

**Post Election Report For:**

**Election E No 2010/2649**

I refer to the above election for your organisation.

Section 197(1) of Schedule 1 of the Fair Work (Register Organisation) Act 2009 requires the AEC to provide a written report on the conduct of the election to the Industrial Registrar 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 (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.

Simon Bulloch  
Returning Officer

25 October 2010

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**Fair Work (Register Organisation) Act 2009 – Schedule 1**

**POST ELECTION REPORT**

**ELECTION/S COVERED IN THIS REPORT**

Election Decision No/s:2010/2649

**RULES**

Rules used for the election: 125V: Incorporates alterations of  
3/05/2010 (R2010/36)] (replaces  
29/06/2009 version

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

**ROLL OF VOTERS**

The roll of voters was requested by the Returning Officer. As there were no contested offices, the roll of voters was not utilised.

**IRREGULARITIES**

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

**ATTACHMENTS**

Declaration of Results for Uncontested Offices

Returning Officer

25 October 2010

# **Textile, Clothing and Footwear Union of Australia Western Australian Branch**

## **DECLARATION OF RESULTS FOR UNCONTESTED OFFICES**

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.

E2010/2649

### **Western Australia Branch**

#### **President**

##### Candidate

CONSTABLE, Karyn Jane

#### **Secretary**

##### Candidate

WILLCOCKS, Barry Thomas

#### **Vice-President**

No nomination was received

#### **Trustee**

##### Candidate

KELLERMAN, Natalie Maree

#### **Committee Member (2)**

No nominations were received

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

Simon Bulloch  
Returning Officer

22 October 2010



FAIR WORK  
AUSTRALIA

## DECISION

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

**Textile, Clothing and Footwear Union of Australia-Western Australian Branch**  
(E2010/2649)

T. NASSIOS

MELBOURNE, 8 SEPTEMBER 2010

*Arrangement for conduct of election.*

[1] On 10 August 2010 and 8 September 2010, the Textile, Clothing and Footwear Union of Australia-Western Australian Branch lodged with Fair Work Australia the prescribed information in relation to an election for the following offices:

Branch President  
Branch Secretary  
Branch Vice President  
Branch Trustees (2)  
Branch Committee Member (1)

[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.



ACTING GENERAL MANAGER  
FAIR WORK AUSTRALIA

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**ELLIOTT, Mark**

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**From:** ELLIOTT, Mark  
**Sent:** Friday, 10 September 2010 12:15 PM  
**To:** 'industrial.elections@aec.gov.au'  
**Subject:** E2010/2649: TCFUA WA Election decision  
**Attachments:** decision.pdf

Good afternoon Simon,

Fair Work Australia's Acting General Manager has signed a decision in the above-mentioned matter.

A copy of the decision is attached. Also attached is a copy of the rules of the TCFUA. No changes to those rules are pending

**MARK ELLIOTT**

Tribunal Services and Organisations

**Fair Work Australia**

Tel: 03 8661 7811  
Fax: 03 9655 0410  
[mark.elliott@fwa.gov.au](mailto:mark.elliott@fwa.gov.au)

11 Exhibition Street, Melbourne Victoria 3000  
GPO Box 1994, Melbourne Victoria 3001

[www.fwa.gov.au](http://www.fwa.gov.au)

## ELLIOTT, Mark

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**From:** ELLIOTT, Mark  
**Sent:** Friday, 10 September 2010 12:13 PM  
**To:** 'vwiles@tcfvic.org.au'; 'sda@sdawa.asn.au'  
**Subject:** E2010/2649: TCFUA WA Election decision  
**Attachments:** decision.pdf

Good afternoon Rosylyn and Vivienne,

The Fair Work Australia's Acting General Manager has signed a decision in the above-mentioned matter. A copy of the decision is attached.

Any queries in relation to the conduct of the election should be addressed at first instance to the Australian Electoral Commission who can be contacted by telephone on (08) 6363 8011.

