

From: [ACA-A National](#)
Sent on: Monday, April 12, 2021 12:30:15 PM
To: [IEB Events](#)
CC: [ROC - Registered Org Commission](#); [Industrial Elections](#)
Subject: E2020/52 ACAA Post Election Report reply from ACAA[SEC=OFFICIAL]

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Hi Robert

Thank you for your email and Post-Election Report.

The ACA agrees with the AEC's recommended/suggested Rule changes to Rule 19(3)(a) and 19(3)(m). The ACA is currently reviewing it's Rules with the view to seeking changes to Rule 19 and other Rules later in 2021.

It was a pleasure to work along side you Rob, with the ACA elections.

Kind regards
Michelle Eades
ACA-Australia
nat@aca.org.au
[REDACTED]

From: [REDACTED]
Sent: Monday, 12 April 2021 12:03 PM
To: nat@aca.org.au
Cc: regorgs@roc.gov.au; Industrial Elections <industrial.elections@aec.gov.au>
Subject: E2020/52 ACAA Post Election Report [SEC=OFFICIAL]
Importance: High

Ms. Michelle Eades
Executive Officer
Association of Consulting Architects – Australia

Post-Election Report For: **Association of Consulting Architects – Australia**
E2020/52

I refer to the above election for your organisation.

Section 197(1) of the *Fair Work (Registered Organisations) Act 2009* ("the Act") requires the AEC to provide a written report on the conduct of the election to the Fair Work Commission and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

12 April 2021

Post-election report

Association of Consulting Architects - Australia
Scheduled election
E2020/52

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Election(s) Covered in this Report

Organisation: Association of Consulting Architects - Australia

Election: Scheduled

Election Decision No/s: E2020/52

Rules

Rules used for the election: 31N: Incorporates alterations of 5 March 2018 [R2017/292]
(Replaces 29 February 2016 [R2015/282] version)

Rules difficult to apply/interpret: Nil

Roll of Voters

As there were no contested offices, a Roll of Voters was not required.

Irregularities

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

Other Matters

Returning Officer actions required (Section 193): Yes

Section 193 was applied to the following:

1. The rule associated with date and time of withdrawal of a nominations was silent, the Returning Officer applied subparagraph 193(1) (b) (ii) of the Fair Work (Registered Organisation) Act 2009 to determine a closing time for the withdrawal of nomination and the withdrawal period to be aligned with the close of the nomination period.
2. The Returning Officer also applied subparagraph 193(1) (b) (ii) of the Fair Work (Registered Organisation) Act 2009 to only accept nominations via email or the AEC's portal and not by hand or postal mail, due to the ongoing COVID-19 risk.
3. Rule 19(3) (a) required that the Returning Officer to include postal addresses of all the newly elected representatives on the election notice. Due to privacy concerns, the AEC published names only and did not include postal addresses in the election notice.
4. Rule of the Organisation state that the ballot is required to open within 14 days of close of nomination. The Returning Officer deemed this time frame as being insufficient. The Returning Officer applied subparagraph 193(1) (b)(ii) of the Fair Work (Registered Organisation) Act 2009 to extend this period considering key activities including eligibility check, defect remediation period and Christmas closure and therefore opened the ballot within 28 days of the close of the nomination as opposed to 14 days as stipulated in the rules.
5. Rules of the Organisation state that nominations are required to open within fourteen (14) days after the office-holders of the committee have been declared elected. The Returning Officer deemed this time frame insufficient. The Returning Officer applied subparagraph 193(1) (b) (ii) of the Fair Work (Registered Organisation) Act 2009 to extend this timeframe to account for the Christmas closure period and opened nominations 21 days after the declaration of election of the office holders of the Committee from all branches, instead of 14 days as stipulated in the rules.

Rule 19(3)m 'On the completion of the election the Returning Officer shall declare the result of the election by sending that result by prepaid post to each of the newly elected representatives;'. Suggest that 'Prepaid Post' be removed to allow for flexibility, an alternative may be 'to send via pre-paid post or by any other electronic means'

Rule 19(3)a '...the Returning Officer shall send by prepaid post to each of the newly elected representatives a list of the names and postal addresses of all the newly elected representatives'. Suggest removing as this already undertaken with the declaration of results from the previous stage or alternatively send the names but removing the need to send postal address as this can raise privacy concerns.

