterers; tilers; floor specialists; lathers; together with such other persons, whether employees in the industry or not, as have been appointed Officers of the Association and admitted as members hereof.
2. This Union shall also consist of an unlimited number of persons employed in or usually employed in the painting and decorating industry with buildings and structures, plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise), general and ship painting, including the following:
  - (a) On ships the painting of all accommodation and appurtenances thereto provided for passengers and ships complement, hospitals and pharmacies wherever situated, chart rooms, wheel houses and other navigational Offices aboard ships including naval ships of every kind, and the painting of prefabricated ships and prefabricated parts of ships of every kind.
  - (b) The painting of launches and boats of every kind and the painting of prefabricated launches and boats and the prefabricated parts of launches and boats of every kind.
  - (c) The painting of or in connection with all buildings and structures, plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise). The painting of or in connection with prefabricated buildings and structures, plant, machinery and equipment, (commercial, residential, industrial or otherwise) and any prefabricated or other parts or prefabricated building and structures as aforementioned.
  - (d) The painting of the exterior of pipe lines on or above the surface of the earth, conduits, valves, condensers, cocks, control and/or regulating stations or sub-stations, and/or pumping, suction, syphon or booster stations or sub-stations, and/or storage holders, pressure regulating holders and/or trestles, bridges, viaducts, pylons, and any other supports, and all machinery and appurtenances relating to the foregoing on water, land, or seas, used or to be used for the purposes of storing and/or regulating and/or conveying liquids or gases including natural oils and gases.
  - (e) Glazing, glass cutting, glass processing, cutting and fixing vitrolite or like

INDUSTRIAL REGISTRAR

01 OCT 1997

QUEENSLAND

material, the fixing of glass by any means in any place prepared for its reception, fitting and fixing glazing bars.

- (f) Paperhanging, applying and/or fixing wall hangings or coverings, decorating, kalsomining, distempering, plastic relief and texture work, graining, marbling, gilding, enamelling, varnishing and lacquering.
- (g) Signwriting, designing and/or lettering of price tickets and showcards.
- (h) Pictorial or scenic painting, or production of signs or posters by means of stencils, screens or like methods or any other work incidental thereto including cut-out displays of all descriptions, pictorial, scenic or lettering.
- (i) Leadlight and metal glazing including cutting glass, assembling and fixing such glass by means of lead and/or metal sections.
- (j) Employees who mix and/or apply and/or fix paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative or protective coatings and/or finishes, putty stopping, caulking mixtures, compositions or compounds, oils, varnishes, water-colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings (coatings shall not be read and construed to include the applying and fixing of lagging, or the work of applying or fixing of coatings consisting of plaster and/or lime and/or cement and/or aggregate when such substances are mixed or blended with water or the coating of pipes with bitumen and/or wrapping with burlap or hessian or other like material for the purposes of protection or decoration) or other materials used in any of the callings specified in Rule 1.2.2, Constitution hereof (other than mixing of paint, paint mixtures, protective coatings and/or plastic coatings and/or finishes and/or mixtures, putty, putty mixtures, stopping, caulking mixtures, compositions or compounds, oils, oil mixtures, varnishes, varnish mixtures, water colours, water-colour mixtures, lacquers, lacquer mixtures, stains and removers, stain removal mixtures in paint and chemical factories) and/or other materials used in the painting and decorating trade with a brush, spray, roller or other tool or remove paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative coatings and/or finishes or putty, stopping, or caulking mixtures, compositions or compounds, oils, varnishes, water colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings, or other materials used in the painting and decorating trade by heat, flame, water solvents, electrical, mechanical, air powered or hand tools or by grit, shot, or other abrasives or by any other means.
- (k) The Union shall also consist of an unlimited number of persons engaged in preparing the work and materials required in any of the aforementioned branches of the trade together with such other persons whether engaged in any industrial pursuit or not who have been appointed Officers of the Union or its branches and admitted as members thereof but shall not include persons employed in connection with the production or preparation of manufactured goods, plant, machinery, equipment, packages, or containers for sale or purposes of distribution.

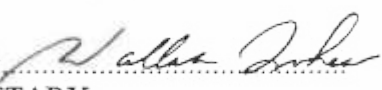
INDUSTRIAL REGISTRAR  
01 OCT 1997  
QUEENSLAND



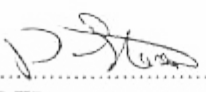
3. Nothing in these rules shall make eligible for membership any employee employed in or in connection with the conduct of Hamilton Island and Dent Island aspart of the Island Tourist Resort Industry other than employees of contractors and/or subcontractors employed on the mainland and performing work on Hamilton Island and Dent Island from time to time.

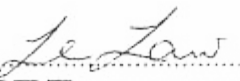
Provided further that, notwithstanding the foregoing provisions of this rule, the union does not have the right to enrol as members, employees of Mount Isa Mines Limited covered by the Mount Isa Mines Limited Award and the Mount Isa Mines Limited Tracing Employees Industrial Agreement.

5. Notwithstanding any other provision in these rules, a person employed by a sugar mill, refinery, distillery, terminal or storage operation and milling, refining, distilling, terminal, storage or other sectors of the sugar industry shall not be eligible to become a member of the union.

Signed:   
SECRETARY  
ASC&J

Signed:   
SECRETARY  
FFTS

Signed:   
PRESIDENT  
ASC&J

Signed:   
PRESIDENT  
FFTS

  
INDUSTRIAL REGISTRAR  
01 OCT 1997  
000000  
QUEENSLAND  
~~~~~

"A2"

ELIGIBILITY FOR MEMBERSHIP

1. The Union also shall consist of an unlimited number of members who are employed in, or competent to be employed in or in connexion with the following industries or trades: Piano and piano-player makers and tuners, organ-makers, and makers of gramophones and all other musical instruments, cabinet-makers, wood-carvers, billiard table makers and fitters, clock-case makers, coffin-makers, 3-ply veneer workers, chair and couch makers, or other articles of sitting accommodation, sewing machines, upholsterers, carpet and linoleum planners and all floor covering layers, outdoor hands, measuring, fixing, soft furnishings, blind cutting, making, painting, fixing, french-polishers, enamellers, spraying machine operators, makers of wireless instrument cases or cabinets, woodturners, mantel-piece makers, overmantel-makers, mattress-makers, wire-weavers, picture-frame makers, bedding-makers, quiltmakers (including eiderdown), venetian and wire-blind makers, bamboo pith and cane and wicker workers, packers of crockery and furniture mantle-pieces, pictures, carpets, drapery, plate and sheet glass in warehouses, shops, factories or stores, glass bevellers, glass benders, glass worker (excepting those on spectacles, lenses or frames and employees in firms where such employees are engaged on work connected with the manufacture or repair of scientific, precision or other instruments such as binoculars, microscopes, military, aircraft and naval instruments), glass lampshade workers, safety glass workers, toy makers and/or toy repairers in establishments where the chief product or products or one of the chief products manufactured in such establishments is otherwise provided for herein; cutters, silverers, glaziers, glass polishing, cutting, painting, cementing, leadlight glaziers and cutters, and all woodworking or other machinists, and operators of other mechanical devices preparing material for above employees; millwright's baby carriage makers, upholstresses, new and second-hand carpet, drapery, table and lampshade hands; flock-workers, rag-pickers and fumigators; timber stackers, yardmen and labourers, and all other employees working in new and secondhand furniture factories, piano factories, organ factories, mantel-piece factories, billiard-table factories, overmantel factories, bedding-factories, mattress factories, venetian and wire-blind factories, picture-frame factories, plate-glass factories, luxfer glazing factories, bamboo pith cane; Reed-tex, Hytex, and wicker-work factories, sewing machine factories, flock factories, window background workers, display article workers, refrigerator workers, incubator workers, together with such other persons, whether employees engaged in the industries or not, as have been appointed officers of the Union and admitted as members thereof, provided that a branch may issue a clearance to any member whom it may be considered should not retain his membership on the ground that he is working in an industry not governed by any awards of the Society.

Signed: *Walter Doherty*
 SECRETARY
 ASC&J

Signed: *John Doherty*
 SECRETARY
 FFTS

Signed: *P. J. Stewart*
 PRESIDENT
 ASC&J

Signed: *L. C. Law*
 PRESIDENT
 FFTS

INDUSTRIAL REGISTRAR
 01 OCT 1997
 QUEENSLAND

"B2"

**RESOLUTION PASSED BY THE STATE MANAGEMENT COMMITTEE OF THE
AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS, PLASTERERS,
PAINTERS AND DECORATORS OF AUSTRALASIA, UNION OF EMPLOYEES,
QUEENSLAND**

- "1. That the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland amalgamate with the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees and authorise the Secretary to:-
- (a) make application for amalgamation to the State Industrial Relations Commission;
- (b) to meet the legal requirements; and
- (c) to make application for exemption from ballot on the basis of the relative sizes of the 2 unions and/or on the basis of amalgamation of the federal counterpart bodies of the the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees should such applications be available pursuant to the Industrial relations Act.
2. That the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland:-
- (a) change its name to the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
- (b) amend its Eligibility Rule to include the present Eligibility Rules of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees;
- (c) amend its Registered Callings to include the present Registered Callings of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees;
- (d) make such amendments to the Rules as are necessary to provide for industry divisional branches; and
- (e) make such amendments to the Rules as are necessary to comply with the Industrial Relations Act 1990.
3. That the draft set of rules of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators of Australasia, Union of Employees, Queensland, which reflect the proposed amalgamation, and which are annexed hereto as attachment 1 be adopted as the new rules of the union following an amalgamation with the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees.
4. That the Scheme of Amalgamation and written Outline of the Scheme of Amalgamation which are annexed hereto as attachment 2 and 3 respectively be adopted .
5. That if a Community of interest is determined to exist between the members of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and the members of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees that the Secretary make application for a Community of Interest Declaration in relation to the

INDUSTRIAL REGISTRATION
01 OCT 1997
QUEENSLAND

amalgamation.

6. That the YES case statement annexed hereto as attachment 4 in support of the proposed amalgamation be adopted.
7. That should there be concerted opposition to the name of the amalgamated industrial organisation being the Construction, Forestry, Mining & Energy, Union of Employees, Queensland that the Secretary be directed to amend the application to seek that the name of the amalgamated industrial organisation be the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators, and Furnishing Trades of Australasia, Union of Employees, Queensland.
8. That the Committee of Management of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland resolves that the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland use its financial and other resources in support of the proposed amalgamation with the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees.
9. If as a consequence of applications and rule changes made pursuant to these resolutions the Commission refuses to adopt and/or ratify such application or rule changes on the ground that the application and/or the rule change does not comply with the Act and/or any other law, then the Secretary shall be authorised to amend such application or rule change to conform with the requirements of the Commission, provided that such amendment does not substantially depart from the scope and ambit of these resolutions.
10. That the Committee of Management of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland resolves that it discontinue its application for amalgamation being application U6 of 1995 (FEDFAQ & QCEUE).
11. That the Committee of Management of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland authorise the Secretary to further discuss amalgamation with the Australian Building Construction Employees and Builders' Labourers' Federation (Queensland Branch) Union of Employees with a view to amalgamating with the Australian Building Construction Employees and Builders' Labourers' Federation (Queensland Branch) Union of Employees following upon amalgamation with the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees.
12. That the Committee of Management of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland authorise the Secretary to further discuss amalgamation with the Federated Engine Drivers and Firemans Association of Australasia and the Queensland Colliery Employees Union of Employees with a view to amalgamating with the those Unions following upon amalgamation with the Australian Building Construction Employees and Builders' Labourers' Federation (Queensland Branch) Union of Employees.

DATE RESOLVED

W.W. Trohear
W.W. Trohear
STATE SECRETARY.

01 OCT 1997

000000
QUEENSLAND
~~~~~

*P.J. Stone*  
P. J. Stone  
STATE PRESIDENT.

"C"



REGISTERED CALLINGS OF THE AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS, PLASTERERS, PAINTERS AND DECORATORS OF AUSTRALIA, UNION OF EMPLOYEES, QUEENSLAND AND THE FEDERATED FURNISHING TRADE SOCIETY OF AUSTRALASIA (QUEENSLAND BRANCH) UNION OF EMPLOYEES

Carpenters and joiners and without limiting the meanings of the terms to include ship joiners, joiners in sawmills and joinery mills, bridge carpenters, sheet metal ceiling fixers, shop fitters and show case makers, wood turners and all wood working machinists in such callings; and boat builders, ships' carpenters, shipwrights and fibro cement fixers.

Stonemasons, marble masons, polishers, machinists, sawyers and all other persons engaged in the dressing and preparation and/or erection of stone, marble or slate also those engaged in the preparation and/or erection of terrazzo or similar compositions.

Bricklayers, tuck pointers, coke slab wall erectors, gas retort erectors, gas retort repairers, fire clay block layers, floor tilers, wall tilers, roof tilers, slaters, concrete block layers, artificial stone layers, terra cotta fixers, majolica fixers, earthenware duct layers, glazed earthenware urinal fixers, earthenware pipe drain layers in or about a building - cutters of brickwork for doorways or windows.

Plasterers, tilers, lathers, modellers, casters, slaters, terrazzo workers and floor specialists.

Without limiting the meaning of the foregoing callings all persons employed in or on internal and external plastering work, internal and external cementing work, casting and fixing of fibrous and other plaster materials, including press work, fixing of wood and metal lathing or cork slabs or slabs of any material or any similar substitute that may be used as a means for attaching plaster. Top dressing of all concrete work. Plastering work in or in connection with sewers, septic tanks, water tanks or other tanks or pits, cooling chambers. the using of enamellite or gritless asphalt.

Painting and Decorating in or in connection with Buildings and Structures (Commercial, Residential, Industrial or Otherwise) General and Ship Paining, including Naval Ships, Launches, Boats, and other Small Craft with the Brush, Spray, Roller or other Tool.

The Painting of or in connection with Prefabricated Buildings and Structures, (Commercial, Residential, Industrial or Otherwise) and any prefabricated or other Parts of Prefabricated Buildings and Structures as aforementioned.

Painting and decorating of or in connection with plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise); painting and decorating of or in connection with prefabricated plant, machinery, and equipment, fences and posts, (commercial, residential, industrial or otherwise); painting and decorating of prefabricated ship and



or compounds, oils, varnishes, water colours, lacquers, stains, wallpapers, wallhangings, or coverings, coatings, or other materials used in the painting and decorating trade by heat, flame, water, solvents, electrical, mechanical, air powered or hand tools or by grit, shot, or other abrasives or by other means.

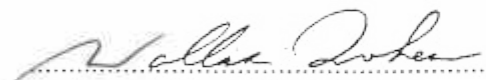
Signwriting, Lettering of Every Description, Size or Shape, Applied by Brush or any Other Like Means, on Any Surface or Material; Designing and/or Lettering of Price Tickets and Show Cards (Where such work is of such a kind as is done by a Signwriter or Person employed wholly on this class of work); Designing and Laying-Out of Windows, Posters, Show Windows, Theatre Displays, Honour Rolls, Illuminated Addresses, Neon Signs, Stencils, Display Banners, and Cut-Out Displays of all Descriptions, either Pictorial, Scenic or Lettering (where such Designing is not done by an Architect or Architectural Draftsman) using Scotchlite or any other Similar Materials (Whether luminous or Otherwise) together with all Processes Concerned therewith; Traffic Signs and/or Symbols; all Pictorial Work in connection with any Signs or Advertisements generally performed by a Signwriter (excluding work done by a Commercial Artist or a Ticket Writer under the Shop Assistants' Award).

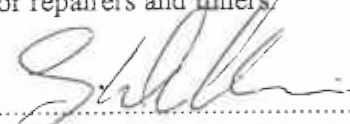
Pictorial or Scenic Painting, Production of Signs or Posters by means of Stencils, Screens, or like Methods or by any other work incidental thereto.

Preparing the Work and Materials required in any of the aforementioned Branches of the Trade.

Persons whether engaged in any Industrial Pursuit or not who have been appointed Officers of the Union or its sub-Branches and admitted as Members thereof.

Wood machinists, wood turners, chair and/or divan makers and/or assemblers, component assemblers, french polishers, mattress makers, machine operators in bedding factories, spring makers and assemblers, unit padders, upholsterers, coffin makers and polishers outside the City of Brisbane, tailerouters, cabinet makers, chair makers, wood carvers, tape edge machine operators, wire weavers, cane and bamboo workers, packers, storemen, sewing machines, glass bevellers and silverers, glass cutters, glass benders and general work in connection therewith, billiard table makers and fitters, clock case makers, 3-ply veneer workers, floor covering layers, blind cutters, blind makers, blind painters and blind fixers, instrument case makers, mantle piece makers, toy makers and repairers, baby carriage makers, new and second hand carpet drapery, table and lamp shade hands, flock workers, rag pickers and fumigators, display article workers, picture frame makers, musical instrument makers and/or repairers and tuners.

  
ASC&J, STATE SECRETARY

  
FFFS, STATE SECRETARY

INDUSTRIAL REGISTRAR

01 OCT 1997

QUEENSLAND

  
ASC&J, STATE PRESIDENT

  
FFFS, STATE PRESIDENT



prefabricated parts of ships of every kind and the painting and decorating of prefabricated launches and boats and the prefabricated parts of launches and boats of every kind.

#### Painting Traffic Lines.

The painting of the exterior of pipe lines on or above the surface of the earth, conduits, valves, condensers, cocks, control and/or regulating stations or sub-stations, and/or pumping, suction, siphon or booster stations or sub-stations, and/or storage holders, pressure regulating holders and/or trestles, bridges, viaducts, pylons, and any other supports, and all machinery and appurtenances relating to the foregoing on water, land, or seas, used or to be used for the purposes of storing and/or regulating and/or conveying liquids or gases including natural oils and gases.

The application of Paint or like Matter of Substitutes with a Bruce, Spray, Roller or other Tool in any of the aforementioned Branches of the Trade.

Glazing, Glass Cutting, Cutting and Fixing Vitrolite or Like material, Fixing of Glass by any means in any place prepared for its reception, Fitting and Fixing Glazing, Glass Processing.

Leadlight and Metal Glazing, including cutting Glass, Assembling and Fixing Glass by means of Lead and/or Metal Sections.

Sandblasting or Gravure Work, Designs and Lay-Outs for Patterns on Glass; all work connected with Sand blastering or Gravure Operations on Glass.

Paperhanging, Applying and/or Fixing Wallhangings or Coverings, Decorating, Kalsomining, Distempering, Colourwashing, Limewashing, Staining, Plastic Relief and Texture Work, Graining, Marbling, Gilding, Enamelling, Varnishing and Lacquering.

Employees who mix and/or apply and/or fix paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative or protective coatings and/or finishes, or putty, stopping, caulking mixtures, compositions or compounds, oils, varnishes, water-colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings (coatings shall not be read and construed to include the applying and fixing of lagging, or the work of applying or fixing of coatings consisting of plaster and/or lime and/or cement and/or aggregate when such substances are mixed or blended with water or the coating of pipes with bitumen and/or wrapping with burlap or hessian or in the State of Victoria only work covered by the description of industry in connection with the Victorian Plasterers Association is registered as at 1st November, 1962 but shall include any subsequent coats of paint or other like material for the purposes of protection or decoration) or other materials used in any of the callings specified in rule 2, Constitution hereof (other than mixing of paint, paint mixtures, protective coatings and/or plastic coatings and/or finishes and/or mixtures, putty, putty mixtures, stopping, caulking mixtures, compositions or compounds, oils, oil mixtures, varnishes, varnish mixtures, water-colours, water-colour mixtures, lacquers, lacquer mixtures, stains and removers, stain removal mixtures in paint and chemical factories) and/or other material used in the painting and decorating trade with a brush, spray, roller or other tool or remove paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative coatings and/or finishes or putty, stopping or caulking mixtures, compositions

"C1"

INDUSTRIAL REGISTRAR  
01 OCT 1997  
QUEENSLAND

REGISTERED CALLINGS OF THE AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS, PLASTERERS, PAINTERS AND DECORATORS OF AUSTRALIA, UNION OF EMPLOYEES, QUEENSLAND AND THE FEDERATED FURNISHING TRADE SOCIETY OF AUSTRALASIA (QUEENSLAND BRANCH) UNION OF EMPLOYEES

Carpenters and joiners and without limiting the meanings of the terms to include ship joiners, joiners in sawmills and joinery mills, bridge carpenters, sheet metal ceiling fixers, shop fitters and show case makers, wood turners and all wood working machinists in such callings; and boat builders, ships' carpenters, shipwrights and fibro cement fixers.

Stonemasons, marble masons, polishers, machinists, sawyers and all other persons engaged in the dressing and preparation and/or erection of stone, marble or slate also those engaged in the preparation and/or erection of terrazzo or similar compositions.

Bricklayers, tuck pointers, coke slab wall erectors, gas retort erectors, gas retort repairers, fire clay block layers, floor tilers, wall tilers, roof tilers, slaters, concrete block layers, artificial stone layers, terra cotta fixers, majolica fixers, earthenware duct layers, glazed earthenware urinal fixers, earthenware pipe drain layers in or about a building - cutters of brickwork for doorways or windows.

Plasterers, tilers, lathers, modellers, casters, slaters, terrazzo workers and floor specialists.

Without limiting the meaning of the foregoing callings all persons employed in or on internal and external plastering work, internal and external cementing work, casting and fixing of fibrous and other plaster materials, including press work, fixing of wood and metal lathing or cork slabs or slabs of any material or any similar substitute that may be used as a means for attaching plaster. Top dressing of all concrete work. Plastering work in or in connection with sewers, septic tanks, water tanks or other tanks or pits, cooling chambers. the using of enamellite or gritless asphalt.

Painting and Decorating in or in connection with Buildings and Structures (Commercial, Residential, Industrial or Otherwise) General and Ship Paining, including Naval Ships, Launches, Boats, and other Small Craft with the Brush, Spray, Roller or other Tool.

The Painting of or in connection with Prefabricated Buildings and Structures, (Commercial, Residential, Industrial or Otherwise) and any prefabricated or other Parts of Prefabricated Buildings and Structures as aforementioned.

Painting and decorating of or in connection with plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise); painting and decorating of or in connection with prefabricated plant, machinery, and equipment, fences and posts, (commercial, residential, industrial or otherwise); painting and decorating of prefabricated ship and



prefabricated parts of ships of every kind and the painting and decorating of prefabricated launches and boats and the prefabricated parts of launches and boats of every kind.

#### Painting Traffic Lines.

The painting of the exterior of pipe lines on or above the surface of the earth, conduits, valves, condensers, cocks, control and/or regulating stations or sub-stations, and/or pumping, suction, siphon or booster stations or sub-stations, and/or storage holders, pressure regulating holders and/or trestles, bridges, viaducts, pylons, and any other supports, and all machinery and appurtenances relating to the foregoing on water, land, or seas, used or to be used for the purposes of storing and/or regulating and/or conveying liquids or gases including natural oils and gases.

The application of Paint or like Matter of Substitutes with a Bruce, Spray, Roller or other Tool in any of the aforementioned Branches of the Trade.

