

AUSTRALIAN MARITIME OFFICERS UNION

ABN: 56 181 230 800

Incorporating: Merchant Service Guild of Australia and Australian Stevedoring Supervisors Association

5th Floor, Labor Council Building, 377 Sussex Street, Sydney ● Postal Address: PO Box 407, Haymarket NSW 1240 Telephone:(02) 9264 2388 ●Telex AA20738 ● Facsimile:(02) 9267 4766 ●E-Mail: amou@amou.com.au

Our Ref: AIRC02

14 February 2003

The Industrial Registrar Australian Industrial Registry Level 8, Terrace Towers 80 William Street EAST SYDNEY NSW 2011

By fax: 9380 6990

No: of pages 4 including this page

Dear Sir

RE: REQUEST FOR REGISTRAR TO ARRANGE CONDUCT OF

ELECTIONS

Pursuant to section 214 of the Workplace Relations Act 1996, we request the Registrar to arrange conduct of elections for all offices of the Australian Maritime Officers Union.

Please find enclosed Prescribed Information in respect of an Election pursuant to Regulation 61 of the Workplace Relations Regulations and Statement of the President declaring the particulars to be true and correct.

Yours faithfully

Richard Hoare

President

Australian Maritime Officers Union

WORKPLACE RELATIONS ACT 1996

Sec 214

Reg 61

PRESCRIBED INFORMATION IN RESPECT OF ELECTION

(a) Name of each office in respect of which an election is required:

President

Vice President

Secretaries x 2

Eastern Area President

Eastern Area Vice President

Eastern Area Secretary

Southern Area President

Southern Area Vice President

Southern Area Secretary

Central Area President

Central Area Vice President

Central Area Secretary

Western Area President

Western Area Vice President

Western Area Secretary

Offshore Divisional Delegates x 2

Port Services Divisional Delegates x 2

- (b) the reason for the election, being (i) that the term of the office has expired.
- in so far as the Divisional Delegates are concerned, the number of Divisional Delegates to be elected is equal to 1 Divisional Delegate for every 600 division members: see Rule 49(b)(ii). The Australian Maritime Officers Union is comprised of 2 Divisions, namely the Offshore Division and the Port Services Division: see Rule 28.

(d) the President, Vice President and 2 Secretaries referred to in (a) above are elected by a secret ballot of all financial members of the Australian Maritime Officers Union: see Rule 49(a).

the Eastern Area President, the Eastern Area Vice President and the Eastern Area Secretary are to be elected by all the financial members of the Eastern Area: see Rule 49(c). The Eastern Area comprises the States of New South Wales and Queensland: see Rule 30(b)(ii).

the Southern Area President, the Southern Area Vice President and the Southern Area Secretary are to be elected by all the financial members of the Southern Area: see Rule 49(c). The Southern Area comprises the States of Victoria and Tasmania: see Rule 30(b)(iii).

the Central Area President, the Central Area Vice President and the Central Area Secretary are to be elected by all the financial members of the Central Area: see Rule 49(c). The Central Area comprises the State of South Australia and the Territory of the Northern Territory: see Rule 30(b)(i).

the Western Area President, the Western Area Vice President and the Western Area Secretary are to be elected by all the financial members of the Western Area: see Rule 49(c). The Western Area comprises the State of Western Australia: see Rule 30(b)(iv).

the Divisional Delegates shall be elected by all financial members of the Division concerned: see Rule 49(b)(ii).

(e) the date and time of the commencement and expiration of the period during which nominations of candidates may be called for or made, under the Rules of the Australian Maritime Officers Union, is the first Monday in September and close at 1630 on the first Monday in October: see Rule 52(c).

The Rules do not provide for an alternative arrangement in the event the elections are not conducted on time.

Therefore period during which nominations of candidates may be called needs to be altered and we would suggest the period for nominations should commence on or about the first Monday of the month when the Australian Electoral Commission is in a position to advertise for such nominations, with the period expiring on the first Monday of the following month.