Signed



Returning Officer
Australian Electoral Commission

E: IEBevents@aec.gov.au

P: 03 9285 7111

12 April 2021

Declaration of results

Association of Consulting Architects - Australia **DECLARATION OF RESULTS - E2020/52 - Stage 3** **Uncontested Offices**

Recall 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 Executive Committee

National Treasurer (1)

Candidates

No Nominations Received

Robert Zammit
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
01/04/2021



Association of Consulting Architects - Australia

DECLARATION OF RESULTS - E2020/52 - Stage 3

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:

Electorate Representatives of the National Executive Committee

National President (1)

Candidates

HELD John

National Vice-President (1)

Candidates

STERLING Agi

National Secretary (1)

Candidates

VINEY Paul

National Treasurer (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.

Robert Zammit
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
03/03/2021



Association of Consulting Architects - Australia
DECLARATION OF RESULTS - E2020/52
Uncontested Offices

Stage 2 - Recall 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/Australian Capital Territory Branch

Branch Secretary (1)

Candidates

MONEY Justine

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

Robert Zammit
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
03/03/2021



Association of Consulting Architects - Australia

DECLARATION OF RESULTS - E2020/52 - Stage 2

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:

New South Wales/Australian Capital Territory Branch

Branch President (1)

Candidates

STERLING Agi

Branch Vice President (1)

Candidates

SIMKOVIC Ivana

Branch Secretary (1)

Candidates

No Nominations Received

Branch Treasurer (1)

Candidates

HAMOR Harry

Victoria/Tasmania Branch

Branch President (1)

Candidates

VINEY Paul

Branch Vice President (1)

Candidates

HASKELL Daniel

Branch Secretary (1)

Candidates

WAGNER David

Branch Treasurer (1)

Candidates

TENCE Matthew

Queensland/Northern Territory Branch

Branch President (1)

Candidates

DONEGAN Gilda

Branch Vice President (1)

Candidates

BRIAN David

Branch Secretary (1)

Candidates

WARING Denis

Branch Treasurer (1)

Candidates

KAI Charmaine

Western Australia Branch

Branch President (1)

Candidates

MCPIERZIE Kukame

Branch Vice President (1)

Candidates

FITZGERALD Kate

Branch Secretary (1)

Candidates

PASSMORE Kali

Branch Treasurer (1)

Candidates

MARSH Janine

South Australia Branch

Branch President (1)

Candidates

HELD John

Branch Vice President (1)

Candidates

DREOSTI Mario

Branch Secretary (1)

Candidates

HARDY Graham

Branch Treasurer (1)

Candidates

HORE Ian

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



Robert Zammit
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
29/01/2021

Association of Consulting Architects - Australia

DECLARATION OF RESULTS - E2020/52 - 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:

New South Wales/Australian Capital Territory Branch

Branch Committee Member (11)

Candidates

CRAWFORD Jennifer
HAMOR Harry
MONEY Justine
PEARSE Stephen
SIMKOVIC Ivana
SIQUEIRA Fabricio
SPRINGETT David
STERLING Agi
WILLIAMS Reine

Victoria/Tasmania Branch

Branch Committee Member (11)

Candidates

BRYANT Richard
EDWARDS Gary
GREENWAY Kel
HASKELL Daniel
POLLARD David
ROPER Kirby
TENGE Matthew Julian Charles
THEODORIDIS George
VINEY Paul
WAGNER David

Queensland/Northern Territory Branch

Branch Committee Member (11)

Candidates

BRIAN David
BROOKS Carl John
DONEGAN Gilda
FROST David
HUDSON Brett
HUNTINGFORD Steven
KAI Charmaine
MAY Kerri
WARING Denis

WESENER Robert
WILLIAMS Mark

Western Australia Branch

Branch Committee Member (11)

