



**A•S•U**

**Australian  
Services  
Union**

**National Office  
Melbourne & Sydney**

*All correspondence to:*

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**National Secretary**  
Paul Slape

**Assistant National Secretaries**  
Greg McLean  
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File/Our Ref: [PKS/db 10.4](#)  
Your Ref:  
Please quote in reply

Friday, 30 July 2010

Mr Tim Lee  
General Manager  
Fair Work Australia  
GPO Box 1944  
MELBOURNE VIC 3001

By E-mail: [melbourne@fwa.gov.au](mailto:melbourne@fwa.gov.au)

Dear Sir

**Re: Rule Change - Division Eight  
New South Wales Local Government, Clerical, Administrative, Energy,  
Airlines and Utilities Branch of the Australian Municipal,  
Administrative, Clerical and Services Union**

I submit the following rule changes for certification.

Accordingly, I lodge with this letter a Notice Setting out the Particulars of the Alterations to the Rules of the ASU, containing a Declaration, pursuant to Section 159 of Schedule 1 and Regulation 126 of the Fair Work Australia (Registration and Accountability of Organisations) Act and Regulations.

The alterations concerned are to the Rules of the New South Wales Local Government, Clerical, Administrative, Energy, Airlines and Utilities Branch of the Australian Services Union (Division Eight) of the Australian Municipal, Administrative, Clerical and Services Union.

The intention of the proposed alterations to the Rules is:

- To separate the election of the Branch President and the Second National Executive Representative.
- To create a new position of an Alternate National Executive Representative.

If you require further information, please do not hesitate to contact me at this office.

Yours sincerely

**Paul Slape**  
National Secretary

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Encl.

**Fair Work (Registered Organisations) Act 2009**

**NOTICE SETTING OUT THE PARTICULARS OF THE ALTERATIONS  
TO THE RULES OF THE AUSTRALIAN MUNICIPAL, ADMINISTRATIVE,  
CLERICAL AND SERVICES UNION  
REGULATION 126**

**DECLARATION  
REGULATION 126 (2)**

I, PAUL SLAPE of Ground Floor, 116 Queensberry Street, Carlton South, Victoria, 3053, state:

1. I am National Secretary of the Australian Municipal, Administrative, Clerical and Services Union ("ASU"), an organisation of employees registered under the Fair Work (Registered Organisations) Act 2009 ("the Act") and I am authorised to make this statement for and on behalf of the ASU and to sign the "Notice Setting out the Particulars of the Alterations to the Rules of the Union".
2. The particulars set out in this Notice Setting out the Particulars of the Alterations to the Rules of the Australian Municipal, Administrative, Clerical and Services Union dated Friday 30 July, 2010 lodged herein are correct.
3. The alterations were made in accordance with the Rules of the ASU.
4. The manner in which compliance with the Rules of the ASU was obtained is as follows:
  1. The New South Wales Local Government, Clerical, Administrative, Energy, Airlines and Utilities Branch of the Australian Services Union advised the National Secretary in a letter dated 28 June 2010, that the Branch Executive at their meeting held on 21 June 2010 endorsed alterations to their Branch Rules and requested that the rule changes be referred to the National Executive for adoption.
  2. The Branch Secretary provided a copy of the alterations to all Branch Executive members with fourteen days notice.
  3. The vote was carried by a valid majority and the meeting quorate.
  4. The National Executive at its meeting held 1-2 July 2010 carried the rule changes unanimously and authorised me to have the changes certified. The meeting was quorate.
  5. The rule changes are to Branch Rule 9 - Branch Elections and Branch Rule 18 - National Conference Delegates and National Executive Representatives.
  6. A copy of the Branch Secretary's letter is attached and the particulars of the alterations sought to the Rules are set out in the attachment to his letter dated 28 June 2010.
  7. I confirm that a notice advertising this rule change has been published on the ASU National website, [www.asu.asn.au](http://www.asu.asn.au).
5. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

