

**Australian Education Union  
ACT Branch  
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.

**E2013/161**

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

**ACT Pre-School Sub-Branches Representative (1)**

Candidate

LEUNING, Nina

**ACT Pre-School Sub-Branches Alternate Representative (1)**

Candidate

CURTIS, Peter

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

No nomination was received

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

No nomination was received

**General Membership Representatives (8) (Other than TAFE & ACT Pre-School Sub-Branches)**

Candidates

BYRNE, Roseanne

CARROLL, Theresa

CHISHOLM, Murray

GREENWELL, Tom

JUDGE, Patrick James

KINGMA, Aaron James

PERRY, David Wentworth

No further nomination was accepted

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



**AEC**

**Australian Electoral Commission**

Kathryn Montgomery  
Returning Officer  
18 June 2013



# POST ELECTION REPORT

Fair Work (Registered Organisations) Act 2009

**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: E2013/161

## 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 nominations received did not exceed positions to be filled no ballot was 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 Uncontested Offices

Kathryn Montgomery  
Returning Officer  
24 June 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

By 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.  
Scheduled Election  
E2013/161**

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 Fair Work Commission 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  
24 June 2013



# DECISION

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

**Australian Education Union**  
(E2013/161)

AILSA CARRUTHERS

MELBOURNE, 3 MAY 2013

*Arrangement for conduct of election.*

[1] On 4 April and 1 May 2013 the Australian Education Union - ACT Branch lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Branch Executive

General Membership representatives (8)  
(other than TAFE and ACT Pre-School Sub-Branches)

ACT Pre-School Sub-Branches representative  
ACT Pre-School Sub-Branches alternative representative

TAFE Sub-Branches representative  
TAFE Sub-Branches alternative representative

[2] The prescribed information was not lodged before the day prescribed by Regulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009*. That day is the day occurring 2 months before the first day when a person may, under the rules of the organisation or branch, become a candidate in the election. The Branch Secretary has stated that the prescribed information could not be lodged as the Branch had recently experienced a significant and unusual volume of vacancies on its Executive within a short period of time. In their anxiety to begin the processes to fill the vacancies they overlooked the requirement as to prior notice to Fair Work and has requested that I allow a later day for the lodgement of the prescribed information under subsection 189(2) of the *Fair Work (Registered Organisations) Act 2009* (the Act). Having considered the reason for late lodgement, I allow lodgement on 4 April 2013 in this instance.

[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

Mr Larry Powell  
Tribunal Services and Organisation  
Fair Work Commission  
GPO Box 1994  
**MELBOURNE VIC 3001**

**BY EMAIL:** larry.powell@fwc.gov.au

Dear Larry

**Re: Fair Work [Registered Organisations] Act 2009 CI 189(2) & Reg 138(3)**

**Request for Extension of Time in Relation to Branch Executive Election:**

- **8 General Membership Representatives**
- **1 TAFE Representative & 1 TAFE Alternate**
- **1 Preschool Representative & 1 Preschool Alternate**

I write seeking an extension of time in relation to our application for an election to fill vacancies on the Branch Executive.

Our grounds and reasons are that the Branch has recently experienced a significant and unusual volume of vacancies on its Executive within a short period of time. In our anxiety to begin the processes to fill these vacancies, we overlooked the requirement as to prior notice to Fair Work.

We apologise for this oversight and any burden it has created for Fair Work.

We seek your assistance in making good this oversight and expediting the processes required.

Additionally, our application incorrectly nominated election by postal vote whereas it should be by direct ballot. Could you amend our application accordingly.

Yours sincerely

**Glenn Fowler**  
**Branch Secretary**

30 April 2013



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:  
8 General Membership Representatives  
1 TAFE Representative & 1 TAFE Alternate  
1 Preschool Representative & 1 Preschool Alternate**

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 [[gpurtill@aeuact.asn.au](mailto:gpurtill@aeuact.asn.au)] or Janet Anderson [[janderson@aeuact.asn.au](mailto:janderson@aeuact.asn.au)] at the Union office.

Yours sincerely

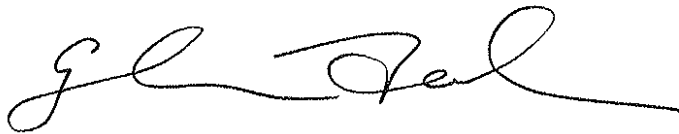
**Glenn Fowler  
Branch Secretary**

4 April 2013

Enclosures  
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, a request for elections to be conducted by the Australian Electoral Commission.
3. The names of the vacant offices required to be elected is:  
**8 General Membership Representatives**  
**1 TAFE Representative and 1 TAFE Alternate**  
**1 Preschool Representative and 1 Preschool Alternate**
4. The reason for this election is that the term of office expires for these positions on 30 June 2013.
5. Dates in relation to the nomination process are:  
Roll of Voters closes: Thursday 2 May 2013  
Nominations Open: Thursday 9 May 2013  
Nominations Close: Thursday 23 May 2013
6. Nominations for the vacancy should be called from the General Membership, Preschool and TAFE sectors.
7. The term of office for the vacancy expires on 30 June 2013.
8. The voting system for this election will be a postal voting system.



**Glenn Fowler**  
**Branch Secretary**

4 April 2013



**Proposed Timetable for ACT Branch Executive Election:  
8 General Membership Representatives  
1 TAFE Representative and 1 TAFE Alternate  
1 Preschool Representative and 1 Preschool Alternate**

Roll of Voters Closes:	Thursday 2 May 2013 [4:30pm]
Distribution of Notices Calling for Nominations:	Thursday 9 May 2013
Closing Date for Nominations:	Thursday 23 May 2013 [4:30pm]
Ballot Opens [if required] and Distribution of Ballot Papers to eligible members:	Thursday 6 June 2013
Close of Ballot:	Thursday 20 June 2013 [10:00am]
Declaration of Poll:	Monday 24 June 2013 [10:00am]