

21 November 2019

Post-election report

Australian Entertainment Industry Association
Scheduled election
E2019/124

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Election(s) Covered in this Report

Organisation: Australian Entertainment Industry Association
Election: Scheduled
Election Decision No/s: E2019/124

Rules

Rules used for the election: [031N: Incorporates alterations of 5 August 2019 [R2018/317]]
Replaces rulebook of 5 April 2019 [D2018/9]

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website:

https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections

Roll of Voters

Total number of voters on the Roll: 381
Number of apparent workplace addresses: 0
Number of non-current addresses: 6
Other matters pertaining to the roll of voters: Nil

Irregularities

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

Other irregularities identified, and action taken: N/A

Other Matters

Returning Officer actions required (Section 193): No
Details:

Signed



Kylie Connor
Returning Officer
Australian Electoral Commission
E: vicelections@aec.gov.au
P: 03 9285 7146
21 November 2019

Attachments

- A. Declaration of Results for Uncontested Offices – VIC
- B. Declaration of Results for Contested Offices – VIC



21 November 2019

Richard Evans
President
Australian Entertainment Industry Association
Sent via email: info@liveperformance.com.au

Dear Richard Evans,

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 contested and uncontested offices in matter E2019/124. 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, as soon as practicable after receiving the post-election report, 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 Entertainment Industry Association 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.

Yours faithfully,

Romy Kaur
Registered Organisations Commission

Australian Entertainment Industry Association
DECLARATION OF RESULTS - E2019/124
Contested Offices

Scheduled Election

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 are:

AEIA Membership

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	381
Number of voters issued with voting material	381
Total number of voters issued with replacement voting material	3
Total number of voting material packs issued	384
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	118
Number of declaration envelopes rejected at preliminary scrutiny (minus)	0
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	118
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	9
Voting material packs not returned by voters by closing date of the ballot	257
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	31 %

Executive Councillors (15)

<u>Candidates</u>	<u>Final Votes</u>
BROOKMAN, Torben	10,676
CAMPBELL, Lisa	9,164
CHRISTIE, Libby	10,536
COPLEY, Alison	8,720
COPPEL, Michael	10,343
DONNELLY, Sue	9,355
HAWKINS, Liz	10,175
MCGRATH, Shirley	9,039
MCINTYRE, Patrick	10,943
MCKINNON, Paula	9,341
MCLEAN, Liza	9,318
MILLER, Jeremy	7,702

MUNN, Teena	7,789
SMITH, Melanie Rachel	10,551
VINCE, Judy	10,016
WINNING, Fiona	10,257
WITHERS, Louise	10,016

Total ballot papers admitted for this office	118
Formal Ballot papers	118
Informal Ballot papers	0

I declare the following elected:	Order Elected
• MCINTYRE, Patrick	1
• BROOKMAN, Torben	2
• SMITH, Melanie Rachel	3
• CHRISTIE, Libby	4
• COPPEL, Michael	5
• WINNING, Fiona	6
• HAWKINS, Liz	7
• VINCE, Judy	8
• WITHERS, Louise	9
• DONNELLY, Sue	10
• MCKINNON, Paula	11
• MCLEAN, Liza	12
• CAMPBELL, Lisa	13
• MCGRATH, Shirley	14
• COPLEY, Alison	15



Kylie Connor
 Returning Officer
 Telephone: 03 9285 7146
 Email: vicelections@aec.gov.au
 14/11/2019

Australian Entertainment Industry Association
DECLARATION OF RESULTS - E2019/124
Uncontested Offices

Scheduled Election

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 are:

AEIA Membership

President (1)

Candidates

EVANS Richard

Vice-President (2)

Candidates

KOTZAS John

O'CONNOR Maria

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



Kylie Connor
Returning Officer
Telephone: 03 9285 7146
Email: vicelections@aec.gov.au
14/11/2019



DECISION

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

Australian Entertainment Industry Association
(E2019/124)

MR ENRIGHT

MELBOURNE, 27 AUGUST 2019

Arrangement for conduct of election.

