

16 April 2020

Post-election report

**National Electrical and
Communications Association**
Victorian Chapter
Casual Vacancy election
E2019/213

Contents

Election(s) Covered in this Report.....	3
Rules	3
Roll of Voters.....	3
Irregularities.....	3
Other Matters.....	4
Signed.....	4
Attachments.....	5
A. Declaration of Results for Contested Elections - VIC.....	5

Election(s) Covered in this Report

Organisation: National Electrical and Communications Association - Victorian Chapter
Election: Casual Vacancy
Election Decision No: E2019/213

Rules

Rules used for the election: 233V: Incorporates alterations of 16 December 2016 in matter R2016/278];
233V-VIC: Incorporates alterations of 1 February 2017 [R2016/315]]

Rules difficult to apply/interpret: NIL
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

Total number of voters on the Roll: 1,155
Number of apparent workplace addresses:
Number of non-current addresses: 60
Other matters pertaining to the roll of voters: N/A

Irregularities

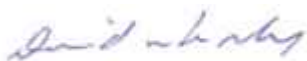
Details of written allegations of irregularities, and action taken by AEC: N/A

Other irregularities identified, and action taken: N/A

Other Matters

Returning Officer actions required (Section 193): No
Details: N/A

Signed



David Murphy
Returning Officer
Australian Electoral Commission
E: vicelections@aec.gov.au
P: 03 9285 7104
16 April 2020

Attachments

A. Declaration of results for Contested Offices – VIC



17 March 2020

Dean Spicer
Chapter President
National Electrical and Communications Association-Victorian Chapter
Sent via email: necavic@neca.asn.au

cc: David Manickam, National Electrical and Communications Association,
necanat@neca.asn.au

Dear Dean Spicer,

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 contested offices in matter E2019/213. 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 and Communications Association-Victorian 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.

Yours sincerely

Registered Organisations Commission

The National Electrical Contractors Association
Victorian Chapter
DECLARATION OF RESULTS - E2019/213
Contested 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:

Secretary - Victorian Chapter (1)

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	1,155
Number of voters issued with voting material	1,155
Total number of voters issued with replacement voting material	0
Total number of voting material packs issued	1,155
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	136
Number of declaration envelopes rejected at preliminary scrutiny (minus)	1
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	135
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	8
Voting material packs not returned by voters by closing date of the ballot	1,011
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	12 %

Secretary (1)

<u>Candidates</u>	<u>Final Votes</u>
HARGREAVES, Christopher	90
VAN DER KOOL, Christopher	43
Total ballot papers admitted for this office	135
Formal Ballot papers	133
Informal Ballot papers	2

I declare the following elected:

- HARGREAVES, Christopher

David Murphy

David Murphy
Returning Officer
Telephone: 03 9285 7104
Email: vicelections@aec.gov.au
10/03/2020





DECISION

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

The National Electrical Contractors Association (E2019/213)

MR ENRIGHT

MELBOURNE, 11 DECEMBER 2019

Arrangement for conduct of election.

[1] On 26 November 2019 the National Electrical Contractors Association-Victorian Chapter lodged with the Registered Organisations Commission prescribed information for an election to fill a casual vacancy in the following office:

Secretary - Victorian Chapter

[2] The organisation's rules, in particular rule 26(ca), provide that where a vacancy arises in the office of Chapter Secretary, the election to fill that office is for a new four (4) year term, rather than for the remainder of the previous occupant's term of office.

[3] I am satisfied that an election for the abovenamed office 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

PR351522

Fair Work (Registered Organisations) Regulation 138

Prescribed Information for elections by The National Electrical Contractors Association (NECA)

I, Dean Spicer, Victorian Chapter President of The National Electrical Contractors Association (NECA), 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.

NECA hereby lodges prescribed information in respect of an election to be conducted by the Australian Electoral Commission.

Name of office

Secretary – Victoria Chapter

- for a 4 year term (election for this office to be completed on or before 19 February 2020, which will be three months from the date that the office became vacant in accordance with rule 26(c)).

Reason for election

Casual vacancy (copy of resignation letter enclosed)

Electorate

The voting electorate (if required) is the financial membership of the Victorian Chapter.

Closure of Roll for Voters

The rules provide that the roll of voters closes 10 days prior to the date nominations for office are invited.

Voting System

Direct voting system

Election Timetable

Noting that the nomination forms are required to be delivered only to the 8 persons comprising the Chapter Council, the period for the opening and closing of nominations is to be determined by the Returning Officer. The ballot dates (if required) are also as determined by the Returning Officer.

Rule changes

There are no rule changes of NECA National or NECA Vic pending with the FWC.

The above information is lodged under subsection 189(1) of the Act.



.....
Dean Spicer
President – Victorian Chapter

26 November 2019