



AIMPE

Australian Institute of
Marine and Power Engineers
HEAD OFFICE

MEMO

TO FEDERAL COUNCILLORS

17th February 2021

FROM FEDERAL EXECUTIVE

RE NOTICE of RULE CHANGE PROPOSALS

The AIMPE Federal Executive has decided to place seven rule change proposals before Federal Councillors for a postal vote in accordance with Rule 38(iii). Accordingly, this is to give you 60-days notice of the seven proposed rule changes which are attached.

The proposed rule changes are, with one exception, the proposals that were circulated to Federal Council members in early 2019.

Six of those rule changes were approved by Federal Councillors in May 2019.

Proposal 2 as submitted in 2019 was not approved by Federal Councillors.

Rule change Proposal 1 is presented to Federal Councillors in response to an adverse Post Election Report submitted by the Australian Electoral Commission. The AEC has identified a problem in the interpretation and or application of Rule 33A our Federal Executive election rules provisions and recommended that these provisions be clarified. One aspect is that the AIMPE rules currently state that the Federal Council shall appoint a Returning Officer. Under the law AIMPE now has to apply to the Registered Organisations Commission to authorise the Australian Electoral Commission to conduct the election. The AEC then appoints the Returning Officer. (The other alternative under the law is for AIMPE to apply for an exemption and seek to conduct our own ballots.) Proposed rule change 1 also brings into this rule the election of the Senior Vice President by Federal Council.

Rule change Proposal 2 is also presented to Federal Councillors in response to adverse Post Election Reports submitted by the Australian Electoral Commission. The AEC has identified problems in the interpretation and or application of aspects of our Branch election rules provisions and recommended that these provisions be clarified. These include lack of clarity regarding the time periods of each stage of the election process. The proposed rule change sets out 6 week periods for nominations and for the ballot and also resolves the problem of the 14 days before opening of the election.

Proposal 2 in 2019 contained an error in that the current requirement for the nominee, the proposer and the seconder all to be financial members was left out. This was an accident.

There is a significant change to Proposal 2 this time in that following words have been inserted in paragraph (iv):

“Each nomination shall be in writing, signed by the nominee and proposer and seconder, all of whom shall be financial members of the Branch.”

In addition, the Federal Executive has approved a change to paragraph (iii) of Proposal 2 to insert the

words “electronic version” of On Watch to formalise the practice that has been adopted by the AEC

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Returning Officer in recent elections.

Rule change Proposal 3 is intended to update the rules in relation to the relocation of the WA Branch office from Palmyra to Fremantle.

Rule change Proposal 4 has the effect of removing references to outdated institutions (Industrial Registrar) and laws (Workplace Relations Act) and replacing the references with the correct current institutions (Registered Organisations Commission) and laws (Fair Work Act).

Rule change Proposal 5 is to remove from the Rules an electorate (Charlton) which no longer exists following the last Commonwealth redistribution of electoral boundaries in NSW.

Rule change Proposal 6 is to clarify the rights of Life Members of AIMPE.

Rule change Proposal 7 is to remove temporary transitional provisions which are now obsolete.

Once the 60-days notice period has elapsed you will be asked to vote on each separate rule change proposal indicating whether you confirm or disapprove of the proposed rule change.

Many thanks,

Martin Byrne
Federal Secretary