



DECISION

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

Australian Nursing and Midwifery Federation (E2014/122)

MR ENRIGHT

MELBOURNE, 21 MAY 2014

Arrangement for conduct of election.

[1] On 15 April 2014 the New South Wales 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	(15)

[2] On 23 April 2014, the Commission wrote to the Branch seeking documentary evidence that the Branch Council had determined that the number of offices of Branch Councillors to be elected would be fifteen (15), pursuant to rule 65.2.3 of the rules of the ANMF.

[3] On 16 May 2014, the Branch provided a copy of a resolution of a meeting of the Branch Council which determined that the number of offices of Branch Councillor shall be fifteen (15).

[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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**NSW
NURSES &
MIDWIVES'
ASSOCIATION**

NEW SOUTH WALES NURSES AND MIDWIVES' ASSOCIATION

In association with the Australian Nursing and Midwifery Federation

ABN 63 398 164 405

BH:WW

IN REPLY PLEASE QUOTE: Ref: 14/0461

16 May 2014

David Vale
Principal Advisor
Regulatory Compliance Branch, NSW
Fair Work Commission
Level 10, Terrace Tower
80 William Street
East Sydney, NSW 2011

Facsimile: (02) 9380 6990

Dear Mr Vale

Arrangements for the conduct of an election (E2014/122)

In response to your request for further information for the above matter, attached is an excerpt from the minutes of the meeting of the Australian Nursing Federation (NSW Branch) council meeting, held at 43 Australia Street, Camperdown, NSW on 4 July 2006 at 6:37pm.

Resolution outlines the composition of the NSW Branch Councillors to be:

- 1 Branch President
- 1 Branch Vice President
- 1 Branch Secretary
- 1 Branch Assistant Secretary
- 4 Branch Executive members
- 15 Branch Councillors

Please contact myself or Warren Williams at the NSWNMA, as listed below, should you have any further questions.

Yours sincerely

BRETT HOLMES
General Secretary



At the meeting of the Australian Nursing Federation (NSW Branch) council meeting, held at 43 Australia Street, Camperdown, NSW on 4 July 2006 at 6:37pm it was resolved:

A50/2006

MOVED B Holmes

SECONDED C Linsell

That in accordance with the powers invested in Branch Council by Rule 52 – Branches of the Rules of the Australian Nursing Federation, the ANF NSW Branch Council resolves that the NSW Branch Council shall consist of:

- the Branch President, the Branch Vice President, the Branch Secretary and the Branch Assistant Secretary (hereafter referred to as Branch Officers), and
- four Executive members (hereinafter referred to as the Branch Executive members), together with,
- 15 Branch Councillors

and that, subject to approval by the Industrial Registrar, election for the above offices, with the exception of Branch Secretary, take place between the first day of September and the 30th day of October 2006.

CARRIED



23 April 2014

Mr Brett Holmes
NSW Branch Secretary
Australian Nursing and Midwifery Federation
50 O'Dea Avenue
WATERLOO NSW 2017

Also by facsimile: (02) 9662 1414

Dear Mr Holmes

Arrangements for the conduct of an election (E2014/122)

I refer to the prescribed information dated 10 April 2014 which was lodged with the Fair Work Commission on 15 April 2014 for a scheduled election for the NSW Branch of the Australian Nursing and Midwifery Federation.

The prescribed information includes an election request for 15 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 15.

Could you provide the Fair Work Commission with a copy of a resolution or other documentation confirming that the number of Branch Councillors should indeed be 15.

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

Yours sincerely

David Vale
Principal Adviser
Regulatory Compliance Branch, NSW
Fair Work Commission



Copy of Prescribed Information

Title of Matter: Application/Notification by Australian Nursing and Midwifery Federation-
New South Wales Branch
Section: s.189(1) RO Act - Notification of elections for office
Subject: Branch President (1) Branch Vice President (1) Branch Executive Member
(4) Branch Councillor (15)
Matter Number(s): E2014/122

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.

17 APRIL 2014



**NSW
NURSES &
MIDWIVES'
ASSOCIATION**

NEW SOUTH WALES NURSES AND MIDWIVES' ASSOCIATION
In association with the Australian Nursing Federation



ABN 63 398 164 405

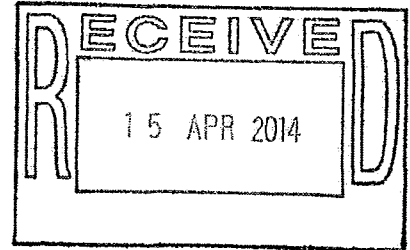
IN REPLY PLEASE QUOTE:

BH:WW

Ref: 14/0461

10 April 2014

Ms Bernadette O'Neill
General Manager
Fair Work Australia
GPO Box 1994
MELBOURNE VIC 3001



Dear Ms O'Neill,

**Re: Australian Nursing and Midwifery Federation – New South Wales Branch
2014 Election of Office Holders**

This is to notify you that the New South Wales Branch of the Australian Nursing and Midwifery Federation is required under its rules to hold certain elections between 1 September and 30 October 2014.

The prescribed information required by section 189(1) of the RAO Schedule of the Fair Work (Registered Organisations) Act 2009 (the Act) is as follows:

- a) An election is required for the following offices:
 - Branch President (one (1) to be elected)
 - Branch Vice President (one (1) to be elected)
 - Branch Executive Member (four (4) to be elected)
 - Branch Councillor (fifteen (15) to be elected);
- b) The reason for the election is that the term of office for these positions is due to expire in the normal course of events on 29 November 2014;
- c) The electorate comprises financial members of the New South Wales Branch of the Australian Nursing and Midwifery Federation;
- d) In relation to the dates for the calling of nominations, the rules provide that the election is to be conducted between 1 September 2014 and 30 October 2014, provided that the Returning Officer may call for nominations prior to 1 September;
- e) The rules (Rule 85.4) provide that the roll of voters for an election is to be closed seven days before the day on which nominations are opened; and
- f) The voting system to be used is a direct voting system.



Address all correspondence to: General Secretary, 50 O'Dea Avenue Waterloo NSW 2017

☎ (02) 8595 1234 • 1300 367 962 ☎ (02) 9662 1414 🌐 www.nswnma.asn.au ✉ gensec@nswnma.asn.au

I hereby state that I am the Branch Secretary of the New South Wales Branch of the Australian Nursing and Midwifery Federation and am authorised to sign this statement that the above information is being lodged in accordance with s 189(1) of the Act.

Please contact Warren Williams, Manager Administrative Services, in relation to this matter. His contact information is as follows:

Email	wwilliams@nswnma.asn.au
Direct phone	02 8595 1206
Postal Address	NSW Nurses and Midwives' Association 50 O'Dea Avenue Waterloo NSW 2017

Yours sincerely



BRETT HOLMES
Branch Secretary
Australian Nursing and Midwifery Federation NSW Branch