

## **MOUVEVELIS, Michael**

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**From:** Jim Leane [Jim.Lean@aec.gov.au]  
**Sent:** Monday, 5 May 2014 4:37 PM  
**To:** Orgs; derekmacl@hotmail.com; pmere@bigpond.net.au; Industrial Elections Section - SA  
**Subject:** AIMPE Election (E2013/280) - Casual Vacancy Branch President [DLM=For-Official-Use-Only]  
**Attachments:** Declaration of Poll.pdf

For-Official-Use-Only

Good Afternoon

Please find attached the signed declaration pertaining to the above election.

Regards

**Jim Leane | Divisional Returning Officer**  
Division of Barker  
Australian Electoral Commission  
T: (08) 8723 1366 | M: 0413 457 587 | F: (08) 8723 0401

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**AEC**

Australian Electoral Commission

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**- The Australian Institute of Marine and Power Engineers  
Casual Vacancy SA Branch Election E2013/280**

**Declaration of Results for Uncontested Offices**

**E2013/E280**

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.

**South Australian Branch**

**Branch President**

Candidates

MERE, Peter Norman

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



Jim Leane  
Returning Officer

5 May 2014



FAIR WORK  
COMMISSION

28 November 2013

Mr Derek MacLucas  
Branch Secretary  
South Australian Branch  
The Australian Institute of Marine and Power Engineers  
22 Divett Street  
PORT ADELAIDE SA 5015

Dear Mr MacLucas

**Re: Arrangements for the conduct of an election (E2013/280)**

A copy of the decision in relation to the above matter is enclosed.

Fair Work Australia is making arrangements, under subsections 189(3) of the *Fair Work (Registered Organisations) Act 2009*, with the Electoral Commissioner for the conduct of the subject election by a member of staff of the Australian Electoral Commission, who will contact you in the near future about the election.

Yours sincerely

Michael Moutevelis  
Assistant Adviser  
Regulatory Compliance Branch  
Fair Work Commission



## DECISION

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

### **The Australian Institute of Marine and Power Engineers** (E2013/280)

MR ENRIGHT

MELBOURNE, 27 NOVEMBER 2013

*Arrangement for conduct of election.*

[1] On 1 October 2013 the South Australia Branch of The Australian Institute of Marine and Power Engineers lodged with the Fair Work Commission prescribed information in relation to an election for the following office, which was unfilled in previous election E2012/377:

#### **South Australia Branch**

Branch President (1)

[2] On 8 October 2013, the Fair Work Commission wrote to the South Australia Branch of the abovenamed organisation, stating that the lodged prescribed information had been unsigned, that it had not provided dates for when nominations open, and that if the prescribed information had not been lodged before the prescribed day, a request for an extension of time would be required. The correspondence also requested confirmation that the prescribed information had been lodged by an authorised officer, which on this occasion was the Branch Secretary.

[3] On 6 November 2013 the South Australia Branch of the abovenamed organisation confirmed in writing that there had been a change in the office of the Branch Secretary.

[4] On 22 November 2013, the Fair Work Commission again wrote to the South Australia Branch of the abovenamed organisation requesting amended prescribed information as outlined in the letter which had been sent on 8 October 2013.

[5] On 26 November 2013, the South Australia Branch of the abovenamed organisation lodged amended prescribed information and also requested an extension of time to lodge the prescribed information. I allow a later day up to the date of 26 November 2013, and grant the extension requested.

[6] 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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## **MOUTEVELIS, Michael**

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**From:** Orgs  
**Sent:** Thursday, 28 November 2013 9:51 AM  
**To:** 'industrial.elections@aec.gov.au'  
**Subject:** E2013/280  
**Attachments:** AIMPE SA E2013\_280 Amended PI lodged 26112013.pdf; E2013\_280 AIMPE letter to AEC\_28112013.doc; AIMPE E2013\_280 SA Decision\_27112013.pdf

Dear AEC

Please find attached a copy of the amended PI and decision for the upcoming election of The Australian Institute of Marine and Power Engineers, South Australia Branch (E2013/280).

