



16 March 2018

Mr John Dixon  
Branch Secretary  
Australian Education Union-New South Wales Teachers Federation (NSWTF) Branch

Dear Mr Dixon,

### **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 contested offices for the Australian Education Union-New South Wales Teachers Federation (NSWTF) Branch [E2017/79]. 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-New South Wales Teachers Federation (NSWTF) 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

**Declan Clifford**  
**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>						

**Australian Education Union**  
**New South Wales Teachers Federation (NSWTF) Branch**

**Election of Presidential Officers**

**Declaration of Results for Contested and Uncontested Offices**

**E2017/79**

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.

Total number of names on the roll of voters	59363
Ballot papers issued	59363
Ballot papers / envelopes returned for scrutiny	6379
Less ballot papers / envelopes rejected at preliminary scrutiny	168
Total Ballot Papers Admitted to Scrutiny	6211
Percentage of ballot papers returned to number issued	10.75%
Ballot papers returned as unclaimed mail	419
Ballot papers not returned	52565

**Branch Senior Vice President**

<u>Candidates</u>	<u>Votes</u>
RAJENDRA, Henry	3746
MORRIS, John	2449
Total votes	6211
<b>Formal ballot papers</b>	<b>6195</b>
<b>Informal ballot papers</b>	<b>16</b>

I declare Henry Rajendra elected.

**Branch President**

Candidates

MULHERON, Maurie

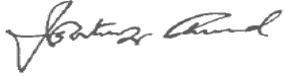
I declare Maurie Mulheron elected.

**Branch Deputy President**

Candidates

LEMAIRE, Joan

I declare Joan Lemaire elected.



Ishtiaq Ahmed  
Returning Officer  
Australian Electoral Commission

17 November 2017

2 February 2018

# Post-election Report

**Australian Education Union, New South Wales Teachers  
Federation Branch - E2017/79**





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## Election(s) Covered in this Report

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Election Decision No/s: E2017/79

## Rules

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Rules used for the election: 284V: Incorporates alterations of 29 March 2017 [R2017/13 & R2017/34] (replaces rulebook dated 16 December 2016 [R2016/285])

Rules difficult to apply/interpret: None

Model Rule reference: None

## Roll of Voters

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Total number of voters on the Roll: 59363

Number of apparent workplace addresses: Not provided

Number of non-current address: Not provided

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: None

Other irregularities identified, and action taken: None

## Other Matters

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Rule 31(6)(d) - The AEC may always not be in a position to conduct a draw to determine the order of names on the ballot paper in time for candidates to submit their statements, particularly where there are defective nominations. Further the draw for the order of names cannot occur before nominations are accepted or before the due time for withdrawal of nominations because candidates do not have an opportunity to vary their statements after submission (except where the statement is defective) if another candidate withdraws or is not accepted, affecting the order of names.

It is recommended that this rule is reviewed to include more broad statements such as “The material may include the candidate’s support of another candidate in the same election and/or other contested election/s.” This sentence reflects the current practice in AEU elections.

## Attachments

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Declaration of results for Contested Offices.

Ishtiaq Ahmed  
Returning Officer  
2 February 2018



# DECISION

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

**Australian Education Union**  
(E2017/79)

MR ENRIGHT

MELBOURNE, 5 APRIL 2017

*Arrangement for conduct of election.*

[1] On 24 March 2017 the New South Wales Teachers Federation (NSWTF) Branch of the Australian Education Union lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Branch President  
Branch Deputy President  
Branch Senior Vice President

[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

Printed by authority of the Commonwealth Government Printer

<Price code A, PR591414>



New South Wales Teachers Federation  
a branch of the Australian Education Union

AEU NSW Teachers Federation Branch ABN 86 600 150 697

100 Victoria Road, North Sydney, NSW 1585  
AUSTRALIAN EDUCATION UNION



24 March 2017

In reply please quote: 222/2017/JD:jk

General Manager  
Fair Work Australia  
GPO BOX 1994  
MELBOURNE VIC 3001

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

Attention: Regulatory Compliance Branch

**PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009***

I, John Dixon, being the Branch Secretary of the Australian Education Union NSW Teachers Federation Branch, make the following statement:

1. I am authorised to sign this statement containing prescribed information for Australian Education Union NSW Teachers Federation Branch.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. This statement **IS** lodged at least 2 months before nominations open for the election below.

Yours sincerely,

**John Dixon**  
**Branch Secretary**

**ANNEXURE A**

- Elections that are required

<b>Branch</b>	<b>Name of Office</b>	<b>Number required</b>	<b>Voting System</b>	<b>Reason for Election</b>	<b>Electorate</b>
			<i>Direct voting system; Collegiate electoral system</i>	<i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	
NSW	President	1	Direct voting system	Scheduled	All financial members
	Deputy President	1	Direct voting system	Scheduled	All financial members
	Senior Vice-President	1	Direct voting system	Scheduled	All financial members

- Important dates:

	<b>Direct Voting System</b>
<b>Nominations OPEN</b>	<i>To be determined by Returning Officer (in accordance with rule 35 (3)(a) )</i>
<b>Nominations CLOSE</b>	<i>To be determined by Returning Officer (in accordance with rule 35 (3)(a) )</i>
<b>Roll of Voters cut-off date</b>	<i>7 days prior to nominations opening (rule 31.2)</i>