Glazing, Glass Cutting, Cutting and Fixing Vitrolite or Like material, the Fixing of Glass by any means in any place prepared for its reception, Fitting and Fixing Glazing Bars, Glass Processing.

Leadlight and Metal Glazing, including cutting Glass, Assembling and Fixing Glass by means of Lead and/or Metal Sections.

Sandblasting or Gravure Work, Designs and Lay-Outs for Patterns on Glass; all work connected with Sand blasting or Gravure Operations on Glass.

Paperhanging, Applying and/or Fixing Wallhangings or Coverings, Decorating, Kalsomining, Distemping, Colourwashing, Limewashing, Staining, Plastic Relief and Texture Work, Graining, Marbling, Gilding, Enamelling, Varnishing and Lacquering.

Employees who mix and/or apply and/or fix paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative or protective coatings and/or finishes, or putty, stopping, caulking mixtures, compositions or compounds, oils, varnishes, water-colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings (coatings shall not be read and construed to include the applying and fixing of lagging, or the work of applying or fixing of coatings consisting of plaster and/or lime and/or cement and/or aggregate when such substances are mixed or blended with water or the coating of pipes with bitumen and/or wrapping with burlap or hessian or in the State of Victoria only work covered by the description of industry in connection with the Victorian Plasterers Association is registered as at 1st November, 1962 but shall include any subsequent coats of paint or other like material for the purposes of protection or decoration) or other materials used in any of the callings specified in rule 2, Constitution hereof (other than mixing of paint, paint mixtures, protective coatings and/or plastic coatings and/or finishes and/or mixtures, putty, putty mixtures, stopping, caulking mixtures, compositions or compounds, oils, oil mixtures, varnishes, varnish mixtures, water-colours, water-colour mixtures, lacquers, lacquer mixtures, stains and removers, stain removal mixtures in paint and chemical factories) and/or other material used in the painting and decorating trade with a brush, spray, roller or other tool or remove paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative coatings and/or finishes or putty, stopping or caulking mixtures, compositions



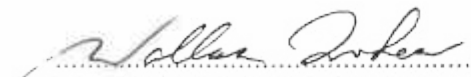
or compounds, oils, varnishes, water colours, lacquers, stains, wallpapers, wallhangings, or coverings, coatings, or other materials used in the painting and decorating trade by heat, flame, water, solvents, electrical, mechanical, air powered or hand tools or by grit, shot, or other abrasives or by other means.

Signwriting, Lettering of Every Description, Size or Shape, Applied by Brush or any Other Like Means, on Any Surface or Material; Designing and/or Lettering of Price Tickets and Show Cards (Where such work is of such a kind as is done by a Signwriter or Person employed wholly on this class of work); Designing and Laying-Out of Windows, Posters, Show Windows, Theatre Displays, Honour Rolls, Illuminated Addresses, Neon Signs, Stencils, Display Banners, and Cut-Out Displays of all Descriptions, either Pictorial, Scenic or Lettering (where such Designing is not done by an Architect or Architectural Draftsman) using Scotchlite or any other Similar Materials (Whether luminous or Otherwise) together with all Processes Concerned therewith; Traffic Signs and/or Symbols; all Pictorial Work in connection with any Signs or Advertisements generally performed by a Signwriter (excluding work done by a Commercial Artist or a Ticket Writer under the Shop Assistants' Award).

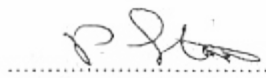
Pictorial or Scenic Painting, Production of Signs or Posters by means of Stencils, Screens, or like Methods or by any other work incidental thereto.

Preparing the Work and Materials required in any of the aforementioned Branches of the Trade.

Persons whether engaged in any Industrial Pursuit or not who have been appointed Officers of the Union or its sub-Branches and admitted as Members thereof.

  
ASC&J, STATE SECRETARY

  
FETS, STATE SECRETARY

  
ASC&J, STATE PRESIDENT



INDUSTRIAL REGISTRAR

01 OCT 1997

QUEENSLAND

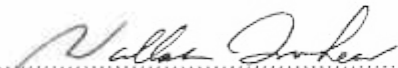
  
FETS, STATE PRESIDENT

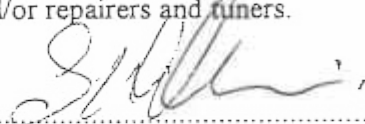
"C2"

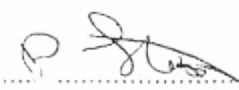
REGISTERED CALLINGS OF THE FEDERATED FURNISHING TRADE SOCIETY OF AUSTRALASIA (QUEENSLAND BRANCH) UNION OF EMPLOYEES

---

Wood machinists, wood turners, chair and/or divan makers and/or assemblers, component assemblers, french polishers, mattress makers, machine operators in bedding factories, spring makers and assemblers, unit padders, upholsterers, coffin makers and polishers outside the City of Brisbane, tailerouters, cabinet makers, chair makers, wood carvers, tape edge machine operators, wire weavers, cane and bamboo workers, packers, storemen, sewing machines, glass bevellers and silverers, glass cutters, glass benders and general work in connection therewith, billiard table makers and fitters, clock case makers, 3-ply veneer workers, floor covering layers, blind cutters, blind makers, blind painters and blind fixers, instrument case makers, mantle piece makers, toy makers and repairers, baby carriage makers, new and second hand carpet drapery, table and lamp shade hands, flock workers, rag pickers and fumigators, display article workers, picture frame makers, musical instrument makers and/or repairers and tuners.

  
ASC&J, STATE SECRETARY

  
FFTS, STATE SECRETARY

  
ASC&J, STATE PRESIDENT

  
FFTS, STATE PRESIDENT

INDUSTRIAL REGISTRAR  
01 OCT 1997  
QUEENSLAND

"D"

**SCHEME OF AMALGAMATION OF THE AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS, PLASTERERS, PAINTERS & DECORATORS OF AUSTRALASIA UNION OF EMPLOYEES ("ASC&J") AND THE FEDERATED FURNISHING TRADE SOCIETY OF AUSTRALASIA, QUEENSLAND BRANCH, UNION OF EMPLOYEES ("FFTS")**

1. The ASC&J is authorised to receive on behalf of the applicants, service of documents in connection with the proposed amalgamation and in connection with each of the proposed alternative amalgamation.
2. The ASC&J is to become the proposed amalgamated industrial organisation.
3. The proposed de-registering industrial organisation shall be the FFTS.
4. It is proposed to change the name of the ASC&J to the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland (hereinafter the "CFMEU(Q)").
5.
  - (a) all members of the proposed de-registering industrial organisations are to become, upon the coming into force of the amalgamation, without payment of an entrance fee, members of the proposed amalgamated Industrial organisation; and
  - (b) all life members of the proposed de-registering industrial organisations are to become, upon the coming into force of the amalgamation, without payment of an entrance fee, life members of the proposed amalgamated industrial organisation.
6. The following arrangements shall exist in relation to the property of the proposed de-registering industrial organisation:
  - (a) the property and other assets of the FFTS shall become those of the proposed amalgamated industrial organisation; and
  - (b) the management of the property and other assets of the proposed amalgamated industrial organisation shall be conducted by the State Executive.
7. The following arrangements shall exist in relation to the liabilities of the proposed de-registering industrial organisation:
  - (a) the liabilities of the FFTS shall become those of the proposed amalgamated industrial organisation; and
  - (b) the management of the liabilities of the proposed amalgamated industrial organisation shall be conducted by the State Executive.
8. It is proposed to alter the eligibility rules of the ASC&J by adding the eligibility rules of

INDUSTRIAL REGISTRAR  
01 OCT 1997  
QUEENSLAND



the FFTS. This alteration shall not result in any extension to the eligibility rules of the ASC&J or the FFTS.

9. It is proposed to alter the registered callings of the ASC&J by adding the registered callings of the FFTS. This alteration does not result in any extension of the registered callings of the ASC&J or the FFTS.
10. The constitution of the FFTS shall be included in the amended rules of the ASC&J. The ASC&J rules shall be amended by:
  - (a) the deletion of all current rules to provide for rules in accordance with the Industrial Relations Act 1990;
  - (b) providing for a divisional branch structure;
  - (c) providing for a sub-branch structure;
  - (d) providing for the transition of officers; members; life members; workplace representatives; allocation to divisional branches; assets and liabilities; divisional branch funds; auditor; election and affiliations of the proposed amalgamated industrial organisation;
  - (e) changing the name to the CFMEU(Q);
  - (f) providing for such other amendments as are otherwise referred to in this Scheme of Amalgamation.
11. There is no alternative Scheme of Amalgamation.
12. It is proposed that the first elections for the proposed amalgamated industrial organisation shall occur;
  - (a) in respect of offices held by the former officers of the FFTS within 2 years of the day preceding amalgamation day, with officers to take office in the offices formerly held by former officers of the FFTS on the day 2 years following amalgamation day;
  - (b) in respect of all offices of the Union in 2000 with officers to take office from the 02.01.2001.
13. It is proposed that:
  - (a) all decisions of the Commission binding on the ASC&J and the FFTS,
  - (b) all awards and agreements of the Commission binding on the ASC&J and the FFTS,
  - (c) all pending proceedings in the Commission or elsewhere in relation to which the

INDUSTRIAL REGISTRAR

01 OCT 1997

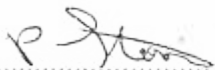
QUEENSLAND

ASC&J and the FFTS were parties,

shall be binding in a like manner on the proposed amalgamated industrial organisation or the proposed amalgamated industrial organisation shall be a party to such pending proceedings, as the case may be.

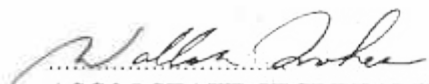
14. It is proposed that annual subscription fees for membership of the proposed amalgamated industrial organisation shall on amalgamation day be as follows:-

- (a) former members of the ASC&J - members who were members of the ASC&J on the day prior to the day fixed by the Commission for amalgamation at the level of such subscription fees on that day;
- (b) former member of the FFTS - members who were members of the FFTS on the day prior to the day fixed by the Commission for amalgamation at the level of such subscription fees on that day,
- (c) new members of the CFMEU(Q) - persons who are admitted to membership on amalgamation day or subsequent to amalgamation day and who were not members of either the ASC&J or the FFTS on the day preceding amalgamation day then the level of the subscription fee shall be the subscription fee of the Divisional Branch to which the member is assigned on admission to the CFMEU(Q), with the subscription fees of the Divisional Branches being as follows:
  - (i) members of the Construction & General Divisional Branch - at the same level of subscription fee as was paid by former members of the ASC&J on the day prior to the day fixed by the Commission for amalgamation;
  - (ii) members of the Furnishing Divisional Branch - at the same level of subscription fee as was paid by former members of the FFTS on the day prior to the day fixed by the Commission for amalgamation.

  
ASC&J STATE PRESIDENT

  
INDUSTRIAL REGISTRAR

  
FFTS STATE PRESIDENT

  
ASC&J STATE SECRETARY

01 OCT 1997  
QUEENSLAND

  
FFTS STATE SECRETARY

"E"

#4

OUTLINE OF AMALGAMATION OF THE AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS, PLASTERERS, PAINTERS & DECORATORS OF AUSTRALASIA UNION OF EMPLOYEES ("ASC&J") AND THE FEDERATED FURNISHING TRADE SOCIETY OF AUSTRALASIA, QUEENSLAND BRANCH, UNION OF EMPLOYEES ("FFTS")

INDUSTRIAL REGISTRAR  
01 OCT 1997  
QUEENSLAND

1. Parties to the Amalgamation

The parties to the amalgamation are the existing organisations of the ASC&J and the FFTS.

2. Name of the Amalgamated Industrial Organisation

It is proposed that the ASC&J shall change its name and adopt the name of the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland (hereinafter the "CFMEU(Q)") as the name of the new union.

3. Nature of the Amalgamation

It is proposed that the host industrial organisation in the proposed amalgamation shall be the ASC&J and that the FFTS shall be deregistered.

4. Members

All present members and life members of the ASC&J and the FFTS shall become members or life members as the case may be of the new union.

Members financial status in the new union shall be the same as it is in the union to which they presently belong and they shall remain as financial members of the new union for the same period of time as they are presently entitled to remain as financial members of the ASC&J or the FFTS as the case may be.

Unfinancial members of the ASC&J and the FFTS shall also be members of the new union but shall remain as unfinancial members until they become financial pursuant to the rules of the new union or are removed as unfinancial members from the roll of members as provided for in the rules of the new union.

No entrance fee shall be charged to members or life members of the ASC&J or the FFTS to join the new union.

5. Subscription Fees

Subscription fees for members of the new union shall on amalgamation day be charged as follows:



- (a) The annual subscription fees to be paid by members of the union subsequent to amalgamation day shall be:-
- (i) for members who were members of the ASC&J on the day prior to amalgamation day at the level of such subscription fees on the day prior to amalgamation day;
  - (ii) for members who were members of the FFTS on the day prior to amalgamation day at the level of such subscription fees on the day prior to amalgamation day.
- (b) Subscription fees entrants to the Union who were not members of the ASC&J or the FFTS on the day prior to amalgamation day:
- (i) for new members of the Queensland Construction and General Divisional Branch shall be an amount equivalent to the level of fees of members of the ASC&J on the day prior to amalgamation day;
  - (ii) for new members of the Furnishing Divisional Branch shall be an amount equivalent to the level of fees of members of the FFTS on the day prior to amalgamation day.

Provided always that the Executive and/or the Committee of Management of the CFMEU(Q) shall be able to determine the scales of subscription fees in relation to the Divisional Branches in accordance with the rules of the new union.

6. Structure of the Amalgamated Industrial Organisation

The structure of the new union shall be comprised of:-

- \* State Conference
- \* State Executive
- \* Divisional Branches

This structure provides for the Offices of the New Union and it is proposed that the present office bearers of the ASC&J and the FFTS shall be translated into the new union as follows:-

State Executive:-

On amalgamation day the State Executive shall be as set out hereunder:

|                     |            |
|---------------------|------------|
| State President     | P Stone    |
| Vice President      | L law      |
| State Secretary     | W Trohear  |
| Assistant Secretary | G Williams |



State Conference:

On amalgamation day the members of the State Conference shall be as set out hereunder:

- (a) The State Executive;
- (b) Furnishing Divisional Branch Committee Members;
- (c) Queensland Construction & General Divisional Branch Committee members.

Each member of State Conference shall exercise a vote on the State Conference equal to the percentage the number of financial members of the Division from which the member derives bears to the financial membership of the Union divided by the number of members of the Divisional Branch entitled to vote. Provided that nothing in this sub-rule prevents proxy voting or multiple voting. Provided further that the members of the State Executive shall exercise their votes as members of the Divisional Branch from which they derive and shall not have a vote ascribed to them because of their office on the State Executive.

Furnishing Divisional Branch Committee Members:

|                             |                         |
|-----------------------------|-------------------------|
| President                   | Leslie Law (Trustee)    |
| Vice Presidents (2)         | John Forrest            |
|                             | Denise Hunter           |
| Secretary                   | Greg Williams (Trustee) |
| Assistant Secretary         | Danielle Widgery        |
| Committee of Management (6) | Michael Stevenson       |
|                             | Donald Baul             |
|                             | Stephen Williams        |
|                             | Rodney Black            |
|                             | Ursula Korableff        |
|                             | Vincent Breen           |

Queensland Construction & General Divisional Branch Committee Members:

|                                 |                 |
|---------------------------------|-----------------|
| State President                 | Peter Stone     |
| State Secretary                 | Wallace Trohear |
| State Assistant Secretaries (2) | Gary Howcroft   |
|                                 | Paul Waters     |
| Vice Presidents (2)             | Kevin Carroll   |
|                                 | John Guinane    |

Ronnie Gasgoyne  
John Gruer  
Brian Hall  
Bill Kilmister  
Frank Pearson  
Alan Pountney  
Trevor Richardson  
Bradley Daniels

7. Objects

The objects of the new union are to ensure maximum co-operation between the ASC&J and the FFTS. All previous office bearers of the ASC&J and the FFTS, shall be entitled to vote in their respective Divisional Branch Committees and shall have representation on State Executive and at State Conference. The basis of such representation shall be on the proportion that the membership of the ASC&J and the FFTS bear to the membership of the new union, with representation being effected through the new Divisional Branch structure.

INDUSTRIAL REGISTRAR  
01 OCT 1997  
QUEENSLAND

8. Rules

The rules of the new union shall be the rules of the ASC&J with appropriate amendments.

It is proposed that 2 Industry Divisional Branches be created and each member of the Union shall be allocated to the relevant Industry and Industry Divisional Branch in accordance with the following: :-

i. Furnishing Divisional Branch

All members engaged or usually engaged in the Industries of offsite furniture and cabinet construction and manufacture and who are eligible to be members of the Union pursuant to Sub-rule 4.5 of the Rules of the Union being the eligibility of the FFTS, and such other members as may be allocated by State Conference.

ii. Queensland Construction and General Divisional Branch

All members, of the Union, other than members allocated pursuant to Sub-rule 6.2 of the Rules of the Union, that is persons who are allocated to the Furnishing Divisional Branch.

On amalgamation it is proposed that the membership of the new union be allocated into the Industry Divisions.

9. Eligibility Rules and Registered Callings

The eligibility rules of the FFTS, shall be inserted into the rules of the ASC&J. This shall not have the effect of extending the eligibility rules of the new union, beyond those



that presently exist for the ASC&J and the FFTS.

The registered callings of the FFTS shall be inserted into the registered callings of the ASC&J. This shall not have the effect of extending the registered callings of the new union beyond those that presently exist for the ASC&J and the FFTS.

#### 10. Transition Rules

The new union shall operate under the rules of the ASC&J with appropriate alteration to provide for combined eligibility rules and registered callings. It is also necessary for transitional rules to be provided which "translate" aspects of the ASC&J and the FFTS, into the new union structure.

The transition rule provides for translation as follows:-

- \* from the date of amalgamation being approved, for the translation of:
  - State Executive Officers
  - State Conference members
  - Divisional Branches & Divisional Branch structures
  - Sub-Branches & Sub-Branch structures
  - Office Stewards, Job Stewards and Work Place representatives
  - Members
  - Life members
  - Honorary members
  - Financial status of members
  - Liabilities
  - Property and Assets
  - Affiliation to state or national organisations;
- \* for the filling of vacancies caused either casually or by persons not taking up positions on the day of amalgamation;
- \* for State Conference to meet in accordance with the rules and for the first such meeting;
- \* for elections for the Furnishing Divisional Branch to be conducted within 2 years of the day preceding Amalgamation Day with Officers to take Office on the day 2 years following the day preceding Amalgamation Day;
- \* for elections for the Union to be conducted in 2000 with Officers to take Office in 2001;
- \* for the new union's Auditor and for the Auditor of the Divisional Branches;
- \* for subscription fees;

and such other translations as are otherwise referred to in this outline.

