



20 February 2019

Mr Paul Ryan
National Industrial Advisor
Australian Road Transport Industrial Organization
paulryan@bigpond.net.au

Dear Mr Ryan,

cc: NSW Branch, hughmc@artionsw.com.au, QLD Branch: gary@qta.com.au, TAS Branch, ed@tta.org.au, VIC Branch, paul@vta.com.au

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 stages 1, 2, 3, and 4 uncontested offices for NSW, QLD, TAS, and VIC branches [E2018/194]. 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 Road Transport Industrial Organization 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.

Regards

Matthew Indrigo
Registered Organisations Commission

14 February 2019

Post-election report

Australian Road Transport Industrial
Organization (ARTIO)
Scheduled election
E2018/194

Contents

Election(s) Covered in this Report.....	3
Rules	3
Roll of Voters.....	3
Irregularities.....	3
Other Matters.....	3
Signed.....	8
Attachments.....	8
A. Declaration of Results for Uncontested Offices - Stage 1 ARTIO	8
B. Declaration of Results for Uncontested Offices (Vic, NSW, QLD) - Stage 2 ARTIO.....	8
C. Declaration of Results for Uncontested Offices (Tas) - Stage 2 ARTIO	8
D. Declaration of Results Uncontested Offices - Stage 3 ARTIO	8
E. Declaration of Results Uncontested Offices - Stage 4 ARTIO	8

Election(s) Covered in this Report

Organisation: Australian Road Transport Industrial Organization (ARTIO)
Election: Scheduled
Election Decision No/s: E2018/194

Rules

Rules used for the election: (278V: Incorporates alterations of 10 November 2017 [R2017/221]
(replaces rulebook dated 15 October 2014 [R2014/24])

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

Roll of Voters

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

Irregularities

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

Other irregularities identified, and action taken: N/A

Other Matters

Returning Officer actions required (Section 193): Yes

Details: Nominations were unable to open for Stage 2 Tasmanian Branch, Stage 3 and Stage 4 of the election within the time frames required by the ARTIO's rules due to insufficient nominations at 'Stage 1 – Election of Branch Committee' therefore delaying the subsequent stages.

Correction to names of member organisation

Rule 8 – Membership

- (a) he is a member or an appointed or elected officer of
- National Freight Forwarders' Association;
 - Queensland Road Transport Association Limited;**
 - New South Wales Road Transport Association;
 - Tasmanian Road Transport Association;
 - Victorian Road Transport Association;
 - South Australian Road Transport Association Incorporated; or
 - West Australian Road Transport Association Incorporated; or

Recommendation: Correct the name of the Queensland Road Transport Association Limited, I understand it is now called Queensland Trucking Association Limited. Additionally check all other association names and correct if needed or remove if no longer applicable.

Representative to Council

Rule 24 – Council

- (1) The Council shall consist of a Representative from each Branch of the Organization elected by the respective Branch Committees. Until otherwise determined by the Council each Branch shall elect, in addition to its Representative, an Alternate Representative to Council, who may attend the Council Meetings in the place of the elected Representative, in the event of the elected Representative being unable to attend for any reason whatsoever, and in such instances the Alternate Representative shall be permitted to exercise all of the rights of the elected Representative at the Meeting of Council.

*Currently there are four branches within the organisation: Victorian Branch, New South Wales Branch, Queensland Branch and the Tasmanian Branch.
Yet there are six positions on the Council: Secretary/Treasurer (1), President (1), Vice Presidents (2) and Executive Committee Members (2).
It appears from discussions with the organisation that the Branch Alternate Representative attend all meeting and hold positions on the council rather than just when the Branch Representative is unable to attend.*

Question: Should there be 2 Branch Representatives on the Council rather than a Branch Representative and a Branch Alternate Representative.

Number and timing of Stages in the election

Rule 25 – Election of Representatives to Council

- (3) Notice, which shall state the time and date on which nominations shall close and the address to which nominations shall be forwarded shall be sent by the Returning Officer of the Branch to each Member of the Branch Committee at least thirty (30) days and no more than sixty (60) days before the date of the Annual General Meeting.

Branch Rule 12 - Election of Branch Committee

- (3) Notice, which shall state the time and date on which nominations shall close and the address to which nominations shall be forwarded shall be sent by the Returning Officer to each Member of the Branch at least thirty (30) days and no more than sixty (60) days before the date of the Branch Annual General Meeting in the calendar year of an election being required.

