



2 May 2023

John Hartree  
Branch Secretary  
The Australian Institute of Marine and Power Engineers - West Australia Branch  
Sent via email: Jhartree@aimpe.asn.au

cc: Australian Institute of Marine and Power Engineers, mbyrne@aimpe.asn.au

Dear John Hartree



**IMMEDIATE ACTION REQUIRED:**

**You must take steps after your recent election E2022/113**

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

This letter explains the next steps you must take and what information you need to lodge with the Fair Work Commission (the Commission).

**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@fwc.gov.au](mailto:regorgs@fwc.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 (regulation 141). The notice must be on your website for at least three 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 three months. You can always do more than the regulatory minimum.

The Commission 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 (section 293K). For information on when officers must redo training and hints on when to book training for officers taking up multiple offices [please see our fact sheet](#).

There are face to face and online [financial training packages on the Commission website](#).

You must act on this now, as affected officers **MUST** complete approved financial training OR been granted an [exemption by the Commission](#) **within six 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 [benefits of officer induction](#). 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 [officer induction kit](#) and our [podcast, such as episode 17 - conflicts of interest](#).

## STEP 3: Notifications of change



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

We have a [template](#) to help you with this, which you can send to [regorgs@fwc.gov.au](mailto:regorgs@fwc.gov.au). 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 [case summary](#).



### **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 [fact sheet](#) 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@fwc.gov.au](mailto:regorgs@fwc.gov.au).

Yours sincerely

**Fair Work Commission**



The Commission has a [Compliance Policy](#) 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.

13 April 2023

# Post-election report

**The Australian Institute of Marine and  
Power Engineers**

West Australia Branch

Scheduled election

E2022/113

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# Election(s) Covered in this Report

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Organisation: AIMPE - West Australia Branch  
Election: Scheduled  
Election Decision No/s: E2022/113

## Rules

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Rules used for the election: [009V: Incorporates alterations of 25 January 2022 in matter R2021/137] (replaced rule book dated 11 June 2021 [R2021/90])

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/](http://www.aec.gov.au/ieb/)

## Other Matters

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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 and not by hand or post.
- 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.
- The Returning Officer will apply subparagraph 193(1)(b)(ii) of the Fair Work (Registered Organisation) Act 2009 to distribute the nomination form to all members by email as opposed to mail as specified in the Organisation rules.

## Signed

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Ben Murray  
Returning Officer  
Australian Electoral Commission  
E: IEEvents@aec.gov.au  
P: 03 9285 7111  
13 April 2023

# Attachments

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## A. Declaration of Results for Contested Offices



**The Australian Institute of Marine and Power Engineers**  
**West Australia Branch**  
**DECLARATION OF RESULTS - E2022/113**  
**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:

**West Australia Branch**

<b>VOTING MATERIAL ISSUED</b>	
Total number of people on the roll of voters (a)	257
Number of voters issued with voting material	257
Total number of voters issued with replacement voting material	0
<b>Total number of voting material packs issued</b>	<b>257</b>
<b>VOTING MATERIAL RETURNED</b>	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	79
Number of declaration envelopes rejected at preliminary scrutiny (minus)	4
Number of ballot papers returned outside declaration envelopes (minus)	0
<b>COUNT</b>	
Total ballot papers admitted to the count	75
<b>LATE OR UNRETURNED VOTING MATERIAL</b>	
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	176
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	31 %

**Branch Secretary (1)**

<u>Candidates</u>	<u>First Preference Votes</u>
HARTREE, John	48
WILLIAMSON, Andrew	25

<b>Total ballot papers admitted for this office</b>	<b>75</b>
Formal Ballot papers	73
Informal Ballot papers	2

I declare the following elected:

- HARTREE, John

Ben Murray  
Returning Officer  
Telephone: 03 9285 7111  
Email: IEBevents@aec.gov.au  
12/04/2023



## DECISION

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

### **The Australian Institute of Marine and Power Engineers** (E2022/113)

MR STEENSON

SYDNEY, 8 AUGUST 2022

*Arrangement for conduct of election.*

[1] On 19 July 2022 the West Australia 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 office for a new term of office commencing in 2023:

WA Branch Secretary (1)

[2] I am satisfied that an election for the abovenamed office 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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PR352309

**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, John William Hartree, being the Honorary Branch Secretary of the Australian Institute of Marine and Power Engineers make the following statement:

1. I am authorised to sign this statement containing prescribed information for WA Branch of Australian Institute of Marine and Power Engineers.
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.

Signed: 

Dated: 15/07/2022

**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](mailto:regorgs@roc.gov.au).

## Annexure A

- Elections that are required [insert as many pages as 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
WA Branch AIMPE	Secretary  Term expires 6 <sup>th</sup> April 2023	1	Direct Voting System	Scheduled	<i>All financial members of the WA Branch AIMPE – Rule 33B (i)</i>
Insert branch name	Insert name of office	Insert number of offices	Select relevant voting system	Select reason for election	Click or tap here to enter text.
Insert branch name	Insert name of office	Insert number of offices	Select relevant voting system	Select reason for election	

- Important dates:

	Direct Voting System	Collegiate Electoral System
<b>Nominations OPEN</b>	To be determined by the Returning Officer-propose 3rd January 2023	Insert date and reference the relevant rule; or 'To be determined by returning officer' if the rules provide
<b>Nominations CLOSE</b>	To be determined by the Returning Officer – propose 14 <sup>th</sup> February 2023 Rule 33B (6 weeks after opening)	Insert date and reference the relevant rule; or 'To be determined by returning officer' if the rules provide
<b>Roll of Voters cut off date</b>	To be determined by the Returning Officer	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.

If the P.I. includes a position that is not an office, please refer to our template [Prescribed information for the election of officer and non-officer positions](#).