

Mr Peter Garske  
Secretary Treasurer  
ARTIO  
PO Box 325  
Stones Corner QLD 4120

**Post-Election Report For: Australian Road Transport Industrial Organization  
Election E2014/268**

I refer to the above election for your organisation.

Section 197(1) of Schedule 1 of the Fair Work (Registered Organisations) Act 2009 requires the AEC to provide a written report on the conduct of the election to Fair Work Australia and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

Section 198 of Schedule 1 requires that if an organisation or branch is given a post election report under section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached Report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to 'industrial.elections@aec.gov.au' within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the post election report and the organisation's response to the report (if applicable) available to members.

Further, Regulation 141(4) of the Fair Work (Registered Organisations) Act 2009 requires an organisation or branch to publish a notice on its web site advising members that a copy of the post election report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.

Benjamin Murray  
Returning Officer

6 May 2015

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Australian Road Transport Industrial Organization

**ELECTION COVERED IN THIS REPORT**

Election Decision No: E2014/268

**RULES**

Rules used for the election: [278V: Incorporates alterations of 15/10/2014 [R2014/24]]  
(replaces alterations of 01/01/2014 determined on 28/11/2013 [R2013/65])

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

**ROLL OF VOTERS**

Total number of voters on the Roll: Ballot not required

Number of apparent workplace addresses: Nil

Number of non-current addresses: Nil

Other matters pertaining to the roll of voters: Nil

**IRREGULARITIES**

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

Other irregularities identified, and action taken: Nil

**ATTACHMENTS**

1. Declaration of Results – Uncontested declaration (Stage 1: Branch Committee)
2. Declaration of Results – Uncontested declaration (Stage 2: Branch Officers)
3. Declaration of Results – Uncontested declaration (Stage 3 – National Council)

Benjamin Murray  
Returning Officer

6 May 2015

# Australian Road Transport Industrial Organization

## Stage 1 - Branch Committee Members

### Declaration of Results for Uncontested Offices

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#### **E2014/268**

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.

#### **Victorian Branch**

##### **Branch Committee Member (6)**

###### Candidates

*ANDERSON, Peter*  
*DUNN, Cameron*  
*FORSYTH, Bruce*  
*FREESTONE, Paul*  
*HOPLEY, Brendan*  
*JONES, Darren*

#### **New South Wales Branch**

##### **Branch Committee Member (6)**

###### Candidates

*D'APICE, Laurie*  
*MCMASTER, Hugh*  
*MURPHY, Cameron*  
*NEILL, Gaylynn*  
*WEST, John Henry*  
*WINTLE, Mark*

#### **Queensland Branch**

##### **Branch Committee Member (6)**

###### Candidates

*GARSKE, Peter*  
*RENTON, Peter*  
*RUSSELL, Julie*  
*SIMON, David*  
No further nominations were accepted

**Western Australian Branch**

**Branch Committee Member (6)**

Candidates

*No nominations were received*

**Tasmanian Branch**

**Branch Committee Member (6)**

Candidates

*DEBRUYN, Jan  
MILLER, James  
MOLINEUX, Philip  
MURRAY, Ann  
PHILLIPS, Robin  
THORPE, Martin*

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



Ben Murray  
Returning Officer  
17 February 2015

# Australian Road Transport Industrial Organization

## Stage 2 - Branch Officers

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### Declaration of Results for Uncontested Offices

**E2014/268**

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.

