

Form F1 – Application (no specific form provided)

Fair Work Commission Rules 2013, subrule 8(3) and Schedule 1

This is an application to the Fair Work Commission.

The Applicant



These are the details of the person who is making the application.

Title Mr Mrs Ms Other please specify:

First name(s)

Surname

Postal address Level 2, 165 Bouverie Street

Suburb Carlton

State or territory Victoria **Postcode** 3053

Phone number (03) 9274 9200 **Fax number** (03) 9274 9284

Email address jgoodwin@cfmeunat.org

If the Applicant is a company or organisation please also provide the following details

Legal name of business Construction, Forestry, Maritime, Mining and Energy Union

Trading name of business N/A

ABN/ACN 17 402 743 835

Contact person Jared Goodwin

How would you prefer us to communicate with you?

Email (you will need to make sure you check your email account regularly)

Post

Does the Applicant have a representative?



A representative is a person or business who is representing the Applicant. This might be a lawyer, a union or a family member or friend who will speak on behalf of the Applicant. There is no requirement to have a representative.

Yes – Provide representative's details below

No

Applicant's representative



These are the details of the person or business who is representing the Applicant.

Name of person	Phillip Pasfield		
Firm, union or company	Slater & Gordon Lawyers		
Postal address	Level 5, 44 Market Street		
Suburb	Sydney		
State or territory	New South Wales	Postcode	2000
Phone number	(02) 8071 2749	Fax number	(02) 8267 0650
Email address	phillip.pasfield@slatertgordon.com.au		

The Respondent



These are the details of the person or business who will be responding to your application to the Commission.

Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other please specify:		
First name(s)	N/A		
Surname			
Postal address			
Suburb			
State or territory		Postcode	
Phone number		Fax number	
Email address			

If the respondent is a company or organisation please also provide the following details

Legal name of business

Trading name of business

ABN/ACN

Contact person

1. The Application

1.1 Please set out the provision(s) of the Fair Work Act 2009 (or any other relevant legislation) under which you are making this application.

Section 246(1) of the Fair Work Act (Registered Organisations) Act 2009.

2. Order or relief sought

2.1 Please set out the order or relief sought.



Using numbered paragraphs, set out what you are asking the Commission to do.

- See annexure "A" – Details of the existing reporting units.
- See annexure "B" – Details of the proposed alternative division into reporting units.
- See annexure "C" - Copies of the resolutions in favour of the proposed division made by the respective committees of management of the organisation and of each division, branch and district affected by the proposed division.

2.2 Please set out grounds for the order or relief sought.



Using numbered paragraphs, set out the grounds, including particulars, on which you are seeking the relief set out in question 2.1.

- See annexure "D" – Statement of Reasons supporting the proposed division.
- See annexure "E" - Declaration of Michael O'Connor, National Secretary of the Applicant.

3. The employer

3.1 What is the industry of the employer?

4. Industrial instrument(s)

4.1 Please set out any modern award, agreement or other industrial instrument relevant to the application and their ID/Code number(s) if known.

N/A

Signature



If you are completing this form electronically and you do not have an electronic signature you can attach, it is sufficient to type your name in the signature field. You must still complete all the fields below.

Signature

Name

Phillip Pasfield

Date

17 December 2019



Where this form is not being completed and signed by the Applicant, include the name of the person who is completing the form on their behalf in the **Capacity/Position** section.

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS

"A"

DETAILS OF EXISTING REPORTING UNITS

1. Pursuant to a Certificate issued by the General Manager, Ms O'Neill, on 28 June 2019 (PR709819) the applicant is divided into reporting units on the following alternative basis:
 - The following Branches of the Construction, Forestry, Maritime, Mining and Energy Union constitute a single reporting unit:
 - Construction, Forestry, Maritime, Mining and Energy Union
 - Australian Capital Territory Branch
 - New South Wales Branch
 - Queensland Branch
 - South Australian Branch
 - Tasmania Branch
 - Victoria Branch
 - Western Australian Branch
 - Construction and General Division
 - Construction and General Division - Australian Capital Territory Divisional Branch
 - Construction and General Division - New South Wales Divisional Branch
 - Construction and General Division - Queensland Northern Territory Divisional Branch
 - Construction and General Division - South Australian Divisional Branch
 - Construction and General Division - Victoria-Tasmania Divisional Branch
 - Construction and General Division - Western Australian Divisional Branch
 - Manufacturing Division
 - Manufacturing Division - Greater Green Triangle District
 - Manufacturing Division - New South Wales District
 - Manufacturing Division - Pulp and Paper Workers District
 - Manufacturing Division - South Australian District
 - Manufacturing Division - Tasmanian District
 - Manufacturing Division - Victorian District
 - Manufacturing Division - Queensland, Northern Territory, Western Australia District
 - Mining and Energy Division
 - Mining and Energy Division - Northern Mining and NSW Energy District Branch
 - Mining and Energy Division - Queensland District Branch
 - Mining and Energy Division - South Western District Branch
 - Mining and Energy Division - Tasmanian District Branch
 - Mining and Energy Division - Victorian District Branch
 - Mining and Energy Division - Western Australia District Branch
 - The following Branches of the Construction, Forestry, Maritime, Mining and Energy Union constitute a single reporting unit:
 - The Maritime Union of Australia Division
 - The Maritime Union of Australia Division - Newcastle Branch
 - The Maritime Union of Australia Division - Northern Territory Branch
 - The Maritime Union of Australia Division - Queensland Branch
 - The Maritime Union of Australia Division - South Australian Branch
 - The Maritime Union of Australia Division - Southern New South Wales Branch
 - The Maritime Union of Australia Division - Sydney Branch
 - The Maritime Union of Australia Division - Tasmanian Branch
 - The Maritime Union of Australia Division - Victorian Branch
 - The Maritime Union of Australia Division - Western Australian Branch

