

## **Notice of Alteration – Northern Mining & NSW Energy District Rule Change**

The following amendments have been recommended by the Rules Committee to the District’s Board of Management (BOM) Meeting held on 24 May, 2017 and endorsed. The amendments were subsequently endorsed by a Joint (Mining & Energy) Delegates Meeting held on 9 June, 2017.

### **Minute Books and Voting Returns Process**

When preparing the paperwork for our recent changes to the District Rules, the requirement to have a rule that seeks to have minute books that record proceedings and resolutions of meetings of the Board of Management (BOM) was identified at section 141(1)(b)(iia) of the *Fair Work (Registered Organisations) Act 2009* (Act).

The District already maintains minutes of meetings as set out in the District Standing Orders. The minutes produced met or exceed the requirement provided above, but so as to ensure that this remains the case it is recommended that the Standing Orders be amended as follows:

#### **B Minutes**

Minutes of all meetings shall be kept in an appropriate form **and which is to include a record of proceedings and resolutions of the Meeting.**

Minutes shall be recorded by the Secretary, who shall present BOM or Lodge minutes to the next meeting, when, after being approved by the BOM or Lodge meeting.

Minutes of the BOM meeting shall be sent to members of the BOM Lodges and Energy Sites. Resolutions requiring consideration by the Lodge or Site will be put to Lodge Members by the Lodge Committee, in such manner as is acceptable to the Lodge or Site by Delegates.

The Lodge Secretary or Delegate shall record the votes for and against each BOM resolution and return the Voting Sheet to the District Secretary within twenty-eight (28) days or such other period or by a defined date as nominated on the Voting Sheet. **[From Rule 7(iv)]**

An extension in time for a Lodge or Site meeting to consider BOM resolutions can be requested from the District Secretary, prior to the expiry of the nominated date or period.

With the above amendment to the Standing Orders it is proposed that a new clause could be added into Rule 7(ii) to pick up the requirement contained in section 141(1)(b)(iia) of the Act. The proposed change would be as follows:

#### **Rule 7(ii) Meetings**

**(g) The District Secretary shall record minutes of the meetings of the Board of Management in accordance with the Standing Orders.**

In addition it is proposed to amend Rule 7(iii)(b) and also add to the District Delegations Policy in relation to the same Rule to allow the District Secretary to determine period for Voting Returns and that this delegation will come from the BOM.

#### **Rule 7(iii)**

Add to end of clause (b) “, unless an extension is granted by the District Secretary”.

(iii) *Lodge Business*

**Commented [GK1]:** Provides clarity to what the minutes must include

**Commented [GK2]:** New Rule to confirm that Minutes of meetings of the BOM must be taken

- (a) *Any Lodge having business for the consideration of the District Branch, after having dealt with same locally, shall forward it to the District Secretary to be submitted to the next following meeting of the District Executive or of the Board of Management.*
- (b) *Each Lodge Secretary shall forward to the District Secretary within twenty eight (28) days, or such other period as may be determined by the Board of Management, from receiving same, the decision of the Lodge on any business that may be sent to it for its consideration by the District Executive or the Board of Management. The decision of any Lodge failing to comply with the Rule shall be null and void, unless an extension is granted by the District Secretary.*

**Commented [GK3]:** Provides flexibility should a Lodge be unable to meet a deadline to provide a voting return sheet that the District Secretary can grant an extension. This would occur where the BOM meeting was being held post the due date for the voting return