



DECISION

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

Health Service Union
(E2010/2562)

T. NASSIOS

MELBOURNE, 25 MAY 2010

Arrangement for conduct of election.

[1] On 13 April 2010 the Health Services Union lodged with Fair Work Australia prescribed information in relation to an election for a number of offices.

[2] On 19 May 2010 the organisation's solicitors advised that the election should be delayed pending the determination of a rule change that would have the effect of merging the NSW, Victoria No. 1 and Victoria No. 3 Branches to form a new *HSU East Branch*. Those rule alterations were certified on 24 May 2010 [R2010/35].

[3] Subsequently on 25 May 2010 the organisation lodged a revised election notification that advised that elections for the following offices are now due:

National Office

National President
National Vice-President
National Secretary
Senior National Assistant Secretary
National Assistant Secretary
National Trustees (2)

HSU East Branch

General Secretary
Deputy General Secretaries (2)
Divisional Secretaries (2)
Assistant Divisional Secretaries (2)
Executive President (1)
General Representatives from NSW (20)
Ordinary Members of Union Council (48)
Branch Delegates to National Council (35)

Tasmania No 1 Branch

Branch President
Branch Senior Vice-President
Branch Junior Vice-President
Branch Secretary
Branch Assistant Secretary
Branch Trustees (2)
Ordinary Members of Branch Committee (8)
Branch Delegates to National Council (8)

Tasmania No 2 Branch

Branch President
Branch Senior Vice-President
Branch Junior Vice-President
Branch Secretary
Branch Assistant Secretary
Branch Trustees (2)
Ordinary Members of Branch Committee (5)
Branch Delegate to National Council (1)

Victoria No 2 Branch

Branch President
Branch Senior Vice-President
Branch Junior Vice-President
Branch Secretary
Branch Assistant Secretary
Branch Trustees (2)
Ordinary Members of Branch Committee (8)
Branch Delegates to National Council (7)

Victoria No 4 Branch

Branch President
Branch Senior Vice-President
Branch Vice-President – Pharmacists
Branch Vice-President - Psychologists
Branch Trustee
Branch Trustee - Psychologist
Branch Secretary
Branch Assistant Secretary
Branch Committee Members – Pharmacists (2)
Branch Committee Member – Psychologist
Ordinary Members of Branch Committee (9)
Branch Delegates to National Council (3)

SA Branch

Branch President
Branch Senior Vice-President
Branch Junior Vice-President
Branch Secretary
Branch Assistant Secretary
Branch Trustees (2)
Ordinary Member of Branch Committee (5)
Branch Delegate to National Council (1)

WA Branch

Branch President
Branch Senior Vice-President
Branch Junior Vice-President
Branch Secretary
Branch Assistant Secretary

Branch Trustees (2)
Ordinary Members of Branch Committee (7)
Branch Delegate to National Council (5)

QLD Branch

Branch President
Branch Senior Vice-President
Branch Junior Vice-President
Branch Secretary
Branch Assistant Secretary
Branch Trustees (2)
Ordinary Members of Branch Committee (5)
Branch Delegate to National Council (1)

[4] 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

Printed by authority of the Commonwealth Government Printer
<Price code A, PR997468 >

**Health Services Union
HSU Election for National Officers E2010/2562**

DECLARATION OF RESULTS FOR UNCONTESTED 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/E2562

National Council

National President

Candidate

WILLIAMSON, Michael

National Vice President

Candidate

BROWN, Chris

National Secretary

Candidate

JACKSON, Kathy

Senior National Assistant Secretary

Candidate

BRADBURY, Natalie

National Assistant Secretary

Candidate

GUPPY, Denise

National Trustees (2)

Candidates

HILL, Dan

KNIGHT, Iris

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
23 December 2010

Health Services Union HSU East Branch E2010/2562

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/E2562

HSU East Branch

General Secretary

Candidate

WILLIAMSON, Michael

Deputy General Secretaries (2)

Candidates

BOLANO, Marco

MYLAN , Peter

Divisional Secretaries (2)

Candidates

GLEN , Carol

HAYES, Gerard

Assistant Divisional Secretaries (2)

Candidates

MARTORANA, Jamie

SEYMOUR , Kerrie

Executive President

Candidate

JACKSON, Kathy

General Representatives from NSW (20)

