

**svc-adlib5**

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**From:** Michael Horwood <Michael.Horwood@aec.gov.au>  
**Sent:** Wednesday, 8 November 2017 10:37 AM  
**To:** MOUTEVELIS,Michael  
**Cc:** ROC - Registered Org Commission; Industrial Elections; AMIEU  
**Subject:** Amended Declaration AMIEU E2017/119 [SEC=UNCLASSIFIED]  
**Attachments:** Declaration Amendment E2017 119.pdf

Registered Organisations Commission

## **The Australasian Meat Industry Employees Union Tasmanian Branch Elections 2017 E2017/119**

Attention: Michael Moutevelis

As we discussed earlier today my amended declaration is attached. This rescinds and replaces my declaration on 3 October 2017.

Contact me if this does not conform to your requirements.

*Cc: Industrial Elections AEC, AMIEU Tas.*

**Mr. Michael Horwood | Manager Elections**  
Industrial & Commercial Elections | TAS State Office  
Australian Electoral Commission  
T: (03) 6235 0509 X: 27004 M: 0408 389 138



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# The Australasian Meat Industry Employees Union

## Tasmanian Branch Elections 2017

### Declaration of Results for Uncontested Offices

E2017/119

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.

#### Tasmanian Branch

##### President

###### Candidates

DONOVAN, Howard

##### Vice President

###### Candidates

MCKENNA, Stephen

##### Secretary/Treasurer/Federal Councillor

###### Candidates

FODEN, Andrew

##### Assistant Secretary

###### Candidates

TARRANT, Cindy

##### Committee of Management Members (6)

###### Candidates

No nominations were received. No candidates elected.

##### Federal Councillors (2)

###### Candidates

No nominations were received. No candidates elected.

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



Michael Horwood  
Returning Officer

8 November 2017



24 October 2017

Mr Troy Baker  
Branch Secretary/Treasurer  
Australasian Meat Industry Employees' Union -Tasmanian Branch  
amieutas@bigpond.com

Dear Mr Baker,

cc: federal@sawa.amieu.asn.au

### **Reminder of actions required when persons elected to office**

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of uncontested offices for Tasmania Branch [E2017/119]. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

### **A notice must be published on the organisation's website**

The organisation or branch must publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the Fair Work (Registered Organisations) Regulations 2009).

### **Holders of office required to undertake approved training**

Section 293K of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires each officer with financial management duties to undertake approved training that covers those duties within 6 months after the person begins to hold office. Please ensure that relevant officers undertake approved training within the required timeframe. Please also ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests, the details of which are provided for in the RO Act.

### **Organisation must notify the Commission of changes**

Also, section 233(2) of the RO Act requires that an organisation must notify the Commission **within 35 days of any changes** to the holders of office in the organisation. **If there are no changes a notification is not required.** If the election has resulted in **any changes** to the holders of office, the Australasian Meat Industry Employees' Union, The-Tasmanian Branch must notify the Commission of these changes. In particular, please advise:

1. Person(s) who have ceased to hold office:
  - the name of the office vacated;
  - the date of the change of office holder; and
  - the name of the person vacating the office.
  
2. Person(s) who have commenced to hold office:
  - the name of the office now held;
  - the date of the change of office holder;
  - the name of the person now holding the office;

- the postal address of the person (generally the postal address of the organisation); and
- the occupation of the person now holding the office.

The notification must include a declaration by the Secretary (or other prescribed officer) that the information is a correct statement of the changes made. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not need to notify until then (e.g. AGM, 1 January, 2nd Monday in March). If you have already lodged this information, please disregard this reminder.

