

# National Tertiary Education Industry Union Election for New Position

## DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

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.

E2012/301

### Western Australian Division

#### Division Executive Member (5)

##### Candidates

HILL, Anne-Marie  
LUMMIS, Geoffrey William  
O'SHEA, James E  
PRICE, Anne  
SINCLAIR-JONES, Jan

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  
17 September 2012

**Post Election Report For:**

**Election E No 2012/301**

I refer to the above election for your organisation.

Section 197(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 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 of 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](mailto: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 Regulations 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.

Simon Bulloch  
Returning Officer  
18 September 2012

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**Election Services-WA State Office  
Level 3, 111 St Georges Terrace PERTH WA 6000  
PO Box A16, PERTH WA 6001  
Tel: (08) 6363 8011 Fax: (08) 6363 8052**

Fair Work (Registered Organisations) Act 2009

**POST ELECTION REPORT**

**Client:** National Tertiary Education Industry Union

**Contact details:** Ken McAlpine

**Email:** [kmcAlpine@nteu.org.au](mailto:kmcAlpine@nteu.org.au)

**Tel:** 03 9254 1910

**FWA contact officer:** Larry Powell

**Email:** larry.powell@fwa.gov.au

**Tel:** 03 8661 7993

**ELECTION/S COVERED IN THIS REPORT**

Election Decision No/s: E2012/301

**RULES**

Rules used for the election: [283V: Incorporates alterations of 4 May 2012 [R2011/221]  
(replaces 14/07/11 version [R2011/95])

Rules difficult to apply/interpret: Nil

Model Rule reference (if any): N/A

**ROLL OF VOTERS**

The roll of voters was supplied by the Organisation however as there were no contested offices, the Roll of Voters was not used.

**IRREGULARITIES**

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

Other irregularities identified, and action taken: Nil

**ATTACHMENTS**

Declaration of Results for Uncontested Offices

Simon Bulloch  
Returning Officer  
18 September 2012



FAIR WORK  
AUSTRALIA

## DECISION

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

**National Tertiary Education Industry Union**  
(E2012/301)

AILS A CARRUTHERS

MELBOURNE, 19 JUNE 2012

*Arrangement for conduct of election.*

[1] On 18 June 2012 the National Tertiary Education Industry Union lodged with Fair Work Australia the prescribed information in relation to an election for the following offices:

Western Australian Division

Division Executive Members (5)

[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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## Attachment A

### 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 and additional election further to our previous request, and state as follows:

1. Elections are required for those offices specified in the attached table, Attachment B.
2.
  - (a) **The name of each office** (Regulation 138(1)(a)) is specified in the first and second columns of Attachment B.
  - (b) **The reason for the election** (138(1)(b)) is as specified in the fifth column of Attachment B, according to the Key to Election Request which is at the Annexure to Attachment B.
  - (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 B, 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 B, headed "Elected By", read in conjunction with the Annexure to Attachment B.
  - (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 B read in conjunction with the Annexure to Attachment B.
  - (f) **The period during which nominations may be called** (138(1)(e)) is 1 February 2012, to such date as would see the elections declared before the terms of office commence, except that no time is prescribed by the rules in relation to new positions.
3. The terms of office for each office in the attached table is two years.
4. **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 (72.1).
5. This request was foreshadowed in the previous election request as the Western Australian Division of the union had not yet determined the size of its Division Executive as at the time of that request. The Division Council has now done so in accordance to the rules.

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

Please contact Ken McAlpine in the first instance should you have any questions regarding this request.

A handwritten signature in black ink, appearing to read 'Grahame McCulloch', with a stylized flourish at the end.

GRAHAME McCULLOCH  
**General Secretary**

**18 June 2012**

## Attachment B

<b>Western Australian Division</b>					
<b>Branch</b>	<b>Position</b>	<b>Number Required</b>	<b>Elected by</b>	<b>Reason for Election</b>	<b>Voting System</b>
	Division Executive Member	5	DC	3	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.