

## Rules changes for NSW

### 40 - BRANCH OFFICERS

- (a) The Officers of a Branch shall consist of the Branch President, the Branch Senior Vice-President, the Branch Junior Vice-President, the Branch Secretary, the Branch Assistant Secretary and the two Branch Trustees (“the Branch Officers”), provided that
- (i) in the NSW/ACT/QLD Branch there shall also be a Branch Assistant Secretary – Treasurer and no Branch Trustees.
  - (ii) in the South Australia/Northern Territory Branch there shall be no Branch Junior Vice- President or Branch Trustees.
- (b) The Branch Committee of Management shall have the power to determine whether any of the offices of the Branch shall be paid offices provided that the status of an office as a paid office may not be varied during the term of office of an incumbent holder of that office without the consent in writing of that holder of the office.
- (c) Provided that in the case of the NSW/ACT/QLD Branch, the offices of Branch Secretary, ~~and a Branch Assistant Secretary-Treasurer (who shall be called the Branch Assistant Secretary-Treasurer)~~ and Branch Assistant Secretary shall be paid offices. The offices of Branch Secretary in the Victoria No. 3 Branch and Branch Assistant Secretary shall be paid offices.
- (d) The Branch Officers shall be ex officio members of any sub-committee of the Branch. Provided that in the case of ~~the NSW/ACT/QLD Branch and~~ the Victoria No. 3 Branch the Branch Officers shall not be ex officio members of the Finance Committee established pursuant to rule 75.

### 42 - NSW/ACT/QLD BRANCH COMMITTEE

- (a) Notwithstanding rule 41, the NSW/ACT/QLD Branch Committee shall consist of the Branch President, the Branch Senior Vice-President, the Branch Junior Vice-President, the Branch Secretary, the Branch Assistant Secretary-Treasurer, the Branch Assistant Secretary and five (5) ordinary members.
- (b) The Branch Committee shall exercise all the powers as contained in rule 44 other than sub-rules 44(e) and 44(f) and shall be responsible for the management of the Branch’s affairs, property and funds. The Branch Committee shall be the committee of management of the Branch.
- (c) Notwithstanding rule 45, the Branch Committee shall meet at least monthly,
- (d) A special meeting of the Branch Committee may be called by the Branch Secretary if requested to do so by no less than four members of the Branch Committee.
- (e) Meetings of the Branch Committee may be conducted by telephone or by such other electronic means as may be available from time to time.
- (f) Notwithstanding rule 58(a)(ii), six members of the Branch Committee shall constitute a quorum.

### 43 - NSW/ACT/QLD BRANCH COUNCIL

- (a) The supreme governing body of the NSW/ACT/QLD Branch, subject to these rules and to the control of the Branch members as hereinafter mentioned, shall be the Branch Council which shall meet annually at a place and on a date to be fixed by the Branch Committee. Provided that the Branch Committee may call meetings of the Branch Council at other times to deal specifically with matters arising under sub-rule (f)(C) hereof.
- (b) The Branch Council shall consist of:
- (i) The Branch Officers;
  - (ii) Twenty five (25) Councillors constituted as follows:
    - (A) ~~Twenty-one~~Eighteen (~~21~~18) Councillors with at least one (1) but not more than two (2) being drawn from hospitals or health services in each of the fifteen (15) local health districts (refer Note 1) provided that one (1) Councillor shall come from the Health Managers Sub-Branche
    - (B) One (1) Councillor from a Private Hospital;
    - (C) ~~One~~Four (~~1~~4) Councillors from a non-public sector aged care facility;
    - (D) One (1) Councillor from the NSW Ambulance Services; and
    - (E) One (1) Councillor from the Australian Capital Territory.
- Note 1 - The fifteen (15) local health districts ("LHD") as constituted by section 17, and specified in Schedule 1 of the Health Services Act 1997 (NSW), as at the date of the certification of this rule, with these being Sydney LHD, South Western Sydney LHD, South Eastern Sydney LHD, Illawarra Shoalhaven LHD, Western Sydney LHD, Nepean Blue Mountain LHD, Northern Sydney LHD, Central Coast LHD, Hunter New England LHD, Murrumbidgee LHD, Southern NSW LHD, Western NSW LHD, Far West LHD, Mid North Coast LHD, and Northern NSW LHD.
- (c) Meetings of the Branch Council may be conducted by telephone or by such other electronic means as may be available from time to time.
- (d) In the event that a member of Branch Council shall for any reason or at any time be unable to be present at any meeting of Branch Council he or she may appoint in writing another member of the Branch Council as his or her proxy to exercise his or her vote at such meeting. A member of Branch Council may be appointed proxy for any number of members.
- (e) A special meeting of Branch Council shall be called by the Branch Committee if requested to do so by no less than fifteen members of the Branch Council.
- (f) The Branch Council shall, subject to these rules and to the control of the Branch members as hereinafter mentioned, have power:
- (i) to generally watch the interests of the Union in the area where the Branch is established;
  - (ii) to fix the remuneration and terms and conditions of employment of any officer or employee of the Branch;

- (iii) to suspend or remove from office in accordance with these rules any officer of the Branch;
  - (iv) in addition to the powers of the Branch Committee to do so, to alter, amend, rescind or add to any rules insofar as they relate to the internal management of the Branch pursuant to rule 39(d);
  - (v) to develop and implement rule 90 Branch policies and procedures;
  - (vi) to review decisions of the Branch Committee; and
  - (vii) to take any action which in its opinion is in the interests of the Branch, provided that such action does not conflict with the policies and procedures of the Union.
- (g) The quorum for a meeting of the Branch Council shall be sixteen members of the Council.

