



A•S•U

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Tuesday, 8 July 2014

General Manager
Fair Work Commission
GPO Box 1944
MELBOURNE VIC 3001

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

Dear Sir/Madam

Re: Amendment 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 alterations concerned are the Rules of the: New South Wales Local Government, Clerical, Administrative, Energy, Airlines and Utilities Branch, of the Australian Municipal, Administrative, Clerical and Services Union and Victorian Private Sector Branch as follows:

A. Division Eight New South Wales Local Government, Clerical, Administrative, Energy, Airlines and Utilities Branch

1. Delete rule 6a. and 6b. of Division Eight New South Wales Local Government Clerical, Administrative, Energy, Airlines & Utilities Branch Rules and substitute
 - 6a. There shall be a Branch Executive, which shall consist of the Branch President, the Branch Vice-President, the Branch Treasurer, the Branch Secretary, and ordinary Committee members for each Sub-Branch (subject to b. herein).
 - 6b. The Committee members shall come from the Sub Branches, with one from each Sub Branch, except the Metropolitan Salaried Officers' Sub Branch, and the Sydney Sub-Branch who each shall be entitled to two Committee members.
2. Delete rule 9c. and substitute:
 - 9c. 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 and the Sydney Sub-Branch shall each elect two Committee members.
3. In Division Eight, New South Wales Local Government Clerical, Administrative, Energy, Airlines & Utilities Branch, of the Australian Municipal, Administrative, Clerical and Services Union, insert a new rule as follows:

**Australian
Services
Union**

**National Office
Melbourne & Sydney**

All correspondence to:

Ground Floor
116 Queensberry St
Carlton South VIC 3053

T: (03) 9342 1400
F: (03) 9342 1499
E: info@asu.asn.au
W: www.asu.asn.au

National Secretary
David Smith

Assistant National Secretaries
Greg McLean
Linda White

Rule 6A - Transitional Rule - Amalgamation of the private sector Clerical and Administrative Sub-Branches within the Branch.

Notwithstanding any other rule, the office holders at the date immediately before the adoption of the alteration to rule 6, which gives effect to the merger of the private sector Clerical and Administrative Sub-Branches within the Branch, shall continue in office until the next scheduled ordinary elections within the Branch. Any casual vacancy will be filled for the then existing offices. To avoid doubt, the offices created in the new structure following the merger of the private sector Clerical and Administrative Sub-Branches within the Branch shall not take effect until the next scheduled election.

4. Delete the Schedule immediately following Rule 41, substitute:

SCHEDULE

List of Sub-Branches established pursuant to Rule 24.

Central West
Energy & Utilities
Metropolitan Salaried Officers'
Murray
Newcastle
New England
Northern
North Western
Riverina
Southern
Sydney
Sydney Clerical & Administrative
Airlines
ACT Clerical & Administrative

B. Division Eleven Victorian Private Sector Branch

1. Delete rule 10 - ALTERNATE NATIONAL EXECUTIVE REPRESENTATIVE and replace with "10 - VACANT"
2. At rule 11b. - NATIONAL CONFERENCE DELEGATES delete the word "deducted" and replace it with "additional as they are National Executive Members"
3. At rule 19a.vii. - ELECTION OF BRANCH OFFICE HOLDERS delete vii. and replace with "vii. Vacant."

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

Yours faithfully



David Smith
National Secretary

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

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

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 **8th July 2014**, 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) The New South Wales Local Government, Clerical, Administrative, Energy, Airlines and Utilities Branch, Branch Executive on the **5th May 2014**, endorsed to change Division Eight of the Rules of their Branch.
 - b) The New South Wales Local Government, Clerical, Administrative, Energy, Airlines and Utilities Branch advised the National Secretary in a letter dated **26th May 2014**, requesting the proposed changes to the rules of the Branch be submitted to a vote of National Executive as soon as possible.
 - c) I confirm that on **12th June 2014**, 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 Local Government, Clerical, Administrative, Energy, Airlines and Utilities Branch, Branch Secretary together with the proposed amendments to the rules.
 - d) On the **13th June 2014**, the result of the Postal/Fax/Email Ballot submitted to members of National Executive via e-mail was declared carried.
5. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

