

NOTICE OF LODGEMENT WITH THE FAIR WORK COMMISSION – ALTERATION TO THE CONSTITUTION

A notice was lodged with the Fair Work Commission on 03 October 2019 setting out the particulars of an alteration to the Constitution of The Pharmacy Guild of Australia. The alterations to the Constitution, as voted on and approved by National Council, are set out below.

The Pharmacy Guild of Australia

6A - HONORARY LIFE MEMBERSHIP

Any person who has made an outstanding contribution to the profession of pharmacy in Australia and/or the Guild, may be proposed by any member for nomination by the National Executive and be elected by the National Council as an Honorary Life Member.

A person elected as an Honorary Life Member who is **a member of the Guild, or who is eligible for membership and becomes a member** of the Guild, shall be exempt from the payment of the annual subscription comprising one Proprietor Component and one Premises Component to the Guild but shall retain all the rights and obligations of a financial member.

A person elected as an Honorary Life Member ~~who would not otherwise be eligible for membership of the Guild shall be exempt from the payment of the annual subscription comprising one Proprietor Component and one Premises Component, but shall not be eligible to~~ does not, by reason of that election alone, become a member or become eligible for membership of the Guild. The elected individual, therefore, is not entitled to vote, attend meetings or hold office in the Guild. Whether that person is a member or is eligible for membership of the Guild is determined in accordance with Rule 6.

The National Council may at any time suspend or terminate an Honorary Life Membership.

55B - ELECTIONS OF OFFICE BEARERS OF THE NATIONAL COUNCIL

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- (b) ~~If A~~ a person ~~who has been~~ elected Branch President/~~National Councillor shall be eligible to be nominated for the office of National President provided that if he~~ is elected to the office of National President, he ~~or she~~ shall be deemed to have resigned the office of Branch President.

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- (f) (i) When the National President has been elected, **or has been appointed to fill a casual vacancy**, the alternate National Councillor first named in that Branch in accordance with Rule 76(a) whose **National** Councillor has been elected National President shall become a National Councillor. ~~during tenure of the office by~~ The Alternate National Councillor will remain a **National Councillor while** the National President ~~so elected holds office and shall will~~ be eligible to be nominated for election, **or be appointed** to fill a casual vacancy, in an office during his **or her** term as National Councillor.

- (ii) Where the person elected **or appointed** as National President had been elected to the office of Branch President:

- A. the person elected or appointed to replace him as Branch President, ~~if not already elected as a member of National Council, shall~~ will become a National Councillor, unless that person has already been elected as a National Councillor, in which case sub-rule 55B(f)(i) applies;
- B. the Branch Vice President will, in accordance with Rule 64, act in the Branch President's absence until the election or appointment of a replacement Branch President (**Acting Branch President**);
- C. the Acting Branch President, while he or she is acting in that office, holds the title of Acting National Vice President if he or she is a National Councillor or Alternate National Councillor; and
- D. if the Acting Branch President is not a National Councillor or Alternate National Councillor, the Branch Committee may appoint an Acting National Vice President from the elected National Councillors or Alternate National Councillors of the Branch.

(iii) Such further elections or appointments as may be necessary shall then be held or made to ensure that after the events referred to in sub-~~clauses~~rules 55B(f)(i) and (ii) above, the Branch shall have all the office bearers referred to in Rule 76.

62 - THE BRANCH EXECUTIVE

- (a) ~~Members of Each~~each Branch ~~Committee~~ shall elect an Executive in accordance with Rule 76. The Branch Executive shall consist of the ~~Branch President, the Branch Vice President(s) and the National Councillor(s) elected from the Branch Committee~~ office bearers as set out in sub-rule 76(c).

76 - COMMITTEE - ELECTION OF OFFICE BEARERS

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- (b) The office bearers named in sub-rule (a)(i) to (a)(iv) shall hold office for a period of three years or until their successors in office are declared elected PROVIDED THAT in respect to elections for Branch President after 2008, a Branch President who has served three full consecutive terms after 2008 shall not be eligible to be nominated or elected for a fourth consecutive term.

Notwithstanding the provisions of Rule 76(a)(ii), (iv) and (v), no member of the Committee may hold more than one office in the Branch at a particular time.

A member of the Committee is eligible to be nominated for and contest more than one office bearer position, provided that the member of the Committee is not declared elected to more than one office bearer position that cannot be held concurrently.

The Returning Officer must conduct the ballot and determine the successful candidate or candidates for each office bearer position (each such position being an "office") in accordance with the following procedure:

(i) The ballot for each office set out below must be conducted concurrently, but the counting of the votes and the declaration of the successful candidate for each office must be carried out in the following order, listed in descending ranking:

Hierarchy A

1. Branch President
2. Branch Vice President

Hierarchy B

1. National Councillor, who is also Branch President
2. National Councillor, who is not a Branch President
3. Alternate National Councillor

That is, the Returning Officer must count the votes and declare the successful candidate in the election for Branch President first, Branch Vice President second, and so on.

(ii) If a member of the Committee is successfully elected to an office in the Branch that cannot under this rule be held concurrently with an office lower in the hierarchy as set out in the above list, then that Committee member's nomination for each such office lower in the hierarchy shall be automatically withdrawn, and the votes that the Committee member receives in the election for each of those offices shall be disregarded for the purposes of determining the results of the election.

(iii) If a member of the Committee is declared elected to an office for which they have nominated without the need for a ballot to be conducted in accordance with Rule 76(h), that Committee member's nomination for each office lower in the hierarchy shall be automatically withdrawn, and the votes that the Committee member receives in the election for each of those offices shall be disregarded for the purposes of determining the results of the election.