
NOTICE TO BRANCH EXECUTIVE

Dear Branch Executive Member,

I write to inform you that I have:

- proposed amendments to the Branch rules in accordance with Branch Rule 85(f) seeking to amend the Branch rules pursuant to Branch Rule 85(e); and
- a request from the Branch President that I call a special meeting of the Branch Executive to consider the proposed amendments to the Branch rules.

I give notice of a special meeting of the Branch Executive to occur on 23 November 2023 at the QPUE Office commencing at 10am.

The business of the special meeting is to consider proposed amendments to the Branch rules, which amendments are set out below.

Preamble to the Resolution

The Branch Executive has discussed issues, following input from the (then) ROC, around renaming the positions of (currently) the 'Branch Secretary' and the 'Branch Assistant Secretary' to respectively 'Branch Industrial Manager' and 'Branch Legal Manager'. This follows similar amendments made to the rules of the QPUE.

This proposition is also consistent with the legal construction of the rules that the Branch President is the only full-time official who is an officer.

Further to that proposition, it is also proposed that the positions be modified from elected positions to appointed positions.

Resolution 1

1. The Executive resolves to make the following amendments to the Part CF1 Rules of the PFA Rules (**Part CF1 Rules**):
 - (a) delete sub-rule 37(f);
 - (b) delete the heading of rule 39 and insert in lieu:

39 – ELECTION OF OFFICERS/APPOINTMENT OF BRANCH INDUSTRIAL MANAGER AND BRANCH LEGAL MANAGER
 - (c) in rule 39(i), delete the words 'elected by the members' and insert in lieu 'appointed by the Branch Executive';
 - (d) delete the heading of rule 40 and insert in lieu:

40 – ELECTION OF OFFICERS AND EXECUTIVE MEMBERS/APPOINTMENT OF BRANCH INDUSTRIAL MANAGER
 - (e) renumber sub-rules 40(m), (n), (o), (p), (q) and (r) to respectively (n), (o), (p), (q), (r) and to (s);
 - (f) delete sub-rule 40(l) and insert in lieu:

(l) Commencing in 2024, the Branch Executive will appoint a Branch Industrial Manager who will hold that position, subject to these Part CF1 rules, until their successor is appointed at the conclusion of each four (4) year period.
 - (g) insert new sub-rule 40(m) as follows:

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- (m) *For the purposes of sub-rule (l), the appointment of the Branch Industrial Manager will occur at the next meeting of the Branch Executive following the conclusion of the Branch Industrial Manager's term under sub-rule (l).*
- (h) in sub-rule 40(o), delete the words 'sub-rule (m)' and insert in lieu 'sub-rule (n)';
- (i) delete rule 40A and insert in lieu:
- 40A – APPOINTMENT OF BRANCH LEGAL MANAGER*
- (a) *The term of the position of the Branch Legal Manager is four (4) years.*
- (b) *Commencing in 2026 the Branch Executive will appoint a Branch Legal Manager who will hold that position, subject to these Part CF1 rules, until their successor is appointed at the conclusion of each four (4) year period.*
- (c) *For the purposes of sub-rule (b), the appointment of the Branch Legal Manager will occur at the next meeting of the Branch Executive following the conclusion of the Branch Legal Manager's term under sub-rule (b).*
- (j) delete sub-rule 42(d);
- (k) renumber sub-rules 42(e), (f) and (g) to respectively (d), (e) and (f).
- (l) in sub-rule 51(a)(iii), delete the phrase 'the Branch Secretary, the Branch Assistant Secretary,';
- (m) in sub-rule 73(d)(i), delete the phrase ', Branch Secretary or Branch Assistant Secretary';
- (n) insert new sub-rule 73(g) as follows:
- (g) *Where a casual vacancy occurs in the position of Branch Industrial Manager or Branch Legal Manager, the Branch Executive may appoint a person eligible under respectively sub-rules 39(i) and 39(j) to the position for the unexpired portion of the term.*
- (o) in rule 77, delete the heading and insert in lieu:
- 77 – SUSPENSION – OFFICERS/BRANCH INDUSTRIAL MANAGER/BRANCH LEGAL MANAGER*
- (p) delete the word 'Secretary' where it appears in the Part CF1 Rules (including headings and schedules) and insert in lieu 'Industrial Manager'; and
- (q) delete the words 'Assistant Secretary' where it appears in the Part CF1 Rules (including headings and schedules) and insert in lieu 'Legal Manager'.

Moved:
Seconded:
Carried:
Date:

Resolution 2

2. The Branch Executive directs the Branch President to:
- (a) cause the application for rule amendment be actioned as soon as is practicable and within 35 days of the date of resolution;
- (b) notify the Federation Secretary of the application;
- (c) place a copy of proposed rule changes on the Branch's website (if required);
- (d) request the Federation Secretary place a copy of proposed rule changes on the Federation's website; and
- (e) liaise with the FWC Delegate to have the rule amendments certified.

Moved:
Seconded:
Carried:
Date:

Resolution 3

3. The Branch Executive authorises the Branch President to make changes to the proposed alterations as are necessary to ensure the proposed alterations are grammatical, consistent with the Branch rules, lawful and able to be certified, provided that the Branch President must not make a change that has, or will likely have, the effect of altering the purpose of the proposed alterations.

Moved:
Seconded:
Carried:
Date: