

Mr Terry Noone
Branch Secretary
Musicians' Union of Australia
150 Bell Street
COBURG VIC 3058

**Post Election Report For: Musicians' Union of Australia – Federal Offices
Election E No 2009/175 & E No 2009/10001**

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 the Delegate of the General Manager 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 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.

Tony King
Returning Officer

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Musicians' Union of Australia

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2009/175 & E2009/10001

RULES

Rules used for the election: 013N: Incorporates alterations of 21/10/2008 in matter R2008/329

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: Did not go to ballot

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

Tony King
Returning Officer

2 September 2009

**Musicians' Union of Australia
Federal Offices**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Fair Work Australia (Registered Organisations) Act 2009 and the rules of the organisation.

E2009/175

Federal Offices

Federal President

Candidate

ANDERSON, Gavan

Federal Vice-President (2)

Candidates

CLARKE, Doug
DAVIDSON, Peter

Federal Treasurer

Candidate

SHELVERTON, Denis

Federal Trustees (3)

Candidates

ALTHUIZEN, Frank
PRICE, Glenn
RICHARDS, Alan

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

Tony King
Returning Officer

2 September 2009

**Musicians' Union of Australia
Federal Offices**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Fair Work Australia (Registered Organisations) Act 2009 and the rules of the organisation.

E2009/10001

Federal Offices

Federal Secretary

Candidate

NOONE, Terry

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

Tony King
Returning Officer
2 September 2009

GPO Box 4382
Melbourne VIC 3001

Level 8, Casselden Place
2 Lonsdale Street
Melbourne VIC 3000

Reference: VIC 09/202

Contact: Tony King
Phone: (03) 9285 7146
Facsimile: (03) 9285 7149
E-mail: tony.king@aec.gov.au

Mr Terry Noone
Federal Secretary
Musicians' Union of Australia
150 Bell St
COBURG VIC 3058

Dear Mr Noone

**Musicians' Union of Australia
Federal Offices
E2009/175 and E2009/10001**

I refer to my letter of 15 July 2009 concerning the arrangements for me to conduct an election for various positions in your Organisation and wish to advise that a ballot will not be necessary.

My declaration of the uncontested offices is attached.

The elections are now complete.

Yours sincerely

Tony King
Returning Officer

4 September 2009

cc all uncontested nominees

**Musicians' Union of Australia
Federal Offices**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Fair Work Australia (Registered Organisations) Act 2009 and the rules of the organisation.

E2009/175

Federal Offices

Federal President

Candidate

ANDERSON, Gavan

Federal Vice-President (2)

Candidates

CLARKE, Doug
DAVIDSON, Peter

Federal Treasurer

Candidate

SHELVERTON, Denis

Federal Trustees (3)

Candidates

ALTHUIZEN, Frank
PRICE, Glenn
RICHARDS, Alan

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

Tony King
Returning Officer
2 September 2009

**Musicians' Union of Australia
Federal Offices**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Fair Work Australia (Registered Organisations) Act 2009 and the rules of the organisation.

E2009/10001

Federal Offices

Federal Secretary

Candidate

NOONE, Terry

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

Tony King
Returning Officer
2 September 2009



Fair Work Australia

14 July 2009

Mr Terry Noone
Federal Secretary
Musicians' Union of Australia
15 Bell St
COBURG VIC 3058

Dear Mr Noone

**Re: Arrangements for the conduct of an Election
(E2009/175)**

A copy of the Decision in relation to the above matter is enclosed.

Fair Work Australia is making arrangements, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act), with the Electoral Commissioner for the conduct of the subject election by a member of staff of the Australian Electoral Commission, who will contact you in the near future about the election.

Please note that any future applications should be lodged under the *Fair Work (Registered Organisations Act) 2009* (a copy of which will shortly be made available on our web site).

Please do not hesitate to contact me on (02) 8374 6509 if you have any queries in regards to any of the above.

