



24 March 2023

Michael Kaine  
National Secretary  
Transport Workers' Union of Australia  
Sent via email: [twu@twu.com.au](mailto:twu@twu.com.au)

Dear Michael Kaine



**IMMEDIATE ACTION REQUIRED:**

**You must take steps after your recent election E2022/120**

An election has recently been completed by the Australian Electoral Commission (AEC) for the Transport Workers' Union of Australia.

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.

10 March 2023

# Post-election report

Transport Workers' Union of Australia  
Scheduled election  
E2022/120

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# Election(s) Covered in this Report

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Organisation: Transport Workers' Union of Australia  
Election: Scheduled  
Election Decision No/s: E2022/120

## Rules

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Rules used for the election: 179V: Incorporates alterations of 6 September 2022 [R2022/94] (replaces rulebook dated 23 August 2022 [R2022/56])

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

## Other Matters

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Returning Officer actions required (Section 193): Yes

Details:

- 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

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Darren Wade  
Returning Officer  
Australian Electoral Commission  
E: IEEvents@aec.gov.au  
P: 03 9285 7111  
10 March 2023



## Attachments

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- A. Declaration of results for Uncontested Offices – Stage 1
- B. Declaration of Results for Contested Offices – Stage 1
- C. Declaration of results for Uncontested Offices – Stage 2

**Transport Workers' Union of Australia**  
**DECLARATION OF RESULTS - E2022/120 - Stage 2**  
**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:

**New South Wales/Queensland (Interim Governance) Branch Committee**

**Branch President (1)**

Candidates

MATTHEWS Anthony

**Branch Vice-President (1)**

Candidates

LARFIELD Jason

**Branch Secretary (1)**

Candidates

OLSEN Richard

**Branch Assistant Secretary (2)**

Candidates

MARSIC Marija

PIERI Michael

**Branch Trustee (5)**

Candidates

HARRIS Nicholas

MARSELOS Todd

NEWTON Stephen

NOLAN Christopher

WILKINS Kent M

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

Darren Wade  
Returning Officer  
Telephone: 03 9285 7111  
Email: IEBevents@aec.gov.au  
13/02/2023

**Transport Workers' Union of Australia**  
**DECLARATION OF RESULTS - E2022/120 - Stage 1**  
**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:

**National Office**

**National Secretary (1)**

Candidates

KAINE Michael

**National Assistant Secretary (1)**

Candidates

MCINTOSH Nick

**Pilot National Councillor (1)**

Candidates

PURTON Matthew

**South Australian/Northern Territory Branch**

**President (1)**

Candidates

BRAMMY Peter

**Vice President (1)**

Candidates

MCNICOL Daniel

**Secretary (1)**

Candidates

SMITH Ian

**Branch Assistant Secretary (1)**

Candidates

MCINTOSH Sam

**Branch Trustee (2)**

Candidates

CHASE David

STANTON Craig

**Committee of Management Representative (8)**

Candidates

AGIUS Calvert

ARCIDIACO Frank

COLBRAN Corey

GRANTHAM Justin  
KONTOS Daniel  
LINDBLOM Dallas  
MAYWALD Shona  
SIMMONS Grant

**National Councillor (Northern Territory) (1)**

Candidates

DE RUBEIS Ernesto (Ernie)

**Female National Councillor (1)**

Candidates

MAYWALD Shona

**Western Australian Branch**

**President (1)**

Candidates

MCMILLAN Ray (Macca)

**Vice President (1)**

Candidates

WOODFORD Joanne

**Secretary (1)**

Candidates

DAWSON Tim

**Branch Trustee (2)**

Candidates

FLEMING Tony

ROTH Ralph

**Committee of Management Representative (9)**

Candidates

BOLITHO Leeanne

BUCKLEY Darran

COLEMAN Rod

FLEMING David (Tony)

FORD Steph

O'BRIEN Mitch

PATTISON Lee

ROTH Ralph

SPAUL Bruce

**National Councillor (2)**

Candidates

MCMILLAN Ray (Macca)

