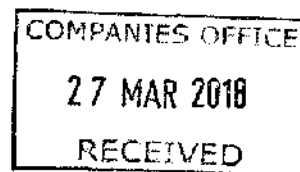
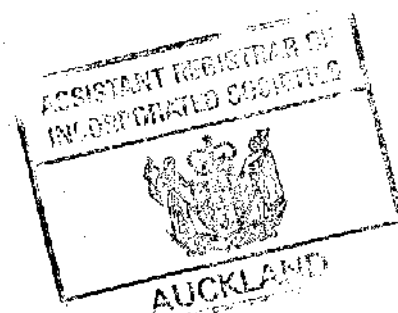


**RULES OF THE
NEW ZEALAND PROFESSIONAL FIREFIGHTERS' UNION *Inc***

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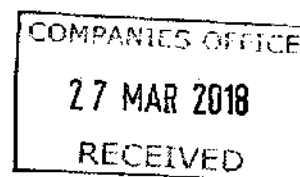
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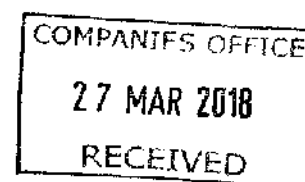
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RULES OF THE NEW ZEALAND PROFESSIONAL FIREFIGHTERS UNION *Inc*

(Complete Amendment July 1990)

PART A: RULES OF THE UNION

A.1 NAME:

A.1.1 The name of the Union shall be "New Zealand Professional Firefighters Union" *(Inc)*

A.2 UNION OFFICE:

A.2.1 The registered office of the Union shall be situated at a place to be decided by the Union Committee.

A.2.2 Any change of the address of the registered office shall be notified by the Union Secretary to the Registrar within 14 days of the change of the address. Such notice shall specify the date at which the change of address was effected.

A.2.3 Any change of the address of the registered office shall be notified to Union members by notice posted to each place where Union members are employed.

A.3 INTERPRETATION:

A.3.1 For the purposes of these Rules, and unless otherwise specifically defined elsewhere in these Rules, the following terms shall have the meanings specified herein:

A.3.1.1 "The Act" shall mean the Employment Relations Act 2000;

A.3.1.2 "Branch" or "Branches" shall mean a branch or branches of the Union established under Rule 10 of these Rules;

A.3.1.3 "Branch Committee" shall mean the Committee of Management of the Branch concerned elected in accordance with these Rules;

A.3.1.4 "Brigade Support Staff Employee" shall mean any person employed by the New Zealand Fire Service Commission to maintain and repair the vehicles and specialist firefighting and rescue equipment used by the Officers and Firefighters in the prevention, suppression and extinction of fire and attendance at other emergencies effecting the public, and who are required, as part of their employment, to attend such incidents to undertake emergency repairs to such vehicles and equipment. Brigade Support Staff Employee for the purposes of these Rules shall not mean any volunteer member of a Fire Brigade.

- A.3.1.5 "Controlroom Operator" shall mean any person employed by the New Zealand Fire Service Commission to undertake duties involving the receipt of alarms of fire or other emergencies involving the public, the dispatch of the appropriate Fire Service equipment to deal with such emergencies and the recording and actioning of communications between the Fire Service resources at such incidents and the Fire Service Controlroom. "Controlroom Operator" shall include any person employed to supervise the aforementioned duties but for the purpose of these Rules shall not mean any volunteer member of a Fire Brigade;
- A.3.1.6 "Dues" shall mean any fee, fine, levy, subscription or other amount legally payable by any member to the Union;
- A.3.1.7 "Firefighter" shall mean any person, employed by the New Zealand Fire Service Commission, and whose duties are related to the prevention, suppression and extinction of fire and the attendance at other emergencies effecting the public. "Firefighter" for the purpose of these Rules shall not mean any volunteer member of a Fire Brigade/
- A.3.1.8 "Fire Area" shall mean those places designated as Fire Areas under section 25 of the Fire Service Act 1975 at the time of registration of these Rules;
- A.3.1.9 "Local" shall mean a sub-division of a Branch which shall be named and constituted as specified in Rule B.10 of these Rules;
- A.3.1.10 "Local Committee" shall mean the Committee of Management of the Local concerned elected in accordance with these Rules;
- A.3.1.11 "Member" or "Members" shall mean any financial member or members of the Union;
- A.3.1.12 "Officer" shall mean any person, employed by the New Zealand Fire Service Commission, and whose duties are related to the prevention, suppression and extinction of fire and the attendance at other emergencies effecting the public, and whose normal duties include the supervision of Firefighters, and whose rank title is "Station Officer", "Senior Station Officer" or "Divisional Officer". Provided that should there be any change to the rank titles specified herein, "Officer" shall relate to the rank titles replacing those specified. "Officer" for the purpose of these Rules shall not mean any volunteer member of a Fire Brigade;
- A.3.1.13 "Regions" shall mean those places designated as Fire Regions, under section 24 of the Fire Service Act 1975, at the time of registration of these Rules.

- A.3.1.14 "Rule" or "Rules" shall mean these Rules;
- A.3.1.15 "Service" shall mean the New Zealand Fire Service established under Section 3 of the Fire Service Act 1975;
- A.3.1.16 "Service Personnel" shall mean personnel employed in the New Zealand Fire Service and who are provided for in these Rules;
- A.3.1.17 "Stoppage" shall mean any industrial action by Union members which involves a refusal to respond to fires or other emergency incidents.
- A.3.1.18 "Strike" shall mean any industrial action by Union members which involves a refusal to respond to fires or other emergency incidents.
- A.3.1.19 "Union Committee" shall mean the Committee of Management of the Union elected in accordance with these Rules.

A.4 **OBJECTS:**

- A.4.1 The objects of the Union shall be:
 - A.4.1.1 To enter into agreements relating to conditions of employment in the Service;
 - A.4.1.2 To protect and further in any lawful way the interests of members and their families in accordance with the provisions of these Rules and in relation to conditions of employment in the Service, in the home and in the wider community;
 - A.4.1.3 Without in any way limiting the rights of the Union and its members to undertake industrial action in the furtherance of these objects and the policies of the Union, to promote the efficiency of the Service and the health and safety of members in the direction of the prevention of loss of life and property through fire or through any other cause that may involve any member of the Union during the normal course of such members employment in the Service;
 - A.4.1.4 To formulate policies and initiate changes for the acquisition and improvement of the occupational and functional skills of workers, those that are to be workers and those that have been workers;
 - A.4.1.5 To formulate policies and initiate changes for the human, social, economic and cultural advancement of members, their families and the community;
 - A.4.1.6 To formulate policies and initiate change for the promotion of employment, job security and quality of life of workers, their families and the community in terms of social, technological and economic change and development;

- A.4.1.7 To encourage full and active participation in the affairs of the Union in regard to protecting, maintaining and enhancing the needs and interests of workers, their families and the wider community;
- A.4.1.8 To exercise all other powers conferred on the Union under the provisions of the Act or these Rules or otherwise conferred by Law or by the decision of the members of the Union made in accordance with the provisions of these Rules;
- A.4.1.9 To undertake any financial or commercial venture that is approved by a vote taken at a Conference of the Union;
- A.4.1.10 The Union, or any Branch thereof, shall be entitled to operate a Union Magazine primarily for the purposes of information dissemination to members.

A.5 **MEMBERSHIP:**

Coverage:

- A.5.1 Any person shall be eligible to become a member of the Union who:
 - A.5.1.1 Is employed within the New Zealand Fire Service, or the Service, or by its successor(s);
 - A.5.1.2 Is employed in any other occupation outside of the Service but always subject to the approval of the Union Committee as set out in Rule A.5.2.

Admission to Membership:

- A.5.2 Any persons employed or contracted to be employed within those workers defined in Rule A.5.1.2 of these Rules shall become a member of the Union on making written application to the Union Secretary, and having such application approved at a meeting of the Union Committee, and shall therefore pay all dues and contributions due from the date of making application to join the Union.

Financial Membership:

- A.5.3 A "financial member" is any member of the Union who is not in arrears for more than 1 month with the payment of any dues required to be paid under these Rules.

Register of Members:

- A.5.4 The Union Secretary shall keep a register of members of the Union, detailing, in respect of each financial member of the following:

- A.5.4.1 The member's full name;
- A.5.4.2 The address of the member's workplace;
- A.5.4.3 The member's occupation;
- A.5.4.4 The agreement applicable to the member (if any);
- A.5.4.5 The date on which the member joined the Union;
- A.5.4.6 The date the member withdrew from Union membership or died as the case may be.

Members' addresses:

- A.5.5 For the purposes of Rule A.5.4.2, the address of the members workplace shall be deemed to mean the Fire District within which the member is employed or the name of the employer who employs the member whichever is appropriate.

Notice of Discontinuance of Membership:

- A.5.6 Financial members shall cease to be members of the Union upon giving 2 weeks written notice, to the Union Secretary, of their intention to discontinue membership.
- A.5.6.1 No such resignation shall be effective, except by leave of the Union Committee, until the member concerned has paid all dues required to be paid under the Union Rules.
- A.5.6.2 Members resigning membership shall not be exempt from liability in respect of any act or omission whilst they were members.
- A.5.6.3 Provided the written notification, required by these Rules, has been received by the Union Secretary, members resigning shall be entitled to receive a proportionate refund of any dues paid in advance.

Clearances:

- A.5.7 The Union Secretary shall, upon receipt of a written notice of resignation or cessation of membership under Rules A.5.6 of these Rules, ascertain the details of the members financial standing, including details of due outstanding, and upon being satisfied that all dues have been received and all other requirements of these Rules have been complied with, the Union Secretary shall issue a clearance in the form prescribed by the Union Committee.

Honorary Life Membership:

A.5.8 The Union may elect, as an honorary life member, any member whom it desires to honour in recognition of his or her services to the Union.

A.5.8.1 Any member or ex-member may be nominated for honorary life membership by written application to the Union Committee and the Union Committee shall submit the nomination to the next annual Conference of the Union.

A.5.8.2 Honorary life membership shall be conferred if the nomination is supported by resolution of the Conference.

A.5.8.3 Any honorary life member may attend and speak at any meeting of the Local of which the honorary life member concerned is (or was last, as the case may be) a member. He or she may vote and shall be entitled to participate in any ballot or hold office or position in the Union.

A.5.8.4 An honorary life member shall not be liable to pay any dues or make any other contribution to the funds of the Union.

Incompatible Membership:

A.5.9 Except as provided in Rule A.5.9.1 membership of a volunteer Fire Brigade shall be incompatible with membership of the Union and no member of the Union shall become or remain a member of a volunteer Fire Brigade.

A.5.9.1 A member of the Union may apply to the Union Committee for dispensation from Rule A.5.9. Any such application shall be in writing, addressed to the Union Secretary and shall fully set out the reasons why the member requires the dispensation. The Union Committee shall grant dispensation if the application is in accordance with Union Policy.

A.6 ENTRANCE FEES, SUBSCRIPTIONS AND LEVIES:

A.6.1 There shall be no entrance fee for members joining the Union.

Subscriptions:

A.6.2 Where subscriptions are deducted from wages by the employer all such subscriptions shall be paid fortnight in advance. In all other cases subscriptions shall be paid 3 monthly in advance.

A.6.3 The subscription shall consist of:

A.6.3.1 A Union fee of .75% of the basic weekly wage of a Firefighter step 3 or over or other amount as established by resolution of the Annual Union Conference.

- A.6.3.2 A further amount, related to the above fee, required to be collected and paid to the Inland Revenue Department in accordance with the Goods and Services Tax Act and may also take into account any other Government charges or taxes.
- A.6.4 No person shall be required to pay subscriptions for any period where such person is not, or is not required to be, a member of the Union. Any subscriptions paid for such periods shall be refundable to the member concerned.
- A.6.5 All subscriptions due, in accordance with Rule A.6.2 of these Rules, shall be paid to the Union Secretary at the Union Office.
- A.6.5.1 The Union Secretary shall deposit such monies received, in the Bank Account specified by the Union Committee, within seven days of receipt.

Members in Arrears:

- A.6.6 The Union Secretary shall, from time to time, purge the register of members. Any member who has failed to pay any dues required to be paid by these Rules and who is in arrears of payment for more than 1 month shall be automatically expelled from membership of the Union and that member's name shall be struck off the register of members. The person concerned shall be liable to pay all arrears due regardless of the expulsion from membership.

Levies:

- A.6.7 All members of the Union shall be required to pay levies provided:
 - A.6.7.1 The proposal for the levy was resolved by majority vote at the Annual, or a Special, Conference of the Union;
 - A.6.7.2 The proposal to pay the levy was notified to all members of the Union by notice placed in every workplace where members are employed prior to the ballot taking place;
 - A.6.7.3 The proposal to pay the levy is approved by a majority of the members of the Union voting in a secret ballot conducted under these Rules for that purpose.

A.7 MANAGEMENT STRUCTURE/COMMITTEE:

Secret Ballots:

- A.7.1 The result of any secret ballot of all Union members shall outweigh any decision of the Union made in any other manner.

Aggregated vote of meetings:

- A.7.1.1 The Union Committee shall have the power to require that a meeting of every Local be held to consider a resolution determined by the Union Committee. Where such a series of meetings is held the results of the voting on the resolution shall be recorded by the person responsible for recording the minutes of the meeting and that voting record shall be communicated to the Union Secretary as soon as possible following the meeting.
- A.7.1.2 The Union Secretary shall add all the votes cast in favour of the resolution and then add all the votes cast against the resolution, from all the voting records received, and the aggregated result so achieved shall determine the result of the resolution. The Union President shall declare the result and the Union Secretary shall ensure the declaration is published to all places where Union members are employed.
- A.7.1.3 Where any Local or Sub-branch fails to hold a meeting, or fails to inform the Union Secretary of the voting record, within 21 days of receipt of the Union Committee requirement to hold meetings under this rule, the result of the resolution shall be declared on the basis of the voting records received and the declaration shall be valid.
- A.7.1.4 An aggregated voting declaration made under this rule shall be subordinate only to a national secret ballot.

Union Conference:

- A.7.2 Except as provided in Rule A.7.1, the highest decision making authority of the Union shall be a Union Conference.
- A.7.2.1 The Union Conference shall comprise the following official elected or appointed in accordance with these Rules:
 - A.7.2.1.1 The Union President;
 - A.7.2.1.2 The Union Vice President;
 - A.7.2.1.3 The Union Secretary/Treasurer (appointed);
 - A.7.2.1.4 The President, Vice President and Secretary of the Northern Branch;
 - A.7.2.1.5 The President, Vice President and Secretary of the Central Branch;
 - A.7.2.1.6 The President, Vice President and Secretary of the Southern Branch;

A.7.2.1.7 Any Union Committee members elected in accordance with Rules A.7.3.1.7.2 or A.7.3.1.7.3 of the Rules;

A.7.2.1.8 The Conference delegate from each Local in the Union;

Powers of the Union Conference:

A.7.2.2 The Union Conference shall have the power to:

Financial Matters:

A.7.2.2.1 Determine the financial policies of the Union in relation to the funds and assets; including the control, acquisition and disposition of property; the investment of funds; the borrowing of funds; the operation of the Union's Bank Accounts.

A.7.2.2.1.1 The Union Conference shall investigate any proposal for the Union, or any part of the Union, to invest in, or otherwise become involved in, any commercial activity. This provision shall apply whether the proposal involves total or part ownership of such commercial activities. No such activities shall be undertaken unless and until it has been approved by a majority vote of the Union Conference.

Policies:

A.7.2.2.2 Subject to the requirements of Rule A.7.1 of these Rules the Union Conference shall determine the policies of the Union.

Paid Officials:

A.7.2.3 Any Union Organiser, Assistant Union Organiser or other paid Official of the Union shall attend any meetings of the Union Conference when instructed to do so by either the Union President, Union Vice President or Union Secretary.

A.7.2.3.1 Such paid officials shall provide any reports and recommendations as required and may speak on any resolution thereto at the Union Conference.

A.7.2.3.2 No such paid official except the Union Secretary/Treasurer shall have the right to vote at a Union Conference unless the person concerned separately has been elected to one of the elected positions entitled to vote.

General:

- A.7.2.4 The Union Conference shall have, and may exercise, all the powers of the Union not required by the Act and its amendments or by these Rules to be exercised by a ballot of members or otherwise. Provided always that the Union Conference shall obey all such lawful instructions and shall do and perform all such lawful things and acts as may be given or required to be done by the Act.

Committee of Management:

- A.7.3 Except as provided in Rule A.7.1, and subject to the policies and directions determined at a Union Conference the affairs of the Union shall be conducted by the Committee of Management. (Herein referred to as the Union Committee).

- A.7.3.1 The Union Committee shall comprise the following officials elected or appointed in accordance with these Rules.

- A.7.3.1.1 The Union President;

- A.7.3.1.2 The Union Vice-President;

- A.7.3.1.3 The Union Secretary/Treasurer (appointed);

- A.7.3.1.4 The Northern Branch President and Secretary;

- A.7.3.1.5 The Central Branch President and Secretary;

- A.7.3.1.6 The Southern Branch President and Secretary;

- A.7.3.1.7 All ten positions on the Union Committee shall be held by separate individuals;

- A.7.3.1.7.1 Should any elected Branch Official specified in Rules A.7.3.1.4 to A.7.3.1.6 (inclusive) have been elected to a position on the Union Council, the Vice President of the Branch concerned shall become the member of the Union Committee in place of such Official.

