



14 August, 2020

The General Manager
Fair Work Commission
Level 10, Terrace Tower
80 William Street
East Sydney NSW 2011

Dear General Manager,

Re: Alterations of Rules of the AMWU.

Please find attached, a notice of particulars of alterations to the Rules of the "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU).

Please note that the proposed alteration to sub-rule 5D1.4 (as recorded at the top of the second page of 'Schedule A') is intended to be an alteration to sub-rule 5D2.4. That this was the intent of the AMWU National Conference is demonstrated by the fact that the proposed alteration deals with the State Council. Under the AMWU's current rules State Council is regulated comprehensively by Rule 5D2, whereas Rule 5D1 deals with the State Conference.

Regrettably, this typographical error was not identified until after the proposed alteration was referred to the National Conference for determination.

In these circumstances we respectfully request that the Commission exercise its s.159(2) power to correct a typographical, clerical or formatting error by amending the alteration so as to take the reference to sub-rule 5D1.4 in 'Schedule A' as a reference to sub-rule 5D2.4.

If you have any questions or comments in relation to the attached notice of particulars, please do not hesitate to contact the AMWU's National Office on (02) 8868 1524.

Yours faithfully

PAUL BASTIAN
NATIONAL SECRETARY

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Workers' Union
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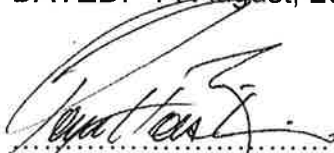
Fair Work Act 2009
s159(1) – Fair Work (Registered Organisations) Act 2009
Reg. 126 Fair Work (Registered Organisations) Regulations 2009

NOTICE OF PARTICULARS OF ALTERATIONS OF RULES

I, Paul Bastian, of 133 Parramatta Road, Granville, in the State of New South Wales, Union Official, give notice of the following matters in relation to the alterations of the Rules of the “Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union” known as the Australian Manufacturing Workers’ Union (AMWU).

1. I am the National Secretary of the AMWU, an organisation of employees registered under the *Fair Work Act 2009* (the Act).
2. I am authorised to give this notice of particulars of alterations to the Rules of the AMWU and to make declaration required by subregulation 126(2) of the Fair Work (Registered Organisations) Regulations 2009.
3. The particulars of the alterations are attached in the documents marked “Schedule A”.
4. I declare that the alterations were made in accordance with the Rules of the AMWU. The actions taken under the Rules to make the alterations were as follows:
 - (a) On 16 June, 2020 a majority of members of National Council endorsed the alterations attached and resolved to refer the alterations to National Conference for determination, consistent with Rule 5A2.5(a).
 - (b) On 17 July, 2020, the proposed alteration was put to a postal ballot of National Conference Delegates. I note that National Conference has the power to amend the Rules of the Union pursuant to Rule 5A2(h) of the Union’s Rules.
 - (c) On 5 August, 2020, a majority of Delegates to National Conference endorsed the attached alteration marked “Schedule A”.
 - (d) The correspondence to the Fair Work Commission with the proposed Rule change will be available on the Union’s website on 18 August, 2020.
5. I declare that the particulars of the alterations set out in this notice are true and correct to the best of my knowledge and belief.

DATED: 14 August, 2020


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PAUL BASTIAN
NATIONAL SECRETARY

SCHEDULE A

Proposed Rule Amendments:

5A2 - POWERS OF NATIONAL CONFERENCE

Insert a New sub-rule 5A2.5(d) as follows:

- (d) *Any postal ballot held under this subrule may be conducted by a ballot of all delegates of National Conference by email to the email address provided by each delegate or to the union email address used by any full-time officer or via the internet.*

5B4 - DECISIONS OF THE NATIONAL COUNCIL

Amend sub-rule 5B4.1 by the insertion of the underlined words as follows:

1. *A State Council may request any decision made by the National Council to be submitted to members of the National Conference for vote by post, by email or via the internet in accordance with subrule 5A2.5. Where 3 or more State Councils makes such a request in relation to a particular decision or decisions the National President shall take steps as quickly as possible to have such a vote taken.*

5A1 - NATIONAL CONFERENCE

Insert a new sub-rule 5A1.8as follows:

8. *Any member elected or appointed to an office that, directly or ex-officio, entitles the holder of such office to sit on National Conference shall upon their election or appointment notify the National Secretary of an email address by which they shall be contactable for the purpose of discharging their functions and duties as a member of National Conference.*

5B1 - NATIONAL COUNCIL

Insert a new sub-rule 5B1.4 as follows

4. *Any member elected or appointed to an office that, directly or ex-officio, entitles the holder of such office to sit on National Council shall upon their election or appointment notify the National Secretary of an email address by which they shall be contactable for the purpose of discharging their functions and duties as a member of National Council.*

5D1 - STATE CONFERENCE

Amend sub-rule 5D1.4 by the insertion of the underlined words as follows:

4. The State Council may at any time refer any matter to members of the State Conference for vote by post or by email or via the internet.

Insert a new sub-rule 5D1.5 as follows:

5. Any member elected or appointed to an office that, directly or ex-officio, entitles the holder of such office to sit on State Conference shall upon their election or appointment notify the relevant State Secretary of an email address by which they shall be contactable for the purpose of discharging their functions and duties as a member of State Conference.

5E1 - STATE COUNCIL

Insert a new sub-rule 5E1.4 as follows:

4. Any member elected or appointed to an office that, directly or ex-officio, entitles the holder of such office to sit on State Council shall upon their election or appointment notify the relevant State Secretary of an email address by which they shall be contactable for the purpose of discharging their functions and duties as a member of State Council.

5E2 - POWERS OF STATE COUNCIL

Amend sub-rule 5E2.10 by the insertion of the underlined words as follows:

10. The State Council may submit any matter to the State Conference Delegates for vote by post or by email or via the internet and the vote taken in this manner shall be regarded as a decision of Conference in meeting assembled.