



22 March 2023

Catherine Hatcher  
Branch Secretary  
Australian Nursing and Midwifery Federation - Northern Territory Branch  
Sent via email: [secretary@anmfnt.org.au](mailto:secretary@anmfnt.org.au)

cc: Australian Nursing and Midwifery Federation [fedsec@anmf.org.au](mailto:fedsec@anmf.org.au)

Dear Catherine Hatcher



**IMMEDIATE ACTION REQUIRED:**

**You must take steps after your recent election E2022/161**

An election has recently been completed by the Australian Electoral Commission (AEC) for the Australian Nursing and Midwifery Federation - Northern Territory 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.

15 February 2023

# Post-election report

**Australian Nursing and Midwifery  
Federation**

Northern Territory Branch

Scheduled election

E2022/161

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# Elections Covered in this Report

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Organisation: ANMF - Northern Territory Branch  
Election: Scheduled  
Election Decision No/s: E2022/161

## Rules

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Rules used for the election: 145V: Incorporates alterations of 29 November 2021 [R2021/160]  
(replaces rulebook dated 4 June 2021 [R2021/14])

Rules difficult to apply/interpret: NIL

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/)

## Signed

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

## Attachments

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- A. Declaration of results for Contested and Uncontested Offices
  
- B. Declaration of results for Uncontested Offices



**Australian Nursing and Midwifery Federation (ANMF)**  
**Northern Territory Branch**  
**DECLARATION OF RESULTS - E2022/161**  
**Contested Offices and 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**

| <b>VOTING MATERIAL ISSUED</b>  |              |
|--|--------------|
| Total number of people on the roll of voters (a)   | 3,428        |
| Number of voters issued with voting material   | 3,426        |
| Total number of voters issued with replacement voting material   | 43           |
| <b>Total number of voting material packs issued</b>  | <b>3,469</b> |
| <b>VOTING MATERIAL RETURNED</b>  |              |
| Total number of envelopes returned for scrutiny by closing date of ballot (b)                          | 307          |
| Number of declaration envelopes rejected at preliminary scrutiny (minus)                               | 1            |
| Number of ballot papers returned outside declaration envelopes (minus)                                 | 2            |
| <b>COUNT</b>   |              |
| Total ballot papers admitted to the count  | 304          |
| <b>LATE OR UNRETURNED VOTING MATERIAL</b>  |              |
| Voting material returned as unclaimed mail by closing date of ballot                                   | 206          |
| Voting material packs not returned by voters by closing date of the ballot                             | 2,956        |
| Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a) | 9 %          |

**Branch President (1)**

| <u>Candidates</u>                                   | <u>Final Votes</u> |
|---|--------------------|
| BASON, Trevor L                                     | 220                |
| TABBADA, Emil                                       | 68                 |
| <b>Total ballot papers admitted for this office</b> | <b>304</b>         |
| Formal Ballot papers                                | 288                |
| Informal Ballot papers                              | 16                 |

I declare the following elected:

- BASON, Trevor L

## Branch Executive Member (4)

| <u>Candidates</u>  | <u>Final Votes</u>         |
|--------------------|----------------------------|
| TABBADA, Emil      | 163                        |
| BASON, Trevor L    | (Elected to higher office) |
| LIMAREZ, Dan       | 96                         |
| KNOOP, Jodi        | 135                        |
| FOUCAUD, Sebastien | 89                         |
| TILLOTSON, Carol   | 150                        |
| GRIMSHAW, Naomi    | 174                        |

|   |            |
|---|------------|
| <b>Total ballot papers admitted for this office</b> | <b>304</b> |
| Formal Ballot papers                                | 286        |
| Informal Ballot papers                              | 18         |

|                                  |               |
|----------------------------------|---------------|
| I declare the following elected: | Order Elected |
| • GRIMSHAW, Naomi                | 1             |
| • TABBADA, Emil                  | 2             |
| • TILLOTSON, Carol               | 3             |
| • KNOOP, Jodi                    | 4             |

## Branch Councillor (5)

Candidates  
FOUCAUD Sebastien  
FURPHY Lyall  
LAMONT Rebecca (Beck)  
THOMPSON Kirsten

As some candidates for this office were elected to a higher office the number of nominations did not exceed the number of positions to be filled, I declare the above candidates elected.

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

10/02/2023



**Australian Nursing and Midwifery Federation**  
**Northern Territory Branch**  
**DECLARATION OF RESULTS - E2022/161**  
**Uncontested Offices**

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**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 Vice President (1)**

Candidates

PREUSS Ruth

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

Lachlan Symonds  
Returning Officer  
Telephone: 03 9285 7111  
Email: [iebevents@aec.gov.au](mailto:iebevents@aec.gov.au)  
21/11/2022





## DECISION

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

### Australian Nursing and Midwifery Federation (E2022/161)

MR STEENSON

SYDNEY, 16 AUGUST 2022

*Arrangement for conduct of election.*

[1] On 8 August 2022 the Northern Territory Branch of the Australian Nursing and Midwifery Federation lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices for a new term:

|                       |     |
|-----------------------|-----|
| Branch President      | (1) |
| Branch Vice-President | (1) |
| Branch Executive      | (4) |
| Branch Councillor     | (5) |

[2] The most recent scheduled election for the offices named above (**E2020/125**) followed a decision issued by the Delegate of the Commissioner on 9 July 2020. However, that election was not declared by the Australian Electoral Commission (**the AEC**) until 28 April 2021. Delays arose due to the impact of COVID-19 and related restrictions upon the election process.

