

13 February 2018

Post-election Report

**Australian Education Union – E2017/202 –
Casual Vacancies – Federal Conference
Delegates – Recall**

Contents

Election(s) Covered in this Report.....	3
Rules	3
Roll of Voters	3
Irregularities	3
Other Matters.....	4
Attachments	4

Election(s) Covered in this Report

Election Decision No/s: E2017/202

Rules

Rules used for the election:	284V: Incorporates alterations of 21 August 2017 [R2017/139] (replaces rulebook dated 23 June 2017 [R2017/54])
Rules difficult to apply/interpret:	None
Model Rule reference (if any)	N/A

Roll of Voters

As there were no contested offices, no Roll of Voters was required.

Irregularities

Details of written allegations of irregularities, and action taken by AEC: *None*

Other irregularities identified, and action taken: N/A

Other Matters

Attachments

- 1) Declaration of Results for Uncontested Offices – VIC

A handwritten signature in blue ink, appearing to read 'BEN MURRAY', with a long horizontal flourish extending to the right.

Benjamin Murray
Returning Officer

13 February 2018



10 January 2018

Ms Susan Hopgood
Federal Secretary
Australian Education Union
aeu@aeufederal.org.au

Dear Ms Hopgood,

CC: gillian.robertson@aeuvic.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 Federal Conference Delegate representing the TAFE Division (1) and National TAFE Council Delegate (1) for VIC Branch [E2017/202]. 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 Australian Education Union 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

Mitch Webster
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].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]*

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)

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.]*

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
<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>						

Australian Education Union Recall of TAFE Delegates

Declaration of Results for Uncontested Offices

E2017/202

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.

Victorian Branch

Federal Conference Delegate representing the TAFE Division (1)

Candidate

GILLESPIE, Elaine

National TAFE Council Delegate (1)

Candidate

SMITH, Phillip

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



Benjamin Murray
Returning Officer

14 December 2017



3 November 2017

Ms Pat Forward
Deputy Federal Secretary
Australian Education Union
Email: aeu@aeufederal.org.au

Dear Ms Forward,

cc: Ms Gillian Robertson, Secretary, Victorian Branch

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 [E2017/202]. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

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Organisation must notify the Commission of changes

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1. Person(s) who have ceased to hold office:
 - the name of the office vacated;
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Regards

Michael Moutevelis

Registered Organisations Commission

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- 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]*

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)

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.]*

ANNEXURE A

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

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<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>						

svc-adlib5

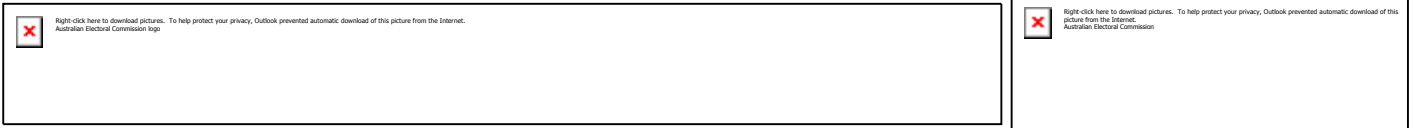
From: Ben Murray <Ben.Murray@aec.gov.au>
Sent: Monday, 23 October 2017 1:39 PM
To: ROC - Registered Org Commission
Cc: Anjela Palamaras
Subject: E2017-202 - AEU Declaration of Results [SEC=UNCLASSIFIED]
Attachments: E2017-202 - AEU - Declaration of Results for Uncontested Offices - Letter .pdf;
E2017-202 - AEU - Declaration of Results for Uncontested Offices .pdf

Dear Orgs Team,

Please find attached uncontested declaration of results for the AEU election (E2017/202).

Regards,
Ben

Benjamin Murray | Senior Returning Officer
VIC State Office | Industrial & Commercial Elections
Australian Electoral Commission
T: (03) 9285 7129 X: 23146



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Reference: V17/302

Ms Gillian Robertson
Branch Secretary (Victorian Branch)
Australian Education Union
PO Box 363
ABBOTSFORD VIC 3067

Dear Ms Robertson,

**Australian Education Union (AEU)
Casual Vacancies - Federal Conference Delegates - VIC Branch
E2017/202**

The declaration of the election for uncontested offices is attached.

The election is now complete.

Yours sincerely



Benjamin Murray
Returning Officer

23 October 2017

**Australian Education Union
Casual Vacancies - Federal Conference Delegates
VICTORIAN Branch - E2017/202**

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.

Victorian Branch

Federal Conference Delegate representing the TAFE Division (1)

Candidates

No nomination was received

National TAFE Council Delegate (1)

Candidates

No nomination was received

As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above named election concluded with no candidate elected.