- A.7.3.1.7.2 Where both elected Branch Officials, from any one Branch specified in Rules A.7.3.1.4 to A.7.3.1.6 (inclusive) have been elected to positions on the Union Council, the Vice President of the Branch concerned shall become the member of the Union Committee in place of one such Official, and the Branch concerned shall elect a further Official to become the member of the Union Committee in place of the other Official.

- A.7.3.1.7.3 Where all three elected Branch Officials, from any one Branch specified in Rules A.7.3.1.4 to A.7.3.1.6 (inclusive) have been elected to positions on the Union

Council the Branch concerned shall elect two further Officials to be that Branch's members of the Union Committee in place of the other Officials.

Powers of the Union Committee:

A.7.3.2 The Union Committee shall have the power to:

Financial matters:

A.7.3.2.1 Subject to the decisions of the Union made by Secret Ballot or by resolution of the Union Conference, decide on all financial matters relating to the Union funds and assets, including the control, acquisition and disposition of property; the investment of funds; the borrowing of funds; the operation of the Unions bank accounts.

A.7.3.2.1.1 The Union Committee shall ensure that all decisions on financial matters are made in a manner that allow the funds of the Union to always be used in a lawful manner, in the interest of Union members and in line with the objects of the Union.

A.7.3.2.1.2 The Union Committee shall ensure that Branches' and Locals' expenses necessary and incidental to the performance of the functions and duties required of them by these rules are adequately provided for.

Policies:

A.7.3.2.2 Subject to the decisions of the Union made by secret ballot or by resolution of the Union Conference, direct and implement the policies of the Union.

Employment of Officials:

A.7.3.2.3 The Union Committee shall establish rates of remuneration and conditions of employment, for elected officials in the Union.

Employment:

A.7.3.2.4 The Union Committee may appoint the Union Secretary Treasurer, Union Organisers, and Union Assistant Organisers where necessary, upon such terms as the Union Committee determines, subject to the provisions herein. If the Union Secretary, or an Organiser or Assistant Organiser is absent, or it is apparent to the Committee will be absent, for a period in excess of 14 days, the Union Committee may appoint an

Interim Secretary, Organiser or Assistant Organiser to fulfil the duties of the absent official for the period of absence, or until a successor is elected or appointed.

A.7.3.2.4.1 The terms and conditions of employment of the Union Secretary Treasurer, Union Organisers, or any Union Assistant Organisers, shall be incorporated into a written contract of employment between the Union on the one hand and the Union Organiser, or Union Assistant Organiser, on the other.

A.7.3.2.4.2 The said contract shall provide a discretionary power for the Union Committee to dismiss any such employee, from the employ of the Union upon becoming bankrupt, disabled, convicted of a crime involving dishonesty or gross neglect of duty.

Paid Officials:

A.7.3.3 Any Union Secretary Treasurer, Union Organiser, or Union Assistant Organiser, shall attend any meeting of the Union Committee when instructed to do so by either the Union President, ~~Union Vice President or Union Secretary.~~

A.7.3.3.1 Union Organisers or Assistant Organisers shall provide any reports and recommendations as required by the Union Committee and may speak on any resolution thereto at the Union Committee meeting.

A.7.3.3.2 No Union Organiser, or Union Assistant Organiser, shall have the right to vote at such meetings unless the person concerned separately has been elected to one of the elected positions entitled to vote. The Union Secretary Treasurer shall have the right to vote.

General:

A.7.3.4 The Union Committee shall have, and may exercise, all the powers of the Union as they relate to the affairs of the Union, not required by the Act and its amendments or by these Rules to be exercised by a conference of the Union, or by ballot of members, or otherwise. Provided always that the Union Committee shall obey all such lawful instructions and shall do and perform all such lawful things and acts as may be given or required to be done by the Act, a secret ballot of the Union or a Conference of the Union.

A.7.3.4.1 The Union Committee or any member thereof shall have the power to call a meeting of any Local in consultation with the Local Committee concerned.

The Union Council:

A.7.4 At any time that the Union Committee is not meeting, the affairs of the Union shall be managed by the Union Council.

A.7.4.1 The Union Council shall comprise the following Union Officers elected in accordance with these Rules:

A.7.4.1.1 The Union President;

A.7.4.1.2 The Union Vice President;

A.7.4.1.3 The Union Secretary/Treasurer.

Powers of the Union Council:

A.7.4.2 The Union Committee shall have the power to employ (and where necessary dismiss from such employment) sufficient office personnel to ensure the efficient operation of the Union and Branch offices. Such personnel shall be employed on terms and conditions of employment appropriate to the tasks being performed and the hours worked.

Employment:

A.7.4.2.1 The Union Council shall have the power to employ (and where necessary dismiss from such employment) sufficient office personnel to ensure the efficient operation of the Union and Branch offices. Such personnel shall be employed on terms and conditions of employment appropriate to the tasks being performed and the hours worked.

Financial:

A.7.4.2.2 The Union Council shall be entitled in accordance with Rule A.14.5 of these Rules to expend Union funds for the effective operation of the Union.

A.8 MEETINGS OF THE CONFERENCE, UNION COMMITTEE AND UNION COUNCIL:

Annual Conference:

A.8.1 There shall be an Annual Conference of the Union during the month of November in each year.

Special Conference:

- A.8.2 Should any matter of importance take place affecting the interests of the members of the Union or the objects and rules of the Union, the Union Council shall have the power to call a Special Union Conference.

Requisitioned Conference:

- A.8.3 The Union Secretary shall, on receiving a requisition signed by fifty percent (50%) or more of the delegates entitled to attend a Union Conference, provided that the delegates signing such requisition are representatives of Locals in more than two Branches, call a Special Conference of the Union.

- A.8.3.1 When such requisitioned Special Conference is held, eighty percent (80%) of the delegates who signed the requisition shall be in attendance before the Conference can be declared open, such a requisitioned special conference shall be deemed to have lost its quorum should the attendance of delegates who signed the original requisition fall below eighty percent at any time.

Notice:

- A.8.4 A minimum of twenty-one consecutive days notice shall be given for any Conference of the Union.

Voting:

- A.8.5 All the ~~elected~~ Officials specified in Rules A.7.2.1.1 to and including A.7.2.1.7 of these Rules shall be entitled to one vote on any question put to a Union Conference.

- A.8.5.1 Delegates to Union Conference representing locals in accordance with Rule A.7.2.1.8 shall be entitled to one vote on any question put to Union Conference and such questions shall be determined by a simple majority of such votes cast FOR or AGAINST. Provided that any delegate representing a Local, or the Conference Chairperson may call for the question to be decided by a card vote.

- A.8.5.2 Should any such Official or delegate call for a card vote on any question before the Conference the following procedure shall apply:

- A.8.5.2.1 The Union Secretary shall inform the Conference of the number of votes which each Conference delegate is entitled to exercise.

- A.8.5.2.2 In the case of the Officials mentioned in Rules A.7.2.1.1 to and including A.7.2.1.7 of these Rules the number of votes to be exercised shall be declared as being one vote each, providing always that the Chairperson may exercise a deliberative vote, and in the case of equality of voting, also a casting vote.

- A.8.5.2.3 In the case of Local Conference delegates the number of votes able to be exercised shall be equal to the number of financial members in the Local the delegate represents, on the last day of the month preceding the Conference.
- A.8.5.3 The Chairperson shall be provided, by the Union Secretary, with a list of every delegate present and the number of votes that each delegate is entitled to exercise. The Chairperson shall call out the name of the delegate and the number of votes being exercised and the delegate concerned shall answer "FOR" or "AGAINST" or "ABSTAIN".
- A.8.5.3.1 Each delegate entitled to cast a number of votes on behalf of a Local shall cast the entire voting entitlement relating to that Local or Branch, as the case may be, either FOR, AGAINST, or ABSTAIN.
- A.8.5.3.2 The completed list of card votes cast shall be recorded as part of the minutes of the Conference, the Chairperson shall add up the votes cast FOR and AGAINST the question and shall declare the question CARRIED or LOST depending on the total number of votes so recorded.
- A.8.5.4 Every Delegate to Conference shall be entitled to make a free assessment of how to cast the voting entitlement on any question put to the Conference taking account of; any recommendation from the members the delegate represents, any information placed before the Conference meeting and the debate on the question. No delegate shall be bound to vote in a manner determined by any group of Union members prior to the Conference.

Ballots and Questionnaires:

- A.8.6 Any Conference of the Union may resolve to submit any question to the Union members, according to the nature of the question to be decided, by a questionnaire or a secret ballot.
- A.8.6.1 Where any Conference of the Union resolves that any question shall be decided by a questionnaire or by a secret ballot the Official required to do so shall forthwith arrange for such questionnaire to be submitted or such secret ballot to be conducted, in the manner provided in these Rules.

Quorum:

- A.8.7 The quorum required for Conferences of the Union shall be one person in excess of fifty percent of the delegates entitled to be present and vote at such a Meeting.

Forfeiture of Delegateship to Conference:

- A.8.8 Any delegate entitled to be present at Conferences of the Union, who fails to attend three consecutive Union Conferences, without reasonable excuse, shall automatically forfeit the right to the elected position such official holds.
- A.8.8.1 The Union Secretary shall forthwith arrange to have the vacancy so created filled in accordance with these Rules.

UNION COMMITTEE:

- A.8.9 There shall be a meeting of the Union Committee in the month of November each year immediately prior to the Annual Conference.

Other Meetings:

- A.8.10 The Union Committee shall meet at such other times as the Union Committee deems appropriate to properly conduct the affairs of the Union as required by the Act and these Rules, provided that such other meetings shall be held at least twice per year.

Special Meetings:

- A.8.11 Should any matter of importance take place affecting the interests of the members of the Union or the objects and Rules of the Union, any member of the Union Council shall have the power to call a Special Meeting of the Union Committee.

Requisitioned Meetings:

- A.8.12 The Union Secretary shall, on receiving a requisition signed by 5 or more of the members of the Union Committee, call a Special Meeting of the Union Committee. A minimum of 4 of the members signing the original requisition shall be required to be in attendance at the Meeting subsequently called for the entire duration of the Meeting or the Meeting shall be deemed to have lapsed for want of a quorum.

Notice:

- A.8.13 A minimum of seven consecutive days notice shall be given for any meeting of the Union Committee, unless an urgent meeting of the Union Committee is called to be held by telephone conference in accordance with Rule A.8.27 of these Rules.

Voting:

- A.8.14 Subject to any matter not being otherwise determined by the Act or these Rules, any question shall be decided at a Meeting of the Union Committee by a simple majority of the votes cast FOR or AGAINST the question.

Except for the Chairperson's right to a casting vote in the event of an equality of voting, every member present at a Union Committee meeting shall be entitled to one vote on each question.

Ballots and Questionnaires:

- A.8.15 Any Meeting of the Union Committee may resolve to submit any question to the Union Members, according to the nature of the question to be decided, by a questionnaire or a secret ballot.
- A.8.15.1 Where any Meeting of the Union Committee resolves that any question shall be decided by a questionnaire or by a secret ballot, the Official required to do so shall forthwith arrange for such questionnaire to be submitted or such secret ballot to be conducted, in the manner provided in these Rules.

Quorum:

- A.8.16 The quorum required for Meetings of the Union Committee shall be one person in excess of 50% of the Officials entitled to be present and vote at such a meeting.

Forfeiture of Committee Position:

- A.8.17 Any Official entitled to be present at Meetings of the Union Committee, who fails to attend three consecutive meetings of the Union Committee, without reasonable excuse, shall automatically forfeit the right to the elected position such Official holds.
- A.8.17.1 The Union Secretary shall forthwith arrange to have the vacancy so created filled in accordance with these Rules.

UNION COUNCIL:

General Meetings:

- A.8.18 The Union Council shall hold regular meetings at times and places as necessary to conduct the affairs of the Union in an efficient manner.

Special Meetings:

- A.8.19 Any two members of the Union Council may demand the calling of a Union Council Meeting at any time.

Notice:

- A.8.20 Three consecutive days notice shall normally be given for meetings of the Union Council. Provided however that legitimate meetings of the Union Council may be called at lesser notice where urgent circumstances demand.

Voting:

- A.8.21 Subject to any matter not being otherwise determined by the Act or by these Rules any question shall be decided at a meeting of the Union Council by a simple majority of the valid votes cast by the persons entitled to vote at the meeting.

Ballots and Questionnaires:

- A.8.22 The Union Council may resolve to submit any question to the Union Members, according to the nature of the question to be decided, by a questionnaire or a secret ballot.
- A.8.22.1 Where such meeting determines that a question shall be decided by a questionnaire or by a secret ballot, the Official required to do so shall forthwith arrange for such questionnaire to be submitted or such secret ballot to be conducted, in the manner provided in these Rules.

Quorum:

- A.8.23 The quorum for any meeting of the Union Council shall be two ~~two~~ of the ~~elected~~ Officials entitled to attend and vote at such a meeting.

Forfeiture of Council Position:

- A.8.24 Any member of the Union Council absent, without reasonable excuse, from three consecutive meetings of the Union Council shall automatically forfeit the right to hold the position entitling the office holder concerned to attend the Union Council Meeting. The Union Secretary or Union President shall immediately arrange for the vacancy so created to be filled in accordance with these Rules.

Votes to be Recorded:

- A.8.25 Every vote of each ~~elected~~ position holder present and entitled to vote at any Union Council Meeting, Union Committee Meeting or Conference of the Union, shall be recorded in the Minutes of the Meeting.

Postal Resolutions:

- A.8.26 A copy of a resolution forwarded by the Union Secretary to the last known addresses of all persons entitled to attend and vote at a Union Conference, Union Committee or Union Council, and assent thereto signed by more than 50% of such Officials returned to the Union Secretary, shall be as valid as a resolution passed at a meeting of the Union Council, Union Committee or Conference of the Union, as the case may be, and shall be recorded as such in the minutes thereof.

- A.8.26.1 In any case where any position holder does not reply in writing within ten days of such resolution being posted or otherwise forwarded by the Union Secretary, indicating either assent or opposition to any resolution posted or otherwise forwarded as provided herein, such official shall be deemed to have abstained.

Telephone Conference Meetings:

- A.8.27 Should the urgency of a situation demand an immediate decision of the Union Committee or Union Council and it is not practical to hold a meeting, telephone communication between the members of the Committee or Council shall be deemed to be a meeting of the Committee or Council or members of Committee or Council.
- A.8.27.1 At any such telephone meeting all the other provisions of these Rules in regard to quorum, voting and meeting conduct shall apply in the same manner as a normal meeting.

Ex-Officio Members:

- A.8.28 The Union President, Union Vice President and Union Secretary shall be ex-officio members of all Conference, Committees and meetings of members. They may attend, either separately or together, any meeting provided for in these Rules. They shall have the right to speak and vote at any such meeting. Attendance by any such members of the Union Council at any Branch or Local meeting shall be in addition to any quorum provided in these Rules for the meeting concerned.

A.9 **BRANCHES:**

Northern Branch:

- A.9.1 The Northern Branch shall consist of all members employed in the Northern, Auckland and Bay-Waikato Regions as at 1 December 2002.

Central Branch:

- A.9.2 The Central Branch shall consist of all members employed in Western, Eastern and Arapawa region as at 1 December 2002.

Southern Branch:

- A.9.3 The Southern Branch shall consist of all members employed in Transalpine and Southern Region as at 1 December 2002.

A.10 **ELECTION OF OFFICIALS:**

Triennial Elections:

- A.10.1 The Union shall be represented by Officials elected triennially in accordance with this Rule.

Eligibility:

- A.10.2 Any Union member, ~~over the age of 18 years and under the age of 60 years,~~ shall be eligible to be nominated for any elected position within the Union.

Elected Officials:

- A.10.3 The following officials shall be elected by secret ballot of all members of the Union.

Union President:

- A.10.3.1 Candidates for election to the position of Union President shall be nominated and seconded by financial members of the Union. Only financial members of the Union shall be entitled to vote in the election of the Union President.

Union Vice President:

- A.10.3.2 Candidates for election to the position of Union Vice President shall be nominated and seconded by financial members of the Union. Only financial members of the Union shall be entitled to vote in the election of the Union Vice President.

Union Secretary/Treasurer:

- ~~A.10.3.3 A Union Secretary/Treasurer, in these Rules referred to as the "Union Secretary". Candidates for election to the position of Union Secretary shall be nominated and seconded by financial members of the Union. Only financial members of the Union shall be entitled to vote in the election of the Union Secretary.~~

Union Returning Officer:

- A.10.4 Every Annual Conference of the Union shall appoint a Returning Officer to conduct all elections and other ballots required by these Rules, occurring in the twelve months following such Annual Conference.
- A.10.4.1 No person who is a candidate for any election shall be entitled to also be the Union Returning Officer. Where the Returning Officer appointed by the Union Conference becomes a candidate for election, the Union Council shall immediately appoint another person to undertake the duties of Returning Officer for the particular election concerned.

