



1 February 2017

Ms Robyn Porter
National Secretary
Association of Professional Engineers, Scientists and Managers, Australia,
The
legal@professionalsaustralia.org.au

Dear Ms Porter

Organisation must respond to the post-election report of the Australian Electoral Commission: E2016/197

On 25 January 2017 the Fair Work Commission (the Commission) received a Post Election Report from the Australian Electoral Commission (AEC) for election E2016/197 dated 25 January 2017. The AEC will have also provided the report to the organisation under section 197 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The report identifies rules that were difficult to interpret or apply, in particular rule(s) 14.2.4 and 18.5. This letter serves as a reminder of the obligations imposed on the organisation or branch as a consequence of the AEC's report. If a response has already been sent to the AEC and made available to all members please disregard this letter.

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 regs 141(4) and (5)).

A written response must be provided to the AEC

A written response must be provided to the AEC within 30 days of receipt of the report. The organisation's response must include whether the organisation or branch intends to take action and if so what action the organisation or branch intends to take (s198(2)).

Extract of report must be made available to members

The organisation or branch must make the section of the report relating to the difficult rules available to its members (s198(3)). This extract from the report must be made available to the members before or at the same time as the organisation's response is made available to members.

Written response must be made available to members

A copy of the organisation's response to the AEC must be made available to members either:

- within 30 days after the response is given to the AEC, or
- published in the next edition of the organisation or branch journal (s198(5))

Subsection 198(6) and regulation 142 prescribe ways in which the relevant extract and the copy of the response can be made available to members. These do not limit the ways in which they can be made available to members. The organisation will comply if it does all of the following:-

- publish the report extract and the copy of the response in the next edition of the organisation or branch's journal; and

- within 30 days of giving the response to the AEC:
 - lodges with the Commission a copy of the relevant extract and response, together with a declaration that a copy will be provided to any member who so requests; and
 - give notice in the next edition of the organisation or branch's journal, or an appropriate newspaper, that a copy of the relevant extract and response are available on request to each member free of charge; and
- publish the relevant extract on the website within 14 days after receiving the report, and publish the response on the website within 14 days of giving the response to the AEC (reg 142(2)).

Penalties may apply

If the organisation or branch does not:

- respond to the AEC within 30 days,
- make the extract of the report relating to the rules available to members no later than the organisation's response is made available to members, or
- make the organisation's response available to members within 30 days or in the next edition of the journal,

the organisation may face penalties under the RO Act. Each requirement listed above is a civil penalty provision that may result in fines for the organisation

As noted above, if the response and report have already been made available to members and the AEC, please disregard this letter. If you have any questions in relation to these obligations please contact the Commission for assistance by email to orgs@fwc.gov.au.

If the organisation or branch decides to alter its rules in response to the AEC's report

If the organisation or branch decides to alter its rules in response to the AEC's report, the Regulatory Compliance Branch of the Commission is able to provide advice and assistance regarding draft alterations, as well as about the processes required to make the alterations. We encourage the organisation or branch to forward drafts of proposed alterations to orgs@fwc.gov.au

Yours sincerely

Debbie Ball

Regulatory Compliance Branch



1 February 2017

Ms Robyn Porter
National Secretary
Association of Professional Engineers, Scientists and Managers, Australia, The
legal@professionalsaustralia.org.au

Dear Ms Porter,

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 of uncontested/contested offices/positions for [E2016/197]. 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. A list of approved training providers is attached.

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 Association of Professional Engineers, Scientists and Managers, Australia, The 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

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Melbourne VIC 3000
GPO Box 1994
Melbourne VIC 3001