Candidates

CONROY , Graham

COWDREY, Jodie

FELTHAM , Rodney

GIBLETT , Zelda

GILCHRIST , Lachlan

GILKINSON, Christine

HALL , Adam

HAZELWOOD , Kim
HULL , Robert
HUMPHRIES, Angela
IRVINE, Monique
KNIGHT, Iris
MCEVOY , Eileen
MCINTOSH , Ken
MULLER, Kim
O'CONNOR , Sean
O'DONNELL , Michael
POLLARD, Stephen
THORBURN , Tim
TURELLO , Bev

Ordinary Members of Union Council (48)

Candidates

AGIUS, Terry
AUGOUSTAKIS, Lia
BEATON , Peter
BOWLES , Stuart
BRASIER, Shane
BURNS, Leanne
BUSH, Leigh
CALDWELL , Kevin
CATHERINE , Gino
DAVIDSON , Brett
DIXON , Reuben
DUNLOP , Jenny
DUNN , Ray
EDWARDS, Grahame
FITZROY , John
FLYNN, Leonie
GOODLOCK, Kim
GRAHAM , Juie
GRAY , Barbara
GRECH , Joe
GUYMER, Lynette
HAYNES , Sharalyn
HINDSON , Mark
HINGE , Ted
JOSEPH, Sharon
KERR, Philip Adrian
LLEWELLYN, Anthony
MAGNUSSON, Lisa
MARTIN , Linden
MCCULLOUGH, Sharon
NENADOVIC, Melissa
NEUMANN, Deborah
O'BRIEN , Patrick
O'NEILL, Pauline
PAPARAS , Jim
RILEY, Vicki
ROWLING , Bruce
RUSSELL, Lynne
SANTANGELO, John
SCIDONE, Lori
SHEPHERD , Lyn
SIGISMONDI , Stephen
SMITH , Clarrie
STERREY , Mark
VEALEY , Dave
VILLANUEVA , Jimmy
WHEELHOUSE , Tammie

Branch Delegates to National Council (35)

Candidates

ANSET , Alicia
AUGOUSTAKIS , Lia
BINNS , Paula
BOLANO, Marco
BRADLEY , Rob
BRAVIS , Peter
BUTLER, Melissa
CALDWELL, Kevin
COWDREY, Jodie
EDWARDS, Grahame
GLEN, Carol
GOODLOCK, Kim
GUYMER, Lynette
HALL , Adam
HAYES, Gerard
HEWAT , Andrew
HINGE , Ted
HULL, Bob
IRVINE, Monique
JOSEPH, Sharon
LLEWELLYN, Anthony
MCCULLOUGH, Sharon
MCINTOSH, Dee
MULLER, Kim
MYLAN, Peter
NEUMANN, Deborah
O'CONNOR, Sean
O'NEILL, Pauline
POLLARD, Stephen
RUSSELL, Lynne
SEYMOUR, Kerrie
TURELLO , Bev
VEALEY, Dave
VESPUCCI, Adriana
WILKINSON , Kate

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

RHYS RICHARDS
Returning Officer
17 August 2010

Health Services Union Victoria No. 2 Branch

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.

E2010/2562

Victoria No. 2 Branch

Branch President

Candidate

HEALEY, Paul

Branch Senior Vice-President

Candidate

GUNN, Debbie

Branch Junior Vice-President

Candidate

ADDISON, Brian

Branch Secretary

Candidate

WILLIAMS, Lloyd

Branch Assistant Secretary

Candidate

GUPPY, Denise

Branch Trustee (2)

Candidates

LINDSAY, Kim
WELTON, Di

Ordinary Member of Branch Committee (8)

Candidates

ANDERSON, Bella
BARNARD, Sarah
CURTIS, Katy
JACK, Mavis
LANDMANN, Angela
MURPHY, John
NUZUM, Patrick
OLDHAM, Kerrie

Branch Delegate to National Council (7)

Candidates

HART, Sharon
HEALEY, Paul
MC NELIS, Kevin
MOORE, Gina
MULDOON, Ross
TOMLINS, Jo
WILLIAMS, Lloyd

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

Tony King
Returning Officer
10 August 2010

**HEALTH SERVICES UNION
VICTORIA No. 4 BRANCH**

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.

