



30 October 2017

Ms Tracey Coster  
National Tertiary Education Industry Union  
tcoster@nteu.org.au

Dear Ms Coster,

### **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 office for National Branch [E2017/191]. 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 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 Tertiary Education Industry Union 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

**Christine Hibberd**  
**Registered Organisations Commission**

**NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return) required to be kept in accordance with section 230 *Fair Work (Registered Organisations) Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009***

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

*[delete all that do not apply]*

- On [DATE] the address of the organisation changed to [STREET ADDRESS].<sup>1</sup>
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:<sup>2</sup>
  1. *[include OLD name and address and NEW name and address of every branch that has changed]*
  2. ...
- A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.
- On [DATE] the following branch[es]:<sup>3</sup>
  - COMMENCED operation:
    1. *[include name of each new branch]*
    2. ...
  - CEASED operation:
    1. *[include name of each closed branch]*

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<sup>1</sup> s.230(1)(d); reg.147(d)

<sup>2</sup> s.230(1)(d); reg.147(a) & (d)

<sup>3</sup> s.230(1)(d); reg.147(b) & (c)

2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Registered Organisations Commission within **35 days** of the change. It can be submitted to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).]*

**ANNEXURE A**

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

*Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.*

<b>Branch</b>	<b>Date of Change</b>	<b>Name of Office that has changed</b>	<b>Name of <u>Outgoing</u> Office Holder</b>	<b>Name of <u>New</u> Office Holder</b>	<b>Postal Address of <u>New</u> Office Holder</b>	<b>Occupation of <u>New</u> Office Holder</b>
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
<i>...</i>						
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
<i>...</i>						

25 October 2017

# Post-election Report

**National Tertiary Education Industry Union  
E2017/191**

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## Election(s) Covered in this Report

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Election Decision No/s: E2017/191

## Rules

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Rules used for the election: [283V: Incorporates alternations of 2/12/2015 R2015/150 & R2015/237]] (replaces 19/06/2015 (R2015/119))

Rules difficult to apply/interpret:

Module Rule reference (if any) N/A

## Roll of Voters

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Total number of voters on the Roll: 124.

Number of apparent workplace addresses: Various

Number of non-current addresses: 0

Other matters pertaining to the roll of voters: A large number of addresses of members are Campus addresses

# Irregularities

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

Other irregularities identified, and action taken: N/A

## Other Matters

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A need to have member addresses provided as personal addresses and not campus workplace addresses.

## Attachments

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- 1) Declaration of Results for Contested Offices

Jeff Webb  
Returning Officer

25 October 2017



**Reference:** VIC17/285

Ms Tracey Coster  
Executive Officer (Meetings & Events)  
National Tertiary Education Industry Union  
PO Box 1323  
South Melbourne VIC 3205

Dear Ms Coster,

**National Tertiary Education Industry Union  
Casual Vacancy E2017/191**

The declaration of the election for contested office is attached.

The election is now complete.

Yours sincerely

Jeff Webb  
Returning Officer

24 October 2017

cc all candidates

# National Tertiary Education Industry Union Casual Vacancy E2017/191

## Declaration of Results for Contested Offices

Below are 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.

### National Offices

Total number of names on the roll of voters	124
Ballot papers issued	124
Replacement ballot papers issued	0
<b>Total Ballot Papers Issued</b>	<b>124</b>
Ballot papers / envelopes returned for scrutiny	61
Less ballot papers / envelopes rejected at preliminary scrutiny	1
Adjusting balance	0
<b>Total Ballot Papers Admitted to Scrutiny</b>	<b>60</b>
Percentage of ballot papers returned to number issued	48
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	63

### Ordinary Executive Member

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
WARNER, Nick	58	58
REED, Karl	2	2
Total votes	<b>60</b>	<b>60</b>
Formal ballot papers	<b>60</b>	<b>60</b>
Informal ballot papers	<b>0</b>	<b>0</b>

I declare Nick Warner elected.



Jeff Webb  
Returning Officer  
Australian Electoral Commission

24 October 2017



## DECISION

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

**National Tertiary Education Industry Union**  
(E2017/191)

MR ENRIGHT

MELBOURNE, 22 AUGUST 2017

*Arrangement for conduct of election.*

[1] On 15 August 2017 the National Tertiary Education Industry Union lodged with the Registered Organisations Commission prescribed information for an election to fill a casual vacancy in the following office for the remainder of the term:

Ordinary Executive Member (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:** Tracey Coster <tcoster@nteu.org.au>  
**Sent:** Tuesday, 15 August 2017 11:29 AM  
**To:** ROC - Registered Org Commission  
**Cc:** Rhys Richards; Jeff Webb  
**Subject:** Request for NTEU Elections  
**Attachments:** Casual Vacancy Election Request 2017.doc; Attachment A to Election Request 2017 - Part 2.docx

Hi

Please find attached a request for Casual Vacancy Election for the NTEU.

