8 Dec,2020

QUEENSLAND INDUSTRIAL REGISTRAR

Industrial Relations Act 2016

(section 666)

*(*Matter No. RIO/2020/254*)*

CERTIFICATE OF REGISTRATION OF NEW SET OF RULES OTHER THAN ELIGIBILITY

I hereby certify that pursuant to the Industrial Relations Act 2016, the new set of rules, other than eligibility, of the United Firefighters' Union of Australia, Union of Employees, Queensland has been approved and registered on the seventh day of December 2020.

Dated at Brisbane this seventh day of December 2020.

M. SHELLEY
Industrial Registrar

Rules of the United Firefighters' Union of Australia, Union of Employees, Queensland

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1. Name

(a) The Name of the union will be the United Firefighters' Union of Australia, Union of Employees, Queensland.

2. Place of Business

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

A	B
Governance Body	SCM; and Executive

(b) The address of the office of the UFU is 286 Montague Road, West End, Brisbane or another place the SCM determines.

(c) Sub-rule (b) does not prevent the SCM from determining to conduct the UFU's business from another place.

(d) The place of meeting of a Governance Body will be at the Principal Office or other such location as the SCM may determine.

3. Definitions

(a) For the purpose of these rules the words in column A have the meaning assigned opposite in column B:

A	B
Act	*Industrial Relations Act 2016* (Qld)
Annual Fee	is the fee payable by an Industrial Member under sub-rule 22 (a)
Associate Member	is a Facilities Firefighter appointed as an associate member under these rules
Auditor	an auditor appointed under these rules
Auxiliary Firefighter	is an employee of the State of Queensland only engaged as a firefighter under the *Auxiliary Firefighters' Award – State 2016*
Auxiliary Firefighter Delegate	an officer of the SCM
Calling	the registered callings of the UFU
Community Supporter	is a person appointed as a community supporter under these rules
Document	a record of information, and includes: anything on which there is writing; anything on which there are marks, figures, symbols or perforations having a meaning for persons qualified to interpret them; anything from which sounds, images or writings can be reproduced with or without the aid of anything else; and a map, plan, drawing or photograph
Election Procedure Rules	are the rules provided in **Schedule 1**
Executive Member	an officer of the Executive
Facilities Firefighter	is a person employed within the State of Queensland under the *Firefighting Industry Award 2020*
Fee	is the fee payable by a Member other than an Industrial Member under sub-rule 22 (e)

Financial Industrial Member	a person who: is eligible to be industrially represented by the UFU; has applied to become, and has become, a Member; and is not in arrears to the UFU for their Annual Fee, a Levy or a Fine
Financial Record	records, however recorded or stored, to the extent that they relate to the finances or financial administration of the UFU and includes: registers; records of financial information; financial reports; annual returns; documents relating to or recording financial transactions; and financial statements
Financial Year	the period commencing July 1 and concluding the following June 30
Fines	is a fine determined to be paid by a Member under these rules
Fire Communications Centre	units that receive and/or dispatch Fire and Rescue emergency calls
Fire Communications Officer	an employee of the State of Queensland engaged under the communications stream of the *Queensland Fire and Emergency Service Employees Award – State 2016.*
Fire Communications Officer Delegate	an officer of the SCM
Firefighter	is a professional firefighter engaged as an employee of the State of Queensland as a firefighter under the fire and rescue stream of the *Queensland Fire and Emergency Service Employees Award – State 2016*
Firefighter Delegate	an officer of the SCM
Industrial Member	is a person appointed as an industrial member under these rules
Levies	a levy to be paid under rule 23
Life Member	is a person appointed as a life member under these rules
Local Branch	a local branch of the UFU
Local Branch Representatives	the representatives of a Local Branch elected or appointed under these rules
Member	includes: an Industrial Member; a Life Member; a Retired Member; and an Associate Member
Member Information	the information required under rule 19
Membership Register	is the register maintained under rule 19
Membership Rights	the rights provided to a respective class of membership under these rules
Objects	the objects of the UFU under these rules
Polices	the policies of the UFU determined by the SCM
Principal Office	is the office provided under sub-rule 2 (b)

Quadrennial Election	the elections held each four (4) years for a UFU Office
Quadrennial Term	the four (4) year term of office immediately following the declaration of a Quadrennial Election
Regional Delegate	a Firefighter Delegate or Station Officers' delegate representing a Region
Regions	the regions determined by the SCM
Scheme	is a scheme under rule 22
SCM	State Committee of Management
SCM Members	members of the SCM
Senior Officer	is an employee of the State of Queensland engaged as a professional firefighter who has attained the qualifications of, and been appointed as, an inspector, superintendent, or chief superintendent under the fire and rescue stream of the *Queensland Fire and Emergency Service Employees Award – State 2016*
Senior Officer Delegate	an officer of the SCM
Station	the locations where Industrial Members work and which is a structure that houses equipment and fire appliances used to respond to emergencies
Station Officer	is an employee of the State of Queensland engaged as a professional firefighter who has attained the qualifications of, and been appointed as, a station officer under the fire and rescue stream of the *Queensland Fire and Emergency Service Employees Award – State 2016*
Station Officer Delegate	an officer of the SCM
Station Representative	is a Financial Industrial Member appointed as a station representative under sub-rule 44 (b)
UFU	the United Firefighters' Union of Australia, Union of Employees, Queensland
UFU Employee	a person employed by the UFU
UFU Fund	the fund under rule 49
UFU Office	an office of the SCM
UFU Officer	a Financial Industrial Member who holds a UFU Office under these rules
UFU Officers Register	is the register maintained under rule 20
UFU Publication	a publication produced, or adopted by, the UFU and provided to Industrial Members by means of print and/or electronic media
UFU Sub-Committee	is a committee of the UFU formed under rule 43
UFU Website	the website of, or utilised by, the UFU

4. Interpretation

(a) In these rules if the context permits:

(i) singular words include the plural and vice versa;

(ii) words importing any gender include every gender;

(iii) all references to statutes will be construed so as to include all regulations or codes of practice made under the statute and any statutory modification, replacement or re-



enactment of the statute (whether before or on or after the date of these rules) for the time being in force;

(iv) words denoting individuals include corporations and vice versa;

(v) clause headings, schedule headings and the table of contents may be used to assist in the interpretation of these rules;

(vi) where a word or phrase is given a defined meaning in these rules, another part of speech or grammatical form in respect of that word or phrase has a corresponding meaning;

(vii) a reference to a 'rule' is a reference to a rule of these rules;

(viii) a reference to a 'sub-rule' means a sub-rule of the rule in which the reference to the sub-rule is made;

(ix) a reference to a 'paragraph' means a paragraph of the sub-rule in which the reference to the paragraph is made;

(x) a reference to a 'sub-paragraph' means a sub-paragraph of the paragraph in which the reference to the sub-paragraph is made;

(xi) a reference to a 'schedule' is a reference to a schedule to, and which forms part of, these rules;

(xii) the schedules to these rules have the same effect as if they were set out in the body of these rules;

(xiii) a reference to a 'majority' means at least half (1/2) the number of members required to be present at a meeting held under these rules, and present in person, plus one (1);

(xiv) a reference to a 'business day' is a reference to a day Monday to Friday during the hours 9 am to 4 pm, in the place where an act is to be performed, which day is not a designated public holiday in that place;

(xv) a reference to a 'month' is a reference to a calendar month;

(xvi) where a period, dating from a given day, act or event, is prescribed or allowed for a purpose, the period must, unless the contrary intention appears, be reckoned exclusive of such day or the day of such act or event;

(xvii) where the last day of a period prescribed or allowed for the doing of anything falls on a day which is not a business day in the place in which the thing is to be or may be done, the thing may be done on the first day following which is a business day in that place;

(xviii) a reference to the performance of a duty by a UFU Officer or a person is inclusive of a reference to the UFU Officer or person, as the case may be, causing the duty to be discharged and/or inclusive of the duty being discharged by another person, entitled to hold a delegation under these rules, and holding the delegation of the relevant UFU Officer or person;

(xix) a word or expression that is not defined in these rules, but is defined in the Act, has the meaning given by the Act;

(xx) 'in writing' includes printing, typing, facsimile, text messaging, e-mail and other means of representing or reproducing words, figures, drawings or symbols in a visible and tangible or electronic form, in English;

(xxi) 'signature' and 'signing' means the execution of a document by a person, corporation or other relevant entity and includes signing by an agent or attorney or representative (if a body corporate);

(xxii) each paragraph or sub-paragraph in a list is to be read independently from the others in the list;

(xxiii) a reference to a party giving consent means prior written consent;

(xxiv) where these rules require the giving of a notice, whether by or to the UFU, that notice is to be in writing; and

(xxv) email means a communication sent to, or from, the e-mail account that a respective Officer or Member has nominated to the Secretary for the receipt and sending of notices, agenda and ballots where the e-mail is not returned as undeliverable.

5. Objects

(a) The objects of the UFU are to:

(i) provide a strong and effective voice for working people to join together to improve their workplaces, and their communities, through collective action;

(ii) foster opportunities for the democratic participation of members in the affairs of the UFU;

(iii) serve the collective interests of Members in their workplaces;

(iv) defend and advance the freedoms of working people, including the right to organise, bargain and to exercise a collective voice free from harassment, intimidation, persecution and fear in their workplaces;

(v) ensure the interests of Members are represented in the political process and that they are given a political voice and that representatives of members are elected to representative offices in government;

(vi) support, encourage and enrol eligible workers to be members of the UFU;

(vii) agitate industrially and politically for an industrial relations system where Members are adequately compensated for the contribution of their labour, and the rights of workers are strengthened;

(viii) secure rising living standards for all Queenslanders;

(ix) secure increasing wages and improved conditions of employment for Industrial Members;

(x) support and strengthen the voice of Members in relation to their rights;

(xi) make workplaces democratic;

(xii) ensure that work is free from harassment and discrimination;

(xiii) ensure that work can be performed safely and without risk;

(xiv) represent workers in relation to the performance of work;

(xv) provide effective representation to advance and enforce the rights of Members to safe and secure work and to bargain collectively;

(xvi) ensure that equal levels of remuneration and benefits are enjoyed by workers with similar skills and responsibilities;

(xvii) challenge discriminatory definitions of skill and work value to ensure the value of work is recognised and rewarded;

(xviii) provide for adequate retirement benefits and superannuation for workers;

(xix) enhance skills, training, professional development and education of workers;

(xx) adopt a code for the conduct of UFU Officers and Members;

(xxi) assist and promote the participation of retired members in the UFU;

(xxii) assist and promote the support of community members for the UFU;

(xxiii) ensure good governance, clear rules and sound practices in the administration of the UFU;

(xxiv) affiliate, amalgamate, cooperate or merge with a global union federation, peak trade union body, trade union, industrial union, organisation, political association, association or body, whether at an International, National, State, Territory or regional level, having objects similar in whole, or in part, to the Objects of the UFU;

(xxv) contribute to a charitable and/or public benevolent institutions;

(xxvi) assist socially responsible community organisations and endeavours;

(xxvii) donate to a charity and/or for a public purpose and/or a worthy cause and/or a purpose that furthers these Objects;

(xxviii) register the UFU under any Commonwealth or State trade union, industrial arbitration, co-operative or similar statute;

(xxix) make arrangements with persons engaged in any trade, business or profession for the concession to the Members of special rights, privileges and advantages;

(xxx) support financially, maintain, conduct, own in whole or in part or subsidise any newspaper, union journal or other publication advocating the cause of the working class and/or the profession of firefighting and rescue;

(xxxi) endeavour to prevent a threatened, impending or probable dispute or cessation of work and endeavour by conciliatory measures to uphold the interests of the UFU and the Industrial Members in the settlement of a dispute and if such endeavours fail, providing ways and means of supporting any of the Industrial Members involved in a dispute;

(xxxii) preserve and advance civil liberties;

(xxxiii) advance the efficiency of the services of fire prevention, suppression and extinguishment throughout the State of Queensland, Australia and Internationally;

(xxxiv) establish and support financially or aid in the establishment and financial support of associations, institutions, funds, trusts, recreational, educational and health facilities, research facilities and bureaus calculated to benefit Members or their dependants or connections;

(xxxv) promote the extension of the UFU;

(xxxvi) provide legal assistance to Members;

(xxxvii) provide services for Members;

(xxxviii) provide financial assistance to Members, their dependants and their connections in the pursuit of these Objects;

(xxxix) incorporate, maintain an interest in and/or support entities for a purpose that furthers these Objects;

(xl) exercise the powers, privileges and advantages available or provided to an industrial organisation under a Commonwealth or State Act;

(xli) do the things provided for in these Objects in respect of non-members including for community members and others on a fee for service basis; and

(xlii) affiliate, cooperate and work with like-minded organisations including community or international organisations to further these Objects.

(b) None of the objects provided for in sub-rule (a) is to be read in a way that limits another object of sub-rule (a).

(c) The UFU may do other acts and things incidental to, or which relate, to the carrying out of the objects in sub-rule (a).

6. Eligibility

The conditions of eligibility for membership of the union are as follows:

(a) The membership of the union is unlimited in number.

(b) Without limiting the generality of paragraph (c), any persons who are employed, usually employed or appointed in or to full time employment, or employed or usually employed or appointed as an employee in a part time, casual, temporary, call-out or auxiliary position, howsoever described, and irrespective of the rank held in or in connection with the prevention, suppression or extinguishment of fires by civil fire brigades, boards, authorities, a commission or commissioner or any like body or person in any rank, grade or classification of firefighters, fireman, watchroom fireman, watchroom attendant, watchroom officer, sub-station officer, station officer, proto officer, first officer, motor officer, special service employees, special service firemen, service firefighters, service fireman, hose maker or repairer, any rank of special service firefighter or special service employee, any rank of officer up to and including station officer, any rank of employee in a watchroom or communications centre, a member of a service maintenance section in any employment the duties of which are not materially different from the duties of one of these employments (but excluding persons who are employed under the Queensland Fire Service Maintenance and Service Employees Industrial Agreement) shall be eligible to be members of the Union.

(c) Any person employed or usually employed or appointed full time or usually employed or appointed as an employee in a part time, casual, temporary, call-out or auxiliary position, howsoever described, and irrespective of the rank held by or in a civil fire brigade, board, authority, a commission or a commissioner or any like body or person in or in connection with:

(i) the prevention, suppression or extinguishment of fire;

(ii) the protection of life and property through the provision of rescue services at the scene of accident, explosions or other emergencies other than in the capacity of a registered Medical Practitioner; and

(iii) the handling of spillages of toxic or hazardous materials and the disposal of those in emergency situations

shall be eligible for membership of the union.

(d) Any person who is an elected officer of the union, whether or not employed in the industry, shall be eligible for membership of the union.

(e) Any person who is employed by the union in a research, industrial or organising capacity shall be eligible for membership of the union.

(f) The following persons shall not be eligible for membership of the union (despite any other provision in this rule):

(i) Special service employees employed in region 5 of the Queensland Fire Service and employed under the Queensland Fire Service Maintenance and Service Employees Industrial Agreement;

(ii) Persons employed in electrical, electronics or similar functions whether as trades persons and their assistants or technicians or other sub-professional electronics employees however described in or in connection with the installation, maintenance, repair and/or inspection of fire protection or fire fighting equipment;

(iii) Members of the Queensland Police Service.

(iv) Employees in counter Disaster Services employed as Area Managers, Chief Operations Officers, Senior Operations Officer, Operations Officers, Director State

Emergency Services, Assistant Director Stale Emergency Services, Manager Volunteer Marine Rescue, Operations and Plans Officer, Education and Development Officer, Manager Education and Development and Regional Disaster Management Officer.

(v) Persons employed under the Queensland Fire Service - Professional Technical and Administrative Employees Industrial Agreement as Senior Executive Staff Officer, Technical Officer Mechanical, Communications Officer (Installations), Communications Officer (Maintenance), Cartographer, Drawing Officer Assistant.

(vi) Persons who are employed under the Queensland Fire Service - Rural Fire Division Industrial Agreement as Senior Inspector, Training and Planning Officer, Training and Equipment Officer, Training and Research Officer, District Inspector.

(vii) Persons wholly or substantially employed in clerical or administrative work but excluding persons who are uniformed or operational officers of a civil fire brigade, board, authority, commission or any like body. Without limiting the generality of the proviso to this exception, examples of Operational Employees appear in rule 6(b).

(g) Notwithstanding the provisions of this rule, the union at its discretion may decline to admit to membership any person otherwise included in this rule:

A. who does not make application as required by these rules; or

B. who does not pay the amount properly payable in respect of admission to membership; or

C. who is of general bad character.

(h) A reference to a civil fire brigade, board, authority, commission, or any like body in these rules includes any successor or assignee or transmittee of the business, undertaking, activities or calling of such a body. The business, undertaking, activities or calling includes any section or part thereof.

7. Local Branches

(a) In determining to establish a Local Branch the SCM has taken the following matters into account:

(i) commonality of industrial interest of the Industrial Members concerned;

(ii) geographical location of the Industrial Members concerned; and

(iii) the efficient administration of the affairs of the UFU.

(b) The Local Branches are, subject to this rule, set out in **Schedule 3**.

