



16 February 2023

Associate to Acting President Hatcher
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Our Matter:

Dear Associate,

D2022/10 Application by Grahame Patrick Kelly

This letter is sent with the consent of the CFMMEU.

In conformity with the directions made by the Commission, on 23 December 2022, Mr Kelly filed an amended Annexure 5, which are the proposed rules of the Mining & Energy Union (MEU), (hereafter **Annexure 5 (amended)**) and amended Annexure 6, which are the proposed rules of the Construction, Forestry, and Maritime Employees Union (CFMEU) (hereafter **Annexure 6 (amended)**). The amended Annexures were agreed with the CFMMEU.

Those proposed rules have since been further reviewed by Mr Kelly and the CFMMEU. It is agreed that there are some minor errors in Annexure 5 (amended) and Annexure 6 (amended), which require correction.

Accordingly, Mr Kelly respectfully seeks permission to file further amended proposed rules of the MEU (hereafter **Annexure 5 (further amended)**) and the CFMEU (hereafter **Annexure 6 (further amended)**). The CFMMEU consents to those amended proposed rules being filed. The further amendments that are proposed to the rules of the MEU are identified in Annexure A. The further amendments that are proposed to the rules of the CFMEU are identified in Annexure B.

The parties believe that the further amendments proposed in both sets of rules are not substantive and do not change the joint submission filed on 30 January 2023.

We note the agreed submission of the parties dated 20 December 2022, and especially the process by which the proposed rules would be considered by the Commission in advance of the next hearing dates. We regret any inconvenience that may result from the filing of further amended rules given the Commission may have already given some consideration to the proposed rules filed on 23 December 2022.

Yours faithfully

A handwritten signature in blue ink, appearing to read "P. Pasfield".

Phillip Pasfield
National Practice Group Leader
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SLATER AND GORDON