



31 October 2017

Mr Graham Moloney
Branch Secretary
Australian Education Union-Queensland Branch
qtu@qtu.asn.au

Dear Mr Moloney,

cc: Federal Secretary, aeu@aeufederal.org.au

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of uncontested offices for Queensland Branch [E2017/170]. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

A notice must be published on the organisation's website

The organisation or branch must publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the Fair Work (Registered Organisations) Regulations 2009).

Holders of office required to undertake approved training

Section 293K of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires 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 are provided for in the RO Act.

Organisation must notify the Commission of changes

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-Queensland 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. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not 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

Christine Hibberd
Registered Organisations Commission

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 operation:
 1. *[include name of each new branch]*
 2. ...
 - CEASED operation:
 1. *[include name of each closed branch]*

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)

2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Registered Organisations Commission within **35 days** of the change. It can be submitted to regorgs@roc.gov.au.]*

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	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</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>Full Name</i>	<i>As above</i>	<i>mechanic</i>
<i>...</i>						
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</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>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
<i>...</i>						

27th October 2017

Post-election Report

Australian Education Union (AEU) E2017/170

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Election(s) Covered in this Report

Election Decision No/s: E2017/170

Rules

Rules used for the election: 284V: Incorporates alterations of 23 June 2017 [R2017/54]

Rules difficult to apply/interpret: None
Module Rule reference (if any) N/A

Roll of Voters

As there were no contested offices, no Roll of Voters was required.

Irregularities

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

Other irregularities identified, and action taken: None

Other Matters

None

Attachments

1) Declaration of Results for Uncontested Offices – QLD

Terrie Elekana
Returning Officer

27 October 2017

- Australian Education Union
Australian Education Union - Queensland Branch
Councillor Member Election E2017/170

Declaration of Results for Uncontested Offices

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.

Queensland Branch

Branch Councillor (34)

Candidates

ANDERSON, Perry Stuart
ARMIT, Gillian Elizabeth
AUGUSTON, Karleigh Michelle
BAILEY, Maika Lee
BATES, Kevin John
BEATTIE, Andrew Thomas Roy
BOSOMWORTH, Peta Anne
CARTER, Leigh Alison
CLARKE, Natalie Alana
COOK, Allan Gordon
CROTTY, Brendan Walter
DARBEN, Peter William
DUNN, Colleen Joy
IFFINGER, Rodney Charles
KAHLER, Anna Elizabeth
LUBKE, Peter William
MENGEL, Donald Clyde
MOLONEY, Graham John
MUNN, David
O'CONNOR, Kerry Kathleen
OLSSON, Leah Elizabeth
PIDGEON, Samantha Christie
PRIDAY, Catherine Ann
RATHMELL, Anne Margaret
RICHARDSON, Cresta Lee
ROOS, Nicole Sheree
RUTTIMAN, Kate Julie
SHIRLEY, Nicholas Loye
SWADLING, Jennifer Jean
TAYLOR, Leslea Ellen
THOMPSON, Andrew Richard
TIBALDI, Scott William
WARD, Kerryn Ann
WOOD, Craig Anthony

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

Terrie Elekana

Terrie Elekana
Returning Officer

26 October 2017



DECISION

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

Australian Education Union
(E2017/170)

MR ENRIGHT

MELBOURNE, 14 AUGUST 2017

Arrangement for conduct of election.

[1] On 2 August 2017 the Queensland Branch of the Australian Education Union lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Branch Councillor Member (34)

[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 COMMISSIONER

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From: Lorelei Adams <ladams@qtu.asn.au> on behalf of QTU Government
<government@qtu.asn.au>
Sent: Wednesday, 2 August 2017 5:43 PM
To: ROC - Registered Org Commission
Subject: Election of Officers E2017/170
Attachments: DOC020817.pdf

Attached herewith is the prescribed information for the election of the Australian Education Union - Queensland Branch Councillors.

Kind regards

Lorelei Adams | Government Coordinator
Queensland Teachers' Union
T: 07 3512 9000 | F: 07 3512 9050 | M: Your Mob Number
E: government@qtu.asn.au | W: www.qtu.asn.au
21 Graham St, Milton Q 4064
PO Box 1750, Milton BC Qld 4064

This is an email from the Queensland Teachers' Union and may contain confidential information which is privileged. It should only be read by those persons to whom it is addressed. If you have received this email in error, please notify us immediately by telephone on 07 3512 9000. Please also destroy and delete the message from your computer.

PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009

I, Graham John MOLONEY, being the Secretary of the Australian Education Union – Queensland Branch, make the following statement:

1. I am authorised to sign this statement containing prescribed information for Australian Education Union – Queensland Branch.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. This statement **IS** lodged at least 2 months before nominations open for the election below.



