

MOUVEVELIS, Michael

From: Kathryn Montgomery [Kathryn.Montgomery@aec.gov.au]
Sent: Wednesday, 8 October 2014 11:01 AM
To: Orgs; Industrial Elections
Cc: jenny@anmfact.org.au
Subject: Sydney PER ANMF ACT E2014/170 [SEC=UNCLASSIFIED]

UNCLASSIFIED

**Attention : ANMF: Jenny Miragaya and
FWC: Michael Moutevelis**

Post-Election Report: Australian Nursing and Midwifery Federation - Australian Capital Territory Branch

Matter No. E2014/170

Good morning

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.

Regards,
Kathryn Montgomery | Returning Officer
Industrial & Commercial Elections | NSW State Office
Australian Electoral Commission
T: (02) 9375 6375 | F: (02) 9375 6336



PER ANMF ACT
E2014-170.pdf



ANMF ACT
Declaration of Result

UNCLASSIFIED

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POST ELECTION REPORT

Client: Australian Nursing and Midwifery Federation – Australian Capital Territory Branch

Contact details: Jenny Miragaya

Email: jenny@actanf.org.au

Tel:

AIR contact officer: Michael Moutevelis

Email: orgs@fwc.gov.au

Tel:

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2014/170

RULES

Rules used for elections Rule ID: [145V:incorporates alterations of 2/1/2014]
[R2013/442]

Rules difficult to apply/interpret: N/A

Model Rule reference (if any): N/A

ROLL OF VOTERS

As there were no contested offices, no roll of voters was used.

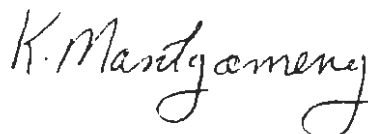
ALLEGATIONS OF IRREGULARITIES RECEIVED

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

Other irregularities identified, and action taken: N/A

ATTACHMENTS

A: Declaration of Result Uncontested Offices



Kathryn Montgomery
Returning Officer
8 October 2014.

Australian Nursing and Midwifery Federation ACT Branch Elections

Declaration of Results for Uncontested Offices

E2014/170

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.

Australian Nursing and Midwifery Federation ACT Branch

Branch President

Candidates

ROSBROUGH, Athalene

Branch Vice-President

Candidates

MAHLBERG, Sandra May

Branch Executive Member (4)

Candidates

CAWTHON, Ronald Colin

EHRlich, Leanne Maree

MURPHY, Louise

OHMAN, Lyndsey

Branch Councillor (5)

Candidates

BLANDFORD, Janet

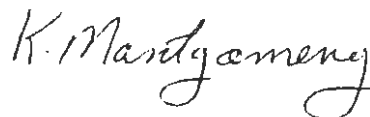
BURTON, Wendy

CARTER, Peter

CARTER, Shane

TURNER, Samantha

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



Kathryn Montgomery
Returning Officer

22 September 2014



DECISION

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

Australian Nursing and Midwifery Federation (E2014/170)

MR ENRIGHT

MELBOURNE, 11 JULY 2014

Arrangement for conduct of election.

[1] On 30 June 2014 the Australian Capital Territory Branch (**the Branch**) of the Australian Nursing and Midwifery Federation (**the ANMF**) lodged with the Fair Work Commission (**the Commission**) the prescribed information in relation to an election for the following offices:

Branch President	(1)
Branch Vice President	(1)
Branch Executive Member	(4)
Branch Councillor	(5)

[2] On 3 July 2014, the Commission wrote to the Branch seeking documentary evidence that the Branch Council had determined that the number of offices of Branch Councillor to be elected would be five (5), pursuant to rule 65.2.3 of the rules of the ANMF.

[3] On 11 July 2014, the Branch provided a copy of an endorsed resolution by the Branch Council which determined that the number of offices of Branch Councillor shall be five (5).

[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

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MOUTEVELIS, Michael

From: Orgs
Sent: Friday, 11 July 2014 4:13 PM
To: 'Jenny Miragaya'
Subject: RE: From " 02 93806990"(Fax Message NO.1673) Attention Michael Moutevelis

Dear Ms Miragaya

Your email and attached letter have been received and read.