- A.11 **ELECTION PROCEDURE:**

Nominations:

- A.11.1 Nominations for all Union Council positions shall be submitted in the month of May in each third year beginning in 1988. The Returning Officer appointed in the year when elections are due, shall ensure that, during the month of April of that year, a notice is delivered to all places where members of the Union are employed, calling nominations for all positions on the Union Council.
- A.11.1.1 Candidates for any Union Council office shall, before the end of the month of May each third year, cause to be delivered to the Union Office addressed to the Union Returning Officer, such nomination or nominations as such candidate may wish to submit for any office.
- A.11.1.2 Nominations shall only be valid, for any Union Council position, where the candidate concerned has been nominated in the manner prescribed in these Rules.

Nomination Forms:

- A.11.2 The nomination form shall show the required details of the proposer of the candidate, the seconder of the candidate, and the candidate, in that order. The proposer and seconder shall be financial members of the Union.
- A.11.2.1 In regard to the proposer and seconder the nomination form shall show, in the following order, the Surname and full Forenames; the Fire Area and the signature of the person concerned.
- A.11.2.2 The details of the candidate shall show: Surname and full Forenames, Date of Birth, Current Occupation, Home Address and Signature.
- A.11.2.3 Every nomination form shall be addressed to the Union Returning Officer at the Union Office and shall clearly show the date upon which the nomination is submitted and the offices for which the candidate is nominated.

Nomination Acceptance:

- A.11.3 In all cases the signature of the proposed candidate, as required in Rule A.11.2.2 shall be deemed to be that candidate's acceptance of the nomination.

Candidate Biography:

- A.11.4 Candidates shall be entitled to submit, with their nomination for, a biography to be published to members prior to the voting. The biography shall not exceed one side of one A4 sheet of paper. It may include a photograph if desired, and artwork and/or typewritten information.

- A.11.4.1 Candidates shall be entitled to submit biographies in typewritten form, or clear hand writing, in which case the Union Secretary shall arrange for the biography to be typewritten prior to publication.

Notice of Nominations:

- A.11.5 Immediately following the closing date for the submission of nominations, which shall be the last day of May, the Union Returning Officer shall prepare a notice to all Union Members showing the names of all candidates and the offices for which they have been nominated.
- A.11.5.1 Such notice shall be delivered to every workplace where members of the Union are employed prior to the 15th day of June in the election year.
- A.11.5.2 Attached, as appendices to the notice to members, shall be all of the biographies submitted by proposed candidates in accordance with Rule A.11.4.

Unopposed Elections:

- A.11.6 Where there was only one nomination, the notice to members shall contain a statement signed by the Union Returning Officer declaring any such candidate elected unopposed.

Contested Elections:

- A.11.7 The Union Returning Officer shall immediately begin preparation for the election, by secret ballot of all those positions for which there was more than one nomination. In conducting such elections of the Union Returning Officer shall have regard to the following:

Union Council:

- A.11.7.1 No person shall hold more than one position on the Union Council. Therefore, where there is a contested election for any of those positions, and a candidate has nominated for more than one position, the Returning Officer shall conduct the elections separately in the following order: Union President; Union Vice President; ~~Union Secretary.~~
- A.11.7.1.1 In cases where the elections for any of those positions are not being contested by the same candidates, the elections shall be conducted simultaneously.
- A.11.7.1.2 Where an election has been held, the candidate declared elected shall automatically be withdrawn from the election for any other position on the Union Council. Where this leaves the subsequent position with only one candidate for election

the Union Returning Officer shall declare such candidate elected unopposed.

Election Results:

- A.11.8 The Returning Officer shall ensure that all elections are completed and the results declared prior to the last day of the month of July following the nominations being received.

Assumption of Duties:

- A.11.9 All candidates declared elected to the positions on the Union Council shall assume the positions on the first day of August in the Election year.

Elective Terms:

- A.11.10 Union Council Members, once declared elected, shall hold the office until either their successor is elected, they die, resign or are removed from office in terms of Rule A.12 of these Rules. All elected Union Council Members shall be eligible to be candidates for re-election.

A.12 **REMOVAL OF OFFICIALS:**

Reasons for Removal:

- A.12.1 Any elected Union Council Member, Union Auditor or Union Returning Officer may be removed from his or her office or other position for disability, bankruptcy, misappropriation of Union Funds, or having committed a serious misdemeanour or breach of trust.

Secret Ballot:

- A.12.2 No resolution for the removal of any Council Member shall become effective unless it is confirmed by a secret ballot of all Union members.

Elected Officials:

- A.12.3 Where 25% or more of the elected delegates to Union Conference are of the opinion that an elected member of the Union Council should be removed from office in accordance with Rule A.12.1 herein, such delegates shall submit, in writing, a report containing the details of the allegation(s) they wish to make against the Official concerned. The report shall be submitted to the Union Secretary, or alternatively to the Union President who shall forthwith firstly pass a copy of the report to the Official concerned in the allegation(s) and secondly convene a Special Conference of the Union, giving at least twenty one consecutive days notice.

- A.12.3.1 The Special Conference shall hear the delegates making the allegation(s) and shall also hear the Official concerned in defence of such allegation(s).
- A.12.3.1.1 The matter of the allegations made shall be the only business conducted at the Special Conference.
- A.12.3.2 Following the hearing of the allegations and the stated defence, the Chairperson shall put to the Conference a motion that the Official concerned should be removed from office. The delegates present shall vote on the motion.
- A.12.3.2.1 The Union President shall not chair the Special Conference if he or she is the subject of the allegation(s). In such case the Union Vice-President shall chair the Conference.
- A.12.3.3 Should the Special Conference resolve that the official concerned should not be removed from office the matter shall end.
- A.12.3.4 Should the Special Conference resolve that the official concerned should be removed from office as requested, the Union Secretary, or alternatively the Union President, shall ensure that the minutes of the Conference contain a full detailed explanation of the allegation(s) made and the defence presented against such allegation(s).
- A.12.3.5 The minutes of such Special Conference shall be published to all members entitled to vote in the ballot required by Rule A.12.2 herein by notice posted in each place where such members are employed. The official who is the subject of the allegation(s), shall be entitled to put his or her point of view in defence of the allegation(s), prior to the ballot, to appropriate called meetings of members or in writing if so desired.
- A.12.3.6 Not less than fourteen days following the publication of the Special Conference minutes the Union Returning Officer shall conduct a ballot of all members entitled to vote, on the question as to whether or not the official concerned should be removed from office.
- A.12.3.6.1 Should the ballot of members decide that the official concerned should not be removed from office the matter shall end.
- A.12.3.6.2 Should the ballot of members decide, by a simple majority, that the official concerned should be removed from office the Returning Officer shall declare the result of the ballot and declare the position concerned vacant.

Scrutineers:

- A.12.4 During the counting of votes at any secret ballot to determine whether or not an official or other position holder should be removed from office, the official complained of, and the persons making the allegation(s), shall be entitled to appoint Scrutineers to observe the counting of the ballot.

Vacancy:

- A.12.5 Any vacancy on the Union Council resulting from the removal from office of an elected official shall be filled in the manner provided in Rule A.13 of these Rules.

Appointed Officials:

- A.12.6 Where 25% of the elected delegates to Union Conference are of the opinion that the Union Returning Officer or the Union Auditor should be removed from office in accordance with Rule A.12.1 of these Rules, such delegates shall report the same in writing to the Union Secretary, who shall forthwith arrange to convene a Special Conference of the Union, of which not less than twenty one consecutive days notice shall have been given, and such Conference shall hear the delegates making the allegation(s) and shall also hear the Union Returning Officer or Union Auditor, as the case may be, in defence of such allegation(s). The Union Secretary shall, immediately upon receipt of the report making the allegation(s), forward a copy of that report to the Union Returning Officer or Union Auditor as the case may be.

- A.12.6.1 Following the hearing of the allegation(s) and the stated defence, the Conference Chairperson shall put to the Conference a motion that the Union Returning Officer or Union Auditor, as the case may be, should be removed from office. The delegates present shall vote on such resolution.

- A.12.6.2 Should the result of the vote be that the Union Returning Officer or the Union Auditor, as the case may be, should not be removed from office the matter shall end.

- A.12.6.3 Should the result of the vote be that the Union Returning Officer or the Union Auditor, as the case may be, should be removed from office the President shall declare the office concerned vacant and the Special Conference shall immediately attend to the business of appointing a replacement to the office concerned.

A.13 CASUAL VACANCIES:

General:

- A.13.1 Whenever a casual vacancy for any office provided for in these Rules occurs, such vacancy shall be filled in the manner provided for in these Rules for the election or appointment of the official whose outgoing has caused the casual vacancy.

Short Term:

- A.13.2 If such a vacancy occurs during the last nine months of any elective period, it may be filled by resolution of the Union Committee.
- A.13.2.1 Any person, or persons, appointed to any position under Section A.13.2 of these Rules, shall be entitled to attend any meeting to which the position gives access under the Rules, and shall be entitled to speak but not vote, unless such person, or persons would be entitled to vote by virtue of their right to attend any such meeting under any other section of these Rules.

Terms of Office:

- A.13.3 Any person, or persons, appointed or elected as a result of a casual vacancy shall hold such office only for the unexpired period of the predecessors term, but such persons shall be eligible for re-election.

Nominations:

- A.13.4 In calling nominations for the election of a person to fill any casual vacancy, the Union Returning Officer shall ensure that a notice calling for nominations is delivered to every workplace where Union Members are employed. Such notice shall state a time and date when nominations shall be closed which shall not be less than twenty-one consecutive days from the date on which the notice was posted.

A.14 **DUTIES AND POWERS OF OFFICIALS:**

UNION PRESIDENT:

- A.14.1 The duties and powers of the Union President shall be:
- A.14.1.1 To supervise the business and affairs of the Union; to attend and preside over all meetings of the Union Council, the Union Committee and the Union Conference, to keep order, to conduct the business and to decide all points of order;
- A.14.1.2 To obey all such lawful instructions, and to do and perform all such lawful things and acts as may be given or required to be done by a meeting of the Union Council, the Union Committee, the Union Conference or by the Act and its amendments or by these Rules;
- A.14.1.3 To call meetings of the Union Council and the Union Committee where such meetings are required or permitted to be called under these Rules but where the Union Secretary is unable to, or has failed to, call such meetings.

- A.14.1.4 To do and perform such other lawful duties as may usually appertain to the office of Union President.

Trustee:

- A.14.1.5 To be a Trustee of the Union funds and assets as provided in these Rules.

Chairperson's Powers:

- A.14.1.6 When presiding at a meeting the Union President shall have the power:
- A.14.1.6.1 To exercise a deliberative vote, and in the case of equality of voting; also a casting vote;
 - A.14.1.6.2 To decide the order of business, to put motions, and to declare the result of the voting;
 - A.14.1.6.3 To order the removal from a meeting of any person obstructing the business of the meeting or behaving in a disorderly manner, or of any person not entitled to be present;
 - A.14.1.6.4 By a resolution of the meeting or in the absence of a quorum, to adjourn the meeting or to declare a meeting closed;
 - A.14.1.6.5 Generally to do and perform such other lawful things and acts as may be necessary or desirable to carry on the business of a meeting with order and regularity.

UNION VICE-PRESIDENT:

- A.14.2 The duties and powers of the Union Vice President shall be:
- A.14.2.1 To assist the Union President in carrying out the duties appertaining to that office;
 - A.14.2.2 In the absence of the Union President to exercise all the powers and perform all the duties of the Union President.

Trustee:

- A.14.2.3 To be a Trustee of the Union Funds and Assets as provided in these Rules.

UNION SECRETARY:

- A.14.3 The duties and powers of the Union Secretary shall be:

Meetings:

- A.14.3.1 To call and attend all meetings of the Union Council, the Union Committee and the Union Conference and to take accurate minutes of all such meetings;

Receipt of Money:

- A.14.3.2 To collect and receive all monies due to the Union and to give a receipt in a form approved by the Union Committee, and in no case to hold any such monies without the authority of the Union Committee for any period exceeding seven days, and to deposit all such monies in the name of the Union in Bank accounts approved by the Union Committee;

Annual Reports:

- A.14.3.3 To prepare, and sign, prior to the November Meeting of the Union Committee, a Balance Sheet and a Statement of Income and Expenditure for the preceding twelve months and to present such documents to the November Meeting of the Union Committee and the Annual Union Conference, duly audited in accordance with the Act and these Rules. The report shall contain the following:

- A.14.3.3.1 The Auditors report on the Accounts of the Union for the preceding 12 months.

- A.14.3.4 To deliver to the Registrar of Unions, within 3 months after the end of the financial year of the Union, a copy of the accounts for that financial year, together with an audit certificate signed by the Auditor as specified in Rule A.14.3.3.

- A.14.3.5 To prepare prior to the November Meeting of the Union Committee and the Annual Union Conference, an Annual Report on the business and proceedings of the Union during the preceding twelve months, and to present such report to those meetings;

Trustee:

- A.14.3.6 To be a Trustee of the Union funds and assets as provided in these Rules;

Correspondence:

- A.14.3.7 To conduct the correspondence and affairs of the Union;

Membership Register:

- A.14.3.8 To keep a register of the names, occupations, award, determination or agreement coverage and addresses of members, with the date of

their joining the Union, and of their withdrawal or death, as the case may be;

- A.14.3.9 To prepare and forward to the Registrar in April each year, the return required by the Act of Officers and members, as at 31 March that year.

General:

- A.14.3.10 To obey all such lawful instructions and to do and perform all such lawful things and acts as may be given or required to be done by a meeting of the Union Council, the Union Committee, a Union Conference, or by the Act and its amendments, or by these Rules;
- A.14.3.11 To do and perform such other lawful duties as may usually appertain to the office of Secretary;

BRANCH REPRESENTATIVE MEMBERS ON THE UNION COMMITTEE:

- A.14.4 In addition to the duties and powers of the Union Committee, as specified in Rules A.7.3.2 to A.7.4.2.2 (inclusive) of these Rules, the duties and powers of Union Committee Members representing Branches, shall be;
- A.14.4.1 To represent, on the Union Committee, the Union members employed within the Branch concerned;
- A.14.4.2 To report to every meeting of the Union Committee on any matter within the Branch concerned as is relevant to the Committee's deliberations.

General:

- A.14.4.3 To obey all such lawful instructions and to do and perform all such lawful things and acts as may be given or required to be done by a meeting of the Union Council, the Union Committee, a Union Conference, or by the Act and its amendments, or by these Rules.

TRUSTEES:

- A.14.5 The Union President, Union Vice President, Union Secretary shall be the Trustees of the Union and the duties and powers of the Trustees shall be:

Investment:

- A.14.5.1 To control the property and invest the funds of the Union subject to the provisions of the Act and of these Rules and further subject to any direction given by resolution of the Union Conference or the Union Committee;

Union Accounts:

- A.14.5.2 To operate the Union Bank accounts. Except as provided in rule A.14.5.2.1 all transactions involved in the operation of such Bank accounts shall be undertaken by any two of the Union Trustees;
- A.14.5.2.1 Special purpose accounts may be established by the Union Committee and operated by persons specifically appointed for that purpose by the Union Committee.

Expenditure:

- A.14.5.3 To, subject to the prior resolution of the Union Committee, expend the Union funds necessary and incidental to the lawful attainment and rightful exercise of those objects and powers specified and contained in these Rules;
- A.14.5.4 To, subject to prior resolution of the Union Committee, pay specified accounts without further specific authorisation and such accounts shall be paid promptly as they become due;
- A.14.5.5 To pay other unspecified accounts, within limits previously determined by the Union Committee, that may be incurred on behalf of the Union;

Wages:

- A.14.5.6 To pay, as a first charge on the funds of the Union, wages and superannuation payable to any employees of the Union including any elected Officials entitled to regular wage payments.

Accounts:

- A.14.5.7 To pay accounts and other liabilities as set out in Rule A.14.5.3 to A.14.5.5 inclusive, as a second charge on the funds of the Union;

Remuneration:

- A.14.5.8 Subject to the provisions of Rule A.14.5.6, to pay any remuneration, as determined appropriate by the Union Committee, to the Union President, Union Vice President or other elected or appointed officials as a third charge on the funds of the Union.

UNION RETURNING OFFICER:

- A.14.6 The duties and powers of the Union Returning Officer shall be as stated in Rule A.11 (Election Procedure) and Rule A.16 (Ballots and Ballot Procedure) of these Rules.

UNION AUDITOR:

- A.14.7 The duties and powers of the Union Auditor shall be to Audit the Accounts of the Union in accordance with Rule A.28 of these Rules.

A.15 **MEETINGS:**

Union Conference, Union Committee and Union Council:

- A.15.1 The Union Council, the Union Committee and the Union Conference shall meet as specified in Rule A.8 of these Rules.

Branch and Other Meetings:

- A.15.2 Branches and Members shall meet as specified in Part B of these Rules.

A.16 **BALLOTS AND BALLOT PROCEDURE:**

General:

- A.16.1 Whenever there is a proposal, under these Rules, to hold a ballot of all Union members, such a ballot shall be conducted by the Union Returning Officer.

