

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, Ken Blackband of Level 1 52 Buckingham Street Surry Hills Sydney NSW 2010, am the President of the Australian Maritime Officers Union (**AMOU**) and am authorised to give this notice of particulars of alterations to the rules of the AMOU and to make this declaration as required by Regulation 126 of the *Fair Work (Registered Organisations) Regulations 2009*.

1. The particulars of the rule alterations are attached to this declaration as '**Annexure A**'.
2. The Executive Council has been advised, following recent advice from the staff of the Fair work Commission, that the following AMOU rules, certified by the Fair Work Commission on 8 December 2020, are inconsistent with the *Fair Work (Registered Organisations) Act 2009 (FWROA)*:
 - a. 47(b)(viii);
 - b. 67(a)(i);
 - c. 46(f);
 - d. 51(b)(vii); and
 - e. 57(c).
3. The purpose of the proposed alterations to the rules of the AMOU is to bring the AMOU rules into conformity with the FWROA.
4. AMOU rule 101(f)(i) provides power to the Executive Council, by way of a majority vote, to alter the rules where the AMOU is required to do so by law.
5. The Executive Council exercised its power under rule 101(f)(i) to bring the rules into conformity with the FWROA as it was required to do.
6. The actions taken under the rules to make the alterations to the rules of the AMOU were as follows:
 - (a) the Executive Officer gave notice of a meeting of the Executive Council for the 27 and 28 March 2023 (**Meeting**) (**Annexure KB1**);
 - (b) the agenda for the Meeting did not include the business of amending the rules to ensure conformity with the FWROA;
 - (c) Nine (9) members of the Executive Council attended the Meeting and the meeting was quorate;
 - (d) the Executive Officer provided the proposed rule amendments to the Executive Council on 28 March 2023;
 - (e) the Executive Council voted unanimously to waive the notice period in relation to the notice required for items not on the agenda;
 - (f) the Executive Council voted unanimously to alter the rules of the AMOU;

- (g) the majority required by rule 101 (f), has been met;
 - (h) a copy of the proposed alterations to the rules of the AMOU is attached to this declaration (**Annexure A**); and
 - (i) a copy of the Executive Council resolution detailing the proposed alterations of the rules of the AMOU was published on the AMOU website on 28 March 2023 (**Annexure KB2**); and
7. Pursuant to Regulation 126(1)(b) the notice for this rule alteration has been published on the website of the AMOU (**Web Notice**).
8. I annexe a screenshot of the Web Notice (**Annexure KB3**).

I declare:

- that the alterations were made in accordance with the rules of the AMOU;
- the action taken under the rules of the AMOU to make the alterations is set out in this notice; and
- that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

Signed: **Ken Blackband**
President AMOU



.....
President

Dated: 13th April 2023

*[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within **35 days** of the changes being transacted by the organisation. It must be accompanied by the 'particulars', which are the details of the rule changes. It can be submitted to ros@fwc.gov.au. If the organisation has a website, a notice must be put up on the website that this application has been lodged with the Fair Work Commission and this should be mentioned in the email.]*

Annexure A

Resolution of the AMOU Executive Council at its meeting held at 1100 hours on Tuesday 28th March 2023.

1. We have taken the advice of the Executive Officer regarding the inconsistencies between the following rules and the requirements of the FWROA:
 - a. 47(b)(viii)(i);
 - b. 67(a)(i);
 - c. 46(f)(ii);
 - d. 51(b)(vii); and
 - e. 57(c).
2. Noting the urgency, given the impending election for officers of the AMOU, to deal with these issues, which were not on the agenda for this meeting, the Executive Council determines to waive the required notice by a majority of the members of the Executive Council at the meeting to which the agenda relates.
3. In accordance with rule 101(f)(i), the Executive Council determines to:
 - a. delete paragraph 47(b)(viii) and replace it with the following:

(viii)'scrutineer' means:
(1)a person appointed as a scrutineer for a candidate under rule 67;
 - b. delete sub-rule 67(a)(i) and replace it with the following:

(a) A candidate may:
(i) appoint another person (an 'appointee') as a scrutineer for the candidate.
 - c. delete paragraph 46(f) and replace it with the following:

(f) Subject to the Election Procedure Rules only Financial Members attached to an AMOU Industry on the day seven (7) days prior to the opening of nominations may:
(i) nominate; or
(ii) vote in an election,
for the office of AMOU Industry Delegate of the AMOU Industry to which they are attached.
 - d. delete paragraph 51(b)(vii) and replace it with the following:

(vii) that only a person who was a Financial Member seven (7) days prior to the opening time for nominations may vote in the election; and
 - e. delete sub-rule 57(c) and replace it with the following:

(c) If, during the period stated in this rule, a candidate or member asks for a copy of the roll or a stated part of the roll, the Manager must

make the roll available for inspection and copying.

Moved – Tony Jerome

Seconded – Brent Hill

Carried unanimously 28/03/23.

"KB1"

Jarrold Moran

From: Mark Davis
Sent: Tuesday, 21 March 2023 8:50 AM
To: Andrew Hawkins (Personal); bjmiddleton@hotmail.com; Brent Hills; brentwarhurst@yahoo.com.au; Darryl Dorrton; Glenn Andersen; Ken Blackband (Gmail); lukehosking@me.com; Matt Jepson (matty.jeppo@gmail.com); Ryan Thornton; Tony Jerome; Wayne Lewis
Cc: Jarrod Moran
Subject: EC Meeting agenda
Attachments: 230327 - Draft EC meeting agenda.docx

Dear All

Please find attached the draft agenda for next week's EC meeting.

