



21 January 2019

Mr Brett Holmes
Branch Secretary
Australian Nursing and Midwifery Federation-New South Wales Branch
gensec@nswnma.asn.au

Dear Mr Holmes,

cc: Ms Anne Butler, anmfcanberra@anmf.org.au

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of uncontested offices for NSW Branch [E2018/209]. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

A notice must be published on the organisation's website

The organisation or branch must, as soon as practicable after receiving the post-election report, publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the Fair Work (Registered Organisations) Regulations 2009).

Holders of office required to undertake approved training

Section 293K of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires each officer with financial management duties to undertake approved training that covers those duties within 6 months after the person begins to hold office. Please ensure that relevant officers undertake approved training within the required timeframe. Please also ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests, the details of which are provided for in the RO Act.

Organisation must notify the Commission of changes

Also, section 233(2) of the RO Act requires that an organisation must notify the Commission **within 35 days of any changes** to the holders of office in the organisation. **If there are no changes a notification is not required.** If the election has resulted in **any changes** to the holders of office, the Australian Nursing and Midwifery Federation-New South Wales Branch must notify the Commission of these changes. In particular, please advise:

1. Person(s) who have ceased to hold office:
 - the name of the office vacated;
 - the date of the change of office holder; and
 - the name of the person vacating the office.

2. Person(s) who have commenced to hold office:
 - the name of the office now held;
 - the date of the change of office holder;
 - the name of the person now holding the office;
 - the postal address of the person (generally the postal address of the organisation); and

- the occupation of the person now holding the office.

The notification must include a declaration by the Secretary (or other prescribed officer) that the information is a correct statement of the changes made. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not need to notify until then (e.g. AGM, 1 January, 2nd Monday in March). If you have already lodged this information, please disregard this reminder.

Regards

Matthew Indrigo
Registered Organisations Commission



IN REPLY PLEASE QUOTE: BH:LROB
Ref: 18/0119

21 December 2018

Mr Mark Bielecki
Registered Organisations Commissioner
Registered Organisations Commission
GPO Box 2983
MELBOURNE VIC 3001

By Email: regorgs@roc.gov.au

Dear Commissioner

**Re: Australian Nursing and Midwifery Federation New South Wales Branch
- AEC Post Election Report (E2018/209)**

Please be advised that the AEC has issued a Post Election Report for Election E2018/209.

Whilst the AEC did not identify any Rules that were difficult to apply or interpret it did identify the following:

"Other Matters

Details:

The Rules were silent on how to deal with withdrawals of nominations – s193 - no withdrawals of nominations were permitted after close of nominations."

The ANMF NSW Branch takes this matter very seriously and has already taken steps to commence a Rule change to address this abovementioned "Other Matter" by notifying the ANMF NSW Branch Council that such a change to Rule 84 is required.

In accordance with s198 of the Act and Regulation 141(4) of the *Fair Work (Registered Organisations) Regulations 2009*, we confirm that a copy of the Post Election Report and the ANMF NSW Branch Response to the AEC Post Election Report will be published on our website.

If you have any queries, please contact Liz Robinson or Lucy Walker on 02 8595 1234.

Yours sincerely

BRETT HOLMES

Branch Secretary

Australian Nursing and Midwifery Federation NSW Branch

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

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

21 December 2018

Post-election report

Australian Nursing and Midwifery Federation
NSW Branch
Insufficient Nominations Election
E2018/209

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Election(s) Covered in this Report

Organisation: Australian Nursing and Midwifery Federation – NSW Branch
Election: Insufficient Nominations
Election Decision No/s: E2018/209

Rules

Rules used for the election: 145V: Incorporates alterations of 01/02/2018 (R2017/169)
(replaces 17/01/2018 version)

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

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

https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections

Roll of Voters

As there were no contested offices, no Roll of Voters was required.

Irregularities

Details of written allegations of irregularities, and action taken by AEC: Nil to report

Other irregularities identified, and action taken: Nil to report

Other Matters

Returning Officer actions required (Section 193):

Details:

The rules are silent on how to deal with withdrawals on nominations – S193 was applied – not withdrawal of nominations were permitted after close of nominations.

Signed



Catherine Bernoth
Returning Officer
Australian Electoral Commission
E: nswelections@aec.gov.au
P: 02 9375 6375
21 December 2018

Attachments

A. Declaration of Results for Uncontested Offices – NSW

Australian Nursing and Midwifery Federation
NSW Branch
DECLARATION OF RESULTS - E2018/209
Uncontested Offices

Insufficient Nominations 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:

NSW Branch

Branch Councillor (1)

Candidates

MOON Sylvia

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



Catherine Bernoth
Returning Officer
Telephone: 02 9375 6375
Email: nswelections@aec.gov.au
17/12/2018





DECISION

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

Australian Nursing and Midwifery Federation
(E2018/209)

MR ENRIGHT

MELBOURNE, 17 OCTOBER 2018

Arrangement for conduct of election.

[1] On 19 September 2018 the New South Wales Branch of the Australian Nursing and Midwifery Federation lodged with the Registered Organisations Commission prescribed information for an election to fill the following office, due to insufficient nominations received in a previous election (**E2018/133**):

NSW Branch Councillor (1)

[2] I am satisfied that an election for the abovenamed office 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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IN REPLY PLEASE QUOTE: BH: WW
Ref: 18/0661

19 September 2018

Mark Bielecki
 Registered Organisations Commissioner
 Registered Organisations Commission
 GPO Box 2983
 MELBOURNE VIC 3001

Via email: regorgs@roc.gov.au.

Dear Commissioner,

I, Brett Holmes, being the Branch Secretary for the Australian Nursing and Midwifery Federation New South Wales Branch (ANMF NSW Branch), make the following statement:

I am authorised to sign this statement containing prescribed information for the ANMF NSW Branch.

The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).

Following the declaration of results from the Australian Electoral Commission (AEC) it is noted there are insufficient nominees to fill all the branch council positions. The declaration of results is attached.

The ANMF NSW Branch requests insufficient nominee's further election to fill the one vacant position of Branch councillor.

Branch	Name of Office	Number required	Voting System	Reason For Election	Electorate
NSW	Branch Councillors	1	Direct Voting System	Scheduled	Financial Members of the ANMF NSW Branch Rule 85.1.4 & 85.2

The ANMF NSW Branch notes the AEC's Election Report on the ANMF Rules being silent on the timeframe for withdrawal of nominations, and the ANMF NSW Branch would accept a future AEC Determination under Section 193 of the Act, on the Rules matter, until such time as the ANMF Rules are changed. The rule change will take at least two months to process internally by the Federal Council before it goes to Fair Work Commission for approval.

No other rule alterations are pending that will impact this election.

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