Branch Rule 14 – Election of Branch Officers

- (4) Within seven (7) days after the Branch Annual General Meeting in the calendar year of an election being required the Returning Officer of the Branch appointed for the purpose shall deliver or forward to each Member of the Branch Committee a notification that nominations are required for the offices described in subrule (1) which shall state the hour and date on which nominations shall close (which shall be not less than ten (10) nor more than twenty (20) days from the date of delivery of such notification) and the address to which nominations shall be forwarded.

Timing for election of Branch Representatives to Council – Rule 25 (3) requires the election of the Branch Representative to Council to commence between thirty (30) and (60) days before the Annual General Meeting, but this cannot be completed within the time frames as the Representatives to Council must be elected from the Branch Committee who are being elected within the same time frames Branch Rule 12 (3).

Recommendation: amend the timing for the election of the Representative to Council to after the Annual General Meeting, this will allow the election of Branch Representatives to be conducted simultaneously with the election of the Branch Officers in Branch Rule 14(4) both of whom are being elected from the Branch Committee who were elected prior to the Annual General Meeting in Branch Rule 12.

Consequential changes the declaration of Branch Representatives to Council

Rule 25 – Election of Branch Representative to Council

- (13) The Returning Officer shall, not later than five (5) days before the date of the Annual General Meeting, notify the result of the election by letter to the Secretary/Treasurer for the declaration at the Annual General Meeting.

Recommendation: If the ARTIO adopts the change to the timing of the 'Election of Branch Representative to Council' to follow the Annual General Meeting, it will need to amend or delete Rule 25(13) the requirements to declare the Branch Representatives not later than 5 days before the Annual General Meeting.

Nominations – hour for the close of nominations

Rule 25 – Election of Representatives to Council

- (3) Notice, which shall state the time and date on which nominations shall close and the address to which nominations shall be forwarded shall be sent by the Returning Officer of the Branch to each Member of the Branch Committee at least thirty (30) days and no more than sixty (60) days before the date of the Annual General Meeting.

- (4) Nominations signed by two (2) nominators and endorsed with the consent of the candidate shall be received by the Returning Officer of the Branch not later than the time specified in Sub-Rule (3) hereof.

Rule 29 – Election of Officers

- 4 Nomination papers signed by the nominators and endorsed with the consent of the candidate shall be forwarded so as to be received by the Returning Officer not later than 5.00 p.m. on the day on which the nominations close.

Rule 30 – Election of Secretary/Treasurer

- (5) Nomination paper(s) signed by the nominators and endorsed with the consent of the candidate shall be forwarded so as to be received by the Returning Officer of the Organization not later than 5.00 p.m. on the day on which the nominations close for all offices.

Branch Rule – 12 – Election of Branch Committee

- (3) Notice, which shall state the time and date on which nominations shall close and the address to which nominations shall be forwarded shall be sent by the Returning Officer to each Member of the Branch at least thirty (30) days and no more than sixty (60) days before the date of the Branch Annual General Meeting in the calendar year of an election being required.
- (4) Nominations signed by two (2) financial members of the Branch and endorsed with the consent of the candidate shall be received by the Returning Officer not later than the time specified in subrule (3).

Branch Rule 14 – Election of Branch Officers

- (5) Nomination papers signed by the nominators and endorsed with the consent of the candidate shall be forwarded so as to be received by the Returning Officer no later than 5.00 p.m. on the day on which the nominations close.

The hour that nominations are to close should be identified in all parts of the rules, currently it is only identified as not later than 5pm for Branch Rule 14 'Election of Branch Officers' and the Rule 29 'Election of Officers'.

Recommendation: amend the Rule 25 – Election of Representatives to Council and Branch Rule 12 – Election of Branch Committee to include the hour for nominations to close to be consistent with Rule 29 (4), Rule 30(5) and Branch Rule 14 (5). i.e. not later than 5.00 p.m. on the day on which the nominations close.

To ensure that the wording is consistent across all change Branch Rule 14(5) from 'no later' to 'not later'

Statements – receipt of, and number of words

It is recommended that the organisation add further details about the receipt of Statements to accompany the ballot paper in the event there is a ballot. i.e. Candidates (shall or may) submit a statement to be included with the ballot paper not exceeding 200 words. Statements must be received by 5pm, not later than seven days after the close of nominations.

