



3 February 2016

Mr Martin Byrne  
Branch Secretary  
The Australian Institute of Marine and Power Engineers - Sydney Branch

Email: [mbyrne@aimpe.asn.au](mailto:mbyrne@aimpe.asn.au)

Dear Mr Byrne,

**Reminder of actions required when persons elected to office**

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/216]. This letter is a reminder of certain obligations imposed on organisations and persons elected to office.

Section 154D(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires the rules of organisations (and branches of organisations) to require 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 should be provided for in your organisation's rules.

Also, section 233(2) of the RO Act requires that an organisation must notify the Fair Work Commission (the Commission) within 35 days of any changes to the holders of office in the organisation. If the election has resulted in any changes to the holders of office, The Australian Institute of Marine and Power Engineers - Sydney 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. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't 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

Michael Moutevelis  
Regulatory Compliance Branch

**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].<sup>1</sup>
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:<sup>2</sup>
  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]:<sup>3</sup>
  - COMMENCED/CEASED operation:
    1. [include name of each new branch]
    2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

**[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).]**

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<sup>1</sup> s.230(1)(d); reg.147(d)

<sup>2</sup> s.230(1)(d); reg.147(a) & (d)

<sup>3</sup> s.230(1)(d); reg.147(b) & (c)

## 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	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</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>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</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>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							

**From:** Christine Cox <Christine.Cox@aec.gov.au>  
**Sent:** Tuesday, 2 February 2016 4:51 PM  
**To:** Orgs  
**Cc:** 'mbyrne@aimpe.asn.au'; Industrial Elections  
**Subject:** Post Election Report and Declaration for The Australian Institute of Marine and Power Engineers Sydney Branch E2015-216 [DLM=For-Official-Use-Only]  
**Attachments:** Declaration of Result.pdf; RO Report AIMPE Sydney Bch E2015-216.pdf

## For-Official-Use-Only

Good Afternoon

I refer to the above election for your organisation.

Section 197(1) of the *Fair Work (Registered Organisations) Act 2009* ("the Act") requires the AEC to provide a written report on the conduct of the election to the Fair Work Commission and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

Section 198 of the Act requires that if an organisation or branch is given a Post Election Report under Section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to 'industrial.elections@aec.gov.au' within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the Post Election Report and the organisation's response to the report (if applicable) available to members.

Further, Regulation 141(4) of the *Fair Work (Registered Organisations) Regulations 2009* requires an organisation or branch to publish a notice on its website advising members that a copy of the Post Election Report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.

Regards  
Chris

**Chris Cox | Senior Returning Officer**  
Industrial & Commercial Elections | NSW State Office  
Australian Electoral Commission  
T: (02) 9375 6301 | F: (02) 6215 9910



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Visit [www.aec.gov.au](http://www.aec.gov.au)

## **For-Official-Use-Only**

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# The Australian Institute of Marine and Power Engineers Scheduled Election Sydney Branch

## Declaration of Results for Uncontested Offices

E2015/216

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

HANDCOCK, Michael Joseph

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



Ishtiaq Ahmed  
Returning Officer

15 December 2015

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: The Australian Institute of Marine and Power Engineers  
Sydney Branch

Contact details: Mr Martin Byrne  
Sydney Branch Secretary  
52 Buckingham Street  
SURRY HILLS NSW 2010

Email: [mbyrne@aimpe.asn.au](mailto:mbyrne@aimpe.asn.au)  
Tel: (02) 9698 3999

FWC contact officer: David Vale

Email: [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)  
Tel: (02) 8374 6509

**ELECTIONS COVERED IN THIS REPORT**

*Election Decision No/s:* E2015/216

**RULES**

Rules used for the election: 009V: Incorporates alterations of 03/12/2014 in matter R2013/22

Model Rule reference (if any): N/A

**ROLL OF VOTERS** - N/A

**IRREGULARITIES**

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

Other irregularities identified, and action taken: Nil

**ATTACHMENTS**

Declaration of Uncontested Election



Christine Cox  
Returning Officer  
Australian Electoral Commission  
2 February 2016