- A.16.2 ~~Unless the Union Committee directs that a Secret Postal Ballot be held, ballots conducted under these Rules, whether for the purposes of electing officials, or to decide questions on the basis of membership opinion, shall be conducted by aggregating the results of ballots conducted by Branch Returning Officers in accordance with Rules A.16.11 and B.17 of these Rules.~~ The Union Committee may direct that a secret ballot be held and in that case, a Fee Post envelope will be provided to every eligible voter. The voter will be required to dispatch the completed voting paper to the Union office by means of post to reach the office before the closing time of the ballot.

Ballot Papers:

- A.16.3 The Returning Officer shall draft a ballot paper and such ballot paper shall:

Elections:

- A.16.3.1 In the case of an election:
- A.16.3.1.1 List in alphabetical surname order, the surnames and full Forenames of the candidates for the office;
- A.16.3.1.2 Clearly state that the voter should strike out the name or names of those candidates to whom the voter does not wish to vote, leaving intact the name of the candidate of the voters choice.

- A.16.3.1.3 The date and time before which the ballot paper must have been received for the vote to be counted.

Other Ballots:

- A.16.3.2 In the case of a ballot requiring membership opinion:
- A.16.3.2.1 Clearly state the question to be decided. The question shall be in the form of a motion which shall be of an affirmative character;
- A.16.3.2.2 Clearly show the words "FOR", "AGAINST";
- A.16.3.2.3 Instruct the voter to strike out one word leaving intact the word which indicates the voter's intention.
- A.16.3.2.4 The date and time before which the ballot paper must have been received for the vote to be counted.

Ballot Paper Issue Sheet:

- A.16.4 The Returning Officer shall also draft a "Ballot Paper Issue Sheet".
- A.16.4.1 The Ballot Paper Issue Sheet shall require each voter, prior to being issued with a ballot paper, to print his or her:
- A.16.4.1.1 Surname and full First Names;
- A.16.4.1.2 Service Number;
- A.16.4.1.3 Brigade.

Receipt:

- A.16.4.2 There shall also be a place upon which the voter shall sign, with his or her normal signature, to indicate receipt of the appropriate ballot paper.

Instructions:

- A.16.4.3 The ballot paper shall also clearly lay out the instructions required for the voter to cast a valid vote. Those instructions shall be:
- A.16.4.3.1 "Complete the ballot paper issue sheet including all details required, and sign the sheet as a receipt of your ballot paper;
- A.16.4.3.2 Mark your ballot paper as you desire to indicate clearly your choice;

A.16.4.3.3 Fold your ballot paper and place it in the ~~Free Post envelope provided and seal the envelope;~~
Ballot box provided.

~~A.16.4.3.4 Despatch the completed document to the Union Office by means of the post to reach the office before the closing time of the ballot."~~

Voting Documents:

A.16.5 The Union Returning Officer shall have assembled sets of documents for despatch to the persons responsible for issuing ballot papers at each place where Union Members are employed.

A.16.5.1 Each set of documents shall include:

A.16.5.1.1 The Ballot Paper or Papers;

A.16.5.1.2 The Ballot Paper Issue sheet;

~~A.16.5.1.3 A Free Post envelope for return of each completed vote.~~

Despatch of Ballot:

A.16.6 The Union Returning Officer shall require the Union Committee to appoint one person at each place where Union Members are employed to be responsible for issuing every member at such workplace with a ballot paper.

A.16.6.1 The Union Returning Officer shall cause to be delivered to every official so appointed, sufficient documents to enable such official to issue every Union member at that workplace with a ballot paper and return envelope having completed the ballot paper issue sheet.

A.16.6.2 Sufficient time shall have been allowed between the date of the despatch of the ballot papers and the date specified by which time they must have been returned for counting, to fairly enable every Union member entitled to vote, to have been issued with a ballot paper, have voted and posted the return.

A.16.6.3 Each person appointed to issue ballot papers at a workplace shall, as soon as practicable after issuing the required ballot papers, send by return post addressed to the Returning Officer the completed ballot paper issue form. ~~Any ballot papers and envelopes not issued shall also be returned along with a statement signed by the person responsible for issuing the ballot at that workplace declaring the number of ballot papers received, the number of ballot papers issued, the number of ballot papers returned unused.~~ Where there is any discrepancy in the totals of such papers a statement shall be made to the Returning Officer explaining the discrepancy.

Counting of Votes:

- A.16.7 The Union Returning Officer shall count the votes at the Union Office as soon as possible after the final time set for acceptance of voting papers. He or she shall have ensured that any scrutineers appointed in accordance with these Rules know of the time the votes are to be counted to enable their attendance.

Appointment of Scrutineers:

- A.16.7.1 Prior to the counting of any votes for any election held under these Rules the Union Returning Officer shall advise every candidate for the election concerned of the time and place where the votes are to be counted.
- A.16.7.1.1 Every candidate for such election shall be entitled to inform the Union Returning Officer, in writing, of the name of a person to attend the counting of the votes and act as that candidate's scrutineer. Where any such scrutineer attends the counting of the votes, the Returning Officer shall afford such scrutineer every assistance in representing the best interests of the candidate concerned. The Scrutineer shall be entitled to see that the counting of the ballot is conducted fairly, strictly and in accordance with these Rules.
- A.16.7.2 Where the ballot is to determine membership opinion on any matter, any Committee, Council or member having a specific interest in the outcome of the ballot shall be entitled to nominate a person, in writing, to the Union Returning Officer to oversee the counting of the ballot as a scrutineer.
- A.16.7.3 Where the Union Returning Officer has not been notified of the appointment of any scrutineers within the context of these Rules, or where less than two scrutineers have been appointed, the Union Returning Officer shall require the Union Committee, or any member thereof, to appoint scrutineers to assist in the counting of the vote.
- A.16.7.3.1 It shall be forbidden for the Returning Officer to count any ballot, for any purpose, with less than two scrutineers present.

Counting Procedure:

- A.16.8 At the time of the counting of the ballot the Union Returning Officer shall open the ~~ballot box~~ envelopes and conduct the counting as follows:
- A.16.8.1 Each envelope shall be opened in turn and placed in piles according to the voters intention shown on the voting paper.

- A.16.8.2 Once all envelopes have been opened and all votes sorted into piles according to the voters intention, the Union Returning Officer and Scrutineers shall count the numbers of votes received by each Candidate, or FOR and AGAINST the question to be decided, as the case may be.

Declaration:

- A.16.9 Once the Union Returning Office declares the result of the ballot he or she shall note the result on a declaration form and shall sign the form which shall be countersigned by all scrutineers present.
- A.16.9.1 Should any Scrutineer(s) refuse to sign the declaration form of the result of the ballot the result shall stand unless the ballot result is disputed in accordance with Rule A.17 of these Rules.
- A.16.9.2 The declaration form shall be the result of the ballot and the Union Returning Officer shall ensure that the result is communicated to every member of the Union who had an interest in the outcome of the ballot by notice placed in each workplace where such Union Members are employed. Where the ballot was an election, the Union Returning Officer shall also ensure that each Candidate for the election is provided with a copy of the declaration form as soon as possible after the result is declared.

Preservation of Papers:

- A.16.10 All ballot papers, lists, envelopes and other documents used in connection with any ballot or election shall be preserved and retained by the Union, at the Union Office, for a period of one year from the date of the completion of the ballot.

Ballot Result by Aggregation of Branch Ballots:

- A.16.11 ~~Where a ballot is conducted by aggregating the results obtained of ballots conducted within each Branch (as permitted by Rule A.16.2 of these Rules) the Union Returning Officer shall:~~
- A.16.11.1 ~~Inform each Branch Returning Officer of the names of the Candidates for the election, or the question to be decided, as the case may be.~~
- A.16.11.2 ~~Each Branch Returning Officer shall forthwith conduct the required ballot in accordance with the requirements of the Branch Rules concerned as modified by Rules A.16.11.3, A.16.11.4 and A.16.11.5.~~
- A.16.11.3 ~~As soon as possible after the ballot has closed, the Branch Returning Officer shall send all uncounted ballot papers, lists, envelopes and documents used in connection with any ballot or election to the Union Returning Officer at the Union Office.~~

~~A.16.11.4 The Union Returning Officer shall total the numbers of votes received by each Candidate for election and declare elected the person receiving the most votes. In the case of a question to be decided the number of votes cast FOR and AGAINST the question shall be aggregated to formulate a Union wide ballot result. In each case, the Union Returning Officer shall act as required in Rules A.16.7 and A.16.8.~~

~~A.16.11.5 In each case the Union Returning Officer shall act as required in Rules A.16.7, A.16.8 and A.16.9 of these Rules for the communication of the ballot result to members and, in the case of an election, the candidates for that election.~~

A.17 PROCEDURES IN RESPECT OF DISPUTED BALLOTS:

A.17.1 Where any Union member is of the opinion that there has been an irregularity in the conduct of any ballot, or any offence has been committed then, such member shall report same in writing to the Union Secretary within 14 days of the declaration of such result. The Union Secretary shall refer the matter to the Union Committee who shall receive the report, consider it, and decide on the appropriate course.

A.18 SECRET BALLOT ON THE QUESTION OF STRIKE OR STOPPAGE:

Strike:

A.18.1 If the members of the Union are concerned in a dispute and there is a proposal that there shall be a strike, no such strike shall take place until the question (of whether the strike shall take place) has been submitted to a Secret Ballot of those Union members who would become parties to the strike if the proposal were carried, and such secret ballot shall be held in the manner prescribed in these Rules.

A.18.1.1 The question as to whether the strike shall take place shall be declared to have been carried only if the number of votes recorded in favour of the strike taking place is a simple majority of those entitled to vote. In all other cases the Returning Officer shall declare the proposal to have been lost.

Stoppage:

A.18.2 If any members of the Union are concerned in a dispute and there is a proposal that there shall be a stoppage, no such stoppage shall take place until the question (of whether the stoppage shall take place) has been submitted to a Secret Ballot of those Union members who would become parties to the stoppage if the proposal were carried, and such secret ballot shall be held at appropriate called meetings of the Union members concerned held in accordance with these Rules.

- A.18.2.1 Such secret ballot shall be conducted by the Union Official chairing the meeting(s) concerned. Every Union member in attendance who would likely become involved in the proposed stoppage shall be issued with a ballot paper and entitled to vote in secret before placing his/her completed vote in a ballot box. The meeting shall elect a ballot Returning Officer and two Scrutineers to count the ballot and declare the result.
- A.18.2.2 All ballot papers used for such a ballot shall be despatched to the Union Office in order to comply with Rule A.16.10 of these Rules.
- A.18.2.3 The question as to whether the stoppage shall take place shall be declared to have been carried only if the number of votes recorded in favour of the stoppage taking place total 50% or more of the valid votes cast in the ballot. In all other cases the Returning Officer shall declare the proposal to have been lost.

A.19 **STANDING ORDERS:**

- A.19.1 Any meeting held under these Union Rules shall comply with the following standing orders:

Order of Business:

- A.19.2 The business of the Union shall be conducted in the following order:
- A.19.2.1 Apologies;
- A.19.2.2 Reading and adopting of minutes;
- A.19.2.3 Business arising from the minutes;
- A.19.2.4 Outward correspondence;
- A.19.2.5 Inward correspondence;
- A.19.2.6 Reports and recommendations;
- A.19.2.7 Business ordered to stand over from previous meeting;
- A.19.2.8 Notices of motion to be taken in order tabled;
- A.19.2.9 New business.

New Business:

- A.19.3 Members may raise minor matters under the heading of new business, provided those matters have not already been discussed at the meeting, and are not matters of major importance. If a matter of importance is

raised at this stage of the agenda, it shall be dealt with in one of three ways:

- A.19.3.1 It may be placed on the agenda for the next meeting so that members, having had adequate notice, can give the matter the attention it deserves;
- A.19.3.2 If the matter is important enough to warrant it, a special meeting may be called to discuss it;
- A.19.3.3 If the matter demands urgent attention, the meeting may authorise the appropriate committee concerned to deal with it.
- A.19.3.4 The Chairperson shall rule which of the three options is most suitable to handle the matter, and shall put a motion to the meeting to endorse the ruling.

Motions:

- A.19.4 All motions shall be duly proposed and seconded and:
 - A.19.4.1 Be of an affirmative character;
 - A.19.4.2 Once moved and seconded becomes the property of the meeting and cannot be withdrawn without the consent of the meeting, even if the mover and seconder wish to do so;
 - A.19.4.3 May be adjourned to a future meeting;
 - A.19.4.4 May be amended by striking out certain words;
 - A.19.4.5 May be amended by adding certain words;
 - A.19.4.6 May be amended before a decision is arrived at.
 - A.19.4.7 When a motion has been spoken to by the proposer and seconder, the Chairperson shall at once proceed to take votes unless some member rises to oppose it, or to propose an amendment.

Amendments:

- A.19.5 Only one amendment shall be entertained at the one time.
 - A.19.5.1 If an amendment is carried it shall be held to take the place of the original and become a substantive motion;
 - A.19.5.2 If an amendment is lost other amendments may follow;

- A.19.5.3 An amendment for adjournment of the question can be proposed only when a motion for adjournment specifies a time of adjournment to;
- A.19.5.4 A member shall not be permitted to move an amendment after resuming his seat subsequent to speaking to a motion or amendment.

Speakers:

- A.19.6 All speeches shall be addressed to the Chair:
- A.19.6.1 If two or more members rise at the same time the Chairperson shall at once decide who has the floor;
- A.19.6.2 No more than two members shall speak in succession either for or against any question before the meeting, and if at the conclusion of the second speaker's remarks no member rises to speak on the other side, the question shall be put to a vote of the meeting;
- A.19.6.3 The seconder of a motion or amendment may do so pro forma, and reserve his/her right of speaking to the question till later;
- A.19.6.4 A member can only speak once upon any question before the meeting except; in reply to an original motion; in explanation or correction of some matter during debate; to raise a point of order.

Point of Order:

- A.19.7 When a point of order is raised the member raising the same shall state his/her point clearly in a few words, and if a member is speaking, such member shall take his/her seat until the point of order is decided. The Chairperson shall decide the matter promptly and not allow any discussion.

Time Limit:

- A.19.8 The mover of any original motion shall be allowed three minutes to introduce it, and given two minutes to reply. No other member shall be allowed to speak for more than two minutes at any one time. The meeting may resolve to allow a speaker extensions of time as determined by the meeting.

Vote Record:

- A.19.9 Any member may require the recording in the minutes of the meeting of the members vote on any matter.

Notice of Motion:

- A.19.10 Any member may give notice of motion for a future meeting by reading such notice to any one meeting. Should the meeting at which the notice of motion is tabled approve the forwarding of that notice to the next meeting, it shall be the duty of the Secretary to include that notice in the agenda for the next meeting. Such notice of motion shall take precedence in the order in which it stands, unless otherwise ordered by the Meeting. It will lapse if the member, or some other member authorised on his or her behalf by written authority, is not present when the order of the day for such notice is read at the meeting corresponding to that at which it was originally proposed.

Questions Superseded:

- A.19.11 A question before the Chair may be superseded by agreeing to a motion, or to a motion "that the question be now put" and the Chairperson shall forthwith put such motion to the meeting without discussion.

Suspension of Standing Orders:

- A.19.12 The Standing Orders may be suspended only by an urgent matter brought down to a meeting by the Union Council, Union Committee or the unanimous consent of the meeting.

Challenge to Chairpersons Ruling:

- A.19.13 A ruling of the Chairperson may be challenged where a member present at the meeting considers the ruling to be grossly wrong and unfair.
- A.19.13.1 Where a member considers a decision of the Chair is wrong and needs to be reversed, the member shall stand, call the Chairperson and say "I challenge your ruling".
- A.19.13.2 The Chairperson shall immediately vacate the chair and the Vice-Chairperson, or in the absence of the Vice-Chairperson someone elected by the meeting, shall take the chair.
- A.19.13.3 The acting Chairperson shall require the member who has challenged the Chairpersons ruling to give his/her reasons for doing so.
- A.19.13.4 The member who initiated the challenge shall give the meeting a concise account of the reason.
- A.19.13.5 The Acting Chairperson shall then require the Chairperson to give his/her reasons for the ruling.
- A.19.13.6 The Chairperson shall give the meeting a concise account of the reasons for the ruling.
- A.19.13.7 The Acting Chairperson shall allow no further discussion.

- A.19.13.8 The Acting Chairperson shall then put a motion to the meeting, without need for proposer or seconder, "that the Chairpersons ruling be upheld".
- A.19.13.9 If the meeting votes affirmatively the Chairperson shall resume the chair and proceed with the meeting from the point of his/her ruling.
- A.19.13.10 If the meeting votes negatively, the Chairperson shall resume the chair and proceed with the meeting from the point before his/her ruling.

Union Conference – Order of Business:

- A.19.14 The Order of business provided in this rule shall not apply to the Conference of the Union. Conferences shall conduct the following business and the order of such business shall be determined by the Union Committee prior to the Conference:
 - A.19.14.1 Presentation of reports;
 - A.19.14.2 Debate on remits and Resolutions Committee recommendations thereon;
 - A.19.14.3 Guest speakers presentation of papers;
 - A.19.14.4 Appointment of Auditor, Returning Officer and any other official required to be appointed by a Conference of the Union.