ROTH Ralph

### **Female National Councillor (1)**

Candidates

WOODFORD Joanne

### **NSW/QLD (Interim Governance) Branch**

#### **National Councillor (NSW or ACT based) (3)**

Candidates

FORBES Michael

MARSIC Marija

PIERI Michael

#### **Female National Councillor (NSW or ACT based) (1)**

Candidates

HARVEY Margaret

#### **Female National Councillor (QLD based) (1)**

Candidates

KINGABY Julianne

### **Sydney and Central Sub-Branch**

#### **Sub Branch Committee of Management Representatives (7)**

Candidates

BARNAVILLE Ian

HARVEY Margaret

MARSIC Marija

MATTHEWS Anthony

NEWTON Stephen

OLSEN Richard

PIERI Michael

#### **Sub Branch Chairman (1)**

Candidates

WALTIS John

#### **Sub Branch Vice Chairman (1)**

Candidates

STONE Keith

#### **Sub Branch Secretary (1)**

Candidates

PIERI Michael

#### **Sub Branch Minute Secretary (1)**

Candidates

DOSANJH Surjeet

#### **Sub Branch Executive Committee Member (8)**

Candidates

ANDREW David

COULSTOCK Darren  
DANIEL Glenn  
FOLKARD Marta  
GATES Travers  
HARRIS Marion  
LATU Tom  
NEWTON Paul

## **Newcastle and Northern Sub-Branch**

### **Sub Branch Committee of Management Representatives (4)**

#### Candidates

FORBES Michael  
MARSELOS Todd  
PETTIFORD Stephen  
THOMPSON Dylan

### **Sub Branch Chairman (1)**

#### Candidates

MARSELOS Todd

### **Sub Branch Vice Chairman (1)**

#### Candidates

LATIMER Phillip

### **Sub Branch Secretary (1)**

#### Candidates

FORBES Michael

### **Sub Branch Minute Secretary (1)**

#### Candidates

PETTIFORD Stephen

### **Sub Branch Executive Committee Member (8)**

#### Candidates

CREIGHTON Wade  
LAWSON Gavin  
LIGHTFOOT Ross  
MILDENHALL Damian  
PEARCE Logan  
THOMPSON Dylan  
TRIGGELL Brian  
WRIGHT Gregory

## **South Coast and Southern Sub-Branch**

### **Sub Branch Committee of Management Representatives (4)**

#### Candidates

LARFIELD Jason  
NOLAN Christopher

PIRC Robert  
SERAFINI Roberto

**Sub Branch Chairman (1)**

Candidates

ARMSTRONG Patrick

**Sub Branch Vice Chairman (1)**

Candidates

NOLAN Christopher

**Sub Branch Secretary (1)**

Candidates

PIRC Robert

**Sub Branch Minute Secretary (1)**

Candidates

HOOD Robert

**Sub Branch Executive Committee Member (8)**

Candidates

BARKER Anthony

CHURCHIN Paul

CLARIDGE Mark

GRAHAM Bradley

MALAMAS Steven

SEINOR Barry

SERAFINI Roberto

SOPER Jon

**Canberra Sub-Branch**

**Sub Branch Committee of Management Representatives (2)**

Candidates

COCKBURN Richard

PINKAS Klaus

**Sub-Branch Chairman (1)**

Candidates

COCKBURN Richard

**Sub-Branch Vice Chairman (1)**

Candidates

NEVILLE Darren

**Sub-Branch Secretary (1)**

Candidates

PINKAS Klaus

**Sub Branch Minute Secretary (1)**

Candidates

WOODFORD Bryan

## **Sub Branch Executive Committee Member (8)**

### Candidates

ANDERSON Rodney

BRIGGS Lindsay

LOW Jason

MARSDEN Bruce

MIKOLA Joseph

OLIVER Peter

POLLARD Damien

STEELE Mark

## **Queensland**

### **Branch Committee of Management Representatives (11)**

#### Candidates

ABBOTT Jared

BUCKINGHAM Ian

ELLIOT Matthew

HARRIS Nicholas

JAEGER Nathan

MILLROY Joshua

OSUCH Greg

PRICKETT Jonathan

STORTI Charmian

THOMSON Andrew

WILKINS Kent

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

Darren Wade  
Returning Officer  
Telephone: 03 9285 7111  
Email: IEEvents@aec.gov.au  
04/11/2022





6 January 2023

Michael Kaine  
National Secretary  
Transport Workers' Union of Australia  
Sent via email: [twu@twu.com.au](mailto:twu@twu.com.au)



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Dear Michael Kaine,

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

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## Questions?



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

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If you have any queries we can be contacted on 1300 341 665 or by email at [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).

Yours sincerely

## Registered Organisations Commission



The ROC 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.

