

Mr Hughie Williams
Branch Secretary
Transport Workers' Union of Australia (Qld)

**Post Election Report For: Transport Workers' Union of Australia
Queensland Branch Vacancy Election
Election E No 2008/E189**

I refer to the above election for your organisation.

Section 197(1) of Schedule 1 of the Workplace Relations Act 1996 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 Workplace Relations (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.

Bill Huey
Returning Officer
24/7/08

Australian Electoral Commission /AEC

Workplace Relations Act 1996 – Schedule 1

POST ELECTION REPORT

Transport Workers' Union of Australia Queensland Branch

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: *2008/E189*

RULES

Rules used for the election: 179V: alterations of 19/10/07
R2007/348
Rules difficult to apply/interpret: *None*
Model Rule reference (if any): *N/A*

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: *None*
Other irregularities identified, and action taken: *None*

ATTACHMENTS

- 1) Declaration of Results for Uncontested Offices – QLD

Bill Huey
Returning Officer

24 July 2008

Transport Workers' Union of Australia Queensland Branch Vacancy Election

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.

E2008/E 189

Queensland Branch

Female Federal Councillor

Candidate

BOW, Karen

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

Bill Huey
Returning Officer

24 July 2008

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

Transport Workers' Union of Australia
(E2008/189)

T. NASSIOS
DEPUTY INDUSTRIAL REGISTRAR

MELBOURNE, 5 JUNE 2008

Arrangement for conduct of election.

DECISION

[1] On 3 June 2008 the Queensland Branch of the Transport Workers' Union of Australia lodged in the Industrial Registry the prescribed information in relation to an election for the following office:

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



TRANSPORT WORKERS' UNION OF AUSTRALIA QUEENSLAND BRANCH

ABN: 80 519 643 130

11 Alexandra Place
MURARRIE QLD 4172
Telephone: (07) 3890 3066
Toll Free: 1800 804 533
Fax: (07) 3890 1105
Email: info@twuqld.asn.au
Web: www.qld.twu.com.au



All correspondence to:-
HUGHIE WILLIAMS
BRANCH SECRETARY
PO BOX 452
CANNON HILL
QLD 4170

"TWU WORKING FOR ITS MEMBERS"

2nd June 2008

Mr Ken Ophel
Manager, Team 1
Statutory Services Branch
Australian Industrial Registry
MELBOURNE VIC 3000
By facsimile: (03) 9655 0410

Dear Ken,

RE: TWU Queensland - Election of Federal Council Delegate

I refer to your email of 20th May, 2008 in response to my fax of the same day (attached) regarding the above matter.

As previously advised the TWU Queensland Branch has recently become aware of a vacancy in the position of Female Federal Councillor and seeks the assistance of your organisation in making the necessary arrangements to fill this vacancy in accordance with the rules of our organisation.

The position and the date that it became vacant is as follows:
Female Federal Councillor representing Queensland (Toni Soranson) – vacant effective 26th April, 2007. (Ms Soranson's resignation is attached for your information)

This position was declared at the conclusion of our organisation's last election on the 1st December, 2006. The current term of the position commenced on the 20th April, 2007 and expires on the 21st April, 2011. The electorate responsible for electing the office holder of this position are financial members of the TWU Queensland Branch.

In accordance with the rules of the Transport Workers Union of Australia in the event of a casual vacancy occurring (Rules 62 & 63: attached), the TWU Queensland Branch requests the assistance of your organisation in making the necessary arrangements to fill this vacancy in accordance with our rules.

To discuss the making of these arrangements, can you please contact myself on (07) 3890 3066 or Scott Connolly, our Executive Officer on 0418 445 329.

