

PR966915

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

The Australian Workers' Union
(E2005/217)

B. R. JENKINS
DEPUTY INDUSTRIAL REGISTRAR

SYDNEY, 23 DECEMBER 2005

DECISION

On 06 December 2005 the West Australia Branch of the abovenamed organisation lodged in the Industrial Registry prescribed information in relation to an election to fill a vacancy in the following office:

Branch Assistant Secretary (1)

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 Schedule 1B of the *Workplace Relations Act 1996*, I am making arrangements for the conduct of the election by the Australian Electoral Commission.





Australian Government

Australian Industrial Registry

Level 8, Terrace Towers
80 William Street, East Sydney, NSW 2011
Telephone: (02) 8374 6666
Fax: (02) 9380 6990
Email: sydney@air.gov.au

Mr Tim Daly
Branch Secretary,
Australian Workers Union, WA Branch
PO Box 8122
Perth Business Centre
PERTH WA 6849

Dear Mr Daly

**Re: Arrangements for the conduct of an Election
(E2005/217)**

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

The Registrar is making arrangements, under subsection 189(3) of Schedule 1B of the *Workplace Relations Act 1996*, 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,

A handwritten signature in black ink, appearing to read 'Steve Teece'.

Steve Teece

22 December 2005

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

Under subsection 189 of Schedule 1B of the Workplace Relations Act 1996, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2005/217

RE: AUSTRALIAN WORKERS UNION

Positions:

Branch Assistant Secretary (1)

Relevant Information: Casual Vacancy, Direct Voting System, Secret Postal Ballot

Contact: Tim Daley
Branch Secretary

Phone: (08) 9221 1686

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@air.gov.au



for Deputy Industrial Registrar

22 December 2005

TEECE, Steve

From: TEECE, Steve
Sent: Thursday, 15 December 2005 12:25 PM
To: industrial.elections@aec.gov.au
Subject: Prescribed Information re AWU WA Branch E2005/217



AWU WA
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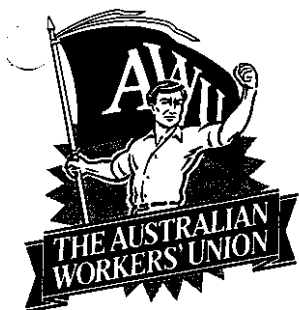


AWU002N251005R

Steve Teece

Research Information Advice Team
NSW Registry
Australian Industrial Registry

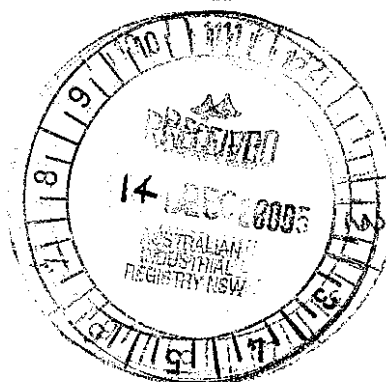
Ph: (02) 8374 6516 Fax: (02) 9380 6990
steve.teece@air.gov.au



The Australian Workers' Union
West Australian Branch
"Wellington Fair", Cnr Wellington & Lord Sts, Perth
P.O. Box 8122, Perth Business Centre, Perth, W.A. 6849
Ph: (08) 9221 1686 Fax: (08) 9221 1706
Email: administrator@awuwa.asn.au
www.awuwa.asn.au
ABN 23 613 523 164

Branch Secretary: **Tim Daly**

Mr S Teece
Australian Industrial Registry
Level 8, Terrace Towers
80 William Street
EAST SYDNEY NSW 2011



12th December 2005

Dear Sir

I write in relation to my recent request for an election to be conducted for the vacant Assistant Secretary's position in the West Australian Branch of the AWU.

The date on my previous correspondence was incorrect; it should have been the 30th of November not the 30th of October 2005.

Attached please find a statement of Prescribed Information under regulation 136.

Also attached please find a statement of the position for the ballot and a copy of the previous Assistant Secretary's letter of resignation.

Yours faithfully

Tim Daly
Branch Secretary

**Statement and Notice of Prescribed Information
Under Regulation 136**

I, Tim Daly West Australian Branch Secretary of the Australian Worker's Union, make the following statement:

I am the West Australian Branch Secretary of the Australian Worker's Union.

I am authorised to lodge the following prescribed information concerning forthcoming elections in the West Australian Branch of the Australian Worker's Union.

I confirm that the following information is being lodged under subsection 189(1) of the RAO Schedule.

Request is made for an election to be conducted for the position of Assistant Branch Secretary of the West Australian Branch of the AWU.

A casual vacancy has arisen by virtue of the fact that the incumbent, Gavin Simpson has resigned his position.

The voting system is a direct voting system

Signed

A handwritten signature in black ink, appearing to read 'Tim Daly', written in a cursive style.

