

E 2002 / 212



FSU
AUSTRALIA

28 November 2002

The Industrial Registrar
Australian Industrial Relations Commission
GPO Box 1994S
Melbourne Vic 3001

Dear Registrar

**Re: Finance Sector Union of Australia – Request for Election
for President/Branch Committee Member, Insurance, Wool Broking
and Trustee Company Council**

I wish to notify you of a matter that has arisen in regard to the position of President/Branch Committee Member, Insurance, Wool Broking and Trustee Company Council.

Our biennial elections were held in 2001. A copy of the declaration of the election is attached.

As you can see, there were no nominations for the above position.

In terms of the Union's Affirmative Action clause of the FSU Rules (copy attached) and due to the gender makeup of the Insurance Council and the Branch Committee of Management, we have not been in a position to make an appointment to this position.

*no attachments
received.
- see folio 1A*

In accordance with Rule 43.8. of the Finance Sector Union of Australia (copy enclosed), we would now like to request that the Industrial Registrar approve and make arrangements for the conduct of an election by the Australian Electoral Commission for the position of President/Branch Committee Member, Insurance, Wool Broking and Trustee Company Council.

If you have any questions or concerns regarding any of the above, please contact the FSU office on (07) 3845 6900.

Yours sincerely,

Michael Clifford
Secretary.

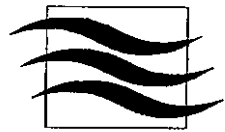
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FINANCE
SECTOR
UNION OF
AUSTRALIA
Queensland
Branch
Level 3
97 Creek Street
Brisbane 4000
GPO Box 9893
Brisbane 4001
ABN 27 843 406 938
Telephone (07) 3845 6900
or toll free 1800 017 295
Facsimile (07) 3221 1390
Email qld@fsunion.org.au

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1A

FINANCE SECTOR UNION
Level 3, 97 Creek St
BRISBANE QLD 4000



FSU
AUSTRALIA

F A X C O V E R S H E E T

DATE: 3 December, 2002

TO: Ruth Hansen
AIRC

PHONE: (03)
FAX: (03) 9654 6672

FROM: Jillian Keane
Finance Sector Union

PHONE: (07) 3845 6900
FAX: (07) 3221 1390

CC:

Number of pages to follow: Four (4)

Message

Request for Election

Hi Ruth,

As per your telephone conversation with Robyn today, following are the omitted attachments from our letter of 28 November 2002

My apologies for the oversight.

Regards

Jillian Keane

Finance Sector Union of Australia Queensland Branch

(Deputy Industrial Registrar's Decision E No. 95 of 2001).

Election conducted under Section 214 of the Workplace Relations Act 1996 and in accordance with the Rules of the Union.

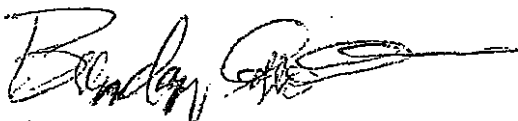
Nominations for the above election closed at 5.00 pm on Friday 31 August 2001. I now advise the following results.

<u>Office</u>	<u>Candidate</u>
• President:	CONVERY, Jim
• Vice-President (Banking/Finance):	BALKIN, Cavina
• Vice-President (Insurance):	SMITH, Barry L.
• President/Branch Committee Member, Insurance, Wool Broking and Trustee Company Council:	No Nominations.
• President/Branch Committee Member, Westpac Council:	SMITH, Joanne
• President/Branch Committee Member, National Australia Bank Council:	FERRARI, Paul
• President/Branch Committee Member, ANZ Council:	CONNOLLY, Jo Anne
• President/Branch Committee Member, "Other Employees" Council:	No Nominations.

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

SECOND TIER COLLEGIATE ELECTIONS

In accordance with FSUA Rules: 29.2, 38.4.3.4, 43.1.2.1, 43.4 and 47, nominations will next be called for the offices of Branch National Conference Delegates (2) and Branch Deputy National Executive Delegate, for determination at a collegiate election to be conducted by me at the Queensland Branch Committee Meeting on the morning of Wednesday 19 September 2001.



Brendan Carroll
Returning Officer
4 September 2001
Australian Electoral Commission,

Phone: (07) 3834 3406
Fax: (07) 3832 4727

488 Queen Street, GPO Box 2590, Brisbane 4001.

43.5.3 shall not interfere with or attempt to influence any member at the time such member is casting a vote.

43.6 System of Voting

43.6.1 Subject to Rule 63.5, the system of voting in any election conducted pursuant to the provision of this Rule shall be the first-past-the-post system.

43.6.2 A voter shall record his/her votes (as the case may be) by placing a single 'X' opposite the name or names of all candidates for whom he/she desires to record a vote provided that he/she shall not record a vote for more candidates than are required to fill any particular position or office.

