



Regulation 126 Fair Work (Registered Organisations) Regulations 2009

Notice of Particulars of Rule Alterations

Particulars of the alterations of the rules are as follows:

1. Alter Rule 10 as follows, using ~~strike through~~ for deletions and underlined for additions to the text of the current Rules of the organisation (182V: Certified 14 August 2014):

10 - FINANCIAL OBLIGATIONS TO MEMBERSHIP

Membership ~~Dues~~Contributions

- (a) Membership dues ~~contributions~~ per annum or per week shall be set by National Council but at no time shall exceed 5% of a members' annual or weekly classification rate of pay respectively.
- (b) National Council may set dues~~contributions~~ at different levels for different groups of the membership.
- (c) Subject to sub-rule (i) hereof dues~~contributions~~ shall be paid in advance and may be paid fortnightly, monthly, quarterly, half-yearly or yearly.
- ~~(d) Contributions which are paid in respect of each quarter shall be due in advance to the Union on the first day of each quarter as set out below:~~
 - ~~1st quarter - January 1~~
 - ~~2nd quarter - April 1~~
 - ~~3rd quarter - July 1~~
 - ~~4th quarter - October 1~~
- ~~(e) Subject to sub-rule (i) hereof a new member shall commence paying dues~~contributions~~ by paying four weeks in advance~~one-twelfth of the applicable membership contributions per annum multiplied by the number of whole months remaining in the quarter in which the member joins the Union.~~~~

Levies

- (f) National Council may from time to time impose a levy or levies on all members of the Union or any group of the membership. Any such levy shall be due on the date or dates specified in the resolution of National Council imposing the levy.

Provided that a member shall not be required to pay in any financial year a total amount in levies exceeding one-half of the amount of membership dues~~contributions~~ per annum applicable to the member.

Payment of ~~Dues~~Contributions

- (g) All dues~~contributions~~ and levies shall be paid to the Branch Secretary unless otherwise determined by National Council.

- (h) Payment of duescontributions by payroll deduction or by deduction from an account in the members' name in a financial institution may be made where a member has authorised an employer or a financial institution to deduct the contribution from the member's wage or account and the employer or financial institution has agreed to make such deduction and regularly submit the contribution to the Branch Secretary or the union's account. Subject to sub-rule (j) hereof a member who elects to pay duescontributions in accordance with this Sub-Rule shall be deemed financial from the date of authorising such deduction provided the member owed no arrears in duescontributions prior to authorising the deduction.

Unfinanciality

- (i) Any member who has failed to pay membership duescontributions within 12 weeks after the day upon which they became due shall be unfinancial until all such duescontributions have been paid.

Notwithstanding the foregoing, where a member arranges in accordance with this Rule to pay duescontributions to the Union and payments fail to be submitted in accordance with the arrangement, the member shall be deemed financial. The National Secretary may notify the member in writing of the failure and that unless the member pays duescontributions due in accordance with Sub-Rules (e), (f) and (h) of this Rule within 60 days of the date of the notice, the member shall be unfinancial from the expiration of that period until all duescontributions due in accordance with the Rules have been paid. Once so notified, any deeming provisions shall expire after 60 days from the date of notification.

- (j) A member who has failed to pay a levy within 12 weeks of the date upon which it is due shall be unfinancial until it has been paid.

Consequences of Unfinanciality

- (k) A member who is unfinancial shall not be entitled to take part in the Union's affairs or claim any of the privileges of membership until all arrears, including any late payment fines, have been paid up, except as otherwise specifically provided by the Rules. An unfinancial member shall not be included as a member for the purposes of assessing members for any quorum, requisition, nomination or election.

A member who remains unfinancial for a continuous period in excess of 6 months and who has not complied with a Payment in Arrears Notice issued by the Union, may have his/her membership cancelled in accordance with Sub-Rule 12 (d) of these Rules.

