



*Fair Work (Registered Organisations) Act 2009*  
s.159 – Alteration of other rules of organisation

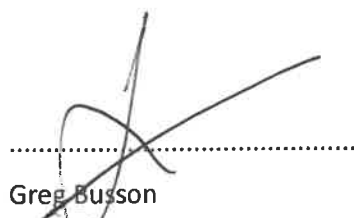
*Fair Work (Registered Organisations) Regulations 2009*  
reg 126 – Alteration of other rules of organisation

## NOTICE OF PARTICULARS OF AUTHORISATION AND DECLARATION OF AUTHORISED OFFICER

I, Greg Busson of 75 Throssell Street, Collie, in the state of Western Australia, union official, give notice of the following matters in relation to the rules of the Mining and Energy Union, Western Australian District.

1. I am the District Secretary of the Western Australian District of the Mining and Energy Union.
2. The Mining and Energy Union ("the MEU") is an organisation of employees registered under the *Fair Work (Registered) Organisations) Act 2009*.
3. I am authorised to give this notice of particulars of alterations to the rules of the Western Australian District Branch of the MEU and to make this declaration as required by regulation 126 of the *Fair Work (Registered Organisations) Regulations 2009*.
4. The Western Australian District Branch of the MEU has sought to alter its Rules. Particulars of the alterations the subject of this notification are annexed to this declaration and marked '**Annexure A**'.
5. I declare that the alterations particularised in **Annexure A** were to the best of my knowledge made in accordance with the Rules of the Western Australian District of the MEU, in particular Rule 13. The actions taken under the Rules to make this alteration included the following:
  - (a) On 9<sup>th</sup> October 2024 and in accordance with Rule 7(ii)(f) of the Western Australian District Rules, I caused the Western Australian District Board of Management members to be notified by email of the date of the upcoming Board of Management meeting, along with an agenda for the meeting.
  - (b) On 9<sup>th</sup> December 2024 and in accordance with Rule 7(ii) of the Western Australian District Rules, I caused the Western Australian District Board of Management members to be notified by email of a proposed resolution regarding a Rule change to allow for changes to Rule 12 - Lodges. A copy of the proposed Rules change is attached and marked **Annexure 'A1'**.

- (c) At a meeting on 11 December 2024, and in accordance with Rule 13, and Rule 7 of the Western Australian District Rules, following a meeting with the Rules Committee, a quorum of the Board of Management unanimously voted in favour of the proposed Rule change of the Western Australia District Branch to allow for changes to Rule 12 - Lodges. During the meeting the Board of Management unanimously voted in favour of changes to Rule 12 in addition to the proposed resolution dealing with the frequency of Board of Management meetings and gender specific pronouns. Attached and marked **Annexure 'A2'** is a copy of the resolution.
6. On behalf of the Western Australian District Branch of the MEU, I provide consent for the correcting of any other typographical, clerical or formal errors associated with this application, provided that the errors are first notified to the District Branch for comment. I confirm that I am authorised to give the aforementioned consent under section 159(2) of the *Fair Work (Registered Organisations) Act 2009*.
7. I have requested that the Western Australian District post on its website a notification in relation to the rule changes the subject of this notice and declaration as soon as practicable following the lodgement of the notice.
8. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.



.....

Greg Busson  
District Secretary  
Western Australian District  
Mining and Energy Union

19<sup>th</sup> December 2024

## Annexure A

### Annexure 'A1'

#### Proposed Change for the Western Australia District

##### District Rule 12 – Lodges

The ~~deletions are in blue, and strikethrough~~, except when there's a change in capitalisation of the word or a change in numbering and the ~~additions are in red~~. There are also explanatory comments to provide further explanation for proposed changes.

## 12 – LODGES

### (i) Formation of Lodges

- (a) The District Branch Executive may establish Lodges of the District Branch where it considers it necessary. A Lodge is a local grouping of members, established to enable members to participate more effectively in the affairs of the District Branch and to give collective expression to the interests, concerns and views of the members who work in the Lodge.
- (b) Where there is no Lodge at a ~~place of employment~~ ~~mine, power station, train depot, site or other enterprise~~ or where a new ~~place of employment~~ ~~mine, power station, train depot, site or other enterprise~~ has started work and the District Executive is of the opinion that a Lodge should be formed, the District Branch Executive shall announce, in whatever way is best suited to the circumstances of that ~~place of employment~~ ~~mine, power station, train depot, site or other enterprise~~ that a meeting will be held of eligible workers for the purposes for forming a Lodge of the District Branch. The announcement shall state that officers of the Lodge will be elected at the foundation meeting ~~in accordance with District Guidelines~~.
- (c) The foundation meeting shall be chaired by a member of the District Branch Executive.
- (d) The foundation meeting shall be conducted according to the Standing Orders for District Branch Lodge meetings.
- (e) The foundation meeting shall elect a committee, officers and representatives as required by these Rules.

