



11 October 2016

Mr Chris Watt
Federal Secretary
Independent Education Union of Australia
ieu@ieu.org.au

Cc: Secretary Independent Education Union of Australia
Queensland and Northern Territory Branch
tburke@qieu.asn.au

Dear Mr Watt

Organisation must respond to the post-election report of the Australian Electoral Commission: E2016/143

On 10 October 2016 the Fair Work Commission (the Commission) received a post-election report from the Australian Electoral Commission (AEC) for election E2016/143 and E2016/144 dated 10 October 2016. The AEC will have also provided the report to the organisation under section 197 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The report identifies rules that were difficult to interpret or apply, in particular rule(s) 17(g) & Branch rule 10.7. This letter serves as a reminder of the obligations imposed on the organisation or branch as a consequence of the AEC's report. If a response has already been sent to the AEC and made available to all members please disregard this letter.

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 regs 141(4) and (5)).

A written response must be provided to the AEC

A written response must be provided to the AEC within 30 days of receipt of the report. The organisation's response must include whether the organisation or branch intends to take action and if so what action the organisation or branch intends to take (s198(2)).

Extract of report must be made available to members

The organisation or branch must make the section of the report relating to the difficult rules available to its members (s198(3)). This extract from the report must be made available to the members before or at the same time as the organisation's response is made available to members.

Written response must be made available to members

A copy of the organisation's response to the AEC must be made available to members either:

- within 30 days after the response is given to the AEC, or
- published in the next edition of the organisation or branch journal (s198(5))

Subsection 198(6) and regulation 142 prescribe ways in which the relevant extract and the copy of the response can be made available to members. These do not limit the ways in which they can be made available to members. The organisation will comply if it does all of the following:-

- publish the report extract and the copy of the response in the next edition of the organisation or branch's journal; and
- within 30 days of giving the response to the AEC:
 - lodges with the Commission a copy of the relevant extract and response, together with a declaration that a copy will be provided to any member who so requests; and
 - give notice in the next edition of the organisation or branch's journal, or an appropriate newspaper, that a copy of the relevant extract and response are available on request to each member free of charge; and
- publish the relevant extract on the website within 14 days after receiving the report, and publish the response on the website within 14 days of giving the response to the AEC (reg 142(2)).

Penalties may apply

If the organisation or branch does not:

- respond to the AEC within 30 days,
- make the extract of the report relating to the rules available to members no later than the organisation's response is made available to members, or
- make the organisation's response available to members within 30 days or in the next edition of the journal,

the organisation may face penalties under the RO Act. Each requirement listed above is a civil penalty provision that may result in fines for the organisation

As noted above, if the response and report have already been made available to members and the AEC, please disregard this letter. If you have any questions in relation to these obligations please contact the Commission for assistance by email to orgs@fwc.gov.au.

If the organisation or branch decides to alter its rules in response to the AEC's report

If the organisation or branch decides to alter its rules in response to the AEC's report, the Regulatory Compliance Branch of the Commission is able to provide advice and assistance regarding draft alterations, as well as about the processes required to make the alterations. We encourage the organisation or branch to forward drafts of proposed alterations to orgs@fwc.gov.au

Yours sincerely

Marianne Kay

Regulatory Compliance Branch



11 October 2016

Mr Chris Watt
Federal Secretary
Independent Education Union of Australia
ieu@ieu.org.au

cc: Secretary Independent Education Union of Australia
Queensland and Northern Territory Branch
tburke@qieu.asn.au

Dear Mr Watt,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election for stage 2 uncontested positions [E2016/143] and [E2016/144] for Queensland and Northern Territory Branch. 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 154D(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act) requires the rules of organisations (and branches of organisations) to require 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 should be provided for in your organisation's rules.

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-Queensland and Northern Territory 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.

