



Fair Work (Registered Organisations) Act 2009  
**POST ELECTION REPORT**

**The Australian Institute of Marine and Power Engineers  
Queensland Branch Vacancy Election**

**ELECTION/S COVERED IN THIS REPORT**

Election Decision No/s: *E2015/88*

**RULES**

Rules used for the election: *009V: Incorporates alterations of 26/09/2013 in matter R2013/333.*

Rules difficult to apply/interpret: *None - but refers to the Workplace Relations Act 1996 in numerous areas.*

Model Rule reference (if any): *N/A*

**ROLL OF VOTERS**

As the offices were not contested, the Roll of Voters was not required for this election.

**IRREGULARITIES**

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

Other irregularities identified, and action taken: *Nil*

**ATTACHMENTS**

Declaration of Results for Uncontested Offices dated 16<sup>th</sup> September 2015.

Kristy Dun  
Returning Officer

**16/09/2015**

# **- The Australian Institute of Marine and Power Engineers Queensland Branch Vacancy Election E2015/88**

## **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 Treasurer**

##### Candidates

SEYMOUR, Frank George

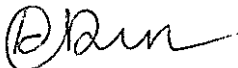
#### **Ordinary Member of Federal Council (2)**

##### Candidates

SNEE, Terry

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.



Kristy-Lee Dun  
Returning Officer

16 September 2015



# Copy of Signed Decision

**Title of Matter:** Application/Notification by The Australian Institute of Marine and Power Engineers - Queensland Branch  
**Section:** s.189(1) RO Act - Notification of elections for office  
**Subject:** Branch Treasurer; Ordinary Member of Federal Council (2)  
**Matter Number(s):** E2015/88

Dear Australian Electoral Commissioner via the Electoral Officer

Under subsection 189 of the *Fair Work (Registered Organisations) Act 2009*, please arrange for the conduct of the above election.

A copy of the Delegate's decision is attached for your information.

The relevant rulebook can be accessed via the Fair Work Commission's [website](#).

**Contact:** Mr Peter Toohey of the organisation, as per the prescribed information.

Please send the declaration(s) and post election report to the Fair Work Commission at [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

**Inquiries:**

Any inquiries relating to this matter are to be directed to Carolyn Moloney through [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

**23 JUNE 2015**



## Copy of Signed Decision

**Title of Matter:** Application/Notification by The Australian Institute of Marine and Power Engineers - Queensland Branch

**Section:** s.189(1) RO Act - Notification of elections for office

**Subject:** Branch Treasurer; Ordinary Member of Federal Council (2)

**Matter Number(s):** E2015/88

A copy of the Delegate's election decision in relation to the above matter is attached for your information.

**Please note:** Section 233(2) of the *Fair Work (Registered Organisations) Act 2009* requires details of changes to an organisation's records be declared to the Fair Work Commission. This includes changes resulting from the conduct of elections. Changes must be declared within 35 days of their occurrence.

### Inquiries:

Any inquiries relating to this are to be directed to Carolyn Moloney  
Phone: 02 8374 6510, email: [carolyn.moloney@fwc.gov.au](mailto:carolyn.moloney@fwc.gov.au), Fax: 02 9380 6990.

**23 JUNE 2015**



## DECISION

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

### **The Australian Institute of Marine and Power Engineers** (E2015/88)

MR ENRIGHT

MELBOURNE, 23 JUNE 2015

*Arrangement for conduct of election.*

[1] On 27 May 2015 the Queensland Branch of The Australian Institute of Marine and Power Engineers lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

#### **Queensland Branch**

Branch Treasurer	(1)
Ordinary Member of Federal Council	(2)

[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 GENERAL MANAGER

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## Copy of Prescribed Information

**Title of Matter:** Application/Notification by The Australian Institute of Marine and Power Engineers - Queensland Branch  
**Section:** s.189(1) RO Act - Notification of elections for office  
**Subject:** Branch Treasurer; Ordinary Member of Federal Council (2)  
**Matter Number(s):** E2015/88

Attn: Electoral Officer

A copy of the Prescribed Information in relation to the above matter is attached for your information.

This Prescribed Information was not forwarded to the AEC on 27 May 2015 (the day its of lodgement with the FWC) due to an administrative error. I apologise for any inconvenience this has caused.

The election decision will be forwarded to your office in due course.