Benjamin Murray
Returning Officer
23 October 2017



DECISION

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

Australian Education Union (E2017/202)

MR ENRIGHT

MELBOURNE, 18 SEPTEMBER 2017

Arrangement for conduct of election.

[1] On 30 August 2017 the Australian Education Union (the union) lodged with the Registered Organisations Commission (the ROC) prescribed information for an election to fill the following offices:

Victorian Branch

Federal Conference Delegate representing the TAFE Division (1)
National TAFE Council Delegate (1)

[2] On 6 April 2017 the union lodged prescribed information for various offices, including Federal Conference Delegates representing the TAFE Division from the Victorian Branch and National TAFE Council Delegates from the Victorian Branch. On 12 April 2017 I made arrangements for the election of these and other offices in E2017/55.¹

[3] Federal Rule 24(2) provides that ‘each Division in a Branch shall be entitled to one delegate for each 2,500 members assigned to each Division in the Branch or part thereof’ as at 30 June of the relevant year. Federal Rule 24(3A) sets out a table that specifies the numbers.

[4] Federal Rule 47(3) provides the number of National TAFE Council Delegates and TAFE Council Executive Members shall be determined by the formula in the table in Federal Rule 47(3). The table states that the Number of Delegates shall be 2 for less than 500 members of the Division and then an additional Delegate for every 500 members or part thereof as at 30 June of the relevant year.

[5] At the time of making arrangements for an election in E2017/55 the number of Delegates to Federal Conference and National TAFE Council Delegate could not be ascertained. Consequently my decision stated that the numbers of offices to be elected were to be determined by the rules.

¹ [2017] FWCD 2077

[6] On 5 July 2017 the union provided the relevant membership numbers to the ROC and Australian Electoral Commission (AEC). The membership numbers provided by the union entitled the Victorian Branch to one Federal Conference Delegate representing the TAFE Division and six National TAFE Council Delegates (one of which is ex-officio the Branch's National Council Executive Member). On 7 July 2017 the AEC commenced an election for a number of Victorian offices, including one Federal Conference Delegate representing the TAFE Division from the Victorian Branch and five National TAFE Council Delegates from the Victorian Branch.

[7] After the AEC commenced the election, the union discovered an error in the number of Victorian branch members in the TAFE Division that had been provided to the ROC and the AEC.

[8] On 13 September 2017 the Victorian Branch of the Australian Education Union provided the ROC with corrected information regarding the number of its members in the TAFE Division. The correct number entitles the Victorian Branch to one additional Federal Conference Delegate representing the TAFE Division and one additional National TAFE Council Delegate in accordance with Federal Rules 24(2), 24(3A) and 47(3).

[9] I am satisfied that an election for one additional Federal Conference Delegate representing the TAFE Division from the Victorian Branch and one additional National TAFE Council Delegate from the Victorian Branch 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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From: [Anjela Palamaras](#)
To: [GALLICHO.Sam](#)
Cc: [Gillian Robertson](#); [Susan Hopgood](#); [PForward@aeufederal.org.au](#)
Subject: FW: Election Information (E2017/202) [SEC=UNCLASSIFIED]
Date: Wednesday, 13 September 2017 1:31:36 PM
Attachments: [image001.png](#)
[image002.png](#)
[image001.png](#)

Dear Sam

In response to your email I can confirm that the financial membership of the AEU Victorian Branch at 30 June 2017 was **49,069**. The total financial membership figure has not been revised. The prescribed information originally lodged by the AEU Federal Office included membership figures supplied by the Victorian Branch as at 30 June 2017. These figures included 1851 financial members that had not been assigned to a legitimate membership sector and were therefore, listed as "Other".

Revised prescribed information:

Please find below the revised financial membership figures for the AEU Victorian Branch Membership by Sector at 30 June 2017. Please note that as a result the "Other" sector has been reduced to nil.

Membership by Sector	Original Figure	Revised Figure	Adjustment
Early Childhood	2,699	2,846	147 members
Primary	25,453	26,442	989 members
Secondary	16,618	17,237	619 members
TAFE and Adult Provision	2,448	2,544	96 members
Other	1,851	0	
TOTALS	49,069	49,069	1851 members

Date and times for the opening and closing of nominations:

I can confirm that the dates and times for the opening and closing of nominations will be determined by the Returning Officer from the Australian Electoral Commission (AEC). I have had a preliminary discussion with Benjamin Murray, Returning Officer, from the AEC and I requested that the opening date of nominations should be in late September 2017.

Do not hesitate to contact me if you have any questions or require further clarification.

