

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, ANDREW JAMES SMITH of 63 RAILWAY PARADE, MT LAWLEY, WESTERN AUSTRALIA 6050, am the BRANCH SECRETARY of the CPSU, THE COMMUNITY AND PUBLIC SECTOR UNION, WESTERN AUSTRALIAN PRISON OFFICERS' UNION BRANCH and am authorised to give this notice of particulars of alterations to the rules of the CPSU, THE COMMUNITY AND PUBLIC SECTOR UNION, WESTERN AUSTRALIAN PRISON OFFICERS' UNION 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 CPSU, THE COMMUNITY AND PUBLIC SECTOR UNION, WESTERN AUSTRALIAN PRISON OFFICERS' UNION BRANCH.
2. The particulars of the rule alterations are attached to this declaration and labelled 'Schedule A'. A marked up and a clean version of the proposed WAPOU Rulebook are attached.
3. The actions taken under the rules to make this alteration were as follows:
 - (a) At its meeting on 13 February 2024 the WAPOU Branch Executive considered a proposal to make rules for the regulation of the Branch to replace the CPSU, THE COMMUNITY AND PUBLIC SECTOR UNION CHAPTER C, SCHEDULE B RULES.
 - (b) The WAPOU Branch Executive passed a resolution to place on the agenda of the WAPOU Branch Council at its meeting scheduled for 28 February 2024 an agenda item to make rules for the regulation and government of the Branch. As per Chapter C Rule 7.5. A redacted copy of the Minutes of this meeting are attached.
 - (c) On 14 February 2024 the Branch Secretary, on behalf of the Branch President, sent a notice to all members of the WAOPU Branch Council that an agenda item had been placed on the agenda for 28 February 2024 meeting being – Making WAPOU Branch Rules to replace Chapter C, Schedule B Rules. A copy of the proposed rule changes was included. A copy of this notice is attached. As per Chapter C Rule 7.5 (c).
 - (d) The WAPOU Branch Council was held on the 28 FEBRUARY 2024.
 - (e) Chapter C Schedule B Rule 6.1 (a) states that the Branch Council has the power to make, amend and rescind rules and bylaws for the regulation and government of the WAPOU Branch.

(f) 18 members attended the WAPOU Council and 3 members provided proxies. 35 were entitled to attend and vote. Chapter C Schedule B Rule 6.4 sets the quorum for Branch Council at 12 and Chapter C Rule 7.3 (f) sets the quorum as a majority of those entitled to attend and vote. As such the meeting was quorate. A copy of the attendance sheet is attached.

(g) 21 voted in support (including the proxy votes) and the resolution was carried. A redacted copy of the Minutes for this meeting are attached.

4. Chapter C Rule 67 – Transition Rule for WAPOU Rules states that '*Schedule B will cease to apply on the date that the General Manager of the Fair Work Commission approves autonomous WAPOU Branch rules passed by its Branch Council*'. I understand this to mean that when the General Manager of Fair Work Commission approves the Rules subject to this application, they will replace Chapter C Schedule B which will no longer apply.
5. I note that I have submitted a Prescribed Information notice to Fair Work to arrange the conduct of scheduled elections for the Northern Sub-Branches. One outcome of this Rule change will be to reduce the term of office for Northern Sub-Branch Officers in the election that is the subject of the Prescribed Information notice from 4 year to 2 years. I am therefore asking if consideration could be given to processing this Rule change application as quickly as possible. A copy of the Prescribed Information is attached.
6. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.



Andrew Smith
WAPOU Branch Secretary

Dated: 20 March 2024

Schedule A – Particulars of the Rule Change

The new Branch rules will replicate the CPSU Chapter C Schedule B Rules with the following amendments:

- a) Amend clause 8.2 to remove the requirement for Northern Regional Sub-Branch elections to be held in alternate even-numbered years from other Sub-Branches.

The new 8.2 would be as follows:

8.2 Delegates elected by each Sub-Branch shall be elected every four years.

- b) Remove existing transitional provisions in Rule 25 enacted when the CPSU SPSF Group WAPOU Branch was formed and insert the following provisions into Rule 25.

25 - TRANSITIONAL RULE TO ALIGN THE ELECTION OF BRANCH COUNCILLORS

25.1 Purpose

Historically the WAPOU Branch Councillor elections have been split such that delegates from the Northern Region Sub-Branches were conducted separately in alternate even-numbered years from delegates in other Sub-Branches.

In order to streamline governance structures to simplify and clarify the WAPOU Branch's compliance obligations, particularly those related to the administration of the WAPOU Branch's elections and the lodgment of notifications of change to the organisation's records, it is considered more appropriate to align the election of all Branch Councillors. This transition rule aligns the WAPOU Branch election cycle.

25.2 Election Cycle

(a) The term of appointment for delegates to Branch Council in the Northern Region Sub-Branches scheduled for election in 2024 will be for a two-year term rather than the four-year term specified in 8.2;

(b) Following this election all Branch Councillor, Branch Officer and Federal Officer roles will be scheduled for election in 2026 for a four-year term.