

Shop, Distributive and Allied Employees Association
(E2004/133)

T NASSIOS
DEPUTY INDUSTRIAL REGISTRAR

MELBOURNE, 5 MARCH 2004

Arrangement for conduct of election.

DECISION

[1] On 25 February and 4 March 2004, the South Australian Branch of the abovenamed organisation lodged in the Industrial Registry the prescribed information in relation to elections for the following offices;

Branch Assistant Secretary
Branch Committee Members from Electorates 1, 2, 3, 4 and 5
(*number for each Electorate to be determined in accordance with rules*)

Branch President
Branch Vice Presidents (2)
Branch Trustees (3)

[2] I am satisfied that elections for the abovenamed offices are required to be held under the rules of the organisation and, under subsection 189(3) of Schedule 1B of the Workplace Relations Act 1996, I am making arrangements for the conduct of the elections by the Australian Electoral Commission.



Shop
Distributive
& Allied
Employees'
Association



South Australian Branch

12 February 2004

E2004/133

Australian Industrial Registrar
GPO Box 19945
MELBOURNE VIC 3001

Dear Sir/Madam

RE: CONDUCT OF ELECTIONS

I request that an election be conducted in accordance with the attached statutory declaration.

Yours faithfully

A handwritten signature in cursive script that reads 'Don Farrell'.

DON FARRELL
SECRETARY

COMMONWEALTH OF AUSTRALIA

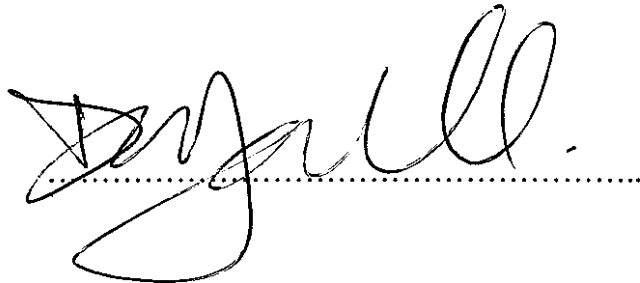
STATUTORY DECLARATION

I, DONALD EDWARD FARRELL, of 69 Fullarton Road, Kent Town, in the State of South Australia, Trade Union Officer, do solemnly and sincerely declare:-

1. That I am Secretary of the South Australian Branch of the Shop, Distributive and Allied Employees' Association
2. That the document to which this declaration refers is correct in all particulars.
3. That the Document annexed hereto and marked with the letter "A" contains information required pursuant to sub-section 214(1) of the Industrial Relations Act, 1988 and concerns an election due to be held for certain offices of the association during 2004.

AND I MAKE this solemn declaration by virtue of the Statutory Declarations Act, 1959 and subject to the penalties provided by the Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

Dated at ADELAIDE this 23rd day of February 2004



Before me:

.....
Justice of the Peace
Donald Blair Blairs
A Commissioner for taking Affidavits in the Supreme Court of South Australia.

“A”

SHOP DISTRIBUTIVE AND ALLIED EMPLOYEES' ASSOCIATION

SOUTH AUSTRALIAN BRANCH

List of offices due for election during 2004 and other information to which the statutory declaration of Donald Edward Farrell refers.

1. The names of each office in respect of which an election is required are:

- i) Branch Assistant Secretary
- ii) Electorate 1 (1)
Electorate 2 (3) or (4)
Electorate 3 (1)
Electorate 4 (1)
Electorate 5 (1)

2. The reason for the election is : -

The term of office will expire during 2004

3. The electorate for (i) above comprises financial members of the branch located in the State of South Australia, the Northern Territory and the county of Yancawinna.

The electorate for (ii) shall be

- Electorate 1. Department stores
- Electorate 2. Supermarkets
- Electorate 3. Discount department stores
- Electorate 4. Fast Food
- Electorate 5. Small shops

4. Nominations close at 5.00pm (the rules say 5am) on May 3rd 2004.

5. The voting system to be employed is the direct voting system.

6. This information is supplied pursuant to Section 214(1) of the Act in order to have the Australian Electoral Commission conduct the said election.