Late Payment Fines

~~(l) Any Branch may, with the consent of National Council, impose a late payment fine not exceeding \$50.00 for each month that a member is in arrears of contributions, levies or fines. The total of such late payment fines for any member shall not exceed \$150.00 in any one financial year.~~

~~(m) Any fine imposed by a Branch or by National Council shall be paid to the Union by the member within one month after the date of notification of the fine imposed, unless an extension of time is sought by the member concerned and is granted by the Branch Secretary or the National Secretary.~~

Exemptions

(n) National Council may in any case in which it appears appropriate, exempt any member wholly or partially and for such period as it may specify, having regard to the circumstances of the particular case, from payment of the ~~dues contributions,~~ and levies that only apply to any unpaid period and/or fines.

2. Alter Rule 19 as follows, using ~~strikethrough~~ for deletions and underlined for additions to the text of the current Rules of the organisation (182V: Certified 14 August 2014):

19 - ANNUAL GENERAL MEETING OF MEMBERS OF THE UNION

(a) An Annual General Meeting of the members of the Union shall be held in the month of November each year or at such other time as near as practicable thereto as may be decided on by National Council.

(b) Notice of the times and places of the Annual General Meeting shall be given to members of the Union and posted in the office of each Branch ~~and at the engagement centres~~ at least 30 days prior to the date of such meeting.

(c) The business dealt with at the Annual General Meeting shall be confined to the business on the agenda which shall provide for the following:

- (i) The General Yearly Report of National Council.
- (ii) The Annual Financial Statement of the Union.
- (iii) Motions by members notice of which has been given in writing to the National Secretary at least fourteen days prior to the date of such meeting.

(d) Quorum

The number of financial members required to form a quorum shall be in the aggregate 10 percent of the financial members of the Union.

3. Alter Rule 20 as follows, using ~~strikethrough~~ for deletions and underlined for additions to the text of the current Rules of the organisation (182V: Certified 14 August 2014):

20 - SPECIAL MEETING OF MEMBERS OF THE UNION

(a) A Special Meeting of members of the Union may be called by:-

- (i) the National Executive Officers;
- (ii) on requisition signed by a majority of members of National Council;
- (iii) on requisition signed by 10% of the financial members of the Union.

(b) A requisition shall contain the nature of the business to be transacted at the Special Meeting and no further business shall be transacted.

(c) Special Meetings shall be held at such times and places as determined by the National Executive Officers.

(d) Notice of the times and places and the business to be transacted shall be inserted in a daily newspaper circulating in each port where a meeting is to be held at least three days before the date of the meeting and shall be posted in the office of each Branch ~~and at engagement centres.~~

(e) Quorum

The number of financial members required to form a quorum shall be in the aggregate 10 percent of the financial members of the Union.

4. Alter Rule 21 as follows, using ~~strikethrough~~ for deletions and underlined for additions to the text of the current Rules of the organisation (182V: Certified 14 August 2014):

21 - CONDUCT OF ANNUAL GENERAL AND SPECIAL MEETINGS OF MEMBERS OF THE UNION

The Annual General and Special Meetings of members of the Union shall be conducted as follows:-

- (a) *Meetings of members shall be held at each of the ports listed below and such other ports as determined by the National Executive Officers and the quorum for each such meeting shall be as set out below:-*

Melbourne	100	Port Kembla	40
Brisbane	60	Burnie /Devonport	30
Newcastle	40	Port Adelaide	60
Sydney	100	Fremantle	80

- (b) (i) *At the meeting the items on the agenda shall be submitted to the vote of the members present by way of motion.*
- (ii) *The results of the voting shall be forwarded by the Branch Secretary within whose Branch the port is located to the National Secretary, for the purpose of aggregating the votes and a motion shall be carried if it receives a majority of the votes cast provided that in each of a majority of Branches the motion also receives a majority of the votes cast.*
- (c) *All financial members of the Union shall have the right to speak and take part in and to cast one vote upon any motion.*
- (d) *The National Secretary, Deputy National Secretary, Assistant National Secretary/s and National Organiser/s shall have the right to attend and take part in and vote on any motion.*
- (e) *The financial members attending shall have power to appoint from amongst themselves a Chairperson to conduct the business of the meeting.*
- (f) *All members of the Union at the time of the meeting shall be expected to attend and remain until the termination of the meeting.*