  
 INDUSTRIAL REGISTRAR  
 01 OCT 1997  
 QUEENSLAND  
 ~~~~~

11. Sub-Branches

It is proposed that the Sub-Branches of the ASC&J and the FFTS, as the case may be, shall be translated into the new union, shall continue to operate and shall be referred to as Sub-Branches.

12. Stewards and Workplace Representatives

It is proposed that shop stewards, job stewards, work representatives, job delegates or other delegates howsoever called of the ASC&J and the FFTS shall be translated into the new union, shall continue to operate and shall be referred to as shop stewards, job stewards, work place representatives, job delegates or other delegates howsoever called.

13. Management

The management of the property, assets and liabilities of the new union shall be undertaken by the State Executive of the new union. The property, assets and liabilities of the ASC&J and the FFTS shall be translated to the new union and shall become the property, assets and liabilities of the new union. Provided that the benefit and use of property presently held by the respective unions shall be allocated to the Industry Divisional Branch Fund to which the members are respectively allocated. By this process the autonomy of the Industry Divisional Branches shall be preserved.

14. Employees

The new union shall have authority under its rules to appoint such employees and/or agents as are necessary in the view of the State Executive to serve the new unions Industry Divisional Branches.

15. Existing Agreement and Awards

All existing agreements and awards of the ASC&J and the FFTS, shall be binding on the new union.

16. Pending Proceedings

The new union shall be a party to any pending proceedings to which the ASC&J or the FFTS are presently parties.

17. Auditor

It is proposed that the Auditor for the new union shall be the Auditor of the ASC&J.

18. Elections

It is proposed that the first elections for the proposed amalgamated industrial organisation shall occur:

- (a) in respect of offices held by the former officers of the FFTS within 2 years of the day preceding amalgamation day, with officers to take office in the offices formerly held by former officers of the FFTS on the day 2 years following amalgamation day;
- (b) in respect of all offices of the Union in 2000 with officers to take office from the 02.01.2001.

19. Principles

The establishment of the new union is designed to achieve the following objectives:-

- (a) democratic representation of members;
- (b) equitable industrial representation of members;
- (c) enhanced organisation of members on a geographical, industrial and occupational basis;
- (d) the establishment of Industry Divisional Branches to retain the industrial identity of the membership, whilst at the same time allowing the members to be part of and participate in a larger, more influential and more dynamic Union;
- (e) each Industry Divisional Branch, shall within the Divisional structure of the union have extensive power and authority which will ensure that the members are involved in determining issues that affect their wages, employment, safety, work rights and conditions of employment;
- (f) the rules of the new union provide that each Industry Divisional Branch shall have autonomy over all matters that do not directly affect the members of the other Industry Divisional Branches.

INDUSTRIAL REGISTRAR

01 OCT 1997

QUEENSLAND

20. Alteration of Rules

The rules of the new union may be altered, deleted or additions made thereto by the Executive or Committee of Management and in respect of Industry Divisional Branch rules by the Industry Division Committees pursuant to the rules of the union.

ASC&J, STATE SECRETARY

FFTS, STATE SECRETARY

ASC&J, STATE PRESIDENT

FFTS, STATE PRESIDENT

"F"

RESOLUTION PASSED BY THE STATE MANAGEMENT COMMITTEE OF THE AMALGAMATED SOCIETY OF CARPENTERS, JOINERS, BRICKLAYERS, PLASTERERS, PAINTERS AND DECORATORS OF AUSTRALASIA, UNION OF EMPLOYEES, QUEENSLAND

- "1. That the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland amalgamate with the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees and authorise the Secretary to:-
 - (a) make application for amalgamation to the State Industrial Commission;
 - (b) to meet the legal requirements; and
 - (c) to make application for exemption from ballot on the basis of the federal counterpart bodies of the the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees should such applications be available pursuant to the Industrial relations Act.
2. That the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland:-
 - (a) change its name to the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
 - (b) amend its Eligibility Rule to include the present Eligibility Rules of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees;
 - (c) amend its Registered Callings to include the present Registered Callings of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees;
 - (d) make such amendments to the Rules as are necessary to provide for industry divisional branches; and
 - (e) make such amendments to the Rules as are necessary to comply with the Industrial Relations Act 1990.
3. That the draft set of rules of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators of Australasia, Union of Employees, Queensland, which reflect the proposed amalgamation, and which are annexed hereto as attachment 1 be adopted as the new rules of the union following an amalgamation with the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees.
4. That the Scheme of Amalgamation and written Outline of the Scheme of Amalgamation which are annexed hereto as attachment 2 and 3 respectively be adopted .
5. That if a Community of interest is determined to exist between the members of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and the members of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees that the Secretary make application for a Community of Interest Declaration in relation to the

amalgamation.

6. That the YES case statement annexed hereto as attachment 4 in support of the proposed amalgamation be adopted.
7. That should there be concerted opposition to the name of the amalgamated industrial organisation being the Construction, Forestry, Mining & Energy, Union of Employees, Queensland that the Secretary be directed to amend the application to seek that the name of the amalgamated industrial organisation be the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators, and Furnishing Trades of Australasia, Union of Employees, Queensland.
8. That the Committee of Management of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland resolves that the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland use its financial and other resources in support of the proposed amalgamation with the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees.
9. If as a consequence of applications and rule changes made pursuant to these resolutions the Commission refuses to adopt and/or ratify such application or rule changes on the ground that the application and/or the rule change does not comply with the Act and/or any other law, then the Secretary shall be authorised to amend such application or rule change to conform with the requirements of the Commission, provided that such amendment does not substantially depart from the scope and ambit of these resolutions.
10. That the Committee of Management of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland resolves that it discontinue its application for amalgamation being application U6 of 1995 (FEDFAQ & QCEUE).
11. That the Committee of Management of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland authorise the Secretary to further discuss amalgamation with the Australian Building Construction Employees and Builders' Labourers' Federation (Queensland Branch) Union of Employees with a view to amalgamating with the Australian Building Construction Employees and Builders' Labourers' Federation (Queensland Branch) Union of Employees following upon amalgamation with the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees.
12. That the Committee of Management of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland authorise the Secretary to further discuss amalgamation with the Federated Engine Drivers and Firemans Association of Australasia and the Queensland Colliery Employees Union of Employees with a view to amalgamating with the those Unions following upon amalgamation with the Australian Building Construction Employees and Builders' Labourers' Federation (Queensland Branch) Union of Employees.

INDUSTRIAL REGISTRAR

DATE RESOLVED

01 OCT 1997

W.W. Trohear
STATE SECRETARY.

QUEENSLAND

P. J. Stone
STATE PRESIDENT.

"G"

RESOLUTION PASSED BY THE COMMITTEE OF MANAGEMENT OF THE FEDERATED FURNISHING TRADE SOCIETY OF AUSTRALASIA, QUEENSLAND BRANCH, UNION OF EMPLOYEES

"1. That the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees amalgamate with the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and authorise the Secretary to:-

- (a) make application for amalgamation to the State Industrial Relations Commission;
 - (b) to meet the legal requirements; and
 - (c) to make application for exemption from ballot on the basis of the relative sizes of the 2 unions and/or on the basis of amalgamation of the federal award part bodies of the the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees should such applications be available pursuant to the Industrial relations Act.
2. That the Scheme of Amalgamation and written Outline of the Scheme of Amalgamation which are annexed hereto as attachment 1 and 2 respectively be adopted.
 3. That if a Community of interest is determined to exist between the members of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and the members of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees that the Secretary make application for a Community of Interest Declaration in relation to the amalgamation.
 4. That the YES case statement annexed hereto as attachment 3 in support of the proposed amalgamation be adopted.
 5. The draft rules as proposed and as annexed as attachment 4 are appropriate for the amalgamated Union and are endorsed.
 6. That should there be concerted opposition to the name of the amalgamated industrial organisation being the Construction, Forestry, Mining & Energy, Union of Employees, Queensland that the Secretary be directed to amend the application to seek that the name of the amalgamated industrial organisation be the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators, and Furnishing Trades of Australasia, Union of Employees, Queensland.
 7. That the Committee of Management of the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees, resolves that the Federated Furnishing Trade Society of Australasia, Queensland Branch, Union of Employees use its financial and other resources in support of the proposed amalgamation with the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters, Decorators, and Furnishing Trades of Australasia, Union of Employees, Queensland.

INDUSTRIAL REGISTRAR

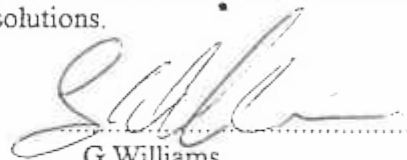
01 OCT 1997

QUEENSLAND

8. If as a consequence of applications and rule changes made pursuant to these resolutions the Commission refuses to adopt and/or ratify such application or rule changes on the ground that the application and/or the rule change does not comply with the Act and/or any other law, then the Secretary shall be authorised to amend such application or rule change to conform with the requirements of the Commission, provided that such amendment does not substantially depart from the scope and ambit of these resolutions.

DATE RESOLVED

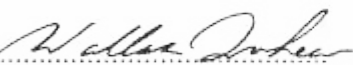
11/3/97



G Williams
Secretary

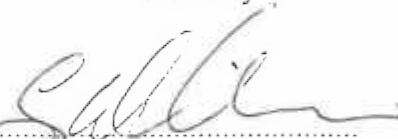
Signed:

SECRETARY
ASC&J



Signed:

SECRETARY
FFTS



Signed:

PRESIDENT
ASC&J



Signed:

PRESIDENT
FFTS




INDUSTRIAL REGISTRAR
01 OCT 1997
QUEENSLAND

"H"
**STATEMENT OF SUPPORT OF THE
 PROPOSED AMALGAMATION
 CFMEU (Q.)**

ASC & J

Amalgamated Society of Carpenters, Joiners,
 Bricklayers, Plasterers, Painters and Decorators
 of Australasia, Union of Employees, Queensland

FFTS

Federated Furnishing Trades Society
 of Australasia (Queensland Branch),
 Union of Employees

THE NEW C.F.M.E.U. (Q.)

Construction, Forestry, Mining, Energy, Industrial Union of Employees, Queensland.

THE NEW UNION

VOTE YES TO AMALGAMATION


 INDUSTRIAL REGISTRAR
 01 OCT 1997
 QUEENSLAND



THE NEW UNION STRONGER FOR YOU

A Better Deal for Members



As a combined union the ASC & J and the FFTS shall have over 12000 members with the combined resources needed to:

- * Provide job security, wages and conditions of employment
- * Provide fast, efficient service
- * Provide improved training and career opportunities
- * Provide greater influence when dealing with employers
- * Provide for ensuring membership control over decision making in the Union and in the workplace

Better Union Services



By pooling our resources at a state level, we can give members better Union services and better value for money.

United campaigns can be run on important issues such as job security, better deals on superannuation, improved training and career prospects, parental leave, workplace health and safety, anti-discrimination and other workplace issues.

Improved communication system and regular information.

A broader range of membership benefits such as discounted and free financial and legal advice, membership of the Union Shopper, enhanced credit facilities and special offers.

Free training courses on work related issues.

The New Structure



Amalgamation does not mean that a lot of changes have to be made in the day to day structure of each Union.

The changes will be at the state level, where a new structure shall be put in place to bring the two Unions together as partners in the New Union.

In practice the New Union will be made up of 2 industry divisions, the:

- * Furnishing Divisional Branch
- * Queensland Construction and General Divisional Branch

Members of the ASC & J and the FFTS shall be assigned to an Industry Division according to the nature of their employment. All members shall have the same rights and shall have representatives on the various bodies of the New Union:

- * The State Conference
- * The State Executive
- * Divisional Branch Committees


 INDUSTRIAL REGISTRAR
 01 OCT 1997
 QUEENSLAND
 ~~~~~



## The Process



To ensure integration of the membership is achieved as democratically as possible, transitional Rules have been developed which:

- \* Translate the office bearers of each of the two Unions into the structure of the New Union
- \* Provide for elections for the New Union to occur in 2000
- \* Provide for the first annual Branch Council to be held in 2000

There is more information about the structure of the New Union in the "Outline of Scheme for Amalgamation".

## The Yes Box



Your Ballot papers asks you only the one question - to support the amalgamation simply place a ✓ in the Yes box.

## Voting is secret and anonymous



Every vote is confidential and is returned directly to an independent body, the Queensland Electoral Commission who open the envelopes and count the votes.

After you have filled out your Ballot paper place it in the envelope marked "Ballot Paper Only" and seal it. Then put the "Ballot Paper Only" envelope in the "Reply Paid" envelope and post it straight away.

## A New Union in 2 Easy Steps



1. Place a ✓ in the Yes Box on your Ballot paper.
2. Put it in the "Ballot Paper Only" envelope and put this envelope in the "Reply Paid" envelope and post it, its free.

INDUSTRIAL REGISTRAR  
01 OCT 1997  
QUEENSLAND

Question for Voters

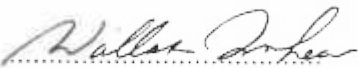
Do you approve the proposed amalgamation of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland with the following organisation, namely the Federated Furnishing Trades Society of Australasia, (Queensland Branch), Union of Employees, in accordance with the scheme for amalgamation, a copy of the outline of which has been sent to you with this Ballot Paper?

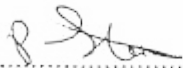
✓ YES

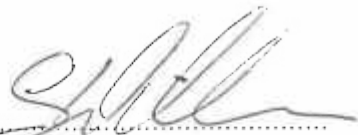
Place a ✓ in the Yes box



**THE NEW UNION STRONGER FOR YOU**

Signed:   
SECRETARY  
ASC&J

Signed:   
PRESIDENT  
ASC&J

Signed:   
SECRETARY  
FFTS

Signed:   
PRESIDENT  
FFTS

  
INDUSTRIAL REGISTRAR  
01 OCT 1997  
QUEENSLAND

Form 1

BACKING SHEET FOR ALL MATTERS

(Application No. U19 of 1997)

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION  
Level 14, Central Plaza 2, 66 Eagle Street, Brisbane 4000  
(GPO Box 373, Brisbane 4001)

*Workplace Relations Act 1997*



**Application for Amalgamation of ASC&J and FFTS including Community of Interest Declaration and Exemption from Ballot.**

Filed by: Amelia Stubbs

Contact Name: John Payne  
Nall Payne Solicitors

Address: Level 19  
141 Queen Street  
BRISBANE Q 4001

Phone: (07) 3221 2044

Facsimile No: (07) 3229 9842

NOTE: This address is the address for service of the above party.

FILED AND FEE  
\$19 ..... paid  
5193631



## QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

*Industrial Organisations Act 1997*  
s. 141 – declaration of date for amalgamation

Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers,  
Painters and Decorators of Australasia, Union of Employees, Queensland

AND

The Federated Furnishing Trade Society of Australasia (Q'land Branch) Union of Employees  
(No. U19 of 1997)

CHIEF INDUSTRIAL COMMISSIONER HALL

29 January 1998

## INSTRUMENT OF AMALGAMATION

WHEREAS on 29 August 1997 an application was made under s. 104 of the *Industrial Organisations Act 1997* (the Act) for approval to submit to ballot a proposed amalgamation of the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and The Federated Furnishing Trade Society of Australasia (Q'land Branch) Union of Employees,

AND WHEREAS the said application was amended on 1 October 1997,

AND WHEREAS the scheme of amalgamation filed with the application (as amended) proposed that upon the amalgamation taking effect The Federated Furnishing Trade Society of Australasia (Q'land Branch) Union of Employees would be de-registered and the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland would remain registered but with the altered name of The Construction, Forestry, Mining and Energy, Industrial Union of Employees, Queensland,

AND WHEREAS on 24 October 1997 the Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland was granted exemption from the requirement that a ballot be held in relation to the proposed amalgamation,

AND WHEREAS on 24 October 1997 the proposed amalgamation was approved for submission to ballot of members of The Federated Furnishing Trade Society of Australasia (Q'land Branch) Union of Employees,

AND WHEREAS the members of The Federated Furnishing Trade Society of Australasia (Q'land Branch) Union of Employees approved the amalgamation,

AND WHEREAS I am satisfied that there are no pending proceedings against either of the existing organisations for a contravention of any of the laws, statutory instruments or orders particularised at s. 141(3)(b),

AND WHEREAS I have consulted with each of the existing organisations and have been informed that 29 January 1998 is the preferred date of amalgamation,

NOW THEREFORE pursuant to s. 141 of the Act I fix 29 January 1998 as the day on which the amalgamation is to take effect and I de-register The Federated Furnishing Trade Society of Australasia (Q'land Branch) Union of Employees.

D. R HALL, Chief Industrial Commissioner.

Operative Date: 29 January 1998  
Order – Declaration of Date for Amalgamation

Released:

## QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

*Industrial Organisations Act 1997*  
*Industrial Organisations Regulation 1997*  
s. 142 and s. 99 – amalgamation taking effect

Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of  
Australasia, Union of Employees, Queensland

AND

The Federated Furnishing Trade Society of Australasia (Q'land Branch) Union of Employees

(No. U19 of 1997)

**NOTICE**

The Commission has fixed the twenty-ninth day of January, 1998 as the day on which the amalgamation of Amalgamated Society of Carpenters, Joiners, Bricklayers, Plasterers, Painters and Decorators of Australasia, Union of Employees, Queensland and The Federated Furnishing Trade Society of Australasia (Q'land Branch) Union of Employees takes effect and the name of the amalgamated Industrial Organisation becomes The Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland.

Dated this twenty-ninth day of January, 1998.



E. EWALD  
Industrial Registrar.

**RULES OF THE CONSTRUCTION, FORESTRY, MINING & ENERGY,  
INDUSTRIAL UNION OF EMPLOYEES, QUEENSLAND**

**INDEX**

| Rule | Description                                                        |
|------|--------------------------------------------------------------------|
| 1.   | Name and Office                                                    |
| 2.   | Eligibility                                                        |
| 3.   | Objects                                                            |
| 4.   | Application for Membership                                         |
| 5.   | Entrance Fee                                                       |
| 6.   | Contributions                                                      |
| 7.   | Financial Membership                                               |
| 8.   | Resignation of Members                                             |
| 9.   | Transfer of Members                                                |
| 10.  | Duties of Members                                                  |
| 11.  | Misconduct of Members                                              |
| 12.  | Appeals of Members and Sub-Branchees to State Management Committee |
| 13.  | Control and Suspension of Members                                  |
| 14.  | Register of Members and Officers                                   |
| 15.  | Recovery of Arrears                                                |
| 16.  | Property and Funds of the Union                                    |
| 17.  | Banking and Expenditure of Funds                                   |
| 18.  | State Management Committee                                         |
| 19.  | State Management Committee Finance                                 |
| 20.  | State Executive                                                    |





|     |                                                                                                        |
|-----|--------------------------------------------------------------------------------------------------------|
| 21. | Duties of the State President                                                                          |
| 22. | Duties of State Secretary                                                                              |
| 23. | Duties of Assistant Secretaries                                                                        |
| 24. | Trustees                                                                                               |
| 25. | Organisers                                                                                             |
| 26. | Removal of Officers                                                                                    |
| 27. | Salaries of Officers                                                                                   |
| 28. | Election of State Secretary, Assistant State Secretary, State Management Committee Members, Organisers |
| 29. | Elections from Management Committee                                                                    |
| 30. | Returning Officer and Scrutineers                                                                      |
| 31. | Delegates Meeting                                                                                      |
| 32. | State Delegates Convention                                                                             |
| 33. | Election of Delegates                                                                                  |
| 34. | Sub-Branche                                                                                            |
| 35. | Aggregate Meetings                                                                                     |
| 36. | Delegation Approval                                                                                    |
| 37. | Shop Stewards                                                                                          |
| 38. | Apprentices                                                                                            |
| 39. | Audit of Accounts                                                                                      |
| 40. | Special Auditors                                                                                       |
| 41. | Donations/Loans                                                                                        |
| 42. | Interpretation of Rules                                                                                |
| 43. | Affiliation                                                                                            |
| 44. | Disputes with Management                                                                               |



- 45. Alteration of Rules
- 46. Dissolution
- 47. Ballots/Plebiscites - Control by Members
- 48. Common Seal and Mode of Execution of Documents
- 49. Standing Orders and Rules of Debate
- 50. Merger Rule



"A"

**RULES OF THE CONSTRUCTION, FORESTRY, MINING & ENERGY,  
INDUSTRIAL UNION OF EMPLOYEES, QUEENSLAND**

INDUSTRIAL REGISTRAR

12 APR 1999

QUEENSLAND

**1. NAME AND OFFICE**

1.1 The name of the Union shall be the:

Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland, described in these rules as the "Union", and the "Association".

1.2 The Office of the Union shall be at Union House, 366 Upper Roma Street, Brisbane, to which all communications and notices shall be addressed.

1.3 This Office shall be the place of meeting for the purposes of conducting the business of the Union except where the State Management Committee directs otherwise.

**2. ELIGIBILITY**

2.1 The Union shall consist of an unlimited number of persons, employed or usually employed as carpenters or joiners, including ship carpenters or joiners, or as stonemasons, marble masons, polishers, machinists, sawyers and all other persons engaged in the dressing and preparation and/or erection of stone, marble or slate also those engaged in the preparation and/or erection of terrazzo or similar compositions; also those employed in or usually employed in the following callings:- Bricklaying, tuckpointing, coke slab wall erection, gas retort repairers, fire clay block layers, floor tilers, roof tilers, slaters and shinglers, Terracotta fixer; majolica fixers, earthenware pipe drain layers in or about a building, cutters of brickwork for doorways, windows etc. plasterers, fibrous plasterers; tilers; floor specialists; lathers; together with such other persons, whether employees in the industry or not, as have been appointed Officers of the Association and admitted as members hereof.

2.2 This Union shall also consist of an unlimited number of persons employed in or usually employed in the painting and decorating industry in connection with buildings and structures, plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise), general and ship painting, including the following:

- (a) On ships the painting of all accommodation and appurtenances thereto provided for passengers and ships complement, hospitals and pharmacies wherever situated, chart rooms, wheel houses and other navigational Offices aboard ships including naval ships of every kind, and the painting of prefabricated ships and prefabricated parts of ships of every kind.
- (b) The painting of launches and boats of every kind and the painting of prefabricated launches and boats and the prefabricated parts of launches and boats of every kind.



- (c) The painting of or in connection with all buildings and structures, plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise). The painting of or in connection with prefabricated buildings and structures, plant, machinery and equipment, (commercial, residential, industrial or otherwise) and any prefabricated or other parts or prefabricated building and structures as aforementioned.
- (d) The painting of the exterior of pipe lines on or above the surface of the earth, conduits, valves, condensers, cocks, control and/or regulating stations, or substations, and/or pumping, suction, syphon or booster stations or substations, and/or storage holders, pressure regulating holders and/or trestles, bridges, viaducts, pylons, and any other supports, and all machinery and appurtenances relating to the foregoing on water, land, or seas, used or to be used for the purposes of storing and/or regulating and/or conveying liquids or gases including natural oils and gases.
- (e) Glazing, glass cutting, glass processing, cutting and fixing vitrolite or like material, the fixing of glass by any means in any place prepared for its reception, fitting and fixing glazing bars.
- (f) Paperhanging, applying and/or fixing wall hangings or coverings, decorating, kalsomining, distempering, plastic relief and texture work, graining, marbling, gilding, enamelling, varnishing and lacquering.
- (g) Signwriting, designing and/or lettering of price tickets and showcards.
- (h) Pictorial or scenic painting, or production of signs or posters by means of stencils, screens or like methods or any other work incidental thereto including cut-out displays of all descriptions, pictorial, scenic or lettering.
- (i) Leadlight and metal glazing including cutting glass, assembling and fixing such glass by means of lead and/or metal sections.
- (j) Employees who mix and/or apply and/or fix paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative or protective coatings and/or finishes, putty stopping, caulking mixtures, compositions or compounds, oils, varnishes, water-colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings (coatings shall not be read and construed to include the applying and fixing of lagging, or the work of applying or fixing of coatings consisting of plaster and/or lime and/or cement and/or aggregate when such substances are mixed or blended with water or the coating of pipes with bitumen and/or wrapping with burlap or hessian or other like material for the purposes of protection or decoration) or other materials used in any of the callings specified in Rule 1.2.2, Constitution hereof (other than mixing of paint, paint mixtures, protective coatings and/or plastic coatings and/or finishes and/or mixtures, putty, putty mixtures, stopping, caulking mixtures, compositions or compounds, oils, oil mixtures, varnishes, varnish mixtures, water colours, water-colour mixtures, lacquers, lacquer mixtures, stains and removers,

stain removal mixtures in paint and chemical factories) and/or other materials used in the painting and decorating trade with a brush, spray, roller or other tool or remove paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative coatings and/or finishes or putty, stopping, or caulking mixtures, compositions or compounds, oils, varnishes, water colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings, or other materials used in the painting and decorating trade by heat, flame, water solvents, electrical, mechanical, air-powered or hand tools or by grit, shot, or other abrasives or by any other means.

- (k) The Union shall also consist of an unlimited number of persons engaged in preparing the work and materials required in any of the aforementioned branches of the trade together with such other persons whether engaged in any industrial pursuit or not who have been appointed Officers of the Union or its branches and admitted as members thereof but shall not include persons employed in connection with the production or preparation of manufactured goods, plant, machinery, equipment, packages, or containers for sale or purposes of distribution.

- 2.3 Nothing in these rules shall make eligible for membership any employee employed in or in connection with the conduct of Hamilton Island and Dent Island as part of the Island Tourist Resort Industry other than employees of contractors and/or subcontractors employed on the mainland and performing work on Hamilton Island and Dent Island from time to time.

Provided further that, notwithstanding the foregoing provisions of this rule, the union does not have the right to enrol as members, employees of Mount Isa Mines Limited covered by the Mount Isa Mines Limited Award and the Mount Isa Mines Limited Tracing Employees Industrial Agreement.

- 2.4 Notwithstanding any other provision in these rules, a person employed by a sugar mill, refinery, distillery, terminal or storage operation and milling, refining, distilling, terminal, storage or other sectors of the sugar industry shall not be eligible to become a member of the union.
- 2.5 The Union also shall consist of an unlimited number of members who are employed in, or competent to be employed in or in connection with the following industries or trades: Piano and piano-player makers and tuners, organ-makers, and makers of gramophones and all other musical instruments, cabinet-makers, wood-carvers, billiard table makers and fitters, clock-case makers, coffin-makers, 3-ply veneer workers, chair and couch makers, or other articles of sitting accommodation, sewing machines, upholsterers, carpet and linoleum planners and all floor covering layers, outdoor hands, measuring, fixing, soft furnishings, blind cutting, making, painting, fixing, french-polishers, enamellers, spraying machine operators, makers of wireless instrument cases or cabinets, woodturners, mantel-piece makers, overmantel-makers, mattress-makers, wire-weavers, picture-frame makers, bedding-makers, quiltmakers (including eiderdown), venetian and wire-blind makers, bamboo pith and cane and wicker workers, packers of crockery and furniture mantle-pieces, pictures, carpets, drapery, plate and sheet glass in warehouses, shops, factories or stores, glass bevellers, glass benders, glass worker (excepting those on spectacles, lenses



or frames and employees in firms where such employees are engaged on work connected with the manufacture or repair of scientific, precision or other instruments such as binoculars, microscopes, military, aircraft and naval instruments), glass lampshade workers, safety glass workers, toy makers and/or toy repairers in establishments where the chief product or products or one of the chief products manufactured in such establishments is otherwise provided for herein; cutters, silverers, glaziers, glass polishing, cutting, painting, cementing, leadlight glaziers and cutters, and all woodworking or other machinists, and operators of other mechanical devices preparing material for above employees; millwright's baby carriage makers, upholstresses, new and second-hand carpet, drapery, table and lampshade hands; flock-workers, rag-pickers and fumigators; timber stackers, yardmen and labourers, and all other employees working in new and secondhand furniture factories, piano factories, organ factories, mantel-piece factories, billiard-table factories, overmantel factories, bedding-factories, mattress factories, venetian and wire-blind factories, picture-frame factories, plate-glass factories, luxfer glazing factories, bamboo pith cane; Reed-tex, Hytex, and wicker-work factories, sewing machine factories, flock factories, window background workers, display article workers, refrigerator workers, incubator workers, together with such other persons, whether employees engaged in the industries or not, as have been appointed officers of the Union and admitted as members thereof, provided that a branch may issue a clearance to any member whom it may be considered should not retain his membership on the ground that he is working in an industry not governed by any awards of the Society.

