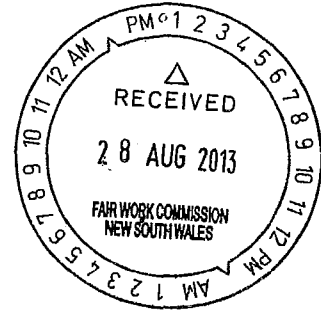




Reference: N13/210

Grant Courtney  
Secretary  
The Australasian Meat Industry Employees Union  
Newcastle and Northern Branch  
PO Box 2263  
DANGAR NSW 2309



Dear Mr Courtney

By Email: [grant.courtney@amieu-newcastle.asn.au](mailto:grant.courtney@amieu-newcastle.asn.au)

**The Australasian Meat Industry Employees Union  
Newcastle & Northern Branch Scheduled Election  
E2013/196**

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.

Section 198 of the Act requires that if an organisation or branch is given a Post-Election Report under Section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take. If the attached report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to 'industrial.elections@aec.gov.au' within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the Post-Election Report and the organisation's response to the report (if applicable) available to members. Further, Regulation 141(4) of the *Fair Work (Registered Organisations) Regulations 2009* requires an organisation or branch to publish a notice on its website advising members that a copy of the Post-Election Report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.

Yours sincerely

Kathryn Montgomery  
Returning Officer  
28 August 2013

Level 10  
59 Goulburn St  
Haymarket NSW 2000

PO Box 496  
HAYMARKET NSW 1239

Contact: Kathryn Montgomery  
Phone: 02 9375 6375  
Facsimile: 02 9375 6336  
E-mail: [kathryn.montgomery@aec.gov.au](mailto:kathryn.montgomery@aec.gov.au)

[www.aec.gov.au](http://www.aec.gov.au)  
ABN 21 133 285 851

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

**POST ELECTION REPORT**

**Client:** The Australasian Meat Industry Employees Union – Newcastle and Northern Branch

**Contact details:** Grant Courtney  
Branch Secretary  
PO Box 2263  
DANGAR NSW 2309

**Email:** Grant.courtney@amieu-newcastle.asn.au  
**Tel:** 02 4929 5496

**AIR contact officer:** David Vale  
David.vale@fwc.gov.au

**Email:** Industrial.elections@fwc.gov.au  
**Tel:** 02 8374 6509

**ELECTIONS COVERED IN THIS REPORT**

**Election Decision No/s:** E2013/196

**RULES**

Rules used for elections Rule ID: [007V: Incorporates alterations of 18/12/2012] certified in R2012/166]

Rules difficult to apply/interpret: None

Model Rule reference (if any): None

**ROLL OF VOTERS**

As the election was uncontested no Roll of Voters required.

**ALLEGATIONS OF IRREGULARITIES RECEIVED:**

Details of written allegations of irregularities, and action taken by AEC NIL

Other irregularities identified, and action taken NIL

**ATTACHMENTS**

1. Declaration of Results for Uncontested Offices



Kathryn Montgomery  
Returning Officer  
28 August 2013

**The Australasian Meat Industry Employees Union  
Newcastle & Northern Branch  
Scheduled Election E2013/196**

**Declaration of Results for Uncontested Offices**

**E2013/196**

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.

**The Australasian Meat Industry Employees' Union - Newcastle and Northern Branch**

**President**

Candidates

COOKE, Mark

**Vice President**

Candidates

GRAHAM, Julie

**Secretary**

Candidates

COURTNEY, Grant

**Assistant Secretary**

Candidates

SMITH, Justin

**Treasurer**

Candidates

WATT, Stuart

**Federal Council Delegates (2)**

Candidates

COOKE, Mark  
SMITH, Justin

**Organisers (2)**  
Candidates

PHILP, Scott  
ROE, Jason

**Committee of Management Members (7)**  
Candidates

DAWSON, John  
GIBSON, Leonie  
MCDONALD, Gordon  
MORDUE, Brian  
MOREHOUSE, Don  
VAN HAREN, Adrian  
SHELTON, Darryl

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



Kathryn Montgomery  
Returning Officer

26 August 2013



## DECISION

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

### **The Australasian Meat Industry Employees' Union** (E2013/196)

CHRIS ENRIGHT

MELBOURNE, 19 JUNE 2013

*Arrangement for conduct of election.*

[1] On 31 May 2013 the Newcastle and Northern Branch of The Australasian Meat Industry Employees' Union lodged with the Fair Work Commission prescribed information in relation to an election.