Telephone:
Email : orgs@fwc.gov.au
Internet : www.fwc.gov.au

- 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

Debbie Ball
Regulatory Compliance Branch

List of approved governance training packages

Approved training material	Provider	Contact person	Contact details
AHAWA Governance and Financial Training	Australian Hotels Association (WA Branch)	Mr Bradley Woods	(08) 9321 7701 ceo@ahawa.asn.au
APTIA Governance and Financial Training Package	Australian Public Transport Industrial Association	Mr Ian MacDonald	(02) 6247 5900 imacdonald@bic.asn.au
Handbook for Councillors of the Australian Industry Group	Australian Industry Group (for provision to Ai Group Councillors only. Not for external parties)	Ms Jenifer Leuba	(03) 9867 0174 jenifer.leuba@aigroup.asn.au
The Australian Workers' Union Professional Training Program Financial Duties of Officers	Australian Workers' Union	General enquiries	(02) 8005 3333 members@nat.awu.net.au
In-Boardroom: Governance and Finance for Registered Organisations	Australian Institute of Company Directors	Various	AICD state-based contacts
ACTU s.154C Training— Union Governance	Australian Council of Trade Unions (ACTU)	Organising Centre Enquiries	(03) 9664 7360 orgcentre@actu.org.au
Governance of Registered Organisations	Weston Woodley & Robertson Chartered Accountants	Mr Dennis Robertson	(02) 9264 9144 dennisr@wwr.com.au
Governance and Financial Accountability for Registered Organisations	Local Government New South Wales	Ms Sarah Artist	(02) 9242 4182 learning@lgnsw.org.au
Australian Hotels Association Financial Management Training	Australian Hotels Association (for provision to AHA officers only. Not for external parties)	Mr Stephen Ferguson	(02) 6273 4007 ceo@aha.org.au
Governance and Finance Training for Registered Organisations	Dickson Wohlsen Pty Ltd, trading as CTA Training	Mr Tom Streater	(07) 3878 9355 tom@dws.net.au
The Registered Organisation Training Act for Organisations and Boards	Vibe Public Relations Consultancy	Ms Anne Andrews	0400 021 679 vibeprctraining@bigpond.com
Training Course for Registered Organisations - Governance and Finance	Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries and Racecourse, Public Authorities, Water Boards Union	Mr Andrew Johnson	andrew.johnson@lgrceu.org
MTAQ Registered Organisation Governance Course	Motor Trades Association of Queensland Industrial Organisation of Employers	Mr Paul Murray	paulm@mtaq.com.au

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]*
 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 orgs@fwc.gov.au.]

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)

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
National	1.1.2014	Secretary	Full Name	Full Name	c/- the Registered Organisation, postal address of Registered Organisation	Paid official
	25.12.2013	President	vacant	Full Name	As above	mechanic
...						
NSW	1.1.2014 (resigned) 7.1.2014 (appointed)	President	Full Name	Full Name	c/- the Branch, postal address of the Branch	mechanic
		Committee of Management Member	Full Name	Full Name	As above	mechanic
		Treasurer	Full Name	vacant	vacant	vacant
...						

POST ELECTION REPORT
Association of Professional Engineers, Scientists and Managers,
Australia

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: *E2016/197*

RULES

Rules used for the election: [215V: Incorporates alterations certified of 16 July 2015
[2015/144]

Rules difficult to apply/interpret: Rule14.2.4 requires that nominations be sent to the registered Union of the relevant Division/Sub-Division and does not specify that emailed or facsimile is acceptable, This rule need to be changed to allow full discretion for the Returning Officer over the mode and method of the lodgement of Nominations that the Returning Officer deems fit, to allow your members the maximum options for lodging nominations. Similarly Rule 18.5 needs to be reviewed to allow for modes other than mail or hand delivery.

It is also suggested that all rules relating to elections be contained in one section instead of piecemeal across numerous sections and Supplementary rules, which often conflict. Members have difficulty following the rules in relation to lodging correct nominations and each year often lodge defective nominations by having nominators who are ineligible to nominate them under the rules. A simplified system would alleviate this issue. I suggest a simple table of the positions with the details of the nominators' criteria in said table or reduce the restrictive nature of who can act as a nominator. Appendix K Professional Engineers Supplementary Rule 12.8 is an example of this.

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: N/A

Number of apparent workplace addresses: Nil

Number of non-current addresses: Nil

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: Nil

ATTACHMENTS

Declaration of Results

A handwritten signature in black ink that reads "Jeff Webb". The signature is written in a cursive style with a large initial 'J' and 'W'.

Jeff Webb
Returning Officer

25 January 2017

**Association of Professional Engineers, Scientists and
Managers, Australia
National Board of Management - Stage 3**

Declaration of Results for Uncontested Offices

E2016/197

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.

National Board of Management

President

Candidates

RUSSACK, Andrew

Senior Vice-President

Candidates

FUCHS, Maria

Vice-President (3)

Candidates

CHEN, Wen
HACKNEY, Col
LONG, Stephen

Secretary

Candidates

PORTER, Robyn

Treasurer

Candidates

REINHOLD, Olaf

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



Jeff Webb
Returning Officer
13 January 2017

**Association of Professional Engineers, Scientists and
Managers, Australia
Collieries Executive Officers Stage 2 – E2016/197**

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.

