

Draft Rules for a New AMWU



Index of Current Rules and Proposed Rules

Notes:

This document includes the following information:

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| Column 1 | The Clause Number and Name from the Current Rules from Rule 1 to 57 |
| Column 2 | A brief comment on what's happened to the Rule |
| Column 3 | The number of the New Union Rule that does the work of the old Rule |
| Column 4 | Whether the old Rule has been moved to the Appendix. The Rules in the Appendix are required to cover the transitional period between the certification of the New Rules and their full operation on 1 July, 2019 |
| Column 5 | The date on which the current Rule ceases to operate – this information should be read in conjunction with new Rule 4.2. |

Rules of the AMWU

Comparison Between Current and the New Draft – March, 2018

Current Rules	Comment	New Number	Appendix	Old Rule Expiry Date
1 - NAME OBJECTS AND CONSTITUTION	Unchanged	1		n/a
2 - DESCRIPTION OF INDUSTRY	Unchanged	2		n/a
3 - OBJECTS	Unchanged Except for the Registered Office of the South Australian Branch	3		On Certification
3A - DEFINITIONS	Manufacturing and Divisional References removed from 31/8/19	4	y	31/8/19
	New Definitions Added – “Rank and File Member” and “Membership Areas” on certification			On Certification
4 - ELECTIONS AND VOTING	Rewritten	6A	y	For elections from certification
	Manufacturing and the Divisions removed	6A.10		For all other purposes on 30/6/2019
	Process – Adopt AEC Model Rules Various Transitional Provisions to 2023	6B, 6C and 6D		

Rules of the AMWU

Comparison Between Current and the New Draft – March, 2018

Current Rules	Comment	New Number	Appendix	Old Rule Expiry Date
5 - NATIONAL CONFERENCE	Rewritten for new Composition Manufacturing and Divisional References removed	5A1	Y	For elections from certification For all other purposes on 30/6/2019
5B - REMOVAL FROM REGISTER OF MEMBERS	Unchanged	7B		On Certification
6 - POWERS OF NATIONAL CONFERENCE	Amended to remove Divisional references National Council role on Conference appeals amended.	5A2	Y	30/6/19
6A INTERPRETATION RULE AS TO POWERS OF STATE OFFICIALS, STATE CONFERENCES AND STATE COUNCILS	Amended to remove divisional references – title changed	5H1	Y	For elections from certification For all other purposes on 30/6/2019

Rules of the AMWU

Comparison Between Current and the New Draft – March, 2018

Current Rules	Comment	New Number	Appendix	Old Rule Expiry Date
7 - NATIONAL COUNCIL	Rewritten for new Composition and Processes Manufacturing and Divisional References removed 3 Extra Divisional Representatives to 2023	5B1	Y	To 2019 National Conference except for elections
8 - POWERS OF NATIONAL COUNCIL	New Composition and Processes Manufacturing and Divisional References removed Proportional voting amended	5B2	Y	To 2019 National Conference
8A - FINANCIAL REQUIREMENTS	Provisions now in the Act – most provisions deleted	8A		On Certification
8B - ABOLITION OF VACANT FULL-TIME OFFICES	Deleted			On Certification
9 - MEETINGS AND POSTAL VOTE OF NATIONAL COUNCIL	Amended re email etc	5B.3		On Certification
10 - DUTIES OF NATIONAL OFFICIALS	Amended to delete National Organisers	5G.2	Y	30 June, 2019

