

**AEC****Australian Electoral Commission**

PO Box 496
HAYMARKET NSW 1239

Level 4
24 Campbell St
Haymarket NSW 2000

Reference: NSW N11/28

Contact: Kathryn Montgomery
Phone: 02 9375 6375
Facsimile: 02 9375 6336
E-mail: kathryn.montgomery@aec.gov.au

Ms Barbara Nebart
Branch Secretary
Shop Distributive and Allied Employees
Association Newcastle & Northern Branch
PO Box 118
HAMILTON NSW 2303

Dear Ms Nebart,

Post Election Report For:

**Shop, Distributive & Allied Employees Association (SDA)
Newcastle and Northern Branch
E2010/2702 Scheduled Election**

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 Delegate of the General Manager, Fair Work Australia 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 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) 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.

Kathryn Montgomery
Returning Officer
9 May 2011

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: Shop, Distributive & Allied Employees Association
Newcastle and Northern Branch

Contact details: Barbara Nebart
Branch Secretary
SDAEA Newcastle and
Northern Branch
PO Box 118
HAMILTON NSW 2303

Email: secretary@sdan.org.au
Tel: 02 4961 4694

AIR contact officer: Margaret Williams

Email: industrial.elections@fwa.gov.au
Tel: 03 8661 7822

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2011/2702

RULES

Rules used for elections Rule ID: [006N-NCNN: Incorporates alterations of 03/05/2004]
[R2004/212]

Rules difficult to apply/interpret: N/A

Model Rule reference (if any):

ROLL OF VOTERS

As there were no contested offices, no roll of voters was required.

ALLEGATIONS OF IRREGULARITIES RECEIVED

| | |
|--|-----|
| Details of written allegations of irregularities, and action taken by AEC: | NIL |
| Other irregularities identified, and action taken: | NIL |

ATTACHMENTS

A: Declaration of Uncontested Offices

Kathryn Montgomery
Returning Officer
9 May 2011

Shop, Distributive and Allied Employees Association Committee of Management

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Fair Work Act 2009 and the rules of the organisation.

E2010/2702

Newcastle & Northern Branch

Branch President

Candidate

COGHLAN, Reginald

Branch Vice Presidents (2)

Candidates

CARRUTHERS, Allan Bruce
HARRIS, Margaret Ann

Branch Councillors (6)

Candidates

FITZSIMMONS, Chantelle
MAY, Toni Ann
MOON, Colin James
SIMMONS, Ross
SIMNETT, John Richard
WIEBE, Lynette

Delegates to National Council (3)

Candidates

BLISS, David John
MAY, Toni Ann
NEBART, Barbara

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

Kathryn Montgomery
Returning Officer

30 March 2011



FAIR WORK
AUSTRALIA

DECISION

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

Shop, Distributive and Allied Employees Association-Newcastle and Northern Branch
(E2010/2702)

T. NASSIOS

MELBOURNE, 18 JANUARY 2011

Arrangement for conduct of election.

[1] On 20 December 2010 the Shop, Distributive and Allied Employees Association-Newcastle and Northern Branch lodged with Fair Work Australia the prescribed information and further information on 17 January 2011 in relation to an election for the following offices:

| | |
|-------------------------------|-----|
| President | (1) |
| Vice Presidents | (2) |
| Branch Councillors | (6) |
| Delegates to National Council | (3) |

[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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WILLIAMS, Margaret

From: Barbara Nebart [Barbara@sdan.org.au]
Sent: Monday, 17 January 2011 3:17 PM
To: WILLIAMS, Margaret
Subject: SDA Newcastle Elections
Attachments: image001.jpg

Hi Margaret

Confirming that our membership number as at 31 December 2010 was 12,682.

Regards



Barbara Nebart
Branch Secretary

Newcastle & Northern Branch

PO Box 118 , Hamilton , NSW 2303

Telephone : (02) 49614694

Fax : (02) 49622598

Web : www.sdan.org.au Email : secretary@sdan.org.au

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Building on a Century of Service

Shop Distributive and Allied Employees' Association
Newcastle and Northern Branch
17 William Street, Hamilton NSW 2303

Postal Address: PO Box 118, Hamilton NSW 2303
ABN: 36 153 379 383
Telephone: 02) 4961 4694, Fax: 02) 4962 2598
Website: www.sdan.org.au
Email: secretary@sdan.org.au

16 December 2010

General Manager
Fair Work Australia
Level 8 Terrace Towers
80 William Street
EAST SYDNEY NSW 2000



Dear Sir

**RE: STATEMENT AND NOTICE OF PRESCRIBED INFORMATION UNDER SECTION 189(1)
OF THE FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009**

I, Barbara Nebart, Branch Secretary - Treasurer of the Shop, Distributive and Allied Employees' Association, Newcastle and Northern Branch, make the following statement:

I am the Branch Secretary – Treasurer of the Shop, Distributive and Allied Employees' Association, Newcastle and Northern Branch,

I am authorised to lodge the following prescribed information concerning forthcoming elections in the Newcastle and Northern Branch of the Shop, Distributive and Allied Employees' Association, and

I confirm that the following information is being lodged under section 189(1) of the Fair Work (Registered Organisations) Act 2009.

Offices/Positions

| | | |
|-------------------------------|-----------------|-----|
| Branch President | 1 to be elected | DVS |
| Branch Vice Presidents | 2 to be elected | DVS |
| Branch Councillors | 6 to be elected | DVS |
| Delegates to National Council | 3 to be elected | DVS |

Reasons for Election

Election for Officers as above is required as the terms of office are due to expire in the normal course of events under the rules of the organisation.

Elected by

The electorate for the direct voting system is the whole of the Branch.

Nominations open

Not less than 2 weeks nor more than 3 weeks prior to the close of nominations – Rule 10(c)

Nominations close

4th Friday in March at 3.00pm, which is 25 March 2011 – Rule 10(c)

Cut off date for roll

Last working day in February before the day on which nominations open - Rule 10(h)

Signed:



Barbara Nebart
BRANCH SECRETARY - TREASURER

Date:

16 December 2010