“B”

DETAILS OF THE PROPOSED ALTERNATIVE DIVISION INTO REPORTING UNITS

1. It is proposed that the alternative division into reporting units be on the following basis:
 - Construction, Forestry, Maritime, Mining and Energy Union
 - Australian Capital Territory Branch
 - New South Wales Branch
 - Queensland Branch
 - South Australian Branch
 - Tasmania Branch
 - Victoria Branch
 - Western Australian Branch
 - Construction and General Division
 - Construction and General Division - Australian Capital Territory Divisional Branch
 - Construction and General Division - New South Wales Divisional Branch
 - Construction and General Division - Queensland Northern Territory Divisional Branch
 - Construction and General Division - South Australian Divisional Branch
 - Construction and General Division - Victoria-Tasmania Divisional Branch
 - Construction and General Division - Western Australian Divisional Branch
 - Manufacturing Division
 - Manufacturing Division - Greater Green Triangle District
 - Manufacturing Division - New South Wales District
 - Manufacturing Division - Pulp and Paper Workers District
 - Manufacturing Division - South Australian District
 - Manufacturing Division - Tasmanian District
 - Manufacturing Division - Victorian District
 - Manufacturing Division - Queensland, Northern Territory, Western Australia District
 - Mining and Energy Division
 - Mining and Energy Division - Northern Mining and NSW Energy District Branch
 - Mining and Energy Division - Queensland District Branch
 - Mining and Energy Division - South Western District Branch
 - Mining and Energy Division - Tasmanian District Branch
 - Mining and Energy Division - Victorian District Branch
 - Mining and Energy Division - Western Australia District Branch
 - The Maritime Union of Australia Division
 - The Maritime Union of Australia Division - Newcastle Branch
 - The Maritime Union of Australia Division - Northern Territory Branch
 - The Maritime Union of Australia Division - Queensland Branch
 - The Maritime Union of Australia Division - South Australian Branch
 - The Maritime Union of Australia Division - Southern New South Wales Branch
 - The Maritime Union of Australia Division - Sydney Branch
 - The Maritime Union of Australia Division - Tasmanian Branch
 - The Maritime Union of Australia Division - Victorian Branch
 - The Maritime Union of Australia Division - Western Australian Branch

COPIES OF THE RESOLUTIONS IN FAVOUR OF THE PROPOSED DIVISION

1. Resolution of the National Executive dated 2 December 2019

"Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 ("Judgment"), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) ("Certificate") and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

The National Secretary is authorised to take all steps necessary to make application to the Fair Work Commission to give effect to this resolution."

The vote of the National Executive was one conducted in accordance with National Rule 14(iv). It was a vote of the National Executive conducted by the National Secretary by email. The vote opened on 28 November 2019 and concluded on 2 December 2019. The vote has the same effect as a decision of the National Executive made in meetings assembled. National Rule 15 (i)(l) requires decisions of the National Executive to be determined by a majority of votes cast. The National Executive approved the resolution unanimously.

2. Resolution of the State Executive of the Australian Capital Territory Branch dated 4 December 2019

"Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 ("Judgment"), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) ("Certificate") and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

The vote of the State Executive of the Australian Capital Territory Branch was one conducted in accordance with National Rule 54 and National Rule 37. The vote was put to circular resolution by the State Secretary on 4 December 2019. This has the same effect as a decision made in a meeting assembled. National Rule 47 (v) requires decisions made by the State Executive to be determined by a majority of votes cast. The State Executive passed the resolution by a majority of votes cast.

3. Resolution of the State Executive of the New South Wales Branch dated 29 November 2019

"Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 ("Judgment"), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) ("Certificate") and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

The vote of the State Executive of the New South Wales Branch was one conducted in accordance with National Rule 54 and National Rule 37. The vote was put to circular resolution in the form of an email by the State Secretary on 28 November 2019 with the vote concluding on 29 November 2019. This has the same effect as decision made in a meeting assembled. National Rule 47 (v) requires decisions made by the State Executive to be determined by a majority of votes cast. The State Executive passed the resolution unanimously.

