

30 June 2021

Post-election report

**Independent Education Union of Australia –
Queensland and Northern Territory Branch
Scheduled election
E2020/82**

Contents

Election(s) Covered in this Report	3
Rules	3
Roll of Voters	Error! Bookmark not defined.
Irregularities	Error! Bookmark not defined.
Other Matters.....	3
Signed	4
Attachments.....	4
A. Declaration of results for Uncontested Offices – Stage 1.....	4
B. Declaration of results for Uncontested Offices – Stage 2.....	4

Election(s) Covered in this Report

Organisation: Independent Education Union of Australia - Queensland and Northern Territory Branch

Election: Scheduled

Election Decision No/s: E2020/82

Rules

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: Nil

Model Rule reference (if any): N/A

Other Matters

Returning Officer actions required (Section 193): Yes

Details:

Stage-1

- As there was 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.
- Branch rule 10.18 states that the ballot period to remain open for 22 days. Due to current delivery time taken by the Australia Post, the ballot period was not sufficient. The Returning Officer applied subparagraph 193(1) (b)(ii) of the *Act* to extend the period and allowed 28 days instead of 22 days.
- Rule 10.20 is difficult to apply as it states that the ballot box will be opened by the Returning Officer in the presence of Scrutineers. In case of any ballot, the Returning Officer will open the ballot box for counting at the allotted time as soon as the ballot closes.

Model Rule reference (if any): Part 2 - 17.1

For more details see the Model Rules on the AEC website: www.aec.gov.au/ieb/

Stage- 2

- As there was 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.
- Rules were silent about the ballot period. The Returning Officer applied subparagraph 193(1) (b)(ii) of the *Act* and the ballot period was opened for 28 days.
- According to the rules of the Organisation, the nomination period for the Branch Committee of Management Member was to be fixed within 4 weeks of the declaration of the members of the Branch Executives. As the election schedule was affected due to the Covid-19 issue, the Returning Officer applied subparagraph 193(1) (b)(ii) of the *Act* and the nomination period was closed within seven weeks of the declaration of the members of the Branch Executives.

Signed



Ishtiaq Ahmed
Returning Officer
Australian Electoral Commission
E: IEBevents@aec.gov.au
P: 02 9375 6331
30 June 2021

Attachments

- A. Declaration of results for Uncontested Offices -Stage 1
- B. Declaration of Results for Uncontested Offices – Stage 2

Independent Education Union of Australia Queensland and Northern Territory Branch

DECLARATION OF RESULTS - E2020/82 - Stage 2 Uncontested 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:

Branch Executive

President (1)

Candidates

CONNELLAN Aleisha

Junior Vice President (1)

Candidates

KAPERINICK Nicole

Secretary (1)

Candidates

BURKE Terry

Assistant Secretary/Treasurer (1)

Candidates

GILES Paul

Assistant Secretary (2)

Candidates

HAYES Brad

SISSON Rebecca

Committee Member (3)

Candidates

HUGHES Ian

LENZO Louise

LOVE Cameron

Alternate Delegate of the Branch Executive to Federal Executive (1)

Candidates

GILES Paul

Senior Vice President (Northern Territory Division) (1)

Candidates

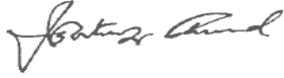
SCHULTZ Erica

Senior Vice President (Queensland Division) (1)

Candidates

GOLDBURG Bryce

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
08/06/2021



Independent Education Union of Australia Queensland and Northern Territory Branch

DECLARATION OF RESULTS - E2020/82 - Stage 1 Uncontested 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:

Northern Territory Division

Branch Executive Members (Northern Territory Division) (5)

Candidates

CURNOW Kieran

LENZO Louise

SCHULTZ Erica

Darwin Urban - Northern Territory Division Advisory Committee Member (2)

Candidates

No Nominations Received

Top End Rural - Northern Territory Division Advisory Committee Member (1)

Candidates

No Nominations Received

Southern Region - Alice Springs- Northern Territory Division Advisory Committee Member (1)

Candidates

No Nominations Received

Branch Executive Members (Queensland Division)

General Member (14)

Candidates

BURKE Terry

CONNELLAN Aleisha

ELPHINSTONE Andrew

GILES Paul

GOODINGHAM Melissa

GREGORY Annette

HAYES Brad

HUGHES Ian
KAPERINICK Nicole
KENNEDY John
PICKERING Anna
SISSON Rebecca

Bayside Area Council Representative (1)

Candidates
LOCH Andrew

Central Queensland Area Council Representative (1)

Candidates
YOUNG Karyl

Darling Downs Area Council Representative (1)

