

Post-election Report

The Australian Workers' Union and E2018/93

Contents

Election(s) Covered in this Report.....	3
Rules	3
Roll of Voters	3
Irregularities	3
Other Matters.....	4
Attachments	4
Attachments.....	5

Election(s) Covered in this Report

Election Decision No/s: E2018/93

Rules

Rules used for the election: Incorporates alterations of 09/04/2018 in matter R2017/150]

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

Other irregularities identified, and action taken:

Other Matters

Rule 63 (13) states that the opening and closing dates for filling vacant offices shall be decided by the National Executive.

This rule could potentially be difficult for the AEC to apply as these elections are unscheduled and as such the dates need to be more flexible.

Attachments

- 1) Declaration of Results for Uncontested Offices

A handwritten signature in black ink, appearing to read 'Ben Murray', with a long horizontal flourish extending to the right.

Benjamin Murray
Returning Officer

28 June 2018

The Australian Workers' Union
DECLARATION OF RESULTS - E2018/93
Uncontested Offices

Casual Vacancy 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:

Victorian Branch Executive Committee Member (Honorary) (1)

Candidates

KEYS, John

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

Benjamin Murray
Returning Officer
Australian Electoral Commission
07/06/2018



15 June 2018

Mr Daniel Walton
National Secretary; NSW Branch Secretary
Australian Workers' Union, The
members@nat.awu.net.au

Dear Mr Walton,

cc: Victorian Branch, ben.davis@awu.net.au

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 uncontested offices/positions for Victorian Branch [E2018/93]. 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 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 Workers' Union, The 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.

Regards

Christine Hibberd
Registered Organisations Commission

The Australian Workers' Union
DECLARATION OF RESULTS - E2018/93
Uncontested Offices

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Benjamin Murray
Returning Officer
Australian Electoral Commission
07/06/2018





DECISION

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

The Australian Workers' Union
(E2018/93)

MR ENRIGHT

MELBOURNE, 17 APRIL 2018

Arrangement for the conduct of election

[1] On 6 April 2018 The Australian Workers' Union lodged with the Registered Organisations Commission prescribed information for an election to fill a casual vacancy for the remainder of the term of office for the following office:

Victorian Branch Executive Committee Member (Honorary) (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

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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, Daniel Walton, being the National Secretary of The Australian Workers' Union, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Victorian Branch of The Australian Workers' Union.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The election that is required is set out in the table in Annexure A.
4. The resignation letter is attached for the casual vacancy.

Signed:



Daniel Walton

6 April 2018

ANNEXURE A

- Elections that are required

Branch	Date of Change	Name of Office	Name of Outgoing Office Holder	Voting System	Reason for Election	Electorate
<i>Victorian</i>	<i>20.3.18</i>	<i>Branch Executive Committee Member (Honorary)</i>	<i>David Bellaart</i>	<i>Direct Voting System</i>	<i>Resignation within 12 months of office</i>	<i>Entire Victorian Branch</i>

	Direct Voting System	
Nominations OPEN	<i>to be determined by the returning officer</i>	
Nominations CLOSE	<i>to be determined by the returning officer</i>	
Roll of Voters cut off date	<i>7 days prior to nominations opening - rule 63 (1)</i>	