Rules of the AMWU

Comparison Between Current and the New Draft – March, 2018

Current Rules	Comment	New Number	Appendix	Old Rule Expiry Date
	National Admin and Budget Committee provision moved to New Rule 5C			
10A PROTECTION OF UNION FROM LEGAL ACTION	Some amendment re structure	9C	Y	30 June, 2019
11 - AGENDA FOR TRIENNIAL NATIONAL CONFERENCE	Retained – Amended for each two years not three Incorporating the old Notice Rule	5A.3	Y	30 June, 2019
12 - NOTICE OF NATIONAL CONFERENCE	Deleted – incorporated into new 5A3 – Agenda Rule	5A3	Y	30 June, 2019
13 - RIGHTS OF OFFICIALS	Deleted and procedure incorporated into new rules on rights of officials and members – see Section 10	10		On Certification
14 - COUNCIL DECISIONS	Redrafted for new structure	5B.4	Y	30 June, 2019
15 - INDUSTRIAL AGREEMENTS	Redrafted for new structure	9D	Y	30 June, 2019
16 - EXECUTION OF DOCUMENTS	Redrafted for new structure	9E	Y	30 June, 2019

Rules of the AMWU

Comparison Between Current and the New Draft – March, 2018

Current Rules	Comment	New Number	Appendix	Old Rule Expiry Date
17 - SUBMISSION OF INDUSTRIAL DISPUTES TO ARBITRAL TRIBUNALS	Redrafted for new structure	9F	Y	30 June, 2019
18 - HOLDING OF PROPERTY	Unchanged	8B		Certification a
19 - FUNDS AND INSPECTIONS OF BOOKS	Unchanged	8C	Y	30 June, 2019
19A - PRESENTATION OF FINANCIAL REPORTS TO A GENERAL MEETING OF MEMBERS	Unchanged	8D		Certification
20 - LEVIES	Amended for divisional reference	8E	Y	30 June, 2019
21 - RULES FOR POLITICAL FUND	Retained though amended re fee payable	9A		On Certification
22 - DELEGATES OF REPRESENTATIVE BODIES	Redrafted for new structure	9B	Y	30 June, 2019

Rules of the AMWU

Comparison Between Current and the New Draft – March, 2018

Current Rules	Comment	New Number	Appendix	Old Rule Expiry Date
23 - STATE CONFERENCE	New Composition and Processes Manufacturing and Divisional References removed	5D.1	Y	For elections from certification For all other purposes to 1 July, 2019
24 - POWERS OF STATE CONFERENCE	Retained	5D.2		On Certification
25 - STATE COUNCIL	New Composition and Processes Manufacturing and Divisional References removed Transitional provision to provide for Honorary Regional Secretaries a position on State Council through to 2023.	5E.1	Y	Until 2019 State Conferences except for elections
26 - POWERS OF STATE COUNCIL	Retained New power to establish State Steering Committees	5E.2	Y	Until 2019 State Conferences

Rules of the AMWU

Comparison Between Current and the New Draft – March, 2018

Current Rules	Comment	New Number	Appendix	Old Rule Expiry Date
27 - STATE OFFICIALS	Redrafted for new structure	5H.3	Y	30 June, 2019
28 - DECISIONS OF STATE COUNCIL TAKEN BY POSTAL VOTE OR TELEPHONIC HOOK-UP	Retained but amended for email etc	5E.3		On Certification
29 - DUTIES OF STATE OFFICIALS	Redrafted for new structure State Administrative Committee moved to a new Rule 5F	5H.4		On Certification
30 - SPECIAL PROVISIONS FOR TERRITORIES	Deleted - No longer required due to proposal for no specific representatives from the Territories			On Certification
31 - STATE RETURNING OFFICER AND DEPUTY RETURNING OFFICER	Retained – title changed	6D		On Certification
32 - CHEQUE SIGNERS	Retained– title changed	8F		On Certification
33 - DISTRICT COMMITTEES	Retained – Change Shop Steward to Delegate only Consolidated with Section Committees	5G		On Certification

Rules of the AMWU

Comparison Between Current and the New Draft – March, 2018

Current Rules	Comment	New Number	Appendix	Old Rule Expiry Date
34 - SECTION COMMITTEES	Consolidated with District Committees	5G		On Certification
35 - COMPLAINTS AND APPEALS	Deleted and procedure incorporated into new rules on rights of officials and members – see Section 10			On Certification
35A - EXTERNAL REVIEW BOARD	Unchanged	10C		On Certification
36 - BREACH OF RULES	Rewritten	10B		On Certification
37 - DISSOLUTION	One small wording change	9G		On Certification
38 - AMALGAMATION	Unchanged	9H		On Certification
39 - QUORUM RULE	Unchanged	5I		On Certification
40 - FINANCIAL MEMBER	Cross reference amendment	7C		On Certification
41 - PROVISIONS AS TO OFFICIALS AND SALARIED OFFICERS	Unchanged	9I		On Certification
42 – MEMBERSHIP	Amended for divisional reference	7A	Y	30 June, 2019