If you have any queries please feel free to contact me.

I have also Cc'ed the AEC into this request.

Tracey Coster  
Executive Officer (Meetings & Events)  
National Tertiary Education Union  
Ph 03 9254 1910  
Fax 03 9254 1915  
Mobile 0400 565 938  
Email [tcoster@nteu.org.au](mailto:tcoster@nteu.org.au)





**NATIONAL OFFICE**

ABN 38 579 396 344

First floor, 120 Clarendon St, Southbank VIC 3006

PO Box 1323, South Melbourne VIC 3205

Tel: (03) 9254 1910 Fax: (03) 9254 1915

Email: nteunat@nteu.org.au

Web: www.nteu.org.au

15 August 2017

The General Manager  
Registered Organisations Commission  
GPO Box 2983, Melbourne VIC 3001  
regorgs@roc.gov.au

Dear General Manager,

**Request for Supplementary Elections**

The NTEU currently has a Casual Vacancy for an Ordinary Executive Member position. Please find herewith a request for supplementary elections to be held under the Rules of the National Tertiary Education Industry Union in 2017.

Please find a list of all the positions being called for – Attachment A.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Tracey Coster', is written over a faint, illegible stamp.

Tracey Coster

**Executive Officer – Meetings & Events**

Encl.

**NATIONAL TERTIARY EDUCATION INDUSTRY UNION**  
**REQUEST FOR ELECTIONS TO BE HELD**

I, **GRAHAME MCCULLOCH**, General Secretary of the National Tertiary Education Industry Union, hereby request, pursuant to Section 189 of the Fair Work (Registered Organisations) Act 2009, that the General Manager arrange for the conduct of this organisation's elections in 2017, and state as follows:

1. Elections are requested for those positions specified in the attached table, Attachment A.
2.
  - (a) **The name of each office** (Regulation 138(1)(a)) is specified in the first and second columns of Attachment A.
  - (b) **The reason for the election** (138(1)(b)) is as specified in the fifth column of Attachment A, according to the Key to Election Request which is at the Annexure to Attachment A.
  - (c) **Where more than one of the offices in respect of which an election is required have the same name** (138(1)(c)) the number of such offices is as specified in the third column of Attachment A, headed "No. Required".
  - (d) **The electorate from which each office is to be elected** (138(1)(d)) is as indicated in the fourth column of Attachment A, headed "Elected By", read in conjunction with the Annexure to Attachment A.
  - (e) **The voting system to be employed** (138(1)(g)) in the conduct of the election is as indicated in the sixth column of Attachment A read in conjunction with the Annexure to Attachment A.
  - (f) **The period during which nominations may be called** in the election takes place at our National Council meeting then nominations must be called for No less than fourteen days before the first day of the meeting of National Council at which an election is to be conducted, the Returning Officer shall, by notice in writing to each member of the National Council.
  - (g) **The date provided for in the rules as the day on which the roll of voters is to be closed** (138(1)(f)) is the seventh day before the date determined for the opening of nominations.
3. These elections are mandated, or may be held, under the rules of the NTEU. The term of office for each position in the attached table is the remainder of the two year term to which the previous incumbent was elected in 2016.
4. I certify that to the best of my knowledge and belief, the information is correct and based upon advice given by the relevant Branches and Divisions.

I have sent the Australian Electoral Commission a copy of this request.

Please contact Tracey Coster from this office if you have any questions regarding this request.



**GRAHAME MCCULLOCH**  
**General Secretary**  
15 August 2017

## **Attachment A**

<b>NATIONAL OFFICES</b>					
<b>Branch</b>	<b>Position</b>	<b>No. Required</b>	<b>Elected by</b>	<b>Reason for Election</b>	<b>Voting System</b>
	Ordinary Executive Member	1	NC	2	C

## **ANNEXURE**

### **KEY TO ELECTION REQUEST**

#### **Column: "Elected By"**

- AM** Elected by and from all members of the Branch/Sub-Branch/Division/National Membership.
- AS** Elected by and from members of the Academic Staff Section of the Branch/Sub-Branch/Division/National Membership.
- GS** Elected by and from members of the General Staff Section of the Branch/Sub-Branch/Division/National Membership.
- DC** Elected by and from the Division Council in the relevant Division.
- NC** Elected by and from the National Council.
- BC** Elected by and from the Branch Committee
- IM** Elected by and from the Indigenous Members of the Branch/Sub-Branch/Division/National Electoral Roll
- IC** Elected by and from the Indigenous Tertiary Education Policy Committee

#### **Column: "Reason for Election"**

1. That the term of office has expired.
2. That there is a casual vacancy in the office.
3. That a new office has been created.

#### **Column: "Voting System"**

- D** A direct voting system is to be used.
- C** A collegiate voting system is to be used.