

*Workplace Relations Act 1996*  
s.189 of Schedule 1 - arrangement for conduct of an election

**Australian Education Union**  
(E2008/218)

T. NASSIOS  
DEPUTY INDUSTRIAL REGISTRAR

MELBOURNE, 16 JULY 2008

*Arrangement for conduct of election.*

**DECISION**

[1] On 14 July 2008, the Northern Territory Branch of the abovenamed organisation lodged in the Industrial Registry the prescribed information in relation to an election for the following offices;

Branch President  
Vice-President (General)  
Vice-President (TAFE)  
Branch Secretary  
Treasurer  
Women's Officer  
Executive Councillor representing Indigenous Teachers and Indigenous Education Workers in Schools and Educational Institutions (1)

[2] In relation to the office of Branch Secretary, Mr Alan Perrin was elected to that office in October 2005 for a term of three years. An election to fill a casual vacancy created by his resignation was conducted by the Australian Electoral Commission in June 2007. Mr Adam Lampe was declared elected to that office with an absolute majority.

[3] Subrule 27(c) of the rules of the Branch deals with the filling of a casual vacancy for Branch Secretary. It provides:

*“(c) In the case of the Branch Secretary an election shall be held in accordance with the Rules as soon as practicable after the vacancy occurs. Provided that where the remaining term of office is one third (or less) of the original term then the Branch Executive may appoint a financial member to fill the position for the remainder of the term. In the case of an election the Executive may appoint a financial member to the position until the election process is complete.”*

[4] The rules of the Branch make no specific provision, where an election is to be conducted to fill a casual vacancy in the office of Branch Secretary, that the successful candidate shall hold office for the remainder of the original term of office.

[5] Accordingly, I am not satisfied that an election for the office of Branch Secretary is required to be held under the rules of the organisation at this time.

[6] I am satisfied, however, that an election for the remaining offices mentioned above is required to be held under the rules of the organisation and, under subsection 189(3) of Schedule 1 of the Workplace Relations Act 1996, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



# Facsimile Cover Sheet

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Pages including this cover sheet	4

AEU Northern Territory  
Ref: 19068440



19 June 2008

The Australian Industrial Registrar

Attention Mr Neil McHattie

22 Mitchell St.

DARWIN NT 0801

Dear Registrar,

**RE: AEU-NT Elections**

In accordance with the AEU-NT rule numbers 18(a)(i), 18(a)(ii), 18(a)(iii), 18(a)(iv), 18(a)(v), 18(a)(vii), 108(a), 108(b), 108(c), 108(e), 109(a) and 110 - attached below - I would seek that you initiate election proceedings for the following positions:

- Branch President
- Vice-President (General)
- Vice-President (TAFE)
- Branch Secretary
- Treasurer
- Women's Officer
- An Executive Councillor representing Indigenous teachers and Indigenous education workers

The relevant sections of the AEU-NT rules are given below:

**18 - CONSTITUTION OF BRANCH EXECUTIVE**

- (a) The Branch Executive shall consist of the following -
- (i) Branch President,
  - (ii) Vice-President (General) and Vice-President (TAFE),
  - (iii) Branch Secretary,
  - (iv) Treasurer,
  - (v) Women's Officer,
  - (vi) Executive Councillors from each Region, elected on a basis of one member for every 200 members or part thereof;
  - (vii) An Executive Councillor representing Indigenous teachers and Indigenous education workers in schools and educational institutions.

### **108 - ELECTION OF MEMBERS OF BRANCH EXECUTIVE**

- (a) The Branch President shall be biennially elected by financial members of the Branch by secret postal ballot.
- (b) The Vice-President (General) shall be elected from and by the financial members of the General Division, and the Vice-President (TAFE) shall be biennially elected by and from the financial members of the TAFE Division. The Treasurer shall be biennially elected by and from financial members of the Branch. The Woman's Officer shall be a female, biennially elected by and from financial members of the Branch. These elections shall be by secret postal ballot.
- (c) The Branch Secretary shall be elected for a term of 3 years by secret postal ballot.
- (d) Executive Council Members shall be biennially elected by financial members of their respective Regions in a secret postal ballot from 2001.
- (e) The Council Member representing Indigenous teachers and Indigenous education workers to be elected biennially by secret postal ballot from 2000. This Executive Council member must be an Indigenous person, and will be nominated and voted for by financial members of the branch.

### **109 - NOMINATIONS - BRANCH EXECUTIVE**

Nominations for positions on Branch Executive shall be called in accordance with this Rule

- (a) The Returning Officer shall call for nominations not later than 22nd July. The closing date for nominations shall be 5.00 p.m. on the 21st day of August

### **110 - BALLOT - BRANCH EXECUTIVE**

The ballot for Branch Executive positions shall be held in accordance with this rule.

- (a) On the closing of nominations, the Returning Officer shall cause a ballot paper to be printed in respect of those positions for which an election is necessary. Such ballot paper may contain provision for voting for more than one position or separate ballot papers may be prepared in respect of each contested position. A ballot paper shall:
  - (i) list candidates for each position in the order determined by lot by the Returning Officer and state the position for which they are candidates;
  - (ii) include instructions on how to vote;
  - (iii) state the date and time of closing of the ballot and the postal address to which the ballot paper shall be returned.
- (b) All members who are financial members of the Union attached to the Branch at the date of closing of the roll of voters shall be eligible to vote. The Branch

Secretary, shall provide the Returning Officer with a list of such members showing the full name and address and place of employment of each member.

(c) Not later than 14th September the Returning Officer shall forward by prepaid post to each financial member a ballot paper in respect of each position to be voted on. Such envelope shall also contain a smaller declaration envelope in which the voter shall place his/her completed ballot paper or papers and a larger pre-addressed envelope for return to the Returning Officer. Both envelopes shall be in the form prescribed by the regulations made under Schedule 1B of the Workplace Relations Act 1996.

(d) Ballot papers shall be returned to the Returning officer not later than 5.00 p.m. on 15th October. Only ballot papers then received by the Returning Officer shall be included in the count.

The ballot, including the appointment of a Returning Officer, will be conducted through the Australian Electoral Commission.

If you have any queries regarding this matter, please don't hesitate to give me a call.

Yours Sincerely,



Adam Lampe

Secretary, AEU-NT