### Victorian Branch

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#### **Branch President**

##### Candidates

*DUNN, Cameron*

#### **Branch Vice-Presidents (2)**

##### Candidates

*FORSYTH, Bruce*

*FREESTONE, Paul*

#### **Branch Secretary/Treasurer**

##### Candidates

*ANDERSON, Peter*

#### **Branch Committee Members (Officer) (2)**

##### Candidates

*HOPLEY, Brendan*

*JONES, Darren*

#### **Branch Representative to Council**

##### Candidates

*DUNN, Cameron*

#### **Branch Alternate Representative to Council**

##### Candidates

*ANDERSON, Peter*

# Australian Road Transport Industrial Organization

## Stage 2 - Branch Officers

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### New South Wales Branch

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#### **Branch President**

##### Candidates

*D'APICE, Laurie*

#### **Branch Vice-Presidents (2)**

##### Candidates

*NEILL, Gaylynn*

*WINTLE, Mark*

#### **Branch Secretary/Treasurer**

##### Candidates

*MCMASTER, Hugh*

#### **Branch Committee Members (Officer) (2)**

##### Candidates

*MURPHY, Cameron*

*WEST, John*

#### **Branch Representative to Council**

##### Candidates

*D'APICE, Laurie*

#### **Branch Alternate Representative to Council**

##### Candidates

*MCMASTER, Hugh*

# Australian Road Transport Industrial Organization

## Stage 2 - Branch Officers

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### Queensland Branch

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#### **Branch President**

##### Candidates

*RENTON, Peter*

#### **Branch Vice-Presidents (2)**

##### Candidates

*RUSSELL, Julie*

*No further nomination was accepted*

#### **Branch Secretary/Treasurer**

##### Candidates

*GARSKE, Peter*

#### **Branch Committee Members (Officer) (2)**

##### Candidates

*SIMON, David*

*No further nomination was accepted*

#### **Branch Representative to Council**

##### Candidates

*RENTON, Peter*

#### **Branch Alternate Representative to Council**

##### Candidates

*GARSKE, Peter*

# Australian Road Transport Industrial Organization

## Stage 2 - Branch Officers

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### Western Australian Branch

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#### **Branch President**

##### Candidates

*No nomination was received*

#### **Branch Vice-Presidents (2)**

##### Candidates

*No nominations were received*

#### **Branch Secretary/Treasurer**

##### Candidates

*No nomination was received*

#### **Branch Committee Members (Officer) (2)**

##### Candidates

*No nominations were received*

#### **Branch Representative to Council**

##### Candidates

*No nomination was received*

#### **Branch Alternate Representative to Council**

##### Candidates

*No nomination was received*



# Australian Road Transport Industrial Organization

## Stage 2 - Branch Officers

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### Tasmanian Branch

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#### **Branch President**

##### Candidates

*MURRAY, Ann*

#### **Branch Vice-Presidents (2)**

##### Candidates

*DEBRUYN, Jan*

*No further nomination was accepted*

#### **Branch Secretary/Treasurer**

##### Candidates

*PHILLIPS, Robin*

#### **Branch Committee Members (Officer) (2)**

##### Candidates

*MILLER, Jim*

*MOLINEUX, Philip*

#### **Branch Representative to Council**

##### Candidates

*PHILLIPS, Robin*

#### **Branch Alternate Representative to Council**

##### Candidates

*THORPE, Martin*

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



Ben Murray  
Returning Officer

20 March 2015

# Australian Road Transport Industrial Organization Stage 3 - National Council

## Declaration of Results for Uncontested Offices

E2014/268

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.

### **National Council**

#### **President**

##### Candidates

*D'APICE, Laurie*

#### **Vice-Presidents (2)**

##### Candidates

*DUNN, Cameron*

No further nomination was accepted

#### **Secretary/Treasurer**

##### Candidates

*GARSKE, Peter*

#### **Executive Committee Members (2)**

##### Candidates

*PHILLIPS, Robin*

*RENTON, Peter*

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



Ben Murray  
Returning Officer

5 May 2015



## DECISION

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

### **Australian Road Transport Industrial Organization** (E2014/268)

MR ENRIGHT

MELBOURNE, 19 DECEMBER 2014

*Arrangement for conduct of election.*

[1] On 4 December 2014 the Australian Road Transport Industrial Organization lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

- President
- Vice-Presidents (2)
- Secretary/Treasurer
- Executive Committee Members (2)

#### Victorian Branch

- Branch Committee Members (6)

- Branch President
- Branch Vice-Presidents (2)
- Branch Secretary/Treasurer
- Branch Committee Members (Officer) (2)
- Branch Representative to Council
- Branch Alternate Representative to Council

#### New South Wales Branch

- Branch Committee Members (6)

- Branch President
- Branch Vice-Presidents (2)
- Branch Secretary/Treasurer
- Branch Committee Members (Officer) (2)
- Branch Representative to Council
- Branch Alternate Representative to Council

Queensland Branch

Branch Committee Members (6)

Branch President  
Branch Vice-Presidents (2)  
Branch Secretary/Treasurer  
Branch Committee Members (Officer) (2)  
Branch Representative to Council  
Branch Alternate Representative to Council

Western Australian Branch

Branch Committee Members (6)

Branch President  
Branch Vice-Presidents (2)  
Branch Secretary/Treasurer  
Branch Committee Members (Officer) (2)  
Branch Representative to Council  
Branch Alternate Representative to Council

Tasmanian Branch

Branch Committee Members (6)

Branch President  
Branch Vice-Presidents (2)  
Branch Secretary/Treasurer  
Branch Committee Members (Officer) (2)  
Branch Representative to Council  
Branch Alternate Representative to Council

[2] The prescribed information was not lodged before the day prescribed by Regulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009*. That day is the day occurring 2 months before the first day when a person may, under the rules of the organisation or branch, become a candidate in the election. The Organisation has requested that I allow a later day for the lodgement of the prescribed information under subsection 189(2) of the *Fair Work (Registered Organisations) Act 2009*. Having considered the reason for late lodgement, I allow lodgement on 4 December 2014 in this instance.

