

Proposed alteration of WCRA's Rules - Other

Schedule 01 - State and Federal Elections

21A ELECTIONS TO STATE AND FEDERAL ORGANISATIONS

- (a) Notwithstanding any other provision of these rules, each of the persons elected from time to time to offices of the Waste Contractors & Recyclers Association of NSW, being an organisation registered under the *Fair Work (Registered Organisations) Act 2009* of the Commonwealth shall be taken to be validly elected to the corresponding office of the State organisation, from and for so for so long as the Industrial Registrar is satisfied that:
- (i) the membership of the Waste Contractors & Recyclers Association of NSW and the membership of the State organisation are identical or substantially similar (except for members in the Australian Capital Territory); and
 - (ii) the rules of the Waste Contractors & Recyclers Association of NSW relating to the election of the holders of offices comply substantially with the requirements relating to election of the holders of offices under the *Industrial Relations Act 1996*; and
- (b) within 28 days (or such longer period as the Industrial Registrar allows) of the State organisation becoming aware:
- (i) of any amendments of the rules of the Waste Contractors & Recyclers Association of NSW concerning the election of officers;
 - (ii) that the membership of the Waste Contractors & Recyclers Association of NSW and the membership of the State organisation is no longer identical or substantially similar; or
 - (iii) that offices in the Waste Contractors & Recyclers Association of NSW no longer directly correspond with the offices in the State organisation
- the State organisation shall provide written notice of the fact to the Industrial Registrar.
- (c) The late lodgement with the Industrial Registrar of a notice under subrule (b) shall not invalidate the election of persons taken to be elected under this rule during any period in respect of which the Industrial Registrar is satisfied that the facts required to be established have been established.
- (d) This rule shall apply to the filling of casual vacancies by election and appointment
- (e) A person who ceases to hold office in the Waste Contractors & Recyclers Association of NSW shall forthwith cease to hold the corresponding office in the State organisation.
- (f) This rule shall apply in relation to any future election to fill a vacated office or on expiry of the term of office of an officer in the State organisation.
- (g) In the event that the Industrial Registrar considers that that the criterion set out in subrule (a) (i) and (ii) of this rule is or was not satisfied, officers of the State organisation must be elected in accordance with the provisions of the ordinary election rule(s) of the organisation.

Schedule 02 - Election of President, Vice President, Treasurer and Secretary

26 - ELECTION OF PRESIDENT, VICE PRESIDENT, TREASURER AND SECRETARY

- (a) The President, Vice President, Treasurer and Secretary must be elected by and from the Executive at a meeting of the Executive. During the first year of a four year term of the Executive, ~~the first such~~ an election shall take place at the first Executive meeting convened after the election of members of the Executive.
- (b) Any member of the Executive may nominate for the position of President, Vice President, Treasurer or Secretary or may nominate any other member of the Executive for any such position. A nomination need not be seconded.
- (c) The election of officers under this Rule shall be for a period of ~~one year~~ four years or until the expiry of the four year term of the Executive elected in accordance with rule 24, whichever occurs first next Annual General Meeting.
- (d) Officers elected under this rule will take office after the reading of the Secretary's report at the Annual General Meeting.
- (e) When an election is to be held for an office specified in this rule, agenda papers sent to members of the Executive convening the meeting must specify the offices for which the election is to be held.
- (f) The election of officers under this Rule shall be by way of secret ballot, using the first past the post system.

Schedule 03 - Election of the Executive

21.2 - ELECTION OF THE EXECUTIVE

- (a) The Executive will be elected in such a way as to ensure, as far as practicable, balanced representation of each category of member in accordance with the table below, providing there are sufficient duly nominated candidates in each category of member to fill the Executive position in accordance with the table below.

Category	Number of executive positions
A	6
B	4
C	2

- (aa) In the event that there are no duly nominated candidates for the Executive from one or more category of member, or where the number of duly nominated candidates are insufficient to fill the relevant number of Executive positions provided for rule 21.2(a), the remaining vacant positions on the Executive may be elected from duly nominated candidates irrespective of which category the nominees belong.

Note 1 Example - If there are 8 duly nominated candidates for Category A, 6 duly nominated candidates for Category B and no duly nominated candidates for Category C, the vacant Executive positions for Category C may be filled from the unsuccessful duly nominated candidates for Category A and B

Note 2 Example - If there 5 duly nominated candidates for Category A, 7 duly nominated candidates for Category B and 1 duly nominated candidates for Category C, the Executive position for Category A and C may be filled from the unsuccessful duly nominated candidates for Category B