THE AUSTRALASIAN MEAT INDUSTRY EMPLOYEES' UNION

Federal Council
ABN 12 206 758 691

Federal Secretary
MATTHEW JOURNEAUX

Federal President
JUSTIN SMITH

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4 January 2024

The General Manager
Fair Work Commission
Level 8, Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

Dear Sir or Madam

Re: **Application to Fair Work Commission to Approve Proposed Alterations to Rules of the Australasian Meat Industry Employees Union**

The AMIEU proposes to alter its rules to amend its quorum rule (rule 21).

I provide the following declaration for the purposes of Section 159 of the Fair Work (Registered Organisations) Act 2009:

1. According to Rule 39 of the Registered rules of the AMIEU, the rules of the AMIEU may be varied by the Federal Council of the Union.

2. According to Rule 16.3 of the AMIEU rules, "The Federal Executive shall have and may exercise all of the powers of the Federal Council between the meetings of the Federal Council."

3. Further, Rule 16.6 of the AMIEU rules expressly provide, "Without limiting the generality of sub-rule 16.3, the powers shall include the powers specified in Rule 39 - Alterations of Rules, that may, if required, be exercised pursuant to sub-rule 16.7."

4. Rule 16.7 of the AMIEU rules provide:

   16.7 In the event of an urgent Executive decision being required, the members of the Federal Executive shall be entitled to express their decision on any such matter or matters submitted to them by the Federal Secretary Treasurer by letter, facsimile or e-mail, and the majority decision shall be the decision of the Executive.

5. The Federal Executive of the AMIEU has been reduced to four members, which means that it is not possible to constitute a quorate meeting of the Federal Executive. This is because

Rule 21 currently requires the presence of five members of the Executive to constitute a quorum.

6. Accordingly, the Federal Secretary circulated a resolution to the Federal Executive proposing an alteration to Rule 21 of the AMIEU rules. The resolution was as follows:

   That Rule 21 of the AMIEU rules be amended to read:

   At all meetings of the Federal Council or Federal Executive, a quorum shall be at least one of the Federal President, Federal Secretary, or Assistant Secretary, and an overall majority of the members of the Federal Executive, or Council, as the case may be.

   For meetings of the Federal Council, a quorum will also require there be at least one delegate from each branch of the Union.

7. The members of the Federal Executive recorded their decision on the matter by email, with all four members of the Executive approving the resolution.

8. Prior to the circulation of the resolution, the four members of the Federal Executive met via videoconference to discuss changes to the quorum rule. Although the meeting was not quorate, the members of the Executive discussed the proposed change to the quorum rule, and unanimously agreed that the issue was one which required an urgent response and it was therefore appropriate that it be dealt with in accordance with Rule 16.7.

9. In accordance with rule 39.3 of the rules of the AMIEU, on 22 December 2023, I notified all branch committees of management of the resolution to alter Rule 21 (Quorum) of the AMIEU. On 4 January 2024, I notified all branch committees of management that I would be lodging an application to amend the rules of the Union in accordance with the decision of the executive.

10. On the basis of the foregoing, I declare that the alterations sought were made in accordance with the rules of the Union.

11. I further declare that the particulars contained in this notice are true and correct to the best of my knowledge and belief.

If you have any enquiries in relation to the above, please direct them in the first instance to Craig Buckley, an AMIEU Industrial Officer, on (07) 3217 3766.

Yours sincerely,

Matt Journeaux
Federal Secretary
Australasian Meat Industry Employees' Union