

13 November 2017

# Post-Election Report

The Australian Institute of Marine and Power  
Engineers: Sydney Branch Election E2017/81

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## Election(s) Covered in this Report

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Election Decision No/s: E2017/81

### Rules

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

Rules difficult to apply/interpret: See Other Matters section

Model Rule reference (if any) N/A

### Roll of Voters

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Total number of voters on the Roll: 326

Number of apparent workplace addresses: Nil

Number of non-current addresses: Nil

Other matters pertaining to the roll of voters: N/A

### Irregularities

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

Other irregularities identified, and action taken: Nil

## Other Matters

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Rules 33B - Election timeframe not clearly indicated

33B (iii) rule silent on the period nominations open. Suggest the rules could be amended to state nominations open for minimum of 6 weeks to facilitate nature of the industry “away” conditions of members.

Withdrawal of Nominations – rules appear to be silent on the withdrawal of a candidate’s nomination. The rules should be clarified to confirm a withdrawal of nomination by the candidate must be in writing and submitted to the Returning Officer by a specified time, e.g. the close of the nomination period.

Rule 33B (xv): Candidate Resume – rule is unclear on the timeframe to be applied to submit a resume, and should be amended to clarify. (7 days after nominations close recommended).

Period between nominations closing and the ballot opening. To allow for verification of members and their nominator’s eligibility, allow for a 7 day defect period to be applied where required, for the preparation of candidate resumes and for ballot material to be prepared. A minimum of 3 to 4 weeks in the timetable is recommended.

Ballot period: Rule 33B (v) ....at least 14 days before the election cause to be sent by prepaid mail..... It is not usual to send ballot material to voters 2 weeks before the ballot period has opened. As has happened in previous events if voters return their ballot paper before the ballot opens they cannot be admitted to the count. To prevent this issue in the future the rule should be amended to provide a longer ballot period (minimum 6 weeks) for members to return ballot material which would allow for the nature of the members industry and for longer postal delivery periods currently being experienced.

Multiple nominations – the rules appear to be silent on members lodging nominations and / or being elected to more than one office. Introducing a rule to address hierarchy of office could be considered.

## Attachments

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- 1) Declaration of results for Contested and Uncontested Offices



Kathryn Montgomery

Returning Officer

13 November 2017.

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

## Declaration of Results for Contested and Uncontested Offices

E2017/81

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

Total number of names on the roll of voters	326
Ballot papers issued	326
Replacement ballot papers issued	0
<b>Total Ballot Papers Issued</b>	<b>326</b>
Ballot papers / envelopes returned for scrutiny	92
Less ballot papers / envelopes rejected at preliminary scrutiny	1
Adjusting balance	0
<b>Total Ballot Papers Admitted to Scrutiny</b>	<b>91</b>
Percentage of ballot papers returned to number issued	28
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	234

### Ordinary Member of Federal Council (2)

	<u>Votes</u>
<u>Candidates</u>	
HANDCOCK, Michael Joseph	63
MAY, Christopher Lloyd	72
WIGHT, Garry	34
Total votes	<b>169</b>
Formal ballot papers	<b>90</b>
Informal ballot papers	<b>1</b>

I declare Michael Joseph Handcock and Christopher Lloyd May elected.

### Branch President

#### Candidates

HANDCOCK, Michael Joseph

I declare Michael Joseph Handcock elected.

**Branch Secretary**

Candidates

BYRNE, Martin

I declare Martin Byrne elected.

**Branch Treasurer**

Candidates

MORRIS, Adrian John

I declare Adrian John Morris elected.

*K. Montgomery*

Kathryn Montgomery  
Returning Officer  
Australian Electoral Commission  
13 October 2017



# Copy of Signed Decision

**Title of Matter:** Application/Notification by The Australian Institute of Marine and Power Engineers - Sydney Branch  
**Section:** s.189(1) RO Act - Notification of elections for office  
**Subject:** Sydney Branch: President, Treasurer, Secretary, 2 Ordinary Members of Federal Council  
**Matter Number(s):** E2017/81

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](#).

**Dear Australian Institute of Marine and Power Engineers, The-Sydney Branch,**

Section 233(2) of the *Fair Work (Registered Organisations) Act 2009* requires details of changes to an organisation's records to be declared to the Fair Work Commission. This includes changes to officers as a result of elections. Changes must be declared within 35 days and a template is available from the [website](#).

**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.

**Contact:** Mr Martin Byrne of the organisation, as per the prescribed information.

Please send any 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).

**5 APRIL 2017**



## DECISION

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

### **The Australian Institute of Marine and Power Engineers** (E2017/81)

MR ENRIGHT

MELBOURNE, 5 APRIL 2017

*Arrangement for conduct of election.*

[1] On 28 March 2017 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)
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 Australian Institute of Marine and Power Engineers, The-Sydney Branch  
**Section:** s.189(1) RO Act - Notification of elections for office  
**Subject:** Branch President, Treasurer, Secretary, 2 Ordinary Members of Federal Council  
**Matter Number(s):** E2017/81

Attn: Electoral Officer

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

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).

**29 MARCH 2017**



# 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)  
By email: [Sam.Gallichio@fwc.gov.au](mailto:Sam.Gallichio@fwc.gov.au)

28<sup>th</sup> March 2017

Attention: Mr S. Gallichio

Dear Mr S. Gallichio,

**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(ii) of the AIMPE Rules to make all necessary arrangements for the appointment of a Returning Officer to conduct elections for Sydney 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 positions of AIMPE Sydney Branch President, Branch Secretary, Branch Treasurer and two (2) Ordinary Members of Federal Council.

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)  
Branch Secretary (1)  
Branch Treasurer (1)  
Ordinary Members of Federal Council (2)

**REASON FOR ELECTION:**

The reason for the election being that the term of office of the Branch officials will expire on various dates in the second half of 2017:  
President 15<sup>th</sup> December 2017;  
Secretary 16<sup>th</sup> September 2017;  
Treasurer 14<sup>th</sup> August 2017; and  
Ordinary Members of Federal Council 14<sup>th</sup> August 2017.

A single combined election process will bring the election dates for all Sydney Branch elected positions back into alignment. All current members of the Branch Executive and Councillors have indicated to me that they are in agreement with this proposed course of action.

52 Buckingham Street, Surry Hills, N.S.W. 2010  
Telephone: +61 2 9698 3999 Fax: +61 2 9319 7505  
[www.aimpe.asn.au](http://www.aimpe.asn.au)

**ELECTED BY:**

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

**NOMINATIONS OPEN:**

AEC Notice of the Election will need to be published in our union journal "On Watch" pursuant to Rule 33B (iii).

The relevant deadlines for On Watch notices are:

9<sup>th</sup> May 2017 &

6<sup>th</sup> June 2017

The respective On Watch editions would be in the members' letterboxes by:

29<sup>th</sup> May &

26<sup>th</sup> June.

Nominations could therefore open either on 30<sup>th</sup> June 2017 or 27<sup>th</sup> July 2017.

**NOMINATIONS CLOSE:**

Because we have a significant proportion of seagoing members, who are commonly away from home for up to 6 weeks, it is customary for the nominations to remain open for a period of up to 6 weeks. Accordingly Nominations should close no earlier than 11<sup>th</sup> August 2017 or 7<sup>th</sup> September 2017.

**CUT OFF DATE FOR ROLL:**

The same date as the close of Nominations, either 11<sup>th</sup> August 2017 or 7<sup>th</sup> September 2017.

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 its lodgement please advise me so that I may correct such error.

Yours faithfully,



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