DATED: Tuesday, 8 July 2014



David Smith
National Secretary
Australian Municipal, Administrative, Clerical and Services Union

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
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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 **8th July 2014**, 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) The Victorian Private Sector Branch, Branch Executive on the **17th June 2014**, endorsed to change Division Eleven of the Rules of their Branch.
 - b) The Victorian Private Sector Branch advised the National Secretary in a letter dated **18th June 2014**, requesting the proposed changes to the rules of the Branch be submitted to a vote of National Executive as soon as possible.
 - c) I confirm that on **26th June 2014**, 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 Victorian Private Sector Branch, Branch Secretary together with the proposed amendments to the rules.
 - d) On the **3rd July 2014**, the result of the Postal/Fax/Email Ballot submitted to members of National Executive via e-mail was declared carried.
5. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

DATED: Tuesday, 8 July 2014



David Smith
National Secretary
Australian Municipal, Administrative, Clerical and Services Union



26 May 2014

Mr David Smith
National Secretary
Australian Services Union
Ground Floor, 116 Queensberry Street
CARLTON SOUTH VIC 3053

Also by email: dsmith@asu.asn.au

Dear Sir,

Re: **Amendments to the Rules of the New South Wales Local Government,
Clerical, Administrative, Energy, Airlines and Utilities Branch of the
Australian Municipal, Administrative, Clerical and Services Union**

I, as Branch Secretary, write to advise that at the meeting on 5 May 2014 of the Branch Executive of the New South Wales Local Government, Clerical, Administrative, Energy, Airlines and Utilities Branch a motion was passed that made provision for amendments to the Rules of the Branch.

I attach a copy of the Notice of Motion setting out the rule changes that were considered on 5 May 2014 by the Branch Executive together with the resolution of the Branch.

Please acknowledge receipt of this documentation regarding the Branch Rule Amendments and proceed to make the amendments accordingly.

As always, should you wish to discuss any aspects of these amendments, do not hesitate to contact me. I note these amendments have been foreshadowed to you.

I submit this letter to you on behalf of the Branch Committee of Management of the New South Wales Local Government, Clerical, Administrative, Energy, Airlines and Utilities Branch.

Yours faithfully,

Graeme Kelly
BRANCH SECRETARY

GK:kg

**ALTERATION TO AUSTRALIAN MUNICIPAL, ADMINISTRATIVE, CLERICAL AND
SERVICES UNION RULES
FROM UNITED SERVICES BRANCH – ENDORSED 5 MAY 2014**

The Rules of the New South Wales Local Government Clerical, Administrative, Energy, Airlines & Utilities Branch, of the Australian Municipal, Administrative, Clerical and Services Union be amended as follows:

1. Delete rule 6 a. and 6 b. of Division Eight New South Wales Local Government Clerical, Administrative, Energy, Airlines & Utilities Branch Rules

and substitute

6 a. There shall be a Branch Executive, which shall consist of the Branch President, the Branch Vice- President, the Branch Treasurer, the Branch Secretary, and ordinary Committee members for each Sub-Branch (subject to b. herein).

6 b. The Committee members shall come from the Sub Branches, with one from each Sub Branch, except the Metropolitan Salaried Officers' Sub Branch, and the Sydney Sub-Branch who each shall be entitled to two Committee members.

2. Delete rule 9 c. and substitute:

9 c. 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 and the Sydney Sub-Branch shall each elect two Committee members.

3. In Division Eight, New South Wales Local Government Clerical, Administrative, Energy, Airlines & Utilities Branch, of the Australian Municipal, Administrative, Clerical and Services Union, insert a new rule as follows:

Rule 6A - Transitional Rule - Amalgamation of the private sector Clerical and Administrative Sub-Branches within the Branch.