(c) The SCM may, subject to this rule, propose to:

(i) establish a new Local Branch;

(ii) dissolve an existing Local Branch; or

(iii) alter an existing Local Branch,

and must set out the proposal in writing.

(d) The Secretary must give notice to the Local Branch Representatives attached to a Local Branch which will be affected by a proposal under sub-rule (c), of the proposal.

(e) A Local Branch Representative notified under sub-rule (d), may make a submission to the Secretary in relation to the proposal under sub-rule (c).

(f) A Local Branch Representative who makes a submission under sub-rule (e), must do so within 14 days of receiving the notice under sub-rule (d).

(g) The Secretary may, when giving notice referred to in sub-rule (d), publish to the Local Branch Representatives a:

(i) map which depicts the proposed altered Local Branch; and/or

(ii) list that sets out the workplaces that comprise the proposed altered Local Branch.

(h) The SCM may, no earlier than 15 days following the Secretary giving notice under sub-rule (d), determine to effect, or substantially effect, the proposal under sub-rule (c) provided that the SCM takes the following matters into account, the:

(i) submissions received (if any) under sub-rule (e) subject to sub-rule (f);

(ii) commonality of industrial interest of the Industrial Members attached to the Local Branches concerned;

(iii) geographical location of the Industrial Members attached to the Local Branches concerned; and

(iv) efficient administration of the affairs of the UFU.

(i) The Secretary will within 28 days, following the making of a determination under sub-rule (h) which results in the alteration of a Local Branch, give notice to the Industrial Members attached to the Local Branch of that determination and the alteration inclusive of the Local Branch to which members will be attached and may do so in a way provided under sub-rule (g).

(j) For the purposes of these rules an Industrial Member:

(i) is to be attached to a Local Branch; and

(ii) may only be attached to one (1) Local Branch at a time.

(k) For the purposes of these rules, an Industrial Member is a member of the Local Branch to which they are attached by the SCM.

(l) The SCM may determine an administrative regulation for the attachment of the Industrial Members to a Local Branch under these rules.

8. Regions

(a) The regions are, subject to this rule, set out in **Schedule 4**.

(b) For the purposes of these rules, an Industrial Member belongs to the Region in which they are usually or ordinarily employed.

(c) For the purposes of these rules an Industrial Member may only belong to one (1) Region at a time.

(d) The SCM may, at a meeting held prior to the calling of nominations for elections to be held under these rules, determine the Regions, provided that if no determination is made the Regions will be as they were at the commencement of the Quadrennial Term.

(e) The Secretary will, within 14 days of a determination under sub-rule (d), give notice to the Industrial Members of the Regions, their boundaries or the Stations that comprise them, and may do so by publishing a map which depicts the Regions and the Stations that comprise them.

9. Types of Membership

(a) The following person is a member of the UFU:

(i) an Industrial Member;

(ii) a Life Member;

(iii) a Retired Member; and

(iv) an Associate Member.

10. Obligations

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

A	B
Determination	a determination of a Governance Body made under these rules
Governance Body	SCM; and Executive

(b) A Member and a Community Supporter must:

(i) support the Objects;

(ii) comply with, and uphold, these rules;

(iii) comply with their respective obligations under these rules; and

(iv) abide by a Determination.

(c) As the case may be:

(i) a Life Member. other than a Life Member who is working in a Calling;

(ii) a Retired Member;

(iii) an Associate Member; or

(iv) a Community Supporter,

in breach of sub-rule (b) may be requested by the Secretary to show cause as to why they should not be removed from membership and, may if failing to show cause to the satisfaction of the SCM, be removed.

11. Membership Rights

(a) An Industrial Member will not, as an Industrial Member, be discriminated against by reason of:

(i) sex;

(ii) marital status;

(iii) race;

(iv) impairment;

(v) holding any lawful religious belief; or

(vi) holding any political belief.

(b) Industrial Members may during a business day inspect, at the Principal Office, the Membership Register concerning their own Member Information.

12. Industrial Member

(a) An Industrial Member is a person:

(i) entitled to apply for membership;

(ii) working, or usually working, in a Calling; and

(iii) able to be industrially represented.

(b) A person under sub-rule (a) may seek admission to industrial membership of the UFU.

(c) A Financial Industrial Member is the only Member entitled, subject to these rules, to:

(i) vote in an election ballot or plebiscite of the UFU; and

(ii) if otherwise qualified under these rules nominate, or second nominations, for a UFU office.

(d) A Financial Industrial Member is entitled to:

(i) access the services of the UFU; and

(ii) otherwise, under these rules, participate in the business of the UFU.

13. Life Member

(a) Appointment of a Member as a Life Member is the highest honour that the UFU can grant to a Member.

(b) An Industrial Member of the UFU becomes a life member on:

(i) a nomination for life membership being made in writing to the Secretary in respect of the member,

(ii) the Secretary presenting the nomination to a meeting of the SCM; and

(iii) the SCM resolving by a three-quarters (3/4) majority of SCM Members, present and entitled to vote to confer life membership on the member.

(c) A nomination under paragraph (b)(i) must:

(i) be made by a Financial Industrial Member;

(ii) be seconded by two (2) other Financial Industrial Members;

(iii) evidence the outstanding effort of the nominee in furthering the Objects; and

(iv) be provided to the Secretary.

(d) Provided that the SCM cannot resolve to appoint an Industrial Member as a Life Member unless:

(i) at least 28 days' notice of the resolution is given by the Secretary to the SCM Members; and

(ii) the SCM is satisfied on the evidence provided by the nomination that the nominee is deserving of the honour of life membership.

(e) A Life Member who is working in a Calling has the:

(i) obligations of an Industrial Member; and

(ii) rights of a Financial Industrial Member.

(f) A Life Member who is no longer working in a Calling has the:

(i) obligations of an Industrial Member;

(ii) rights of a Financial Industrial Member, but is not entitled to:

A. nominate as a candidate for a UFU Office;

B. nominate an Industrial Member for a UFU Office;

C. nominate an Industrial Member for a position as a representative on a Local Branch;

D. nominate for a position as a representative on a Local Branch;

E. hold a UFU Office;

F. hold a position as a representative on a Local Branch;

G. vote in an election of the UFU or its Local Branches; and

H. vote in a plebiscite of the UFU.

(g) A Life Member is not required to pay an Annual Fee.

(h) A Life Member may resign membership of the UFU under rule 21.

(i) The SCM may, without limitation to rules 10 and/or 68 where it considers the circumstances warrant it, remove a Life Member who is no longer working in a Calling from membership.

14. Retired Member

(a) A Financial Industrial Member who has:

(i) been a Financial Industrial Member:

A. for a period of 20 years or more; or

B. for a period of ten (10) years or more and who has been retired as medically unfit; and

(ii) resigned from membership of the UFU by reason of ceasing to be eligible to become, or be, an Industrial Member may apply to the Secretary to be admitted as a retired member.

(b) A person under sub-rule (a) may seek admission to retired membership of the UFU.

(c) A Retired Member is not entitled to:

(i) nominate as a candidate for a UFU Office;

(ii) nominate an Industrial Member for a UFU Office;

(iii) nominate for a position as a representative on a Local Branch;

(iv) nominate an Industrial Member for a position as a representative on a Local Branch;

(v) hold a UFU Office;

(vi) hold a position as a representative on a Local Branch;

(vii) vote in an election of the UFU or its Local Branches; and

(viii) vote in a plebiscite of the UFU.

(d) A Retired Member has the obligations provided under these rules.

(e) A Retired Member will receive the benefits the SCM determines.

(f) A Retired Member who recommences working in a Calling, will immediately cease to be a Retired Member, and is invited to be admitted as an Industrial Member.

(g) A Retired Member may be required to pay a membership fee (if any) determined by the SCM.

(h) A Retired Member may resign membership of the UFU under rule 21.

(i) The SCM may where it considers the circumstances warrant it, approve the admission of a person who was a Financial Industrial Member, but who does not meet the criteria under paragraph (a)(i) as a Retired Member.

(j) The SCM may, without limitation to rules 10 and/or 68 where it considers the circumstances warrant it, remove a Retired Member from membership.

15. Associate Member

(a) An Associate Member is a person working, or usually working, as a Facilities Firefighter.

(b) A person under sub-rule (a) may seek admission to associate membership of the UFU.

(c) A Financial Associate Member is not entitled to:

(i) nominate as a candidate for a UFU Office;

(ii) nominate an Industrial Member for a UFU Office;

(iii) nominate for a position as a representative on a Local Branch;

(iv) nominate an Industrial Member for a position as a representative on a Local Branch;

(v) hold a UFU Office;

(vi) hold a position as a representative on a Local Branch;

(vii) vote in an election of the UFU or its Local Branches; and

(viii) vote in a plebiscite of the UFU.

(d) A Financial Associate Member is entitled to:

(i) access the services of the UFU; and

(ii) otherwise, under these rules, participate in the business of the UFU.

(e) An Associate Member has the obligations provided under these rules.

(f) An Associate Member will receive the benefits the SCM determines.

(g) An Associate Member who commences working in a Calling, will immediately cease to be an Associate Member, and is invited to be admitted as an Industrial Member.

(h) An Associate Member may be required to pay a Fee (if any) determined by the SCM.

(i) An Associate Member may resign membership of the UFU under rule 21.

(j) The SCM may, without limitation to rules 10 and/or 68 where it considers the circumstances warrant it, remove an Associate Member from membership.

16. Community Supporter

(a) A Community Supporter is a person who applies to be, and is, admitted as a community supporter under these rules.

(b) The following person may apply to the UFU to be admitted as a Community Supporter:

(i) a person who was a Financial Industrial Member but is no longer working in a Calling; or

(ii) a person not working in a Calling.

(c) The SCM may, by administrative regulation, determine, for the purposes of paragraph (b)(ii), that a person who is a member of a particular association, body or group, may, if they apply, be admitted as a Community Supporter by the Secretary.

(d) A Community Supporter is not entitled to:

(i) nominate as a candidate for a UFU Office;

(ii) nominate an Industrial Member for a UFU Office;

(iii) nominate for a position as a representative on a Local Branch;

(iv) nominate an Industrial Member for a position as a representative on a Local Branch;

(v) hold a UFU Office;

(vi) hold a position as a representative on a Local Branch;

(vii) vote in an election of the UFU or its Local Branches; and

(viii) vote in a plebiscite of the UFU.

(e) A Community Supporter has the obligations provided under these rules.

(f) A Community Supporter will receive the benefits the SCM determines.

(g) A Community Supporter, who was a former Industrial Member and who recommences working in a Calling, will immediately cease to be a Community Supporter, and is invited to seek to be admitted as an Industrial Member.

(h) A Community Supporter may be required to pay a fee, to be a Community Supporter.

(i) A fee (if any) under sub-rule (h), will be determined by the SCM.

(j) A Community Supporter may resign as a Community Supporter at any time, by notice to the Secretary.

(k) The SCM may, without limitation to rule 10 where it considers the circumstances warrant it, remove a Community Supporter as a Community Supporter.

17. Application for Membership

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

A	B
Application Form	the form determined by the SCM under sub-rule (b)(i)

(b) An application for membership of the UFU will be:

(i) in the form determined by the SCM;

(ii) accompanied by the material required by the SCM; and

(iii) signed by the applicant.

(c) The UFU may publish the Application Form in a way the SCM determines appropriate.

(d) Without limitation to sub-rule (c), the UFU may:

(i) publish, and accept, an application for membership by the internet, and in relation to an application received by the internet the provisions of the *Electronic Transactions (Queensland) Act 2001* (Qld) apply and an applicant for membership will be held to have signed the Application Form if the requirements of s14 of the *Electronic Transactions (Queensland) Act 2001* (Qld) are met; and

(ii) require applicants to declare that they will do the things required of them, as a Member, under these rules.

(e) The Secretary may, despite sub-rule (b):

(i) waive the completion of the Application Form by an applicant;

(ii) accept an application that is in some other form other than the Application Form; or

(iii) accept applications that are made by phone.

(f) No omission, irregularity or want of form will invalidate an application for membership if the UFU has treated the document submitted as an application for membership, and the application has been accepted in accordance with paragraph (e) (ii).

(g) An application is accepted and membership commences, subject to sub-rule (h), when the application is received by the Secretary or another person authorised by the SCM, whichever is the earlier provided that if a member applies for membership from a date preceding receipt of the application the Secretary may determine that membership commences from that date.

(h) The Secretary may refer an application for membership to the SCM for its determination where the Secretary has concerns in relation to the applicant's bona fides.

(i) An application, referred in accordance with sub-rule (h), will be considered by the SCM who will, if satisfied with the bona fides of the applicant, accept the application, admit the applicant

to membership of the UFU and that membership will commence, when it otherwise would have commenced in accordance with sub-rule (g), as if the application had not been referred.

(j) The SCM may reject an application if they do not accept the applicant is bona fide, provided that where an application is rejected, monies paid by the applicant in respect of membership of the UFU will be reimbursed.

(k) The Secretary will report all applications for membership to the next ordinary meeting of the SCM.

(l) An applicant for membership will, subject to these rules, when admitted to membership under this rule, be entitled to the benefit of Membership Rights for their respective class of membership.

(m) An applicant for membership must be informed in writing of:

(i) a Member's financial obligations; and

(ii) how, and when, a Member may resign from membership.

(n) A membership application under this rule may be used by a person seeking to become a Community Supporter.

(o) Despite sub-rule (n) the SCM may determine a different form of application to be used by a person seeking to become a Community Supporter, provided that the provisions of this rule will otherwise apply, with the variation necessary, to such an application.

18. Attachment

(a) The Secretary will subject to these rules, on an Industrial Member's admission, promptly attach that member to the:

(i) Local Branch appropriate to the circumstances of the member's employment; and

(ii) Region in which they work.

19. Register of Members/Community Supporters

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

A	B
Member Information	the information about a Member under sub-rules (b) and (c)

(b) The Secretary must record in relation to a Member, their:

(i) name;

(ii) postal address;

(iii) financial status;

(iv) date of admission;

(v) date of resignation;

(vi) membership type;

(vii) the Local Branch to which they are attached (if any); and

(viii) the Region to which they belong (if any).

(c) The Secretary will record, as far as the Secretary is able to determine, the following information (if any) in relation to a Member, their:

(i) phone numbers;

(ii) e-mail address;

(iii) employer;

(iv) place of employment;

(v) work classification; and

(vi) other information required by the:

A. SCM; or

B. Act.

(d) The Secretary will, in relation to an Industrial Member, keep the Member Information recorded under sub-rule (b) in the Membership Register.

(e) The Secretary will, in relation to a Member, maintain a record of the Member Information recorded by the Secretary under sub-rules (b) and (c).

(f) The Secretary will, in relation to Community Supporters, maintain a record of information containing the information under paragraphs (b)(i) to (iv) inclusive, and a Community Supporter must promptly notify the Secretary of changes to that record and the Secretary will amend the record of information to incorporate the changes.

(g) A Member must promptly notify the Secretary of changes to the Member Information recorded respectively under sub-rule (b) or (c), and the Secretary will, within 28 days of being notified, amend the Membership Register or record to incorporate the changes.

(h) The Membership Register is:

(i) in the event of an Industrial Member failing to notify a change of information under sub-rule (g), conclusive proof under these rules of the matters set out in the Membership Register; and

(ii) proof of the financial status of an Industrial Member until the contrary is proven.

(i) The record of information kept by the Secretary under sub-rule (e) is, subject to sub-rule (h), in the event of a Member failing to notify a change of information under sub-rule (g), conclusive proof under these rules of the matters set out in the record until the contrary is proven.

(j) The record of information kept by the Secretary under sub-rule (f) is, in the event of a Community Supporter failing to notify a change of information under sub-rule (f), conclusive proof under these rules of the matters set out in the record until the contrary is proven.

20. UFU Officers Register

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

A	B
UFU Officer Information	the information about a UFU Officer under sub-rule (b)

(b) The Secretary will maintain a UFU Officers Register containing the following information in relation to each Officer:

(i) name;

(ii) postal address;

(iii) calling; and

(iv) other information required by the:

A. Act; and/or

B. SCM.

(c) A UFU Officer changing their Officer Information must promptly notify the Secretary who will, as soon as practicable, amend the UFU Officers Register.

(d) The information set out in the UFU Officers Register is conclusive proof, under these rules of the matters set out in the record until the contrary is proven.

21. Resignation

(a) A Member may terminate membership of the UFU by written notice addressed and delivered to the Secretary.

(b) Notification of resignation under sub-rule (a) is given if:

(i) it is left at the registered office of the UFU;

(ii) it is addressed to the UFU, or a UFU Officer thereof, and sent to the Registered Office of the UFU; or

(iii) it is sent electronically to the Secretary.

(c) If a Member specifies in their notification of resignation under sub-rule (a) a day or time at which the resignation is to be effective, being a day or time subsequent to the time when notification is given, the membership of the member will terminate on the day, or at the time, specified and not before, unless membership is sooner terminated by the UFU under these rules.

(d) If the Member does not specify in their notification of resignation under sub-rule (a) a day, or time, at which the resignation is to be effective, then the notice of resignation takes effect on the day on which the notice is received.