Candidates

BURROWS Felice
FITZGERALD Kate
GREENHALGH Michel
GULLAND David
JONES Malcolm
MARSH Janine
MCPIERZIE Kukame
PASSMORE Kali
ROGERSON Andrew
VAN EYK Emily

South Australia Branch

Branch Committee Member (11)

Candidates

CUCCHIARELLI Justin
DREOSTI Mario
HARDY Graham
HELD John
HEWITT Kirsty
HORE Ian
KILPATRICK David
PHILLIPS Susan
STARTARI Catherine
THOMAS Matthew
THOMSON Simon

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

Tiffany Nguyen
Returning Officer
Telephone: 02 9375 6395
Email: IEEvents@aec.gov.au
22/12/2020





DECISION

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

Association of Consulting Architects - Australia (E2020/52)

MR ENRIGHT

MELBOURNE, 2 APRIL 2020

Arrangement for conduct of election.

[1] On 25 February and 2 April 2020 the Association of Consulting Architects - Australia lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

New South Wales / Australian Capital Territory Branch

Branch Committee Members	(11)
Branch President	(1)
Branch Vice-President	(1)
Branch Secretary	(1)
Branch Treasurer	(1)

Queensland / Northern Territory Branch

Branch Committee Members	(11)
Branch President	(1)
Branch Vice-President	(1)
Branch Secretary	(1)
Branch Treasurer	(1)

South Australia Branch

Branch Committee Members	(11)
Branch President	(1)
Branch Vice-President	(1)
Branch Secretary	(1)
Branch Treasurer	(1)

Victoria / Tasmania Branch

Branch Committee Members	(11)
Branch President	(1)
Branch Vice-President	(1)
Branch Secretary	(1)
Branch Treasurer	(1)

Western Australia Branch

Branch Committee Members	(11)
Branch President	(1)
Branch Vice-President	(1)
Branch Secretary	(1)
Branch Treasurer	(1)

National Executive Committee

National President	(1)
National Vice-President	(1)
National Secretary	(1)
National Treasurer	(1)

[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

PR351619

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, PAUL VINEY being the National Secretary of the Association of Consulting Architects – Australia (ACA-A) make the following statement:

1. I am authorised to sign this statement containing prescribed information for ACA-A and its Branches being the ACA-NSW/ACT, ACA-QLD/NT, ACA-SA, ACA-VIC/TAS and ACA-WA.
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 Annexures A, B, C, D, E and F.
4. This statement is lodged in accordance with Association's Rule 36 Election of Branch Committee Members and Rule 19 Constitution and Election of the Committee and officeholders.
5. That Michelle Eades, Executive Officer of the ACA-Australia co-ordinate the elections on behalf of the ACA-A and its Branches with the Australian Electoral Commission.
6. The ACA-A has confirmed with each Branch that the number of Branch Committee Members shall remain at 11 as per Rule 31.
7. There are no Rule alterations pending.



National Secretary

1 April 2020

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.

Annexure A

- Elections that are required:**

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
NSW/ACT	President	1	Collegiate electoral system (Rule 35)	Scheduled	Elected Branch Committee Members
	Vice President	1	As above	As above	As above
	Secretary	1	As above	As above	As above
	Treasurer	1	As above	As above	As above
	Committee Members	11	Direct voting system (Rule 31(2))	Scheduled	All financial members of the relevant Branch

- Important dates:**

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	To be determined by the Returning Officer; no later than 30 June 2020 (Rule 36(b))	Nominations to open within 14 days after Branch Committee members are elected (Rule 19(3)(a) and Rule 35)
Nominations CLOSE	To be determined by the Returning Officer; but at least 14 days after nominations open (Rule 36(b))	To be determined by the Returning Officer; there is no reference to time (Rule 19(3)(a) and Rule 35)
Roll of Voters cut off date	7 days prior to nominations opening (Rule 19(3)(f).)	7 days prior to nominations opening (Rule 19(3)(f) and Rule 35)

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](#).

