



Australian Government
Registered Organisations Commission

30 November 2017

Mr Garry Itzstein
Chapter Secretary
National Electrical Contractors Association-Western Australia Chapter
necawa@necawa.asn.au

Dear Mr Itzstein,

cc: 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 Western Australia Branch [E2017/200]. This letter is a reminder of certain obligations imposed on organisations.

A notice must be published on the organisation's website

The organisation or branch must 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).

If you have already published this information, please disregard this reminder.

Regards

Christine Hibberd
Registered Organisations Commission

27 November 2017

Post-election Report

**National Electoral Contractors Association,
Western Australia Chapter Scheduled Election
E2017/200**

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Election(s) Covered in this Report

Election Decision No/s: E2017/200

Rules

Rules used for the election: [233V: Incorporates alterations of 16 December 2016 in matter R2016/278]

Rules difficult to apply/interpret: None
Model Rule reference (if any) N/A

Roll of Voters

The roll of voters was supplied by the organisation. As there were no contested offices the roll was not used.

Irregularities

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

Other irregularities identified, and action taken: Nil

Other Matters

Nil

Attachments

- 1) Declaration of results for Uncontested Offices



Simon Bulloch
Returning Officer

27 November 2017

The National Electrical Contractors Association

Western Australia Chapter

DECLARATION OF RESULTS - E2017/200

Uncontested Offices

Scheduled 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:

Chapter Committee

Chapter Secretary (1)

Candidate/s

ITZSTEIN

Garry Victor

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



Simon Bulloch
Returning Officer
Australian Electoral Commission

27 November 2017



DECISION

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

The National Electrical Contractors Association
(E2017/200)

MR ENRIGHT

MELBOURNE, 18 SEPTEMBER 2017

Arrangement for conduct of election.

[1] On 5 and 18 September 2017 the Western Australia Chapter of The National Electrical Contractors Association lodged with the Registered Organisations Commission prescribed information for an election to fill the following office:

Chapter Secretary (1)

[2] 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

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From: Natalie Smith <NSmith@necawa.asn.au>
Sent: Monday, 18 September 2017 12:43 PM
To: ROC - Registered Org Commission
Cc: Garry Itzstein
Subject: (E2017/200) Notification of Chapter Secretary Election Requirement for NECA WA
Attachments: Notification of Chapter Secretary Election 180917.pdf

Please find attached the Prescribed Information for elections for NECA WA in accordance with Section 189 Fair Work (Registered Organisations) Act and Regulation 138 Fair Work (Registered Organisations) Regulations 2009.

If you require any further information, please contact the undersigned.

Kind regards,

Natalie Smith
Executive Assistant

Working Days: Monday, Tuesday & Thursday



**national
electrical and
communications
association**

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PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009*

I, Garry Victor Itzstein, being the Chapter Secretary of the National Electrical Contractors Association Western Australia Chapter, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the National Electrical Contractors Association Western Australia Chapter,
2. . The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The election that is required is set out in the table in Annexure A.

[delete as appropriate]

4. *[If lodged 2 months prior to nominations opening]* This statement **IS** lodged at least 2 months before nominations open for the election below.

Western Australian Secretary



Signed: Garry Victor Itzstein

Chapter Secretary

Dated: 18 September, 2017

[PLEASE NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au .]

ANNEXURE A

- o Elections that are required *[insert as many pages as required]*:

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
			<i>Direct voting system; Collegiate electoral system</i>	<i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	
<i>Western Australia</i>	<i>Chapter Secretary</i>	<i>1</i>	<i>Direct Voting System</i>	<i>Scheduled</i>	<i>Members</i>

- o Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	20 November 2017	-
Nominations CLOSE	7 days after nominations open	-
Roll of Voters cut off date	10 working days prior to nominations opening	-

Please note: that for insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as 'to be determined by the returning officer'. Casual vacancies must be accompanied by proof of resignation and attached to this statement.



4 September 2017

Mr Suresh Manickam
National Secretary/CEO
National Electrical Contractors Association

Sent via email: necanat@neca.asn.au

CC: AEC Returning Officer by email: industrial.elections@aec.gov.au

Dear Mr Manickam,

Courtesy Letter - Election for offices [E2017/200]

The rules of the National Electrical Contractors Association, indicate that an election for offices within the organisation is due to commence shortly.

- Western Australian Secretary

It appears that nominations for the election for the above-named office open in December this year.

Reminder: prescribed information must be lodged

This is a courtesy letter to remind you of your obligation to lodge information about the election (known as the 'prescribed information') pursuant to sub-sections 189(1) and (2) of the *Fair Work (Registered Organisations) Act 2009* (the 'Act') within the month. Prescribed information must be lodged with the Registered Organisations Commission (the ROC) two months before nominations open for the election.

If you do NOT agree that an election is due

If you have a different interpretation for the commencement of the election or the offices due for election under your rules, please let the ROC know on regorgs@roc.gov.au as soon as possible.

If you agree that an election is due

If you agree that an election is due, the prescribed information must be lodged within the month. The prescribed information should contain details of the election as required by regulation 138(1) of the *Fair Work (Registered Organisations) Regulations 2009* (the 'Regulations'), and any subsequent collegiate elections, if that is relevant. A sample of the prescribed information can be found on our website at <http://www.roc.gov.au/resources-and-decisions/fact-sheets-templates-and-webinars>.

The prescribed information should be emailed to regorgs@roc.gov.au. When lodging the prescribed information, please quote [E2017/200]

If you are unable to lodge the prescribed information on time

If your organisation believes that it will be unable to comply with the prescribed day as set out in the Regulations, it will need to apply to the Commissioner within the month for a later date. Such request will need to set out in detail the reason why your organisation is unable to comply with the

requirement. While the Commissioner will consider such an application, there is no assurance that consent to a later day will be allowed.

Penalties apply

It should be noted Section 189(2) is a civil penalty provision. Failure for an organisation to lodge prescribed information at least two months before nominations open may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or the organisation.

The ROC intends to continue to provide reminders that an election is due as a courtesy. However failure to receive a reminder from the ROC cannot be relied on as a reason for late, incorrect or non-lodgment of prescribed information. The obligation to lodge prescribed information consistent with the Act and the rules of the organisation rests with the organisation.

Insufficient nominations

If there are insufficient nominations, or if a casual vacancy arises after the conduct of this election, then those unfilled or vacated offices must be filled in accordance the organisation's rules, and in any event in a timely manner.

Should you seek any clarification in relation to the above, please contact the ROC on regorgs@roc.gov.au.

Yours faithfully,



Sam Gallichio
Registered Organisations Commission