E2010/2562

Victoria No. 4 Branch

Branch President

Candidate

WARMINGTON, Adrian

Branch Senior Vice-President

Candidate

COWEY, Maxwell Wallace

Branch Vice-President -Pharmacists

Candidate

REGINATO, Victor

Branch Vice-President -Psychologists

Candidate

FORLANO, Lina

Branch Trustee

Candidate

WELLS, Peter

Branch Trustee -Psychologist

Candidate

EDWARDS, Stephen

Branch Secretary

Candidate

KELLY, Rosemary

Branch Assistant Secretary

Candidate

BROWN, Heidi

Branch Committee Member -Pharmacists (2)

Candidate

MELBOURNE, Susan

No further nomination was accepted

Branch Committee Member -Psychologist

Candidate

MIACH, Patricia

Ordinary Member of Branch Committee (9)

Candidates

AUGUSTEYN, Leanne

BISIGNANO, Maria

BRANIFF, Valena

DURKIN, Catherine

HILL, Aron

JUDE, Belinda Anne

KIDD, Daniel

SMITH, Ryan

WENDOLOSKI, Darron

Branch Delegate to National Council (3)

Candidates

BROWN, Heidi

KELLY, Rosemary

REGINATO, Victor

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

Tony King
Returning Officer

10 August 2010

Health Services Union of Australia Western Australia Branch

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.

E2010/2562

Western Australia Branch

Branch President

Candidate

HAMILL, Cheryl

Branch Senior Vice President

Candidate

FARRALL, Anthony

Branch Junior Vice President

Candidate

BEAGLEY, Allison

Branch Secretary

Candidate

HILL, Dan

Branch Assistant Secretary

Candidate

PANIZZA, Christopher

Branch Trustees (2)

Candidates

O'BRIEN, Robyn
SHAW, David

Ordinary Members of Branch Committee (7)

Candidates

ANDERSON, Douglas
CLAIR, Dean
KESHAVARZ-RAHBAR, Shaun
LARSEN, Kim
SHEHADE, John
THOMAS, Penny
THWAITES, Margaret

Branch Delegates to National Council (5)

Candidates

FARRALL, Anthony
HAMILL, Cheryl
HILL, Dan
PANIZZA, Christopher
SHAW, David

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

Simon Bulloch
Returning Officer

5 August 2010

Health Services Union of Australia Tasmania No 1 Branch Elections 2010

DECLARATION OF RESULTS FOR UNCONTESTED 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.

E2010/2562

Tasmania No.1 Branch

Branch President

Candidate

RICHMOND, Judy

Branch Senior Vice President

Candidate

RICHARDSON, John

Branch Junior Vice President

Candidate

WEBB, Chris

Branch Secretary

Candidate

BROWN, Chris

Branch Assistant Secretary

Candidate

JACOBSON, Tim

Branch Trustee (2)

Candidates

GORRINGE, Leigh
MOORE, Peter D

Ordinary Member of Branch Committee (8)

Candidates

BROCK, Pamela
CHALLIS, Andrew N
COOMBS, M J
GARCIA, Theresa
HANSSON, Christine Elizabeth
MCHENRY, Marlene
PESCHAR, Pru
SHEARER, Carolyn

Branch Delegate to National Council (8)

Candidates

COOMBS, M J
GORRINGE, Leigh
HANSSON, Christine Elizabeth
JACOBSON, Tim
MOORE, Peter D
RICHARDSON, John
RICHMOND, Judy
WEBB, Chris

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

Michael Horwood
Returning Officer
10 August 2010

Health Services Union of Australia Tasmania No 2 Branch Elections 2010

DECLARATION OF RESULTS FOR UNCONTESTED 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.

E2010/2562

Tasmania No.2 Branch

Branch President

Candidate

HUGHES, Marshall

Branch Senior Vice President

Candidate

BOLTON, Keith

Branch Junior Vice President

Candidate

PIGGOTT, Geoffrey

Branch Secretary

Candidate

MITCHELL, Zita D

Branch Assistant Secretary

Candidate

KINGSTON, Andrea R

Branch Trustee (2)

Candidates

APPLEBY, Geoffrey
THOMPSON, Peter

Branch Committee Member (5)

Candidates

CORNISH, Peter
DAVEY, Christine Mary
KENDRAY, Jenni
LORD, Tula
TEAGUE, Rodney John

Branch Delegate to National Council

Candidate

MITCHELL, Zita D

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

Michael Horwood
Returning Officer
10 August 2010

**Health Services Union
Scheduled Election E2010/2562**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of Section 189(3) of the Fair Work (Registered Organisations) Act 2009 and the rules of the organisation.

