



Industrial Elections – ACT Office

GPO Box 1824
CANBERRA ACT 2601

Reference: N10/48

Ms Penny Gilmour
Branch Secretary
Australian Education Union
ACT Branch
PO Box 3042
MANUKA ACT 2603

[Attention : Sue Billington]

Dear Ms Gilmour,

**Australian Education Union, ACT Branch.
Vacancy Election - General Membership Representatives (3)
(Other than TAFE and ACT Pre-School Sub-Branched)
Declaration of Results [E2010/2517 Refers.]**

I refer to my letter of 26 February 2010 concerning the arrangements for me to conduct an election for the above-mentioned vacant positions in your Organisation and wish to advise that a ballot will not be necessary.

My declaration of the offices is attached.

The election is now complete.

Yours sincerely

Sonny Neoh
Returning Officer

31 March 2010

Industrial Elections – ACT Office

1st Floor, 8 - 10 Hobart Place
CANBERRA ACT 2601

Telephone: (02) 6249 7943
Facsimile: (02) 6248 7559
Email: sonny.neoh@aec.gov.au

website: www.aec.gov.au ; ABN: 21 133 285 851

cc Delegate of the General Manager, Fair Work Australia
All Candidates

**Australian Education Union
Australian Capital Territory Branch**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES.

Results of the election for the following (vacant) offices conducted in accordance with the provisions of the Fair Work (Registered Organisations) Act 2009 and the rules of the organisation.

E2010/2517 Refers

Branch Executive

**General Membership Representatives (3)
(Other than TAFE & ACT Pre-School Sub-Branches)**

Candidates

CHISHOLM, Murray
LARKIN, Joanne
No other nomination received

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

Sonny Neoh
Returning Officer
Australian Electoral Commission, Canberra

31 March 2010

Australian Electoral Commission /AEC

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

**Australian Education Union
ACT Branch**

Vacancy Election – General Membership Representatives (3)

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s:	<i>E2010/2517</i>
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RULES

Rules used for the election:	<i>[284V: Incorporates alterations of 02/10/2009 - R2009/10057]</i>
Rules difficult to apply/interpret:	<i>- None</i>
Model Rule reference (if any):	<i>- None</i>

ROLL OF VOTERS

There was no ballot. The roll of voters was not required.

IRREGULARITIES

Details of written allegations of irregularities, and action taken by AEC:	<i>- None</i>
Other irregularities identified, and action taken:	<i>- None</i>

ATTACHMENTS

1)	Declaration of Results – AEU ACT Branch
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Sonny Neoh
Returning Officer
Australian Electoral Commission, Canberra

1 April 2010



FAIR WORK
AUSTRALIA

DECISION

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

Australian Education Union-ACT Branch
(E2010/2517)

T. NASSIOS

MELBOURNE, 25 FEBRUARY 2010

Arrangement for conduct of election.

[1] On 10 February 2010, 18 February 2010 and 25 February 2010 the Australian Education Union-ACT Branch lodged with Fair Work Australia the prescribed information in relation to an election to fill casual vacancies for the following offices:

General Membership Representatives (3)

[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
FAIR WORK AUSTRALIA

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<Price code A, PR994236 >



FAXED
10/2/2010

File Reference: B5

Ms Ailsa Carruthers
Team Leader
Tribunal Services and Organisations
Fair Work Australia
GPO Box 1994
MELBOURNE VIC 3001

Dear Ms Carruthers

**REQUEST FOR BRANCH EXECUTIVE ELECTION:
3 General Membership Representatives**

Attached is the necessary statement made in accordance with section 189 of the Fair Work [Registered Organisations] Act 2009 to request that the Australian Electoral Commission conduct an election for the above position.

The proposed timetable for this election is also included.

Any enquiries in relation to this election should be forwarded to me or Sue Billington at the Union office.

Yours sincerely

PENNY GILMOUR
Branch Secretary

10 February 2010

Enclosures (2)
cc Australian Electoral Commission

**Statement under section 189 of the
Fair Work [Registered Organisations] Act 2009**

1. I am the Secretary of the ACT Branch of the Australian Education Union, an organisation registered under the Fair Work [Registered Organisations] Act 2009. I am the authorised officer to make requests for elections.
2. I hereby notify on behalf of the Branch Executive as the Authorised Officer that under the provisions of section 189 of the Fair Work [Registered Organisations] Act 2009 an election be conducted for the following position.

3 General Membership Representatives

3. Dates in relation to the nomination process for the election, to be set by the Returning Officer
4. The reason for this election is that three General Membership Representatives have resigned from the position.
5. The voting system will be a direct voting system.



