



DECISION

Fair Work (Registered Organisations) Act 2009
s.73 RO Act - Action to be taken after amalgamation ballot

Application by United Voice and National Union of Workers (D2019/9)

DEPUTY PRESIDENT GOSTENCNIK

MELBOURNE, 1 OCTOBER 2019

Action to be taken after amalgamation ballot – amalgamation to take effect on 11 November 2019.

[1] Further to my decision recorded in the transcript of proceedings on 10 October 2019 and for the reasons given therein I am satisfied that:

- a. The period, or the latest of the periods, within which an application may be made to the Federal Court of Australia under s.69 of the *Fair Work (Registered Organisations) Act 2009* (RO Act) in relation to the amalgamation has ended;
- b. There has been no application to the Federal Court of Australia under s.69 and so the consideration in s.73(2)(b) does not arise;
- c. There are no proceedings (other than civil proceedings) pending against either United Voice (UV) or the National Union of Workers (NUW) in relation to contraventions of the RO Act, the *Fair Work Act 2009* (FW Act), or other Commonwealth laws; or breaches of modern awards or enterprise agreements; or breaches of orders made under the RO Act, the FW Act, or other Commonwealth laws; and
- d. Any obligation that the NUW has under a law of the Commonwealth that is not fulfilled by the time the amalgamation takes effect will be regarded by the proposed amalgamated organisation, the United Workers Union, as an obligation it is bound to fulfil under the law concerned.

[2] In furtherance of [1]d above, I note and accept the undertaking set out in [14] of the statutory declaration of Ms Jo-Anne Schofield made on 30 September 2019.

[3] Consequently pursuant to s.73(2) of the RO Act I will cause to be published a notice as prescribed fixing 11 November 2019 as the day on which the amalgamation is to take effect.



DEPUTY PRESIDENT

Appearances:

Mr W Friend QC for the Applicants

Hearing details:

2019
Melbourne
1 October

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