



New South Wales Teachers Federation

a branch of the Australian Education Union
AEU NSW Teachers Federation Branch ABN 86 600 150 697



186/2018/NC:bdcb

19 March 2018

General Manager
Fair Work Australia
GPO Box 1994
MELBOURNE VIC 3001

Email: orgs@fwc.gov.au

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, Nicole Calnan of 23-33 Mary St, Surry Hills NSW 2010 am the Deputy Branch Secretary of the Australian Education Union NSW Teachers Federation Branch and am authorised to give this notice of particulars of alterations to the rules of Australian Education Union NSW Teachers Federation Branch and to make this declaration as required by Regulation 126 of the *Fair Work (Registered Organisations) Regulations 2009*.

1. I declare that the alterations were made in accordance with the rules of the Australian Education Union NSW Teachers Federation Branch.
2. The particulars of the rule alterations are attached to this declaration and labelled 'Schedule A'.
3. The actions taken under the rules to make this alteration were as follows:
 - (a) On 13 February 2018 the Branch Executive resolved "That notice of the Proposed Rule Changes be given at February Council for endorsement at March Council".
 - (b) The Deputy Branch Secretary advised all Councillors of the proposed Rule Changes at Branch Council on 17 February 2018.
 - (c) The Deputy Branch Secretary sent notice to eligible members on 28 February 2018 and included a copy of the proposed rule changes. This was in accordance with Rule 64 (3) (a) which requires notice of not less than 14 days prior to the meeting.
 - (d) The Branch Council was held on 17 March, 2018.

(e) As per the requirement of Rule 64 (3) (b) each of the proposed changes was adopted by a vote in excess of 3/5ths of the Branch Council Members present.

4. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nicole Calnan', with a long, sweeping horizontal stroke at the end.

Nicole Calnan
Deputy Branch Secretary

Enclosed: Schedule A

Schedule A

Proposed new Rule 51

Amend sub rule (8)

51 - BRANCH AUDITOR

- (1) The Branch Council shall, at the commencement of each financial year, appoint an auditor who is competent to be an auditor in accordance with the requirements of the FW (RO) Act.
- (2) Unless determined otherwise, the financial year for the Branch shall commence on 1 January in each year and end on 31 December in that year.
- (3) The auditor shall perform all the duties required to be performed by an auditor pursuant to the provisions of the FW (RO) Act.
- (4) The Auditor shall:
 - (a) audit the records of the Branch at least annually; and
 - (a) immediately report to the Branch Executive any irregularities that may come under his or her notice.
- (5) The Branch Executive may request the auditor to inspect and audit the financial and accounting records of the Branch, or a sub-branch, or an association and make a report of that inspection and audit to the Branch Executive, as the case may be.
- (6) The auditor, in undertaking his or her duties under this Rule, shall have access to all books, papers, deeds, documents and financial and accounting records and be entitled to address questions to any officer or employee of the Branch, or Association and obtain from any bank or other financial institution at which the funds of the Branch, or an Association are deposited or invested and such other information as may be required.
- (7) In addition to the powers set out in the previous sub-rules, the auditor may place before the Branch Executive any suggestion the auditor may wish to make concerning the financial affairs of the Branch
- (8) The financial records of the Branch shall be closed for the purpose of the annual audit on 31 December each year. The balance sheet and statement of income and expenditure for the previous year shall be presented to ***a meeting of the Branch Council within 6 months of 31 December each year.***

**Adopted at Council meeting held on 17 March 2018.
Carried by required 3/5 majority.**

Schedule A

Proposed new Rule 53

Amend sub rule (2)(a) and (4)(b)

53 - DISCLOSURE OF OFFICER'S MATERIAL PERSONAL INTERESTS

- (1) Each Officer of the Branch shall disclose to the Branch any material personal interest in a matter that:
 - (a) the officer has or acquires; or
 - (b) a relative of the officer has or acquires; that relates to the affairs of the Branch.
- (2) The disclosure required by sub-rule (1) shall be made to the Branch:
 - (a) ***within 1 month of 31 December each year or as soon as practicable after the interest is acquired; and***
 - (b) in writing.
- (3) The Branch shall disclose to the members of the Branch any interests disclosed to the Branch pursuant to sub-rule (1).
- (4) For the purposes of sub-rule (3), the disclosures shall be made:
 - (a) in relation to each financial year;
 - (b) within six months of ***31 December year***; and
 - (c) in writing

**Adopted at Council meeting held on 17 March 2018.
Carried by required 3/5 majority.**