



**Notice of Annual General Meeting and Special Meeting of Members of
The Maritime Union of Australia Division
Construction, Forestry, Maritime, Mining and Energy Union**

Annual General Meeting to be held as follows:

Divisional Branch	Date	Location	Time	National Official in Attendance
NNSW	Monday 26 November 2018	South Newcastle Leagues Club, Llwellyn St, Merewether	10am	Warren Smith
Sydney	Tuesday 27 November 2018	M Club Cnr of Mons Rd & Malabar Rd, Maroubra	10am	Warren Smith
VIC	Tuesday 27 November 2018	MUA Victoria Branch Auditorium Ireland St, West Melbourne	9.30am	Garry Keane
WA	Tuesday 27 November 2018	East Fremantle Football Club Cnr of Moss St & Marmion St, East Fremantle	9am	Will Tracey
SNSW	Wednesday 28 November 2018	Collegians Club, Wentworth Street, Port Kembla	10.30am	Warren Smith
SA	Wednesday 28 November 2018	MUA SA Branch Auditorium St Vincent St, Port Adelaide	10am	Will Tracey
NT	Thursday 29 November 2018	Pint Club Marrara, Abala Rd, Marrara	8am	Will Tracey
TAS	Thursday 29 November 2018	Shop 3-5 59 Wright Street, East Devonport	10am	Garry Keane
QLD	Thursday 29 November 2018	Cannon Hills Bowls Club, Lang Street, Cannon Hill	7am	Warren Smith

The Annual General Meeting of Members of The Maritime Union of Australia Division will be held to consider;

- (i) The General Yearly Report of the Divisional National Council;
- (ii) The Annual Financial Statement of the Division;
- (iii) Motions by members notice of which has been given in writing to the Divisional National Secretary by close of business 11 November 2018;
- (iv) Any other business provided for in the Agenda.

A Special Meeting of Members will be held immediately following the AGM to consider and if thought appropriate endorse proposed changes to the Rules of The Maritime Union of Australia Division as set out at Attachment A to this Notice.

All available members are required to attend.

For further information, please contact your Divisional Branch Secretary

ATTACHMENT A: MUA DIVISION PROPOSED RULE CHANGES

MUA Division Rule Change Proposal #1: Rule 22 re Monthly Divisional Branch General Meetings of Members of the Division

If endorsed by Special Meetings of Members of the Division, this rule change will:

1. *Clarify that Monthly Divisional Branch General Meetings of Members commence between the times of 8am and 12 noon and shall run for a duration of no more than four hours.*

Referable 2016 National Quadrennial Conference Resolution 5.17.1

5.17.1	Union Governance & Rules	Rules	<p>Rule 22 – Monthly Branch General Meeting of Members of the Union</p> <p>a) Change wording to reflect current arrangements – word to the effect ‘There shall be a Monthly Branch General Meeting of members of the Union on the last Tuesday in each month commencing between the hours of 8am - 12pm, to be held for the purpose of assisting Branch Officers in carrying out the Objects of the Union and the Rules and the business and affairs of the membership and branches. Such meeting shall only run for duration of 4 hours.</p>
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Proposed Rule Change

Using ~~strikethrough~~ for deletions and underlined for additions to the text of the current MUA Division Rules (105N-MUA: Certified 27 March 2018) the proposed rule change is set out below as follows:

22 - MONTHLY DIVISIONAL BRANCH GENERAL MEETINGS OF MEMBERS OF THE DIVISION

- (a) **There shall be a Monthly Divisional Branch General Meeting of members of the Division on the last Tuesday in each month commencing between the hours of 8am to 12 noon ~~at 8am~~ to be held for the purpose of assisting the Divisional Branch Officers in carrying out the Objects of the Division and the Divisional Rules and the business and affairs of the membership of the Divisional Branch ~~and such meeting shall close at 12 noon.~~ Such meeting shall close within four hours of commencing.**
- (b) **The financial members attending shall have power to appoint from amongst themselves a chairperson to conduct the business of the meeting.**
- (c) **The Divisional National Secretary, Divisional Deputy National Secretary and Divisional Assistant National Secretary/s shall have the right to attend and take part in and vote on any motion.**

MUA Division Rule Change Proposal #2: Rule 45 re Nominations for Offices to be filled at a Quadrennial election

If endorsed by Special Meetings of Members of the Division, consistent with the recommendation of the Divisional National Returning Officer, this rule change will:

Amend sub rule 45(a) so that nominations open on February 25 (previously March 6) and close on March 25 (previously April 6) in the year of the election to allow more time for the Divisional National Returning Officer to arrange the printing and distribution of Ballot Materials prior to the opening of the ballot on April 28 as stipulated by Rule 47(c).