### (ii) Management of Lodges

- (a) Each Lodge shall be managed by a Committee consisting of a Lodge President, Lodge Secretary, and such other number of committee members as determined by the Lodge.
- (b) The Committee shall be elected by the Lodge no less than every four (4) years. The Board of Management ~~may~~ ~~will~~ make ~~Guidelines~~ for the conduct of the elections.
- (c) Three members of the Lodge Committee shall form a quorum or if a Lodge Committee is comprised of only a President and Secretary, both members of the Committee ~~form a quorum~~.
- (d) The Lodge may appoint an elected Health and Safety Representative (HSR) as a member of the Lodge Committee.

- (e) The Lodge Secretary must notify the District Secretary of the outcome of the Lodge election or appointment as soon as practicable.
- (f) All Lodge meetings shall be conducted in accordance with any applicable Standing Orders of the District Branch.
- (g) All members of the Lodge shall have equal voting power on all questions put to a meeting of the Lodge except that in the event of equal voting on any question the President shall have a casting vote.
- (h) Lodges shall meet as required, but at least ~~quarterly~~ ~~every two months~~.
- (i) Subject to Union Rule 22, any member of a Lodge failing to attend a summonsed meeting of the Lodge, without reasonable cause, may be fined ten dollars for each offence but a member shall have the right to make an appeal for the remission of ~~his~~ ~~their~~ fine at the next meeting of ~~his~~ ~~the~~ Lodge.
- (j) All meetings of Lodges shall be convened by Notice posted on the Lodge Notice Board or by such other means as may be convenient.
- (k) Any fine imposed on a member for non-attendance at a meeting shall be paid before any appeal is entertained by the Lodge.
- (l) Fines for non-attendance shall be paid into the District Branch Fund.
- (m) Lodges shall be empowered to exempt any members from attendance at Lodge meeting owing to infirmity or other reasonable cause.
- (n) Each Lodge shall have power to make By-laws for its own guidance and control of its members. Such By-laws shall not be in contravention of the Rules of the Union or the District Branch, ~~or Union or District Policy~~ and shall not become operative until submitted to and approved by the District Branch Board of Management.
- (o) Subject to Union Rule 22, if any Lodge Officer or member fails to comply with these Rules, they may be fined, suspended or expelled by the Board of Management.

(iii) Powers and Duties of Lodge President

The Lodge President shall preside at all meetings and in conjunction with the Lodge Secretary ensure that the Rules of the Union, the District Branch and the Lodge are carried out.

(iv) Powers and Duties of Lodge Secretary

- (a) The Lodge Secretary shall, in conjunction with the Lodge President ensure that the Rules of the Union, the District Branch and Lodge are carried out. The Lodge Secretary shall be responsible for keeping the books and records of the Lodge including a minute book for recording resolutions of Lodge meetings, a register of agreements made with the employer ~~at the place of employment~~ and is entitled to obtain from the District Branch a record of the contribution, fines, fees, levies and other monies paid by members of the Lodge.
- (b) The District Branch shall provide each Lodge Secretary with the necessary books.
- (c) When entering the names of members in the Lodge register the Secretary shall also enter the date and time when all new members start work.
- (d) Each Lodge Secretary shall produce the Lodge Books to the Branch Officers and Board of Management when called upon to do so.

- (e) All books, tickets and documents held by any Lodge Officers or members relating to the District Branch shall be the property of the District Branch and shall be surrendered to the District Branch Executive upon demand. Where a Lodge has closed the Lodge Secretary of such Lodge shall forward to the District Secretary all Branch and Lodge books in ~~his~~ **their** possession.

~~Subject to Union Rule 22, if any Lodge Officers or member fails to comply with these Rules he or she may be expelled by the Board of Management.~~

- (f) The Lodge Secretary shall also produce Lodge books or records for inspection when called upon by the majority of the Lodge of which he or she is Lodge Secretary.
- (g) The Lodge Secretary shall keep the Lodge Books or Records in accordance with the system approved by the District Branch Board of Management.

