



7 November 2019

Allan Barden  
Assistant National Secretary  
Australian Rail, Tram and Bus Industry Union  
Sent via email: abarden@rtbu.org.au

Dear Allan Barden,

### **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 contested offices in matter E2019/93. 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 Rail, Tram and Bus Industry Union 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.

Yours faithfully,

**Romy Kaur**  
**Registered Organisations Commission**

30 October 2019

# Post-election report

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

West Australian Branch  
Casual Vacancy election  
E2019/93

# Contents

Election(s) Covered in this Report .....	3
Rules .....	3
Roll of Voters .....	3
Irregularities .....	3
Other Matters.....	4
Signed.....	4
Attachments.....	4
A. Declaration of results for Contested Offices – WA.....	5

# Election(s) Covered in this Report

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Organisation: West Australian Branch  
Election: Casual Vacancy  
Election Decision No/s: E2019/93

## Rules

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Rules used for the election: [139V: - Incorporates alterations of 23/04/2018 in matter R2017/282]

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](https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections)

## Roll of Voters

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Total number of voters on the Roll: 430

Number of apparent workplace addresses: 0

Number of non-current addresses: 12

Other matters pertaining to the roll of voters: None

## Irregularities

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Details of written allegations of irregularities, and action taken by AEC: None

Other irregularities identified, and action taken: None

## Other Matters

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Returning Officer actions required (Section 193): No  
Details:

## Signed

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*Liz Houlton.*

Liz Houlton  
Returning Officer  
Australian Electoral Commission  
E: waelections@aec.gov.au  
P: 08 6363 8011  
30 October 2019

## Attachments

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### A. Declaration of results for Contested Offices – WA

Australian Rail, Tram and Bus Industry Union  
West Australian Branch  
**DECLARATION OF RESULTS - E2019/93**  
**Contested Offices**

**Casual Vacancy 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:

**Western Australian Branch**

<b>VOTING MATERIAL ISSUED</b>	
Total number of people on the roll of voters (a)	430
Number of voters issued with voting material	430
Total number of voters issued with replacement voting material	1
<b>Total number of voting material packs issued</b>	<b>431</b>
<b>VOTING MATERIAL RETURNED</b>	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	140
Number of declaration envelopes rejected at preliminary scrutiny (minus)	1
Number of ballot papers returned outside declaration envelopes (minus)	1
<b>COUNT</b>	
Total ballot papers admitted to the count	138
<b>LATE OR UNRETURNED VOTING MATERIAL</b>	
Voting material returned as unclaimed mail by closing date of ballot	12
Voting material packs not returned by voters by closing date of the ballot	279
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	33 %

**Locomotive Division - Branch Divisional Delegate to National Council (1)**

<u>Candidates</u>	<u>Final Votes</u>
BELL, David	76
HODGSON, Stephen Peter	62

<b>Total ballot papers admitted for this office</b>	<b>138</b>
Formal Ballot papers	138
Informal Ballot papers	0

I declare the following elected:

- BELL, David

*Liz Houlton*

Liz Houlton  
Returning Officer  
Telephone: 08 6363 8011  
Email: waelections@aec.gov.au  
29/10/2019



25 September 2019

Allan Barden  
Assistant National Secretary  
Australian Rail, Tram and Bus Industry Union  
Sent via email: abarden@rtbu.org.au

cc: rtbu@rtbu.org.au

Dear Allan Barden,

### **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 in matter E2019/93. 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

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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.

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Yours faithfully,

**Romy Kaur**  
**Registered Organisations Commission**

**Australian Rail, Tram and Bus Industry Union**  
**Queensland Branch**  
**DECLARATION OF RESULTS - E2019/93**  
**Uncontested Offices**

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**Casual Vacancy 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:

**Queensland Branch - Locomotive Sub-Division Passenger, Locomotive Division**

**Driver's Representative Suburban Passenger Out Depots (Nambour, Caboolture, Petrie, Shorncliffe, Manly, Beenleigh, Robina Redbank, Gympie, Doomben, Ferny Grove, Richlands and Ipswich) (1)**

Candidates

WHYTE Stefanie

**Queensland Branch - Rail Operations Division**

**South East Region Representative (1)**

Candidates

BERTUCCI Michael Thomas

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



Stephen Smith  
Returning Officer  
Telephone: 07 3834 3429  
Email: [qldelections@aec.gov.au](mailto:qldelections@aec.gov.au)  
13/09/2019



13 September 2019

# Post-election report

**Australian Rail, Tram and Bus  
Industry Union**  
Queensland Branch  
Casual Vacancy Election  
E2019/93

# Contents

Election(s) Covered in this Report .....	3
Rules.....	3
Roll of Voters .....	3
Irregularities.....	3
Other Matters .....	4
Signed .....	4
Attachments .....	4
A. Declaration of results for Uncontested Offices – QLD .....	4