(e) Termination of membership by resignation does not affect the liability of the Member or former Member to pay an Annual Fee, Fee, Levy or fine owing at the date of resignation, and action may be taken by the UFU to recover those moneys.

(f) An Annual Fee paid by an Industrial Member in respect of a period beyond when the member's notice of resignation takes effect will be remitted to the member if requested by the member.

(g) A Member resigning from the UFU who has complied with this rule, and who is not liable to the UFU for any monies when the member's notice of resignation takes effect, will on the member's written request, be issued with a clearance certificate by the Secretary.

22. Annual Fee

(a) An Industrial Member will pay an annual fee as determined by the SCM.

(b) The SCM may, despite sub-rule (a), determine the annual membership subscription payable by an Industrial Member who is engaged:

(i) in casual; or

(ii) part time,

paid employment in a Calling, is to be a proportion of the Annual Fee.

(c) The UFU must have a scheme in place for an Industrial Member to pay their Annual Fee, which may, if appropriate, permit the payment of the fee:

(i) in the following ways:

A. cash, cheque, or electronic payment;

B. payroll deduction;

C. direct debit;

D. credit card; and/or

E. such other means as the SCM determines; and

(ii) in the following frequency:

A. annually;

B. quarterly;

C. monthly;

D. fortnightly

E. weekly; and/or

F. such other frequency as the SCM determines.

(d) An Industrial Member will pay to the UFU the Annual Fee in advance, however a payment to the UFU in accordance with a Scheme is deemed to be a payment in advance.

(e) An Associate Member will pay an annual Fee as determined by the SCM.

(f) The UFU must have a scheme in place for an Associate Member to pay their Fee, which may permit the payment of the fee:

(i) in the following ways:

A. cash, cheque, or electronic payment;

B. payroll deduction;

C. direct debit;

D. credit card; and/or

E. such other means as the SCM determines; and

(ii) in the following frequency:

A. annually;

B. quarterly;

C. monthly;

D. fortnightly

E. weekly; and/or

F. such other frequency as the SCM determines.

(g) An Associate Member will pay to the UFU the Fee in advance, however a payment to the UFU in accordance with a Scheme is deemed to be a payment in advance.

23. Levies

(a) The SCM may impose a levy on:

(i) all of the Industrial Members; or

(ii) a group of the Industrial Members.

(b) Monies received under a levy imposed under paragraph (a)(ii) may only be applied to the benefit of the Industrial Members of the respective group.

(c) A Levy is to be expressed in dollars and as a percentage of the Annual Fee.

(d) The Secretary must give notice under these rules to an Industrial Member liable to pay a Levy, of its:

(i) imposition;

(ii) amount;

(iii) duration; and

(iv) purpose.

(e) Despite sub-rule (a) levies exceeding in total 25% of the Annual Fee cannot be imposed.

(f) A Levy is to be paid by a respective Member within 28 days of the Secretary giving notice to the member under sub-rule (d).

(g) A Levy is to be paid by a respective Member by one (1) of the following means:

(i) by cash, cheque or electronic funds transfer; or

(ii) under a Scheme.

(h) The UFU will provide a written receipt to a Member within 28 days of a member paying their Levy under paragraph (g)(i).

(i) The UFU will provide, annually, a receipt to a Member paying their Levy under paragraph (g)(ii).

(j) Receipts under sub-rules (h) and (i) may be electronic.

(k) The SCM may determine to waive payment of a Levy either in whole, or in part, by an Industrial Member or a group of Industrial Members where the SCM is satisfied that the circumstances justify waiver.

(l) The SCM may impose a levy on the Associate Members, provided that levies exceeding in total 25% of the Fee cannot be imposed.

(m) The SCM may determine to waive payment of a Levy either in whole, or in part, by an Associate Member or a group of Associate Members where the SCM is satisfied that the circumstances justify waiver.

(n) Monies received under a levy imposed under sub-rule (l) may only be applied to the benefit of the Associate Members.

(o) Despite sub-rules (b) and (n) where, following the imposition of a Levy, its purpose is achieved and there remains an amount of unexpended funds derived from the Levy, the unexpended funds will form part of the UFU Fund and may be expended on the Objects.

24. Waiver

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

A	B
Group	severally a group of Industrial Members; or a group of Associate Members

(b) The Secretary may waive payment of the Annual Fee and/or a Levy or Fee where an Industrial Member or an Associate Member, as the case may be:

(i) is unemployed and has been unemployed for more than three (3) months;

(ii) is on approved leave without pay for more than three (3) months;

(iii) has, due to injury or ill health, not been working for a period of more than three (3) months and is not receiving remuneration, and/or

(iv) is experiencing financial hardship.

(c) A waiver granted under sub-rule (b) can be granted for up to 12 months.

(d) The SCM may waive payment of the Annual Fee and/or a Levy or Fee under sub-rule (b) for more than 12 months, provided that the waiver is granted for a specified period or the happening of a particular event.

(e) An Industrial Member or Associate Member granted a waiver under sub-rule (b) or (d) is financial during the period the waiver is granted.

(f) The SCM may waive payment of the Annual Fee and/or a Levy or Fee, as the case may be, in whole, or part, to a Group in circumstances where:

(i) there is a dispute, including over coverage, which is not yet resolved in respect of that Group;

(ii) an industrial instrument to apply to the employment of the Group has not been finalised; or

(iii) organising opportunities may be enhanced in respect of that Group.

(g) A member of a Group granted a waiver under sub-rule (f) is financial during the period the waiver is granted.

(h) A waiver granted under sub-rule (f) is to be periodically reviewed by the SCM.

25. Financiality

(a) An Industrial Member who pays their Annual Fee, a Levy or a fine by:

(i) payroll deduction, will be unfinancial 30 days after the member withdraws their authority to deduct the Annual Fee, a levy or a fine from their salary; or

(ii) means other than the means provided under paragraph (i), will be unfinancial where the Annual Fee, a Levy or a fine is owing two (2) months after it first become due.

(b) Paragraph (a)(ii), will apply with respect to an outstanding Annual Fee, a Levy or a fine of an Industrial Member who was paying their Annual Fee, a Levy or a fine by any other means prior to paying their Annual Fee, a Levy or a fine under a Scheme.

(c) Should an Industrial Member's employer refuse to make payroll deductions of their Annual Fee, a Levy or a fine, where the member has been paying their Annual Fee, a Levy or a fine by payroll deductions, the UFU will advise the member in writing of such refusal and extend to the member a period of two (2) months grace after their Annual Fee, a Levy or a fine first became due, and if at that time their Annual Fee, a Levy or a fine remains owing the member will be unfinancial.

(d) Where an Industrial Member pays their Annual Fee, a Levy or a fine by transfer from a financial institution and such payments are not made, the Secretary will render an account to the member for the amount due and unpaid and the date of the account will be the date upon which their Annual Fee, a Levy or a fine becomes due.

(e) An Industrial Member who is unfinancial under this rule is not entitled to:

(i) any of the rights and privileges of membership;

(ii) be given notice of a meeting;

(iii) hold, or continue to hold, a UFU Office;

(iv) nominate for, or be nominated for, a UFU Office or a Position;

(v) participate in a ballot of Industrial Members;

(vi) move or second resolutions; and/or

(vii) speak or vote at a meeting of the UFU or a Local Branch.

(f) An Associate Member may pay their Fee in the same way as an Industrial Member pays their Annual Fee.

(g) An Associate Member will become unfinancial in the same way as an Industrial Member becomes unfinancial under sub-rules (a), (c) and (d).

(h) An Associate Member who is unfinancial under this rule is not entitled to any of the rights and privileges of an Associate Member.

(i) Notwithstanding anything else contained in these rules where an Industrial Member holds a UFU Office the Secretary (or where the Secretary is the relevant Industrial Member, the President) will give notice to the officer that unless they become financial within 14 days of the notice they will no longer be eligible to hold their office and will cease to hold their office.

26. Purpose

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

A	B
Governance Body	SCM; and Executive

(b) The Governance Bodies will, subject to these rules, conduct the business of the UFU and advance the Objects.

27. UFU – Powers

(a) The UFU may exercise all the powers of a body incorporated as an organisation under the Act.

28. SCM – Composition

(a) The SCM is comprised of the following where elected under these rules, the:

(i) President;

(ii) Vice-Presidents;

(iii) Secretary;

(iv) Assistant Secretary;

(v) Executive Members;

(vi) Firefighter Delegates;

(vii) Station Officer Delegates;

(viii) Fire Communications Officer Delegates;

(ix) Senior Officer Delegates;

(x) Auxiliary Firefighter Delegate (South); and

(xi) Auxiliary Firefighter Delegate (North).

29. SCM – Powers

(a) The SCM may exercise the powers of the UFU.

(b) Without limiting the power under sub-rule (a), the SCM has the other powers provided under these rules.

(c) Without limiting the power under sub-rule (a), the SCM has the exclusive power, subject to these rules, to:

(i) alter these rules; and

(ii) set the:

A. Annual Fee; and

B. Fee for Members other than Industrial Members.

(d) Despite sub-rule (a) the SCM cannot exercise an exclusive power of a UFU Officer.

(e) The SCM may, subject to sub-rule (d), review a determination of:

(i) the Executive; or

(ii) a UFU Officer.

30. Executive Composition

(a) The State Executive is comprised of the:

(i) President;

(ii) Senior Vice-President;

(iii) Junior Vice-President;

(iv) Secretary;

(v) Assistant Secretary; and

(vi) Executive Members.

31. Executive - Powers

(a) Between meetings of the SCM, the Executive is:

(i) to exercise the power of the SCM; and

(ii) the committee of management of the UFU.

(b) The Executive has the other powers provided under these rules.

(c) Despite sub-rule (a) the Executive cannot exercise an exclusive power of:

(i) the SCM; or

(ii) a UFU Officer.

(d) The Executive may, subject to sub-rule (c), review a determination of a UFU Officer.

32. Binding Determinations

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

A	B
Governance Body	SCM; and Executive

(b) A Determination of a Governance Body will, subject to these rules, bind:

(i) the UFU Officers;

(ii) a Member; and

(iii) a Community Supporter.

33. Powers and Duties of the President

(a) The President:

(i) will, wherever practicable, attend meetings of the:

A. UFU;

B. SCM;

C. Executive; and

D. Local Branch to which they are attached;

(ii) will, when present, chair meetings of the:

A. UFU;

B. SCM; and

C. Executive;

(iii) is to enforce these rules;

(iv) is entitled, subject to these rules, to exercise an ordinary and casting vote;

(v) is entitled to direct the holding of a meeting of the:

A. SCM; or

B. Executive;

(vi) is an ex-officio member of a UFU Sub-Committee; and

(vii) will assist the Secretary to implement Policy.

(b) The President has the right to attend, and be heard on a matter, at a meeting of the:

(i) UFU;

(ii) SCM; and

(iii) Executive.

(a) The President may, when not able to be present at a meeting under sub-rule (b), appoint a representative who has the right to attend and be heard on any matter at that meeting.

(b) The President will perform other duties as directed by the SCM.

(c) The office of President is honorary.

34. Powers and Duties of a Vice-President

(a) A Vice-President is to assist the President in discharging the President's duties.

(b) The Senior Vice-President will exercise the powers and perform the functions and duties of the President:

(i) in the temporary absence of the President; or

(ii) whenever the President requests the Senior Vice-President do so,

provided that nothing prevents the President from making a determination under paragraph (i) in advance of a temporary absence.

(c) If the President has not made a determination under paragraph (b)(i), the SCM may do so.

(d) A Vice-President will perform other duties as directed by the SCM.

(e) The office of Vice-President is honorary.

35. Powers and Duties of the Secretary

(a) The Secretary:

(i) is the chief executive and principal officer of the UFU;

(ii) is between meetings of the SCM, and the Executive subject to:

A. directions of the:

(a) SCM; and

(b) Executive; and

B. Policy,

to exercise the power of the SCM; and

(iii) has the other powers provided under these rules.

(b) The Secretary cannot, despite sub-rule (a), exercise an exclusive power of:

(i) the SCM; or

(ii) another Officer.

(c) The Secretary, without limiting the power under sub-rule (a) but subject to sub-rule (b), will under these rules:

(i) manage and conduct the business and affairs of the UFU;

(ii) action the decisions of the SCM and Executive;

(iii) receipt moneys to the UFU Fund;

(iv) disburse the UFU Fund;

(v) maintain the records and Financial Records of the UFU;

(vi) wherever practicable attend meetings of the:

A. UFU;

B. SCM; and

C. Executive; and

(vii) where it is appropriate to do so, commence, and defend, proceedings in the name of the UFU.

(d) Without limiting the power under sub-rule (a), the Secretary has the exclusive power, subject to these rules, to be the sole public spokesperson of the UFU in relation to all matters affecting the UFU and/or a Local Branch.

(e) The Secretary, without limiting the power under sub-rule (a) but subject to sub-rule (b), may under these rules direct a member to deliver to the Secretary any, or all, of the funds, property, records and/or Financial Records of the UFU in the Member's possession, custody or control.

(f) The Secretary will, within three (3) days of receiving a direction from the SCM to deliver to the person named in the direction any, or all, of the funds, property, records or Financial Records of the UFU in the Secretary's possession, custody or control, deliver the funds, property, records or Financial Records as directed.

(g) The Secretary will perform other duties as directed by the SCM

(h) The office of Secretary is Full-time.

36. Powers and Duties of the Assistant Secretary

(a) The Assistant Secretary will assist the Secretary in the performance of the Secretary's duties under these rules.

(b) Without limitation to sub-rule (c)(ii), the Assistant Secretary will, in the temporary absence of the Secretary, summon meetings of the:

(i) UFU;

(ii) SCM; and

(iii) Executive.

(c) The Assistant Secretary will exercise the powers and perform the functions and duties of the Secretary:

(i) in the temporary absence of the Secretary; or

(ii) whenever the Secretary requests the Assistant Secretary to do so,

provided that nothing prevents the Secretary from making a determination under paragraph (i) in advance of a temporary absence.

(d) If the Secretary has not made a determination under paragraph (c)(i), the SCM may do so.

(e) Without limitation to sub-rule (c)(ii), the Assistant Secretary will perform other duties as directed by the SCM.

(f) The Assistant Secretary will perform other duties as directed by the Secretary.

(g) The office of Assistant Secretary is honorary.

37. An Ordinary Meeting of a Governance Body/Local Branch Representatives

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

A	B
Governance Body	SCM; Executive; and Local Branch Representatives
Ordinary Meeting	a programmed meeting of a Governance Body that is not a special meeting or an out of session meeting

Agenda and Scheduling

(b) An Ordinary Meeting of a Governance Body will be held for the Governance Body set out in column C on at least the number of occasions set out opposite in column D:

C	D
SCM	three (3) times each year of the Quadrennial Term
Executive	six (6) times each year of the Quadrennial Term
Local Branch Representatives	three (3) times each year of the Quadrennial Term

SCM/Executive

(c) An Ordinary Meeting of the:

(i) SCM; and

(ii) Executive,

will be held at a date and time to be determined by the Secretary in consultation with the President.

(d) The members of the respective Governance Body will be notified in writing by the Secretary of the time, date, place and agenda of a meeting under sub-rule (c).

(e) The Secretary will, when reasonably practicable, prepare an agenda for a meeting of the SCM and Executive and circulate it respectively to the members of the SCM and the Executive.

(f) The Secretary will give members of the respective Governance Body notice of a meeting under sub-rule (d) as practicable, but at least seven (7) days' notice must be given by a means available.

Local Branch Representatives

(g) An Ordinary Meeting of respective Local Branch Representatives will be held at a date and time to be determined by the respective Local Branch Representatives.

(h) An Ordinary Meeting of Local Branch Representatives will be summoned by the Secretary, in consultation with the Local Branch Secretary, forwarding to each of the Local Branch Representatives a notice setting out the time, date and place of the meeting and the agenda.

(i) The Secretary will give the Local Branch Representatives notice of a meeting under sub-rule (h) as practicable, but at least seven (7) days-notice must be given by a means available.

Attendance and Quorum

(j) An Ordinary Meeting of the:

(i) SCM; and

(ii) Executive,

will be held at the Principal Office unless the Secretary or the SCM determines that another location is more suitable and the meeting is to be conducted by a method by which the respective members of the respective Governance Body can communicate each with each other.

(k) An Ordinary Meeting of the Local Branch Representatives will be held at the location that the Local Branch Representatives determines and is to be conducted by a method by which the respective Local Branch Representatives can communicate each with each other.

(l) The quorum for an Ordinary Meeting is 50% of the total number of persons plus one (1):

(i) holding an office on the:

A. SCM; or

B. Executive; or

(ii) holding a position as a Local Branch Representative on a respective Local Branch.

(m) If at an Ordinary Meeting of the:

(i) SCM; and

(ii) Executive,

no quorum is present within 30 minutes after the time fixed for the commencement of the meeting, the meeting is adjourned for seven (7) days to the same place and time for commencement and those members of the Governance Body in attendance, within 15 minutes of the time for commencing the meeting, will be quorum.

(n) If no quorum is present at a meeting of the Local Branch Representatives within 30 minutes after the time fixed for the commencement of the meeting, the meeting lapses.

