

# **Australian Municipal, Administrative, Clerical and Services Union Election of National Conference Delegates 2011**

## **DECLARATION OF RESULTS FOR UNCONTESTED 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.

E2011/2557

### **NSW & ACT (Services) Branch - National Conference Delegates**

#### **National Conference Delegates (12)**

##### Candidates

BEVINGTON, Lyn  
CLAY, Narelle  
COLEMAN, Mark  
FULLER, Geoffrey Mark  
HORAFIOS, Diane  
HULL, Peter  
MAHER, John William  
MCDERMOTT, Maree Carol  
MCLEAN, Robert  
SEGOVIA, Jorge  
STEEL, Antony William  
WORRALL, Naomi

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

Noopur Madan  
Returning Officer

7 June 2011



Fair Work (Registered Organisations) Act 2009

**POST ELECTION REPORT**

**Client:** Australian Municipal, Administrative, Clerical and Services Union  
NSW & ACT ( Services) Branch

**Contact details:** Mr Michael Flinn  
Deputy Branch Secretary  
Australian Municipal,  
Administrative, Clerical & Services  
Union  
NSW & ACT (Services) Branch

**Email:** [michael@asu.org.au](mailto:michael@asu.org.au)  
**Tel:** 02 9310 4000

**AIR contact officer:** Kevin Donellan

**Email:** [Kevin.donnellan@fwa.gov.au](mailto:Kevin.donnellan@fwa.gov.au) :  
**Tel:** 03 8661 7764

**ELECTIONS COVERED IN THIS REPORT**

**Election Decision No/s:** E2011/2557

**RULES**

**Rules used for elections Rule ID:** 052V: Incorporates alterations of 4 February 2011  
[R2010/141 and R2010/145]  
(replaces 27 January 2011 R2010/135 version)

**Rules difficult to apply/interpret:** None

**ROLL OF VOTERS**

As there were no contested offices, the roll of voters was not required.

**ALLEGATIONS OF IRREGULARITIES RECEIVED**

Details of written allegations of irregularities, and action taken by AEC: None  
Other irregularities identified, and action taken: None

**ATTACHMENTS**

**A:** Declaration of Uncontested Offices

Noopur Madan  
Returning Officer  
7 June 2011



FAIR WORK  
AUSTRALIA

## DECISION

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

**Australian Municipal, Administrative, Clerical and Services Union**  
(E2011/2557)

T. NASSIOS

MELBOURNE, 12 APRIL 2011

*Arrangement for conduct of election.*

[1] On 30 March and 11 April 2011 the Australian Municipal, Administrative, Clerical and Services Union, New South Wales and ACT (Services) Branch lodged with Fair Work Australia the prescribed information in relation to an election for the following offices:

National Conference Delegates (12)

[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  
FAIR WORK AUSTRALIA

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**AUSTRALIAN SERVICES UNION**

**ASU**

Filing Ref: B/08/1479

11 April 2011

**Attention: Kevin Donnellan**

General Manager  
Fair Work Australia  
GPO Box 1994  
MELBOURNE VICTORIA 3001

Dear Kevin

I write further to my letter of 29 March 2011 and your email of 8 April 2011.

The following information is lodged under sub section 189(1) of the Fair Work Act:

- (i) The positions to be elected are National Conference Delegates.
- (ii) The number to be elected is 12.
- (iii) The reason for the election is the requirement for quadrennial election in accordance with the Rules of the ASU.
- (iv) The electorate is the Branch Council. Only members of the Branch Council may nominate or be nominated for the office of National Conference Delegate.
- (v) The Rules do not prescribe the date and time of the beginning and end of nominations.
- (vi) In respect of the day for the roll to close, see (iv) above.
- (vii) The voting system is collegial.

Yours faithfully

Michael Flinn  
DEPUTY BRANCH SECRETARY

**From:** DONNELLAN, Kevin  
**To:** ["michael@asu.org.au"](mailto:michael@asu.org.au)  
**Subject:** E2011/2557 - Schedule election for National Conference delegates - Australian Municipal, Administrative, Clerical and Services Union-New South Wales and ACT (Services) Branch  
**Date:** Friday, 8 April 2011 10:49:00 AM  
**Attachments:** [ASU NASB PI.pdf](#)  
[Req 138 and Section 189.pdf](#)

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Dear Michael, attached is the prescribed information, submitted by the Branch for the above election and a copy of Regulation 138 and Section 189 of the Fair Work (Registered Organisations) Regulations and Act 2009 as discussed. Could you review the prescribed information and address the prescribed matters as required by the regulation (note – FWA does not need a copy of the relevant rules to be attached to the prescribed information) and lodge an amended PI with FWA.

