



8 October 2014

General Manager
Fair Work Commission
GPO Box 1994
Melbourne VIC 3001

Attention: Eve Anderson, Mark Elliot

Dear Madam / Sir

Response to “Difficult Rules” identified in AEC Post-Election Report

In compliance with the provisions of section 198(6)(b)(i) of the *Fair Work (Registered Organisations) Act 2009*, please find attached:

- An extract of the Australian Electoral Commission (AEC) Post-election report that identifies the rules of The Pharmacy Guild of Australia (the Guild) that, in the AEC’s opinion, were difficult to interpret or apply.
- A copy of the response given by The Guild to the AEC on 8 October 2014.

I also declare that:

- The Guild will provide a copy of this extract and The Guild’s response to any member who so requests
- The information contained in this declaration is true and accurate to the best of my knowledge.

Yours sincerely

Timothy John Logan
National Vice President

National Secretariat

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Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT (EXTRACT)

The Pharmacy Guild of Australia

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2014/87

RULES

Rules used for the election: [175V: Incorporates alterations of 24/06/2011] [R2011/108] (replaces 11/08/2010 [R2010/59] version)

Rules difficult to apply/interpret: Rules 55B(j)(ii) (A) (ii), Rules 55B(j)(ii) (B) (ii) & (iii),
Rules 55B(j)(ii) (C) :
The Rule requires that a tied ballot when there are two candidates in the election for National President, be decided by a recount where there is a requirement for weighted votes [Determination by poll as per Rule 22 (a) & (b)]. This maybe in breach of the secrecy of votes in the ballot.



8 October 2014

Nicole Simmons
Returning Officer
Australian Electoral Commission
PO Box K778
Haymarket NSW 1240

Dear Ms Simmons

I refer to the Post Election Report issued by the Australian Electoral Commission (AEC) dated 7 October 2014 regarding the election (E2014/87) for the National President position of The Pharmacy Guild of Australia (The Guild). In its report the AEC has identified Rules that are difficult to apply/interpret. Responses to these are set out below.

Rules 55B(j)(ii) (A) (ii), Rules 55B(j)(ii) (B) (ii) & (iii), Rules 55B(j)(ii) (C) :

The Rule requires that a tied ballot when there are two candidates in the election for National President, be decided by a recount where there is a requirement for weighted votes [Determination by poll as per Rule 22 (a) & (b)]. This may be in breach of the secrecy of votes in the ballot.

The Guild notes the concerns raised by the AEC as to the potential for a vote determined by poll (i.e. weighted votes) in accordance with the current Registered Rules to potentially compromise the secrecy of the voting process (as required by section 143(1)(e) of the Fair Work (Registered Organisations) Act 2009 and Rule 55B(h) of the Guild's registered rules).

As such, the Guild, through its Constitution and Rules Committee, has conducted a review of the relevant rules and has devised potential changes, subject to approval by the Fair Work Commission, to alter the process for deciding the result of a tied vote so as to ensure that the requirements of a secret ballot can also be met.

The proposed changes indicate that in the instance of a tied vote for the position of National President, a second secret ballot will be required. For this second ballot each National Councillor-elect will receive a number of ballot papers that will be calculated by making reference to the number of Financial Members in the Branch as at 30 June immediately preceding the election in which the Voting Councillor-elect was elected, taking into account the number of Councillors-elect from the Voting Councillor's Branch, and dividing this by the number of Financial Members in the Branch with the fewest Financial Members.

The Guild is of the view that the proposed revised process set out above will ensure that the secrecy of the voting process in a second ballot, should it be required, will be maintained.

Yours sincerely

Timothy John Logan
National Vice President

National Secretariat

Level 2, 15 National Circuit, Barton, ACT 2600 Australia
PO Box 7036, Canberra Business Centre, ACT 2610 Australia
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The Pharmacy Guild of Australia Election of National Office Bearers 2014

Declaration of Results for Uncontested Offices

E2014/87

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

National President

Candidates

TAMBASSIS, George

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



Nicole Simmons
Returning Officer

7 October 2014

The Pharmacy Guild of Australia Branch Committee Officer Bearers

Declaration of Results for Uncontested Offices

E2014/87

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.