4. Resolution of the State Executive of the Queensland Branch dated 21 November 2019

"Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 ("Judgment"), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) ("Certificate") and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*

- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

The vote of the State Executive of the Queensland Branch was one conducted in accordance with National Rule 47 (iv). The State Executive met on 21 November 2019 and the State Secretary put the resolution to vote. National Rule 47 (v) requires decisions made by the State Executive to be determined by a majority of votes cast. The State Executive passed the resolution by a majority of votes cast.

5. Resolution of the State Executive of the South Australian Branch dated 6 December 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

The vote of the State Executive of the South Australian Branch was one conducted in accordance with National Rule 54 and National Rule 37. The vote was put to circular resolution in the form of an email on 3 December 2019 with the vote concluding on 6 December 2019. This has the same effect as a decision made in a meeting assembled. National Rule 47 (v) requires decisions made by the State Executive to be determined by a majority of votes cast. The State Executive passed the resolution unanimously.

6. Resolution of the State Executive of the Tasmania Branch dated 29 November 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

The vote of the State Executive of the Tasmania Branch was one conducted in accordance with National Rule 54 and National Rule 37. The vote was put to circular resolution in the form of an email by the State Secretary on 25 November 2019 with the vote concluding on 29 November 2019. This has the same effect as a decision made in a meeting assembled. National Rule 47 (v) requires decisions made by the State Executive to be determined by a majority of votes cast. The State Executive passed the resolution unanimously.

7. Resolution of the State Executive of the Victoria Branch dated 11 December 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to

section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis

- Construction, Forestry, Maritime, Mining and Energy Union
- Australian Capital Territory Branch
- New South Wales Branch
- Queensland Branch
- South Australian Branch
- Tasmania Branch
- Victoria Branch
- Western Australian Branch
- Construction and General Division
- Construction and General Division - Australian Capital Territory Divisional Branch
- Construction and General Division - New South Wales Divisional Branch
- Construction and General Division - Queensland Northern Territory Divisional Branch
- Construction and General Division - South Australian Divisional Branch
- Construction and General Division - Victoria-Tasmania Divisional Branch
- Construction and General Division - Western Australian Divisional Branch
- Manufacturing Division
- Mining and Energy Division
- Mining and Energy Division - Northern Mining and NSW Energy District Branch
- Mining and Energy Division - Queensland District Branch
- Mining and Energy Division - South Western District Branch
- Mining and Energy Division - Tasmanian District Branch
- Mining and Energy Division - Victorian District Branch
- Mining and Energy Division - Western Australia District Branch
- The Maritime Union of Australia Division

The vote of the State Executive of the Victoria Branch was one conducted in accordance with National Rule 54 and National Rule 37. The vote was put to circular resolution in the form of an email by the State Secretary on 10 December 2019 with the vote concluding on 11 December 2019. This has the same effect as a decision made in a meeting assembled. National Rule 47 (v) requires decisions made by the State Executive to be determined by a majority of votes cast. The State Executive passed the resolution unanimously.

8. Resolution of the State Executive of the Western Australian Branch 4 December 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- Construction, Forestry, Maritime, Mining and Energy Union
- Australian Capital Territory Branch
- New South Wales Branch
- Queensland Branch
- South Australian Branch
- Tasmania Branch
- Victoria Branch
- Western Australian Branch
- Construction and General Division

- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

The vote of the State Executive of the Western Australian Branch was one conducted in accordance with National Rule 54 and National Rule 37. The vote was put to circular resolution in the form of an email by the State Secretary on 4 December 2019 with the vote concluding on 4 December 2019. This has the same effect as a decision made in a meeting assembled. National Rule 47 (v) requires decisions made by the State Executive to be determined by a majority of votes cast. The State Executive passed the resolution unanimously.

9. Resolution of the Divisional Executive of the Construction and General Division 10 December 2019

"Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 ("Judgment"), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) ("Certificate") and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*

- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

The vote of the Divisional Executive of the Construction and General Division was one conducted in accordance with C&G Rule 9 (17). The Divisional Executive met on 10 December 2019 and the Divisional Secretary put the resolution to vote. The quorum required for the meeting was 6 in accordance with C&G Rule 9 (17). The quorum was met. C&G Rule 9 (15)(l)(i) requires decisions made by the Divisional Executive to be determined by a majority of the members present at the meeting. The Divisional Executive passed the resolution unanimously.

