



A•S•U

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Tuesday 25 September, 2018

General Manager
Fair Work Commission
GPO Box 1944
MELBOURNE VIC 3001

By E-mail: ros@fwc.gov.au

Dear General Manager

Re: Amendments to Australian Municipal, Administrative, Clerical and Services Union rules

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, Declarations pursuant to Section 159(1) of the Fair Work (Registered Organisations) Act 2009 and Regulation 126 of the Fair Work (Registered Organisations) Regulations 2009.

The rule alteration concerns the National Rule DIVISION SEVEN NEW SOUTH WALES & ACT (SERVICES) BRANCH as follows:

In Rule 26 – INDUSTRY DIVISION COMMITTEE OF MANAGEMENT MEMBERSHIP delete the paragraph in sub rule d. and insert as follows:

- (i) On and from the quadrennial elections to be held in 2019, the Hunter Water Industry Division Committee of Management shall consist of a President and Vice-President together with six (6) committee members who shall be elected by all financial members of the Branch employed in the Hunter Water Industry in accordance with these rules.
- (ii) Notwithstanding any other provision of these Rules, until the declaration of the poll in the quadrennial elections to be conducted in the Branch in 2019, the Hunter Water Industry Division Committee of Management shall consist of the following:
- President
 - Vice-President
 - Divisional Secretary
 - Divisional Assistant Secretary
 - Four (4) Committee members (Wages employees)
 - Four (4) Committee members (Salary employees)

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

Yours faithfully

Tel: +61 3 9342 1401
Mobile: 0419 644 238
E-mail: dsmith@asu.asn.au

David Smith
NATIONAL SECRETARY

[enc](#)

**Australian
Services
Union**

**National Office
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National Secretary
David Smith

Assistant National Secretaries
Linda White
Robert Potter

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, DAVID SMITH, of Ground Floor, 116-124 Queensberry Street, Carlton South, State of Victoria:

1. I am the 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"). 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 25 September 2018, 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:
 - a) Judith Wright, Deputy Branch Secretary of the New South Wales and ACT (Services) Branch and National Executive member, advised the National Secretary in a letter dated 8 August 2018, that the Branch Executive consented to the proposed Rule alterations on 8 August 2018.
 - b) The proposed rule alterations relate to variations to Sub-rule 26(d) and the Hunter Water Industry Division Committee of Management as follows:
 - The current 12 positions on the Hunter Water Industry Division Committee of Management be reduced to 8;
 - The 8 positions include a President and Vice President;
 - The positions of Divisional Secretary and Assistant Secretary be removed;
 - The references to "wages" and "salaried" employees be removed;
 - Inclusion of a transitional provision to commence the operation of the rule change from the 2019 Branch quadrennial elections and also maintain current offices and office holders.
 - c) The National Executive has determined that the letter from the Deputy Branch Secretary of the NSW and ACT (Services) Branch declaring that the Branch Executive had consented to the amendments to the rules of the Branch, which have been provided to the National Executive, demonstrates consent of the Branch Executive for the purposes of National Rule 49.
 - d) I confirm that on 20 September 2018 a Postal/Fax/E-mail Ballot was submitted to all National Executive members via e-mail and members were provided with a copy of the letter from the New South Wales and ACT (Services) Branch dated 8 August 2018 attached hereto and marked '**Attachment A**' and a current copy of the relevant rules with the proposed amendments using tracked changes attached hereto and marked '**Attachment B**'.
 - e) On the 25 September 2018, a total of 138 affirmative votes were received. Of the total of 138 votes allocated to members of the National Executive in accordance with sub-rule 8c, I declared the vote carried pursuant to sub-rule 8j of the rules of the ASU. Attached hereto and marked '**Attachment C**' is a copy of my correspondence to National Executive members of the 25 September 2018, declaring the result of the ballot.
5. Pursuant to Regulation 126(1)(b) the notice for this rule alteration has been published on the ASU website and can be viewed at www.asu.asn.au/about/rules.

6. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

DATED: 25 September, 2018



David Smith
NATIONAL SECRETARY

8 August 2018

David Smith
National Secretary
Australian Services Union
Ground Floor, 116 Queensberry Street
Carlton South Vic 3053

By email: dsmith@asu.asn.au

Dear David,

Re: Rule change - NSW and ACT Services Branch of the Australian Municipal, Administrative, Clerical and Services Union

By email vote on 8 August 2018, the Branch Executive passed the following resolutions to amend ASU NSW & ACT Services Branch Rule 26(d):

That:

- The current 12 positions on the Hunter Water Industry Division Committee of Management be reduced to 8;
- The 8 positions include a President and Vice President;
- The positions of Divisional Secretary and Assistant Secretary are removed;
- The references to “wages’ and ‘salaried” employees are removed

viz:

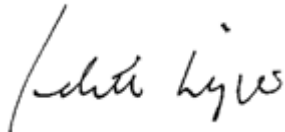
26.d. Hunter Water Industry Division Committee of Management

The Hunter Water Industry Division Committee of Management shall consist of a President, *and* Vice-President, ~~Divisional Secretary and Divisional Assistant Secretary together with six (6) committee members who shall form the Executive of the Hunter Water Division who shall be elected by all financial members of the Branch employed in the Hunter Water Industry in accordance with these rules. together with eight (8) committee members, four (4) of whom shall be elected by and from financial members who are Wages employees and four (4) of whom shall be elected by and from financial members who are Salaried employees. The Executive shall be elected by all financial members of the Branch employed in the Hunter Water Industry in accordance with these rules.~~

I would be grateful if you could commit this to a vote of the National Executive and subsequently advise FWC of the rule change.

Please contact me if you wish to discuss.

Yours faithfully,



Judith Wright
Deputy Secretary

26 - INDUSTRY DIVISION COMMITTEE OF MANAGEMENT MEMBERSHIP

a. Water and Ports Industry Division Committee of Management

The Water and Ports Industry Division Committee of Management shall consist of a President, Vice President, Treasurer and three (3) Executive members who shall form the Executive and twelve (12) Committee Members. Members of the Water and Ports Industry Division Committee of Management shall hold office for a period of four (4) years. All members of the Water and Ports Industry Division Committee of Management shall be elected by all financial members of the Branch employed in the Water and Ports Industry Division in accordance with these rules.

b. Social and Community Services Division Committee of Management

(i) The Social and Community Services Division Committee of Management shall consist of the President, one (1) Vice-President (New South Wales), one (1) Vice-President (Australian Capital Territory) and an additional four (4) Committee members elected by all financial members of the Branch employed in the Social and Community Services Industry. There shall also be one (1) committee member representing each Sub-Division established in accordance with Rule 35. Committee members shall be elected by all financial members of the relevant Sub-Division.

(ii) The President shall be elected by all financial members of the Branch employed in the Social and Community Services Industry in accordance with the rules.

(iii) The Vice-President (New South Wales) shall be elected by all financial members of all Sub-Divisions created pursuant to Rule 35 other than the Australian Capital Territory Sub-Division.

(iv) The Vice-President (Australian Capital Territory) shall be elected by all financial members of the Australian Capital Territory Sub-Division.

c. Transport Industry Division Committee of Management

(i) The Transport Industry Division Committee of Management shall consist of a President, Vice President who shall be the Deputy Industry President, Vice President (Women), Treasurer and two (2) Executive Members who shall form the executive of the Transport Industry together with Committee members. The number of Committee members shall be determined in accordance with the formula set out in Rule 10.

(ii) The Branch Vice President (Transport), Branch Executive Councillors (Transport) and all Branch Councillors shall ex-officio hold the corresponding positions in the Transport Industry Division Committee of Management, all other members of the Transport Industry Division Committee of Management shall be elected in accordance with the provisions of National Rule 41 (a) (iii) which shall also apply to any election required to fill a vacant position.

