

*Extract from the minutes of VIPA Committee of Management Meeting
06/12/13*

*The Committee of Management resolves that the changes to the VIPA rules
contained at Appendix 2 to the meeting agenda, be adopted.*

Moved: Andrew Hunt

Seconded: Karl Davis

In favour: 7

Against: 0

Absent: 3

'SCHEDULE A'

VIPA Rule Change November 2013

New Rules 21A – 21F to be inserted into the VIPA Rules.

21A. ASSOCIATION POLICIES AND PROCEDURES

The Association will develop and implement policies and procedures relating to the expenditure of the Association.

21B. TRAINING IN FINANCIAL MANAGEMENT

Within six months after beginning to hold an office, each officer of the Association whose duties include financial duties must complete training that:

- a) has been approved by the General Manager under section 154C of the *Fair Work (Registered Organisations) Act 2009*; and
- b) covers each of the officer's financial duties.

21C. DISCLOSURE OF OFFICER'S RELEVANT REMUNERATION AND NON-CASH BENEFITS

A. Each officer of the Association will disclose to the Association any remuneration paid to the officer:

- a) because the officer is a member of a board, if:
 - i. the officer is a member of the board only because the officer is an officer of the Association; or
 - ii. the officer was nominated for the position as a member of the board by the Association or a peak council; or

- b) by any related party of the Association in connection with the performance of the officers' duties as an officer.

B. The disclosure required by sub-rule (A) will be made to the Association:

- a) as soon as practicable after the remuneration is paid to the officer; and
- b) in writing.

C. The Association will disclose to the members of the Association:

- a) the identity of the officers who are the five highest paid in terms of relevant remuneration for the disclosure period, and
 - b) for those officers:
 - i. The actual amount of the officers' relevant remuneration for the disclosure period; and
 - ii. either the value of the officers' relevant non-cash benefits, or the form of the officers' relevant non-cash benefits, for the disclosure period.
- D. For the purposes of sub-rule (C), the disclosure will be made:
- a) in relation to each financial year;
 - b) within six months after the end of the financial year; and
 - c) in writing.

21D. DISCLOSURE OF OFFICER'S MATERIAL PERSONAL INTERESTS

- A. Each officer of the Association will disclose to the Association any material personal interest in a matter that:
- a) the officer has or acquires; or
 - b) a relative of the officer has or acquires;
- that relates to the affairs of the Association.
- B. The disclosure required by sub-rule (A) will be made to the Association:
- a) as soon as practicable after the interest is acquired; and
 - b) in writing.
- C. The Association will disclose to the members of the Association any interests disclosed to the Association pursuant to sub-rule (A).
- D. For the purposes of sub-rule (C), the disclosures will be made:
- a) in relation to each financial year;
 - b) within six months after the end of the financial year; and
 - c) in writing.

21E. DISCLOSURE BY ASSOCIATION OF PAYMENTS

A. The Association will disclose to the members of the Association either:

a) each payment made by the Association, during the disclosure period:

i. to a related party of the Association; or

ii to a declared person or body of the Association; or

b) the total of the payments made by the Association, during the disclosure period:

i. to each related party of the Association; or

ii. to each declared person or body of the Association.

B. Sub-rule (A) does not apply to a payment made to a related party if:

a) the payment consists of amounts deducted by the Association from remuneration payable to officers or employees of the Association; or

b) the related party is an officer of the Association, and the payment:

i. consists of remuneration paid to the officer by the Association; or

ii. is reimbursement for expenses reasonably incurred by the officer in performing the officer's duties as an officer.

C. For the purposes of sub-rule (A), the disclosures will be made:

a) in relation to each financial year;

b) within six months after the end of the financial year; and

c) in writing.

21F DEFINITIONS

(a) Association

means the VIPA

(b) board

means a group of persons who supervise, govern or otherwise have oversight of a corporation, organisation, association or other like body including a Board of Directors.

- (c) disclosure period For the purpose of these rules means the financial year unless a shorter period is specified.
- (d) Declared person or body A person is a declared person or body if:
- (i) an officer of the Association has disclosed a material personal interest under Rule 21D; and
 - (ii) the interest relates to, or is in, the person or body; and
 - (iii) the officer has not notified the Association that the officer no longer has the interest.
- (e) financial duties includes duties that relate to the financial management of the Association.
- (f) General Manager means the General Manager of Fair Work Commission.
- (g) non-cash benefit means property or services in any form other than money, but does not include a computer, mobile phone or other electronic device that is used only or mainly for work purposes.
- (h) peak council has the same meaning as defined by section 12 of the *Fair Work Act 2009*.
- (i) office has the same meaning as defined by section 9 of the *Fair Work (Registered Organisations) Act 2009*
- (j) officer has the same meaning as defined by section 6 of the *Fair Work (Registered Organisations) Act 2009*
- (k) related party has the same meaning as defined by section 9B of the *Fair Work (Registered*

Organisations) Act 2009.

- (l) relative in relation to a person, means:
- (i) parent, step parent, child, stepchild, grandparent, grandchild, brother or sister of the person; or
 - (ii) the spouse of the first mentioned person.
- (m) relevant remuneration in relation to an officer of the Association for a disclosure period is the sum of the following:
- (i) any remuneration disclosed to the Association by the officer under Rule 21C during the disclosure period;
 - (ii) any remuneration paid during the disclosure period, to the officer of the Association;
- (n) Relevant benefits non-cash in relation to an officer of the Association for a disclosure period means the non-cash benefits provided to the officer, at any time during the disclosure period, in connection with the performance of the officer's duties as an officer, by the Association or by a related party of the Association.
- (o) remuneration
- (i) includes pay, wages, salary, fees, allowances, leave, benefits or other entitlements; but
 - (ii) does not include a non-cash benefit; and
 - (iii) does not include the reimbursement or payment of reasonable expenses for the costs incurred in the course of the officer carrying out his or her duties.