10. Resolution of the Divisional Branch Management Committee of the Construction and General Division - Australian Capital Territory Divisional Branch dated 4 December 2019

"Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 ("Judgment"), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) ("Certificate") and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

The vote of the Divisional Branch Management Committee of the Construction and General Australian Capital Territory Divisional Branch was one conducted in accordance with C&G Rule 42 (c). The vote was put to circular resolution in the form of an email by the Divisional Branch Secretary on 4 December 2019 with the vote concluding on 4 December 2019. This has the same effect as a decision made in a meeting assembled. The quorum required for the meeting was a majority of members who hold a position or ten, whichever is the lesser, in accordance with C&G Rule 42 (b). The Divisional Branch Management Committee passed the resolution unanimously.

11. Resolution of the Divisional Branch Management Committee of the Construction and General Division - New South Wales Divisional Branch dated 6 December 2019

"Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 ("Judgment"), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) ("Certificate") and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 6 December 2019 the Divisional Branch Management Committee of the Construction and General New South Wales Divisional Branch met in accordance with C&G Rule 42 (c). The quorum required for the meeting was a majority of members who hold a position or ten, whichever is the lesser, in accordance with C&G Rule 42 (b). This quorum was met. The Divisional Branch Secretary put the resolution to vote. The Divisional Branch Management Committee passed the resolution unanimously.

12. Resolution of the Divisional Branch Management Committee of the Construction and General Division, Queensland Northern Territory Divisional Branch dated 21 November 2019

"Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 ("Judgment"), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) ("Certificate") and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 21 November 2019 the Divisional Branch Management Committee of the Construction and General Queensland Northern Territory Divisional Branch met in accordance with C&G Rule 42 (c). The quorum required for the meeting was a majority of members who hold a position or ten, whichever is the lesser, in accordance with C&G Rule 42 (b). This quorum was met. The Divisional Branch Secretary put the resolution to vote. The Divisional Branch Management Committee passed the resolution unanimously.

13. Resolution of the Divisional Branch Management Committee of the Construction and General Division, South Australian Divisional Branch dated 11 December 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*

- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 11 December 2019 the Divisional Branch Management Committee of the Construction and General South Australian Divisional Branch met in accordance with C&G Rule 42 (c). The quorum required for the meeting was a majority of members who hold a position or ten, whichever is the lesser, in accordance with C&G Rule 42 (b). This quorum was met. The Divisional Branch Secretary put the resolution to vote. The Divisional Branch Management Committee passed the resolution by a majority of votes.

14. Resolution of the Divisional Branch Management Committee of the Construction and General Division, Victoria-Tasmania Divisional Branch dated 16 December 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 16 December 2019 the Divisional Branch Management Committee of the Construction and General Victoria-Tasmania Divisional Branch met in accordance with C&G Rule 42 (c). The quorum required for the meeting was a majority of members who hold a position or ten, whichever is the lesser, in accordance with C&G Rule 42 (b). This quorum was met. The Divisional Branch Management Committee passed the resolution unanimously.

15. Resolution of the Divisional Branch Management Committee of the Construction and General Division, Western Australian Divisional Branch dated 4 December 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 4 December 2019 the Divisional Branch Management Committee of the Construction and General Western Australia Divisional Branch met in accordance with C&G Rule 42 (c). The quorum required for the meeting was a majority of members who hold a position or ten, whichever is the lesser, in accordance with C&G Rule 42 (b). This quorum was met. The Divisional Branch Secretary put the resolution to vote. The Divisional Branch Management Committee passed the resolution unanimously.

16. Resolution of the Divisional Executive of the Manufacturing Division dated 4 December 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to

section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- Construction, Forestry, Maritime, Mining and Energy Union
- Australian Capital Territory Branch
- New South Wales Branch
- Queensland Branch
- South Australian Branch
- Tasmania Branch
- Victoria Branch
- Western Australian Branch
- Construction and General Division
- Construction and General Division - Australian Capital Territory Divisional Branch
- Construction and General Division - New South Wales Divisional Branch
- Construction and General Division - Queensland Northern Territory Divisional Branch
- Construction and General Division - South Australian Divisional Branch
- Construction and General Division - Victoria-Tasmania Divisional Branch
- Construction and General Division - Western Australian Divisional Branch
- Manufacturing Division
- Mining and Energy Division
- Mining and Energy Division - Northern Mining and NSW Energy District Branch
- Mining and Energy Division - Queensland District Branch
- Mining and Energy Division - South Western District Branch
- Mining and Energy Division - Tasmanian District Branch
- Mining and Energy Division - Victorian District Branch
- Mining and Energy Division - Western Australia District Branch
- The Maritime Union of Australia Division

On 4 December 2019 the Manufacturing Divisional Executive met in accordance with MNF Rule 9 (xiv). The quorum for the meeting was six in accordance with MNF Rule 9 (xiv). This quorum was met. The Divisional Secretary put the resolution to vote. MNF Rule 9 (xiii) (s) requires decisions of the Divisional Executive to be made by a majority of members present at the meeting. The resolution was passed unanimously.