(o) The UFU must pay reasonable travel expenses to a member of the:

(i) SCM; and

(ii) Executive,

attending an Ordinary Meeting of a respective Governance Body.

Voting

(p) A question arising at an Ordinary Meeting will, wherever possible, be determined by consensus, provided that a question arising at the meeting which cannot be determined by consensus will, unless these rules otherwise require, be determined by a simple majority of the votes entitled to be cast by those present, in person, and entitled to vote at the meeting.

(q) At an Ordinary Meeting a member of a respective Governance Body has a deliberative vote only and the chair has both a deliberative and casting vote.

Late Items of Business

(r) Items of business not included in the agenda for an Ordinary Meeting can only be considered at the ordinary meeting if a three-quarter (3/4) majority of the persons in attendance at the meeting of the respective Governance Body, and entitled to vote, determine to do so.

Waiver of Notice

(s) A member of a Governance Body may at any time waive the period of notice required in relation to an Ordinary Meeting.

38. A Special Meeting of a Governance Body/Local Branch Representatives

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

A	B
Governance Body	SCM; and Executive
Special Meeting	a meeting of a Governance Body that is not an ordinary meeting, an annual general meeting or an out of session ballot

Calling

(b) A Special Meeting of a Governance Body will be held as soon as practicable following a:

(i) determination of the Secretary, where the Secretary considers that a matter of business needs urgent attention by respectively the:

A. SCM; or

B. Executive; or

(ii) requisition of ten (10) members of the SCM or five (5) members of the Executive, where those members consider that a matter of business needs urgent attention.

(c) A Special Meeting of Local Branch Representatives will be held as soon as practicable following a respective Local Branch Secretary considering that a matter of business needs urgent attention by the respective Local Branch Representatives.

(d) A requisition of a Special Meeting under sub-rule (b) must set out the business to be dealt with at the Special Meeting and be provided to the Secretary or Local Branch Secretary, as the case may be.

Notice

(e) The Secretary will give the members of the respective Governance Body notice of a Special Meeting as is practicable, but at least 24 hours' notice must be given by a means available.

(f) The Local Branch Secretary will give the respective Local Branch Representatives notice of a Special Meeting as is practicable, but at least 24 hours' notice must be given by a means available.

Business

(g) The business to be dealt with at a respective Special Meeting is the business requisitioned under sub-rules (b) or (c) as the case may be.

Attendance & Quorum

(h) A Special Meeting of the:

(i) SCM; or

(ii) Executive,

will be held at the Principal Office unless the Secretary determines that another location is more suitable.

(i) A Special Meeting of the Local Branch Representatives will be held at the same place as the immediately preceding meeting of the Local Branch Representatives was held, unless the Local Branch Secretary determines that another location is more suitable.

(j) A Special Meeting of:

(i) a Governance Body is to be conducted by a method by which the members of the Governance Body can communicate each with each other; and

(ii) Local Branch Representatives is to be conducted in the same way as an ordinary meeting of Local Branch Representatives is conducted under these rules.

(k) The quorum for a Special Meeting of a Governance Body or Local Branch Representatives is a simple majority of the members of the Governance Body or the Local Branch Representatives, as the case may be, who are entitled to attend and vote at the meeting, plus one (1).

(l) If, at a Special Meeting, no quorum is present within 30 minutes after the time fixed for the commencement of the Special Meeting, the meeting lapses.

Voting

(m) A question arising at a Special Meeting will, wherever possible, be determined by consensus, provided that a question arising at the meeting which cannot be determined by consensus will, unless these rules otherwise require, be determined by a simple majority of the votes entitled to be cast by those present, in person, and entitled to vote at the meeting.

(n) At a Special Meeting a member of a respective Governance Body has a deliberative vote only and the chair has both a deliberative and casting vote.

(o) At a Special Meeting of Local Branch Representatives a representative has a deliberative vote only and the chair has both a deliberative and casting vote.

Waiving Notice

(p) A member of a Governance Body may at any time waive the period of notice required in relation to a Special Meeting.

39. Out of Session Resolution of the SCM or State Executive

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

A	B
Governance Body	SCM; and Executive

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

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

(i) post;

(ii) e-mail;

(iii) text message;

(iv) other electronic communication; and/or

(v) a mixture of those means.

(d) Where an out of session ballot of a respective Governance Body is conducted:

(i) the Secretary will determine a time limit within which the ballots must be received, but which is to be no less than two (2) days;

(ii) in a ballot 50% of the members of the Executive casting a ballot plus one (1) in the time limited under paragraph (i), constitutes a quorum; and

(iii) determination of the ballot will, unless these rules otherwise require, be by simple majority of the votes cast.

(e) In an out of session ballot of a Governance Body a member of the Governance Body has a deliberative vote only.

40. Proxy

(a) If a Firefighter Delegate or a Station Officer Delegate from a Region is unable to attend a meeting of the SCM, then that delegate may appoint a Financial Industrial Member from that Region who is a Firefighter or a Station Officer, as the case may be, to act as a proxy for that meeting.

(b) If a Fire Communications Officer Delegate is unable to attend a meeting of the SCM, then that delegate may appoint a Financial Industrial Member from the Fire Communications Officers to act as a proxy for that meeting.

(c) If a Senior Officer Delegate is unable to attend a meeting of the SCM, then that delegate may appoint a Financial Industrial Member, who is a Senior Officer, to act as a proxy for that meeting.

(d) If the Auxiliary Firefighter Delegate (South) is unable to attend a meeting of the SCM, then that delegate may appoint a Financial Industrial Member, who is an Auxiliary Firefighter attached to a station within the North Coast, Brisbane, South Eastern and South Western Regions, to act as a proxy for that meeting.

(e) If the Auxiliary Firefighter Delegate (North) is unable to attend a meeting of the SCM, then that delegate may appoint a Financial Industrial Member, who is an Auxiliary Firefighter attached to a station within the Far Northern, Northern and Central Regions, to act as a proxy for that meeting.

(f) Where a proxy is appointed under this rule the delegate appointing the proxy must provide written notice of the appointment to the Secretary at least seven (7) days prior to the commencement of the respective meeting of the SCM.

41. Local Branch Representatives

(a) Elections for representative positions on a Local Branch will:

(i) be held within the period of six (6) months following the declaration of the Quadrennial Election of the SCM; and

(ii) be conducted in accordance with the Election Procedure Rules.

(b) Each Fulltime Firefighter Local Branch will have the following Local Branch Representatives:

(i) a Local Branch President;

(ii) a Local Branch Secretary;

(iii) a Firefighter Representative; and

(iv) a Station Officer Representative.

(c) Only the following Industrial Members may nominate, and vote for a respective Fulltime Firefighter Local Branch's Representative position:

(i) a Firefighter, who is a Financial Industrial Member attached to a respective Local Branch at the opening of nominations for Local Branch Representative positions, is eligible to nominate for the positions under paragraph (b)(i)(ii) and (iii);

(ii) a Station Officer, who is a Financial Industrial Member attached to a respective Local Branch at the opening of nominations for Local Branch Representative positions is eligible to nominate for the positions under paragraph (b)(i)(ii) and (iv);

(iii) a Firefighter or a Station Officer nominating under this sub-rule must have their nomination moved by two (2) other Financial Industrial Members attached to the Local Branch at the opening of nominations for Local Branch Representative positions; and

(iv) a Firefighter or a Station Officer, who is a Financial Industrial Member attached to a respective Local Branch at the opening of nominations for Local Branch Representative positions, is eligible to vote for the positions under sub-rule (b).

(d) There will be a Fire Communications Officers Local Branch which will have the following Local Branch Representatives:

(i) a Local Branch President;

(ii) a Local Branch Secretary;

(iii) two (2) Fire Communications Officer Representatives (South); and.

(iv) two (2) Fire Communications Officer Representatives (North).

(e) Only a Fire Communications Officer who is a Financial Industrial Member, and who has had their nomination moved by two (2) other Fire Communications Officers who are Financial Industrial Members, may nominate, subject to these rules, for a Fire Communications Officers Local Branch Representative position.

(f) Despite sub-rule (e) a Fire Communications Officer nominating for a position under paragraph (d)(iii) must be employed, and have their nomination moved by two (2) other Fire Communications Officers who are Financial Industrial Members employed, within the North Coast, Brisbane, South Eastern and South Western Regions at the opening of nominations for the Fire Communications Officers Local Branch Representatives.

(g) Despite sub-rule (e) a Fire Communications Officer nominating for a position under paragraph (d)(iv) must be employed, and have must have their nomination moved by two (2) other Fire Communications Officers who are Financial Industrial Members employed, within the Far Northern, Northern and Central Regions at the opening of nominations for the Fire Communications Officers Local Branch Representatives.

(h) A Fire Communications Officer who is a Financial Industrial Member, employed at the opening of nominations for the Fire Communications Officers Local Branch Representatives, is eligible to vote for the positions under sub-rule (d).

(i) There will be a Senior Officers Local Branch which will have the following Local Branch Representatives:

(i) a Local Branch President;

(ii) a Local Branch Secretary; and

(iii) two (2) Senior Officer Representatives.

(j) Only a Senior Officer who is a Financial Industrial Member employed at the opening of nominations, may nominate, subject to these rules, for the Senior Officers Local Branch Representative positions.

(k) A Senior Officer nominating under sub-rule (j) must have their nomination moved by two (2) other Senior Officers who are Financial Industrial Members employed at the opening of nominations for the Senior Officers Local Branch Representatives.

(l) A Senior Officer who is a Financial Industrial Member employed at the opening of nominations for Senior Officers Local Branch Representatives, is eligible to vote for the positions under sub-rule (i).

(m) There will be an Auxiliary Firefighters (South) Local Branch which will have the following Local Branch Representatives:

(i) a Local Branch President;

(ii) a Local Branch Secretary; and

(iii) two (2) Auxiliary Firefighter Representatives.

(n) Only an Auxiliary Firefighter who is a Financial Industrial Member employed within the North Coast, Brisbane, South Eastern and South Western Regions at the opening of nominations, may nominate, subject to these rules, for the Auxiliary Firefighters (South) Local Branch Representative positions:

(o) An Auxiliary Firefighter nominating under sub-rule (n) must have their nomination moved by two (2) other Auxiliary Firefighters who are Financial Industrial Members employed within the North Coast, Brisbane, South Eastern and South Western Regions at the opening of nominations for the Auxiliary Firefighters (South) Local Branch Representatives.

(p) An Auxiliary Firefighter who is a Financial Industrial Member employed within the North Coast, Brisbane, South Eastern and South Western Regions at the opening of nominations for Auxiliary Firefighters (South) Local Branch Representatives, is eligible to vote for the positions under sub-rule (m).

(q) There will be an Auxiliary Firefighters (North) Local Branch which will have the following Local Branch Representatives:

(i) a Local Branch President;

(ii) a Local Branch Secretary; and

(iii) two (2) Auxiliary Firefighter Representatives.

(r) Only an Auxiliary Firefighter who is a Financial Industrial Member employed within the Far Northern, Northern and Central Regions at the opening of nominations, may nominate, subject to these rules, for the Auxiliary Firefighters (North) Local Branch Representative positions.

(s) An Auxiliary Firefighter nominating under sub-rule (r) must have their nomination moved by two (2) other Auxiliary Firefighters who are Financial Industrial Members employed within the Far Northern, Northern and Central Regions at the opening of nominations for the Auxiliary Firefighters (North) Local Branch Representatives.

(t) An Auxiliary Firefighter employed within the Far Northern, Northern and Central Regions at the opening of nominations for the Auxiliary Firefighters (North) Local Branch Representatives, is eligible to vote for the positions under sub-rule (q).

(u) The Local Branch Representatives will hold their respective positions from the declaration of their election until they respectively:

(i) resign from membership or the position;

(ii) are no longer eligible to nominate for the position under these rules;

(iii) are removed under these rules;

(iv) are replaced on the declaration of a subsequent Quadrennial Election;

(v) become permanently incapacitated; or

(vi) die.

(v) The Local Branch Representatives are responsible for conducting the business of a respective Local Branch.

(w) Ordinary and special meetings of the Local Branch will be respectively conducted in accordance with rules 37 and 38.

(x) The Local Branch Secretary will between meetings of the Local Branch Representatives, conduct the business of the Local Branch.

(y) The Local Branch Representatives will, as far as they practicably can do so, advance the interests of the UFU and the Members attached to the Local Branch.

(z) The Local Branch does not have the control of funds and must promptly provide to the Secretary funds it raises.

(aa) The Local Branch representatives will, in conducting the business of the Local Branch, consider the determinations of members made at Local Branch Meetings.

(bb) The Local Branch Secretary will:

(i) promptly forward a copy of the Local Branch minutes to the Secretary following their adoption under these rules; and

(ii) promptly advise the Secretary of matters of importance to the Local Branch, as those matters arise.

(cc) A determination of a Local Branch Representatives meeting does not bind the UFU.

(dd) The Secretary:

(i) must be given three (3) days' notice of a meeting of Local Branch Representatives;

(ii) is entitled to attend and be heard at a meeting of Local Branch Representatives; and

(iii) is not entitled to move resolutions, or to vote, at a meeting of Local Branch Representatives.

(ee) The Secretary, if unable to attend a meeting of Local Branch Representatives, may appoint a delegate to attend and represent the Secretary at the meeting, and the delegate will have the same rights as the Secretary under paragraphs (dd)(ii) and (iii).

42. Local Branch Meetings

(a) A Local Branch may hold a meeting of the Financial Industrial Members attached to the Local Branch, when it is appropriate to do so.

(b) A meeting of a respective Local Branch will be held at the time, date and place determined by the Local Branch representatives.

(c) A meeting of a respective Local Branch will be summoned by the Secretary, in consultation with the Local Branch Secretary, forwarding to each place of employment of Members attached to the Local Branch, a notice setting out the time, date, place and the agenda of the meeting.

(d) Notice of at least seven (7) days will be given of a Local Branch meeting.

(e) The quorum for a meeting of a Local Branch having attached to it the number of Financial Members set out in column A is the number of Financial Members, who must be attached to the Local Branch, set out opposite in column B:

A	B
0-25	7
26-50	9
51-100	15
101-250	19
251 or more	27

(f) Industrial Members who are seconded may attend a meeting of the Local Branch for the place at which they are usually employed, and are:

(i) entitled to attend and be heard; but

(ii) not entitled to move resolutions or to vote,

at the meeting.

(g) Meetings of a local Branch are to be conducted, under these rules, as the SCM determines.

(h) Despite sub-rule (g) meetings of the:

(i) Fire Communications Officers Local Branch;

(ii) Senior Officers Local Branch;

(iii) Auxiliary Firefighters (South) Local Branch; and

(iv) Auxiliary Firefighters (North) Local Branch,

will be conducted so that the Financial Members attached to the respective Local Branch who are able to attend a meeting of the Local Branch can communicate each with each other.

(i) The SCM may determine an administrative regulation providing for the matters set out under sub-rule (g).

(j) Each Financial Member attached to the respective Local Branch and in attendance at a meeting of the Local Branch is entitled to a single vote on a matter that is determined by the meeting.

(k) A determination under sub-rule (j) does not bind the UFU.

43. UFU Sub-Committee

(a) The SCM may, subject to this rule, establish or revoke a UFU Sub-Committee.

(b) A determination of a UFU Sub-Committee does not bind the UFU and is recommendatory only.

(c) A UFU Sub-Committee can only consider the matters referred to it by the SCM or the Executive.

(d) The SCM will determine the UFU Officers (if any) who will comprise a UFU Sub-Committee.

(e) Sub-rule (d) does not prevent the SCM from appointing a Member, with the Member's consent, to a UFU Sub-Committee.

(f) A UFU Sub-Committee is responsible to, and under the control of, the SCM, provided that the SCM may delegate its responsibility to the Executive.

(g) The SCM will, subject to these rules, determine in relation to a UFU Sub-Committee how:

(i) frequently it will meet;

(ii) it will meet;

(iii) it will be chaired;

(iv) it will conduct its business;

(v) it will be resourced;

(vi) it will report; and

(vii) often it will report.

(h) The SCM may determine an administrative regulation providing for the matters set out under sub-rule (g).

44. Station Representative

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

A	B
Governance Body	SCM; and Executive.

(b) A station representative may be appointed under this rule in a workplace of:

(i) Industrial Members; and

(ii) Associate Members.

(c) A Station Representative, may subject to this rule, include a Financial Member who:

(i) is an Industrial Member and represents the UFU within a workplace of Industrial Members;

(ii) is an Associate Member and represents the UFU within a workplace of Associate Members; and/or

(iii) is a health and safety representative elected in accordance with the *Work Health and Safety Act 2011* (Qld),

and who has been appointed by the SCM.

(d) A Station Representative will perform the functions determined by the SCM.

(e) The SCM will determine:

(i) the functions to be performed by a Station Representative; and

(ii) how a Station Representative is to conduct themselves in the workplace.

(f) A Station Representative must comply with:

(i) these rules;

(ii) Policies;

(iii) a direction of a Governance Body; and/or

(iv) a direction of a UFU Officer.

(g) The SCM will determine the training and resources to be provided to a Station Representative.