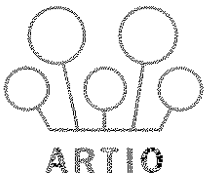
[3] I am satisfied that an election for the abovenamed offices is required to be held under the rules of the organisation and, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009*, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



DELEGATE OF THE GENERAL MANAGER

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Australian Road Transport  
Industrial Organisation

ABN: 63 734 697 902

# AUSTRALIAN ROAD TRANSPORT INDUSTRIAL ORGANISATION

*Respect, Respond and Represent*

General Manager  
Fair Work Commission  
11 Exhibition Street  
Melbourne Vic 3000

by email: [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)

Dear General Manager

## Notice of Prescribed Information for Elections

Attached please find the prescribed information for election arrangements for the conduct of elections for all offices within the Australian Road Transport Industrial Organization (ARTIO) by the Australian Electoral Commission.

We understand that this notification is lodged later than the time prescribed for same, and accordingly, we request an extension of time for such lodgement. The minimal delay in lodgement was caused by awaiting the certification of a recent rule alteration (which occurred on 15 Oct 2014) and the subsequent need to synchronise the established ARTIO Council meeting schedule to enable this request to be lodged following the rule alterations.

Should you have any questions please contact our industrial relations advisor, Mr Paul Ryan, National Industrial Officer, on 0415331031.

Yours sincerely

P. Garske  
Secretary/Treasurer

4 December 2014

### ARTIO National

PO Box 5, South Melbourne, Victoria 3205

T 03 9646 8590 | F 03 9646 8596 | E [reception@vta.com.au](mailto:reception@vta.com.au)

### State Branches

ARTIO VIC	PO Box 5, South Melbourne, Victoria 3205	T 03 9646 8590	F 03 9646 8596	E <a href="mailto:reception@vta.com.au">reception@vta.com.au</a>
ARTIO QLD	PO Box 325, Stones Corner, Queensland 4120	T 07 3394 4388	F 07 3397 9324	E <a href="mailto:admin@qta.com.au">admin@qta.com.au</a>
ARTIO NSW	PO Box 277, Hurstville, New South Wales 2220	T 02 9579 2333	F 02 9579 2333	E <a href="mailto:hughmc@artionsw.com.au">hughmc@artionsw.com.au</a>
ARTIO WA	37-41 Cohn Street, Carlisle, Western Australia 6101	T 08 9355 3022	F 08 9355 3122	E <a href="mailto:iking@warta.com.au">iking@warta.com.au</a>
ARTIO TAS	PO Box 728, Riverside, Tasmania 7250	T 0409 274 482		E <a href="mailto:ed@tta.org.au">ed@tta.org.au</a>

*s189 Fair Work (Registered Organisations) Act 2009*

**Notice of Prescribed Information for election**

I, Peter Garske, Secretary/Treasurer of the Australian Road Transport Industrial Organization (ARTIO), being an officer under rules of ARTIO who is authorised to sign this statement, hereby state that the prescribed information herein is lodged under section 189(1) of the *Fair Work (Registered Organisations) Act 2009*, in relation to elections for the following offices of the organisation and its branches:

**Offices and voting system**

National

- Secretary/Treasurer - direct election
- President - by and from council
- Vice Presidents (2) - by and from council
- Executive Committee Members (2) - by and from council

Victorian Branch

- Branch Committee Members (6) – direct election
- Branch President - by and from Branch Committee
- Branch Secretary/Treasurer - by and from Branch Committee
- Branch Vice Presidents (2) - by and from Branch Committee
- Branch Committee Officers (2) - by and from Branch Committee
- Branch Representative to Council - by and from Branch Committee
- Branch Alternative Representative to Council - by and from Branch Committee

NSW Branch

- Branch Committee Members (6) – direct election
- Branch President - by and from Branch Committee
- Branch Secretary/Treasurer - by and from Branch Committee
- Branch Vice Presidents (2) - by and from Branch Committee
- Branch Committee Officers (2) - by and from Branch Committee
- Branch Representative to Council - by and from Branch Committee
- Branch Alternative Representative to Council - by and from Branch Committee

Queensland Branch

- Branch Committee Members (6) – direct election
- Branch President - by and from Branch Committee
- Branch Secretary/Treasurer - by and from Branch Committee
- Branch Vice Presidents (2) - by and from Branch Committee
- Branch Committee Officers (2) - by and from Branch Committee
- Branch Representative to Council - by and from Branch Committee
- Branch Alternative Representative to Council - by and from Branch Committee