17. Resolution of the District Management Committee of the Manufacturing Division - Greater Green Triangle District dated 28 November 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- Construction, Forestry, Maritime, Mining and Energy Union
- Australian Capital Territory Branch
- New South Wales Branch
- Queensland Branch
- South Australian Branch
- Tasmania Branch
- Victoria Branch
- Western Australian Branch
- Construction and General Division

- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 28 November 2019 the Manufacturing Division Greater Green Triangle District Management Committee met in accordance with MNF Rule 30 A (iv). The quorum required for the meeting was a majority of its members in accordance with MNF Rule 30 A (iv). This quorum was met. The District Secretary put the resolution to vote. The District Management Committee passed the resolution unanimously.

18. Resolution of the District Management Committee of the Manufacturing Division - New South Wales District dated 5 December 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*

- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 5 December 2019 the Manufacturing Division New South Wales District Management Committee met in accordance with MNF Rule 30 A (iv). The quorum required for the meeting was a majority of its members in accordance with MNF Rule 30 A (iv). This quorum was met. The District Secretary put the resolution to vote. The District Management Committee passed the resolution unanimously.

19. Resolution of the District Management Committee of the Manufacturing Division - Pulp and Paper Workers District dated 27 November 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 27 November 2019 the Manufacturing Division Pulp and Paper Workers District Management Committee met in accordance with MNF Rule 30 A (iv). The quorum required for the meeting was a majority of its members in accordance with MNF Rule 30 A (iv). This quorum was met. The District Secretary put the resolution to vote. The District Management Committee passed the resolution unanimously.

20. Resolution of the District Management Committee of the Manufacturing Division - South Australian District dated 3 December 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435

delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- Construction, Forestry, Maritime, Mining and Energy Union
- Australian Capital Territory Branch
- New South Wales Branch
- Queensland Branch
- South Australian Branch
- Tasmania Branch
- Victoria Branch
- Western Australian Branch
- Construction and General Division
- Construction and General Division - Australian Capital Territory Divisional Branch
- Construction and General Division - New South Wales Divisional Branch
- Construction and General Division - Queensland Northern Territory Divisional Branch
- Construction and General Division - South Australian Divisional Branch
- Construction and General Division - Victoria-Tasmania Divisional Branch
- Construction and General Division - Western Australian Divisional Branch
- Manufacturing Division
- Mining and Energy Division
- Mining and Energy Division - Northern Mining and NSW Energy District Branch
- Mining and Energy Division - Queensland District Branch
- Mining and Energy Division - South Western District Branch
- Mining and Energy Division - Tasmanian District Branch
- Mining and Energy Division - Victorian District Branch
- Mining and Energy Division - Western Australia District Branch
- The Maritime Union of Australia Division

On 3 December 2019 the Manufacturing Division South Australian District Management Committee met in accordance with MNF Rule 30 A (iv). The quorum required for the meeting was a majority of its members in accordance with MNF Rule 30 A (iv). This quorum was met. The District Secretary put the resolution to vote. The District Management Committee passed the resolution unanimously.

21. Resolution of the District Management Committee of the Manufacturing Division – Tasmanian District dated 29 November 2019

“Having regard to the Judgment of the Federal Court of Australia in *Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner* [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- Construction, Forestry, Maritime, Mining and Energy Union
- Australian Capital Territory Branch
- New South Wales Branch
- Queensland Branch
- South Australian Branch
- Tasmania Branch

- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 29 November 2019 the Manufacturing Division Tasmanian District Management Committee met in accordance with MNF Rule 30 A (iv). The quorum required for the meeting was a majority of its members in accordance with MNF Rule 30 A (iv). This quorum was met. The District Secretary put the resolution to vote. The District Management Committee passed the resolution unanimously.

22. Resolution of the District Management Committee of the Manufacturing Division – Victorian District dated 22 November 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*

- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 22 November 2019 the Manufacturing Division Victorian District Management Committee met in accordance with MNF Rule 30 A (iv). The quorum required for the meeting was a majority of its members in accordance with MNF Rule 30 A (iv). This quorum was met. The District Secretary put the resolution to vote. The District Management Committee passed the resolution unanimously.

23. Resolution of the District Management Committee of the Manufacturing Division - Queensland, Northern Territory, Western Australia District dated 9 December 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 9 December 2019 the Manufacturing Division Queensland, Northern Territory, Western Australia District Management Committee met in accordance with MNF Rule 30 A (iv). The quorum required for the meeting was a majority of its members in accordance with MNF Rule 30 A (iv). This quorum was met. The District Secretary put the resolution to vote by circular resolution. This has the effect of a decision made otherwise at a meeting assembled. The District Management Committee passed the resolution unanimously.