(h) The SCM may determine to terminate the appointment of a Station Representative who fails to comply with:

(i) these rules;

(ii) Policies;

(iii) a direction of a Governance Body; and/or

(iv) a direction of a UFU Officer.

(i) A determination made in accordance with sub-rule (h) is final and cannot, subject to these rules, be appealed.

(j) The SCM may determine, by administrative regulation, in relation to a Station Representative:

(i) the circumstances in which appointment may be made;

(ii) the procedures for appointment;

(iii) how a Station Representative is to conduct themselves in the workplace, and

(iv) training and resources to be provided to a Station Representative.

45. Standing Orders

(a) The following procedures will be adhered to as far as practicable at meetings of the:

(i) UFU;

(ii) SCM;

(iii) Executive;

(iv) Local Branch Representatives; and

(v) Local Branches.

(b) The standing order for meetings under sub-rule (a), other than Special Meetings, is:

(i) attendance and apologies;

(ii) minutes;

(iii) business arising out of minutes;

(iv) business as notified;

(v) correspondence;

(vi) reports; and

(vii) general business on notice.

(c) The standing order for special meetings, which cannot be suspended, will be:

(i) attendance and apologies;

(ii) business as notified.

46. Rules of Debate

(a) The rules of debate set out in **Schedule 2** will be adhered to as far as practicable at all meetings of the:

(i) UFU;

(ii) SCM;

(iii) Executive;

(iv) Local Branch Representatives; and

(v) Local Branches.

47. Chair

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

A	B
Governance Body	SCM; and Executive.

(b) This rule does not apply to a meeting held out of session.

(c) The chair of a meeting of a Governance Body is the President.

(d) Despite sub-rule (c), if the President is either not present within 15 minutes of the time the meeting is to commence, or if present is unable or unwilling to chair, then the Senior Vice-President if present, and able and willing to chair, will chair the meeting.

(e) Despite sub-rule (d), if the Senior Vice-President is either not present within 15 minutes of the time the meeting is to commence, or if present is unable or unwilling to chair, then the Junior Vice-President if present, and able and willing to chair, will chair the meeting.

(f) Despite sub-rule (e), when the Junior Vice-President is to chair and the Junior Vice-President is either not present within 15 minutes of the time the meeting is to commence, or if present is unable or unwilling to chair, then the meeting will elect a member of the Governance Body, in attendance at the meeting, to chair the meeting.

(g) The chair of a meeting of a Local Branch is the Local Branch President.

(h) Despite sub-rule (g), if the Local Branch President is either not present within 15 minutes of the time the meeting is to commence, or if present is unable or unwilling to chair, then the meeting will elect another Local Branch Representative to chair the meeting.

(i) A person chairing a meeting of a Governance Body, or a Local Branch, will:

(i) exercise the powers of a chair under these rules;

(ii) ensure the meeting is conducted with propriety;

(iii) ensure the meeting is conducted with impartiality; and

(iv) take the steps necessary to conduct the business of the meeting effectively and efficiently.

48. Minutes

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

A	B
Governance Body	Executive; SCM; and Local Branch Representatives

(b) The minutes of each meeting of a Governance Body, which are the record of the proceedings and resolutions of meetings of the Governance Body, will be prepared as soon as practicable for the:

(i) SCM and the Executive by the Secretary; and

(ii) Local Branch Representatives by the Local Branch Secretary,

and provided to each member of the respective Governance Body.

(c) Upon confirmation, at the next meeting of the Governance Body, the minutes will be signed by the chair of that meeting.

(d) A copy of the minutes of each Governance Body meeting will, upon their being confirmed:

(i) be provided to each member of the respective Governance Body;

(ii) be stored at, or if kept in electronic form be accessible at, the Principal Office during a business day;

(iii) may be viewed at the Principal Office by a UFU Officer during a business day; and

(iv) are prima facie evidence under these rules of the matters set out in them.

49. UFU Fund

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

A	B
UFU Fund	the property of the UFU under sub-rule (c)

(b) The UFU may raise funds by Annual Fee, Levies, accretions to funds held, by investment and other lawful means.

(c) The UFU Fund consists of:

(i) funds raised under sub-rule (b);

(ii) fines recovered from Industrial Members; and

(iii) assets.

(d) The UFU Fund will be held in a form convenient for attaining the Objects but must be held in the name of the UFU.

(e) Despite sub-rule (d), property held by a UFU Officer, a UFU Employee or a Member, whether expressed to be held in the name of the UFU or not, is held on trust by that person for, and on behalf of, the UFU.

(f) A UFU Officer, a UFU Employee or a Member must account to the UFU for property they hold under sub-rule (e).

(g) Without limitation to these rules, the Secretary may direct a UFU Officer, a UFU Employee or a Member holding property under sub-rule (e) to deliver the property to the UFU, and that person must promptly comply with that demand.

(h) Without limitation to these rules, the SCM may direct the Secretary holding property under sub-rule (e) to deliver the property to the UFU, and the Secretary must promptly comply with that demand.

(i) The UFU Fund may only be disbursed for the management of the UFU and advancing the Objects.

(j) Subject to sub-rule (k), the Secretary together with such other members of the SCM, as the SCM may determine, and subject to Policy, may make investments and withdraw from the UFU Fund as the SCM determines.

(k) Despite sub-rule (j), the SCM may delegate authority to the Secretary to determine withdrawals from the UFU Fund, provided that such delegation provides only for withdrawals in relation to:

(i) recurrent expenditure;

(ii) budgeted expenditure;

(iii) specific expenditure; and/or

(iv) expenditure to a limit.

(l) Without limitation to sub-rule (k) the SCM may determine an administrative regulation to provide for the matters under sub-rule (j).

(m) Withdrawals from the UFU Fund, including by way of cash, cheque and electronic funds transfer, must be authorised by two (2) members of the Executive.

50. Financial Year

(a) The financial year for the UFU is the year commencing 1 July and ending 30 June in the year following.

51. Honoraria

(a) The SCM may grant an honorarium to a member of the Executive.

(b) On the proposal of an honorarium under sub-rule (a) the respective UFU Officer concerned will withdraw from the meeting while the business of the proposed honorarium is dealt with.

52. Reimbursements

(a) The SCM may approve the payment of reasonable out-of-pocket expenses to UFU Officers, Local Branch representatives or Members engaged on UFU business.

(b) Without limitation to sub-rule (a) the SCM may determine an administrative regulation to provide for the matters under sub-rule (a).

53. Loans, Grants and Donations

(a) Notwithstanding anything contained elsewhere in these rules a loan, grant or donation of an amount exceeding $1,000 will not be made by the UFU unless the SCM has satisfied itself:

(i) that the making of the loan, grant or donation is made under these rules; and

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

and has approved the making of the loan, grant or donation.

(b) Despite sub-rule (a), the Secretary may make a financial hardship payment of not more than $3,000 if it is made on condition that, if the SCM at its next meeting does not approve the payment, it must be repaid as decided by the SCM.

(c) Without limitation to sub-rule (a) the SCM may determine an administrative regulation to provide for the matters under sub-rule (a).

54. Audit of UFU Funds

(a) An Auditor, qualified to audit the UFU under the Act, will be appointed by the SCM.

(b) The appointment of the auditor under sub-rule (a) is, to the extent permitted by the Act and subject to sub-rule (c), a standing appointment.

(c) The appointment under sub-rule (a) will continue unless the Auditor:

(i) resigns;

(ii) dies; or

(iii) is removed by the SCM,

and the SCM will, on the happening of an event under paragraphs (i) to (iii) (inclusive) and as soon as practicable, replace the Auditor under sub-rule (a) .

(d) The Auditor will each financial year as required under the Act:

(i) audit the UFU; and

(ii) promptly present the audited reports to the Secretary.

55. Returning Officer

(a) The SCM will, subject to the Act, appoint a Returning Officer when required.

(b) The Returning Officer will not be:

(i) the holder of an office in; or

(ii) an employee of,

the UFU.

(c) The Returning Officer will be responsible for the conduct of ballots of the UFU as required under these rules, except where an election for an office must be conducted by a Returning Officer to be appointed under the Act.

(d) The Returning Officer will:

(i) not influence, or attempt to influence, the outcome of a ballot;

(ii) take actions and give directions they consider reasonably necessary to ensure that:

A. the processes under which the ballot is conducted are transparent;

B. no irregularities happen in the ballot; or

C. procedural defects that appear, to the Returning Officer, to exist in the ballot are remedied.

(e) In the event of a Returning Officer being unable to discharge the duties of the Returning Officer the SCM will appoint a replacement Returning Officer.

(f) The SCM will appoint a Deputy Returning Officer if required to assist the Returning Officer.

(g) A Deputy Returning Officer will not be:

(i) the holder of an office in; or

(ii) an employee of,

the UFU.

(h) The Returning Officer may delegate a power of the Returning Officer under these rules to a Deputy Returning Officer.

(i) A decision of the Returning Officer under these rules relating to the holding of a ballot is final.

56. Election of UFU Officers

(a) The UFU Officers will, commencing in 2025, be elected every four (4) years.

(b) A UFU Officer holds office until their successor is elected in elections held under these rules, unless they:

(i) resign from office;

(ii) resign from membership of the UFU;

(iii) are no longer eligible to nominate as a candidate for their office;

(iv) become unfinancial under these rules, subject to sub-rule 25(i);

(v) are removed from the office under these rules;

(vi) become permanently incapacitated; and/or

(vii) die;

provided that a Firefighter Delegate, who becomes employed as a Station Officer in the Region for which they hold office, may continue to hold office as a Firefighter Delegate for that Region.

(c) The UFU Officers are to be elected as follows:

(i) a President elected by, and from, the Financial Industrial Members;

(ii) a:

A. Senior Vice-President; and

B. Junior Vice-President,

elected by, and from, the Financial Industrial Members;

(iii) a Secretary elected by, and from, the Financial Industrial Members;

(iv) an Assistant Secretary elected by, and from, the Financial Industrial Members;

(v) three (3) Executive Members elected by, and from, the Financial Industrial Members;

(vi) Firefighter Delegates elected under sub-rule (d) in each Region by, and from, the Financial Industrial Members belonging to that Region, other than Fire Communications Officers, Senior Officers and Auxiliary Firefighters;

(vii) Station Officer Delegates elected under sub-rule (e) in each Region by, and from, the Financial Industrial Members belonging to that Region, other than Fire Communications Officers, Senior Officers and Auxiliary Firefighters;

(viii) Fire Communications Officer Delegates elected under sub-rule (f) by, and from, Financial Industrial Members who are Fire Communications Officers;

(ix) Senior Officer Delegates elected, under sub-rule (g), by, and from, Financial Industrial Members who are Senior Officers; and

(x) Auxiliary Firefighters Delegates, elected in accordance with sub-rule (h), by, and from, Financial Industrial Members who are Auxiliary Firefighters.

(d) For the purpose of this rule, where the number of Firefighter Delegates who are Financial Industrial Members attached to a Region is set out in column A the number of Firefighter Delegates to be elected from that Region is set out opposite in column B:

A	B
1 - 200	1
201 - 400	2
401 - 600	3
601 - 800	4
801 - 1000	5
1001 - 1200	6

(e) For the purpose of this rule, where the number of Station Officers who are Financial Industrial Members attached to a Region is set out in column A the number of Station Officer Delegates to be elected from that Region is set out opposite in column B:

A	B
1 - 200	1
201 - 400	2
401 - 600	3
601 - 800	4

(f) For the purpose of this rule, where the number of Fire Communications Officers who are Financial Industrial Members attached to a Region is set out in column A the number of Fire Communications Officer Delegates to be elected from that Region is set out opposite in column B:

A	B
50 - 200	1
201 - 400	2
401 - 600	3
601 - 800	4

(g) For the purpose of this rule, where the number of Senior Officers who are Financial Industrial Members attached to a Region is set out in column A the number of Senior Officer Delegates to be elected from that Region is set out opposite in column B:

A	B
50 - 200	1
201 - 400	2

(h) The number of Auxiliary firefighter Delegates to be elected is two (2), provided that one (1) Auxiliary firefighter Delegate (**'Auxiliary firefighter Delegate (South)'**) is to be elected by the Auxiliary Firefighters who are Financial Industrial Members employed at stations within the North Coast, Brisbane, South Eastern and South Western Regions, and one (1) Auxiliary firefighter Delegate (**'Auxiliary firefighter Delegate (North)'**) is to be elected by the Auxiliary Firefighters who are Financial Industrial Members employed at stations within Far Northern, Northern and Central Regions.

(i) Each Financial Industrial Member in a Region other than a Fire Communications Officer, Senior Officer or Auxiliary Firefighter, is entitled to vote for both the Firefighter Delegate and Station Officer Delegate for that Region.

57. Candidates

(a) A candidate seeking election to a UFU Office must be an Industrial Member who, subject to this rule, at the closing day of nominations:

(i) has, if nominating for an office of the Executive, for the three (3) years prior to the closing date of nominations, been continuously financial or is a Life Member working in a Calling;

(ii) has for the two (2) years prior to the closing date of nominations, been continuously financial or is a Life Member working in a Calling;

(iii) does not hold an honorary office and/or a paid position in another association, organisation or union with industrial objects; and

(iv) works as a Firefighter, Station Officer, Senior Officer, Fire Communications Officer, Auxiliary Firefighter or holds the office of Secretary.

(b) A candidate must:

(i) be nominated in writing by two (2) Financial Industrial Members other than the candidate; and

(ii) accept the nomination in writing.

(c) Only a Financial Industrial Member within a Region may nominate a candidate for a UFU Office to be elected by, and from, the Financial Industrial Members belonging to that Region.

(d) Subject to this rule a Financial Industrial Member may become a candidate for:

(i) President;

(ii) Senior Vice-President;

(iii) Junior Vice-President;

(iv) Secretary;

(v) Assistant Secretary; and/or

(vi) Executive Member.

(e) Subject to this rule, only a Financial Industrial Member who, at the closing date of nominations for a UFU Office elected by, and from, the Financial Industrial Members belonging to a Region, belong to that respective Region may be a candidate for that office.

(f) Subject to this rule and for the purposes of sub-rule (e), a Financial Industrial Member who has been seconded to work outside of the Region belongs to the Region in which they were usually employed immediately prior to the secondment.

(g) Subject to this rule, only a Financial Industrial Member who is a Firefighter at the closing date of nominations is eligible to nominate as a Firefighter Delegate.

(h) Subject to this rule, only a Financial Industrial Member who is a Station Officer at the closing date of nominations is eligible to nominate as a Station Officer Delegate.

(i) Subject to this rule, only a Financial Industrial Member who is employed as a Fire Communications Officer at the closing date of nominations is eligible to nominate as a Fire Communications Officer Delegate.

(j) Subject to this rule, only a Financial Industrial Member who is a Senior Officer at the closing date of nominations is eligible to nominate as a Senior Officer Delegate.

(k) Subject to this rule, only a Financial Industrial Member who is an Auxiliary Firefighter attached to a station within the North Coast, Brisbane, South Eastern and South Western Regions at the closing date of nominations is eligible to nominate as the Auxiliary Firefighter Delegate (South).

(l) Subject to this rule, only a Financial Industrial Member who is an Auxiliary Firefighter attached to a station within the Far Northern, Northern and Central Regions at the closing date of nominations is eligible to nominate as the Auxiliary Firefighter Delegate (North).

58. Casual Vacancies

(a) A casual vacancy will occur in a UFU Office where the holder of an office:

(i) resigns from the office;

(ii) resigns from membership of the UFU;

(iii) is no longer eligible to nominate as a candidate for the office;

(iv) becomes unfinancial under these rules, subject to sub-rule 25(i);

(v) is removed from the office under these rules;

(vi) becomes permanently incapacitated; and/or

(vii) dies,

provided that a Firefighter Delegate who becomes employed as a Station Officer in the Region for which they hold office, may for the Quadrennial Term continue to hold office as a Firefighter Delegate for that Region.

(b) A casual vacancy will be filled under this rule.

(c) Where a casual vacancy occurs and less than 12 months of the respective Quadrennial Term has elapsed, the vacancy must be filled by an election conducted under these rules.

(d) Where a casual vacancy occurs and more than 12 months of the respective Quadrennial Term has elapsed, then the vacancy will be filled by appointment by the SCM with a person who is eligible under these rules to nominate for the respective office.

(e) A UFU Officer elected, or appointed, under this rule holds office under these rules for the balance of the respective Quadrennial Term.

(f) Where a casual vacancy occurs in a position of a Local Branch Representative it will be filled by appointment by the respective Local Branch Representatives with a person who is eligible under these rules to nominate for the respective position.

(g) A Local Branch Representative appointed to a position under this-rule holds that position, subject to these rules, for the balance of the respective Quadrennial Term.

59. Copy of the Rules

(a) An Industrial Member is entitled, in accordance with the Act, to request from the Secretary a:

(i) copy of these rules;

(ii) amendments made to these rules since a specified time; and

(iii) a list of the persons holding office in the UFU.

(b) A Financial Industrial Member may inspect the registers, minutes and Financial Records of the UFU in accordance with the Act.

(c) Where the SCM has determined under these rules to apply a code of conduct to Members, then a copy of that code must be placed on the UFU Website and a copy provided to a Member requesting the code.

60. Seal

(a) The UFU will have a common seal.