**Transport Workers' Union of Australia**  
**DECLARATION OF RESULTS - E2022/120 - Stage 1**  
**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:

**Victorian/Tasmanian Branch**

<b>VOTING MATERIAL ISSUED</b>	
Total number of people on the roll of voters (a)	11,369
Number of voters issued with voting material	11,369
Total number of voters issued with replacement voting material	179
<b>Total number of voting material packs issued</b>	<b>11,548</b>
<b>VOTING MATERIAL RETURNED</b>	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	5,138
Number of declaration envelopes rejected at preliminary scrutiny (minus)	111
Number of ballot papers returned outside declaration envelopes (minus)	30
<b>COUNT</b>	
Total ballot papers admitted to the count	4,997
<b>LATE OR UNRETURNED VOTING MATERIAL</b>	
Voting material returned as unclaimed mail by closing date of ballot	170
Voting material packs not returned by voters by closing date of the ballot	6,210
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	45 %

**President (1)**

<u>Candidates</u>	<u>Final Votes</u>
ROWE, John	3,171
SAGGERS, John	1,687

<b>Total ballot papers admitted for this office</b>	<b>4,997</b>
Formal Ballot papers	4,858
Informal Ballot papers	139

I declare the following elected:

- ROWE, John

## Vice President (1)

<u>Candidates</u>	<u>Final Votes</u>
DENNIS, Clive	3,129
THOMAS, Steve	1,722

<b>Total ballot papers admitted for this office</b>	<b>4,997</b>
Formal Ballot papers	4,851
Informal Ballot papers	146

I declare the following elected:

- DENNIS, Clive

## Secretary (1)

<u>Candidates</u>	<u>Final Votes</u>
McNESS, Mike	3,201
McCRONE, Luke	1,708

<b>Total ballot papers admitted for this office</b>	<b>4,997</b>
Formal Ballot papers	4,909
Informal Ballot papers	88

I declare the following elected:

- McNESS, Mike

## Branch Assistant Secretary (1)

<u>Candidates</u>	<u>Final Votes</u>
NORRIS, Rob	1,729
SULEYMAN, Mem	3,121

<b>Total ballot papers admitted for this office</b>	<b>4,997</b>
Formal Ballot papers	4,850
Informal Ballot papers	147

I declare the following elected:

- SULEYMAN, Mem

## Branch Trustee (2)

<u>Candidates</u>	<u>Final Votes</u>
WOOLCOCK, Ricky	1,690
MARKOS, Dissio	3,097
WHELAN, Kevin	3,137
KUMAR, Rajesh	1,640

<b>Total ballot papers admitted for this office</b>	<b>4,997</b>
Formal Ballot papers	4,856
Informal Ballot papers	141

I declare the following elected:	Order Elected
• WHELAN, Kevin	1
• MARKOS, Dissio	2

### Committee of Management Representative (10)

<u>Candidates</u>	<u>Final Votes</u>
ENGLEHART, John	3,145
SCOTT, James	3,121
LIA, Mervyn	1,641
MADAFFARI, Rocco	1,644
SEARLE, Gary	1,672
DE ROMEIS, Anthony	3,075
GRANT, Jason	1,669
MALIK, Imran	3,083
BAINS, Mandeep	3,110
HOSKING, Grant	1,667
JACKSON, Barry	1,656
MUNRO, Ian	3,115
PUCCIO, Frank	1,675
WIGGINS, Scott	1,631
McDOWELL, Anne	3,119
THATCHER, Dave	1,670
HUGHES, James	3,110
ANNETT, Greg	3,109
XENOPHONTOS, Maria (Max)	3,078
MITCHELL, Guy	1,689

<b>Total ballot papers admitted for this office</b>	<b>4,997</b>
Formal Ballot papers	4,852
Informal Ballot papers	145

I declare the following elected:	Order Elected
• ENGLEHART, John	1
• SCOTT, James	2
• McDOWELL, Anne	3
• MUNRO, Ian	4
• BAINS, Mandeep	5
• HUGHES, James	6
• ANNETT, Greg	7
• MALIK, Imran	8
• XENOPHONTOS, Maria (Max)	9
• DE ROMEIS, Anthony	10

### National Councillor (3)

<u>Candidates</u>	<u>Final Votes</u>
THOMAS, Steve	1,704
WOOLCOCK, Ricky	1,675
MARKOS, Dissio	3,108
SULEYMAN, Mem	3,072
THATCHER, Dave	1,674
SLOAN, Dean	3,077

<b>Total ballot papers admitted for this office</b>	<b>4,997</b>
Formal Ballot papers	4,855
Informal Ballot papers	142

