

FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009

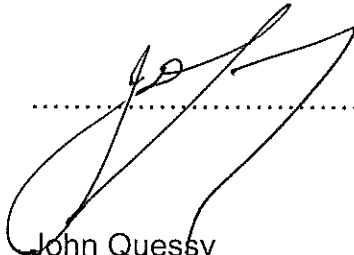
**Section 159
Alteration of other rules of an organisation**

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: 22 September 2016

A handwritten signature in black ink, appearing to read 'John Quesy', is written over a horizontal dotted line. The signature is stylized and extends above and below the line.

John Quesy
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 Quesy of 485-501 Wattle Street, Ultimo am the NSW/ACT Brach 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 Executive meeting was scheduled for and held on Friday 9 September 2016. The schedule of meeting times had been advised to Branch Executive members at the commencement of the year.
 - (b) The notice of motion in regard to the proposed rule change, an explanatory note and the proposed amendments were emailed to Executive members on Wednesday thirty first August 2016.
 - (c) At the meeting Assistant Secretary, Carol Matthews spoke to a written report that contained the text of the proposed motion concerning the rule change.
 - (d) Rule 7.1 of the NSW/ACT Branch Rules of the IEUA Rules provides as follows:

7.1 The Branch Executive shall have power to control and manage the business and affairs of the Branch subject always to the Federal Rules and the Branch Rules and without limiting the generality of this power shall have power to:

.....

(c) Rescind, amend or add to these Branch Rules including rules to constitute, reform or dissolve sub-branches, sections and local committees and to determine or vary their powers and duties;

No notice is required of the proposed Rule alteration under the Branch Rules.
- (d) Carol Matthews moved the motion endorsing the proposed Rule change. It was seconded by John O'Neill, a member of the Executive. A copy of the proposed alteration as endorsed by the meeting is as set out in Annexure A.

- (e) Rule 7.9 of the NSW/ACT Branch Rules of the IEUA Rules state
7.9 The quorum for a Branch Executive meeting will be one half of those who are at that time members of the Branch Executive.
- (f) Twenty of the twenty-two members of the Branch Executive attended the meeting on 9 September 2016. Two members of the Executive provided apologies for their inability to attend. As such the meeting was quorate, in accordance with the provisions in Rule 7.9 of of the NSW/ACT Branch Rules of the IEUA Rules. The motion was endorsed unanimously by show of hands by the members of the Branch Executive present.
4. I have arranged for a notice to be placed on the website of the New South Wales Independent Education Union, 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. The News South Wales Independent Education Union is a State union as defined by Section 150 of the *Fair Work (Registered Organisations) Act 2009*.
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.


BRANCH SECRETARY 22/9/16

[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 orgs@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 7 (11)** – renumber the paragraphs (n) [the second paragraph (n)] to (q) as (o) to (r) to correct a numbering error as follows:

7(11)

(o) Decide on the service of any claims upon an employer in respect of employees who are, or are eligible to be, members of the Branch and settle any such claims;

(p) Acquire, purchase, take on and lease any real or personal property and to sell, lease, mortgage or otherwise dispose or deal with such property;

(q) Borrow, raise or secure the payment of money in any manner and secure the repayment or performance of any debt, liability, contract or other arrangement incurred by or entered into by the Branch.

(r) Rescind, amend or add to these Branch Rules only where necessary to correct unforeseen errors, anomalies or inconsistencies, provided that

(i) the proposed alteration is placed on the agenda of the Branch Executive meeting circulated prior to the meeting;

(ii) the proposed alteration shall only be passed if voted for by a three-fifths majority of Branch Executive members present and voting; and

(iii) nothing in subparagraph (i) prevents the Branch Executive voting to amend the proposal before it without the giving of further notice.

2. **Rule 8.3** – delete the first appearing Rule 8.3