

# Independent Education Union of Australia

## 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.

E2011/2631

### **Victoria Tasmania Branch**

#### **Assistant Secretary (Tasmania)**

Candidate

BRIANT, Angela

#### **Tasmanian Council Delegate to Branch Conference (5)**

Candidates

ALOMES, Jeremy  
CROSER, Adam Matthew  
DOBIE, Nina  
KEDEY, John  
LINCOLN, Dorothy

#### **Tasmanian Council President**

Candidate

WALDOCK, John Russell

#### **Tasmanian Council Deputy President**

Candidate

OLIVER, Jeremy

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

Shane Lanning  
Returning Officer  
28 September 2011

Ms Debra James  
General Secretary  
Independent Education Union of Australia  
PO Box 1320  
SOUTH MELBOURNE VIC 3205

**Post Election Report For:** Independent Education Union of Australia  
Victoria Tasmania Branch  
Election E2011/2631

I refer to the above election for your organisation.

Section 197(1) of Schedule 1 of the Fair Work (Registered Organisations) Act 2009 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 Schedule 1 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) Act 2009 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.

Shane T Lanning  
Returning Officer

Fair Work (Registered Organisations) Act 2009

**POST ELECTION REPORT**

**Independent Education Union of Australia**

**Victoria Tasmania Branch**

**ELECTION COVERED IN THIS REPORT**

Election Decision No: E2011/2631

**RULES**

Rules used for the election: 130N: Incorporates alterations of 15/7/2011 [R2011/135] (replaces 30/6/2011 version)  
Rules difficult to apply/interpret: None  
Model Rule reference (if any): N/A

**ROLL OF VOTERS**

Total number of voters on the Roll: Ballot not required  
Number of apparent workplace addresses: Nil  
Number of non-current addresses: Nil  
Other matters pertaining to the roll of voters: Nil

**IRREGULARITIES**

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

**ATTACHMENTS**

Declaration of Results

Shane T Lanning  
Returning Officer

5 October 2011



FAIR WORK  
AUSTRALIA

## DECISION

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

**Independent Education Union of Australia**  
(E2011/2631)

T. NASSIOS

MELBOURNE, 17 AUGUST 2011

*Arrangement for conduct of election.*

[1] On 9 August 2011 the Victoria Tasmania Branch of the Independent Education Union of Australia lodged with Fair Work Australia the prescribed information, and on 17 August 2011 lodged further information, in relation to an election for the following offices:

Assistant Secretary (Tasmania)  
Tasmanian Council Delegates to Branch Conference (5)  
Tasmanian Council President  
Tasmanian Council Deputy President

[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 GENERAL MANAGER  
FAIR WORK AUSTRALIA

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9 August 2011

The General Manager  
Fair Work Australia  
GPO Box 1994  
MELBOURNE VIC 3001  
**Attention: Scott Shepherd**  
Via email: [scott.shepherd@fwa.gov.au](mailto:scott.shepherd@fwa.gov.au)

Dear General Manager

In accordance with s189(1) of the *Fair Work (Registered Organisations) Act*, I advise that pursuant to Rule 24.13 of the Independent Education Union of Australia Victoria Tasmania Branch, elections must be conducted as soon as practicable for the offices of Assistant Secretary (Tasmania), Tasmanian Council President, Tasmanian Council Deputy President and Tasmanian Council Delegates to Branch Conference .

The following documentation is attached:

1. A statement made in accordance with Regulation 138 signed by an officer authorised to make the statement.
2. Schedule 1 setting out the prescribed information in respect of the elections pursuant to Regulation 138 and required by s189(1) of the Act.
3. Schedule 2 setting out the proposed timetable for the conduct of elections in accordance with the rules of the union. The draft timetable envisages the calling for nominations in the Union's newspaper by 2 September 2011.
4. Attachment 1 - Motion of the IEU Victoria Tasmania Committee of Management carried on 8 August 2011 authorising the General Secretary to call for nominations.

I note that the proposed date does not meet provisions in relation to the prescribed day in Regulation 138(3) but that s189(2) of the *Act* provides that the General Manager may allow a later day. Accordingly, I request that the General Manager approve a later prescribed day in order to meet the timetable attached.

I look forward to your response.