South Australian Branch

Branch President

Candidate

PETRAKOS, Nick

Branch Senior Vice-President

Candidate

SONZA, Bruno

Branch Junior Vice-President

Candidate

NEWMAN, Anthony

Branch Secretary

Candidate

NAVAS, Jorge

Branch Assistant Secretary

Candidate

KILLINGTON, Margaret

Branch Trustee (2)

Candidates

IANELLA, Riccardo
PANES, Mark Aaron

Ordinary Member of Branch Committee (5)

Candidates

ALSTIN, Sandra Christine
DUMMIN, Lesley
HEWITT, Anthony James Francis
HRISTOPOULOS, John
SNIGG, Michael

Branch Delegates to National Council

Candidate

NAVAS, Jorge

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

Phil Roberts
Returning Officer
10 August 2010



7 April 2010

The General Manager
Fair Work Australia
GPO Box 1994
MELBOURNE VIC 3001

Email: melbourne@fwa.gov.au

Dear Sir

Amendment to Prescribed Information for elections s189 (1)

I am writing in regards to my recent correspondence to you (30 March 2010) containing the Statement and Notice of prescribed information as required under Regulation 138 and s 189 (1) of Schedule 1 of the Fair Work Act.

I have been advised by the Secretary of the Tasmania No 1 Branch that he made an error and that they have 8 Ordinary Members of Branch Committee to be elected, not 5 as previously stated.

I hope that you can amend our records accordingly.

If you require any further information, please contact Senior National Assistant Secretary Natalie Bradbury on 02 8412 8123 or natalieb@hsu.net.au.

Yours sincerely,

A handwritten signature in blue ink that reads 'Katherine Jackson'.

Katherine Jackson
National Secretary

National Office

208-212 Park Street, South Melbourne, Victoria 3205, Postal address PO Box 3078, South Melbourne, Victoria 3205
Telephone: (03) 9341 3328, Facsimile: (03) 9341 3329, www.hsu.net.au, Email: hsu@hsu.net.au. ABN 68 243 768 561

30 March 2010

The General Manager
Fair Work Australia
GPO Box 1994
MELBOURNE VIC 3001

Email: melbourne@fwa.gov.au

Dear Sir

Prescribed Information for elections s189 (1)

Please find enclosed a Statement and Notice of prescribed information as required under Regulation 138 and s 189 (1) of Schedule 1 of the Fair Work Act.

If you require any further information, please contact Senior National Assistant Secretary Natalie Bradbury on 02 8412 8123 or natalieb@hsu.net.au.

Yours sincerely,

A handwritten signature in black ink that reads "Katherine Jackson". The signature is written in a cursive, flowing style.

KATHERINE JACKSON

NATIONAL SECRETARY

**STATEMENT AND NOTICE OF PRESCRIBED INFORMATION UNDER
REGULATION 138**


I, Katherine Jackson, National Secretary of the Health Services Union (HSU),
make the following statement:

I am the National Secretary of the HSU.

I am authorised to lodge the following prescribed information concerning
forthcoming Branch and National Officer elections for the HSU.

I confirm that the following is being lodged under Section 189 (1) of Schedule 1
of the Fair Work Act.

Signed:

A handwritten signature in black ink that reads "Katherine Jackson". The signature is written in a cursive, flowing style.

KATHERINE JACKSON

NATIONAL SECRETARY

PART A – Branch Elections

In accordance with subsection 189 (1) of the Fair Work Act, please find enclosed prescribed information for elections due to be held for the following branches of the Health Services Union in 2010.

a) Name of each office or position for which an election is required

Tasmania No 1 Branch

Branch President
Branch Senior Vice-President
Branch Junior Vice-President
Branch Secretary
Branch Assistant Secretary
Branch Trustee (2)
Ordinary Member of Branch Committee (5)
Branch Delegates to National Council (8)

Tasmania No 2 Branch

Branch President
Branch Senior Vice-President
Branch Junior Vice-President
Branch Secretary
Branch Assistant Secretary
Branch Trustee (2)
Ordinary Member of Branch Committee (5)
Branch Delegates to National Council (1)

WA Branch

Branch President
Branch Senior Vice-President
Branch Junior Vice-President
Branch Secretary
Branch Assistant Secretary
Branch Trustee (2)
Ordinary Member of Branch Committee (7)
Branch Delegates to National Council (5)