New South Wales Branch

Branch President

Candidate

SINCLAIR, Paul

Branch Vice President (3)

Candidates

DOUGLASS, Mark
LEAHY, Denis Michael
SAMIMI, Rick

Branch National Councillor (2)

Candidates

DOUGLASS, Mark
LEAHY, Denis Michael

Alternate Branch National Councillor (3)

Candidates

BARONE, Mario
BLACK, John Zachary
SAMIMI, Rick

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



Nicole Simmons
Returning Officer

5 August 2014

The Pharmacy Guild of Australia Branch Committee Members – NSW Branch

Declaration of Results for Uncontested Offices

E2014/87

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.

Branch Committee Member (15)

Candidates

BARONE, Mario
BLACK, John Zachary
DIBBEN, Philip
DOUGLASS, Mark
EVERETT, Gregory William
HEFFERNAN, David
JONES, Paul John
KAREM, Feras
LEAHY, Denis Michael
LUU, Binh Hoa
MCBEATH, Peter
MENDRIA, George
SAMIMI, Richard
SINCLAIR, Paul Gregory
WALSH, Richard Buxton

No further nomination was accepted

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



Nicole Simmons
Returning Officer

28 May 2014

**The Pharmacy Guild of Australia
Branch Committee Office Bearers
ACT Branch**

Declaration of Results for Uncontested Offices

E2014/87

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.

Branch President/ National Councillor/ National Vice President

Candidate

GALBRAITH, Amanda Kim

Branch Vice-Presidents (2)

Candidates

BLACKER, Simon Andrew
TURNER, Robert John

Alternate National Councillor

Candidate

TURNER, Robert John

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



Nicole Simmons
Returning Officer
29 August 2014

**The Pharmacy Guild of Australia
ACT Branch Committee Member - Recall**

Declaration of Results for Contested Offices

E2014/87

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.

ACT Branch

Total number of names on the roll of voters	64
Ballot papers issued	64
Replacement ballot papers issued	0
Total Ballot Papers Issued	64
Ballot papers / envelopes returned for scrutiny	26
Less ballot papers / envelopes rejected at preliminary scrutiny	1
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	25
Percentage of ballot papers returned to number issued	40.63%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	38

Branch Committee Member

<u>Candidates</u>	<u>Votes</u>
LAWLER, Christopher	16
CHAN, Felix	9
Total votes	25
Formal ballot papers	25
Informal ballot papers	0

I declare Christopher Lawler elected.



Nicole Simmons
Returning Officer
Australian Electoral Commission

25 July 2014

The Pharmacy Guild of Australia Branch Committee Members – ACT Branch

Declaration of Results for Uncontested Offices

E2014/87

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.

Branch Committee Members (7)

Candidates

APOLLONI, Elise Patricia
BLACKER, Simon
GALBRAITH, Amanda Kim
REID, Patrick William
RICE, Catherine
TURNER, Robert
No further nomination was accepted

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



Nicole Simmons
Returning Officer

28 May 2014

**The Pharmacy Guild of Australia
PGA Qld Branch Office Holders Election - Tier 2 - E2014/87**

Declaration of Results for Contested and Uncontested Offices

E2014/87

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.

Queensland Branch

Total number of names on the roll of voters	742
Ballot papers issued	742
Replacement ballot papers issued	9
Total Ballot Papers Issued	751
Ballot papers / envelopes returned for scrutiny	197
Less ballot papers / envelopes rejected at preliminary scrutiny	3
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	194
Percentage of ballot papers returned to number issued	26%
Ballot papers returned as unclaimed mail	5
Ballot papers not returned	549

Branch Vice-President (3)

<u>Candidates</u>	<u>Votes</u>
TWOMEY, Trent	55
OWEN, Christopher	111
XYNIAS, Rick	119
FARRELL, Michael	124
SCLAVOS, Kosmas	161
Exhausted Votes	0
Loss/Gain by Fraction	0
Total votes	570
Formal ballot papers	190
Informal ballot papers	7

I declare Michael Farrell, Kosmas Sclavos and Rick Xynias elected.

Alternate National Councillor (2)

<u>Candidates</u>	<u>Votes</u>
JAFFAR, Paul	44
OWEN, Christopher	148
XYNIAS, Rick	148
Exhausted Votes	0
Loss/Gain by Fraction	0
Total votes	340
Formal ballot papers	189
Informal ballot papers	5

I declare Christopher Owen and Rick Xynias elected.

Branch President

Candidates

LOGAN, Timothy

I declare Timothy Logan elected.

National Councillor

Candidates

TWOMEY, Trent

I declare Trent Twomey elected.

