

31 March 2021

# Post-election report

**Independent Education Union of  
Australia**

Western Australia Branch

Scheduled election- Stage 2

E2019/113

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# Election(s) Covered in this Report

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Organisation: IEUA - Western Australia Branch  
Election: Scheduled – Stage 2  
Election Decision No/s: E2019/113

## Rules

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Rules used for the election: [130N: Incorporates alterations of 16 October 2020 [R2020/119] and [R2020/135]] (replaces rulebook dated 12 October [R2020/88])

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](https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections)

## Irregularities

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Details of written allegations of irregularities, and action taken by AEC: None

Other irregularities identified, and action taken: N/A

## Other Matters

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Returning Officer actions required (Section 193): Yes

Details:

- As the WA branch rules are silent in regards to the opening and closing of the nomination period, the Returning Officer applied subparagraph 193(1) (b)(ii) of the Fair Work (Registered Organisation) Act 2009 to fix an opening and closing time for the nomination. It is recommended that the Rules incorporate the AEC's Model Rules Guide (refer to paragraphs 6 and 6.1).
- As there is no rule pertaining to the withdrawal of the Nomination, the Returning Officer applied subparagraph 193(1) (b)(ii) of the Fair Work (Registered Organisation) Act 2009 to fix a closing time for the withdrawal of the nomination and the withdrawal period was aligned with the close of the nomination period. It is recommended that the Rules incorporate the AEC's Model Rules Guide (refer to paragraphs 23 and 23.1).
- Branch rules of the Organisation are silent about the ballot opening and closing date. The Returning Officer applied subparagraph 193(1) (b)(ii) of the Fair Work (Registered Organisation) Act 2009

to fix an opening and closing time for the ballot period. It is recommended that the Rules incorporate the AEC's Model Rules Guide (refer to paragraph 6.2).

- Rules are silent on remedying defective nominations. Subsection 143(1) (c) of the Fair Work (Registered Organisation) Act 2009 requires that at least 7 days defect period from the date of the notification is required. The Returning Officer applied subparagraph 193(1) (b)(ii) of the Fair Work (Registered Organisation) Act 2009 and allowed 7 days from the date of the notification to remedy the defect. It is recommended that the Rules incorporate the AEC's Model Rules Guide (refer to paragraph 9.1.1).

Model Rule reference (if any): Refer to AEC Model Rules Guide as indicated above.

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

[https://www.aec.gov.au/About\\_AEC/AEC\\_Services/Industrial\\_Elections](https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections)

## Signed

Ishtiaq Ahmed  
Returning Officer  
Australian Electoral Commission  
E: IEEvents@aec.gov.au  
P: 02 9375 6331  
31 March 2021

## Attachments

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### A. Declaration of Results for Uncontested Offices – WA

**Independent Education Union of Australia**  
**Western Australian Branch**  
**DECLARATION OF RESULTS - E2019/113 - Stage 2**  
**Uncontested Offices**

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**Scheduled 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:

**Alternative Delegate to Federal Executive (1)**

Candidates

MARTIN Bruce

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

Ishtiaq Ahmed  
Returning Officer  
Telephone: 02 9375 6331  
Email: IEEvents@aec.gov.au  
04/03/2021





12 November 2019

Angela Briant  
Branch Secretary  
Independent Education Union of Australia-Western Australian Branch  
Sent via email: ABriant@ieuwa.asn.au

Dear Angela Briant,

### **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 contested and uncontested offices in matter E2019/113. 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 Independent Education Union of Australia-Western Australian Branch 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,

**Astrid Glenister**  
**Registered Organisations Commission**

23 October 2019

# Post-election report

**Independent Education Union of  
Australia**

WA Branch

Scheduled election

E2019/113



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# Election(s) Covered in this Report

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Organisation: WA Branch  
Election: Scheduled  
Election Decision No/s: E2019/113

## Rules

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Rules used for the election: [130N: Incorporates alterations of 14 May 2018] [R2018/45]  
(replaces rulebook dated 12 April 2018 [R2017/253 and R2017/293])

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](https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections)

## Roll of Voters

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Total number of voters on the Roll: 4,442

Number of apparent workplace addresses:

Number of non-current addresses: 66

Other matters pertaining to the roll of voters:

## Irregularities

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Details of written allegations of irregularities, and action taken by AEC:

The original notice and advertisement omitted the three 'Branch Delegate to Federal Council' positions listed in the PI. The AEC liaised with the IEU and advertised the three positions separately with a later nominations close date. This still allowed a ballot to be completed within the original agreed, advertised timetable.

Other irregularities identified, and action taken:

## Other Matters

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Returning Officer actions required (Section 193): Yes

Details: The matters in which I have exercised the authority given to me by s.193 of the Act are:

Rule 17 (q) states the Returning Officer "...shall collect the returned ballot papers from the post office box and deposit them in a ballot box kept at the post office until the commencement of the count of the ballot.