11 Exhibition Street
Melbourne VIC 3000
GPO Box 1994
Melbourne VIC 3001

Telephone: (03) 8656 4753
Email : orgs@fwc.gov.au
Internet : www.fwc.gov.au

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. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't 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

Marianne Kay
Regulatory Compliance Branch



Fair Work (Registered Organisations) Act 2009
POST ELECTION REPORT

Client: Independent Education Union of Australia
Qld/NT Branch

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2016/143 & 2016/144

RULES

Rules used for elections Rule ID: 130N: Incorporates alterations of 23/05/2016 [R2016/76] (replaces rulebook dated 11/12/2015 [R2015/215])

Rules difficult to apply/interpret: Rule 17(g) & Branch rule 10.7 requires that a candidate forward their nomination by registered post to the Branch Returning Officer or handed in personally at the Registered Office of the Union. It requires staff of the organisation to play an active role in the conduct of the election and creates difficulties in managing the nomination process while also maintaining confidentiality. Union staff may be exposed to potential conflict-of-interest allegations. It may also impact upon the perceived impartiality of the Returning Officer in not conducting the election at arms-length from the organisation. It's recommended that the rules be amended to enable members to lodge their nomination directly with the AEC's Returning Officer at his/her registered address and by a means which is acceptable to the Returning Officer.

Model Rule reference (if any):

ROLL OF VOTERS

Total number of voters on the roll N/A

Number of apparent workplace addresses

Number of non-current addresses

Other Matters Nil

ALLEGATIONS OF IRREGULARITIES RECEIVED

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

Other irregularities identified, and action taken: None

ATTACHMENTS

Uncontested Declaration E2016-143-144 Stage 1

Uncontested Declaration E2016-144 Stage 2

A handwritten signature in black ink, appearing to read 'Lee Jones', with a large, stylized loop at the end.

Lee Jones
Returning Officer
10 October 2016

Independent Education Union of Australia

Queensland and Northern Territory Branch

Declaration of Results for Uncontested Offices

E2016/143 & E2016/144

Below are 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.

Queensland Division

Delegate to Federal Council from Queensland Division (9)

Candidates

BURKE, Terence P
CONNELLAN, Aleisha
COOPER, Christine Louise
ELPHINSTONE, Andrew
GILES, Paul Noel
HAYES, Bradley
SISSON, Rebecca Gayle
SPRIGGS, John
No further nomination was accepted

Branch Executive Member from Queensland Division (29)

Candidates

BURKE, Terence P
BYRNES, Lynette
CHAPMAN, Christopher Leon
COLWELL, Janine
CONNELLAN, Aleisha
COOPER, Anthony
DAY, Beverley Anne
DEWAARD, Peter A
ELPHINSTONE, Andrew
FINLAY, Jennifer Marlene
GILES, Paul Noel
GOLDBURG, Bryce Thomas
GRANT, Col
HALLAM, Anthony Gerard
HAWKINS, Erin
HAYES, Brad
HUGHES, Ian
KADDATZ, Neridah Ruth
KENNEDY, John
LOVE, Cameron
MARTIN, Lea Margaret
MUHLING, Mick
PROUTEN, Jessica Nancye
ROTH, Melissa
SISSON, Rebecca Gayle
STREET, Andrew John
YOUNG, Karyl
No further nominations were accepted

NT Division

Delegate to Federal Council from the Northern Territory Division

Candidates

SCHULTZ, Erica

Branch Executive Member from Northern Territory Division (5)

Candidates

LENZO, Louise

SCHULTZ, Erica

TYPUSZAK, Samuel R.

No further nominations were accepted

Darwin Urban Sub-Division

NT Division Advisory Committee Member (2)

Candidates

No nominations were received

Top End Rural Sub-Division

NT Division Advisory Committee Member

Candidates

No nomination was received

Southern Region - Alice Springs Sub-Division

NT Division Advisory Committee Member

Candidates

No nomination was received

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 August 2016

KAY, Marianne

From: Lee Jones <Lee.Jones@aec.gov.au>
Sent: Monday, 10 October 2016 3:47 PM
To: Tessa McKenzie
Cc: Orgs; Industrial Elections
Subject: Elections E2016/143 & 2016/144 Post Election Report [SEC=UNCLASSIFIED]
Attachments: Uncontested Declaration E2016-144 Stage 2.pdf; Uncontested Declaration E2016-143-144 Stage 1.pdf; Post Election Report IEUA Qld-NT Br E2016-143 & 144.pdf; 2016 IEUA Qld-NT E2016-144 - Stage 2 cover to Declaration.pdf

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Please find attached correspondence including uncontested declaration for Stage 2 of the above election. The election is now completed.

Note regarding the attached Post Election Report.