Trevor Jordan
Returning Officer
Australian Electoral Commission

27 August 2014

**The Pharmacy Guild of Australia
Scheduled Qld Branch Election E2014/87**

Declaration of Results for Contested and Uncontested Offices

E2014/87

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.

**Brisbane District (5)
Branch Committee Member**

Candidates

FOTINOS, George
MALOUF, Louise
SCLAVOS, Kosmas
SEETO, Amanda
XYNIAS, Rick

I declare all candidates elected.

**Central Queensland District (1)
Branch Committee Member**

Candidates

FARRELL, Michael

I declare Michael Farrell elected.

**Far North Queensland District (1)
Branch Committee Member**

Candidates

TWOMEY, Trent

I declare Trent Twomey elected.

**Gold Coast District (1)
Branch Committee Member**

Candidates

JAFFAR, Paul

I declare Paul Jaffar elected.

**North Queensland District (1)
Branch Committee Member**

Candidates

CALANNA, Mario

I declare Mario Calanna elected.

South West District (1)

Total number of names on the roll of voters	99
Ballot papers issued	99
Replacement ballot papers issued	0
Total Ballot Papers Issued	99
Ballot papers / envelopes returned for scrutiny	34
Less ballot papers / envelopes rejected at preliminary scrutiny	0
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	34
Percentage of ballot papers returned to number issued	34
Ballot papers returned as unclaimed mail	4
Ballot papers not returned	61

Branch Committee Member

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Informal Votes</u>
GAUHAR, Adnan	4	0
OWEN, Christopher	30	0
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	34	0
Formal ballot papers	34	34
Informal ballot papers	0	0

I declare Christopher Owen elected.

**Sunshine Coast District (1)
Branch Committee Member**

Candidates

LOGAN, Timothy

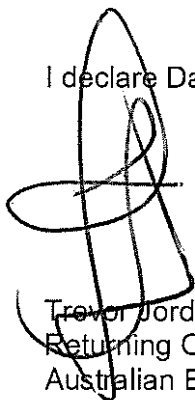
I declare Timothy Logan elected.

**Wide Bay Burnett District (1)
Branch Committee Member**

Candidates

HOLMES, David

I declare David Holmes elected.



Trevor Jordan
Returning Officer
Australian Electoral Commission

10 July 2014

**The Pharmacy Guild of Australia
Tasmanian Branch 2014 - Stage 2**

Declaration of Results for Contested and Uncontested Offices

E2014/87

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.

Tasmanian Branch

Total number of names on the roll of voters	132
Ballot papers issued	132
Replacement ballot papers issued	0
Total Ballot Papers Issued	132
Ballot papers / envelopes returned for scrutiny	77
Less ballot papers / envelopes rejected at preliminary scrutiny	1
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	76
Percentage of ballot papers returned to number issued	58
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	55

National Councillor

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
O'MALLEY, Joseph Matthew	35	0
WARD, Glenn	41	0
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	76	0
Formal ballot papers	76	76
Informal ballot papers	0	0

I declare Glenn Ward elected.

Alternate National Councillor (2)

Candidates

O'MALLEY, Joseph Matthew
WARD, Glenn

I declare Joseph Matthew O'Malley elected.
No other nominations received.

Branch Vice President (3)

Candidates

HAMPTON, Jeremy Lewis
O'MALLEY, Joseph Matthew
WARD, Glenn

I declare Jeremy Lewis Hampton, Joseph Matthew O'Malley and Glenn Ward elected.

Branch President/National Councillor/National Vice President

Candidates

DOWLING, John Christopher

I declare John Christopher Dowling elected.



Dale Emery
Returning Officer
Australian Electoral Commission

21 July 2014

The Pharmacy Guild of Australia Tasmanian Branch 2014 - Stage 1

Declaration of Results for Uncontested Offices

E2014/87

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.

Tasmanian Branch

Branch Committee Member (10)

Candidates

CUTHILL, Harvey William Graham

DOWLING, John Christopher

HAMPTON, Jeremy Lewis

O'MALLEY, Joseph Matthew

QUINN, Martin

WARD, Glenn

No further nominations were accepted

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



Dale Emery
Returning Officer

27 May 2014

The Pharmacy Guild of Australia Branch Committee Officer Bearers

Declaration of Results for Uncontested Offices

E2014/87

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.