[1] On 18 July 2019 the Australian Entertainment Industry Association lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

President	(1)
Vice-President	(2)
Executive Councillors	(15)

[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

Printed by authority of the Commonwealth Government Printer

PR351452

18 July 2019

Commissioner Mark Bielecki
Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001

Dear Commissioner,

**Re: Prescribed Information in Respect of Election
Regulation 138(1) of the *Fair Work (Registered Organisations) Regulations 2009***

I am writing to request that the Registered Organisations Commission approve the conduct of an election by the Australian Electoral Commission (AEC) in accordance with the attached statement of prescribed information.

Please also note that the Australian Entertainment Industry Association (trading as Live Performance Australia) is currently revising its Rules and these revisions are currently being considered by the Fair Work Commission.

Should you require any additional information, Kim Tran, Director, Policy & Governance, can be contacted on (03) 8614 2000 or by email at ktran@liveperformance.com.au.

Yours sincerely,



Evelyn Richardson
Chief Executive



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, Richard Evans, being the President of the Australian Entertainment Industry Association (AEIA), trading as Live Performance Australia (LPA), make the following statement:

1. I am authorised to sign this statement containing prescribed information for AEIA.
2. The following information is lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).
3. The offices for which the election is required are:

President	(1)
Vice-President	(2)
Executive Councillors	(15)

The offices are in accordance with Rule 11(b) that “The Executive Council shall consist of not less than six nor more than eighteen members inclusive of a President and two Vice-Presidents.”

4. The election is a scheduled election – that is, the terms of office are due to expire in the normal course of events under the Registered Rules of AEIA.
5. The electorate for the ballot is the entire membership (all financial members) of the Association (in accordance with Rule 16(f)).
6. AEIA currently has Rules’ alterations pending with the Fair Work Commission. If these alterations are passed, it will affect the timing of the election. Annexure A sets out the election requirements under the current and revised Rules, including opening and closing dates for nominations and the closing date for the roll of voters.
7. The voting system to be used in the direct voting system.
8. This statement is lodged at least 2 months before nominations open for the election(s) in Annexure A.
9. There are no non-office positions for which this election is requested.

Signed:

A handwritten signature in black ink, appearing to be "Richard Evans", written over a horizontal line.

Dated: 18 July 2019

Timeline for election

ACTIVITY / MILESTONE	CURRENT RULES Timing	PROPOSED RULES Timing
Nominations OPEN	Rule 16a – 42 days before the AGM, which is: Thursday, 17 October 2019	Rule 18a – at least 63 days before the AGM. The latest date for opening nominations is: Thursday, 26 September 2019
Nominations CLOSE	Rule 16b – no later than 28 days before the AGM. The latest date for closing nominations is: Thursday, 31 October 2019	Rule 18b – at least 42 days before the AGM. The latest date for closing nominations is: Thursday, 17 October 2019
Roll of Voters cut off date	Rule 16f - 63 days prior to the AGM, which is: Thursday, 26 September 2019	Rule 18g - 85 days prior to the AGM, which is: Wednesday, 4 September 2019
Ballot OPENS	Rule 17h – not earlier than 10 days after the date of posting ballot papers to members. Date ballot opens to be determined by Returning Officer.	Rule 20i – the closing date and time for the ballot must be at least 21 days after the date ballot papers are posted. The latest date for posting ballot papers is: Thursday 24 October 2019
Ballot CLOSES	Rule 17h – not earlier than 10 days after the date of posting ballot papers to members. Date ballot closes to be determined by Returning Officer.	Rule 20i – at least 21 days after the date ballot papers are posted. Rule 20j – at least 14 days prior to the AGM. The latest date for closing the ballot is: Thursday, 14 November 2019
AGM	Thursday, 28 November 2019	Thursday, 28 November 2019