To be included in rules for:

Rule 25 – Election of Representative to Council (which also applies to the ‘Election of Officers’ and the ‘Election of Secretary/Treasurer’ both referring to Rule 25 for the conduct of the election).

Branch Rule 14 – Election of Branch Officers.

Ballot opening timing

Rule 29 – Election of Officers

- (6) If more than the required number of valid nominations are received a secret postal ballot shall within seven (7) days after the closing of nominations be taken amongst all Members of the Council.

The above rule does not allow for sufficient time for defective nomination to be rectified before the ballot is required to be opened.

Recommendation: amend the date for opening of the ballot to allow for a defective nominations to be rectified.

If more than the required number of valid nominations are received a secret postal ballot shall within (14 or 21) days after the closing of nominations to be take amongst members of the Council.

Correction of term

Rule 25 – Election of Representatives to Council

- (9) The Returning Officer shall require all ballots returned to be on the ballot paper provided and in the envelope provided. Any ballot paper returned other than in accordance with the procedure for the conduct of the ballot shall be ruled informal.

Branch Rule 12 – Election of Branch Committee

- (9) The Returning Officer shall require all ballots returned to be on the ballot paper provided and in the envelope provided. Any ballot paper returned other than in accordance with the procedure for the conduct of the ballot shall be ruled informal.

Branch Rule 14 – Election of Branch Officers

- (10) The Returning Officer shall require all ballots returned to be on the ballot paper provided and in the envelope provided. Any ballot paper returned other than in accordance with the procedure for the conduct of ballot shall be ruled informal.

The above rules appear to discuss how the ballot material is returned rather than information about the formality of the content of the ballot paper. There for it is recommended that the words ‘ruled informal’ in rule 25(9), Branch Rule 12(9) and Branch Rule 14(10) be replace with ‘rejected’.

Recall

Recommendation: Add a recall clause to the organisations rules to allow for an automatic recall if there are insufficient nominations received and any stage of the election?

Signed



Ann Dougan
Returning Officer
Australian Electoral Commission
E: vicelections@aec.gov.au
P: 03 9285 7161
14 February 2019

Attachments

- A. Declaration of results for Uncontested Offices – Stage 1 ARTIO
- B. Declaration of Results for Uncontested Offices (VIC, NSW, QLD) – Stage 2 ARTIO
- C. Declaration of Results for Uncontested Offices (TAS) – Stage 2 ARTIO
- D. Declaration of Results for Uncontested Offices – Stage 3 ARTIO
- E. Declaration of Results for Contested Offices – Stage 4 ARTIO

Australian Road Transport Industrial Organization (ARTIO)

DECLARATION OF RESULTS - E2018/194 - Stage 4

Uncontested Offices

Scheduled 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:

Council

Secretary/Treasurer (1)

Candidates

ANDERSON Peter

President (1)

Candidates

D'APICE Laurie

Vice-Presidents (2)

Candidates

DUNN Cameron

MAHON Gary

Executive Committee Members (2)

Candidates

HARWOOD Michelle

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



Ann Dougan
Returning Officer
7 February 2019

Reference: AVASJ V2018/437

Mr Paul Ryan
National Industrial Advisor
Australian Road Transport Industrial Organization (ARTIO)
PO Box 5
SOUTH MELBOURNE VIC 3205

Dear Mr Ryan

**Australian Road Transport Industrial Organization (ARTIO)
Scheduled Election
E2018/194**

The declaration of the election for the Council is attached.

The election is now complete. A copy of the Declaration has been forwarded to all candidates.

Yours sincerely



Ann Dougan
Returning Officer

7 February 2019



22 January 2019

Mr Paul Ryan
National Industrial Advisor
Australian Road Transport Industrial Organization
paulryan@bigpond.net.au

Dear Mr Ryan,

cc: NSW Branch, hughmc@artionsw.com.au, QLD Branch, gary@qta.com.au, TAS Branch, ed@tta.org.au, VIC Branch, paul@vta.com.au

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 stage 2 and 3 uncontested offices for NSW, QLD, TAS and VIC Branches [E2018/194]. 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 Road Transport Industrial Organization 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.