24. Resolution of the Central Council of the Mining and Energy Division dated 18 November 2019

"Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 ("Judgment"), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) ("Certificate") and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 18 November 2019 the General Secretary put the resolution to vote via email to the Mining and Energy Division Central Council in accordance with M&E Divisional Rule 8 (vii). This has the same effect as a decision made otherwise at a meeting assembled. The Mining and Energy Division Central Council passed the resolution with a majority of votes.

25. Resolution of the Board of Management of the Mining and Energy Division Northern Mining and New South Wales Energy District Branch dated 14 November 2019

"Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 ("Judgment"), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) ("Certificate") and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*

- Queensland Branch
- South Australian Branch
- Tasmania Branch
- Victoria Branch
- Western Australian Branch
- Construction and General Division
- Construction and General Division - Australian Capital Territory Divisional Branch
- Construction and General Division - New South Wales Divisional Branch
- Construction and General Division - Queensland Northern Territory Divisional Branch
- Construction and General Division - South Australian Divisional Branch
- Construction and General Division - Victoria-Tasmania Divisional Branch
- Construction and General Division - Western Australian Divisional Branch
- Manufacturing Division
- Mining and Energy Division
- Mining and Energy Division - Northern Mining and NSW Energy District Branch
- Mining and Energy Division - Queensland District Branch
- Mining and Energy Division - South Western District Branch
- Mining and Energy Division - Tasmanian District Branch
- Mining and Energy Division - Victorian District Branch
- Mining and Energy Division - Western Australia District Branch
- The Maritime Union of Australia Division

On 14 November 2019 the Mining and Energy Division Northern Mining and NSW Energy District Branch Board of Management met in accordance with M&E NTH-NSW Rule 7 (ii)(a). The quorum required for the meeting was more than half of the members of the Board of Management in accordance with M&E NTH-NSW Rule 7 (ii)(b). This quorum was met. The resolution was put to the Board of Management and was approved with a majority of votes.

26. Resolution of the Board of Management of the Mining and Energy Division Queensland District Branch dated 12 November 2019

"Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 ("Judgment"), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) ("Certificate") and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- Construction, Forestry, Maritime, Mining and Energy Union
- Australian Capital Territory Branch
- New South Wales Branch
- Queensland Branch
- South Australian Branch
- Tasmania Branch
- Victoria Branch
- Western Australian Branch
- Construction and General Division
- Construction and General Division - Australian Capital Territory Divisional Branch
- Construction and General Division - New South Wales Divisional Branch
- Construction and General Division - Queensland Northern Territory Divisional Branch
- Construction and General Division - South Australian Divisional Branch
- Construction and General Division - Victoria-Tasmania Divisional Branch
- Construction and General Division - Western Australian Divisional Branch
- Manufacturing Division

- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 12 November 2019 the Mining and Energy Division Queensland District Branch Board of Management met in accordance with M&E QLD Rule 8 (ii)(a). The quorum required for the meeting was at least one representative from each of three Divisions in addition to at least two Executive Officers in accordance with M&E QLD Rule 8 (ii)(b). This quorum was met. The resolution was put to the Board of Management and was approved with a majority of votes.

27. Resolution of the Board of Management of the Mining and Energy Division South Western District Branch dated 28 November 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 28 November 2019 the Mining and Energy Division South Western District Branch Board of Management met in accordance with M&E SW Rule 7 (ii)(a). The quorum required for the meeting was at least one representative from each of the Lodge areas in addition to at least two Executive Officers in accordance with M&E SW Rule 7 (ii)(b). This quorum was met. The resolution was put to the Board of Management and was approved with a majority of votes.

28. Resolution of the Board of Management of the Mining and Energy Division Tasmanian District Branch dated 12 November 2019

"Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 ("Judgment"), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) ("Certificate") and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 12 November 2019 the Mining and Energy Division Tasmanian District Branch Board of Management met in accordance with M&E TAS Rule 7 (ii)(a). The quorum required for the meeting was two-thirds of the members of the Board of Management in accordance with M&E TAS Rule 7 (ii)(b). This quorum was met. The resolution was put to the Board of Management and was approved with a majority of votes.

29. Resolution of the Board of Management of the Mining and Energy Division – Victorian District Branch dated 14 November 2019

"Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 ("Judgment"), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) ("Certificate") and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 14 November 2019 the Mining and Energy Division Victorian District Branch Board of Management met in accordance with M&E VIC Rule 7 (C)(1). The quorum required for the meeting was more than half of the number of Board of Management members including at least half of the District Executive Officers in accordance with M&E VIC Rule 7 (C)(3). This quorum was met. The resolution was put to the Board of Management and was approved with a majority of votes.