Yours sincerely,

HUGHIE WILLIAMS
Branch Secretary

S2008-529

CARRUTHERS, Ailsa

From: OPHEL, Ken
Sent: Wednesday, 21 May 2008 8:45 AM
To: 'info@twuqld.asn.au'
Subject: FW: Attention Hughie Williams re election of Federal Council delegate

message resent - original email address incorrect

Ken Ophel
Manager, Team 1
Statutory Services Branch
Australian Industrial Registry

(03) 8661 7984
ken.ophel@air.gov.au

From: OPHEL, Ken
Sent: Tuesday, 20 May 2008 1:50 PM
To: 'info@qldtwu.asn.au'
Subject: Attention Hughie Williams re election of Federal Council delegate

Dear Mr Williams,

I am responding to your fax received in the Brisbane Registry this morning, regarding the office of female Federal Councillor representing the Queensland Branch.

It appears that Toni Soranson resigned on 3 April 2007 before taking up office for the 2007 - 2011 term, which would have commenced on 20 April 2007. Per subrule 63(3):

"If the expired part of the term of the position is less than either:

- (a) 12 months, or
- (b) one-quarter of the term of the position,

then, an election for the casual vacancy must be conducted in accordance with rule 62..."

There may be a technical question as to whether this will be a casual vacancy or a recalling of nominations for an ordinary election, but it seems on either view that a vacancy exists for the remainder of the term. If the branch now lodges the prescribed information (in accordance with RAO regulation 138) for this position with the Registry, it will be placed before a registrar who can make arrangements with the Australian Electoral Commission for the conduct of an election. The prescribed information can be emailed to orgs@air.gov.au or faxed to me at (03) 9655 0410.

yours sincerely
Ken Ophel

Ken Ophel
Manager, Team 1
Statutory Services Branch
Australian Industrial Registry

(03) 8661 7984
ken.ophel@air.gov.au

TRANSPORT WORKERS' UNION OF AUSTRALIA QUEENSLAND BRANCH

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All correspondence to:-
HUGHIE WILLIAMS
BRANCH SECRETARY
PO BOX 452
CANNON HILL
QLD 4170

"TWU WORKING FOR ITS MEMBERS"

19th May 2008

The Registrar
Australian Industrial Registrar
Industrial Registry
PO Box 5713
CENTRAL PLAZA BRISBANE QLD 4001

Dear Sir/Madam

RE TWU ELECTION – E2007/266

As you are aware the TWU QLD recently completed an election to fill a number of casual vacancies that occurred during the preceding 12 months.

Amongst these positions filled, was a vacancy created by the resignation of Ms Toni Soranson, who held the position of Branch Vice President. In our preparations for this year's annual TWU Federal Council commencing today, Monday, 19th May, 2008 it has come to our attention that Ms Toni Soranson also held the position of Female Federal Councilor.

Despite a series of discussions and correspondence between the TWU, the Australian Electoral Commission (AEC) and your organisation late last year to make the arrangements for our most recent elections (to fill the above mentioned casual vacancies), including forwarding a copy of Ms Soranson's resignation, due to what appears to have been a collective oversight this position has still not been filled. (A copy of this correspondence is attached for your further information)

In its discussions, with both your office and the AEC the TWU inadvertently overlooked Ms Soranson's position has both a Branch Vice President and Female Branch Representative on the TWU Federal Council.

This matter only recently came to our attention, the TWU wishes to make you aware of this anomaly and seeks your advice and assistance in recommending what steps need to be taken to rectify this matter at your earliest convenience.

To discuss this matter further, please do not hesitate to contact me on (07) 389 3066 or my Executive Officer Scott Connolly on 0418 445 329.

Yours faithfully

HUGHIE WILLIAMS
Branch Secretary
S2008-476

habeche

SC

TRANSPORT WORKERS' UNION OF AUSTRALIA QUEENSLAND BRANCH

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All correspondence to:-
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QLD 4170

"TWU WORKING FOR ITS MEMBERS"

5th October 2007

FAXED

Ms Nicole Learhnan
Returning Officer
Australian Electoral Commission
GPO Box 2590
BRISBANE 4001

Dear Ms Learhnan

**Re Vacancies on the Transport Workers Union of Australia –
Queensland Branch Committee of Management**

As discussed with representatives of your office, the resignation of a number of elected representatives of our organisation's Branch Committee of Management necessitates the assistance of your Commission in making the necessary arrangements to hold the relevant elections to fill these vacancies in accordance with our rules.