Western Australian Branch

Branch President (National Councillor)

Candidates

WRAGG, Stephen

Branch Vice President (3)

Candidates

MASI, Anthony
NGEOW, Andrew
WILLIS, Natalie

National Councillor

Candidates

MULLEN, Zoe Lenette

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

5 August 2014

The Pharmacy Guild of Australia Recall Election

Declaration of Results for Uncontested Offices

E2014/87

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.

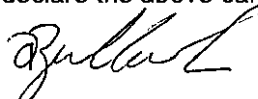
Western Australian Branch

Branch Committee Member from the West Coast Metro District

Candidates

PEARSON, Donna Lorraine

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

27/06/14

**The Pharmacy Guild of Australia
WA Branch
Branch Committee Members**

Declaration of Results for Uncontested Offices

E2014/87 Part 1

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.

Western Australian Branch

Branch Committee Member from the Eastern Country District

Candidates

NGEOW, Andrew

Branch Committee Member from the Eastern Metro District

Candidates

STALTARI, Adrian

Branch Committee Member from the Fremantle-Melville District

Candidates

MULLEN, Zoe Lenette

Branch Committee Member from the Great Southern Country District

Candidates

DA RUI, Gregory

Branch Committee Member from the North Coast Metro District

Candidates

REES, Paul James

Branch Committee Member from the South West Country District

Candidates

KEANE, Linda Diana

Branch Committee Member from the West Coast Metro District

Candidates

No nomination was received

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

3 June 2014

The Pharmacy Guild of Australia Victorian Branch Officer Bearers

Declaration of Results for Contested and Uncontested Offices

E2014/87

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.

Victorian Branch

Total number of names on the roll of voters	875
Ballot papers issued	875
Replacement ballot papers issued	6
Total Ballot Papers Issued	881
Ballot papers / envelopes returned for scrutiny	430
Less ballot papers / envelopes rejected at preliminary scrutiny	3
Adjusting balance	427
Total Ballot Papers Admitted to Scrutiny	427
Percentage of ballot papers returned to number issued	48.8
Ballot papers returned as unclaimed mail	2
Ballot papers not returned	449

Branch President/National Councillor/National Vice-President

Candidates Votes

PRICOLO, Angelo	109
TASSONE, Anthony	316

Total votes	425
Formal ballot papers	425
Informal ballot papers	2

I declare Anthony Tassone elected.

Branch Vice-President (3)

Candidates

No candidates elected.

National Councillor

Candidates

TAMBASSIS, George

I declare George Tambassis elected.

Alternate National Councillor (2)

Candidates

PRICOLO, Angelo

I declare Angelo Pricolo elected.

No other nominations received.

Ben Murray
Returning Officer
Australian Electoral Commission

26/8/2014

**The Pharmacy Guild of Australia
VIC Branch Committee Elections 2014**

Declaration of Results for Uncontested Offices

E2014/87

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.

Victorian Branch

Branch Committee Member - District No 1

Candidates

PRICOLO, Angelo

Branch Committee Member - District No 2

Candidates

EL-AHMAD, Hassan

Branch Committee Member - District No 3

Candidates

SCOTT, William James

Branch Committee Member - District No 4

Candidates

TAMBASSIS, George

Branch Committee Member - District No 5

Candidates

TASSONE, Anthony

Branch Committee Member - District No 6

Candidates

KRASSARIS, Paul

Branch Committee Member - District No 7

Candidates

CHONG, Grace

Branch Committee Member - District No 8

Candidates

MITRI, Nader

Branch Committee Member - District No 9

Candidates

No nomination was received

Branch Committee Member - District No 10

Candidates

No nomination was received

Branch Committee Member - District No 11

Candidates


No nomination was received

Branch Committee Member - District No 12

Candidates

No nomination was received

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



Ben Murray
Returning Officer

29/5/2014

- The Pharmacy Guild of Australia SA Office Bearers 2014

Declaration of Results for Uncontested Offices

E2014/E87

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.

South Australian Branch

Branch President (who is also National Councillor & National Vice President)

Candidates

PANAYIARIS, Nick

Branch Vice-President (3)

Candidates

DOAN, An Tuyen
SCHULTZ, Suzanne Julie
SIMMONS, Paul David

National Councillor (in addition to Branch President)

Candidates

TODD, Ian

Alternate National Councillor (2)

Candidates

DOAN, An Tuyen
SCHULTZ, Suzanne Julie

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



Jeanette Hill
Returning Officer

4 August 2014

The Pharmacy Guild of Australia SA Branch Election

Declaration of Results for Contested Offices

E2014/E87

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.