26 August 2015

Mr Martin Byrne  
Branch Secretary  
Sydney Branch  
The Australian Institute of Marine and Power Engineers  
52 Buckingham Street  
Surry Hills NSW 2010

**Re: Arrangements for the conduct of an Election - The Australian Institute of Marine and Power Engineers – Sydney Branch - (E2015/216)**

Dear Mr Byrne,

I refer to the prescribed information dated 4 and 12 August 2015 which was lodged with the Fair Work Commission on 5 and 12 August 2015 for a scheduled election of the abovementioned organisation.

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

The Fair Work Commission 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

David Vale  
Principal Adviser  
Regulatory Compliance Branch, NSW  
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**  
(E2015/216)

MR ENRIGHT

SYDNEY, 26 AUGUST 2015

*Arrangement for conduct of election.*

[1] On 5 August 2015 the Sydney Branch of The Australian Institute of Marine and Power Engineers (AIMPE) lodged with the Fair Work Commission (the Commission) prescribed information in relation to an election.

[2] On 12 August 2015, the Sydney Branch of AIMPE lodged with the Commission amended prescribed information in relation to an election for the following office:

Branch President (1)

[3] 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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## VALE, David

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**From:** VALE, David  
**Sent:** Wednesday, 26 August 2015 2:17 PM  
**To:** 'Industrial Elections' (industrial.elections@aec.gov.au)  
**Subject:** E2015/216  
**Attachments:** E2015\_216 AIMPE SYD Signed Decision\_26082015.docx; AIMPE\_E2015\_216 Decision to AEC\_26082015.doc

Dear AEC

Please find a copy of the Decision in election E2015/216.

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)

Level 10, Terrace Tower  
80 William Street  
East Sydney NSW 2011  
[www.fwc.gov.au](http://www.fwc.gov.au)

26 August 2015



FAIR WORK  
COMMISSION

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 2015/216**

**RE: Sydney Branch, The Australian Institute of Marine and Power Engineers**

Offices: Branch President (1)

Relevant Information: See Decision

Contact: Mr Martin Byrne, Secretary

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 [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au).

Yours sincerely

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

**VALE, David**

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**From:** david.vale@fwc.gov.au  
**Sent:** Wednesday, 26 August 2015 10:41 AM  
**To:** secret.ballots@aec.gov.au  
**Subject:** FWC Letter to AEC - E2015/216 - Application/Notification by Australian Institute of Marine and Power Engineers, The-Sydney Branch  
**Attachments:** ORG letter AEC.doc; E5BFB7EF0FAA51DB978A7C2402D133F227978.msg

Please find attached correspondence regarding the matter **E2015/216 - Application/Notification by Australian Institute of Marine and Power Engineers, The-Sydney Branch**

This correspondence was sent automatically from the Fair Work Commission.

## **MOUTEVELIS, Michael**

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**From:** Martin Byrne <mbyrne@aimpe.asn.au>  
**Sent:** Wednesday, 12 August 2015 1:45 PM  
**To:** VALE, David; Orgs  
**Subject:** Amended request for election  
**Attachments:** Amended request for election AIMPE Sydney Branch President position 12 08 15.pdf  
**Categories:** RIA

Please find letter attached

Regards,

**Martin Byrne**  
Secretary  
Sydney Branch  
AIMPE  
0419 243 263



*Rebuild Australian Shipping*



# AIMPE

Australian Institute of  
Marine and Power Engineers  
SYDNEY BRANCH

Mr David Vale  
Principal Advisor, Regulatory Compliance Branch, NSW  
Fair Work Commission  
By email: [David.VALE@fwc.gov.au](mailto:David.VALE@fwc.gov.au)  
By email: [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)

12<sup>th</sup> August 2015

Attention: Mr M. Moutevelis

Dear Sir,

**Re: Amended request to appoint AEC to conduct election**

I, Martin Byrne, of 52 Buckingham Street Surry Hills, make the following statement:  
I am the Sydney Branch Secretary of the Australian Institute of Marine and Power Engineers, and I am authorised under Rule 33B(i) of the AIMPE Rules to make all necessary arrangements for the appointment of a Returning Officer to conduct elections for Branch positions. Accordingly I hereby request the Fair Work Commission to approve this request for the Australian Electoral Commission to conduct the election for the position of AIMPE Sydney Branch President.