(f) the voting system to be employed in the conduct of the election, being (i) a direct voting system for all elected offices in (a) above.

STATEMENT

- I, Richard Hoare, of 377 Sussex Street, Sydney in the State of New South Wales hereby state as follows:
- 1. The Australian Maritime Officers Union is an organisation registered under the Workplace Relations Act 1996.
- 2. I am the President of the Australian Maritime Officers Union.
- 3. The information contained in the document entitled Prescribed Information In Respect Of Election is to the best of my belief true and correct and is lodged in accordance with section 214 of the Workplace Relations Act.

made at Sydney on) 14 February 2003)

Richard Hoare

President

Australian Maritime Officers Union



AUSTRALIAN MARITIME OFFICERS UNION

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Our Ref: AIRC02

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Richard Hoare

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WORKPLACE RELATIONS ACT 1996

Sec 214 Reg 61

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(a) Name of each office in respect of which an election is required:

President

Vice President

Secretaries x 2

Eastern Area President

Eastern Area Vice President

Eastern Area Secretary

Southern Area President

Southern Area Vice President

Southern Area Secretary

Central Area President

Central Area Vice President

Central Area Secretary

Western Area President

Western Area Vice President

Western Area Secretary

Offshore Divisional Delegates x 2

Port Services Divisional Delegates x 2

- (b) the reason for the election, being (i) that the term of the office has expired.
- (c) in so far as the Divisional Delegates are concerned, the number of Divisional Delegates to be elected is equal to 1 Divisional Delegate for every 600 division members: see Rule 49(b)(ii). The Australian Maritime Officers Union is comprised of 2 Divisions, namely the Offshore Division and the Port Services Division: see Rule 28.

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the Central Area President, the Central Area Vice President and the Central Area Secretary are to be elected by all the financial members of the Central Area: see Rule 49(c). The Central Area comprises the State of South Australia and the Territory of the Northern Territory: see Rule 30(b)(i).

the Western Area President, the Western Area Vice President and the Western Area Secretary are to be elected by all the financial members of the Western Area: see Rule 49(c). The Western Area comprises the State of Western Australia: see Rule 30(b)(iv).

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 of the Workplace Relations Act.

made at Sydney on) 14 February 2003)

Richard Hoare

President

Australian Maritime Officers Union

···· TRANSMISSION RESULT REPORT ·········(FEB 11 '03 04:11PM)···

ATRC SYDNEY 61 2 93806990

THE FOLLOWING FILE(S) ERASED

FILE FILE TYPE

OPTION

TEL NO.

PAGE RESULT

064 MEMÓRY TX

92674766

Ø8/Ø8 OK

ERRORS

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2) BUSY

3) NO ANSWER

4) NO FACSIMILE CONNECTION



FAX COVER SHEET

FROM

STEPHEN KELLETT

AUSTRALIAN INDUSTRIAL REGISTRY, SYDNEY

TO -

AUSTRALIAN MARITIME OFFICERS UNION

ATTENTION: JOHN WYDELL

FAX NO

02 9267 4766

DATE

11/2/2003

'nΕ

PRESCRIBED INFORMATION - ELECTIONS

PAGES

8



AUSTRALIAN MARITIME OFFICERS UNION

ABN: 56 181 230 800

Incorporating: Merchant Service Guild of Australia and Australian Stevedoring Supervisors Association

5th Floor, Labor Council Building, 377 Sussex Street, Sydney ● Postal Address: PO Box 407, Haymarket NSW 1240 Telephone:(02) 9264 2388 ●Telex AA20738 ● Facsimile:(02) 9267 4766 ●E-Mail: amou@amou.com.au

10 February 2003

By fax: 9380 6990

The Industrial Registrar Australian Industrial Registry Level 8, Terrace Towers 80 William Street EAST SYDNEY NSW 2011

No: of pages 1 including this page

Dear Sir

RE: REQUEST THE INDUSTRIAL REGISTRAR NOTIFY AUSTRALIAN ELECTORAL COMMISSION TO CONDUCT ELECTIONS FOR VARIOUS OFFICES OF THE AUSTRALIAN MARITIME OFFICERS UNION

The Australian Maritime Officers Union recently made application to amend it's Rules. That application was approved on 20 December 2002.

