

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, Rodney Allen of Suite 5, Number 1 Milton Parade, Malvern, Victoria, am the President of the Master Grocers Australia Limited and am authorised to give this notice of particulars of alterations to the rules of Master Grocers Australia Limited 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 Master Grocers Australia Limited, Registered Organisation 298V.
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:
 - o Examination of the current Rules of Master Grocers Australia Limited, Section 53- Amendment of These Rules and Constitution, 159 Alteration of other rules of the organisation.
 - o Advice sought from Fair Work Commission Registered Organisations as to the changes and procedure to change the rules.
 - o Rule changes considered at the Board Meeting dated October 12, 2016.
 - o Rules changes and motion to adoption the proposed alterations to the rules sent to members on October 21, 2016 within the notice of Annual General Meeting.
 - o Proposed changes uploaded to our website and also member sections of the website for perusal and consideration by members
 - o Motion to consider and adopt rule changes voted on and accepted at the Annual General Meeting on November 11, 2016
 - o Declaration along with Schedule A and a copy of the AGM Agenda and Notice, AGM Minutes and Minutes of the Board Meeting held on October 12, 2016 lodged with the Fair Work Commission Registered Organisations.
 - o Members will be notified on confirmation of the approval of the rule changes.
 - o A copy of the new rules will be posted to the 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.



Rodney Allen
President
Master Grocers Australia Limited

Dated: This 22nd day of November, 2016

ALTERATION OF OTHER RULES OF ORGANISATIONS in accordance with section 159 of the *Fair Work (Registered Organisations) Act 2009*

SCHEDULE A

Rule 2

2.1(a)

Replace "Act" means the Workplace Relations Act 1996 (Cth) as amended from time to time; with "Act" means the *Fair Work Act 2009* or the *Fair Work (Registered Organisations) Act 2009* as the context requires;

Rule 2.1

Replace

"remuneration" includes

- (i) Pay, wages salary, fees, leave, benefits or other entitlements: but

With

"remuneration" includes

- (I) Pay, wages, salary, fees, allowances, leave, benefits or other entitlements, but

Rule 2.2

Delete the words "Schedule 1 of"

Rule 6.5

Replace sections 165(4) and (5) with 166(4) and (5)

Rule 6.5

Delete the words "Schedule 1 to"

Replace

Employer organisations

(4) *Subject to subsection (5) and to any award or order of the Commission, an employer who is eligible to become a member of an organisation of employers is entitled, subject to payment of any amount properly payable in relation to membership:*

(a) *to be admitted as a member of the organisation; and*

(b) *to remain a member so long as the employer complies with the rules of the organisation.*

(5) *Subsection (4) does not entitle an employer:*

(a) *to become a member of an organisation if the employer is:*

(i) *a natural person who is of general bad character; or*

(ii) *a body corporate whose constituent documents make provisions inconsistent with the purposes for which the organisation was formed; or*

(b) *to remain a member of an organisation if the employer ceases to be eligible to become a member and the rules of the organisation do not permit the employer to remain a member.*

WITH

Employer organisations

(4) Subject to subsection (5) and to any modern award or order of the FWC, an employer who is eligible to become a member of an organisation of employers is entitled, subject to payment of any amount properly payable in relation to membership:

(a) to be admitted as a member of the organisation; and

(b) to remain a member so long as the employer complies with the rules of the organisation.

(5) Subsection (4) does not entitle an employer:

(a) to become a member of an organisation if the employer is:

(i) a natural person who is of general bad character; or

(ii) a body corporate whose constituent documents make provisions inconsistent with the purposes for which the organisation was formed; or

(b) to remain a member of an organisation if the employer ceases to be eligible to become a member and the rules of the organisation do not permit the employer to remain a member.

Rule 4	Capacity and Powers Delete the words "Schedule 1 to"
Rule 9.5	Delete the words "Schedule 1 to"
Rule 10.3	Delete the words "Schedule 1 to"
Rule 21.5(c)	Delete the words "Schedule 1 to"
Rule 21.9 Note	Delete the words "Schedule 1 to"
Rule 22.2(g)	Delete the words "Schedule 1 to"
Rule 22.10	Replace "Australian Industrial Relations Commission" with "Fair Work Commission"
Rule 25 25.10	Change words "Workplace Relations (Registration and Accountability of Organisations) Regulations 2003" to "Fair Work (Registered Organisations) Act 2009 and Regulations."
25.14	Change words "Workplace Relations (Registration and Accountability of Organisations) Regulations 2003 to Fair Work (Registered Organisations) Act 2009 and Regulations"
25.21(d)	Change words "Workplace Relations (Registration and Accountability of Organisations) Regulations 2003" to "Fair Work (Registered Organisations) Act 2009 and Regulations"
Rule 25.22	Delete the words "schedule 1 to"

- Rule 40.1
Note Delete the words "Schedule 1 to"
- Rule 42.1 Delete the words "Schedule 1 to"
- Rule 42.1
Note Delete the words "Schedule 1 to"
- Rule 45.1 Change words "*Workplace Relations (Registration and accountability of Organisations) Regulations 2003*" to "*Fair Work (Registered Organisations) Regulations 2009*"
- Rule 48.2 Delete the words "Schedule 1 to"
- Rule 52.2 Delete the words "Schedule 1 of"
- Rule 52.2
Note Delete the words "Schedule 1 of"

Replace

"158 Change of name or alteration of eligibility rules of organisation

(1) A change in the name of an organisation or an alteration of the eligibility rules of an organisation, does not take effect unless the Commission consents"

159 Alteration of other rules of organisation

(1) An alteration of the rules (other than the eligibility rules) of an organisation does not take effect unless particulars of the alteration have been lodged in the Industrial Registry and a Registrar has certified that, in his or her opinion, the alteration:

(a) complies with, and is not contrary to, this Schedule, the Workplace Relations Act, awards and collective agreements; and

(b) is not otherwise contrary to law; and

(c) has been made under the rules of the organisation.

(2) Where particulars of an alteration of the rules (other than the eligibility rules) of an organisation have been lodged in the Industrial Registry, a Registrar may, with the consent of the organisation, amend the alteration for the purpose of correcting a typographical, clerical or formal error.

(3) An alteration of rules that has been certified under subsection (1) takes effect on the day of certification”

With

“158 Change of name or alteration of eligibility rules of organisation

(1) A change in the name of an organisation, or an alteration of the eligibility rules of an organisation, does not take effect unless:

(a) in the case of a change in the name of the organisation—the FWC consents to the change under this section; or

(b) in the case of an alteration of the eligibility rules of the organisation:

(i) the FWC consents to the alteration under this section; or

(ii) the General Manager consents to the alteration under section 158A.

159 Alteration of other rules of organisation

(1) An alteration of the rules (other than the eligibility rules) of an organisation does not take effect unless particulars of the alteration have been lodged with the FWC and the General Manager has certified that, in his or her opinion, the alteration:

(a) complies with, and is not contrary to, this Act, the Fair Work Act, modern awards and enterprise agreements; and

(b) is not otherwise contrary to law; and

(c) has been made under the rules of the organisation.

(2) Where particulars of an alteration of the rules (other than the eligibility rules) of an organisation have been lodged with the FWC, the General Manager may, with the consent of the organisation, amend the alteration for the purpose of correcting a typographical, clerical or formal error.

(3) An alteration of rules that has been certified under subsection (1) takes effect on the day of certification.”