Proposed Rule Change

Using ~~striketrough~~ for deletions and underlined for additions to the text of the current MUA Division Rules (105N-MUA: Certified 27 March 2018) the proposed rule change is set out below as follows:

45 - NOMINATIONS

- (a) **Nominations for Offices to be filled at a Quadrennial Election of the Division shall open on February 25 ~~March 6~~ and close at 5pm on March 25 ~~April 6~~ in the year of the election.**
- (b) **All nominations papers containing the nominees name as contained on the Roll or as abbreviated, derived or consistently used, shall be signed by the nominee an two members of the Division who are financial as at the close of nominations.**
- (c) **All nomination papers shall be forwarded by mail or delivered addressed to the Divisional National Returning Officer at a post office box under the control of the Returning Officer. Where the nomination papers are forwarded by mail the nominee shall retain verification of the date and means of postage.**
- (d) **A nomination once received by the Divisional National Returning Officer may not be withdrawn.**
- (e) **If the Divisional National Returning Officer finds a nomination to be defective the Divisional National Returning Officer shall before rejecting the nomination notify the member concerned of the defect and where practicable give the member not less than 7 days from the day of such notification to remedy the defect.**

Eligibility to Nominate

- (f) **Subject to the Rules nominations for all Offices shall be open to all members of the Division who are financial as at the close of nominations.**
- (g) **A member shall be eligible to nominate if at the close of nominations the member is financial and has remained a member for at least one year immediately prior to the close of nominations and has been engaged or**

reasonably seeking to be engaged in an occupation covered by the Eligibility Rule for that year.

Provided that for the purposes of this Sub-Rule a member:

- (i) whilst holding an elected Office in the Division shall be deemed to have been engaged in an occupation covered by National Rule 2(S) (Eligibility); or
 - (ii) who after becoming a member of the Division is employed by the Division to assist in the work of the Division shall be deemed to have been engaged in an occupation covered by National Rule 2(S) (Eligibility).
- (h) No member shall be eligible to nominate for more than one Office of Officer of the Division. If a member nominates for more than one such Office each such nomination shall be void.
- (i) No Officer of the Division shall be eligible to nominate for a different Office of Officer of the Division at an election (including an election to fill a casual vacancy) unless such Officer has given written notice to the Divisional National Secretary of intention to do so.

An Officer of the Division who does not intend to nominate for election to any Office of Officer of the Division at an election shall give written notice to the Divisional National Secretary accordingly.

Notices under this Sub-Rule shall be irrevocable and shall be given at least 28 days before the opening of nominations. The Divisional National Secretary shall inform the membership of a notice as soon as possible.

Election Statement

- (j) A candidate in an election may forward with the candidate's nomination form a head and shoulder photograph and a 200 word statement for forwarding with ballot papers in accordance with Rule 47(c). The statement shall require the approval of the Divisional National Returning Officer and shall meet all requirements of the law. Scandalous or defamatory matter will not be forwarded. Words in excess of the 200 word limit will be deleted from the end of the statement.

MUA Division Rule Change Proposal #3: Rule 47 re Election Procedures

If endorsed by Special Meetings of Members of the Division, consistent with the recommendation of the Divisional National Returning Officer, this rule change will:

1. *Amend sub rule 47(e) so that the ballot closes on June 14 and ballot papers received by the Divisional National Returning Officer by June 19 bearing a post mark dated not later than June 14 shall be counted. Previously, the ballot closed at 5pm on June 14 and only ballot papers received by 5pm on June 19 were to be counted. The amendment will ensure that ballot papers bearing a post mark dated not later than June 14 will be counted provided they are received by the Divisional National Returning Officer by no later than June 19.*

Proposed Rule Change

Using ~~strikethrough~~ for deletions and underlined for additions to the text of the current MUA Division Rules (105N-MUA: Certified 27 March 2018) the proposed rule change is set out below as follows:

47 - ELECTION PROCEDURES

One Candidate Only

- (a) In the event of only one candidate being nominated for an Office the Divisional National Returning Officer shall declare the candidate elected to the Office.**
 - (i) In the case of Quadrennial Elections the candidate declared elected shall take Office on and from July 1 in the year of the election.**
 - (ii) In the case of an election to fill a casual vacancy the candidate declared elected shall take Office on and from the declaration of the election by the Divisional National Returning Officer.**

