



**A•S•U**

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12 Jan 2011

General Manager  
Fair Work Australia  
GPO Box 1944  
MELBOURNE VIC 3001

Attention Matthew Jordan  
By E-mail: [matthew.jordan@fwa.gov.au](mailto:matthew.jordan@fwa.gov.au)  
[melbourne@fwa.gov.au](mailto:melbourne@fwa.gov.au)

**Australian  
Services  
Union**

National Office  
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National Secretary  
Paul Slape

Assistant National Secretaries  
Greg McLean  
Linda White

Dear Sir,

**Re: Australian Municipal, Administrative, Clerical and Services Union  
NSW and ACT (Services) Branch - Division 7**

I refer to our letter of 24<sup>th</sup> November 2010 and now attach a supplementary declaration in relation to the above rule alterations to for the NSW and ACT (Services) Branch.

I can also advise that the ASU will publish this supplementary declaration and the previous notice on the National website in accordance with Sub regulation 126 (1).

If you require further information, please contact me.

Yours sincerely,

**Linda White**  
Assistant National Secretary  
Encl.

Tel: +61 3 9342 1400  
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**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**

**SUPPLEMENTARY DECLARATION  
REGULATION 126 (2)**

I, Linda White, of Ground Floor, 116 Queensberry Street, Carlton South, Victoria, state:

1. I am Assistant 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. I refer to the declaration of Paul Slape of 24<sup>th</sup> November 2010 ("Paul Slape's declaration") and provide this declaration to supplement the material already filed.
3. The meeting of the National Executive of the ASU referred to in paragraph 4 of Paul Slape's declaration had a quorum and also unanimously affirmed the approval of the amendments to Division 7 of part IX (NSW and ACT (Services) Branch Rules.
4. To the best of my knowledge and belief the particulars contained in this statement are true and correct.

**DATED:** Wednesday, 12 January, 2011.



Linda White  
Assistant National Secretary  
Australian Municipal, Administrative, Clerical and Services Union



**A•S•U**

File/Our Ref: [PKS:MP: 10.4](#)  
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24 November, 2010

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: Australian Municipal, Administrative, Clerical and Services Union  
NSW and ACT (Services) Branch - Division 7**

I submit the following rule change 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(1) of the Fair Work (Registered Organisations) Act 2009 and Regulation 126 of the Fair Work (Registered Organisations) Regulations 2009.

The alterations concerned are to the Rules of the NSW and ACT (Services) Branch (Division 7) of the Australian Municipal, Administrative, Clerical and Services Union.

The proposed alteration to the Rules is:

1. To provide appropriate proportional representation of members by members of the Executive.
2. To amalgamate the Water and Ports Divisions of the Union.
3. To amalgamate the Airlines, Shipping and Travel Division with the information Technology Division of the Union.
4. To allow for the establishment of Delegates' Councils (at the request of Industry Division Committees of Management) which would meet twice per year and provide advice to the Industry Division Committee of Management on relevant issues.
5. To tidy up minor administrative parts of the Rules which have no operational effect.

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

Yours sincerely,

**Paul Slape**  
National Secretary  
Encl.

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Mobile: 0418 996 360  
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**National Secretary**  
Paul Slape

**Assistant National Secretaries**  
Greg McLean  
Linda White

**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, 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 Wednesday 24 November, 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 NSW and ACT (Services) Branch Executive, at their quarterly meeting held on 15 September, 2010, endorsed the amendments to Division 7 of part IX (NSW and ACT (Services) Branch Rules. The Branch Secretary confirmed that a quorum was present at this meeting and that members of the Branch Executive were provided with a copy of the proposed amendments prior to the meeting.
  2. The NSW and ACT (Services) Branch advised the National Secretary in a letter dated 29 October, 2010, requesting the proposed changes to the rules of the Branch to a vote of National Executive.
  3. I confirm that on Monday 8 November, 2010, a quorum of National Executive was present at this meeting and that members were provided with a copy of the proposed amendments.
5. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

