

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, CARL COPELAND, being the CHAPTER SECRETARY of the NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION WESTERN AUSTRALIA CHAPTER am authorised to give this notice of particulars of alterations to the rules of the NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION WESTERN AUSTRALIA CHAPTER 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 NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION WESTERN AUSTRALIA CHAPTER
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) The CHAPTER SECRETARY called for a Council Meeting.
 - (b) The CHAPTER SECRETARY sent notice to members on 8 OCTOBER, 2018 and included a copy of the proposed rule changes, which is attached to this declaration
 - (c) The General Meeting was held on the 30 OCTOBER, 2018.
 - (d) 8 members attended the General Meeting. Current membership is 9. As such the meeting was quorate.
 - (e) 9 voted in support in support of the proposed changes, one via proxy. (please refer to Rule 13, sections 35a and 35b of the NECA National Rules)
 - (f) Once approved, the proposed changes were emailed to the National Executive of the NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION on the 1 NOVEMBER, 2018 for approval at the NATIONAL EXECUTIVE AGM of the NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION held on the 22 NOVEMBER, 2018.

(g) This was approved by the NATIONAL EXECUTIVE at the AGM of the NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION held on the 22 NOVEMBER, 2018. A quorum was reached at said meeting of the National Executive.

(h) Notice of the intended change was published on the website on the 14 February, 2019. The link to this notice is contained in the covering email to this declaration.

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.



CARL COPELAND

Chapter Secretary

19 February, 2019

*[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within **35 days** of the changes being transacted by the organisation. It must be accompanied by the 'particulars', which are the details of the rule changes. It can be submitted to ros@fwc.gov.au. If the organisation has a website, a notice must be put up on the website that this application has been lodged with the Fair Work Commission and this should be mentioned in the email.]*

SCHEDULE A”

Proposed changes are made in red and underlined as per extract from Rules below.

5 - MANAGEMENT

- (a) The management of the Chapter shall be vested in:
- (i) The Chapter Council, and
 - (ii) The Executive
- (b) The Council shall consist of 9 members, and the Chapter Secretary and Assistant Chapter Secretary, provided that no more than 6 Councillors holding office at the same time shall represent members who pay the maximum subscription determined by the Executive in accordance with rule 18. With the exception of the Chapter Secretary and Assistant Chapter Secretary, all Members of the Council shall be elected by and from members of the Chapter in accordance with rule 23 of the National Rules. A nomination for the office of Councillor shall specify the amount of subscription paid by the candidate or the member represented by the candidate for the current year.
- (c) The Executive shall consist of the office bearers, and the Chapter Secretary and Assistant Chapter Secretary. With the exception of the Secretary and Assistant Secretary all members of the Executive shall be elected by and from members of the Council in accordance with rule 25 of the National Rules. The Chapter Secretary and Assistant Chapter Secretary shall be elected in accordance with rule 26 of the National Rules.
- (i) All references to Chapter Secretary in rules 26, 27, 28 and 34 of the National Rules shall apply mutatis mutandis to the Assistant Chapter Secretary.
 - (ii) As a consequence of the creation of the office of Assistant Chapter Secretary and as a transitional rule only, the inaugural office of Assistant Chapter Secretary may be filled as a casual vacancy as soon as reasonably practicable in 2019 by resolution of the Chapter Committee in accordance with rule 26(c) of the National Rules.
- (d) Save for the Secretary and Assistant Secretary, all members of the Council shall hold office for a term of three years commencing from the declaration of their election and terminating on the date of the declaration of the result of the Council election held three years thereafter. Each year three members of the Council shall retire and those offices shall be subject to election such that in any year only one-third of the Councillors shall be subject to election. All members of the Executive shall hold office for a term of one year commencing from the declaration of their election and terminating at the date of the meeting at which the next Executive is elected. Retiring members shall be eligible for re-election, except that the President may hold office only for three (3) years.

8 - CHAPTER OFFICE BEARERS

- (A) The office of any Chapter officer (other than the Chapter Secretary and Assistant Chapter Secretary) shall be vacated:

(i) if the officer ceases to be a member or a representative of a member of the Organisation;

(B) The Chapter Secretary and Assistant Chapter Secretary may be suspended from office by resolution of the Executive and subject to his being notified of the charges made against him and being given an opportunity to be heard by the Council, he may be summarily removed from office by resolution of the Council if in the opinion of a majority of the Council he is guilty of misappropriation of the funds of the Organisation or a substantial breach of the rules of the Organisation or of gross misbehaviour or gross neglect of duty.