

MEMBERSHIP QUALIFICATIONS

for

**The Australian Rail, Tram and Bus Industry Union,
New South Wales**

Rule 4 - Eligibility for Membership

- (1) The following shall be eligible to become members of the Union:
- (i) permanent or casual employees, including persons training for employment, in the tramway services and motor omnibus services and the trolley bus services and light rail services run in conjunction therewith or controlled thereby, and also employees of the State Transit Authority of New South Wales and the Public Transport Corporation of Victoria, the State Transport Authority of South Australia, the Metropolitan Trust, Tasmania, the Brisbane City Council and the Metropolitan (Perth) Passenger Transport Trust any Commonwealth, State or Local Government, in tramway or motor omnibus or trolley bus or light rail services together with such other persons whether engaged in the industry or not who at any time when training for employment or working in the tramway, trolley bus, motor omnibus or light rail services have been admitted as members and who continue that membership.
- Provided nothing in this paragraph shall permit the Union to enrol as members persons employed in the States of Victoria, Queensland, Tasmania and Perth as clerks, Ticket Examiners, Depot Starters, Assistant Depot Starters or Inspectors; and
- (ii) an unlimited number of employees employed in or in connection with the Railway and Tramway industry or industries governed and controlled directly by the Governments of the Commonwealth of Australia and the States of Queensland, New South Wales, Victoria, South Australia, western Australia and Tasmania, or indirectly by such Governments, or any of them through Commissioners, Boards, Managers, directors, or any other means, and also all railway systems in Commonwealth owned and controlled by private persons or companies, and the Secretary and/or any employee of the Railway Institute established by or under the direction or with the approval of the Commissioners, Boards, Managers, Directors or other controlling authorities of any of the railway systems in New South Wales; and
 - (iii) (a) an unlimited number of railway employees (adult or junior, male or female) who become and remain members of the Union and persons who while being members of the Union retire from the railway industry upon the ground of ill health or having reached retiring age and whose membership has not been terminated pursuant to these Rules;

- (b) for the purpose of sub-paragraph (iii)(a) above, "Employee" or "Railway Employee" means any officer or employee employed by any Railway Department and also any officer or employee employed in any railway system in New South Wales owned or controlled by private persons or corporations other than officers in a supervisory position employed at an annual rate of salary and shall include the Secretary or any employee of any Railway Institute established by or under the direction or with the approval of the Railway Commissioner or other controlling authority of any railway system in the Commonwealth and "Railway industry" has a corresponding meaning; and
- (iv) an unlimited number of persons eligible to be employed in the Railway Train Running Industry including Locomotive Drivers, Electric Train Drivers, Firemen, Electric Helpers, Chargemen and Cleaners, Packers and Trimmers, Wash-out Men, Wash-out Men's Assistants, Motor Drivers any other workers engaged in or about the working or management of or incidental to any Steam Locomotive or Motor driven by electricity or other power used on any Railway.

Provided that, except as provided in ***Sub-Rules 4(3), 11(3) and 11(4)** of these Rules, a person shall only be eligible to remain as a member while he/she continues to meet one or other of the eligibility criteria specified in the foregoing paragraphs.

- (2) Each of the paragraphs numbered (i) to (iv) in Sub-Rule 4(1) of these Rules shall be interpreted separately. Accordingly, each paragraph shall neither limit nor be limited by the provisions of any other paragraph.
- (3) Notwithstanding the proviso to Sub-Rule 4(1), a person who is admitted to membership pursuant to the provisions of *** Rule 9** and who subsequently is elected as a paid Office Bearer of the Union or becomes an employee of the Union, shall be entitled to remain as a member while holding such Office or engaged in such employment.
- (4) Notwithstanding Sub-rules 4(1), (2) and (3) only persons whose usual place of work is located within the State of New South Wales together with persons employed by the State Rail Authority or its successor within the State of Queensland or the Australian Capital Territory shall be eligible to become members of the Union.