A.20 SUPPLY OF RULES:

New Members:b

- A.20.1 Any new member joining the Union shall be supplied with an up to date copy of the Rules of the Union without charge.

Updated Rules and Non Members:

- A.20.2 Any member, having previously received a copy of the Rules, shall be entitled to request and be supplied with a new up-to-date copy, and may be charged for such supply the fee determined from time to time by the Union Committee.

A.21 SUPPLY OF AMENDMENTS TO RULES:

- A.21.1 Whenever an amendment to the Rules has been approved and registered by the Registrar of Incorporated Societies, the Union Secretary shall ensure that a notice detailing the new provisions is posted to every workplace where Union members are employed within 30 days after the day on which the amendment is made.

- A.21.2 Any financial member of the Union shall be entitled to receive upon request, without charge, a personal copy of any such Rule amendment.

A.22 **SUPPLY OF ANNUAL REPORT TO FINANCIAL MEMBERS:**

- A.22.1 The Union Secretary shall provide one copy of the Union Annual Report to each Union financial member who requests such a copy.

A.23 **SUPPLY OF ANNUAL ACCOUNTS AND AUDITORS CERTIFICATE:**

- A.23.1 The Union Secretary shall supply to any financial member of the Union who so requests, one copy of the latest Income and Expenditure Account and Balance Sheet, together with the Auditor's Report on the Accounts, and any such supply may be charged for at the rate determined from time to time by the Union Committee.

A.24 **SUPPLY OF COPIES OF RESOLUTIONS:**

Union Conference:

- A.24.1 The resolutions passed at every Conference of the Union shall be published by notice posted to all places where Union members are employed. Any Union member may request a personal copy of any such Resolution, and such request shall be granted without charge, by the Union Secretary.

Union Council and Union Committee:

- A.24.2 Any Union financial member may request copies of any Resolution or Resolutions passed at any Union Council or Union Committee Meeting. Such requests shall be granted, without charge, by the Union Secretary.

A.25 **SEAL:**

- A.25.1 The Union Seal shall be held in the custody of the Union Council at the Registered Office of the Union.

- A.25.2 Whenever the Seal is to be used on any document, it shall be attested to by any two members of the Union Council. Each use of the Seal shall be reported to the following meeting of the Union Committee.

- A.25.3 The Union Seal may be used, without attestation, to signify the validity of Ballot Papers being used in any election or other ballot conducted under these Rules.

- A.25.4 The Union Seal may be altered or renewed following the appropriate resolution being passed at a meeting of the Union Committee.

A.26 EXECUTION OF INSTRUMENTS:

A.26.1 Agreements and any other legal documents shall be made and executed on behalf of the Union under the signatures of any two members of the Union Council following a resolution passed at a Union Committee Meeting, or Union Council Meeting where authority exists in these rules for the Union Council to so act.

A.26.2 Where the execution of an instrument requires the Union Seal to be therefore affixed, the provisions of Rule A.25.2 of these Rules shall apply.

A.27 FORMAL PROCEEDINGS:

A.27.1 The Union shall, unless otherwise resolved by the Union Committee, be represented in any formal proceedings, by the Union Council assisted, where necessary, by an advocate appointed by the Union Committee.

Non-Union Committees:

A.27.2 In any case where the Union is able to be represented on any "non-Union" Committee or other organisation, the person or persons representing the Union on such Committees shall be appointed by the Union Committee and such representative may be removed from their positions by resolution of the Union Committee.

Urgent Appointments:

A.27.2.1 Where the opportunity arises for the Union to be represented as in Rule A.27.2 and a meeting of the Union Committee is not scheduled before the required appointment needs to be made, the Union Council may make such an appointment which shall be put to the next meeting of the Union Committee for endorsement.

A.28 AUDIT:

Financial Year:

A.28.1 The financial year of the Union shall begin on the 1st day of August and continue to end on the 31st day of July.

Keeping of Accounting Records:

A.28.2 The Union Secretary shall ensure that full, true and complete accounts of the financial affairs and transactions of the Union are kept. Such records shall be set out in such a manner as to enable them to be conveniently and properly audited.

A.28.2.1 In order that the Auditor may undertake the duties required by these Rules, the Union Secretary shall produce to the Auditor all books, papers, accounts, statements, documents, receipts and securities

required by the Auditor. The Union Secretary shall also give the Auditor such information and explanation as the Auditor may reasonably require.

Auditor:

A.28.3 The Union shall arrange for the Audit of its accounts and the preparation of an Annual Income and Expenditure Account and an Annual Balance Sheet by a member of the New Zealand Society of Accountants.

A.28.3.1 The Auditor shall be appointed annually at the Annual Conference of the Union.

A.28.3.2 The Auditor so appointed may be re-appointed in subsequent years, may be removed and replaced in accordance with the provisions contained in Rule A.12 of these Rules, and any casual vacancy shall be filled by resolution of the Union Committee pending confirmation of such appointment by the next Union Conference.

Auditor's Report:

A.28.4 The report produced by the Union Secretary, in accordance with Rule A.14.3.3, shall contain an audit certificate signed by the Union Auditor, that the Auditor;

A.28.4.1 Has carried out the audit on the accounts of the Union; and

A.28.4.2 Has seen in the course of the audit all the documents and explanations required on those accounts; and

A.28.4.3 Has duly reported on those accounts to the Union.

A.29 **INSPECTION OF ACCOUNTING RECORDS AND REGISTERS:**

A.29.1 Every financial member of the Union shall be entitled to inspect the accounting records, and the register of Union members, at the Union Office, at all times during normal office hours, after giving at least two working days notice of their wish to do so.

A.30 **CANCELLATION OF REGISTRATION:**

A.30.1 Following a Union decision to cancel the registration of the Union the following provisions shall apply to the funds and assets of the Union:

Secret Ballot:

A.30.2 The funds and assets of the Union shall be disposed of in the manner decided by the Union members in a secret ballot held for that purpose provided that no part of the Union's funds or assets shall be returned to union members.

A.30.2.1 Members shall be given the option in the secret ballot, of transferring all such funds and assets as Union funds and assets, to the new organisation.

A.30.2.2 In all other cases the options, for disposal of Union funds and assets stated in the secret ballot, shall be the options decided upon by a Special Conference of the Union.

Audit:

A.30.3 The Union Secretary shall arrange for a special audit of the Union books to be undertaken in the same manner as provided for Annual Audits in Rule A.28 of these Rules.

A.30.3.1 Following the audit the Union Secretary shall sign an Income and Expenditure Account and Balance Sheet as being a true record of the state of the Union funds and assets as at the date of the Audit.

Realisation:

A.30.4 In all cases the Union Trustees shall realise all the funds and assets of the Union in the manner determined by the secret ballot, and shall take action according to the ballot decision.

A.31 **POWER TO AMEND OR REPEAL RULES:**

A.31.1 Any Rule within the Union Rules may be amended or repealed only after such amendments or repeals have been approved by a majority of the votes cast at a Union Conference, unless any such rule change is provided for separately.

A.31.2 Proposals to amend or repeal Union Rules may be initiated by any Local forwarding a remit to that effect to the Union Secretary.

A.31.3 Proposals to amend or repeal Union Rules may also be initiated by Branch Committees, Branch Conferences, the Union Committee, or the Union Council forwarding proposals for such amendments or repeals to the Union Secretary.

Urgency:

A.31.4 Where any proposed amendment or repeal is of an urgent nature the Union Council may resolve that a Special Conference of the Union be called to consider the matter.

Registration of Amendments:

A.31.5 Any amendment or repeal of Union Rules, approved by the required resolution of Union Conference, shall be forthwith forwarded by the

Union Secretary to the Registrar of Incorporated Societies for recording and registration.

Effect:

- A.31.6 No amendment or repeal of any Union Rule shall take effect until the Union has been notified by the Registrar that the Rule change(s) has been approved and recorded in the appropriate manner.

A.32 **REQUISITIONS:**

- A.32.1 Any requisition submitted under these Rules (including the Branch Rules) shall be out of order and may be either disregarded or amended by the Official or other position holder to whom such requisition is addressed, unless such requisition is in accordance with the provisions of these Rules.

- A.32.1.1 Every such requisition shall set out, at the head of each page, the subject matter of the requisition, and shall list in the following order the:

- A.32.1.1.1 Surname and full Forenames; Fire Area and Signature of each person supporting such requisition.

- A.32.1.2 In any case where the necessary details cannot clearly be ascertained from a requisition, those details shall be disregarded and struck off the requisition.

- A.32.1.2.1 Where such striking off reduces the number of members supporting the requisition to below the required total, within the context of these Rules, the requisition shall be disregarded.

A.33 **PROPERTY:**

- A.33.1 No correspondence, documents, moneys or other property that is rightfully the property of the Union or a Branch shall be held by any person except an Official, Representative or other position holder who has been authorised to do so and who has been elected or appointed in accordance with the provision of the Rules or by decision of the appropriate Committee. On ceasing to be such Official, Representative or other position holder, all such correspondence, documents, moneys or other property held by him or her shall immediately be delivered to his or her successor or to the Union Secretary, another member of the Union Council, the Branch Secretary or other member of the Branch Committee whichever is appropriate.

- A.33.2 No such correspondence, documents, moneys or other property shall be disposed of in any way except by a decision of the appropriate Committee and which has been recorded in the minutes thereof.

A.34 **DISCIPLINARY MATTERS:**

A.34.1 It shall be an offence subject to disciplinary procedures hereunder for any Member to:

A.34.1.1 Knowingly act in a manner contrary to the Rules of the Union
 A.34.1.2 Knowingly act in a manner contrary to the policies of the Union made in accordance with these Rules

A.34.1.3 Misappropriate Union money or property

A.34.1.4 Knowingly divulge information confidential to the Union or the business of the Union (such information and business shall remain confidential to Members and the Executive unless otherwise authorised by the Committee)

A.34.1.5 Wilfully ignore a lawful resolution of the Union

A.34.1.6 Assault an Officer, Committee member, delegate, organiser or member of the Union.

A.34.2 The Committee may impose one or more of the following penalties:

A.34.2.1 Caution

A.34.2.2 Censure

A.34.2.3 Severe reprimand

A.34.2.4 A fine not exceeding \$500.00

A.34.2.5 Suspension or expulsion from membership of the Union

A.34.3 The Committee must take into account the nature of the offence in question when imposing any penalty. Suspension or expulsion from membership should be considered only in the event of a serious offence being proven or in the event of any recurrence of the same offence by the Member(s) concerned or in the event of the non-payment of a fine which has been imposed.

A.34.4 Where an Officer or financial member has a charge against another Member or Members alleging that an offence in terms of paragraph A.34.1 of this rule has been committed that person shall *report* the matter in writing to the Secretary.

A.34.5 Any report received by the Secretary shall be referred to the next meeting of the Committee which shall resolve whether to give notice to both the complainant(s) and the Member(s) named in the complaint to appear before the Committee. Those appearing before the Committee shall also be advised of their rights to be represented by an agent who may be a delegate or other Member(s) to make verbal and written statements in support of their cases and to call on witnesses.

- A.34.6 The complainant(s) and the Member(s) named in the complaint shall present themselves before the Committee. The Committee shall at all times during the hearing of any such matter, act in an impartial manner so as to ensure that every opportunity is afforded both parties to present their cases and tender any relevant evidence either orally or in writing or through witnesses.

Where any Member of the Committee is involved in any capacity in any complaint brought before the Committee he or she shall not participate in the hearing in his or her role as a member of the Committee.

Every Member affected by any such complaint (and their agent[s]) shall afford the Committee every opportunity to obtain all the evidence and information required to reach a fair and just conclusion.

- A.34.7 The Committee shall report its findings and make recommendations within fourteen (14) days of the date of hearing the complaint. The complainant(s) and the Member(s) named in the complaint shall also be sent a copy of the Committee's report which when the offence has been proven shall contain the penalty imposed by the Committee and the reason for its decision. The report shall require the Member(s) concerned to comply with its decision and/or the penalty imposed. The Member(s) concerned must also be warned that any repetition of the same offence or non-payment of a fine within the period stipulated might result in further disciplinary action being taken by the Committee which may include suspension or expulsion from membership of the Union.

PART B

BRANCH RULES COVERING ALL MEMBERS

B.1 NAME

B.1.1 The name of the Branches covered by Part B of the Union Rules shall be:

B.1.1.1 The Northern Branch

B.1.1.2 The Central Branch

B.1.1.3 The Southern Branch

B.2 PURPOSE OF THE BRANCHES:

B.2.1 In addition to the specific requirements of the Union Rules the purpose of the Branches shall be to co-ordinate the activities of Locals within the Branch's area of jurisdiction.

B.2.2 All persons who are members of the Branch at the time of registration of these Rules or who become members after registration, shall be bound by the rules of the Branch during the continuance of their membership.

B.3 BRANCH OFFICE:

B.3.1 There shall be a Branch Office and the address of the Branch Office shall be notified to the Union Secretary by the Branch Secretary.

B.3.2 Any change of the address of the Branch office shall be notified by the Branch Secretary to the Union Secretary within 14 days of the change of the address. Such notice shall specify the date at which the change of address was effected.

B.3.3 Any change of the address of the Branch office shall be notified to Branch members by notice posted to each place where Branch members are employed.

B.4 INTERPRETATION:

B.4.1 In addition to the matters defined in Rule A.3 of the Union Rules, unless otherwise specifically defined elsewhere in these Branch Rules and for the purposes of the Branch Rules the following terms shall have the meanings specified herein:

B.4.1.1 "Branch's area of jurisdiction" shall mean:

- B.4.1.1.1 In the case of the Northern Branch – the area specified in Rule A.9.1 of these Rules.
- B.4.1.1.2 In the case of the Central Branch – the area specified in Rule A.9.2 of these Rules
- B.4.1.1.3 In the case of the Southern Branch – the area specified in Rule A.9.3 of these Rules.
- B.4.1.2 “Branch” or “Branches” shall mean only the Northern, Central or Southern Branches of the Union.
- B.4.1.2 “Member” or “Members” shall mean any financial member of the Branch concerned.

B.5 OBJECTS:

- B.5.1 In addition to the requirements of Rule A.4 the objects of the Branches shall be:
 - B.5.1.1 To ensure that the interests of Branch members are enunciated at meetings of the Union Committee.
 - B.5.1.2 To ensure that the affairs of the Union are administered at Branch level to reflect most beneficially on the Branch members.
 - B.5.1.3 To provide Local Officials and members with the advisory assistance necessary for the efficient function of the Union at that level.

B.6 MEMBERSHIP:

- B.6.1 Any person shall be eligible to become a member of the Branch who satisfies Rule A.5.1 of these Rules subject to the following.
 - B.6.1.1 Where their place of employment is within the Northern Branch’s area of jurisdiction become a member of the Northern Branch upon becoming a member of the Union.
 - B.6.1.2 Where their place of employment is within the Central Branch’s area of jurisdiction become a member of the Central Branch upon becoming a member of the Union.
 - B.6.1.3 Where their place of employment is within the Southern Branch’s area of jurisdiction become a member of the Southern Branch upon becoming a member of the Union.

Inter Branch Transfers:

- B.6.2 Financial Membership of the Union shall be maintained automatically whenever a member transfers from the area of jurisdiction of one branch to that of another provided the member continues to pay all dues applicable.

Register of Members:

- B.6.3 Whenever the Branch Committee requires a copy of the Branch register of members the Branch Secretary shall request the details from the Union Secretary.

Honorary Life Membership

- B.6.4 In addition to Rule A.5.8 where it is desired that a member or an ex-member of the Branch should be elected to Honorary Life Membership of the Union the Branch Committee shall resolve to nominate such person in a remit to the Annual Union Conference.

B.7 **MANAGEMENT STRUCTURE/COMMITTEE:**

Secret Ballots:

- B.7.1 The result of any secret ballot of all Branch members shall outweigh any decision of the Branch made in any other manner.

Branch Conference:

- B.7.2 Except as provided in Rule B.7.1, the highest decision-making authority of the Branch shall be a Branch Conference.

- B.7.2.1 The Branch Conference shall comprise the following officials elected in accordance with these Rules:

B.7.2.1.1 The Branch President;

B.7.2.1.2 The Branch Vice President;

B.7.2.1.3 The Branch Secretary/Treasurer;

B.7.2.1.4 Any Official elected by the Branch in accordance with Rule A.7.3.1.7.2 or A.7.3.1.7.3 of the Union Rules.

B.7.2.1.5 The Conference Delegate of each Local in the Branch.

Powers of the Branch Conference:

- B.7.2.2 The Branch Conference shall have the power to:

Policies:

- B.7.2.2.2 Subject to the requirements of Rule B.7.1 of these Rules the Branch Conference shall determine the policies of the Branch.

Paid Officials:

- B.7.2.3 The Branch Secretary may request any member of the Union Council to authorise the attendance of a paid Official of the Union at a Branch Conference.

- B.7.2.3.1 Such paid officials shall provide any reports and recommendations as required and may speak on any resolution thereto at the Branch Conference.

