



8 November 2018

Mr Mark Olson
Branch Secretary
Australian Nursing and Midwifery Federation-Western Australian Branch
mark.olson@anfiuwp.org.au

Dear Mr Olson,

cc: ANMF Canberra, 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 and contested offices for WA Branch [E2018/130]. 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-Western Australian 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

Australian Nursing and Midwifery Federation
Australian Nursing and Midwifery Federation WA Branch
DECLARATION OF RESULTS - E2018/130
Contested and Uncontested Offices

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:

WA Branch

Total number of persons on the roll of voters	30,898
Ballot Papers Issued	30,898
Replacement ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	30,898
Ballot papers/envelopes returned for scrutiny	5,327
Less ballot papers/envelopes rejected at preliminary scrutiny	76
Adjusting balance	0
TOTAL BALLOT PAPERS	5,251
Percentage of ballot papers returned to number issued	17%
Ballot papers returned as unclaimed mail by closing date of ballot	274
Ballot papers not returned by voters	25,571

Branch Secretary (1)

<u>Candidates</u>	<u>Votes</u>
OLSON Mark	4016
FENN Samantha	1223

Total ballot papers admitted for this office	5251
Formal ballot papers	5239
Informal ballot papers	12

I declare the following elected:

- OLSON Mark

Branch Vice President (1)

<u>Candidates</u>
PEMBER, Dianne

Branch Executive Committee Member (2)

<u>Candidates</u>
EVANS, Treena
MURPHY, Loreta

Branch Councillor (5)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
WOOLLER Tanya	3774	3812
SINCLAIR Ray	596	3575
LEE Kerry	232	3748
WATSON Glenda Betty	280	3739
MAZOUÉ Vince	185	2809
REAH Janet	106	3091

Total ballot papers admitted for this office	5251
Formal ballot papers	5173
Informal ballot papers	78

I declare the following elected:	Order elected
• WOOLLER Tanya	1
• LEE Kerry	2
• WATSON Glenda Betty	3
• SINCLAIR Ray	4
• REAH Janet	5

Insufficient Nominations - Remainder of Term - Branch Councillor (1)

Candidates

WATSON, Glenda Watson (Elected to a higher position)

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

Amber Cooper
Returning Officer
Australian Electoral Commission
28/10/2018



DECISION

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

Australian Nursing and Midwifery Federation
(E2018/130)

MR ENRIGHT

MELBOURNE, 4 JULY 2018

Arrangement for conduct of election.

[1] On 19 June 2018 the Western Australian 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 Secretary	(1)
Branch Vice President	(1)
Branch Executive Committee Member	(2)
Branch Councillor	(6)

[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**

Tuesday, 19 June 2018

PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009*

I, Mark Olson, being the Branch Secretary of the Australian Nursing & Midwifery Federation Western Australian Branch, make the following statement:

1. I am authorised to sign this statement containing prescribed information for Australian Nursing & Midwifery Federation, Western Australian Branch.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. Insufficient nominations were received in an earlier election and the declaration of results is attached.
5. No rule alterations are pending that will impact the election.
6. This statement **IS** lodged at least 2 months before nominations open for the election below.

Signed:

Dated: 19/06/18

[PLEASE NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.]

ANNEXURE A

- Elections that are required :

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
WA	Branch Secretary	1	DVS	Scheduled	All members of WA Branch (rule 85.4.1)
WA	Vice President	1	DVS	Scheduled	All members of WA Branch (rule 85.4.1)
WA	Branch Executive Committee Member	2	DVS	Scheduled	All members of WA Branch (rule 85.4.1)
WA	Branch Councillor	6	DVS	Scheduled x 5; Insufficient Nominations x 1	All members of WA Branch (rule 85.4.1)

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	<i>Election to be conducted between 1 Sept and 30 Oct, provided that Returning officer may call for nominations prior to 1 Sept (rule 85.1.1; 85.2)</i>	
Nominations CLOSE	<i>For offices to be elected no later than 30 Oct (rule 85.1.1; 85.2)</i>	
Roll of Voters cut off date	<i>7 days prior to nominations opening (rule 85.4.1)</i>	

Please note: that for insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as 'to be determined by the returning officer'. Casual vacancies must be accompanied by proof of resignation and attached to this statement.