Candidates
LOVE Cameron

Far North Queensland Area Council Representative (1)

Candidates
CHAPMAN Chris

Gold Coast Area Council Representative (1)

Candidates
GOLDBURG Bryce

Logan Area Council Representative (1)

Candidates
PATTEN Alex

Mackay Area Council Representative (1)

Candidates
RUSSELL-PACE Anne-Marie

Metropolitan Area Council Representative (1)

Candidates
ROTH Melissa

Moreton Area Council Representative (1)

Candidates
BYRNES Lyn

North Metropolitan Area Council Representative (1)

Candidates
BROWN John

North Queensland Area Council Representative (1)

Candidates
HAWKINS Erin

Sunshine Coast Area Council Representative (1)

Candidates
HALLAM Tony

Wide Bay Area Council Representative (1)

Candidates
SEALEY Mark

Early Childhood Area Council Representative (1)

Candidates
FINLAY Jenny

Principals Area Council Representative (1)

Candidates
MARTIN Lea

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: IEBevents@aec.gov.au
15/04/2021



DECISION

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

Independent Education Union of Australia (E2020/82)

MR ENRIGHT

MELBOURNE, 16 JULY 2020

Arrangement for conduct of election.

[1] On 21 May 2020 the Independent Education Union of Australia-Queensland and Northern Territory Branch lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Branch Executive Member (Northern Territory Division) (5)

Branch Executive Members (Queensland Division)

General Member (14)

Area Council Representative as follows:

Bayside Area Council (1)

Central Queensland Area Council (1)

Darling Downs Area Council (1)

Far North Queensland Area Council (1)

Gold Coast Area Council (1)

Logan Area Council (1)

Mackay Area Council (1)

Metropolitan Area Council (1)

Moreton Area Council (1)

North Metropolitan Area Council (1)

North Queensland Area Council (1)

Sunshine Coast Area Council (1)

Wide Bay Area Council (1)

Early Childhood Area Council (1)

Principals Area Council (1)

Northern Territory Division Advisory Committee Member from the following Sub-divisions:

Darwin Urban (2)

Top End Rural (1)

Southern Region – Alice Springs (1)

Branch Committee of Management Member:

Secretary	(1)
Assistant Secretary/Treasurer	(1)
Assistant Secretary	(2)
President	(1)
Senior Vice-President (Northern Territory Division)	(1)
Senior Vice-President (Queensland Division)	(1)
Junior Vice-President	(1)
Committee Member (at least one (1) of whom shall be from the Northern Territory Division)	(3)
Alternate Delegate of the Branch Executive 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

PR351681

Thursday, 28 May 2020

The Commissioner
Registered Organisations Commission
GPO Box 2983
MELBOURNE VIC 3001

By Email: regorgs@roc.gov.au

Dear Commissioner

Re: Revised Request

**Request for Conduct of Elections - Independent Education Union of Australia
- Queensland and Northern Territory (IEUA-QNT) Branch**

I refer to the above matter and draw your attention to a revised element of our request to be found in italics below.

I would ask that you undertake your consideration of our request for an election consistent with Branch Rule 7.3 (c).

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 7.3(a) of the IEUA-QNT Branch Rules an election is required for:

Branch Executive thirty-four (34) members.

Rule 7.3(b) of the Rules of the IEUA-QNT Branch provides that members of the Northern Territory Division elect five (5) persons to the Branch Executive.

Rule 7.3(c) of the Rules of the IEUA-QNT Branch provides that members of the Queensland Division elect twenty-nine (29) persons to the Branch Executive.

The 29 persons from the Queensland Division are elected in accordance with Rule 7.3 (c) in that one (1) representative of each Area Council is elected by the members of the Area Council and fourteen (14) members are elected by a ballot of the whole of membership of the Queensland Division.

I would advise that elections for the positions of Branch Delegates to Federal Council was declared on 6 August 2019 following an election process held in accordance with the IEUA Federal Rules.

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

These elections are made necessary in that the current term of office of the incumbents expires as follows:

Branch Executive Members	Noon 31 October 2020
Branch Rule 10.28 is relevant.	Ballot declared 23 August 2016

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

The electorate comprises the financial members of the IEUA-QNT Branch as determined by Federal Rule 17(q). IEUA-QNT Branch Rule 7.3(b) is also relevant regarding the Divisional electorates for the Queensland Division and the Northern Territory Division.

Northern Territory Division Advisory Committee

An election is also required for the positions on the Northern Territory Division Advisory Committee. Rule 14.3 of the Rules of the IEUA-QNT Branch provides that the Division Advisory Committee shall be comprised of the five (5) Northern Territory Division persons elected to the Branch Executive and a further four (4) Northern Territory Division persons who shall be elected at the same time in a separate ballot conducted consistent with the provisions of Rule 10 of the Rules of the IEUA-QNT Branch.