43.6.3 A ballot paper shall be rejected if it is not marked in a manner prescribed or allowed by this Rule but, except as otherwise provided by these Rules, a ballot paper shall not be rejected for any reason other than the reason set out in this Rule but effect shall be given according to the voter's intention so far as his/her intention is clear.

43.7 Candidates Statements

In any election conducted by secret postal ballot pursuant to the provisions of these Rules for an office in a Branch or Section, a candidate may, at the time of nominating, submit to the Returning Officer a typewritten policy speech statement which shall not exceed 200 words, a list of offices and/or positions currently and/or previously held in the Union or in any union which is amalgamated into the Union or in a State Registered Union which is associated with the Union and a passport size photograph of the candidate subject to the requirements of the Returning Officer and the Returning Officer shall include with the ballot paper issued to each voter in such an election a copy of all such policy statements, lists and photographs combined in the one document in alphabetical order.

43.8 Extraordinary Vacancies

43.8.1 Extraordinary or casual vacancies (however occurring) in any office referred to in this Rule 43 shall be filled as soon as practicable following the occurrence of the vacancy by election conducted by the Returning Officer in the same manner as provided for in this Rule for the ordinary elections for such offices provided that the Returning Officer shall determine the date for the closing of nominations and the date for the closing of the ballot and shall report the result of the ballot to the next following meeting of the Section or Branch Committee.

43.8.2 Any person so elected shall take office from the date of the declaration of election and shall hold office until the expiration of the term of the person replaced.

43.8.3 Notwithstanding the foregoing provisions of this Rule, in the event of an extraordinary or casual vacancy occurring other than as the result of removal from office of the office holder by the National Conference or the National Executive:-

43.8.3.1 where the unexpired portion of the term of the office in which the vacancy occurs does not exceed three quarters of that term of office, the relevant Branch, sub-branch or Section Committee or, in the case of a President/Branch Committee member of a Queensland Branch Council, the relevant Branch Council may fill such vacancy by appointment of a member of the Branch or Section or relevant Branch Council qualified under these Rules; and,

44 - REMOVAL OF BRANCH OFFICERS, MEMBERS OF BRANCH COMMITTEES AND NATIONAL CONFERENCE AND NATIONAL EXECUTIVE DELEGATES

43.8.3.2 where the unexpired portion of the term of office in which the vacancy occurs exceeds three quarters of that term of office, the relevant Branch, sub-branch or Section Committee or, in the case of a President/Branch Committee member of a Queensland Branch Council, the relevant Branch Council may fill such vacancy by appointment of a member of the Branch or Section or relevant Branch Council qualified under these Rules until an election is held, provided that no person so appointed shall hold office for a period exceeding six months; and,

43.8.3.3 provided that where the extraordinary or casual vacancy referred to in the foregoing provisions of this sub-rule occurs in the office of a full time Section or Branch officer the Section or Branch Committee may, instead of making an appointment to that vacancy as provided in sub-rule 43.8.3.1, fill that vacancy by appointment of a member of the Section or Branch, a member of any other Section or Branch or by a non-member.

43.8.4 Where the extraordinary or casual vacancy has occurred in an office as the result of the removal from that office of the holder of that office, being a person who was elected to that office by secret postal ballot of the financial members of the Branch, and such removal from office has been effected other than by resolution of a general meeting of members of the Branch, the person so removed shall, notwithstanding anything contained in these Rules, be eligible to nominate for and be nominated for election to fill such vacancy.

43.9 In any election conducted in accordance with this Rule by way of secret postal ballot, if a person entitled to receive a ballot paper is absent or likely to be absent from the address appearing for that person on the roll of voters, that person may, by notice in writing delivered to the Returning Officer prior to the opening of the ballot, advise the Returning Officer of the address to which such ballot paper is to be forwarded.

43.10 Where the extraordinary or casual vacancy has occurred in the office of Branch Secretary as a result of the removal from that office of the holder of that office the Deputy National Executive Delegate shall be the National Executive Delegate for the Branch until a successor to the officer removed has been elected.

44 - REMOVAL OF BRANCH OFFICERS, MEMBERS OF BRANCH COMMITTEES AND NATIONAL CONFERENCE AND NATIONAL EXECUTIVE DELEGATES

44.1 A Branch Officer, a Branch Committee member (including a President/Committee member of a Queensland Branch Council), a Branch National Conference Delegate or a Deputy Branch National Executive Delegate may be removed from office if the National Conference or the National Executive of the Union or a General Meeting of the Branch by a majority resolution of members voting finds him/her guilty, in accordance with these Rules, of misappropriation of the funds of the Union or any Branch, substantial breach of the Rules of the Union, gross misbehaviour or gross neglect of duty or finds that he/she has ceased according to these rules to be eligible to hold his/her office.