(v) Duties of Lodge Committee

The Committee of each Lodge shall see that the health and lives of their fellow workers are protected to the utmost and shall deal with all matters as affecting the interest of the Lodge. In addition to their other duties, each member of the Lodge Committee also has the role of a

representing members of the Lodge.

(vi) Financial

Subscriptions, fines, fees, dues and levies shall be collected quarterly by the District Branch unless provision is otherwise made in these Rules or by specific agreement between the District Branch Executive and the Lodge Committee.

(vii) Private Agreements

No member of any Lodge in the District Branch shall be permitted to enter into any private agreement with ~~his~~ employer without the sanction of the Lodge of which he is a member and no Lodge shall be permitted to enter into any agreement with the employer without the sanction of the District Branch Executive and/or the Board of Management.

(viii) Expulsion or Suspension of Lodges

This Rule is to be applied utilising the principles outlined in Union Rule 22.

- (a) Subject to Union Rule 22, any Lodge of the District Branch refusing to comply with the decision of the District Branch shall be expelled from the Branch and shall not be entitled to any benefits or privileges of the District Branch.
- (b) In cases of suspension or expulsion the Lodge shall pay any outstanding payments owed to the District Branch before being readmitted to the District Branch.
- (c) Any member or Lodge expelled or suspended under this Rule shall have the right to appeal against the decision to the Central Council.

(ix) Demand by Lodges for Dismissal of Officer

Subject to Union Rule 22, no Lodge shall send to the District Branch Board of Management a notice of motion asking for the resignation of a District Branch Officer unless some specific charge is laid against such Officer in writing and he has been given the opportunity to attend the Lodge to vindicate himself and no such motion shall be allowable unless at least fifty per cent of the Lodge are present or a Ballot of the whole of the members of the Lodge has been taken.

(x) Delegates Other than at Lodges

- (a) To achieve or further the Objects of the District Branch and/or the Union, the District Branch Executive shall endeavour to nominate members of the District Branch to be elected as workplace Delegates in accordance with sub rule (b) to represent members at a particular mine, power station, train depot, site or other enterprise in the District Branch where the formation of a Lodge has not occurred to which the members are eligible to join.
- (b) Election of Delegates
  - (1) Where the District Branch Executive or a majority of members is of the opinion that a Delegate/s should be elected to represent members at the mine, power station, train depot, site or other enterprise the District Branch Executive shall call for nominations of a Delegate/s.
  - (2) The call for nominations shall state that members who are nominated to be a Delegate will be elected at a meeting of members at the mine, power station, train depot, site or other enterprise in accordance with the District Guidelines.

- (3) The term of a Delegate shall not exceed two years.
- (4) Whoever conducts the election must notify the District Secretary as soon as outcome of the election as soon as practicable.

(c) Appointment of Delegate/s

- (1) When a member of District Branch Executive is of the opinion that a Delegate/s should be appointed to represent members at the mine, power station, train depot, site or other enterprise where it is not viable to form a Lodge at this time, the District Branch Executive shall have the power to appoint any member/s at the mine, power station, train depot, site or other enterprise as a Delegate.
- (2) The term of an appointed Delegate shall not exceed two years.
- (3) Whoever appoints the Delegate/s must notify the District Secretary as soon as practicable.
- (4) A Delegate appointed under this sub-rule may be removed from their position at the discretion of the District Branch Executive.

(d) Delegates Duties other than at Lodges

Delegates at a particular mine, power station, train depot, site or other enterprise shall:

- (1) Represent members or workers eligible to be members of the Union;
- (2) Work with other Delegates, the District Branch Executive, and employees of the Union;
- (3) Ensure that the Rules of the Union, and the District Branch are carried out;
- (4) Generally act in the interests of the membership in accordance with the Rules of the Union and Policies of the Union as amended from time to time; and
- (5) Subject to Union Rule 22, if any Delegate or member fails to comply with these Rules, he/she may be fined, suspended or expelled by the Board of Management.

## **Annexure 'A2'**

### **BOM RESOLUTION**

#### **RULE 12: LODGES**

“The Board of Management of the Mining and Energy Union WA District Branch **resolves** to **approve** the proposed changes to RULE 12 : LODGES. A copy of the proposed rule changes approved by the Board of Management are attached to the Minutes.”

#### **AMENDMENT.**

“The Board direct the MEU National Office to amend Rule 12 (ii) (h) from “ **Lodges shall meet as required, but at least every two months**” to “**Lodges shall meet as required, but at least Quarterly**”

#### **AMENDMENT.**

“The Board requests that the National Office review the rules and replace any gender specific pronouns with non-gender specific pronouns where applicable.”