### Western Australian Branch

- Branch Committee Members (6) – direct election
  - Branch President - by and from Branch Committee
  - Branch Secretary/Treasurer - by and from Branch Committee
  - Branch Vice Presidents (2) - by and from Branch Committee
  - Branch Committee Officers (2) - by and from Branch Committee
- Branch Representative to Council - by and from Branch Committee
- Branch Alternative Representative to Council - by and from Branch Committee

### Tasmanian Branch

- Branch Committee Members (6) – direct election
  - Branch President - by and from Branch Committee
  - Branch Secretary/Treasurer - by and from Branch Committee
  - Branch Vice Presidents (2) - by and from Branch Committee
  - Branch Committee Officers (2) - by and from Branch Committee
- Branch Representative to Council - by and from Branch Committee
- Branch Alternative Representative to Council - by and from Branch Committee

### **Reason for election**

1 - The reason for the election for the offices set out above is that the term of office is due to expire under the rules of the organisation, such that the persons elected to each office pursuant to this notice will be entitled to hold office for a new term of 4 years.

### offices of the organisation

2 - The last elections for Secretary/Treasurer, President, Vice Presidents (2), Executive Committee Members (2), Branch Representatives (2) and Branch Alternative Representatives (2) to Council, were completed in December 2010 (see Delegate's decision E2010/2673 dated 11 Oct 2010 and AEC Returning Officer's declarations dated 8 and 23 Dec 2010).

3 - The "annual election in 2009" (as per subrules 29(1) and 25(2)) was in fact completed in December 2010 (per Declarations pursuant to E2010/2673).

### branch offices

4 - Branch subrule 12(1A) provides – *"For the purpose of synchronising elections for federal and branch office holders, from the assumption of office following the declaration of 2011 branch elections, the term of office shall be for three years until 2014, whereupon the term of office shall be for four years thereafter."*

5 - In respect of the "2011 branch elections" please refer to the Delegate's decision E2012/214 dated 20 February 2012 and to the AEC Returning Officer's declarations dated 26 March 2012 and 24 April 2012 respectively.

### **Electorate**

### offices of the organisation

6 - The electorate of the national Secretary/Treasurer required to be elected by direct voting system comprises all members of the organisation, subject to the financial status of such members giving them the right to vote.

7 - The electorate for the President, Vice-Presidents (2) and Executive Committee Members (2) is the college made up of Branch Representatives to Council.



8 - The electorate for the Branch (and Alternative) Representatives to Council (2) is the college made up of the respective Branch Committee. Note that Branch Representatives (and Alternative Representative) to Council may also hold office of a branch.

#### Branch offices

9 - The electorates of the respective branch committee members (6) required to be elected by direct voting system comprise all members of the respective branch, subject to the financial status of such members giving them the right to vote.

10 - The electorate for all other branch offices is the college made up of the branch committee.

#### **Nominations open and close**

11 - In the circumstances of the elections for the offices the subject of this notification, it is submitted that the direct election for the offices referred to in paragraph 15 below must be completed as the first stage. Accordingly, for Branch Committee Members (6):

- Nominations are requested to open on 27 Jan 2015
- Nominations are requested to close on 11 Feb 2015

12 - Dates for the opening and closing of nominations of all other offices are dependent upon whether a ballot or ballots are necessary, having regard to the minimum time periods for nominating under the rules, as set out in the following paragraphs 13 to 17.

#### Offices of the organisation

13 - In respect of the election by direct voting system for the Secretary/Treasurer, the nominations are required to remain open for not less than 10 and not more than 20 days (subrule 30(4)).

14 - In respect of the collegiate election for President, Vice-Presidents (2) and Executive Committee Members (2), the nominations are required to remain open for not less than 10 and not more than 20 days (subrule 29(4)).

15 - In respect of the collegiate election of Branch (and Alternative) Representatives to Council (2) the minimum period for which nominations are to remain open is not specified (rule 25).

#### Branch offices

16 - In respect of the election by direct voting system for Branch Committee Members (6), the minimum period for which nominations are required to remain open is not specified (refer branch rule 12).

17 - In respect of the collegiate election of Branch President, Branch Secretary/Treasurer, Branch Vice-Presidents (2), Branch Committee Officers (2), the nominations are required to remain open for not less than 10 and not more than 20 days (branch subrule 14(4)).

#### **Roll of voters to be closed**

Should any ballots be necessary the rules provide that "The roll of voters for any ballot shall close seven days before the day on which nominations for the election open."

#### **Voting system**

The voting system as between a direct voting system and a collegiate electoral system (identified by the words "by and from", is identified above in respect of each of the abovenamed offices.



P. Garske  
Secretary/Treasurer  
4 December 2014