

Workplace Relations Act 1996
s.189 RAO Schedule - arrangement for conduct of an election

Australian Salaried Medical Officers Federation
(E2007/278)

T. NASSIOS
DEPUTY INDUSTRIAL REGISTRAR

MELBOURNE
28 OCTOBER 2008

Arrangement for conduct of election.

DECISION

[1] On 23 November 2007, the Australian Salaried Medical Officers Federation on behalf of its Tasmanian Branch lodged in the Industrial Registry the prescribed information in relation to an election for the following offices:

Branch President
Branch Vice-President
Branch Secretary
Branch Assistant Secretary/Treasurer
Branch Councillors (2)
Federal Council Delegates (2)
Federal Executive Member

[2] The prescribed information was lodged as a result of no nominations being received at the scheduled election for the abovementioned offices [E2006/100]. The rules of the organisation at that time did not provide for the filling of insufficient nominations for those offices. The rules of the organisation were altered on 18 September 2008 providing for the filling of insufficient nominations and also authorising the Federal Council to appoint a financial member to fill a vacancy due to insufficient nominations where the Branch Council is unable to form a quorum and appoint a financial member to fill such vacancies.

[3] On 21 October 2008 I received a letter from the Secretary of the Australian Salaried Medical Officers Federation advising that as the organisation has put in place a process enabling the appointment of an interim Tasmanian Branch Council pending the conduct of the scheduled Branch elections to be held in early 2009 it wished to withdraw its notification. Under the circumstances, I am not satisfied that arrangements should be made for the conduct of an election at this time.





Australian Salaried Medical Officers'
Federation

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Locked Mail Bag No 13 Glebe New South Wales 2037
Telephone: (02) 9212 6900 Facsimile: (02) 9212 6911
email: asmof@asmof.org.au

The Industrial Registrar
Australian Industrial Registry
Level 35, Nauru House
80 Collins Street
Melbourne VIC 3000

Attention: Mr Larry Powell

Via email: Larry.Powell@air.gov.au

21 October 2008

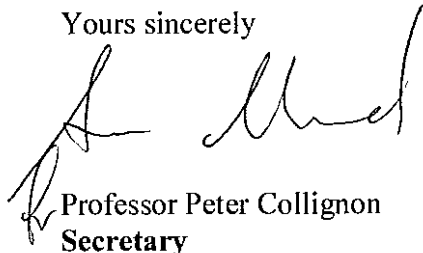
Dear Mr Powell

I refer to my letter of 23 November 2007 in which I applied for an election to be conducted for offices in the Tasmanian Branch of the Australian Salaried Medical Officers' Federation.

As you are aware, ASMOF has now put in place a process that will enable appointment of an interim Tasmanian Branch Council, pending the normal elections to be held in early 2009. For this reason, I wish to formally withdraw my application of 23 November 2007.

Please contact the Executive Officer of ASMOF, Mr Sim Mead, on (02) 9212-6900 if you have any questions.

Yours sincerely



Professor Peter Collignon
Secretary

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North Adelaide SA 5006
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Nedlands WA 6009
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Fax: (08) 9273 3073

Victoria
293 Royal Parade
Parkville Vic 3052
Tel: (03) 9280 8722
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23 November 2007

By fax: 03 9654 6672

South Australia
PO Box 64
North Adelaide SA 5006
Tel: (08) 8267 5063
Fax: (08) 8267 1891
email: sasmoa1@gist.net.au

Att: Mr Iain Stewart

Election for Offices in the Australian Salaried Medical Officers' Federation

Tasmania
2 Gore Street
Sth Hobart Tas 7004
Tel: (03) 6223 2047
Fax: (03) 6223 6469

In 2006 ASMOF applied for elections to be conducted for all Branch Councils, for Federal Council and for Federal Executive. This process was completed for all relevant positions with the exception of the Tasmanian Branch of ASMOF. No nominations were received for the Tasmanian positions. As a consequence, no Tasmanian delegates were elected to Federal Council and no Tasmanian representative was elected to Federal Executive.

