

PR967276

Workplace Relations Act 1996
s.189 RAO Schedule - arrangement for conduct of an election

Australian Rail, Tram and Bus Industry Union
(E2005/213)

ROBIN GODFREY
DEPUTY INDUSTRIAL REGISTRAR

SYDNEY, 10 JANUARY 2006

DECISION

[1] On 25 November 2005 the Tasmanian Branch of the abovenamed organisation lodged in the Industrial Registry prescribed information in relation to an election to fill the following vacancies:

Branch President (1)

Branch Divisional President - Tram & Bus Division (1)

Branch Sub-Divisional Representative to Branch Divisional Committee - Burnie Depot - Tram & Bus Division (1)

Branch Sub-Divisional Representative to Branch Divisional Committee - Launceston Depot - Tram & Bus Division (1)

Regional Representative to Branch Divisional Committee - North West Coast Region - Rail Division (1)

[2] I am satisfied that an election for the abovenamed office vacancies 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.



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 2005/213

**AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION - TASMANIAN
BRANCH**

Positions:

See Decision

Relevant Information: Casual Vacancies - Direct voting system

Contact: Mr Sandro Amicosante
Branch Secretary,

Phone: (03) 6228 6188

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

10 January 2006

TEECE, Steve

From: TEECE, Steve
Sent: Tuesday, 10 January 2006 12:26 PM
To: industrial.elections@aec.gov.au
Subject: Decision re E2005/213 ARTBIU TAS



ARTBIU TAS.TIF
(41 KB)

Steve Teece

Research Information Advice Team
NSW Registry
Australian Industrial Registry

Ph: (02) 8374 6516 Fax: (02) 9380 6990
steve.teece@air.gov.au

Date: 10/01/2006
Time: 12:26:26 PM
From: Steve Teece
To: industrial.elections@aec.gov.au
Subject: Decision re E2005/213 ARTBIU TAS

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Australian Government

Australian Industrial Registry

Level 8, Terrace Towers
80 William Street, East Sydney, NSW 2011
Telephone: (02) 8374 6666
Fax: (02) 9380 6990
Email: sydney@air.gov.au

Mr Sandro Amicosante
Branch Secretary,
Australian Rail Tram Bus Industry Union, Tasmanian Branch
PO Box 682
MOONAH TAS 7009

Dear Mr Amicosante

**Re: Arrangements for the conduct of an Election
(E2005/213)**

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.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Steve Teece'.

Steve Teece

10 January 2006

THE FOLLOWING FILE(S) ERASED

FILE	FILE TYPE	OPTION	TEL NO.	PAGE	RESULT
051	MEMORY TX		0362286908	02/02	OK

ERRORS

1) HANG UP OR LINE FAIL 2) BUSY 3) NO ANSWER 4) NO FACSIMILE CONNECTION



Australian Government
Australian Industrial Registry

Level 8, Terrace Towers
 80 William Street, East Sydney, NSW 2011
 Telephone: (02) 8374 6866
 Fax: (02) 9380 6999
 Email: sydney@air.gov.au

Mr Sandro Amicosante
 Branch Secretary,
 Australian Rail Tram Bus Industry Union, Tasmanian Branch
 PO Box 682
 MOONAH TAS 7009

Dear Mr Amicosante

Re: Arrangements for the conduct of an Election
 (E2005/213)

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.

Yours sincerely

EECE, Steve

From: TEECE, Steve
Sent: Friday, 30 December 2005 10:38 AM
To: industrial.elections@aec.gov.au
Subject: Amended Prescribed Information - E2005/213 - ARTBIU Tasmanian Branch

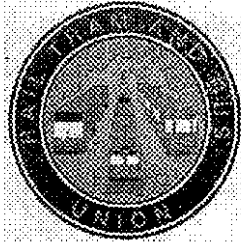


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(107 KB)

Steve Teece

Research Information Advice Team
NSW Registry
Australian Industrial Registry

Ph: (02) 8374 6516 Fax: (02) 9380 6990
steve.teece@air.gov.au



Rail, Tram & Bus Union, Tasmania Branch
PO Box 682, Moonah, Tas 7009
(Office hours 9.00am to 12.00pm Monday to Friday)

ABN 17 375 340 137
Secretary: Sandro Amicosante
Mobile: 0428 733 783
Ph: (03) 6228 6188 Fax: (03) 6228 6908
Email: rtbu.tas@tassie.net.au

Statement and Notice of Prescribed Information under Regulation 136

I Sandro Amicosante, Tasmanian Branch Secretary of the Australian Rail, Tram & Bus Industry Union make the following statement:

I am the Tasmanian Branch Secretary of the Australian Rail, Tram & Bus Industry Union.

I am authorised to lodge the following prescribed information concerning forthcoming elections in the Tasmanian Branch of the Australian Rail, Tram & Bus Industry Union.

I confirm that the following information is being lodged under subsection 189 (1) of the RAO Schedule.

