

**MEMBERSHIP QUALIFICATIONS**  
**for**  
**Australian Services Union of N.S.W.**

**Rule 2 - Constitution**

**PART I**

The Union shall consist of all employees who are directly or indirectly engaged in water and/or sewerage reticulation and/or in any related or ancillary or incidental activity in the course of their employment in New South Wales in the service of the Water Board or any successor thereto; and

**PART II**

The Union shall consist of all persons employed as officers (or persons employed performing the duties of officers) and persons employed as field clerks by the Maritime Services Board of NSW or the successors, assignees or transmittes of the business or functions of the Maritime Services Board of NSW or part thereof excluding those employees in the Dredge Service and persons employed in the following classifications: Architects, Legal Officers, Scientific Officers, Surveyors, or Economists; and shall also consist of persons employed performing similar duties as Officers of the Maritime Services Board of NSW employed at export coalhandling facilities managed and operated by the Maritime Services Board as at 1 January 1981 at any export coalhandling facility in New South Wales (excepting Port Waratah Coal Services Pty. Ltd., Newcastle); and

**PART III**

No person shall be admitted as a member of this Union under this Part unless they are by the nature of their occupation or employment of the class of which this Union under this part is constituted, that is to say, unless:

- (a) They are a duly certified clerk under the *Local Government Act 1919*, or any Act amending the same; or
- (b) They are entitled upon application to receive a certificate as such Local Government Clerk; or
- (c) They are otherwise entitled under the law for the time being in force to occupy the position of town or shire or county clerk.

**PART IV**

The Union shall consist of any person employed or usually employed on a full-time or part-time basis, in or in connection with the industry of social and/or welfare work shall be eligible to be or to become a member of the Union, together with such

persons, whether employed in or in connection with social and/or welfare work or not, who have been appointed officers of the Union.

Excepting that:

- (a) Persons eligible to be members of the Federated Miscellaneous Workers' Union of Australia (NSW Branch) as at 26 September 1986 shall not be eligible to join the Union; provided that this exclusion will not apply, to the extent it might otherwise, to persons employed.
  - A. As coordinators in a multipurpose neighbourhood centre that encompasses a childcare facility;
  - B. In residential child care services providing welfare and social support in a residential setting (including family group homes or institutional care for children) where such services are distinct from:
    - (i) Sessional care to pre-school children, long day care, extended hours care or 24 hours care;
    - (ii) Before and after school care;
    - (iii) Playgroups;
    - (iv) Occasional care;
    - (v) Vacation care;
    - (vi) Multipurpose child care;
  - C. As community development workers;
  - D. In family counselling and support services;
  - E. In women's and youth refuges;
  - F. As family day care coordinators and family day care child development.
- (b) Persons shall not be eligible to join the Union if they are eligible for membership of the Public Service Association of NSW and are employed:
  - A. Pursuant to the provisions of:
    - (i) the *Public Service Act of 1979*; or
    - (ii) the *Health Commission Act 1972*; or
    - (iii) the *Health Administration Act 1982*; or
    - (iv) any Act replacing the said Acts; or
  - B.
    - (i) in or by any Department, body, Organisation or group within the terms of the *Public Service Act 1979* or any Act replacing that Act irrespective of whether it remains or continues to be a department, body, Organisation or group in terms of the said Act; or
    - (ii) in or by any Declared Authority within Schedule 3 of the *Public Service Act 1979*, on or before 19 November 1985 irrespective of

whether it remains or continues to be a declared authority in terms of the said Act; or