Shop
Distributive
& Allied
Employees'
Association



South Australian Branch

4 March 2004

Robert Pfeiffer
Australian Industrial Registry
Melbourne VIC 3001

Fax: 03 9654 6672

Dear Robert

Following our conversation this morning please be advised of the following:

1. The reference to electorates refers to the election of committee members representing the said electorates.
2. The Association requests that you subsequently conduct the elections for President, Vice Presidents (2) and Trustees (3).
3. Further be advised that reference to the legislation should refer to sub section 189(1) of Schedule 1B of the Workplace Relation Act.

Yours faithfully

A handwritten signature in cursive script that reads 'Don Farrell'.

DON FARRELL
SECRETARY

**Shop, Distributive and Allied Employees Association
Branch Executive**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation

E2004/133

Branch Committee of Management

President

Candidate

CRISANTI, Judith

Vice-President (2)

Candidates

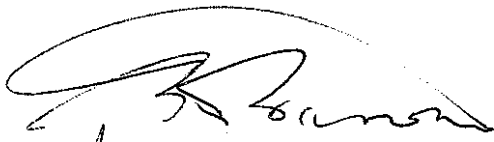
LUDERS-SEARLE, Justine
RIVERS, Lynette Patricia

Trustee (3)

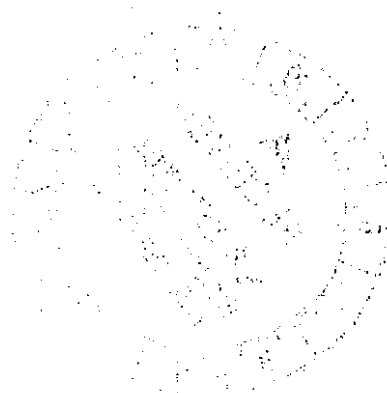
Candidates

APPLEKAMP, Maree
HIND, Marsha
NICHOLSON, Elizabeth

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



Phil Roberts
Returning Officer
3 September 2004



STAGE 2

**The Australian Retailers Association
Office Bearers & National Councillors**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2004/208

DIVISION COUNCIL

Division President

Candidate: ATKINS, Robert

Division Vice President (4)

Candidates: SAMARTZIS, John
WIRKUS, Trevor

Division Secretary-Treasurer

Candidate: BENSIMON, Albert

National Councillor (2)

Candidates: BENSIMON, Albert
DENTON, Syd

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


Phil Roberts
Returning Officer

9 August 2004

**The Australian Retailers Association
Division Councillors**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation

E2004/208

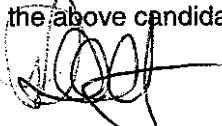
South Australia Division

Division Councillor (20)

Candidates

ATKINS, Robert
BENSIMON, Albert
BURCHAM, Edward
DENTON, Syd
FILSELL, David John
HOWLEY, Tony
MACKY, James Bruce
MAUVIEL, Phillip K
SAMARTZIS, John
SAVANNAH, Roger Louis
SCHULZ, Roy
WHITTENBURY, Brenton Ross
WIRKUS, Trevor

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



Phil Roberts
Returning Officer

30 July 2004

Shop, Distributive and Allied Employees Association Branch Committee Members

DECLARATION OF RESULTS FOR CONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2004/133

Electorate 1 - Department Stores Branch Committee Member

Total number of persons on the roll of voters	1877
Ballot papers issued	1877
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	1877
Ballot papers / envelopes returned for scrutiny	546
Less ballot papers / envelopes rejected at preliminary scrutiny	12
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	534
Percentage of ballot papers returned to number issued	29%
Ballot papers returned as unclaimed mail	23
Ballot papers not returned	1308

<u>Candidates</u>	<u>Votes</u>
DEY, Wendy	110
RIVERS, Lynette Patricia	428
 Exhausted Votes	
Total votes	538
Formal ballot papers	530
Informal ballot papers	4

I declare Lynette Patricia Rivers elected.