South Australian Branch

Total number of names on the roll of voters	271
Ballot papers issued	271
Replacement ballot papers issued	0
Total Ballot Papers Issued	271
Ballot papers / envelopes returned for scrutiny	81
Less ballot papers / envelopes rejected at preliminary scrutiny	0
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	81
Percentage of ballot papers returned to number issued	29
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	190

Branch Committee Member (10)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
PANAYIARIS, Nick	63	63
SIMMONS, Paul	73	73
SCARLETT, Gregory	62	62
APOLLONI, Marc	70	70
GROSS, Timothy	74	74
FLANNERY, Helen	69	69
HUYNH, Tin	63	63
AJDUKOVIC, Maja	70	70
TODD, Ian	76	76
SCHULTZ, Suzanne	73	73
DOAN, An	77	77
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	770	770
Formal ballot papers	77	77
Informal ballot papers	4	4

I declare Maja Ajdukovic , Marc Apolloni , An Doan , Helen Flannery , Timothy Gross , Tin Huynh , Nick Panayiaris , Suzanne Schultz , Paul Simmons and Ian Todd elected.



Jeanette Hill
Returning Officer
24 June 2014

**The Pharmacy Guild of Australia
Northern Territory Branch**

Declaration of Results for Uncontested Offices

E2014/87 – Stage 2

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.

Branch President/National Councillor/National Vice President (1)

Candidate

BATTALIS, Terry

Branch Vice Presidents (2)

Candidates

BENNETT, Adam
WAKELIN, Darryl Brett

Alternate National Councillor (1)

Candidate

WAKELIN, Darryl Brett

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



Chris Roper
Returning Officer

6 August 2014

**The Pharmacy Guild of Australia
Northern Territory Branch**

Declaration of Results for Contested Offices

E2014/87 – Stage 1

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.

Branch Committee Members (7)

Total number of names on the roll of voters	15
Ballot papers issued	15
Replacement ballot papers issued	1
Total Ballot Papers Issued	16
Ballot papers / envelopes returned for scrutiny	10
Less ballot papers / envelopes rejected at preliminary scrutiny	2
Total Ballot Papers Admitted to Scrutiny	8
Percentage of ballot papers returned to number issued	62%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	6

<u>Candidates</u>	<u>Primary Votes</u>
COLEMAN, Brad	8
KONG, Steven	1
LIM, Boon Wai	3
BATTALIS, Terry	8
WAKELIN, Darryl Brett	6
META, Nunzio	8
GEORGE, Mark	7
BENNETT, Adam	7
FORESTER, Shelley	8
Formal primary votes	56
Primary votes each ballot paper	Divided by 7
Formal ballot papers	8
Informal ballot papers	0

I declare Terry Battalis, Adam Bennett, Brad Coleman, Shelley Forester, Mark George, Nunzio Meta and Darryl Brett Wakelin elected.



Chris Roper
Returning Officer
Australian Electoral Commission

25 June 2014

POST ELECTION REPORT

The Pharmacy Guild of Australia

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2014/87

RULES

Rules used for the election: [175V: Incorporates alterations of 24/06/2011]
[R2011/108] (replaces 11/08/2010 [R2010/59] version)

Rules difficult to apply/interpret: Rules 55B(j)(ii) (A) (ii), Rules 55B(j)(ii) (B) (ii) & (iii),
Rules 55B(j)(ii) (C) :
The Rule requires that a tied ballot when there are two candidates in the election for National President, be decided by a recount where there is a requirement for weighted votes [Determination by poll as per Rule 22 (a) & (b)]. This may be in breach of the secrecy of votes in the ballot.

Model Rule reference (if any): None

ROLL OF VOTERS

Australian Capital Territory Branch

Total number of voters on the Roll: 64
Number of apparent workplace addresses: 64
Number of non-current addresses: nil
Other matters pertaining to the roll of voters: Nil

Victorian Branch

Total number of voters on the Roll: 875
Number of apparent workplace addresses: Nil
Number of non-current addresses: Nil
Other matters pertaining to the roll of voters: Nil

Northern Territory Branch

Total number of voters on the Roll: 15
Number of apparent workplace addresses: Nil
Number of non-current addresses: Nil
Other matters pertaining to the roll of voters: Nil

