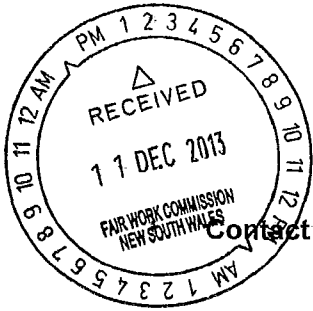


**AEC**

Australian Electoral Commission

**Fair Work (Registered Organisations) Act 2009****POST ELECTION REPORT****Client:** Australian Institute of Marine and Power Engineers – Sydney Branch**Contact details:** Martin Byrne  
Assistant Federal Secretary  
AIMPE Sydney  
52 Buckingham St.,  
SURRY HILLS NSW 2010**Email:** mbyrne@aimpe.asn.au**Tel:** 02 9319 7505**AIR contact officer:** Carolyn Moloney**Email:** orgs@fwc.gov.au**ELECTIONS COVERED IN THIS REPORT**

Election Decision No/s: E2013/176

**RULES**

Rules used for elections Rule ID: [009V: Incorporates alterations of 5/11/2009 in matters R2009/10043 and R2009/1044]

Rules difficult to apply/interpret: None

**ROLL OF VOTERS**

Number of voters on Roll As the election was uncontested no voter roll required

**ALLEGATIONS OF IRREGULARITIES RECEIVED**

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

Other irregularities identified, and action taken: None

**ATTACHMENTS**

Declaration of Result Uncontested Offices

Kathryn Montgomery  
Returning Officer  
14 October 2013

**The Australian Institute of Marine and Power Engineers  
Sydney Branch  
Vacancy Election E2013/176**

**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.

**Australian Institute of Marine and Power Engineers Sydney Branch**

**Branch President**

Candidates

JAMES, David

**Branch Secretary**

Candidates

BYRNE, Martin

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



Kathryn Montgomery  
Returning Officer

16 September 2013



FAIR WORK  
COMMISSION

16 May 2013

Martin Byrne  
Honorary Secretary  
Sydney Branch  
The Australian Institute of Marine and Power Engineers  
52 Buckingham Street  
SURRY HILLS NSW 2010

Also by facsimile: (02) 9319 7505 and email: [mbyrne@aimpe.asn.au](mailto:mbyrne@aimpe.asn.au)

Dear Mr Byrne

**Arrangements for the conduct of an Election (E2013/176)**

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

Carolyn Moloney  
Assistant Adviser  
Regulatory Compliance Branch



# DECISION

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

**The Australian Institute of Marine and Power Engineers**  
(E2013/176)

AILS A CARRUTHERS

MELBOURNE, 16 MAY 2013

*Arrangement for conduct of election.*

[1] On 8 May 2013 the Sydney 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:

**Sydney Branch**

Branch President	(1)
Branch Secretary	(1)

[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  
FAIR WORK COMMISSION

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<Price code A, PR536963>

## **MOLONEY, Carolyn**

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**From:** MOLONEY, Carolyn  
**Sent:** Friday, 17 May 2013 10:55 AM  
**To:** 'Industrial Elections'  
**Subject:** E2013/176  
**Attachments:** E2013\_176 AIMPE Sydney\_letter to AEC\_16052013.pdf; AIMPE E2013\_176 Sydney\_Signed Decision\_16052013.pdf

Dear AEC

Please find attached a copy of the Decision for the Sydney Branch of the AIMPE for its upcoming election (E2013/176).

Kind regards,

**CAROLYN MOLONEY**  
Assistant Adviser  
Regulatory Compliance Branch

**Fair Work Commission**  
Tel: 02 8374 6510  
Fax: 02 9380 6990  
[carolyn.moloney@fwc.gov.au](mailto:carolyn.moloney@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 [carolyn.moloney@fwc.gov.au](mailto:carolyn.moloney@fwc.gov.au) effective 1 January 2013. Please update your records accordingly.

16 May 2013



Electoral Commissioner Through  
Australian Electoral Officer (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 2013/176**

**RE: THE AUSTRALIAN INSTITUTE OF MARINE AND POWER ENGINEERS -  
SYDNEY BRANCH**

Positions:

See Decision

Relevant Information: Offices not filled in scheduled Branch election.