INDUSTRIAL REGISTRAR

12 APR 1999

QUEENSLAND

### 3. OBJECTS

3.1 The objects of the Union are as follows:

- (a) To uphold the right of combination of labour, and to improve, protect, and foster the best interests of the Union and its members, and to assist them to obtain their rights under industrial and social legislation.
- (b) To regulate the conditions under which all members, of the Union may be employed.
- (c) To affiliate to, federate with, amalgamate with, or otherwise combine with any trade or industrial Union, or association, or association of Trades Unions or any other organisation having objects similar in whole or in part to the objects of this Union.
- (d) To establish a fund for the assistance and support of Trade Unionists and to carry out the foregoing objects.
- (e) To establish a funeral and other benefit funds.
- (f) To establish Divisional Branches, Sub-Branches, Districts or Sections of the Union throughout Queensland.
- (g) To further any scheme that has for its object the establishment of Labor Research and Information Bureaux, and to assist in the establishment and maintenance of



Labour and Trade Union newspapers and wireless broadcasting and television stations, and to invest in shares in such newspapers and radio and television stations.

- (h) To constitute, conduct, carry on and manage clubs in the interest of members.
- (i) To pay affiliation fees to and assist financially or otherwise any bona fide labour or Trade Union Organisation or Association.
- (j) To establish and manage a Union Journal or Journals.
- (k) To hold, purchase, lease, sell, mortgage or otherwise deal in property.
- (l) To enter into contracts and agreements for the purpose of furthering directly or indirectly any one or more of these objects.
- (m) To raise money by levies and/or other means for the purpose of carrying on the objects of the Union.
- (n) To render legal and other assistance to members for the recovery of wages or compensation for injuries, to protect the interests of the trade in all its Divisional Branches, and to assist other trades by any legal method.
- (o) To obtain such other objects as the State Conference or State Executive shall from time to time determine.
- (p) To organise the education of members.
- (q) To establish a fund from which to provide retiring allowances to full time Officers and employees of the Union or its Divisional Branches.
- (r) The advancement of members intellectually, morally and socially and to do all things which, in the opinion of the Union, is in the interest of members including donations to political parties, the achievement of compulsory Unionism, preference in employment, retrenchment, promotion, demotion and transfer in employment, the production and distribution of newspapers, journals and the like.
- (s) To achieve such other objects as may be lawfully adopted by any Divisional Branch of the Union.
- (t) To raise political levies, donate to and/or affiliate with political parties and to partake in conciliation and/or arbitration system in the State.

  
**INDUSTRIAL REGISTRAR**  
 12 APR 1999  
**QUEENSLAND**

3.2 The Union has, in the exercise of its affairs, all the powers of an individual.

3.3 Without limiting the power provided in Subrule 3.2 the Union may exercise the following powers:

- (a) enter into contracts;
- (b) acquire, hold, deal with and dispose of property;
- (c) make charges for services and facilities it supplies;
- (d) borrow or raise or secure the payment of money in a way determined, by resolution, at any general meeting;
- (e) secure the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Union in any way including the issue of debentures, perpetual or otherwise, charged upon any of the Union's property, both present and future;
- (f) purchase, redeem or pay off any securities of the Union;
- (g) borrow amounts from members and pay interest on the amounts borrowed, provided that the rate of interest shall not be more than the rate for the time being charged on overdrawn accounts on money lent (whatever the sum) by:
- (i) the financial institution for the Union; or
  - (ii) if there is more than 1 financial institution for the Union - the financial institution decided by the management committee;
- (h) mortgage or charge the Union's property or any part of the property;
- (i) issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Union;
- (j) provide and pay off any such securities;
- (k) invest in a way determined, by resolution, at any general meeting;
- (l) appoint, employ, remove or suspend any servant, agent or volunteer of the Union;
- (m) enter into and obtain from any Local, State or Federal Government or Local, State or Federal Authority any rights, privileges and/or concessions;
- (n) construct, improve, maintain, develop or alter any houses, buildings or grounds of the Union;
- (o) take any gift of property bequeathed to the Union whether subject to any special trust and to utilize and/or dispose of it;



- (p) encourage by personal or written appeals, public meetings or any other method the procuring of contributions to the funds of the Union, in the form of donations, annual subscriptions, gifts or otherwise;
- (q) print newspapers, periodicals, books or leaflets;
- (r) make donations for charitable or community purposes;
- (s) do any other thing necessary or convenient to be done in carrying out its affairs;
- (t) do all things which are necessary or desirable for the attainment of any of the Unions objects.

INDUSTRIAL REGISTRAR  
12 APR 1999  
QUEENSLAND  
GOVERNMENT

3.4 No power provided for in Sub-rule 3.3 of this rule limits the operation of any other power provided for in Sub-rule 3.3 of this rule or a power that may be otherwise provided for in the rules of the Union.

#### 4. APPLICATION FOR MEMBERSHIP

- 4.1 Application for membership of the Union shall be in writing signed by the applicant on the form determined by the State Management Committee.
- 4.2 All applications for membership shall be lodged with the State Secretary or the Sub-Branch Secretary, or such other person authorised by the State Management Committee. Applications for membership shall be dealt with by the State Management Committee, who shall, if satisfied that the applicant qualifies in terms of the Rules, admit the applicant to membership of the Union as from the date of the receipt of the applicant's application form by the State Secretary, the Sub-Branch Secretary, or other duly authorised person.
- 4.3 A candidate for membership of the Union shall be admitted if the candidate is a person who:-
  - (a) by the nature of the candidate's occupation or employment engages in a calling that is a registered calling of the Union; and
  - (b) has the qualifications required by the eligibility rules of the Union; and
  - (c) is not of general bad character.
- 4.4 A new member shall pay on application for membership or before the expiration of one month from the date the application is received by the State Secretary, the Sub-Branch Secretary or authorised person, the required Entrance Fee, and six months contributions.
- 4.5 Candidates for membership when admitted to membership shall enjoy all advantages of membership for as long as the person complies with the Rules of the Union.



- 4.6 Applicants shall, if possible, attend the next meeting of the Sub-Branch to which the applicant makes application or to which they are assigned. Failure to attend shall not necessarily exempt the candidate from election to membership.
- 4.7 Applicants for admission to the Union and members entering the Union on clearance, shall join the Sub-Branch nearest to which they reside.
- 4.8 All members shall be supplied with a copy of the Union Rules free of charge  on request.
- 4.9 All applicants for membership shall be informed in writing of:-
- (a) the financial obligations arising from membership; and
- (b) the circumstances and the manner in which a member may resign from the Union.

INDUSTRIAL REGISTRAR

12 APR 1999

QUEENSLAND

5. **ENTRANCE FEE**

- 5.1 An applicant who has no arrears of contributions, levies, fines or fees standing against them from a previous period of membership shall pay an entrance fee as the State Management Committee may decide, but not more than 3 months dues contributions.
- 5.2 An applicant who has arrears of contributions, levies, fines or fees standing against them from a previous period of membership shall pay an entrance fee being such sum as shall be determined by the State Management Committee provided that it is not more than the equivalent of 1 years contributions.

6. **CONTRIBUTIONS**

- 6.1 The payment of membership contributions shall be half-yearly and shall not exceed one and one half percentum (1 ½%) of the National Building Construction Industry Award rate for a carpenter multiplied by twenty-six (26).
- 6.2 The rate of contributions shall be determined by the State Executive on August 30th and February 28th of each year and shall apply for the following half-yearly period commencing 1st April and the 1st October respectively and shall be payable in advance.
- 6.3 The sum of 25c of each half-yearly contribution or such amount as may be determined by the State Management Committee, shall be used to produce Union publications, including "Building Worker" and to distribute such publications to financial members of the Union.
- 6.4 Sub-Branch committees may grant exemption from contributions to members who have been unemployed for more than 13 weeks during any half year. Application for exemption must be made in writing to the Sub-Branch Secretary with proof of unemployment being submitted.
- 6.5 All members over 65 years of age who have had 25 years' continuous membership in the Union, who through physical infirmities, are unable to work continuously at the trade,

may retain membership by paying one payment only, in advance, of \$5 or such amount as may be determined by the State Management Committee, for which they shall be entitled to receive the Union Journal only, provided that this does not apply to members who are over 50 years of age when joining the Union. Members wishing to be placed under this Rule shall make application to their Sub-Branch Secretary.

- 6.6 An applicant joining the Union during the currency of any half-year shall be credited in the subsequent half-year for such period of the half-year as had elapsed before the applicant joined. Such credit shall be calculated on a monthly basis.

## 7. FINANCIAL MEMBERSHIP

- 7.1 Any member who fails to pay all subscriptions, contributions, fines, levies, entrance fees in accordance with the Rules in advance on or before the half years ending 31 March and 30 September for the ensuing six months shall be deemed unfinancial.

- 7.2 Notwithstanding the foregoing, any member, having made application to join and paid the entrance fee, having commenced on a pay roll deduction scheme in excess of 26 weeks and who was subsequently financial on the last day of the previous term shall be deemed to be a financial member whilst such deductions are continued.

## 8. RESIGNATION OF MEMBERS

- 8.1 A financial member may terminate membership of the Union by written notice addressed and delivered to the Secretary.
- 8.2 Notification of such resignation shall be taken as duly given if:-
- (a) it is left at the registered Office of the Union; or
  - (b) it is addressed to the Union, or any Officer thereof, and sent to the Office of the Union.
- 8.3 If a financial member specifies in such notification a day or time at which the resignation is to be effective, being a day or time subsequent to the time when notification is duly given, the membership of the member shall be deemed to have terminated on the day, or at the time, specified and not before, unless membership is sooner terminated by the Union in accordance with these Rules.
- 8.4 Termination of membership by resignation does not affect the liability of the member or former member to pay such fees or levies as may have been owing at the date of resignation, and such moneys may, subject to the Act, be sued for and recovered in the name of the Union.

## 9. TRANSFER OF MEMBERS

The State Management Committee shall have the power, at the request of a member, to order the transfer of any member from a Sub-Branch to any other Sub-Branch, when, in

the opinion of the State Management Committee, such transfer is necessary to enable the member concerned to participate properly in the affairs of the Union.

10. **DUTIES OF MEMBERS**

10.1 No member shall call on or write to any Sub-Branch Secretary at the works where the Sub-Branch Secretary is employed.

10.2 Members shall belong to the Sub-Branch that meets nearest to their place of residence.

10.3 Members changing their residence shall inform the Sub-Branch Secretary in writing within three months of such change of address.

10.4 A member, being aware of the death of any other member, shall notify the State Secretary.

11. **MISCONDUCT OF MEMBERS**

11.1 Subject to Rule 26, any member knowingly violating any registered Rule of the Union may be fined a sum not exceeding \$4 by the Sub-Branch. Should, however, the matter be referred to the State Management Committee, they shall have the power to fine the member an amount not exceeding \$10, expel the member from membership or suspend the member from benefit for a period of not more than six months for such an offence.

11.2 Any member acting in a disorderly manner during a meeting or acting in opposition to the ruling of the Presiding Officer of that meeting may be fined a sum not exceeding \$2 and should the member persist, the Presiding Officer of that meeting shall have power to call on the members to expel that member from such meeting until such time as the fine is paid and an apology is tendered for such conduct.

11.3 It shall be competent for the State Management Committee to inflict a fine not exceeding \$10, suspend from benefit for a period not exceeding three years, or expel from the Union a member upon satisfactory proof that such member has refused to comply with its decision.

11.4 Charges under these Rules shall be made in writing, within one month of the discovery of the incident to which it refers, to the Sub-Branch or the State Management Committee. The member so charged shall be summoned to attend a meeting of Sub-Branch Committee or State Executive or State Management Committee by a written notice giving the short substance of the charges and notifying the time and place of meeting. Such notice shall be sufficient if posted to the members last known place of abode not less than five days, or in the case of a member whose last known place of abode is situated more than 160 kilometres from Brisbane not less than ten days before the date of such meeting.

11.5 At the appointed time and place the charge shall be investigated either by the Sub-Branch or State Executive or State Management Committee, whether or not the member shall be in attendance. The decision of the Sub-Branch or State Executive shall be binding on the member, subject to the right of appeal to the State Management Committee whose

W:\U02\98597\993300.NPS



decision shall be final on all matters whether by appeal or otherwise. All meetings, in accordance with this sub-clause, shall be held at the place fixed by these Rules for the conduct of the business of the Union or Sub-Branch.

- 11.6 A member may, if the member desires, make their answer to the charges in writing.
- 11.7 Any member making a charge which upon investigation proves to be false or frivolous shall be dealt with by the State Management Committee provided that the maximum fine that may be imposed shall not exceed \$10.
- 11.8 Any member, members, or persons who by false representation or imposition, obtain possession of money, securities, books, papers or other effects of the Union or having same in their possession withhold or mis-apply them shall render themselves liable to be summonsed before a Court of summary jurisdiction.
- 11.9 Any member or Officer who is fined for any offence under these Rules shall pay the fine on or before the date of the meeting of their Sub-Branch immediately following the imposition of the fine. Should the fine not be paid it shall at once be added to the member's dues by the Sub-Branch Secretary, and shall be deducted from any money paid by the member as contributions or may be recovered by legal process.

## 12. APPEALS OF MEMBERS AND SUB-BRANCHES TO STATE MANAGEMENT COMMITTEE

- 12.1 Any member finding themselves aggrieved against the actions or decisions of the Officers or members of the Union may, in the case of any grievance, appeal to their Sub-Branch for redress, and, if still aggrieved, they may further appeal to the State Management Committee within one month, whose decisions shall be final and such decision must be conveyed to those concerned.
- 12.2 Neither a member appealing nor the Officer or the body appealed against shall furnish any other evidence to the State Management Committee than that heard in the original appeal. Such evidence shall be submitted in writing to the Sub-Branch before forwarding to the State Management Committee. The members of the State Management Committee shall give reasons when deciding appeals.
- 12.3 The State Management Committee shall not consider any appeal for assistance pursuant to Rule 41 from any member whose total dues to the Union amount to twelve months' contributions or more.
- 12.4 All provisions of this Rule shall apply also to next of kin claiming on account of deceased members.

## 13. CONTROL AND SUSPENSION OF MEMBERS

- 13.1 The State Management Committee shall exercise general control over the members and shall have, subject to these Rules, power to fine, expel or suspend from benefit any member found guilty of wilfully acting contrary to the policy of the Union.

13.2 Where such fine, expulsion or suspension is imposed, the State Management Committee shall immediately notify the Sub-Branch to which the member belongs, of its decision.

13.3 A fine imposed under this Rule shall not exceed \$10, nor shall any suspension from benefit exceed a period of three years.

INDUSTRIAL REGISTRAR

12 APR 1999

14. **REGISTER OF MEMBERS & OFFICERS**

14.1 A register of members and all Officers of the Union shall be kept in the Union Office.

QUEENSLAND  
UNION

14.2 The register shall be arranged according to sub-branches

14.3 A financial member of the Union may at all reasonable times inspect the books, membership records, documents and other property of the Union.

15. **RECOVERY OF ARREARS:**

15.1 If any member allows their arrears to amount to two half-years' contributions, due notice shall be sent to the members last known address, and the State Secretary shall take the necessary steps for the recovery of such arrears.

15.2 The State Secretary after being authorised by the State Management Committee shall be empowered to take legal proceedings for recovery of arrears of contributions and fines, breaches of awards and recovery of accident compensation.

15.3 The State Secretary may from time to time place the collection of arrears of contributions owing by members in the hands of a solicitor or agent for collection.

16. **PROPERTY & FUNDS OF THE UNION**

16.1 For the purpose of carrying out all or any of the objects of the Union, there shall be a fund of the Union and the Union fund may be raised by entrance fees, subscriptions, donations, levies, contributions, dues and loans or by any other funds, assets or real property that may be attributed to the Union Fund for its use and benefit pursuant to the Rules of the Union.

16.2 Without limiting the generality of Union Sub-rule 16.1 the Union Fund shall consist of:-

- (a) any real or personal property of which the Union by the Union Rules or by any established practice not inconsistent with the Union Rules, has, or holds for its use and benefit or in the absence of any limited term lease, bailment or arrangement, would have, the right of custody, control or management;
- (b) any entrance fees, subscriptions, fines, fees, or levies received by the Union;
- (c) any interest, rents, dividends or other income derived from the investment of the state fund;

- (d) any superannuation or long service leave fund operated or controlled by the Union for the benefit of its Officers or employees;
- (e) any sick pay fund, accident pay fund, funeral fund, benefit fund or like fund operated or controlled by the Union for the benefit of its members;
- (f) any property acquired wholly or mainly by expenditure of the moneys of the Fund, or derived from other assets of the Fund;
- (g) the proceeds of any disposal of parts of the Fund.

INDUSTRIAL REGISTRAR

12 APR 1999

QUEENSLAND

17. **BANKING AND EXPENDITURE OF FUNDS**

- 17.1 All moneys of the Union in Queensland shall be banked by the Union and Sub-Branch Officers in a registered banking institution or other such financial institution as the State Management Committee may decide, and which is consistent with the Rules of the Union.
- 17.2 The name of any such banking account shall include the words "Construction, Forestry, Mining & Energy Union of Employees, Queensland".
- 17.3 All expenditure from the funds shall be in accordance with the Rules of the Union and no expenditure shall be permitted for any purpose contrary to the objects of the Union.

18. **STATE MANAGEMENT COMMITTEE**

- 18.1 On and from 2 January, 2001, the State Management Committee of the Union shall consist of 16 members, including the State President (Honorary), State Secretary and 2 State Assistant Secretaries. One of the State Assistant Secretaries shall be elected by and from those members who are eligible for membership of the Union, by virtue of Sub-rule 2.1 and one of the State Assistant Secretaries shall be elected by and from those members who are eligible for membership of the Union, by virtue of Sub-rule 2.2 or 2.5. The State Secretary shall be elected by and from all members of the Union who are eligible to nominate and vote. There shall be 13 members on the State Management Committee who shall be elected by and from the three sub-groups, which shall include a position in the sub-group to which the State President belongs, and they shall be elected as follows:

- (i) 10 from those eligible for membership by virtue of Rule 2.1;
- (ii) 2 from those eligible for membership by virtue of Rule 2.2;
- (iii) 1 from those eligible for membership by virtue of Rule 2.5.

Provided always that:

- (i) the position of Union Secretary, Union Assistant Secretary or Union Organiser are the only positions to which full time or part time officers or employees may be elected; and



- (ii) the membership of the Management Committee of the Union shall not be comprised of more than a total of 30% of the Union's full-time elected officers or full-time employees.
- 18.2 One half plus one of the number of the members of the State Management Committee holding office shall constitute a quorum.
- 18.3 The State Management Committee shall elect from its members a State President and State Vice Presidents.
- 18.4 A full time official of the Union shall not be eligible to stand for the position of State President and the office of State President shall be honorary.
- 18.5 A special meeting of the State Management Committee may be called on a written requisition addressed to the Union Secretary signed by 6 members of the State Management Committee.
- 18.6 The State Management Committee shall from time to time set down a scale of payments and/or honorariums as the case may be for Union Secretary, Union Assistant Secretaries, Union Trustees, Officials, Organisers, Union President, Union Vice-Presidents, members of the Management Committee, Union Returning Officers and Deputy Returning Officers, and Scrutineers.

**18A MEETINGS OF THE STATE MANAGEMENT COMMITTEE**

- 18A.1 The State Management Committee shall meet not less than 3 times per year and at such times as its members may determine. The State Secretary shall, upon the request of the State President, or at least one quarter of the members of the State Management Committee, summon a meeting of the State Management Committee to be held within 7 days of the receipt of the request by the State Secretary.
- 18A.2 The State Secretary shall give at least 24 hours notice when summoning members to meetings of the State Management Committee.
- 18A.3 Notwithstanding anything hereinbefore contained, where the State President or the State Secretary consider that a matter requires urgent attention:
- (a) a meeting of the State Management Committee may be called by the State President or the State Secretary who shall give such notice of the meeting as is practicable in the circumstances and such meeting may be conducted by telephone, radio or any other method by which members of the State Management Committee are able to communicate with each other without being physically present; or
  - (b) a ballot of the State Management Committee members may be conducted on such a matter by means of registered post, facsimile transfer, computer E-mail or by such other electronic or telegraphic means as may be available.

18A.4 If the State President is absent from a meeting of the State Management Committee a Vice-President, as determined by these Rules, shall act and shall have the powers of the President while so acting.

18A.5 If at any meeting of the State Management Committee no quorum be present at the expiry of 30 minutes after the time fixed for the commencement of the meeting such meeting shall be adjourned for not less than 7 days nor more than 14 days. Members shall be given two clear days notice of the date, time and place to which the meeting has been adjourned. If at such adjourned meeting no quorum be present, those present shall be deemed to be quorum for the purpose of the business to be determined.

18A.6 The minutes of each State Management Committee meeting shall be prepared by the State Secretary and forwarded to each member of the State Management Committee and upon confirmation the minutes shall be signed by the State President. A copy of the minutes of each State Management Committee meeting shall, upon their being confirmed, be available for inspection by the members of the Union during the ordinary office hours of the Union.

18A.7 A member of the State Management Committee absent from three consecutive meetings thereof without satisfactory explanation may be charged and dealt with in accordance with Rule 26.

19. **STATE MANAGEMENT COMMITTEE FINANCE**

19.1 The State Management Committee shall have control of the funds of the Union and, in addition to the provision of any other Union Rule, shall draw from each Sub-Branch, Job Stewards and Organisers, the total contributions entrance fees and fines collected.

19.2 Each Sub-Branch shall retain in a Sub-Branch bank account a sum determined by the State Management Committee from which it shall pay all accounts covered by the Union Rules and the State Management Committee shall annually in the month of December, or such other time as the Union Committee may decide, reimburse this Sub-Branch account as required by the Sub-Branch to restore the account to the original sum.

19.3 The State Management Committee may disburse moneys for the purposes set out in the objects of the Union, and such funds may be invested from time to time in such manner as may be determined by the State Management Committee. The State Management Committee may delegate authority to the State Secretary to authorise payments (or in the absence of the State Secretary the Acting State Secretary). No donation exceeding \$200 shall be made without the approval of the State Executive.

