

83-89 Renwick Street
REDFERN NSW 2016



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E2004/151

FACSIMILE TRANSMISSION

DATE: 22-3-04

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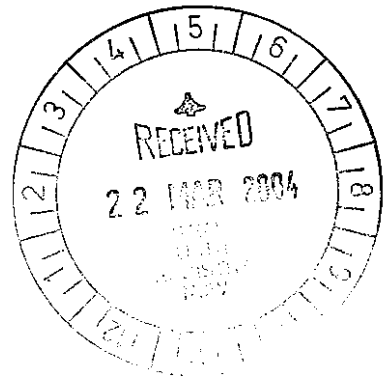
ATTENTION: THE DEPUTY INDUSTRIAL REGISTRAR

SENDER: R. JOWETT

Number of pages (including this page): 4 PAGES

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**RAIL TRAM and BUS UNION**

AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION

ABN 28 921 128 419

NATIONAL OFFICE83-89 Renwick Street
REDFERN NSW 2016

Ph: (02) 9310 3966

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email: rtbu@magna.com.au

web: www.rtbu-nat.asn.au

70

RJ:ds

19th March, 2004

The Deputy Industrial Registrar,
Australian Industrial Registry,
Level 8 -Terrace Towers,
80 William Street,
EAST SYDNEY NSW 2000

Dear Sir/Madam,

In accordance with Section 214 of the Workplace Relations Act the RTBU requests that an election be held for the honorary position of National Executive Delegate - NSW Branch (Rule 29(2) and National Councillor - National Locomotive Division, NSW Branch (Rule 28(3)).

The election is to fill as a casual vacancy both positions as defined in Rule 78(2) of the RTBU rules caused by the resignation of the occupant Mr. Greg Pryor (see copy of attached correspondence e-mailed to the union).

The Offices we seek to have filled by an election are covered by RTBU Rule 31 - National Offices.

Yours faithfully,

R. Jowett

NATIONAL SECRETARY

c.c. Bob Hayden

PR945018

WORKPLACE RELATIONS ACT 1996
s189 RAO Schedule - arrangement for conduct of an election

Australian Rail, Tram and Bus Industry Union
(E2004/151)

B. R. JENKINS
DEPUTY INDUSTRIAL REGISTRAR

SYDNEY, 31 MARCH 2004

DECISION

On 22 March 2004 the abovenamed organisation lodged in the Industrial Registry prescribed information in relation to an election to fill the following vacancies:

- | | |
|---|-----|
| Branch Delegate to National Executive
New South Wales Branch | (1) |
| National Divisional Delegate from Branch to National Council
New South Wales Branch /Locomotive Division | (1) |

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 Schedule 1B of the Workplace Relations Act 1996, I am making arrangements for the conduct of the election by the Australian Electoral Commission.





AUSTRALIAN INDUSTRIAL REGISTRY

Level 8, Terrace Towers
80 William Street, East Sydney, NSW 2011
Telephone: (02) 8374 6666
Fax: (02) 9380 6990

139V
Mr Roger G Jowett
National Secretary
Australian Rail, Tram and Bus Industry Union
83-89 Renwick Street
REDFERN NSW 2016

sent via email/fax: rtbu@magna.com.au; (02) 9319 2096

Dear Mr Jowett

**Re: Arrangements for the conduct of an Election
(E2004/151)**

A copy of the Registrar's decision in relation to the above matter is enclosed.

The Registrar is making arrangements, under subsection 189(3) of Schedule 1B of the *Workplace Relations Act 1996*, with the Electoral Commissioner for the conduct of the subject election by a member of staff of the Australian Electoral Commission, who will contact you in the near future about the election.

The Registrar expressed concern over the information provided in your request for an election. You are advised that the Registrar will insist that your requests in future meet the requirements of reg 138 of the RAO Regulations. For your convenience, I would draw your attention to RAO Fact Sheets on the AIRC home page http://www.airc.gov.au/fact_sheets/factsheets.html.

In particular - Fact Sheet No. 04/2003 7 May 2003, Australian Industrial Registry **Elections in Organisations and their branches**, identifies changes to the notification and conduct of elections. Election notifications now require more detailed reasons for the election to be stated as well as the closing day for the roll of voters as provided for under the rules of the organisation. (Section 143(1)(e)(i)).