# Election(s) Covered in this Report

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Organisation: Australian Rail, Tram and Bus Industry Union  
Election: Casual Vacancy  
Election Decision No/s: E2019/93

## Rules

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Rules used for the election: [139V: - Incorporates alterations of 23/04/2018 in matter R2017/282]

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](https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections)

## Roll of Voters

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

## Irregularities

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

Other irregularities identified, and action taken: N/A

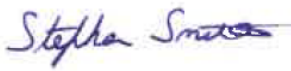
## Other Matters

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Returning Officer actions required (Section 193): No  
Details: Nil

## Signed

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Stephen Smith  
Returning Officer  
Australian Electoral Commission  
E: [qldelections@aec.gov.au](mailto:qldelections@aec.gov.au)  
P: 07 3834 3429  
13 September 2019

## Attachments

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### A. Declaration of results for Uncontested Offices – QLD



## DECISION

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

### **Australian Rail, Tram and Bus Industry Union** (E2019/93)

MR ENRIGHT

MELBOURNE, 27 JUNE 2019

*Arrangement for conduct of election.*

[1] On 20 May 2019 the Australian Rail, Tram and Bus Industry Union lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices for the remainder of the term:

#### **Queensland Branch**

##### Locomotive Sub-Division Passenger, Locomotive Division

Driver's Representative Suburban Passenger Out Depots (1)  
(Nambour, Caboolture, Petrie, Shorncliffe, Manly, Beenleigh,  
Robina Redbank, Gympie, Doomben, Ferny Grove, Richlands  
and Ipswich)

##### Rail Operations Division

South East Region Representative (1)

#### **Western Australian Branch**

##### Locomotive Division

Branch Divisional Delegate to National Council (1)

[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

Printed by authority of the Commonwealth Government Printer  
PR351392



**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, ALLAN BARDEN, being the Assistant National Secretary of the Australian Rail, Tram and Bus Industry Union (known as the RTBU) make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Queensland and West Australian Branches of the RTBU.
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. The resignation letter is attached for each casual vacancy.
5. The current prescribed rule are rb-139V-r2017-282-effect-2018-04-23. No rule alterations are pending that will impact the election

Signed:



[Dated: 20<sup>th</sup> May 2019

*[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](mailto:regorgs@roc.gov.au).]*

**ANNEXURE A**

- Elections that are required [insert as many pages as required]:

<b>Branch</b>	<b>Name of Office/Position</b>	<b>Number required</b>	<b>Voting System</b>	<b>Reason for Election</b>	<b>Electorate</b>
			<i>Direct voting system; Collegiate electoral system</i>	<i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	
<i>Queensland Branch</i>	<i>Locomotive Sub Division Passenger, Locomotive Division-Suburban Passenger Out depots (Nambour, Caboolture, Petrie, Shorncliffe, Manly, Beenleigh, Robins, Redbank, Gympie, Doomben, Fern Grove, Richlands and Ispwich) This is a Position</i>	<i>1 Driver's Representative (Rule 113(6) )</i>	<i>First Past the Post (Rule 74)</i>	<i>Casual vacancy (the resignation is attached)</i>	<i>All Locomotive Division members who are Drivers in the following Suburban Passenger Depots- Nambour, Caboolture, Petrie, Shorncliffe, Manly, Beenleigh, Robins, Redbank, Gympie, Doomben, Fern Grove, Richlands and Ispwich.</i>
	<i>Rail Operations Division- South East Regional Representative This is a Position</i>	<i>1 (Rule 113(5) )</i>	<i>First Past the Post (Rule 74)</i>	<i>Casual vacancy (the resignation is attached)</i>	<i>All Rail Operations members in the South East Region comprising the Brisbane &amp; South East Sub-Branch, which covers all work locations in and around Brisbane, South to and including the Gold Coast, east of Toowoomba and south of Maryborough.  (Rules 113 (3) (b))</i>
<i>West Australian Branch</i>	<i>Locomotive Division Delegate to National Council This is an Office.</i>	<i>1</i>	<i>First Past the Post (Rule 74)</i>	<i>Casual vacancy (the resignation is attached)</i>	<i>All Locomotive Division Members of the West Australian Branch.</i>

- Important dates:

	<b>Direct Voting System</b>
<b>Nominations OPEN</b>	<i>To be determined by the Returning Officer</i>
<b>Nominations CLOSE</b>	<i>To be determined by the Returning Officer</i>
<b>Roll of Voters cut off date</b>	<i>To be determined by the Returning Officer</i>