19.4 The financial year of the Union shall be the 12 month period ending the 31st of December or such other period as the State Management Committee decide.

20. **STATE EXECUTIVE**

20.1 The State Management Committee shall elect from its members an executive of 8 members including the State President, State Secretary and 2 State Assistant Secretaries



and 4 members, 2 of whom are eligible for membership pursuant to Rule 2.1, one of whom is eligible for membership pursuant to Rule 2.2 and one of whom is eligible for membership pursuant to Rule 2.5.

- 20.2 All accounts paid by the Union shall be submitted to the State Executive for ratification.
- 20.3 The State Executive shall meet not less than 3 times per year and at such times as its members may determine. The State Secretary shall, upon the request of the State President, or at least one quarter of the members of the State Executive, summon a meeting of the State Executive to be held within 7 days of the receipt of the request by the State Secretary.
- 20.4 The State Secretary shall give at least 24 hours notice when summoning members to meetings of the State Executive.
- 20.5 Notwithstanding anything hereinbefore contained, where the State President or the State Secretary consider that a matter requires urgent attention:
- (a) a meeting of the State Executive may be called by the State President or the State Secretary who shall give such notice of the meeting as is practicable in the circumstances and such meeting may be conducted by telephone, radio or any other method by which members of the State Executive are able to communicate with each other without being physically present; or
  - (b) a ballot of the State Executive members may be conducted on such a matter by means of registered post, facsimile transfer, computer E-mail or by such other electronic or telegraphic means as may be available.
- 20.6 If the State President is absent from a meeting of the State Executive a Vice-President, as determined by these Rules, shall act and shall have the powers of the President while so acting.
- 20.7 If at any meeting of the State Executive no quorum be present at the expiry of 30 minutes after the time fixed for the commencement of the meeting such meeting shall be adjourned for not less than 7 days nor more than 14 days. Members shall be given two clear days notice of the date, time and place to which the meeting has been adjourned. If at such adjourned meeting no quorum be present, those present shall be deemed to be quorum for the purpose of the business to be determined.
- 20.8 The minutes of each State Executive meeting shall be prepared by the State Secretary and forwarded to each member of the State Executive and upon confirmation the minutes shall be signed by the State President. A copy of the minutes of each State Executive meeting shall, upon their being confirmed, be available for inspection by the members of the Union during the ordinary office hours of the Union.
- 20.9 A member of the State Executive absent from three consecutive meetings thereof without satisfactory explanation may be charged and dealt with in accordance with Rule 26.

INDUSTRIAL REGISTRAR  
12 APR 1999  
QUEENSLAND



21. **DUTIES OF THE STATE PRESIDENT/STATE VICE-PRESIDENT**

- 21.1 The State President shall preside at all meetings of the State Management Committee, State Delegates or Special Conventions and at meetings convened by the State Convention or the State Management Committee. The State President shall have a deliberative vote only. A State Vice-President shall take the chair in the absence of the State President.
- 21.2 The State President shall carry out such duties as may be assigned to the State President from time to time by the State Management Committee and by the State Secretary acting on their behalf.
- 21.3 The State President shall conduct the business in accordance with the standing orders and Rules of debate provided for in these Rules.
- 21.4 The State President shall, upon the minutes being confirmed sign the minute book in the presence of the meeting, and shall have the meeting by resolution endorse or reject all payments submitted for ratification.
- 21.5 In the absence of the State President at any meeting, or if the State President is present but refuses to act, the State Vice-President with the greatest seniority shall act, and shall whilst so acting, act with all the powers of the State President.

INDUSTRIAL REGISTRAR  
12 APR 1999  
QUEENSLAND

22. **DUTIES OF STATE SECRETARY**

- 22.1 The State Secretary shall be under the control of the State Management Committee and may be authorised by the State Management Committee to incur expenditure on behalf of the Union. Provided that the State Management Committee may withdraw such authorisation at any time or for any period it sees fit.
- 22.2 The State Secretary shall be the Chief Executive Officer of the Union and shall conduct and manage the affairs of the Union, subject to these Rules, between meetings of the State Executive.
- 22.3 All expenditure incurred by this authorisation shall be placed before the State Management Committee for consideration and ratification.
- 22.4 The State Secretary shall be the registered State Officer to issue suit or to defend suit in the registered name of the Union and on behalf of the Union in the State in regard to any legal matter over which the State Management Committee has jurisdiction unless these Rules otherwise provide.
- 22.5 The State Secretary shall keep a correct record of the members in the Union and shall, when instructed by the State Management Committee sue for the recovery of arrears of contributions or other monies due to the Union by the members.
- 22.6 The State Secretary shall keep or cause to be kept proper books of accounts showing the receipts and expenditure of the Union, and separate accounts of receipts from all Sub-

Branches, and also correct records of all monies received or paid on account of any particular fund, and separate accounts of all management expenses and of all contributions on account thereof, as required by the Act and amendments thereof.

- 22.7 The State Secretary shall endorse all vouchers for payment certifying to their correctness, and shall prepare a balance sheet in accordance with Rule 22.10.
- 22.8 The State Secretary shall submit to each meeting of the State Management Committee an interim statement of receipts and payments made up to the end of the week preceding the meeting.
- 22.9 The State Secretary shall attend to court, legal, industrial matters and/or other matters or other hearings before any Industrial Commission, Tribunal, Board and/or Court or any other such body.
- 22.10 The State Secretary shall keep all books and documents necessary to a proper working of the Office and of the State Management Committee and shall prepare a yearly report and also a yearly balance sheet showing the income and expenditure for that term. Upon the same being audited and received by the State Management Committee the State Management Committee shall publish same to the members and then lodge it with the Registrar.
- 22.11 The State Secretary shall prepare and forward to the Industrial Registrar all returns required by law, and shall notify the Industrial Commission in the prescribed manner of the existence or likelihood of industrial disputes.
- 22.12 Should the State Secretary fail to carry out the State Secretary's duties to the satisfaction of the State Management Committee the State Secretary may be dealt with by such committee in the manner prescribed in Rule 26.
- 22.13 In the event of the State Secretary desiring to resign, the State Secretary shall give at least one month's notice or be fined ten dollars (\$10). Upon resigning or being removed from Office, according to Rule 26. the State Secretary shall, within seven (7) days, deliver up to whatever person the State Management Committee may appoint, all books, documents and other property of the Union then in the State Secretary's possession. Before the books are handed over to the State Secretary's successor in Office they shall be audited.
- 22.14 The State Secretary shall direct, subject to these Rules and subject to the direction of the State Management Committee and or State Executive the day to day duties of all full time Officers and shall be able, to the extent permitted by these Rules to delegate the State Secretary's functions.

23. **DUTIES OF ASSISTANT SECRETARIES**

- 23.1 There shall be two (2) Assistant State Secretaries, one of each who shall come from the classes of membership described in Sub-rules 2.1 and 2.2.
- 23.2 The Assistant State Secretaries shall work under the direction of the State Management

Committee and the State Secretary. They shall assist the State Secretary in the carrying out of the duties set out in Rule 21 and one shall act as the Acting State Secretary in the absence of the State Secretary as directed by the State Management Committee. Such Assistant State Secretary shall be subject to Union Rules 22.13 and 26.

- 23.3 An Assistant State Secretary shall act as the Secretary of the Brisbane Sub-Branch as determined by the State Management Committee.

24. **TRUSTEES**

- 24.1 The State Management Committee shall elect from among their members ~~four~~ (4) trustees, any two of whom may act with the State Secretary, or in the latter's absence, one of the State Assistant Secretaries.

- 24.2 The Union fund shall be vested in the names of the four (4) trustees.

- 24.3 The Union fund shall be banked in the manner prescribed in these Rules.

- 24.4 On a written authority, signed by the State President and the State Secretary, any two of the four Trustees shall sign cheques for such sums as may be voted by the State Management Committee or the State Executive, in accordance with these Rules. Such cheques shall be countersigned by the State Secretary, or in the absence of the State Secretary one of the State Assistant Secretaries.

- 24.5 The trustees shall have all powers and immunities conferred on such trustees by Statute and at law.

25. **ORGANISERS**

- 25.1 The State Management Committee shall not less than two months prior to the closing of nominations as prescribed in Rule 28, determine the number of organisers to be elected. They shall also determine the area of the State in which organisers shall reside and operate, and may if income is sufficient appoint additional organisers.

- 25.2 The organisers shall be under the control of the State Management Committee and shall when required, attend meetings of the State Management Committee. They shall perform such organising duties as may be required and shall visit shops and jobs where members of the Union and other workers eligible to join are employed and endeavour to enrol new members. They shall cooperate with all shop and job stewards and Sub-Branch Secretaries, and carry out organisational work in any part of the Union as directed by the State Management Committee.

- 25.3 Union organisers may be elected and remain in Office for a period of four years, provided that if the income is insufficient to meet the half-yearly expenditure, their services may be dispensed with at the discretion of the State Management Committee.

- 25.4 The State Management Committee may appoint temporary organisers for a period not exceeding six (6) months, the duties of organisers to be determined by the State



Management Committee.

26. **REMOVAL OF OFFICERS**

- 26.1 Any Officer of the Union being charged, in accordance with the Rules of the Union with mis-appropriation of funds of the Union or a substantial breach of the Rules of the Union or gross misbehaviour or gross neglect of duty or has ceased, according to the Rules of the Union, to be eligible to hold Office, may be suspended immediately by decision of the State Management Committee.
- 26.2 Any Officer so charged shall have the right of appeal to the membership against such suspension, provided that any such appeal must be lodged with the Secretary of the Sub-Branch to which the member belongs within fourteen days.
- 26.3 Within two (2) months of the receipt of such an appeal the ballot shall have been conducted, in which there shall be sent to all members entitled to vote a statement not exceeding 600 words by the person proposing removal, and a statement not exceeding 600 words by the Officer proposed to be removed. The decision of any such ballot shall be final.
- 26.4 Should the Officer be found guilty and there be no appeal within the prescribed time, and/or the Officer's appeal be rejected, the State Management Committee shall have power to dismiss the Officer concerned; and, in the event of any Officer being removed from Office, an election must be held within one month of such removal from Office in accordance with Rule 28.

27. **SALARIES OF OFFICERS**

The State Management Committee shall from time to time set down a scale of payments and/or honorariums as the case may be for Sub-Branch Secretaries, Officials, Organisers, Sub-Branch Presidents, Vice-Presidents, Delegates, Money Stewards, Sick Stewards, Sub-Branch Committees, Returning Officers and Deputy Returning Officers, and Scrutineers, and notify Sub-Branches of same.

28. **ELECTION OF STATE PRESIDENT, STATE SECRETARY, ASSISTANT STATE SECRETARY, STATE MANAGEMENT COMMITTEE MEMBERS, ORGANISERS**

- 28.1 Any member of the Union who is financial as provided for in these Rules at the time of nominations and has financial membership of the Union in accordance with the scale set out in Sub-rule 28.3 may nominate for such positions according to this scale.

Provided that any member who has ceased to work in the industry of the Union and has reached the age of sixty-five (65) years may not nominate for any position. Provided further that no member who has reached the age of sixty-five (65) years may nominate for a full time position.

- 28.2 No member shall be a candidate for two or more Offices that, if elected, the member

would be unable to hold at the same time.

- 28.3 The scale of financial membership of the Union necessary for members to be qualified to nominate for the following positions, is as under:-

|                              |   |                      |
|------------------------------|---|----------------------|
| State Secretary              | ) | Three years          |
| Assistant State Secretaries  | ) | financial membership |
| State Management Committee   | ) | One years            |
| Members                      | ) | financial            |
| District Secretary/Organiser | ) | membership           |
| State Organisers             | ) |                      |



- 28.4 The term of Office for the above positions shall be four years.
- 28.5 Nominations for the above positions shall be called by the Returning Officer by notification in the Union journal or in one daily newspaper circulating in the capital city and in each Sub-Branch area on or before the last day of August in the year of election.
- 28.6 All Sub-Branches shall be notified by circular of the opening and closing date of nominations.
- 28.7 Any member desiring to nominate for the above positions shall apply either personally or in writing to the Returning Officer for a nomination form. Such forms shall be signed by the candidate and by two financial members and forwarded by registered post to the Returning Officer or handed personally at the Union Office and a receipt thereupon obtained.
- 28.8 Nominations shall be closed at 4 p.m. on the last Friday of September in the year of election. Nominations must be received by the Returning Officer by that time on that date to be eligible.
- 28.9 reserved
- 28.10 The Returning Officer shall examine all nominations to ensure that they are in order and if any nominations are found to be defective the Returning Officer, before rejecting the nomination, shall notify the person concerned of the defect and where practicable to do so give that person the opportunity of remedying the defect within a period of not less than seven (7) days after being so notified.
- 28.11 If at the closing date for nominations only sufficient nominations have been received by the Returning Officer to fill any vacancy or vacancies the Returning Officer shall thereupon declare person or persons so nominating elected and supply forthwith a report of the declaration of the ballot to the State Executive and candidates by submitting a Returning Officer's report to the State Secretary.
- 28.12 If all nominations are received and there are more nominations than there are vacancies. The election of those offices shall be conducted by way of secret postal ballot. The

Returning Officer shall conduct a draw for positions on the ballot paper and shall notify candidates of the time and place of the draw in sufficient time for a candidate or the candidates nominee to attend the draw. Such attendance shall be at the candidate's own costs and expense.

- 28.13 The Returning Officer shall forthwith have printed ballot papers in sufficient quantities to enable the Returning Officer to supply a ballot paper for each member eligible to vote in the election and secure a certificate from the printer as to the number printed.
- 28.14 Such ballot papers shall have printed thereon only the title of the Office to be filled, method of voting and the name of the candidates for such Office and a space for the required vote to be registered, provided however that where more than one candidate is required to be elected the number to be elected shall be printed on the ballot paper. The position of the names of each candidate on the ballot paper shall be in order of the draw of positions for that ballot.
- 28.15 Where a ballot is required, the State Secretary shall provide, within twenty-eight (28) days of the closing of nominations, a certified list of financial members entitled to vote subject to the State Rules to the Returning Officer.
- 28.16 The Returning Officer shall on a date which will enable the ballot paper to be posted not later than 14 clear days before the closing date of the ballot, send by pre-paid post to each member eligible to vote in the election an envelope addressed to such member at the members address appearing on the list of members eligible to vote supplied to the Returning Officer by the State Secretary, and that envelope shall contain only the following documents:
  - (a) a ballot paper initialled by the Returning Officer in respect of each Office to be filled at the election for which the member is eligible to vote;
  - (b) an empty unsealed pre-paid post envelope addressed to the Returning Officer, C/- the numbered mail box referred to in this Rule;
  - (c) such printed instructions necessary for the completion of each of the ballot papers enclosed in the said envelope and any other instructions that the Returning Officer may consider necessary;
  - (d) the candidates statement provided for and in accordance with these Rules.

Provided that a financial member who will be unable to receive a ballot paper at the residential or postal address appearing in the Union records may lodge a request with the Returning Officer for an absent vote together with an address where such member can receive communications and if any member has done so the Returning Officer shall not declare the result of the ballot until such member has been given reasonable opportunity to vote.

- 28.17 For the purposes of the election, the books of the Union shall be deemed to have closed as of the 31st August in the year of election.



- 28.18 Only members who are shown in the records at the Office of the Union as having paid all contributions, levies and fines 14 clear days prior to the 31st day of August preceding the election shall be entitled a vote.
- 28.19 Providing that any member who at any time prior to the closing of the ballot, satisfies the Returning Officer that the member has paid all contributions, levies and fines prior to the 31st day of August in the year of election, shall be entitled to receive a ballot paper and the Returning Officer shall send by pre-paid post a ballot paper in accordance with these Rules.
- 28.20 The opening date of the ballot shall be on the 2nd day of November and the closing date shall be noon on the 16th day of November in each year in which the ballot is held.
- 28.21 All ballot papers shall be returned to the Returning Officer, c/-the post Office box named on the reply envelope. The post Office box to which the ballot papers are returned shall be hired by the Returning Officer prior to the dispatch of the ballot papers, or if a box has been previously used by the Union, the Returning Officer shall cause the lock to be changed.
- 28.22 The Returning Officer shall collect the returned ballot papers from the post Office box and deposit them in a ballot box kept at the post Office until the commencement of the count of the ballot.
- 28.23 At the conclusion of the ballot the ballot box shall be collected by the Returning Officer at a time reasonable notice of which has been given to the scrutineers and taken to the Union rooms and be opened in the presence of the scrutineers and counting shall then proceed. If it is necessary to interrupt the count for any purpose the papers shall be sealed in the ballot box to which any seals may be fixed by a scrutineer.
- 28.24 Any candidate at the candidates own expense, may appoint a financial member of the Union to act as scrutineer by notification in writing to the Returning Officer. Any scrutineers so appointed may be present at any stage of the counting of the ballot provided that the Returning Officer is also present.
- 28.25 The Returning Officer shall proceed to count the ballot on the preferential system provided for in this Rule, and the candidate or candidates receiving the necessary quota shall be declared elected.
- 28.26 The counting of the ballot shall be completed not later than the 1st day of December following the ballot.
- 28.27 In the case of an equality of votes for any two or more candidates the Returning Officer shall determine by lot which of the candidates is elected.
- 28.28 The Returning Officer shall declare the successful candidates elected and notify the State Executive of the result of the ballot and the State Executive shall issue instructions for the publication of same in their minutes and in the Union journal. The Returning Officer shall also notify each successful candidate by post and publish their names in at least one

daily newspaper circulating in the State.

- 28.29 The Returning Officer's report to the State Management Committee shall contain all relevant information including the number of ballot papers printed, the number posted, the number returned, the number unused, the number of votes received by each candidate, the names of those nominated for each Office and their proposers.
- 28.30 The successful candidates shall remain elected until their successors take up Office.
- 28.31 Any accidental or unavoidable omission or error in the carrying out or observance of this Rule shall not invalidate an election if such omission or error appears not to have affected the result of an election.
- 28.32 In any election the Returning Officer and any scrutineer shall do all things necessary to preserve the secrecy of the ballot and shall conduct themselves in a sober, proper and impartial manner. Scrutineers shall, as far as practicable, be present at all stages of the ballot. They shall obey any directions given to them by the Returning Officer. If any scrutineers or scrutineer are not present at any stage or stages of the ballot the Returning Officer may proceed nonetheless.
- 28.33 Should a casual vacancy occur in any of the abovementioned Offices and the unexpired portion of the term of office is less than twelve months or three quarters of the term, whichever is the greater, the vacancy shall be filled by the State Management Committee unless the Rules otherwise provide.
- 28.34 Should a casual vacancy occur in any of the abovementioned Offices and the unexpired portion of the term of office is more than twelve months, or three quarters of the term, which ever is the greater, the vacancy shall be filled by election in accordance with this Rule with any necessary modification.
- 28.35 "Preferential Voting" for the purposes of this Rule shall mean a system of voting in which the voter shall place a number 1 in the square opposite the name of the candidate for whom he/she votes as his/her first preference, and shall place the number 2, 3, 4 (and so on as the case required) in the squares opposite the names of all the remaining candidates so as to indicate the order of the preference for them. In a ballot by the preferential system the valid ballot papers shall be separated into separate parcels, each such parcel containing all those papers on which first preference is indicated for the same candidate. If on the first count a candidate receives an absolute majority of first preference votes of total valid votes cast he/she shall be declared elected.
- 28.36 If no candidate has received an absolute majority of first preference votes the candidate with the fewest first preference votes shall be excluded and the ballot papers on which a first preference is indicated for such candidate shall be counted to the remaining candidates next in the voters' order of preference. If a candidate has then an absolute majority of votes he/she shall be elected, but if no candidate then has a majority of votes the process of excluding the candidate who has the fewest votes and the distribution of the voters' preferences shall continue until one candidate has received an absolute majority of votes. In cases where more than one position is to be filled the numbers



placed opposite the candidates' names up to the number of positions to be filled shall be first preference votes and the procedure in respect to the distribution of preferences shall be the same as is above prescribed where a ballot is for a single position. The candidates or candidate, as the case may be, who has received an absolute majority of votes shall be elected.

28.37 Candidates for an election in the Union shall be provided with equal opportunity to express their views to members of the Union in a statement that is:

- (a) provided to each member of the Union with the election ballot papers; and
- (b) published on a single A4 sheet of paper, printed on one or both sides in a way which is clearly readable and which includes the candidates name and such other details as may be decided by the candidate; and
- (c) the cost of the publication is met by the Union.



29. **ELECTIONS FROM MANAGEMENT COMMITTEE**

- 29.1 In any election from the State Management Committee the procedures set out in this Rule shall be observed.
- 29.2 If all State Management Committee members are in attendance at the State Management Committee meeting at which the election is to be held, viz. in the case of State Trustees at the meeting following the quadrennial elections, and in the case of other positions as may be determined by the State Management Committee, nominations shall be called and a ballot shall be held.
- 29.3 A member of the State Management Committee unable to attend the meeting of the State Management Committee at which an election was to have been held and who desires to nominate himself or some other qualified person for a position may do so by written notification to the State President. Such notification shall be sent to the State President not later than the time fixed for the commencement of the meeting.
- 29.4 The Returning Officer shall examine all nominations to ensure that they are in order and if any nominations are found to be defective the Returning Officer, before rejecting the nomination, shall notify the person concerned of the defect and where practicable to do so give him the opportunity of remedying the defect within a reasonable period.
- 29.5 The Returning Officer shall obtain sufficient ballot papers and envelopes for the election. The Returning Officer shall have a booth arranged so constructed as to enable the voter to mark the voters ballot paper without the names for which such delegate voted being seen.
- 29.6 The Returning Officer shall initial all ballot papers which shall not bear any other distinguishing mark. The Returning Officer shall provide for the voters identical means of marking the ballot papers. The Returning Officer shall issue to each voter a ballot paper and an envelope. The voter, after marking the ballot paper, shall place same in the



ballot box provided by the Returning Officer for such purpose. Such ballot box may be inspected and/or sealed by any members of the State Management Committee or candidate.

- 29.7 Voting shall close one hour after the commencement of the meeting or at such times as all State Management Committee members have voted.
- 29.8 The Returning Officer shall thereupon open the ballot box and in the presence of the State Management Committee members who desire to be present, proceed to count the ballot. The candidate or candidates up to the number required receiving the highest number of votes shall be declared elected.
- 29.9 In the case of an equality of votes for any two or more candidates, the Returning Officer shall determine by lot which of the candidates is elected.
- 29.10 The Returning Officer shall notify the State Management Committee of the result of the ballot and the State Management Committee shall publish same in the State Management Committee minutes.
- 29.11 Should a casual vacancy occur in any of the Offices for which this rule provides provides the means of election, and the unexpired portion of the term of office is less than twelve months or three quarters of the term, whichever is the greater, the vacancy shall be filled by the State Management Committee unless the Rules otherwise provide.
- 29.12 Should a casual vacancy occur in any of the Offices for which this rule provides the means of election and the unexpired portion of the term of office is more than twelve months, or three quarters of the term, which ever is the greater, the vacancy shall be filled by election in accordance with this Rule with any necessary modification.
- 29.13 In such election the Returning Officer shall immediately post to each State Management Committee member a properly initialled ballot paper on which no other distinguishing mark appears together with a business reply or stamped envelope for the return of same to the Post Office box marked on the envelope.
- 29.14 On the morning of the eighth day following the dispatch of the ballot papers by the Returning Office, the Returning Officer and the scrutineers appointed by the State Management Committee shall collect the ballot papers from the Post Office box and then proceed to the Union Office where they shall count the ballot. The candidate or candidates up to the number required receiving the highest number of votes shall be declared elected.
- 29.15 The Returning Officer shall notify the State Management Committee of the result of the ballot and the State Management Committee shall publish same in the State Management Committee minutes.
- 29.16 The State Management Committee shall appoint one of its members who is not a candidate as scrutineer and any candidate may appoint any member of the Union to act as scrutineer on the candidates behalf. Any scrutineer shall be entitled to be present at

W:\UJ02\98597\993300.NPS

and to observe all stages of the ballot.