[3] The timing of the notice of prescribed information lodged by the Branch on this occasion is consistent with the timing of the lodgement of prescribed information for recent elections for the abovenamed offices. The organisation's rules provide that elections for the abovenamed offices '*shall be conducted between the 1<sup>st</sup> day of September and the 30<sup>th</sup> day of October.*' and shall '*assume office on the 30<sup>th</sup> November in the year of their election*'.<sup>1</sup>

[4] As described above the most recent election for these offices was delayed, effectively truncating the current term of office by several months if the election is held this year in accordance with the rules described in the paragraph above. Commission staff have received written confirmation from each of the office holders that they understand and accept that conducting an election at this time, to return to the usual election schedule, would have the effect of truncating their current term of office.

<sup>1</sup> *Rules of the Australian Nursing and Midwifery Federation*, 29 November 2021 [R2021/160, certified by the General Manager, Fair Work Commission, [https://www.fwc.gov.au/documents/organisations/current\\_rulebooks/Current-RB-145V.docx](https://www.fwc.gov.au/documents/organisations/current_rulebooks/Current-RB-145V.docx) (**the ANMF Rules**), Rules 85.1.1 and 83.4

[5] 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 AEC.



DELEGATE OF THE COMMISSIONER

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PR352313

**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. A brief outline of the proposed rule alterations affecting this election is below. These rule alterations have been lodged with the Fair Work Commission (matter number for the application is R2022/46). The proposed alterations were lodged on 14 April 2022:

*Amend sub-rule 84.4 so that it will read as follows (additions underlined):*

*Nomination for election to any of the above offices shall be in writing signed by the nominee and three other financial members of the Branch. A candidate may withdraw their nomination and candidature by giving a signed notice in writing of the withdrawal of the nomination to the Returning Officer not later than seven days later than the time fixed for the close of nominations. A financial member signing a candidate's nomination for election may not withdraw that endorsement. A candidate for election to any of the above offices shall have been a financial member for the required period provided they have paid their subscription for the period at the subscription rate determined for their category of membership and supplied satisfactory evidence to the Branch to that effect at the time of their nomination.*

5. This statement IS lodged at least 2 months before nominations open for the election(s) in Annexure A.
6. Due to delays caused by the Australian Electoral Commission's inability to conduct the last scheduled election in the normal timeframes our Rules provide as a result of the COVID-19 pandemic, the terms of office for the relevant elected positions were truncated by approximately 9 months. Three elections were held in 2021 instead of an election in 2020 due to the pandemic delays. Declaration of results E2020/125 (President, Vice

President & one Councillor), then a further 2 elections (E2021/100) conducted due to insufficient nominations (vacant at end of these 2 elections were 2 Branch Executive & 2 Branch Councillors). 2 Branch Executive vacancies were filled and notification of change sent to ROC 21 December 2021, after positions fulfilled on 20/12/21.

Emailed statements from all relevant elected officers of the Australian Nursing and Midwifery Federation (Northern Territory Branch) outlining their understanding and agreeance to the truncating of their term of office due to the COVID-19 delays imposed on the last election process accompany this Prescribed Information form in support of a decision to allow the scheduled election to occur as normal between 1 September and 31 October 2022.

Signed:



Catherine Hatcher

ANMF NT Branch Secretary

Dated: 8 August 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

| Branch                    | Name of Office     | Number required | Voting System<br><i>Direct voting system;<br/>Collegiate electoral system</i> | Reason for Election<br><i>Scheduled;<br/>Casual vacancy;<br/>New office created;<br/>Insufficient nominations</i> | Electorate  |
|---------------------------|--------------------|-----------------|---|---|---|
| Northern Territory Branch | Branch President   | 1               | Direct Voting System  | Scheduled   | <i>All Financial Members of the Northern Territory Branch of the ANMF (Rule 85.4.1)</i> |
| Northern Territory Branch | Vice-President     | 1               | Direct Voting System  | Scheduled   | <i>All Financial Members of the Northern Territory Branch of the ANMF (Rule 85.4.1)</i> |
| Northern Territory Branch | Branch Executive   | 4               | Direct Voting System  | Scheduled   | <i>All Financial Members of the Northern Territory Branch of the ANMF (Rule 85.4.1)</i> |
| Northern Territory Branch | Branch Councillors | 5               | Direct Voting System  | Scheduled   | <i>All Financial Members of the Northern Territory Branch of the ANMF (Rule 85.4.1)</i> |

- Important dates:

|                                    | Direct Voting System  | Collegiate Electoral System |
|------------------------------------|---|-----------------------------|
| <b>Nominations OPEN</b>            | To be determined by the Returning Officer in accordance with the Rules (Rule 85.1.1)                          | N/A                         |
| <b>Nominations CLOSE</b>           | To be determined by Returning Officer in accordance with the Rules (Rule 85.1.1)                              | N/A                         |
| <b>Roll of Voters cut off date</b> | To be determined by Returning Officer in accordance with Rules (7 days prior to nominations opening) (85.4.1) | N/A                         |



**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](#).