

**Fair Work (Registered Organisations) Act 2009**

**POST ELECTION REPORT**

**Client:** WA Branch – Association of Consulting Architects Australia

**Contact details:** Richard Young

**Email:** [richard.young@jcy.net](mailto:richard.young@jcy.net)

**Tel:** 08 9481 1477

**FWA contact officer:** Rebecca Lee

**Email:** [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)

**Tel:** Not provided

**ELECTION/S COVERED IN THIS REPORT**

Election Decision No/s: E2014/137

**RULES**

Rules used for the election: 131n – corrected 16 September 2014

Model Rule reference (if any): N/A

**ROLL OF VOTERS**

Total number of voters on the Roll: 83

Number of apparent workplace addresses: 34

Number of non-current addresses: 0

Other matters pertaining to the roll of voters: Nil

**IRREGULARITIES**

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

Other irregularities identified, and action taken: Rule change post-2012 election involved increasing the number of Branch Committee Member positions to ten (10). The organisation intended that it be only up to ten (10) positions and that they need the flexibility to only fill six (6) of the ten (10). With a total membership of 34 companies containing 83 individuals, at times any more than six could be an onerous burden even to attempt to fill. A recall was required following Part One and no further nominations were received.

Recommend that a rule change occur to include it being only necessary to fill up to six positions as a minimum but to a possible maximum of ten.

## **ATTACHMENTS – Part One, Part One Recall and Part Two Declarations**

### **Declaration of Results for Uncontested Offices – Part One**

**E2014/E2014-137**

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.

#### **WA Branch**

**Branch Committee Member (10)**

##### Candidates

HODGE, Peter Alexander Nicholas  
HOWLETT, Greg  
JONES, Malcolm  
MACCORMAC, Nic  
MARSH, Janine  
ROBINSON, Leigh  
WONG, Kieran James  
WOOD, Dean  
YOUNG, Richard William  
No further nomination was accepted

The following positions will be dealt with in the Part Two Election:

**Branch President**

**Branch Vice President**

**Branch Secretary**

**Branch Treasurer**

As the number of nominations accepted for Branch Committee Member did not exceed the number of positions to be filled, I declare the above candidates elected. Owing to insufficient nominations, a re-call election will need to be held.

## **Recall**

### **Declaration of Results for Uncontested Offices**

**E2014/E2014-137**

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.

#### **WA Branch**

**Branch Committee Member**

##### Candidates

No nomination was received

As the number of nominations accepted did not exceed the number of positions to be filled, and there being no further nominations, a vacancy remains for Branch Committee Member.

## **Branch Office Holders Declaration of Results for Uncontested Offices**

**E2014/E2014-137**

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.

### **WA Branch**

#### **Branch President**

Candidates

YOUNG, Richard

#### **Branch Vice President**

Candidates

HOWLETT, Greg

#### **Branch Secretary**

Candidates

WONG, Kieran

#### **Branch Treasurer**

Candidates

MARSH, Janine

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



Carl Binning  
Returning Officer  
5 December 2014



## DECISION

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

### **Association of Consulting Architects - Australia, Western Australia Branch** (E2014/137)

MR ENRIGHT

MELBOURNE, 30 JUNE 2014

*Arrangement for conduct of election.*

[1] On 12 May 2014 and 17 June 2014 the Association of Consulting Architects - Australia, Western Australia Branch lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Branch Committee Members (10)

Branch President  
Branch Vice-President  
Branch Secretary  
Branch Treasurer

[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 GENERAL MANAGER

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**From:** [Richard Young](#)  
**To:** [LEE, Rebecca](#)  
**Subject:** RE: Association of Consulting Architects - WA Branch Elections  
**Date:** Tuesday, 24 June 2014 12:58:23 PM  
**Attachments:** [ATT00001.jpg](#)  
[ATT00002.jpg](#)

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Dear Rebecca

The Prescribed Information submitted recently is possibly a bit ambiguous as to whether the maximum total number of committee members is 6 or 10 but the latter is certainly our intention.

The current committee comprises 6 members in total but we would like to encourage more of our members to nominate to join the committee in the forthcoming elections for the next term. The intention of this change is that the committee can potentially have up to 10 members comprising:

President  
Vice President  
Secretary  
Treasury  
+ maximum of 6 general committee members

The current branch committee has unanimously supported this resolution.

Kind regards

**RICHARD YOUNG**  
President – ACA, WA Branch



**Association of Consulting Architects**  
**Western Australia**  
PO Box 365 West Perth Western Australia 6872  
T +61 8 9481 1477 E [richard.young@jcy.net](mailto:richard.young@jcy.net)

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**From:** LEE, Rebecca [mailto:[Rebecca.LEE@fwc.gov.au](mailto:Rebecca.LEE@fwc.gov.au)]  
**Sent:** Monday, 23 June 2014 1:19 PM  
**To:** Richard Young  
**Subject:** RE: Association of Consulting Architects - WA Branch Elections

Dear Richard,

Thank you for submitting the amended Prescribed Information. I note that the document specifies a maximum of six Branch Committee members, whereas in previous elections the Prescribed Information has allowed for seven. Can you please confirm that this change has been made in accordance with a resolution of the Committee of Management?