(iii) From the quadrennial elections to be held in 2011 the Branch Vice-President (Transport), Branch Executive members (Transport) and all Branch Councillors shall ex-officio hold the corresponding positions in the Transport Industry Division Committee of Management. All other members of the Transport Industry Division Committee of Management shall be elected in accordance with the provisions of the National Rule 41 (a) (iii) which shall also apply to any election required to fill a vacant position.

- (iv) On and from the quadrennial election to be held in 2015 the Transport Industry Division Committee of Management shall comprise a President, Vice President (Women), Treasurer and five (5) committee members who shall be elected in accordance with the provisions of National Rule 41 a. iii. In addition the Industry Division Vice President who shall be the Branch Vice President (Transport) and the Executive Councillors (Transport), elected in accordance with rule 3 (b), shall also be members of the Industry Division Committee of Management.
- (v) Notwithstanding the above any persons who holds a Committee of Management position ex-officio may, if they wish to nominate for election to a different position in the Transport Industry Division Committee of Management, resign from their ex-officio position without resigning from their office in the Branch.

d. Hunter Water Industry Division Committee of Management

~~The Hunter Water Industry Division Committee of Management shall consist of a President, Vice-President, Divisional Secretary and Divisional Assistant Secretary who shall form the Executive of the Hunter Water Division, together with eight (8) committee members, four (4) of whom shall be elected by and from financial members of the Branch employed in the Hunter Water Industry Division who are Wages employees and four (4) of whom shall be elected by and from financial members who are Salaried employees. The Executive shall be elected by all financial members of the Branch employed in the Hunter Water Industry in accordance with these rules.~~

- (i) On and from the quadrennial elections to be held in 2019, the Hunter Water Industry Division Committee of Management shall consist of a President and Vice-President together with six (6) committee members who shall be elected by all financial members of the Branch employed in the Hunter Water Industry in accordance with these rules.
- (ii) Notwithstanding any other provision of these Rules, until the declaration of the poll in the quadrennial elections to be conducted in the Branch in 2019, the Hunter Water Industry Division Committee of Management shall consist of the following:
- President
 - Vice-President
 - Divisional Secretary
 - Divisional Assistant Secretary
 - Four (4) Committee members (Wages employees)
 - Four (4) Committee members (Salary employees)

e. Airlines, Shipping, Travel and IT Industry Division Committee of Management

The Committee of Management shall be known as the Airlines, Shipping, Travel and IT Industry Committee of Management and shall consist of a President, a Vice-President, and six (6) Committee Members. All Members of the Airlines, Shipping, Travel and IT Industry Division Committee of Management shall be elected by all financial members of the Branch employed in the Airlines, Shipping, Travel and IT Industry in accordance with these rules.

- f. The Branch Secretary and the Deputy Branch Secretary shall be ex-officio members of all Industry Division Committees of Management.



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25 September 2018

TO: All National Executive Members
As addressed

By E-mail

Dear National Executive Member

**Postal/Fax/Email Vote No. 08/2018 Proposed
New South Wales & ACT (Services) Branch rule changes**

The result of the e-mail ballot submitted to members of National Executive via e-mail on 20 September 2018, regarding the above is as follows:

A total of 138 affirmative votes were received from:

David Smith
Linda White
Robert Potter
Alex Scott
Irene Monro
Vivienne Doogan
Natalie Lang
Judith Wright
Angus McFarland
Graeme Kelly
Stephen Birney
Sharon Sewell
Neil Henderson

Jennifer Thomas
Lynette Henson
Joseph Scales
Abbie Spencer
Jeff Lapidis
Ancel Greenwood
Michelle Jackson
Lisa Darmanin
Wendy Phillips
Ingrid Stitt
David Leydon
Paul O'Neill
Wayne Wood

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australianservicesunion](http://www.facebook.com/australianservicesunion)
TW: @ASUnion

National Secretary
David Smith

Assistant National Secretaries
Linda White
Robert Potter

No negative votes were received. I advise that National Executive E-mail Vote No. 02/2018 is carried.

Yours faithfully

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Mobile: 0419 644 238
E-mail: dsmith@asu.asn.au

David Smith
NATIONAL SECRETARY