

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, Glenn Power of 33 Milton Street, Mackay, in the State of Queensland, union official, give notice of the following matters in relation to the rules of the Mining and Energy Union, Queensland District.

1. I am the District Secretary of the Queensland 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 Queensland District Branch of the MEU and to make this declaration as required by Regulation 126 of the *Fair Work (Registered Organisations) Act 2009*.
4. The Queensland 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 Queensland District Branch of

the MEU, in particular Rule 8 and Rule 13. The actions taken under the Rules to make this alteration included the following:

- (a) On 28 October 2024 and in accordance with Rule 8(ii)(f) of the Queensland District Rules, I caused the Queensland District Board of Management (BOM) members to be notified of a BOM meeting on 18 November 2024 and issued an agenda.
 - (b) On 18 November 2024 and in accordance with Rule 13(i) and (ii), I presented the proposed rule change to the BOM for their consideration. The BOM resolved to amend Rule 12 of the Queensland District Rules. A copy of the proposed rule change and the resolution is attached and marked **Annexure 'A'**.
 - (c) On 25 November 2024 and in accordance with Rule 13(ii) of the District Rules, I caused a copy of the proposed rule change and resolution marked at Annexure 'A' to be provided to Queensland District Lodges for endorsement by the membership. The Lodges were requested to return their votes not later than 24 January 2025.
 - (d) At close of business on 24 January 2025, in accordance with Rule 8(iv)(a) and (b), an aggregate majority of members attending Lodge meetings voted in favour of the proposed rule change.
6. On behalf of the Queensland District Branch of the MEU, I provide consent to the correcting of any other typographical or formatting 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 MEU post on its website a notification in relation to the rule change the subject of this notice and declaration as soon practicable following the lodgement of the notice.
8. I declare that the particulars set out in the notice are true and correct to the best of my knowledge and belief.



Glenn Power
District Secretary
Queensland District
Mining and Energy Union
27 February 2025

MINING and ENERGY UNION QUEENSLAND DISTRICT

NOVEMBER BOARD OF MANAGEMENT

MINUTE 1 AND 2 VOTING SHEET

LODGE:

MEETING DATE/S:

TOTAL NUMBER OF MEMBERS AT MEETING/S:

MINUTE 1

NO OF PEOPLE FOR:

NO OF PEOPLE AGAINST:

MINUTE 2

NO OF PEOPLE FOR:

NO OF PEOPLE AGAINST:

Please send your return back to Charmaine: cvailepa@meuqld.org.au
by **COB FRIDAY 24 JANUARY 2025**

Minute 1 – Rule Change

- *It was resolved that:*

Emanating from the District Secretary Report, this Queensland District Board of Management resolve to amend the following rules of the Mining and Energy Union, Queensland District Branch:

Queensland District Rules

12 – LODGES

- (i) Formation of Lodges
 - (a) The District Branch Executive shall take whatever steps are necessary to establish Lodges of the District Branch at all ~~workplaces~~ mines, ports, power stations, sites, or other enterprises in Queensland.
 - (b) 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.
 - (c) Where there is no Lodge at a ~~workplace~~ mine, port, power station, site, or other enterprise or a new mine, port, power station, site, or other enterprise ~~workplace~~ has been commenced and the District Branch Executive, in consultation with the relevant

members of the mine, port, power station, site, or other enterprise ~~workplace~~, 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 the ~~workplace mine, port, power station, site, or other enterprise~~, that a meeting will be held of eligible workers for the purposes of 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 Policy.