- B.7.2.3.2 No such paid official shall have the right to vote at a Branch Conference unless the person concerned separately has been elected to one of the elected positions entitled to vote.

General:

- B.7.2.4 The Branch Conference shall have, and may exercise, all the powers of the Branch not required by the Act and its amendments or by these Rules to be exercised by a ballot of members or otherwise. Provided always that the Branch Conference shall obey all such lawful instructions and shall do and perform all such lawful things and acts as may be given or required to be done by the Union Conference or the Act.

Committee of Management:

- B.7.3 Except as provided in Rule B.7.1, and subject to the policies and directions determined at a Branch Conference the affairs of the Branch shall be conducted by the Committee of Management. (Herein referred to as the Branch Committee).

- B.7.3.1 The Branch Committee shall comprise the following officials elected in accordance with these Rules.

- B.7.3.1.1 The Branch President;

- B.7.3.1.2 The Branch Vice-President;

- B.7.3.1.3 The Branch Secretary;

- B.7.3.1.4 All three positions on the Branch Committee shall be held by separate individuals.

Powers of the Branch Committee:

- B.7.3.2 The Branch Committee shall have the power to:

Policies:

- B.7.3.2.1 Subject to decisions made by secret ballot or resolution of the Branch Conference, direct and implement the policies of the Branch.

General:

- B.7.3.2.2 The Branch Committee shall have, and may exercise, all the powers of the Branch not required by the Act and its amendments or by these Rules to be exercised by a ballot or members or otherwise. Provided always that the Branch Committee shall obey all such lawful instructions and shall do and perform all such lawful things and acts as may be given or required to be done by the Union or Branch Conference or the Act.

Local Committees:

- B.7.4 The affairs of the Union in each Local shall be managed by a Local Committee elected in accordance with these Rules.

- B.7.4.1 Each Local Committee shall consist of:

- B.7.4.1.1 The Local President;

- B.7.4.1.2 The Local Vice President;

- B.7.4.1.3 The Local Secretary;

- B.7.4.1.4 Up to 10 Committee members.

- B.7.4.2 The number of Local Committee members to be elected shall be a minimum of 3 – being the Local President, Vice-President and Secretary – and a maximum of 13. Each Local shall decide, at a Local meeting prior to the elections, how many Committee members are required and the Local Secretary shall notify the appropriate Branch Returning Officer accordingly.

Powers of the Local Committee:

- B.7.4.3 The Local Committee shall have, and may exercise, all the powers of the Branch as they relate to the affairs of the Local, not required by the Act and its amendments or by these Rules to be exercised by a conference of the Branch, or by ballot of members, or otherwise. Provided always that the Local Committee shall obey all such lawful instructions and shall do and perform all such lawful things and acts as may be given or required to be done by a conference of the Union or the Branch, or a secret ballot of the Union, Branch or Local as the case may be.

B.8 MEETINGS OF THE BRANCH CONFERENCE AND BRANCH COMMITTEE:

Branch Conference:

- B.8.1 There shall be an Annual Conference of the Branch during the month of July in each year.

Special Conference:

- B.8.2 Should any matter of importance take place affecting the interests of the members of the Branch or the objects and rules of the Branch, the Branch Committee shall have the power to call a Special Branch Conference.

Requisitioned Conference:

- B.8.3 The Branch Secretary shall, on receiving a requisition signed by fifty percent (50%) or more of the delegates entitled to attend a Branch Conference, provided that the delegates signing such requisition are representatives of more than four Locals, call a Special Conference of the Branch.

- B.8.3.1 When such requisitioned Special Conference is held, eighty percent (80%) of the delegates who signed the requisition shall be in attendance before the Conference can be declared open, such a requisitioned special conference shall be deemed to have lost its quorum should the attendance of delegates who signed the original requisition fall below eighty percent at any time.

Notice:

- B.8.4 A minimum of twenty-one consecutive days notice shall be given for any Conference of the Branch.

Voting:

- B.8.5 Subject to any matter not being otherwise determined by any Act or by these Rules, any question shall be decided at a Conference of the Branch by a simple majority of the valid votes cast by the persons entitled to vote at the Conference.

- B.8.5.1 All the elected Officials specified in Rules B.7.2.1.1 to and including B.7.2.1.4 of these Rules shall be entitled to one vote on any question put to a Branch Conference.

- B.8.5.2 Delegates to Branch Conference representing locals in accordance with Rule B.7.2.1.5 shall be entitled to one vote on any question put to Branch Conference unless a card vote is called for by any one such Delegate, or by the Conference Chairperson.

- B.8.5.2.1 Should a card vote be called for in accordance with Rule B.8.5.2 the Chairperson shall conduct such a vote using the procedure specified in Rules A.8.5.2 to A.8.5.3.2 (inclusive) with any necessary modifications to apply such procedures to the Branch Conference.

- B.8.5.3 Every Delegate to Conference shall be entitled to make a free assessment of how to cast the voting entitlement on any question put to the Conference taking account of any recommendation from the members the delegate represents, any information placed before the Conference meeting and the debate on the question. No delegate shall be bound to vote in a manner determined by any group of Branch members prior to the Conference.

Ballots and Questionnaires:

- B.8.6 Any Conference of the Branch may resolve to submit any question to the Branch members, according to the nature of the question to be decided, by a questionnaire or a secret ballot.

- B.8.6.1 Where any Conference of the Branch resolves that any question shall be decided by a questionnaire or by a secret ballot the Official required to do so shall forthwith arrange for such questionnaire to be submitted or such secret ballot to be conducted, in the manner provided in these Rules.

Quorum:

- B.8.7 The quorum required for Conferences of the Branch shall be one person in excess of fifty percent of the delegates entitled to be present and vote at such a Meeting.

Forfeiture of Delegateship to Conference:

- B.8.8 Any delegate entitled to be present at Conferences of the Branch, who fails to attend three consecutive Branch Conferences, without reasonable excuse, shall automatically forfeit the right to the elected position such official holds.

- B.8.8.1 The Branch Secretary shall forthwith arrange to have the vacancy so created filled in accordance with these Rules.

Branch Committee:

General Meetings:

- B.8.9 The Branch Committee shall meet at such times as are necessary to properly conduct the affairs of the Branch as required by the Act and these Rules.

Special Meetings:

- B.8.10 Should any matter of importance take place affecting the interests of the members of the Branch, the Branch Secretary shall have the power to call a Special Meeting of the Branch Committee.

Requisitioned Meetings:

- B.8.11 Any two members of the Branch Committee may require the calling of a Branch Committee meeting.

Notice:

- B.8.12 A minimum of three consecutive days notice shall be given for any meeting of the Branch Committee.

Voting:

- B.8.13 Subject to any matter not being otherwise determined by the Act or by these Rules, any question shall be decided at a Meeting of the Branch Committee by a simple majority of the valid votes cast by the persons entitled to vote at the Meeting.

Ballots and Questionnaires:

- B.8.14 Any meeting of the Branch Committee may resolve to submit any question to the Branch Members, according to the nature of the question to be decided, by a questionnaire or a secret ballot.

- B.8.14.1 Where any Meeting of the Branch Committee resolves that any question shall be decided by a questionnaire or by a secret ballot, the Official required to do so shall forthwith arrange for such questionnaire to be submitted or such secret ballot to be conducted, in the manner provided in these Rules.

Quorum:

- B.8.15 The quorum required for Meetings of the Branch Committee shall be two members entitled to be present and vote at such a meeting.

Forfeiture of Committee Position:

- B.8.16 Any Official entitled to be present at Meetings of the Branch Committee, who fails to attend three consecutive meetings of the Branch Committee, without reasonable excuse, shall automatically forfeit the right to the elected position such Official holds.

- B.8.16.1 The Branch Secretary or the Branch President shall forthwith arrange to have the vacancy so created filled in accordance with these Rules.

Votes to be recorded:

- B.8.17 Every vote of each Official present at any Branch Committee Meeting or Conference of the Branch, shall be recorded in the Minutes of the Meeting.

Postal resolutions:

- B.8.18 A copy of a resolution forwarded by the Branch Secretary to the last known addresses of all persons entitled to attend and vote at a Branch Conference or Branch Committee meeting and assent thereto signed by 50% or more of such officials returned to the Branch Secretary, shall be as valid as a resolution passed at a meeting of the Branch Committee or Conference of the Branch, as the case may be, and shall be recorded as such in the minutes thereof.

- B.8.18.1 In any case where any position holder does not reply in writing within ten days of such resolution being posted or otherwise forwarded by the Branch Secretary, indicating either assent or opposition to any resolution posted or otherwise forwarded as provided herein, such official shall be deemed to have abstained.

Telephone Conference Meetings:

- B.8.19 Should the urgency of a situation demand an immediate decision of the Branch Committee and it is not practical to hold a meeting, telephone communication between the members of the Committee shall be deemed to be a meeting of the Branch Committee.

- B.8.19.1 At any such telephone meeting all the other provisions of these Rules in regard to quorum, voting and meeting conduct shall apply in the same manner as a normal meeting.

Ex-Officio Members:

- B.8.20 The Branch President, Branch Vice President and Branch Secretary shall be ex-officio members of all Committees and they may attend, either separately or together, any meeting in the Branch's area of jurisdiction provided for in these Rules. They shall have the right to speak and vote at any such meeting. Attendance by any members of the Branch Committee at any Local meeting, or Local section meeting, shall be in addition to any quorum provided in these Rules for the meeting concerned.

- B.9 **LOCALS, LOCAL SECTIONS AND LOCAL ELECTORATES:**

B.9.1 The Locals in the Northern Branch shall consist of all Branch members employed in the professionally manned Fire Areas in the Branch area of jurisdiction and shall be called:

B.9.1.1 Whangarei;

B.9.1.2 Auckland;

B.9.1.3 Hamilton;

B.9.1.4 Rotorua;

B.9.1.5 Kawerau;

B.9.1.6 Tauranga;

B.9.1.7 Taupo.

B.9.2 The Locals in the Central Branch shall consist of all Branch members employed in the professionally manned Fire Areas in the Branch area of jurisdiction and shall be called:

B.9.2.1 Wellington;

B.9.2.2 Masterton;

B.9.2.3 Wanganui;

B.9.2.4 Palmerston North;

B.9.2.5 New Plymouth

B.9.2.6 Hawkes Bay;

B.9.2.7 Gisborne.

B.9.3 The Locals in the Southern Branch shall consist of all Branch members employed in the professionally manned Fire Areas in the Branch area of jurisdiction and shall be called:

B.9.3.1 Nelson;

B.9.3.1.1 Southern Branch Members employed in the Greymouth Fire Area shall be members of the Nelson Local.

B.9.3.2 Christchurch;

B.9.3.3 Timaru;

B.9.3.4 Dunedin;

B.9.3.5 Invercargill.

Local Sections:

B.9.4 Subject to Rule B.9.6 of these Rules, it shall be permissible for each Local to be further divided into two sections, one called the "Officers' section", and one called the "Firefighters' section".

Section Members:

B.9.4.1 Where a Local decides to have Sections, as provided herein, all Officers and any Controlroom Operators or Brigade Support Staff whose pay rates are related to Officers' pay rates shall be members of the Officers' section. All other Local members shall be members of the Firefighters' section.

Separate Secret Ballots:

B.9.4.2 Any decision to institute or disband sections within a Local shall be made by separate secret ballots of each section (or proposed section as the case may be).

B.9.4.2.1 No proposal to institute or disband sections shall be deemed to have been "CARRIED" unless the resolution being voted upon has been passed by a majority of the valid votes cast in both separate section ballots.

Section Representatives:

B.9.4.3 Where a Local has decided to be divided into sections, as permitted herein, the Local Committee members elected in accordance with Rule B.7.4.1.4 of these Rules shall be elected separately by the members of the sections, as section representatives on the Local Committee.

B.9.4.3.1 The number of Local Committee members elected to represent each section shall be roughly proportional to the numbers of members in each section.

B.9.4.3.1.1 Any dispute over the number of representatives required to represent each section on the Local Committee shall be resolved by resolution of the Branch Committee who shall take account of Rule B.9.4.3.1 and the decision of the Branch Committee shall be final.

B.9.4.3.2 Local Committee members representing sections shall be nominated, seconded and elected in the same manner as provided in Rule B.10.5.4 and B.10.2 for Local Committee

members except that the nominating, seconding and participation in the ballots shall be limited to:

- B.9.4.3.2.1 In the case of representatives being elected to represent Firefighters, members of the Local Firefighters' section.
- B.9.4.3.2.2 In the case of representatives being elected to represent Officers, members of the Local Officers section.

Local Electorates

- B.9.5 Subject to Rule B.9.6 of these Rules, where members of a Local are employed in a Fire Area that is operationally structured on a Command basis, it shall be permissible for that Local to be further divided into Electorates, each comprising those members within each command, for the purpose of electing the Local Committee members in accordance with Rule B.7.4.1.4 of these Rules.

Electorate Members

- B.9.5.1 Where a Local decides to be divided into Electorates, all members in each of the Command areas shall be a member of that Electorate for the purpose of electing the Local Committee members in accordance with Rule B.7.4.1.4 of these Rules.

Separate Secret Ballots

- B.9.5.2 Any decision to institute or disband Electorates within a Local shall be made by separate secret ballot of each Electorate (or proposed Electorate as the case may be).
- B.9.5.2.1 No proposal to institute or disband Electorates shall be deemed to be "CARRIED" unless the resolution being voted upon has been passed by a majority of the valid votes cast in all separate Electorate ballots.

Electorate Representatives

- B.9.5.3 Where a Local has decided to be divided into Electorates, as permitted herein, the Local Committee member elected in accordance with Rule B.7.4.1.4 of these Rules shall be elected separately by the members of the Electorates as the Electorate Representatives on the Local Committee.
- B.9.5.3.1 The number of Local Committee members elected to represent each Electorate shall be roughly proportional to the number of members in each Electorate.
- B.9.5.3.1.1 Any dispute over the number of representatives required to represent each Electorate on any Local Committee shall

be resolved by resolution of the Branch Committee who shall take account of rule B.9.5.3.1 and the decision of the Branch Committee shall be final.

B.9.5.3.2 Local Committee members representing Electorates shall be nominated, seconded and elected in the same manner as provided in Rules B.10.5.4 and B.10.2 for Local Committee members except that the nominating, seconding and participation in the ballots shall be limited to those members within each of the Electorates the Local Committee members are representing.

B.9.6 If within any Local, there is a proposal to establish both a Section as provided for in Rule B.9.4 of these Rules, and a proposal to establish Electorates as provided for in Rule B.9.5 of these Rules, a secret ballot of all of the members of the Local must be held to determine which of the proposals the majority are in favour of and no Local shall be divided into both sections and electorates.

B.9.6.1 The secret ballot shall be conducted as provided for in Rule B.16 of these Rules except that the procedure as in Rule B.15.4.2 of these Rules shall be modified to provide:

B.9.6.1.1 The ballot Paper shall clearly state the two proposals.

B.9.6.1.2 The ballot Paper shall clearly state that the voter is to strike out the proposal which the voter does not agree with and to leave intact the proposal the voter wishes to vote for.

B.10 **ELECTION OF OFFICIALS:**

Triennial Elections:

B.10.1 The Branch shall be represented by Officials elected triennially in accordance with this Rule.

Eligibility:

B.10.2 Any member shall be eligible to be nominated for any elected position within a Branch or any Local.

Branch Officials:

B.10.3 The following officials shall be elected by secret ballot of all the members of the Branch as specified:

Branch President:

- B.10.3.1 Candidates for election to the position of Branch President shall be nominated and seconded by financial members of the Branch. Only financial members of the Branch shall be entitled to vote in the election of the Branch President.

Branch Vice President:

- B.10.3.2 Candidates for election to the position of Branch Vice President shall be nominated and seconded by financial members of the Branch. Only financial members of the Branch shall be entitled to vote in the election of the Branch Vice President.

Branch Secretary:

- B.10.3.3 Candidates for election to the position of Branch Secretary shall be nominated and seconded by financial members of the Branch. Only financial members of the Branch shall be entitled to vote in the election of the Branch Secretary.

Branch Returning Officer:

- B.10.4 Every Annual Conference of the Branch shall appoint a Returning Officer to conduct all Branch elections and other ballots required by these Rules, occurring in the twelve months following such Annual Conference.
- B.10.4.1 No person who is a candidate for any election shall be entitled to also be the Branch Returning Officer. Where the Returning Officer appointed by the Branch Conference becomes a candidate for election, the Branch Committee shall immediately appoint another person to undertake the duties of Returning Officer for the particular election concerned.

Local Officials:

- B.10.5 Each Local shall be represented by Officials elected triennially in accordance with this Rule. All the following Officials shall be elected by secret ballot of all the members of the Local concerned.

Local President:

- B.10.5.1 Candidates for election to the position of Local President shall be nominated and seconded by financial members of the Local. Only financial members of the Local shall be entitled to vote in the election of the Local President.

Local Vice President:

- B.10.5.2 Candidates for election to the position of Local Vice President shall be nominated and seconded by financial members of the Local.

Only financial members of the Local shall be entitled to vote in the election of the Local President.

