

30 July 2021

Post-election report

**"Automotive, Food, Metals,
Engineering, Printing and Kindred
Industries Union" known as the
Australian Manufacturing Workers'
Union (AMWU)**

Scheduled election

E2021/36

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Election(s) Covered in this Report

Organisation: Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union

Election: Scheduled

Election Decision No/s: E2021/36

Rules

Rules used for the election: 188V: Incorporates alterations of 1 October 2020 [R2020/121]

Rules difficult to apply/interpret: No

Model Rule reference (if any): N/A

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

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.

Rules specifying the method of lodgement of nominations were set aside as the AEC held concerns that the coronavirus pandemic would impact on the ability for potential candidates to nominate. Instead nominations were received electronically, via email/the AEC's portal.

Signed



Michelle Carmody
Returning Officer
Australian Electoral Commission
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P: 03 9285 7131
30 July 2021

Attachments

A. Declaration of results for Uncontested Offices

B. Declaration of Results for Contested Offices

"Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU)

**DECLARATION OF RESULTS - E2021/36
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:

Retired Members Division

Honorary National Secretary (1)

Candidates

No Nominations Received

Victoria Branch - Retired Members Division

Honorary State Secretary (1)

Candidates

ORMSBY Colin

Queensland/Northern Territory Branch - Retired Members Division

Honorary State Secretary (1)

Candidates

McCOMB Ian

South Australia Branch - Retired Members Division

Honorary State Secretary (1)

Candidates

McKECHNIE Cath

Western Australia Branch - Retired Members Division

Honorary State Secretary (1)

Candidates

GLEESON Gary

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

Michelle Carmody
Returning Officer
Telephone: 03 9285 7131
Email: IEBevents@aec.gov.au
07/06/2021

**"Automotive, Food, Metals, Engineering, Printing and
Kindred Industries Union" known as the Australian
Manufacturing Workers' Union (AMWU)**
DECLARATION OF RESULTS - E2021/36
Contested 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:

New South Wales/Australian Capital Territory Branch Retired Members Division

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	444
Number of voters issued with voting material	444
Total number of voters issued with replacement voting material	0
Total number of voting material packs issued	444
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	178
Number of declaration envelopes rejected at preliminary scrutiny (minus)	1
Number of ballot papers returned outside declaration envelopes (minus)	1
COUNT	
Total ballot papers admitted to the count	176
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	2
Voting material packs not returned by voters by closing date of the ballot	264
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	40 %

Honorary State Secretary (1)

<u>Candidates</u>	<u>Final Votes</u>
WALLACE, Geoff	62
MCDONALD, Paul	109
Total ballot papers admitted for this office	176
Formal Ballot papers	171
Informal Ballot papers	5

I declare the following elected:

- MCDONALD, Paul

Tasmania Branch Retired Members Division

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	42
Number of voters issued with voting material	42
Total number of voters issued with replacement voting material	0
Total number of voting material packs issued	42
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	30
Number of declaration envelopes rejected at preliminary scrutiny (minus)	0
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	30
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	0
Voting material packs not returned by voters by closing date of the ballot	12
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	71 %

Honorary State Secretary (1)

<u>Candidates</u>	<u>Final Votes</u>
WALSH, Stephen	25
BESSELL, Darryl	5

Total ballot papers admitted for this office	30
Formal Ballot papers	30
Informal Ballot papers	0

I declare the following elected:

- WALSH, Stephen

Michelle Carmody
Returning Officer
Telephone: 03 9285 7131
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23/07/2021



DECISION

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

"Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU)
(E2021/36)

MR STEENSON

SYDNEY, 18 MARCH 2021

Arrangement for conduct of election.

[1] On 24 February 2021 the "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU) lodged with the Registered Organisations Commission prescribed information for an election to fill the following roles:

Retired Members Division

Honorary National Secretary (1)

Honorary State Secretary from each of the following Branches within the Retired Members Division:

New South Wales/Australian Capital Territory	(1)
Victoria	(1)
Queensland/Northern Territory	(1)
South Australia	(1)
Western Australia	(1)
Tasmania	(1)

[2] In previous elections, these roles have been described in the prescribed information as 'offices' of the organisation. However, rule alterations certified by the Fair Work Commission in its decision [2018] FWCD 7395, on 6 December 2018,¹ included alterations which concerned the status of persons comprising the Retired Members Division. The rule alterations enabled the AMWU to continue to recognise the particular status of these persons while still complying with provisions of the *Fair Work (Registered Organisations) Act 2009* (RO Act).

¹ Matters R2018/85 and R2018/172

[3] I am satisfied that the effect of the rules of the AMWU as they now stand, when read in conjunction with section 9 of the RO Act, is that the elections for the Retired Members Division are elections for positions rather than offices. This means that for future elections for the Retired Members Division, the AMWU will need to lodge a request under section 187 of the RO Act for the Australian Electoral Commission (AEC) to conduct the election for these positions. A template for such a request is available on the Commission's website.²

[4] I am satisfied that an election for the abovenamed positions is required to be held under the rules of the organisation and, in accordance with the RO Act, I am making arrangements for the conduct of the election by the AEC.



DELEGATE OF THE COMMISSIONER

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² <https://www.roc.gov.au/ArticleDocuments/428/tf014-nonofficer-sample-notice-and-statement-of-prescribed-information-template-form.docx.aspx>

**Prescribed Information for Elections
in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009*
and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009***

**“Automotive, Food, Metals, Engineering, Printing and Kindred Industries
Union” known as the Australian Manufacturing Workers’ Union (AMWU)**

I, Steve Murphy, being the National Secretary of the “Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union” known as the Australian Manufacturing Workers’ Union (AMWU), make the following statement:

1. I am authorised to sign this statement containing prescribed information for the “Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union” known as the Australian Manufacturing Workers’ Union (AMWU).
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 below.

DATED: 24 February, 2021



STEVE MURPHY
NATIONAL SECRETARY

ANNEXURE A

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
<i>National Office</i>	<i>Honorary National Secretary – Retired Members Division</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled Election</i>	<i>All financial members of the Retired Members Division Rule 7G2</i>
<i>NSW/ACT</i>	<i>Honorary State Secretary – Retired Members Division</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled Election</i>	<i>All financial members of the Retired Members Division in NSW and the ACT Rule 7G2</i>
<i>Victoria</i>	<i>Honorary State Secretary – Retired Members Division</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled Election</i>	<i>All financial members of the Retired Members Division in Victoria Rule 7G2</i>
<i>Queensland/NT</i>	<i>Honorary State Secretary – Retired Members Division</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled Election</i>	<i>All financial members of the Retired Members Division in Queensland and the NT Rule 7G2</i>
<i>South Australia</i>	<i>Honorary State Secretary – Retired Members Division</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled Election</i>	<i>All financial members of the Retired Members Division in South Australia Rule 7G2</i>
<i>Western Australia</i>	<i>Honorary State Secretary – Retired Members Division</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled Election</i>	<i>All financial members of the Retired Members Division in Western Australia Rule 7G2</i>
<i>Tasmania</i>	<i>Honorary State Secretary – Retired Members Division</i>	<i>1</i>	<i>Direct</i>	<i>Scheduled Election</i>	<i>All financial members of the Retired Members Division in Tasmania Rule 7G2</i>

Important dates:

	Collegiate Electoral System
Nominations OPEN	<i>To be determined by the Returning Officer</i>
Nominations CLOSE	<i>To be determined by the Returning Officer</i>
Roll of Voters cut off date	<i>To be determined by the Returning Officer</i>