



## DECISION

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

### **Australian Principals Federation**

(E2014/100)

MR ENRIGHT

MELBOURNE, 16 APRIL 2014

*Arrangement for conduct of election.*

[1] On 21 March and 10 and 16 April 2014 the Victorian Branch of the Australian Principals Federation (the Branch) lodged with the Fair Work Commission (the Commission) the prescribed information in relation to an election for the following offices due to insufficient nominations in E2013/211:

**Branch Councillor from the Primary Sector:**

North Eastern Primary (1)

**Branch Councillor from the Secondary Sector:**

North Western Secondary (1)

**Branch Councillors from the Comprehensive Sector:**

North Eastern (1)

Statewide (1)

[2] On 21 March and 10 April 2014 the Branch also lodged with the Commission the prescribed information in relation to an election to fill a casual vacancy for the remainder of the term of office in the following office:

**Branch Councillor from the Secondary Sector Representatives:**

Statewide (1)

[3] 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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**APF**

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### **Victorian Branch**

16<sup>th</sup> April 2014

(Amendment to letter dated 22/03/2014)

Prescribed Information for Election – Sec 189 (1) – *Fair Work (Registered Organisations) Regulations 2009*

I, Christopher Cotching, President of the Australian Principals Federation Victorian Branch make the following statement:

I am the President of the Australian Principals' Federation Victoria Branch

I am authorized to lodge the following prescribed information concerning a forthcoming election of the Australian Principals' Federation.

I confirm that the following information is being lodged under subsection 189 (1) of the Fair Work (Registered Organizations) Act 2009.

President  
Victorian Branch

*Pursuant to Regulation 138 Prescribed Information for election, Fair Work (registered Organisations) Regulations 2009, the following is provided:*

(a) The name of each office or position for which an election is required;

Victorian Branch Council

Five positions as follows:

Primary Sector Representatives for the APF Victorian Branch Council in the following regions:

- North Eastern Primary 1 position

Secondary Sector Representatives for the APF Victorian Branch Council in the following regions:

- North Western Secondary 1 position
- Statewide 1 position

Comprehensive Sector Representative for the APF Victorian Branch Council in the following regions:

- North Eastern 1 position
- Statewide 1 position

(b) The reasons for the election are:

1. Casual vacancies arising from no nominations having been received at the close of nominations for the Victorian State Branch Council by Monday 16<sup>th</sup> September 2013. Consistent with Australian Principals Federation Rule 47 (23) (b) where the unexpired portion of a vacant term of office is greater than 12 months the vacancy shall be filled by election. Since the Term of office for each of the above expires December 2016 Rules 47 (23) (b) applies. (See Declaration of Results dated 29<sup>th</sup> October 2013 by the AEC attached)
2. Statewide Secondary Position has result of the following circumstances:
  - John Handley elected to Statewide Secondary Representative on 29<sup>th</sup> October 2013 has resigned from this position on 07/03/2014 (See letter attached dated 7<sup>th</sup> March 2014)

**Elected by**

The financial members of the Australian Principals Federation from the sectors of the Regions / Branch as designated.

**Nominations Open**

As soon as possible and to be arranged by the Australian Electoral Commission.

**Nominations close**

At 5.00pm, twenty one days after the opening of nominations.

**Cut-off date for Roll:**

Seven days prior to the opening date for nominations.

**From:** MERCOVICH, Elizabeth  
**To:** "[AS Stefani@apf.net.au](mailto:AS Stefani@apf.net.au)"  
**Subject:** E2014/100 APF VIC BRANCH - ELECTION FOR CASUAL VACANCY  
**Date:** Thursday, 10 April 2014 6:39:00 PM  
**Attachments:** [image001.jpg](#)  
[FWA Vic Branch Elections 2014.pdf](#)  
[Declaration stage 1 uncontested.rtf](#)  
[Resignation John Handley.pdf](#)

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Hi, Angela

Before sending a draft decision to the Delegate for consideration, I did a final comparison of the Prescribed Information (PI) against the Stage 1 declaration that you attached in your email.

According to the Declaration, Branch Council/Comprehensive Sector/North Western Region was filled by 'HOMMELHOFF, Julie'.

I looked at the PI for E2013/211. That PI listed one office for that Region. I also looked at the Annual Return for the Branch and her name appears in the list of office holders.

Should this office have appeared on the Prescribed Information?

EITHER:

The office was included in error: Mr Cotching should lodge an amended PI without that office;

OR:

Ms Hommelhoff has resigned and it is actually a casual vacancy: Proof of this (email/letter) should be provided and Mr Cotching should lodge an amended PI to reflect the change in reason for calling an election for this office.

Sorry for this last issue but it must be resolved prior to the Delegate signing the decision.

**Liz Mercovich**  
Regulatory Compliance Branch

**Fair Work Commission**

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**From:** Angela Stefani [<mailto:AS Stefani@apf.net.au>]  
**Sent:** Friday, 21 March 2014 10:35 AM  
**To:** Orgs  
**Cc:** Laura Leavy  
**Subject:** Mercovich on CMS E2014/100 APF VIC BRANCH - ELECTION FOR CASUAL VACANCY

attached please find election notice for APF Vic Branch elections as a result of casual vacancies.

We await confirmation of elections to be held by the AEC as early as possible.

Regards,

**Angela Stefani**  
**Executive Officer**

APFprimarylogo



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**From:** [Chris Cotching](#)  
**To:** [MERCOVICH, Elizabeth](#)  
**Cc:** [Angela Stefani](#)  
**Subject:** APF Elections 2014  
**Date:** Thursday, 10 April 2014 2:29:44 PM  
**Attachments:** [image001.jpg](#)

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To whom it may concern,

I, Chris Cotching, President of the APF Victorian Branch confirm that the Office referred to in the Prescribed information lodged with the Fair Work Commission on 21/03/2014 are Branch Councillors.

Regards,

**Christopher Cotching**  
**President**



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22<sup>nd</sup> March 2014

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President  
Victorian Branch

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(a) The name of each office or position for which an election is required;

Primary Sector Representatives of the APF Victorian Branch in the following regions:

- North Eastern Primary 1 position

Secondary Sector Representatives of the APF Victorian Branch in the following regions:

- North Western Secondary 1 position
- Statewide 1 position

Comprehensive Sector Representative of the APF Victorian Branch in the following regions:

- North Eastern 1 position
- North Western 1 position
- Statewide 1 position



**(b) The reasons for the election are:**

1. Casual vacancies arising from no nominations having been received at the close of nominations for the Victorian State Branch by Monday 16<sup>th</sup> September 2013. Consistent with Australian Principals Federation Rule 47 (23) (b) where the unexpired portion of a vacant term of office is greater than 12 months the vacancy shall be filled by election. Since the Term of office for each of the above expires December 2016 Rules 47 (23) (b) applies. (See Declaration of Results dated 29<sup>th</sup> October 2013 by the AEC attached)
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