Yours sincerely



**Debra James**  
General Secretary

11-989/IND5015

# STATEMENT

I, Debra James, of 120 Clarendon Street, Southbank, am the General Secretary of the Independent Education Union Victoria Tasmania, a branch of the Independent Education Union of Australia, and an officer authorised under the rules to make this statement.

The information set out in the attached schedules is lodged in accordance with sub-sections 189(1) and (2) of the *Fair Work (Registered Organisations) Act* as follows:

1. Schedule 1:

- The names and number of each office in respect of which an election is required;
- The reason for the election;
- Details of the electorate for each of the offices.

2. Schedule 2:

- The details of the commencement and expiration of the period during which nomination of candidates will be called for under the rules of the branch of the IEUA.

3. Attachment 1:

- The resolution passed unanimously by the IEU Victoria Tasmania Committee of Management on 8 August 2011.

4. The voting system is a direct voting system.

5. The day on which the roll of voters is to be closed consistent with the timetable in Schedule 2, is 26 August 2011.

Signed: 

**Debra James**

General Secretary, Independent Education Union Victoria Tasmania

**Dated: 9 August 2011**

# ATTACHMENT 1

## IEU VICTORIA TASMANIA COMMITTEE OF MANAGEMENT MOTION 8 AUGUST 2011

### Motion

*“That The Committee of Management notes, according to the rules of the Branch, that elections are required for the offices of Assistant Secretary (Tasmania), Tasmanian Council President, Tasmanian Council Deputy President and Tasmanian Council Delegates to Branch Conference and directs the General Secretary to make such arrangements as are required under the Union rules and the Fair Work Act 2009 for the conduct of elections based on a timetable of calling for nominations on 2 September 2011.”*

**Moved: Debra James**  
**CARRIED**

**Seconded: Loretta Cotter**

# SCHEDULE 1

REGULATION 138

## PRESCRIBED INFORMATION IN RESPECT OF ELECTION – SUB-SECTION 189(1) OF THE ACT

NAME OF OFFICE	NUMBER OF OFFICES	REASON FOR ELECTION	ELECTORATE
Assistant Secretary (Tasmania)	1	It is a new office for which an election is required pursuant to Rule 24.13 of the IEUA Victoria Tasmania Rules.	Elected by and from members of the Tasmanian Council
Tasmanian Council President	1	As above	Elected by and from members of the Tasmanian Council
Tasmanian Council Deputy President	1	As above	Elected by and from members of the Tasmanian Council
Tasmanian Council Delegates to Branch Conference	<b>No. of offices</b>	As above	Elected by members of the Tasmanian Council from sub-branch representatives
	5		



## SCHEDULE 2

### PROPOSED TIMETABLE FOR THE HOLDING OF ELECTIONS IN 2011

2 September      Nominations are called for in respect of all positions through advertisement in the IEU Victoria Tasmania newspaper.

***Nominations must be open for at least 21 days  
[Federal Rule 17(h)]***

26 September    Nominations close

***Ballot must open no later than 28 days after close of  
nominations [Federal Rule 17(0)]***

7 October        Ballot opens

***Ballot must be open no less than 21 days  
[Federal Rule 17(p)]***

28 October      Ballot closes



INDEPENDENT  
EDUCATION  
UNION  
VICTORIA TASMANIA

11-1089  
OAD4179  
DF11/109

17 August 2011

The General Manager  
Fair Work Australia  
GPO Box 1994  
MELBOURNE VIC 3001  
**Attention: Scott Shepherd**  
Via email: [scott.shepherd@fwa.gov.au](mailto:scott.shepherd@fwa.gov.au)

Dear General Manager

I write further to the discussion today between Mr Shepherd and Mr Matson. He correctly identifies an error in Schedule 2 to my letter of 9 August 2011, being the prescribed information filed in accordance with s189(1) of the *Fair Work (Registered Organisations) Act*. I confirm that, below the words "nominations close" it should read, "Ballot must open no later than 6 weeks after close of nominations [Federal Rule 17(r)]."

We confirm that the information provided was over and above that required, and was included only to clarify and assist. Further, the period specified (28 days) is within the period actually required (6 weeks) and so does not expose us to any potential failure to comply with the Rules. The error therefore should not affect the conduct of the elections.

We thank you for drawing this matter to our attention and appreciate your continuing assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Debra James', written over a large, stylized, abstract mark that resembles a signature or a large letter 'D'.

**Debra James**  
General Secretary