



17 June 2016

Mr Glenn Fowler
Branch Secretary
Australian Education Union-ACT Branch

aeuact@aeuact.org.au

Dear Mr Fowler,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election [E2016/121]. This letter is a reminder of certain obligations imposed on organisations and persons elected to office.

Section 154D(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires the rules of organisations (and branches of organisations) to require 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 should be provided for in your organisation's rules.

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. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't 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

Debbie Ball
Regulatory Compliance Branch

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].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 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]:³
 - COMMENCED/CEASED operation:
 1. [include name of each new branch]
 2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to orgs@fwc.gov.au.]

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

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.

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</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>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</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>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: Australian Education Union
ACT Branch – TAFE Division Vacancy Election

Contact details: Mr Glenn Fowler
Branch Secretary
ACT Branch
Australian Education Union

Email: glenn.fowler@aeuact.org.au
Tel:

FWC contact officer: Rachel Price

Email: orgs@fwc.gov.au
Tel: (02) 8374 6510

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2016/121

RULES

Rules used for the election: 284V:Incorporates alterations of
7/4/2016[R2015/256 and R2015/293] ACT Fed Br
Rules.

Model Rule reference (if any): N/A

ROLL OF VOTERS - N/A

IRREGULARITIES

Details of written allegations of irregularities,
and action taken by AEC: Nil.

Other irregularities identified, and action
taken: Nil

ATTACHMENTS

Declaration of Uncontested Election



Chris Cox
Returning Officer
Australian Electoral Commission
17 June 2016

Australian Education Union

ACT Branch TAFE Division

Declaration of Results for Uncontested Offices

E2016/121

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.

TAFE Division

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
17 June 2016



DECISION

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

Australian Education Union
(E2016/121)

MR ENRIGHT

MELBOURNE, 9 MAY 2016

Arrangement for conduct of election.

[1] On 31 March 2016 the Australian Education Union ACT Branch lodged with the Fair Work Commission the prescribed information in relation to an election for an office, due to insufficient nominations received in a previous election (E2015/295). Amended prescribed information was subsequently lodged on 4 May 2016 in relation to an election for the following office:

Branch Executive Vice President - TAFE Sector

[2] I am satisfied that an election for the abovenamed office 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

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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 the Branch Secretary of the Australian Education Union - ACT Branch,

I am authorised to lodge the following prescribed information concerning forthcoming elections in the ACT Branch of the Australian Education Union, and

I confirm that the proposed election is being conducted under Rule Six of the AEUACT Branch Rules and the *Fair Work (Registered Organisations) Act 2009*. I can also confirm that the following information is lodged under s 189 (1) of the *Fair Work (Registered Organisations) Act 2009* (the Act).

Signed:



Dated: 04/05/2016

Offices/Positions

- Branch Executive Vice President – TAFE Sector (x1) *June 2016 – December 2017*

Reasons for election:

- Election for the office of Branch Executive TAFE Sector Vice President (x1) is required due to insufficient nominations in election E2015/295 which ran in early 2016.

Elected by:

- The electorate for the direct voting system are the current members of Sub-Branches in the TAFE Sector

Proposed timetable:

Close of rolls:

- 7 days before nominations open.

Nominations open:

- To be determined by the returning officer.

Nominations close:

- To be determined by the returning officer.