



20 January 2020

Isabell Wells
General President
Shop, Distributive and Allied Employees Association-Tasmanian Branch
Sent via email: secretary@sdatas.asn.au

cc: Shop, Distributive and Allied Employees Association general@sda.org.au

Dear Isabell Wells,

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 in matter E2019/182. 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-Tasmanian 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.

Yours sincerely

Registered Organisations Commission

16 January 2020

Post-election report

**Shop, Distributive and Allied
Employees Association**
Tasmanian Branch
Casual Vacancy election
E2019/182

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Election(s) Covered in this Report

Organisation: SDAEA Tasmanian Branch
Election: Casual Vacancy
Election Decision No/s: E2019/182

Rules

Rules used for the election: National Rules - 006N: Incorporates alterations of 26 July 2019; Tasmania Rules: 006N TAS – Incorporates alterations of 15/12/2004
Rules difficult to apply/interpret: None
Model Rule reference (if any): N/A
For more details see the Model Rules on the AEC website:
(https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections)

Roll of Voters

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

Irregularities

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

Other irregularities identified, and action taken:

Other Matters

Returning Officer actions required (Section 193): Yes

Details: The ballot period was extended from 14 full days (the period stated in the Tasmanian Branch rules at Rule 25g) to 24 full days (3 weeks plus a weekend). A nomination withdrawal period was included, this being the date of the close of nominations.

Signed

David Murphy

David Murphy
Returning Officer
Australian Electoral Commission
E: vicelections@aec.gov.au
P: 03 9285 7104
16 January 2020

Attachments

A. Declaration of results for Uncontested Offices

Shop, Distributive and Allied Employees Association Tasmanian Branch

DECLARATION OF RESULTS - E2019/182 Uncontested Offices

Casual Vacancy 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:

Tasmania Branch

State Councillor (1)

Candidates

STILGOE Christopher

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



David Murphy
Returning Officer
Telephone: 03 9285 7104
Email: vicelections@aec.gov.au
13/01/2020





DECISION

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

Shop, Distributive and Allied Employees Association (E2019/182)

MR ENRIGHT

MELBOURNE, 27 NOVEMBER 2019

Arrangement for conduct of election.

[1] On 4 October, 28 October and 1 November 2019 the Tasmanian Branch of the Shop, Distributive and Allied Employees Association lodged with the Registered Organisations Commission prescribed information for an election to fill a casual vacancy in the following office for the remainder of the term:

State Councillor

(1)

[2] I am satisfied that an election for the abovenamed office 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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PR351513

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, PAUL ORLANDO GRIFFIN being the GENERAL SECRETARY/TREASURER of the SHOP DISTRIBUTIVE AND ALLIED EMPLOYEES ASSOCIATION TASMANIAN BRANCH make the following statement:

1. I am authorised to sign this statement containing prescribed information for the SHOP DISTRIBUTIVE AND ALLIED EMPLOYEES ASSOCIATION TASMANIAN 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.

[delete as appropriate]

4. There is a casual vacancy and the letter or other supporting information is attached for the casual vacancy.
5. No rule alterations are pending that will impact the election.

NOTE: A failure to lodge Prescribed Information on time can lead to civil penalties under the RO Act. Extensions of time should be requested at least two months before nominations open.

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

Signed:

Dated: 01/11/19

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.

Annexure A

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

Branch	Name of Office	Number required	Voting System <i>Direct voting system;</i> <i>Collegiate electoral system</i>	Reason for Election <i>Scheduled;</i> <i>Casual vacancy;</i> <i>New office created;</i> <i>Insufficient nominations</i>	Electorate
Tasmanian Branch	State Councillor	1	Direct Voting System	Casual vacancy	Financial members of the Branch – rule 23(b)

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	To be determined by the RO	NA
Nominations CLOSE	To be determined by the RO in accordance with rule 25 (close not less than 14 days prior to the opening of nominations)	NA
Roll of Voters cut off date	To be closed 7 days before nominations open (rule 25)	NA

NOTES: 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'. This also applies where rules are silent as to the nominated dates.

If the nomination dates are 'To be Determined by the Returning Officer', but your organisation has a *preference*, please state 'To be Determined by Returning Officer' and clearly indicate that your nominated date is a preference.

If the P.I. includes a position that is not an office, please refer to our template [Prescribed information for the election of officer and non-officer positions](#).