

General Manager  
Fair Work Commission  
**Attn:** Eve Anderson/Jack Erickson

**By Email:** [eve.anderson@fwc.gov.au](mailto:eve.anderson@fwc.gov.au)  
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Dear General Manager

**Re: R2023/7 alterations to the rules of the AMOU**

I, Ken Blackband, noting the following:

1. an inconsistency between rule 28 and the AMOU industry in rule 6; and
  2. typographical errors in rules 28 and 36 that have carried across from a previous version of the rules;
- and,

noting the delegated administrative powers that I have been given, make the following amendments to the AMOU rules:

1. delete rule 28 and replace it with the following:

**28- COMPOSITION OF THE EXECUTIVE COUNCIL**

- (a) The Executive Council is comprised of, subject to rule 27:
  - (i) the President;
  - (ii) the Vice President;
  - (iii) four (4) National Councillors; and
  - (iv) Delegates:
    - (1) one (1) Port Authority Industry Delegate;
    - (2) one (1) Private Port Services Industry Delegate;
    - (3) one (1) Ferries and Tourism Industry Delegate;
    - (4) one (1) Offshore Energy Industry Delegate;
    - (5) one (1) Seagoing Industry Delegate;
    - (6) one (1) Towage Industry Delegate; and
    - (7) one (1) Pilotage Industry Delegate.

2. delete sub-rule 36(d) and replace it with the following:

- (d) The Executive Officer will, under these rules:
  - (i) give notice of General Meetings;
  - (ii) ensure the databases and registers of the Union are maintained;
  - (iii) lodge for safe keeping all securities and other legal documents;
  - (iv) maintain the Membership Register;
  - (v) maintain the Officers Register;

- (vi) in conjunction with the President, prepare and file returns other than financial returns;
- (vii) edit the Union Journal;
- (viii) maintain the Union Website; and
- (ix) perform other duties as are provided by these rules.

Yours faithfully

Signed:

**Ken Blackband**



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President

Dated: 28 March 2023

## Annexure A

### Resolution of the AMOU Executive Council at its meeting held at 1100 hours on Tuesday 28<sup>th</sup> 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 51(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 Hills

Carried unanimously 28/03/23.