



The PHARMACY GUILD of AUSTRALIA
NATIONAL PRESIDENT

22 February 2005

Industrial Registrar
 Australian Industrial Registry
 Nauru House GPO Box 1994S
 MELBOURNE VIC 3001

Attention: Mr ~~Rob Pfeifer~~ ^{SHANE ELLARD}

Dear Sir

In compliance with the provisions of Section 189(d)(i) and Regulation 138 of the RAO Schedule of the Work Place Relations Act 1996, The Pharmacy Guild of Australia submits the following information.

Nominations will be required to be called during the period commencing 1 March 2005 for the following Guild Office Bearer:

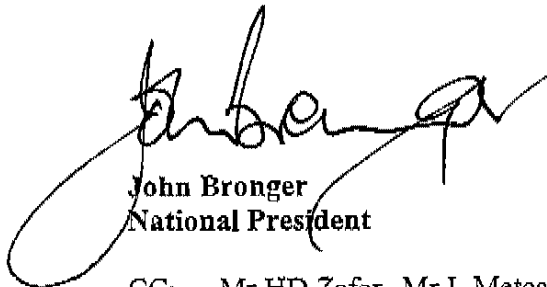
BRANCH DIRECTOR – WESTERN AUSTRALIA

Rule 66(b)(iv) of the Guild's Constitution relates to the nomination of the candidates for election (see copy attached). The reason for the election being that the current term of office will expire on 2 April 2005. In accordance with the Constitution the election will be conducted under a direct voting system and I shall be obliged if you will arrange for the election to be conducted by the Australian Electoral Commission – Western Australia.

Suggested dates for the election are as set out below:

Nominations	Dates Opening	Dates Closing
Branch Director	18 March 2005	4 April 2005

Yours faithfully


John Bronger
 National President

CC: Mr HD Zafer Mr L Metcalf Mr S Greenwood Branch Directors

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the votes cast shall dissent therefrom, his decision shall be final. He shall perform such other duties as are provided by the Constitution or which by usage and custom may appertain to his office.

He shall be entitled to vote on all questions arising at any meeting in the Branch and he shall also have a second or casting vote. The Branch President or a member of the Branch Executive nominated by him shall be a member of all Sub-Committees appointed by a Branch Committee.

63A: THE ACTING BRANCH PRESIDENT

An Acting Branch President shall assume all the powers and responsibilities of the Branch President while acting in that office.

64: THE BRANCH VICE-PRESIDENTS

The Branch Vice- President shall assist the Branch President and in the absence of the Branch President a Branch Vice-President shall occupy the chair and conduct the business and perform all the duties of the Branch President.

65: THE BRANCH VICE PRESIDENT (FINANCE)

The Branch Vice President (Finance) shall have access to the books and accounts and shall periodically examine the Branch Bank statements. He shall peruse accounts for payment and shall take the necessary steps to satisfy himself that all moneys received have been credited to the Bank Account with an accredited Bank. He shall not pay, lend or otherwise appropriate any of the funds of the Guild for any purpose except in accordance with the Constitution of the Guild and resolutions and minutes of the National Council or Committee meetings of the Branch. He shall ensure the preparation of the Branch annual balance sheet and accounts and their auditing. He shall annually prior to 30 September submit to the Executive Director a statement of total allowances and expenses received or incurred by the officers and members of the Branch Committee and any controlled entity for the immediate past financial year.

66: THE BRANCH DIRECTOR

- (a) (i) There shall be a Branch Director who shall be the senior Executive Officer of the Branch.
- (ii) A person elected as Branch Director, who is not otherwise eligible for membership of the Guild, shall be deemed to be a financial member of the Guild for the term of his office.

- (b) (i) The position of Branch Director is one of a full-time employee unless otherwise determined by the Branch Committee.
- (ii) The retirement age for the Branch Director shall be such retirement age as may be agreed upon between the Branch Director and the Branch Executive.
- (iii) The Branch Director shall be elected for a period of four years and shall be eligible for re-election except where an incumbent shall attain the retirement age referred to in Rule 66 (b) (ii) within twelve months after the expiration of the period for which he is elected in which case he may hold office until he retires without being re-elected.

Where a candidate duly nominated for election as Branch Director may hold office in the circumstances provided for by the provisions of this sub-rule, ballot papers for such election shall indicate the maximum period for which, if elected, he may so hold office.

- (iv) Only a member of the Branch Executive may nominate a person for the position of Branch Director.

Nominations for election as Branch Director shall be called for by the Returning Officer by sending a nomination paper to each member of the Branch Executive, not less than 14 days prior to the close of nominations.

The Returning Officer shall inform all financial members of the Branch that he has called for nominations from the members of the Branch Executive for the position of Branch Director by causing a notice to be published in any Branch Newsletter, circular or information sheet which is sent to all financial members of the Branch not less than 14 days prior to the closing of nominations.

The nomination paper shall be in accordance with Form 27. A nomination paper will not be recognised unless it contains the signature of the nominee for election together with the signature of a member of the Branch Executive, proposing the nomination.

The Returning Officer may accept a facsimile of a nomination form which has been completed in the prescribed manner.

Where a Returning Officer conducting an election finds a nomination to be defective he shall, before rejecting the nomination, notify the person concerned of the defect and where it

is practicable to do so, give him the opportunity of remedying the defect within 7 days after being so notified.

The time and date of closure of nominations shall be fixed by the Returning Officer, provided that such date shall not be less than 10 days prior to the date of the proposed election.

Nomination papers completed as required shall be returned to the Returning Officer within the time fixed.

A nomination having been lodged in the prescribed form can be withdrawn by notice in writing to the Returning Officer at any time prior to the printing of the ballot papers.

Where there is only one nominee when nominations are called by the Returning Officer for the position of Branch Director, the Returning Officer shall declare the nominee elected.

Should there be more than one nomination, the Returning Officer shall conduct a ballot of the financial members of the Branch, in accordance with the provisions of Rule 74 (i), (j), (k), (l), (ii) and (iii), (l) and (m) mutatis mutandis.

A member of a Branch Committee may be nominated for the position of Branch Director and if elected shall thereupon cease to be eligible to be a member of a Branch Committee and shall be deemed to have resigned from such office.

The Returning Officer shall in writing notify those nominated of the result of the ballot as soon as practicable after all counting has been completed and the results determined and send a copy to the Branch President.

The person elected shall assume office from the day on which he receives the notification from the Returning Officer that he has been elected or where the person elected is the incumbent Branch Director he will assume office from the day on which his previous term expires.

Upon completion of the counting all ballot papers and other papers and documents used in connection with the election shall be suitably parcelled up and sealed and retained by the Returning Officer as required by law.

- (v) The position of Branch Director shall be declared vacant:

Workplace Relations Act 1996
s.189 of Schedule 1B - arrangement for conduct of an election

The Pharmacy Guild of Australia
(E2005/44)

T. NASSIOS
DEPUTY INDUSTRIAL REGISTRAR

MELBOURNE, 22 FEBRUARY 2005

Arrangement for conduct of election.

DECISION

- [1] On 22 February 2005, the Western Australia Branch of the abovenamed organisation lodged in the Industrial Registry prescribed information under subsection 189(1) of Schedule 1B of the *Workplace Relations Act 1996* ("the Act") in relation to an election for the following position:

Branch Director
(*non-office position*)

- [2] I am satisfied that an election for the abovenamed position is required to be held under the rules of the organisation and, under subsection 189(3) of Schedule 1B of the Act, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



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