Regards

**MICHAEL MOUVEVELIS**  
Assistant Adviser  
Regulatory Compliance Branch

**Fair Work Commission**

Tel: (02) 8374 6614  
Fax: (02) 9380 6990  
Email: [michael.moutevelis@fwc.gov.au](mailto:michael.moutevelis@fwc.gov.au)

Level 8, Terrace Tower, 80 William Street, East Sydney NSW 2011

[www.fwc.gov.au](http://www.fwc.gov.au)

*Please be aware that my email address has changed to [michael.moutevelis@fwc.gov.au](mailto:michael.moutevelis@fwc.gov.au), effective 1 January 2013. Please update your records accordingly.*



FAIR WORK  
COMMISSION

Date: 28 November 2013

Electoral Commissioner Through

Australian Electoral Officer ([industrial.elections@aec.gov.au](mailto:industrial.elections@aec.gov.au))

Under subsection 189 of the Fair Work (Registered Organisations) Act 2009, please arrange for the conduct of the following election by the Australian Electoral Commission:

**E No: E2013/280**

**RE: THE AUSTRALIAN INSTITUTE OF MARINE AND POWER ENGINEERS, SOUTH AUSTRALIA BRANCH**

Offices: See Decision

Relevant Information: Office not filled at last election

Contact: Derek MacLucas  
Branch Secretary

Phone: 0431 930 808

A copy of the decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

Yours sincerely

Regulatory Compliance Branch  
Fair Work Commission

**MOUTEVELIS, Michael**

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**From:** derek maclucas [derekmacl@hotmail.com]  
**Sent:** Tuesday, 26 November 2013 10:53 AM  
**To:** Orgs  
**Subject:** AIMPE SA Branch election  
**Attachments:** Scan 7.jpeg

Hi David

As per our conversation this morning please find attached a letter requesting the FWC arrange for an election for a Brach President

Thanks

Derek Maclucas



E 2013/280

# Australian Institute of Marine & Power Engineers

## SOUTH AUSTRALIA BRANCH

ADELAIDE DISTRICT & NORTHERN TERRITORY SUB-BRANCH  
22 DIVETT ST PORT ADELAIDE 5014

To David Vale  
Fair Work Commission  
Principal Advisor  
Regulatory Compliance Branch  
C/O Terrace Towers  
80 William St  
East Sydney  
NSW 2011



Date; 26/11/13

Dear Sir

Fair Work (Registered Organisations) Act  
**ELECTION**  
of SA Branch offices

I, Derek MacLucas, am the elected Branch Secretary of the South Australia Branch of the Australian Institute of Marine and Power Engineers.

I am authorised to lodge the following prescribed information concerning the forthcoming election of the following offices of the **South Australian Branch** Australian Institute of Marine and Power Engineers, and I am requesting that you arrange for the conduct of an election by the Australian Electoral Commission in accordance with s.182 of the Fair Work [Registered Organisations] Act 2009

I am also requesting an extension of time to lodge the prescribed information, in accordance with section 189[2] of the fair work [registered Organisations ]Act 2009[the Act ] and regulation 138[3][2] of the regulations

### OFFICES

- A. BRANCH PRESIDENT (1) (direct election by members of the Branch)

Sincerely

Derek MacLucas  
BRANCH & DISTRICT SECRETARY

Email [derekmacl@hotmail.com](mailto:derekmacl@hotmail.com)  
Phone 0431930808

A handwritten signature of Derek MacLucas and the date 26/11/13.

Yours Sincerely  
Derek MacLucas  
AIMPE SA Branch  
State Secretary



FAIR WORK  
COMMISSION

22 November 2013

Mr Derek McLucas  
Branch Secretary  
South Australian Branch  
The Australian Institute of Marine and Power Engineers  
22 Divett Street  
PORT ADELAIDE SA 5015

Also by facsimile: (08) 8341 0779

Dear Mr McLucas

**URGENT**

**Request for amended prescribed information for the conduct of an Election (E2013/280)**

I refer to my letter of 8 October 2013 (see copy attached) which was sent to you requesting amended prescribed information in relation to the arrangements for the conduct of an election for the office of Branch President of the SA Branch of The Australian Institute of Marine and Power Engineers (**AIMPE**). The unsigned prescribed information was lodged with the Fair Work Commission (**FWC**) on 1 October 2013.

On 15 October you re-lodged the same deficient prescribed information as you lodged on 1 October 2013. An officer of FWC phoned you to inform you of this on the same day. To date no further prescribed information has been received.