If you have any queries please don't hesitate to contact me.

Kind regards,

**REBECCA LEE**  
Regulatory Compliance Branch

**Fair Work Commission**  
Tel: 03 8661 7942  
Fax: 03 9655 0410  
[rebecca.lee@fwc.gov.au](mailto:rebecca.lee@fwc.gov.au)

11 Exhibition Street, Melbourne Victoria 3000  
GPO Box 1994, Melbourne Victoria 3001

[www.fwc.gov.au](http://www.fwc.gov.au)

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**From:** Richard Young [mailto:[richard.young@jcy.net](mailto:richard.young@jcy.net)]  
**Sent:** Tuesday, 17 June 2014 1:21 PM  
**To:** LEE, Rebecca  
**Cc:** [nat@aca.org.au](mailto:nat@aca.org.au)  
**Subject:** Association of Consulting Architects - WA Branch Elections

Dear Rebecca

Please find attached the Prescribed Information In Respect Of Election Section 189(1) Of The Fair Work Act 2009 form duly completed and signed for the WA branch of the ACA.

Regards

**RICHARD YOUNG**  
President – ACA, WA Branch



**Association of Consulting Architects**  
**Western Australia**  
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**PRESCRIBED INFORMATION IN RESPECT OF ELECTION  
SECTION 189(1) OF THE FAIR WORK ACT 2009**

I am an officer of the Association of Consulting Architects – Western Australian branch and am authorized to sign this statement with is lodged in accordance with subsection 189(1) of the Fair Work Act 2009:

**1.     *The offices in respect of which the elections are required are:***

Branch President  
Branch Vice President  
Branch Secretary  
Branch Treasurer

Branch Committee Members – maximum of 6

**2.     *The reason for which the elections are required are:***

Term of office due to expire.

**3.     *The electorate for the election is:***

Direct Voting System all members.  
Collegiate Election Branch Committee Members.

**4.     *The dates and times that nominations open and close are:***

This will be in consultation with the Australian Electoral Commission.

**5.     *The voting systems to be used in the conduct of the election are:***

Direct Voting System and Collegiate Election for President, Vice President, Secretary and Treasurer.

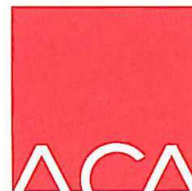
**6.     In accordance with the ACA Constitution Rules 19(3)(f) and 31(2) the roll of voters is to be closed 7 days before the day on which nominations for election open.**



Signature

Richard Young  
President

Association of Consulting Architects – WA Branch  
17 June 2014



RY/br  
12 May 2014

J:\administration\Office Manager\ACA\13\_14\Election\Election Notice letter 12 May 2014.doc

Association of Consulting Architects  
Western Australia Branch

PO Box 365 West Perth  
Western Australia 6872

Fairwork Australia  
orgs@fwc.gov.au

Dear Sir / Madam

**RE: ELECTION NOTICE**

Please find attached a signed Notice in respect of Election Section 189(1) of the Fair Work Act 2009 for filing with you.

I await your further instructions in respect to any further actions that we may need to take to facilitate the election of the committee of the WA branch of the ACA.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Richard Young', with a large, stylized flourish at the end.

**RICHARD YOUNG FRAIA**  
**President – ACA, WA Branch**

Encl. Prescribed Information in respect of Election Section 189(1), Fair Work Act 2009



**PRESCRIBED INFORMATION IN RESPECT OF ELECTION  
SECTION 182(1) OF THE FAIR WORK (REGISTERED ORGANISATIONS)  
ACT 2009**

I am an officer of the Association of Consulting Architects – **Western Australian Branch** and I am authorized to sign this statement which is lodged in accordance with section 182(1) of the Fair Work (Registered Organisations) Act 2009.

**1. The offices in respect of which the elections are required are:**

Branch President  
Branch Vice President  
Branch Secretary  
Branch Treasurer

Branch Committee Members **Maximum 6**

**2. The reason for which the elections are required are:**

Term of office due to expire.

**3. The electorate for the election is:**

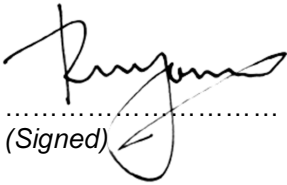
Direct Voting System all members.  
Collegiate Election Branch Committee Members.

**4. The dates and times that nominations open and close are:**

This will be in consultation with the Australian Electoral Commission.

**5. The voting systems to be used in the conduct of the election are:**

Direct Voting System and the Collegiate Election for President, Vice President, Secretary and Treasurer.



(Signed)

**Richard Young**

President  
Association of Consulting Architects – *Western Australian Branch*

**12 May 2014**