- (d) The foundation meeting shall be chaired by a member of the District Branch Executive, by a member of the Board of Management or by a member of Central Council.
- (e) The foundation meeting shall be conducted according to the Standing Orders and Code of Conduct of the District Branch.
- (f) 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, as a minimum, the Lodge President and Lodge Secretary. Lodges shall agree by a majority vote of Lodge members who voted to increase the number of members of the Lodge on the Committee if it is to be determined appropriate to the circumstances of the Lodge.
- (b) The Lodge President and Lodge Secretary positions shall be elected annually by means of an election conducted by the Lodge Returning Officer in accordance with Lodge or District Branch policies, provided that a longer term of office may be agreed by a majority vote of Lodge members. However, the term of office of Lodge Committee members shall not exceed four years. Any additional positions determined by the Lodge, as above, shall be elected in accordance with Lodge policies.
- (c) The Lodge may appoint an elected Site Health and Safety representative as a member of the Lodge Committee.
- (d) The Lodge Secretary must notify the District Secretary of the outcome of the Lodge election or appointment as soon as practicable.
- (e) The Lodge President shall preside at all meetings, except where she/he is unavailable due to a genuine absence and have both a deliberative and a casting vote.
- (f) The majority of members of the Committee, including either the Lodge President or Lodge Secretary shall form a quorum.
- (g) All Lodge meetings shall be conducted according to the Standing Orders and Code of Conduct Policy of the District Branch.
- (h) Each Lodge shall have power to make by-laws and policies for its own guidance and control of its members. Such by-laws and policies shall not be in contravention of the Rules of the Union or the District Branch and policies of ~~the Division or of the Union~~ or the District Branch and shall not become operative until submitted to and approved by the District Branch Executive.
- (i) Notwithstanding sub-rules (a) and (b) above, where a Lodge has not filled either the office of Lodge President or Lodge Secretary because no nominations were received for the office, a Lodge may have a Committee of either a Lodge President or Lodge Secretary. In such circumstances either the Lodge President or Lodge Secretary may perform the role of both offices. Where there is a Lodge Committee of only one person, any request for funds from the District Branch by the Lodge President or Lodge Secretary must be endorsed by another member of the Lodge.
- (j) Subject to Union Rule 22, if any Lodge Officer or member fails to comply with these Rules, she/he may be fined, suspended or expelled by the Board of Management.

(iii) Powers and Duties of Lodge President

Subject to the above, 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. The Lodge President shall act as advocate and spokesman for the Lodge and generally act in the interests of the membership.

(iv) Powers and Duties of Lodge Secretary

The Lodge Secretary shall, in conjunction with the Lodge President ensure that the Rules of the Union, the District Branch and the Lodge are carried out. The Lodge Secretary shall be responsible for keeping the records of the Lodge including resolutions of Lodge meetings and a register of agreements made with the employer at the workplace.

(v) Powers and Duties of Lodge Committees

The Lodge Committee shall do whatever may be necessary to ensure that the health, lives and interests of their fellow workers are to the utmost protected.

Each member of the Lodge Committee shall, amongst his or her duties with respect to the Lodge, be a Delegate for members of the Lodge.

The Lodge Committee shall have power to strike a special levy to pay for Lodge expenses legitimately incurred in the conduct of Lodge business. Such special levy shall not be collected unless endorsed by a majority of members of the Lodge attending and voting at a meeting of the Lodge. The Committee of any Lodge, with the concurrence of such Lodge, may request that the Board of Management fine any member whose conduct has been or is inconsistent with the Rules of the Union or decisions of the Lodge reached by majority vote.

(vi) Financial

(a) Subscriptions, fines, fees, dues and levies owed by Lodge members shall be paid to the District Secretary or to the person authorised by the District Secretary to receive such funds.

(b) All accounts and property of the Lodge shall be held by the District Branch.

(c) Loans, grants and donations of any amount exceeding \$1,000 must not be made by the District Secretary, from monies held on account of the Lodge, unless endorsed by a majority of members of the Lodge who cast a vote and who are satisfied that:

(A) the making of the loan, grant or donation is in accordance with the Rules of the District Branch; and

(B) in relation to a loan, that, in the circumstances, the security proposed to be given for the repayment of the loan is adequate and the proposed arrangements for the repayment of the loan are satisfactory.