At that time we advised the Assistant to the Deputy Industrial Registrar that as soon as the Rule alterations had been approved we would be taking the necessary steps to enable elections to be held as soon as possible.

We look forward to hearing from you in due course and thank you in anticipation of your assistance.

Yours faithfully

Risbard Hoare

President

Australian Maritime Officers Union



Level 8, Terrace Towers 80 William Street, East Sydney, NSW 2011 Telephone: (02) 8374 6666 Fax: (02) 9380 6990

FACSIMILE

то	Mr Lee Jones			
Organisation	Australian Electoral Commission New South Wales			
Fax Number	02 9281 9376	Phone Number	02 9375 6363	
FROM	Penny Curtis	Email	penny.curtis@air.gov.au	
Location	Australian Industrial Registry (Sydney)			
Fax Number	02 9380 6990	Phone Number	02 8374 6506	
No of Pages (in	No of Pages (including cover) 5 Date 20/02/2003			
Please notify se	Please notify sender if not all pages were received. Time 11:55 AM			

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MESSAGE:

Lee,

Please find attached the prescribed information in relation to an election for all offices of the AMOU.

The number allocated by the Registry for this matter is E2003/32.

This is a refax of the previous material that I sent at 11:45 AM as one of the pages did not send. There are five pages including the fax cover.

Penny Curtis

**************************************	TRANSMISSION RESULT RE	PORT(FEB 20 '03 AIRC SYDNEY 61 2 93806	11:45AM)************************************
THE FOLLOWING FILE(S) ERASED	ION TEL	NO. PAGE 04/04	RESULT

ERRORS

031

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2) BUSY

3) NO ANSWER

4) NO FACSIMILE CONNECTION



Level 8, Terrace Towers 0 William Street, East Sydney, NSW 2011 Telephone: (02) 8374 6666 Fax: (02) 9380 6690

FACSIMILE

TO	Mr Lee Jones			
Organisation	Australian Electoral Commission New South Wales			
Fax Number	02 9281 9376	Phone Number	02 9375 6363	
FROM	Penny Curtis	Email	penny.curtis@air.gov.au	
Location	Australian Industrial Registry (Sydney)			
Fax Number	02 9380 6990	Phone Number	02 8374 6506	
No of Pages (I	ncluding cover) 5	Date	20/02/2003	
Please notify se	ander if not all pages were received.	Time	11:40 AM	

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MESSAGE:

Lee,

Please find attached the prescribed information in relation to an election for all offices of the AMOU

			TRANSMISSION	RESULT	REPORT ·····	(FEB 20 '03	11:45A	∄M)••••••
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3) NO ANSWER

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Level 8, Tempce Towers 80 William Street, East Sydney, NSW 2011 Telephone: (02) 8374 6666 Fax: (02) 9360 6990

FACSIMILE

TO	Mr Lee Jones			
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Fax Number	02 9281 9376	Phone Number	02 9375 6363	
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Please notify se	ender if not all pages were received.	Time	11:40 AM	

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MESSAGE:

PR929308

Workplace Relations Act 1996 s.214 arrangements for conduct of an election

The Australian Maritime Officers' Union (E2003/32)

B. R. JENKINS DEPUTY INDUSTRIAL REGISTRAR SYDNEY, 25 March 2003

DECISION

On 17 February 2003 the abovenamed organisation lodged in the Industrial Registry prescribed information in relation to the conduct of an election for various offices.