Local Secretary:

- B.10.5.3 Candidates for election to the position of Local Secretary shall be nominated and seconded by financial members of the Local. Only financial members of the Local shall be entitled to vote in the election of the Local President.

Local Committee Members:

- B.10.5.4 Up to 10 Local Committee members (as determined by Rule B.7.4.2). Except as provided in Rule B.9.4.3.2 candidates for the position of Local Committee member shall be nominated and seconded by financial members of the Local. Only financial members of the Local shall be entitled to vote in the election of the Local President.

B.11 ELECTION PROCEDURE:

Branch Committee:

- B.11.1 Nominations for all Branch Committee positions shall be submitted in the month of May, the first elections shall be in 1988, the second in 1990 and such elections shall occur every three years thereafter. The Branch Returning Officer appointed in the year when elections are due, shall ensure that, during the month of April of that year, a notice is delivered to all places where members of the Branch are employed, calling nominations for all positions on the Branch Committee.

- B.11.1.1 Candidates for any Branch Committee office shall, before the end of the month of May each third year, cause to be delivered to the Branch Office addressed to the Branch Returning Officer, such nomination or nominations as such candidate may wish to submit for any office.

- B.11.1.2 Candidates may submit nominations in accordance with the provisions of these Rules for any office on the Branch Committee at the same time.

- B.11.1.3 Nominations shall only be valid, for any Branch Committee position, where the candidate concerned has been nominated in the manner prescribed in these Rules.

Local Committees:

- B.11.2 Nominations for all positions on each Local Committee shall be submitted in the month of May, the first elections to be in 1988, the second in 1989 and such elections shall occur every three years thereafter. The Branch

Returning Officer appointed in the year when elections are due, shall ensure that, during the month of April of that year, a notice is delivered to all places where members of each Local are employed, calling nominations for all positions on the Local Committee.

- B.11.2.1 Candidates for any Local Committee office shall, before the end of the month of May each third year, cause to be delivered to the Branch Office addressed to the Branch Returning Officer, such nomination or nominations as such candidate may wish to submit for any office.
- B.11.2.2 Candidates may submit nominations in accordance with the provisions of these Rules for any office on the Local Committee at the same time.
- B.11.2.3 Nominations shall only be valid, for any Local Committee position, where the candidate concerned has been nominated in the manner prescribed in these Rules.

Nomination Forms:

- B.11.3 The nomination form shall show the required details of the proposer of the candidate, the seconder of the candidate, and the candidate, in that order. The proposer and seconder shall be financial members of the Branch or Local concerned as the case may be.
 - B.11.3.1 In regard to the proposer and seconder, the nomination form shall show, in the following order, the Surname and full Forenames; Fire Area and the signature of the person concerned.
 - B.11.3.2 The details of the candidate shall show: Surname and Full Forenames, Date of Birth, Current Occupation, Home Address and Signature.
 - B.11.3.3 Every nomination form shall be addressed to the Branch Returning Officer at the Branch Office and shall clearly show the date upon which the nomination is submitted and the offices for which the candidate is nominated.

Nomination Acceptance:

- B.11.4 In all cases the signature of the proposed candidate, as required in Rule B.11.3.2 shall be deemed to be that candidate's acceptance of the nomination.

Candidate Biography:

- B.11.5 Candidates shall be entitled to submit, with their nomination form, a biography to be published to members prior to the voting. The biography

shall not exceed one side of one A4 sheet of paper. It may include a photograph if desired, and artwork and/or typewritten information.

- B.11.5.1 Candidates shall be entitled to submit biographies in typewritten form, or in clear handwriting, in which case the Branch Secretary shall arrange for the biography to be typewritten prior to publication.

Notice of Nominations:

- B.11.6 Immediately following the closing date for the submission of nominations, which shall be the last day of May, the Branch Returning Officer shall prepare a notice to all Branch Members or Local members as the case may be showing the names of all candidates and the offices for which they have been nominated

- B.11.6.1 Such notice shall be delivered to every workplace where members of the Branch or Local concerned are employed, prior to the 15th day of June in the election year.

- B.11.6.2 Attached, as appendices to the notice to members, shall be all of the biographies submitted by the proposed candidates in accordance with Rule B.11.5.

Unopposed Elections:

- B.11.7 Where there was only one nomination, the notice to members shall contain a statement signed by the Branch Returning Officer declaring any such candidate elected unopposed.

Contested Elections:

- B.11.8 The Branch Returning Officer shall immediately begin preparation for the election, by secret ballot, of all those position for which there was more than one nomination. In conducting such elections the Branch Returning Officer shall have regard to the following:

Branch Committee:

- B.11.8.1 No person shall hold more than one position on the Branch Committee. Therefore, where there is a contested election for any of those positions, and a candidate has nominated for more than one position, the Returning Officer shall conduct the elections separately in the following order: Branch President; Branch Vice President; Branch Secretary.

- B.11.8.1.1 In cases where the elections for any of those positions are not being contested by the same candidates, the elections shall be conducted simultaneously.

- B.11.8.1.2 Where an election has been held, the candidate declared elected shall automatically be withdrawn from the election for any other position on the Branch Committee. Where this leaves the subsequent position with only one candidate for election the Branch Returning Officer shall declare such candidate elected unopposed.

Local Committees:

- B.11.8.2 No person shall hold more than one position on the Local Committee. Therefore, where there is a contested election for any of those positions, and a candidate has nominated for more than one position, the Returning Officer shall conduct the elections separately in the following order: Local Secretary; Local President; Local Vice President; Local Committee Members.

- B.11.8.2.1 In cases where the elections for any of those positions are not being contested by the same candidates, the elections shall be conducted simultaneously.

- B.11.8.2.2 Where an election has been held, the candidate declared elected shall automatically be withdrawn from the election for any other position on the Local Committee. Where this leaves the subsequent position with only one candidate for election the Branch Returning Officer shall declare such candidate elected unopposed.

Election Results:

- B.11.9 The Branch Returning Officer shall ensure that all elections are completed and the results declared prior to the last day of the month of July following the nominations being received.

Assumption of duties:

- B.11.10 All candidates declared elected to positions on the Branch or a Local Committee shall assume the positions on the first day of August in the election year.

Elective Terms:

- B.11.11 Branch and Local Officials, once declared elected, shall hold the office until either their successor is elected, they die, resign or are removed from office in terms of Rule B.12 of these Rules. All Officials shall be eligible to be candidates for re-election.

B.12. **REMOVAL OF OFFICIALS:**

Reasons for removal:

- B.12.1 Any elected Branch Committee Member, Local Committee member or Branch appointed official may be removed from his or her office or other position for disability, bankruptcy, misappropriation of Funds, or having committed a serious misdemeanour or breach of trust.

Secret Ballot:

- B.12.2 No resolution for the removal of any Branch or Local Committee Members shall become effective unless it is confirmed by a secret ballot of all Branch or Local (as the case may be) members.

Branch Officials:

- B.12.3 Where 25% or more of the elected delegates to Branch Conference are of the opinion that a member of the Branch Committee should be removed from office in accordance with Rule B.12.1 herein, such delegates shall submit, in writing, a report containing the details of the allegation(s) they wish to make against the Official concerned. The report shall be submitted to the Branch Secretary, or alternatively to the Branch President who shall forthwith firstly pass a copy of the report to the Official concerned in the allegation(s) and secondly convene a Special Conference of the Branch, giving at least twenty one consecutive days notice.

- B.12.3.1 The Special Conference shall hear the delegates making the allegation(s) and shall also hear the Official concerned in defence of such allegation(s).

- B.12.3.1.1 The matter of the allegation(s) made shall be the only business conducted at the Special Conference.

- B.12.3.2 Following the hearing of the allegation(s) and the stated defence, the Chairperson shall put to the Conference a motion that the Official concerned should be removed from office. The delegates present shall vote on the motion.

- B.12.3.2.1 The Branch President shall not chair the Special Conference if he or she is the subject of the allegation(s). In such case the Branch Vice-President shall chair the Conference.

- B.12.3.3 Should the Special Conference resolve that the Official concerned should not be removed from office the matter shall end.

- B.12.3.4 Should the Special Conference resolve that the Official concerned should be removed from office as requested, the Branch Secretary, or alternatively the Branch President, shall ensure that the minutes of the Conference contain a full detailed explanation of the allegation(s) made and the defence presented against such allegation(s).

- B.12.3.5 The minutes of such Special Conference shall be published to all members entitled to vote in the ballot required by Rule B.12.2 herein by notice posted in each place where such members are employed. The Official who is the subject of the allegation(s), shall be entitled to put his or her point of view in defence of the allegation(s), prior to the ballot, to appropriately called Local meetings of members or in writing if so desired.
- B.12.3.6 Not less than fourteen days following the publication of the Special Conference minutes the Branch Returning Officer shall conduct a ballot of all members entitled to vote, on the question as to whether or not the Official concerned should be removed from office.
- B.12.3.6.1 Should the ballot of members decide that the Official concerned should not be removed from office the matter shall end.
- B.12.3.6.2 Should the ballot of members decide by a simple majority, that the Official concerned should be removed from office the Branch Returning Officer shall declare the result of the ballot and declare the position concerned vacant.

Scrutineers:

- B.12.4 During the counting of votes at any secret ballot to determine whether or not an Official should be removed from office, the Official complained of, and the persons making the allegation(s), shall be entitled to appoint Scrutineers to observe the counting of the ballot.

Vacancy:

- B.12.5 Any vacancy on the Branch Committee resulting from the removal from office of an elected official shall be filled in the manner provided in Rule B.13 of these Rules.

Local Officials:

- B.12.6 Where 25% or more of the members of a Local are of the opinion that a member of the Local Committee should be removed from office in accordance with Rule B.12.1 herein, such members shall submit, in writing, a report containing the details of the allegation(s) they wish to make against the Official concerned. The report shall be submitted to the Local Secretary, or alternatively to the Local President who shall forthwith firstly pass a copy of the report to the Official concerned in the allegation(s) and secondly convene a Special Meeting of the Local, giving at least fourteen consecutive days notice.
- B.12.6.1 The Special Meeting shall hear the members making the allegation(s) and shall also hear the Official concerned in defence of such allegation(s).

- B.12.6.1.1 The matter of the allegation(s) made shall be the only business conducted at the Special Meeting.
- B.12.6.2 Following the hearing of the allegation(s) and the stated defence, the Chairperson shall put to the meeting a motion that the Official concerned should be removed from office. The members present shall vote on the motion.
- B.12.6.2.1 The Local President shall not chair the Special Meeting if he or she is the subject of the allegation(s). In such case the Local Vice-President shall chair the meeting.
- B.12.6.3 Should the Special meeting resolve that the Official concerned should not be removed from office the matter shall end.
- B.12.6.4 Should the Special Meeting resolve that the Official concerned should be removed from office as requested, the Local Secretary, or alternatively the Local President, shall ensure that the minutes of the meeting contain a full detailed explanation of the allegation(s) made and the defence presented against such allegation(s).
- B.12.6.5 The minutes of such Special Meeting shall be published to all members entitled to vote in the ballot required by Rule B.12.2 herein by notice posted in each place where such members are employed.
- B.12.6.6 Not less than fourteen days following the publication of the Special Meeting minutes the Branch Returning Officer shall conduct a ballot of all Local members entitled to vote, on the question as to whether or not the Official concerned should be removed from office.
- B.12.6.6.1 Should the ballot of members decide that the Official concerned should not be removed from office the matter shall end.
- B.12.6.6.2 Should the ballot of members decide, by a simple majority that the Official concerned should be removed from office the Returning Officer shall declare the result of the ballot and declare the position concerned vacant.

Scrutineers:

- B.12.7 During the counting of votes at any secret ballot to determine whether or not a Local Official should be removed from office, the Official complained of, and the person(s) making the allegation(s), shall be entitled to appoint Scrutineers to observe the counting of the ballot.

Section Representatives:

- B.12.8 Where the allegation(s) made, requiring the removal of an Official relate to an Official elected in a Local which has decided to have sections in

accordance with Rule B.9.4 and the Official concerned has been elected by one section, the procedures in Rule B.12.6 shall apply except:

- B.12.8.1 The 25% of Local Members shall relate to 25% of the Local Section members concerned
- B.12.8.2 The Special Local Meeting shall be a Special Local Section Meeting of the Section concerned
- B.12.8.3 The secret ballot shall only be conducted of the Local Section members concerned.

Vacancy:

- B.12.9 Any vacancy on a Local Committee resulting from the removal from office of an elected official shall be filled in the manner provided in Rule B.13 of these Rules.

Appointed Officials:

- B.12.10 Where 25% of the elected delegates to Branch Conference are of the opinion that the Branch Returning Officer or the Branch Auditor should be removed from office in accordance with Rule B.12.1 of these Rules, such delegates shall report the same in writing to the Branch Secretary, who shall forthwith arrange to convene a Special Conference of the Branch, of which not less than twenty one consecutive days notice shall have been given, and such Conference shall hear the delegates making the allegation(s) and shall also hear the Branch Returning Officer or Branch Auditor, as the case may be, in defence of such allegation(s). The Branch Secretary shall, immediately upon receipt of the report making the allegation(s). The Branch Secretary shall, immediately upon receipt of the report making the allegation(s), forward a copy of that report to the Branch Returning Officer or Branch Auditor as the case may be.
- B.12.10.1 Following the hearing of the allegation(s) and the stated defence, the Conference Chairperson shall put to the Conference a motion that the Branch Returning Officer or Branch Auditor, as the case may be, should be removed from office. The delegates present shall vote on such a resolution.
- B.12.10.2 Should the result of the vote be that the Branch Returning Officer or the Branch Auditor, as the case may be, should not be removed from office the matter shall end.
- B.12.10.3 Should the result of the vote be that the Branch Returning Officer or Branch Auditor, as the case may be, should be removed from office the Chairperson shall declare the office concerned vacant and the Special Conference shall immediately attend to the business of appointing a replacement to the office concerned.

B.13 CASUAL VACANCIES:

General:

- B.13.1 Whenever a casual vacancy for any Branch or Local office or other position provided for in these Rules occurs, such vacancy shall be filled in the manner provided for in these Rules for the election of the official whose outgoing has caused the casual vacancy.

Short Term:

- B.13.1.1 If such a vacancy occurs during the last nine months of any elective period, it may be filled by resolution of the Branch Committee or Local Committee concerned as the case may be.
- B.13.1.2 Any person, or persons, appointed to any position under Section B.13.1.1 of these Rules, shall be entitled to attend any meeting to which the position gives access under the Rules, and shall be entitled to speak but not vote, unless such person, or persons, would be entitled to vote by virtue of their right to attend any such meeting under any other section of these Rules.
- B.13.2 Any person, or persons, appointed or elected as a result of a casual vacancy shall hold such office only for the unexpired period of the predecessors term, but such person(s) shall be eligible for re-election.

Nominations:

- B.13.3 In calling nominations for any casual vacancy, the Branch Returning Officer shall ensure that a notice calling for nominations is delivered to every workplace where Branch Members or Local Members, as the case may be, are employed. Such notice shall state a time and date when nominations shall be closed which shall not be less than twenty one consecutive days from the date on which the notice was posted.

B.14 DUTIES AND POWERS OF OFFICIALS:

Branch President:

- B.14.1 The duties and powers of the Branch President shall be:
- B.14.1.1 To supervise the business and affairs of the Branch; to attend and preside over all meetings of the Branch Committee and the Branch Conference, to keep order, to conduct the business and to decide all points of order.
- B.14.1.2 To obey all such lawful instructions, and to do and perform all such lawful things and acts as may be given or required to be done by a meeting of the Branch Committee, the Branch Conference or by the Act and its amendments or by these Rules.

B.14.1.3 To do and perform such other lawful duties as may usually appertain to the office of Branch President.

B.14.1.4 To be a member of the Union Committee as required by Rule A.7.3 of the Union Rules.

Chairperson's powers

B.14.1.5 When presiding at a meeting the Branch President shall have the powers set out for the Union President in Rule A.14.1.6.

Branch Vice-President:

B.14.2 The duties and powers of the Branch Vice President shall be:

B.14.2.1 To assist the Branch President in carrying out the duties appertaining to that office.

B.14.2.2 In the absence of the Branch President to exercise all the powers and perform all the duties of the Branch President.

B.14.2.3 To be a member of the Union Committee if required by Rule A.7.3.1.8.1 of the Union Rules.

Branch Secretary:

B.14.3 The duties and powers of the Branch Secretary shall be:

Meetings:

B.14.3.1 To call and attend all meetings of the Branch Committee and the Branch Conference and to take accurate minutes of all such meetings.

Receipt of Money:

B.14.3.2 To fully account for any money appropriated to the Branch by the Union Conference or Committee in the manner specified in any instructions given by such Conference or Committee.

Annual Report:

B.14.3.3 To prepare prior to the September meeting of the Branch Committee and the Annual Branch Conference, an Annual Report on the business and proceedings of the Branch during the preceding twelve months, and to present such report to those meetings.