**DATED:** Wednesday, 24 November, 2010.



PAUL SLAPE  
National Secretary  
Australian Municipal, Administrative, Clerical and Services Union

## **PROPOSED RULE CHANGES**

### **DIVISION 7 – NSW AND ACT SERVICES BRANCH**

1. Delete Rule 3 (a), renumber Rule 3 (b) as rule 3 (a), and delete the words “Provided that on and from the quadrennial elections to be held in 2007,”

2. Insert a new Rule 3 (b) as follows:

Rule 3 (b)

“Provided that on and from the quadrennial elections to be held in 2011, the Executive shall comprise the following:

a President, Deputy Presidents (2), Vice-President (Water); Vice-President (Transport); Vice-President (Airlines, Shipping, Travel and Information Technology), Vice-President (Social and Community Services), Vice-President (Hunter Water), Treasurer, Secretary, Deputy Secretary and additional members elected by and from the members of the Industry Divisions as set out in rule 35, being one member for the first 1,000 members and one additional member for every additional 1,000 members or part thereof who shall be known as Branch Executive members.”.

3. Delete Rule 10 and replace it with a new Rule 10 as follows:

“(a) There shall be a Branch Council which shall consist of the Branch Executive and Councillors representing the Transport Industry, the Information Technology Industry, the Water Industry, the Ports Industry, the Social and Community Services Industry, the Hunter Water Industry, and the Airlines, Shipping and Travel Industry elected in accordance with these rules and in accordance with the formula set out below:

Less than 200 members employed in the industry	1 delegate
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200 – 399	2 delegates
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400 – 599	3 delegates
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600 – 999	4 delegates
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Thereafter, each additional 500 or part thereof 1 additional delegate

(b) Provided that on and from the quadrennial elections to be held in 2011, the Branch Council which shall consist of the Branch Executive and Councillors representing the Transport Industry, the Water Industry, the Social and Community Services Industry, the Hunter Water Industry, and the Airlines, Shipping, Travel and IT Industry (known as the Private Sector Industry Group) elected in accordance with these rules and in accordance with the formula set out above.”

4. Delete Rule 19a and replace it with:

“There shall be eight (8) Branch Vice-Presidents. Provided that on and from the quadrennial elections to be held in 2011 there shall be five (5) Branch Vice-Presidents”

5. Delete Rules 19b and c and replace them with:

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- “b. There shall be Vice-Presidents representing and elected every four (4) years by the financial members of each of the following industries: Information Technology; Ports; Social and Community Services; Water; Airlines, Shipping and Travel; Transport and two (2) Vice-Presidents (Women) elected every four (4) years by the financial women members of the Branch .
- c. Provided that on and from the quadrennial elections to be held in 2011, there shall be Vice-Presidents representing and elected every four (4) years by the financial members of each of the following industries: Social and Community Services; Water; Transport; Airlines, Shipping, Travel and Information Technology (known as the Private Sector Industries) and Hunter Water.”

6. After Rule 21 (now Rule 20) delete the reference to Rule 22.

7. Delete Rule 25 (a) and (b) and replace it with a new rule 25 (a) and (b) as follows:

“a. There shall be the following Industry Divisions within the Branch:

- The Water Industry Division;
- The Social and Community Services Industry Division;
- The Airlines, Shipping, and Travel Industry Division;
- The Information Technology Industry Division;
- The Transport Industry Division;
- The Hunter Water Industry Division;
- The Ports Industry Division.

together with such other Industry Divisions as may be established by the Branch Executive. Subject to these rules and to the control of the Branch Executive, the affairs of each Industry Division shall be managed and controlled by an Industry Division Committee of Management. All members of all Industry Division committees of Management shall be elected each four (4) years in accordance with the rules.

b. From the quadrennial elections to be held in 2011 there shall be the following Industry Divisions within the Branch:

- The Water and Ports Industry Division;
- The Social and Community Services Industry Division;
- The Airlines, Shipping, Travel and IT Industry Division known as the Private Sector Industry Division;
- The Transport Industry Division;
- The Hunter Water Industry Division;

together with such other Industry Divisions as may be established by the Branch Executive. Subject to these rules and to the control of the Branch Executive, the affairs of each Industry Division shall be managed and controlled by an Industry Division Committee of Management. All members of all Industry Division Committees of Management shall be elected each four (4) years in accordance with the rules.”