(b) The common seal of the UFU will be kept at the Principal Office.

(c) The SCM may authorize the affixing of the common seal to a document.

(d) The common seal when affixed will be signed by two (2) members of the SCM, at least one (1) of whom will be the:

(i) President; or

(ii) Secretary.

61. Executing Documents

(a) Documents not required to be under seal may be executed on behalf of the UFU by:

(i) the Secretary or the President; and

(ii) another member of the Executive.

62. Industrial Disputes

(a) Where an industrial dispute, within the meaning of the Act, exists and where that dispute remains unresolved then the Secretary will give notice of the dispute as required by the Act.

63. Giving Notice

(a) A notice to be given under these rules to a Member can be given, unless otherwise required by these rules or the Act, by:

(i) placing it in a UFU Publication;

(ii) placing it on the UFU Website;

(iii) in the case of an Industrial Member or an Associate Member being posted at a conspicuous place at the member's place of employment;

(iv) the post;

(v) an e-mail;

(vi) a text message; and/or

(vii) another means by which notice can be given to bring the notice, as far as is practicable, to the attention of a respective Member.

(b) A notice delivered by the UFU in accordance with a Member's Member Information is, for the purposes of these rules, deemed to have been received by the respective member.

(c) The non-receipt of a notice by a Member does not invalidate a meeting held in accordance with a respective notice.

64. Amendment of Rules

(a) A member of the SCM may, subject to sub-rule (b), request that the SCM:

(i) at an Ordinary Meeting;

(ii) at a Special Meeting; or

(iii) by an Out of Session ballot,

determine to amend these rules.

(b) Despite sub-rule (a) and rule 39, if the Secretary considers that an amendment to the rules must occur urgently then the SCM may determine to do so by an out of session ballot, where the ballot must remain open until either:

(i) sufficient members of the SCM have voted and a majority have approved, or disapproved, the proposed amendment; or

(ii) seven (7) days have elapsed from the commencement of the ballot.

(c) The members of the SCM must be given a copy of the proposed amendment, with respectively the notice of the meeting or the request for an out of session ballot, as the case may be.

65. Administrative Regulations

(a) The SCM may determine to make, or amend, administrative regulations for the administration of the UFU.

(b) An Administrative Regulation has effect according to its terms and provides, under those terms, for the delegation of the authority of the SCM.

66. Indemnity and Insurance

(a) The UFU is responsible for the authorised acts of a UFU Officer or a UFU Employee and will indemnify UFU Officers and UFU Employees in respect of payments made and liabilities incurred by them, if the act, payment or liability respectively performed, made or incurred by a UFU Officer or a UFU Employee was:

(i) within the scope of the UFU Officer's or the UFU Employee's authority;

(ii) in the ordinary and proper conduct of the business of the UFU;

(iii) in the honest and reasonable discharge of the UFU Officer's or the UFU Employee's respective office or employment; and

(iv) in good faith.

(b) The UFU will, subject to the provisions contained in sub-rule (a), indemnify the persons mentioned in sub-rule (a) against liability for a loss or damage, though the loss or damage may

have occurred by reason of negligence, a reasonable mistake, error, oversight or omission on the part of the person concerned.

(c) To the extent permitted by the Act, the UFU may insure and/or pay a premium on a policy of insurance for the UFU Officers and UFU Employees against liability that the UFU indemnifies a UFU Officer or a UFU Employee for under this rule.

(d) A UFU Officer may vote in favour of a resolution that the UFU grant an indemnity pursuant to sub-rule (b), take insurance and/or pay the premiums on an insurance policy pursuant to sub-rule (c), even though the officer has a direct and material interest in the outcome of the resolution.

(e) Nothing in this rule prevents the SCM from indemnifying persons who are not the subject of the indemnity provided under this rule.

67. Plebiscite

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

A	B
Section	a group of Financial Industrial Members who: are Firefighters; are Station Officers; are Fire Communications Officers; are Senior Officers; are Auxiliary Firefighters; or belong to a respective Region

(b) The Secretary will, on receipt of a request in writing signed by 20 per cent of:

(i) the Financial Industrial Members, or

(ii) a Section,

conduct a plebiscite of the Financial Industrial Members or the Section, as the case may be, on a matter concerning the Financial Industrial Members or the Section.

(c) The SCM may direct the conduct of a plebiscite of:

(i) the Financial Industrial Members; or

(ii) a Section,

on a matter respectively concerning the Financial Industrial Members or the Section, as the case may be.

(d) Despite sub-rules (b) and (c) a plebiscite of a Section cannot occur if the outcome of the plebiscite would impact on Financial Industrial Members other than those in the Section.

(e) A plebiscite will, subject to this rule, be:

(i) conducted by secret ballot by the Returning Officer in accordance with this rule; and

(ii) will be completed within two (2) months, in the case of a plebiscite:

A. requested under sub-rule (b), of the receipt by the Secretary of the request; and

B. directed under sub-rule (c), of the direction by the SCM.

(f) Subject to this rule, where a:

(i) request has been received under sub-rule (b); or

(ii) direction given under sub-rule (c),

the SCM will not, so far as is practicable, until the completion of the plebiscite, act in relation to the matter the subject of the plebiscite.

(g) Where a:

(i) request is received under sub-rule (b); or

(ii) direction given under sub-rule (c),

the Secretary will advise the Returning Officer.

(h) The Returning Officer, when advised by the Secretary under sub-rule (g), will in accordance with these rules:

(i) conduct the ballot; and

(ii) take reasonable, and practicable, steps to ensure the secrecy of the ballot.

(i) The Returning Officer will determine the opening and closing days of the ballot.

(j) The Returning Officer will:

(i) on the opening day forward to each Financial Industrial Member, or the Financial Industrial Members in a Section, as the case may be:

A. a ballot paper bearing:

(a) the Returning Officer's signature; and

(b) the question to voters in relation to the matter the subject of the plebiscite;

B. a reply-paid return envelope addressed to the Returning Officer;

C. a ballot envelope; and

D. directions to voters.

(k) Without limitation to the directions that the Returning Officer may give voters under this rule, the Returning Officer will give a direction to a voter that:

(i) the voter must not make a mark on the ballot paper which will identify them; and

(ii) a mark that identifies a voter will render their vote informal.

(l) The SCM and, where the plebiscite is held following a request pursuant to sub-rule (b), the Members who requested the plebiscite may each appoint two (2) scrutineers for the conduct of the ballot and will, before the opening of the ballot, advise the Returning Officer of the name of each scrutineer.

(m) Subject to this rule a scrutineer, appointed under this rule, may be present when the Returning Officer conducts a step in the ballot, other than issuing replacement ballots, following the issue of the ballot papers.

(n) A scrutineer, appointed under this rule, must observe a direction, relating to the ballot, given by the Returning Officer during the conduct of the ballot.

(o) A voter will:

(i) cast a vote in the ballot by completing the ballot paper forwarded to the voter under this rule in accordance with the directions to voters; and

(ii) forward the ballot paper, in accordance with the directions to voters, to reach the Returning Officer no later than the closing day.

(p) The Returning Officer, in a way that as far as is reasonable and practicable preserves the secrecy of the ballot, will:

(i) open the ballots;

(ii) count the vote; and

(iii) determine whether a ballot paper is to be counted in the ballot as sufficiently expressing a voter's attitude to the question the subject of the plebiscite.

(q) A vote cast will be informal if the intention of the voter is not clear.

(r) On completion of counting the ballot the Returning Officer will declare the result of the plebiscite by advising the Secretary in writing of the number:

(i) of ballot papers forwarded to voters;

(ii) of ballot papers returned by voters;

(iii) of formal votes;

(iv) of informal votes;

(v) votes approving the question submitted to plebiscite; and

(vi) votes not approving the question submitted to plebiscite.

(s) If a majority of the Industrial Members voting at a plebiscite approve the question submitted to plebiscite, the SCM will, so far as is practicable, implement the matter approved.

(t) If the vote in relation to the question submitted to plebiscite is tied, the matter the subject of the plebiscite will not, as a result of the plebiscite, be implemented.

(u) Provided that the SCM may, when the Secretary receives a request under sub-rule (b), adopt the proposal contained in the request and if it does so no plebiscite is required.

(v) The Returning Officer may for the conduct of a ballot under this rule, where it is practicable to do so, use an electronic balloting system as an alternative to the paper balloting system, provided that the electronic balloting system used must ensure the security and secrecy of the ballot to the same extent that this rule provides.

(w) If the Returning Officer conducts the ballot under sub-rule (v) the Returning Officer may conduct the ballot partly by means of an electronic balloting system and partly by means of a paper balloting system as is otherwise provided by this rule so as to ensure that each Industrial Member entitled to vote in a ballot under this rule is given the opportunity to vote.

68. Misconduct of Industrial Members

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

A	B
Agent	an agent appointed by the UFU
Bond	a sum of $300.00, or another amount as the SCM determines, which, subject to this rule, will be refundable
Charge	a charge made under sub-rule (b)
Charged Member	a member charged under sub-rule (b)
Governance Body	SCM; Executive; and a UFU Officer
Notice	a notice that is in writing and sets out the: Charge; Particulars;

	name of the person Charging; and Process
Particulars	sufficient particulars so that the matters and circumstances of the Charge are clear
Process	the process made under sub-rule (f)

(b) A Financial Industrial Member may charge a Member with:

(i) tampering with, falsifying or otherwise wilfully misusing membership cards, books or Documents of the UFU;

(ii) contrary to these rules obtaining or keeping the possession of books, Documents or property belonging to the UFU;

(iii) knowingly failing to comply with these rules;

(iv) knowingly failing to comply with a resolution or direction of a Governance Body binding on them;

(v) failing to carry out and comply with, or acting in contravention of, an Industrial Instrument binding on an Industrial Member;

(vi) grossly misbehaving as a Member;

(vii) misappropriating the funds of the UFU;

(viii) substantially breaching these rules;

(ix) acting in a disorderly and/or offensive manner at a meeting held under these rules;

(x) obstructing a Governance Body, a UFU Employee, an Agent or other lawful representative of the UFU in the performance of the functions of the UFU;

(xi) giving false or misleading information to a Governance Body, a UFU Employee, an Agent or other lawful representative of the UFU on a matter;

(xii) obstructing, insulting or behaving in an offensive manner towards a UFU Officer in the course of the officer's duties;

(xiii) obstructing, insulting or behaving in an offensive manner towards a UFU Employee in the course of the employee's duties;

(xiv) wrongfully holding themselves out as occupying a UFU Office, or as being entitled to represent the UFU, provided that it will be a defence to this charge that the member honestly believed on reasonable grounds that they were entitled to act in that UFU Office or as a representative;

(xv) aiding or encouraging a Member to breach these rules;

(xvi) encouraging a Member to resign from the UFU;

(xvii) knowingly encouraging a Member to join a body, an association, organisation or corporation which is in competition with the UFU;

(xviii) wrongfully causing injury to the reputation of the UFU, a UFU Officer, a UFU Employee, Agent, other lawful representative of the UFU or a Member;

(xix) knowingly making a false allegation against the UFU, a UFU Officer, a UFU Employee, Agent, other lawful representative of the UFU or a Member;

(xx) knowingly conducting themselves in a way that is calculated to bring the UFU, a UFU Officer, a UFU Employee, Agent, other lawful representative of the UFU or a Member into disrepute;

(xxi) distributing to Members a statement concerning the activities of the UFU or a Member, knowing the statement to be false;

(xxii) engaging in conduct which has the effect of harassing or victimising a Member because that member engages in lawful union activities;

(xxiii) after, having been reasonably requested to assist, failing to assist a Governance Body, a UFU Officer, a UFU Employee, Agent or other lawful representative of the UFU in the performance of the functions of the UFU;

(xxiv) after, having been reasonably requested to assist, failing to assist a UFU Officer or UFU Employee in the course of the officer's or employee's duties;

(xxv) refusing to comply with the directions of a Governance Body to show cause to a meeting of the Governance Body why the respective member should not be suspended from membership or expelled from the UFU;

(xxvi) lending, or selling, to some other person their membership card or other document used to identify a person as a Member;

(xxvii) if the Member is a UFU Officer, of failing, despite a request from the President to do so and having a reasonable opportunity to do so, to comply with their financial management training obligations under the Act; and/or

(xxviii) breaching the UFU Code of Conduct.

(c) A member making a Charge must provide the Secretary in writing with the:

(i) Charge;

(ii) Particulars; and

(iii) Bond.

(d) The Secretary must, within 28 days, notify the SCM of the Charge.

(e) The SCM must, as soon as is practicable, hear and determine the Charge.

(f) Having regard to the circumstances, the SCM will determine the process to apply for it to discharge its obligation under sub-rule (e) to ensure the Charged Member is provided with natural justice and will consider matters including:

(i) whether to conduct an oral hearing or receive written submission;

(ii) if an oral hearing is to be conducted, whether this is to be in person or by telephone and/or videolink or any combination of these;

(iii) when, and where, any hearing is to occur;

(iv) whether there are interlocutory matters to be determined and if so whether by written submission or at an oral hearing;

(v) whether it will consider evidence from persons, whether Members or not, and if so the means by which it will consider such evidence; and

(vi) how, and when, it will receive material relevant to the Charge.

(g) The SCM will, having regard to its determinations under sub-rule (f), issue directions for the conduct of the hearing and determination of the Charge.

(h) The SCM will provide the Charged Member with a Notice.

(i) In the hearing of the Charge, the Secretary will be the prosecutor but will not otherwise participate in determining the Charge.

(j) A Charge may, subject to any determination under sub-rule (f), be determined in the absence of the Charged Member.

(k) If the SCM determines that the Charged Member is guilty of a Charge, then the SCM will give the member an appropriate opportunity to make submission on penalty, and the SCM may determine to receive such submissions orally at a hearing or in writing.

(l) The Executive may, where it finds the Charged Member guilty of a Charge, determine to:

(i) impose no penalty;

(ii) fine the Member a sum not exceeding $1000.00;

(iii) remove the Member to the suspension list, provided that the member may only remain on the suspension list for a period of 12 months, at which time they must either be reinstated to membership or have the circumstances of their suspension reviewed by the SCM for the purposes of continuing the suspension for further periods of 12 months or reinstatement to membership; or

(iv) expel the Member from the UFU.

(m) A Charged Member may, in relation to any oral hearing of a Charge, including submissions on penalty, be represented by a Financial Industrial Member, but by no other person.

(n) The SCM must provide the Charged Member with its determination, whether as to guilt, or penalty, or both, in writing.

(o) If the SCM finds the Charged Member guilty, then the Bond must be repaid to the Financial Industrial Member who made the Charge.

(p) If the SCM finds the Charged Member not guilty, then the Bond will be forfeited to the UFU and paid to the UFU Fund.

(q) If it is the Secretary that is charged, the President, will act in the Secretary's place for the purpose of this rule.

(r) Where a Member is fined under this rule, the Member is required to pay the fine within 14 days of having been notified, in writing, of the imposition of the fine.

(s) A member who is removed to the suspension list, in accordance with this rule is, whilst on the suspension list:

(i) not entitled to exercise their membership rights; and

(ii) liable for the payment of the Annual Fee, Levies and fines.

69. Misconduct of UFU Officers

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

A	B
Charge	a charge made under sub-rule (b)
Charged Officer	a UFU Officer Charged under this rule
Notice	a notice that is in writing and sets out the: Charge; Particulars; name of the person Charging; and Process
Particulars	sufficient particulars so that the matters and circumstances of the Charge are clear
Process	the process made under sub-rule (g)

(b) A UFU Officer may only be removed from office where:

(i) the UFU Officer has been charged and found guilty under these rules, of:

A. misappropriation of the funds of the UFU;

B. a substantial breach of these rules; or

C. gross misbehaviour or gross neglect of duty; or

(ii) where the UFU Officer has ceased, under these rules to be eligible to hold the respective office.

(c) Only a Financial Industrial Member may Charge a UFU Officer.

(d) A Financial Industrial Member charging a UFU Officer must provide the Secretary in writing with the:

(i) Charge; and

(ii) Particulars.

(e) The Secretary must, within 28 days, notify the SCM of the Charge.

(f) The SCM must, as soon as is practicable, hear and determine the Charge.

(g) Having regard to the circumstances, the SCM will determine the process to apply for it to discharge its obligation under sub-rule (f) to ensure the Charged Officer is provided with natural justice and will consider matters including:

(i) whether to conduct an oral hearing or receive written submission;

(ii) if an oral hearing is to be conducted whether this is to be in person or by telephone and/or videolink or any combination of these;

(iii) when, and where, any hearing is to occur;

(iv) whether there are interlocutory matters to be determined and if so whether by written submission or at an oral hearing;

(v) whether it will consider evidence from any persons, whether Members or not, and if so the means by which it will consider such evidence; and

(vi) how, and when, it will receive material relevant to the Charge.

(h) The SCM will, having regard to its determinations under sub-rule (g), issue directions for the conduct of the hearing and determination of the Charge.

(i) The SCM will provide the Charged Officer with a Notice.

(j) In the hearing of the Charge the Secretary will be the prosecutor but will not otherwise participate in determining the Charge.

(k) A Charge may, subject to any determination under sub-rule (g), be determined in the absence of the Charged Officer.