**Australian Nursing and Midwifery Federation
Western Australian Branch**

Declaration of Results for Uncontested Offices

E2017/146

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.

Branch President

Candidates

FOWLER, Trish

Branch Executive Members (2)

Candidates

CLANCY, Michael
MCDERMOTT, Megan Joanne

Branch Councillors (9)

Candidates

BARRON, Samuel
CASEY, Dean
DANIELS, Elaine
MAGILL, Andrea Leith
NATOLI, Lisa
TUTT, Lynette
VOKE, Stephen
WATERS, Beth

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

MCDERMOTT, Megan - was excluded from the Branch Councillors as she was successful in a higher office.

Margret Mitchell
Returning Officer
8 September 2017



5 June 2018

Mr Mark Olson
Branch Secretary
Australian Nursing and Midwifery Federation-Western Australian Branch
Sent via email: anf@anfiuwp.org.au

CC: AEC Returning Officer by email: industrial.elections@aec.gov.au

Dear Mr Olson,

Courtesy Letter - Election for offices [E2018/130]

The rules of the Australian Nursing and Midwifery Federation-Western Australian Branch indicate that an election for offices within the BRANCH is due to commence shortly.

- Branch Secretary
- Branch Assistant Secretary (if determined)

It appears that nominations for the election for the above-named offices open in September this year.

Reminder: prescribed information must be lodged

This is a courtesy letter to remind you of your obligation to lodge information about the election (known as the 'prescribed information') pursuant to sub-sections 189(1) and (2) of the *Fair Work (Registered Organisations) Act 2009* (the 'Act') within the month. Prescribed information must be lodged with the Registered Organisations Commission (the ROC) two months before nominations open for the election.

If you do NOT agree that an election is due

If you have a different interpretation for the commencement of the election or the offices due for election under your rules, please let the ROC know on regorgs@roc.gov.au as soon as possible.

If you agree that an election is due

If you agree that an election is due, the prescribed information must be lodged within the month. The prescribed information should contain details of the election as required by regulation 138(1) of the *Fair Work (Registered Organisations) Regulations 2009* (the 'Regulations'), and any subsequent collegiate elections, if that is relevant. A sample of the prescribed information can be found on our website at <http://www.roc.gov.au/resources-and-decisions/fact-sheets-templates-and-webinars>.

The prescribed information should be emailed to regorgs@roc.gov.au. When lodging the prescribed information, please quote [E2018/130]

If you are unable to lodge the prescribed information on time

If your branch believes that it will be unable to comply with the prescribed day as set out in the Regulations, it will need to apply to the Commissioner within the month for a later date. Such request will need to set out in detail the reason why your organisation is unable to comply with the requirement. While the Commissioner will consider such an application, there is no assurance that

consent to a later day will be allowed.

Penalties apply

It should be noted Section 189(2) is a civil penalty provision. Failure for an organisation to lodge prescribed information at least two months before nominations open may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or the organisation.

The ROC intends to continue to provide reminders that an election is due as a courtesy. However failure to receive a reminder from the ROC cannot be relied on as a reason for late, incorrect or non-lodgment of prescribed information. The obligation to lodge prescribed information consistent with the Act and the rules of the organisation rests with the organisation.

Insufficient nominations

If there are insufficient nominations, or if a casual vacancy arises after the conduct of this election, then those unfilled or vacated offices must be filled in accordance the organisation's rules, and in any event in a timely manner.

Should you seek any clarification in relation to the above, please contact the ROC on regorgs@roc.gov.au.

Yours faithfully,



Sam Gallichio
Registered Organisations Commission