

Clay Brick and Paver Association of New South Wales



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, Mark Ellenor of PO Box 275, St Leonards, NSW 1590, am the Vice-President of the Clay Brick and Paver Association of NSW and am authorised to give this notice of particulars of alterations to the rules of Clay Brick and Paver Association of NSW 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 Clay Brick and Paver Association of NSW.
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 13th July 2018, the committee members met and a 7 days' notice was given to resolve to alter the rules. All 3 members met and the alteration to the rules were resolved.
 - (b) The President called for an AGM/Meeting.
 - (c) The President sent notice to members on 10th September 2018 and included a copy of the proposed rule changes, which is attached to this declaration
 - (d) The AGM/Meeting was held on the 10th October 2018.
 - (e) 3 members attended the AGM. Current membership is 3. As such the meeting was quorate.
 - (f) 3 voted in support.
 - (g) The notice of application for alteration of rules will be posted in our website.
4. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

Signed and dated by an officer.

Mark Ellenor
Vice-President
Dated: 7 November 2018

Schedule A:

Change in Office Address

Rule 1.2 Registered Office

The Association's registered office is Suite 7.01, Level 7, 154 Pacific Highway, NSW, 2065, Australia.

Inclusion of provision of Secretary

Rule 1.3 Definitions

(ff) **Secretary** means, in a secretary elected in accordance with rule 13, and

3.5 Discipline of Members and expulsion from Membership

(d) The President (or a Vice President or Secretary or employee to whom the President delegates this task) must advise a Member of any disciplinary action taken against the Member in writing and stating:

(g) If the Committee confirms the resolution, the President (or a Vice President or a Secretary or employee to whom the President delegates this task) will advise the Member in writing of the confirmation.

5. Management

5.1 The Committee

(C) The Committee consists of four Committee members, or another number as determined by the Committee before the Returning Officer calls for nominations, elected in accordance with these rules.

(e) The Executive Officers, who must be elected from amongst the Committee members, are the:

- (i) *President; and*
- (ii) *two Vice Presidents.*
- (iii) *Secretary.*

5.6 Meetings of the Committee

(b) Meetings of the Committee may also be called at any time by the President (or a Vice President or Secretary or employee to whom the President delegates this task).

(c) At least seven days' notice of any meeting must be given, specifying the place, the day and the hour of the meeting. Notices should generally be written; however, if the person calling the meeting considers the request for the meeting to be urgent, they may call a meeting by giving whatever form of notice is practicable, including by giving less than seven days' notice.

Changes regarding Nomination and Returning Officer

13.2 Nomination and election of the Executive Officers

(h) Ballots must be conducted so that the ballot for the Office highest in the hierarchical order is completed first before the ballot for the next highest Office is conducted. The hierarchical order of the organisation is set as per 13.7 (a). The Returning Officer must conduct each ballot in sequence in descending order as identified in these rules. Once a Candidate is successful in being elected for an Office, the Candidate is excluded from any subsequent election.

(i) If ballots are conducted as a postal ballot or attendance ballot, the Returning Officer must instruct the voters to vote using sequential numbers commencing with the number 1, so that a Candidate who is successful in being elected for a higher Office may be excluded from the ballot for any subsequent Office which the Candidate cannot simultaneously hold. In case of a tie, the Returning officer will decide the ballot by lot.

13.3 Returning Officer – Powers and duties

(a) The Returning officer will be appointed by Australian Electoral Commission to conduct the election after receiving the order from Registered Organisation Commission.

(b) The Association must appoint a Returning Officer (not being the holder of any Office, or an employee of the Association) to conduct elections for any position which is not an office. If a Returning Officer is required to conduct an election for any position other than an Office, the Returning Officer will apply these election rules making any necessary changes and will have the same powers and duties as apply under these rules to the conduct of an election for Office.

13.7 Nomination for more than one Office

(a) No person may simultaneously hold more than one of the following Offices, which also determines the hierarchical order:

(i) *President; or*

(ii) *Vice President.*

(iii) *Secretary*

(b) If a person nominates for more than one Office which cannot be simultaneously held, the Returning Officer must conduct the election for each Office in the order they appear in rule 0. If a person is elected to an Office, the person must be excluded from any subsequent Office which is unable to be held simultaneously.