Contact: Martin Byrne, Honorary Secretary, Sydney Branch, The  
Australian Institute of Marine and Power Engineers

Phone: (02) 9698 3999

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 [industrial.elections@fwa.gov.au](mailto:industrial.elections@fwa.gov.au)

Carolyn Moloney  
Assistant Adviser  
Fair Work Commission

Terrace Towers Telephone: (02) 8374 6666  
80 William Street International: (612) 8374 6666  
East Sydney NSW 2011 Facsimile: (02) 9380 6990  
Email: [sydney@fwa.gov.au](mailto:sydney@fwa.gov.au)

## VALE, David

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**From:** VALE, David  
**Sent:** Wednesday, 8 May 2013 10:03 AM  
**To:** 'Industrial Elections'  
**Subject:** E2013/176  
**Attachments:** AIMPE Sydney E2013\_176 lodged 08052013.pdf; AIMPE\_009V\_R2009\_10043 & 10044\_05112009.doc

Dear AEC

Please find the prescribed information and a copy of the current rulebook of the AIMPE in election number E2013/176.

Yours sincerely

**DAVID VALE**

Principal Adviser,  
Regulatory Compliance Branch, NSW

**Fair Work Commission**

Tel: 02 8374 6509  
Fax: 02 9380 6990  
[david.vale@fwc.gov.au](mailto:david.vale@fwc.gov.au)

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

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

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

E2013/176.



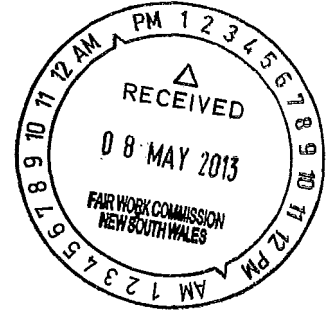
# AIMPE

Australian Institute of  
Marine and Power Engineers  
SYDNEY BRANCH

Fair Work Australia,  
80 William Street,  
East Sydney,  
NSW 2010.

7<sup>th</sup> May 2013

By email: [sydney@fwa.gov.au](mailto:sydney@fwa.gov.au)



Dear Deputy General Manager,

**RE: Request for Decision Regarding Further Election**

Enclosed is a copy of the Declaration of Results for the recently conducted elections for the Sydney Branch of the Australian Institute of Marine and Power Engineers. Also enclosed is a copy of the Post Election Report for the recent elections. No nominations were received for two of the positions.

As a consequence a meeting was held on 3<sup>rd</sup> May 2013 chaired by Mr J. Smith, Branch Treasurer. Mr Smith was the only member of the Branch Executive elected during the recent elections. The minutes of the meeting record that Mr Smith appointed me to fill the vacancy for the position of Branch Secretary until a fresh election can be conducted. Mr Smith also requested that I write to the Fair Work Commission seek authorisation for the conduct of elections for the positions of Branch President and Branch Secretary.

The Australian Institute of Marine and Power Engineers, Sydney Branch hereby requests that you arrange for the conduct of a further fresh election by the Australian Electoral Commission in accordance with s.182 of the Fair Work (Registered Organisations) Act 2009.

I, Martin Campion Byrne, Honorary Secretary of the Sydney Branch of the Australian Institute of Marine and Power Engineers make the following statement:

I write on behalf of the Sydney Branch of the AIMPE to request that you make the necessary arrangements for the conduct of Branch Elections.

I am authorised to lodge the attached information covering the Branch elections being sought.

I confirm that the attached information is lodged under subsection s189 (1) of the Act and Regulation 138 of the Fair Work (Registered Organisations) Regulations 2009.

**Yours Faithfully**

**Martin Byrne**  
**Honorary Secretary,**  
**Sydney Branch**  
**Australian Institute of Marine & Power Engineers**



*Prescribed information Regulation 138 FW(RO)Regs 2009*

**Reg 138 (1) (a) Name of Positions:**

- A Branch President (1)
- B Branch Secretary (1)

**Reg 138 (1) (b) Reason for Elections:**

The reason for the Election of the officers and positions marked **A** and **B** above is that the positions were not filled at the previous elections and fresh elections are required to fill the positions in accordance with the rules.