Regards

MICHAEL MOUTEVELIS
Assistant Adviser
Regulatory Compliance Branch

Fair Work Commission
Tel: (02) 8374 6614
Fax: (02) 9380 6990
Email: michael.moutevelis@fwc.gov.au

Level 10, Terrace Tower, 80 William Street, East Sydney NSW 2011

www.fwc.gov.au

-----Original Message-----

From: Jenny Miragaya [<mailto:jenny@anmfact.org.au>]
Sent: Friday, 11 July 2014 1:56 PM
To: Orgs
Subject: RE: From " 02 93806990"(Fax Message NO.1673) Attention Michael Moutevelis
Importance: High

ATTENTION MR MICHAEL MOUTEVELIS OR MR DAVID VALE

Dear Mr Moutevelis

Re: your letter of 3 July 2014, received via fax on 3 July 2014.

I spoke with Mr David Vale on 4 July.

The following resolution was sent via email to the Branch Council for consideration out of session and has been endorsed out of session:

In keeping with established practice and mindful of the size of the ACT, Branch Council resolve that the number of Branch Councillors eligible for election in the ANMF ACT Branch Council election due to be held in 2014 will be five. Further, Branch Council notes that this is consistent with the ANMF Federal Rules: Standard Branch Rule 65.2.3.

This resolution will be formally ratified by the Branch Council when it next meets on Tuesday 15 July 2014.

Please find attached a letter in response to your letter of 3 July 2014, outlining the above.

I would appreciate acknowledgement that this email and attached letter have been received and read.

Regards

Jenny Miragaya
Secretary
Australian Nursing & Midwifery Federation ACT Branch PO Box 1995 Woden ACT 2606

Ph: (02) 6282 9455
Fax: (02) 6282 8447
www.anmfact.org.au
email: anmfact@anmfact.org.au

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-----Original Message-----

From: ANMFACT [<mailto:anmfact@anmfact.org.au>]
Sent: Thursday, 3 July 2014 4:44 PM
To: Jenny Miragaya
Subject: FW: From " 02 93806990"(Fax Message NO.1673)

-----Original Message-----

From: actanf@actanf.org.au [<mailto:actanf@actanf.org.au>]
Sent: Thursday, 3 July 2014 5:34 PM
To: Helen
Subject: From " 02 93806990"(Fax Message NO.1673)

This E-mail was sent from "RNP22F578" (Aficio MP C6501).

Queries to: actanf@actanf.org.au



Australian
Nursing &
Midwifery
Federation

AUSTRALIAN CAPITAL TERRITORY

ABN: 41 698 088 660
President: A. Rosborough
Secretary: J. Miragaya

Mr Michael Moutevelis
Assistant Advisor
Regulatory Compliance branch, NSW
Fair Work Commission
Terrace Tower, Level 10
80 Williams Street
East Sydney 2011

10 July 2014

Via email: attention Mr Michael Moutevelis – orgs@fwc.org.au

Dear Mr Moutevelis

Re: Arrangements for the conduct of an election (E2014/170)

Thank you for your letter of 3 July 2014 in respect of the prescribed information forwarded by the ANMF ACT branch on 30 June 2014.

Please see the resolution below, considered by the Branch Council out of session 4 July 2014 – 9 July 2014 and which has been endorsed by the Branch Council:

RESOLUTION:

In keeping with established practice and mindful of the size of the ACT, Branch Council resolve that the number of Branch Councillors eligible for election in the ANMF ACT Branch Council election due to be held in 2014 will be five. Further, Branch Council notes that this is consistent with the ANMF Federal Rules: Standard Branch Rule 65.2.3.


Moved: Jenny Miragaya

Seconded: Athalene Rosborough

Carried

The resolution will be formally ratified by the Council when it next meets, next Tuesday evening, 15 July 2014.

Yours faithfully


Jenny Miragaya
Secretary



3 July 2014

Ms Jennifer Miragaya
Branch Secretary
Australian Capital Territory Branch
Australian Nursing and Midwifery Federation
PO Box 1995
WODEN ACT 2606

Also by facsimile: (02) 6282 8447

Dear Ms Miragaya

Arrangements for the conduct of an election (E2014/170)

I refer to the prescribed information dated 30 June 2014 which was lodged with the Fair Work Commission (**the Commission**) on 30 June 2014 for a scheduled election for the Australian Capital Territory Branch of the Australian Nursing and Midwifery Federation.