Electorate 2 - Supermarkets Branch Committee Member (4)

Total number of persons on the roll of voters	11437
Ballot papers issued	11437
Duplicate ballot papers issued	4
TOTAL BALLOT PAPERS ISSUED	11437
Ballot papers / envelopes returned for scrutiny	2821
Less ballot papers / envelopes rejected at preliminary scrutiny	11
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	2810
Percentage of ballot papers returned to number issued	24%
Ballot papers returned as unclaimed mail	184
Ballot papers not returned	8432

<u>Candidates</u>	<u>Votes</u>
NICHOLLS, Roger	2412
EARLE, Warren	390
MAYNARD, Julie	494
CAMPBELL, Georgi	412
APPELKAMP, Maree	2437
HOLMES, Melanie	2481
HIND, Marsha	2481
Exhausted Votes	
Total votes	11107
Formal ballot papers	2801
Informal ballot papers	9

I declare , Roger Nicholls, Maree Appenkamp, Marsha Hind and Melanie Holmes elected.

Electorate 3 - Discount Department Stores Branch Committee Member

Total number of persons on the roll of voters	3538
Ballot papers issued	3538
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	3538
Ballot papers / envelopes returned for scrutiny	1174
Less ballot papers / envelopes rejected at preliminary scrutiny	4
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	1170
Percentage of ballot papers returned to number issued	33%
Ballot papers returned as unclaimed mail	36
Ballot papers not returned	2328

<u>Candidates</u>	<u>Votes</u>
CANNELL, Jean	109
NICHOLSON, Liz	1054
Exhausted Votes	
Total votes	1163
Formal ballot papers	1163
Informal ballot papers	7

I declare Liz Nicholson elected.

Electorate 5 – Small Shops Branch Committee Member

Total number of persons on the roll of voters	2010
Ballot papers issued	2010
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	2010
Ballot papers / envelopes returned for scrutiny	614
Less ballot papers / envelopes rejected at preliminary scrutiny	8
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	606
Percentage of ballot papers returned to number issued	30%
Ballot papers returned as unclaimed mail	16
Ballot papers not returned	1380

Candidates

HADLEY, Peter,
LUDERS-SEARLE, Justine

Votes

76
528

Exhausted Votes

Total votes

604

Formal ballot papers

604

Informal ballot papers

2

I declare Justine Luders-Searle elected.



Phil Roberts
Returning Officer
Australian Electoral Commission

2/7/04.

Shop, Distributive and Allied Employees Association

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation

E2004/133

South Australian Branch

Assistant Secretary

Candidate

FINNIGAN, Bernard

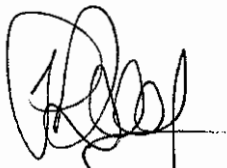
Electorate 4 - Fast Food

Branch Committee Member

Candidate

CRISANTI, Judith

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



Phil Roberts
Returning Officer

2/7/04

Australian Electoral Commission / AEC

Workplace Relations Act 1996 – Schedule 1B

RETURNING OFFICER - POST ELECTION REPORT

<u>Client:</u>	Shop, Distributive and Allied Employees Association- South Australian Branch		
<u>Contact details:</u>	Don Farrell Branch Secretary SDAEA 69 Fullarton Rd KENT TOWN SA 5067	<u>Email:</u>	secretary@sdasa.asn.au
		<u>Tel:</u>	(08) 8364 5022
<u>AIR contact officer:</u>	Robert PFEIFFER	<u>Email:</u>	industrial.elections@air.gov.au
		<u>Tel:</u>	(03) 8661 7862

ELECTIONS COVERED IN THIS REPORT

<u>Election Decision No/s:</u>	E2004/133
<u>Election:</u>	Scheduled Elections
<u>Returning Officer:</u>	Phillip Roberts

