



16 March 2018

Mr Paul Bastian
National Secretary
"Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the
Australian Manufacturing Workers' Union (AMWU)

Dear Mr Bastian,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of uncontested offices for the "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU) [E2017/231]. 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 293K of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires 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 are provided for in the RO Act.

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. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not 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

Declan Clifford
Registered Organisations Commission

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 operation:
 1. *[include name of each new branch]*
 2. ...
 - CEASED operation:
 1. *[include name of each closed branch]*

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)

2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Registered Organisations Commission within **35 days** of the change. It can be submitted to regorgs@roc.gov.au.]*

ANNEXURE A

- 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	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</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>Full Name</i>	<i>As above</i>	<i>mechanic</i>
<i>...</i>						
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</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>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
<i>...</i>						

Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union Casual Vacancies – E2017/231

Declaration of Results for Uncontested Offices

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.

Vehicle Division

Delegates to State Council (2)

Candidates

ANDERSON, Anthony
FAIRCHILD, Dean

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



Kylie Connor
Returning Officer
1 February 2018

2 February 2018

Post-election Report

"Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU) – E2017/231

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Election(s) Covered in this Report

Election Decision No/s: E2017/231

Rules

Rules used for the election: 188V: Incorporates alterations of 21 August 2017 [R2017/62] (replaces rulebook dated 24 April 2017 [R2017/53])

Rules difficult to apply/interpret: Nil

Model Rule reference (if any) N/A

Roll of Voters

As there were no contested offices, no Roll of Voters was required.

Irregularities

Details of written allegations of irregularities, and action taken by AEC: Nil

Other irregularities identified, and action taken: N/A

Other Matters

N/A

Attachments

- 1) Declaration of results for Uncontested Offices – VIC

Kylie Connor
Returning Officer

2 February 2018



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)
(E2017/231)

MR ENRIGHT

MELBOURNE, 9 NOVEMBER 2017

Arrangement for conduct of election.

[1] On 31 October 2017 the "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU) lodged with the Registered Organisations Commission prescribed information for an election to fill a casual vacancies in the following offices for the remainder of the term:

Victoria

Vehicle division

Delegates to State Council (2)

[2] 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 COMMISSIONER

Printed by authority of the Commonwealth Government Printer

<Price code A, PR350898>



31 October, 2017

Commissioner
Registered Organisations Commission
GPO Box 2983
Melbourne Vic 3001

Dear Commissioner,

Re: Prescribed Information for AMWU Elections.

I refer to the Prescribed Information and Statement of Facts sent on 18 October, 2017 in relation to an election to be conducted for a State Councillor in the NSW Vehicle Division due to a casual vacancy.

Since then, we have been advised of two State Council resignations in the Victorian Vehicle Division and thought it opportune to fill the vacancies in the same election.

Attached, please find my Supporting Statement and Supplementary Prescribed Information for Elections.

I look forward to your advice. In the meantime, if you have any questions or comments in relation to the attached documentation please don't hesitate to contact Peter Cozens on (02) 8868 1524.

Yours faithfully,

PAUL BASTIAN
NATIONAL SECRETARY

Australian Manufacturing
Workers' Union
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Granville NSW 2142
Telephone: 02 8868 1500
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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, in the State of 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. An election is required for the office specified in the attached.
4. This information is lodged under subsection 189(1) of the Act.

DATED: 31 October, 2017



PAUL BASTIAN
NATIONAL SECRETARY

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

SUPPLEMENTARY 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 or position. This position was filled at an Election conducted in January 2017 and the incumbents have since resigned.

2. Pursuant to sub-regulation 138(1) of the Regulations, Fair Work Australia is advised that for all of the listed offices in the Rules of the “Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union” known as the Australian Manufacturing Workers’ Union (AMWU) provide that:
 - (a) Insofar as the vacancy relates to the Vehicle Division, consistent with Rule 53 – Part G, subrule 30(a) (relating to the Vehicle Division), the Returning Officer shall conduct an election by and from the delegates to that State Conference.

3. Pursuant to sub-regulation 138(1)(g) of the Regulations, the Rules provide that a collegiate electoral system is to be used in the conduct of the elections.

VICTORIA

Vehicle Division

Delegates to State Council (2)
(Electorate: All SA State Conference
Delegates from the Vehicle Division)

Casual vacancy
Rule 53 – Part G