[2] On 7 June 2013 the Newcastle and Northern Branch of The Australasian Meat Industry Employees' Union lodged with the Fair Work Commission further prescribed information in relation to an election for the following offices:

Branch Delegate to Federal Council (2)

#### **Committee of Management**

President (1)

Vice President (1)

Secretary (1)

Assistant Secretary (1)

Treasurer (1)

Organiser (2)

Committee of Management Member (7)

[3] 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.



[2013] FWCD 3517

DELEGATE OF THE GENERAL MANAGER  
FAIR WORK COMMISSION

Printed by authority of the Commonwealth Government Printer  
<Price code A, PR537494>

## MAC, Kiet

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**From:** MAC, Kiet  
**Sent:** Wednesday, 19 June 2013 11:18 AM  
**To:** 'industrial.elections@aec.gov.au'  
**Subject:** E2013/196  
**Attachments:** E2013\_196 AMIEU NEWCASTLE\_SIGNED Decision\_19062013.doc; E2013\_196 AMIEU Newcastle and Northern Branch\_letter to AEC\_19062013.doc

Dear AEC

Please find attached a copy of the Decision for the Newcastle and Northern Branch of the AMIEU for its upcoming election (E2013/196).

Kiet Mac  
Regulatory Compliance Branch  
Fair Work Commission  
Tel: 02 8374 6511  
Fax: 02 9380 6990  
8/80 William Street, East Sydney, NSW 2011  
[www.fwc.gov.au](http://www.fwc.gov.au)

19 June 2013



FAIR WORK  
COMMISSION

Electoral Commissioner Through

Australian Electoral Officer (industrial.elections@aec.gov.au)

Under subsection 189 of the Fair Work (Registered Organisations) Act 2009, please arrange for the conduct of the following election by the Australian Electoral Commission:

**E No 2013/196**

**RE: THE AUSTRALASIAN MEAT INDUSTRY EMPLOYEES UNION**

Positions:

See Decision

Relevant Information: Branch election.

Contact: Grant Courtney, Branch Secretary, The Australasian Meat Industry Employees Union

Phone: (02) 4929 5496

A copy of the decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at [industrial.elections@fwa.gov.au](mailto:industrial.elections@fwa.gov.au)

Kiet Mac

Fair Work Commission



## VALE, David

---

**From:** VALE, David  
**Sent:** Friday, 7 June 2013 4:17 PM  
**To:** 'Industrial Elections'  
**Subject:** E2013/196

Dear AEC

Please find further prescribed information from the AMIEU in election number E2013/196.

Yours sincerely

**DAVID VALE**

Principal Adviser,  
Regulatory Compliance Branch, NSW

**Fair Work Commission**

Tel: 02 8374 6509  
Fax: 02 9380 6990  
[david.vale@fwc.gov.au](mailto:david.vale@fwc.gov.au)

**Please be aware that my email address has changed to [david.vale@fwc.gov.au](mailto:david.vale@fwc.gov.au) effective 1 January 2013. Please update your records accordingly.**

Level 8, Terrace Tower  
80 William Street  
East Sydney NSW 2011

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



Grant Courtney  
Secretary

THE AUSTRALASIAN MEAT INDUSTRY  
EMPLOYEES' UNION  
NEWCASTLE AND NORTHERN BRANCH

*"Protecting workers for over 100 years"*

Registered under the Workplace Relations Act 1996  
ABN: 65 730 047 738

OFFICE:  
UNION HOUSE  
34 UNION STREET  
NEWCASTLE WEST  
PO BOX 2263  
DANGAR NSW 2309

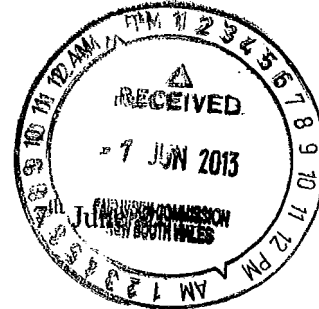
PHONE: (02) 4929 5496  
FAX: (02) 4929 5401