44.2 Notwithstanding Sub-Rule 44.1, National Executive may only remove from office, an officer holding an office in the Commonwealth Bank Officers Section or the Reserve Bank Officers Section, if the action proposed is first approved by a decision of National Conference. Provided that, in this case, Rule 44.5 shall not apply.

32A - AFFIRMATIVE ACTION

32.5 National Assistant Secretary (Commonwealth Bank Officers Section)

In addition to the rights and duties afforded under Rule 32.4 the National Assistant Secretary (Commonwealth Bank Officers) shall:-

- 32.5.1 be located in Sydney in the office established by the Commonwealth Bank Officers Section; and
- 32.5.2 have specific responsibility for the Commonwealth Bank Officers Section; and
- 32.5.3 perform the duties of the Secretary of the Commonwealth Bank Officers Section Committee; and
- 32.5.4 perform the duties of principal negotiator with the Commonwealth Bank and any of its subsidiaries;
- 32.5.5 have specific responsibility for liaising with the Reserve Bank Officers Section on matters of mutual interest between the Reserve Bank Officers Section and the Commonwealth Bank Officers Section.

32A - AFFIRMATIVE ACTION

This Rule comes into effect and operates in accordance with Rule 60A.

32A.1 The Union is committed to affirmative action and therefore has a target of achieving membership of the following bodies being filled by at least 50% women. This Rule and the rules relating to election of members of these bodies are to be interpreted on the basis of the said target. Failure to achieve the target in the overall membership of the following bodies will not, however, by itself invalidate the constitution or functioning of those bodies:

- 32A.1.1 National Conference;
- 32A.1.2 National Executive;
- 32A.1.3 Branch Committees of Management;
- 32A.1.4 Reserve Bank Officers Section Sub-branches; and
- 32A.1.5 Queensland Branch Councils.

32A.2 In order to assist in the achievement of the said target, the following sub-rules shall apply:

32A.2.1 NATIONAL CONFERENCE AND NATIONAL EXECUTIVE:

Only female members of the Union shall be eligible to nominate for and hold the following offices:

- 32A.2.1.1 National Vice President (Commonwealth Bank Officers Section - Women).

For avoidance of doubt the woman elected as Commonwealth Bank Officers Section Committee (Vice President - Women) shall hold the office of National Vice President (Commonwealth Bank Officers Section - Women);

WORKPLACE RELATIONS ACT 1996
s.214 arrangement for conduct of an election

Finance Sector Union of Australia
(E2002/212)

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DEPUTY INDUSTRIAL REGISTRAR

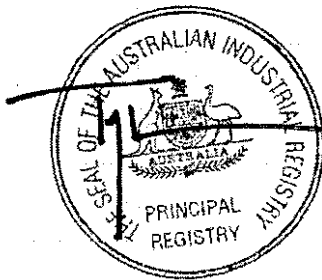
MELBOURNE, 3 DECEMBER 2002

DECISION

On 3 December 2002 the Queensland Branch of the abovenamed organisation lodged in the Industrial Registry prescribed information in relation to an election to fill a vacancy occurring in the following office:

President/Branch Committee Member - Insurance, Wool Broking and Trustee
Company Council

I am satisfied that an election for the abovenamed office is required to be held under the rules of the organisation and, under subsection 214(2) of the Workplace Relations Act 1996, I am making arrangements for the conduct of the election by the Australian Electoral Commission.





AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Level 35, Nauru House
80 Collins Street, Melbourne, VIC 3000
GPO Box 1994S, Melbourne, VIC 3001
Telephone: (03) 8661 7777
Fax: (03) 9654 6672

Mr Michael Clifford
Branch Secretary
Finance Sector Union of Australia
Queensland Branch
GPO Box 9893
BRISBANE QLD 4001

Dear Mr Clifford,

**Re: Arrangement for the conduct of an election in accordance with
section 214 of the Workplace Relations Act 1996 - E2002/212**

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

Any queries concerning the conduct of the subject election should be directed in the first instance to the Australian Electoral Commission, Queensland on (07) 3834 3402.

Yours sincerely,

Ruth Hansen 
Statutory Services Branch

3 December 2002

Finance Sector Union of Australia Queensland Branch

(Deputy Industrial Registrar's Decision E No. 212 of 2002).

Election conducted under Section 214 of the Workplace Relations Act 1996
and in accordance with the Rules of the Union.

Nominations for the above election closed at 12.00 Noon on Wednesday 5 February 2003.
I now advise the following results.

<u>Office</u>	<u>Candidate</u>
• President/Branch Committee Member, Insurance, Wool Broking and Trustee Company Council:	MARCUSSEN, Gayle

As the number of nominations accepted did not exceed the number of positions to be filled,
I declare Gayle Marcussen elected to the office as specified.

The election is now complete.



Brendan Carroll
Returning Officer
Australian Electoral Commission
Brisbane
6 February 2003