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

**OFFICES**

Pursuant to Rule 33 B:  
Branch President (1)

**REASON FOR ELECTION:**

The reason for the election being that the term of office of the Branch President will expire on 16<sup>th</sup> September 2015.

**ELECTED BY:**

The electorate for these elections are the financial members of the Sydney Branch.

**NOMINATIONS OPEN:**

AEC Notice of the Election will need to be published in our union journal "On Watch" whose September edition deadline for articles/notices is 8<sup>th</sup> September and the edition would be in the members hands by end of September. Nominations could therefore open on Friday 16<sup>th</sup> October 2015.

**NOMINATIONS CLOSE:**

Because we have a seagoing membership, who are commonly away from home for 6 weeks, it is customary for the nominations to remain open for a period of 6 weeks. Accordingly Nominations should close no earlier than Friday 27<sup>th</sup> November 2015.

**CUT OFF DATE FOR ROLL:**

The same date as the close of Nominations, Friday 27<sup>th</sup> November 2015.

This statement is intended to be lodged in accordance with the requirements of the Fair Work (Registered Organisations) Act: if there is any deficiency in connection with it's lodgement please advise me so that I may correct such error.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Martin Byrne', with a long horizontal flourish extending to the right.

**Martin Byrne**  
**Secretary**  
**Sydney Branch**  
**AIMPE**

## VALE, David

---

**From:** Martin Byrne <mbyrne@aimpe.asn.au>  
**Sent:** Monday, 10 August 2015 2:39 PM  
**To:** Orgs  
**Subject:** RE: Arrangements for the conduct of an Election (E2015/216)

Michael,

Thank you for your correspondence.

I will submit a formal request for an extension however I would ask that you now disregard the dates in my request of 5<sup>th</sup> August. We will not be able to meet the timetable that I suggested in that correspondence.

Regards,

**Martin Byrne**  
Federal Secretary  
AIMPE  
0419 243 263



*Rebuild Australian Shipping*

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**From:** Orgs [<mailto:orgs@fwc.gov.au>]  
**Sent:** Monday, 10 August 2015 2:10 PM  
**To:** Martin Byrne ([mbyrne@aimpe.asn.au](mailto:mbyrne@aimpe.asn.au))  
**Subject:** Arrangements for the conduct of an Election (E2015/216)

Dear Mr Byrne

Please find attached, correspondence in regards to the above election.

Regards

**Michael Moutevelis**

Regulatory Compliance Branch

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

Level 10, Terrace Tower, 80 William Street, East Sydney NSW 2011

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

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## **MOUTEVELIS, Michael**

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**From:** Orgs  
**Sent:** Monday, 10 August 2015 2:10 PM  
**To:** Martin Byrne (mbyrne@aimpe.asn.au)  
**Subject:** Arrangements for the conduct of an Election (E2015/216)  
**Attachments:** AIMPE Sydney Branch\_E2015\_216\_10082015.pdf

Dear Mr Byrne

Please find attached, correspondence in regards to the above election.

Regards

**Michael Moutevelis**

Regulatory Compliance Branch

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

Level 10, Terrace Tower, 80 William Street, East Sydney NSW 2011

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



10 August 2015

Mr Martin Byrne  
Branch Secretary  
Sydney Branch  
The Australian Institute of Marine and Power Engineers  
52 Buckingham Street  
Surry Hills NSW 2010

Also by email: [mbyrne@aimpe.asn.au](mailto:mbyrne@aimpe.asn.au)

**Re: Arrangements for the conduct of an Election (E2015/216)**

Dear Mr Byrne,

I refer to the prescribed information for a scheduled election of the Sydney Branch of The Australian Institute of Marine and Power Engineers (AIMPE), which was lodged with the Fair Work Commission on 5 August 2015.