Signed: 

Sandro Amicosante
Branch Secretary
Australian Rail, Tram & Bus Industry Union

Dated: 19 December 2005



Offices/Positions

- B Branch President
- B Divisional President – Tram & Bus Division
- B Branch Sub-Divisional Representative to Branch Divisional Committee – Burnie Depot – Tram & Bus Division
- B Branch Sub-Divisional Representative to Branch Divisional Committee – Launceston Depot – Tram & Bus Division
- B Regional Representative to Branch Divisional Committee – NW Region – Rail Division

Reasons for election:

Election For offices marked B is required to fill casual vacancies that have recently occurred (documentary information relating to the resignation of the persons holding the offices are enclosed).

Kind of Voting System

Direct voting system

Nominations Open:

Later January/Early February 2006

Nominations Close:

As soon as practicable



Australian Government
Australian Industrial Registry

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

Mr Santo Amicosante
Branch Secretary
Australian Rail, Tram and Bus Industry Union
Tasmania Branch
PO Box 682
MOONAH TAS 7009

Dear Mr Amicosante

Re: Conduct of Elections

I refer to your letter dated 24 November 2005 regarding a proposed election for the Australian Rail, Tram and Bus Industry Union, Tasmania Branch.

The Prescribed Information contained in your letter is not in accordance with the current legislation relating to election requests.

Whilst we have sent a copy of your request to the Australian Electoral Commission, unfortunately, we will require the information to be re-lodged so it conforms with the requirements of Regulation 138 of the RAO Regulations before the Registrar can issue a decision in this matter.

Please arrange to lodge information under subsection 189(1) of the RAO Schedule of the Act and Regulation 138 of the Workplace Relations (Registration and Accountability of Organisations) Regulations. I have attached extracts for your assistance.

I have also included a sample s189(1) statement and notice.

Please do not hesitate to contact me on (02) 8374 6516 if you require further explanation of the procedures or assistance in drafting a statement.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Steve Teece'.

Steve Teece
for Deputy Industrial Registrar
1 December 2005

SAMPLE

Statement and Notice of Prescribed Information under Regulation 136

I, Sandro Amicosante, Tasmanian Branch Secretary of the Australian, Rail, Tram and Bus Industry Union, make the following statement:

I am the Tasmanian Branch Secretary of the Australian, Rail, Tram and Bus Industry Union,

I am authorised to lodge the following prescribed information concerning forthcoming elections in the Tasmanian Branch of the Australian, Rail, Tram and Bus Industry Union,

I confirm that the following information is being lodged under subsection 189(1) of the RAO Schedule.

Signed: Sandro Amicosante, Tasmanian Branch Secretary of the Australian, Rail, Tram and Bus Industry Union,

Dated: (date) December 2005

Offices/Positions

A	Branch President (Direct voting system)
	Branch Vice-Presidents (2) (DVS)
	Branch Secretary (DVS)
	Branch Treasurer (DVS)
	Branch Executive Committee Members (15) (DVS)
	Branch Delegates to National Council (5 together with Branch Secretary who is ex officio a member of National Council) (Collegiate election)
B	Branch Councillors (2) (DVS)
C	Branch Assistant Secretary (DVS)
D	Branch Representatives to Trades Council (2) (Collegiate)
	Branch Representative to ACTU (Collegiate)

Reasons for election:

election for offices and positions marked A and D respectively is required as the terms of office are due to expire in the normal course of events under the rules of the organisation.

election for offices marked B is required to fill casual vacancies that have recently occurred (documentary information relating to the resignation of the persons holding the offices of Branch Councillor is enclosed)

election for the office marked C is required because this is a new position that has been created under the rules.

Elected by:

The electorate for the direct voting system is the whole of the Branch.

The electorate for collegiate electoral system is by and from the Branch Committee (totalling 21 persons)

Nominations open:

For offices to be elected by direct voting system - the first Monday in June

For offices to be elected by collegiate election - at the AGM in September

Nominations close:

For offices to be elected by direct voting system - 12 noon, first Friday in July

For offices to be elected by collegiate election - at the AGM in September

Cut off date for roll: in all cases: 7 days prior to the opening date for nominations - rule 22(g).

TEECE, Steve

From: TEECE, Steve
Sent: Monday, 28 November 2005 5:31 PM
To: industrial.elections@aec.gov.au
Subject: Prescribed Information ARTBIU Tasmania E 2005/213

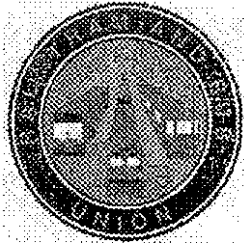


artbiu tas ARTBIU139V20505.
2005_213.TIF (93 K. doc (644 KB)

Steve Teece

Research Information Advice Team
NSW Registry
Australian Industrial Registry

Ph: (02) 8374 6516 Fax: (02) 9380 6990
steve.teece@air.gov.au



Rail, Tram & Bus Union, Tasmania Branch

PO Box 682, Moonah, Tas 7009

(Office hours 9.00am to 12.00pm Monday to Friday)