I declare the following elected:	Order Elected
• MARKOS, Dissio	1
• SLOAN, Dean	2
• SULEYMAN, Mem	3

### National Councillor (Tasmania based) (1)

<u>Candidates</u>	<u>Final Votes</u>
WIGGINS, Scott	1,692
SCOTT, James	3,158

<b>Total ballot papers admitted for this office</b>	<b>4,997</b>
Formal Ballot papers	4,850
Informal Ballot papers	147

I declare the following elected:
• SCOTT, James

### Female National Councillor (1)

<u>Candidates</u>	<u>Final Votes</u>
SHARKEY, Kirsty	3,128
THOMPSON, Sharon	1,717

<b>Total ballot papers admitted for this office</b>	<b>4,997</b>
Formal Ballot papers	4,845
Informal Ballot papers	152

I declare the following elected:
• SHARKEY, Kirsty

**Branch Organiser (2)**

<u>Candidates</u>	<u>Final Votes</u>
MALIK, Imran	3,125
THATCHER, Dave	1,687
PUCCIO, Frank	1,669
MARKOS, Dissio	3,103

<b>Total ballot papers admitted for this office</b>	<b>4,997</b>
Formal Ballot papers	4,838
Informal Ballot papers	159

I declare the following elected:	Order Elected
• MALIK, Imran	1
• MARKOS, Dissio	2

**NSW/QLD (Interim Governance) Branch**

<b>VOTING MATERIAL ISSUED</b>	
Total number of people on the roll of voters (a)	6,975
Number of voters issued with voting material	6,975
Total number of voters issued with replacement voting material	11
<b>Total number of voting material packs issued</b>	<b>6,986</b>
<b>VOTING MATERIAL RETURNED</b>	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	1,377
Number of declaration envelopes rejected at preliminary scrutiny (minus)	43
Number of ballot papers returned outside declaration envelopes (minus)	9
<b>COUNT</b>	
Total ballot papers admitted to the count	1,325
<b>LATE OR UNRETURNED VOTING MATERIAL</b>	
Voting material returned as unclaimed mail by closing date of ballot	132
Voting material packs not returned by voters by closing date of the ballot	5,472
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	20 %

**National Councillor (QLD based) (3)**

<u>Candidates</u>	<u>Final Votes</u>
WHITE, Darren	109
MAZE, Guillaume	1,256
FARRINGTON, Barry	1,255
GREAVES, Benji	1,252



<b>Total ballot papers admitted for this office</b>	<b>1,325</b>
Formal Ballot papers	1,322
Informal Ballot papers	3

I declare the following elected:

	Order Elected
• MAZE, Guillaume	1
• FARRINGTON, Barry	2
• GREAVES, Benji	3

Darren Wade  
Returning Officer  
Telephone: 03 9285 7111  
Email: [IEBevents@aec.gov.au](mailto:IEBevents@aec.gov.au)  
15/12/2022





# DECISION

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

**Transport Workers' Union of Australia**  
(E2022/120)

MR STEENSON

SYDNEY, 5 AUGUST 2022

*Arrangement for conduct of election.*

[1] On 13 July 2022 and 5 August 2022 the Transport Workers' Union of Australia (**organisation**) lodged with the Registered Organisations Commission (**Commission**) prescribed information for an election to fill the following offices for a new term of office:

## **National Office**

National Secretary	(1)
National Assistant Secretary	(1)
Pilot National Councillor	(1)

## **Victorian/Tasmanian Branch**

President	(1)
Vice President	(1)
Secretary	(1)
Branch Assistant Secretary	(1)
Branch Trustee	(2)
Committee of Management Representative	(10)
National Councillor	(3)
National Councillor (Tasmania based)	(1)
Female National Councillor	(1)
Branch Organiser	(2)

## **South Australian/Northern Territory Branch**

President	(1)
Vice President	(1)
Secretary	(1)
Branch Assistant Secretary	(1)
Branch Trustee	(2)
Committee of Management Representative	(8)

National Councillor (Northern Territory)	(1)
Female National Councillor	(1)

### **Western Australian Branch**

President	(1)
Vice President	(1)
Secretary	(1)
Branch Trustee	(2)
Committee of Management Representative	(9)
National Councillor	(2)
Female National Councillor	(1)

### **NSW/QLD (Interim Governance) Branch**

#### **Stage 1**

National Councillor (NSW or ACT based)	(3)
National Councillor (QLD based)	(3)
Female National Councillor (NSW or ACT based)	(1)
Female National Councillor (QLD based)	(1)