## **50 - BRANCH ASSISTANT ~~SECRETARY-TREASURER~~ SECRETARIES OF THE NSW/ACT/QLD BRANCH**

### **70 - FULL TIME PAID OFFICERS - NSW/ACT/QLD BRANCH AND NEW SOUTH WALES STATE REGISTERED HEALTH SERVICES UNION NSW**

- (a) Notwithstanding anything elsewhere in the rules of the Union, in the NSW/ACT/QLD Branch where the Branch Secretary, ~~or the~~ Branch Assistant Secretary-Treasurer or Branch Assistant Secretary is also elected or appointed to an equivalent full time paid office in the Health Services Union NSW, an organisation registered pursuant to the provisions of the Industrial Relations Act 1996 (NSW), and is in receipt of remuneration and terms and conditions of employment from the Health Services Union NSW equal to that determined by the Branch Council, he or she shall be deemed to be paid by the NSW/ACT/QLD Branch for such time as he or she continues to receive such payment from Health Services Union NSW and shall not be entitled to be paid by the NSW/ACT/QLD Branch. For all other purposes under the rules of the Union the officer shall be deemed to be the holder of a full time paid office in the NSW/ACT/QLD Branch.
- (b) For the avoidance of doubt, if an officer referred to in sub-rule 70(a) herein ceases to be paid by the Health Services Union NSW in respect of the full time paid office, he or she will be entitled to remuneration and terms and conditions of employment provided by the NSW/ACT/QLD Branch identical to that previously provided by the Health Services Union NSW.

### **75 - FINANCE COMMITTEES OF THE UNION AND THE BRANCHES**

- (a) There shall be a Finance Committee of the NORU (called the National Finance Committee) consisting of the National Officers.
- (b) Each Branch shall have a Finance Committee (however named) comprising:
  - (i) In the case of the NSW/ACT/QLD Branch, the Branch President, Branch Secretary, the Branch Assistant Secretary-Treasurer, the Branch Assistant Secretary and five (5) ordinary members appointed by and from the Branch Council.

The quorum shall be five (5) Members of the Branch Finance Committee.

- (ii) In the case of the Victoria No.3 Branch, the Branch Secretary, the 2 Branch Trustees and 2 ordinary members appointed by and from the committee of management.
- (iii) In the case of the other Branches, the Branch Secretary, at least 1 Branch Trustee and at least 2 members of the Branch Committee appointed by and from the committee of management.

#### **94 – TRANSITIONAL RULES ARISING FROM THE 2020/2021 RULE CHANGES REGARDING NATIONAL AND BRANCH OFFICERS**

- (a) Notwithstanding rules 14 (National Officers) and 69 (Dual Offices) until the date of the declaration of the elections conducted pursuant to rule 23B on or after 1 July 2022, the National Officers of the Union for all purposes shall continue to be the National President, the National Senior Vice-President, National Junior Vice-President, the two National Trustees, the National Secretary, and the National Assistant Secretary ("National Officers").
- (b) Notwithstanding rules 40 (Branch Officers), 42 (NSW/ACT/QLD Branch Committee), 70 (Full Time Paid Officers - NSW/ACT/QLD Branch) and 75 (Finance Committees of the Union and the Branches) until the date of the declaration of the elections conducted pursuant to rule 23B on or after 1 July 2022, the NSW/ACT/QLD Branch Officers for all purposes shall continue to be the Branch President, the Branch Senior Vice-President, Branch Junior Vice-President, the Branch Secretary, and the Branch Assistant Secretary-Treasurer ("Branch Officers").
- (c) Notwithstanding rules 43 (NSW/ACT/QLD Branch Council), until the date of the declaration of the elections conducted pursuant to rule 23B on or after 1 July 2022, the composition of the NSW/ACT/QLD Branch Council shall continue to be:
  - (i) The Branch Officers;
  - (i) Twenty five (25) Councillors constituted as follows:
    - (A) Twenty one (21) Councillors with at least one (1) but not more than two (2) being drawn from hospitals or health services in each of the fifteen (15) local health districts (refer Note 1) provided that one (1) Councillor shall come from the Health Managers Sub-Branches;
    - (B) One (1) Councillor from a Private Hospital;
    - (C) One (1) Councillors from a non-public sector aged care facility;
    - (D) One (1) Councillor from the NSW Ambulance Services; and
    - (E) One (1) Councillor from the Australian Capital Territory.