

MOUTEVELIS, Michael

From: Simon Bulloch [Simon.Bulloch@aec.gov.au]
Sent: Thursday, 29 August 2013 1:17 PM
To: Industrial Elections; industrial.elections@fwc.gov.au; 'Phillip Olsen (polsen@aimpe.asn.au)'
Subject: E2013/125 AIMPE Post Election report and Declaration [DLM=For-Official-Use-Only]

For-Official-Use-Only

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.

Simon Bulloch | Manager

Election Services | WA State Office
Australian Electoral Commission
T: (08) 6363 8011 | M: 0413 006 210 | F: (08) 6363 8052



E2013-125
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E2013-125 Post
Election Report...

For-Official-Use-Only

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Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: The Australian Institute of Marine and Power Engineers
West Australia Branch

Contact details: Phil Olsen

Email: jparkin@aimpe.asn.au
Tel: (08) 9317 6446

FWA contact officer: David Vale

Email: david.vale@fwc.gov.au
Tel: 02 8374 6509

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2013/125

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: Nil

Model Rule reference (if any): N/A

ROLL OF VOTERS

The roll of voters was supplied by The Australian Institute of Marine and Power Engineers West Australia Branch and used to conduct the election..

IRREGULARITIES

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

Other irregularities identified, and action taken: Nil

ATTACHMENTS

Declaration of Results for Contested and Uncontested Offices

Simon Bulloch
Returning Officer
29 August 2013

The Australian Institute of Marine and Power Engineers Western Australian Branch Election

Declaration of Results for Contested and Uncontested Offices

E2013/125

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.

Western Australian Branch

Total number of names on the roll of voters	586
Ballot papers issued	586
Replacement ballot papers issued	0
Total Ballot Papers Issued	586
Ballot papers / envelopes returned for scrutiny	181
Less ballot papers / envelopes rejected at preliminary scrutiny	3
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	178
Percentage of ballot papers returned to number issued	30
Ballot papers returned as unclaimed mail	4
Ballot papers not returned	401

Ordinary Member of Federal Council

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
BLACKMORE, Christopher	130	130
RYLANCE, Phil	47	47
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	177	177
Formal ballot papers	177	177
Informal ballot papers	1	1

I declare Christopher Blackmore elected.

Branch President

Candidates

BLACKMORE, Christopher

I declare Christopher Blackmore elected.

Branch Treasurer

Candidates

HARTLIEB, Karel

I declare Karel Hartlieb elected.

Simon Bulloch
Returning Officer
Australian Electoral Commission

28 August 2013



AEC

Australian Electoral Commission



FAIR WORK
COMMISSION

7 March 2013

Mr Phillip Charles Olsen
Western Australia Branch Secretary
The Australian Institute of Marine and Power Engineers
1/169 Stock Road
PALMYRA WA 6157

Also by facsimile: (08) 9317 6450

Dear Mr Olsen

Arrangements for the conduct of an Election (E2013/125)

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

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

Australian Institute of Marine and Power Engineers (E2013/125)

AILS A CARRUTHERS

MELBOURNE, 7 MARCH 2013

Arrangement for conduct of election.

[1] On 22 February 2013, the West Australia Branch (the WA 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:

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

[2] On 28 February 2013, the Fair Work Commission wrote to the WA Branch of the abovenamed organisation stating that, as the prescribed information had not been lodged before the prescribed day, a request for an extension of time and an explanation for the delay would be required.

[3] On 6 March 2013 the WA Branch of the abovenamed organisation wrote to the Fair Work Commission and stated that the delay was due to work pressure and apologised for not lodging the prescribed information before 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 COMMISSION

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VALE, David

From: VALE, David
Sent: Thursday, 7 March 2013 1:28 PM
To: 'Industrial Elections'
Subject: E2013/125
Attachments: AIMPE E2013_125 Sydney_Signed Decision_07032013.pdf; E2013_125 AIMPE WA letter to AEC_07032013.doc

Dear AEC

Please find attached a copy of the Decision for the WA Branch of the Australian Institute of Marine and Power Engineers for its upcoming scheduled election (E2013/125).

Regards

DAVID VALE
Principal Adviser,
Regulatory Compliance Branch, NSW

Fair Work Commission
Tel: 02 8374 6509
Fax: 02 9380 6990
david.vale@fwc.gov.au

Please be aware that my email address has changed to 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

7 March 2013



FAIR WORK
COMMISSION

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 2013/125

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

Positions:

See Decision

Relevant Information: Scheduled election.

