

# **Australian Salaried Medical Officers Federation Commonwealth Branch Vacancy Election**

## **DECLARATION OF RESULTS FOR UNCONTESTED OFFICES**

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.

E2012/397

### **Commonwealth Branch**

#### **Branch Councillor**

No nomination was received

Rhys Richards  
Returning Officer  
19 December 2012



Fair Work (Registered Organisations) Act 2009

**POST ELECTION REPORT**

**Client:** Australian Salaried Medical Officers Federation

**ELECTIONS COVERED IN THIS REPORT**

**Election Decision No/s:** E2012/397

**RULES**

**Rules used for elections Rule ID:** [132N:Incorporates alteration of 14/01/2011  
[R2010/144]

**Rules difficult to apply/interpret:** None

**Model Rule reference (if any):**

**ROLL OF VOTERS**

**Total number of voters on the roll** N/A

**Number of apparent workplace addresses**

**Number of non-current addresses**

**Other Matters** Nil

**ALLEGATIONS OF IRREGULARITIES RECEIVED**

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

Other irregularities identified, and action taken: None

**ATTACHMENTS**

**A:** Declaration of Uncontested Office

Rhys Richards  
Returning Officer  
19 December 2012



FAIR WORK  
AUSTRALIA

## DECISION

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

**Australian Salaried Medical Officers Federation**  
(E2012/397)

LINTON DUFFIN

MELBOURNE, 14 NOVEMBER 2012

*Arrangement for conduct of election.*

[1] On 26 October 2012 the Australian Salaried Medical Officers Federation - Commonwealth Branch lodged with Fair Work Australia the prescribed information in relation to an election for the following office arising from insufficient nominations in E2012/244:

Branch Councillor

[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 GENERAL MANAGER  
FAIR WORK AUSTRALIA

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**From:** [Dennis Ravlich](#)  
**To:** [POWELL, Larry](#)  
**Cc:** [ELLIOTT, Mark](#)  
**Subject:** FW: Request to FWA - further round of elections - unfilled positions - ASMOF, Commonwealth Branch  
**Date:** Friday, 26 October 2012 4:55:26 PM  
**Attachments:** [image001.gif](#)  
[2012.10.11 - Request to FWA - further round of elections - unfilled positions - CASMOF.pdf](#)

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**Attention:** Mr Larry Powell

Larry

Following on from our recent discussion re the omission of the position of Branch Councillor from the recent decision made by FWA (E2012/371), the CASMOF Executive continues to rely upon the attached request previously provided to FWA and suggest that it would seem reasonable for FWA to action a separate decision for the overlooked position, rather than requiring CASMOF to now replicate a further and separate request.

If this could be facilitated in the very near future, the AEC has indicated that it would be able to undertake the election for all positions the subject of the attached request rather than allow a situation that would require two separate processes if the process was unduly delayed.

We appreciate your cooperation and assistance in this matter.

Many thanks.

Dennis

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**From:** Dennis Ravlich  
**Sent:** Thursday, 11 October 2012 4:06 PM  
**To:** 'larry.powell@fwa.gov.au'  
**Cc:** 'Guy.Hibbins@tga.gov.au'; Jenny Wilson ([jennyw@asmof.org.au](mailto:jennyw@asmof.org.au)); 'Mark.Elliott@fwa.gov.au'  
**Subject:** RE: Request to FWA - further round of elections - unfilled positions - ASMOF, Commonwealth Branch

**Attention:** Mr Larry Powell

Larry

As per our discussions recently, please find attached amended correspondence in the terms discussed signed by the Branch President Dr Guy Hibbins.

Many thanks.

Dennis

**Dennis Ravlich**  
Executive Director  
ASMOF (NSW)  
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**From:** Dennis Ravlich  
**Sent:** Friday, 21 September 2012 11:48 AM  
**To:** 'Mark.Elliott@fwa.gov.au'  
**Cc:** 'inquiries@fwa.gov.au'; 'ANDERSON, Eve'; 'Guy.Hibbins@tga.gov.au'; Jenny Wilson ([jennyw@asmof.org.au](mailto:jennyw@asmof.org.au))  
**Subject:** Request to FWA - further round of elections - unfilled positions - ASMOF, Commonwealth Branch

**Attention:** Mr Mark Elliott

Please notify if any further assistance is required with the attached correspondence.

Many thanks.