Section 197(1) of the Fair Work (Registered Organisations) Act 2009 (“the Act”) requires the AEC to provide a written report on the conduct of the election to Fair Work Australia and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

Section 198 of the Act requires that if an organisation or branch is given a post election report under Section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached Report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to ‘industrial.elections@aec.gov.au’ within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the post election report and the organisation’s response to the report (if applicable) available to members.

Further, Regulation 141(4) of the Fair Work (Registered Organisations) Regulations requires an organisation or branch to publish a notice on its web site advising members that a copy of the post election report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.

Regards.

Lee Jones | Project Officer

Industrial & Commercial Elections | NSW State Office
Australian Electoral Commission
T: (02) 9375 6395 | M: 0427 422 829 | F: (02) 6215 9910



Make sure you're **enrolled to vote.**
Visit www.aec.gov.au

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24 August 2016

Mr Terence Burke
Secretary
Queensland and Northern Territory Branch
Independent Education Union of Australia
tburke@qieu.asn.au



Dear Mr Burke,

CC: Chris Watt Federal Secretary IEUA, ieu@ieu.org.au

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election [E2016/143 and E2016/144] for the Queensland and Northern Territory Branch. 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 154D(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act) requires the rules of organisations (and branches of organisations) to require 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 should be provided for in your organisation's rules.

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-Queensland and Northern Territory 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. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't 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

Catherine Bebbington
Regulatory Compliance Branch

NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return) required to be kept in accordance with section 230 *Fair Work (Registered Organisations) Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009*

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

[delete all that do not apply]

- On [DATE] the address of the organisation changed to [STREET ADDRESS].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 1. [include OLD name and address and NEW name and address of every branch that has changed]
 2. ...
- A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.
- On [DATE] the following branch[es]:³
 - COMMENCED/CEASED operation:
 1. [include name of each new branch]
 2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within **35 days** of the change. It can be submitted to.]*

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							



Reference: N16/226

Mr Terence Burke
Secretary
Queensland and Northern Territory Branch
Independent Education Union of Australia

Attention: Tessa McKenzie
Via email: tmckenzie@qieu.asn.au

Dear Mr Burke

**Independent Education Union of Australia
Queensland and Northern Territory Branch
Scheduled Elections – E2016/143 and E2016/144**

I refer to my letter of 10 August 2016.

I have accepted all nominations which were received by me and attached is my declaration of the results. The direct election is now completed.

The collegiate election for Branch Committee of Management will be conducted by post. I propose the following timetable:

14 September 2016	nominations open
30 September 2016	nominations close at 10am
18 October 2016	ballot opens
8 November 2016	ballot closes at 10am

Can you please advise me whether the above timetable is acceptable to the Branch?

I intend to email the election notice and nomination form to eligible members of the Branch Executive on 14 September 2016. To enable me to do this please provide me with a list of the names, email and postal address for each member of Branch Executive of the Queensland and Northern Territory Branch; by 6 September 2016.

I will shortly forward the election notice and nomination form to the Branch, for use by members.

If you have any queries or concerns regarding the above please contact me on 02 9375 6395.

Yours sincerely

Lee Jones
Returning Officer

24 August 2016

Independent Education Union of Australia

Queensland and Northern Territory Branch

Declaration of Results for Uncontested Offices

E2016/143 & E2016/144

Below are 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.

Queensland Division

Delegate to Federal Council from Queensland Division (9)

Candidates

BURKE, Terence P
CONNELLAN, Aleisha
COOPER, Christine Louise
ELPHINSTONE, Andrew
GILES, Paul Noel
HAYES, Bradley
SISSON, Rebecca Gayle
SPRIGGS, John
No further nomination was accepted

Branch Executive Member from Queensland Division (29)

Candidates

BURKE, Terence P
BYRNES, Lynette
CHAPMAN, Christopher Leon
COLWELL, Janine
CONNELLAN, Aleisha
COOPER, Anthony
DAY, Beverley Anne
DEWAARD, Peter A
ELPHINSTONE, Andrew
FINLAY, Jennifer Marlene
GILES, Paul Noel
GOLDBURG, Bryce Thomas
GRANT, Col
HALLAM, Anthony Gerard
HAWKINS, Erin
HAYES, Brad
HUGHES, Ian
KADDATZ, Neridah Ruth
KENNEDY, John
LOVE, Cameron
MARTIN, Lea Margaret
MUHLING, Mick
PROUTEN, Jessica Nancye
ROTH, Melissa
SISSON, Rebecca Gayle
STREET, Andrew John
YOUNG, Karyl
No further nominations were accepted

NT Division

Delegate to Federal Council from the Northern Territory Division

Candidates

SCHULTZ, Erica

Branch Executive Member from Northern Territory Division (5)

Candidates

LENZO, Louise

SCHULTZ, Erica

TYPUSZAK, Samuel R.