South Australian Branch

Total number of voters on the Roll:	271
Number of apparent workplace addresses:	Nil
Number of non-current addresses:	Nil
Other matters pertaining to the roll of voters:	Nil

Tasmania

Total number of voters on the Roll:	131
Number of apparent workplace addresses:	126
Number of non-current addresses:	Nil
Other matters pertaining to the roll of voters:	Nil

Queensland – South West District

Total number of voters on the Roll:	99
Number of apparent workplace addresses:	-
Number of non-current addresses:	4
Other matters pertaining to the roll of voters:	Nil

IRREGULARITIES

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

Other irregularities identified, and action taken: Nil

ATTACHMENTS

- A NT – Declaration of Results for Contested officers – Stage 1
- B NT – Declaration of Results for Uncontested Offices – Stage 2
- C SA – Declaration of Results for Contested Offices – Stage 1
- D SA – Declaration of Results for Uncontested Offices – Stage 2
- E VIC – Declaration of Results for Uncontested Offices – Stage 1
- F VIC - Declaration of Results for Contested and Uncontested Offices - Stage 2
- G WA – Declaration of Results for Uncontested Offices – Stage 1
- H WA – Declaration of Results for Uncontested Offices – Recall – Stage 1
- I WA – Declaration of Results for Uncontested Offices – Stage 2
- J TAS – Declaration of Results for Uncontested Offices – Stage 1
- K TAS – Declaration of Results for Contested & Uncontested Offices – Stage 2
- L QLD - Declaration of Results for Contested and Uncontested Officers - Stage 1
- M QLD – Declaration of Results for Contested and Uncontested Offices – Stage 2
- N ACT – Declaration of Uncontested offices – Stage 1
- O ACT – Declaration of Results for Contested Offices – Recall – Stage 1

- P ACT – Declaration of Results for Uncontested Offices – Stage 2
- Q NSW – Declaration of Results for uncontested Offices – Stage 1
- R NSW – Declaration of Results for uncontested Offices – Stage 2
- S National – Declaration of Results for National President



Nicole Simmons
Returning Officer
Australian Electoral Commission

7 October 2014



POST ELECTION REPORT

Pharmacy Guild of Australia – Queensland Branch

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: *E2014/87*

RULES

Rules used for the election: *175V: Incorporates alterations of 24/06/2011 – R2011/108 (Replaces 11/08/2010 – R2010/59) version.*

Rules difficult to apply/interpret: *Rule 74 (g) (ii) Why can't the RO accept a faxed nomination without the original? We accept scanned and emailed nomination forms.*

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

ROLL OF VOTERS

Provided by the Pharmacy Guild of Australia, Queensland Branch. The Roll was only utilised for the mailing of the election Notice and the Nomination Forms + posting of ballot papers and candidate statements.


IRREGULARITIES

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

Other irregularities identified, and action taken: *Nil.*

ATTACHMENTS

- 1) Declaration of Results for Contested and Uncontested Offices – of 10 July 2014 and 27 August 2014.


Trevor Jordan
Returning Officer
28 August 2014

Mr Allan Crosthwaite
Director
The Pharmacy Guild of Australia
Level 2, 40 Burwood Road
HAWTHORN VIC 3122

**Post Election Report For: The Pharmacy Guild of Australia – Victoria Branch
Branch Committee Members and Office Bearers**

Election E No 2014/87

I refer to the above election for your organisation.

Section 197(1) of Schedule 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 Industrial Registrar 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 Schedule 1 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' 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 (Registered Organisations) Act 2009* Regulations 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.

Ben Murray
Returning Officer
26 August 2014

Fair Work (Registered Organisations) Act 2009 Schedule 1

POST ELECTION REPORT

The Pharmacy Guild of Australia – Victoria Branch

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2014/87

RULES

Rules used for the election: [175V: Incorporates alterations of 24/06/2011]
[R2011/108] (replaces 11/08/2010 [R2010/59] version)
Rules difficult to apply/interpret: None
Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: 875
Number of apparent workplace addresses: Nil
Number of non-current addresses: Nil
Other matters pertaining to the roll of voters: Nil

IRREGULARITIES

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

ATTACHMENTS

Declaration of Results

Ben Murray
Returning Officer

26 August 2014



DECISION

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

The Pharmacy Guild of Australia (E2014/87)

MR ENRIGHT

MELBOURNE, 10 APRIL 2014

Arrangement for conduct of election.