(d) Notwithstanding sub-rule (c) above, the District Secretary may, from monies held on account of the Lodge, make a loan, grant or donation of an amount not exceeding \$3,000 to a member of the Lodge if the loan, grant or donation:

(A) was first approved by the Lodge Committee;

(B) is for the purpose of relieving the member or any of the member's dependents from severe financial hardship; and

(C) is subject to a condition to the effect that, if a majority of Lodge's members, who cast a vote, do not approve the loan, grant or donation, it must be repaid as determined by the Lodge members.

(vii) Strikes

- (a) No Lodge of this District Branch shall begin a strike before the Lodge's grievance has been considered by the Board of Management or the District Branch Executive.
- (b) In every case, before a strike is begun the District Branch Executive, in consultation with the Board of Management, shall offer to the employer or employees the option of settling the dispute by conciliatory means. If no settlement is reached by conciliation, the District Branch Executive in consultation with the Board of Management shall have free power to take whatever steps are necessary having regard to the Rules of the Union and the District Branch and the Commonwealth and State industrial laws.
- (c) No Lodge of the District Branch shall begin a strike unless a majority of Lodge members attending the voting at a meeting called to consider the question shall vote in favour of the strike.
- (d) The conduct of negotiations in any dispute shall be under the direction of the District Branch Executive and the Board of Management.
- (e) In the case of a strike conducted in accordance with these Rules, or a lockout by the employers, the District Branch Executive in consultation with the Board of Management shall have power to levy members of Lodges for support of the members on strike or locked out. Such levies shall not be collected unless endorsed by an aggregate District majority of members of the District Branch attending and voting at meetings called to consider the question.

(viii) Employees of Contractors and Contractor Lodges

- (a) Existing Lodges are encouraged to enrol and develop ways to represent employees of contractors permanently based at the workplace mine, port, power station, site, or other enterprise covered by the Lodge. However, the decision to enrol or not enrol employees of contractors remains a prerogative of the Lodge. Lodges may enrol and develop ways to represent employees of contractors subject to any reasonable qualifications the Lodge may decide. For example, the enrolment and representation of employees of contractors may be based on the preclusion of employees of contractors from voting on matters directly affecting only the employees of the mine operator and vice versa. The Board of Management or the District Branch Executive has the power to over-rule any Lodge policy that imposes an unfair or unreasonable restriction on the rights of Lodge members who are employees of contractors.
- (b) Subject to the approval of the District Branch Executive, or the Board of Management, employees of contractors may form Lodges specific to their contractor employer. Such a Lodge may be confined to a specific workplace or geographic location of an enterprise; or alternatively may cover more than one workplace of an enterprise which the contractor operates. In deciding whether to approve or not approve the formation of such a Lodge, the District Branch Executive or Board of Management shall be guided by the objective of facilitating the greatest level of involvement of employees of contractors in the activities of the Union.

(ix) Closure or Merger of a Lodge

- (a) When a Lodge drops below the required number of members to form a Lodge Committee in accordance with the Rules, they shall automatically be attached to the District Branch.
- (b) In the event of a total closure of a Lodge all assets will become the property of the District Branch and will be placed in the Legal and Assistance fund once all liabilities of the Lodge have been extinguished. Similarly, if a Lodge proposes to merge with

another Lodge due to the amalgamation of workplaces or for other good reason, the District Branch Executive or the Board of Management shall approve such merger, provided it is not against the best interests of members.

- (c) Any decision to merge or dissolve an existing Lodge can only occur after a resolution of the Board of Management approving such merger.

(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, port, power station, site, or other enterprise in the District Branch where the formation of a Lodge has not occurred.

- (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, port, power station, 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/s will be elected at a meeting of members at the mine, port, power station, site, or other enterprise in accordance with District Branch Policy.
- (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 the District Branch Executive is of the opinion that a Delegate/s should be appointed to represent members at the mine, port, power station, 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, port, power station, 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, port, power station, 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.