Post-election report

The Australian Institute of Marine and Power Engineers

Victoria/Tasmania Branch Scheduled election E2022/112



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Election(s) Covered in this Report

Organisation: AIMPE - Victoria/Tasmania Branch Election: Scheduled Election Decision No/s: E2022/112

Rules

Rules used for the election: [009V: Incorporates alterations of 25 January 2022 in matter R2021/137].

Rules difficult to apply/interpret: N/A.

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):

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.
As there is no rule pertaining to the withdrawal of Nomination, the Returning Officer will apply subparagraph 193(1) (b)(ii) of the Fair Work (Registered Organisation) Act 2009 to fix a closing time for the withdrawal of nomination and the withdrawal period will align with the close of the nomination period.

Signed

Lachlan Symonds Returning Officer Australian Electoral Commission E: iebevents@aec.gov.au P: 02 9375 6366 31 January 2023

A. Declaration of Results for Contested Offices – VIC/TAS



Australian Government

Registered Organisations Commission

30 January 2023

Ian McAllister Branch Secretary The Australian Institute of Marine and Power Engineers - Victoria/Tasmania Branch Sent via email: imcallister@aimpe.asn.au



IMMEDIATE ACTION REQUIRED:

You must take steps after your recent election E2022/112

Dear Ian McAllister,

An election has recently been completed by the Australian Electoral Commission (**AEC**) for the Australian Institute of Marine and Power Engineers - Victoria/Tasmania Branch.

This letter explains the next steps you must take and what information you need to lodge with the Registered Organisations Commission (**ROC**).

What you must do right now

- Let your members know about the election report issued by the AEC
- Arrange financial training for officers newly elected to an office with financial management duties. (This includes all members of the committee of management).
- Complete the notification of change and email it to regorgs@roc.gov.au

This letter explains these steps and the tools available to help you.

STEP 1: Notify members

You must put a notice on your website once you receive your post-election report. It must tell your members they can request a copy of the post-election report from you or the AEC (r. 141). The notice must be on your website for at least 3 months.



Can I put more information on our website?

Yes! Being transparent is part of good governance. You can publish the whole report or the declaration of results, as well as your notice and leave them up longer than 3 months. You can always do more than the regulatory minimum.

The ROC will also publish your declaration of results on our website.

STEP 2: Financial training

You may have to arrange financial training for people elected to new roles.

All officers with financial management duties must complete financial training (s 293K). For information on when officers must redo training and hints on when to book training for officers taking up multiple offices <u>please see our fact sheet</u>.

There are face to face and online financial training packages on the ROC website.

You must act on this now, as affected officers MUST complete approved financial training OR been granted an <u>exemption by the ROC</u> within 6 months of beginning to hold office.



Good governance tip:

Organisations should instruct officer holders about their other obligations. This is especially important for committee of management members.

Our podcast covers the <u>benefits of officer induction</u>. Officers have responsibilities under the rules, the RO Act, and disclosure requirements around conflicts of interest, remuneration and material personal interests. Officers will benefit from our <u>officer induction kit</u> and our <u>podcast</u>, such as episode 17 - conflicts of interest.

STEP 3: Notifications of change

A notification of change must be lodged with the ROC within **35 days** of the change occurring.



We have a <u>template</u> to help you with this, which you can send to <u>regorgs@roc.gov.au</u>. An officer must sign the completed notification template.

You must lodge a notification of change if:

- any of your officers have not been re-elected;
- officers have changed offices; or
- you have new officers.

Only notify us of changes that have **already occurred.** If people take up office in the future, you must wait until the change happens before lodging the notification within 35 days of the change.

Note: One election may result in many notifications of change.



Penalties apply

Failing to lodge your notifications of change on time can expose your organisation and its officers to significant penalties.

ROC v CEPU

The organisation failed to make a series of notifications of change on time.

The Full Court said 'The record-keeping obligations imposed under the Registered Organisations Act are treated by the legislature as important and serious, and contravention of those obligations are correspondingly serious.'

The organisation was ordered to pay a penalty. More information is available in our <u>case summary</u>.

Questions?



Why do I need to tell you the results of the election when you've already received them?

The RO Act requires that **you** tell us this information about your officers – it is a legal obligation. The notification of change also contains information that is not in the declaration of results.

What if the officer has already done training?

Check out our <u>fact sheet</u> for when officers need to redo training, when they can get an exemption and when further training isn't required.

If you have any queries we can be contacted on 1300 341 665 or by email at regorgs@roc.gov.au.

Yours sincerely

Registered Organisations Commission



The ROC has a <u>Compliance Policy</u> which explains how we respond to issues of non-compliance. The policy is available on our website if you would like further information on the steps the compliance team may take in response to non-lodgement of a financial report.

The Australian Institute of Marine and Power Engineers Victoria/Tasmania Branch DECLARATION OF RESULTS - E2022/112

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:

Victoria/Tasmania Branch

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	243
Number of voters issued with voting material	243
Total number of voters issued with replacement voting material	1
Total number of voting material packs issued	244
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	83
Number of declaration envelopes rejected at preliminary scrutiny (minus)	2
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	81
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	161
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	34 %

Branch President (1)

Candidates	Final Votes
PEBERDY, David	28
RICKARDS, Russell	52
Total ballot papers admitted for this office	81
Formal Ballot papers	80
Informal Ballot papers	1

I declare the following elected:

• RICKARDS, Russell

Branch Treasurer (1)

<u>Candidates</u>	Final Votes
BOLAND, Martin	31
STRACHAN, Paris	49
Total ballot papers admitted for this office	81
Formal Ballot papers	80
Informal Ballot papers	1

I declare the following elected:

• STRACHAN, Paris

Ordinary Member of Federal Council (2)

<u>Candidates</u>	Final Votes
PEBERDY, David	28
SALWATHURA, Sal	31
MCLEAN, Jono	46
WALSH, Peter	45
Total ballot papers admitted for this office	81
Formal Ballot papers	80
Informal Ballot papers	1

I declare the following elected:

- MCLEAN, Jono
- WALSH, Peter

Lachlan Symonds Returning Officer Telephone: 02 9375 6366 Email: iebevents@aec.gov.au 19/01/2023





Australian Government Registered Organisations Commission

DECISION

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

The Australian Institute of Marine and Power Engineers

(E2022/112)

MS GUINA

SYDNEY, 29 JUNE 2022

Arrangement for conduct of election.

