

**Australian Education Union  
2010 Queensland Branch TAFE Vacancy Election**

**DECLARATION OF RESULTS FOR UNCONTESTED OFFICES**

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2010/E 2516

**TAFE Division**

**National TAFE Council Executive Member**

Candidate

JACKSON, Maree Elena

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

Bronwyn Cikuts  
Returning Officer

25 March 2010

# **Australian Electoral Commission /AEC**

Fair Work (Registered Organisations) Act 2009

## **POST ELECTION REPORT**

**Australian Education Union**

**Queensland Branch TAFE Executive Election**

### **ELECTION/S COVERED IN THIS REPORT**

Election Decision No/s: *E2010/2516*

### **RULES**

Rules used for the election: *284V: incorporates alterations of 02/10/2009 – R2009/10057*

Rules difficult to apply/interpret: *None*

Model Rule reference (if any): *N/A*

### **ROLL OF VOTERS**

As there were no contested offices, the Roll of Voters was not required for this election.

### **IRREGULARITIES**

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

Other irregularities identified, and action taken: *Nil*

### **ATTACHMENTS**

Declaration of Results for Uncontested Offices dated 25 March 2010

Bronwyn Cikuts  
Returning Officer

26 March 2010



## DECISION

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

**Australian Education Union**  
(E2010/2516)

T. NASSIOS

MELBOURNE, 11 FEBRUARY 2010

*Arrangement for conduct of election.*

[1] On 9 February 2010 the Australian Education Union lodged with Fair Work Australia the prescribed information in relation to an election to fill a casual vacancy in the following office:

National TAFE Council Executive Member, Queensland Branch

[2] I am satisfied that an election for the abovenamed office 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  
FAIR WORK AUSTRALIA

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## ANDERSON, Eve

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**From:** ANDERSON, Eve  
**Sent:** Friday, 12 February 2010 11:59 AM  
**To:** 'DRussell@aeufederal.org.au'  
**Cc:** 'tfreeman@aeufederal.org.au'  
**Subject:** Election Decision, casual vacancy (E2010/2516)

**Attachments:** E2010 2516 Decision.pdf

Dear Ms Russell

Please find attached a copy of the election decision for the casual vacancy in the office of National TAFE Council Executive Member representing the Qld Branch.



E2010 2516  
Decision.pdf (34 KB..)

As noted in my previous email, for future prescribed information for elections, please note:

- 1) There is no longer an RAO Schedule. The heading and the first sentence should refer to section 189(1) of the *Fair Work (Registered Organisations) Act 2009*
- 2) In my view the voting system for this office is Direct Voting System, not collegiate. A collegiate system is defined in s6 of the *Fair Work (Registered Organisations) Act 2009* as a system in which people are elected to an office and then a subsequent election is held from that college. In this case the election is by and from the members of the TAFE Division, so I believe it to be a Direct Voting System. If you agree, future PIs regarding this office should be amended accordingly.

Also to note for future:

- 1) Regulation 138(e) of the *Fair Work (Registered Organisations) Regulations 2009* requires that the PI specify the date and time of the beginning and the end of the period in which nominations of candidates will called under the rules of the organisation of the branch. I appreciate that in this case, the date on which nominations open and close is not specified in the rules. Do you agree? If so, the PI should state that.
- 2) Regulation 138(f) of the *Fair Work (Registered Organisations) Regulations 2009* requires that the PI specify the day provided for in the rules as the day on which the roll of voters is to be closed. Rule 13(9A) of the Qld Branch provides that the roll of voters is to close 7 days before the day on which nominations open (rule 13 has application to this office by virtue of rule 13A of the Qld branch rules). Future PIs should state this.

Please call on 03 8661 7929 if you have any queries.

Regards

**EVE ANDERSON**  
Tribunal Services and Organisations

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# Australian Education Union

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Ref: 31.1.1

9 February 2010

Mr Tim Lee  
General Manager  
Fair Work Australia  
GPO Box 1994  
Melbourne VIC 3001

Dear Mr Lee,

**Statement: Prescribed Information: Section 189(1) of the RAO Schedule of the Fair Work (Registered Organisations) Act 2009**

In accordance with Section 189(1) of the RAO Schedule of the Fair Work (Registered Organisations) Act 2009 and Regulation 138, I wish to lodge the following prescribed information in relation to an election which is required to be held for the undermentioned offices in this Union.

I am the Deputy Federal Secretary of the AEU and am authorised to lodge this prescribed information.

**Name of Office:**

One (1) National TAFE Council Executive member representing the Queensland Branch.

**Reason for the Election:**

A Queensland Branch National TAFE Council Executive member, Paul Reardon, has been elected to the position of Federal TAFE President (E 2009 - 10051) and took office on the 1<sup>st</sup> February, 2010. The declaration is attached for your information.

Pursuant to Federal Rule 47 (6) a National TAFE Council member who is elected to the office of Federal TAFE President thereby ceases to hold office as a member of the National TAFE Council and a casual vacancy is created.

**Times and Procedures:**

Rule 47 (7) & (8) specifies the times and procedures for holding an election in the event there is a casual vacancy arising in the office of a member of the National TAFE Council. The Federal Branch rules of the Queensland Branch make no provision for the election of alternate members of the National TAFE Council (ref. Rule47 (7) (d)).

Electorate:

The electorate is the financial members assigned to the TAFE Division of the Queensland Branch.

Voting System:

The voting system shall be a collegiate electorate system.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Darcel Russell". The signature is written in a cursive style with a large, looping initial "D".

Darcel Russell  
Deputy Federal Secretary