The vacant positions are:

- Branch Vice President
- Branch Trustee
- Branch Committee Person

Accordingly, could you please contact me at your earliest convenience to discuss the options available to make these arrangements.

Yours faithfully

HUGHIE WILLIAMS
Branch Secretary

Suzanne Robinson

From: Scott Connolly
Sent: Tuesday, 23 October 2007 3:39 PM
To: andrew.schultz@air.gov.au
Cc: Suzanne Robinson
Subject: RE: Filling of Casual Vacancies in the Transport Workers' Union of Australia Queensland Branch - Branch Committee of Management

Jan Bushy
Scott
Return
file



DOC231007.pdf
(287 KB)

Mr Andrew Shultz
Australian Industrial Registrar
viva email: andrew.schultz@air.gov.au

Dear Andrew,

RE: Filling of Casual Vacancies in the Transport Workers' Union of Australia Queensland Branch - Branch Committee of Management

I refer to your recent conversation with Scott Connolly of my office in relation to the above. As indicated in our correspondence to the Branch Returning Officer the Australian Electoral Commission (AEC) of the 5th of October, 2007 the resignation of a number of elected representatives on our organizations Branch Committee of Management necessitates us requiring the assistance of your organization in making the necessary arrangements with the AEC to fill these vacancies in accordance with our rules.

The positions and the dates that they became vacant are as follows:

- Branch Vice President Toni Soranson - vacant effective 26th of April, 2007
- Branch Committeeperson Scott McKeown - vacant effective 29th of May, 2007
- Branch Trustee John Roach- vacant effective 20th of October, 2007

Each of these positions where declared at the conclusion of our organizations last elections on the 1st of December, 2006. The current terms of the positions commenced on the 20th of April, 2007 and expire on the 21st of April 2011.

In accordance with rule 63 (see attached) of the registered rules of the Transport Workers' Union of Australia - Manner of Filling Casual Vacancies in Branch Positions and Sub Branch Positions, in the event of a casual vacancy occurring when the term of office is:

- 63 (3) ..."less than either:
- (a) 12 months; or
 - (b) one quarter of the term of the position

then, an election for the casual vacancy must be conducted in accordance with rule 62..."

A copy of rule 62 is also attached to this correspondence.

Accordingly, in accordance with these developments and rules we request the assistance of your organization and the Branch's returning officer in making the necessary arrangements to fill these vacancies in accordance with our rules.

To discuss the options available to make these arrangements can you please contact myself on (07) 3890 3066 or Scott Connolly our Executive Officer on 0418 445 329 at your earliest convenience.

Yours sincerely,

HUGHIE WILLIAMS
State Secretary

Emailed by Scott Connolly from scott.connolly@twuqld.asn.au on behalf of the above.

ANNEXURE B - CLEARANCE CERTIFICATES

- (24) A person declared elected to the position of Federal Secretary takes office on 20 April in every fourth year after 1995, and the retiring officer continues to hold office in the meantime.
- (25) A candidate may appoint in writing to the Federal Returning Officer scrutineers.
- (26) A candidate may at any time, by writing to the Federal Returning Officer, change a scrutineer previously appointed.
- (27) A scrutineer:
- (a) must represent the interests of the candidate making the appointment;
 - (b) is entitled to represent the candidate at all stages of the ballot;
 - (c) must attend at any stage of the ballot as requested by the candidate;
 - (d) must report to the Federal Returning Officer any irregularity in the conduct of the ballot; and
 - (e) is not allowed to represent 2 or more candidates who are standing for the same position.
- (28) The Federal Returning Officer and the Branch Returning Officers must give every opportunity to scrutineers to examine the count, and to attend at every stage of the ballot to represent the interests of the candidates.
- (29) Where there is an inquiry in any court into any election held in accordance with this rule, the intention of the Rules is that any candidate in the challenged election who held office prior to the election will continue to hold office until the inquiry is completed.

