



Fair Work (Registered Organisations) Act 2009
POST ELECTION REPORT

**National Union of Workers
General Branch
Assistant Secretary Election – E2013/244**

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: *E2013/244*

RULES

Rules used for the election: *080V: Incorporates alterations of 6/8/2013 [R2013/285]*

Rules difficult to apply/interpret: *None*

Model Rule reference (if any): *N/A*

ROLL OF VOTERS

As the offices were not contested, the Roll of Voters was not required for this election.

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 dated 1 October 2013

Mark Townsend
Returning Officer

1 October 2013

National Union of Workers

NUW - General Branch - Assistant Secretary Election

Declaration of Results for Uncontested Offices

E2013/244

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.

General Branch (represents SA, WA, QLD & Tas/NT and Market Research members & Forepersons

Branch Assistant Secretary

Candidates

MOASE, Godfrey Edward

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



Mark Townsend
Returning Officer

1 October 2013



DECISION

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

National Union of Workers
(E2013/244)

MR ENRIGHT

MELBOURNE, 14 AUGUST 2013

Arrangement for conduct of election.

[1] On 7 August 2013 the National Union of Workers lodged with the Fair Work Commission the prescribed information in relation to an election for the following office:

General Branch

Branch Assistant Secretary

[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 GENERAL MANAGER

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<Price code A, PR540259>

PR:CG

13C-022

6 August 2013

General Manager
Fair Work Australia
11 Exhibition Street
Melbourne Victoria 3000

Dear General Manager

Re: **s189 – Fair Work (Registered Organisations) Act 2009 – Conduct of elections**

I refer to the decision of 6 August 2013 of the Delegate [2013] FWCD 5198 and enclose an application for the conduct of an election of the new office arising from the certified alterations to the Union's rules.

Having regard to the nature of the office and the need for an election conducted in accordance with the Act, the Union requests that the prescribed day requirements for lodging the application be waived and that the arrangement of the election occur as expeditiously as possible.

Should you require any clarification or additional information please contact Assistant General Secretary Paul Richardson on 03 9287 1850.

Yours faithfully,


CHARLES DONNELLY
GENERAL SECRETARY

nuwassist

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FOR WORKPLACE SUPPORT

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SA 46 Greenhill Rd, Wayville SA 5034
WA 5/896 Beaufort Street, Inglewood WA 6052

FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009

Section 189 – Conduct of elections

FAIR WORK (REGISTERED ORGANISATIONS) REGULATIONS 2009

Regulation 138 – Prescribed information for conduct of an election

National Union of Workers

**PRESCRIBED INFORMATION FOR CONDUCT OF ELECTION IN
RELATION TO A NEW OFFICE FOR WHICH AN ELECTION IS
REQUIRED**

A. The following information is in relation to an election that is to be conducted by the Australian Electoral Commission (“AEC”).

1. The name of each office or position for which an election is required:
[Regulation 138 (1) (a)]

<u><i>Electorate</i></u>	<u><i>Office</i></u>	<u><i>Number</i></u>
General Branch	Assistant Secretary	1

2. The reason for the election is that the above office is a new office arising from the decision of the Delegate of the General Manager certifying alterations to the Rules of the organisation – [2103] FWCD 5198. [Regulation 138 (1) (b) (iii)]
3. Regulation 138 (1) (c) does not apply to this application.
4. The electorate of the organisation appears at paragraph A.1 above.
[Regulation 138 (1) (d)]
5. The organisation’s Rules require that as far as practicable an election for a casual vacancy be conducted in a manner consistent with an ordinary election (Rules 13,16, 37F and 43)

On this basis the Union submits that the date and time of the beginning of the nomination period should be determined by the AEC acting as the returning officer, provided that the nomination period be open for a period of at least 28 days. [Regulation 138 (1) (e)]

6. The day upon which the roll of voters closes is seven days prior to the opening of nominations in accordance with Rule 13 (e) (5) and should be determined by the AEC. [Regulation 138 (1) (f)].
7. In accordance with Rule 13 (d), the kind of voting is direct voting. [Regulation 138 (1) (g)]
8. An indicative example of the key dates proposed to be determined by the AEC and associated with the conduct of the election appears as Attachment A hereto.

B. A statement in accordance with Regulation 138 (2) is attached hereto.



CHARLES DONNELLY
GENERAL SECRETARY
NATIONAL UNION OF WORKERS

DATED: 7 August 2013

This application is filed by Paul Richardson, Assistant General Secretary, National Union of Workers, 833 Bourke Street, Docklands, Victoria 3008.

The contact officer for this matter is Assistant General Secretary Paul Richardson.

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FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009

Section 189 – Conduct of elections

FAIR WORK (REGISTERED ORGANISATIONS) REGULATIONS 2009

Regulation 138 – Prescribed information for conduct of an election

National Union of Workers

**ATTACHMENT A – INDICATIVE TIMETABLE AND KEY DATES FOR
CONDUCT OF ELECTION**

RULE	ACTION	DATE
13(e)(5)	Nominations open	As determined by AEC
13(e)(5)	Nominations close	At least 28 days after nominations open
13(e)(2)(a)	Roll of eligible voters provided to AEC	7 days prior to the opening of nominations
13(20)/37F(2)	Ballot opens	As determined by AEC
13(20)	Ballot closes	21 days after ballot opens including the day the ballot opens
13(21)	Roll of voters closes	7 days prior to ballot opening
13(13)	Declaration of ballot - in the event of only one nomination for the office that is subject to the election	As soon as possible after the close of nominations and confirmation of the bona fides of the nomination
13(26)/13(31)	Deceleration of ballot – in the event of a ballot being required due to two or more nominations for the office that is subject to the election	As soon as possible after the conclusion of counting the ballot

FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009

Section 189 – Conduct of elections

FAIR WORK (REGISTERED ORGANISATIONS) REGULATIONS 2009

Regulation 138 – Prescribed information for conduct of an election

National Union of Workers

AUTHORISED STATEMENT

I, Charles Donnelly, General Secretary of the National Union of Workers state as follows:

1. The information attached is lodged in accordance with and under subsection 189 (1) of the *Fair Work Act 2009*; and
2. I am an officer of the organisation authorised to sign this statement.


CHARLES BONNELLY
GENERAL SECRETARY

DATE: 7 August 2013