E 2005/213

ABN 17 375 340 137

Secretary: Sandro Amicosante

Mobile: 0428 733 783

Ph: (03) 6228 6188 Fax: (03) 6228 6908

Email: rtbu.tas@tassie.net.au

24th November 2005

The Industrial Registrar
Australian Industrial Registry
Level 8, Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

Dear Sir/Madam

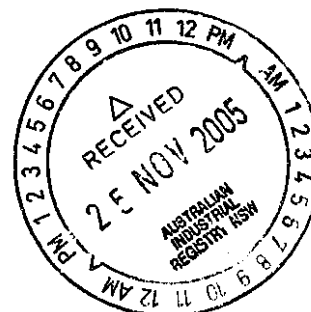
Re: Casual Vacancies – ARTBIU Tasmania Branch

In accordance with Clause 78 – Casual Vacancies of the ARTBIU Rules 2002, I write to request that elections be held for the following vacant offices of Tasmanian Branch as the unexpired terms are more than three quarters of the term. Resignations from the offices are attached.

1. Divisional President – Tram & Bus Division
2. Branch President.
3. Regional Representative to Branch Divisional Committee – NW Region – Rail Division
4. Branch Sub-Divisional Representative to Branch Divisional Committee – Burnie Depot – Tram & Bus Division
5. Branch Sub-Divisional Representative to Branch Divisional Committee – Launceston Depot – Tram & Bus Division

Yours faithfully

Sandro Amicosante
Branch Secretary
Rail, Tram & Bus Union, Tasmania Branch



**Australian Rail, Tram and Bus Industry Union
Tasmanian Branch Vacancies 2006**

DECLARATION OF RESULTS FOR UNCONTESTED AND 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.

E2005/213

Tasmanian Branch

Total number of persons on the roll of voters	367
Ballot papers issued	367
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	367
Ballot papers / envelopes returned for scrutiny	150
Less ballot papers / envelopes rejected at preliminary scrutiny	1
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	149
Percentage of ballot papers returned to number issued	40%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	217

Branch President

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
COLE, Jamie	80	80
FELTHAM, Greg	68	68
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	148	148
Formal ballot papers	148	148
Informal ballot papers	1	1

I declare Jamie Cole elected.

Tram and Bus Division

Branch Divisional President

No nomination was received

Burnie Depot

Branch Sub-Divisional Representative to Branch Divisional Committee - Burnie Depot

No nomination was received

Launceston Depot

Branch Sub-Divisional Representative to Branch Divisional Committee - Launceston Depot

No nomination was received

Rail Division

North West Region

Regional Representative to Branch Divisional Committee

No nomination was received

Ron Mann
Returning Officer
Australian Electoral Commission

10 April 2006

Australian Electoral Commission / AEC

Workplace Relations Act 1996 – Schedule 1B

RETURNING OFFICER - POST ELECTION REPORT

Client: Australian Rail Tram & Bus Industry Union – Tasmanian Branch
Contact details: Sandro Amicosante
ARTBIU
PO Box 682
Moonah Tas 7009
Email: rtbu.tas@tassie.net.au
Tel: 03 6228 6188

AIR contact officer: Steve Teece
Email: industrial.elections@air.gov.au

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2005/213
Election: Casual Vacancies, Tasmanian Branch

Returning Officer: Ron Mann

RULES

Rules used for elections Rule ID: [139V: Incorporates alterations of 20 May 2005]
[R2005/164]

Rule/s re eligibility to vote: 12, 13, 50, 75

Rules difficult to apply/interpret:

Model Rule reference (if any):

Legal precedents considered:

**Action taken under section 193 of RAO
Schedule:**

ROLL OF VOTERS

Total number of voters on the roll	367	
Number of private addresses	361	98.36%
Number of apparent workplace addresses	6	1.64%
Number of non-current addresses		%

ALLEGATIONS OF IRREGULARITIES RECEIVED

There were no written complaints or allegations of irregularities

ATTACHMENT

A) Declaration of Results for Uncontested and Contested Offices

Ron Mann
Returning Officer
24 April 2006

**Australian Rail, Tram and Bus Industry Union
Tasmanian Branch Vacancies 2006**

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Branch President

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FELTHAM, Greg	68	68
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	148	148
Formal ballot papers	148	148
Informal ballot papers	1	1

I declare Jamie Cole elected.

Tram and Bus Division

Branch Divisional President

No nomination was received

Burnie Depot

Branch Sub-Divisional Representative to Branch Divisional Committee - Burnie Depot

No nomination was received

Launceston Depot

Branch Sub-Divisional Representative to Branch Divisional Committee - Launceston Depot

No nomination was received

Rail Division

North West Region

Regional Representative to Branch Divisional Committee

No nomination was received

Ron Mann
Returning Officer
Australian Electoral Commission

10 April 2006