

**Independent Education Union of Australia**  
(E2004/239)

T NASSIOS  
DEPUTY INDUSTRIAL REGISTRAR

MELBOURNE, 20 JULY 2004

*Arrangement for conduct of election.*

**DECISION**

[1] On 15 and 20 July 2004, the Western Australian Branch of the abovenamed organisation lodged in the Industrial Registry the prescribed information in relation to an election for the following offices;

President  
Deputy President  
Secretary  
Ordinary Executive Members (8)  
Delegates to Federal Council representing the Western Australian Branch (3)

[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 Schedule 1B of the Workplace Relations Act 1996, I am making arrangements for the conduct of the election by the Australian Electoral Commission.





E2004/239  
Independent Schools Salaried Officers Association  
Independent Education Union WA Branch



The Registrar  
Australian Industrial Registry  
GPO Box X2206  
PERTH WA 6001



Dear Sir / Madam,

**Re: Branch Elections**

In accordance with the rules of the Branch, we request that an election be held pursuant to the Workplace Relations Act 1996.

The following information is provided:

1. Elected Positions:
  - (a) Branch Executive:
    - President (1)
    - Deputy President (1)
    - Secretary (1)
    - Ordinary Executive Members (8)
  - (b) Federal Council Delegates (2)
2. The reason for the election is that the term of office is due to expire.
3. The name of the Branch is the Independent Education Union of Australia WA Branch.
4. The date for the completion of the election shall be no later than the 31<sup>st</sup> October 2004.
5. The manner of the voting system provided for in the Rules is the preferential system.

Please be advised that the Independent Schools Salaried Officers' Association has requested the Western Australian Industrial Relations Commission to conduct similar elections. (Copy enclosed.)

We believe that in the past the Independent Education Union of Australia, WA Branch and the Independent Schools Salaried Officers' Association elections have been conducted simultaneously, and that is our preference if possible.

As the membership records are computerised, membership lists and/or labels can be provided.

Should you have any questions regarding the above, please contact this office.

Yours faithfully,

A handwritten signature in black ink, reading "Nigel Briggs". The signature is written in a cursive style with a large initial 'N' and 'B'.

**Nigel Briggs**  
**Acting Secretary**

**14<sup>th</sup> July 2004**

**Encl**

**INDEPENDENT EDUCATION UNION (WA BRANCH)**

PO Box 8444, Perth Business Centre, W.A., 6849.

Ph: (08) 9227 7411 Fax: (08) 9328 9220

**FACSIMILE MESSAGE**

**TO:** AUSTRALIAN INDUSTRIAL REGISTRY  
**ATTENTION:** ROBERT PFEIFFER  
**FROM:** NIGEL BRIGGS  
**DATE:** 20/07/04 **FAX:** (03) 9654 6672

No. of pages (including cover): 1

The information in this facsimile is privileged and confidential, intended only for the use of the individual or entity named above. If you are not the intended recipient, any dissemination, copying or use of the information is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone or fax (we will accept reverse charges) on the numbers above and return the original facsimile to PO Box 8444, Perth Business Centre, WA, 6849.

Dear Robert,

The membership of the Independent Education Union (WA Branch) as at 23<sup>rd</sup> December 2003 was 3631.

In that regard, and further to my letter of 14<sup>th</sup> July 2004, the IEU (WA Branch) would now be eligible to elect 3 Delegates to Federal Council.

Yours faithfully,



**Nigel Briggs**  
**Acting Secretary**

# **Australian Electoral Commission / AEC**

Workplace Relations Act 1996 – Schedule 1B

## **RETURNING OFFICER - POST ELECTION REPORT**

<u>Client:</u>	Independent Education Union of Australia-Western Australian Branch		
<u>Contact details:</u>	Theresa Howe Secretary IEUA PO Box 8444 PERTH BUSINESS CENTRE WA 6849	<u>Email:</u>	unity@issoa.asn.au
		<u>Tel:</u>	(08) 9227 7411
<u>AIR contact officer:</u>	Robert Pfeiffer	<u>Email:</u>	industrial.elections@air.gov.au
		<u>Tel:</u>	(03) 8661 7817

### **ELECTIONS COVERED IN THIS REPORT**

<u>Election Decision No/s:</u>	E2004/239
<u>Election:</u>	President Deputy President Secretary Ordinary Executive Members (8) Federal Council Delegates (3)
<u>Returning Officer:</u>	E.M. Panegyres

### **RULES**

<u>Rules used for elections Rule ID</u>	130N: Incorporates alterations of 18/6/2004 [R2004/322]
<u>Rule/s re eligibility to vote</u>	17(a)(o)(q)
<u>Rules difficult to apply/interpret</u>	<p>There is no provision in Appendix A – Branch Rules, for dealing with candidates who nominate for more than one office in the same election.</p> <p>Federal Rule 18, which is the rule for the election of Federal officers, has in sub-rule 18(g)(v), a hierarchical order of election, but there is no similar provision in the Branch rules.</p> <p>Nor is there any provision for how to deal with: -</p> <p>Holding more than one office -Model Rule reference 8.1</p> <p>Nomination for more than one office – Model Rule reference 8.2</p> <p>Withdrawal of nominations – Model Rule reference 10</p> <p>There appears to be a conflict in the Definitions in rule 17(aa) dealing with “Preferential Voting”.</p> <p>In the first four (4) lines of the definition it states “...that the voter shall place the number 1 in the square opposite the name of the candidate for whom such person votes as the first preference, and shall place the numbers 2, 3, 4 (and so on as the case requires) in the squares opposite the names of the <b>remaining</b> candidates so as to indicate the order of preference for them.” This implies fully preferential voting.</p> <p>In the last three (3) lines of the definition it states that “For the purpose of counting votes in <b>any election</b> a vote shall be valid if and only if it clearly expresses a preference for at least the number of candidates to be elected in that election. This implies optional preferential voting.</p>

Model Rule reference

Holding more than one office – Model Rule reference 8.1

Nomination for more than one office – Model Rule reference 8.2

Withdrawal of nominations – Model Rule reference 10

29.2 – Standard Preferential – election of one candidate

29.3 – Standard Preferential – election of more than one candidate

39.4 – Optional Standard Preferential system

**ROLL OF VOTERS**

As a Ballot was not required, therefore a Roll of Voters was not requested

**ALLEGATIONS OF IRREGULARITIES RECEIVED**

There were no written complaints or allegations of irregularities

**ATTACHMENTS**

Declaration of Results for Uncontested Offices

E.M. Panegyres  
Returning Officer

16 September 2004

# Independent Education Union of Australia WA Branch Elections 2004

## DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2004/239

### **WA Branch**

#### **President**

Candidate

MAGUIRE, Ken

#### **Deputy President**

Candidate

SHORT, Rosemary

#### **Secretary**

Candidate

HOWE, Theresa Isobel

#### **Ordinary Executive Member (8)**

Candidates

BOURKE, Deborah  
BRIGGS, Nigel  
FRASER, Nigel  
FROST, Brenda  
MURRAY, Del  
SHANAHAN, Paul  
SWAIN, Marianne  
WILLIAMS, Carolyn

#### **Federal Council Delegate (3)**

Candidates

BRIGGS, Nigel  
HOWE, Theresa Isobel  
MAGUIRE, Ken

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

Van Panegyres  
Returning Officer

16 September 2004