30. Resolution of the Board of Management of the Mining and Energy Division Western Australia District Branch dated 29 November 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*

- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 29 November 2019 the Mining and Energy Division Western Australian District Branch Board of Management met in accordance with M&E WA Rule 7 (ii)(a). The quorum required for the meeting was two thirds of the members of the Board of Management in accordance with M&E WA Rule 7 (ii)(b). This quorum was met. The resolution was put to the Board of Management and was approved with a majority of votes.

31. Resolution of the Divisional National Council of The Maritime Union of Australia Division dated 14 November 2019

“Having regard to the Judgment of the Federal Court of Australia in Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner [2019] FCA 435 delivered on 2 April 2019 (“Judgment”), the Certificate issued by the General Manager of the Fair Work Commission on 28 June 2019 (PR70981) (“Certificate”) and the commitment given by the Union to the General Manager on 28 June 2019 that a further application pursuant to section 245 of the Fair Work (Registered Organisations) Act 2009 would be made if the Certificate was granted, it is resolved that the Union be divided into reporting units on the following alternative basis:

- *Construction, Forestry, Maritime, Mining and Energy Union*
- *Australian Capital Territory Branch*
- *New South Wales Branch*
- *Queensland Branch*
- *South Australian Branch*
- *Tasmania Branch*
- *Victoria Branch*
- *Western Australian Branch*
- *Construction and General Division*
- *Construction and General Division - Australian Capital Territory Divisional Branch*
- *Construction and General Division - New South Wales Divisional Branch*
- *Construction and General Division - Queensland Northern Territory Divisional Branch*
- *Construction and General Division - South Australian Divisional Branch*
- *Construction and General Division - Victoria-Tasmania Divisional Branch*
- *Construction and General Division - Western Australian Divisional Branch*
- *Manufacturing Division*
- *Mining and Energy Division*
- *Mining and Energy Division - Northern Mining and NSW Energy District Branch*
- *Mining and Energy Division - Queensland District Branch*
- *Mining and Energy Division - South Western District Branch*
- *Mining and Energy Division - Tasmanian District Branch*
- *Mining and Energy Division - Victorian District Branch*
- *Mining and Energy Division - Western Australia District Branch*
- *The Maritime Union of Australia Division*

On 14 November 2019 The Maritime Union of Australia Divisional National Council conducted a conference via email in accordance with MUA Rule 17 (f). The Divisional National Secretary put the resolution to vote via email in accordance with MUA Rule 17 (f). This has the same effect of a decision made otherwise at a meeting assembled. The quorum for the meeting was 50% plus one member in accordance with MUA Rule 17 (h). This quorum was met. Decisions of The Maritime Union of Australia Divisional National Council are determined by a simple majority of those present in accordance with MUA Rule 17 (d)(ii). The Maritime Union of Australia Divisional National Council passed the resolution unanimously.

“D”

STATEMENT OF REASONS SUPPORTING THE PROPOSED DIVISION

1. On 29 June 1992, a Deputy Industrial Registrar of the Australian Industrial Registry issued a consolidation certificate in respect of the Waterside Workers' Federation of Australia (“WWF”) pursuant to section 271 of the *Industrial Relations Act 1988* (Cth) (“1992 WWF Consolidation Certificate”).
2. On 1 July 1993, the WWF amalgamated with the Seamen's Union of Australia to form The Maritime Union of Australia (“MUA”).
3. On and from 1 July 1993, the MUA reported as one financial reporting unit on the basis of the 1992 WWF Consolidation Certificate.
4. On 15 August 2012, the General Manager of Fair Work Australia (now Fair Work Commission) issued a Certificate under section 246(2) of the *Fair Work (Registered Organisations) Act 2009* (Cth) (“RO Act”) to the Construction, Forestry, Mining and Energy Union (“CFMEU”) providing for alternative reporting arrangements for the Forestry, Furnishing, Building Products and Manufacturing Division of the CFMEU (“2012 Manufacturing Consolidation Certificate”).
5. On 27 March 2018, the MUA and the Textile, Clothing and Footwear Union of Australia (“TCFUA”) amalgamated with the CFMEU to form the Construction, Forestry, Maritime, Mining and Energy Union (“CFMMEU”). On the same day, the MUA and TCFUA were deregistered. Relevantly, the MUA became the MUA Division of the CFMMEU.
6. On 2 April 2019, Bromwich J of the Federal Court of Australia delivered Judgment in *Construction, Forestry, Maritime, Mining and Energy Union v Registered Organisations Commissioner* [2019] FCA 435 (“Judgment”). His Honour found that the 1992 WWF Consolidation Certificate survived the amalgamation on 27 March 2018 notwithstanding section 251 of the RO Act and that the references in the 1992 WWF Consolidation Certificate are references to the CFMMEU. As a consequence, his Honour felt it was not necessary to decide how the 2012 Manufacturing Consolidation Certificate operated on its own terms.
7. Consequently, the 1992 WWF Consolidation Certificate permitted and required financial reporting at the level of the CFMMEU as a whole.
8. On 27 June 2019, the CFMMEU made application under section 246(1) of the RO Act for a Certificate pursuant to section 245 of that Act.
9. On 28 June 2019, the General Manager of the Fair Work Commission issued a Certificate under section 246(2) of the RO Act in respect of the CFMMEU's application. A copy of that Certificate is **attached** to this annexure.
10. In granting the Certificate, the General Manager had regard, amongst other things, to correspondence from the solicitors for the CFMMEU dated 29 June 2019 which advised that if the then application was granted, the CFMMEU would be lodging a further application which would seek to replicate the reporting arrangements that existed for the Union prior to the Judgment.