RULES

<u>Rules used for elections Rule ID</u>	[006NFED: Incorporates alterations of 5/3/2003] [R2003/40] [006N-SA 1/10/1999]
<u>Rule/s re eligibility to vote</u>	

ROLL OF VOTERS

<u>Total number of voters on the roll</u>	18,862	
<u>Number of Private addresses</u>	377	2.00%
<u>Number of apparent workplace addresses</u>	18,485	98.00%
<u>Number of non-current addresses</u>	259	1.37%

ALLEGATIONS OF IRREGULARITIES RECEIVED

<u>Number of written complaints / allegations</u>	One
<u>Details of complaints / allegations</u>	Candidate for Branch Assistant Secretary Stephen Campbell not eligible to be a member and not recently employed in industry as per rules.
<u>Action taken by AEC</u>	Referred to Australian Government Solicitor

IRREGULARITIES IDENTIFIED

<u>Irregularity</u>	<u>Details</u>
Acceptance of an invalid nomination.	Lynette Patricia Rivers & Maree Dorene Appelkamp, in the matter of an application for an inquiry relating to an election for an office in the SDAEA SA Branch. (2004) FCA711 S101 of 2004 Justice Manfield. Declared "an irregularity had occurred in the election for that office of the Branch by acceptance of the nomination" ". However, on the information available to the Returning Officer, his view as to the eligibility of Mr Campbell to have nominated for the office was entirely appropriate".

ACTION TAKEN IN RELATION TO IRREGULARITIES

Mr Campbells nomination declared invalid, the returning officer to make arrangements for the uncompleted steps in the election on the basis of valid nominations received.
Candidate Bernard Finnigan was declared elected unopposed to the relevant position of Assistant Branch Secretary.
New ballot papers were printed and a new ballot timetable was set for the remaining Branch Committee Member positions.

ATTACHMENTS

- A Declaration of Results For Contested Offices
- B Declaration of Results For Uncontested Offices
- C Declaration of Results For Uncontested Offices-Stage 2

Phillip Roberts
Returning Officer
18 September 2004

Shop, Distributive and Allied Employees Association Branch Committee Members

DECLARATION OF RESULTS FOR CONTESTED OFFICES

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HIND, Marsha	2481
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<u>Candidates</u>	<u>Votes</u>
CANNELL, Jean	109
NICHOLSON, Liz	1054
Exhausted Votes	
Total votes	1163
Formal ballot papers	1163
Informal ballot papers	7

I declare Liz Nicholson elected.

Electorate 5 – Small Shops Branch Committee Member

Total number of persons on the roll of voters	2010
Ballot papers issued	2010
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	2010
Ballot papers / envelopes returned for scrutiny	614
Less ballot papers / envelopes rejected at preliminary scrutiny	8
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	606
Percentage of ballot papers returned to number issued	30%
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Ballot papers not returned	1380

<u>Candidates</u>	<u>Votes</u>
HADLEY, Peter,	76
LUDERS-SEARLE, Justine	528
Exhausted Votes	
Total votes	604
Formal ballot papers	604
Informal ballot papers	2

I declare Justine Luders-Searle elected.

Phil Roberts
Returning Officer
Australian Electoral Commission

Shop, Distributive and Allied Employees Association

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation

E2004/133

South Australian Branch

Assistant Secretary

Candidate

FINNIGAN , Bernard

Electorate 4 - Fast Food

Branch Committee Member

Candidate

CRISANTI, Judith

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

Phil Roberts
Returning Officer

Shop, Distributive and Allied Employees Association Branch Executive

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation

E2004/133

Branch Committee of Management

President

Candidate

CRISANTI, Judith

Vice-President (2)

Candidates

LUDERS-SEARLE, Justine
RIVERS, Lynette Patricia

Trustee (3)

Candidates

APPLEKAMP, Maree
HIND, Marsha
NICHOLSON, Elizabeth

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

Phil Roberts
Returning Officer
6 September 2004