#### **Sydney and Central Sub Branch**

Sub Branch Committee of Management Representatives	(7)
Sub Branch Chairman	(1)
Sub Branch Vice Chairman	(1)
Sub Branch Secretary	(1)
Sub Branch Minute Secretary	(1)
Sub Branch Executive Committee Member	(8)

#### **Newcastle and Northern Sub Branch**

Sub Branch Committee of Management Representatives	(4)
Sub Branch Chairman	(1)
Sub Branch Vice Chairman	(1)
Sub Branch Secretary	(1)
Sub Branch Minute Secretary	(1)
Sub Branch Executive Committee Member	(8)

#### **South Coast and Southern Sub Branch**

Sub Branch Committee of Management Representatives	(4)
Sub Branch Chairman	(1)
Sub Branch Vice Chairman	(1)
Sub Branch Secretary	(1)
Sub Branch Minute Secretary	(1)
Sub Branch Executive Committee Member	(8)

Canberra Sub Branch

Sub Branch Committee of Management Representatives	(2)
Sub Branch Chairman	(1)
Sub Branch Vice Chairman	(1)
Sub Branch Secretary	(1)
Sub Branch Minute Secretary	(1)
Sub Branch Executive Committee Member	(8)

Queensland

Branch Committee of Management Representatives	(11)
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Stage 2

President	(1)
Vice President	(1)
Secretary	(1)
Branch Assistant Secretary	number to be determined
Branch Trustee	(5)

[2] The organisation noted in its prescribed information that a rule alteration has been lodged with the Fair Work Commission (FWC) and is pending certification.<sup>1</sup> The alteration, if certified by the FWC, would allow a candidate for the position of National Secretary and a candidate for the position of National Assistant Secretary to agree to run as a 'National Team Nomination'. The proposed alteration also seeks to clarify who is eligible to run for office, and how candidates who withdraw or are otherwise excluded as part of a Team Nomination may be replaced.

[3] The Australian Electoral Commission (AEC) should be aware that these rule alterations may be certified by the time the election process commences, and if so, the election would occur under the amended rules.

[4] The organisation's rules also provide that, in respect of the office of Branch Assistant Secretary of the NSW/QLD (Interim Governance), the number of Branch Assistant Secretaries is determined by a Committee of Management resolution prior to the election for that office.<sup>2</sup> The organisation advised the Commission by email dated 5 August 2022 that, as the election for Branch Assistant Secretary is part of the collegiate stage of the NSW/Qld (Interim Governance) Branch elections, the newly elected Branch Committee of Management (elected in Stage 1 of these elections) will decide how many Branch Assistant Secretaries there will be. I note that it will need to do so before nominations can be called for that office, and will need to advise the AEC accordingly.

[5] Further, a decision was issued in matter E2020/157 on 12 August 2020,<sup>3</sup> being a casual vacancy election for NSW Branch Vice President. As a result of communications from the organisation, I understand that the election E2020/157 has not yet been conducted. The effect of this decision (E2022/120) arranging for a scheduled election for a new term of office, is that

<sup>1</sup> R2022/56, lodged 16 May 2022.

<sup>2</sup> Rulebook R2022/60, Annexure F rule 23(6)(1)(c).

<sup>3</sup> [2020] ROCD 130.

its conduct will supersede the decision in E2020/157. I confirm that the AEC is therefore no longer required to conduct election E2020/157.

[6] 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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PR352301

**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, Nicholas McIntosh, being the National Assistant Secretary of the Transport Workers' Union of Australia, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Transport Workers' Union of Australia.
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. One rule change is pending that will affect this election. This rule alteration has been lodged with the Fair Work Commission. The proposed alteration was lodged on 16 May 2022 and is matter number R2022/56.

The proposed rule alteration allows a candidate for the position of National Secretary and a candidate for the position of National Assistant Secretary to agree to run as a 'National Team Nomination'. It also seeks to clarify who is eligible to run for office. Finally it seeks to clarify how candidates who withdraw or are otherwise excluded as part of a Team Nomination may be replaced.