“Notwithstanding any other rule, the office holders at the date immediately before the adoption of the alteration to rule 6, which gives effect to the merger of the private sector

Clerical and Administrative Sub-Branched within the Branch, shall continue in office until the next scheduled ordinary elections within the Branch. Any casual vacancy will be filled for the then existing offices. To avoid doubt, the offices created in the new structure following the merger of the private sector Clerical and Administrative Sub-Branched within the Branch shall not take effect until the next scheduled election.”

4. Delete the Schedule immediately following Rule 41, substitute:

SCHEDULE

List of Sub-Branched established pursuant to Rule 24.

Central West

Energy & Utilities

Metropolitan Salaried Officers’

Murray

Newcastle

New England

Northern

North Western

Riverina

Southern

Sydney

Sydney Clerical & Administrative

Airlines

ACT Clerical & Administrative

EXTRACT FROM THE 5 MAY 2014 FEDERAL EXECUTIVE MINUTES IN REGARD TO THE 2012 BIENNIAL CONFERENCE RESOLUTIONS CONCERNING AMALGAMATION OF THE C&A BRANCHES.

EXTRACT FROM THE MINUTES OF THE NEW SOUTH WALES LOCAL GOVERNMENT, CLERICAL, ADMINISTRATIVE, ENERGY, AIRLINES & UTILITIES BRANCH OF THE AUSTRALIAN, MUNICIPAL, ADMINISTRATIVE, CLERICAL AND SERVICES UNION HELD IN THE BOARD ROOM LEVEL 8, 321 PITT STREET, SYDNEY ON MONDAY, 5 MAY 2014 COMMENCING AT 2.54PM.

MOVED xxxx SECONDED xxxx that the Federal Rule Changes from the 2012 Biennial Conference regarding the Amalgamation of the C&A Branches, provided to the Executive on 31 March 2014, be endorsed and the Branch Secretary is to take all necessary steps to have the Rule Changes enacted.

CARRIED



A•S•U

18 June 2014

David Smith
National Secretary
ASU

Via email

Dear David,

Re: Proposed Vic Private Sector Branch Rule Changes

I write to advise that last night the Branch Executive of the Victorian Private Sector passed the following resolution in respect to proposed changes to Division Eleven of the union's rules:

Recommendation:

1. **To approve the following amendment of DIVISION ELEVEN, the rules of the Victorian Private Sector Branch by deleting rule 10 – ALTERNATE NATIONAL EXECUTIVE REPRESENTATIVE, by adding and deleting the following words in rule 11 - NATIONAL CONFERENCE DELEGATES and by amending rule 19 - ELECTION OF BRANCH OFFICE HOLDERS.**
 - a) **Delete rule 10 - ALTERNATE NATIONAL EXECUTIVE REPRESENTATIVE and replace with "10 - VACANT"**
 - b) **At rule 11b. - NATIONAL CONFERENCE DELEGATES delete the word "deducted" and replace it with "additional as they are National Executive Members"**
 - c) **At rule 19a.vii. - ELECTION OF BRANCH OFFICE HOLDERS delete vii. and replace with "vii. Vacant;"**
2. **To authorise the Branch Secretary to submit to the National Secretary the proposed amendment to be considered by the National Executive.**

I ask that, in accordance with the rules, the attached rule changes be submitted to the National Executive for consideration.

Yours faithfully,

**INGRID STITT
BRANCH SECRETARY**

Australian Services Union
Victorian Private Sector Branch

Australian Services Union

Victorian Private Sector Branch
ABN 15 278 369 860

Level 2, 116 Queensberry Street, Carlton South, 3053
PO Box 447 Carlton South 3053
Telephone 03 9342 3300 Facsimile 03 9342 3399
Email: info@asupsvic.org Website: www.asuvic.org