Collieries Staff Division

President

Candidates

MEEHAN, Paul

Vice-President

Candidates

STOCKHAM, Dean

Secretary/Treasurer

Candidates

JACOBSON, Clay

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



Jeff Webb
Returning Officer

7 November 2016

**Association of Professional Engineers, Scientists and Managers,
Australia
Recalled Vacancies from Stage 1 – E2016/197**

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.

Architects Division

Committee Member (3)

Candidates

No nominations were received

Committee Member reserved for a student member

Candidates

No nomination was received

Collieries Staff Division

Division Committee Member - Lower Hunter (NSW)

Candidates

No nomination was received



Jeff Webb
Returning Officer
7 November 2016

**Association of Professional Engineers,
Scientists and Managers, Australia
Architects Division**

Declaration of Results for Uncontested Offices

E2016/197 – Stage 1

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.

Architects Division

President

Candidates

SERGI, Rocco Anthony

Vice-President

Candidates

TUCKETT, Julian

Secretary

Candidates

CHOW, Patricia

Treasurer

Candidates

LIEN, Vincent

Committee Member reserved for a student member

Candidates

No nomination was received

Committee Member (5)

Candidates

LAVERS, Warwick MacRobert

MCLOUGHLIN, Gerry

No further nominations were accepted

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



Jeff Webb
Returning Officer

12 October 2016

Association of Professional Engineers, Scientists and Managers, Australia Collieries Staff Division

Declaration of Results for Uncontested Offices

E2016-197 Stage 1

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.

Collieries Staff Division

Division Committee Member - Upper Hunter (NSW)

Candidates

SMITH, Justin

Division Committee Member - Lower Hunter (NSW)

Candidates

No nomination was received

Division Committee Member - Central (NSW)

Candidates

PARKER, Ian

Division Committee Member - Western (NSW)

Candidates

PERRY, Wayne

Division Committee Member - Southern (NSW)

Candidates

MEEHAN, Paul

Division Committee Member - Northern (QLD)

Candidates

BLACKWOOD, Scott

Division Committee Member - Southern (QLD)

Candidates

JACOBSON, Clay

Division Committee Member - Eastern (QLD)

Candidates

PETTY, John

Division Committee Member - Western (QLD)

Candidates

STOCKHAM, Dean

Division Committee Member - Central (QLD)

Candidates

MURRAY, Justin Mark

Division Committee Member - Western Australia

Candidates

NORTH, Maxwell

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



Jeff Webb
Returning Officer

12 October 2016



23 January 2017

Ms Robyn Porter
National Secretary
Association of Professional Engineers, Scientists and Managers, Australia, The
legal@professionalsaustralia.org.au

Dear Ms Porter,

Reminder of actions required when persons elected to office

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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;

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GPO Box 1994
Melbourne VIC 3001

Telephone:
Email : orgs@fwc.gov.au
Internet : www.fwc.gov.au

- 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

Debbie Ball
Regulatory Compliance Branch

List of approved governance training packages

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Handbook for Councillors of the Australian Industry Group	Australian Industry Group (for provision to Ai Group Councillors only. Not for external parties)	Ms Jenifer Leuba	(03) 9867 0174 jenifer.leuba@aigroup.asn.au
The Australian Workers' Union Professional Training Program Financial Duties of Officers	Australian Workers' Union	General enquiries	(02) 8005 3333 members@nat.awu.net.au
In-Boardroom: Governance and Finance for Registered Organisations	Australian Institute of Company Directors	Various	AICD state-based contacts
ACTU s.154C Training— Union Governance	Australian Council of Trade Unions (ACTU)	Organising Centre Enquiries	(03) 9664 7360 orgcentre@actu.org.au
Governance of Registered Organisations	Weston Woodley & Robertson Chartered Accountants	Mr Dennis Robertson	(02) 9264 9144 dennisr@wwr.com.au
Governance and Financial Accountability for Registered Organisations	Local Government New South Wales	Ms Sarah Artist	(02) 9242 4182 learning@lgnsw.org.au
Australian Hotels Association Financial Management Training	Australian Hotels Association (for provision to AHA officers only. Not for external parties)	Mr Stephen Ferguson	(02) 6273 4007 ceo@aha.org.au
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The Registered Organisation Training Act for Organisations and Boards	Vibe Public Relations Consultancy	Ms Anne Andrews	0400 021 679 vibeprctraining@bigpond.com
Training Course for Registered Organisations - Governance and Finance	Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries and Racecourse, Public Authorities, Water Boards Union	Mr Andrew Johnson	andrew.johnson@lgrceu.org
MTAQ Registered Organisation Governance Course	Motor Trades Association of Queensland Industrial Organisation of Employers	Mr Paul Murray	paulm@mtaq.com.au

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]*
 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 orgs@fwc.gov.au.]

