

FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009

**Section 159
Alteration of other rules of an organisation**

NOTICE

Notice is hereby given that an alteration has been made to the Rules of the independent Education Union of Australia.

Particulars of the alteration are set out in Annexure A to the attached declaration.

Dated: 26 June 2017



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John Quessy
NSW/ACT Branch Secretary
Independent Education Union of Australia

DECLARATION OF AUTHORISED OFFICER in accordance with Regulation 126 *Fair Work (Registered Organisations) Regulations 2009*

ALTERATION OF OTHER RULES OF ORGANISATIONS in accordance with section 159 of the *Fair Work (Registered Organisations) Act 2009*

I, John Quessy of 485-501 Wattle Street, Ultimo am the NSW/ACT Branch Secretary of the Independent Education Union of Australia and am authorised to give this notice of particulars of alterations to the rules of the Independent Education Union of Australia and to make this declaration as required by Regulation 126 of the *Fair Work (Registered Organisations) Regulations 2009*.

1. I declare that the alterations were made in accordance with the rules of the Independent Education Union of Australia (IEUA).
2. The particulars of the rule alterations are attached to this declaration and labelled Annexure A.
3. The actions taken under the rules to make this alteration were as follows:
 - (a) A NSW/ACT Branch Council meeting was scheduled for and held on Saturday 17 June 2017. The schedule of meeting times had been advised to Branch Council members at the commencement of the year.
 - (b) A report containing the proposed alterations was emailed to Council members on Thursday 8 June 2017. Rule 6.7 requires the agenda to be circulated where practicable 10 days prior to the meeting. The agenda and the proposed alterations were circulated 9 days prior to the meeting as it was not practicable to circulate the agenda 10 days prior to the meeting.
 - (c) At the meeting Secretary, John Quessy, spoke to the report that contained the text of the proposed motion concerning the rule changes.
 - (d) Rule 6.9 of the NSW/ACT Branch Rules of the IEUA Rules provides as follows:

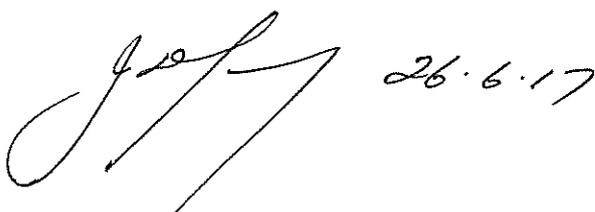
6.9 The Council shall have power to take such steps, subject to these Rules and except in relation to financial management, as it shall think fit, to carry out all or any of the objects of the Union, including the power to:

 - (a)
 - (b)
 - (c) *Rescind, amend or add to these Branch Rules in any way, provided that:*

- (i) *the proposed alteration is placed on the agenda of the Council meeting circulated to delegates prior to the meeting;*
 - (ii) *the proposed alteration shall only be passed if a three-fifths majority of votes cast in person or in proxy are in favour; and*
 - (iii) *Nothing in subparagraph (i) prevents the Council meeting voting to amend the proposal before it without the giving of further notice;*
- (e) John Qussy moved the motion endorsing the proposed Rule changes. It was seconded by Elizabeth Heggart, a member of Branch Council. A copy of the proposed alterations as endorsed by the meeting is set out in Annexure A.
- (f) Rule 6.6 of the NSW/ACT Branch Rules of the IEUA Rules states:
6.6 A quorum of Council shall be half of the voting members of council, present in person or by proxy.
- (g) Seventy-seven members of the eighty-nine members of Branch Council attended the meeting on 8 June 2017. As such the meeting was quorate, in accordance with the provisions in Rule 6.6 of the NSW/ACT Branch Rules of the IEUA Rules. The motion was endorsed unanimously by the members of Branch Council present.

4. I have arranged for a notice to be placed on the website of the Independent Education Union of Australia, NSW/ACT Branch, to state that a notice has been lodged with the Fair Work Commission by the NSW/ACT Branch of the IEUA seeking to alter the NSW/ACT Branch Rules as set out in Annexure A.
5. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

Signed and dated by an officer.

A handwritten signature in black ink, followed by the date "26.6.17".

*[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within **35 days** of the changes being transacted by the organisation. It must be accompanied by the 'particulars', which are the details of the rule changes. It can be submitted to ros@fwc.gov.au . If the organisation has a website, a notice must be put up on the website that this application has been lodged with the Fair Work Commission and this should be mentioned in the email.]*

Annexure A

That the NSW/ACT Branch Rules be amended as follows:

1. **Rule 1** – Insert the words “Name of the Branch and” before “Branch Rules” in the heading
2. Insert new Rule 1.1 “The name of the Branch shall be the Independent Education Union of Australia NSW/ACT Branch”
3. Renumber the existing Rule 1.1 as 1.2
4. Insert new **Rule 8.7** to read “The Secretary shall cause minutes of the Branch Executive and Branch Council to be recorded in minute books kept for that purpose.”
5. Add **Rule 20 - Inconsistency** to read
“20.1 Any Rule of these Branch Rules shall be read and construed subject to the Federal Rules (other than Appendix A) and shall to the extent of any inconsistency therewith become inoperative.”