8. Vary Rule 26 as follows:

- a. After Rule 26 (b) insert a new rule 26 (c) in the following terms and renumber the subsequent sub-rules in rule 26.

Rule 26 (c)

“From the quadrennial elections to be held in 2011 the Water and Ports Industry Division Committee of Management shall consist of a President, Vice President, Treasurer and three (3) Executive members who shall from the Executive and twelve (12) Committee Members. Members of the Water Industry Division Committee of Management shall hold office for a period of four (4) years. All members of the Water Industry Division Committee of Management shall be elected by all financial members of the Branch employed in the Water and Port Industry Division in accordance with these rules.”

- b. In the current Rule 26 c. (i) after the words “The Social and Community Services Industry Division Committee of Management shall consist of”, delete the words, “the Assistant Divisional Secretary”.
- c. In the current rule 26 c. (i) delete the words “Women’s Officer”
- d. In current rule 26 c. (i) delete the last sentence, “The office of Assistant Divisional Secretary shall be honorary.”
- e. In the current Rule 26 c (ii) delete the words “The Assistant Divisional Secretary, and”, and insert the word “the” before the word “President”.
- f. Delete the current Rules 26 c. (vi) and Rule 26 c. (vii) and rule 26 c. (viii)
- g. Insert a new rule 26 (d) iii in the terms set out below and renumber the current Rule 26 (d) iii as Rule 26 (d) iv:

“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.”

- h. Amend the current Rule 26 (e) by adding the following words at the end of the current rule:

“Provided that on and from the quadrennial elections to be held in 2011, the Information Technology Industry Division shall be abolished.”

- i. Delete the current Rule 26 (f) and renumber the subsequent sub-rules.

- j. Delete the current Rule 26 (h) and replace it with the following:

“(a) The Airlines, Shipping and Travel Industry Division Committee of Management shall consist of a President, a Vice President, a Secretary/Treasurer and an Executive and an Executive member who shall form the Executive of the Airlines, Shipping and Travel Industry Division together with six (6) Committee Members. All members of the Airlines, Shipping and Travel Industry Division Committee of Management shall be elected by all financial members of the Branch employed in the Airlines, Shipping and Travel Industry in accordance with these Rules. Provided that four (4) Committee Members shall be elected by and from members employed by Qantas Airways Limited (including all fully owned or majority owned subsidiaries) and two (2) shall be elected by and from all members otherwise employed in the Airlines, Shipping and Travel Industry.

(b) Provided that on and from the quadrennial elections held in 2011 the Committee of Management shall be known as the Airlines, Shipping, Travel and IT Industry Division 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.

9. Renumber the current Rule 29 as Rule 29 (a) and insert a new Rule 29 (b) as follows:

Rule 29b

“ Industry Divisional Delegates Council

- a. The Branch Executive, shall, upon the request of an Industry Divisional Committee of Management establish Designated Work Groups within the Division for the purpose of the establishment of an Industry Divisional Delegates Council.



- b. A designated work group is a group of members who either work in either:
  - i) A single workplace, or,
  - ii) A regional or local area, or
  - iii) A defined group.
  
- c. Each Designated Work Group shall be entitled to elect two delegates who are entitled to attend the Industry Divisional Delegates Council.
  
- d. The Industry Divisional Delegates Council would meet at least two times in each year and will comprise the Secretary, the Deputy Secretary, and the members of the Industry Divisional Committee of Management.
  
- e. Delegates will be entitled to vote at the Industry Divisional Delegates Council on the basis of the following formula; total number of members in the Designated Work Group divided by 5 with the result divided by 2.
  
- f. Industry Divisional Delegates Councils shall provide advice to Industry Division Committees of Management in relation to matters that pertain to that Industry Division.”