**DATED:** Friday, 30 July 2010



**Paul Slape**  
National Secretary  
Australian Municipal, Administrative, Clerical and Services Union



Contact: Ben Kruse

28 June 2010

Mr Paul Slape  
National Secretary  
Australian Services Union  
Ground Floor  
116 Queensberry Street  
CARLTON SOUTH VIC 3053



By facsimile: 03 9342 1499

Dear Paul,

**Rule change concerning Second National Executive representative & Alternate**

At the Union's Federal Executive meeting on Monday 21 June 2010 a rule change was adopted concerning the alteration of arrangements for the US Branch Second National Executive position together with the creation of a new position of Alternate.

**Attached** is a copy of the Executive Resolution including the rule change.

Could you please make arrangements to have the rule change referred to the National Executive for adoption. Please let us know if a phone conference is necessary to provide a briefing. Alternatively, the amendments can be discussed at next week's executive.

Yours faithfully,

Ben Kruse  
BRANCH SECRETARY

(BK/mt)

## **ASU United Services Branch Executive Motion**

That the amendments set out in the attached document be made to Part IX, Division 8 of the Rules of the Australian Municipal, Administrative, Clerical and Services Union, with effect from certification by the General Manager of Fair Work Australia in accordance with section 159 of the Fair Work (Registered Organisations) Act 2009 (Cth):

## BRANCH ELECTIONS

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Where the Branch Secretary and Branch President consider a matter or matters require urgent attention, a meeting of the Branch Executive shall be called by the Branch Secretary who shall give such notice of the meeting as is practicable. Such meetings may be conducted by telephone, or any method by which members of the Branch Executive are able to communicate with each other without being physically present.

7 – DELETED

8 – DELETED

### 9 – BRANCH ELECTIONS

Commencing in 2003 and then every fourth year thereafter an election shall be held for the purpose of electing the following office holders:

- i. Branch President/~~Second National Executive Representative~~
- ii. [deleted]
- iii. Branch Vice-President
- iv. Branch Secretary/First National Executive Representative
- v. [deleted]
- vi. Branch Treasurer
- vii. National Conference Delegates
- viii. First, Second, Third, Fourth, Fifth and Sixth Alternate National Conference Delegates
- ix. Committee Members of the Branch Executive to be elected by and from financial members allocated to the respective Sub-Branches
- x. [deleted]
- xi. Sub Branch Committee of Management Members
- xii. Second National Executive Representative.

Commencing in 2011 and then every fourth year thereafter an election shall be held for the purpose of electing an Alternate National Executive Representative.

[deleted]

Each Sub-Branch shall elect one Committee Member of the Branch Executive, who shall be elected from eligible members allocated to the Sub-Branch, provided that the Metropolitan Salaried Officers' Sub-Branch, the Sydney Sub-Branch and the Sydney Clerical and Administrative Sub-Branch shall each elect one additional Committee Member of the Branch Executive.

At the first meeting of each Sub-Branch Committee of Management following the quadrennial elections, in accordance with Rule 41e. for the following offices:

## 12 – BRANCH PRESIDENT

- i. Sub-Branch President
- ii. Sub-Branch Vice-President
- iii. Sub-Branch Secretary
- iv. Sub-Branch Treasurer
- v. Sub-Branch delegates to Branch Conference
- vi. Sub-Branch alternate delegates to Branch Conference

Only members of the Sub-Branch Committee of Management shall be eligible to stand or vote for these offices.

- e. A candidate shall not be permitted to nominate for more than one position on the Branch Executive.
- f.
  - i. A candidate shall not be permitted to nominate for more than one position on a Sub Branch Executive.
  - ii. For the purpose of this rule, the Sub Branch Executive shall consist of the Sub Branch President, the Sub Branch Vice President, the Sub Branch Secretary and the Sub Branch Treasurer.