Regards

**Christine Hibberd**  
**Registered Organisations Commission**

**NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return) required to be kept in accordance with section 230 *Fair Work (Registered Organisations) Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009***

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

*[delete all that do not apply]*

- On [DATE] the address of the organisation changed to [STREET ADDRESS].<sup>1</sup>
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:<sup>2</sup>
  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]:<sup>3</sup>
  - COMMENCED operation:
    1. *[include name of each new branch]*
    2. ...
  - CEASED operation:
    1. *[include name of each closed branch]*

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<sup>1</sup> s.230(1)(d); reg.147(d)

<sup>2</sup> s.230(1)(d); reg.147(a) & (d)

<sup>3</sup> s.230(1)(d); reg.147(b) & (c)

2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

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

**ANNEXURE A**

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

*Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.*

<b>Branch</b>	<b>Date of Change</b>	<b>Name of Office that has changed</b>	<b>Name of <u>Outgoing</u> Office Holder</b>	<b>Name of <u>New</u> Office Holder</b>	<b>Postal Address of <u>New</u> Office Holder</b>	<b>Occupation of <u>New</u> Office Holder</b>
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
<i>...</i>						
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
<i>...</i>						

13 October 2017

# Post-election Report

**Australasian Meat Industry Employees' Union,  
Tasmanian Branch - E2017/119**



# Contents

Election(s) Covered in this Report.....	3
Rules .....	3
Roll of Voters .....	3
Irregularities .....	3
Other Matters.....	3
Attachments .....	3

## Election(s) Covered in this Report

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Election Decision No/s: E2017/119

## Rules

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Rules used for the election: 007V: alterations of 03/11/2016 in matter R2016/254

Rules difficult to apply/interpret: Nil

## Roll of Voters

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Total number of voters on the Roll: 386

Number of apparent workplace addresses: 0

Number of non-current addresses: 12

Other matters pertaining to the roll of voters: Nil

## Irregularities

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

Other irregularities identified, and action taken: Nil

## Other Matters

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Nil

## Attachments

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1. Declaration of uncontested offices.

Michael Horwood  
Returning Officer, Tasmania

13 October 2017

# The Australasian Meat Industry Employees Union

## Tasmanian Branch Elections 2017

### Declaration of Results for Uncontested Offices

**E2017/119**

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.

#### **Tasmanian Branch**

##### **President**

Candidates

DONOVAN, Howard

##### **Vice President**

Candidates

MCKENNA, Stephen

##### **Secretary/Treasurer**

Candidates

FODEN, Andrew

##### **Assistant Secretary**

Candidates

TARRANT, Cindy

##### **Committee of Management Members (6)**

Candidates

No nominations were received. No candidates elected.

##### **Federal Councillors (3)**

Candidates

No nominations were received. No candidates elected.

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



Michael Horwood  
Returning Officer

3 October 2017



## DECISION

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

### **The Australasian Meat Industry Employees' Union** (E2017/119)

MR ENRIGHT

MELBOURNE, 15 JUNE 2017

*Arrangement for conduct of election.*

[1] On 5 June 2017 the Tasmanian Branch of The Australasian Meat Industry Employees' Union lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Delegate to Federal Council (2)

#### Branch Committee of Management

President (1)

Vice-President (1)

Secretary-Treasurer (1)

Assistant Secretary (1)

Representatives from the following Sub-branches:

Northern Sub-branch (2)

Southern Sub-branch (2)

North West Sub-branch (2)

[2] I am satisfied that an election for the abovenamed offices is required to be held under the rules of the organisation and, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009*, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



DELEGATE OF THE COMMISSIONER

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**svc-adlib5**

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**From:** AMIEU <amieutroy@bigpond.com>  
**Sent:** Monday, 5 June 2017 3:42 PM  
**To:** ROC - Registered Org Commission  
**Subject:** E2017/119  
**Attachments:** AMIEU, Tasmanian Branch election notice 2017.pdf

**Importance:** Low

To Whom it may Concern,

For your kind consideration.

Warm Regards



Troy Baker  
Secretary A.M.I.E.U  
Tasmanian branch  
ph: 0488 233 561  
[amieutroy@bigpond.com](mailto:amieutroy@bigpond.com)



Australasian Meat Industry Employees Union

Tasmanian Branch

Registered under Workplace Relations Act 1996.