Yours sincerely

David Vale
Fair Work Australia



Fair Work
Australia

DECISION

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

Musicians' Union of Australia
(E2009/175)

B.R. JENKINS

SYDNEY, 14 JULY 2009

Arrangement for conduct of election.

[1] On 15 June 2009 the Musicians' Union of Australia lodged prescribed information in relation to an election for the following offices:

Federal Offices

Federal President	(1)
Federal Vice Presidents	(2)
Federal Treasurer	(1)
Federal Trustees	(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 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

Printed by authority of the Commonwealth Government Printer

<Price code A, PR987834 >

VALE, David

From: VALE, David
Sent: Wednesday, 15 July 2009 4:20 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2009/175
Attachments: E2009_175 MUA_15072009.doc; E2009_175 signed decision 140709.pdf

Dear AEC,

Please find attached a copy of the Decision for the upcoming election of the Musicians Union of Australia (E2009/175).

Yours sincerely

David Vale
Manager, Registered Organisations
New South Wales

Fair Work Australia
Level 8, Terrace Tower
80 William Street
East Sydney NSW 2011

Telephone: (02) 8374 6509
Facsimile: (02) 9380 6990
Email: david.vale@fwa.gov.au



Australian Government
Australian Industrial Registry

Level 8, Terrace Towers
80 William Street, East Sydney, NSW 2011
Telephone: (02) 8374 6666
Fax: (02) 9380 6990

Electoral Commissioner Through
Australian Electoral Officer (industrial.elections@aec.gov.au)

Under subsection 189 of the Fair Work (Registered Organisations) Act 2009, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2009/175

RE: Musicians' Union of Australia

Positions:

See Decision

Relevant Information: Scheduled elections; expiry of term of office; secret postal ballot of Federal Council Members

Contact: Mr Terry Noone
Federal Secretary

Phone: (03) 9355 7620

A copy of the Decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at industrial.elections@fwa.gov.au.

David Vale
for Delegate of the General Manager
Fair Work Australia

14 July 2009



Fair Work
Australia

DECISION

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

Musicians' Union of Australia
(E2009/175)

B.R. JENKINS

SYDNEY, 14 JULY 2009

Arrangement for conduct of election.

[1] On 15 June 2009 the Musicians' Union of Australia lodged prescribed information in relation to an election for the following offices:

Federal Offices

Federal President	(1)
Federal Vice Presidents	(2)
Federal Treasurer	(1)
Federal Trustees	(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 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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<Price code A, PR987834 >



Australian Government

Australian Industrial Registry

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Mr Terry Noone
Federal Secretary
Musicians' Union of Australia
150 Bell Street
COBURG VIC 3058



Dear Mr Noone

**Re: Arrangements for the conduct of an Election -
Musicians' Union of Australia – Federal Offices - (E2009/175)**

Thank you for lodging the prescribed information in relation to Federal offices which was received in the Registry on 15 June 2009. The information has been forwarded to the Australian Electoral Commission and is currently being considered for determination by a Registrar.

I note that the office of Federal Secretary was not included in the list of offices, although our records show that the nominal term of four years which commenced upon declaration of the previous election E2004/4 on 8 February 2005 has also expired. The Registry would expect that therefore prescribed information should also be lodged for this office at the earliest opportunity.

Yours sincerely

A handwritten signature in black ink, appearing to be 'SK' or similar initials.

Stephen Kellett
for Deputy Industrial Registrar

19 June 2009

VALE, David

From: VALE, David
Sent: Monday, 15 June 2009 5:01 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2009/175
Attachments: MUA E2009_175 lodged 15062009.pdf; Musicians' Union 013N (16-10-2008).doc

Dear AEC,

Please find attached a copy of the prescribed information and a copy of the current rule book of the Musicians Union of Australia for an upcoming election.