Branch Secretary Ingrid Stitt
Assistant Secretary David Leydon

7 - NATIONAL CONFERENCE

- a. The Supreme Governing body of the Union shall be the National Conference with all powers and authorities as are necessary or convenient for carrying into effect these rules and the purposes of the Union.
- b. Without limiting the generality of the above, and subject to Rule 49, the National Conference shall have the power to add to, change, amend, vary, repeal and/or delete the Rules of the Union, notwithstanding any power of the National Executive to add to, change, amend, vary, repeal and/or delete the Rules of the Union.
- c. The National Conference shall comprise the members of National Executive and in addition National Conference Delegates from each of the branches in accordance with the following formula:
 - i. Two delegates from each Branch, and
 - ii. Branches with less than 1000 members, one additional delegate
 - iii. Branches with more than 1000 members, one additional delegate for the first 1000 members, and one additional delegate for each complete 1000 members thereafter.

Provided that in the event of the merger of two or more branches the branch so created shall be entitled, until the expiration of the normal terms of office of the National Conference Delegates elected by each of the merging branches, to the same number of delegates as the former branches were entitled to prior to the merger. At the first election for National Conference Delegates following the merger of Branches, the number of National Conference Delegates to which the merged Branch is entitled shall be calculated in accordance with the formula contained in this Rule, as if the Branches had not merged.

Provided further that for the purposes of this rule, the number of members in any branch shall be the number of Adult Membership Equivalents calculated in accordance with Rule 20, at the end of the half year immediately preceding the calling of nominations at each quadrennial election.

10 - ALTERNATE NATIONAL EXECUTIVE REPRESENTATIVE

- a. There shall be an Alternate National Executive Representative elected every 4 years by the financial members of the Branch.
- b. The Alternate National Executive Representative shall automatically replace the Branch Secretary/First National Executive representative or the Assistant Branch Secretary/Second National Assistant Representative as First National Executive Representative or the Second National Executive representative in the event that either is elected to a national office in accordance with National Rule 8 - NATIONAL EXECUTIVE.

11 - NATIONAL CONFERENCE DELEGATES

- a. The Branch shall be represented on National Conference by the Branch Secretary and the Assistant Branch Secretary and by National Conference Delegates elected every four years by the financial members of the Branch in accordance with the formula provided in National Rule 7 NATIONAL CONFERENCE.
- b. When the number of National Conference Delegates to be elected is calculated in accordance with National Rule 7 and the positions held by the Branch Secretary and the Assistant Branch Secretary are deducted, the remaining positions will be allocated by and from the members of the Branch provided that one shall be a woman, or, if the number is four or more half shall be women. If the number of additional delegates to be elected is not divisible by two, the number of positions to be held by women shall be the nearest whole number below fifty percent.

19 - ELECTION OF BRANCH OFFICE HOLDERS

- a. Commencing in 2003 and thereafter in every fourth year an election shall be held for the purpose of electing the following:
 - i. The Branch President to be elected by and from the whole membership;
 - ii. The Branch Vice-President (Women) to be elected from women members by the whole membership;
 - iii. The Branch Secretary/First National Executive Representative to be elected by and from the whole membership;
 - iv. Assistant Branch Secretary/Second National Executive Representative to be elected by and from the whole membership;
 - v. Two (2) Branch Executive Members to be elected by and from the whole membership, provided that on and from the quadrennial elections to be held in 2007 there shall be three (3) Branch Executive Members to be elected by and from the whole membership;
 - vi. Three Branch Executive Members (Women) to be elected from women members by the whole membership;
 - vii. The Alternative National Executive Representative to be elected by and from the whole membership;
 - viii. National Conference Delegates to be elected by and from the whole membership;
 - ix. National Conference Delegates (Women) to be elected from women members by the whole membership;
 - x. The Alternate National Conference Delegates to be elected by and from the whole membership;
 - xi. Branch Conference Delegates to be elected by and from Industry Divisions;

- xii. Branch Conference Delegates (Women) to be elected by and from Industry Divisions.
- b. Only eligible women members may nominate for the offices Branch Vice President (Women), Branch Executive Member (Women), National Conference Delegate (Women), Branch Conference Delegates (Women).