Section 189(2) of the *Fair Work (Registered Organisations) Act 2009* provides that prescribed information for an election must be lodged before the prescribed day, which under regulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009* is two months before the first day when a person may become a candidate. You have indicated that nominations will open on 1 September 2015. Accordingly, the prescribed day on this occasion is 1 July 2015.

Since s.189(2) is a civil penalty provision and the prescribed information for this election was not lodged before the prescribed day, a formal written request for an extension of time is required, providing reasons why the prescribed information was not lodged before the prescribed day.

If you have any questions relating to this matter please do not hesitate to contact me on (02) 8374 6614.

Yours sincerely

Michael Moutevelis  
Regulatory Compliance Branch  
Fair Work Commission

## **MOUTEVELIS, Michael**

---

**From:** Martin Byrne <mbyrne@aimpe.asn.au>  
**Sent:** Wednesday, 5 August 2015 4:11 PM  
**To:** VALE, David  
**Cc:** Orgs; 'Joseph Fallone, AIMPE'  
**Subject:** Election Request  
**Attachments:** Request to conduct election Sydney Branch AIMPE.pdf

**Categories:** RIA

David/FWC,

Attached please find a request to conduct an election for the Sydney Branch of the Australian Institute of Marine and Power Engineers.

As I am taking long service leave from 14<sup>th</sup> August, I have copied Mr Joseph Fallone, National Organiser in on this correspondence. He will be able to assist in handling any queries in my absence.

Regards,

**Martin Byrne**  
Sydney Branch Secretary  
AIMPE  
0419 243 263



*Rebuild Australian Shipping*



# AIMPE

Australian Institute of  
Marine and Power Engineers  
Sydney Branch

Mr David Vale  
Principal Advisor, Regulatory Compliance Branch, NSW  
Fair Work Commission  
By email: [David.VALE@fwc.gov.au](mailto:David.VALE@fwc.gov.au)  
By email: [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)

4<sup>th</sup> August 2015

Dear Sir,

**Re: Request to appoint AEC to conduct election**

I, Martin Byrne, of 52 Buckingham Street Surry Hills, make the following statement:

I am the Sydney Branch Secretary of the Australian Institute of Marine and Power Engineers, and I am authorised under Rule 33B(i) of the AIMPE Rules to make all necessary arrangements for the appointment of a Returning Officer to conduct elections for Branch positions. Accordingly I hereby request the Fair Work Commission to approve this request for the Australian Electoral Commission to conduct the election for the position of AIMPE Sydney Branch President

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

**OFFICES**

Pursuant to Rule 33 B:  
Branch President (1)

**REASON FOR ELECTION:**

The reason for the election being that the term of office of the Branch President will expire on 16<sup>th</sup> September 2015.

**ELECTED BY:**

The electorate for these elections are the financial members of the Sydney Branch.

**NOMINATIONS OPEN:**

AEC Notice of the Election will need to be published in our union journal "On Watch" whose August edition deadline for articles/notices is 7<sup>th</sup> August and the edition would be in the members hands by end of August. Nominations could therefore open 1st September.

**NOMINATIONS CLOSE:**

Because we have a seagoing membership who are commonly away from home for 6 weeks, it is customary for the nominations to remain open for a period of 6 weeks. Accordingly Nominations should close no earlier than Friday 16<sup>th</sup> October 2015.

**CUT OFF DATE FOR ROLL:**

52 Buckingham Street, Surry Hills, N.S.W. 2010  
Telephone: +61 2 9698 3999 Fax: +61 2 9319 7505

The same date as the close of Nominations, Friday 16<sup>th</sup> October 2015.

This statement is intended to be lodged in accordance with the requirements of the Fair Work (Registered Organisations) Act : if there is any deficiency in connection with it's lodgement please advise me so that I may correct such error.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Martin Byrne', with a stylized flourish at the end.

Martin Byrne  
Sydney Branch Secretary  
AIMPE.