## 10 – THE RETURNING OFFICER

- a. The Returning Officer shall be appointed by the Branch Conference at the first meeting of the Branch Conference immediately following the declaration of the Ballot in each ordinary Branch Election. The Returning Officer shall hold the position until the appointment of a successor.
- b. The Returning Officer shall not be the holder of any office in nor be an employee of the Union or of any Branch, Section or Division of the Union.

## 11 – BRANCH FUNDS

- a. The Branch Executive shall have the control, custody, administration and management of all income and assets which constitute the Branch Fund in accordance with National Rule 21.
- b. Branch funds shall be banked in any registered financial institution as the Branch Executive may determine from time to time in such one or more accounts as the Branch Executive may from time to time determine.
- c. All cheques drawn on Branch Funds shall be signed by the Branch President or the Branch Vice President and shall be countersigned by the Branch Secretary or the Branch Treasurer. Provided that in the case of absence of any of such persons or of their inability to sign cheques, the Branch Executive may appoint other persons to sign in place of the absent or unable person either generally or in any particular case.

## 12 – BRANCH PRESIDENT

- a. The Branch President shall be elected each four years by the financial members of the Branch.
- b. The Branch President shall –
  - i. be Chairperson of Branch Conference, of meetings of the Branch Executive, of meetings of members or representatives of the Branch at which the Branch President is present;

## **20 – POWER TO IMPOSE LEVY**

### **18 – NATIONAL CONFERENCE DELEGATES AND NATIONAL EXECUTIVE REPRESENTATIVES**

- a.
  - i. The Branch Secretary shall be the first National Conference Delegate of the Branch; unless the Branch Secretary has already been elected to an Honorary position, which has an automatic entitlement to attend National Conference.
  - ii. The Branch President shall be the second National Conference Delegate of the Branch unless the Branch President has already been elected to an Honorary position, which has an automatic entitlement to attend National Conference.
  - iii. The additional National Conference Delegates, and the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> alternate National Conference Delegates, shall be elected in accordance with National Rule 7.
- b. In the event of casual vacancies arising in the office of National Conference Delegate such vacancies shall be forthwith filled by the Alternate National Conference Delegates in the order 1<sup>st</sup> to 6<sup>th</sup>.
- c. ~~The Branch Secretary shall be the First National Executive Representative of the Branch, and the Branch President shall be the Second National Executive Representative of the Branch.~~
- d. The Second National Executive Representative of the Branch shall be elected in accordance with Branch Rule 9 – Branch Elections by the financial members of the Branch.
- e. There shall be an Alternate National Executive Representative elected in accordance with Branch Rule 9 – Branch Elections by the financial members of the Branch. This Rule becomes effective from the calling for nominations at the 2011 elections.
- f. In the event of a casual vacancy arising in the office of Second National Executive Representative, the Alternate National Executive Representative shall forthwith fill the vacancy. This Rule becomes effective from the declaration of the results at the 2011 elections.

### **19 – SPECIAL BRANCH CONFERENCE**

- a. The Branch Executive may convene a Special Conference on its own initiative or at the request of at least fifty percent of the Sub Branches.
- b. Special Conference shall consist of the Branch Executive and the Delegates to Branch Conference.
- c. All Branch Executive members and all Delegates to Branch Conference shall receive at least four weeks notice of the time and place of the Special Conference.
- d. The Branch Executive shall determine the agenda items for the Special Conference. The agenda shall be notified to the Delegates and Branch Executive members at least four weeks prior to the Special Conference.
- e. Special Conference shall have the same powers and authorities as conferred on Branch Conference in Rule 4.
- f. Rule 4, Branch Conference, shall apply with the necessary changes, to Special Conference.

### **20 – POWER TO IMPOSE LEVY**

The Branch Executive may impose at any time a levy upon the members of the Union attached to the Branch in furtherance of the objects of the Union as prescribed by National Rule 4 and it may prescribe to the conditions necessary or convenient to give effect to the imposition of such levy.