[1] On 7 March 2014 The Pharmacy Guild of Australia lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

National President

Australian Capital Territory Branch

Branch Committee Members (7)

Branch President who is also National Councillor and National Vice President (1)

Branch Vice Presidents (2)

Alternate National Councillors (1)

New South Wales Branch

Branch Committee Members (15)

Branch President who is also National Councillor and National Vice President (1)

Branch Vice Presidents (3)

National Councillor (2) (in addition to Branch President)

Alternate National Councillors (3)

Northern Territory Branch

Branch Committee Members (7)

Branch President who is also National Councillor and National Vice President (1)

Branch Vice Presidents (2)

Alternate National Councillors (1)

Queensland Branch

Branch Committee Members (12)

Branch President who is also National Councillor and National Vice President (1)

Branch Vice Presidents (3)

National Councillor (1) (in addition to Branch President)

Alternate National Councillors (2)

South Australia Branch

Branch Committee Members (10)
Branch President who is also National Councillor and National Vice President (1)
Branch Vice Presidents (3)
National Councillor (1) (in addition to Branch President)
Alternate National Councillors (2)

Tasmania Branch

Branch Committee Members (10)
Branch President who is also National Councillor and National Vice President (1)
Branch Vice Presidents (3)
National Councillor (1) (in addition to Branch President)
Alternate National Councillors (2)

Victoria Branch

Branch Committee Members (12)
Branch President who is also National Councillor and National Vice President (1)
Branch Vice Presidents (3)
National Councillor (1) (in addition to Branch President)
Alternate National Councillors (2)

Western Australia Branch

Branch Committee Members (14)
Branch President who is also National Councillor and National Vice President (1)
Branch Vice Presidents (3)
Alternate National Councillors (2)
National Councillor (1) (in addition to Branch President)

[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

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7 March 2014

General Manager
Fair Work Commission
GPO Box 1994
Melbourne VIC 3001

Attention: Eve Anderson, Mark Elliot

Dear Madam/Sir

Re: Pharmacy Guild National Election for 2014

In compliance with the provisions of Section 189(1) of the Fair Work (Registered Organisations) Act 2009 and Regulation 138 of the Fair Work (Registered Organisations) Regulations 2009, the Pharmacy Guild of Australia submits the following information.

Nominations will be called during the 2014 year for the office of National President (1).

An election will be required as the current term of office will expire in November 2014. In accordance with the Guild's Constitution, the following will occur:

1. If the number of candidates for this office number 2, the National President's election will be conducted under the direct voting system.
2. In the event that there are 3 or more candidates, the election will be conducted under a preferential voting system.

A suggested timetable for the election is as follows (also see copy attached):

Nomination	Dates Opening	Dates Closing
National President	15 September 2014	30 September 2014

The Guild would appreciate the 2014 National President Election be conducted by the Australian Electoral Commission. The term of office will be three years.

It would be appreciated if you could arrange for the election to take place.

Yours sincerely

Timothy John Logan
National Vice President

cc: G Tambassis D Quilty Branch Directors J Taylor S Paulissen

National Secretariat

Level 2, 15 National Circuit, Barton, ACT 2600 Australia
PO Box 7036, Canberra Business Centre, ACT 2610 Australia
Telephone: + 61 2 6270 1888 · Facsimile: + 61 2 6270 1800
Email: guild.nat@guild.org.au · Internet: www.guild.org.au



**Election to National Office
National President**

2014

Monday 1 September	Councillors-elect Names are received by National Office from Branch Directors following announcement of results of Branch Elections.
Monday 15 September	Returning Officer calls for nominations for National President from Councillors-elect.
Tuesday 30 September	Nominations Close
Tuesday 7 October	If only one nomination is received to fill the position of National President, no election is required and the result can be announced by the Returning Officer although the National President-elect will not assume office until the National Council meeting in November. (A nominee is entitled to withdraw their nomination within 7 days of the close of nominations)
Monday 13 October	If more than one nomination received for the office of National President, the Returning Officer shall distribute ballot papers and 'how to vote' instructions with pre-paid envelopes.
Monday 27 October	Ballot closes at 5pm.
Thursday 30 October	Returning Officer counts ballot papers and announces result.

On the first day of the November 2014 National Council meeting, the National President is officially declared elected.