EMAIL: [amieu@amieu-newcastle.asn.au](mailto:amieu@amieu-newcastle.asn.au)

The General Manager  
Fair Work Australia  
80 William Street  
Sydney NSW 2000

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

Dear Sir,



The elections for the Australasian Meat Industry Employees' Union (Newcastle and Northern Branch) are due. In accordance with subsection 189 (1) of the Fair Work (Registered Organisations) Act 2009 ["the RO Act"] and prescribed information in respect of Section 138 of the RO Act, I provide the following:

(1) (a) The name of each office or position for which an election is required:

- One (1) President
- One (1) Vice President
- One (1) Secretary
- One (1) Assistant Secretary
- One (1) Treasurer
- Two (2) Organisers
- Seven (7) Committee of Management Members
- Two (2) Federal Council Delegates

Reasons for the election is that;

The term of the office or position referred to above has expired or is due to expire in the normal course of events under the rules of the organisation.

There are no offices or positions for which an election is to be held before the prescribed day.

The electorate for the direct voting system is the whole of the Newcastle and Northern Branch.

Rule 50.1 Branch Elections provides that the Branch Elections are to be held not later than the thirty first day of December, 1969 and shall be conducted on every fourth year. The previous election was held in 2009. It is my understanding the election can be held in 2013 so long as it is prior to the thirty first day of December, 2013.

Rule 50.7 provides that the Returning Officer shall compile a roll of members eligible to vote pursuant to Rule 10. Rule 10.1.1 contains the provision no later than 30 days before the date fixed for the opening of nominations.

Further the branch committee of management met on the 16<sup>th</sup> of may 2013 and moved the following resolution " **Moved Justin Smith seconded Stuart Watt**" that Pursuant to rule 47 the AMIEU Newcastle northern branch has determined 2 organisers positions will be up for election in the forthcoming 2013 elections , that this committee of management instruct the branch secretary to write to the Fair Work Commission requesting to make arrangements for the branch election to be held ASAP

The kind of voting system to be used in the conduct of the election is:

a direct voting system

I have attached a statement signed by me, as Secretary of the Australasian Meat Industry Employees' Union (Newcastle and Northern Branch), duly authorised to sign the statement.

The prescribed information is lodged pursuant to subsection 189 of the RO Act. The prescribed day being at least 2 months before a person may under the rules become a candidate in the election.

I request that you make arrangements for the election to be held as soon as possible.

Thank you for your consideration in this matter.

Yours sincerely,



Grant Courtney  
Secretary AMIEU



FAIR WORK  
COMMISSION

4 June 2013

Mr Grant Courtney  
Secretary  
Newcastle and Northern Branch  
The Australasian Meat Industry Employees Union  
PO BOX 2263  
DANGAR NSW 2309

Also by fax: (02) 4929 5401

Dear Mr Courtney

**Re: Arrangements for the conduct of an Election (E2013/196)**

I refer to the prescribed information dated 31 May 2013 which was lodged with the Fair Work Commission on 31 May 2013 for the conduct of a scheduled election for offices of the Newcastle and Northern Branch (**the Branch**) of The Australasian Meat Industry Employees Union (**AMIEU**).

The prescribed information includes a request for an election for two (2) Organisers. Rule 47.33 of the AMIEU rulebook provides that "Organisers" be elected as part of the Branch Committee of Management, but it does not specify the number to be elected. Rule 52.20 of the AMIEU rulebook however provides that, prior to an election, the Committee of Management 'shall determine the number of organisers to be elected in such elections pursuant to rule 47'. Accordingly could the Branch provide some written confirmation that the Committee of Management has determined the number of Organisers for the upcoming scheduled election.

In addition, the prescribed information states that it is lodged under subsection 190(1) of the RO Act. That reference is incorrect. Could you please include in your statement that the prescribed information is lodged under section 189 of the RO Act.