**** Rule 9, Admission to Membership***

- (1) *All persons who are eligible for membership of the Union under the provisions of Rule 4 of these Rules may be entitled to seek membership of the Union by making application to the Secretary.*
- (2) *The form of application for membership shall be determined by the Secretary. The form of application shall be in the same form as used by the NSW Branch*

and shall be an application for membership of both the Union and the NSW Branch.

- (3) Except as provided for in Sub-Rule 9(4) of these Rules, a person's membership of the Union commences on and from the date on which his/her application for membership is received by the Secretary.*
- (4) If the Secretary considers that an applicant for membership is either ineligible for membership of the Union or is of general bad character, the Secretary shall refer the application for consideration by the Executive. The Executive shall decide whether to accept or reject the application and in the event of acceptance, the applicant shall be deemed to be a member from the date that his/her application was received by the Secretary.*
- (5) The Secretary shall inform applicants for membership in writing of the financial obligations arising from membership and of the circumstances and the manner in which a member may resign from the Union.*
- (6) No error, omission or want of form in connection with a person's application for membership shall invalidate membership.*
- (7) (a) Notwithstanding any other provision of these rules members of the NSW Branch may become members of the Union in accordance with the provisions of this sub-rule.*
 - (b) An application for membership of the Union in respect of a member of the NSW Branch may be made on behalf of such person by the NSW Branch.*
 - (c) No error, omission or want of form in connection with any person's application for or admission to membership shall invalidate membership under this sub-rule.*
 - (d) A person shall be taken to have become a member under this sub-rule on the date when the application made on behalf of that person by the NSW Branch is received by the Union, provided that he/she shall be notified by letter by the Union and/or the NSW Branch:*
 - (i) that on the date specified in the letter being not less than six weeks after the date of the letter that an application in accordance with this rule will be made on his/her behalf to the Union; and*
 - (ii) of the financial obligations arising from membership and the circumstances and manner in which a member may resign from membership;*
 - (iii) that if a written objection to the Secretary of the NSW Branch is received within one month of the letter then no application on his/her behalf will be made.*

*** Rule 11, Membership Status**

- (1) *Except as provided in Sub-Rules 11(3) and 11(4) of these Rules, only members who continue to meet the eligibility criteria specified in Rule 4 of these Rules or who, after being admitted as members of the Union, are elected as paid Office Bearers of the Union or become employees of the Union, shall be entitled to remain as members.*
- (2) *Members no longer entitled to remain as members shall cease to be members once removed from the Register of Members pursuant to Rule 15 (Disciplinary Action Against Members) of these Rules.*
- (3) *The Council or the Executive may confer Honorary Life Membership on any member who has given meritorious service to the Union and its members. Such Life Membership shall commence on and from that member's retirement, resignation or cessation of eligibility to remain a member. An Honorary Life Member shall be exempt from payment of subscriptions, fees and levies but he/she shall not be entitled to vote in any election or ballot or at any meeting within the Union, or to nominate for or hold any Office within the Union. Honorary Life Membership shall not be regarded as financial membership for the purposes of these Rules.*
- (4) *The Council or the Executive may confer Associate Membership on any member of the Union who ceases to meet one or more of the eligibility criteria specified in Rule 4 of these Rules. Such Associate Membership shall commence on and from the date of the Council or the Executive's decision. To be a financial such an Associate Member of the Union, who is also a member of the NSW Branch, shall be required to pay any Union levies which are determined from time to time by the Union Council, to pay any fines as may be imposed upon him/her pursuant to these Rules and to be a financial member of the NSW Branch. To be financial such an Associate Member of the Union, who is not also a member of the NSW Branch, shall be required to pay any subscription rates and entrance fees as are determined from time to time by the Council, any levies which are determined from time to time by the Council and to pay any fines as may be imposed upon him/her pursuant to these Rules. An Associate Member shall not be entitled to vote in any election or ballot or at any meeting within the Union nor to nominate for or hold any Office within the Union. Associate Membership shall not be regarded as financial membership for the purposes of these Rules.*