Kind regards,

**MARK ELLIOTT**

Tribunal Services and Organisations

**Fair Work Australia**

Tel: 03 8661 7811

Fax: 03 9655 0410

[mark.elliott@fwa.gov.au](mailto:mark.elliott@fwa.gov.au)

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# THE TEXTILE CLOTHING & FOOTWEAR UNION OF WESTERN AUSTRALIA

Registered Office **5th Floor, 25 Barrack St Perth WA 6000**  
Postal Address **GPO Box 2556 Perth WA 6001**  
Telephone (08) 9221 4321  
Fax (08) 9221 2774  
ABN 40 773 308 986

26 August 2010

Mr Mark Elliott  
Tribunal Services and  
Organisations  
Fair Works Australia  
11 Exhibition Street  
MELBOURNE VIC 3000

Dear Mark

**Re: TCFUA WA Branch Elections**

Thank you for drawing to our attention the clerical errors in the information lodged by our National Office in connection with the Branch election. As you observe, the reference to the office of Assistant Secretary is incorrect and should, instead, have been a reference to the office of Vice President.

With the correction to the list of offices to be filled by election I trust that the election can now proceed expeditiously.

Thank you once again for your assistance and advice in this matter.

Yours sincerely

ROSLYN BALL  
WA BRANCH SECRETARY



## ELLIOTT, Mark

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**From:** ELLIOTT, Mark  
**Sent:** Wednesday, 8 September 2010 11:28 AM  
**To:** 'industrial.elections@aec.gov.au'  
**Subject:** E2010/2649 - TCFUA WA  
**Attachments:** 20100908\_100208.pdf

Please find attached correspondence amending the prescribed information originally lodged in the abovementioned matter.

Kind regards,

**MARK ELLIOTT**  
Tribunal Services and Organisations

**Fair Work Australia**  
Tel: 03 8661 7811  
Fax: 03 9655 0410  
[mark.elliott@fwa.gov.au](mailto:mark.elliott@fwa.gov.au)

11 Exhibition Street, Melbourne Victoria 3000  
GPO Box 1994, Melbourne Victoria 3001

[www.fwa.gov.au](http://www.fwa.gov.au)

## ELLIOTT, Mark

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**From:** DONNELLAN, Kevin  
**Sent:** Monday, 30 August 2010 11:46 AM  
**To:** ELLIOTT, Mark  
**Subject:** RE2010/3238 - Application for a right of entry permit for Brad Gandy and E2010/2649 - Scheduled election - Shop, Distributive and Allied Employees Association, Western Australian Branch

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**From:** DONNELLAN, Kevin  
**Sent:** Wednesday, 25 August 2010 1:00 PM  
**To:** 'sda@sdawa.asn.au'  
**Subject:** RE2010/3238 - Application for a right of entry permit for Brad Gandy and E2010/2649 - Scheduled election - Shop, Distributive and Allied Employees Association, Western Australian Branch

Dear Joe, as discussed with Mark Elliott the prescribed information lodged with the election contained clerical errors. In particular the prescribed information incorrectly makes reference to the office of Assistant Secretary although no such office exists under the rules. In addition, the prescribed information fails to refer to the office of Vice President notwithstanding an election for that office is due under the rules. Could the prescribed information be taken to be amended accordingly.

Also, the previously issued permit for Brad Gandy (RE2004/1193) which expired on 16 March 2007 was returned to Fair Work Australia on 3 July 2009. The application lodged on 2 June 2010 (RE2010/3238) did not make give reasons why the previous permit was sent back late. Could you obtain from Brad a statutory declaration outlining the reasons why the permit was sent back late and could you also arrange a further declaration from Brad and yourself to notify if there have been any changes to the contents of Form 42 application for an Entry Permit which was forwarded to Fair Work Australia on 2 June 2010.

Regards

**KEVIN DONNELLAN**  
Tribunal Services and Organisations

**Fair Work Australia**  
Tel: 03 8661 7764  
Fax: 03 9655 0410  
[kevin.donnellan@fwa.gov.au](mailto:kevin.donnellan@fwa.gov.au)

11 Exhibition St, Melbourne Victoria 3000  
GPO Box 1994, Melbourne Victoria 3001

[www.fwa.gov.au](http://www.fwa.gov.au)

**ELLIOTT, Mark**

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**From:** ELLIOTT, Mark  
**Sent:** Wednesday, 11 August 2010 5:29 PM  
**To:** 'industrial.elections@aec.gov.au'  
**Subject:** E2010\_2649: TCFUA  
**Attachments:** WA Branch - Prescribed Information for FWA (11 Jun 10).pdf

Please find attached prescribed information lodged in the above matter.