No further nominations were accepted

Darwin Urban Sub-Division

NT Division Advisory Committee Member (2)

Candidates

No nominations were received

Top End Rural Sub-Division

NT Division Advisory Committee Member

Candidates

No nomination was received

Southern Region - Alice Springs Sub-Division

NT Division Advisory Committee Member

Candidates

No nomination was received

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 August 2016



DECISION

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

Independent Education Union of Australia (E2016/143)

MR ENRIGHT

MELBOURNE, 3 JUNE 2016

Arrangement for conduct of election.

[1] On 10 May 2016, the Queensland and Northern Territory Branch of the Independent Education Union of Australia lodged with the Fair Work Commission prescribed information in relation to an election.

[2] On 31 May 2016, the Queensland and Northern Territory Branch of the Independent Education Union of Australia lodged with the Fair Work Commission amended prescribed information in relation to an election for the following offices:

Delegate to Federal Council from the Queensland Division	(9)
Delegate to Federal Council from the Northern Territory Division	(1)

[3] 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

Printed by authority of the Commonwealth Government Printer

<Price code A, PR580599>

Tuesday, 31 May 2016

Mr David Vale
Principal Advisor
Regulatory Compliance Branch, NSW
Fair Work Commission
Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

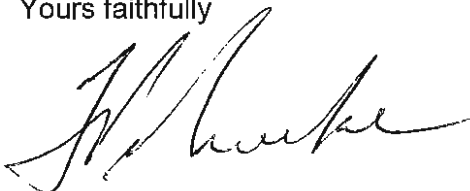
Also via email: David.VALE@fwc.gov.au

Dear Mr Vale

Re: Response to arrangements for conduct of an election (E2016/143)

I draw attention to recent correspondence received regarding the above matter. As requested in your correspondence, please find attached a resubmitted application request for conduct of election, which now requests ten (10) IEUA-QNT Federal Council Delegates.

Yours faithfully



**TERENCE BURKE
SECRETARY**

Tuesday, 31 May 2016

Mr David Vale
Principal Advisor
Regulatory Compliance Branch, NSW
Fair Work Commission
Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

Also via email: David.VALE@fwc.gov.au

Dear Mr Vale

**Re: Request for Conduct of Election
Branch Delegates to Independent Education Union of Australia (IEUA) Federal
Council**

In accordance with Chapter 7 Part 2 of the Fair Work (Registered Organisations) Act 2009, I provide the following prescribed information in accordance with the requirements of subsection 189(1).

Re Fair Work (Registered Organisations) Regulations 2009 – subsection 138(1)(a) and (c)

That in accordance with Rule 8 of the Federal Rules of the IEUA and Rule 13 of the Rules of the Independent Education Union of Australia Queensland and Northern Territory Branch (IEUA-QNT) an election is required for:

Queensland Division Federal Council Delegates – Nine (9)
Northern Territory Division Federal Council Delegate – One (1)

I would advise that the IEUA-QNT membership at 31 December 2015 was 17,565 and that, in accordance with Rule 8(c) of the Federal Rules of the IEUA, the IEUA-QNT Branch is therefore entitled to ten (10) delegates to Federal Council.

Rule 13 of the Rules of the IEUA-QNT Branch provides that members of the Northern Territory Division elect one (1) delegate to Federal Council and that the balance of delegates be elected by members of the Queensland Division.

Re Fair Work (Registered Organisations) Regulations 2009 – subsection 138(1)(b)(i)

This election is made necessary in that the current term of office of the incumbents expires on 1 December 2016.

Re Fair Work (Registered Organisations) Regulations 2009 – subsection 138(1)(d)

That in accordance with Rule 13.1 of the IEUA-QNT Branch Rules, members of the Northern Territory Division shall elect one (1) delegate to Federal Council.