Yours sincerely,

David Vale
Manager, Registered Organisations
New South Wales Registry

Australian Industrial Relations Commission
Level 8, Terrace Tower
80 William Street
East Sydney NSW 2011

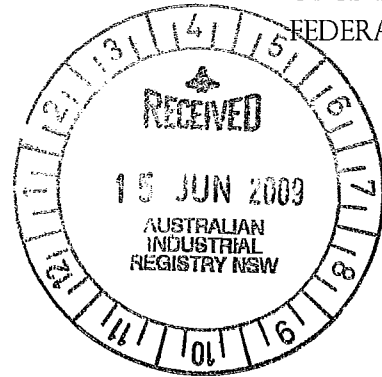
Telephone: (02) 8374 6509
Facsimile: (02) 9380 6990
Email: david.vale@airc.gov.au

The Industrial Registrar
Australian Industrial Relations
Commission
Level 4, 11 Exhibition Street
Melbourne
GPO Box 1994
Melbourne Vic 3001



**THE MUSICIANS' UNION
OF AUSTRALIA**
FEDERAL OFFICE

15 June 2009



Re: Request for elections

Please find attached the prescribed information as set out in RAO Regulation 138. The requested elections are for:

1. Federal Officers
2. Federal Trustees

Please contact me if you have any questions.

Yours sincerely

Terry Noone
Federal Secretary
Musicians' Union of Australia

150 Bell St, Coburg, VIC 3058

t: (03) 9355 7620

f: (03) 9355 7621

e: musiciansua@aol.com

Statement and Notice of Prescribed Information under Regulation 138

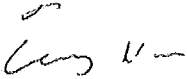
I, **Terry Noone**, Federal Secretary of the Musicians' Union of Australia, make the following statement:

I am the Federal Secretary of the Musicians' Union of Australia,

I am authorised to lodge the following prescribed information concerning forthcoming elections for Federal Officers and Trustees of the Musicians' Union of Australia, and

I confirm that the following information is being lodged under subsection 189(1) of the RAO Schedule.

Signed:



Terry Noone
Federal Secretary
Musicians' Union of Australia

Dated: 15 June 2009

Offices/Positions

- | |
|---|
| <p>A Federal President (Collegiate voting system)</p> <p>Federal Vice-Presidents (2) (CVS)</p> <p>Federal Treasurer (CVS)</p> <p>B Federal Trustees (3) (CVS)</p> |
|---|

Reasons for election:

election for offices and positions marked A is required as the terms of office have expired in the normal course of events under the rules of the organisation.

election for offices marked B is required as the term of office has expired in the normal course of events under the rules of the organisation.

Elected by:

The electorate for the collegiate voting system is by and from the Federal Council (totalling 43 persons).

Nominations open:

For offices to be elected by collegiate election – Monday 6th July January 2009

Nominations close:

For offices to be elected by collegiate election – Wednesday 6th August 2009

Cut off date for roll: in both cases 14 days before the commencing of the ballot.



THE MUSICIANS' UNION
OF AUSTRALIA
FEDERAL OFFICE

FAX COVER SHEET

To: Mr. Stephen Kellett	Fax No: (02)93806990
Organisation: Australian Industrial Registry	Date: 16/6/09
From: Terry Noone	Fax No: (03)9355 7621
Subject: Previous Correspondence	CC:

Message:

ATTENTION: Stephen Kellett

(NB: Also sent by mail)



THE MUSICIANS' UNION
OF AUSTRALIA
FEDERAL OFFICE

Mr. Stephen Kellett
Australian Industrial Registry
Level 8, Terrace Towers
80 William St.
East Sydney
NSW 2011

16 June 2009

Re: Outstanding Financial Returns and Overdue Elections

Dear Mr. Kellett,

I apologise for the delay in providing a response to your previous communications. I am now able to advise the following:

ANNUAL CONFERENCE

A conference of the Federal Council of the Musicians' Union of Australia will be held in Melbourne from 20 June 2009 to 22 June 2009.