5. The original prescribed information was lodged on 13 July 2022 at least 2 months before nominations open for the election(s) in Annexure A. This second statement clarifies some outstanding matters in relation to the number of positions open for election in certain Branches as requested by the Registered Organisations Commission on 3 August 2022.
6. The following number of positions are determined in accordance with a formula:
  - Victorian/Tasmanian Branch – National Councillor
  - South Australian/Northern Territory Branch – National Councillor
  - Western Australian Branch – National Councillor

- a. The rule numbers which specify the formula are 24(2) and 92(1)(j).
- b. The formula is total income received from Members through Dues divided by the Annual Fee in the previous year.
- c. The information for calculating the formula is:
  - Victorian/ Tasmanian Branch - \$6,856,432 received from members in Dues divided by \$560.58 resulting in 12,231 Effective Members entitling the Branch to three additional National Councillors.
  - South Australian/Northern Territory Branch - \$1,596,223 received from members in Dues divided by \$560.58 resulting in 2,847 Effective Members entitling the Branch to no additional National Councillors.
  - Western Australian Branch - \$3,622,903 received from members in Dues divided by \$560.58 resulting in 6,463 Effective Members entitling the Branch to two additional National Councillors.
- d. The relevant date for this information is 31 December 2021.

Signed:



Dated: 5 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:

<b>Branch</b>	<b>Name of Office</b>	<b>Number required</b>	<b>Voting System</b> <i>Direct voting system;</i> <i>Collegiate electoral system</i>	<b>Reason for Election</b> <i>Scheduled;</i> <i>Casual vacancy;</i> <i>New office created;</i> <i>Insufficient nominations</i>	<b>Electorate</b>
National	National Secretary	1	Direct Voting System	Scheduled	National – all members – Rule 59(12).
National	National Assistant Secretary	1	Direct Voting System	Scheduled	National – all members – Rule 59A(1).
NSW/Qld (Interim Governance) Branch	Branch Secretary	1	Collegiate electoral system	Scheduled	NSW/Qld (Interim Governance) Branch Committee of Management Members – Rule Annexure F, 23(6)(1).
NSW/Qld (Interim Governance) Branch	Branch President	1	Collegiate electoral system	Scheduled	NSW/Qld (Interim Governance) Branch Committee of Management Members – Rule Annexure F, 23(6)(1).
NSW/Qld (Interim Governance) Branch	Branch Vice-President	1	Collegiate electoral system	Scheduled	NSW/Qld (Interim Governance) Branch Committee of Management Members – Rule Annexure F, 23(6)(1).
NSW/Qld (Interim Governance) Branch	Branch Assistant Secretary	1 or 2 <sup>1</sup>	Collegiate electoral system	Scheduled	NSW/Qld (Interim Governance) Branch Committee of Management Members – Rule Annexure F, 23(6)(1).
NSW/Qld (Interim Governance) Branch	Branch Trustee	5 (3 based in NSW or ACT and 2 based in Qld)	Collegiate electoral system	Scheduled	NSW/Qld (Interim Governance) Branch Committee of Management Members – Rule Annexure F, 23(6)(1).

<sup>1</sup> As determined by the Branch Committee of Management immediately prior to the collegiate election in accordance with Rules Annexure F, 23 (6)(1)(c) and (2).



NSW/Qld (Interim Governance) Branch	National Councillor (NSW or ACT based)	3	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch – NSW and ACT based members – Rule Annexure F, 23(9)(a).
NSW/Qld (Interim Governance) Branch	National Councillor (Qld based)	3	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch – Qld based members – Rule Annexure F, 23(9)(b).
NSW/Qld (Interim Governance) Branch	Female National Councillor (NSW or ACT based)	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch – NSW and ACT based members – Rule Annexure F, 23(9)(a).
NSW/Qld (Interim Governance) Branch	Female National Councillor (Qld based)	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch – Qld based members – Rule Annexure F, 23(9)(b).
NSW/Qld (Interim Governance) Branch	Branch Committee of Management Representatives – Sydney and Central Sub Branch	7	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch – Sydney and Central Sub Branch members – Rules Annexure F, 9(1) and 23(5)(2)(a).
NSW/Qld (Interim Governance) Branch	Branch Committee of Management Representatives – Newcastle and Northern Sub Branch	4	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - Newcastle and Northern Sub Branch members – Rules Annexure F, 9(1) and 23(5)(2)(b).
NSW/Qld (Interim Governance) Branch	Branch Committee of Management Representatives – South Coast and Southern Sub Branch	4	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch – South Coast and Southern Sub Branch members – Rules Annexure F, 9(1) and 23(5)(2)(c).

