



30 May 2019

Branch Secretary
Shop, Distributive and Allied Employees Association-South Australian Branch
Sent via email: secretary@sda.com.au

cc: Shop, Distributive and Allied Employees Association,
general@sda.org.au

Dear Branch Secretary,

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 uncontested offices in matter E2018/278. 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, as soon as practicable after receiving the post-election report, 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 Shop, Distributive and Allied Employees Association-South Australian Branch 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.

Yours faithfully,

Christine Hibberd
Registered Organisations Commission

7 May 2019

Post-election report

**Shop, Distributive and Allied
Employees Association**
South Australian Branch
Scheduled election
E2018/278

Contents

Election(s) Covered in this Report	3
Rules	3
Roll of Voters	3
Irregularities	3
Other Matters.....	4
Signed.....	4
Attachments.....	4
A. Declaration of Results for Uncontested Offices – SA	

Election(s) Covered in this Report

Organisation: Shop, Distributive and Allied Employees Association - South Australian Branch
Election: Scheduled
Election Decision No/s: E2018/278

Rules

Rules used for the election: [006N-SA Incorporates alterations of 08/12/16 (R2016/271) (*replaces 25/01/12 (R2011/213) version*)]

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website:

(https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections)

Roll of Voters

As there were no contested offices, no Roll of Voters was required.

Irregularities

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

Other irregularities identified, and action taken:

Other Matters

Returning Officer actions required (Section 193): None

Details:

Signed



Murray Hutchinson
Returning Officer
Australian Electoral Commission
E: saelections@aec.gov.au
P: 08 8237 6555
7 May 2019

Attachments

A. Declaration of Results for Un-Contested Offices – SA

Shop, Distributive and Allied Employees Association
South Australian Branch
DECLARATION OF RESULTS - E2018/278
Uncontested Offices

Scheduled Election

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 are:

SOUTH AUSTRALIAN BRANCH

Branch Secretary/Treasurer (1)

Candidates

PEAK Josh

National Councillors (6)

Candidates

NICHOLLS Roger

REVELL Anne

APPELKAMP Maree

PEAK Josh

RIVERS Lyn

ROMEO Sonia

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



Murray Hutchinson
Returning Officer
Telephone: 08 8237 6555
Email: saelections@aec.gov.au
02/05/2019



DECISION

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

Shop, Distributive and Allied Employees Association-South Australian Branch
(E2018/278)

MR COYLE

MELBOURNE, 29 MARCH 2019

Arrangement for conduct of election.

[1] On 21 January 2019 the Shop, Distributive and Allied Employees Association-South Australian Branch lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:


Branch Secretary/Treasurer (1)

National Councillors (6)

[2] On a review of the rules of the Branch, it has been identified that there is a potential for confusion relating to the timing of the election for Branch Secretary/Treasurer. An arguable construction of the rule 32.3 of the Branch's rules may imply that the election for Branch Secretary/Treasurer would be required in 1996 and every four years thereafter. But, historically, this has not been the case. In particular, that office is not elected in the same four year election cycle as the other members of the Committee of Management, including the Assistant Secretary.

[3] As it has been four years since the last election for the offices referred to in [1] above, it is necessary for an election to be held for those offices. In order to overcome any potential for future confusion relating to the operation of rule 32.3, the organisation may wish to consider rule changes and, if it chooses to do so, to bring all elections for the Committee of Management into the same election cycle.

[4] 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.



The seal of the Australian Electoral Commission is circular, featuring the Australian coat of arms with a kangaroo and an emu flanking a shield, topped with a seven-pointed star. The text "THE SEAL OF THE REGISTERED ORGANISATIONS COMMISSION" is inscribed around the perimeter, and "AUSTRALIA" is written below the coat of arms. A blue ink signature is written across the seal.

DELEGATE OF THE COMMISSIONER

Printed by authority of the Commonwealth Government Printer

<PR351297>

21 January 2019

BY EMAIL: regorgs@roc.gov.au

Sam Gallichio
Registered Organisations Commission
GPO Box 2983
Melbourne VIC 3001

Dear Mr Gallichio

**Shop, Distributive and Allied Employees Association (SA Branch) -
Application for Conduct of Elections**

I **enclose** a Statement which sets out prescribed information for the purposes of Section 189 of the *Fair Work (Registered Organisations) Act 2009* and Regulation 138 of the *Fair Work (Registered Organisations) Regulations 2009* (Cth).

I request that you arrange for an election to be conducted for the office and positions specified in the Statement.

I trust that the information that I have provided is sufficient. However, I am more than happy to speak further about these matters with you or your delegate.

Yours faithfully



Sonia Romeo
Secretary/Treasurer

Encl: As above

**THE UNION FOR WORKERS IN
RETAIL.FAST FOOD.WAREHOUSING.**

Shop, Distributive and Allied Employees' Association SA & NT Branch Secretary Sonia Romeo www.sda.com.au

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378 Argent Street,
Broken Hill NSW 2880

PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009*

I, **SONIA ROMEO**, being the Secretary/Treasurer of the Shop, Distributive and Allied Employees Association (South Australian Branch), make the following statement:

1. I am authorised to sign this statement containing prescribed information for Shop, Distributive and Allied Employees Association (SA Branch).
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. No rule alterations are pending that will impact the election.
5. This statement **IS** lodged at least 2 months before nominations open for the election below.

Signed: .....
SONIA ROMEO

Dated: 21 January 2019

ANNEXURE A

- Elections that are required:

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
SA	Secretary/Treasurer	1	Direct Voting	Scheduled	All members of SA Branch
SA	National Council Member	6	Direct Voting	Scheduled	All members of SA Branch

- Important dates:

Nominations OPEN	<i>No less than 7 days and no more than 14 days after the close of the roll of voters (rule 31.2)</i>
Nominations CLOSE	<i>No later than 12 noon on Wednesday 1 May 2019 (rule 31.3)</i>
Roll of Voters cut off date	<i>31 March 2019 (rule 31.1)</i>