Please let me know if there is anything to add.

Please also get in touch with Liz as a matter of priority to get your tickets and hotel sorted out.

As a preliminary to our discussion under item 6.b) please also give me an indication of whether you intend to stand again for an Executive seat at this year's election. When the Rules process is completed, we will have an additional 2 National Councillor seats, a Private Port Services (Stevedoring?) and a Ferries & Tourism seat for which we need to ensure we have candidates. Andrew has indicated to me that he may not stand again for the Pilot Delegate seat. Please have a think about who would be good candidates for all of these seats and also if you are looking at a change in job in the maritime industry, which seat may be best for your candidacy. I am happy to talk through this with you.

A link to the Teams folder for the meeting will be sent through in the next couple of days when the documents have been loaded.

Regards

Mark Davis
Executive Officer

0437 099 886



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Ordinary Executive Council face-to-face & videoconference meeting

AMOU Sydney Office, 28th to 29th November - 1000 hours

Agenda

1. **Apologies**
2. **Confirmation of agenda & any other business**
3. **Minutes from EC meetings**
 - a. Confirmation of 221128 and 221221 EC Meeting minutes and matters arising from the minutes
4. **Industrial matters**
 - a. Non-members levy
 - b. Svitzer National EA update
 - c. Offshore oil/gas industry – AREEA proposal & offshore EA update
 - d. Protected Action Ballots
 - e. New employment laws
5. **Finances**
 - a. February 2023 - monthly report and YTD
 - b. Budget tracking
 - c. Vanguard accounts balance
 - d. Membership figures
 - e. Expenditure for approval – 29th November 2022 to 24th March 2023
 - f. Property investment – Geelong & Brisbane
6. **Rules**
 - a. Executive Council & other rules changes
 - b. Four-year EC elections – potential vacant positions
 - c. Svitzer members' levy & current fees strategy
7. **Staff and Policy issues**
 - a. Glenn Walsh – Law Degree costs proposal
 - b. Draft Education Assistance Policy
 - c. Social media assistance

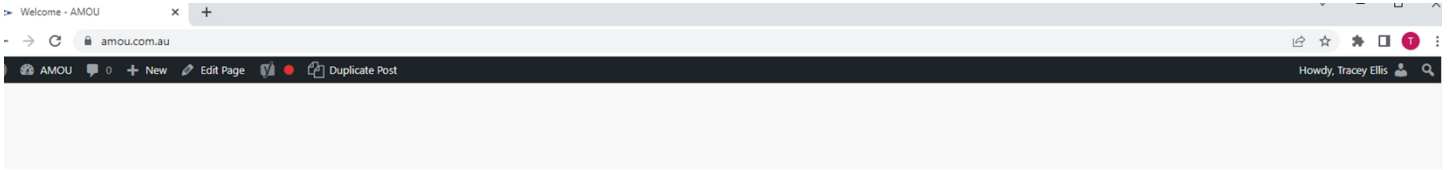
8. Political matters

- a. Strategic Fleet & industry training – update and way forward
- b. Nautilus Federation Australia
 - i. Brisbane & Fremantle property developments
 - ii. Next NFA meeting
- c. Offshore Alliance & ACTU process

9. Any other business

- a. Next meeting

"KB2"



▶ LATEST NEWS

March 29, 2023

Mandatory Rule Changes passed by the Executive Council- Updated

The AMOU has corrected typographical errors and an inconsistency in its Rules. More information can be found at this link.

January 31, 2023

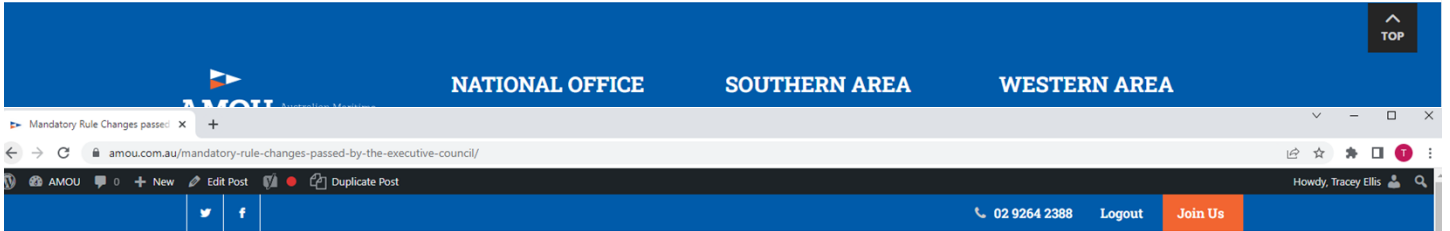
Alteration to the AMOU Rules

The Australian Maritime Officers Union (AMOU) has lodged a notice of alteration to the AMOU rules (Notice) with the Fair Work Commission. You can download a copy of the Notice and attachments here. A copy of the current AMOU rules...

January 23, 2023

AMOU Rules Proposed Redraft

The proposed redraft of the AMOU rules can be found at this link. These rules incorporate the transitional rule that keeps all union officers in place until the results of this year's Quadrennial Elections are published.



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March 29, 2023

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Tracey Ellis

Alteration to the AMOU Rules

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NO COMMENTS