60. Branch Elections

- (1) Each Branch Committee of Management must appoint a Branch Returning Officer in accordance with rule 67 by 1 November in every fourth year after 1994.
- (2) The Branch Returning Officer must call for nominations for elections to the positions of:
- (a) Branch President;
 - (b) Branch Vice-President;
 - (c) Branch Secretary;
 - (d) Branch Assistant Secretary (where required);
 - (e) 2 Branch Trustees;
 - (f) persons who are members of the Branch Committee of Management in accordance with paragraph 30(2)(f);
 - (g) Federal Councillor or Councillors (if any) to which a Branch is entitled in accordance with Rule 24(1);
 - (h) Branch Organizers in each Branch that has determined that an election is required to fill these positions; and

ANNEXURE E - CLEARANCE CERTIFICATES

- (i) Branch Industrial Research Officer in each Branch that has determined that an election is required to fill this position;

by an advertisement in a daily newspaper circulating in the area of the Branch.

- (3a) The roll of voters is to close at 5pm on the third Tuesday in October in every fourth year after 2002.
- (3b) Nominations must open at noon on the second Tuesday in November in every fourth year after 1994.
- (4) Nominations must close at noon on the last Tuesday in November in every fourth year after 1994.
- (5) Each nomination must be in writing and signed by the candidate and cannot be withdrawn once ballot papers for the election have been printed.
- (5A) A group of eligible members may nominate as members of a "Team Nomination" which must have a name.
- (5B) The name of a Team Nomination must not be the same as or similar to the name of another Team Nomination or the name of any member of another Team Nomination or be deceptive in any other way.
- (5C) In determining which Team Nomination may use a name (which is not a candidate's name) regard is to be had to all relevant factors including the history of use of the name in question.
- (5D) If, in the view of the Branch Returning Officer, the name of any Team Nomination is the same as or similar to that of any other Team Nomination, or is deceptive in any other way, the Branch Returning Officer must:
- (a) approach the candidate for Branch Secretary of the offending Team Nomination, and request him/her to make such changes to the Team Nomination's name as the Branch Returning Officer thinks necessary; and
 - (b) if such changes are not made, decide whether to accept the Team Nomination.
- (5E) A Team Nomination must nominate an eligible person (or the required number of people) for each position for which nominations have been called whereupon each person will be considered to have nominated for each position concerned.
- (5F) A Team Nomination must be in writing and signed by each candidate.
- (5G) No member of a Team Nomination may nominate in the election other than for that Team Nomination.
- (5H) The withdrawal from the ballot of a member of a Team Nomination after the close of nominations does not invalidate that Team Nomination.
- (5I) In the event of a withdrawal in accordance with sub-rule (5H), the person who has withdrawn can be replaced by another eligible person who has nominated as a candidate for any position, who is not a member of any other Team Nomination, and who consents to becoming a member of the Team Nomination. In such a case the Returning Officer must be notified of the change prior to the printing of ballot papers.