Regards

Matthew Indrigo
Registered Organisations Commission

Australian Road Transport Industrial Organization (ARTIO)
DECLARATION OF RESULTS - E2018/194 - Stage 2
Uncontested Offices

Scheduled 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:

Tasmanian Branch Committee

Branch Representative to Council (1)

Candidates

HARWOOD Michelle

Branch Alternate Representative to Council (1)

Candidates

MURRAY Ann

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



Ann Dougan
Returning Officer
11 January 2019

Reference: ATARO

Mr Paul Ryan
National Industrial Advisor
Australian Road Transport Industrial Organization (ARTIO)
PO Box 5 South
MELBOURNE VIC 3205

Dear Mr Ryan

**Australian Road Transport Industrial Organization (ARTIO)
Scheduled Election
E2018/194**

The declaration of the election for Branch Representative to Council and Branch Alternate Representative to Council for the Tasmanian Branch is attached.

The election is now complete. A copy of the Declaration has been forwarded to all candidates.

Yours sincerely



Ann Dougan
Returning Officer

11 January 2019

Australian Road Transport Industrial Organization (ARTIO)

DECLARATION OF RESULTS - E2018/194 - Stage 3

Uncontested Offices

Scheduled 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:

Victorian Branch Committee

Branch President (1)

Candidates

DUNN Cameron

Branch Secretary/Treasurer (1)

Candidates

ANDERSON Peter

Branch Vice-Presidents (2)

Candidates

FORSYTH Bruce

HOPLEY Brendan

Branch Committee Members (Officer) (2)

Candidates

EASTICK Andrew

JONES Darren

New South Wales Branch Committee

Branch President (1)

Candidates

D'APICE Laurie

Branch Secretary/Treasurer (1)

Candidates

MCMASTER Hugh

Branch Vice-Presidents (2)

Candidates

LEWIS Linda

MURPHY Cameron

Branch Committee Members (Officer) (2)

Candidates

MCCORMACK Norm

WEST John

Queensland Branch Committee

Branch President (1)

Candidates

RUSSELL Julie

Branch Secretary/Treasurer (1)

Candidates

MAHON Gary

Branch Vice-Presidents (2)

Candidates

ALMOND Ben

SIMON David

Branch Committee Members (Officer) (2)

Candidates

MAHON Michael

No further nominations accepted

Tasmanian Branch Committee

Branch President (1)

Candidates

MURRAY Ann

Branch Secretary/Treasurer (1)

Candidates

HARWOOD Michelle

Branch Vice-Presidents (2)

Candidates

DE BRUYN John

No further nominations accepted

Branch Committee Members (Officer) (2)

Candidates

MILLER Jim

MOLINEUX Philip

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



Ann Dougan
Returning Officer
Email: vicelections@aec.gov.au
10 January 2019

Reference: AVARZ V18/434

Mr Paul Ryan
National Industrial Advisor
Australian Road Transport Industrial Organization (ARTIO)
PO Box 5 South
MELBOURNE VIC 3205

Dear Mr Ryan

**Australian Road Transport Industrial Organization (ARTIO)
Scheduled Election
E2018/194**

The declaration of the election for Branch Officers is attached.

The election is not yet complete. A copy of the Declaration has been forwarded to all candidates.

Yours sincerely



Ann Dougan
Returning Officer

10 January 2019



7 December 2018

Mr Paul Ryan
National Industrial Advisor
Australian Road Transport Industrial Organization
paulryan@bigpond.net.au

Dear Mr Ryan,

cc: NSW Branch, hughmc@artionsw.com.au, QLD Branch, gary@qta.com.au, VIC Branch, paul@vta.com.au

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 stage 2 uncontested offices for NSW, QLD, and VIC Branches [E2018/194]. 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 Road Transport Industrial Organization 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.