5. Alter Rule 27 as follows, using ~~strikethrough~~ for deletions and underlined for additions to the text of the current Rules of the organisation (182V: Certified 14 August 2014):

27 - BRANCHES - AREAS

- (a) *National Council shall be empowered to establish or disband Branches or alter geographic areas embraced by Branches subject to approval by the members in Annual General or Special Meetings of the members of the Union.*

- (b) *The membership shall be allocated into Branches and the following shall be the Branch names and the geographic areas embraced by each of them until as may otherwise be determined by National Council:-*

<u>BRANCH OFFICE</u>	<u>NAME</u>	<u>AREA</u>
Brisbane	Queensland Branch	The State of Queensland
Newcastle	Newcastle Branch	From and including Newcastle to the Queensland border
Sydney	Sydney Branch	South of Newcastle to North of Port Kembla
Port Kembla	Southern New South Wales Branch	From and including Port Kembla to the Victorian border
Melbourne	Victorian Branch	The State of Victoria
Devonport <u>Burnie</u>	Tasmanian Branch	The State of Tasmania
Port Adelaide	South Australian Branch	The State of South Australia
Fremantle	Western Australian Branch	The State of Western Australia
Darwin	Northern Territory Branch	Northern Territory

6. Alter Rule 32 as follows, using ~~strike through~~ for deletions and underlined for additions to the text of the current Rules of the organisation (182V: Certified 14 August 2014):

32 - NATIONAL SECRETARY - POWERS AND DUTIES

There shall be a National Secretary who shall:

- (a) *be the Senior Executive Officer of the Union and shall be a full-time Officer of the Union;*
- (b) upon election to Office, reside within reasonable travel distance of the National Office of the Union which will be based in Sydney in the State of New South Wales;
- ~~(b)~~(c) *carry out all decisions of National Council and of the members and when National Council is not sitting shall conduct the business of the Union;*
- ~~(c)~~(d) *attend, as far as practicable, all meetings of National Council, National Conference and any other meetings of National bodies and ensure correct minutes are kept of the proceedings of such meetings;*
- ~~(d)~~(e) *receive and conduct all correspondence of the National Office, and shall keep a copy of all letters written and received and, if called upon by National Council, submit such correspondence for its perusal;*
- ~~(e)~~(f) *keep the Register of Members;*

- ~~(f)~~(g) *be the Officer to sue and prosecute and be sued and prosecuted on behalf of the Union;*
- ~~(g)~~(h) *be the treasurer of the Union;*
- ~~(h)~~(i) *pay all moneys received by the National Secretary for and on behalf of the Union into the bank or other financial institution authorised by National Council within 48 hours of receipt of such moneys;*
- ~~(i)~~(j) *direct that all moneys expended by the Union be drawn by cheque signed in accordance with the Rules;*
- ~~(j)~~(k) *cause to be kept accurate accounts of all moneys received and expended by the Union and submit all books, vouchers, papers, etc, in connection with the financial affairs of the Union to National Council and to the Auditors when called upon;*
- ~~(k)~~(l) *prepare an Annual Report, including financial statements, showing the operations of the whole of the Union, the progress and other material matters, reporting at the same time all Branches which have failed to make the necessary returns, or reports necessary for the preparation of the Annual Report;*
- ~~(l)~~(m) *supply all information required under the Act and any other Commonwealth or State legislation and sign all necessary papers and documents relating to such legislation;*
- ~~(m)~~(n) *compare the Branch balance sheets with their monthly reports, and investigate any irregularity;*
- ~~(n)~~(o) *prepare an Annual Financial Statement and Balance Sheet for the financial year which together with the resolutions of National Council relating to such accounts in accordance with the Act shall be printed and provided free of charge to the Branches and members;*
- ~~(o)~~(p) *keep all the records required to be kept by the Union under the Act and other Commonwealth or State legislation; and*
- ~~(p)~~(q) *work in conjunction with National Council and subject to its direction be responsible for the drafting, or directing the drafting, of any log of claims that may be submitted on behalf of the Union to the Australian Industrial Relations Commission or to the representatives of the employers.*