PENNY GILMOUR
Branch Secretary

10 February 2010

Proposed Timetable for the ACT Branch Branch Executive Election – 3 General Membership Representatives

Distribution of Notices Calling for Nominations	Tuesday 16 March 2010
Closing Date for Nominations	Tuesday 30 March 2010 [4.30 pm]
Ballot Opens (if required) and Distribution of Ballot Papers to eligible members	Tuesday 27 April 2010
Close of Ballot	Tuesday 11 May 2010 [10:00am]
Declaration of the Poll	Tuesday 11 May 2010 [3:00pm]



FAIR WORK
AUSTRALIA

18 February 2010

Ms Penny Gilmour
Branch Secretary
Australian Education Union – ACT Branch
By Email: priority1@aeuact.asn.au

Dear Ms Gilmour

Re: Prescribed Information

I acknowledge receipt of correspondence and the prescribed information regarding the 2010 election for the ACT Branch of the Australian Education Union. The documents were lodged with Fair Work Australia on 10 February 2010.

Further information is required in the prescribed information that you have provided under section 189 of the *Fair Work (Registered Organisations) Act 2009*.

For your reference, [regulation 138](#) of the Fair Work (Registered Organisations) Regulations 2009 describes what information is prescribed information for an election conducted for an office.

Below is some information to help guide you in completing the prescribed information statement.

1. The reason for the election

Dates and evidence of the casual vacancies, such as a copy of any resignation documents, need to be included.

2. If the electorate comprises only certain members, the branch, section or division needs to be identified.

It would appear that rule 23A provides that the electorate for the relevant offices are members other than members allocated to TAFE sub-branches and ACT Pre-School sub-branches. If this is correct, it needs to be stated in the prescribed information.

3. The date and time for nominations to begin and end need to be specified. Where specific dates may not be known, relative dates can be provided e.g. nominations close 14 days after opening.

It would appear that rule 6E(a) provides that nominations shall open at least 14 days prior to nominations closing. If you agree that this is the applicable rule, a statement to that effect must be included in the prescribed information.

4. The day provided for in the organisation's rules on which the roll of voters is to be closed

Rule 6J provides that the roll of voters be closed seven days before nominations open. If this is the applicable rule, it must be stated in the prescribed information

If your views differ to any of those set out above please advise accordingly. Otherwise please ensure that the prescribed information is amended to address these points. If you have any queries I can be contacted on 03 8661 7926 or via email on scott.shepherd@fwa.gov.au

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Scott Shepherd', written in a cursive style.

Scott Shepherd
Tribunal Services and Organisations
Fair Work Australia
Tel: 03 86617926
Email: scott.shepherd@fwa.gov.au



File Reference: B5

FAXED
18/2/2010

Ms Ailsa Carruthers
Team Leader
Tribunal Services and Organisations
Fair Work Australia
GPO Box 1994
MELBOURNE VIC 3001

Dear Ms Carruthers

**REQUEST FOR BRANCH EXECUTIVE ELECTION:
3 General Membership Representatives**

Attached is an amended statement made in accordance with section 189 of the Fair Work [Registered Organisations] Act 2009 to request that the Australian Electoral Commission conduct an election for the above position.

Any enquiries in relation to this election should be forwarded to me or Sue Billington at the Union office.

Yours sincerely

PENNY GILMOUR
Branch Secretary

18 February 2010

Enclosures (2)
cc Australian Electoral Commission

**Statement under section 189 of the
Fair Work [Registered Organisations] Act 2009**

1. I am the Secretary of the ACT Branch of the Australian Education Union, an organisation registered under the Fair Work [Registered Organisations] Act 2009. I am the authorised officer to make requests for elections.
2. I hereby notify on behalf of the Branch Executive as the Authorised Officer that under the provisions of section 189 of the Fair Work [Registered Organisations] Act 2009 an election be conducted for the following position:

3 General Membership Representatives

3. Dates in relation to the nomination process have been confirmed with the Australian Electoral Commission as follows:
 - Roll of Voters closes: Tuesday 9 March 2010
 - Nominations Open: Tuesday 16 March 2010
 - Nominations Close: Tuesday 30 March 2010
4. The reason for this election is that three General Membership Representatives have resigned from the position.
 - Roger Amey – elected as Vice President from 1 January 2010 [AEU Election Results attached]
 - Sascha Colley – resigned [resignation attached]
 - Ben Bolton – resigned [resignation attached]
5. The electorate for this election is the General Membership of the AEU – ACT Branch excluding Preschool and TAFE.
6. The voting system will be a direct voting system.



PENNY GILMOUR
Branch Secretary

18 February 2010

**Australian Education Union
ACT Branch**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

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.

E2009/10021

Australian Education Union - ACT Branch

Branch Vice Presidents (Schools Sector) (2)

Candidates

AMEY, Roger
READ, Lyndall

Branch Vice President (TAFE Sector)

Candidate

DENNIS, Christopher

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



Sonny Neoh
Returning Officer
Australian Electoral Commission, Canberra

4 November 2009