Once the further prescribed information is lodged (with the correct reference to section 189) we will be in a position to issue a decision for the Australian Electoral Commission.

Finally, the declaration attached to the application appears to be intended for the Registrar of the NSW Industrial Relations Commission and is superfluous for our needs.

If you have any questions relating to this matter please do not hesitate to contact me on (02) 8374 6509.

Yours sincerely

David Vale  
Principal Adviser,  
Regulatory Compliance Branch, NSW  
Fair Work Commission

E2013/196



Grant Courtney  
Secretary

THE AUSTRALASIAN MEAT INDUSTRY  
EMPLOYEES' UNION  
NEWCASTLE AND NORTHERN BRANCH

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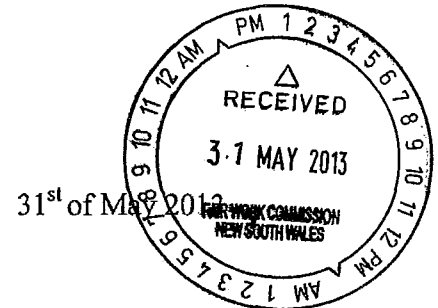
PHONE: (02) 4929 5496  
FAX: (02) 4929 5401

EMAIL: amieu@amieu-newcastle.asn.au

The General Manager  
Fair Work Australia  
80 William Street  
Sydney NSW 2000

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

Dear Sir,



The elections for the Australasian Meat Industry Employees' Union (Newcastle and Northern Branch) are due. In accordance with subsection 189 (1) of the Fair Work (Registered Organisations) Act 2009 ["the RO Act"] and prescribed information in respect of Section 138 of the RO Act, I provide the following:

(1) (a) The name of each office or position for which an election is required:

- One (1) President
- One (1) Vice President
- One (1) Secretary
- One (1) Assistant Secretary
- One (1) Treasurer
- Two (2) Organisers
- Seven (7) Committee of Management Members
- Two (2) Federal Council Delegates

Reasons for the election is that;

The term of the office or position referred to above has expired or is due to expire in the normal course of events under the rules of the organisation.

There are no offices or positions for which an election is to be held before the prescribed day.

The electorate for the direct voting system is the whole of the Newcastle and Northern Branch.

Rule 50.1 Branch Elections provides that the Branch Elections are to be held not later than the thirty first day of December, 1969 and shall be conducted on every fourth year. The previous election was held in 2009. It is my understanding the election can be held in 2013 so long as it is prior to the thirty first day of December, 2013.

Rule 50.7 provides that the Returning Officer shall compile a roll of members eligible to vote pursuant to Rule 10. Rule 10.1.1 contains the provision no later than 30 days before the date fixed for the opening of nominations.

The kind of voting system to be used in the conduct of the election is:

a direct voting system

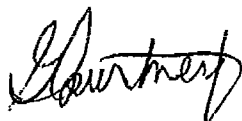
I have attached a statement signed by me, as Secretary of the Australasian Meat Industry Employees' Union (Newcastle and Northern Branch), duly authorised to sign the statement. The information is lodged under subsection 190 (1) of the RO Act.

The prescribed information is lodged pursuant to subsection 190 (2) of the RO Act. The prescribed day being at least 2 months before a person may under the rules become a candidate in the election.

I request that you make arrangements for the election to be held as soon as possible.

Thank you for your consideration in this matter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Grant Courtney', written in a cursive style.

Grant Courtney  
Secretary AMIEU

## Statutory Declaration

### OATHS ACT 1900, NSW, EIGHTH SCHEDULE

I, Grant Geoffrey Courtney, Union Official, of 34 Union Street, Newcastle West, in the State of New South Wales, do solemnly and sincerely declare that:

1. I am the Secretary of the Australasian Meat Industry Employees' Union Newcastle and Northern Branch ["the State Industrial Organisation"].
2. The Australasian Meat Industry Employees' Union Newcastle and Northern Branch is a State Industrial Organisation registered under the *Industrial Relations Act (NSW) 1996*.
3. I am also the Branch Secretary of the Newcastle and Northern NSW branch ["the Federal branch"] of the Australasian Meat Industry Employees' Union.
4. The Australasian Meat Industry Employees' Union ["the Federal organisation"] is a federally-registered organisation of employees, registered under the *Fair Work (Registered Organisations) Act 2009 (Cwlth)*.
5. Rule 20.6 of the registered rules of the Australasian Meat Industry Employees' Union Newcastle and Northern Branch provides that persons elected to the Newcastle and Northern Branch of the Federal organisation be taken to be validly elected to the corresponding offices in the State Industrial Organisation, if the Registrar is satisfied that:
  - a. The membership of the State Industrial Organisation is identical with the membership of the Newcastle and Northern Branch of the Federal Organisation; and
  - b. The rules of the Newcastle and Northern Branch of the Federal Organisation relating to the election of the holders of offices comply substantially with the requirements relating to election of holders of offices under the *Industrial Relations Act (NSW) 1996*.
6. I believe that the provisions of Rule 20.6 of the registered rules of the Australasian Meat Industry Employees' Union Newcastle and Northern Branch conform to the requirements of Section 239 of the *Industrial Relations Act (NSW) 1996*.
7. From my examination and understanding of the records and practices of both the State Industrial Organisation and the Federal branch, I am able to state that the membership of the *Australasian Meat Industry Employees' Union Newcastle and Northern Branch* is identical with the membership of the Newcastle and Northern NSW branch of the Australasian Meat Industry Employees' Union.
8. I have attached to this declaration a copy of the federally registered rules of the Australasian Meat Industry Employees' Union, which rules include the rules pertaining to the election of officers of the Newcastle and Northern NSW branch of that organisation.

9. I consider that the rules of the Australasian Meat Industry Employees' Union which relate to the election of the holders of officers comply substantially with the requirements relating to election of holders of officers under the *Industrial Relations Act (NSW) 1996*.
10. The quadrennial elections of both the Newcastle and Northern NSW branch of the Australasian Meat Industry Employees Union and the Australasian Meat Industry Employees' Union Newcastle and Northern Branch are due to be held in October 2013, a date more than three months distant.
11. Accordingly, I request that the Registrar make a determination that it is satisfied of the matters required by Rule 20.6 of the State Industrial Organisation's rules, such that persons elected to offices in the Newcastle and Northern NSW branch of the Federal organisation may be taken to be validly elected to corresponding offices in the Australasian Meat Industry Employees' Union Newcastle and Northern Branch.

and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1900*.

Declared at: Newcastle on 31<sup>st</sup> May 2013 ..... [date]

[Signature]  
.....  
[signature of declarant]

in the presence of an authorised witness, who states:

I, Robert Edward HENRY ..... a JUSTICE OF THE PEACE .....  
[name of authorised witness] [qualification of authorised witness]

certify the following matters concerning the making of this statutory declaration by the person who made it: [\* please cross out any text that does not apply]

~~\*I saw the face of the person OR \*I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering, and~~

2. ~~\*I have known the person for at least 12 months OR \*I have not known the person for at least 12 months, but I have confirmed the person's identity using an identification document and the document I relied on was~~ DRIVER LICENCE .....

[describe identification document relied on]

[Signature] 180 937  
.....  
[signature of authorised witness] [date]



## **VALE, David**

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**From:** VALE, David  
**Sent:** Friday, 31 May 2013 4:17 PM  
**To:** 'Industrial Elections'  
**Subject:** E2013/196  
**Attachments:** AMIEU Newcastle E2013\_196 lodged 31052013.pdf; AMIEU 007V R2012\_166\_18122012.doc

Dear AEC

Please find the prescribed information and a copy of the current rulebook of the AMIEU in election number E2013/196.

Yours sincerely

**DAVID VALE**  
Principal Adviser,  
Regulatory Compliance Branch, NSW

**Fair Work Commission**  
Tel: 02 8374 6509  
Fax: 02 9380 6990  
[david.vale@fwc.gov.au](mailto:david.vale@fwc.gov.au)

**Please be aware that my email address has changed to [david.vale@fwc.gov.au](mailto:david.vale@fwc.gov.au) effective 1 January 2013. Please update your records accordingly.**

Level 8, Terrace Tower  
80 William Street  
East Sydney NSW 2011

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