



Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Australian Security Industry Association Ltd

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2010/2603



RULES

Rules used for the election: 147N: Rules as at registration on 30/04/2010 [D2009/10007]

Rules difficult to apply/interpret: Only corporate members or their duly appointed representatives are entitled to participate in the election but membership type nor the identity of the duly appointed rep is not captured by the Association's membership system. It is recommended that the orgn update its records to show these details for all members.
There is a prohibition on nominating for certain multiple offices but the rules do not address how this should be resolved if both offending nominations are uncontested.

Model Rule reference (if any): N/A

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: Nil



Other irregularities identified, and action taken:

There appears to be a lapse in time between receiving membership payment for subscriptions and when the Association updates the member's records. At the close of the roll and the close of nominations this lead to members being incorrectly identified as having status of 'unfinancial'.

The Association does not appear to comply with the Rules in transferring members between membership types, eg from Associate to Corporate. Transfers are required to be endorsed by the Committee of Management before they are effected.

ATTACHMENTS

- 1. ASIAL Contested Declaration – E2010-2603**
- 2. ASIAL Uncontested Declaration – E2010-2603**

Lee Jones
Returning Officer

8 March 2011

Australian Security Industry Association Ltd

Elections 2010

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.

E2010/2603

President

Candidate

BYRNES, Ged

Vice President

Candidate

MCDONALD, Kevin

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

LEE JONES
Returning Officer

10 September 2010

Australian Security Industry Association Ltd

Elections 2010

DECLARATION OF RESULTS FOR CONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2010/2603

Total number of persons on the roll of voters	1250
Ballot papers issued	1250
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	1250
Ballot papers / envelopes returned for scrutiny	273
Less ballot papers / envelopes rejected at	8
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO	265
Percentage of ballot papers returned to number	22%
Ballot papers returned as unclaimed mail	7
Ballot papers not returned	970

Board Members (6)

<u>Candidates</u>	<u>Votes</u>
LUHRMANN, Christopher	146
MCKINNON, Michael John	206
ELLIOTT, Antony Peter	164
ROCHE, Tom	171
SILVER, Leo	174
BRUCE, Bob	159
ANDERSON, Rodney Graham	176
Total votes	1196
Formal ballot papers	259
Informal ballot papers	6

I declare Rodney Graham Anderson, Bob Bruce, Antony Peter Elliott, Michael John McKinnon, Tom Roche and Leo Silver elected.

LEE JONES
Returning Officer
Australian Electoral Commission
29 October 2010



FAIR WORK
AUSTRALIA

9 June 2010

Mr Bryan de Caires
Chief Executive Officer
Australian Security Industry Association Limited
PO BOX 1338
CROWS NEST NSW 1585

Dear Mr de Caires

**Re: Arrangements for the conduct of an Election
(E2010/2603)**

A copy of the decision in relation to the above matter is enclosed.

Fair Work Australia is making arrangements, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009*, with the Electoral Commissioner for the conduct of the subject election by a member of staff of the Australian Electoral Commission, who will contact you in the near future about the election.

Yours sincerely

David Vale

Fair Work Australia



FAIR WORK
AUSTRALIA

DECISION

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

Australian Security Industry Association Ltd
(E2010/2603)

B.R. JENKINS

SYDNEY, 9 JUNE 2010

Arrangement for conduct of election.

[1] On 31 May 2010 the Australian Security Industry Association Ltd lodged with Fair Work Australia the prescribed information in relation to an election for the following offices:

President	(1)
Vice-President	(1)
Board Member	(6)

[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 GENERAL MANAGER
FAIR WORK AUSTRALIA

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<Price code A, PR997634 >

VALE, David

From: VALE, David
Sent: Wednesday, 9 June 2010 2:40 PM
To: 'Industrial Elections'
Subject: E2010/2603
Attachments: E2010_2603 result 09062010.pdf; E2010_2603 ASIAL_09062010.doc

Dear AEC,

Please find attached a copy of the Decision for the upcoming election of the Australian Security Industry Association Ltd (E2010/2603).

Yours sincerely

DAVID VALE
Manager, Organisations - NSW

Fair Work Australia
Tel: 02 8374 6509
Fax: 02 9380 6990
david.vale@fwa.gov.au

Level 8, Terrace Tower
80 William Street
East Sydney NSW 2011
www.fwa.gov.au



FAIR WORK
AUSTRALIA

9 June 2010

Electoral Commissioner Through
Australian Electoral Officer (industrial.elections@aec.gov.au)

Under subsection 189 of the Fair Work (Registered Organisations) Act 2009, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2010/2603

RE: AUSTRALIAN SECURITY INDUSTRY ASSOCIATION LIMITED

Position:

See Decision

Relevant Information: Scheduled election; direct voting system; secret postal ballot.

Contact: Mr Bryan de Caires
Chief Executive Officer

Phone: (02) 8425 4350

A copy of the Decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at industrial.elections@fwa.gov.au.

David Vale
Fair Work Australia

VALE, David

From: VALE, David
Sent: Tuesday, 1 June 2010 9:55 AM
To: 'Industrial Elections'
Subject: E2010/2603
Attachments: ASIAL E2010_2603 lodged 31052010.pdf; ASIAL_147N_D2009_10007_As at Registration_30402010.doc

Dear AEC,

Please find attached a copy of the prescribed information and a copy of the current rule book of the Australian Security Industry Association Limited for an upcoming election (E2010/2603).

Yours sincerely

DAVID VALE
Manager, Organisations - NSW

Fair Work Australia
Tel: 02 8374 6509
Fax: 02 9380 6990
david.vale@fwa.gov.au

Level 8, Terrace Tower
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Australian Security Industry
Association Limited

www.asial.com.au

David Vale
Manager, Organisations-NSW
Fair Work Australia
Terrace Tower
80 William Street
East Sydney NSW 2011



Dear Mr Vale,

Lodgment of Prescribed Information in accordance with s189 *Fair Work (Registered Organisations) Act 2009.*

I, Ged Byrnes, being the President of the Australian Security Industry Association Ltd., make the following statement:

I am the President of the Australian Security Industry Association Ltd. National office.

I am authorised to lodge the following prescribed information concerning forthcoming elections in the National office of the Australian Security Industry Association Ltd., and

I confirm that the following information is being lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009.*

Signed

Ged Byrnes, President, Australian Security Industry Association Ltd

Dated: the 28th day of May 2010.

Offices/Positions

A	President (Direct Voting System)
	Vice-President (DVS)
	Board Members (6) (DVS)

Reasons for election:

- Election for offices and positions outlined above is required as the terms of office are due to expire in the normal course of events under the rules of the organisation.

Elected by:

- The electorate for the direct voting system is the whole of the National organisation.

Nominations open:

- For offices to be elected by direct voting system - the 2nd day of August 2010.

Nominations close:

- For offices to be elected by direct voting system - 12 noon, on the twenty-first (21st) day after nominations have opened being 23rd day of August 2010.

Cut off date for roll:

- In all cases – thirty (30) days prior to the opening date for nominations being the 2nd day of July 2010 - rule 16.10.6.

Notes:

The Notice and Statement are required to be lodged at least 2 months before the first day of nominations as set out in the rules of the organisation – the General Manager of FWA may allow for a later day - see subsection 189(2) and regulations.

The requirement to lodge election information under s189(2) is a civil penalty provision – see s305.

Signed



Ged Byrnes, President, Australian Security Industry Association Ltd

Dated: the 28th day of May 2010.