Regards

Matthew Indrigo
Registered Organisations Commission

Australian Road Transport Industrial Organization (ARTIO)

DECLARATION OF RESULTS - E2018/194

Uncontested Offices

Scheduled 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:

Victorian Branch

Branch Representative to Council (1)

Candidates

DUNN, Cameron

Branch Alternate Representative to Council (1)

Candidates

ANDERSON, Peter

New South Wales Branch

Branch Representative to Council (1)

Candidates

D'APICE, Laurie

Branch Alternate Representative to Council (1)

Candidates

MCMASTER, Hugh

Queensland Branch

Branch Representative to Council (1)

Candidates

MAHON, Gary L

Branch Alternate Representative to Council (1)

Candidates

RUSSELL, Julie

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



Ann Dougan
Returning Officer
Telephone: 03 9285 7161
Email: vicelections@aec.gov.au
3 December 2018

Reference: AQAQ1 V18/409

Mr Paul Ryan
National Industrial Advisor
Australian Road Transport Industrial Organization (ARTIO)
PO Box 5
SOUTH MELBOURNE VIC 3205

Dear Mr Ryan

**Australian Road Transport Industrial Organization (ARTIO)
Scheduled Election
E2018/194 – Stage 2**

The declaration of the election for Branch Representative to Council and Branch Alternate Representatives to Council for the Victorian, New South Wales and Queensland Branches is attached.

The election is not yet complete. A copy of the Declaration has been forwarded to all candidates.

Yours sincerely



Ann Dougan
Returning Officer

3 December 2018



8 November 2018

Mr Paul Ryan
National Industrial Advisor
Australian Road Transport Industrial Organization
paulryan@bigpond.net.au

Dear Mr Ryan,

cc: New South Wales Branch, hughmc@artionsw.com.au
Queensland Branch, gary@qta.com.au
Tasmania Branch, ed@tta.org.au
Victoria Branch, paul@vta.com.au

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 for NSW, QLD, TAS, and VIC Branches [E2018/194]. 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 Road Transport Industrial Organization 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.

Regards

Matthew Indrigo
Registered Organisations Commission

Australian Road Transport Industrial Organization (ARTIO)

DECLARATION OF RESULTS - E2018/194 Uncontested Offices

Scheduled 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:

Victorian Branch

Branch Committee Members (6)

Candidates

DUNN, Cameron James

JONES, Darren

HOPLEY, Brendan

EASTICK, Andrew

ANDERSON, Peter

FORSYTH, Bruce

New South Wales Branch

Branch Committee Members (6)

Candidates

LEWIS, Linda

WEST, John

MCMASTER, Hugh

MURPHY, Cameron

D'APICE, Laurie

MCCORMACK, Norm

Queensland Branch

Branch Committee Members (6)

Candidates

MAHON, Gary Leonard

SIMON, David

RUSSELL, Julie

ALMOND, Benjamin Price

MAHON, Michael James

Tasmanian Branch

Branch Committee Members (6)

Candidates

No Nominations Received

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



Ann Dougan
Returning Officer
Australian Electoral Commission
29 October 2018

Reference: AVAOD V18/306

Mr Paul Ryan
National Industrial Advisor
Australian Road Transport Industrial Organization (ARTIO)
PO BOX 5
SOUTH MELBOURNE VIC 3205

Dear Mr Ryan

**Australian Road Transport Industrial Organization (ARTIO)
Scheduled Election
E2018/194**

The declaration of the election for Branch Committee Members offices is attached.

The election is not yet complete. A copy of the Declaration has been forwarded to all candidates.

Yours sincerely



Ann Dougan
Returning Officer

29 October 2018



DECISION

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

Australian Road Transport Industrial Organization (E2018/194)

MR ENRIGHT

MELBOURNE, 14 SEPTEMBER 2018

Arrangement for conduct of election.

[1] On 15 August 2018 the Australian Road Transport Industrial Organization lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

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

Victorian Branch

Branch Committee Members (6)

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

Queensland Branch

Branch Committee Members (6)

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

Tasmanian Branch

Branch Committee Members (6)

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

[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

<PR351166>

Prescribed Information for elections by the Australian Road Transport Industrial Organization (ARTIO)

I, Peter Anderson, National Secretary/Treasurer of ARTIO state that the information is lodged under section 189 of the Fair Work (Registered Organisations) Act 2009 and that I am the person authorised to make the statement.

ARTIO hereby lodges prescribed information in respect of elections to be conducted by the Australian Electoral Commission.

Offices and voting system

National

- Secretary/Treasurer - direct voting system 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 voting system 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 Alternate Representative to Council - by and from Branch Committee

NSW Branch

- Branch Committee Members (6) – direct election voting system
- 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 Alternate Representative to Council - by and from Branch Committee

Queensland Branch

- Branch Committee Members (6) – direct voting system 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 Alternate Representative to Council - by and from Branch Committee

Tasmanian Branch

- Branch Committee Members (6) – direct voting system 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 Alternate Representative to Council - by and from Branch Committee

Reason for election – scheduled quadrennial elections

The reason for the election for the offices set out above is that the terms of office are due to expire on or around December 2018, 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.

