

Mr Ian McAllister
Branch Secretary
The Australian Institute of Marine and Power Engineers
202 / 20 Convention Centre Place
SOUTH WHARF VIC 3006

**Post Election Report For: The Australian Institute of Marine and Power Engineers
Election E2012/362**

I refer to the above election for your organisation.

Section 197(1) of The Fair Work (Registered Organisations) Act 2009 requires the AEC to provide a written report on the conduct of the election to the Industrial Registrar 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 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) Act 2009 requires an organisation or branch to publish a notice on its web site 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.

Laura Leavy
Returning Officer

4 March 2013

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

VICTORIAN AUTOMOBILE CHAMBER OF COMMERCE

ELECTION/S COVERED IN THIS REPORT

Election Decision No: E2012/362

RULES

Rules used for the election: [009V: Incorporates alterations of 5/11/2009 in matters R2009/10043 and R2009/10044]

Rules difficult to apply/interpret: None
Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: 438
Number of apparent workplace addresses: Nil
Number of non-current addresses: 4
Other matters pertaining to the roll of voters: Nil

IRREGULARITIES

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

ATTACHMENTS

Declaration of results.

Laura Leavy
Returning Officer

4 March 2013

The Australian Institute of Marine and Power Engineers Branch Offices

DECLARATION OF RESULTS FOR UNCONTESTED AND CONTESTED 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.

E2012/362

Victoria/Tasmania Branch

Total number of persons on the roll of voters	438
Ballot papers issued	438
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	438
Ballot papers / envelopes returned for scrutiny	147
Less ballot papers / envelopes rejected at	1
TOTAL BALLOT PAPERS ADMITTED TO	146
Percentage of ballot papers returned to number	33%
Ballot papers returned as unclaimed mail	4
Ballot papers not returned	287

Branch Treasurer

<u>Candidates</u>	<u>Votes</u>
DESAI, Himanshu	99
RICKARDS, Russell	45
Exhausted Votes	0
Loss/Gain by Fraction	0
Total votes	144
Formal ballot papers	144
Informal ballot papers	2

I declare Himanshu Desai elected.

Branch Secretary

<u>Candidate</u>
MCALLISTER, Ian

I declare Ian McAllister elected.

Branch President

<u>Candidate</u>
IRELAND, Edwin

I declare Edwin Ireland elected.

Ordinary Member of Federal Council (2)

Candidates

WALSH, Peter
WOOLLEY, Montgomery

I declare Peter Walsh and Montgomery Woolley elected.

Laura Leavy
Returning Officer
Australian Electoral Commission



Fair Work Australia

17 September 2012

Mr Ian McAllister
Branch Secretary
Victoria/Tasmania Branch
The Australian Institute of Marine and Power Engineers
Office 202, 20 Convention Centre Place
SOUTH WHARF MELBOURNE VIC 3006

Also by email: imcallister@aimpe.asn.au, nniven@aimpe.asn.au, jgoode@aimpe.asn.au.

Dear Mr McAllister

Re: Arrangements for the conduct of an Election (E2012/362)

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

Fair Work Australia is making arrangements, under subsection 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 Australia



FAIR WORK
AUSTRALIA

DECISION

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

The Australian Institute of Marine and Power Engineers
(E2012/362)

AILSA CARRUTHERS

SYDNEY, 17 SEPTEMBER 2012

Arrangement for conduct of election.

[1] On 5 September 2012, the Victoria/Tasmania Branch of The Australian Institute of Marine and Power Engineers lodged with Fair Work Australia the prescribed information in relation to an election for the following offices:

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

[2] On 14 September 2012, Fair Work Australia wrote to the abovenamed organisation to inform them that under section 189(2) of the *Fair Work (Registered Organisations) Act 2009* (the Act) prescribed information must be lodged before the prescribed day, and that as on this occasion the prescribed information had not been lodged before the prescribed day, a request for an extension of time would be required and to also provide a reason why the prescribed information was not lodged on time.

[3] On 17 September 2012 the abovenamed organisation lodged a written request for an extension of time and submitted that the reason for the delay was due to an error in calculating the prescribed day.

[4] 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 AUSTRALIA

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VALE, David

From: VALE, David
Sent: Monday, 17 September 2012 1:42 PM
To: 'Industrial Elections'
Subject: E2012/362 - AIMPE
Attachments: AIMPE E2012_362 Vic-Tas Branch Signed Decision_17092012.pdf

Dear AEC

Please find attached a copy of the signed decision for the upcoming election of the Victoria / Tasmania Branch of The Australian Institute of Marine and Power Engineers in election number E2012/362.

Yours sincerely

DAVID VALE
Principal Adviser,
Regulatory Compliance Branch, NSW

Fair Work Australia
Tel: 02 8374 6509
Fax: 02 9380 6990

david.vale@fwa.gov.au

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

www.fwa.gov.au



FAIR WORK
AUSTRALIA

17 September 2012

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:

Election No: 2012/362

**RE: THE AUSTRALIAN INSTITUTE OF MARINE AND POWER ENGINEERS -
VICTORIA / TASMANIA BRANCH**

Position:

See Decision

Relevant Information: Scheduled election; secret postal ballot.

Contact: Mr Ian McAllister
Victoria /Tasmania Branch Secretary

Phone: (03) 9690 0506

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.