You are required to re-lodge amended prescribed information as soon as possible. Could you please attend to this as a matter of urgency?

**Please note that prescribed information must be lodged before the prescribed day or a civil penalty provision may be imposed - see section 189 of the *Fair Work (Registered Organisations) Act 2009*.**

If you have any questions relating to this matter please do not hesitate to contact me on (02) 8374 6509 for any assistance.

Yours sincerely

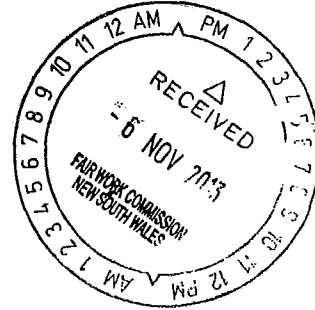
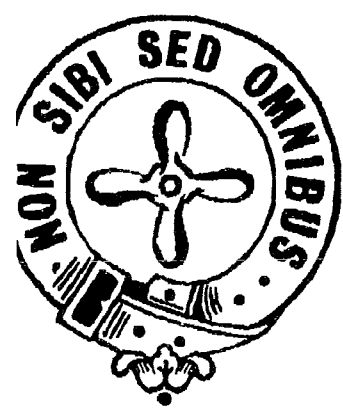
David Vale  
Principal Adviser  
Regulatory Compliance Branch, NSW  
Fair Work Commission

E2013/280

**Australian Institute of Marine & Power  
Engineers**

**SOUTH AUSTRALIA BRANCH**

ADELAIDE DISTRICT & NORTHERN TERRITORY SUB-BRANCH  
22 DIVETT ST PORT ADELAIDE 5014



To David Vale  
Fair Work Commission  
Principal Advisor  
Regulatory Compliance Branch  
NSW  
C/O Terrace Towers  
80 William St  
East Sydney  
NSW 2011

Date; 29/10/13

TOPIC ; AIMPE'S SOUTH AUSTRALIAN BRANCH OFFICE HOLDERS

Dear David,

In reply to your letter dated the 8/10/13, I am informing you that there has been a change of Branch Secretary for the SA Branch .

The New Branch Secretary is myself,  
Derek MacLucas  
67 Wilpena Tce Aldgate SA 5154  
Member Number 500505  
Contact Number 0431930808.

A handwritten signature in black ink that reads "Derek MacLucas". The signature is written in a cursive style.

Yours Sincerely  
Derek MacLucas  
AIMPE SA Branch  
State Secretary



FAIR WORK  
COMMISSION

8 October 2013  
Mr Derek Maclucas  
Branch Secretary  
SA Branch  
The Australian Institute of Marine and Power Engineers  
22 Divett Street  
PORT ADELAIDE SA 5015

Also by facsimile: (08) 8341 0779

Dear Mr Maclucas

**Arrangements for the conduct of an Election (E2013/280)**

I refer to the prescribed information dated 28 September 2013, which was lodged with the Fair Work Commission (**FWC**) on 1 October 2013 for the conduct of an election for the office of Branch President of the South Australian Branch of The Australian Institute of Marine and Power Engineers (**AIMPE**).

The prescribed information does not provide dates for when nominations are to open. Regulation 138(1)(e) of the *Fair Work (Registered Organisations) Regulations 2009* (the regulations) requires this information. Could you provide amended prescribed information which states the date of the beginning of the period in which nominations will be called for. If the date when nominations are to open will be before 1 December 2013, you will also be required to request an extension of time to lodge the prescribed information in accordance with section 189(2) of the *Fair Work (Registered Organisations) Act 2009* (the Act) and regulation 138(3)(2) of the regulations.

In addition, the prescribed information you lodged on 1 October 2013 was unsigned. Please ensure you sign any amended prescribed information. Finally, AIMPE's 2013 Annual Return (AR2013/229) which was lodged with FWC on 26 March 2013 lists Mr Gibbons as AIMPE's SA Branch Secretary. FWC has not received any notification of changes made to AIMPE's office holders since the lodgement of its 2013 Annual Return.

If a change of office holder has recently occurred could you please notify FWC in accordance with section 233(2) of the Act which states that '*An organisation must, within the prescribed period, lodge with the FWC notification of any change made to the records required to be kept under paragraphs 230(1)(b), (c) and (d), certified by declaration signed by the secretary or other prescribed officer of the organisation to be a correct statement of the changes made*'.

