

From: Kathryn Montgomery [mailto:Kathryn.Montgomery@aec.gov.au]
Sent: Thursday, 30 March 2017 11:54 AM
Subject: KELLET ON CMS E2016/271 SDA N&Nthrn Branch Declaration Result E2016/271
[SEC=UNCLASSIFIED]

Good morning
Please see attached Declaration of Result for above election.

Regards,
Kathryn Montgomery | Returning Officer
Industrial & Commercial Elections | NSW State Office
Australian Electoral Commission
T: (02) 9375 6375 | F: (02) 6215 9910



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Declaration Result
Uncontested Offices E

Shop, Distributive and Allied Employees Association Newcastle and Northern Branch Branch Offices

Declaration of Results for Uncontested Offices

E2016/271

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

Candidates

SIMNETT, John Richard

Branch Vice Presidents (2)

Candidates

LUXTON , Garry Paul Albert
MCGUIRE, Robyn

Branch Councillors (6)

Candidates

BARTHOLOMEW, Maria Caterina
BLISS, David John
FROST , Esyrahlyn
MOON, Colin
SIMMONS , Ross Anthony
WIEBE, Lynette

Delegates to National Council (3)

Candidates

BLISS , David John
NEBART, Barbara
WIEBE , Lynette

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

29 March 2017



DECISION

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

Shop, Distributive and Allied Employees Association (E2016/271)

MR ENRIGHT

MELBOURNE, 12 JANUARY 2017

Arrangement for conduct of election.

[1] On 7 December 2016 the Newcastle and Northern Branch ('the Branch') of the Shop, Distributive and Allied Employees Association ('the organisation') lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

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

[2] I am satisfied that an election for the above-named 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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From: KELLETT, Stephen
Sent: Thursday, 12 January 2017 12:30 PM
To: 'barbara@sdan.org.au'
Subject: Election - E2016/271 - granted

Dear Ms Nebart

Please see attached a copy of the Delegate's decision in relation to the above.

Yours faithfully

STEPHEN KELLETT
Regulatory Compliance Branch
FAIR WORK COMMISSION

80 William Street
EAST SYDNEY NSW 2011

(ph) (02) 6746 3283
(mob.) 0429 462 979
(email) stephen.kellett@fwc.gov



E2016 271 SDA
NCNN Election decisic

From: KELLETT, Stephen
Sent: Thursday, 12 January 2017 12:08 PM
To: 'Industrial Elections'
Subject: Election - SDAEA NCNN Branch - E2016/271 - granted

Dear Electoral Officer,

Please see attached a copy of the Delegate's decision in relation to the above.

Yours faithfully

STEPHEN KELLETT
Regulatory Compliance Branch
FAIR WORK COMMISSION

80 William Street
EAST SYDNEY NSW 2011

(ph) (02) 6746 3283
(mob.) 0429 462 979
(email) stephen.kellett@fwc.gov



E2016 271 SDA
NCNN Election decisic



Copy of Prescribed Information

Title of Matter: Application/Notification by Shop, Distributive and Allied Employees Association-Newcastle and Northern Branch
Section: s.189(1) RO Act - Notification of elections for office
Subject:
Matter Number(s): E2016/271

Attn: Electoral Officer

A copy of the Prescribed Information in relation to the above matter is attached for your information.

The election decision will be forwarded to your office in due course.

Inquiries:

Any inquiries relating to this are to be directed to: orgs@fwc.gov.au.

13 December 2016

From: Barbara Nebart [<mailto:barbara@sdan.org.au>]
Sent: Wednesday, 7 December 2016 8:27 AM
To: Orgs
Subject: Statement and Notice re Elections in 2017

Dear Sir/Madam

Please find attached the Statement of Prescribed Information re our Branch elections in 2017
Regards

Barbara Nebart
Branch Secretary



sda
at work with you

SDA Newcastle & Northern Branch
PO Box 2211, Dangar, NSW, 2309
Level 1, 710 Hunter Street, Newcastle West, 2302
Telephone: (02) 4961 4694 **Fax:** (02) 4962 2598
Web: www.sdan.org.au **Email:** barbara@sdan.org.au

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TAKE THE TIME

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Letter to FWC
07122016.pdf

7 December 2016

Fair Work Commission
11 Exhibition Street
Melbourne VIC 3000

By Email: orgs@fwc.gov.au

Dear Sir/Madam

RE: STATEMENT AND NOTICE OF PRESCRIBED INFORMATION UNDER SECTION 189(1) & (2) 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 24 March 2017 – Rule 10(c)

Cut off date for roll

Last working day in February before the day on which nominations open , which is 28 February 2017 - Rule 10(h)

Signed:



Barbara Nebart
BRANCH SECRETARY - TREASURER

Date: 7 December 2016



1 December 2016

Ms Barbara Nebart
Branch Secretary

Shop, Distributive and Allied Employees Association-Newcastle and Northern Branch

Sent via email: secretary@sdan.org.au

CC: AEC Returning Officer by email: industrial.elections@aec.gov.au

Dear Ms Nebart,

Courtesy Letter - Election for offices [E2016/271]

The rules of the Shop, Distributive and Allied Employees Association-Newcastle and Northern Branch indicate that an election for offices within the branch is due to commence shortly.

- Members of Branch Council
- Delegates to National Council

It appears that nominations for the election for the above-named offices open in March next year.

This is a courtesy letter to remind you of your obligation to lodge information about the election (known as the 'prescribed information') pursuant to sub-sections 189(1) and (2) of the *Fair Work (Registered Organisations) Act 2009* (the 'Act') by 3 January 2017. Prescribed information must be lodged with the Fair Work Commission (the Commission) two months before nominations open for the election.

If you have a different interpretation for the commencement of the election or the offices due for election under your rules, please let the Commission know, otherwise, the prescribed information should contain details of the election as required by regulation 138(1) of the *Fair Work (Registered Organisations) Regulations 2009* (the 'Regulations'), and any subsequent collegiate elections, if that is relevant. A sample of the prescribed information can be found on our website at <https://www.fwc.gov.au/registered-organisations/fact-sheets-templates-webinars>.

The prescribed information should be emailed to orgs@fwc.gov.au. If your branch believes that it will be unable to comply with the prescribed day as set out in the Regulations, it will need to apply to the General Manager within the month for a later date. Such request will need to set out in detail the reason why your organisation is unable to comply with the requirement. While the General Manager will consider such an application, there is no assurance that consent to a later day will be allowed.

It should be noted Section 189(2) is a civil penalty provision. Failure for an organisation to comply may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or the organisation.

The Commission intends to continue to provide reminders that an election is due as a courtesy. However failure to receive a reminder from the Commission cannot be relied on as a reason for late, incorrect or non-lodgment of prescribed information. The obligation to lodge prescribed information consistent with the Act and the rules of the organisation rests with the organisation.

When lodging the prescribed information, please quote [E2016/271]

Should you seek any clarification in relation to the above, please contact the Commission on orgs@fwc.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sam Gallichio', written in a cursive style.

Sam Gallichio
Adviser
Regulatory Compliance Branch