NSW/Qld (Interim Governance) Branch	Branch Committee of Management Representatives – Canberra Sub Branch	2	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch – Canberra Sub Branch members – Rules Annexure F, 9(1) and 23(5)(2)(d).
NSW/Qld (Interim Governance) Branch	Branch Committee of Management Representatives – Qld based	11	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch – Queensland based members – Rules Annexure F, 23(5)(2)(e) and (3).
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Chairman – Sydney and Central Sub Branch	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - Sydney and Central Sub Branch members – Rules Annexure F, 8(3), 9 and 12.
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Vice-Chairman – Sydney and Central Sub Branch	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - Sydney and Central Sub Branch members – Rules Annexure F, 8(3), 9 and 12.
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Secretary – Sydney and Central Sub Branch	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - Sydney and Central Sub Branch members – Rules Annexure F, 8(3), 9 and 12.
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Minute Secretary – Sydney	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - Sydney and Central Sub Branch members – Rules Annexure F, 8(3), 9 and 12.

	and Central Sub Branch				
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Member – Sydney and Central Sub Branch	8	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - Sydney and Central Sub Branch members – Rules Annexure F, 8(3), 9 and 12.
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Chairman – Newcastle and Northern Sub Branch	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - Newcastle and Northern Sub Branch members – Rules Annexure F, 8(3), 9 and 12.
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Vice-Chairman – Newcastle and Northern Sub Branch	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - Newcastle and Northern Sub Branch members – Rules Annexure F, 8(3), 9 and 12.
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Secretary – Newcastle and Northern Sub Branch	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - Newcastle and Northern Sub Branch members – Rules Annexure F, 8(3), 9 and 12.

NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Minute Secretary – Newcastle and Northern Sub Branch	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - Newcastle and Northern Sub Branch members – Rules Annexure F, 8(3), 9 and 12.
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Member – Newcastle and Northern Sub Branch	8	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - Newcastle and Northern Sub Branch members – Rules Annexure F, 8(3), 9 and 12.
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Chairman – South Coast and Southern Sub Branch	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - South Coast and Southern Sub Branch members – Rules Annexure F, 8(3), 9 and 12.
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Vice-Chairman – South Coast and Southern Sub Branch	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - South Coast and Southern Sub Branch members – Rules Annexure F, 8(3), 9 and 12.
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - South Coast and Southern Sub Branch members – Rules Annexure F, 8(3), 9 and 12.

	Secretary – South Coast and Southern Sub Branch				
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Minute Secretary – South Coast and Southern Sub Branch	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - South Coast and Southern Sub Branch members – Rules Annexure F, 8(3), 9 and 12.
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Member – South Coast and Southern Sub Branch	8	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - South Coast and Southern Sub Branch members – Rules Annexure F, 8(3), 9 and 12.
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Chairman – Canberra Sub Branch	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - Canberra Sub Branch members – Rules Annexure F, 8(3), 9 and 12.
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Vice-Chairman – Canberra Sub Branch	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - Canberra Sub Branch members – Rules Annexure F, 8(3), 9 and 12.

NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Secretary – Canberra Sub Branch	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - Canberra Sub Branch members – Rules Annexure F, 8(3), 9 and 12.
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Minute Secretary – Canberra Sub Branch	1	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - Canberra Sub Branch members – Rules Annexure F, 8(3), 9 and 12.
NSW/Qld (Interim Governance) Branch	Sub Branch Executive Committee Member – Canberra Sub Branch	8	Direct Voting System	Scheduled	NSW/Qld (Interim Governance) Branch - Canberra Sub Branch members – Rules Annexure F, 8(3), 9 and 12.
Victorian/Tasmanian Branch	Branch President	1	Direct Voting System	Scheduled	Victorian/Tasmanian Branch members – Rule 60(2)(a).
Victorian/Tasmanian Branch	Branch Vice-President	1	Direct Voting System	Scheduled	Victorian/Tasmanian Branch members – Rule 60(2)(b).
Victorian/Tasmanian Branch	Branch Secretary	1	Direct Voting System	Scheduled	Victorian/Tasmanian Branch members – Rule 60(2)(c).
Victorian/Tasmanian Branch	Branch Assistant Secretary	1	Direct Voting System	Scheduled	Victorian/Tasmanian Branch members – Rule 60(2)(d).
Victorian/Tasmanian Branch	Branch Trustee	2	Direct Voting System	Scheduled	Victorian/Tasmanian Branch members – Rule 60(2)(e).