Tim Daly
Branch Secretary

12th December 2005



Australian Government
Australian Industrial Registry

Level 8, Terrace Towers
80 William Street, East Sydney, NSW 2011
Telephone: (02) 8374 6666
Fax: (02) 9380 6990

Mr Tim Daly
Branch Secretary
Australian Workers' Union, West Australian Branch
PO Box 8122
Perth Business Centre
PERTH WA 6849

Dear Mr Daly

Re: Conduct of Election - E2005/217

I refer to your letter dated 30 October 2005 regarding a proposed election for the Australian Workers' Union, West Australian Branch.

The Prescribed Information contained in your letter is not in accordance with the current legislation relating to election requests.

Whilst we have sent a copy of your request to the Australian Electoral Commission, unfortunately, we will require the information to be re-lodged so it conforms with the requirements of Regulation 138 of the RAO Regulations before the Registrar can issue a decision in this matter.

Please arrange to lodge information under subsection 189(1) of the RAO Schedule of the Act and Regulation 138 of the Workplace Relations (Registration and Accountability of Organisations) Regulations. I have attached extracts for your assistance.

I have also included a sample s189(1) statement and notice.

Could you also please provide a copy of the resignation notification of the previous Assistant Branch Secretary.

Please do not hesitate to contact me on (02) 8374 6516 if you require further explanation of the procedures or assistance in drafting a statement.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Steve Teece'.

Steve Teece
for Deputy Industrial Registrar
9 December 2005

189 Registrar to arrange for conduct of elections

(1) An organisation or branch of an organisation must lodge in the Industrial Registry the prescribed information in relation to an election that is to be conducted by the AEC.

138 Prescribed information for election (RAO Schedule, s 189 (1))

(1) For subsection 189 (1) of the RAO Schedule, the following information is prescribed information for an election conducted for an office or for a position other than an office:

- (a) the name of each office or position for which an election is required;
- (b) the reason for the election is that:
 - (ii) a casual vacancy in the office or position has occurred (or will occur imminently); orthe number of those offices or positions;
- (d) the electorate - the name of the branch, section or division;
- (e) the date and time of the beginning and end of the period in which nominations of candidates will be called for;
- (f) the day provided for in the rules of the organisation as the day on which the roll of voters is to be closed;
- (g) the kind of voting system to be used:
 - (i) a direct voting system; or
 - (ii) a collegiate electoral system.

(2) The prescribed information must contain a statement, signed by an officer of the organisation or branch who is authorised to sign the statement, that the information is lodged under subsection 189 (1) of the RAO Schedule.

SAMPLE

Statement and Notice of Prescribed Information under Regulation 136

I, Tim Daly, West Australian Branch Secretary of the Australian Workers' Union, make the following statement:

I am the West Australian Branch Secretary of the Australian Workers' Union,

I am authorised to lodge the following prescribed information concerning forthcoming elections in the West Australian Branch of the Australian Workers' Union

I confirm that the following information is being lodged under subsection 189(1) of the RAO Schedule.

Signed: Tim Daly, West Australian Branch Secretary of the Australian Workers' Union

Dated: (date) December 2005

Offices/Positions

A	Branch Assistant Secretary (Direct voting system)
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Reasons for election:

The election is required to fill a casual vacancy that has recently occurred (documentary information relating to the resignation of the persons holding the offices of Branch Assistant Secretary is enclosed)

Elected by:

The electorate for the direct voting system all financial members of the Branch.

Nominations open:

Date to be determined by Returning Officer as casual vacancy

Nominations close:

14 days after nomination open (see Rules 61(4) and 65(1) (c))

Cut off date for roll:

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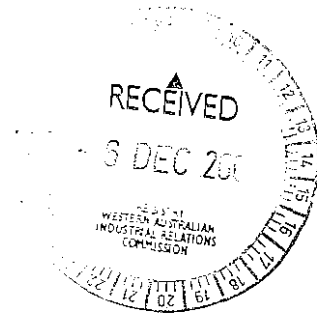


The Australian Workers' Union
West Australian Branch
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www.awuwa.asn.au
ABN 23 613 523 164

Branch Secretary: **Tim Daly**

The Deputy Registrar
Australian Industrial Relations Commission
111 St Georges Tce
PERTH WA 6000

30th October 2005



Dear Madam

The West Australian Branch of the AWU had elections earlier this year.

The new officers commenced on the 1st of July this year.

I have received a resignation from the Assistant Branch Secretary resigning from his position.

The Union rules require a further election to be held if an officer resigns his position within twelve months of commencing his term.

I would appreciate if you would take the steps necessary to have an election held for the vacant office.

Yours faithfully

Tim Daly
Branch Secretary

Cc Bill Shorten National Secretary AWU

Bill Ludwig National President AWU

Glen Anderton Branch President