29.17 Any accidental or unavoidable omission or error in the carrying out or observance of this Rule shall not invalidate the election if such omission or error appears not to have affected the result of an election.

29.18 In any election the Returning Officer and scrutineers shall conduct themselves in a sober, proper and impartial manner and do all things necessary to preserve the secrecy of the ballot, and the Returning Officer shall take all practicable steps to avoid irregularity from occurring in the conduct of the ballot.

29.19 Scrutineers shall, as far as practicable, be present at all stages of the ballot.

29.20 They shall obey any directions given to them by the Returning Officer.

29.21 If any scrutineers or scrutineer are not present at any stage or stages of the ballot, the Returning Officer may proceed nonetheless.

### 30. RETURNING OFFICER AND SCRUTINEERS

30.1 The State Management Committee shall appoint a Returning Officer and two scrutineers who shall not hold any Office in, and not be an employee of the Union or a Sub-Branch, to conduct all required ballots, including the quadrennial ballot. The State Management Committee shall appoint only after applications for the position have been called through all Sub-Branches of the Union. The appointment shall be made by a majority vote of members of the State Management Committee at its last meeting prior to the quadrennial ballot.

30.2 Returning Officers may at any time in writing resign their position and shall resign if they desire to become a candidate at any elections held under the Rules of the Union.

30.3 Any casual vacancy of Returning Officer shall be filled by the State Management Committee. Nomination for the position shall be called for by the State Management Committee, by notification in the Union journal or the daily newspaper circulating in the capital city and in each Sub-Branch or district area at least twenty-eight (28) days before the closing of nominations.

### 31. DELEGATES' MEETING

Whenever it is necessary to obtain the opinion of members in any district with 500 members and upwards, it may be done by special summoned meetings of the Sub-Branches in such district, delegates to such specially summonsed meetings shall be elected from each Sub-Branch in proportion to the Sub-Branch membership in accordance with the following scale: Under 100 members, one delegate; 100 and under 250 members, two delegates; 250 and upwards, three delegates; who shall be paid according to Rule 27.

### 32. STATE DELEGATES CONVENTION:

W:\U02\98597\993300.NPS

- 32.1 The State Management Committee shall convene at regular intervals of not more than each two years (but at earlier intervals should it be deemed necessary) a State Delegates Convention consisting of delegates elected from Sub-Branches and jobs throughout the State and also comprised of members of the State Management Committee and full-time officials of the Union.
- 32.2 The method of financing such convention and the number of delegates that Sub-Branches and jobs may elect to attend such convention, shall be determined by the State Management Committee from time to time.
- 32.3 A member nominating as a delegate to the State Delegates Convention must be financial in accordance with these Rules at the time nominations are called.
- 32.4 Items for the agenda of the State Delegates Convention shall be called for at least three months before the Convention assembles, and be in the hands of delegates to the Convention at least seven days before the Convention commences.

- 32.5 The State Delegates Convention may recommend to the State Management Committee proposals for Rule and policy changes.

33. **ELECTION OF DELEGATES**

The State Management Committee shall also elect such delegates as the Union is entitled to the Australian Council of Trade Union's Congress, the Australian Council of Trade Union's Qld Branch, the Queensland Building Trades Group and other such bodies.

34. **SUB-BRANCHES**

- 34.1 The State Management Committee shall have power to establish or disband Sub-Branches of fifty or more members on a locality basis and of less than fifty members on an industry basis if, in the opinion of the State Management Committee the members' industrial interests warrant the formation or disbandment of a Sub-Branch.
- 34.2 For the convenience of members, Sub-Branches may be opened in any town in the State. No Sub-Branch shall be opened without the consent of the State Management Committee. Each Sub-Branch shall elect Officers and with the consent of the State Management Committee generally control its own business in accordance with the Rules of the Union.
- 34.3 In no case shall any Sub-Branch close or disband without the authority of the State Management Committee in which case all funds or other assets and property shall be handed over to the State Management Committee.

34.4 **Visiting Members**

Members of any Sub-Branch may visit any other Sub-Branch on production of their membership card and with the permission of the Sub-Branch may speak on any question before the Sub-Branch but shall not be entitled to vote on any question.



34.5 Clearances

Any member entering a Sub-Branch by clearance shall not have a vote in that Sub-Branch until the members clearance has been accepted by such Sub-Branch.

34.6 Transfers

Sub-Branches shall accept a transfer for any member, and issue a transfer for any member who applies for same, subject to the provisions of Rule 9 and all arrears of contributions shown on the clearance card sent from a Sub-Branch to another Sub-Branch shall be collected and retained by the Sub-Branch to which the members have been transferred.

34.7 Sub-Branches Premises

Each Sub-Branch may obtain a room and a safe and/or steel cabinet and Office equipment for the safe keeping of Union property provided the State Management Committee is advised of the cost of such facilities and has approved whatever payment is necessary to secure such facilities.

34.8 Interpretation of Rules

Should any Rules of the Union require interpretation, or be not clearly defined, they shall be sent to the State Management Committee for their decision. All such decisions shall be inserted in the minute book of the Sub-Branch.

34.9 Resolutions to State Management Committee

Resolutions to the State Management Committee shall be submitted in writing to the Sub-Branch President, and the numbers of votes for and against such resolution, shall be stated when the resolutions are sent to the State Management Committee.

34.10 Correspondence Confidential

All communications or copies of correspondence from the State Management Committee shall remain the property of the Union and information relating to such communications or correspondence shall not be divulged to any outside body or bodies without first obtaining the sanction of the State Management Committee.

34.11 Sub-Branches allowed

In all cities and towns there shall be only one Sub-Branch and no other Sub-Branch shall operate within a radius of eight kilometres of the meeting place of such Sub-Branch except with the consent of the State Management Committee.

34.12 Sub-Branch Officers

Sub-Branches shall elect the Sub-Branch Committee. The Sub-Branch Committee shall consist of President, Vice-President and Secretary and six committee members, one of

whom may be an apprentice. Sub-Branches with more than 100 members may also elect a money steward and door keeper. The Sub-Branch Secretary may appoint sick stewards as they are required.

34.13 Neglect of Duties

Any member neglecting the duties for which the member is elected shall, unless a satisfactory apology is furnished, be fined by their Sub-Branch or the State Management Committee any amount not exceeding ten dollars (\$10).

34.14 Meetings: When Held

Sub-Branches of the Union shall meet at least bi-monthly to transact business and the time of opening and closing the Sub-Branch meeting shall be at the discretion of each Sub-Branch.

34.15 Audit

The books of each Sub-Branch shall be sent each half-year to the Union Office for audit in accordance with Rule 39 in a manner similar to audit of Union financials.

34.16 Levies

Sub-Branches shall have power to strike a levy of not more than \$4 for purely local purposes, provided due notice thereof has been given to members and provided that two-thirds of the members voting shall decide in favour of the levy. Voting shall be by ballot of the members of the Sub-Branches concerned. In no circumstances shall any levy be imposed which would so operate as to impose a liability for levies in a sum exceeding \$4 per annum on a member.

34.17 Failing to Attend a Summoned Meeting

Any member residing within a five kilometre radius of the meeting place of the Sub-Branch who fails to attend a summoned meeting may be fined a sum not exceeding \$10.00 unless a satisfactory excuse is tendered.

34.18 Special Meetings

The Sub-Branch President and Secretary, on a requisition signed by ten per centum of the members of the Sub-Branch shall call a special meeting of the Sub-Branch. No business shall be transacted at such a meeting other than the business set out in the requisition or in the notice calling the meeting.

34.19 Notice of Meetings

- (a) The Sub-branch Committee shall meet at least 2 times per year and on such other times as its members may determine. The Sub-branch Secretary shall upon the request of the Sub-branch President, or any 2 members of the Sub-branch

Committee summon a meeting of the Sub-branch Committee.

- (b) The Sub-branch Secretary shall give at least 24 hours notice when summoning members to meetings of the Sub-branch Committee.
- (c) Notwithstanding anything hereinbefore contained, where the Sub-branch President or the Sub-branch Secretary consider that a matter requires urgent attention, a meeting of the Sub-branch Committee may be called by the Sub-branch President or the Sub-branch Secretary who shall give such notice of the meeting as is practicable in the circumstances. Such meeting may be conducted by telephone, radio or any other method by which members of the Sub-branch Committee are able to communicate with each other without being physically present.
- (d) All other meetings of the Sub-branch shall be called by the Sub-branch Secretary giving 14 days written notice to the members of the Sub-branch at their addresses on the Register of Members.



#### 34.20 Sub-Branch President

The Sub-Branch President shall preside at all meetings of the Sub-Branch and Sub-Branch committee, and shall conduct business according to the Rules laid down for the Sub-Branch President's guidance. If the Sub-Branch President is not present at the time of opening the meeting then the Sub-Branch Vice-President shall take the chair. Should the Sub-Branch Vice-President be absent, the members shall elect a chairman pro tem who shall exercise, for the purposes of the meeting its powers of the Sub-Branch President. The Sub-Branch President shall not enter debate on any question, but shall endeavour to bring the business to a speedy and successful issue. The Sub-Branch President shall have a deliberative vote only.

#### 34.21 Bank Book: Countersign Orders for payments; Branch Resolutions

The Sub-Branch President shall sign the Sub-Branch minutes of the previous meeting, after they have been confirmed by the Sub-Branch. The Sub-Branch President shall examine the Sub-Branch bank book each night (when such book is not held by the bank) and report to the Sub-Branch the result of each banking transaction, the record to be inserted in the minute book. The Sub-Branch President shall countersign all orders for payment of money authorised by the Sub-Branch, and all orders for remittances to the State Management Committee when requested to do so by the State Secretary under these Rules. The Sub-Branch President shall also cause to be recorded in the minute book the number voting for and against all suggestions for alteration of Union Rules or resolutions intended for the State Management Committee and the numbers present when the vote is taken.

#### 34.22 Sub-Branch Secretary

- (a) The Sub-Branch Secretary shall attend all meetings of the Sub-Branch or



committee. The Sub-Branch Secretary shall conduct all correspondence and take the minutes of committee meetings. The Sub-Branch Secretary shall be responsible for the collecting of contributions, fines, and other money due to the Union by members of the Sub-Branch Secretary's Sub-Branch.

- (b) The Sub-Branch Secretary shall keep a clear and correct account of all receipts and expenditure in connection with the Sub-Branch. The Sub-Branch Secretary shall register carefully the name, age and residence of every member, and shall within one month, forward to the State Secretary correctly filled in registration cards for all members admitted into the Sub-Branch, and also transfer cards for all members leaving the Sub-Branch. The Sub-Branch Secretary shall also notify the State Secretary of all resignations and deaths.
- (c) The Sub-Branch Secretary shall prepare, in duplicate, a half-yearly balance sheet and report, setting out all income and expenditure incurred during the period covered by such balance sheet, one copy to be forwarded to the State Management Committee within seven days after the half-yearly meeting. The Sub-Branch Secretary shall close the Sub-Branch's books at the end of January and July each year. Contributions for the next half year shall be due and payable at the end of March and September each year. The Sub-Branch Secretary shall give every facility to the auditors to examine all books and papers in connection with the Sub-Branch. The Sub-Branch Secretary shall read out to the Sub-Branch meeting a cash account. The Sub-Branch Secretary shall be the custodian of the official stamp of the Sub-Branch, and be ex-officio member of all sub-committees, but shall not have a vote on any matter in which the Sub-Branch Secretary is personally or financially interested.
- (d) The Sub-Branch Secretary shall supply all necessary advice to the Union Office to enable it to advise the Sub-Branch members of the time, place and date of the half-year meeting, which shall be in March and September of each year. The Union Secretary shall forthwith notify all Sub-Branch members thereof. The Sub-Branch Secretary shall supply all details to the Union Office to enable it to advise members in arrears. Special meetings of the Sub-Branch may be called as decided by the Sub-Branch. The Sub-Branch Secretary shall perform all clerical and other duties appertaining to the position of the Secretary.
- (e) All Sub-Branch meetings called in accordance with this sub-clause shall be held at the place fixed by the Union for conduct of the business of the Sub-Branch.

#### 34.23 Suspended Members

Members who owe one year's arrears of contributions shall be suspended. The State Secretary shall be advised regarding such members. They shall not be included in returns of membership or recognised when computing the number of members in the Sub-Branch.

#### 34.24 Clearances and Transfers

- (a) The Sub-Branch Secretary shall accept all clearances (that are permitted) from

other Unions or from other States and shall issue transfers for any members applying for same. The Sub-Branch Secretary shall also transfer all members who do not comply with Rule 10.2 to the Sub-Branches nearest to which they reside.

- (b) Sub-Branch Secretaries obtaining the transfers of members from other States or other Unions shall immediately fill in a duplicate card and forward same to the Union Office.

34.25 Pay Benefits

The Sub-Branch Secretary shall pay all benefits according to Rule 27 and may be made to refund all expenditure that is made contrary to the provisions of these Rules.

34.26 Resignation or Removal

- (a) In the event of resigning the Office of Sub-Branch Secretary, the Sub-Branch Secretary shall give one month's notice, or be fined \$1, except in the case of illness or removal from the town.
- (b) On the Sub-Branch Secretary's resignation or being removed from Office, or on demand of the State Management Committee, or whomsoever they may authorise, the Sub-Branch Secretary shall, within seven days, deliver up, books, documents and property of the said Sub-Branch to the State Management Committee or Trustee. Before the books are handed over to the Sub-Branch Secretary successor in Office they shall be audited.
- (c) Should the Sub-Branch Secretary fail to carry out any of the Sub-Branch Secretary duties to the satisfaction of the Sub-Branch, the Sub-Branch shall, upon the matter being reported, refer it to the Sub-Branch Committee, who shall investigate it and report to a subsequent meeting, which shall have power to deal with him according to the provisions of Sub-rule 34.13.

34.27 Vice-President

The Sub-Branch Vice-President shall record the minutes of all Sub-Branch and special meetings and shall preside over meetings in the absence of the Sub-Branch President.

34.28 Doorkeeper

The doorkeeper shall attend at the opening time of each Sub-Branch meeting, and shall assist the Sub-Branch President in maintaining order by keeping the door closed whilst any member is addressing the meeting; and shall not admit any disorderly member into the room; neither shall the Doorkeeper admit anyone who is not a member or who is not a candidate.

34.29 Sub-Branch Finances

- (a) The funds of each Sub-Branch shall be banked as provided in these Rules.

- (b) On a written authority signed by the Sub-Branch President and Sub-Branch Secretary any two members of the Sub-Branch Committee shall sign cheques for payment of accounts for expenditure, in conformity with these Rules. Such cheques shall be countersigned by the Sub-Branch Secretary.

#### 34.30 Sub-Branch Committee

In every Sub-Branch there shall be a committee elected in accordance with Sub-rule 34.12 which shall meet when required on being summoned by the Sub-Branch Secretary, three to form a quorum. The President shall have a deliberative vote only. The minutes of the proceedings shall be signed by the Chairman at the close of each meeting, and submitted to the next Sub-Branch meeting for confirmation or otherwise. If necessary they shall examine and determine claims for lost tools. In the event of a member being charged with acting contrary to the policy of the Union the Sub-Branch committee shall have power to refuse payment of any benefit to such member until the charge has been investigated by the State Management Committee and its decision conveyed to the Sub-Branch. They shall hear and decide all cases of appeal from a member against an Officer of the Sub-Branch. Any member of a Sub-Branch committee who is absent without reasonable excuse from three consecutive meetings shall be deemed to have vacated the members seat, and the Sub-Branch shall fill the vacancy. The Committee shall meet at least once per half-year for the purpose of drawing up an agenda and making a report of the half-year's work for the half-yearly meeting of the Sub-Branch.

#### 34.31 Sick Stewards

Sick stewards shall, when instructed by the Sub-Branch Secretary visit any member who is sick or who has met with an accident, and report to the next Sub-Branch meeting.

#### 34.32 Sub-Branch Returning Officer and Scrutineers

- (a) The Sub-Branch Committee shall appoint a Sub-Branch Returning Officer and two scrutineers who shall not hold any Office in, and not be an employee of, the Union or the Sub-Branch to conduct all required ballots. The appointment shall be made by a majority vote of Sub-Branch Committee members at the first meeting of the Committee immediately following the yearly Sub-Branch elections.
- (b) Provided that should any vacancy occur in these positions the Sub-Branch Committee shall be empowered to fill such vacancy.

#### 34.33 Money Stewards

The money stewards shall attend the half-yearly Sub-Branch meetings punctually at the time of commencing of business, and shall take money and issue receipts to members.

#### 34.34 Election of Sub-Branch Officers

The election for Sub-Branch Officers shall be held in March of the year following the



State Management Committee elections and shall be conducted in the manner provided for in Rule 28 with all changes as may be necessary or appropriate.

34.35 Control of Sub-Branch's by Members of Sub-Branch

- (a) The Sub-Branch Secretary shall, on receipt of a request in writing signed by 10 per cent of the financial members of the Sub-Branch direct the conduct of a plebiscite of the financial members of the Sub-Branch on a matter concerning the Sub-Branch.
- (b) The Sub-Branch Committee may direct the conduct of the plebiscite of the financial members of the Sub-Branch on a matter concerning the Sub-Branch.
- (c) A plebiscite shall be conducted by secret ballot by a Sub-Branch Returning Officer and shall be completed, in the case of a plebiscite under paragraph (a) within 2 months of the receipt by the Sub-Branch Secretary of the request and in the case of a direction under paragraph (b) within 2 months of the direction.
- (d) Where a request has been received under paragraph (a) or a direction given under paragraph (b), the Sub-Branch Committee shall not, so far as is practicable, from the completion of the plebiscite, act in relation to the matter the subject of the plebiscite.
- (e) Where a majority of financial members of the Sub-Branch voting at a plebiscite approve the matter submitted to plebiscite, the matter shall be carried out and the Sub-Branch Committee shall, so far as is practicable, implement the decision of the plebiscite.
- (f) Where a request is received under paragraph (a) of Sub-rule 34.35 or a direction given under paragraph (b) of Sub-rule 34.35, the Sub-Branch Secretary shall advise the Returning Officer and the Returning Officer shall direct the conduct of the plebiscite and shall take all necessary steps to ensure the secrecy of the ballot.
- (g) The Sub-Branch Returning Officer shall determine the opening and closing dates of the ballot.
- (h) The Sub-Branch Committee, or where the plebiscite is held following a request pursuant to paragraph (a) of Sub-rule 34.35 the members who requested the plebiscite, may each appoint 2 scrutineers for the conduct of the plebiscite and shall, before the opening of the ballot, advise the Sub-Branch Returning Officer of the name of each such scrutineer.
- (i) The Returning Officer shall on the opening date of the ballot forward or cause to be forwarded by prepaid post or otherwise to each financial member of the Sub-Branch, a ballot paper initialled by the Returning Officer together with a reply paid return envelope addressed to the Returning Officer at the Returning Officers address for the purpose of the conduct of the plebiscite. The ballot paper may contain, or be accompanied by, such directions to voters as the Returning Officer

considers necessary.

- (j) Subject to paragraph (f) a scrutineer appointed under paragraph (h) may be present during the conduct of the ballot by the Sub-Branch Returning Officer including the counting of ballot papers returned in the plebiscite and may object to a ballot paper being counted on the ground that it does not clearly express the voter's attitude to the question to which the plebiscite is directed.
- (k) A scrutineer shall observe a direction given by the Sub-Branch Returning Officer during the conduct of the ballot and shall comply with any decision given by the Sub-Branch Returning Officer as to whether a ballot paper is to be counted as sufficiently expressing a voter's attitude to the question which is the subject of the plebiscite.
- (l) A voter shall cast a vote in a ballot under this Rule by completing the ballot paper forwarded to the voter under paragraph (d) in accordance with the directions to voters (if any) and forwarding the ballot paper to the Sub-Branch Returning Officer so as to reach the Sub-Branch Returning Officer no later than the closing date of the ballot.
- (m) A vote cast in the ballot shall be informal if the intention of the voter is not clear.
- (n) On completion of the counting of ballot papers returned in a plebiscite the Sub-Branch Returning Officer shall declare the result of the plebiscite by advising the Sub-Branch Secretary in writing of the number of ballot papers forwarded to voters, the number approving the matter or the subject of the plebiscite, the number not approving and the number of informal votes.
- (o) Provided that nothing contained in this Rule prevents the conduct of the ballot by the Australian Electoral Commission or the Electoral Commission, Queensland.

### 35. AGGREGATE MEETINGS:

Whenever it may be deemed necessary by the State Management Committee, or on the urgent representation of a majority of the Sub-Branches to the Divisional Management Committee, aggregate meetings shall be called by advertisement to decide such questions as the State Management Committee may decide or the Sub-Branches may require to be decided.

### 36. DELEGATION APPROVAL

No Sub-Branch shall have the power to delegate any member on Union business for any period above one week in any half-year without first obtaining the approval of the State Executive. Any infringement of this Rule by any member or Sub-Branch shall be deemed misconduct, and members or Sub-Branches infringing this Rule may be fined by the State Management Committee any sum not exceeding \$20. This Rule shall not affect the Rule allowing 10 percent of the Sub-Branch income to be used for local organising.

37. SHOP STEWARDS

- 37.1 For the convenience of members, shop or job stewards may be appointed by Sub-Branches within the area under their control.
- 37.2 Should any shop or job steward be victimised, or be reasonably supposed to be victimised, from carrying out any duties for the Union, the State Management Committee shall take all necessary steps to see that the member is compensated for any loss the Shop or Job Steward may incur.

38. APPRENTICES

- 38.1 An apprentice making application to join the Union shall pay dues for the remaining period of their indenture at the rate equivalent to the entrance fee for the Union per half-year. No additional entrance fee shall be payable by apprentices.
- 38.2 Thereafter, upon completion of apprenticeship the apprentice shall transfer to full membership and payment of full Union dues, levies, etc. as determined from time to time by the State Management Committee.