**Inquiries:**

Any inquiries relating to this are to be directed to: [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

**15 JUNE 2015**



# AIMPE

Australian Institute of  
Marine and Power Engineers  
Queensland Branch and District

26 May 2015

The General Manager  
Fair Work Australia  
Level 8, Terrace Tower,  
80 William Street,  
East Sydney, NSW 2011



Dear Sir/Madam:

**RE: Need for Election of Officers – Queensland Branch**

Thank you for your correspondence dated 1 April 2015 regarding the requirement for elections for the offices two Ordinary Members of Federal Council in addition to the office of Branch Treasurer in the Queensland Branch.

The terms of the following Queensland Branch Office/s expired as follows:

- |                                       |                   |
|---------------------------------------|-------------------|
| 1. Branch Treasurer                   | 25 September 2015 |
| 2. Ordinary Member of Federal Council | 25 September 2015 |
| 3. Ordinary Member of Federal Council | 25 September 2015 |

Attached to this correspondence is the request to conduct elections. Please take such steps as are necessary to initiate conduct of these elections by the Australian Electoral Commission.

Should you require any further information please contact Greg Yates of the Queensland Office via [REDACTED]

Yours Sincerely

Peter Toohey

Secretary, Queensland Branch

Branch and District Offices: Secretary: Peter Toohey, President: Brad Ready, Treasurer: Tony Richardson  
Senior National Organiser: Greg Yates – 0417 773 262; National Organiser: Brendan Matthey – 0402 007 792

Suite 14, "ROCKTON", 40 Brookes Street Bowen Hills, QLD 4006

[www.aimpe.asn.au](http://www.aimpe.asn.au) Telephone: [REDACTED]

**Prescribed Information RE: AIMPE Queensland Branch Elections**

I, Peter John Toohey, being the Secretary of the Australian Institute of Marine and Power Engineers, Queensland Branch, make the following statement:

I am the Secretary of the Australian Institute of Marine and Power Engineers, Queensland Branch,

I am authorised to lodge the following prescribed information concerning forthcoming elections in the Queensland Branch of the Australian Institute of Marine and Power Engineers, and

I confirm that the following information is being lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.

Signed: 

Dated: 26-5-15

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**Offices/Positions**

A	Treasurer (DVS)
B	Branch Councillors (x 2) (DVS)

**Reasons for election:**

- Election for offices and positions marked A and B respectively is required as the terms of office are due to expire in the normal course of events under the rules of the organisation on 25 September 2015.

**Elected by:**

- The electorate for the direct voting system is the whole of the Branch (rule 9.1).

**Nominations open:**

- For offices to be elected by direct voting system no earlier than one month before the date set for election (Rule 33B (ii))

**Nominations close:**

- For offices to be elected by direct voting system - as arranged between the Branch Secretary and Returning Officer (Rule 33B (iii))

**Cut off date for roll:**

- Rule is silent.

**Note:**

*The above sample Notice and Statement would satisfy each of the particulars required under s.189(1) and the relevant regulations.*

*Make sure the declaration is adjusted as appropriate to reflect the facts.*

*The Notice and Statement are required to be lodged at least 2 months before the first day of nominations as set out in the rules of the organisation – the General Manager of the Fair Work Commission may allow for a later day (see subsection 189(2) and regulations).*

*The requirement to lodge election information under s.189(2) is a civil penalty provision (see s.305).*





1 April 2015

Mr Peter Toohey  
Branch Secretary  
The Australian Institute of Marine and Power Engineers-Queensland Branch  
Sent via email: [REDACTED]

Dear Mr Toohey,

**Courtesy Letter - Election for offices [E2015/88]**

A perusal of the rules of The Australian Institute of Marine and Power Engineers discloses that an election for offices within the branch is due to commence shortly. It appears from information gathered from the rules and from our records that nominations for the election of Treasurer and Ordinary Members of Federal Council are due to open in the month of June this year. This is based on the AEC declaring the last election for these offices in September 2013.

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

If you have a different interpretation for the commencement of the election under your rules, please let me 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 should include any subsequent elections such as an election for offices under the collegiate electoral system, if that is relevant. A sample of the prescribed information can be found on our website at [www.fwc.gov.au/sample\\_documents](http://www.fwc.gov.au/sample_documents).

The prescribed information should be emailed to [orgs@fwc.gov.au](mailto:orgs@fwc.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 General Manager for a later date. Such request will need to set out in detail the reason why your branch is unable to comply with the requirement. While the General Manager 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 to comply may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or your branch.

When lodging the prescribed information, please quote [E2015/88]

Should you seek any clarification in relation to the above, please contact me on (03) 8661 7936 or via email at [robert.pfeiffer@fwc.gov.au](mailto:robert.pfeiffer@fwc.gov.au).

Yours sincerely,

Robert Pfeiffer  
Senior Adviser  
Regulatory Compliance Branch