7 March 2014

General Manager
Fair Work Commission
GPO Box 1994
Melbourne VIC 3001

Attention: Eve Anderson, Mark Elliot

Dear Madam/Sir

Re: Pharmacy Guild Branch Elections for 2014

In compliance with the provisions of Section 189(1) of the Fair Work (Registered Organisations) Act 2009 and Regulation 138 of the Fair Work (Registered Organisations) Regulations 2009, the Pharmacy Guild of Australia submits the following information.

Elections for Branch Committee Members and Branch Committee Officer Bearers will need to be held as the current terms of office will expire on 30 September 2014. In accordance with the Guild's Constitution, the elections will be conducted on a direct voting system.

Nominations will be required to be called during the 2014 year for the following Guild Office Bearers:

Branch Committee	Number of Officers required
Australian Capital Territory	7
New South Wales	15
Northern Territory	7
Queensland	12
South Australia	10
Tasmania	10
Victoria	12
Western Australia	14

Branch Committee Office Bearers	Number of Officers required
Branch President who is automatically a National Councillor and a National Vice President (all Branches)	1
Branch Vice Presidents	
- NSW, VIC, QLD, SA, TAS and WA	3 each
- ACT and NT	2 each
National Councillors in addition to Branch Presidents	
- NSW	2 each
- QLD, SA, TAS, VIC and WA	1 each
Alternate National Councillors	
- NSW	3 each
- QLD, SA, TAS, VIC and WA	2 each
- ACT and NT	1 each

National Secretariat

Level 2, 15 National Circuit, Barton, ACT 2600 Australia
PO Box 7036, Canberra Business Centre, ACT 2610 Australia
Telephone: + 61 2 6270 1888 · Facsimile: + 61 2 6270 1800
Email: guild.nat@guild.org.au · Internet: www.guild.org.au



The Branch Committee elections for Victoria, Queensland and Western Australia will be conducted on a district basis. The electoral rolls for the Branch Committee elections will close on 28 April 2014 and for the Branch Office Bearers on 30 June 2014. A suggested timetable for the elections is as follows (also see copy attached):

Nominations	Dates Opening	Dates Closing
Branch Committees	12 May 2014	26 May 2014
Branch Office Bearers	14 July 2014	28 July 2014

The Guild would appreciate the 2014 Branch Elections be conducted by the Australian Electoral Commission. The terms of office for the 2014 elections will be three years.

The number of members, including Honorary Life Members, entitled to vote at 1 March 2014 (per Rule 76(a)(iii)) is as follows:

Branch	Number of Members
New South Wales	1,242
Victoria	881
Queensland	692
South Australia	288
Western Australia	533
Tasmania	127
Australian Capital Territory	65
Northern Territory	17
Total	3,845

It would be appreciated if you could arrange for the elections to take place.

Yours sincerely



Timothy John Logan
National Vice President

cc: G Tambassis
D Quilty
Branch Directors
J Taylor
S Paulissen

Election to Branch Offices - Timetable 2014

Saturday 1 March	Count of members to determine number of office-bearing positions for election in each Branch
Wednesday 12 March	Lodgement of prescribed information with the Fair Work Commission for all elections (must be lodged 2 months before nominations are called)
Monday 28 April	Branch members' electoral rolls for eligible voters close
Monday 12 May	Branch Committee nominations called
Monday 26 May	Nominations Close for Branch Committees
Monday 2 June	Announce results if election not necessary (a nominee is entitled to withdraw their nomination within 7 days of the close of nominations)
Tuesday 10 June	Ballot papers posted (if ballot required)
Tuesday 24 June	Close ballot
Thursday 26 June	Count and announce result
Monday 30 June	Electoral rolls for eligible Branch voters close
Monday 14 July	Call nominations for Office Bearers from Branch Committee Persons. Elect for the following offices: <ul style="list-style-type: none">• Branch President (1) who is automatically a National Councillor and National Vice President• Branch Vice President (2 or 3)• National Councillors (0, 1 or 2)• Alternate National Councillors (1, 2 or 3)
Monday 28 July	Nominations close for office bearers
Monday 4 August	Announce results if election not necessary (a nominee is entitled to withdraw their nomination within 7 days of the close of nominations)
Monday 11 August	Mail ballot paper (if ballot required)
Monday 25 August *	Close Ballot
Thursday 28 August	Count and announce results. If no further ballots are necessary, immediately advise National Secretariat of the names of Councillors-elect by email/facsimile or other form of electronic transfer.

* This date should be strictly adhered to enable the National President Election to commence on time.