



15 June 2023

Terence Burke
Branch Secretary
Independent Education Union of Australia-Queensland and Northern Territory Branch
Sent via email: tburke@qieu.asn.au

cc:

Dear Terence Burke



IMMEDIATE ACTION REQUIRED:

You must take steps after your recent election E2023/56

An election has recently been completed by the Australian Electoral Commission (AEC) for the Independent Education Union of Australia-Queensland and 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

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. 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.

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.

9 June 2023

Post-election report

**Independent Education Union of
Australia**

Queensland and Northern Territory
Branch

Insufficient Nominations election
E2023/56

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Election(s) Covered in this Report

Organisation: IEUA – Queensland and Northern Territory Branch
Election: Insufficient Nominations
Election Decision No/s: E2023/56

Rules

Rules used for the election: [130N: Incorporates alterations of 4 February 2023 [R2022/125]]
(replaces rulebook dated 29 November 2022 [R2022/107])

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): Yes

Details:

Rule of the Organisation states that the maximum ballot period will not be more than 21 days. The Returning Officer will apply subparagraph 193(1) (b)(ii) of the Fair Work (Registered Organisation) Act 2009 to extend the period due to the coronavirus pandemic and will allow 28 days instead of 21 days.

Signed

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

Attachments

A. Declaration of Results for Uncontested Offices – QLD/NT

Independent Education Union of Australia
Queensland and Northern Territory Branch
DECLARATION OF RESULTS - E2023/56
Uncontested Offices

Insufficient Nominations 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:

General Members (Queensland Division)

Branch Executive Member (2)

Candidates

CAREY Andrew

LENZO Louise

Principals Area Council

Branch Executive Member (1)

Candidates

No Nominations Received

Darwin Urban

Northern Territory Division Advisory Committee Member (2)

Candidates

No Nominations Received

Top End Rural

Northern Territory Division Advisory Committee Member (1)

Candidates

No Nominations Received

As the number of nominations accepted 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: IEEvents@aec.gov.au
08/06/2023



DECISION

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

Independent Education Union of Australia
(E2023/56)

MR STEENSON

SYDNEY, 3 APRIL 2023

Arrangement for conduct of election.

[1] On 3 and 31 March 2023 the Queensland and Northern Territory Branch (**Branch**) of the Independent Education Union of Australia lodged prescribed information for an election to fill the following offices for the remainder of the term, which arise from casual vacancies and from insufficient nominations received in previous elections (**E2020/82** and **E2022/29**):

Branch Executive members from the following electorates:

General Member (Queensland Division)	(2)
Principals Area Council	(1)

NT Division Advisory Committee members from the following Sub-divisions:

Darwin Urban	(2)
Top End Rural	(1)

[2] The prescribed information provided by the Branch had requested an election for four (4) Queensland Division Branch Executive General members, however the Branch Secretary confirmed via email on 3 April 2023 that the correct number is two, as is noted above.

[3] 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 GENERAL MANAGER

Printed by authority of the Commonwealth Government Printer
PR755022

8/14/17

Friday, 31 March 2023

The Commissioner
Registered Organisations Commission
GPO Box 2983
MELBOURNE VIC 3001

By Email: regorgs@roc.gov.au

Dear Commissioner

**Revised Request for Conduct of Elections - Independent Education Union of Australia
- Queensland and Northern Territory (IEUA-QNT) Branch**

**I would ask that you undertake your consideration of our request for an election
consistent with Branch Rule 7.3 (c).**

In accordance with Chapter 7 Part 2 of the Fair Work (Registered Organisations) Act 2009, I provide the following prescribed information in accordance with the requirements of subsection 189(1).

Re Fair Work (Registered Organisations) Regulations 2009 – subsection 138(1)(a) and (c)

That in accordance with Rule 7.3(a) of the IEUA-QNT Branch Rules an election is required for the following:

- Four (4) x General Member Branch Executive Queensland Division
- Principals Area Branch Representative on Branch Executive
- Two (2) x Darwin Urban Northern Territory Division Advisory Committee
- One (1) x Top End Rural Northern Territory Division Advisory Committee

Rule 7.3(b) of the Rules of the IEUA-QNT Branch provides that members of the Northern Territory Division elect five (5) persons to the Branch Executive.

Rule 7.3(c) of the Rules of the IEUA-QNT Branch provides that members of the Queensland Division elect twenty-nine (29) persons to the Branch Executive.

The 29 persons from the Queensland Division are elected in accordance with Rule 7.3 (c) in that one (1) representative of each Area Council is elected by the members of the Area Council and fourteen (14) members are elected by a ballot of the whole of membership of the Queensland Division.

Re Fair Work (Registered Organisations) Regulations 2009 – subsection 138(1)(b)(i)

Elections are made necessary in the current term of office as:

- Positions on the Branch Executive remained unfilled at the 2021 elections as follows:
 - Two (2) x General Member
- Positions on the Branch Executive are vacant due to resignation within the first quarter of the current term:
 - Two (2) x General Member
 - Principals Area Branch Representative

Re Fair Work (Registered Organisations) Regulations 2009 – subsection 138(1)(d)

The electorate comprises the financial members of the IEUA-QNT Branch as determined by Federal Rule 17(q). IEUA-QNT Branch Rule 7.3(b) is also relevant regarding the Divisional electorates for the Queensland Division and the Northern Territory Division.

Northern Territory Division Advisory Committee

An election is also required for the positions on the Northern Territory Division Advisory Committee. Rule 14.3 of the Rules of the IEUA-QNT Branch provides that the Division Advisory Committee shall be comprised of the five (5) Northern Territory Division persons elected to the Branch Executive and a further four (4) Northern Territory Division persons who shall be elected at the same time in a separate ballot conducted consistent with the provisions of Rule 10 of the Rules of the IEUA-QNT Branch.

Elections are made necessary in the current term of office as positions on the Northern Territory Division Advisory Committee remained unfilled at the 2022 elections as follows:

- Two (2) x Darwin Urban
- One (1) x Top End Rural

Each member employed in a school (or domiciled, if not employed) in the designated area shall be allocated to the respective sub-division.

Re Fair Work (Registered Organisations) Regulations 2009 – subsection 138(1)(e)

The following dates are proposed:

Nominations Open	Monday, 17 April 2023 (9:00 am)
Nominations Close	Thursday, 11 May 2023 (4:00 pm)
Ballot Opens	Monday, 5 June 2023 (9:00 am)
Ballot Closes	Friday, 23 June 2023 (noon)

Re Fair Work (Registered Organisations) Regulations 2009 – subsection 138 (1)(f)

In accordance with Federal Rule 17(q) for the purpose of this election the books of the Branch shall be deemed to have closed as at seven (7) clear days before the opening date of nominations.

Re Fair Work (Registered Organisations) Regulations 2009 – subsection 138(1)(g)

The voting system to be used is the direct voting system and is first past the post. The Rules allow for an order of preference to be indicated by the voter (Branch Rule 10.27).

Yours faithfully

A handwritten signature in black ink, appearing to read 'T. A. Burke', written in a cursive style.

TERRY BURKE
BRANCH SECRETARY

Encl.