Rule 14.3 of the Rules of the IEUA-QNT Branch provides that for the purposes of conducting an election for the additional four (4) persons the Northern Territory Division shall be divided into three sub-divisions as follows:

- (i) Darwin Urban which shall elect two (2) persons to the Division Advisory Committee;
- (ii) Top End Rural which shall elect one (1) person to the Division Advisory Committee; and
- (iii) Southern Region – Alice Springs which shall elect one (1) person to the Division Advisory Committee.

Each member employed in a school (or domiciled, if not employed) in the designated area shall be allocated to the respective sub-division.

The current term of office for the Northern Territory Division Advisory Committee positions expires on (Noon) 31 October 2020 (IEUA-QNT Branch Rules 10.28 and 14.3).

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

Rule 10.8 of the Rules of the IEUA-QNT Branch requires that the date for the completion of the Branch Executive election shall be no later than 17 October 2020.

The following dates are proposed:

Nominations Open Friday, 19 June 2020 (9:00 am)

Nominations Close Friday, 17 July 2020 (4:00 pm)

Ballot Opens Friday, 7 August 2020 (9:00 am)

Ballot Closes Friday, 11 September 2020 (noon)

School vacation Periods: 19 September – 5 October 2020 (Queensland); and
28 September – 9 October 2020 (Northern Territory).

(The AEC circular memorandum of 30 April 2020 regarding minimum days for postal ballots is noted).

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

In accordance with Federal Rule 17(q) for the purpose of this election the books of the Branch shall be deemed to have closed as at seven (7) clear days before the opening date of nominations.

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

The voting system to be used is the direct voting system and is first past the post. The Rules allow for an order of preference to be indicated by the voter (Branch Rule 10.27).

2nd Tier Elections

I would further advise that in accordance with the IEUA-QNT Branch Rule 11.1, subsequent to the election of the Branch Executive, elections for the positions on the Branch Committee of Management and Alternate Delegate of the Branch Executive to the Federal Executive are to be held.

The current term of office for the Branch Committee of Management and Alternate Delegate positions expires on (Noon) 31 October 2020 (Ballot declared 10 October 2016) (IEUA-QNT Branch Rule 10.28).

1. In accordance with Rule 7.4 of the Rules of the IEUA-QNT Branch, the Branch Committee of Management to be elected shall consist of eleven (11) persons as follows:
 - One (1) Secretary
 - One (1) Assistant Secretary/Treasurer
 - Two (2) Assistant Secretaries
 - One (1) Senior Vice-President (Northern Territory Division)
 - One (1) Senior Vice-President (Queensland Division)
 - One (1) Junior Vice-President
 - One (1) President
 - Three (3) Committee Members

These persons are elected by and from the Branch Executive members using a collegiate electoral system.

In accordance with Rule 7.4 of the Rules of the IEUA-QNT Branch, the Senior Vice-President (Northern Territory Division) position shall be filled by a member of the Branch Executive from the Northern Territory Division.

In accordance with Rule 7.4 of the Rules of the IEUA-QNT Branch, the Senior Vice-President (Queensland Division) position shall be filled by a member of the Branch Executive from the Queensland Division.

In accordance with Rules 7.4 and 11.2 of the Rules of the IEUA-QNT Branch, at least one (1) Committee Member shall be from the Northern Territory Division.

2. In accordance with Federal Rules 9(a) and 12(f) and IEUA-QNT Branch Rule 11.1, an Alternate Delegate of the Branch Executive to the Federal Executive shall be elected by and from the Branch Executive.
3. The following dates are proposed:

Nominations Open	Monday, 28 September 2020 (9:00 am)
Nominations Close	Friday, 9 October 2020 (4:00 pm)
Ballot Opens	Monday, 19 October 2020 (9:00 am)
Ballot Closes	Thursday, 29 October 2020 (noon)

I would recommend that a timetable for this second tier not be established immediately as it may be appropriate to consider a timetable in light of whether a ballot becomes necessary for the Branch Executive.

Yours faithfully



TERRY BURKE
BRANCH SECRETARY

Encl.

STATEMENT OF FACT

1. I, Terence Patrick Burke of 346 Turbot Street, Spring Hill in the State of Queensland, and 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 section 189 of Chapter 7 Part 2 of the Fair Work (Registered Organisations) Act 2009, and section 138 of the Fair Work (Registered Organisations) Regulations 2009.



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

28 MAY 2020