The prescribed information includes an election request for 5 Branch Councillors. Rule 65.2.3 of the organisation's rulebook provides that the number of Branch Councillors will be determined by each Branch Council as being between 5 and 20. However no documentation was provided or any copy of a resolution which provides evidence that the number of Councillors to be elected was determined as being 5.

Could you provide the Commission with a copy of a resolution or other documentation confirming that the number of Branch Councillors should indeed be 5.

Please do not hesitate to contact me for any assistance in this matter.

Yours sincerely

Michael Moutevelis
Assistant Adviser
Regulatory Compliance Branch, NSW
Fair Work Commission



Copy of Prescribed Information

Title of Matter: Application/Notification by Australian Nursing and Midwifery Federation-
Australian Capital Territory Branch
Section: s.189(1) RO Act - Notification of elections for office
Subject:
Matter Number(s): E2014/170

Attn: Electoral Officer

A copy of the Prescribed Information in relation to the above matter is attached for your information.

The election decision will be forwarded to your office in due course.

Inquiries:

Any inquiries relating to this are to be directed to: orgs@fwc.gov.au.

1 JULY 2014

MOUTEVELIS, Michael

From: Orgs
Sent: Monday, 30 June 2014 4:18 PM
To: 'Jenny Miragaya'
Subject: RE: ANMF ACT Branch Council Election Attention: David Vale

Hi

Noted

Thank you

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 10, Terrace Tower
80 William Street
East Sydney NSW 2011
www.fwc.gov.au

-----Original Message-----

From: Jenny Miragaya [<mailto:jenny@anmfact.org.au>]
Sent: Monday, 30 June 2014 3:38 PM
To: Orgs
Subject: ANMF ACT Branch Council Election Attention: David Vale
Importance: High

ATTENTION: DAVID VALE

Dear David

As discussed with you last week, please find attached the ANMF ACT Prescribed Information.

I have today spoken with 'Phil' in the Sydney office who has assured me that this information does not have to be posted in hard copy as well.

I would appreciate a delivery receipt being sent.

Thank you for your assistance in this matter.

Regards

Jenny Miragaya
Secretary
Australian Nursing & Midwifery Federation ACT Branch PO Box 1995 Woden ACT 2606

Ph: (02) 6282 9455
Fax: (02) 6282 8447
www.anmfact.org.au
email: anmfact@anmfact.org.au

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Australian
Nursing &
Midwifery
Federation

AUSTRALIAN CAPITAL TERRITORY

ABN: 41 698 088 660
President: A. Rosborough
Secretary: J. Miragaya

Mr David Vale
Fair Work Commission
Terrace Tower, Level 10
80 Williams Street
East Sydney 2011

30 June 2014

Via email: attention Mr David Vale – orgs@fwc.org.au

Dear Mr Vale

I, Jennifer Miragaya, Australia Capital Territory Branch Secretary of the Australian Nursing and Midwifery Federation make the following statement:

I am the Australian Capital Territory Branch Secretary of the Australian Nursing and Midwifery Federation.

In accordance with the ANMF Federal Rules: Standard Branch Rule 67.1.13, I am authorised to lodge the following prescribed information concerning forthcoming elections in the Australian Capital 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 Organisation) Act 2009.

Signed

Jennifer Miragaya, Australian Capital Branch Secretary of the Australian Nursing Federation.

Dated: 30 June 2014



Offices/Positions:

Branch President (1 position)
Branch Vice President (1 position)
Branch Executive Committee Members (4 positions)
Branch Councillors (5 positions)

Reasons for Election:

Election for offices is required as terms of office are due to expire in the normal course of events under Rule 83, 83.1 and 83.3 of the Australian Nursing Federation Federal Rules.

Elected by:

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

Nominations open:

5 September 2014.

Nominations close:

12 Noon, 3 October 2014

Cut off date for the Roll:

The cut off date for the roll, consistent with ANF Federal Rule 85.4.1, is 29 August 2014