Regards

Anjela Palamaras
Leadership Executive Officer

for

Gillian Robertson

Branch Secretary

Anjela Palamaras

Leadership Executive Officer



AEU Victoria

126 Trenerry Cres, Abbotsford

p: [+61 3 9418 4985](tel:+61394184985) | m: [+61 425 743 957](tel:+61425743957)

Anjela.Palamaras@aeuvic.asn.au | aeuvic.asn.au

I acknowledge the Traditional Owners of the land and pay my respects to their Elders, both past and present.

From: GALLICCHIO, Sam [<mailto:Sam.Gallichio@roc.gov.au>]
Sent: Tuesday, 5 September 2017 1:56 PM
To: Jenny Evans
Subject: Election Information (E2017/202) [SEC=UNCLASSIFIED]

Dear Jenny,

Last week I received from Pat Forward of the National Office lodged prescribed information for:

- Federal Conference Delegate (TAFE Division) (1)
- National TAFE Council Delegate (1)

This was as a result of a revision of the membership figures supplied by the Victorian Branch as at 30 June 2017 (E2017/55), with the Branch now entitled to greater representation.

I am after the new calculations of how the revised figure was arrived at so the Delegate can be satisfied that an election for these positions are due.

Furthermore, the prescribed information did not include any information about the opening and closing of nominations. If this is the case we would hope to see 'To be determined by Returning Officer' if there is nothing in the rules that prescribes the exact date.

I hope I am sending this to relevant place as Pat Forward listed Gillian Robertson and the Victorian Branch as the Contact for necessary information regarding the election.

I am happy to discuss or clarify any of the above at any time if you wish to contact me via phone or email.

Kind Regards

SAM GALLICHIO

Adviser

Education & Reporting

Tel: (03) 9954 2931

sam.gallichio@roc.gov.au

The Registered Organisations Commission

GPO Box 2983, MELBOURNE VIC 3001 | 414 Latrobe Street, Melbourne Victoria
3000

www.roc.gov.au

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Thank You.



Australian Education Union

Federal Office

Ground Floor, 120 Clarendon Street, Southbank, Victoria, 3006
PO Box 1158, South Melbourne, Victoria, 3205
Federal Secretary : Susan Hopgood
Federal President : Correna Haythorpe

Phone : +61 (0)3 9693 1800
Fax : +61 (0)3 9693 1805
Email : aeu@aeufederal.org.au
Web : www.aeufederal.org.au

29 August 2017

031.001.001

Mr Mark Bielecki
Registered Organisations Commissioner
Registered Organisations Commission
GPO Box 1994
Melbourne VIC 3001

Email: regorgs@roc.gov.au

Dear Commissioner Bielecki,

Statement: Prescribed Information for Elections: Section 189(1) of the Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009 – TAFE Delegates for AEU Federal Conference, National TAFE Council – Victorian Branch

I, Pat Forward, being the Deputy Federal Secretary of the Australian Education Union make the following statement:

1. I am the Deputy Federal Secretary of the Australian Education Union and am authorised to sign this prescribed information.
2. I confirm that the following information is being lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.
3. Revised membership figures supplied by the Victorian Branch as at 30 June 2017 have resulted in an increased entitlement to representation for the National TAFE Council and the TAFE delegates for AEU Federal Conference, in each case by one additional delegate.
4. The elections that are required are set out in the table in **Annexure A**.
5. **Closure of the Roll of Voters**

Federal Rule 30 (4) states that the roll of voters is to be closed seven days before the day on which nominations open.

6. **Branch Secretary Contacts**

The Branch Secretary to contact for lists of members and other necessary information in relation to these elections is:

Victorian Branch
Gillian Robertson
PO Box 363
Abbotsford Vic 3067
Email : melbourne@aeuvic.asn.au

Yours sincerely,

A handwritten signature in black ink that reads "Pat Forward". The signature is written in a cursive, slightly slanted style.

Pat Forward
Deputy Federal Secretary

ANNEXURE A

AEU FEDERAL CONFERENCE, NATIONAL TAFE COUNCIL/EXECUTIVE AND FEDERAL OFFICE COMMITTEES

VICTORIAN BRANCH					
NAME OF OFFICE	TERM OF OFFICE	NUMBER REQUIRED	VOTING SYSTEM	REASON FOR ELECTION	ELECTORATE
Federal Conference Delegates representing the TAFE Division.	1 January 2018 – 31 December 2019	1	Direct Voting System	The current term of office expires on 31 December 2017.	The electorate is the financial members assigned to the TAFE Division of the Victorian Branch.
National TAFE Council Delegates.	1 January 2018 – 31 December 2019	1	Direct Voting System	The current term of office expires on 31 December 2017.	The electorate is the financial members assigned to the TAFE Division of the Victorian Branch.