The following motion will be presented to this meeting of the Federal Council:

That, Rule 80 -- Special General Meetings, be deleted in its entirety and replaced by the following:

"80 -- Special General Meetings

(a) Special Meetings of the members of the Branch may be called by the Secretary, after consultation with his Committee and shall be called on the written request of financial members sufficient to form a quorum. Written notices of such Special Meeting, setting out the matters to be dealt with at such Special Meeting, shall be sent by the Secretary to each member of the Branch by electronic means or by prepaid letter through the post, addressed to their last given preferred contact address, forty-eight hours or more before the date and hour fixed for such Special General Meeting.

(b) Irrespective of 80(a) above, a special general meeting of the members of the branch must be called by the secretary if:

(i) The secretary receives a written request signed by at least 5% of the members of the branch

and;

(ii) The written request specifies that the Special General Meeting is to be called for the purpose of considering any or all of the following: an audit report; General Purpose Financial Report; Operating Report; any other financial document.

Written notices of such Special Meeting, setting out the matters to be dealt with at such Special Meeting, shall be sent by the Secretary to each member of the Branch by electronic means or by prepaid letter through the post, addressed to their last given preferred contact address, forty-eight hours or more before the date and hour fixed for such Special General Meeting."

This motion is aimed at facilitating the smoother submission of Financial Returns while giving due consideration to the rights of the members of the Union and the relevant legislative and regulatory requirements. It is an amended version of a previous rule change rejected as incapable of registration due to its

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imposition of an "additional requirement" (Your reference R2008/320) and discussed in previous correspondence.

Since a sufficient number of Secretaries to form a quorum for a meeting of Federal Executive will be in attendance, a meeting, or meetings, of Federal Executive will also be held during this period.

OUTSTANDING FINANCIAL RETURNS

Federal Office

The Federal Office financial records for the year ended 30 June 2006 have been returned by the auditor. They will be presented to the Federal Executive during the conference period described above for the passing of the motions required.

During the process of the auditing of the above records, the auditor indicated that the records as presented required significant processing before the audit could be completed. This, in turn, resulted in considerable extra accounting charges from them. Being mindful of reducing unnecessary expenditure of the of the Union's resources we, have been reviewing the records for the two subsequent years in order to ensure that they will be presented to the auditor in a form which will not result in similar extra accounting charges. This process is almost complete and we anticipate being able to present these accounts to the auditor within the next two weeks.

Melbourne Branch

Melbourne Branch financial records for the year ended 30 June 2006 have been returned by the auditor. The necessary motions will be presented at the next meeting of the Melbourne Branch Committee.

The financial records of the Melbourne Branch are kept on a similar system and maintained by the same staff as those of the Federal Office. The same difficulties as those described during the Federal Office audit of the year ended 30 June 2006 were experienced during the auditing of the Melbourne branch financial records for the same year. A review in the same terms as those described above has also been conducted for Melbourne Branch records for the subsequent two years. This process is also almost complete and we anticipate being able to present these accounts to the auditor within the next two weeks.

Brisbane Branch

The financial records of the Brisbane Branch for the year ended 30 June 2008 have been returned by the auditor and will be presented to the meeting of Federal Executive referred to above in the current absence of a Brisbane Branch Committee of Management.

Newcastle & Coalfields Branch

Further investigation into the records of this former branch have indicated the existence of a number of extra bank accounts containing extremely small amounts of money. It appears that these accounts have been attracting interest since the branch became defunct. The amounts involved are almost certainly negligible but in the interests of completeness we will examine the records of these accounts. The bank has informed us that access to these records will be available on the completion of some documentation and the presentation of appropriate identification by current signatories to the main account. These signatories, since the time when the operations of the former branch were taken over by myself on the instructions of the Federal Executive, have been a number of federal officers. All of these signatories have indicated that they will be attending our forthcoming conference so the necessary bank processes will be completed at that time. We believe that this is the last piece of information necessary to complete the 2002 financial report of this branch as discussed in previous correspondence.

