

28 June 2018

# Post-election Report

**Shop, Distributive and Allied Employees  
Association and E2018/15**

# Contents

Election(s) Covered in this Report.....	3
Rules .....	3
Roll of Voters.....	3
Irregularities.....	3
Other Matters.....	4
Attachments.....	4
Attachments.....	5

## Election(s) Covered in this Report

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Election Decision No/s: E2018/15

## Rules

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Rules used for the election:	<b>006N-VIC: Incorporates alterations of 15 September 2017 (R2017/160)</b>
Rules difficult to apply/interpret:	None
Model Rule reference (if any)	N/A

## Roll of Voters

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

## Irregularities

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Details of written allegations of irregularities, and action taken by AEC: None

Other irregularities identified, and action taken: None

## Other Matters

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None

## Attachments

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- 1) Declaration of results for Uncontested Offices

A handwritten signature in blue ink, appearing to read 'Ben Murray', with a long horizontal flourish extending to the right.

Benjamin Murray  
Returning Officer

28 June 2018



21 June 2018

Mr Michael Donovan  
Secretary/Treasurer  
Shop, Distributive and Allied Employees Association-Victorian Branch  
secretary@sdavic.org

Dear Mr Donovan,

cc: gerard@sda.org.au

### **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 for Victorian Branch [E2018/15]. 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-Victorian 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.

Regards

**Christine Hibberd**  
**Registered Organisations Commission**

**NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return) required to be kept in accordance with section 230 *Fair Work (Registered Organisations) Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009***

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

*[delete all that do not apply]*

- On [DATE] the address of the organisation changed to [STREET ADDRESS].<sup>1</sup>
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:<sup>2</sup>
  1. *[include OLD name and address and NEW name and address of every branch that has changed]*
  2. ...
- A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.
- On [DATE] the following branch[es]:<sup>3</sup>
  - COMMENCED operation:
    1. *[include name of each new branch]*
    2. ...
  - CEASED operation:
    1. *[include name of each closed branch]*

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<sup>1</sup> s.230(1)(d); reg.147(d)

<sup>2</sup> s.230(1)(d); reg.147(a) & (d)

<sup>3</sup> s.230(1)(d); reg.147(b) & (c)

2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Registered Organisations Commission within **35 days** of the change. It can be submitted to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).]*



**ANNEXURE A**

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

*Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.*

<b>Branch</b>	<b>Date of Change</b>	<b>Name of Office that has changed</b>	<b>Name of <u>Outgoing</u> Office Holder</b>	<b>Name of <u>New</u> Office Holder</b>	<b>Postal Address of <u>New</u> Office Holder</b>	<b>Occupation of <u>New</u> Office Holder</b>
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
<i>...</i>						
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
<i>...</i>						

Reference: AVAEU V18/75

Shop, Distributive and Allied Employees Association  
LEVEL 3 65 SOUTHBANK BOULEVARD  
MELBOURNE VIC 3006

Dear Ms Connelly,

**Shop, Distributive and Allied Employees Association - Victorian Branch  
Scheduled Election  
E2018/15**

The declaration of the election for uncontested offices is attached.

The election is now complete.

A copy of the Declaration has been forwarded to all candidates.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Benjamin Murray', with a long horizontal flourish extending to the right.

Benjamin Murray  
Returning Officer

18 June 2018

**Shop, Distributive and Allied Employees Association**  
**Victorian Branch**  
**DECLARATION OF RESULTS - E2018/15**  
**Uncontested Offices**

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**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:

**President (1)**

Candidate

SCIBILIA, Ada

**Vice Presidents (2)**

Candidates

NANCE, Sue

BECKER, Debra

**Trustees (2)**

Candidates

BURKE, Antony

SCIBILIA, Ada

**State Councillors - Metropolitan Division (7)**

Candidates

TRIMBLE, Tammy

ARATHOON, Bernadette

PREEST, Simon

BURKE, Antony

GIGLIOTTI, John

JONES, Nola

CANNON, Kathryn

**State Councillors - All Other Divisions (4)**

Candidates

ERICKSEN, Peter

HOLLAND, Julie

RYAN, Patricia

HOLLINGSWORTH, Suzanne

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



Benjamin Murray  
Returning Officer  
Australian Electoral Commission  
18 June 2018





## DECISION

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

### **Shop, Distributive and Allied Employees Association** (E2018/15)

MR ENRIGHT

MELBOURNE, 19 MARCH 2018

*Arrangement for conduct of election.*

[1] On 1 March 2018 the Victorian Branch of the Shop, Distributive and Allied Employees Association lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

President  
Vice Presidents (2)  
Trustees (2)

State Councillors from the following Divisions:  
Metropolitan Division (7)  
All Other Divisions (4)

[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 COMMISSIONER

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<PR351012>

1 March 2018

Registered Organisations Commission  
GPO Box 2983  
Melbourne VIC 3001  
[regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

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 in the Shop, Distributive & Allied Employees' Association, Victorian Branch.

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

I advise that on Wednesday 31 January 2018 State Council of the Victorian Branch passed the following resolution:

*"Pursuant to Rule 41 State Council resolves that nominations for Officers of the Branch (other than the Secretary/Treasurer and the Assistant Secretary/Treasurer) and the Trustees shall be called on 21 May 2018 and shall close at 11 am on 8 June 2018 and in the event of a ballot being necessary it shall open on 22 June 2018 and close at 10 am on 6 July 2018."*

Should you require any further information please do not hesitate to contact the undersigned on 9698 1489.

Yours sincerely



**Michael Donovan**  
Branch Secretary/Treasurer

**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, Michael Donovan, being the Branch Secretary/Treasurer of the Shop, Distributive and Allied Employees' Association Victorian Branch, make the following statement:

1. I am authorised to sign this statement containing prescribed information for Shop, Distributive and Allied Employees' Association Victorian 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. This statement **IS** lodged at least 2 months before nominations open for the election below.

Signed: *Michael Donovan*

Dated: *1 MARCH 2018*

*[PLEASE NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).]*

**ANNEXURE A**

- Elections that are required [*insert as many pages as required*]:

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
Victoria	President	1	Collegiate Electoral System	Scheduled	Delegates to Branch Conference
Victoria	Vice Presidents	2	Collegiate Electoral System	Scheduled	Delegates to Branch Conference
Victoria	Seven State Councillors elected from the Metropolitan Division Delegates to Branch Conference	7	Collegiate Electoral System	Scheduled	Delegates to Branch Conference
Victoria	Four State Councillors elected from all other Division Delegates to Branch Conference	4	Collegiate Electoral System	Scheduled	Delegates to Branch Conference
Victoria	Two trustees	2	Collegiate Electoral System	Scheduled	Delegates to Branch Conference

- Important dates:

	Direct Voting System	Collegiate Electoral System
<b>Nominations OPEN</b>		21 May 2018
<b>Nominations CLOSE</b>		11 am, 8 June 2018
<b>Roll of Voters cut off date</b>		14 May 2018 7 days prior to nominations opening
<b>Ballots OPEN</b>		22 June 2018
<b>Ballots CLOSE</b>		10 am, 6 July 2018

Please note: that for insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as *'to be determined by the returning officer'*. Casual vacancies must be accompanied by proof of resignation and attached to this statement.