Commonwealth
Locked Mail Bag 13
Glebe NSW 2037
Tel: (02) 9212 6900
Fax: (02) 9212 6911
email: asmof@asmof.org.au

In order to correct this situation, I apply for an election to be conducted by the Australian Electoral Commission for offices within the Australian Salaried Medical Officers' Federation ("ASMOF"). In accordance with subsection 189(1) of Schedule 1 – Registration and Accountability of Organisations of the Workplace Relations Act, 1996 and Regulation 138 of the Workplace Relations (Registration And Accountability Of Organisations) Regulations 2003, the following prescribed information is provided:

Western Australia
14 Stirling Highway
Nedlands WA 6009
Tel: (08) 9273 3000
Fax: (08) 9273 3073

- (a) ***The name of each office or position for which an election is required:***

Victoria
293 Royal Parade
Parkville Vic 3052
Tel: (03) 9280 8722
Fax: (03) 9280 8786

Tasmanian Branch Council
President
Vice President

New South Wales
Locked Mail Bag 13
Glebe NSW 2037
Tel: (02) 9212 6900
Fax: (02) 9212 6911
email: asmof@asmof.org.au

Secretary
Assistant Secretary/Treasurer
Branch Councillors (2)

Federal Council
Tasmanian delegates to Federal Council (2)

Federal Executive
Tasmanian representative on Federal Executive (1)

(b) *The reason for the election being:*

That the term of the offices expired on 31 March 2006 and no nominations were received as part of the 2006 election process.

(c) *Where more than one of the offices in respect of which an election is required has the same name and the number of such can, in accordance with the rules of the organisation or branch, be ascertained before the prescribed day – the number of those offices:*

As above.

(d) *Where the electorate comprises only members of a branch, section or other division of an organisation – the name of that branch, section or division, as the case may be:*

- Tasmanian Branch Council;
- Federal Council;
- Federal Executive.

(e) *The date and time of the beginning and end of the period in which nominations of candidates will be called for or may be made under the rules of the organisation or branch in relation to the election:*

- ***Tasmanian Branch Council*** – a 14 day period to be determined by the Registrar. In the normal course of events Rule 64 of the ASMOF Rules provides that a notice is to be published 14-28 February of the election year advising that nominations will be open from 1 March to 5 pm 22 March. Subject to the views of the Registrar, a possible timetable might be:

Notice published	3 – 17 December
Nominations open	18 Dec – 5 pm 8 Jan

- **Federal Council** – the commencement date for nomination as a delegate to Federal Council is seven days after the declaration of the poll for offices on branch council. The expiration of the nomination period will be on a date specified by the branch returning officer. (Rule 65 of the ASMOF Rules)
- **Federal Executive** – the commencement and closing dates for nominations will be determined by reference to the Rule 66(1)(a) of the ASMOF Rules:
 - (a) *Within seven (7) days after the declaration of the poll in relation to the election of delegates to the Federal Council, the Branch Secretary of each Branch shall advise the Federal Secretary in writing of the names and postal addresses of the elected delegates of such branch. Within fourteen days (14) days after the Federal Secretary has received the names and postal addresses of all the elected delegates, the Federal Returning Officer shall send by prepaid post to each of the elected delegates a list of the names and postal addresses of all the elected delegates and shall invite each of them to nominate in writing for any one or more of the offices of the Federation and shall specify a closing date before which the nomination must reach the Federal Returning Officer. A nomination need be signed only by the person nominating."*

In circumstances where, at the closing date of nominations, it appears that any branch does not have a representative on Federal Council, the Federal Returning Officer will forthwith call nominations and presumably, at the that time, determine a closing date for nominations. (Rule 66(2) of the ASMOF Rules)

- (f) ***The day provided for in the rules of the organization as the day on which the roll of voters is to be closed***

The roll of voters is to be closed on the seventh day before the day on which nominations for the election open.

- (g) ***The voting system to be employed in the conduct of the election:***

- **Branch Councils** – a direct, preferential voting system where a branch's members elect its branch council. (Rule 64 of the ASMOF Rules);
- **Federal Council** – a collegiate system, where members of a branch council elect the branch delegates to Federal Council. (Rule 65 of the ASMOF Rules)
- **Federal Executive** – a collegiate system where members of Federal Council elect the Federal Executive. (Rule 66 of the ASMOF Rules)

The Tasmanian Branch had 120 members as at 31 January 2006 (111 in January 2007). Based on these figures, the ASMOF Rules provide for the Branch Council to consist of:

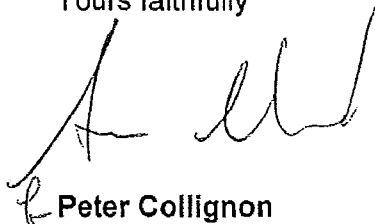
Branch President
Branch Vice President
Branch Secretary
Branch Assistant Secretary/Treasurer
Branch Councillors (2)

and the Tasmanian Branch is entitled to 2 delegates to Federal Council and 1 representative on Federal Executive.

The information contained in this application is lodged in accordance with subsection 189(1) of Schedule 1 – Registration and Accountability of Organisations of the Workplace Relations Act, 1996. I am authorised by the ASMOF rules to make this statement.

Please contact Sim Mead, Executive Officer, ASMOF, if you have any questions about this matter.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Collignon', is written over a horizontal line.

Peter Collignon
Federal Secretary