

27 May 2021

# Post-election report

**Australian Nursing and Midwifery Federation**  
Northern Territory Branch  
Scheduled election  
E2020/125

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# Election(s) Covered in this Report

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Organisation: ANMF - Northern Territory Branch  
Election: Scheduled  
Election Decision No/s: E2020/125

## Rules

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Rules used for the election: [145V: Incorporates alterations of 22 June 2020 R2020/54] (replaces rulebook dated 27 May 2020 [R2020/30])

Rules difficult to apply/interpret:

'49.2.7 With all convenient speed but not later than fourteen (14) days before the ballot is to be held, send to each member the following papers by prepaid post in a sealed envelope...'

The words "before the ballot is held" are ambiguous due to this being a postal ballot as opposed to an attendance ballot, with no mention in the rules regarding the ballot opening. Additionally, the 14 day time frame infers that this is not part of the ballot period and could therefore substantially impact the ballot results if ballots received during this period are not included in the count.

The rules do refer to the closing of the ballot being:

'49.2.4 (ca) fix a date and time for the closing of the ballot that is no less than 28 days and no more than 49 days after the date upon which the ballot papers are distributed under rule 49.2.7.'

Model Rule reference (if any):

16.2 Issue of ballot material

16.2.1 On or before the opening day of the ballot the returning officer shall forward ballot material in a sealed envelope by prepaid post to each person on the roll of voters at the address shown on the roll of voters.

For more details see the Model Rules on the AEC website:

<https://www.aec.gov.au/ieb/files/model-rules-nov2010.pdf>

## Irregularities

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Details of written allegations of irregularities, and action taken by AEC: N/A

Other irregularities identified, and action taken: N/A

## Other Matters

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Returning Officer actions required (Section 193): Yes

Details:

- As there is no rule pertaining to the method in which nominations must be lodged, the Returning Officer applied subparagraph 193(1) (b)(ii) of the Fair Work (Registered Organisation) Act 2009 to only accept nominations via email or portal and not by hand or post, due to the ongoing COVID-19 risk.
- As there is no rule pertaining to the photograph colour and size in the candidate statement, the Returning Officer applied subparagraph 193(1) (b)(ii) of the Fair Work (Registered Organisation) Act 2009 to only accept photographs that are black and white and do not exceed 'passport' size dimensions (35mm W x 45mm H).
- Rules regarding the timetable of the election were set aside as the AEC held concerns that the coronavirus pandemic may impact on the ability for stakeholders to fully participate in the election. A timetable for the conduct of the ballot which varied from the rules was set when the AEC was satisfied that stakeholders would be able to fully participate.

## Signed

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Tiffany Nguyen  
Returning Officer  
Australian Electoral Commission  
E: IEEvents@aec.gov.au  
P: 02 9375 6395  
27 May 2021

## Attachments

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### A. Declaration of Results for Uncontested Offices – NT

**Australian Nursing and Midwifery Federation**  
**Northern Territory Branch**  
**DECLARATION OF RESULTS - E2020/125**  
**Uncontested Offices**

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**Scheduled Election**

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 are:

**Northern Territory Branch**

**Branch President (1)**

Candidates

TABBADA Emil

**Branch Vice-President (1)**

Candidates

PREUSS Ruth

**Branch Executive (4)**

Candidates

*A nominated candidate has been elected to a higher office*

**Branch Councillors (5)**

Candidates

TILLOTSON Carol

*A nominated candidate has been elected to a higher office*

*A nominated candidate has withdrawn*

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

Tiffany Nguyen  
Returning Officer  
Telephone: 02 9375 6395  
Email: IEBevents@aec.gov.au  
28/04/2021



# DECISION

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

## Australian Nursing and Midwifery Federation

(E2020/125)

MR COYLE

MELBOURNE, 9 JULY 2020

*Arrangement for conduct of election.*

[1] On 1 July 2020 the Northern Territory Branch of the Australian Nursing and Midwifery Federation lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Branch President	(1)
Branch Vice-President	(1)
Branch Executive	(4)
Branch Councillors	(5)

[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 COMMISSIONER

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**AUSTRALIAN NURSING &  
MIDWIFERY FEDERATION**  
NORTHERN TERRITORY

30<sup>th</sup> June 2020

Commissioner  
Registered Organisations Commission  
E: [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

Dear Commissioner,

**RE: Arrangements to conduct an election under section 189 (1) of the *Fair Work Act 2009*.**

I Emil Tabbada, being the President of the Australian Nursing and Midwifery Federation, Northern Territory Branch, (ANMF NT), make the following statement:

- I am the Branch President of the Australian Nursing and Midwifery Federation, Northern Territory Branch.
- I am authorised to lodge the following prescribed information concerning forthcoming elections in the Northern Territory Branch of the Australian Nursing and Midwifery Federation.
- I confirm that the following information is being lodged under subsection 189 (1) of the Fair Work (Registered Organisations) Act 2009.
  1. Reasons for the election is the expiration, in the normal course of events under the rules of the organisation, of the term of office for the ANMF NT Branch Council and Branch Executive Council, excluding the Branch Secretary position.
  2. The voting system to be used for all positions, is the direct voting system.
  3. The electorate for this election is the ANMF NT Branch Members.
  4. Positions to be filled are:

ANMF NT Branch President	(1)
ANMF NT Branch Vice President	(1)
ANMF NT Branch Executives	(4)
ANMF NT Branch Councilors	(5)

**As per the ANMF Federal Rules section 85 sub section 85.1.1**

*“Elections for the office of Branch President, Branch Vice-President, Branch Executive Member and Branch Councillor in Branches other than the Queensland and New South Wales Branches shall be conducted between the 1<sup>st</sup> day of September and the 30<sup>th</sup> day of October in each alternate year, provided that the Returning Officer may call for nominations prior to the first of September in the year of elections”.*

Would you please make arrangements with the Australian Electoral Commission for the above election.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Emil Tabbada', with a long horizontal stroke extending to the right.

Emil Tabbada  
Branch President  
Australian Nursing &  
Midwifery Federation  
NT Branch