[1] On 5 June 2022 the Victoria/Tasmania Branch of the Australian Institute of Marine and Power Engineers lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Branch President	(1)
Branch Treasurer	(1)
Ordinary Member of Federal Council	(2)

[2] 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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PR352267

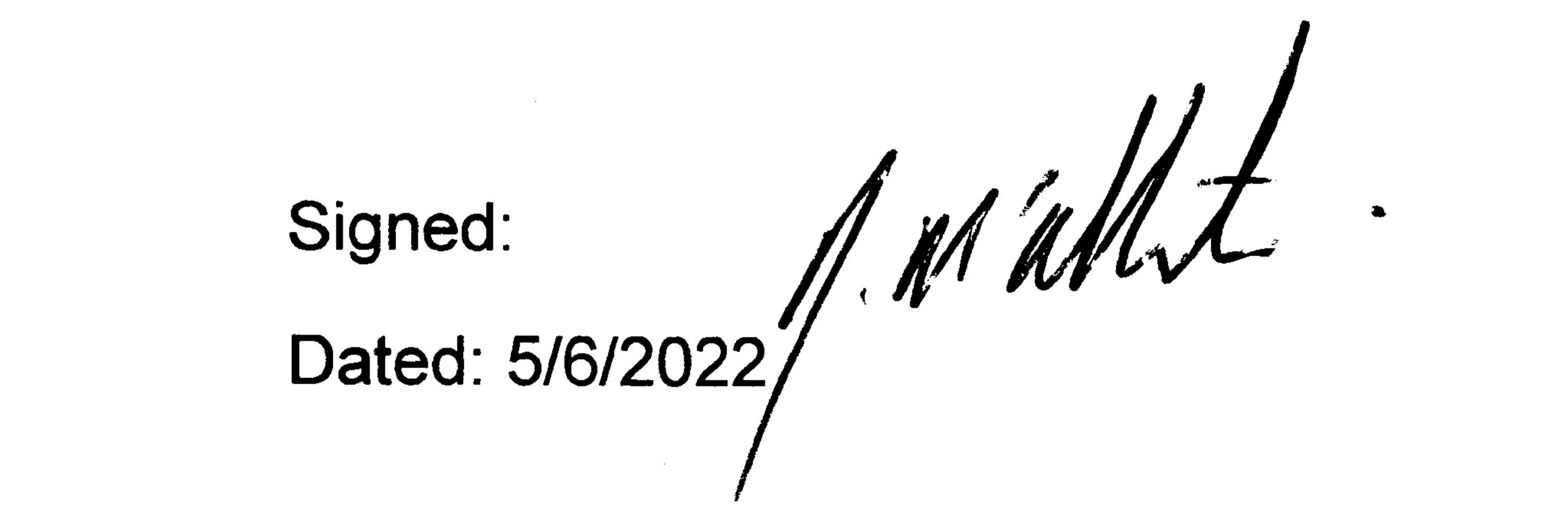
PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009

I, Ian McAllister, being the Victoria /Tasmania Branch Secretary of the Australian Institute of marine and Power Engineers (AIMPE) make the following statement:

1. I am authorised to sign this statement containing prescribed information for Victoria /

Tasmania Branch of the Australian Institute Of Marine and Power Engineers (AIMPE).

- 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. [*In relation to scheduled elections, if lodged 2 months prior to nominations opening*] This statement **IS** lodged at least 2 months before nominations open for the election(s) in Annexure A.



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.

TF 007 Sample Notice and Statement of Prescribed Information

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Updated 15 September 2020 | 1

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Annexure A

Branch	Name of Office	Number required	Voting System Direct voting system;	Reason for Election Scheduled;	Electorat
Victoria / Tasmania	Branch President	1	Direct Voting System	Scheduled	All financia 33 B. (i)
Victoria / Tasmania	Branch Treasurer	1	Direct Voting System	Scheduled	All financi rule 33 B.
Victoria / Tasmania	Ordinary Member of Federal Council	2	Direct Voting System	Scheduled	All financi rule 33 B.

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Important dates:

	Direct Voting System
Nominations OPEN	"To be determined by re
Nominations CLOSE	"To be determined by re
Roll of voters cut off date	"To be determined by re

To be determined by returning officier" by 8/10 To be determined by returning officier" 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. Example dates below will fit in with "On Watch" publishing dates and rules. Expiry date of ALL incumbents 16th December 2022.

PI to ROC by	AEC Schedule 21	to Editor "On Watch" 7	"On Watch" edition 24	Nominations from (OPEN) 31
5/06/2022	26/06/2022	3/07/2022	27/07/2022	27/08/2022

TF 007 Sample Notice and Statement of Prescribed Information

Direct Voting System	Collegiate Electoral System
'To be determined by returning officier" by 27/8/2022	
'To be determined by returning officier" by 8/10/2022	
'To be determined by returning officier"	

Nomination by		
(CLOSE)	Statements by	Ballot OPEN
42	7	14
8/10/2022	15/10/2022	29/10/202

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Ballot CLOSE Declaration 1-14 days 42

10/12/2022 22