

Mr Michael Donovan
State Secretary
Shop, Distributive & Allied Employees' Association – Victorian Branch
65 Southbank Boulevard
SOUTHBANK VIC 3006

Post-Election Report For: **Shop, Distributive and Allied Employees Association, Victorian Branch**
Election of Secretary/Treasurer and Assistant Secretary/Treasurer
E2014/133

I refer to the above election for your organisation.

Section 197(1) of Schedule 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 Fair Work Commission and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

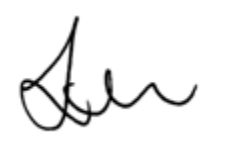
Section 198 of Schedule 1 requires that if an organisation or branch is given a post election report under section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The 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) Act 2009 (RAO) Regulations 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.



Laura Leavy
Returning Officer
11 August 2014

Fair Work (Registered Organisations) Act 2009 – Schedule 1

POST ELECTION REPORT

Shop, Distributive & Allied Employees Association

ELECTION/S COVERED IN THIS REPORT

Election Decision No: E2014/133

RULES

Rules used for the election: [006N-VIC: Incorporates alterations of 12/11/2013 (R2013/355)]
(replaces 09/02/2009 R2009/211 version)
Rules difficult to apply/interpret: None
Model Rule reference (if any): N/A

ROLL OF VOTERS

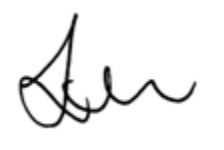
Total number of voters on the Roll: Did not go to ballot
Number of apparent workplace addresses: Nil
Number of non-current addresses: Nil
Other matters pertaining to the roll of voters: Nil

IRREGULARITIES

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

ATTACHMENTS

Declaration



Laura Leavy
Returning Officer
AEC Melbourne
11 August 2014

Shop, Distributive and Allied Employees Association

E2014/133 Branch Secretary/Treasurer and Assistant Secretary/Treasurer

Declaration of Results for Uncontested Offices

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.

Victorian Branch

Branch Secretary/Treasurer

Candidates

DONOVAN, Michael

Assistant Secretary/Treasurer

Candidates

CONNELLY, Trish

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

Laura Leavy
Returning Officer

5 August 2014



DECISION

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

Shop, Distributive and Allied Employees Association-Victorian Branch (E2014/133)

MR ENRIGHT

MELBOURNE, 26 MAY 2014

Arrangement for conduct of an election.

[1] On 2 May 2014 the Shop, Distributive and Allied Employees Association-Victorian Branch lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Branch Secretary Treasurer
Assistant Secretary/Treasurer

[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

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State Secretary: **Michael Donovan**

2 May 2014

General Manager
Fair Work Australia
GPO Box
Melbourne Vic 3001

Dear Sir/Madam

Re: Provision of Prescribed Information re Election in SDA Victorian Branch

Please find, attached the prescribed information in respect of an election for offices and positions in the Shop, Distributive & Allied Employees' Association, Victorian Branch.

The information supplied is in accordance with that set out in sub-section 189(1) of the Fair Work (Registered Organisations) Act 2009 and with Regulation 138(2) of the Fair Work Regulations 2009.

Should you require any further information please do not hesitate to contact the undersigned on 9698 1400.

Yours sincerely

A handwritten signature in blue ink that reads "Michael Donovan". The signature is written in a cursive, flowing style.

Michael Donovan
State Secretary

Fair Work (Registered Organisations) Act 2009

Statement and Notice of Prescribed Information

I, MICHAEL JOHN DONOVAN, of 65 Southbank Boulevard, Southbank, Victoria make the following statement:

1. I am the State Secretary-Treasurer of the Shop, Distributive & Allied Employees' Association, Victorian Branch and I am authorised to lodge the following prescribed information concerning the forthcoming elections in the SDA Victorian Branch.
2. I confirm that the following information is being lodged under sub-section 189 (1) of the Fair Work (Registered Organisations) Act 2009 ("the Act").
3. At a meeting of State Council held 19 March 2014, the following resolution was passed:

"Noting that elections for the positions of Branch Secretary/Treasurer and Branch Assistant Secretary/Treasurer are due in 2014 and pursuant to Rules 38, State Council resolves that nominations shall open on Friday 4 July 2014 and close at 10 am on Wednesday 23 July 2014 and any ballot necessary shall open on Friday 15 August 2014 and close at 9 am on Thursday 4 September 2014.

4. I provide the following prescribed information:

Prescribed Day

The prescribed day for the purposes of subsection 189(2) of the Act and for the purposes of the Fair Work Regulations 2009 is **4th May 2014**.

Offices/Positions and Electorate

For the purposes of Regulation 138(1)(a), 138 (1)(c) and 138(1)(d) I state that the name of each office or position for which an election is required are set out below, the number of those offices or positions is set out below and the name of the branch, section or division for each position is set out below.

OFFICE	NUMBER OF THOSE OFFICES	ELECTORATE
Secretary/Treasurer	1	All Victorian Branch members
Assistant Secretary/Treasurer	1	All Victorian Branch members

Reason for the Election

For the purpose of Regulation 138 (1)(b) the reason for the election is that the term of each office or position is due to expire in the normal course of events.

Nominations Open/Close

For the purposes of Regulation 138(1)(e) the date of the beginning and end of the period in which nominations will be called for in relation to the election are as follows:

- date on which nominations will be called is the 4th July 2014; and
- date on which nominations shall close is at 10am on the 23rd July 2014.

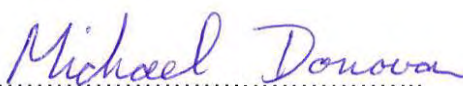
Close of Roll

For the purposes of Regulation 138(1)(f) I state that pursuant to Rule 36(e) of the registered Rules of the Victorian Branch that the day provided for in the rules of the organisation as the day on which the roll of voters is to be closed is the 27th June 2014, being 7 days before the day on which nominations open.

Voting System

For the purpose of Regulation 138(1)(g) I state that a direct voting system is to be used in the conduct of the election

Signed:


.....
Michael Donovan

2 May 2014