



13 November 2017

Branch Secretary  
Australian Education Union-ACT Branch  
aeuact@aeuact.org.au

Dear Branch Secretary,

cc: aeu@aeufederal.org.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 ACT Branch [E2017/171]. 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-ACT 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>						

3 November 2017

# Post-election Report

Australian Education Union ACT Branch  
E2017/171

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## Election(s) Covered in this Report

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Election Decision No/s: E2017/171

## Rules

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Rules used for the election: 284V: Incorporates alterations of 23 June 2017[R2017/54] (replaces rulebook dated 29 march 2017 [R2017/13 & R2017/34])

Rules difficult to apply/interpret: NIL

Model Rule reference (if any): NIL

## Roll of Voters

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

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: NIL

Other irregularities identified, and action taken: NIL



## Other Matters

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NIL

## Attachments

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- 1) Declaration of results for Uncontested Offices



Chris Cox  
Returning Officer  
3 November 2017

# Australian Education Union

## Branch Executive Vice Presidents E2017/171

### 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.

#### Public School Sector

##### Branch Executive Vice President (2)

###### Candidates

AMEY, Roger  
WARREN, Sarah Anne

#### Public Vocational Education and Training Sector

##### Branch Executive Vice President

###### Candidates

NOBLE, Karen

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



Chris Cox  
Returning Officer  
3 November 2017



## DECISION

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

**Australian Education Union**  
(E2017/171)

MR ENRIGHT

MELBOURNE, 28 JULY 2017

*Arrangement for conduct of election.*

[1] On 11 July 2017 the ACT Branch of the Australian Education Union lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Branch Vice President – Public Vocational Education and Training Sector	(1)
Branch Vice President – Public School Sector	(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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**From:** Dawn Nixon <dawn.nixon@aeuact.org.au>  
**Sent:** Tuesday, 11 July 2017 11:30 AM  
**To:** ROC - Registered Org Commission  
**Cc:** Glenn Fowler  
**Subject:** E2017/171 AEU ACT Request for Election  
**Attachments:** Vice President (Schools) x2 Vice President (TAFE) x1.pdf

[E2017/171](#)

Please find attached a request for the election of members of the AEU ACT Branch Executive.

**Dawn Nixon**  
**Compliance Officer**  
**Australian Education Union – ACT Branch**

40 Brisbane Avenue, Barton ACT 2600  
PO Box 3042, Manuka ACT 2603  
Ph: (02) 6272 7900 | Fax: (02) 6273 1828



The Australian Education Union acknowledges the traditional owners of country throughout Australia and recognises their continuing connection to land, waters and community. We pay our respects to them and their cultures, and to elders both past and present.

**Australian Education Union – ACT Branch**

**Notice and Statement of Prescribed Information for an Election**

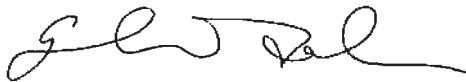
I, Glenn Fowler, being the Branch Secretary of the Australian Education Union - ACT Branch, make the following statement:

I am authorised to lodge the following prescribed information concerning elections at the Australian Education Union ACT Branch, and I confirm that the following information is being lodged under Rule Six of the AEU ACT Branch Rules and subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.

The elections that are required are set out in the table in Annexure A.

This statement is lodged at least two months before nominations open for the election below.

Signed:



Dated: 11/7/2017

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**Offices/Positions**

- Branch Executive – Vice President (TAFE) x 1: 1 January 2018 to 31 December 2019
- Branch Executive - Vice President (Schools) x 2: 1 January 2018 to 31 December 2019

**Proposed timetable:**

- Close of rolls: Tuesday 19 September 2017
- Nominations open: Tuesday 26 September 2017
- Nominations close: Tuesday 24 October 2017
- Withdrawal period closes: Tuesday 31 October 2017

**Annexure A**

<b>Position</b>	<b>Number Required</b>	<b>Voting System</b>	<b>Reason for Election</b>	<b>Electorate</b>
Branch Executive – Vice President (TAFE)	1	Direct Voting System	Vacant	TAFE Members
Branch Executive - Vice President (Schools)	2	Direct Voting System	Vacant	Schools Members



6 July 2017

Mr Glenn Fowler  
Branch Secretary  
Australian Education Union-ACT Branch  
Sent via email: [aeuact@aeuact.org.au](mailto:aeuact@aeuact.org.au)

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

Dear Mr Fowler,

**Courtesy Letter - Election for offices [E2017/171]**

The rules of the Australian Education Union-ACT Branch indicate that an election for offices within the branch is due to commence shortly.

- Vice Presidents

It appears that nominations for the election for the above-named offices open in October 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 [E2017/171]

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 faithfully,

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

**Sam Gallichio**  
**Registered Organisations Commission**