Contact: Philip Olsen, Branch Secretary, WA Branch, The Australian
Institute of Marine and Power Engineers

Phone: (08) 9317 6446

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

David Vale
Fair Work Commission

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

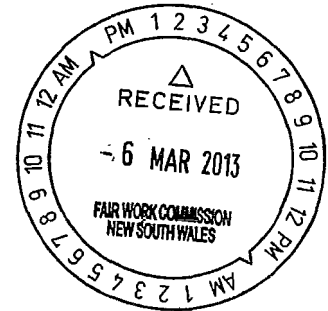
AUSTRALIAN INSTITUTE OF MARINE AND POWER ENGINEERS
Western Australia Branch

Secretary Phillip Olsen ~ National Organiser Michael Carroll ~ Research Assistant Jackie Parkin



Wednesday, 6 March 2013

Mr David Vale
Principal Advisor
Regulatory Compliance Branch, NSW
Fair Work Commission



By email: David.VALE@fwc.gov.au

Dear Mr Vale,

Re: Arrangements for the conduct of an Election (E2013/125)

I refer to your letter of 28 February 2013, regarding the above matter.

We apologise for the error in not lodging the prescribed information on or before the prescribed day and can only plead pressure of work and a temporary lapse of office procedure.

Again my deepest apology for this oversight and for any inconvenience caused by it.

Yours sincerely,

A handwritten signature in black ink, appearing to be "P. Olsen".

Phillip Olsen



28 February 2013

Mr Phillip Charles Olsen
Western Australia Branch Secretary
The Australian Institute of Marine and Power Engineers
1/169 Stock Road
PALMYRA WA 6157

Also by fax: (08) 9317 6450

Dear Mr Olsen

Re: Arrangements for the conduct of an Election (E2013/125)

I refer to the prescribed information dated 19 February 2013 which was lodged with the Fair Work Commission (**FWC**) on 22 February 2013 for the conduct of a scheduled election for offices of the Western Australian 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 2 April 2013. Accordingly the prescribed day is 2 months prior to 2 April 2013, which on this occasion is 2 February 2013.

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 will request 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 Commission

VALE, David

From: VALE, David
Sent: Friday, 22 February 2013 4:29 PM
To: 'Industrial Elections'
Subject: E2013/125
Attachments: AIMPE WA E2013_125 lodged 22022013.pdf; AIMPE_009V_R2009_10043 & 10044_05112009.doc

Dear AEC

Please find the prescribed information and a copy of the current rulebook of the WA Branch of the Australian Institute of Marine and Power Engineers, in election number E2013/125.

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

Please be aware that my email address has changed to david.vale@fwc.gov.au effective 1 January 2013. Please update your records accordingly.

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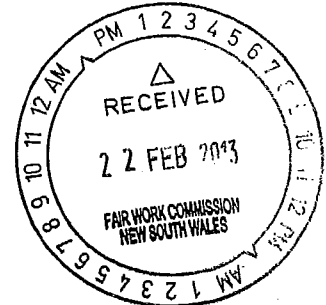
www.fwc.gov.au



**Australian Institute of Marine & Power Engineers
Western Australian Branch**

19th February 2013

Fair Work Australia
GPO Box X2206,
Perth, 6001



Re: WA Branch Election

Dear Sir,

We request your assistance in conducting the above election.

Attached is the "Prescribed Information" as required under Section 189 [1] of the Fair Work [Registered Organisations Act] 2009.

Yours faithfully,

PC Olsen
WA Branch Secretary



Statement of Prescribed Information for an Election

I, Phillip Charles Olsen, being the Branch Secretary of the Western Australian Branch of the Australian Institute of Marine & Power Engineers, make the following statement:

I am the Branch Secretary of the Western Australian Branch of the Australian Institute of Marine & Power Engineers.

I am authorised to lodge the following prescribed information concerning forthcoming elections in the Western Australian 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: 19 FEB 2013

Offices/Positions

A	Branch President
B	Branch Treasurer
C	Ordinary Member of Federal Council

Reasons for election:

- Election for offices and positions marked A, B & C 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 : 2nd April 2013

Nominations close:

- For offices to be elected by direct voting system : 31st May 2013

Cut off date for roll:

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