The last scheduled election for the organisation (and its branches) was granted pursuant to a decision of the Delegate on 19 December 2014 (E 2014/268), which, together with the applicable prescribed information of the organisation dated 4 December 2014, explains how those elections were synchronised under rules 25(2), 29(1) and branch rule 12(1A) to occur in 2014, and now in 2018.

Electorate

offices of the organisation

The voting electorate of the National Secretary/Treasurer is by direct voting system of all financial members of the organisation.

The voting electorate for the National President, National Vice-Presidents (2) and National Executive Committee Members (2) is the National Council.

branch offices

The voting electorates of the branch committee members (6) is by direct voting system of all financial members of the respective branch.

The voting electorate for the Branch (and Alternate) Representatives to Council is the college comprising the respective Branch Committee. Note that Branch (and Alternate) Representative to Council may also hold office of a branch.

The voting electorate for all other branch offices is the college comprising the respective Branch Committee.

Nominations open and close

Branch Committee Members (6)

1. It is the view of the organisation that the scheme of the rules requires the election of the six (6) Branch Committee Members to proceed first. That is, Branch subrule 12(3) provides that nominations must be called by notice "*to each Member of the Branch at least thirty (30) days and no more than sixty (60) days before the date of the Branch Annual General Meeting in the calendar year of an election being required.*"
2. As each Branch has scheduled its AGM on **4 December** this year, the latest date under which nominations may open for Branch Committee Members is 3 November 2018, however **nominations are requested to open on 16 October 2018 - which is 49 days before the Branch AGMs.**
3. As the rules are silent as to the minimum period in which to close nominations, the date for nominations to close is requested to be **30 October 2018**, with the ballot dates, if required, to open on **9 November** and close on **23 November** (or to be determined by the Returning Officer, as close as possible to those dates having regard to branch subrules 12(8) and 12(12)).

Branch Representative (and Alternate Representative) to Council

4. While national rule 25(3) sets out the same minimum and maximum discretionary period for opening nominations as for Branch Committee Members, it should be noted that the calling of nominations for Branch Representative (and Alternate) is confined to only the Members of the Branch Committee.

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

5. While Branch rule 14(4) provides for nominations to be called within 7 days after the Branch AGM, it should be noted that the calling of nominations for such Branch Officers is confined to only the Members of the Branch Committee.
6. In summary, the date/s that nominations can open and close for the offices identified at paragraphs numbered 4 and 5 of this notice is to be determined by the Returning Officer.

National President, National Vice Presidents (2), National Executive Committee Members (2)

7. Rule 29(3) provides "*Within seven (7) days after the Annual General Meeting of the Organization held in a year in which an election is to be conducted, the Returning Officer of the Organization appointed for the purpose shall deliver or forward to each Member of the Council a notification that nominations are required for the offices described in Sub-Rule (1) which shall state the hour and date on which nominations shall close (which shall be not less than ten (10) nor more than twenty (20) days from the date of delivery of such notification) and the address to which nominations shall be forwarded.*"
8. It is the view of the organization that this collegiate election commences after the completion of the elections for the Branch Representatives (and Alternates) to Council. The [national] AGM is scheduled for **5 December 2018**. Accordingly, the latest date for opening nominations will be 11 December 2018 such that the latest date for closing nominations would be 21 December 2018, however it may be possible to proceed to open nominations shortly after the completion of the ranch elections for Representative to Council, in which case the opening and closing of nominations for this collegiate election can proceed much earlier than the last possible dates under the rules.

National Secretary/Treasurer

9. As Rule 30(4) is materially identical to Rule 29(3), the submission in paragraph 8 above applies in the same way to the election of National Secretary/Treasurer.
10. In summary, the date/s that nominations can open and close for the offices identified at paragraphs numbered 8 and 9 of this notice is to be determined by the Returning Officer.

Roll of voters to be closed

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*" – per rule 30(8) and branch rule 12(7).

Voting system

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

Pending Rule Alterations

The organisation has no outstanding rule alterations pending with the Fair Work Commission at the present time.



.....
P. Anderson
Secretary/Treasurer
15 August 2018