Victorian/Tasmanian Branch	Branch Committee of Management Representatives	10	Direct Voting System	Scheduled	Victorian/Tasmanian Branch members – Rule 60(2)(f).
Victorian/Tasmanian Branch	National Councillor	3	Direct Voting System	Scheduled	Victorian/Tasmanian Branch members – Rules 24(1)(d), 24(2)(c) and 60(2)(g).
Victorian/Tasmanian Branch	National Councillor – Tasmania based	1	Direct Voting System	Scheduled	Victorian/Tasmanian Branch members – Rules 24(1)(h) and 60(2)(g).
Victorian/Tasmanian Branch	Female National Councillor	1	Direct Voting System	Scheduled	Victorian/Tasmanian Branch members – Rules 24(1)(i) and 60(2)(g).
Victorian/Tasmanian Branch	Branch Organiser	2	Direct Voting System	Scheduled	Victorian/Tasmanian Branch members – Rule 60(2)(h).
South Australian/Northern Territory Branch	Branch President	1	Direct Voting System	Scheduled	South Australian/Northern Territory Branch members – Rule 60(2)(a).
South Australian/Northern Territory Branch	Branch Vice-President	1	Direct Voting System	Scheduled	South Australian/Northern Territory Branch members – Rule 60(2)(b).
South Australian/Northern Territory Branch	Branch Secretary	1	Direct Voting System	Scheduled	South Australian/Northern Territory Branch members – Rule 60(2)(c).
South Australian/Northern Territory Branch	Branch Assistant Secretary	1	Direct Voting System	Scheduled	South Australian/Northern Territory Branch members – Rule 60(2)(d).
South Australian/Northern Territory Branch	Branch Trustee	2	Direct Voting System	Scheduled	South Australian/Northern Territory Branch members – Rule 60(2)(e).

South Australian/Northern Territory Branch	Branch Committee of Management Representatives	8	Direct Voting System	Scheduled	South Australian/Northern Territory Branch members – Rule 60(2)(f).
South Australian/Northern Territory Branch	National Councillor – Northern Territory	1	Direct Voting System	Scheduled	South Australian/Northern Territory Branch members – Rules 24(1)(g) and 60(2)(g).
South Australian/Northern Territory Branch	Female National Councillor	1	Direct Voting System	Scheduled	South Australian/Northern Territory Branch members – Rules 24(1)(i) and 60(2)(g)
Western Australian Branch	Branch President	1	Direct Voting System	Scheduled	Western Australian Branch members – Rule 60(2)(a).
Western Australian Branch	Branch Vice-President	1	Direct Voting System	Scheduled	Western Australian Branch members – Rule 60(2)(b).
Western Australian Branch	Branch Secretary	1	Direct Voting System	Scheduled	Western Australian Branch members – Rule 60(2)(c).
Western Australian Branch	Branch Trustee	2	Direct Voting System	Scheduled	Western Australian Branch members – Rule 60(2)(e).
Western Australian Branch	Branch Committee of Management Representatives	9	Direct Voting System	Scheduled	Western Australian Branch members – Rule 60(2)(f).
Western Australian Branch	National Councillor	2	Direct Voting System	Scheduled	Western Australian Branch members – Rules 24(1)(d), 24(2)(b) and 60(2)(g).
Western Australian Branch	Female National Councillor	1	Direct Voting System	Scheduled	Western Australian Branch members – Rules 24(1)(i) and 60(2)(g).



National	Pilot National Councillor	1	Direct Voting System	Scheduled	National – all Pilot members – Rules 59B and 92(1)(aa1).
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- Important dates:

	<b>Direct Voting System<sup>2</sup></b>	<b>Collegiate Electoral System<sup>3</sup></b>
<b>Nominations OPEN</b>	13 September 2022 – Rules 59(3), 59A(1), 59B(1) and 60(3b).	NSW/ Qld (Interim Governance) Branch Committee of Management meeting held between 10 January and 7 February 2023 – Rule Annexure F, 23(6).
<b>Nominations CLOSE</b>	4 October 2022 – Rules 59(4), 59A(1), 59B(1) and 60(4).	NSW/ Qld (Interim Governance) Branch Committee of Management meeting held between 10 January and 7 February 2023 – Rule Annexure F, 23(6).
<b>Roll of Voters cut off date</b>	16 August 2022 – Rules 59(2a), 59A(1), 59B(1) and 60(3a).	NSW/ Qld (Interim Governance) Branch Committee of Management Members elected at 2022 Branch Election – Rule Annexure F, 23(6).

**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](#)

<sup>2</sup> For all ‘Direct Voting System’ elections listed in the table above.

<sup>3</sup> For all ‘Collegiate Electoral System’ elections listed in the table above involving the NSW/Qld (Interim Governance) Branch.

SAMPLE