ABN: 40 641 210 126

Ph: (03) 6331 7233  
Fax: (03) 6331 8633  
email: [amicutas@bigpond.com](mailto:amicutas@bigpond.com)

237 Wellington St, Launceston 7250  
PO Box 649, Kings Meadows Tas 7249  
Website: <http://tas.amicu.asn.au>

State Secretary: Troy Baker  
Ph: 0488 233 561

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5<sup>th</sup> June 2017

**The General Manager  
Registered Organisation Commission**

Via email: [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

Dear General Manager,

**Re: Australasian Meat Industry Employees' Union Tasmanian Branch elections**

I write to advise that the elections for the Australasian Meat Industry Employees' Union Tasmanian Branch are due in accordance with Rule 50.1 of the Rules of the Australasian Meat Industry Employees' Union.

I refer to the following resolution of the AMIEU Tasmanian Branch executive meeting made on the 11<sup>th</sup> March 2017:

**MOTION:**

1. *"That the Committee of Management directs the Branch Secretary to call on the 2017 Quadrennial Elections in accordance with rule 50"*

Moved: Darren Goodier

Seconded: Cindy Tarrant

**CARRIED UNANIMOUSLY**

In accordance with subsection 189 (1) of the *Fair Work (Registered Organisations) Act 2009* (Cth) and regulation 138 of the *Fair Work (Registered Organisations) Regulations 2009* (Cth), I provide the following information;



Australasian Meat Industry Employees Union

Tasmanian Branch

Registered under Workplace Relations Act. 1996.  
ABN: 40 641 210 126

Ph: (03) 6331 7233  
Fax: (03) 6331 8633  
email: [amieutas@bigpond.com](mailto:amieutas@bigpond.com)

237 Wellington St. Launceston 7250  
PO Box 649, Kings Meadows Tas 7249  
Website: <http://tas.amieiu.asn.au>

State Secretary: Troy Baker  
Ph: 0488 233 561

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(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/Treasurer
- One (1) Assistant Secretary
- Six (6) Committee Of Management Members
- Three (3) Federal Councilors

(b) Reasons for the election is that the term of 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.

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

(d) The electorate for the direct voting system is the whole of the Tasmanian Branch.

(e) Rule 50.1 Branch Elections provides that the Branch Elections are to be held no later than the thirty first day of December, 1969 and shall be conducted on every fourth year. The previous election was held in 2013. The election can be held in 2017 as long as it is prior to the thirty first day of December 2017.

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

(g) The kind of voting system to be used in the conduct of the election is a direct voting system.

(2) I have attached a statement signed by myself, as Secretary of the Australasian Meat Industry Employees' Union Tasmanian Branch, duly authorised to sign the statement. The information is lodged under subsection 189 (1) of the *Fair Work (Registered Organisation) Act 2009* (Cth).



Australasian Meat Industry Employees Union

Tasmanian Branch

Registered under Workplace Relations Act 1996.  
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Website: <http://tas.amieu.asn.au>

State Secretary: Troy Baker  
Ph: 0488 233 561

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(3) The prescribed information is lodged pursuant to sub section 189 (2) of the Fair Work (Registered Organisation) Act schedule. 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

Troy Baker  
Secretary AMIEU





Australasian Meat Industry Employees Union

Tasmanian Branch

Registered under Workplace Relations Act 1996.  
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State Secretary: Troy Baker  
Ph: 0488 233 561

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**Statement and Notice of Prescribed Information under Regulation 138 of the *Fair Work (Registered Organisations) Regulations 2009 (Cth)*.**

I, TROY BAKER, Secretary of the Australasian Meat Industry Employees' Union Tasmanian Branch make the following statements:

1. I am the Secretary of the Australasian Meat Industry Employees' Union Tasmanian Branch,
2. I am duly authorised to lodge the following prescribed information concerning forthcoming elections in the Tasmanian Branch of the Australasian Meat Industry Employees' Union, and
3. I confirm that the following is being lodged under subsection 189 (1) of the *Fair Work (Registered Organisations) Act 2009 (Cth)*.