(l) If the SCM determines that the Charged Officer is guilty, then the SCM will give the officer an appropriate opportunity to make submission on penalty, and the SCM may determine to receive such submissions orally at a hearing or in writing.

(m) The SCM may, where it finds the Charged Officer guilty, determine to:

(i) censure the officer;

(ii) suspend the officer from their UFU Office for a period not exceeding 90 days; or

(iii) remove the officer from their UFU Office.

(n) A Charged Officer, may in relation to any oral hearing of a Charge, including submissions on penalty, be represented by another Financial Industrial Member, but by no other person.

(o) The SCM must provide the Charged Officer with its determination whether as to guilt, or penalty, or both in writing.

(p) If it is the Secretary that is charged, the President will act in the Secretary's place for the purpose of this rule.

70. Appeals from a Determination of the Executive Under Rules 68 or 69

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

A	B
Appellant	the member appealing
Determination	a determination of the Executive of guilt and penalty under rules 68 or 69
Notice of Appeal	the notice given under sub-rule (c)

(b) A member who has had a Determination made against them by the Executive may appeal the Determination to the SCM, and the SCM will review the Determination.

(c) Notice of the appeal must be given to the Secretary, by the member concerned, in writing within seven (7) days of the member being given notice of the Determination.

(d) The notice of appeal under sub-rule (c) must set out the:

(i) facts and matters that the member seeks to appeal; and

(ii) grounds of the appeal.

(e) The appeal is to be conducted by written submission.

(f) Having regard to the circumstances, the SCM will determine the process to apply to the appeal to ensure the Appellant is provided natural justice and will consider matters including the issuing of directions for the making of written submissions.

(g) An appeal may be determined, whether or not the Appellant has provided submissions, but not before the Appellant has been given notice of the matters in sub-rule (f).

(h) The SCM will determine whether the Appeal is granted and may, if granting the Appeal and subject to sub-rule (f):

(i) refer the Charge back to the Executive for its determination; or

(ii) make its own determination of the Charge.

(i) In the event that it is the Secretary that is charged, the President will act in the Secretary's place for the purpose of this rule.

(j) A determination by the SCM under rules 68 and 69 is final.

(k) A determination of the SCM under this rule is final.

71. Affiliation

(a) The SCM may by resolution affiliate the UFU with associations or organisations having objects compatible with the Objects.

72. Dissolution

(a) Should the number of Financial Industrial Members fall below seven (7), the UFU will be wound-up and its liabilities are to be discharged.

(b) In the event of a dissolution, all assets, after payment of all debts, will be held in trust by the remaining UFU Officers until a new entity with objects similar to the Objects and seven (7) or

more members can be formed, and the assets held in trust will then be transferred to that new entity.

73. Transitional Rule

(a) The purpose of this rule is to provide for:

(i) the conduct of the first Quadrennial Elections for the Offices in the year 2021;

(ii) the conduct of the first Quadrennial Elections for positions on a Local Branch in the year 2021; and

(iii) other matters of a transitional nature.

(b) In this rule the words in column A have the meaning assigned opposite in column B:

A	B
Certification Day	the day on which this rule is certified under the Act
Declaration Day	the date on which the Inaugural Election for UFU Offices are declared in accordance with the Post-Amendment Rules
UFU Officer	a person who held an office of the UFU on the day immediately preceding Certification Day
Inaugural Election	the first Quadrennial Election for the UFU Offices and positions to be conducted in 2021
Local Branch Declaration Day	the date on which the Inaugural Election for positions are declared in accordance with the Post-Amendment Rules
Post-Amendment Rules	the rules of the UFU on the day immediately following Certification Day, other than this Transitional Rule
Pre-Amendment Rules	the rules of the UFU on the day immediately preceding Certification Day
Transitional Rule	this rule 73

(c) This Transitional Rule will:

(i) apply on, and from, Certification Day notwithstanding other provisions of the:

A. Pre-Amendment Rules; and/or

B. Post-Amendment Rules;

(ii) prevail to the extent of an inconsistency with the Pre-Amendment Rules or the Post-Amendment Rules; and

(iii) provide for the conduct of the Inaugural Election.

(d) The election for the officers who will take office following the Inaugural Election, will be conducted:

(i) by an electoral officer from the Electoral Commission Queensland; and

(ii) in accordance with the:

A. Post-Amendment Rules; and

B. this Transitional Rule.

(e) The election for the persons who will hold a position following the Inaugural Election, will be conducted:

(i) by a Returning Officer appointed under the Post-Amendment Rules; and

(ii) in accordance with the:

A. Post-Amendment Rules; and

B. this Transitional Rule.

(f) For the purposes of the Inaugural Election the offices to be elected are the UFU Offices of:

(i) President;

(ii) Senior Vice-President;

(iii) Junior Vice-President;

(iv) Secretary;

(v) Assistant Secretary;

(vi) Executive Members;

(vii) Firefighter Delegates;

(viii) Station Officer Delegates;

(ix) Fire Communications Officer Delegates;

(x) Senior Officer Delegates;

(xi) Auxiliary Firefighter Delegate (South); and

(xii) Auxiliary Firefighter Delegate (North).

(g) The Inaugural Election, in so far as the election for UFU Officers under the Post-Amendment Rules are concerned, may be conducted:

(i) prior to the conclusion of the Triennial Term of office under the Pre-Amendment Rules; and/or

(ii) in accordance with the timetable provided by the Pre-Amendment rules for the conduct of Triennial Elections,

as the SCM determines.

(h) For the purposes of the Inaugural Election the positions to be elected are the Local Branch Representatives of a Local Branch.

(i) On Declaration Day, those officers to take office are the:

(i) President;

(ii) Senior Vice-President;

(iii) Junior Vice-President;

(iv) Secretary;

(v) Assistant Secretary;

(vi) Executive Members;

(vii) Firefighter Delegates;

(viii) Station Officer Delegates;

(ix) Fire Communications Officer Delegates;

(x) Senior Officer Delegates;

(xi) Auxiliary Firefighter Delegate (South); and

(xii) Auxiliary Firefighter Delegate (North).

(j) On Local Branch Declaration Day, those persons to hold a position will be the Local Branch Representatives elected for a Local Branch.

(k) The persons who held office as officers of the UFU on the day following Certification Day continue, subject to sub-rule (m), to hold office, to exercise their powers, perform their duties and discharge their obligations under the Pre-Amendment Rules.

(l) The persons who held a position in a Branch of the UFU on the day following Certification Day continue, subject to sub-rule (m), to hold that position, perform their duties and discharge their obligations under the Pre-Amendment Rules.

(m) The Inaugural Election is to be conducted under the Post-Amendment Rules.

(n) The UFU Officers declared to hold office on Declaration Day, will exercise their powers, perform their duties and discharge their obligations under the Post-Amendment Rules.

(o) The persons declared to hold a position on Local Branch Declaration Day, will perform their duties and discharge their obligations under the Post-Amendment Rules.

Schedule 1
Electoral Procedure Rules

1. Conduct of Ballot

(a) For the purpose of these Electoral Procedure Rules the words in column A have the meaning assigned opposite in column B:

A	B
Ballot Box	a Ballot Box kept under rule 16
Candidate	a person: who has nominated as a candidate for the UFU Office the election is about; and whose nomination has been accepted under sub-rule 7(c); and whose nomination has not been withdrawn
Eligible Member	a person who was a Financial Industrial Member 30 days before the opening of nominations
Higher Office	for the office of Senior Vice-President - the office of President; for the office of Junior Vice-President - the office of President and Senior Vice-President; for the office of Secretary - the office of President, Senior Vice-President and Junior Vice-President; for the office of Assistant Secretary - the office of President, Senior Vice-President, Junior Vice-President and Secretary; for the office of Executive Member - the office of President, Senior Vice-President, Junior Vice-President, Secretary and Assistant Secretary; and for the office of delegates to the SCM - the office of President, Senior Vice-President, Junior Vice-President, Secretary, Assistant Secretary and Executive Member
Initialed	the initials of the Manager and includes being marked with a facsimile of the Manager's initials
Manager	the manager of an election being the person appointed in accordance with the Act to manage and conduct an election required by these rules
Member	is an Industrial Member under the UFU Rules
Return Envelope	has the meaning under paragraph 15(a)(ii)
Roll	for an election means the Roll of Voters prepared for an election under rule 11
Scrutineer	a Candidate who acts personally as a Scrutineer; or a person appointed as a Scrutineer for a Candidate under rule 22
Voter	a person: who is an Eligible Member; and

	whose name is on the Roll
Voting Material	has the meaning under sub-rule 15(a)
UFU Rule	a rule of the rules of the United Firefighters' Union of Australia, Union of Employees, Queensland other than those matters provided for in the Schedules to those rules

2. Interpretation

(a) A word or expression used in these Electoral Procedure Rules that has been given a meaning under the UFU Rules has the same meaning in these Electoral Procedure Rules.

(b) A reference in these Electoral Procedure Rules to a:

(i) 'rule' is a reference to a rule in these Electoral Procedure Rules;

(ii) 'sub-rule' means a sub-rule of the rule in which the reference to the sub-rule is made; and

(iii) 'paragraph' means a paragraph of the sub-rule in which the reference to the paragraph is made.

(c) Unless the context provides otherwise, these Electoral Procedure Rules are to be interpreted in the same way as the UFU Rules.

(d) If there is an inconsistency between these Electoral Procedure Rules and the UFU Rules, these Electoral Procedure Rules will, to the extent of the inconsistency, prevail.

3. Manager — Functions and Powers

(a) The Manager:

(i) must not influence, or attempt to influence, the outcome of an election;

(ii) must conduct an election under these Electoral Procedure Rules;

(iii) may take the action, and give the directions, the Manager considers reasonably necessary to ensure that the processes under which an election is conducted are transparent; and

(iv) must ensure suitable arrangements are made with Australia Post for the return of ballot papers to a box or locked bag at a post office.

(b) The Manager, other than an electoral officer, may take the action, and give the directions, the Manager reasonably considers necessary:

(i) to ensure no irregularities happen in the election; or

(ii) to remedy a procedural defect that appears to the Manager to exist about the election.

(c) To ensure the integrity of an election, the address for return of ballot papers must not be the UFU's usual postal address.

4. Closing Day and Time for Nominations

(a) The Manager must fix the opening day and closing day for nominations for office.

(b) The closing day must be at least 28 days after notice is given under rule 6.

(c) Nominations open at midday on the opening day and close at midday on the closing day.

5. Starting and Finishing Days of Ballot

(a) If a ballot becomes necessary under rule 9, the Manager must fix the start and finish days for the ballot to decide the result of the election.

(b) The start day must not be before the closing day for nominations for the offices to be filled at the election.

6. Calling for Nominations

(a) The Manager must call for nominations for the offices to be filled by notice given to Members in one of the following ways:

(i) by post to each Member at the address recorded in the Membership Register;

(ii) if the UFU publishes a journal or newsletter that it gives to its Members free of charge, by advertisement in that journal or newsletter; or

(iii) in a daily newspaper circulating in the area where the Members live or work.

(b) The notice must state:

(i) the opening day for nominations;

(ii) the closing day for nominations;

(iii) that nominations for office:

A. open at midday on the opening day; and

B. close at midday on the closing day;

(iv) who may nominate as a Candidate in the election;

(v) that nominations for office must be written, signed by the nominee, be in accordance with UFU Rules and be given to the Manager before nominations close; and

(vi) the starting and finishing days for a ballot to decide the result of the election if a ballot becomes necessary under rule 9; and

(vii) that only a person who was a Financial Industrial Member 30 days before the opening time for nominations may, subject to the UFU Rules, vote in the election; and

(viii) that the ballot will be decided by an optional preferential system of voting.

7. Nomination Procedure

(a) A nomination for office must be written, signed by the nominee, be in accordance with the UFU Rules and be given to the Manager before nominations close.

(b) A person may nominate for more than one (1) office.

(c) The Manager must accept a nomination if it complies with sub-rules (a) and (b).

(d) A Candidate may withdraw their nomination by written notice given to the Manager no later than seven (7) days after nominations close.

8. What Happens if a Nomination is Defective

(a) The Manager must reject a nomination given to the Manager after nominations have closed.

(b) If a nomination for an office is defective, other than because the nominee is not qualified to hold the office or because the nomination was made after the closing time, the Manager must:

(i) reject it;

(ii) give the nominee notice of the defect; and

(iii) if practicable, give the nominee an opportunity to remedy the defect.

(c) If practicable, the notice must be given before nominations close.

(d) Failure to give the notice does not invalidate the election.

9. When a Ballot Must be Held

(a) If there are more Candidates for election to an office than the number to be elected, the Manager must conduct a secret postal ballot under these Electoral Procedure Rules.

10. Election Without Ballot

(a) The Manager must declare a Candidate elected to an office if:

(i) nominations have closed; and

(ii) the Candidate has:

A. not nominated for a Higher Office; or

B. nominated for a Higher Office and is not elected to the Higher Office; and

C. if the election is for the:

(a) Senior Vice-President;

(b) Junior Vice-President,

(c) Secretary, or

(d) Assistant Secretary,

the Candidate is the only Candidate; or

D. if the election is for another office, the number of Candidates for the office is not more than the number of offices of the same type to be elected at the same time.

(b) In an election for an office where a ballot occurs if a candidate, entitled to nominate and who has been nominated in accordance with these rules, is elected to an office and the candidate is also elected to a Higher Office, the candidate may only be declared elected to the Higher Office.

11. Roll — Preparation

(a) A Roll for a ballot must be prepared at the direction of the Manager and completed by a time directed by the Manager.

(b) The Manager must ensure the Roll:

(i) states:

A. the name of each person who is an Eligible Member in alphabetical order; and

B. each Eligible Member's address, opposite their name; and

(ii) is completed when nominations for the election close.

(c) The UFU must give the Manager:

(i) a copy of its Membership Register; and

(ii) access to the UFU's records reasonably necessary for the Manager to ensure the Roll is accurate.

12. Roll – Inspection

(a) The Manager must make the Roll for the election available for inspection:

(i) in the period that:

A. starts on the day after the Roll must be completed under rule 11; and

B. ends 30 days after the result of the election is declared; and

(ii) at the Manager's office when it is open for business.

(b) A Candidate, Member or a person authorised by the Manager may inspect the Roll, free of charge.

(c) If during the period stated in paragraph (a)(i), a Candidate or Member asks for a copy of the Roll or a stated part of the Roll, the Manager must give the person the copy, free of charge.

13. When Someone Can Claim a Right to Vote

(a) Despite sub-rule 11(b), if an Eligible Member's name does not appear on the Roll, the Member may apply to the Manager to have the Members name included on the Roll.

(b) If the Manager is satisfied the applicant is an Eligible Member, the Manager must include the applicant's name on the Roll.

14. Ballot Papers

(a) A ballot paper for the election must:

(i) have a watermark or other distinctive pattern that prevents it from being reproduced other than by the Manager or a person authorised by the Manager;

(ii) be of paper that will hide a vote marked on it from view when it is folded once;

(iii) be a different colour from the colour used for ballot papers at the two (2) previous elections held for the UFU;

(iv) list the names of each Candidate once only for each office the election is for, with the surname first followed by the Candidate's other names;

(v) state how the Voter may vote;

(vi) state that the Voter must fill in and sign the voting declaration or the vote will not be counted; and

(vii) state that the Voter must return the ballot paper to the Manager so it is received on, or before, the finish day of the ballot.

(b) The order of names on the ballot paper must be decided by lot.

(c) If two (2) or more Candidates have the same surname and first names, the Candidates must be distinguished in an appropriate way.

15. Distributing Voting Material

(a) The Manager must post the following things to each Voter:

(i) a ballot paper Initialed by the Manager;

(ii) an unsealed reply-paid envelope addressed to the Manager;

(iii) a ballot envelope and a voting declaration; and

(iv) other material the Manager considers appropriate for the ballot including, directions or notes to help the Eligible Member to comply with these Electoral Procedure Rules and cast a valid vote.

(b) The Voting Material must be posted to each Voter:

(i) in a sealed envelope to the Voter's address on the Roll; and

(ii) as soon as practicable, but no earlier than two (2) days before the starting day of the ballot.

(c) The voting declaration must state:

'I certify that I am the person whose name appears on this envelope and I have voted on the ballot paper enclosed'.

(d) If a Voter gives the Manager a notice that the Voter will be at an address other than the address stated on the Roll when Voting Material is to be given, the Manager must post the material to the other address.

(e) Before posting Voting Material to a Voter, the Manager must mark a ballot number for each Voter on the:

(i) Roll against the Voter's name; and

(ii) declaration form.

(f) The Manager must give each Voter a different ballot number.

(g) The ballot numbers must start with a number chosen by the Manager.

(h) A ballot paper or ballot envelope must not be marked in a way that could identify the Voter.

16. Manager Must Keep a Ballot Box

(a) The Manager must:

(i) get a Ballot Box;

(ii) keep the Ballot Box in a safe place; and

(iii) seal the box in a way that:

A. allows Voting Material to be put in it until the ballot finishes; and

B. prevents Voting Material from being taken from it until votes for the ballot are to be counted.

17. Duplicate Voting Material

(a) This section applies if Voting Material posted to a Voter:

(i) has not been received by the Voter;

(ii) has been lost or destroyed; or

(iii) if the document is a ballot paper, has been spoilt.

