

## **Australian Electoral Commission / AEC**

Workplace Relations Act 1996 – Schedule 1B

### **RETURNING OFFICER - POST ELECTION REPORT**

**Client:** Transport Workers Union of Australia

**Contact details:** Tony Sheldon  
Federal Secretary  
PO Box 7419  
St Kilda Rd  
MELBOURNE VIC 8004

**Email:** Tony.sheldon@twu.com.au  
**Tel:** (03) 8661 7799

**AIR contact officer:** Andrew Schultz

**Email:** andrew.schultz@air.gov.au  
**Tel:**

#### **ELECTIONS COVERED IN THIS REPORT**

**Election Decision No/s:** E2006/190  
**Election:** Casual Vacancy Federal Secretary  
**Returning Officer:** Rhys Richards

#### **RULES**

**Rules used for elections Rule ID:** [179V: Incorporates alterations of 10 August 2006]  
[R2006/255]

**Rule/s re eligibility to vote:** Rule 58

**Rules difficult to apply/interpret:** N/A

**Model Rule reference (if any):**

**Legal precedents considered:**

**Action taken under section 193 of RAO  
Schedule:**

#### **ROLL OF VOTERS**

As a Ballot was not required, therefore the Roll of Voters was not requested

#### **ALLEGATIONS OF IRREGULARITIES RECEIVED**

There were no written complaints or allegations of irregularities

#### **ATTACHMENT**

A) Declaration of Results for Uncontested Offices

Rhys Richards  
Returning Officer  
13 September 2006

# Transport Workers' Union of Australia Casual Vacancy Election 2006

## 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.

E2006/190

### **Federal Secretary**

Candidate

SHELDON, Tony

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

Rhys Richards  
Returning Officer

13 September 2006

*Workplace Relations Act 1996*  
s.189 of Schedule 1 - arrangement for conduct of an election

**Transport Workers' Union of Australia**  
(E2006/190)

T. NASSIOS  
ACTING INDUSTRIAL REGISTRAR

MELBOURNE, 10 AUGUST 2006

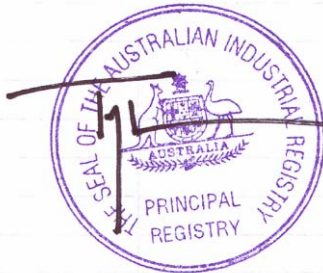
*Arrangement for conduct of election.*

**DECISION**

[1] On 25 July 2006 and 10 August 2006 the abovenamed organisation lodged in the Industrial Registry prescribed information in relation to an election for the following office:

Federal Secretary (casual vacancy)

[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 Schedule 1 of the Workplace Relations Act 1996, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



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# Transport Workers'

# Union of Australia

John Allan Federal Secretary

25 July 2006

Industrial Registrar  
Australian Industrial Registry  
Terrace Towers  
80 William Street  
East, Sydney

ABN: 18 539 030 246  
PO Box 7419  
St Kilda Road  
Melbourne, Victoria 8004  
52-56 Rouse Street  
Port Melbourne, Victoria 3207  
Phone: (03) 8645 3333  
Fax: (03) 9676 2669  
E-mail: twu@twu.com.au  
Website: www.twu.com.au

*E 2006/190*

Dear Industrial Registrar,

**Re: s189 Prescribed Information for Election**

I write on behalf of the Transport Workers' Union of Australia regarding the casual vacancy which has occurred in the position of Federal Secretary as of the 3<sup>rd</sup> July 2006.

The union's rules now require that an appointment be made to that position for the remainder of the term and accordingly the union now seeks that an election be arranged to be held by the AEC for this position.

Under the union's rules nomination for the casual vacancy would normally occur at the next meeting of the Federal Council. Steps are currently being taken to arrange for this meeting to occur. It is likely that this meeting will be held on 8<sup>th</sup> September 2006.

Lodged with this letter is the Prescribed Information as required by s189, Sch 1, of the *Workplace Relations Act 1996*. I have been authorised by the Federal Committee of Management pursuant to make this statement as required by Reg. 138(2) of the *Workplace Relations (RAO) Regulations 2003*.

Yours faithfully,

Mr. Tony Sheldon  
NSW Branch Secretary, Federal Councillor and Member of the Federal Committee of Management  
Transport Workers' Union of Australia

Canberra Sub Branch:  
3/289 Canberra Avenue, Fyshwick ACT 2609  
NSW Branch:  
31 Cowper Street, Parramatta NSW 2150

QLD Branch:  
11 Alexandra Place, Murarrie QLD 4172  
SA/NT Branch:  
25 Chief Street, Brompton SA 5007

VIC/TAS Branch:  
52-56 Rouse Street, Port Melbourne VIC 3207  
WA Branch:  
82 Beaufort Street, Perth WA 6000

**PRESCRIBED INFORMATION**

<b>Name of Office or Position</b>	<b>Reason for election</b>	<b>Number to be filled</b>	<b>Electorate</b>
Federal Secretary	Casual Vacancy	1	Federal Council

Nomination dates: To be determined by Federal Committee of Management in accordance with the union's rules.

Close of roll: Seven days prior to the opening of nominations.

Voting system: Collegiate.

**SCHULTZ, Andrew**

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**From:** Michael Kaine [michael.kaine@nsw.twu.com.au]  
**Sent:** Thursday, 10 August 2006 11:20 AM  
**To:** 'SCHULTZ, Andrew'  
**Subject:** Rule changes and Notice of Change to prescribed information - casual vacancy - Federal Secretary

Andrew

1. I refer to our letter of 25 July providing you with prescribed information regarding the election to fill the casual vacancy in the position of Federal Secretary.

In that letter, we specified that an election, if required, would occur at a Special Meeting of Federal Council on 8 September.

That Special Meeting, if required, will now occur on 11 September not 8 September (owing to timing issues regarding the separate internal transitional process for the election of Assistant Secretaries on an interim basis).

2. Also, yesterday I faxed through a Notice of Alteration of Rules and related documentation. Would you mind confirming by return mail or phone call that you have received that documentation.

Thank you.

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Michael Kaine  
Chief Legal Advisor, TWU

TWU Legal Department  
Suite 2, Level 3  
31 Cowper Street  
PARRAMATTA NSW 2150

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**From:** SCHULTZ, Andrew [mailto:Andrew.SCHULTZ@air.gov.au]  
**Sent:** Wednesday, 9 August 2006 1:13 PM  
**To:** 'Michael Kaine'  
**Subject:** Re: TWU Rule alterations and election for Federal Secretary

Michael,

**Re: TWU Rule alterations and election for Federal Secretary**

Please find enclosed a summary of events that are required to finalise the above matters.

Regards,

10/08/2006

Andrew Schultz  
Australian Industrial Registry

9 August 2006

<<TWU6293.doc>>

<<TWU6293.doc>>

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