That in accordance with Rule 13.2 of the IEUA-QNT Branch Rules, members of the Queensland Division shall elect the balance of the delegates (nine (9)) to Federal Council.

Re Fair Work (Registered Organisations) Regulations 2009 subsection 138(1)(e)

Rule 17 of the Federal Rules of the IEUA is relevant and Rules 17(e), (h), (p) and (r) determine timeframes.

It is a requirement under Federal Rule 17(h) that the election shall conclude no later than 31 October 2016.

In setting dates for the election process I would advise that the Union journal goes to print on 7 June 2016; however we can communicate directly with all members and do not rely only on printed publications.

I would propose the following dates:

Nominations Open	Tuesday, 12 July 2016 (9:00 am)
Nominations Close	Friday, 5 August 2016 (4:00 pm)
Ballot Opens	Monday, 29 August 2016 (9:00 am)
Ballot Closes	Tuesday, 20 September 2016 (noon)

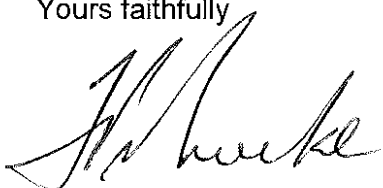
Re Fair Work (Registered Organisations) Regulations 2009 – subsection 138(1)(f)

That in accordance with Rule 17(q) of the Federal Rules of the IEUA, the books of the Branch shall be deemed to have closed as at seven (7) clear days before the opening date of the nominations.

Re Fair Work (Registered Organisations) Regulations 2009 – subsection 138(1)(g)

Federal Rule 17(v) provides for a preferential voting system.

Yours faithfully



**TERENCE BURKE
SECRETARY**

STATEMENT OF FACT

1. I, Terence Patrick Burke, Secretary, being an officer of the Independent Education Union of Australia Queensland and Northern Territory Branch, make the following statement of fact.
2. I am an officer of the organisation authorised to make this statement.
3. The information lodged with this statement is in accordance with subsection 189(1) of Chapter 7 Part 2 of the Fair Work (Registered Organisations) Act 2009.



TERENCE BURKE
SECRETARY
INDEPENDENT EDUCATION UNION OF AUSTRALIA
QUEENSLAND AND NORTHERN TERRITORY BRANCH

31 MAY 2016



FAIR WORK
COMMISSION

31 May 2016

Mr Terence Burke
Secretary
Queensland and Northern Territory Branch
Independent Education Union of Australia
PO BOX 418
FORTITUDE VALLEY QLD 4006

Also by email: enquiries@gieu.asn.au & tmckenzie@gieu.asn.au

Dear Mr Burke

Arrangements for conduct of an election (E2016/143)

I refer to the prescribed information (PI) dated 10 May 2016 which was lodged with the Fair Work Commission on 10 May 2016 concerning an election for delegates to the Federal Council from the Queensland and Northern Territory Branch (QLD/NT Branch) of the Independent Education Union of Australia (IEUA).

The PI includes a request for an election for nine (9) QLD/NT Branch Delegates to the Federal Council of the IEUA and advises that the QLD/NT Branch membership as at 31 December 2015 was 17,565.

Rule 8(c) and (d) of the IEUA rulebook provides information regarding the composition of the Federal Council according to the number of members of each Branch as at 31 December of the year preceding the year in which the election is held. Based on rule 8(c), membership of "*Between 15001 and 17000 members*" entitles a Branch to nine (9) delegates and "*one extra delegate for each 2000 members or part thereof*". Accordingly, it appears that the QLD/NT Branch is entitled to elect ten (10) Delegates to the Federal Council, rather than nine (9). Unless you have a different interpretation of this rule I request that you provide amended prescribed information that provides for ten (10) QLD/NT Branch delegates to the Federal Council.

Once the amended prescribed information is lodged the Commission will be able to organise for the conduct of the election to be arranged by the Australian Electoral Commission.

Please do not hesitate to contact me on (02) 9308 1970 if you have any questions relating to this correspondence.

Yours sincerely

David Vale
Principal Adviser,
Regulatory Compliance Branch, NSW
Fair Work Commission

Tuesday, 10 May 2016

The Manager
Organisations, Research and Advice Branch
Fair Work Commission
GPO Box 1994
MELBOURNE VIC 3001

Dear Branch Manager

By Email: orgs@fwc.gov.au

**Re: Request for Conduct of Election
Branch Delegates to Independent Education Union of Australia (IEUA) Federal
Council**

In accordance with Chapter 7 Part 2 of the Fair Work (Registered Organisations) Act 2009, I provide the following prescribed information in accordance with the requirements of subsection 189(1).