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)

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
National	1.1.2014	Secretary	Full Name	Full Name	c/- the Registered Organisation, postal address of Registered Organisation	Paid official
	25.12.2013	President	vacant	Full Name	As above	mechanic
...						
NSW	1.1.2014 (resigned) 7.1.2014 (appointed)	President	Full Name	Full Name	c/- the Branch, postal address of the Branch	mechanic
		Committee of Management Member	Full Name	Full Name	As above	mechanic
		Treasurer	Full Name	vacant	vacant	vacant
...						

**Association of Professional Engineers, Scientists and Managers,
Australia**
Recalled Vacancies from Stage 1 – E2016/197

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.

Architects Division

Committee Member (3)

Candidates

No nominations were received

Committee Member reserved for a student member

Candidates

No nomination was received

Collieries Staff Division

Division Committee Member - Lower Hunter (NSW)

Candidates

No nomination was received



Jeff Webb
Returning Officer
7 November 2016

**Association of Professional Engineers, Scientists and
Managers, Australia
Collieries Executive Officers Stage 2 – E2016/197**

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.

Collieries Staff Division

President

Candidates

MEEHAN, Paul

Vice-President

Candidates

STOCKHAM, Dean

Secretary/Treasurer

Candidates

JACOBSON, Clay

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



Jeff Webb
Returning Officer
7 November 2016



CORRECTION TO DECISION

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

**The Association of Professional Engineers, Scientists and Managers,
Australia**

(E2016/197)

MR STEENSON

SYDNEY, 22 AUGUST 2016

Arrangement for conduct of election.

[1] On 17 August 2016, as Delegate of the General Manager on 17 August 2016, I issued the decision [2016] FWCD 5753, PR584290.

[2] That decision contained a typographical error and is corrected as follows:

By deleting the words “Committee Members (1) one position of which is reserved for a student member” and inserting in lieu “Committee Members (6), one position of which is reserved for a student member”.



DELEGATE OF THE GENERAL MANAGER

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DECISION

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

**The Association of Professional Engineers, Scientists and Managers,
Australia**
(E2016/197)

MR STEENSON

SYDNEY, 17 AUGUST 2016

Arrangement for conduct of election.

[1] On 28 July 2016, The Association of Professional Engineers, Scientists and Managers, Australia lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Division Committee Members

Architects Division

President (1)

Vice-President (1)

Secretary (1)

Treasurer (1)

Committee Members (1) one position of which is reserved for a student member

Collieries Staff Division

1 member from Upper Hunter (NSW)

1 member from Lower Hunter (NSW)

1 member from Central (NSW)

1 member from Western (NSW)

1 member from Southern (NSW)

1 member from Northern (QLD)

1 member from Southern (QLD)

1 member from Eastern (QLD)

1 member from Western (QLD)

1 member from Central (QLD)

1 member from Western Australia

Division Executive

Collieries Staff Division Executive Officers

1 Division President
1 Division Vice President
1 Division Secretary/Treasurer

National Board of Management

National President
National Senior Vice-President
National Vice President (3)
National Secretary
National 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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<Price code A, PR584290>



*The Association of Professional
Engineers, Scientists &
Managers, Australia*

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South Melbourne, Vic 3205
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www.apesma.com.au

16 August 2016

Ms Bernadette O'Neill
General Manager
Fair Work Commission
GPO Box 1994
MELBOURNE VIC 3001

Via email: orgs@fwc.gov.au

Dear Ms O'Neill

CONDUCT OF ELECTIONS FOR APESMA DIVISION COMMITTEE MEMBERS, DIVISION EXECUTIVE OFFICERS, AND NATIONAL BOARD MEMBERS

In accordance with S189(1) of the Fair Work (Registered Organisations) Act 2009 concerning prescribed information, I request that you conduct the forthcoming elections to fill the positions of Division Committee Members, Division Executive Officers, Sub-Division Committee Members, Sub-Division Executive Officers, and National Board of the Association of Professional Engineers, Scientists and Managers, Australia.

Electorates for the 2016 Elections

The electorates for the 2016 Elections are those set out in Federal Rule 6.1.