**Dennis Ravlich**  
Executive Director  
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DR:2012:CASMOF Branch Elections  
27 September 2012

General Manager  
Tribunal Services and Organisations  
Fair Work Australia  
GPO Box 1994  
MELBOURNE VICTORIA 3001

By email: [Mark.Elliott@fwa.gov.au](mailto:Mark.Elliott@fwa.gov.au)

Attention: Mr Mark Elliott

**Re: Election for positions not filled at previous election, CASMOF Branch**

Pursuant to sections 189 and 182 of the *Fair Work (Registered Organisations) Act 2009*, I as Branch President of the Australian Salaried Medical Officers' Federation - Commonwealth Branch ('CASMOF') request the General Manager to arrange for a further election to be held for certain positions of the CASMOF Branch that were not filled at recent elections conducted by the Australian Electoral Commission ('AEC').

The ASMOF Rules [R2010/144] comprehends that such a situation may arise, and at Rule 64(7) it notes that:

*"In the event that insufficient nominations are received at an election for Branch Council, Branch Council may appoint a current financial member of the Branch to fill the vacancy until an election in accordance with Rule 64, mutatis mutandis, can be held. Any such ballot must be held within six months of the vacancy arising. The member elected at the subsequent election will hold office for the unexpired portion of the original term."*

The following request and prescribed information provided should be read in conjunction with **Attachment A** (being the declaration of results made on 5 June 2012 by the relevant AEC Returning Officer for the CASMOF Branch) and **Attachment B** (the original request for elections to be conducted by the Australian Salaried Medical Officers' Federation).

**Name and numbers of the office or position**

- **Branch Secretary x 1 position**  
(Rule 48(1) of the ASMOF Rules)
- **Branch Vice-President x 1 position**  
(Rule 48(1) of the ASMOF Rules)
- **Branch Assistant Secretary/Treasurer x 1 position**  
(Rule 48(1) of the ASMOF Rules)
- **Branch Councillor x 1 position**  
(Rule 48(1) of the ASMOF Rules)

**Reason for the election**

The term of office has expired and the above positions remain unfilled after elections conducted and results declared by the Australian Electoral Commission on 5 June 2012 (see Attachment A). Such a situation is comprehended, as noted previously, by Rule 64(7) of the ASMOF Rules.

**The electorate for the ballot**

All financial members of the CASMOF Branch.  
(Rule 64(6) of the ASMOF Rules.)

**The dates and times for opening and closing nominations**

As these are positions that remain vacant following the recent election, the ASMOF Rules do not identify specific dates for a 'follow-up' or 'second round' of elections. However, the ASMOF Rules provide in the normal course of events for nominations to open on 1 March and subsequently close at 5.00pm on 22 March (being a nomination of twenty two (22) days inclusively).  
(Rule 64(1) of the ASMOF Rule.)

**The day provided for in the rules when the roll of voters is to be closed**

The roll of voters for any ballot is to be closed on the seventh day before the day on which nominations for the election open.  
(Rule 63A of the ASMOF Rules.)

**The voting system to be used**

A direct, preferential voting system.  
(Rule 64(6)(d) & (g) of the ASMOF Rules.)

For any further discussion on this request, please contact Mr Dennis Ravlich, Executive Director of ASMOF NSW on telephone 9212 6900 or via email on [dennisr@asmof.org.au](mailto:dennisr@asmof.org.au).

Yours sincerely



**Dr Guy Hibbins**  
Branch President  
CASMOF Branch  
Attach

# **Attachment A**



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## NOMINATIONS ACCEPTED LISTING

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### **AUSTRALIAN SALARIED MEDICAL OFFICERS FEDERATION SCHEDULED COMMONWEALTH BRANCH ELECTIONS COMMONWEALTH BRANCH OFFICERS & COUNCIL**

E2012/244  
File Number: NSW N12/106  
Returning Officer: Rhys Richards

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Nominations in the above election closed at 5:00pm on Tuesday, 29 May 2012. The following nominations have been accepted. Where an office is identified as contested a ballot will be necessary.

#### Commonwealth Branch

Office: Branch President	Hibbins, Guy
No. of positions: 1	
No. of nominees: 1	
Contested: No	
Office: Branch Vice-President	None
No. of positions: 1	
No. of nominees: 0	
Contested: No	
Office: Branch Secretary	None
No. of positions: 1	
No. of nominees: 0	
Contested: No	
Office: Branch Assistant Secretary/Treasurer	None
No. of positions: 1	
No. of nominees: 0	
Contested: No	
Office: Branch Councillors	Paulson, Therese
No. of positions: 2	
No. of nominees: 1	
Contested: No	

# **Attachment B**



Australian Salaried Medical Officers'  
Federation

The General Manager  
Tribunal Services and Organisations  
Fair Work Australia  
GPO Box 1994  
Melbourne VIC 3001