(b) The Voter may apply to the Manager for a duplicate of the document.

(c) The application under sub-rule (b) must:

(i) be received by the Manager on or before the finish day of the ballot;

(ii) state the grounds on which it is made;

(iii) if practicable, be substantiated by evidence verifying, or tending to verify, the grounds;

(iv) state that the Voter has not voted at the ballot; and

(v) if the document is a spoilt ballot paper, be accompanied by the ballot paper.

(d) If the application complies with sub-rule (c), the Manager must:

(i) if the document is a spoilt ballot paper:

A. mark 'spoilt' on the paper;

B. initial the paper beside that marking and keep the paper; and

C. give a fresh ballot paper to the Voter; or

(ii) otherwise, give a duplicate of the document to the Voter.

18. How Long Ballot is Open

(a) A ballot must remain open for:

(i) at least 14 days; and

(ii) no longer than 28 days.

19. How to Vote

(a) A Voter may vote only by completing the following steps:

(i) completing a ballot paper by:

A. placing a number, indicating the voters order of preference, in the square opposite the name or names of the Candidates the voter is entitled to vote for; and

B. complying with the instructions on the paper about how to vote;

(ii) putting the ballot paper in the ballot envelope;

(iii) sealing the ballot envelope;

(iv) completing, and signing, the voting declaration for the ballot paper;

(v) putting the voting declaration and the ballot envelope in the Return Envelope;

(vi) sealing the Return Envelope;

(vii) complying with any direction under paragraph 15(a)(iv); and

(viii) returning the Return Envelope to the Manager so that the envelope is received on or before the finish day for the ballot.

20. How Many Votes May be Cast

(a) A voter may vote, in an election for any office in relation to which the voter is entitled to vote, for any or all of the candidates in the voters order of preference.

21. How Manager Must Deal with Voting Material

(a) The Manager must put all Voting Material returned to the Manager in the Ballot Box until voting has ended.

(b) If, after the finishing day for the election, the Manager receives a Return Envelope apparently containing a ballot paper for the election, the Manager must:

(i) keep the envelope sealed;

(ii) mark the envelope:

'*Received by the Manager after the finishing day for the ballot*'; and

(iii) keep the envelope in safe custody, but separate from Return Envelopes received before or on the finishing day.

22. Scrutineers — Appointment

(a) A Candidate may:

(i) act personally as a scrutineer; or

(ii) appoint another person (for this Electoral Procedure Rule, '**appointee**') as a scrutineer for the Candidate.

(b) An appointment must be in writing and signed by the Candidate.

(c) A Candidate must notify the Manager of the name of the Candidate's appointee as soon as possible after the appointee is appointed.

(d) The Manager may refuse to allow an appointee to act as a Scrutineer if:

(i) the Manager asks to inspect the appointment as a Scrutineer; and

(ii) the appointee does not produce it.

23. Scrutineers' Rights

(a) Subject to rule 24, a Scrutineer may be present when:

(i) ballot papers or other Voting Material for a ballot are prepared and given to Voters;

(ii) Voting Material is received and put in safe custody under sub-rule 21(b); and

(iii) votes are counted.

24. Scrutineers — Numbers Attending

(a) Each Candidate may have only one (1) Scrutineer exercising a right under rule 23 for each official present where the ballot is being conducted.

(b) In this-rule 'official' means:

(i) if the ballot is being conducted by the electoral commission, an electoral officer; or

(ii) if the ballot is not being conducted by the electoral commission:

A. the Manager; or

B. any other person appointed by the Manager to exercise the Managers powers for the election.

25. Initial Scrutiny of Voting Material

(a) As soon as possible after the ballot finishes, the Manager must:

(i) seal the Ballot Box in a way that prevents Voting Material from being put in it; and

(ii) take the Ballot Box to the place where votes are to be counted.

(b) The Manager must then:

(i) unseal the Ballot Box;

(ii) take out the Return Envelopes;

(iii) open each Return Envelope and take out the ballot envelope and the voting declaration;

(iv) examine the declaration and mark off the Voter's name on the Roll;

(v) check the ballot number on the declaration against the ballot number marked against the Voter's name on the Roll; and

(vi) ensure the declaration is signed.

(c) After complying with sub-rule (b), the Manager must put the ballot envelopes in a container and the declarations into another container if satisfied:

(i) each declaration is signed; and

(ii) the ballot number on each declaration corresponds with the ballot number marked beside the Voter's name on the Roll.

(d) However, the Manager must not put a ballot envelope or declaration in the containers mentioned in sub-rule (c) if:

(i) the Manager reasonably believes the Voter to whom it was sent did not sign the declaration; or

(ii) the person named on the declaration is not the person to whom it was sent.

(e) Sub-rule (d) does not apply if the Manager is satisfied the person who filled in and signed the declaration:

A. is a Voter;

B. has not previously voted in the ballot; and

C. has a reasonable explanation for using someone else's ballot material.

(f) The Manager must keep ballot envelopes and declarations excluded under sub-rule (d) separate from other ballot envelopes and declarations.

(g) A declaration is only valid if:

(i) it complies with sub-rule (c); and

(ii) sub-rule (d) does not apply.

(h) A valid declaration must be accepted as valid and an invalid declaration must be rejected by the Manager.

(i) If a declaration is accepted as valid by the Manager, the Manager must:

(i) note the acceptance of validity on the declaration; and

(ii) record the correct ballot number on the Roll against the name of the Voter who signed the declaration.

(j) After separating the ballot envelopes and declarations, the Manager must, in the following order:

(i) seal the container holding the declarations;

(ii) open the ballot envelopes not excluded under sub-rule (d) and take out the ballot papers;

(iii) if a ballot envelope contains more than one (1) ballot paper for each office the election is for, mark each of the ballot papers from the envelope:

'*informal under sub-rule 25(j)*'; and

(iv) secure the informal ballot papers under sub-rule (j) in a separate container; and

(v) put all of the ballot papers, not marked informal, in the Ballot Box.

26. Counting Votes

(a) To count votes, the Manager must:

(i) admit the formal votes and reject the informal votes;

(ii) count the formal votes, and record the number for each Candidate; and

(iii) count the informal votes.

(b) A vote is informal only if the ballot paper:

(i) is not Initialed by the Manager and the Manager is not satisfied the paper is authentic;

(ii) is marked in a way that allows the Voter to be identified;

(iii) is not marked in a way that makes it clear how the Voter meant to vote;

(iv) does not comply with a direction given under sub-rule 15(a); or

(v) was taken from a ballot envelope that contained another ballot paper for the office the election is for.

27. Scrutineers' Objections

(a) Before votes are counted, a Scrutineer may advise the Manager that the Scrutineer considers an error has been made in conducting the ballot.

(b) When votes are counted, a Scrutineer may:

(i) object to a ballot paper being admitted as formal or rejected as informal by the Manager; or

(ii) advise the Manager that the Scrutineer considers an error has been made in conducting the ballot or counting votes.

(c) If a Scrutineer advises the Manager under sub-rules(a) or paragraph (b)(ii), the Manager must:

(i) decide whether the error has been made; and

(ii) if appropriate correct or mitigate the error.

(d) If a Scrutineer objects under paragraph (b)(i), the Manager must:

(i) decide whether the ballot paper is to be admitted or rejected; and

(ii) note the decision on the ballot paper and initial the note.

28. Direction by Manager to Leave Count

(a) The Manager may direct a person to leave the place where votes are being counted if the person:

(i) does not have the right to be present, at the count; or

(ii) interrupts the count, other than to exercise a Scrutineer's right.

29. How Result is Decided

(a) The Candidate who has received the greatest number of first preference votes if that number constitutes an absolute majority of first preference votes will be declared elected.

(b) If no Candidate has an absolute majority of first preference votes, the Manager will:

(i) treat the Candidate who has obtained the fewest first preference votes as a defeated Candidate and such of the ballot papers counted to such defeated Candidate as indicate the voter's next preference will be distributed amongst non-defeated Candidates next in order of the voter's preference and after such distribution, the number of votes given to each non-defeated Candidate will again be counted; and

(ii) if no Candidate then has an absolute majority of votes, the process of treating the Candidate who has the fewest votes as defeated and distributing such of that Candidate's ballot papers as indicated the voter's next preference amongst the non-defeated Candidates next in order of the voter's preference will be repeated and the votes recounted after every such redistribution until one (1) Candidate has obtained an absolute majority of votes and that Candidate will be declared elected.

(c) If only one (1) office of the same type is to be filled in an election, the Candidate with the most formal votes, after the distribution of preferences if required, is elected.

(d) If more than one (1) office of the same type is to be filled in an election, that number of candidates corresponding with the number of offices to be filled who have the most formal votes, after the distribution of preferences if required, are elected.

(e) This rule is subject to rule 30.

30. What Happens if Votes for 2 or More Candidates are Equal

(a) If the Manager cannot decide which Candidate is elected to an office because the votes cast for two (2) or more Candidates are equal, the Manager must decide which Candidate is elected by drawing lots.

(b) A decision under sub-rule (a) must be made in the presence of any Scrutineer who wishes to attend.

31. Manager to Provide Electoral Report

(a) The Manager will provide to the Secretary, and to each of the Candidates, an electoral report setting out the following, the:

(i) number of offices to be elected;

(ii) number of Candidates for each office to be elected;

(iii) number of ballots issued for each office to be elected;

(iv) number of ballots received for each office to be elected;

(v) number of formal votes cast for each Candidate in each office to be elected;

(vi) number of informal votes cast for each Candidate in each office to be elected; and

(vii) the persons declared elected for each office to be elected and the date of the declarations.

Schedule 2
Meeting Procedure Rules

The meeting procedure rules are as follows:

1. Motion

(a) No discussion will be allowed except on a motion or amendment, duly proposed and seconded.

(b) A call for a seconder will only be put twice at which time if the motion or amendment has not been seconded it will lapse.

(c) A member desiring to propose a motion or amendment or to discuss a matter under consideration must address the chair.

2. Speaker

(a) No member will address the meeting unless, and until, called by the chair.

(b) When the chair speaks during a meeting the member then speaking, or offering to speak, will cease so that the chair may be heard without interruption.

(c) The chair will call to order a speaker who departs from the question or who violates the courtesies or rules of debate.

(d) If the chair determines to participate in a debate at a meeting then the chair will vacate the chair whilst participating, which will be taken by the person who acts, under these rules, in the absence of the chair.

(e) The chair will immediately resume the chair when finished speaking.

3. Determining A Motion

(a) Motions will be determined in the following manner:

(i) the mover of the motion will have five (5) minutes at the time of moving the motion to present argument in support of the motion and three (3) minutes to reply, where the reply is limited to the answering of arguments advanced against the motion;

(ii) the seconder of a motion and other speakers will be limited to three (3) minutes;

(iii) the meeting, on motion without debate, may extend the time of a speaker but an extension of time must not exceed three (3) minutes and the meeting may agree to further extensions on the same basis;

(iv) the chair will call attention to the time of all speakers one (1) minute before their time expires and motions for extensions may be made when the chair calls, but not later; and

(v) after the motion has been moved and seconded, no more than two (2) members will speak in succession on one side, either for or against a question before the meeting and if at the conclusion of the second speaker's remarks no member rises to speak on the other side, the motion or amendment will at once be put to the meeting.

(b) Votes at meetings will be subject to the following:

(i) the chair will read the motion and determine the question on the voices, provided that the chair may call for a show of hands;

(ii) every question submitted to a meeting will be decided by a show of hands, unless a poll is demanded by at least five (5) members; and

(iii) the chair will then declare the motion carried or lost.

(c) Where a proxy is in attendance at a meeting the chair of the meeting must determine the question in a manner that ensures the vote of the proxy, as a proxy, is counted.

(d) In the event of an equality of votes, the proposal before the meeting will lapse except in the case of a motion of dissent from the chair in which case the chairs' ruling will be upheld.

4. Amending A Motion

(a) At any time during debate on a motion it will be competent for a member who has not spoken to the motion to move an amendment, which will be subject to the following:

(i) amendments must be seconded;

(ii) motions may be amended by adding words, by deleting words, or by deleting words and inserting others in their place;

(iii) the effect of a proposed amendment cannot be to establish a direct negative to the question contained in the motion;

(iv) only one (1) amendment will be received at a time and that amendment must be disposed of before a further amendment may be considered or moved;

(v) amendments are to be put before the original motion;

(vi) the mover of an amendment will not have a right of reply; and

(vii) should an amendment be carried it becomes the substantive motion and thereon a further amendment may be proposed, however, if no further amendment is proposed, the amendment which has become the substantive motion, will be put without further debate subject to this Schedule 2 rule 3.

(b) Where a motion is considered by a meeting without amendments being proposed no member except for the mover of the motion will speak more than once on the motion, unless by way of personal explanation or with the consent of the meeting.

(c) Where an amendment is proposed a member may speak for or against the proposed amendment.

5. Procedure

(a) A member who considers they have been misrepresented by a speaker may, with the indulgence of the chair, interrupt the speaker to correct the misrepresentation, but the member interrupting must not enter into argument.

(b) It will be competent during a debate for a member who has not spoken to a motion under consideration to rise and move 'That the question be now put', but no discussion will be allowed and if this motion is seconded and carried, the chair will immediately call upon the member (if any) who may have the right of reply, and then, immediately following the reply, the chair will put the motion which will include the amendments (if any) that have been moved and accepted.

(c) No motion or another subject will be submitted until the one before the chair is disposed of under this rule.

(d) Should a question have occupied the attention of the meeting for 20 minutes, the discussion on that question will be closed and the chair will then call on the mover to reply, unless the meeting determines to continue the discussion of the matter in question.

(e) A motion may be dealt with by:

(i) adoption as moved;

(ii) rejection as moved; and

(iii) adoption after amendment of the subject matter.

(f) Any of the following motions, will be in order despite a motion (or motion with amendments) being before the meeting:

(i) 'The Order of the Day', i.e., that the next business in order be now taken;

(ii) postponement of the question, either to a definite time or a time to be fixed;

(iii) reference to a committee; and

(iv) adjournment:

A. of the debate; and

B. of the meeting.

(g) A motion for adjournment:

(i) may be moved and seconded at any time during the meeting;

(ii) may be debated, provided that not more than four (4) speakers be allowed both for and against the motion, inclusive of the mover and seconder;

(iii) provides no right of reply for the mover of the motion; and

(iv) will be successful if carried by a majority of members present.

(h) A second motion for adjournment will not be moved until the subject under discussion at the time of the first motion for adjournment has been disposed of.

(i) Questions of order will be determined by the chair, whose ruling will be final unless challenged by a formal motion submitted to the meeting.

6. Point of Order

(a) A member may rise to a point of order when the member considers the rules of debate to have been violated provided that the member must submit the 'point of order' to the chair, and the meeting will determine the question as prescribed in this rule.

(b) Upon the point of order being raised, the member addressing the meeting at the time will take their seat and will remain seated until the point of order has been decided.

(c) A ruling given by the chair on a question may be subject to a motion of dissent calling the meeting to disagree with the ruling.

(d) On the motion of dissent being seconded, the chair will vacate the chair which will be taken by the person who acts, under these rules, in the absence of the chair.

(e) No motion of dissent from the chair's ruling will be permitted unless it is made before other business has been proceeded to.

(f) The procedure to determine a motion of dissent is as follows:

(i) the member moving the motion of dissent will be given five (5) minutes to support the motion;

(ii) the chair will be given five (5) minutes to defend their ruling; and

(iii) the acting chair will then put the question and on the question being determined the chair will resume the chair.

(g) A report of a Sub-Committee officially presented will be received without motion, but the adoption of that report either absolutely, or by clauses, will be moved and seconded.

(h) It will be competent for a member to move the reconsideration of a resolution that has been passed by a meeting, provided that the member will have given notice at a previous meeting.

(i) It will be competent for a member to propose that a subject will be considered in a committee of the whole meeting.

(j) The vote on such proposition when seconded will then be taken without discussion.

7. Fine and Removal

(a) The chair has power to fine a member who persist in disorderly conduct up to, and not exceeding, the sum of $50.00.

(b) A member fined under sub-rule (a) may appeal the determination to the next meeting of the SCM.

(c) The chair will have the power to order the removal from the meeting room of a member who persists in disorderly conduct.

Schedule 3
Branches

1. **Far Northern Region**

(a) Cairns

(b) Tablelands

2. **Northern Region**

(a) Townsville

(b) Mt Isa

3. **Central Region**

(a) Gladstone

(b) Rockhampton

(c) Mackay

4. **South Western Region**

(a) Toowoomba

5. **North Coast Region**

(a) Sunshine Coast

(b) Bundaberg

(c) Maryborough

6. **Brisbane Region**

(a) Brisbane North

(b) Brisbane South

7. **South Eastern Region**

(a) Beenleigh

(b) Gold Coast

(c) Ipswich

Schedule 4
Regions

1. Far Northern Region
2. Northern Region
3. Central Region
4. South Western Region
5. North Coast Region
6. Brisbane Region
7. South Eastern Region