The offices for which an election is requested are as follows:

See Attachment A

I am satisfied that an election for the offices set out in Attachment A is required to be held under the rules of the organisation and, under subsection 214(2) of the *Workplace Relations Act 1996*, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



ATTACHMENT A

President (1) Vice-President (1) Secretary (2)

Eastern Area

Eastern Area Vice-President (1)
Eastern Area Vice-President (1)
Eastern Area Secretary (1)

Southern Area

Southern Area President (1) Southern Area Vice-President (1) Southern Area Secretary (1)

Central Area

Central Area President (1) Central Area Vice President (1) Central Area Secretary (1)

Western Area

Western Area President (1) Western Area Vice President (1) Western Area Secretary

Divisional Delegates

Offshore Divisional Delegates (2) Port Services Divisional Delegates (2)



JURTIS, Penny

From:

CURTIS, Penny

Sent:

Tuesday, 25 March 2003 2:49 PM

To:

'Lee.Jones@aec.gov.au'; 'john.nellor@aec.gov.au'; 'Brendan.Caroll@aec.gov.au'; 'peter.weldon@aec.gov.au'; 'phil.roberts@aec.gov.au'; 'chris.roper@aec.gov.au';

'van.panegyres@aec.gov.au'

Subject:

E2003/32 The Australian Maritime Officers' Union s214 arrangements for conduct of an

election

Electoral Commissioner Through

Australian Electoral Officer for New South Wales, Victoria, Queensland, Tasmania, South Australia,

Northern Territory, Western Australia.

Under subsection 214(2) of the Workplace Relations Act 1996, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2003/32

The Australian Maritime Officers' Union (E2003/32)

Positions:

See Decision (attached below)

Relevant Information: Direct voting system, secret postal ballot.

Contact:

Mr Richard Hoare

President

The Australian Maritime Officer's Union

Phone:

(02) 9264 2388

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 facsimile transmission on (02) 9380 6990.

Penny Curtis for Deputy Industrial Registrar

25 March 2003

Decision



E200332 MOU 25.3.03.dc

Rules



Maritime ers (AMOU) 001

CURTIS, Penny

From:

CURTIS, Penny

Sent:

Tuesday, 25 March 2003 2:52 PM

To:

'Brendan.Carroll@aec.gov.au'

Subject:

FW: E2003/32 The Australian Maritime Officers' Union s214 arrangements for conduct of

an election

----Original Message----From: CURTIS, Penny

Tuesday, 25 March 2003 2:49 PM Sent:

To:

'Lee.Jones@aec.gov.au'; 'john.nellor@aec.gov.au'; 'Brendan.Caroll@aec.gov.au'; 'peter.weldon@aec.gov.au';

'phil.roberts@aec.gov.au'; 'chris.roper@aec.gov.au'; 'van.panegyres@aec.gov.au'

Subject:

E2003/32 The Australian Maritime Officers' Union s214 arrangements for conduct of an election

Electoral Commissioner Through

Australian Electoral Officer for New South Wales, Victoria, Queensland, Tasmania, South Australia.

Northern Territory, Western Australia.

Under subsection 214(2) of the Workplace Relations Act 1996, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2003/32

The Australian Maritime Officers' Union (E2003/32)

Positions:

See Decision (attached below)

Relevant Information: Direct voting system, secret postal ballot.

Contact:

Mr Richard Hoare

President

The Australian Maritime Officer's Union

Phone:

(02) 9264 2388

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 facsimile transmission on (02) 9380 6990.