15 March 2012

Att: Mark Elliott

By email: Mark.Elliott@fwa.gov.au

**ELECTION FOR OFFICES IN THE AUSTRALIAN SALARIED MEDICAL OFFICERS' FEDERATION**

Pursuant to sections 189 and 182 of the *Fair Work (Registered Organisations) Act, 2009* I request the General manager arrange for an election to be held for certain offices of the Australian Salaried Medical Officers' Federation ('the Federation'). Consequently, I provide the following prescribed information:

***Fair Work (Registered Organisations) Regulation, 2009, Regulation 138(1):***

**(a) *Name of Each Office or Position for which an election is required:***

Branch President, Branch Vice-President, Branch Secretary, Branch Assistant Secretary/Treasurer, Branch Councillor, Delegate to Federal Council, Federal President, Federal Vice-President, Federal Secretary, Federal Assistant Secretary/Treasurer, Additional Member of Federal Executive.

**(b) *Reasons for Election***

The term of the offices is due to expire in the normal course of events.

**(c) *Multiple Offices***

***Branch Councils***

One of each of Branch President, Branch Vice-President, Branch Secretary, Branch Assistant Secretary/Treasurer for the following branches of the Federation:

- Australian Capital Territory
- Commonwealth
- New South Wales
- Queensland
- South Australia

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Telephone: (02) 9212 6900 Facsimile: (02) 9212 6911 email: asmof@asmof.org.au

- Tasmania
- Victoria
- Western Australia

(Rules 64 and 48 of the ASMOF Rules).

The number of Branch Councillors to be elected for each of the branches of the Federation set out Immediately above will be determined in accordance with Rules 64 and 48 of the ASMOF Rules. The number of Branch Councillors for each branch in the 2012 elections will be:

- Australian Capital Territory - 2
- Commonwealth - 2
- New South Wales - 20
- Queensland - 3
- South Australia - 12
- Tasmania - 2
- Victoria - 14
- Western Australia - 8

#### ***Delegates to Federal Council***

The number of Delegates to Federal Council will be determined in accordance with Rules 65 and 19 of the ASMOF Rules. The number of Delegates to Federal Council for each branch in the 2012 elections will be:

- Australian Capital Territory - 2
- Commonwealth - 2
- New South Wales - 5
- Queensland - 2
- South Australia - 4
- Tasmania - 2
- Victoria - 4
- Western Australia - 3

#### ***Additional Members of Federal Executive.***

The number of Additional Members of Federal Executive will be determined in accordance with Rules 66 and 20 of the ASMOF Rules.

#### **(d) *The Electorate***

- ***Branch Councils*** – all financial members of the relevant branch (Rule 64(6) of the ASMOF Rules).
- ***Delegates to Federal Council*** – branch council members for the relevant branch (Rule 65(1)(e) of the ASMOF Rules).
- ***Officers of the Federation and Additional Members of Federal***

**Executive** – delegates to Federal Council (Rule 66 (1)(f) of the ASMOF Rules).

**(e) Nominations Open**

Subject to any variation by a returning officer:

- **Branch Councils** – the commencement date of the nomination period for candidates to nominate for offices on branch councils will be 1 March 2012 and the closing date for such nominations will be 22 March 2012 (Rule 64 of the ASMOF Rules).
- **Federal Council** – the commencement and closing dates of the nomination period for candidates to nominate as a delegate to Federal Council will be determined by the relevant branch returning officer (Rule 65 of the ASMOF Rules).
- **Officers of the Federation and Additional Members of Federal Executive** – the commencement and closing dates of the nomination period for candidates to nominate as an officer of the Federation or additional member of Federal Executive will be determined by the Federal Returning Officer (Rule 65 of the ASMOF Rules).

**(f) Closing date for roll of voters**

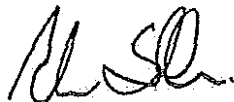
The roll of voters for any ballot is to be closed on the seventh day before the day on which nominations for the election open (Rule 63A of the ASMOF Rules).

**(g) The kind of voting system to be used**

- **Branch Councils** – a direct, preferential voting system (Rule 64 of the ASMOF Rules).
- **Federal Council** – a collegiate system (Rule 65 of the ASMOF Rules).
- **Officers of the Federation and Additional Members of Federal Executive** – a collegiate system (Rule 66 of the ASMOF Rules).

The information contained in this application is lodged in accordance with subsection 189(1) of the Fair Work (Registered Organisations) Act, 2009. I am authorised by the ASMOF Rules to make this statement.

Yours faithfully



**Peter Collignon**  
**Federal Secretary**