Re Fair Work (Registered Organisations) Regulations 2009 – subsection 138(1)(a) and (c)

That in accordance with Rule 8 of the Federal Rules of the IEUA and Rule 13 of the Rules of the Independent Education Union of Australia Queensland and Northern Territory Branch (IEUA-QNT) an election is required for:

Queensland Division Federal Council Delegates – Eight (8)
Northern Territory Division Federal Council Delegate – One (1)

I would advise that the IEUA-QNT membership at 31 December 2015 was 17,565 and that, in accordance with Rule 8(c) of the Federal Rules of the IEUA, the IEUA-QNT Branch is therefore entitled to nine (9) delegates to Federal Council.

Rule 13 of the Rules of the IEUA-QNT Branch provides that members of the Northern Territory Division elect one (1) delegate to Federal Council and that the balance of delegates be elected by members of the Queensland Division.

Re Fair Work (Registered Organisations) Regulations 2009 – subsection 138(1)(b)(i)

This election is made necessary in that the current term of office of the incumbents expires on 1 December 2016.

Re Fair Work (Registered Organisations) Regulations 2009 – subsection 138(1)(d)

That in accordance with Rule 13.1 of the IEUA-QNT Branch Rules, members of the Northern Territory Division shall elect one (1) delegate to Federal Council.

That in accordance with Rule 13.2 of the IEUA-QNT Branch Rules, members of the Queensland Division shall elect the balance of the delegates (eight (8)) to Federal Council.

Re Fair Work (Registered Organisations) Regulations 2009 subsection 138(1)(e)

Rule 17 of the Federal Rules of the IEUA is relevant and Rules 17(e), (h), (p) and (r) determine timeframes.

It is a requirement under Federal Rule 17(h) that the election shall conclude no later than 31 October 2016.

In setting dates for the election process I would advise that the Union journal goes to print on 9 June 2016; however we can communicate directly with all members and do not rely only on printed publications.

I would propose the following dates:

Nominations Open	Tuesday, 12 July 2016 (9:00 am)
Nominations Close	Friday, 5 August 2016 (4:00 pm)
Ballot Opens	Monday, 29 August 2016 (9:00 am)
Ballot Closes	Tuesday, 20 September 2016 (noon)

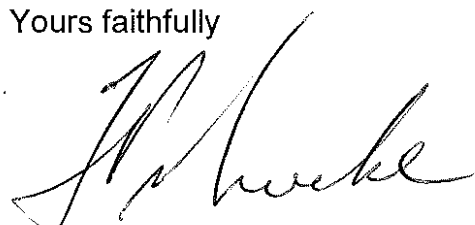
Re Fair Work (Registered Organisations) Regulations 2009 – subsection 138(1)(f)

That in accordance with Rule 17(q) of the Federal Rules of the IEUA, the books of the Branch shall be deemed to have closed as at seven (7) clear days before the opening date of the nominations.

Re Fair Work (Registered Organisations) Regulations 2009 – subsection 138(1)(g)

Federal Rule 17(v) provides for a preferential voting system.

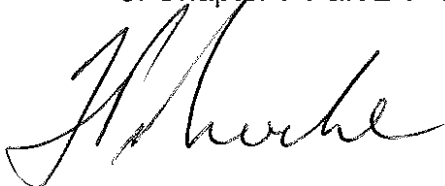
Yours faithfully



**TERENCE BURKE
SECRETARY**

STATEMENT OF FACT

1. I, Terence Patrick Burke, Secretary, being an officer of the Independent Education Union of Australia Queensland and Northern Territory Branch, make the following statement of fact.
2. I am an officer of the organisation authorised to make this statement.
3. The information lodged with this statement is in accordance with subsection 189(1) of Chapter 7 Part 2 of the Fair Work (Registered Organisations) Act 2009.



TERENCE BURKE
SECRETARY
INDEPENDENT EDUCATION UNION OF AUSTRALIA
QUEENSLAND AND NORTHERN TERRITORY BRANCH

10 MAY 2016