

4 August 2016

Mr Paul Bastian
National Secretary

"Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the
Australian Manufacturing Workers' Union (AMWU)
Email: amwu2@amwu.asn.au



Dear Mr Bastian,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election [E2016/107] for the Tasmanian Branch. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

A notice must be published on the organisation's website

The organisation or branch must publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the *Fair Work (Registered organisations) Regulations 2009*).

Holders of office required to undertake approved training

Section 154D(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act) requires the rules of organisations (and branches of organisations) to require each officer with financial management duties to undertake approved training that covers those duties within 6 months after the person begins to hold office. Please ensure that relevant officers undertake approved training within the required timeframe. Please also ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests, the details of which should be provided for in your organisation's rules.

Organisation must notify the Commission of changes

Also, section 233(2) of the RO Act requires that an organisation must notify the Commission **within 35 days of any changes** to the holders of office in the organisation. **If there are no changes a notification is not required.** If the election has resulted in **any changes** to the holders of office, the "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU) must notify the Commission of these changes. In particular, please advise:

1. Person(s) who have ceased to hold office:
 - the name of the office vacated;
 - the date of the change of office holder; and
 - the name of the person vacating the office.
2. Person(s) who have commenced to hold office:
 - the name of the office now held;
 - the date of the change of office holder;
 - the name of the person now holding the office;
 - the postal address of the person (generally the postal address of the organisation); and
 - the occupation of the person now holding the office.

The notification must include a declaration by the Secretary (or other prescribed officer) that the information is a correct statement of the changes made. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't need to notify until then (e.g. AGM, 1 January, 2nd Monday in March). If you have already lodged this information, please disregard this reminder.

Regards

Michael Moutevelis

Regulatory Compliance Branch

**NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return)
required to be kept in accordance with section 230 *Fair Work (Registered Organisations)
Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009***

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

[delete all that do not apply]

- On [DATE] the address of the organisation changed to [STREET ADDRESS].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 1. [include OLD name and address and NEW name and address of every branch that has changed]
 2. ...
- A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.
- On [DATE] the following branch[es]:³
 - COMMENCED/CEASED operation:
 1. [include name of each new branch]
 2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to.]

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							

svc-adlib5

From: Michael Horwood <Michael.Horwood@aec.gov.au>
Sent: Wednesday, 3 August 2016 4:15 PM
To: 'fiona.googh@amwu.asn.au'; Orgs; Industrial Elections
Cc: 'Susie Undy'
Subject: Post Election Report - AMWU E2016/107 [SEC=UNCLASSIFIED]
Attachments: Post Election Report AMWU E2016 107.docx; Declaration SP E2016 107.pdf

Categories: RIA

UNCLASSIFIED

FWC
Melbourne

**Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union
Casual Vacancy Election E2016/107 State President**

Attached is my Post Election Report and declaration in relation to the above election.

Michael Horwood | Returning Officer
Tasmania State Office | TAS State Office
Australian Electoral Commission
T: (03) 6235 0509 | M: 0408 389 138 | F: (03) 6235 0568



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Visit www.aec.gov.au

UNCLASSIFIED

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Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

**Automotive, Food, Metals, Engineering, Printing and Kindred
Industries Union (AMWU) – Tasmania Branch**

State President - Casual Vacancy

ELECTIONS COVERED IN THIS REPORT

Election Decision Number: E2016/107

RULES

Rules used for the election: 188V: alterations of 08/02/2016
(R2015/291 & R2015/292)

Rules difficult to apply/interpret: None

Model Rule reference: N/A

ROLL OF VOTERS

Collegiate Election, roll was State Conference Delegates.

IRREGULARITIES

No irregularities were identified.

ATTACHMENTS

1) Declaration of Results for Uncontested Offices – Tasmania Branch

Michael Horwood
Returning Officer

3 August 2016

Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union

Casual Vacancy E2016/107

Declaration of Results for Uncontested Offices

E2016/107

Below are 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.

