



## DECISION

*Fair Work (Registered Organisations) Act 2009*  
s.159—Alteration of other rules of organisation

### **The Australian Institute of Marine and Power Engineers** (R2021/90)

MURRAY FURLONG

MELBOURNE, 9 JUNE 2021

*Alteration of other rules of organisation.*

[1] On 1 June 2021 The Australian Institute of Marine and Power Engineers (the Institute) lodged with the Fair Work Commission a notice and declaration setting out particulars of alterations to its rules.

[2] On the information contained in the notice, I am satisfied the alterations have been made under the rules of the organisation.

[3] The particulars set out the inclusion of Schedule A, which is intended to ensure that the Institute continues to achieve good governance and compliance of its rules in light of the restrictions imposed as a consequence of the COVID-19 pandemic.

[4] The COVID-19 pandemic and the restrictions associated with it have ramifications on how the Institute conducts its affairs, including how Federal Council Meetings are held. The Federal Council is the Institute's supreme governing body. Subject to control by the members via plebiscite, the Federal Council manages its affairs. It meets at least once a year. The next meeting is scheduled to take place between 15 and 17 June 2021.

[5] Currently, the Institute's Rules only allow for Federal Council meetings to be conducted in-person. The alterations will allow the Institute to conduct its meetings remotely in the event that a member or members of the Institute does not have capacity to attend the meetings in person because of COVID-19 related restrictions. An important practical consequence of the alterations is that a greater number of Federal Councillors will be able to participate in next week's meeting.

[6] Schedule A also contains other provisions which;

- facilitates the holding over in office in circumstances where the conduct of an election is delayed;
- clarifies when a person takes up office in the event of a delayed election;
- permits the use of electronic signatures of documents under the Institute's Rules;
- provides flexibility in the conduct of elections by permitting postal and electronic voting; and
- adopts the Institute's financial accounts.

[7] In my opinion, the alterations comply with and are not contrary to the *Fair Work (Registered Organisations) Act 2009*, the *Fair Work Act 2009*, modern awards and enterprise agreements, and are not otherwise contrary to law. I certify accordingly under subsection 159(1) of the *Fair Work (Registered Organisations) Act 2009*.



ACTING GENERAL MANAGER

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