Regulation 151 of the regulations states that the 'prescribed period' is 35 days after the day the change is made. Consequently, once the amended prescribed information is received, FWC can prepare a decision for the Australian Electoral Commission to conduct the election.

Yours sincerely

David Vale  
Principal Adviser  
Regulatory Compliance Branch, NSW  
Fair Work Commission

## **MOUTEVELIS, Michael**

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**From:** Orgs  
**Sent:** Tuesday, 1 October 2013 2:16 PM  
**To:** 'industrial.elections@aec.gov.au'  
**Subject:** E2013/280  
**Attachments:** AIMPE SA E2013\_280 lodged 01102013.pdf; 009V\_AIMPE\_R2013\_333\_26092013.pdf

Dear AEC

Please find the prescribed information and a copy of the current rulebook for an upcoming election of The Australian Institute of Marine and Power Engineers, South Australia Branch (E2013/280).

Regards

**MICHAEL MOUTEVELIS**  
Assistant Adviser  
Regulatory Compliance Branch

**Fair Work Commission**

Tel: (02) 8374 6614  
Fax: (02) 9380 6990  
Email: [michael.moutevelis@fwc.gov.au](mailto:michael.moutevelis@fwc.gov.au)

Level 8, Terrace Tower, 80 William Street, East Sydney NSW 2011

[www.fwc.gov.au](http://www.fwc.gov.au)

***Please be aware that my email address has changed to [michael.moutevelis@fwc.gov.au](mailto:michael.moutevelis@fwc.gov.au), effective 1 January 2013. Please update your records accordingly.***

**Australian Institute of Marine & Power Engineers**  
**SOUTH AUSTRALIA BRANCH** Incorporating AIMPE (Employees) ADELAIDE DISTRICT  
**& NORTHERN TERRITORY SUB-BRANCH**



Delegate of the General Manager  
Fair Work Australia  
Level 6, Riverside Centre, North Terrace, Adelaide, 5000  
PO Box 8072, Station Arcade, Adelaide, 5000  
By email: [adelaide@fwa.gov.au](mailto:adelaide@fwa.gov.au)  
Telephone: (08) 8308 9863  
Facsimile: (08) 8308 9864

28 September 2012

Institute Chambers,  
22 Divett Street,  
Port Adelaide,  
South Australia  
5015  
Fax/Telephone:  
08 8341 0779

**Secretary:**  
Derek Maclucas  
0431930808

**President:**  
Peter  
Mere

**Treasurer:**  
Robert Noble

**Councillor:**  
Lance Hodgson

P.O. Box 507,  
Sanderson  
Northern Territory  
0812  
Fax/Telephone:  
08 8927 1160

**Sub-Branch  
Secretary:**  
Lance Hodgson  
0417 824 803

Dear Sir/Ms

Fair Work (Registered Organisations) Act  
**ELECTION**  
**of SA Branch offices**

I, Derek Maclucas, am the elected Branch Secretary of the South Australia Branch of the Australian Institute of Marine and Power Engineers.

I am authorised to lodge the following prescribed information concerning the forthcoming election of the following offices of the **South Australian Branch** 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*.

**OFFICES**

A. BRANCH PRESIDENT (1) (direct election by members of the Branch)

**REASON FOR ELECTION:**

•Election for offices and positions marked A is required as the term of office has expired and no nominations were received at the last election

**ELECTED BY:**

The electorate for all positions is direct voting by the whole of the Branch.

**NOMINATIONS OPEN:**

Given the spread of dates we would like to conduct all these elections simultaneously, and if possible synchronise the terms. Therefore the date for nominations is at the discretion of the Registrar.

As a significant proportion of our membership works away at sea for long periods [6 to 12 weeks is common] it is normal to advertise the opening of nominations [via our journal ON WATCH] at least 6 weeks in advance.

**NOMINATIONS CLOSE:**

As a significant proportion of our membership works away at sea for long periods [5 to 12 weeks is common] it is normal to hold nominations open for at least 6 weeks.

**CUT OFF DATE FOR ROLL:**

7 days prior to the opening date for nominations - rule 22(g).

Sincerely

Derek MacLucas BM  
BRANCH & DISTRICT SECRETARY



*"Rebuild  
Australian  
Shipping"*