Yours sincerely

David Vale
Fair Work Australia



AUSTRALIAN INSTITUTE OF MARINE AND POWER ENGINEERS
Victoria / Tasmania Branch



14 September 2012

Mr D Vale
Principal Adviser
Regulatory Compliance Branch, NSW
Fair Work Australia
Level 8, Terrace Tower
80 William Street
EAST SYDNEY NSW 2011

Dear Mr Vale,

I refer to your letter of today regarding The Australian Institute of Marine and Power Engineers arrangements for the conduct of an Election (E2012/362) and noted request for an extension requirement relating to our initial lodgment dated 5 September 2012.

Please accept this letter as an official request for an extension of time for lodgment of the prescribed information. Our extension of time is required due to an error in the calculation of dates as to when the lodgment was due for submission.

Should you require further information regarding this request please do not hesitate to contact me on 0419 63 4334.

Yours sincerely

Ian McAllister
Branch Secretary (Honorary)
Victoria / Tasmania Branch



Fair Work Australia

14 September 2012

Mr Ian McAllister
Branch Secretary
Victoria/Tasmania Branch
The Australian Institute of Marine and Power Engineers
Office 202, 20 Convention Centre Place
SOUTH WHARF MELBOURNE VIC 3006

Also by fax: (03) 9690 0153

Dear Mr McAllister

Re: Arrangements for the conduct of an Election (E2012/362)

I refer to the prescribed information dated 3 September 2012 which was lodged with Fair Work Australia (**FWA**) on 5 September 2012 for the conduct of a scheduled election for offices of the Victoria/Tasmania Branch of The Australian Institute of Marine and Power Engineers.

Section 189(2) of the *Fair Work (Registered Organisations) Act 2009* states that prescribed information 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 open on 1 October 2012. Accordingly the prescribed day is 2 months prior to 1 October 2012, which on this occasion is 1 August 2012.

Since s.189(2) is a civil penalty provision and the prescribed information for this election was not lodged before the prescribed day, the Delegate of the General Manager has requested a written request for an extension of time and 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 6509.

Yours sincerely

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

HALL, James

From: HALL, James
Sent: Friday, 7 September 2012 9:27 AM
To: 'Industrial Elections'
Subject: E2012/362 - Application/Notification by The Australian Institute of Marine and Power Engineers - Victoria/Tasmania Branch (009V-VIC)
Attachments: AIMPE E2012_362_PI lodged 05092012.pdf; 009V_AIMPE_R2009_10043 & 10044_05112009.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 - Victoria/Tasmania Branch (E2012/362).

Regards

JAMES HALL

Advisor
Organisations, Research and Advice - Sydney
Fair Work Australia

Level 8
Terrace Tower
80 William Street
East Sydney NSW 2011

Tel: 02 8374 6690
Fax: 02 8374 6990
Email: james.hall@fwa.gov.au



AUSTRALIAN INSTITUTE OF MARINE AND POWER ENGINEERS
202, 20 CONVENTION CENTRE PLACE, SOUTH WHARF 3006
PHONE: 03 9690 0506, FACSIMILE: 03 9690 0153, EMAIL: mbakhaazi@aimpe.asn.au

Monday, September 03, 2012

Fair Work Australia
Level 4, 11 Exhibition Street
Melbourne 3001

Dear Sir / Madam,

Conduct of Elections – A.I.M.P.E. - Victoria / Tasmania Branch

We request your assistance in conducting the above election.

Please find enclosed the prescribed information required in accordance with subsection 189(1) of the Fair Work [Registered Organisations Act] 2009.

The undersigned may be contacted in relation to this matter.

Yours faithfully,

Ian Mc Allister
Branch Secretary



PRESCRIBED INFORMATION IN RESPECT OF ELECTION – SUBSECTION 189(1) OF THE ACT

I am an officer of the Australian Institute of Marine and Power Engineers, Victoria Tasmania Branch and am authorized to sign this statement which is lodged in accordance with subsection 189(1) of the Act.

1. **The offices in respect of which the elections are required are:**

BRANCH SECRETARY
BRANCH PRESIDENT
BRANCH TREASURER
ORDINARY MEMBER OF FEDERAL COUNCIL
ORDINARY MEMBER OF FEDERAL COUNCIL

2. **The reasons for which the elections are required are:**

The terms of all of the other Offices expire on 3rd December 2012.

3. **The electorate for the election is:**

The membership of the Victoria / Tasmania Branch of AIMPE.

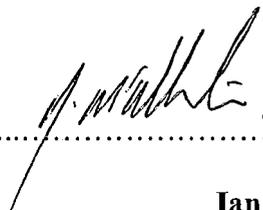
4. **The dates and times that nominations open and close are:**

To be advised by the Australian Electoral Commission.

5. **The voting system to be used in the conduct of the election is:**

Direct Voting.




..... (signed)

Ian Mc Allister
Branch Secretary
Victoria / Tasmania Branch

Statement of Prescribed Information for an Election

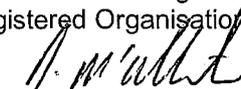
I, Ian Mc Allister, being the Branch Secretary of the Victoria/Tasmania Branch of the Australian Institute of Marine & Power Engineers, make the following statement:

I am the Branch Secretary of the Victoria/Tasmania Branch of the Australian Institute of Marine & Power Engineers.

I am authorised to lodge the following prescribed information concerning forthcoming elections in the Victoria/Tasmania Branch of Australian Institute of Marine & 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:

3/9/12

Offices/Positions

A	Branch President (Direct Voting System)
	Branch Secretary (DVS)
	Branch Treasurer (DVS)
B	Branch Councillors (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.

Elected by:

- The electorate for the direct voting system is the whole of the Branch.

Nominations open:

- For offices to be elected by direct voting system – 1 October 2012

Nominations close:

- For offices to be elected by direct voting system - 12 noon, 5 November 2012

Cut off date for roll:

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