



BULLETIN

Bulletin No: 004

14 February 2012

IMPORTANT NOTICE TO ALL UFUA MEMBERS

NOTIFICATION OF RULE CHANGES AS ADOPTED BY THE NATIONAL COMMITTEE OF MANAGEMENT AT ADELAIDE ON THE 31ST JANUARY 2012

Members are advised that the following amendments to the United Firefighters Union of Australia Rules were considered and adopted by the National Committee of Management meeting held in Adelaide on the 31st January 2012.

Subject to the provisions of Rules, the Fair Work Act and relevant regulations, these amendments will come into operation within 28 days.

In accordance with Rule 49, Members are hereby notified of the following amendments:

Delete rule 12(2) and replace with the following:

- 2) Branches shall be entitled to elect National delegates as their representatives on the National Committee of Management in accordance with the following formula:
 - (a) Less than 500 effective full time equivalent members - one delegate
 - (b) 500 - 1250 effective full time equivalent members - two delegates
 - (c) 1250 - 2000 effective full time equivalent members - three delegates

- (d) One extra delegate for every 1000 effective full time equivalent members or part thereof in excess of 2000 effective full time equivalent members.

Delete rule 12(3) and replace with the following:

- (3)
 - (a) For the purposes of this sub-rule and sub-rule 12(2) the number of "effective full time equivalent members" of a Branch shall be determined in accordance with this sub-rule 12 (3) by reference to the certified audit of Branch membership provided by each Branch Secretary to the National Secretary in accordance with Sub-Rule 10(1) (e) which shall finally and absolutely determine the matter.
 - (b) For the purposes of this sub-rule and sub-rule 12(2) each full time member identified as such in the certified audit is an effective full time equivalent member.
 - (c) For the purposes of this sub-rule and sub-rule 12(2) each part time member identified as such in the certified audit shall be the equivalent of 0.2 effective full time equivalent members.
 - (d) For the purposes of Rule (12)(2) in calculating the number of delegates for a Branch, the number of effective full time equivalent members shall be rounded up to the nearest whole number.

Alter rule 12(6) to read:

12(6) If a Branch is found to be two or more quarters in arrears in respect to monies payable and owing to the National Fund pursuant to Rule 29 then the National Committee of Management may by resolution deny that Branch voting rights and delegates from that branch cannot attend or vote at a meeting of National Executive and/or National Committee of Management

Add to rule 23(1):

23(1) Provided that National Delegates from a branch which the National Committee of Management has by resolution denied that Branch voting rights in accordance with rule 12(6) shall not be eligible to be elected to the offices of National Secretary or National President, and those delegates shall not be entitled to vote in any election for the offices of National Secretary or National President.

Delete sub-rule 27(2)(a) and insert the following sub-rule 27(2)(a):

- “(2) (a) Ballot papers for an election shall be set out with the names of the candidates for the respective offices. The order of the names of candidates on the ballot paper to be determined by drawing lots subject to the provisions of rule dealing with team nominations.”

Delete sub-rule 27(4)(c)(1) and insert the following new sub-rule 27(4)(c)(1):

- “(1) in an election a Returning Officer shall issue instructions to the following effect:

Enclosed is a ballot paper for an election in the United Firefighters' Union of Australia. To vote for a candidate for an office you should place the figure 1 opposite the name of the candidate or, alternatively, vote for each member of a team by marking the team box for whom you vote as your first preference and give preference votes for all the remaining candidates or team(s) by placing figures 2, 3, 4, (and so on as the case requires) opposite their names or the team box so as to indicate the order of your preference for them. Failure to so indicate the order of your preference will not render invalid your vote for that candidate or those candidates for whom you do vote. However if the candidate or candidates who you do vote for are eliminated at an early stage of the count your vote will not have the same force and effect as a voter who has expressed the order of his preference for all candidates. After voting you should place the ballot paper in the declaration envelope and insert the declaration envelope in the addressed envelope which is enclosed and post it so that it will reach the private box to which it is addressed by (set out the time and date on which the ballot closes);”

In sub-rule 27(1)(c) before the words “the time” insert the following:

“subject to sub-rule 74(4)(g)”

In sub-rule 27(13) add the following words:

“Subject to sub-rule 74(4)”

Add a new sub-rule 74(4) as follows:

“(4) Team Nominations

Notwithstanding anything elsewhere in these rules, candidates in an election of President, Vice-President, Secretary, Assistant Secretary or Trustee where such position exists, Committee of Management Member, Organiser may, subject to the following conditions, nominate as members of a “team nomination”:-

- (a) Each candidate being nominated as a member of a team nomination must signify his/her acceptance of such nomination by signing the nomination to the Returning Officer.
- (b) No member of a team nomination may nominate or be nominated as a member of another “team nomination” or as an individual candidate.
- (c) A “Team” nomination must nominate a candidate (or the required number of candidates) for each position for which nominations have been called whereupon each candidate will be considered to have nominated for each position concerned.
- (d) The Returning Officer will ensure that the names of members of a team nomination are printed on the ballot paper in a manner which clearly identifies that the candidate is standing for election in the nominated position as part of a team. The names of members of a team nomination will appear on the ballot paper as a group. If there is more than one team nomination the order of team nomination appearing on the ballot paper will be determined by lot at the same time and place as the determination by the Returning Officer of the order on the ballot paper of individual candidates. The Returning Officer will at the same time also determine by lot whether the team nominations appear before or after the names of individual candidates on the ballot paper.
- (e) Where a person who has nominated as part of a team nomination is declared elected to a position by the Returning Officer pursuant to

sub-rule 70(4)(a) of these rules, that person's name together with the words "declared elected" shall appear on the ballot paper together with the other members of the team nomination.

- (f) A team shall be identified by the name of its candidate for Branch Secretary.
- (g) The Returning Officer shall ensure that the ballot paper makes provision for the recording of a vote for each member of a team nomination by way of marking one box at the top of the list of names of members of that team (a "team box"). The Returning Officer shall also ensure that the ballot paper contains clear instructions to the effect that a member voting may vote individually for candidates, including members of a team nomination, or, alternatively, vote for each member of a team by marking the team box.
- (h) The withdrawal from the ballot of a member of a team nomination after the close of nominations does not invalidate that team nomination. A vote for a team nomination shall count as a vote for each of that team remaining in the ballot. Once a candidate has nominated for a team nomination he/she cannot withdraw unless with the consent of all the members of that team."

Strength in Unity

**AUTHORISED BY NATIONAL SECRETARY PETER MARSHALL
AND NATIONAL PRESIDENT MICK FARRELL**

READ OUT AT MUSTER AND PIN ON NOTICE BOARD

If you have received this communication in error please dispose of this Bulletin.