

**Australian Education Union**  
**Vacancy Election**  
**TAFE Sub Branch Alternative Representative**  
**& General Membership Representative for the**  
**ACT Branch Executive**

**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.

**E2013/120**

**Australian Education Union, ACT Branch - Branch Executive**

**General Membership Representative (1) (Other than TAFE & ACT Pre-School Sub-Branches)**

No nomination was received

**TAFE Sub-Branches Alternate Representative (1)**

No nomination was received

As no nominations were received, no candidates were elected to these positions.



Kathryn Montgomery  
Returning Officer

26 March 2013



**Fair Work (Registered Organisations) Act 2009**

**POST ELECTION REPORT**

**Client:** Australian Education Union ACT Branch

**Contact details:** Glenn Fowler  
Branch Secretary  
AEU ACT Branch  
PO Box 3042  
MANUKA ACT 2603

**Email:** [Priority1@aeuact.asn.au](mailto:Priority1@aeuact.asn.au)  
[janderson@aeuact.asn.au](mailto:janderson@aeuact.asn.au)

**AIR contact officer:** Larry Powell

**Email:** [Industrial.elections@fwc.gov.au](mailto:Industrial.elections@fwc.gov.au)

**ELECTIONS COVERED IN THIS REPORT**

Election Decision No/s: E2013/120

**RULES**

Rules used for elections Rule ID: [284v: Incorporates alterations of 16/11/2012 – R2012/99 & R2012/164]

Rules difficult to apply/interpret: None.

**ROLL OF VOTERS**

As no nominations were received the Roll of Voters was not required,

**ALLEGATIONS OF IRREGULARITIES RECEIVED**

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

Other irregularities identified, and action taken: None

**ATTACHMENTS**

Declaration of Result

Kathryn Montgomery  
Returning Officer  
15 April 2013



[www.aec.gov.au](http://www.aec.gov.au)

PO Box 496  
HAYMARKET NSW 1239

**Reference:** NSW N13/92



**AEC**

**Australian Electoral Commission**

ABN 21 133 285 854

Level 10 / 59 Goulburn Street  
HAYMARKET NSW 1240

**Contact:** Kathryn Montgomery  
Phone: 02 9375 6375  
Facsimile: 02 9375 6336  
E-mail: [Kathryn.montgomery@aec.gov.au](mailto:Kathryn.montgomery@aec.gov.au)

Mr Glenn Fowler  
Branch Secretary  
Australian Education Union  
ACT Branch  
PO Box 3042  
MANUKA ACT 2603

My Email: [priority1@aeuact.asn.au](mailto:priority1@aeuact.asn.au)  
Also for attention : Janet Anderson – Executive Officer  
Email : [janderson@aeuact.asn.au](mailto:janderson@aeuact.asn.au)

Dear Mr Fowler,

**Australian Education Union, ACT Branch.  
Election: One General Membership Representative & One TAFE Alternate Representative  
E2013/120**

I refer to the above election for your organisation.

Section 197(1) of the Fair Work (Registered Organisations) Act 2009 requires the AEC to provide a written report on the conduct of the election to FWA and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

Section 198 of the Act requires that if an organisation or branch is given a post-election report under section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached Report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to '[industrial.elections@aec.gov.au](mailto:industrial.elections@aec.gov.au)' within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the post-election report and the organisation's response to the report (if applicable) available to members.

Further, Regulation 141(4) of the Fair Work (Registered Organisations) Regulations 2009 requires an organisation or branch to publish a notice on its web site advising members that a copy of the post-election report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.

Yours sincerely

Kathryn Montgomery  
Returning Officer  
15 April 2013



## DECISION

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

**Australian Education Union**  
(E2013/120)

AILS A CARRUTHERS

MELBOURNE, 19 FEBRUARY 2013

*Arrangement for conduct of election.*

[1] On 6 February 2013 the Australian Education Union - ACT Branch lodged with the Fair Work Commission the prescribed information in relation to an election to fill a casual vacancy in the following office:

TAFE Sub-Branches alternate representative for the ACT Branch Executive (1)

[2] On the same date the Australian Education Union - ACT Branch lodged with the Fair Work Commission the prescribed information in relation to an election for the following office due to insufficient nominations in E2011/2561, E2011/2588 and E2012/361.

General membership representative for the ACT Branch Executive (1)  
(other than TAFE and ACT Pre-School Sub-Branches)

[3] 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 COMMISSION

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File Ref: B5

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

By email: [ailsa.carruthers@fwc.gov.au](mailto:ailsa.carruthers@fwc.gov.au)

Dear Ms Carruthers

**REQUEST FOR BRANCH EXECUTIVE ELECTION:  
1 General Membership Representative  
1 TAFE Alternate Representative**

Attached is a 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 positions.

The proposed timetable for this election is also included.

Any enquiries in relation to this election should be directed to Garrett Purtill, Industrial Officer at the Union office.

Yours sincerely

**Glenn Fowler  
Branch Secretary**

5 February 2013

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 an authorised Officer to make requests for elections.
2. I hereby lodge with Fair Work Commission the prescribed information, as required under Regulation 138 of the Fair Work [Registered Organisations] Regulations 2009, for a request for elections to be conducted by the Australian Electoral Commission.
3. The names of the vacant offices required to be elected are:  
1 General Membership Representative for the ACT Branch Executive  
1 TAFE Alternate Membership Representative for the ACT Branch Executive
4. The reasons for these elections are:  
[a] The General Membership position was not filled at the previous election on 19 December 2012.  
[b] A casual vacancy for the TAFE Alternate position has been created by the resignation of Mr Stuart Gilmore on 29 January 2013.
5. Dates in relation to the election process have been discussed with the Australian Electoral Commission and are as attached.
6. Nominations for the General Membership vacancy referred to in 4[a] are to be called from all members in the General Membership sector. Should an election be necessary, in accordance with Rule 27 – Vacancies on Branch Executive – only members of Branch Council will vote. Nominations for the TAFE Alternate vacancy should be called from the TAFE sector. Should an election be necessary, in accordance with Rule 27 – Vacancies on Branch Executive – only members of Branch Council will vote.
7. The term of office for both vacancies expires on 30 June 2013.
8. The voting system for both elections may be considered to be a collegiate electoral system.



**Glenn Fowler**  
Branch Secretary

5 February 2013

**Proposed Timetable for the ACT Branch Executive Election:  
1 General Membership Representative  
1 TAFE Alternate Representative**

Roll of Voters Closes	Friday 1 March 2013
Distribution of Notices Calling for Nominations	Friday 8 March 2013
Closing Date for Nominations	Friday 22 March 2013 [4:30pm]
Ballot Opens [if required] and Distribution of Ballot Papers to eligible members	Friday 5 April 2013
Close of Ballot	Friday 19 April 2013 [10:00am]
Declaration of Poll	Monday 22 April 2013 [10:00am]