Federal Rule 6.1

Architects Division
Collieries Staff Division

Division Elections (Division Rule 14A)

In accordance with Division Rule 14A the Division elections shall be conducted between 1st August 2016 and the end of February 2017 and shall take place in three (3) stages:

The three (3) stages in the election cycle shall be as follows:

Stage 1 – Election of Division Committees of Management;

Stage 2 – Election of Divisional Executive Officers

Stage 3 – Election of Professional Division Executive Officers.

The Returning Officer will determine and notify the relevant dates for the conduct of the elections including but not limited to the opening and closing of nominations, the closing of the roll of voters and other relevant dates in connection with the conduct of any secret ballots in accordance with this Rule. The voting system to be used is the direct voting system.

Divisional Committee Members (Division Rule 14)

In accordance with Division Rule 14 and the Supplementary Division Rules of the Association, the following Divisional Committee member positions are to be filled by election:

Architects Division	10
Collieries Staff Division	11

The specific offices and electorates for each of these Divisional Committees are set out in points (a) and (b) below.

(a) Architects Division Committee

As set out in Rule of 5 of Appendix “F” of the Supplementary Rules of the Architects Division the ten (10) members of the Division Committee are elected from and by the financial members from their Division as follows:

- President (1)
- Vice-President (1)
- Secretary (1)
- Treasurer (1)
- Committee members (6) one position of which is reserved for a student member

(b) Collieries Staff Division Committee

As set out in Rule of 10.1 Supplementary Rule 10.1 of Appendix “H” of the Supplementary Rules of the Collieries Staff Division the eleven (11) members of the Division Committee are elected from and by the financial members from their respective districts as follows:

- 1 member from Upper Hunter (NSW)
- 1 member from Lower Hunter (NSW)

- 1 member from Central (NSW)
- 1 member from Western (NSW)
- 1 member from Southern (NSW)
- 1 member from Northern (QLD)
- 1 member from Southern (QLD)
- 1 member from Eastern (QLD)
- 1 member from Western (QLD)
- 1 member from Central (QLD)
- 1 member from Western Australia

Division Executive Officers (Division Rule 14.2)

The Collieries Staff Division Executive Officers (see Rule 6 of Appendix “H” – Supplementary Rules – Collieries Staff Division):

- 1 Division President
- 1 Division Vice President
- 1 Division Secretary/Treasurer

The voting system to be used for these Division Executive Officers is the collegiate electoral system and multiple preferential voting system (see Division Rule 14.2.7 and Appendix 3 to the Rules). The electorates for the positions of Division Executive Officers consist of the Division Committee members holding office in accordance with the Rules of the Association for the ensuing 1 year or 2 year terms in each respective Division (see Division Rule 14.2.5.3).

Nominations for the positions of these Division Executive Officers are to be called for after the election of the members of the Division Committee but not later than the 15th day of December 2016 (see Division Rule 14.2.1). Nominations close not later than 31st December (see Division Rule 14.2.4)

National Board of Management

The following National Board of Management positions exist as outlined in Federal Rule 18 of the Association's Constitution and Rules:

- National President
- National Senior Vice-President
- National Vice President (3 positions)
- National Secretary
- National Treasurer

In the case where at least one woman member nominates for a position on the Board, and no woman is elected to the Board, an additional Vice President position will be created and filled in accordance with Rules 18.3.1.1, 18.3.1.2 and 18.3.1.3.

The electorate for the positions on the National Board consists of members of the National Assembly holding office in accordance with the Constitution and Rules of the Association for the ensuing year (see Federal Rule 18.3).

Nominations for the National Board positions are to be called following the election of National Assembly members at a date to be determined by the Returning Officer from members of the National Assembly holding office for the ensuing year (see Federal Rule 18.3), and are to be returned to the address specified by the Returning Officer no later than 15th January and shall meet the requirements as specified in Federal Rule 18 of the Association's Constitution and Rules. Members of the National Assembly may nominate for more than one position (but can only be elected to one position). The order of filling such positions shall be National President, National Senior Vice President, National Secretary, National Treasurer, and National Vice President. The multiple preferential system of voting (Appendix C of the Rules) shall be used for the election of the National Board (see Federal Rule 18.7).

Should a ballot be required for the positions on the National Board, ballot papers, together with information as provided for under Federal Rule 18.4, are to be sent to each member of the National Assembly by a date determined by the Returning Officer. Ballot papers should be returned to the Returning Officer not later than the fourteenth day of February next ensuing.

Yours sincerely,



Robyn Porter
NATIONAL SECRETARY