Yours Sincerely

for Deputy Industrial Registrar
31 March 2004



AUSTRALIAN INDUSTRIAL REGISTRY

Level 8, Terrace Towers
80 William Street, East Sydney, NSW 2011
Telephone: (02) 8374 6666
Fax: (02) 9380 6990

Electoral Commissioner Through
Australian Electoral Officer (industrial.elections@aec.gov.au)

Under subsection 189 of Schedule 1B of the Workplace Relations Act 1996, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2004/151

RE: AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION

Positions:

See Decision

Relevant Information: casual vacancy, direct voting system, secret postal ballot,

Contact: Roger Jowett
National Secretary

Phone: (02) 93103966

A copy of the decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at industrial.elections@air.gov.au

for Deputy Industrial Registrar

31 March 2004

Australian Electoral Commission / AEC

Workplace Relations Act 1996 – Schedule 1B

RETURNING OFFICER - POST ELECTION REPORT

<u>Client:</u>	Australian Rail, Tram & Bus Industry Union-New South Wales Branch		
<u>Contact details:</u>	Nick Lewocki Branch Secretary ARTBIU Level 4, 321 Pitt Street SYDNEY NSW 2000	<u>Email:</u>	hbyron@rtbu-nsw.asn.au
		<u>Tel:</u>	(02) 9264 2511
<u>AIR contact officer:</u>	Caroline Prior	<u>Email:</u>	industrial.elections@air.gov.au
		<u>Tel:</u>	(02) 8374 6516

ELECTIONS COVERED IN THIS REPORT

<u>Election Decision No/s:</u>	E2004/151
<u>Election:</u>	NSW Branch Delegate to National Executive and NSW Locomotive Division Delegate to National Council
<u>Returning Officer:</u>	Lee Jones

RULES

<u>Rules used for elections Rule ID</u>	[139V:Certified 5/2/2003 - Incorporates alterations of 5 February 2003] [R2003/7]
<u>Rule/s re eligibility to vote</u>	73
<u>Action taken under section 193 of RAO Schedule</u>	Direction issued to organisation to obtain last known postal addresses for 643 members included in the roll of voters but for whom the organisation was unable to provide a postal address.

ROLL OF VOTERS

<u>Total number of voters on the roll</u>	15,108
<u>Number of non-current addresses</u>	643 4.26%

OTHER MATTERS PERTAINING TO ROLL OF VOTERS

Organisation was unable to provide a breakdown of the roll for private and workplace addresses.

ALLEGATIONS OF IRREGULARITIES RECEIVED

There were no written complaints or allegations of irregularities

IRREGULARITIES IDENTIFIED

Unable to send 643 eligible voters with their ballot material.
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ACTION TAKEN IN RELATION TO IRREGULARITIES

Direction issued to organisation to obtain addresses.

ATTACHMENTS

A Declaration of Results For Uncontested Offices
B Declaration of Results For Contested Offices

Lee Jones
Returning Officer
2 August 2004

**Australian Rail, Tram and Bus Industry Union
National Offices**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with Section 189 of Schedule 1B of the Workplace Relations Act 1996 and the rules of the organisation

E No. 2004/151

Delegate to National Council from NSW Branch Locomotive Division (1)

Candidates

SHEARGOLD, Mark Phillip

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

Lee Jones
Returning Officer

16 June 2004

**Australian Rail, Tram and Bus Industry Union
National Vacancies**

DECLARATION OF RESULTS FOR CONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2004/151

National Offices

Total number of persons on the roll of voters	15108
Ballot papers issued	14433
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	14433
Ballot papers / envelopes returned for scrutiny	2781
Less ballot papers / envelopes rejected at preliminary scrutiny	72
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	2709
Percentage of ballot papers returned to number issued	19%
Ballot papers returned as unclaimed mail	516
Ballot papers not returned	11117

Branch Delegates to the National Executive New South Wales Branch

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
HIGGINS, Sallie-Louise	1181	1181
VRETTOS, Peter	606	606
MATHIE, David L.	898	898
Exhausted Votes		
Total votes	2685	2685
Formal ballot papers	2685	2685
Informal ballot papers	24	24

I declare Sallie-Louise Higgins elected.

Lee Jones
Returning Officer
Australian Electoral Commission
2 August 2004