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THE OFFICIAL
NEWSLETTER OF THE
UNITED FIREFIGHTERS
UNION OF AUSTRALIA,
UNION OF EMPLOYEES,
QUEENSLAND.

Volume 24 Number 6

12 February 2010

Impacting Union Direction

Members are reminded that they are more than welcome to attend any State Executive or State Committee of Management meeting. If you feel that you have an important matter that you would like to present to a meeting then please notify the office so that you can be allocated a time slot to deliver your presentation.

The office would also like to remind members that other than presenting a persuasive argument at a meeting to gain support for an issue the powers of plebiscite are there to positively affect the union direction on any matter.

The plebiscite part is found in section 41 of the union rules and is detailed below.

41 – PLEBISCITE

- (a) The state secretary shall, on receipt of a request in writing signed by 20 per cent of the financial members of the union, or a section, direct the conduct of a plebiscite of the financial members of the union, or the section, on a matter concerning the union or the section.
- (b) The state committee of management or the state executive may direct the conduct of a plebiscite of the financial members of the union, or a section, on a matter concerning the union or the section.
- (c) Despite subrules (a) and (b) a plebiscite of the members of a section cannot occur if the outcome of the matter sought to be plebiscited would impact on members of the union other than those assigned to the section and in that circumstance only a plebiscite of all the financial members of the union may occur.
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- (d) A plebiscite shall be conducted by secret ballot by a returning officer in accordance with this rule and shall be completed, in the case of a plebiscite under subrule (a) of this rule within 2 months of the receipt by the secretary of the request and in the case of a plebiscite under subrule (b) of this rule within 2 months of the direction by the state committee of management or the state executive.
- (e) Where a request has been received under subrule (a) of this rule or a direction given under subrule (b) of this rule, the state committee of management or the state executive shall not, so far as is practicable, until the completion of the plebiscite, act in relation to the matter the subject of the plebiscite.
- (f) (i) Where a majority of financial members of the union or the section, as the case may be, voting at a plebiscite approve the matter submitted to plebiscite, the matter shall be carried out and the state committee of management or the state executive shall, so far as is practicable, implement the decision of

the plebiscite;

(ii) in the event of a tied plebiscite the proposal shall be declared lost.

(g) Where a request is received under subrule (a) of this rule or a direction given under subrule (b) of this rule,

the state secretary shall advise the state returning officer and the state returning officer shall direct the

conduct of the plebiscite and shall take all necessary steps to ensure the secrecy of the ballot.

(h) The state returning officer shall determine the opening and closing dates of the ballot.

(i) The state committee of management or the state executive and, where the plebiscite is held following a

request pursuant to subrule (a) of this rule, the members who requested the plebiscite may each appoint 2

scrutineers for the conduct of the plebiscite and shall, before the opening of the ballot, advise the state

returning officer of the name of each such scrutineer.

(j) The state returning officer shall:

(i) on the opening date of the ballot forward or cause to be forwarded by prepaid post or otherwise to

each financial member of the union or the section, as the case may be, a ballot paper bearing the

state returning officer's signature together with a reply paid return envelope addressed to the state

returning officer at the state returning officers address for the purpose of the conduct of the plebiscite;

(ii) give such directions to voters as the state returning officer considers necessary;

(iii) give a direction that a voter shall not make any mark on the ballot paper which shall identify them

and that any such mark shall render the vote invalid;

(iv) provide for a method of permitting financial members to vote whilst preserving the secrecy of the ballot.

(k) Subject to subrule (l) of this rule a scrutineer appointed under subrule (i) of this rule may be present during

the conduct of the ballot by the state returning officer including the counting of ballot papers returned in

the plebiscite and may object to a ballot paper being counted on the ground that it does not clearly express

the voter's attitude to the question to which the plebiscite is directed.

(l) A scrutineer shall observe a direction given by the state returning officer during the conduct of the ballot

and shall comply with any decision given by the state returning officer as to whether a ballot paper is to be

counted as sufficiently expressing a voter's attitude to the question which is the subject of the plebiscite.

(m) A voter shall cast a vote in a ballot under this rule by completing the ballot paper forwarded to the voter

under subrule (j) of this rule in accordance with the directions to voters and forwarding the ballot paper to

the state returning officer so as to reach the state returning officer no later than the closing date of the ballot.

(n) A vote cast in the ballot shall be informal if the intention of the voter is not clear.

(o) On completion of the counting of ballot papers returned in a plebiscite the state returning officer shall

declare the result of the plebiscite by advising the state secretary in writing of the number of ballot papers

forwarded to voters, the number approving the matter or the subject of the plebiscite, the number not

approving and the number of informal votes.

(p) Provided that upon the state committee of management receiving a request in writing for a plebiscite it

may, where the proposal contained in the request in writing for a plebiscite is capable of adoption by it, of

its own motion adopt the proposal contained in the request in writing for a plebiscite and the adoption of

the proposal contained in the request in writing for a plebiscite means that no plebiscite is required.

(q) Provided that nothing contained in this rule prevents the conduct of the ballot by the Australian Electoral

Commission or the Electoral Commission, Queensland.

(r) For the purposes of this rule "section" means any one, or more, of the following:

(i) all financial members who are firefighters;

(ii) all financial members who are officers;

(iii) all financial members who are communication centres' members;

(iv) all financial members who are building approvals officers;

(v) all financial members who are senior officers;

(vi) all financial members who are auxiliary firefighters;

(vii) all financial members who are assigned to a region; and

(viii) all financial members who are assigned to a branch.