SA Branch

Branch President
Branch Senior Vice-President
Branch Junior Vice-President
Branch Secretary
Branch Assistant Secretary
Branch Trustee (2)

Ordinary Member of Branch Committee (5)
Branch Delegates to National Council (1)

QLD Branch*

Branch President
Branch Senior Vice-President
Branch Junior Vice-President
Branch Secretary
Branch Assistant Secretary
Branch Trustee (2)
Ordinary Member of Branch Committee (5)
Branch Delegates to National Council (1)

NSW Branch

President
Vice-President (2)
General Secretary/Treasurer
Assistant Secretary
Organisers (21)
Ordinary Member of Union Council (24)
Delegates to National Council (39)

Victoria No 2 Branch

Branch President
Branch Senior Vice-President
Branch Junior Vice-President
Branch Secretary
Branch Assistant Secretary
Branch Trustee (2)
Ordinary Member of Branch Committee (8)
Branch Delegates to National Council (7)

Victoria No 3 Branch

Branch President
Branch Senior Vice-President
Branch Junior Vice-President
Branch Secretary
Branch Assistant Secretary
Branch Trustee (2)
Ordinary Member of Branch Committee (5)
Branch Delegates to National Council (6)

Victoria No 4 Branch

Branch President
Branch Senior Vice-President

Branch Vice-President – Pharmacists
Branch Vice-President - Psychologists
Branch Trustee
Branch Trustee - Psychologist
Branch Secretary
Branch Assistant Secretary
Branch Committee Member – Pharmacists (2)
Branch Committee Member – Psychologist
Ordinary Member of Branch Committee (9)
Branch Delegates to National Council (3)

b) Reason for election

The reason for all elections is that;

- i) the term of office is due to expire in the normal course of events.

c) Determining numbers of multiple officers

Delegates to National Council to be elected for each branch have been determined on the basis of Rule 20 (a) (ii) which says that National Council shall consist of the Officers of the Union and:

“delegates elected by and from each branch on the basis of one delegate for every 1000 members or part thereof.”

The numbers of National Councillors to be elected by and from each branch are indicated in (a) above.

d) Electorates

The electorate for each branch election comprises only the members of that branch. The names of the branches are indicated in (a) above.

e) Open and Close of Nominations

In accordance with the organisations rule 29 A(d) (iii);

“The opening date of nominations shall be the 1st of June with the closing date of nominations being the 14th of June.”

Therefore nominations should open on 1 June 2010 and close on 14 June 2010.

Further the rules stipulate that:

“The ballot shall open on the 7th of July. The ballot shall close at 5pm on the 7th of August.”

f) Close of Rolls

In accordance with rule 29 A (c) (ii):

“The day on which the roll of voters for the ballot is closed shall be on the seventh day prior to the opening of nominations.”

Therefore the voter rolls should close on 25 May 2010.

g) Kind of voting system used

The voting system is a direct voting system and in accordance with rule 29 A (g), team nominations are permissible and in accordance with rule 29 A (k), the results of the ballots shall be determined on a first past the post basis.

***Note regarding the Queensland Branch**

In respect of the Queensland Branch the Union has come to the view that it has ceased to exist or function effectively and it proposes to make an Application to the Federal Court of Australia shortly pursuant to Section 323 of the Fair Work (Registered Organisations) Act 2009 seeking appropriate Orders.

****Note regarding Victoria No 1 Branch**

Please note that the Victoria No 1 Branch does not require an election as an election was ordered by the Federal Court and conducted in 2009. Please see Attachment 1 which is the Decision made by the Delegate of the General Manager of FWA ordering that this election be held. This election was concluded in 2009.

PART B – National Officer Elections

In accordance with subsection 189 (1) of the Fair Work Act, please find enclosed prescribed information for elections due to be held for the National Officers of the Health Services Union in 2010.

a) Name of each office or position for which an election is required

National Office

| | |
|-------------------------------------|---|
| National President | 1 |
| National Vice-President | 1 |
| National Secretary | 1 |
| Senior National Assistant Secretary | 1 |
| National Assistant Secretary | 1 |
| National Trustee | 2 |

b) Reason for election

The reason for this election is that;

- i) the term of office is due to expire in the normal course of events.

c) Determining numbers of multiple officers

n/a

d) Electorates

The electorate for this election is the National Officers and the Branch Delegates to National Council.

e) Open and Close of Nominations

In accordance with the organisations rule 29 B (d) (i);

“The opening date of nominations shall be the 15th day of August, the closing date of nominations shall be the 31st day of August.”