The Returning Officer is unable to comply with this rule because mail is delivered daily to the AEC office.

## Signed

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Liz Houlton  
Returning Officer  
Australian Electoral Commission  
E: waelections@aec.gov.au  
P: 08 6363 8011  
23 October 2019

## Attachments

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A. Declaration of results for Uncontested Offices – WA

B. Declaration of Results for Contested Offices – WA

# Independent Education Union of Australia

## WA Branch

### DECLARATION OF RESULTS - E2019/113

#### Uncontested Offices

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##### Scheduled 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:

##### WA Branch

###### Branch Secretary (1)

Candidates

BRIANT Angela

###### President (1)

Candidates

MARTIN Bruce

###### Vice President (1)

Candidates

REEVES Lucy

###### Ordinary Executive Members (8)

Candidates

BRAHIM Maxine

ENGLISH Matthew

KEOGH Helen

MCDERMOTT Gwendolyn

MILNE Andrew

MURRAY Delerine

SCRIVENER Patricia

THOMAS Robert

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

*Liz Howter.*



**Independent Education Union of Australia**  
**WA Branch**  
**DECLARATION OF RESULTS - E2019/113**  
**Contested Offices**

**Scheduled 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:

**WA Branch**

<b>VOTING MATERIAL ISSUED</b>	
Total number of people on the roll of voters (a)	4,442
Number of voters issued with voting material	4,442
Total number of voters issued with replacement voting material	1
<b>Total number of voting material packs issued</b>	<b>4,443</b>
<b>VOTING MATERIAL RETURNED</b>	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	485
Number of declaration envelopes rejected at preliminary scrutiny (minus)	10
Number of ballot papers returned outside declaration envelopes (minus)	475
<b>COUNT</b>	
Total ballot papers admitted to the count	475
<b>LATE OR UNRETURNED VOTING MATERIAL</b>	
Voting material returned as unclaimed mail by closing date of ballot	66
Voting material packs not returned by voters by closing date of the ballot	3892
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	11 %

**Branch Delegate to Federal Council (3)**

<u>Candidates</u>	<u>Final Votes</u>
BRIANT, Angela	
REEVES, Lucy	
WALKER, Tony	140
MARTIN, Bruce	195
THOMAS, Robert	125
<b>Total ballot papers admitted for this office</b>	<b>468</b>
Formal Ballot papers	460
Informal Ballot papers	8

I declare the following elected:

- BRIANT, Angela
- REEVES, Lucy
- MARTIN, Bruce

*Liz Houlton.*

Liz Houlton  
Returning Officer  
Telephone: 08 6363 8011  
Email: waelections@aec.gov.au





## DECISION

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

### **Independent Education Union of Australia** (E2019/113)

MR ENRIGHT

MELBOURNE, 27 JUNE 2019

*Arrangement for conduct of election.*

[1] On 14 June 2019 the Independent Education Union of Australia-Western Australian Branch lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Branch Secretary	(1)
President	(1)
Vice President	(1)
Ordinary Executive Members	(8)
Branch Delegate to Federal Council	(3)
Alternative Delegate to Federal Executive	(1)

[2] 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 COMMISSIONER

Printed by authority of the Commonwealth Government Printer

PR351409

**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, Angela Briant, being the Branch Secretary of the Independent Education Union of Australia WA Branch make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Independent Education Union of Australia WA 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. No rule alterations are pending that will impact the election.
5. This statement **IS** lodged at least 2 months before nominations open for the election(s) in Annexure A.

Signed: 

Dated: 14 June 2019



**Annexure A**

- Elections that are required

<b>Branch</b>	<b>Name of Office</b>	<b>Number required</b>	<b>Voting System</b> <i>Direct voting system; Collegiate electoral system</i>	<b>Reason for Election</b> <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	<b>Electorate</b>
WA Branch	Branch Secretary	1	Direct Voting System	Scheduled	All financial members of WA Branch [Rule 17(a)]
WA Branch	President	1	Direct Voting System	Scheduled	All financial members of WA Branch [Rule 17(a)]
WA Branch	Vice President	1	Direct Voting System	Scheduled	All financial members of WA Branch [Rule 17(a)]
WA Branch	Ordinary Executive Members	8	Direct Voting System	Scheduled	All financial members of WA Branch [Rule 17(a)]
WA Branch	Branch Delegate to Federal Council	3	Direct Voting System	Scheduled	All financial members of WA Branch [Rule 17(a)]
WA Branch	Alternative Delegate to Federal Executive	1	Collegiate Electoral system	scheduled	Branch executive [Rule 12 (f)]

- Important dates:

	<b>Direct Voting System</b>
<b>Nominations OPEN</b>	21 <sup>st</sup> August 2019 (rule 17 (a) (h))
<b>Nominations CLOSE</b>	11 <sup>th</sup> September 2019 (rule 17 (h) )
<b>Roll of Voters cut-off date</b>	13 <sup>th</sup> August 2019 (rule 17 (o)(q) )