39. AUDIT OF ACCOUNTS

- 39.1 The Auditor who shall hold the qualification required for a competent person under the Act shall be appointed by the State Executive in accordance with the provisions of the Act and shall be paid such fees as the State Executive may from time to time determine.
- 39.2 The Auditor shall audit the books and financial statements of the State Executive at the end of each financial year and at such other times as the State Executive shall direct, shall have access to and examine all registers, books, papers, deeds, documents and accounts of the State Executive and may examine any Officer of the same in regard to the accounts, and is hereby authorised to obtain from any bank in which the Union funds are deposited or invested a written statement from the bankers as to the balance of the account or accounts.
- 39.3 The Auditor shall furnish a written statement that all accounts and statements certified to are in accordance with law and these Rules, or, if unable to certify to the correctness of any of them, report forthwith to the State Executive in which respect they are incorrect.
- 39.4 The Auditor shall have power to place before the State Executive any suggestions concerning the financial affairs of the Union.
- 39.5 In the event of an Auditor so appointed being unable to act or refusing to act or resigning, the State Executive shall appoint an Auditor qualified as aforesaid as a replacement.
- 39.6 The accounts of Sub-Branches shall be audited half-yearly in the manner provided in Sub-rule 34.15.
- 39.7 The financial year of the Union shall be the period ending 31st of December.

W:\U02\98597\993300.NPS



40. **SPECIAL AUDITORS**

The State Management Committee may at any time appoint two auditors to audit the books of any Sub-Branch or direct that the books be forwarded to the Union Office for audit.

41. **DONATIONS/LOANS**

41.1 The State Management Committee shall have the power to grant donations when application has been made in accordance with the provisions of these Rules.

41.2 Payments may be made for the purpose of relieving cases of distress amongst members that are recommended by the Sub-Branches to and approved of, by the State Management Committee. It may be used for such payments assisting the Unions trade or any other trade.

41.3 All applications for donations to members shall be on a schedule provided by the Union and no donation shall be made unless such schedule is filled in by the Sub-Branch Secretary and approved by the State Management Committee.

41.4 Requests for donations for purposes other than the relief of members shall be forwarded to the State Management Committee and shall contain full particulars of the purpose of the proposed donation.

41.5 No member who has been less than 3 months in the Union shall be eligible for assistance, and in no case shall payment of benefit be made to a member who is otherwise disentitled.

41.6 Notwithstanding anything contained elsewhere in these Rules a loan, grant or donation of any amount exceeding \$1,000.00 shall not be made by the Union, unless the State Executive has satisfied itself:-

- (a) that the making of the loan, grant or donation would be in accordance with the other Rules of the Union; and
- (b) 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 has approved the making of the loan, grant or donation.

42. **INTERPRETATION OF RULES**

The State Management Committee shall interpret all Rules of the Union requiring interpretation.

43. **AFFILIATION**

The State Management Committee shall have the power to affiliate with any industrial,

educational or political organisations within the State provided such affiliation is sanctioned by a majority of the members of the Union voting. Such affiliation shall not interfere with the personal rights of the member's political code.

44. **DISPUTES WITH MANAGEMENT**

In the event of a dispute arising, no official of the Union shall interview the management with whom the Union is in dispute unless accompanied by at least one member actively concerned in the dispute.

45. **ALTERATION OF RULES**

45.1 These Rules may be altered or deleted or additions made thereto by a majority of members of the State Management Committee provided that at least 7 days notice to alter Union Rules has been given by the State Executive to the State Management Committee.

45.2 Provided that the State Management Committee may alter Union Rules of which previous notice has not been given subject to two-thirds of State Management Committee members voting in favour of the alterations.

45.3 Provided further that alterations to Union Rules of an urgent nature may be made by a postal ballot, facsimile ballot or telephone Linkup of the State Management committee members to determine for or against the adoption of the alterations.

46. **DISSOLUTION**

Whenever the number of members in this Union is reduced to 21 by ~~deaths or~~ exclusions, a majority of the remaining members may, at a meeting assembled at the Registered Office, finally dissolve the Union subject to discharging all debts and liabilities legally incurred in the Union's name and shall pay any balance to the Construction, Forestry, Mining and Energy Union.

47. **BALLOTS/PLEBISCITES - CONTROL BY MEMBERS**

47.1 (a) The State Secretary shall, on receipt of a request in writing signed by 10 per cent of the financial members of the Union direct the conduct of a plebiscite of the financial members of the Union on a matter concerning the Union.

(b) The State Management Committee or State Executive may direct the conduct of the plebiscite of the financial members of the Union on a matter concerning the Union.

(c) A plebiscite shall be conducted by secret ballot by a Returning Officer in accordance with Sub-rule 47.2 and shall be completed, in the case of a plebiscite under paragraph (a) within 2 months of the receipt by the State Secretary of the request and in the case of a direction under paragraph (b) within 2 months of the direction.

- (d) Where a request has been received under paragraph (a) or a direction given under paragraph (b), the State Management Committee or State Executive shall not, so far as is practicable, until the completion of the plebiscite, act in relation to the matter the subject of the plebiscite.
  - (e) Where a majority of financial members of the Union voting at a plebiscite approve the matter submitted to plebiscite, the matter shall be carried out and the State Management Committee or State Executive shall, so far as is practicable, implement the decision of the plebiscite.
- 47.2
- (a) Where a request is received under paragraph (a) of Sub-rule 47.1 or a direction given under paragraph (b) of Sub-rule 47.1, the State Secretary shall advise the Returning Officer and the Returning Officer shall direct the conduct of the plebiscite and shall take all necessary steps to ensure the secrecy of the ballot.
  - (b) The Returning Officer shall determine the opening and closing dates of the ballot.
  - (c) The State Management Committee or the State Executive and (where the plebiscite is held following a request pursuant to paragraph (a) of Sub-rule 47.1), the members who requested the plebiscite may each appoint 2 scrutineers for the conduct of the plebiscite and shall, before the opening of the ballot, advise the Returning Officer of the name of each such scrutineer.
  - (d) The Returning Officer shall on the opening date of the ballot forward or cause to be forwarded by prepaid post or otherwise to each financial member of the Union, a ballot paper initialed by the Returning Officer together with a reply paid return envelope addressed to the Returning Officer at his address for the purpose of the conduct of the plebiscite. The ballot paper may contain, or be accompanied by, such directions to voters as the Returning Officer considers necessary.
  - (e) Subject to paragraph (f) a scrutineer appointed under paragraph (c) may be present during the conduct of the ballot by the Returning Officer including the counting of ballot papers returned in the plebiscite and may object to a ballot paper being counted on the ground that it does not clearly express the voter's attitude to the question to which the plebiscite is directed.
  - (f) A scrutineer shall observe a direction given by the Returning Officer during the conduct of the ballot and shall comply with any decision given by the Returning Officer as to whether a ballot paper is to be counted as sufficiently expressing a voter's attitude to the question which is the subject of the plebiscite.
  - (g) A voter shall cast a vote in a ballot under this Rule by completing the ballot paper forwarded to the voter under paragraph (d) in accordance with the directions to voters (if any) and forwarding the ballot paper to the Returning Officer so as to reach the Returning Officer no later than the closing date of the ballot.
  - (h) A vote cast in the ballot shall be informal if the intention of the voter is not clear.



- (i) On completion of the counting of ballot papers returned in a plebiscite the Returning Officer shall declare the result of the plebiscite by advising the State Secretary in writing of the number of ballot papers forwarded to voters, the number approving the matter or the subject of the plebiscite, the number not approving and the number of informal votes.

47.3 Provided that nothing contained in this Rule prevents the conduct of the ballot by the Australian Electoral Commission or the Electoral Commission, Queensland.

48. **COMMON SEAL AND MODE OF EXECUTION OF DOCUMENTS**

48.1 The Union shall have a common seal which shall be kept in the custody of the State Secretary and shall be affixed to documents requiring sealing only when authorised by resolution of the State Management Committee.

48.2 Any document to which the seal is affixed shall be signed by 2 members of the State Management Committee one of whom shall be the State President.

48.3 Industrial agreements and other documents may be executed by or on behalf of the Union by affixing the seal of the Union thereto.

48.4 Documents not required to be under seal of the Union may be executed on behalf of the Union by the State Secretary and any such document so executed shall be deemed to be executed on behalf of the Union and with its authority.

49. **STANDING ORDERS AND RULES OF DEBATE**

49.1 Call to Speak - the first speaker who attracts the attention of the President shall have precedence in speaking.

49.2 Members addressing the meeting shall direct their speech to the Presiding Officer, and remain standing while so doing.

49.3 Motions - no discussion shall take place on any motion unless such motion is duly proposed and seconded. Any number of amendments may be proposed.

49.4 Amendment - when a motion shall have been duly proposed and seconded, the President shall proceed at once to take the votes thereon; unless some member rises to oppose it or to propose an amendment; but no amendment shall be in order unless notice be given to move the same before the proposer of the resolution has replied.

49.5 No more than two members shall speak against any question before the meeting, and, if at the conclusion of the second speaker's remarks, no member rises to speak on the other side, the motion or amendment shall be put at once to the meeting.

49.6 Question be now put - it shall be competent at any time during a debate for a member who has not already spoken to the question before the chair to move, without discussion, "That the question be now put", which on being duly seconded and carried, shall necessitate the

submission of the motion at once to the meeting after the mover has replied.

- 49.7 Speak only once - except in explanation, no member, other than the mover, shall speak more than once on the same motion.
- 49.8 Time Limit - no member shall be allowed more than ten minutes to speak on a motion unless with the concurrence of the meeting.
- 49.9 Reply - the mover only shall have the privilege of reply, after which the motion shall be forthwith put to the meeting.
- 49.10 Questions of order shall be decided by the Chairman, whose ruling shall be final, unless it is challenged by a formal motion for that purpose.
- 49.11 President's right to speak - the President or Chairman for the time being may speak only on questions in which the interests of the Office he/she represents are directly involved. In the event of the President or Chairman desiring to speak on any question, he/she shall vacate the chair.
- 49.12 Limit to Debate - should any question have occupied the attention of the meeting for 30 minutes, the discussion on such question shall be deemed to have closed, and the President shall forthwith call on the mover to reply, unless the meeting, decided by a resolution (carried by a majority of the members present) to continue the discussion of the matter in question.
- 49.13 Notice of Motion - at any meeting of the Sub-Branch any member may give notice of motion for a future meeting by (1) reading such notice to the meeting; or (2) handing a copy thereof to the President. Such notice of motion shall take precedence in the order in which it stands in the minute book, in relation to other similar notices, unless otherwise ordered by the Sub-Branch, and shall lapse if the member, or some member on his/her behalf, be not present when the order of the day for such notice is read.
- 49.14 Motion to Adjourn - no motion for the adjournment of the meeting shall be received while there is business before the President.
- 49.15 Moving Dissent from Chairman's Ruling - any member dissatisfied with the ruling of the Chairman may move a motion of dissent as follows, "That the Chairman's ruling be dissented from."
- 49.16 How Put - the motion shall then be put to the meeting by the Vice-Chairman, without discussion, in the following manner:-
- That the question is, "That the Chairman's ruling be upheld." Those in favour of upholding the Chairman's ruling say, "Aye". Those against the Chairman's ruling being upheld say, "No".
- 49.17 The mover only shall speak to the motion, except the Chairman, who may explain his/her reasons for the ruling given.

- 49.18 The Vice-Chairman shall not give a ruling on the question involved in the Chairman's ruling.
- 49.19 The Vice-Chairman's ruling shall only be dissented from a direct appeal to the meeting, the question being put by the Vice-Chairman without discussion.

50. **MERGER RULE**

- 50.1 In this Rule the following words and phrases have the meaning assigned hereunder:

Amalgamation Day - The date fixed by the Industrial Relations Commission as the date on which the amalgamation between the ASCJBPPDAUEQ and the FFTS took effect.

Merger Day - The date on which the merger between the Construction and General Divisional Branch and the Furnishing Industrial Divisional Branch takes effect.

- 50.2 Notwithstanding anything else in these Rules, the provisions of this Rule shall apply from merger day to the date that persons elected pursuant to the declaration of elections in 2000 held in accordance with these Rules, take office on the 2nd of January, 2001, and such Officers holding office pursuant to this Rule shall hold office subject to this Rule and the Rules of the Union until the 2nd of January, 2001 provided that the provisions of this Rule shall continue to operate until a sufficient number of Officers, members of State Executive and members of the State Management Committee as will enable the Officers, the State Executive and the State Management Committee to perform the functions conferred on them by these Rules, have been declared elected at those elections, and have taken office.
- 50.3 Except as is otherwise provided for in this Rule, this Rule may be altered by resolution of the State Executive or the State Management Committee provided that of the votes cast 2/3 of the total vote are cast in favour of any such alteration.

- 50.4 On merger day the State Executive shall be as set out hereunder:

|                     |             |
|---------------------|-------------|
| State President     | P. Stone    |
| State Secretary     | W. Trohear  |
| Assistant Secretary | G. Howcroft |
| Assistant Secretary | P. Waters   |
| member              | R. Bostock  |
| member              | R. Beattie  |
| member              | B. Daniel   |
| member              | G. Williams |



- 50.5 On merger day the members of the State Management Committee shall be as set out hereunder:
- (a) the State Executive as provided for in Sub-rule 50.4 of this Rule;



- (b) the members of the Construction and General Divisional Branch State Management Committee as constituted on the day immediately preceding merger day;
  - (c) the members of the Furnishing Industrial Divisional Branch Committee of Management as constituted on the day immediately preceding merger day.
- 50.6 Each member of State Management Committee shall, on and from the day following merger day and until the 2nd January, 2001, exercise a vote on the State Management Committee on the following basis:
- (a) each member of the State Management Committee who is eligible for membership of the Union by virtue of Rule 2.1 shall exercise a vote equal to the percentage of financial members of the Union who are eligible for membership by virtue of Rule 2.1 divided by the number of members of the State Management Committee who are eligible for membership by virtue of Rule 2.1 and who are entitled to vote on State Management Committee;
  - (b) each member of the State Management Committee who is eligible for membership of the Union by virtue of Rule 2.2 shall exercise a vote equal to the percentage of financial members of the Union who are eligible for membership by virtue of Rule 2.2 divided by the number of members of the State Management Committee who are eligible for membership by virtue of Rule 2.2 and who are entitled to vote on State Management Committee;
  - (c) each member of the State Management Committee who is eligible for membership of the Union by virtue of Rule 2.5 shall exercise a vote equal to the percentage of financial members of the Union who are eligible for membership by virtue of Rule 2.5 divided by the number of members of the State Management Committee who are eligible for membership by virtue of Rule 2.5 and who are entitled to vote on State Management Committee.
- 50.7 Nothing in Sub-rule 50.6 shall prevent proxy voting or multiple voting.
- 50.8 There shall be a State Delegates Convention in accordance with Rule 32 and the first State Delegates Convention following merger day shall be held in 2000.
- 50.9 Each person who was immediately before merger day a financial member of the Construction and General Divisional Branch or the Furnishing Divisional Branch shall be on merger day a financial member of the Union for as long as such person would have remained a financial member under the Rules of the Construction and General Divisional Branch or the Furnishing Divisional Branch and thereafter subject to these Rules. Provided that a member of the Union who was on the day preceding merger day an unfinancial member of the Construction and General Divisional Branch or the Furnishing Divisional Branch shall remain unfinancial until the member becomes financial in accordance with the Rules of the Union.
- 50.10 A member of the Union who, on the day preceding merger day was a duly appointed,

W:\U02\98597\989294.U02

INDUSTRIAL REGISTRAR

12 APR 1999

QUEENSLAND

credentialled or elected Shop Steward, Job Steward, Workplace Representative or other Representative howsoever titled, of the Construction and General Divisional Branch or the Furnishing Divisional Branch shall continue in that capacity on behalf of the Union, subject to the Rules of the Union.

- 50.11 Any Sub-Branche, Lodge, District Committees, Regional Committees of Stewards, Regional Committees of Workplace Representatives, howsoever called, established pursuant to the Rules of the Construction and General Divisional Branch or the Furnishing Divisional Branch and in existence on the day preceding merger day shall on merger day be Sub-Branche, Lodge, District Committees, Regional Committees of Stewards or Regional Committees of Workplace Representatives of the Union and shall continue subject to the Rules of the Union.
- 50.12 All property and other assets of the Construction and General Divisional Branch or the Furnishing Divisional Branch held respectively by the Construction and General Divisional Branch or the Furnishing Divisional Branch on the day preceding merger day shall be held by the Union on merger day. Provided that on merger day there shall in accordance with the Rules of the Union be a Union Fund and all funds, assets or real property held respectively in the Divisional Branch Fund of the Construction and General Divisional Branch or the Furnishing Divisional Branch and any funds, assets or real property the beneficial use of which derived respectively to the Divisional Branch Fund of the Construction and General Divisional Branch or the Furnishing Divisional Branch on the day prior to merger day, shall on merger day be attributed to the use and benefit of the Union Fund.
- 50.13 The liabilities of the Construction and General Divisional Branch owed by the Construction and General Divisional Branch on the day preceding amalgamation day shall become the liabilities of the Union on merger day.
- 50.14 The liabilities of the Furnishing Industrial Divisional Branch owed by the Furnishing Industrial Divisional Branch on the day preceding amalgamation day shall become the liabilities of the Union on merger day, excepting any liabilities of the Furnishing Industrial Divisional Branch which existed on the day preceding merger day in relation to monies owed to the FFTS Division of the Construction, Forestry, Mining and Energy Union in respect of the period prior to the 1st April, 1998 which such liability is recognised as forgiven by the FFTS Division of the Construction, Forestry, Mining and Energy Union as and from merger day.
- 50.15 Any affiliation to a state or national organisation by the Construction and General Divisional Branch or the Furnishing Divisional Branch shall be maintained by the Union subject to the Rules of the Union.
- 50.16 If on merger day a person named in this Rule is not available for any reason to hold an Office referred to in this Rule or has declined to hold an Office referred to in this Rule then the State Executive is empowered to fill the vacancy by an appointment made from:
  - (a) where the person who is not available for any reason to hold an Office or has declined to hold an Office was eligible immediately preceding merger day

INDUSTRIAL REGISTRAR  
17 APR 2006  
QUEENSLAND



pursuant to Sub-rule 2.1 from members of the Union who are eligible pursuant to Sub-rule 2.1;

- (b) where the person who is not available for any reason to hold an Office or has declined to hold an Office was eligible immediately preceding merger day pursuant to Sub-rule 2.2 from members of the Union who are eligible pursuant to Sub-rule 2.2;
- (c) where the person who is not available for any reason to hold an Office or has declined to hold an Office was eligible immediately preceding merger day pursuant to Sub-rule 2.5 from members of the Union who are eligible pursuant to Sub-rule 2.5.

50.17 Subject to Sub-rule 50.16 of this Rule and to the Rules of the Union, in the event of a casual vacancy occurring in the Offices referred to in Sub-rules 50.4 and 50.5 the vacancy shall be filled by the State Executive by an appointment made from:

- (a) where the casual vacancy occurs in relation to a person who was eligible immediately preceding merger day pursuant to Sub-rule 2.1 from members of the Union who are eligible pursuant to Sub-rule 2.1;
- (b) where the casual vacancy occurs in relation to a person who was eligible immediately preceding merger day pursuant to Sub-rule 2.2 from members of the Union who are eligible pursuant to Sub-rule 2.2;
- (c) where the casual vacancy occurs in relation to a person who was eligible immediately preceding merger day pursuant to Sub-rule 2.5 from members of the Union who are eligible pursuant to Sub-rule 2.5.

50.18 Elections shall occur in respect of all offices of the Union in 2000 with officers to take office from the 02.01.2001.

50.19 The annual subscription fees to be paid by members of the Union subsequent to merger day shall be:-

- (a) for members who were members of the Construction and General Divisional Branch on the day prior to amalgamation day at the level of such subscription fees on the day prior to amalgamation day;
- (b) for members who were members of the Furnishing Divisional Branch on the day prior to amalgamation day at the level of such subscription fees on the day prior to amalgamation day.

50.20 For entrants to the Union who were not members of the Construction and General Divisional Branch or the Furnishing Divisional Branch on the day prior to merger day:

- (a) for new members whose eligibility for membership is pursuant to Sub-rules 2.1, or 2.2 an amount equivalent to the level of fees of members of the Construction



and General Divisional Branch on the day prior to merger day;

- (b) for new members whose eligibility for membership is pursuant to Sub-rule 2.5 an amount equivalent to the level of fees of members of the Furnishing Divisional Branch on the day prior to merger day.

Provided always that the State Executive of the Union shall be able to determine the scales of subscription fees in relation to members in accordance with these Rules.



*Industrial Organisations Act 1997*  
(Section 40)

(No. U30 of 1998)



## CERTIFICATE OF REGISTRATION OF NEW SET OF RULES

I hereby certify that pursuant to the Act the new set of rules of the The Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland, a copy of which is appended hereto, has been registered in substitution for the previously registered set of rules.

Dated at Brisbane this fourteenth day of April, 1999 .

  
E EWALD  
Industrial Registrar

*Rules of Court*

Application No. U30 of 1998

QUEENSLAND INDUSTRIAL  
RELATIONS COMMISSION  
LEVEL 13 & 14 CENTRAL PLAZA TWO  
EAGLE STREET, BRISBANE

Industrial Relations Act 1990

TITLE OF MATTER

RULE ALTERATIONS

Construction, Forestry, Mining & Energy,  
Industrial Union of Employees, Queensland

INDUSTRIAL REGISTRAR

EC 1998

QUEENSLAND

11-50

Filed by: Nall Payne  
Contact name: Mr J Payne  
Address: 19, 141 Queen Street  
BRISBANE QLD 4000  
Telephone: 07 3221 2014  
Facsimile: 07 3229 9842  
DX: 40095

NOTE: This address is the address for  
service of the above party.

FILED AND FEE

\$100.00 paid

5257694



*Rules of Court*

[Form 2 - Application]

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

*Industrial Organisations Act 1997*

(No.                      of 1998)

This is the paperwriting marked with the letter "A" referred to in the Application of Wally Trohear dated this 8<sup>th</sup> day of December 1998 before me:

.....Chauene Anderson G. dec 68281  
Justice of the Peace/Commissioner for Declarations



*Rules of Court*

[Form 2 - Application]

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

*Industrial Organisations Act 1997*

(No. 130 of 1998)

**APPLICATION**

TO: The Industrial Registrar, Industrial Registrar's Office, Level 14, Central Plaza Two, 66 Eagle St, Brisbane, and such other persons as the Registrar may direct.

TAKE NOTICE THAT I, WALLACE TROHEAR

of C/- Nall Payne, Solicitors of Level 19, 141 Queen Street, Brisbane in the State of Queensland, being authorised to represent the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland:

1. Apply for the Registrar's approval of a proposed alteration of the registered rules of the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland, pursuant to Section 40 of the *Industrial Organisations Act 1997* and herein make a full statement of my claim.
2. On 27 November 1998 the State Conference of the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland, resolved in accordance with the existing rules of the organisation to delete the rules of the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland and insert in lieu thereof the rules annexed hereto and marked "A".
3. The proposed rules "A" comply with the *Industrial Organisations Act 1997* and are otherwise in accordance with law.
4. The alterations to the rules were made in accordance with the Rules of the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland:
  - a. The alterations to the rules were resolved upon at a meeting of the State Conference held on 27 November 1998 pursuant to Rule 33.1 of the Registered Rules of the Union;
  - b. The resolution of the State Conference was in the following terms:

The State Conference of the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland amends the rules of the Union by deleting the rules in their entirety and replacing them with the rules annexed hereto and marked with the letter "A".
  - c. The alteration to the rules, being alterations that affected the existence of

W\U02098597\9812780.U24

Divisional Branches, was approved of by the Committee of Management, respectively, of the Furnishing Divisional Branch and the Construction and General Divisional Branch.