Rules of the AMWU

Comparison Between Current and the New Draft – March, 2018

Current Rules	Comment	New Number	Appendix	Old Rule Expiry Date
43 - CONTRIBUTIONS AND ARREARS	Cross reference amendment	7B		On Certification
44 - BENEFIT PAYMENTS AND LEGAL AID	Amended to remove superannuation benefit and funeral benefit operative date Special Grants – increased from \$100 to \$1000	7E.2 7E.3		On Certification On Certification
45 - TERMINATION OF SECTION ONE AND TWO AND CERTAIN BENEFIT PROVISIONS	Amended re the operative date	7F		On Certification
46 - APPRENTICES AND UNAPPRENTICED JUNIORS	Deleted – fees exemption no longer applicable			On Certification
47 - RETIRED MEMBERS' DIVISION	Reference to the workplace relations act updated	7G.1		On Certification
47A - ELECTION OF OFFICES IN THE RETIRED MEMBERS' DIVISION	Unchanged	7G.2		On Certification
48 - DIVISIONS, APPLICATION OF RULES, DEFINITIONS	Deleted		Y	30 June, 2019 except for elections in 2019
49 – DIVISIONS – MEMBERSHIP, REGIONS	Deleted		Y	30 June, 2019

Rules of the AMWU

Comparison Between Current and the New Draft – March, 2018

Current Rules	Comment	New Number	Appendix	Old Rule Expiry Date
				except for elections in 2019
50 – DIVISION GOVERNING BODIES – COMPOSITION, POWERS	Deleted		Y	30 June, 2019 except for elections in 2019
51 – DIVISION GOVERNING BODIES – CONVENING AND CONDUCT OF MEETINGS	Deleted		Y	30 June, 2019 except for elections in 2019
52- OFFICERS OF DIVISIONS	Deleted		Y	30 June, 2019 except for elections in 2019
53 – DIVISION ELECTIONS	Deleted		Y	30 June, 2019 except for elections in 2019
54 – MISCELLANEOUS DIVISION RULES	Duplication of various provisions from the PKIU deleted – covered in Rule	9J		On Certification
55 - TRANSITIONAL RULE (Re PKIU)	Corrections to remove duplication only	9K		On Certification

Rules of the AMWU

Comparison Between Current and the New Draft – March, 2018

Current Rules	Comment	New Number	Appendix	Old Rule Expiry Date
56 - RESTRUCTURE - TASMANIA AND WESTERN AUSTRALIA	Deleted			On Certification
57 - [DELETED]	Deleted			On Certification

Rules of the AMWU
Comparison Between Current and the New Draft – March, 2018

New Rules Proposed			
5 – Preamble re Diversity of Representation			1 July, 2019
5A – Transitional Governance	To maintain the current Composition and Powers of State and National Councils from 1 July, 2019 until the first Conferences can elect the new councils in July and August, 2019		1 July, 2019
5C – National Steering Committee	Old Rule 10.3 Name changed from National Administrative and Budget Committee New provisions for Tasmania New provision for review of Diversity on the governing bodies of the Union after each election		1 July, 2019
5F – State Administrative Committee and State Steering Committee	Amended Powers for State Admin Committee State Steering Committee established		1 July, 2019
5J	Process for the establishment of Industry Committees		1 July, 2019

Rules of the AMWU

Comparison Between Current and the New Draft – March, 2018

New Rules Proposed			
5K	New Rule required by new legislation		On Certification
10D	General Provisions around the Rights of Members and Breach of Rules		On Certification