Union Committee:

- B.14.3.4 To be a member of the Union Committee as required by Rule A.7.3 of the Union Rules

Correspondence:

- B.14.3.5 To conduct the correspondence and affairs of the Branch

General:

- B.14.3.6 To obey all such lawful instructions and to do and perform all such lawful things and acts as may be given or required to be done by a meeting of the Branch Committee, a Branch Conference, or by the Act and its amendments, or by these Rules.
- B.14.3.7 To do and perform such other lawful duties as may usually appertain to the office of Branch Secretary.

Local President:

- B.14.4 The duties and powers of the Local President shall be:
- B.14.4.1 To supervise the business and affairs of the Local; to attend and preside over all meetings of the Local Committee and the Local, (and Local Sections where applicable), to keep order, to conduct the business and to decide all points of order.
- B.14.4.2 To obey all such lawful instructions, and to do and perform all such lawful things and acts as may be given or required to be done by a meeting of the Branch Committee, the Branch Conference, the Local or by the Act and its amendments or by these Rules.
- B.14.4.3 To do and perform such other lawful duties as may usually appertain to the office of Local President.
- B.14.4.4 Where the Local Secretary is going to be absent from, or is attending in another capacity, a Branch or Union Conference, to act as the Local delegate to such Conference.
- B.14.4.5 When presiding at a meeting the Local President shall have the powers set out for the Union President in Rule A.14.1.6.

Local Vice-President:

- B.14.5 The duties and powers of the Local Secretary shall be:
- B.14.5.1 To assist the Local President in carrying out the duties appertaining to that office.

- B.14.5.2 In the absence of the Local President to exercise all the powers and perform all the duties of the Local President including the Conference delegate duties in Rule B.14.4.4.

Local Secretary:

- B.14.6 The duties and powers of the Local Secretary shall be:

Meetings:

- B.14.6.1 To call and attend all meetings of the Local Committee and the Local (and Local Sections where applicable) and to take accurate minutes of all such meetings.

Receipt of Money:

- B.14.6.2 To full account for any money appropriated to the Local by the Union Conference or the Union Committee in the manner specified in any instructions given by such Conference or Committee.
- B.14.6.3 To prepare immediately prior to the Annual meeting of the Local, an Annual Report on the business and proceedings of the Local during the preceding twelve months, and to present such report to that meeting.

Correspondence:

- B.14.6.4 To conduct the correspondence and affairs of the Local.

Conference Delegate:

- B.14.6.5 To represent the Local as the Local's Official delegate to Branch and Union Conferences.

General:

- B.14.6.6 To obey all such lawful instructions and to do and perform all such lawful things and acts as may be given or required to be done by a meeting of the Local, the Local Committee, Branch Committee or Branch Conference, or by the Act and its amendments, or by these Rules.
- B.14.6.7 To do and perform such other lawful duties as may usually appertain to the office of Local Secretary.

Local Committee Members:

- B.14.7 The duties and powers of Local Committee members shall be:

B.14.7.1 To represent, on the Local Committee, the Local members employed within the Local concerned.

B.14.7.2 To report to every meeting of the Local Committee on any matter within the Local concerned as is relevant to the Committee's deliberations.

General:

B.14.7.3 To obey all such lawful instructions and to do and perform all such lawful things and acts as may be given or required to be done by a meeting of the Local, the Local Committee, the Branch Committee, or Branch conference, or by the Act and its amendments, or by these Rules.

Branch Returning Officer:

B.14.8 The duties and powers of the Branch Returning Officer shall be as stated in Rule B.11 (Election Procedure) and Rule B.16 (Ballots and Ballot Procedure) of these Rules.

B.15 **MEETINGS:**

Branch Conference and Branch Committee:

B.15.1 The Branch Committee and the Branch Conference shall meet as specified in Rule B.9 of these Rules.

Local Meetings:

B.15.2 Local Committee Meetings and Meetings of Local members shall be conducted in accordance with this Rule.

Local Committees:

General Meetings:

B.15.3 The Local Committee shall meet prior to the Annual meeting of the Local and at such other times as are necessary to properly conduct the affairs of the Local as required by these Rules.

Special Meetings:

B.15.4 Should any matter of importance take place affecting the interests of the members of the Local the Local Secretary shall have the power to call a Special Meeting of the Local Committee.

Requisitioned Meetings:

- B.15.5 50% of the members of a Local Committee may requisition for the calling of a Local Committee meeting. 80% of the Committee members signing such requisition shall be required to attend for the full duration of the meeting subsequently called or the meeting shall lapse for want of a quorum.

Notice:

- B.15.6 A minimum of seven consecutive days notice shall be given for any meeting of the Local Committee.

Voting:

- B.15.7 Subject to any matter not being otherwise determined by the Act or by these Rules, any question shall be decided at a Meeting of the Local Committee by a simple majority of the valid votes cast by the persons entitled to vote at the Meeting.

Ballots and Questionnaires:

- B.15.8 Any meeting of the Local Committee may resolve to submit any question to the Local Members, according to the nature of the question to be decided, by a questionnaire or a secret ballot.

- B.15.8.1 Where any meeting of the Local Committee resolves that any question shall be decided by a questionnaire or by a secret ballot, the Official required to do so shall forthwith arrange for such questionnaire to be submitted to such secret ballot to be conducted, in the manner provided in these Rules.

Quorum:

- B.15.9 The quorum required for meetings of the Local Committee shall be one more than 50% of the persons entitled to be present and vote at such a meeting.

Forfeiture of Local Committee Position:

- B.15.10 Any Official entitled to be present at meetings of the Local Committee, who fails to attend three consecutive meetings of the Local Committee, without reasonable excuse, shall automatically forfeit the right to the elected position such Official holds.

- B.15.10.1 The Local Secretary or Local President, shall forthwith arrange to have the vacancy so created filled in accordance with these Rules.

Locals:

Annual Meeting:

- B.15.11 There shall be an Annual Meeting of the Local in the month of August in each year.

General Meetings:

- B.15.12 The Local shall meet at such other times as are necessary to properly conduct the affairs of the Local as required by the Act and these Rules.

Special Meetings:

- B.15.13 Should any matter of importance take place affecting the interests of the members of the Local, the Local Secretary shall have the power to call a Special Meeting of the Local. In such a case, the minimum notice in rule B.15.15 may be waived.

Requisitioned Meetings:

- B.15.14 The Local Secretary shall, on receiving a requisition signed by 20% or more of the members entitled to attend a Local meeting, call a meeting of the Local. 80% of the members signing the requisition shall be in attendance for the entire duration of the meeting or such meeting shall lapse for want of a quorum.

Notice:

- B.15.15 A minimum of fourteen consecutive days notice shall be given for any meeting of a Local.

Voting:

- B.15.16 Subject to any matter not being otherwise determined by the Act or by these Rules, any question shall be decided at a meeting of a Local by a simple majority of the valid votes cast by the persons entitled to vote at the Meeting.

Quorum:

- B.15.17 The quorum required for Meetings of a Local shall be 20% of the persons entitled to be present and vote at such a meeting except that in the case of the Auckland and Wellington Locals the quorum shall be 10%.

General:

- B.15.18 A meeting of a Local shall have the power to determine any matter affecting the interests of Local members not required to be determined by a Branch Conference, Union Conference, Branch Committee or Union Committee.

- B.15.18.1 No decision of a Local meeting shall be binding on any member or members of the Union not being members of the Local concerned.

Section Meetings:

B.15.19 Where a Local has decided to operate with sections, as permitted by Rule B.9.4, Local meetings as provided in Rules B.15.12 to B.15.14 (inclusive) shall be the normal method of Local meetings.

B.15.19.1 When any matter arises where the members of one section only wish to meet separately, the section concerned shall be entitled to do so.

B.15.19.2 Local Section meetings shall always be special meetings and shall be called in accordance with Rule B.15.13 of these Rules except that only Local members of the section concerned shall be entitled to attend.

B.15.19.3 Local Section meeting shall be conducted in all other respects as if they were meetings of the Local. They shall be chaired by the Local President.

B.15.19.4 No Local section meeting shall be entitled to resolve any matter that has effect beyond the section concerned.

B.16 **BALLOTS AND BALLOT PROCEDURE:**

General:

B.16.1 Whenever there is a proposal, under these Rules, to hold a ballot of all Branch members, or all members of a Local, such a ballot shall be conducted by the Branch Returning Officer.

B.16.2 Unless the Branch Committee directs that a postal ballot be held, ballots conducted under these Rules, whether for the purposes of electing officials or to decide questions on the basis of membership opinion, shall be conducted by Secret Ballot, conducted on a polling booth basis. Postal Ballots shall be conducted in accordance with Rule A.16.

B.16.2.1 Where there are less than six members employed at a location, those members shall vote at the polling booth known as the Branch Office Booth. They shall vote by secret postal ballot conducted in an identical manner to that specified in Rule A.16 of these Rules.

Polling Booth Secret Ballot Procedure:

B.16.3 Whenever there is a proposal to hold a ballot of Branch members or Local members the Branch Returning Officer shall obtain the details of the ballot.

Elections:

- B.16.3.1 In the case of a ballot for an election the details shall be a list of the Surnames and Forenames of the persons nominated for the election.

Other Ballots:

- B.16.3.2 Where the ballot required is to determine membership opinion on a subject, the details shall be a motion to be voted upon by the members. Such motion shall be of an affirmative character.

Ballot Papers:

- B.16.4 The Returning Officer shall draft a ballot paper and such ballot paper shall:

Elections:

- B.16.4.1 In the case of an election:
- B.16.4.1.1 List in alphabetical surname order, the Surnames and Forenames of the candidates for the office.
- B.16.4.1.2 Clearly state the office being contested
- B.16.4.1.3 Clearly state that the voter should strike out the name or names of those candidates for which the voter does not wish to vote, leaving intact the name of the candidate of the voter's choice.
- B.16.4.1.4 The date and time before which the ballot paper must have been returned to the polling booth for the vote to be counted.

Other Ballots:

- B.16.4.2 In the case of a ballot requiring membership opinion:
- B.16.4.2.1 Clearly state the question to be decided.
- B.16.4.2.2 Clearly show the words "FOR", "AGAINST".
- B.16.4.2.3 Instruct the voter to strike out one word leaving intact the word which indicates the voter's intention.
- B.16.4.2.4 The date and time before which the ballot paper must have been returned to the polling booth for the vote to be counted.

Polling Booths:

- B.16.5 The Branch Committee shall declare that each place where more than six members, who are entitled to vote in the ballot, are employed shall be a polling booth for the ballot.

- B.16.5.1 There shall be an additional polling booth at the Branch Office as required by Rule B.16.2.1 of these Rules.

Assistant Returning Officers:

- B.16.6 The Branch Committee shall appoint a member at each polling booth to be the Assistant Returning Officer for that booth.
- B.16.6.1 The Branch Returning Officer shall be responsible for the Branch Office polling booth.

Despatch of Ballot:

- B.16.7 The Branch Returning Officer shall cause to be delivered to every Assistant Returning Officer at each Polling Booth, sufficient ballot papers for the use of all members employed at that location along with a securely locked ballot box, the key to which shall be retained by the Branch Returning Officer.
- B.16.7.1 Along with the Ballot papers shall be a form for use in issuing ballot papers to members. The form shall require the Assistant Returning Officer to enter, for each member receiving a ballot paper, the members: Surname, Full Forenames, Service Number and Brigade. The form shall also have a place, beside the foregoing details, for the member receiving the ballot paper to sign acknowledging receipt of the ballot paper.
- B.16.7.2 Each Assistant Returning Officer shall ensure that every member employed at the location of the polling booth is give the chance to receive a ballot paper.
- B.16.7.3 Upon receiving a ballot paper each member shall be entitled to take it away and vote in secret.
- B.16.7.4 When each member returns with the completed ballot paper the Assistant Returning Officer shall ensure that the member concerned is able to place it in the ballot box.
- B.16.7.5 The Assistant Returning Officer shall ensure that the ballot box remains securely locked and is not tampered with during the holding of the ballot.

Counting of Votes:

- B.16.8 Immediately following the time when the ballot has closed each Assistant Returning Officer shall cause to be delivered to the Branch office, by the most expedient means available, the locked ballot box and all papers used in the ballot, being:

- B.16.8.1 All ballot papers – used and unused.
- B.16.8.2 The form used to acknowledge issue of ballot papers.
- B.16.8.3 Upon receiving all the polling booth documents the Branch Returning Officer, assisted by at least two scrutineers appointed under these Rules shall verify each entry on every ballot paper issue form by marking the voter's name off on the master roll of voters.
- B.16.8.4 The entire ballot shall then be counted, polling booth by polling booth.

Counting Procedure:

- B.16.9 At the time of the counting of a ballot the Branch Returning Officer shall open the ballot box and conduct the counting as follows:
 - B.16.9.1 Each ballot paper shall be unfolded in turn.
 - B.16.9.2 The Branch Returning Officer, assisted by the scrutineers, shall place the ballot papers in piles according to the way the voters' intentions have been indicated.

Invalid Votes:

- B.16.9.2.1 If the scrutineers agree that any vote would not be valid, the ballot paper shall be placed in the pile of invalid votes received.
- B.16.9.2.2 The reason why the vote was declared invalid shall be noted on the back of the ballot paper by the Branch Returning Officer.

Counting:

- B.16.9.3 Once all the ballot papers have been opened and all the votes decreed to be valid or invalid the Returning Officer, assisted by all the scrutineers, shall count the votes according to the question to be decided or the candidate for election.

Appointment of Scrutineers:

- B.16.10 Prior to the counting of any votes for any election held under these Rules the Branch Returning Officer shall advise every candidate for the election concerned of the place and time where the votes are to be counted.
 - B.16.10.1 Every candidate for such election shall be entitled to inform the Branch Returning Officer, in writing, of the names of persons to attend the counting of the votes and act as that candidate's scrutineers. Each Candidate shall be entitled to one scrutineer.

Where any such scrutineer attends the counting of the votes, the Branch Returning Officer shall afford such scrutineer every assistance in representing the best interests of the candidate concerned. The Scrutineer shall be entitled to see that the counting of the ballot is conducted fairly, strictly and in accordance with these Rules.

- B.16.10.2 Where the ballot is to determine membership opinion on any matter, any Committee or member having a specific interest in the outcome of the ballot shall be entitled to nominate persons, in writing, to the Branch Returning Officer to oversee the counting of the ballot as scrutineers in the same manner as provided in Rule B.16.10.1.
- B.16.10.3 Where the Branch Returning Officer has not been notified of the appointment of any scrutineers within the context of these Rules, or where less than two scrutineers have been appointed, the Branch Returning Officer concerned shall require the Branch Committee, or any member thereof, to appoint scrutineers to assist in the counting of the vote.
- B.16.10.3.1 It shall be forbidden for the Branch Returning Officer to count any ballot, for any purpose, with less than two scrutineers present.

Branch Declaration:

- B.16.10.4 Once the Branch Returning Officer declares the result of the ballot he or she shall note the result on a declaration form and shall sign the form which shall be countersigned by all scrutineers present.
- B.16.10.4.1 Should any scrutineer(s) refuse to sign the declaration form of the result of the ballot the result shall stand unless the ballot result is disputed in accordance with Rule B.18 of these Rules.
- B.16.10.4.2 The declaration form shall be the result of the ballot and the Branch Returning Officer shall ensure that the result is communicated to every member of the Branch who had an interest in the outcome of the ballot by notice placed in each workplace where such Branch Members are employed. Where the ballot was an election, the Branch Returning Officer shall also ensure that each candidate for the election is provided with a copy of the declaration form as soon as possible after the result is declared.

Preservation of papers:

- B.16.11 All ballot papers, lists, envelopes and other documents used in connection with any ballot or election shall be preserved and retained by the Branch, at the Branch office, for a period of one year from the date of the ballot.

B.17. **SECRET BALLOT ON THE QUESTION OF STRIKE:**

- B.17.1 If Branch or any Local members are involved in a dispute and there is a proposal that there shall be a strike or stoppage no such strike or stoppage shall take place until the provisions of Rule A.18 have been fully complied with.

B.18. **STANDING ORDERS:**

- B.18.1 Any meeting held by any Branch or Local shall comply with the Union Standing orders, with any necessary modifications, as set out in Rule A.19 of the Union Rules.

B.19 **SUPPLY OF COPIES OF RESOLUTIONS:**

Branch Conference:

- B.19.1 The resolutions passed at every Conference of the Branch shall be published by notice posted to all places where Branch members are employed. Any Branch member may request a personal copy of any Resolution, and such request shall be granted, without charge, by the Branch Secretary.

Branch Committee:

- B.19.2 Any Branch financial member may request copies of any Resolution or Resolutions passed at any Branch Committee Meeting. Such requests shall be granted, without charge, by the Branch Secretary.

B.20 **SEAL:**

- B.20.1 Should it be necessary for the Union seal to be affixed to any Branch Official document the Union Committee shall be requested to action the matter in accordance with Rule A.25 of the Union Rules.

B.21 **EXECUTION OF INSTRUMENTS:**

- B.21.1 The execution of any documents on behalf of the Branch shall be carried out in accordance with Rule A.26 of these Rules.

B.22 **REPRESENTATION:**

- B.22.1 The Branch shall normally be represented in any formal proceedings, by the Branch Committee assisted, where necessary, by an advocate appointed by the Union Committee.