Signed: Graham John MOLONEY, Secretary

Dated: 2/8/17

[PLEASE NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.]

ANNEXURE A

- Elections that are required *[insert as many pages as required]*:

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
Queensland	Branch Councillors	34	Direct	Scheduled	Financial members of the AEU – Queensland Branch as at the close of the roll (Federal Branch Rule 2(2))
...					

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	<i>To be determined by the returning officer (Federal Branch Rule 9(3))</i>	
Nominations CLOSE	<i>14 days after nominations open (Federal Branch Rule 9(1))</i>	
Roll of Voters cut off date	<i>7 days prior to nominations opening (Branch Rule 13(9A))</i>	

Please note: that for insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as *'to be determined by the returning officer'*. Casual vacancies must be accompanied by proof of resignation and attached to this statement.



Australian Government
Registered Organisations Commission

2 August 2017

Mr Graham Moloney
Branch Secretary
Australian Education Union-Queensland Branch
Sent via email: qtu@qtu.asn.au

CC: AEC Returning Officer by email: industrial.elections@aec.gov.au

Dear Mr Moloney,

Election Overdue

We refer to our courtesy letter dated 6 July 2017 which reminded you of your obligation to lodge the prescribed information in relation to the impending election for offices within the branch. According to the rules of the branch, the calling of nominations for the election appears to commence in the month of October.

It is noted that the prescribed information for your branch's election has not been lodged with the Registered Organisations Commission (the ROC) as at the date of this letter, which was due two months before nominations open for the election. Neither has an application been made to the Commissioner seeking a later date for lodgement of your branch's prescribed information under the *Fair Work (Registered Organisations) Act 2009* (the 'Act') and the *Fair Work (Registered Organisations) Regulations 2009*. It therefore appears that your branch is now in breach of s.189(2) of the Act.

Accordingly, it is requested that your branch lodge the required prescribed information for election of Branch Councillors within fourteen days (14) of the date of this letter. Should the relevant prescribed information not be received within this time, the matter will be referred to the Commissioner for determination of the further action to be undertaken. **This may include applying under s.310(1) of the Act to the Federal Court of Australia for a pecuniary penalty order.**

We strongly encourage you to lodge the required documents electronically to regorgs@roc.gov.au quoting [E2017/170]

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Sam Gallichio'.

Sam Gallichio
Registered Organisations Commission



6 July 2017

Mr Graham Moloney
Secretary
Australian Education Union-Queensland Branch
Sent via email: qtu@qtu.asn.au

CC: AEC Returning Officer by email: industrial.elections@aec.gov.au

Dear Mr Moloney,

Courtesy Letter - Election for offices [E2017/170]

The rules of the Australian Education Union-Queensland Branch indicate that an election for offices within the branch is due to commence shortly.

- Branch Councillors

It appears that nominations for the election for the above-named offices open in October this year.

This is a courtesy letter to remind you of your obligation to lodge information about the election (known as the 'prescribed information') pursuant to sub-sections 189(1) and (2) of the *Fair Work (Registered Organisations) Act 2009* (the 'Act') within the month. Prescribed information must be lodged with the Registered Organisations Commission (the ROC) two months before nominations open for the election.

If you have a different interpretation for the commencement of the election or the offices due for election under your rules, please let the ROC know, otherwise, the prescribed information should contain details of the election as required by regulation 138(1) of the *Fair Work (Registered Organisations) Regulations 2009* (the 'Regulations'), and any subsequent collegiate elections, if that is relevant. A sample of the prescribed information can be found on our website at <http://www.roc.gov.au/resources-and-decisions/fact-sheets-templates-and-webinars>.

The prescribed information should be emailed to regorgs@roc.gov.au. If your branch believes that it will be unable to comply with the prescribed day as set out in the Regulations, it will need to apply to the Commissioner within the month for a later date. Such request will need to set out in detail the reason why your organisation is unable to comply with the requirement. While the Commissioner will consider such an application, there is no assurance that consent to a later day will be allowed.

It should be noted Section 189(2) is a civil penalty provision. Failure for an organisation to comply may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or the organisation.

The ROC intends to continue to provide reminders that an election is due as a courtesy. However failure to receive a reminder from the ROC cannot be relied on as a reason for late, incorrect or non-lodgment of prescribed information. The obligation to lodge prescribed information consistent with the Act and the rules of the organisation rests with the organisation.

When lodging the prescribed information, please quote [E2017/170]

Should you seek any clarification in relation to the above, please contact the ROC on regorgs@roc.gov.au.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Sam Gallichio', written in a cursive style.

Sam Gallichio
Registered Organisations Commission