Penny Curtis for Deputy Industrial Registrar

25 March 2003

Decision



Rules



Maritime ers (AMOU) 001

COPY

AUSTRALIAN INDUSTRIAL REGISTRY

Level 8, Terrace Towers 80 William Street, East Sydney, NSW 2011 Telephone: (02) 8374 6666 Fax: (02) 9380 6990

Mr Richard Hoare The Australian Maritime Officers' Union PO Box 407 HAYMARKET NSW 1240

Dear Mr Hoare

Re: Arrangements for the conduct of an Election (E2003/32)

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

The Registrar is making arrangements, under subsection 214(2) of the Workplace Relations Act 1996, 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

Penny Curtis for Deputy Industrial Registrar





Level 8, Terrace Towers 80 William Street, East Sydney, NSW 2011 Telephone: (02) 8374 6666 Fax: (02) 9380 6990

Fax

Electoral Commissioner Through Australian Electoral Officer for New South Wales

Under subsection 214(2) of the Workplace Relations Act 1996, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2003/32

The Australian Maritime Officers' Union (E2003/32)

Positions:

See Decision

Relevant Information: Direct voting system, secret postal ballot.

Contact:

Mr Richard Hoare

President

The Australian Maritime Officers' Union

Phone:

(02) 9264 2388

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 facsimile transmission on (02) 9380 6990.

Penny Curtis

for Deputy Industrial Registrar

THE FOLLOWING FILE(S) ERASED

FILE FILE TYPE

OPTION

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PAGE RESULT

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ERRORS

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3) NO ANSWER

4) NO FACSIMILE CONNECTION



Level 8, Tensee Towers 80 William Street, East Sydney, NSW 2011 Telephone: (02) 8374 6886 Fax: (02) 9380 6890

Fax

Electoral Commissioner Through Australian Electoral Officer for New South Wales

Under subsection 214(2) of the Workplace Relations Act 1996, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2003/32

The Australian Maritime Officers' Union (E2003/32)

Positions:

See Decision

Relevant Information: Direct voting system, secret postal ballot.

Contact:

Mr Richard Hoare

President-

The Australian Maritime Officers' Union





AUSTRALIAN INDUSTRIAL REGISTRY

Level 8, Terrace Towers 80 William Street, East Sydney, NSW 2011 Telephone: (02) 8374 6666 Fax: (02) 9380 6990

The Director, Non-Parliamentary Elections Australian Electoral Commission PO Box E 201 KINGSTON ACT 2604

Re: The Australian Maritime Officers' Union (E2003/32)

I enclose a copy of a decision made under section 214 of the Workplace Relations Act 1996.

1000

Penny Curtis for Deputy Industrial Registrar



Level 8, Terrace Towers 80 William Street, East Sydney, NSW 2011 Telephone: (02) 8374 6666 Fax: (02) 9380 6990

Electoral Commissioner Through Australian Electoral Officer for New South Wales

Re: The Australian Maritime Officers' Union (E2003/32)

I confirm my facsimile message of 25 March 2003 and enclose a copy of the Registrar's decision in relation to the conduct of an election in the abovenamed organisation under section 214 of the *Workplace Relations Act 1996*.

Yours sincerely

Penny Curtis

for Deputy Industrial Registrar

(A)

FILE NOTE

DATE: 28 March 2003

RE: E2003/32 The Australian Maritime Officers' Union

 I rang back Fred Ross from AMOU to obtain the figures for the number of members for the Offshore Division and the Port Services Division. (When I rang on Tuesday 24 March these figures were not accessible.) Fred Ross indicated that the Offshore Division had approximately 800 members and the Port Services Division - 11, 000 members.

Penny Curtis

Workplace Relations Amendment (Registration and Accountability of Organisations) Act 2002.

RETURNING OFFICER - POST ELECTION REPORT

Client:

The Australian Maritime Officers' Union

Contact details:

Richard Hoare

Email: amou@amou.com.au

President

AMOU

Tel: 02 9264 2388

AIR contact officer:

Email: industrial.elections@air.gov.au

Tel:

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s:

E 2003/32

Elections:

National, Divisional and Regional Officers

Returning Officer:

Roy Hill

RULES

Rules used for elections Rule ID

001N: Incorporates alterations of 21/1/2003 in matter

R2002/293

Rules difficult to apply/interpret

Rule 52 Conduct of Elections – no provision for tied

votes.

