

11 August 2021

Post-Election Report

**Australian Nursing and Midwifery
Federation**

Northern Territory Branch

Scheduled election

E2021/100

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Election(s) Covered in this Report

Organisation: ANMF - Northern Territory Branch

Election: Scheduled

Election Decision No/s: E2021/100

Rules

Rules used for the election: [145V: Incorporates alterations of 22 June 2020 R2020/54]
(replaces rulebook dated 27 May 2020 [R2020/30])

Rules difficult to apply/interpret: Yes

'49.2.7 With all convenient speed but not later than fourteen (14) days before the ballot is to be held, send to each member the following papers by prepaid post in a sealed envelope...'

The words "before the ballot is held" are ambiguous due to this being a postal ballot as opposed to an attendance ballot, with no mention in the rules regarding the ballot opening. Additionally, the 14 day time frame infers that this is not part of the ballot period and could therefore substantially impact the ballot results if ballots received during this period are not included in the count.

The rules do refer to the closing of the ballot being:

'49.2.4 (ca) fix a date and time for the closing of the ballot that is no less than 28 days and no more than 49 days after the date upon which the ballot papers are distributed under rule 49.2.7.'

Model Rule reference (if any):

16.2 Issue of ballot material

16.2.1 On or before the opening day of the ballot the returning officer shall forward ballot material in a sealed envelope by prepaid post to each person on the roll of voters at the address shown on the roll of voters.

For more details see the Model Rules on the AEC website: www.aec.gov.au/ieb/

Other Matters

Returning Officer actions required (Section 193): Yes

Details:

- As there is no rule pertaining to the method in which nominations must be lodged, the Returning Officer will apply subparagraph 193(1) (b)(ii) of the Fair Work (Registered Organisation) Act 2009 to only accept nominations via email or portal and not by hand or post, due to the ongoing COVID-19 risk.
- Rules regarding the timetable of the election were set aside as the AEC held concerns that the coronavirus pandemic may impact on the ability for stakeholders to fully participate in the election. A timetable for the conduct of the ballot which varied from the rules was set when the AEC was satisfied that stakeholders would be able to fully participate.

Signed

Tiffany Nguyen
Returning Officer
Australian Electoral Commission
E: IEEvents@aec.gov.au
P: 02 9375 6395
11 August 2021

Attachments

A. Declaration of Results for Uncontested Offices – NT

Australian Nursing and Midwifery Federation
Northern Territory Branch
DECLARATION OF RESULTS - E2021/100
Uncontested Offices

Scheduled Election

The results of the election for the following offices conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation are:

Northern Territory Branch

Branch Secretary (1)

Candidates

HATCHER Catherine

Branch Executive Member (4)

Candidates

BASON Trevor

DOWLING Camille

Branch Councillor (4)

Candidates

GRIMSHAW Naomi

MCKENZIE Erin

*Camille Dowling excluded from Branch Councillor - elected to higher position

As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above candidates elected.

Tiffany Nguyen
Returning Officer
Telephone: 02 9375 6395
Email: IEEvents@aec.gov.au
30/07/2021

[2021] ROCD 72



Australian Government
Registered Organisations Commission

DECISION

Fair Work (Registered Organisations) Act 2009
s.189—Arrangement for conduct of an election

Australian Nursing and Midwifery Federation (E2021/100)

MR STEENSON

SYDNEY, 6 MAY 2021

Arrangement for conduct of election.

[1] On 5 May 2021 the Northern Territory Branch of the Australian Nursing and Midwifery Federation (**the Branch**) lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices for the remainder of their term, due to insufficient nominations received in a previous election (**E2020/125**):

Branch Executive Member (4)
Branch Councillor (4)

[2] On the same date, the Branch lodged prescribed information seeking an election for the following office for a new term, as the current term will shortly expire:

Branch Secretary (1)

[3] I am satisfied that an election for the abovenamed offices is required to be held under the rules of the organisation and, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009*, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



DELEGATE OF THE COMMISSIONER

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PR351938

PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009

I, Catherine Hatcher, being the Branch Secretary of the Australian Nursing and Midwifery Federation Northern Territory Branch (ANMF NT Branch) make the following statement:

1. I am authorised to sign this statement containing prescribed information for ANMF NT Branch.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. No rule alterations are pending that will impact the election.
5. This statement is lodged at least 2 months before nominations open for the election(s) in Annexure A.

Signed:



Catherine Hatcher
ANMF NT Branch Secretary

Dated: 5 May 2021

NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.

Annexure A

- Elections that are required:

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
Northern Territory Branch	Branch Secretary	1	Direct Voting System	Scheduled	Financial members of the Northern Territory Branch of the ANMF

- Important dates:

Direct Voting System	
Nominations OPEN	Nominations shall be conducted between 1 September 2021 and completed by 30 October 2020, noting that the Returning Officer may call for nominations prior to 1 September 2021. (rule 85.2 of ANMF rules)
Nominations CLOSE	To be determined by Returning Officer
Roll of Voters cut off date	Seven days before the day on which nominations are open (sub-rule 85.4.1).

PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009

I, Catherine Hatcher, being the Branch Secretary of the Northern Territory Branch of the Australian Nursing and Midwifery Federation (ANMF) make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Northern Territory Branch of the ANMF.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. Insufficient nominations were received in an earlier election and the declaration of results is attached.
5. No rule alterations are pending that will impact the election.

Signed:

A handwritten signature in black ink, appearing to read 'Catherine Hatcher', written in a cursive style.

Catherine Hatcher
Branch Secretary

Dated: 5th May 2021

Annexure A

- Elections that are required [**Currently President, Vice President & one (1) Councillor nominated**]

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
Northern Territory Branch	Branch Executive Member	4	Direct Voting System	Insufficient nominations	<i>Financial</i> Members of the Northern Territory Branch of the ANMF
Northern Territory Branch	Branch Councillor	4	Direct Voting System	Insufficient nominations	<i>Financial</i> Members of the Northern Territory Branch of the ANMF

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	To be determined by Returning Officer – preferably as soon as possible	Insert date and reference the relevant rule; or ‘To be determined by returning officer’ if the rules provide
Nominations CLOSE	To be determined by Returning Officer	Insert date and reference the relevant rule; or ‘To be determined by returning officer’ if the rules provide
Roll of Voters cut-off date	To be determined by Returning Officer in accordance with sub-rule 85.4.1 which provides that “the roll of voters...is to be closed seven days before the day on which nominations are open”	Insert date and reference the relevant rule

NOTES: For insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as ‘To be determined by the returning officer’. This also applies where rules are silent as to the nominated dates.

If the nomination dates are ‘To be Determined by the Returning Officer’, but your organisation has a *preference*, please state ‘To be Determined by Returning Officer’ and clearly indicate that your nominated date is a preference.