Two or More Candidates

- (b) In the event of two or more candidates being nominated for any Office a ballot shall be conducted and the Divisional National Returning Officer shall:**
 - (i) seven days following the closure of nominations arrange for the printing of the ballot papers which shall contain the names of the candidates in alphabetical order; and**
 - (ii) initial each ballot paper before despatching papers to voters. Provided that the Divisional National Returning Officer's initials may be affixed by facsimile or electronic imprint.**

Issue and Return of Ballot Materials

- (c) The ballot shall be opened on April 28 by the Divisional National Returning Officer posting to each member listed on the Roll of Voters:-**
 - (i) voting instructions from the Divisional National Returning Officer**
 - (ii) a ballot paper**
 - (iii) a declaration envelope which complies with the form prescribed by the RO Regulations**
 - (iv) a prepaid envelope which complies with the form prescribed by the RO Regulations addressed to the Divisional National Returning Officer**
 - (v) all Election Statements approved by the Divisional National Returning Officer in accordance with Rule 45(j)**

- (d) The instructions to each voter shall include instructions to take the following steps:-
- (i) place a cross or a tick next to the name of the candidate on the ballot paper the voter wishes to vote for
 - (ii) place the ballot paper in the declaration envelope and sign the declaration on the declaration envelope
 - (iii) place the sealed declaration envelope inside the prepaid envelope addressed to the Divisional National Returning Officer and seal it
 - (iv) post the prepaid envelope addressed to the Divisional National Returning Officer
- (e) In the case of Quadrennial Elections voters shall also be instructed that the ballot shall close ~~at 5pm~~ on June 14 and that only ballot papers received by the Divisional National Returning Officer by that time shall be counted provided that a ballot paper contained in the prepaid envelope which is received by the Divisional National Returning Officer by no later than 5pm on June 19 bearing a post mark dated not later than June 14 shall be counted.

Absentee Voting

- (f) A member entitled to vote may apply in writing to the Divisional National Returning Officer for an absentee vote in which case ballot materials may be given to the member personally or posted to an address nominated by the member. All such applications shall be made before 5pm on June 7 in the year of a Quadrennial Election.

Counting the Ballot

- (g) On June 15 the Divisional National Returning Officer and the Divisional Deputy National Returning Officers shall attend at a place nominated by and under the control of the Divisional National Returning Officer in order to count the ballot.
- (h) The Divisional National Returning Officer shall notify each candidate by post of the place and date of the count at least 7 days prior to the count.
- (i) The count shall be conducted as follows:
- (i) The Divisional National Returning Officer shall in the presence of any scrutineers open the envelopes addressed to the Divisional National Returning Officer.
 - (ii) The declaration envelope shall be checked against the Roll of Voters to ensure that no votes are cast except by those entitled to vote and that no member votes more than once.
 - (iii) The Divisional National Returning Officer shall before removing the ballot paper from the declaration envelope first remove the flap or label on each declaration envelope and then shall open the declaration envelope and remove the ballot paper. The Divisional National

Returning Officer shall ensure that no flap or label may be identified with a ballot paper.

- (iv) Counting shall then be commenced.**

Declaration of Election Result

- (j) (i) On completion of the count the Divisional National Returning Officer shall forthwith declare elected the candidate receiving the most votes.**
- (ii) The Divisional National Returning Officer shall declare the result of the election in writing to the Divisional National Secretary and each Divisional Branch Secretary.**
- (iii) The Divisional National Secretary shall publish to the members of the Division the declaration of the result of the election.**
- (iv) All persons declared elected shall take Office from July 1 in the year of the Quadrennial Election.**

Scrutineers

- (k) Each candidate shall have the right to appoint not more than two scrutineers being financial members of the Division who shall be entitled to be present at all stages of the count. The appointment of scrutineers shall be by notice in writing signed by the candidate to the Divisional National Returning Officer. The rights and duties of scrutineers shall be to represent the interest of their appointing candidate. They shall be entitled to be present at all stages of the ballot while the Returning Officer carries out the procedures under the Rules and to direct the attention of the Returning Officer to any irregularity concerning the carrying out of any step in the ballot. They shall do all things necessary so that the secrecy of the ballot shall be observed. They shall not obstruct the Returning Officer in the performance of the Returning Officer's duties nor interfere with the conduct of the ballot.**

Protests

- (l) In the event of any protest being lodged against any candidate or against any part of the proceedings the counting of the ballot shall continue, and the protest shall be made the subject of inquiry after the declaration by the Divisional National Returning Officer.**