Kind regards,

**MARK ELLIOTT**  
Tribunal Services and Organisations

**Fair Work Australia**  
Tel: 03 8661 7811  
Fax: 03 9655 0410  
[mark.elliott@fwa.gov.au](mailto:mark.elliott@fwa.gov.au)

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GPO Box 1994, Melbourne Victoria 3001



## THE TEXTILE CLOTHING & FOOTWEAR UNION OF WESTERN AUSTRALIA

Registered Office  
Postal Address:  
Telephone:  
Fax:

ABN 40 773 308 986

**5th Floor, 25 Barrack St Perth WA 6000**  
**GPO Box 2556 Perth WA 6001**

(08) 9221 4321  
(08) 9221 2774

11 June 2010

General Manager  
Fair Work Australia  
Level 4, 11 Exhibition Street  
Melbourne VIC 3000

By email: [melbourne@fwa.gov.au](mailto:melbourne@fwa.gov.au)

Dear General Manager,

**Re: Textile Clothing and Footwear Union of Australia  
(Western Australian Branch)  
Elections – Prescribed Elections**

Pursuant to subsection 189(1) of the Fair Work (Registered Organisations) Act 2009, I hereby request that the Australian Electoral Commission conduct elections for the following positions in the Western Australian Branch:

- President
- Secretary
- Assistant Secretary
- Trustees (2)
- Committee Member (1)

Please be advised that the total number of members for the Western Australian Branch as at 31 March 2010 is 20.

Please contact me should you wish to discuss this request.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Roslyn Ball'.

Roslyn Ball  
State Secretary

Enc.

*Fair Work (Registered Organisations) Act 2009*

**STATEMENT OF LODGEMENT OF PRESCRIBED INFORMATION**

**TEXTILE CLOTHING AND FOOTWEAR UNION OF AUSTRALIA  
(WESTERN AUSTRALIAN BRANCH)**

I, Roslyn Ball being the Branch Secretary of the Western Australian Branch of the Textile Clothing and Footwear Union of Australia, make the following statement:

I am the Branch Secretary of the Western Australian Branch of the Textile Clothing and Footwear Union of Australia.

I am authorized to lodge the following prescribed information concerning forthcoming elections in the Western Australian Branch of the Textile Clothing and Footwear Union of Australia, and

I confirm that the following information is being lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009.

**OFFICE OR POSITIONS FOR WHICH ELECTION REQUIRED**

The offices or positions for which an election is required is as follows:

- President
- Secretary
- Assistant Secretary
- Trustees (2)
- Committee Member (1)

**REASON FOR ELECTION**

The reason for the election of each office or position set out above is that the term of each office or position has expired or is due to expire in the normal course of events.

**OFFICES OR POSITIONS WITH SAME NAME**

The number of offices or positions with the same name which are able to be determined before the prescribed day are as follows:

- Trustees (2)

**COMPOSITION OF ELECTORATE**

The electorate comprises the members of the Western Australian Branch.

## **PERIOD FOR CALLING OF NOMINATIONS**

The date and time of the beginning and end of the period in which nominations of candidates will be called for or may be made under the rules are to be determined by the Returning Officer in accordance with rule **42(d)(ii)** of the TCFUA Registered Rules.

## **CLOSING OF ROLL OF VOTERS**

Pursuant to rule **42(d)(iv)(ba)** of the TCFUA Registered Rules the roll of voters will close on the seventh day before the date determined for the opening of nominations.

## **KIND OF VOTING SYSTEM**

The kind of voting system to be used in the conduct of the elections is a direct voting system.

Signed:

A handwritten signature in black ink, appearing to read 'R Ball', written over the word 'Signed:'.

Roslyn Ball

Date: 11 June 2010