

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, KIM L TEAGUE of UNIT 5/321 KELVIN GROVE ROAD, KELVIN GROVE, 4059 am the SECRETARY of AUSTRALIAN COMMUNITY SERVICES EMPLOYERS ASSOCIATION UNION OF EMPLOYERS and am authorised to give this notice of particulars of alterations to rules of AUSTRALIAN COMMUNITY SERVICES EMPLOYERS ASSOCIATION UNION OF EMPLOYERS 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 AUSTRALIAN COMMUNITY SERVICES EMPLOYERS ASSOCIATION UNION OF EMPLOYERS.
 - a) Rule 46:
 - i. These rules may be amended or rescinded by special resolution of the Association as per rule 39.
 - ii. Provided that the Board may cause the Rules to be altered or amended when required by any written direction of the Industrial Registrar to accord with the provisions of the relevant industrial legislation.
 - b) Rule 39: A resolution of the Association is a special resolution if it is approved by the majority of no less than three quarters of the valid votes cast at a general meeting, either in person or by proxy, provided that:-
 - i. The votes counted are from ordinary and associate members who are entitled by the rules to vote; and
 - ii. Written notice of the meeting and the intention to propose the resolution as a special resolution at the meeting was given in accordance with these rules no less than fourteen (14) days in advance.
2. The particulars of the rule alterations are attached to this declaration and labelled 'Schedule A' and attachments
3. The actions taken under the rules to make this alternation were as follows:
 - a) Notice of the proposed other rules changes and the reason for the changes was sent by prepaid post to all members on Wednesday 21st May 2020 at the same time as notice of the AGM (specifying the place, date and time of the meeting) , to be held on 17th June, specifying the was given. Details were also posted on our website. The notice specified the place, date and time of the meeting and the intention to propose the relevant resolution as a special resolution.
 - b) The AGM was held on the 17th June 2020. Five (5) proxies were received from members or associate members.
 - c) Seven financial members attended the AGM with an additional five member proxies held. Current membership number is 535. The meeting was quorate in line with Rule 35(2) of the organisation.

- i. Rule 35(2): Five (5) ordinary, life or associate members present in person (being members entitled under these rules to vote at a general meeting) shall constitute a quorum for the transaction of the business of a general meeting.
 - d) The seven (7) financial members present and the Five(5) proxies voted in support of the resolution.(meeting voting requirement under clause 39 for a special resolution)
4. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

Signed:

A handwritten signature in black ink, appearing to read 'Kim L Teague', written in a cursive style.

Kim L Teague, Secretary

Date: 16/7/20

Schedule A

Clause change	Explanation
<p>Clauses dealing with discipline of members and expulsion from membership.</p> <p>(Previously clauses 10, 11 and 16 - now clause 5.7).</p>	<p>The existing rules needed updating so as to clarify and ensure that a member is given appropriate notice and natural justice when the discipline action is being taken</p>
<p>Fees and subscriptions.</p> <p>(Previously clause 14 - now clause 5.9)..</p>	<p>These were altered slightly to make it clear that the membership fee must be paid before a person becomes a member.</p>
<p>We have amended the clauses dealing with the election of members of the board.</p> <p>(Previously clause 20 – now clause 6.3).</p>	<p>We have made it clear that the board's tenure commences from 1 September, following the election, and runs for three years.</p> <p>There is a proviso to that, that the board members elected in 2021 take office from the date of declaration of the result of the election until their successors are elected and take office in September 2024.</p> <p>We have also allowed for candidates' statements to be provided for under the rules, as this was not previously allowed (see clauses 6.3.16 to 6.3.17).</p>
<p>We have adjusted the wording in clause 6.4 dealing with casual vacancies as it was difficult to interpret.</p>	<p>The board can only fill a casual vacancy where the vacancy occurs a certain time before the end of the member's term. This accords with the Act requirements</p>
<p>We have adjusted the Notice clause</p>	<p>It allows for notices e.g. of the AGM to be sent electronically e.g. via email (see clause 7.4)</p>
<p>Old clause 43 dealing with funds management has been amended to make it clear that payments may be made electronically and that authority for payment can be by two persons authorised by the board rather than by two board members.</p>	<p>This change was necessary to keep the rules up-to-date with the changes in the way payments are made (see clause 8.2.2).</p>
<p>We made various other changes to the rules where we thought it was necessary to clarify various issues or where Fair Work had some suggested changes to the rules to keep them in line with the requirements of the Act.</p>	<p>None of these changes are particularly significant changes, nor really make material alterations to how the Association will operate.</p>

NOTE:

The attached marked up version of the Rules includes sections regarding

-the Name of the organisation and

-eligibility rules of the organisation

that are covered by separate applications F68 & F69 as required by the Act