Therefore nominations should open on 15 August 2010 and close on 31 August 2010.

In accordance with Rule 29 B (a) (i) the ballot is to take place at the Annual Meeting of the National Council which is scheduled for 20 October 2010.

f) Close of Rolls

n/a

g) Kind of voting system used

The voting system is a collegiate voting system – first past the post (see Rules 29 B (a) and (h)).

ATTACHMENT 1

[2009] FWAD 94



**Fair Work
Australia**

DECISION

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

Health Services Union
(E2009/10032)

T. NASSIOS

MELBOURNE, 18 AUGUST 2009

Arrangement for conduct of election.

[1] On 13 August 2009 the National Secretary of the Health Services Union (HSU) lodged with Fair Work Australia a request for the arrangement of an election in the Victoria No.1 Branch of the HSU pursuant to an order of Justice Tracey of the Federal Court of Australia in VID 278 of 2009 on 4 August 2009. A copy of Justice Tracey's order is attached to this decision.

[2] Paragraph 2 of the Scheme that is attached to Justice Tracey's order required the National Executive of the HSU to request the General Manager of Fair Work Australia to arrange for the conduct of an election of 'all the offices in the Branch'. To the best of my knowledge, the offices of the Branch immediately before they were declared vacant in accordance with paragraph 1 of the Scheme attached to Justice Tracey's order were as follows:

Branch President

Branch Senior Vice-President

Branch Junior Vice-President

Branch Secretary

Branch Assistant Secretary

Branch Trustees (2)

Ordinary Members of the Branch Committee (8)

Additional Ordinary Member of the Branch Committee (1) appointed from the Committee of Management of the former Victoria No.5 Branch (pursuant to Rule 48B of the HSU Rules)

National Council Delegates (15)

Additional National Council Delegate (1) from the former Victoria No.5 Branch (pursuant to Rule 48B of the HSU Rules)

[3] The Victoria No.5 Branch ceased to exist on 1 February 2008 following a merger with the Victoria No.1 Branch in accordance with rules 48(a)(ii) and 48B of the HSU Rules. Rule 48B provides for a transitional period from 1 February 2008 to the completion of the Annual General Meeting of the Victoria No.1 Branch in 2010. On the merger date all of the offices in the Victoria

No.5 Branch were abolished but Rule 48B provides for the appointment, prior to the merger date, by the Branch Committee of the Victoria No.5 Branch of one of its members to be the holder of the office of an ordinary member of the Branch Committee of Management of the Victoria No.1 Branch from the merger date for the transitional period. Rule 48B further provides that, on and from the merger date, a person holding office on the day immediately preceding the merger date as National Council delegate of the Victoria No.5 Branch shall take and hold office as an additional National Council delegate of the Victoria No.1 Branch and shall hold office for the transitional period. In elections held in 2006 (in E2006/127) the Victoria No.5 Branch elected one delegate to National Council.

[4] In my view it is not practically possible for elections to be held for positions that are held by members of the former Victoria No.5 Branch. Since its merger with the Victoria No.1 Branch, there is no longer an electorate comprised of members of the Victoria No.5 Branch from which an election for a delegate to National Council could be held. In addition, it is not possible to reconstitute the former Branch Committee of Management of the Victoria No.5 Branch for the purpose of appointing a member of that former Committee to be the holder of the office of an ordinary member of the Branch Committee of Management of the Victoria No.1 Branch during the transitional period. For this reason I am not satisfied that an election can be conducted for the positions of:

Additional Ordinary Member of the Branch Committee (1) appointed from the Committee of Management of the former Victoria No.5 Branch

Additional National Council Delegate (1) from the former Victoria No.5 Branch

[5] I am satisfied that an election is required to be held in accordance with the order of Justice Tracey for the following offices:

Branch President

Branch Senior Vice-President

Branch Junior Vice-President

Branch Secretary

Branch Assistant Secretary

Branch Trustees (2)

Ordinary Members of the Branch Committee (8)

National Council Delegates (15)

[6] I am satisfied that an election for the offices in paragraph [5] of this decision is required 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

Printed by authority of the Commonwealth Government Printer

<Price code A. PR988545 >