Regards

Regards

KEVIN DONNELLAN  
Tribunal Services and Organisations

Fair Work Australia  
Tel: 03 8661 7764  
Fax: 03 9655 0410  
[kevin.donnellan@fwa.gov.au](mailto:kevin.donnellan@fwa.gov.au)

11 Exhibition St, Melbourne Victoria 3000  
GPO Box 1994, Melbourne Victoria 3001

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



# AUSTRALIAN SERVICES UNION

# ASU

Filing Ref: B/04/1479

29 March 2011

**Attention: General Manager**

Industrial Registrar  
Fair Work Australia  
GPO Box 1994  
MELBOURNE VICTORIA 3001



Dear General Manager

**Re: Conduct of an Election – Fair Work Organisations Act 2009**

I write to advise you of the need to conduct an election for the Australian Municipal Administrative, Clerical and Services Union (NSW and ACT Services Branch) for delegates to National Conference.

There are 14 positions to be filled.

The Branch declaration for AME's is attached at Attachment A.

The Relevant Rules are attached at Attachment B.

The electorate for the position of National Conference Delegate is the Branch Council.

Please feel free to contact me should you require further clarification.

Yours faithfully

Michael Flinn  
Deputy Branch Secretary

ATTACHMENT "A"

File 18.5



A•S•U

## Email Reply Form

To:	National Office Melbourne	
Attention:	Belinda Russell Craig Burgess	
Email Address:	brussell@asu.asn.au	
Total Number of Pages :		1

**Confirmation of Adult Membership Equivalents**  
PLEASE FILL IN THIS INFORMATION AND EMAIL IT BACK ASAP

Name of authorised person	SALLY McMANUS
Name of Branch	NSW & ACT SERVICES
AMEs as of December 31, 2010 (using the formula below)	12,253
Signature of authorised person	

AMEs =

Total income from subscriptions  
received b/w 1/7/2010 and 31/12/2010

Half the annual adult subscription rate  
during same period

- e. Voting at meetings of the Branch
- i. Any member of the Branch unable to attend an Annual General Meeting, a Special General Meeting or a General Meeting or other meeting convened pursuant to this Rule may appoint another member of the Branch to exercise the member's vote at that meeting. Such proxy shall be in the prescribed form and shall be handed to the Branch Secretary prior to the commencement of the meeting. Provided that no member shall hold more than one (1) proxy at any meeting.
  - ii. At Annual General Meetings, Special General Meetings or General Meetings or other meetings convened pursuant to this Rule each member shall have one (1) vote. Voting shall be by show of hands, except in such cases as the meeting shall decide otherwise. Decisions shall be by simple majority of the votes cast by those present unless otherwise determined in these rules.

#### 15 - NATIONAL EXECUTIVE MEMBERS

The Branch shall be represented on National Executive by two (2) National Executive members who shall exercise half of the votes as determined by National Rule 7 and National Rule 10. One of the National Executive members shall be the Branch Secretary. The other National Executive member shall be elected every (4) years by the financial members of the Branch.

#### 16 - NATIONAL CONFERENCE DELEGATES

The Branch shall be represented on National Conference by the Branch Secretary, the Deputy Branch Secretary and by National Conference Delegates elected by and from Branch Council in accordance with the formula provided in National Rule 7.

#### 17 - BRANCH PRESIDENT

- a. There shall be a Branch President elected every four (4) years by the financial members of the Branch.
- b. The Branch President shall be the official head of the Branch and shall:
  - i. Preside at all meetings of the Branch when present and preserve order thereat so that business may be conducted in due form with propriety and in conformity with Standing Orders.
  - ii. Be impartial in all transactions and shall see that the Rules are adhered to.
  - iii. Upon confirmation of the minutes of meetings of Branch Executive and Branch Council, sign such minutes confirming them as a true and accurate record.

#### 18 - DEPUTY BRANCH PRESIDENTS

There shall be two (2) Deputy Branch Presidents elected every four (4) years by financial members of the Branch. A Deputy Branch President shall deputise for the Branch President when the Branch President is absent and shall chair any meetings of the Branch in the absence of the Branch President.

#### 19 - BRANCH VICE-PRESIDENTS

- a. There shall be eight (8) Branch Vice-Presidents. Provided that on and from the quadrennial elections to be held in 2011 there shall be five (5) Branch Vice-Presidents.



**PART II - GOVERNMENT**

**6 - STRUCTURE**

- a. Members of the Union shall be attached to one of the following Branches in accordance with Rule 10 :
  - i. Deleted
  - ii. Central and Southern Queensland Clerical and Administrative Branch
  - iii. Deleted
  - iv. Western Australian Branch
  - v. Taxation Officers Branch
  - vi. New South Wales and ACT (Services) Branch
  - vii. Queensland (Services and Northern Administrative) Branch
  - viii. South Australian and Northern Territory Branch
  - ix. New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Branch;
  - x. Victorian and Tasmanian Authorities and Services Branch;
  - xi. Victorian Private Sector Branch.



**7 - NATIONAL CONFERENCE**

- a. The Supreme Governing body of the Union shall be the National Conference with all powers and authorities as are necessary or convenient for carrying into effect these rules and the purposes of the Union.
- b. Without limiting the generality of the above, and subject to Rule 49, the National Conference shall have the power to add to, change, amend, vary, repeal and/or delete the Rules of the Union, notwithstanding any power of the National Executive to add to, change, amend, vary, repeal and/or delete the Rules of the Union.
- c. The National Conference shall comprise the members of National Executive and National Conference Delegates from each of the branches in accordance with the following formula:
  - i. Two delegates from each Branch, and
  - ii. Branches with less than 1000 members, one additional delegate
  - iii. Branches with more than 1000 members, one additional delegate for the first 1000 members, and one additional delegate for each complete 1000 members thereafter.