- d. The resolution of the Furnishing Divisional Branch was in the following terms:

The Divisional Branch Committee of Management of the Furnishing Divisional Branch of the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland approves the amendment of the rules of the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland which are being deleted in their entirety and replaced with the rules annexed hereto and marked with the letter "A".

- e. The resolution of the Construction and General Divisional Branch was in the following terms:

The Divisional Branch Management Committee of the Construction and General Divisional Branch of the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland approves the amendment of the rules of the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland which are being deleted in their entirety and replaced with the rules annexed hereto and marked with the letter "A".

Moved: Wallace Trohear

Seconded: Gregn Williams

- f. The resolutions were passed unanimously.

Additionally, I make oath and swear as follows:-

5. I am fully authorised in compliance with the Act and the Rules of Court to make this Application.
6. The statement of material facts relied on to support this Application are to the best of my knowledge, information or belief true and correct.



Signed and Sworn by the abovenamed Deponents at Brisbane this 8<sup>th</sup> day of December 1998 before me:-

*Chantel Anderson Cdec 68281*

A Justice of the Peace/Commissioner  
for Declarations



"A"

**RULES OF THE CONSTRUCTION, FORESTRY, MINING & ENERGY,  
INDUSTRIAL UNION OF EMPLOYEES, QUEENSLAND**

**INDEX**

| Rule | Description                                                        |
|------|--------------------------------------------------------------------|
| 1.   | Name and Office                                                    |
| 2.   | Eligibility                                                        |
| 3.   | Objects                                                            |
| 4.   | Application for Membership                                         |
| 5.   | Entrance Fee                                                       |
| 6.   | Contributions                                                      |
| 7.   | Financial Membership                                               |
| 8.   | Resignation of Members                                             |
| 9.   | Transfer of Members                                                |
| 10.  | Duties of Members                                                  |
| 11.  | Misconduct of Members                                              |
| 12.  | Appeals of Members and Sub-Branchees to State Management Committee |
| 13.  | Control and Suspension of Members                                  |
| 14.  | Register of Members and Officers                                   |
| 15.  | Recovery of Arrears                                                |
| 16.  | Property and Funds of the Union                                    |
| 17.  | Banking and Expenditure of Funds                                   |
| 18.  | State Management Committee                                         |
| 19.  | State Management Committee Finance                                 |
| 20.  | State Executive                                                    |
| 21.  | Duties of the State President                                      |



|     |                                                                                                        |
|-----|--------------------------------------------------------------------------------------------------------|
| 22. | Duties of State Secretary                                                                              |
| 23. | Duties of Assistant Secretaries                                                                        |
| 24. | Trustees                                                                                               |
| 25. | Organisers                                                                                             |
| 26. | Removal of Officers                                                                                    |
| 27. | Salaries of Officers                                                                                   |
| 28. | Election of State Secretary, Assistant State Secretary, State Management Committee Members, Organisers |
| 29. | Elections from Management Committee                                                                    |
| 30. | Returning Officer and Scrutineers                                                                      |
| 31. | Delegates Meeting                                                                                      |
| 32. | State Delegates Convention                                                                             |
| 33. | Election of Delegates                                                                                  |
| 34. | Sub-Branches                                                                                           |
| 35. | Aggregate Meetings                                                                                     |
| 36. | Delegation Approval                                                                                    |
| 37. | Shop Stewards                                                                                          |
| 38. | Apprentices                                                                                            |
| 39. | Audit of Accounts                                                                                      |
| 40. | Special Auditors                                                                                       |
| 41. | Donations/Loans                                                                                        |
| 42. | Interpretation of Rules                                                                                |
| 43. | Affiliation                                                                                            |
| 44. | Disputes with Management                                                                               |
| 45. | Alteration of Rules                                                                                    |
| 46. | Dissolution                                                                                            |



- 47. Ballots/Plebiscites - Control of Branch Council and Branch Executive by Member of the Branch
- 48. Common Seal and Mode of Execution of Documents
- 49. Standing Orders and Rules of Debate
- 50. Merger Rule





**"A"****RULES OF THE CONSTRUCTION, FORESTRY, MINING & ENERGY,  
INDUSTRIAL UNION OF EMPLOYEES, QUEENSLAND****1. NAME AND OFFICE****1.1** The name of the Union shall be the:

Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland, described in these rules as the "Union", and the "Association".

**1.2** The Office of the Union shall be at Union House, 366 Upper Roma Street, Brisbane, to which all communications and notices shall be addressed.**1.3** This Office shall be the place of meeting for the purposes of conducting the business of the Union except where the State Management Committee directs otherwise.**2. ELIGIBILITY****2.1** The Union shall consist of an unlimited number of persons, employed or usually employed as carpenters or joiners, including ship carpenters or joiners, or as stonemasons, marble masons, polishers, machinists, sawyers and all other persons engaged in the dressing and preparation and/or erection of stone, marble or slate also those engaged in the preparation and/or erection of terrazzo or similar compositions; also those employed in or usually employed in the following callings:- Bricklaying, tuckpointing, coke slab wall erection, gas retort repairers, fire clay block layers, floor tilers, roof tilers, slaters and shinglers, Terracotta fixer; majolica fixers, earthenware pipe drain layers in or about a building, cutters of brickwork for doorways, windows etc. plasterers; fibrous plasterers; tilers; floor specialists; lathers; together with such other persons, whether employees in the industry or not, as have been appointed Officers of the Association and admitted as members hereof.**2.2** This Union shall also consist of an unlimited number of persons employed in or usually employed in the painting and decorating industry in connection with buildings and structures, plant, machinery and equipment, fences and posts, (commercial, residential, industrial or otherwise), general and ship painting, including the following:

- (a) On ships the painting of all accommodation and appurtenances thereto provided for passengers and ships complement, hospitals and pharmacies wherever situated, chart rooms, wheel houses and other navigational Offices aboard ships including naval ships of every kind, and the painting of prefabricated ships and prefabricated parts of ships of every kind.
- (b) The painting of launches and boats of every kind and the painting of prefabricated launches and boats and the prefabricated parts of launches and boats of every kind.
- (c) The painting of or in connection with all buildings and structures, plant, machinery and equipment, fences and posts, (commercial, residential, industrial

## QUEENSLAND

or otherwise). The painting of or in connection with prefabricated buildings and structures, plant, machinery and equipment, (commercial, residential, industrial or otherwise) and any prefabricated or other parts or prefabricated building and structures as aforementioned.

- (d) The painting of the exterior of pipe lines on or above the surface of the earth, conduits, valves, condensers, cocks, control and/or regulating stations or sub-stations, and/or pumping, suction, syphon or booster stations or sub-stations, and/or storage holders, pressure regulating holders and/or trestles, bridges, viaducts, pylons, and any other supports, and all machinery and appurtenances relating to the foregoing on water, land, or seas, used or to be used for the purposes of storing and/or regulating and/or conveying liquids or gases including natural oils and gases.
- (e) Glazing, glass cutting, glass processing, cutting and fixing vitrolite or like material, the fixing of glass by any means in any place prepared for its reception, fitting and fixing glazing bars.
- (f) Paperhanging, applying and/or fixing wall hangings or coverings, decorating, kalsomining, distempering, plastic relief and texture work, graining, marbling, gilding, enamelling, varnishing and lacquering.
- (g) Signwriting, designing and/or lettering of price tickets and showcards.
- (h) Pictorial or scenic painting, or production of signs or posters by means of stencils, screens or like methods or any other work incidental thereto including cut-out displays of all descriptions, pictorial, scenic or lettering.
- (i) Leadlight and metal glazing including cutting glass, assembling and fixing such glass by means of lead and/or metal sections.
- (j) Employees who mix and/or apply and/or fix paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative or protective coatings and/or finishes, putty stopping, caulking mixtures, compositions or compounds, oils, varnishes, water-colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings (coatings shall not be read and construed to include the applying and fixing of lagging, or the work of applying or fixing of coatings consisting of plaster and/or lime and/or cement and/or aggregate when such substances are mixed or blended with water or the coating of pipes with bitumen and/or wrapping with burlap or hessian or other like material for the purposes of protection or decoration) or other materials used in any of the callings specified in Rule 1.2.2, Constitution hereof (other than mixing of paint, paint mixtures, protective coatings and/or plastic coatings and/or finishes and/or mixtures, putty, putty mixtures, stopping, caulking mixtures, compositions or compounds, oils, oil mixtures, varnishes, varnish mixtures, water colours, water-colour mixtures, lacquers, lacquer mixtures, stains and removers, stain removal mixtures in paint and chemical factories) and/or other materials used in the painting and decorating trade with a brush, spray, roller or other tool or remove paint or like matter or substitutes or mixtures or compositions or compounds for texture or plastic coatings and finishes or other decorative coatings



and/or finishes or putty, stopping, or caulking mixtures, compositions or compounds, oils, varnishes, water colours, lacquers, stains, wallpapers, wall hangings or coverings, coatings, or other materials used in the painting and decorating trade by heat, flame, water solvents, electrical, mechanical, air powered or hand tools or by grit, shot, or other abrasives or by any other means.

- (k) The Union shall also consist of an unlimited number of persons engaged in preparing the work and materials required in any of the aforementioned branches of the trade together with such other persons whether engaged in any industrial pursuit or not who have been appointed Officers of the Union or its branches and admitted as members thereof but shall not include persons employed in connection with the production or preparation of manufactured goods, plant, machinery, equipment, packages, or containers for sale or purposes of distribution.

- 2.3 Nothing in these rules shall make eligible for membership any employee employed in or in connection with the conduct of Hamilton Island and Dent Island as part of the Island Tourist Resort Industry other than employees of contractors and/or subcontractors employed on the mainland and performing work on Hamilton Island and Dent Island from time to time.

Provided further that, notwithstanding the foregoing provisions of this rule, the union does not have the right to enrol as members, employees of Mount Isa Mines Limited covered by the Mount Isa Mines Limited Award and the Mount Isa Mines Limited Tracing Employees Industrial Agreement.

- 2.4 Notwithstanding any other provision in these rules, a person employed by a sugar mill, refinery, distillery, terminal or storage operation and milling, refining, distilling, terminal, storage or other sectors of the sugar industry shall not be eligible to become a member of the union.
- 2.5 The Union also shall consist of an unlimited number of members who are employed in, or competent to be employed in or in connection with the following industries or trades: Piano and piano-player makers and tuners, organ-makers, and makers of gramophones and all other musical instruments, cabinet-makers, wood-carvers, billiard table makers and fitters, clock-case makers, coffin-makers, 3-ply veneer workers, chair and couch makers, or other articles of sitting accommodation, sewing machines, upholsterers, carpet and linoleum planners and all floor covering layers, outdoor hands, measuring, fixing, soft furnishings, blind cutting, making, painting, fixing, french-polishers, enamellers, spraying machine operators, makers of wireless instrument cases or cabinets, woodturners, mantel-piece makers, overmantel-makers, mattress-makers, wire-weavers, picture-frame makers, bedding-makers, quiltmakers (including eiderdown), venetian and wire-blind makers, bamboo pith and cane and wicker workers, packers of crockery and furniture mantle-pieces, pictures, carpets, drapery, plate and sheet glass in warehouses, shops, factories or stores, glass bevellers, glass benders, glass worker (excepting those on spectacles, lenses or frames and employees in firms where such employees are engaged on work connected with the manufacture or repair of scientific, precision or other instruments such as binoculars, microscopes, military, aircraft and naval instruments), glass lampshade workers, safety glass workers, toy makers and/or toy repairers in establishments where the chief product or products or one of the chief products manufactured in such establishments is otherwise provided for herein; cutters, silverers, glaziers, glass



polishing, cutting, painting, cementing, leadlight glaziers and cutters, and all woodworking or other machinists, and operators of other mechanical devices preparing material for above employees; millwright's baby carriage makers, upholstresses, new and second-hand carpet, drapery, table and lampshade hands; flock-workers, rag-pickers and fumigators; timber stackers, yardmen and labourers, and all other employees working in new and secondhand furniture factories, piano factories, organ factories, mantel-piece factories, billiard-table factories, overmantel factories, bedding-factories, mattress factories, venetian and wire-blind factories, picture-frame factories, plate-glass factories, luxfer glazing factories, bamboo pith cane; Reed-tex, Hytex, and wicker-work factories, sewing machine factories, flock factories, window background workers, display article workers, refrigerator workers, incubator workers, together with such other persons, whether employees engaged in the industries or not, as have been appointed officers of the Union and admitted as members thereof, provided that a branch may issue a clearance to any member whom it may be considered should not retain his membership on the ground that he is working in an industry not governed by any awards of the Society.

### 3. **OBJECTS**

#### 3.1 The objects of the Union are as follows:

- (a) To uphold the right of combination of labour, and to improve, protect, and foster the best interests of the Union and its members, and to assist them to obtain their rights under industrial and social legislation.
- (b) To regulate the conditions under which all members, of the Union may be employed.
- (c) To affiliate to, federate with, amalgamate with, or otherwise combine with any trade or industrial Union, or association, or association of Trades Unions or any other organisation having objects similar in whole or in part to the objects of this Union.
- (d) To establish a fund for the assistance and support of Trade Unionists and to carry out the foregoing objects.
- (e) To establish a funeral and other benefit funds.
- (f) To establish Divisional Branches, Sub-Branchees, Districts or Sections of the Union throughout Queensland.
- (g) To further any scheme that has for its object the establishment of Labor Research and Information Bureaux, and to assist in the establishment and maintenance of Labour and Trade Union newspapers and wireless broadcasting and television stations, and to invest in shares in such newspapers and radio and television stations.
- (h) To constitute, conduct, carry on and manage clubs in the interest of members.
- (i) To pay affiliation fees to and assist financially or otherwise any bona fide labour or Trade Union Organisation or Association.

- (j) To establish and manage a Union Journal or Journals.
  - (k) To hold, purchase, lease, sell, mortgage or otherwise deal in property.
  - (l) To enter into contracts and agreements for the purpose of furthering directly or indirectly any one or more of these objects.
  - (m) To raise money by levies and/or other means for the purpose of carrying on the objects of the Union.
  - (n) To render legal and other assistance to members for the recovery of wages or compensation for injuries, to protect the interests of the trade in all its Divisional Branches, and to assist other trades by any legal method.
  - (o) To obtain such other objects as the State Conference or State Executive shall from time to time determine.
  - (p) To organise the education of members.
  - (q) To establish a fund from which to provide retiring allowances to full time Officers and employees of the Union or its Divisional Branches.
  - (r) The advancement of members intellectually, morally and socially and to do all things which, in the opinion of the Union, is in the interest of members including donations to political parties, the achievement of compulsory Unionism, preference in employment, retrenchment, promotion, demotion and transfer in employment, the production and distribution of newspapers, journals and the like.
  - (s) To achieve such other objects as may be lawfully adopted by any Divisional Branch of the Union.
  - (t) To raise political levies, donate to and/or affiliate with political parties and to partake in conciliation and/or arbitration system in the State.
- 3.2 The Union has, in the exercise of its affairs, all the powers of an individual.
- 3.3 Without limiting the power provided in Subrule 3.2 the Union may exercise the following powers:
- (a) enter into contracts;
  - (b) acquire, hold, deal with and dispose of property;
  - (c) make charges for services and facilities it supplies;
  - (d) borrow or raise or secure the payment of money in a way determined, by resolution, at any general meeting;
  - (e) secure the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Union

in any way including the issue of debentures, perpetual or otherwise, charged upon any of the Union's property, both present and future;

- (f) purchase, redeem or pay off any securities of the Union;
- (g) borrow amounts from members and pay interest on the amounts borrowed, provided that the rate of interest shall not be more than the rate for the time being charged on overdrawn accounts on money lent (whatever the sum) by:
  - (i) the financial institution for the Union; or
  - (ii) if there is more than 1 financial institution for the Union - the financial institution decided by the management committee;
- (h) mortgage or charge the Union's property or any part of the property;
- (i) issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Union;
- (j) provide and pay off any such securities;
- (k) invest in a way determined, by resolution, at any general meeting;
- (l) appoint, employ, remove or suspend any servant, agent or volunteer of the Union;
- (m) enter into and obtain from any Local, State or Federal Government or Local, State or Federal Authority any rights, privileges and/or concessions;
- (n) construct, improve, maintain, develop or alter any houses, buildings or grounds of the Union;
- (o) take any gift of property bequeathed to the Union whether subject to any special trust and to utilize and/or dispose of it;
- (p) encourage by personal or written appeals, public meetings or any other method the procuring of contributions to the funds of the Union, in the form of donations, annual subscriptions, gifts or otherwise;
- (q) print newspapers, periodicals, books or leaflets;
- (r) make donations for charitable or community purposes;
- (s) do any other thing necessary or convenient to be done in carrying out its affairs;
- (t) do all things which are necessary or desirable for the attainment of any of the Unions objects.





- c. No power provided for in Sub-rule 3.3 of this rule limits the operation of any other power provided for in Sub-rule 3.3 of this rule or a power that may be otherwise provided for in the rules of the Union.

#### 4. APPLICATION FOR MEMBERSHIP

- 4.1 Application for membership of the Union shall be in writing signed by the applicant on the form determined by the State Management Committee.
- 4.2 All applications for membership shall be lodged together with the amount of Entrance Fee with the State Secretary or the Sub-Branch Secretary, or such other person authorised by the State Management Committee. Applications for membership shall be dealt with by the Sub-Branch Committee or the State Management Committee, who shall, if satisfied that the applicant qualifies in terms of the Rules, admit the applicant to membership of the Union as from the date of the receipt of the applicant's application form by the Sub-Branch Secretary, or other duly authorised person.
- 4.3 A candidate for membership of the Union shall be admitted if the candidate is a person who:-
- (a) by the nature of the candidate's occupation or employment engages in a calling that is a registered calling of the Union; and
  - (b) has the qualifications required by the eligibility rules of the Union; and
  - (c) is not of general bad character.
- 4.4 A new member shall pay on application for membership, or before the expiration of one month from the date the application is received by the Sub-Branch Secretary or authorised person, the required Entrance Fee, and six months contributions.
- 4.5 Candidates for membership when admitted to membership shall enjoy all advantages of membership for as long as the person complies with the Rules of the Union.
- 4.6 Applicants shall, if possible, attend the next meeting of the Sub-Branch to which the applicant makes application or to which they are assigned. Failure to attend shall not necessarily exempt the candidate from election to membership.
- 4.7 Applicants for admission to the Union and members entering the Union on clearance, shall join the Sub-Branch nearest to which they reside.
- 4.8 All members shall be supplied with a copy of the Union Rules free of charge on request.
- 4.9 All applicants for membership shall be informed in writing of:-
- (a) the financial obligations arising from membership; and
  - (b) the circumstances and the manner in which a member may resign from the Union.

5. **ENTRANCE FEE**

- 5.1 An applicant who has no arrears of contributions, levies, fines or fees standing against them from a previous period of membership shall pay an entrance fee as the State Management Committee may decide, but not more than three (3) months dues contributions.
- 5.2 An applicant who has arrears of contributions, levies, fines or fees standing against them from a previous period of membership, shall pay as a re-entrance fee not more than the amount of the arrears of contributions, levies, fines or fees standing against them from a previous period of membership, as well as the amount determined from time to time by the State Management Committee under rule 5.1.

6. **CONTRIBUTIONS**

- 6.1 The payment of membership contributions shall be half-yearly and shall not exceed one and one half percentum (1 ½%) of the National Building Construction Industry Award rate for a carpenter multiplied by twenty-six (26).
- 6.2 The rate of contributions shall be determined by the State Executive on August 30th and February 28th of each year and shall apply for the following half-yearly period commencing 1st April and the 1st October respectively and shall be payable in advance.
- 6.3 The sum of 25c of each half-yearly contribution or such amount as may be determined by the State Management Committee, shall be used to produce Union publications, including "Building Worker" and to distribute such publications to financial members of the Union.
- 6.4 Sub-Branch committees may grant exemption from contributions to members who have been unemployed for more than thirteen (13) weeks during any half year. Application for exemption must be made in writing to the Sub-Branch Secretary with proof of unemployment being submitted.
- 6.5 All members over 65 years of age who have had 25 years' continuous membership in the Union, who through physical infirmities, are unable to work continuously at the trade, may retain membership by paying one payment only, in advance, of \$5 or such amount as may be determined by the State Management Committee, for which they shall be entitled to receive the Union Journal only, provided that this does not apply to members who are over 50 years of age when joining the Union. Members wishing to be placed under this Rule shall make application to their Sub-Branch Secretary.
- 6.6 An applicant joining the Union during the currency of any half-year shall be credited in the subsequent half-year for such period of the half-year as had elapsed before the applicant joined. Such credit shall be calculated on a monthly basis.

7. **FINANCIAL MEMBERSHIP**

- 7.1 Any member who fails to pay all subscriptions, contributions, fines, levies, joining fees in accordance with the Rules in advance on or before the half years ending 31 March and 30 September for the ensuing six months shall be deemed unfinancial.

- 7.2 Notwithstanding the foregoing, any member, having made application to join and paid the joining fee, having commenced on a pay roll deduction scheme in excess of twenty-six (26) weeks and who was subsequently financial on the last day of the previous term shall be deemed to be a financial member whilst such deductions are continued.

8. **RESIGNATION OF MEMBERS**

- 8.1 A financial member may terminate membership of the Union by written notice addressed and delivered to the Secretary.

- 8.2 Notification of such resignation shall be taken as duly given if:-

- (a) it is left at the registered Office of the Union; or
- (b) it is addressed to the Union, or any Officer thereof, and sent by post to the Office of the Union.

- 8.3 If a financial member specifies in such notification a day or time at which the resignation is to be effective, being a day or time subsequent to the time when notification is duly given, the membership of the member shall be deemed to have terminated on the day, or at the time, specified and not before, unless membership is sooner terminated by the Union in accordance with these Rules.

- 8.4 Termination of membership by resignation does not affect the liability of the member or former member to pay such fees or levies as may have been owing at the date of resignation, and such moneys may be sued for and recovered in the name of the Union.

9. **TRANSFER OF MEMBERS**

The State Management Committee shall have the power, at the request of a member, to order the transfer of any member from a Sub-Branch to any other Sub-Branch, when, in the opinion of the State Management Committee, such transfer is necessary to enable the member concerned to participate properly in the affairs of the Union.

10. **DUTIES OF MEMBERS**

- 10.1 No member shall call on or write to any Sub-Branch Secretary at the works where the Sub-Branch Secretary is employed.
- 10.2 Members shall belong to the Sub-Branch that meets nearest to their place of residence.
- 10.3 Members changing their residence shall inform the Sub-Branch Secretary in writing within three months of such change of address.
- 10.4 A member, being aware of the death of any other member, shall notify the State Secretary.

11. **MISCONDUCT OF MEMBERS**

- 11.1 Subject to Rule 26, any member knowingly violating any registered Rule of the Union