



A•S•U

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Friday, 18 September 2015

General Manager
Fair Work Commission
GPO Box 1944
MELBOURNE VIC 3001

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

Dear Sir/Madam

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 DIVISON SEVEN Rule: 6 – MEETINGS OF THE BRANCH EXECUTIVE as follows:

1. Renumber current Rule 6 d. as Rule 6 e.

2. Insert new Rule 6 d. as follows:

- d. The Branch Secretary may submit a motion or question by letter or telegram or facsimile or electronic mail to each member of the Branch Executive. Upon a majority vote being received by letter or telegram or facsimile or electronic mail, the decision so obtained upon such motion or question shall have the same effect as a decision made by resolution of the Branch Executive passed at a duly constituted meeting;

Provided that, if within a period of seven days from the dispatch of the letter or telegram or facsimile or electronic mail, the motion has not been determined in accordance with the foregoing provisions the motion shall be determined in accordance with the majority of opinions expressed and shall thereupon become a resolution of the Branch Executive as though it had been passed at a duly constituted meeting if the number of votes cast be not less than half of the eligible votes of the Branch Executive.

3. Renumber current Rule 6 e. as Rule 6 f.

4. Renumber current Rule 6 f. as Rule 6 g.

5. Renumber current Rule 6 g. as Rule 6 h.

6. Renumber current Rule 6 h. as Rule 6 i.

7. Renumber current Rule 6 i. as Rule 6 j.

8. Renumber current Rule 6 j. as Rule 6 k.

**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

If you require further information, please do not hesitate to contact me at this office or John Nucifora jnucifora@asu.asn.au tel 03) 9342 1477.

Yours faithfully

A handwritten signature in blue ink that reads "David Smith". The signature is written in a cursive style with a large initial 'D'.

David Smith
National Secretary

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

[enc](#)

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 **18 September 2015**, 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 Secretary of the NSW & ACT (Services) Branch and National Executive member, advised the National Secretary in a letter dated **4 September 2015** that at their Branch Committee Management (Branch Executive) meeting on the 2 September 2015, approved the Rule change attached hereto marked "**Annexure 1**", and requested the proposed changes to the rules be submitted to a vote of National Executive as soon as possible.
 - b) I confirm that on **14 September 2015**, 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 email from the NSW & ACT (Services) Branch together with the proposed amendments to the rules.
 - c) On the **16 September 2015**, a total of 128.66 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 "**Annexure 2**" is a copy of my correspondence to National Executive members of the **16 September 2015** 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: Friday 18th September, 2015



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

4 September 2015

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

At a meeting on 2 September 2014, the Branch Executive passed the following resolution:

That current rule 6 d of the rules of the New South Wales and ACT (Services) Branch be renumbered as rule 6 e

That a new rule 6 d be inserted into the rules of the New South Wales and ACT (Services) Branch in the following terms:

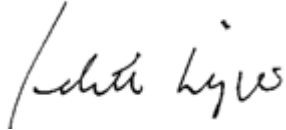
“The Branch Secretary may submit a motion or question by letter or telegram or facsimile or electronic mail to each member of the Branch Executive. Upon a majority vote being received by letter or telegram or facsimile or electronic mail, the decision so obtained upon such motion or question shall have the same effect as a decision made by resolution of the Branch Executive passed at a duly constituted meeting;

Provided that, if within a period of seven days from the dispatch of the letter or telegram or facsimile or electronic mail, the motion has not been determined in accordance with the foregoing provisions the motion shall be determined in accordance with the majority of opinions expressed and shall thereupon become a resolution of the Branch Executive as though it had been passed at a duly constituted meeting if the number of votes cast be not less than half of the eligible votes of the Branch Executive.”

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



A•S•U

File/Our Ref: [DS/db 12.21](#)

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Wednesday, 16 September 2015

TO: All National Executive Members
As addressed

By E-mail

Dear National Executive Member

**Postal/Fax/Email Vote No. 07/2015
Proposed NSW & ACT (Services) Branch rule changes**

The result of the e-mail ballot submitted to members of National Executive via e-mail on 14 September 2015, regarding the above is as follows:

A total of 128.66 affirmative votes were received from:

David Smith
Linda White
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
Ansel Greenwood
Lisa Darmanin
Wendy Phillips
Ingrid Stitt
David Leydon
Paul O'Neill
Wayne Wood

No negative votes were received.

I advise that National Executive E-mail Vote No. 07/2015 is carried.

Yours faithfully

David Smith
National Secretary

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

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