**Reg 138 (1) (c) Number of positions:**

n/a

**Reg 138 (1) (d) The Electorate:**

The electorate is the whole of the branch.

**Reg 138 (1) (e) Nominations Open:**

The nominations should open at least one month before the date fixed for the election (Rule 33 B (iii)).

**Reg 138 (1) (e) Nominations Close:**

Closing of nominations should be as arranged between the Branch Secretary and the Returning Officer ((Rule 33 B (iii))).

**Reg 138 (1) (f) Cut off Date for roll:**

The Rules of the AIMPE are silent as to cut off date.

**Reg 138 (1) (g) Method of Election:**

The direct voting system is the method to be used for these ballots. The Rules of the AIMPE specify that financial members shall elect the Branch officials (Rule 33 B (i)).

# The Australian Institute of Marine and Power Engineers Sydney Branch Executive

## DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

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.

**E2013/102**

**Australian Institute of Marine and Power Engineers Sydney Branch**

**Branch President**

No nomination was received

**Branch Treasurer**

Candidate

SMITH, James William

**Branch Secretary**

No nomination was received

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

Candidates

HANDCOCK, Michael Joseph  
SMITH, James William

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



Kathryn Montgomery  
Returning Officer  
10 April 2013





Fair Work (Registered Organisations) Act 2009

**POST ELECTION REPORT**

**Client:** Australian Institute of Marine and Power Engineers – Sydney Branch  
**Contact details:** Martin Byrne  
Assistant Federal Secretary  
AIMPE Sydney  
52 Buckingham St.,  
SURRY HILLS NSW 2010  
**Email:** mbyrne@aimpe.asn.au  
**Tel:** 02 9319 7505

**AIR contact officer:** Stephen Kellett  
**Email:** Industrial.elections@fwc.gov.au

**ELECTIONS COVERED IN THIS REPORT**

Election Decision No/s: E2013/102

**RULES**

Rules used for elections Rule ID: [009V: Incorporates alterations of 5/11/2009 in matters R2009/10043 and R2009/1044]

Rules difficult to apply/interpret: None

**ROLL OF VOTERS**

Number of voters on Roll As the election was uncontested no voter roll required

**ALLEGATIONS OF IRREGULARITIES RECEIVED**

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

Other irregularities identified, and action taken: None

**ATTACHMENTS**

Declaration of Result Uncontested Offices

Kathryn Montgomery  
Returning Officer  
11 April 2013

## **Sydney Branch Executive**

### **Australian Institute of Marine and Power Engineers**

#### **Meeting held at AIMPE HO 52 Buckingham Street Surry Hills Sydney.**

Friday 3<sup>rd</sup> May 2013

Commencement	3.30 pm
Chair	J Smith (Branch Treasurer)
Attendance	J Smith M Byrne – in an advisory capacity
Apologies	D James – on leave
Report	M. Byrne advised of the Report from the Australian electoral Commission about the results of the Branch Elections. J Smith re-elected unopposed as Branch Treasurer. J Smith and M Handcock elected unopposed as Federal Councillors from Sydney Branch. As a result of the failure of any persons to nominate for the positions of Branch Secretary and Branch President, there are two vacancies on the Branch Executive.
General business	<p>Mr Byrne advised that under Rule 33B(xiii) the Branch Executive shall have the power to appoint a person to fill a vacancy until a new election can be arranged.</p> <p>Mr Smith decided that due to the current vacancies that Mr Byrne should be appointed as Branch Secretary on an interim basis until a new election for both Branch Secretary and Branch President can be arranged.</p> <p>Mr Byrne proposed further that Mr James be appointed as Branch President until the new election has been arranged. Mr Smith endorsed the proposal from Mr Byrne.</p> <p>Mr Smith requested that Mr Byrne write to Fair Work Commission seeking authorisation for the conduct of a new election for the Branch Executive vacancies.</p>
Closure	Meeting closed at 4.00pm