



4 March 2020

Stuart Day
Federal Secretary / Treasurer
Australian Salaried Medical Officers Federation
Sent via email: asmof@asmof.org.au

cc: John Payne, Hall Payne Lawyers Pty Ltd,
johnp@hallpayne.com.au

Dear Stuart Day,

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 E2019/181. 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 Salaried Medical Officers Federation 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 sincerely

Registered Organisations Commission

26/02/2020

Post-election report

Australian Salaried Medical Officers Federation (ASMOF),
New South Wales Branch – Insufficient Nominations Election
-E2019/181

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Election(s) Covered in this Report

Organisation: Australian Salaried Medical Officers Federation

Election Decision Number(s): E2019/181

Rules

Rules used for the election: [132N: Incorporates alterations of 13 March 2018] [R2018/7]
(replaces 23/1/2015 version (R2014/327))

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

Total number of voters on the Roll: 2206

Number of apparent workplace addresses: 270

Number of non-current addresses: 1

Other matters pertaining to the roll of voters: Nil

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:

- Rules are silent on the withdrawal of nominations, therefore the withdrawal of nominations was not allowed after the closing date and time.
- The AEC could not open a mailbox for the specific purpose of returned ballot material as we have existing mailboxes that are in use.
- As the period between closing of nominations and opening of the ballot was during the Christmas/New Year period, it was extended by one week to four weeks.
- As the period of the opening and closing of the ballot was during the January holiday period, the ballot period was extended by one week to four weeks.

Signed



Noopur Madan
Returning Officer
Australian Electoral Commission
E: nswelections@aec.gov.au
P: 02 9375 6321

26/02/2020

Attachments

- 1) Declaration of results for Contested Offices – NSW Branch E2019/181

Australian Salaried Medical Officers Federation
New South Wales Branch
DECLARATION OF RESULTS - E2019/181
Contested Offices

Insufficient Nominations 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:

New South Wales Branch – Branch Councillor Staff Specialist

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	2,206
Number of voters issued with voting material	2,206
Total number of voters issued with replacement voting material	1
Total number of voting material packs issued	2,207
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	378
Number of declaration envelopes rejected at preliminary scrutiny (minus)	5
Number of ballot papers returned outside declaration envelopes (minus)	2
COUNT	
Total ballot papers admitted to the count	371
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	29
Voting material packs not returned by voters by closing date of the ballot	1799
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	17 %

Branch Councillor (1)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Final Votes</u>
SWINBURN, Elizabeth	182	201
NAGARAJ, Guru	68	78
OEI, Ju Lee	74	86
ANG, Timothy	44	-

Total ballot papers admitted for this office	371
Formal Ballot papers	365
Informal Ballot papers	3
Exhausted Ballot papers	3

I declare the following elected:

- SWINBURN, Elizabeth

A. Madan

Noopur Madan
Returning Officer
Telephone: 02 9375 6321
Email: nswelections@aec.gov.au
14/02/2020





DECISION

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

Australian Salaried Medical Officers Federation
(E2019/181)

MR ENRIGHT

MELBOURNE, 22 OCTOBER 2019

Arrangement for conduct of election.

[1] On 4 October 2019 the Australian Salaried Medical Officers Federation lodged with the Registered Organisations Commission prescribed information for an election to fill the following office, due to insufficient nominations received in a previous election (**E2019/97**):

New South Wales Branch

Branch Councillor – Staff Specialist (1)

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

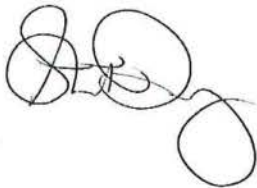
PR351502

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, Dr Stuart DAY, being the Federal Secretary of the Australian Salaried Medical Officers Federation ("the Federation"), make the following statement:

1. I am authorised to sign this statement containing prescribed information for New South Wales Branch.
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. Insufficient nominations were received in an earlier election and the declaration of results is attached.
5. No rule alterations are pending that will impact the election.

Signed:

A handwritten signature in black ink, appearing to be 'Stuart Day', written over a circular stamp or mark.

Dr Stuart DAY

Federal Secretary

Dated: 04 October 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.]

ANNEXURE A

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

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
			<i>Direct voting system; Collegiate electoral system</i>	<i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	
New South Wales	Branch Councillor	1	DVS	Insufficient nominations	All financial members of New South Wales Branch employed as Staff Specialist (rule 57(2))

- Important dates:

	Direct Voting System
Nominations OPEN	To be determined by the returning officer
Nominations CLOSE	To be determined by the returning officer
Roll of Voters cut off date	30 days prior to nominations opening (rule 75)

Please note: that for insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as '*to be determined by the returning officer*'. Casual vacancies must be accompanied by proof of resignation and attached to this statement.

Australian Salaried Medical Officers Federation
New South Wales Branch
DECLARATION OF RESULTS - E2019/97
Uncontested Offices

Insufficient Nominations 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:

New South Wales Branch

Branch Councillor - Staff Specialist (1)

Candidates

No Nominations Received

As no nominations were received, I declare no candidate elected.



Anthony Carey
Returning Officer
Telephone: 02 9375 6361
Email: nswelections@aec.gov.au
05/09/2019