Sydney Branch

An examination of the financial records of this branch is currently being conducted by the Adelaide Branch. I expect a report on the status of the examination to be presented by the Adelaide Secretary to the forthcoming

150 Bell St, Coburg, VIC 3058

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conference. The Federal Council and/or Federal Executive can then make decisions on the allocation of further resources to the preparation of outstanding financial reports for this branch.

Broken Hill Branch

I have received the formal resignation of the former Secretary and former President of this branch. A letter from the former Secretary advises that the current membership of the branch is nil. Enclosed with the letter were the cheque book of the branch's account, which was closed on 28 February 2008. There appear to have been 3 cheques written and one deposit made since the last submitted financial report.

The forthcoming meeting of Federal Council will consider the status of this branch and it appears likely that it will be formally dissolved under the Union's rule 19 (bb). If this occurs, the previous motion of the Federal Executive that the Federal Secretary take over the affairs of this branch and the dissolution motion will be presented to the Commonwealth Bank to gain access to the bank statements of the branch's account. Once in possession of these statements we will be in a position to prepare final financial reports.

Hobart Branch

I note your advice that this branch has failed to lodge the last five financial returns. This issue will be raised at the forthcoming conference and Federal Council and/or Federal Executive will consider the best way to assist the Hobart Secretary to remedy this.

ELECTIONS

Federal Office

The prescribed information, as set out in RAO Regulation 138, in regard to the election of officers other than the Federal Secretary was lodged electronically yesterday (15 June 2009).

Sydney Branch

An election for Secretary and Committee was held for this branch and resulted in then election of a new Branch Secretary and Branch Vice-President. There were insufficient nominations to fill any other offices. This unfortunately means that there are not enough committee members to form a quorum and hold meetings. The recently elected Sydney Branch Secretary has indicated that he will be attending the forthcoming conference. The Federal Council and/or Federal Executive will consider the best way to assist the Secretary to conduct a further election to resolve this problem and the best strategy to ensure that sufficient nominations to fill the remaining positions are received.

Broken Hill

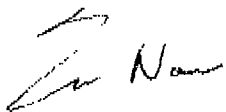
The future status of this branch will be considered by the forthcoming conference as indicated above. We will advise of its decision.

Hobart Branch

I note your advice that this branch is overdue for the holding of an election for its offices. This issue will be raised at the forthcoming conference and Federal Council and/or Federal Executive will consider the best way to assist the Hobart Secretary to remedy this.

Please contact me if you have any questions regarding these matters.

Yours sincerely



Terry Noone
Federal Secretary
Musicians' Union of Australia

150 Bell St, Coburg, VIC 3058

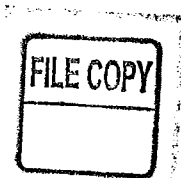
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Australian Government
Australian Industrial Registry

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Email: sydney@air.gov.au

Mr Terry Noone
Federal Secretary
Musicians' Union of Australia
150 Bell Street
COBURG VIC 3058



Dear Mr Noone

Re: Outstanding Financial Returns – Overdue Election – Musicians' Union of Australia – Federal Office

I refer to my previous letters requesting advice on outstanding financial returns and also to my letter dated 30 October 2008 regarding the issue of overdue elections.

The absence of response and advice from the Federal Office in relation to the outstanding financial returns is disappointing, especially given that the financial year ending 30 June 2009 is approaching and additional obligations will be incurred by the organization and the various Branches. I urge you to provide the Registry with information and advice regarding the outstanding returns without delay.

Where overdue elections are concerned, non-lodgment of prescribed information in relation to the conduct of due elections under s189 is also a matter for concern. At this point in 2009, the term of office for Federal officers - other than Federal Secretary - last declared elected in February 2005, has exceeded the nominal term by over 12 months. The nominal term of office for the position of Federal Secretary has also expired.

Accordingly, the Registry considers that it would be appropriate for prescribed information, as set out in RAO Regulation 138, in relation to the Federal offices to be lodged in order to comply with legislative requirements and I encourage you to do so without delay.