11. It is submitted that the level of financial information that would be available to the members affected would be adequate and relevant to them in that the financial reporting would continue on the same basis as has been done prior to the amalgamation which took effect on 27 March 2018. Further, the relevant Rules of the MUA Division and the Manufacturing Division are designed on the basis that those Divisions are respectively each a reporting unit. In particular, reference is made to MUA Divisional Rule 52.



CERTIFICATE

Fair Work (Registered Organisations) Act 2009
s.245—Determination of reporting units

Construction, Forestry, Maritime, Mining and Energy Union
(R2019/80)

MS O'NEILL

MELBOURNE, 28 JUNE 2019

Determination of reporting units.

[1] On 27 June 2019 the Construction, Forestry, Maritime, Mining and Energy Union lodged with the Fair Work Commission an application under s.246(1) of the *Fair Work (Registered Organisations) Act 2009* for a certificate under s.245.

[2] I am satisfied, pursuant to s.246(2), that the application under s.246(1) is in accordance with the regulations and that the level of financial information that would be available to members under the proposed division into reporting units would be adequate and would be relevant to them.

[3] Accordingly I certify that the organisation is, for the purpose of compliance with Part 3 of the Act, to be divided into reporting units on the following alternative basis:

- The following Branches of the Construction, Forestry, Maritime, Mining and Energy Union constitute a single reporting unit:
 - Construction, Forestry, Maritime, Mining and Energy Union
 - Australian Capital Territory Branch
 - New South Wales Branch
 - Queensland Branch
 - South Australian Branch
 - Tasmania Branch
 - Victoria Branch
 - Western Australian Branch
 - Construction and General Division
 - Construction and General Division, Australian Capital Territory Divisional Branch
 - Construction and General Division, New South Wales Divisional Branch
 - Construction and General Division, Queensland Northern Territory Divisional Branch
 - Construction and General Division, SA Divisional Branch
 - Construction and General Division, Victoria-Tasmania Divisional Branch
 - Construction and General Division, WA Divisional Branch
 - Manufacturing Division
 - Manufacturing Division - Greater Green Triangle District

Manufacturing Division - New South Wales Divisional District
Manufacturing Division - Pulp and Paper Workers Divisional District
Manufacturing Division - South Australian Divisional District
Manufacturing Division - Tasmanian Divisional District
Manufacturing Division - Victorian Divisional District
Manufacturing Division - Queensland, Northern Territory, Western Australia
Divisional District
Mining and Energy Division
Mining and Energy Division Northern Mining and NSW Energy District Branch
Mining and Energy Division Queensland District Branch
Mining and Energy Division South Western District Branch
Mining and Energy Division Tasmanian District Branch
Mining and Energy Division - Victorian District Branch
Mining and Energy Division Western Australia District Branch

- The following Branches of the Construction, Forestry, Maritime, Mining and Energy Union constitute a single reporting unit:

The Maritime Union of Australia Division
The Maritime Union of Australia Division - Newcastle Branch
The Maritime Union of Australia Division - Northern Territory Branch
The Maritime Union of Australia Division - Queensland Branch
The Maritime Union of Australia Division - South Australian Branch
The Maritime Union of Australia Division - Southern New South Wales Branch
The Maritime Union of Australia Division - Sydney Branch
The Maritime Union of Australia Division - Tasmanian Branch
The Maritime Union of Australia Division - Victorian Branch
The Maritime Union of Australia Division - Western Australian Branch



GENERAL MANAGER

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"E"

DECLARATION

**Regulation 153(1) of the Fair Work (Registered Organisations) Regulation 2009, section 246(1)
of the Fair Work (Registered Organisations) Act 2009**

I, Michael O'Connor, of 165 Bouverie Street, Carlton in the State of Victoria, Union Official, hereby declare that:

1. I am the National Secretary of the Construction, Forestry, Maritime, Mining and Energy Union ("CFMMEU").
2. I am authorised to make this declaration on behalf of the CFMMEU.
3. I verify that the facts set out in the accompanying application and the documents lodged with and attached to the application are true and correct.

Dated: 17 December 2019



Michael O'Connor

National Secretary

Construction, Forestry, Maritime, Mining and Energy Union