- (iii) as a ministerial employee; or
- (iv) by Ministers of the Crown in right of the State of NSW or in the offices of such Ministers; or
- (v) by the Electricity Commission of NSW; or
- (vi) by the Grain Handling Authority; or
- (vii) by the Water Resources Commission; or
- (viii) by the Commissioner for Main Roads; or
- (ix) by the Commissioner for Motor Transport; or
- (x) by the Home bush Abattoir Corporation; or
- (xi) by hospitals included in the 2nd, 3rd or 5th schedule of the *Public Hospitals Act 1929*, or any Act replacing it, by the Public Hospitals or by public dental clinics; or
- (xii) by Colleges of Advanced Education; or
- (xiii) by the University of New South Wales, the University of Wollongong, the University of Newcastle, or any other University formed from a college of these Universities; or
- (xiv) in or by the Legislative Assembly and/or Legislative Council of the State of New South Wales; or
- (xv) by the New South Wales Egg Corporation; or
- (xvi) by any New South Wales Education Commission or its agents; or
- (xvii) by any person as an Associate to a Justice; or
- (xiii) at the Sexually Transmitted Diseases Clinic and the Medical Examination and Immunization Centre; or
- (xix) in or by:
  - The Drug and Alcohol Authority
  - New South Wales State Cancer Council
  - The United Hospitals Auxiliary The Institute of Psychiatry; or
- (xx) in or in connection with the administration of any body (whether incorporated or unincorporated) established for the purpose of registering persons for the practice of any profession, calling or vocation in the State of New South Wales; or
- (xxi) in or in connection with the provision of medical services in penal or like establishments deemed or proclaimed to be a prison under the *Prisons Act 1952*, or any Act replacing the said Act; or
- (xxii) by any employer or at any place of employment replacing any of the foregoing employers or places of employment, as the case may be; or

- C. by any Organisation registered or exempt from registration under the *Charitable Collections Act 1934*, who are graduates or graduands of a recognised University or who hold a diploma of a recognised body and are engaged in any of the following callings or avocations whether as principal or assistance employees or employees in training;

Bacteriologist, Pathologist, Medical Scientist, Scientific Officer, Bio-medical Engineer, Physician, Surgeon, Dental Scientist, Dentist, Optometrist, Oculist, Audiologist, Speech Therapist, Occupation Therapist, Music Therapist, Dietitian, Physiotherapist, Chiropodist (or

Podiatrist), or Remedial Gymnast, together with such other employees who are engaged or usually engaged in the callings or avocations of Chiropodist (or Podiatrist) or Remedial Gymnast, whether as principal or assistance employees or as employees in training and who hold a certificate of a Technical College or of any institution deemed by the employer to be of a similar standing; or

- D. in regional offices of any Department of State or corporation or body established by statute administering or providing health services in the State of New South Wales including such persons whose employment fulfils a function of a regional nature but who, due to the nature of their duties are not employed within the precincts of that office, and in or by area or community health services (howsoever called) where these area or community health services have replaced services carried on or provided by a person or body referred to in B. above; or
- E. by the Home Care Service of New South Wales,
- (c) persons eligible for membership of the Health and Research Employees Association of Australia (NSW Branch) who are employed by the employing authority for each of the following hospitals, mental hospitals, hospital dispensaries, medical schools, laboratories, colleges, industrial and other similar homes, ambulance work (including first aid work), general nursing reception homes, sanatoriums, rest homes, which are wholly or partly controlled by the Board of Health, non-residential special schools and the Universities shall not be eligible to join the Union;
- (d) persons engaged in any clerical capacity, including those engaged in the occupation of shorthand writers and typists and/or in calculating, billing and/or other machines designed to perform or assist in performing any clerical work whatsoever, and/or including telephonists and persons employed as canvassers (other than canvassers for the sale of goods) and/or collectors and clear out men shall not be eligible to join the Union; and

#### PART V

The Union shall consist of employees of the Hunter Water Corporation and employees of any wholly or partly owned subsidiary of the Hunter Water Corporation or any successor, transferee, assignee or transmittee of the functions, whole or in part of the Hunter Water Corporation; and

#### PART VI

The Union shall consist of:

- (a) Persons of good character who are employed -
  - (i) on the salaried staff of the Commissioner for Railways; or
  - (ii) on the salaried staff of the Commissioner for Government Transport; or

- (iii) on the salaried staff of the Commissioner for Motor Transport; or
- (iv) on the salaried staff of The Electricity Commission of New South Wales;  
or
- (v) as salaried staff in connection with air transport;
- (b) Persons who, while being of any class specified in paragraph 1 above and while being members of the Union are temporarily regressed to the wages staff of the employer;
- (c) Persons who are employed on the staff of the Union and who become and remain members of the Union pursuant to the Rules;
- (d) Persons who become associate life members pursuant to sub-rule (b) of Rule 24 of these Rules, or upon whom associate life membership is conferred pursuant to the same sub-rule, and who remain such; and

## PART VII

Any person who is an employee or officer of the Union is eligible to belong to the Union.