Annexure B

- Elections that are required:**

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
QLD/NT	President	1	Collegiate electoral system (Rule 35)	Scheduled	Elected Branch Committee Members
	Vice President	1	As above	As above	As above
	Secretary	1	As above	As above	As above
	Treasurer	1	As above	As above	As above
	Committee Members	11	Direct voting system (Rule31(2))	Scheduled	All financial members of the relevant Branch

- Important dates:**

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	To be determined by the Returning Officer	Nominations to open within 14 days after Branch Committee members are elected (Rule 19(3)(a) and Rule 35)
Nominations CLOSE	To be determined by the Returning Officer	To be determined by the Returning Officer; there is no reference to time (Rule19(3)(a) and Rule 35)
Roll of Voters cut off date	7 days prior to nominations opening (rule 19(3)(f).)	7 days prior to nominations opening (Rule 19(3)(f) and Rule 35)

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](#).

Annexure C

- Elections that are required:**

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
SA	President	1	Collegiate electoral system (Rule 35)	Scheduled	Elected Branch Committee Members
	Vice President	1	As above	As above	As above
	Secretary	1	As above	As above	As above
	Treasurer	1	As above	As above	As above
	Committee Members	11	Direct voting system (Rule 31(2))	Scheduled	All financial members of the relevant Branch

- Important dates:**

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	To be determined by the Returning Officer	Nominations to open within 14 days after Branch Committee members are elected (Rule 19(3)(a) and Rule 35)
Nominations CLOSE	To be determined by the Returning Officer	To be determined by the Returning Officer; there is no reference to time (Rule 19(3)(a) and Rule 35)
Roll of Voters cut off date	7 days prior to nominations opening (rule 19(3)(f).)	7 days prior to nominations opening (Rule 19(3)(f) and Rule 35)

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](#).

Annexure D

- Elections that are required:**

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
VIC/TAS	President	1	Collegiate electoral system (Rule 35)	Scheduled	Elected Branch Committee Members
	Vice President	1	As above	As above	As above
	Secretary	1	As above	As above	As above
	Treasurer	1	As above	As above	As above
	Committee Members	11	Direct voting system (Rule 31(2))	Scheduled	All financial members of the relevant Branch

- Important dates:**

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	To be determined by the Returning Officer	Nominations to open within 14 days after Branch Committee members are elected (Rule 19(3)(a) and Rule 35)
Nominations CLOSE	To be determined by the Returning Officer	To be determined by the Returning Officer; there is no reference to time (Rule 19(3)(a) and Rule 35)
Roll of Voters cut off date	7 days prior to nominations opening (rule 19(3)(f).)	7 days prior to nominations opening (Rule 19(3)(f) and Rule 35)

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](#).

Annexure E

- Elections that are required:**

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
WA	President	1	Collegiate electoral system (Rule 35)	Scheduled	Elected Branch Committee Members
	Vice President	1	As above	As above	As above
	Secretary	1	As above	As above	As above
	Treasurer	1	As above	As above	As above
	Committee Members	11	Direct voting system (Rule 31(2))	Scheduled	All financial members of the relevant Branch

- Important dates:**

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	To be determined by the Returning Officer	Nominations to open within 14 days after Branch Committee members are elected (Rule 19(3)(a) and Rule 35)
Nominations CLOSE	To be determined by the Returning Officer	To be determined by the Returning Officer; there is no reference to time (Rule 19(3)(a) and Rule 35)
Roll of Voters cut off date	7 days prior to nominations opening (rule 19(3)(f).)	7 days prior to nominations opening (Rule 19(3)(f) and Rule 35)

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](#).

Annexure F

- Elections that are required:**

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
National	National President	1	Collegiate electoral system	Scheduled	Electorate Representatives of the National Executive Committee (Rule 19(3))
	National Vice President	1	As above	As above	As above
	National Secretary	1	As above	As above	As above
	National Treasurer	1	As above	As above	As above

- Important dates:**

	Direct Voting System	Collegiate Electoral System
Nominations OPEN		To be determined by the Returning Officer; within 14 days after the Branch Committee of Management officeholders are elected (Rule19(3)(a))
Nominations CLOSE		To be determined by the Returning Officer (Rule 19(3)(a))
Roll of Voters cut off date		7 days prior to nominations opening (rule 19(3)(f).)

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](#).