

10 December 2018

**The National Electrical Contractors
Association**
Tasmania Chapter
Casual Vacancy election
E2018/200

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Election(s) Covered in this Report

Organisation: Tasmania Chapter

Election: Casual Vacancy

- Chapter Councillors (3) representing the Chapter as a whole
- Chapter Councillor (1) representing Northern group

Election Decision No/s: E2018/200

Rules

Rules used for the election: 233V: Incorporates alterations of 16 December 2016 in matter R2016/278;
233V-TAS: Incorporates alterations of 12 September 2014 [R2013/372]

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website:

https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections

Roll of Voters

As there were no contested offices, no Roll of Voters was required.

Irregularities


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

Other irregularities identified, and action taken: Nil

Other Matters

Returning Officer actions required (Section 193): Nil

Signed



David Murphy
Returning Officer
Australian Electoral Commission
E: vicelections@aec.gov.au
P: 03 9285 7104
10 December 2018



21 November 2018

Mr Suresh Manickam
Chapter Secretary
National Electrical Contractors Association, The Tasmanian Chapter
necatas@neca.asn.au

Dear Mr Manickam,

cc: National Electrical Contractors Association National Office, necanat@neca.asn.au

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of uncontested offices for TAS Branch [E2018/200]. 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, as soon as practicable after receiving the post-election report, 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 293K of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires 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 are provided for in the RO Act.

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 National Electrical Contractors Association, The-Tasmanian Chapter 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. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not 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

Matthew Indrigo
Registered Organisations Commission

The National Electrical Contractors Association
Tasmania Chapter
DECLARATION OF RESULTS - E2018/200
Uncontested Offices

Casual Vacancy 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:

NECA - Tasmanian Chapter Members

Chapter Councillors (representing the Chapter as a whole) (3)

Candidates

DAMEN, Anthony Francis

NECA - Tasmania Northern Group Members

Chapter Councillor – (representing Northern Group) (1)

Candidates

No Nominations Received

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



David Murphy
Returning Officer
Australian Electoral Commission
15/11/2018

Reference: **ATAOM V18/330**

Mr David Suresh MANICKAM
Chapter Secretary
The National Electrical Contractors Association
PO BOX 620
NORTH HOBART, TAS 7002

Via Email: suresh.manickam@neca.asn.au
cc: wendy.ramjee@neca.asn.au

Dear Mr MANICKAM

**Tasmania Chapter
Casual Vacancy Election
E2018/200**

The declaration of the election for uncontested offices is attached.

The election is now complete. A copy of the Declaration has been forwarded to all candidates.

Yours sincerely



David Murphy
Returning Officer

15 November 2018



DECISION

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

The National Electrical Contractors Association (E2018/200)

MR ENRIGHT

MELBOURNE, 1 OCTOBER 2018

Arrangement for conduct of election.

[1] On 29 August 2018 the Tasmanian Chapter of The National Electrical Contractors Association lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices, due to insufficient nominations received in a previous election (E2018/37):

Tasmanian Chapter

Chapter Councillors (3) representing the Chapter as a whole

Chapter Councillor (1) representing Northern Group

[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



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communications
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29 August 2018

Registered Organisations Commissioner
Registered Organisations Commission
GPO Box 2983
Melbourne Vic 3001

by email: regorgs@roc.gov.au
Attn: Mr Moutevelis Michael.Moutevelis@roc.gov.au

Election notification arrangements

I enclose prescribed information for elections to fill unfilled offices of the Tasmanian Chapter of the organisation arising due to insufficient nominations at the recent scheduled elections for the Chapter.

A copy of the relevant AEC declarations is annexed to the prescribed information.

We would submit that the expiry of the term of outgoing Chapter Councillor positions occurred on the date of the first meeting of the Chapter Council held to conduct the collegiate election for Chapter President, Vice President and Treasurer (which were filled) which was held on 3 August 2018 (and declared on 8 August 2018).

The election for Tasmanian Chapter Secretary (by a direct voting system election) was declared only as recently as 23 August 2018.

We would request that this matter be treated with some urgency by the ROC and by the AEC.

Should you have any other questions you have in relation to this matter please contact either myself or Ms Wendy Ramjee on 02 9439 8523 or email necanat@neca.asn.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Suresh Manickam', with a horizontal line underneath.

Suresh Manickam
Tasmania Chapter Secretary

Enclosures (3)





Fair Work (Registered Organisations) Regulation 138

Prescribed Information for elections in the Tasmanian Branch of the National Electrical Contractors Association (NECA)

I, Suresh Manickam, Tasmanian Chapter Secretary of NECA, hereby state that the information is lodged under section 189 of the *Fair Work (Registered Organisations) Act 2009* and that I am the person authorised to make the statement.

Offices

Tasmanian Chapter

- Chapter Councillors (3) representing the Chapter as a whole
- Chapter Councillor (1) representing Northern Group

Reason for election

Each of the above offices was not filled at the previous (scheduled) election, including at the "recall" election (E 2018/37). A copy of the two relevant AEC declarations is attached.

Electorate

The electorate for the 3 Councillors representing the Northern Group is the membership of Tasmanian Chapter based in the Northern area of Tasmania as per Tas rule 5(b).

The electorate for the 1 Councillors representing the Chapter as a whole is the membership of whole of the Tasmanian Chapter per Tas rule 14(f).

By National rule 42, the membership referred to is the financial membership.

Date and Time of opening and closing of nominations

As soon as is practicable as determined by the Returning Officer with the proviso of no less than 14 days between the opening and closing of nominations as per National rule 23(a).

Roll of voters to be closed

The rules provide that the "Returning Officer shall close the roll of voters for the election of the Chapter Committees 10 working days prior to calling for such nominations" – per National rule 23(a).

Voting System

The voting system for the abovenamed offices is a direct voting system.

Pending rule changes

Neither the Chapter nor the organisation have pending rule alterations and have no plans to alter the rules in the immediate period covering the conduct of the subject elections.


Suresh Manickam
Tasmanian Chapter Secretary
29 August 2018

Nominations Accepted Report

The National Electrical Contractors Association – Tasmania Chapter Scheduled Election E2018/37

Returning Office: Rosemary Darwinkel
Nominations Closed: 10am (AEST) on 14/05/2018.

The following Nominations have been accepted. Where an office is identified as contested a ballot is necessary.

North Western Group

Councillor	No. of Vacancies: 1	No. of Nominees: 1	Contested: No
Candidate/s			
HILL Shane			

Northern Group

Councillor	No. of Vacancies: 1	No. Of Nominees: 0	Contested: No
Candidate/s			
<i>No nominations received</i>			

Southern Group

Councillor	No. of Vacancies: 1	No. of Nominees: 2	Contested: Yes
Candidate/s			
DAMEN Anthony Francis			
HEEREY James Laurence			

Tasmania Chapter

Councillor representing the membership of the Chapter as a whole

Councillor	No. of Vacancies: 4	No. of Nominees: 1	Contested: No
Candidate/s			
HOBSON Wayne			

**The National Electrical Contractors Association
Tasmania Chapter
DECLARATION OF RESULTS - E2018/37
Uncontested Offices**

Scheduled Election Stage 1 - Recall Election Unfilled Positions

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:

Tasmania Chapter

Councillor (3) - representing the membership of the Chapter as a whole

Candidates

No nominations received

Northern Group

Councillor (1)

Candidates

No nominations received

R. Darwinkel

Rosemary Darwinkel
Returning Officer
Australian Electoral Commission
12/07/2018