Signed:

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TROY BAKER  
SECRETARY  
TASMANIAN BRANCH

Dated: 5<sup>th</sup> June 2017



1 June 2017

Mr Troy Baker  
Branch Secretary/Treasurer  
Australasian Meat Industry Employees' Union, Tasmanian Branch  
Sent via email: [amieutroy@bigpond.com](mailto:amieutroy@bigpond.com)

CC: AEC Returning Officer by email: [industrial.elections@aec.gov.au](mailto:industrial.elections@aec.gov.au)

Dear Mr Baker,

### **Election Overdue**

We refer to our courtesy letter dated 8 May 2017 which reminded you of your obligation to lodge the prescribed information in relation to the impending election for offices within the branch. According to the rules of the branch, the calling of nominations for the election appears to commence in the month of August.

It is noted that the prescribed information for your branch's election has not been lodged with the Registered Organisations Commission (the ROC) as at the date of this letter, which was due two months before nominations open for the election. Neither has an application been made to the Commissioner seeking a later date for lodgement of your branch's prescribed information under the *Fair Work (Registered Organisations) Act 2009* (the 'Act') and the *Fair Work (Registered Organisations) Regulations 2009*. It therefore appears that your branch is now in breach of s.189(2) of the Act.

Accordingly, it is requested that your branch lodge the required prescribed information for election of the Committee of Management and Delegates to Federal Council within fourteen days (14) of the date of this letter. Should the relevant prescribed information not be received within this time, the matter will be referred to the Commissioner for determination of the further action to be undertaken. **This may include applying under s.310(1) of the Act to the Federal Court of Australia for a pecuniary penalty order.**

We strongly encourage you to lodge the required documents electronically to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au) quoting [E2017/119]

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sam Gallichio'.

Sam Gallichio  
Registered Organisations Commission



8 May 2017

Mr Troy Baker  
Branch Secretary/Treasurer  
Australasian Meat Industry Employees' Union, Tasmanian Branch

Sent via email: [amieutroy@bigpond.com](mailto:amieutroy@bigpond.com)

CC: AEC Returning Officer by email: [industrial.elections@aec.gov.au](mailto:industrial.elections@aec.gov.au)

Dear Mr Baker,

### **Courtesy Letter - Election for offices [E2017/119]**

The rules of the Australasian Meat Industry Employees' Union, Tasmanian Branch indicate that an election for offices within the branch is due to commence shortly.

- Committee of Management
- Delegates to Federal Council

It appears that nominations for the election for the above-named offices open in August this year.

This is a courtesy letter to remind you of your obligation to lodge information about the election (known as the 'prescribed information') pursuant to sub-sections 189(1) and (2) of the *Fair Work (Registered Organisations) Act 2009* (the 'Act') within the month. Prescribed information must be lodged with the Registered Organisations Commission (the ROC) two months before nominations open for the election.

If you have a different interpretation for the commencement of the election or the offices due for election under your rules, please let the ROC know, otherwise, the prescribed information should contain details of the election as required by regulation 138(1) of the *Fair Work (Registered Organisations) Regulations 2009* (the 'Regulations'), and any subsequent collegiate elections, if that is relevant. A sample of the prescribed information can be found on our website at <http://www.roc.gov.au/resources-and-decisions/fact-sheets-templates-and-webinars>.

The prescribed information should be emailed to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au). If your branch believes that it will be unable to comply with the prescribed day as set out in the Regulations, it will need to apply to the Commissioner within the month for a later date. Such request will need to set out in detail the reason why your organisation is unable to comply with the requirement. While the Commissioner will consider such an application, there is no assurance that consent to a later day will be allowed.

**It should be noted Section 189(2) is a civil penalty provision.** Failure for an organisation to comply may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or the organisation.

The ROC intends to continue to provide reminders that an election is due as a courtesy. However failure to receive a reminder from the ROC cannot be relied on as a reason for late, incorrect or non-lodgment of prescribed information. The obligation to lodge prescribed information consistent with the Act and the rules of the organisation rests with the organisation.

When lodging the prescribed information, please quote [E2017/119]

Should you seek any clarification in relation to the above, please contact the ROC on [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).

Yours sincerely,

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

Sam Gallichio  
Adviser  
Registered Organisations Commission