Model Rule reference (if any)

Nil

Legal precedents considered

Nil

Action taken under section 193 of RAO

Nil

Schedule

ROLL OF VOTERS

Rule re Eligibility to vote Rule 49 – National offices, all financial members of the Union. Area offices, all financial members of the area concerned. Divisional Delegates, all financial members of the Division concerned.

Total number of voters on the roll (Western Area)	382	
Number of private addresses	382	100%
Number of apparent workplace addresses	0	
Number of non-current addresses	0	
Total number of voters on the roll (Offshore Division)	780	
Number of private addresses	780	100%
Number of apparent workplace addresses	0	
Number of non-current addresses	0	

ALLEGATIONS OF IRREGULARITIES RECEIVED

There were no written complaints or allegations of irregularities

OTHER MATTERS (Other noteworthy matters)

There was a tied vote in the ballot for Western Area President. As reported above, there is no provision in the rules to resolve a tied vote. There was no successful candidate for the office.

ATTACHMENTS

Declaration of Contested and uncontested offices.

Roy Hill

Returning Officer

3 September 2003

The Australian Maritime Officers' Union

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with subsection 189(3) of Schedule 1B of the Workplace Relations Act 1996 and the rules of the organisation.

E No. 32 of 2003

President

Candidate
HOARE, Richard Charles

Vice President

<u>Candidate</u> DOYLE, Murray Patrick

Secretary (2)

Candidates FLEMING, Michael MOORE, Wayne Stephen

Eastern Area

Eastern Area President

<u>Candidate</u> BROWNRIGG, Robert Edward

Eastern Area Vice President

<u>Candidate</u> KELLY, Michael Patrick

Eastern Area Secretary

<u>Candidate</u> PINCH, Kevin Lester

Southern Area

Southern Area President

Candidate MORGAN, Lance

Southern Area Vice President

<u>Candidate</u> HUNTER, Neil Francis

Southern Area Secretary

Candidate GROVES, Stephen

Central Area

Central Area President

Candidate

No nomination was received

Central Area Vice President

Candidate

No nomination was received

Central Area Secretary

Candidate

PRICE, Martin

Port Services Division

Port Services Divisional Delegate (2)

<u>Candidates</u> FORREST, Gregory G PAPALOUKAS, Louis

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

Western Area

DECLARATION OF RESULTS FOR UNCONTESTED AND CONTESTED OFFICES

Ballot papers issued	382
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	382
Ballot papers / envelopes returned for scrutiny	131
Less ballot papers / envelopes rejected at preliminary scrutiny	1
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	130
Percentage of ballot papers returned to number issued	34
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	248

Western Area President

Candidates	<u>Votes</u>
BROOME, Peter Charles John	65
MATHER, Gary Stuart	65
Formal ballot papers	130
Informal ballot papers	0

The registered rules of the Australian Maritime Officers' Union do not provide for a resolution in the event of an equality of votes in a ballot.

As a result there is no successful candidate for this office.

Western Area Vice President

Candidate

RAWLINGS, Robert Bernard

I declare Robert Bernard Rawlings elected.

Western Area Secretary

Candidate

No nomination was received

Offshore Division

DECLARATION OF RESULTS FOR CONTESTED OFFICES

Ballot papers issued	780
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	780
Ballot papers / envelopes returned for scrutiny	215
Less ballot papers / envelopes rejected at preliminary scrutiny	3
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	212
Percentage of ballot papers returned to number issued	27
Ballot papers returned as unclaimed mail	7
Ballot papers not returned	555

Offshore Division Delegate (2)

<u>Candidates</u>	<u>Votes</u>
MORRIS, Wayne Michael ASHMORE, Robert Ward MATHER, Gary Stuart	. 121 143 137
Formal ballot papers Informal ballot papers	211 1

I declare Robert Ward Ashmore and Gary Stuart Mather elected.

Roy Hill Returning Officer Australian Electoral Commission

29 August 2003