



16 May 2019

Gerard Hayes
National President; NSW Branch Secretary
Health Services Union
Sent via email: gerard.hayes@hsu.asn.au

Dear Gerard Hayes,

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 in matter E2018/266. 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, as soon as practicable after receiving the post-election report, 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 Health Services Union 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.

Yours faithfully,

Christine Hibberd
Registered Organisations Commission

1 April 2019

Post-election report

Health Services Union
New South Wales Branch
Casual Vacancy election
E2018/266

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Election(s) Covered in this Report

Organisation: Health Services Union
New South Wales Branch
Election: Casual Vacancy
Election Decision No/s: E2018/266

Rules

Rules used for the election: [051V: alternations of
23/05/2018 (R2018/48)]

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website:

https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections

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: NIL

Other Matters

Returning Officer actions required (Section 193): Yes

Details below

Section 193 taken for below rules:

Rule 23(d)(ixx): This rule is procedurally defective because the AEC is not able to comply with the receipting process as it is not a part of Australia Post process of mail.

Signed



Returning Officer
Australian Electoral Commission
E: nswelections@aec.gov.au
P: 02 9375 6301
1 April 2019

Attachments

A. Declaration of Results for Uncontested Offices – NSW

Health Services Union

New South Wales Branch DECLARATION OF RESULTS - E2018/266 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:

NSW Branch

Ordinary Member of Branch Committee of Management (1)

Candidates

REILLY Laycombe

Branch Councillor (Health Managers Sub-Branch) (1)

Candidates

REILLY Laycombe

Branch Delegate to National Council (1)

Candidates

REILLY Laycombe

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



Chris Cox
Returning Officer
Telephone: 02 9375 6301
Email: nswelections@aec.gov.au
29/03/2019



AMENDING DECISION

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

Health Services Union

(E2018/266)

MR ENRIGHT

MELBOURNE, 21 DECEMBER 2018

Arrangement for conduct of election.

[1] The decision I issued on 20 December 2018 [[2018] ROCD 223] is amended as follows:

By deleting paragraph [1] and inserting in lieu:

On 27 November 2018 the Health Services Union lodged with the Registered Organisations Commission prescribed information for an election to fill casual vacancies in the following offices of its New South Wales Branch for the remainder of their term:

Ordinary Member of Branch Committee of Management	(1)
Branch Councillor	(1)
Branch Delegate to National Council	(1)

[2] An amending decision has been issued to make clear that the offices to be filled in this election specifically relate to the New South Wales Branch of the Health Services Union.



DELEGATE OF THE COMMISSIONER

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DECISION

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

Health Services Union
(E2018/266)

MR ENRIGHT

MELBOURNE, 20 DECEMBER 2018

Arrangement for conduct of election.

[1] On 27 November 2018 the Health Services Union lodged with the Registered Organisations Commission prescribed information for an election to fill a casual vacancies in the following offices for the remainder of the term:

Ordinary Member of Branch Committee of Management	(1)
Branch Councillor	(1)
Branch Delegate to National Council	(1)

[2] I am satisfied that an election for the above named 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.



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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, Lloyd Williams, being the National Secretary of the Health Services Union, make the following statement:

1. I am authorised to sign this statement containing prescribed information for Health Services Union, New South Wales Branch.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. The resignation letter is attached for each casual vacancy.
5. No rule alterations are pending that will impact the election.
6. This statement **IS NOT** lodged at least 2 months before nominations open for the election below. The reason it is lodged after the prescribed time is:
 - a. The vacancy is a casual vacancy and there is no fixed election date



Signed: Lloyd Williams
National Secretary

Dated: 27 November 2018

[PLEASE NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.]

ANNEXURE A

- Elections that are required [*insert as many pages as required*]:

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
New South Wales Branch	Ordinary Member of Branch Committee of Management	1	Direct Voting System	Casual Vacancy – resignation attached	Members of the New South Wales Branch
	Branch Councillor	1	Direct Voting System	Casual Vacancy – resignation attached	Members of the New South Wales Branch
	Branch Delegate to National Council	1	Direct Voting System	Casual Vacancy – resignation attached	Members of the New South Wales Branch

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	<i>To be determined by the returning officer (rule 23A)</i>	
Nominations CLOSE	<i>To be determined by the returning officer (rule 23A)</i>	
Roll of Voters cut-off date	<i>7 days prior to nominations opening (rule 23A)</i>	

Please note: that for insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as ‘to be determined by the returning officer’. Casual vacancies must be accompanied by proof of resignation and attached to this statement.