



DECISION

Fair Work (Registered Organisations) Act 2009
s.158(1) RO Act—Rules of organisations

Australian Community Services Employers Association, Union of Employers (D2020/12)

DEPUTY PRESIDENT COLMAN

MELBOURNE, 10 NOVEMBER 2020

Application for consent to change the name of an organisation

[1] The Australian Community Services Employers Association, Union of Employers (ACSEAUE) has made an application for the Commission’s consent, pursuant to s 158(1) of the *Fair Work (Registered Organisations) Act 2009* (the Act), to change its name to ‘Community Management Solutions’. This is the organisation’s trading name, under which it has operated for a number of years.

[2] Notice of the application was published in the Commonwealth of Australia Gazette on 9 September 2020. The period for lodgement of objections under regulation 124 of the *Fair Work (Registered Organisations) Regulations 2009* (the Regulations) expired on 14 October 2020. There were no objections.

[3] A change in the name of an organisation does not take effect unless the Commission consents to the change under s 158(1) of the Act. The Commission must not consent to the change of name unless it is satisfied of the matters specified in ss 158(2) and (3).

[4] In relation to the requirement in s 158(2) of the Act, I am satisfied that the change of name has been made under the rules of the organisation. In this regard I have relied on the declaration of Kim Teague, Secretary of the ACSEAUE, dated 16 July 2020. In particular, I am satisfied that the organisation convened an annual general meeting on 17 June 2020, and that a quorate vote of members passed an amendment to Rule 3 to change the name of the organisation to ‘Community Management Solutions’.

[5] In relation to the requirement in s 158(3) of the Act, I am satisfied that the proposed new name of the organisation is not the same as the name of another organisation, and is not so similar to the name of another organisation as to be likely to cause confusion.

[6] I am also satisfied that the application complies with the requirements of the Regulations.

[7] I therefore consent to the change of name of the ACSEAUE to ‘Community Management Solutions.’

[8] The change to the name of the organisation will take effect from 17 November 2020.



DEPUTY PRESIDENT

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