



DECISION

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

The Australian Institute of Marine and Power Engineers
(E2024/149)

MR STEENSON

SYDNEY, 9 SEPTEMBER 2024

Arrangement for conduct of election.

[1] On 15 August 2024 the Queensland Branch (the **Branch**) of the Australian Institute of Marine and Power Engineers (the **AIMPE**) lodged with the Fair Work Commission (the **Commission**) prescribed information for an election to fill a casual vacancy in the following office for the remainder of the term:

Ordinary Member of Federal Council (1)

[2] The prescribed information states that the vacancy is due to the incumbent Ordinary Member of Federal Council being elected as Branch Secretary in election E2023/195, the results of which were declared on 12 August 2024. The AIMPE rules, in particular sub rule 7(i) provide that the Federal Council shall ‘consist of the six (6) Branch Secretaries **and** eleven (11) **other** ordinary members’ [my emphasis].

[3] I am satisfied that the wording of the sub rule distinguishes the offices of Branch Secretaries (who sit on the Federal Council because they hold that office) from those of Ordinary members on the Federal Council and that the total number of Federal Council offices is 17. However, I cannot identify any rule that explicitly prohibits an office holder from simultaneously holding both offices.

[4] For completeness, staff of the Commission contacted the AIMPE requesting written confirmation that the officer in question has vacated the office of Ordinary Member of Federal Council. On 30 August 2024, the Commission was provided with an email from the office holder in which he stated that he was stepping down from the office of Ordinary Member of Federal Council due to being elected as Queensland Branch Secretary.

[5] 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.



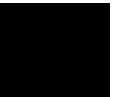
DELEGATE OF THE GENERAL MANAGER

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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, Peter John Toohey, being the Queensland Branch President 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 the Queensland Branch of the 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 due to a change in office bearer from Ordinary Member of Federal Council [Councillor] to Queensland Branch Secretary creating the casual Councillor vacancy. At Annexure B is a copy of the AEC Declaration of Results from E2023/295. *AS*. 
4. No rule alterations are pending that will impact the election.
5. This statement is lodged at least 2 months before nominations open for the election(s) in Annexure A.

Signed: 

QLD Branch President

Dated: 15 August 2024

NOTE: This statement should be lodged with the Fair Work Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@fwc.gov.au.

Annexure A

- Elections that are required

Branch	Name of Office	Number required	Voting System Direct voting system; Collegiate electoral system	Reason for Election Scheduled; Casual vacancy; New office created; Insufficient nominations	Electorate
Queensland Branch	Ordinary Member of Federal Council	1	Direct Voting System	Casual vacancy	Queensland

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	Date is dependent on Election Decision date and AEC. Rule 33B(iii): Notice that nominations are required and specifying the opening and closing dates for nominations shall be given by the Returning Officer by publication in the Institute magazine "On Watch" at least one (1) month before the date fixed for the election. (Close for copy for Publication is generally the end of the first week of each month. Published online 2 nd week of the month) If published mid-August, nominations would open mid-September.	N/A
Nominations CLOSE	5 weeks after nominations open	N/A
Roll of Voters cut off date	Rule 33B(xii) 7 Days before the opening of nominations.	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*.

**The Australian Institute of Marine and Power Engineers
Queensland Branch
DECLARATION OF RESULTS - E2023/195
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:

Queensland

Branch President (1)

Candidates

TOOHEY Peter

Branch Secretary (1)

Candidates

READY Brad

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

Hanish Gupta
Returning Officer
Telephone: 03 9285 7111
Email: IEEvents@aec.gov.au
12/08/2024