Secondly, I am aware that an election for the Sydney Branch was held, but that the status of its management is unclear. And, given that the Broken Hill Branch does not appear to currently have office-holders or members, it is the Registry's view that the issue of that Branch's management and operation also needs to be resolved. I have previously sought your advice as to any developments and as to Broken Hill's recent financial transaction history and I would appreciate advice in relation to both Branches.

Thirdly, an election for the offices of the Hobart Branch is significantly overdue, by in excess of 2 years. The Branch has not lodged any of its last five financial returns and is not providing advice. I wish you to know that I have written separately to the Secretary of the Hobart Branch, requesting him, amongst other things, to lodge prescribed information as a matter of importance. Any assistance you are able to provide in ensuring that the Secretary of the Hobart Branch takes appropriate steps to lodge this information and provide the advice the Registry has requested would also be appreciated.

Yours sincerely

Stephen Kellett
for Deputy Industrial Registrar

28 May 2009



Australian Government
Australian Industrial Registry

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Email: sydney@air.gov.au

Mr Terry Noone
Federal Secretary
Musicians' Union of Australia
150 Bell Street
COBURG VIC 3058



Dear Mr Noone

**Re: Annual Return of Information Contained in Records kept by Organisation –
Musicians' Union of Australia (AR2008/415)**

I refer to the above return of information lodged under s233(1) of the RAO Schedule on 16 April 2008. The return was not previously filed in view of the Registry's consideration of the organisation's record of compliance in the areas of financial reporting and the conduct of elections.

The documents lodged included all the information prescribed by RAO regulation 147, and therefore I wish to confirm that the documents will now be filed. However I wish to take this opportunity of raising the issue of elections with you, since this is also a matter which the organisation must address.

Elections in 2008

The annual return itemises correctly the offices for re-election in 2008 in the Federal office and in the Adelaide, Brisbane, Sydney, Hobart and Launceston branches. However, to date, only Adelaide has applied for and been granted an election in 2008 (E2008/246).

Missed elections 2006

A careful review of the Registry's records also shows that Branch elections have not always been held in accordance with rule 73(C)(a). For example, the Hobart Branch did not hold an election for its office-holders in 2006; and the last election for the Melbourne Branch - E2007/4 held in late 2007 – should, under this rule, also have been held in 2006.

Federal terms of office

The elections for those Federal offices of three year terms also do not appear to have been held strictly in accordance with rule 31(C)(a) – the last election (E2004/4) on record being granted in November 2004 and declared in February 2005. Under this rule, elections should have been held for the Federal offices in 2003 and 2006. Allowing for the late commencement of the three-year term, an election became due in February 2008.

Given the collegiate nature of the election for Federal offices, it is the Registry's view that, as closely as practicable under the rules, an election for Federal offices should follow scheduled Branch elections. (I note that the three-year Federal Office terms are longer than the two-year terms of the Branch Committee office-holders who form the electorate of the Federal Council, and wonder whether this has presented practical problems in scheduling or synchronising elections in recent years.)

Of course, despite any issues of sequence, the obligation to lodge prescribed information under s189 of the RAO Schedule in relation to the Federal offices remains.

Brisbane and Sydney office elections

Finally, I seek your advice whether, notwithstanding the present administrative arrangements for the Brisbane and Sydney Branches, there is any intention to hold elections for offices in the short- or medium term.

It is the Registry's view that, in line with the legislative objects set out in s5(3) of the RAO Schedule, namely, of ensuring that organisations are representative of and accountable to their members, encouraging members to participate in the affairs of the organisation to which they belong, encouraging efficient management and high standards of accountability to members, and providing for democratic functioning and control, an obligation to make reasonable attempts to fill offices by election remains so long as the rules of the organisation require them.

I would appreciate your comments and advice on the above matters. I am mindful of the passage of time and the fact that only two months remain of the current calendar year in which to lodge prescribed information for an election.

Yours sincerely



Stephen Kellett
for Deputy Industrial Registrar

30 October 2008