Tasmania

State President

Candidate

DRAKE, Ian

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



Michael Horwood
Returning Officer

18 May 2016



DECISION

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

"Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU)
(E2016/107)

MR ENRIGHT

MELBOURNE, 23 MARCH 2016

Arrangement for conduct of election.

[1] On 16 March 2016 the "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU) lodged with the Fair Work Commission the prescribed information in relation to an election for the following office:

Tasmanian Branch

State President

(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 GENERAL MANAGER

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11 March, 2016

The General Manager
Fair Work Commission
Level 10
80 William Street
East Sydney NSW 2011

SENT VIA
ELECTRONIC MAIL



Dear General Manager,

Re: Prescribed Information for AMWU Elections.

Please find attached the Prescribed Information and Statement of Facts pursuant to section 189 of the *Fair Work (Registered Organisations) Act 2009* concerning collegiate elections due to be conducted in 2016.

If you have any questions or comments in relation to the attached documentation please contact Peter Cozens on (02) 8868 1500.

Yours faithfully,


PAUL BASTIAN
NATIONAL SECRETARY

Australian Manufacturing
Workers' Union
Registered as AFMEPKIU
National Office
Level 4 133 Parramatta Rd
GRANVILLE NSW 2142
PO Box 160 Granville 2142
Telephone 02 9897 9133
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Fair Work (Registered Organisations) Act 2009
s189
Regulation 138 of the Fair Work (Registered Organisations) Regulations 2009
Prescribed Information for Elections

**“Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union”
known as the Australian Manufacturing Workers’ Union (AMWU)**

PRESCRIBED INFORMATION FOR ELECTIONS

SUPPORTING STATEMENT

I, Paul Bastian, of 133 Parramatta Road, Granville, New South Wales, union official, state as follows:

1. I am the National Secretary of the “Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union” known as the Australian Manufacturing Workers’ Union (AMWU), an organisation of employees registered under the *Fair Work (Registered Organisations) Act 2009* (the Act).
2. I am authorised to lodge the information prescribed by regulation 138 of the *Fair Work (Registered Organisations) Regulations 2009*.
3. Elections are required for the office specified in the attached, to be held at the State Conference in 2016.
4. This information is lodged under subsection 189(1) of the Act.

DATED: 11 March 2016



PAUL BASTIAN
NATIONAL SECRETARY

**“Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union”
known as the Australian Manufacturing Workers’ Union (AMWU)**

PRESCRIBED INFORMATION FOR ELECTIONS

1. The following office requires an election to be conducted by the Australian Electoral Commission for the reasons given in italics. Pursuant to paragraph 138(1)(d) of the *Fair Work (Registered Organisations) Regulations 2009* (“the Regulations”) the electorate for the office is given under the title of the office.
2. Pursuant to subregulation 138(1)(e) of the Regulations, Fair Work Australia is advised that for all of the above offices and/or positions in the Rules of the “Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union” known as the Australian Manufacturing Workers’ Union (AMWU) (“the Rules”) provide that the opening date for lodging nominations shall be at 10.00am on the first day of the meeting of the State Conference at which the election is to be conducted and the closing date shall be 2.00pm on the first day of that meeting;
3. Pursuant to subregulation 138(1)(f) of the Regulations, the Rules do not explicitly provide for a day on which the roll of voters is to be closed. The Rules provide for an attendance ballot to be conducted at a meeting of the relevant AMWU Conference of which the respective electors of each relevant office and/or position are members.
4. Pursuant to subregulation 138(1)(g) of the Regulations, the Rules provide that a collegiate electoral system is to be used in the conduct of the elections.

TASMANIA

State President
(Electorate: All delegates to State
Conference in Tasmania)

*The Rules of the AMWU were certified by the
Fair Work Commission on 8 February, 2016
converting the position to an honorary office
and elections are now required to be
conducted at the State Conference – Rule 4B,
subrule 1*