## 7 - NATIONAL CONFERENCE

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Provided that in the event of the merger of two or more branches the branch so created shall be entitled, until the expiration of the normal terms of office of the National Conference Delegates elected by each of the merging branches, to the same number of delegates as the former branches were entitled to prior to the merger. At the first election for National Conference Delegates following the merger of Branches, the number of National Conference Delegates to which the merged Branch is entitled shall be calculated in accordance with the formula contained in this Rule, as if the Branches had not merged.

Provided further that for the purposes of this rule, the number of members in any branch shall be the number of Adult Membership Equivalents calculated in accordance with Rule 20, at the end of the half year immediately preceding the calling of nominations at each quadrennial election.

- d. Each member of the National Conference shall be entitled to one vote.
- e. The National Conference shall meet in 1996, and biennially thereafter, in the last quarter of the calendar year at a time and place to be determined by the National President, National Secretary and National Executive President.
- f. Special meetings of National Conference shall be held if:
  - i. National Conference so determines, or
  - ii. A written request is received by the National Secretary from more than one third of the Branches having collectively one third of the total number of National Conference Delegates elected by Branches, or
  - iii. The National Executive so determines, or
  - iv. The National President, the National Secretary and the National Executive President so determine.

A special meeting of National Conference shall be called at not less than seven days written notice, and the business of such a special meeting shall be confined to consideration of the business for which it was called, which shall appear on the notice convening the meeting.

- g. The National Secretary shall notify all members of National Conference and Branches of the date and venue of the National Conference no later than fifty-six days prior to the date fixed for such Conference.
- h. Agenda
  - i. The National Executive may place any business on the Agenda paper of a meeting of the National Conference.
  - ii. Each Branch shall notify the National Secretary in writing of all business it desires to place on the Agenda paper of the National Conference no later than forty-two days prior to the date fixed for such Conference, and such business shall be placed on the Agenda.
- i. The Agenda paper, notices of motion and Minutes of the previous National Conference shall be posted to each member of National Conference no later than twenty-eight days prior to the date fixed for such Conference.

## 8 - NATIONAL EXECUTIVE

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- j. At a meeting of the National Conference a quorum shall be a majority in number of the National Conference members, and in the event of a quorum not being present within two hours after the appointed time for a meeting of National Conference, the National Secretary and the National Executive President shall determine whether the meeting shall be adjourned for a period of up to twenty-four hours, or shall lapse.
- k. The fares and expenses of members attending National Conference will be dealt with as follows :
  - i. The National Executive shall be responsible for the payment of the actual travel costs of all members of National Conference to National Conference, including the National Officers and shall further bear the costs of convening the conference and all costs and outgoing associated with the utilisation of conference facilities.
  - ii. The National Executive shall further be responsible for such expenses and allowances it may determine appropriate for the full-time National Officers while attending conference.
  - iii. The Branches shall be responsible for the payment of any other expenses of their National Conference Delegates and representatives including any allowance for forfeited earnings and living away from home allowance. Such allowances shall be determined by the individual branches.
- l. Any National Officer unable to attend all or part of a meeting of National Conference may give a proxy to any other National Officer by written notice to the Chairperson.
- m. A delegate from any branch unable to attend all or part of National Conference may give a proxy to another National Conference Delegate from the same Branch by written notice to the Chairperson.
- n. Subject to o. hereof Branches may provide in their Rules for the election of Alternate National Conference Delegates, who will be elected at the same time, and in the same manner as National Conference Delegates. Alternate National Conference Delegates will be designated "First", "Second" and so on, and shall automatically fill vacancies which occur in the office of National Conference Delegate within the Branch, in the order in which their office is numbered, until all Alternate Delegates have been utilised. Thereafter any further Casual Vacancies shall be filled in accordance with Rule 42.
- o. Branch Rules may provide for the Branch Secretary to be the first National Conference Delegate of the Branch.

## 8 - NATIONAL EXECUTIVE

- a. There shall be a National Executive of the Union. Subject to a decision of National Conference rescinding any decision of the National Executive, the National Executive shall have the powers and duties of the National Conference including the capacity to add to, change, amend, vary, repeal and/or delete rules.
- b. The National Executive shall constitute the Committee of Management of the Union as defined by the Workplace Relations Act 1996 as amended.
- c. National Executive shall consist of the National Executive President, the National Secretary and two Assistant National Secretaries, each of whom shall exercise one vote, and two representatives from each Branch, each of whom shall exercise half of the branch votes in accordance with the number of National Conference Delegates to which each branch is entitled pursuant to Rule 7. The National President and the National Vice-President shall be elected by National Executive from Branch Representatives in accordance with PART VII.