ANNEXURE B - CLEARANCE CERTIFICATES

- (5J) An individual member of a Team Nomination cannot withdraw from the Team Nomination once ballot papers for the election have been printed.
- (5K) The discovery of a candidate's ineligibility will not affect the validity of the election to office of any other member of a Team Nomination of which that candidate is a member.
- (6) If the Branch Returning Officer finds a nomination is defective before or after the close of nominations (whether a nomination of an individual candidate, or a nomination of a member of a Team Nomination), the Branch Returning Officer must:
- (a) in the case of an individual candidate, notify that candidate of the defect and, if it is practicable to do so, give the candidate the opportunity of remedying the defect within 7 days; or
 - (b) in the case of a Team Nomination, notify the candidate for Branch Secretary of that Team Nomination of the defect and, if it is practicable to do so, give the Team Nomination the opportunity of remedying the defect within 7 days.
- (7) If a candidate fails to remedy a defect in accordance with sub-rule (6), the Branch Returning Officer must reject the nomination.
- (8) (a) If no more nominations for election to a position referred to in sub-rule (2) are received than the number of such positions available, the Branch Returning Officer must immediately declare the person or persons nominated elected to the position.
- (b) If more nominations for election to a position referred to in sub-rule (2) are received than the number of such positions available, a ballot must be conducted by the Branch Returning Officer.
- (9) (a) The election must be by secret postal ballot.
- (b) The election must be under the "first past the post" voting system.
- (10) (a) The position of all candidates' names and Team Nomination names on the ballot paper must be determined by drawing lots.
- (b) The name of the incumbent person (if any) must be indicated by an asterisk.
- (10A) If there is at least one Team Nomination, the ballot papers must have two parts divided by a horizontal line.
- (10B) The ballot papers must contain a clear instruction, in a prominent position, to the effect that a member voting in the election may vote in one of two ways:
- (a) by completing the first part of the ballot paper (voting "above the line"), by voting for each member of a Team Nomination by marking a team box with a cross ("X") (in which case only one team box should be marked); or
 - (b) by completing the second part of the ballot paper (voting "below the line"), by voting for individual candidates (including members of a Team Nomination if so desired) by marking the box next to the name of the candidate which the member voting wishes to vote for in the election with a cross ("X"), in respect of each of the positions for which an election is being conducted.

ANNEXURE E - CLEARANCE CERTIFICATES

If there are not two parts to the ballot paper then the instructions (as appropriately modified) referred to in paragraph (b) will appear on the ballot paper.

(10C) The Ballot papers must also contain:

- (a) the date and time of closing of the ballot; and
- (b) the Branch Returning Officer's initials.

(10D) The ballot papers must contain on the first part:

- (a) the name of each Team Nomination; and
- (b) boxes beside the names of the Team Nominations;

but otherwise be unmarked in that part.

(11) The ballot papers must contain on the second part (or on the ballot paper itself in the event there is no Team Nomination):

- (a) the name of the position being elected;
- (b) the name of each candidate, as each name appears on the nomination form, for election to the position;
- (ba) the name of the Team Nomination of each candidate (where applicable);
- (c) the occupation and place of employment of each candidate; and
- (d) boxes beside the names of the candidates;

but otherwise be unmarked.

(11A) A vote for a Team Nomination counts as a vote for each member of the Team Nomination remaining in the ballot.

(11B) (a) Where a member voting in the ballot completes the ballot paper by voting both above and below the line, any inconsistency which might arise will be resolved in favor of the expression of the member's preference which constitutes a valid vote.

(b) If the expression of the member's preference in both parts of the ballot paper constitutes a valid vote the inconsistency will be resolved in favor of the expression of the member's preference indicated below the line.

(12) Each Branch Returning Officer must compile a list of all Financial Members enrolled in that Branch in accordance with subrule 60(3a).

(13) The Branch Returning Officer must prepare sufficient ballot papers, together with pre-paid envelopes addressed to the post office box address referred to in sub-rule (14).

(14) The Union must provide the Branch Returning Officer with a post office box address at the largest city in the area of the Branch in which the election is being held for the return of the ballot papers.

ANNEXURE B - CLEARANCE CERTIFICATES

- (15) The Branch Returning Officer must obtain the keys to the post office box referred to in sub-rule (14), and the keys must remain in the sole possession of the Branch Returning Officer at all times during the election.
- (16) The poll must open at noon on 11 February in every fourth year after 1995, except when this date falls on a Saturday, Sunday or Public Holiday, in which case the poll must open at noon on the next working day.
- (17) The Branch Returning Officer must post the relevant material referred to in sub-rule (13) by pre-paid post:
- (a) in the presence of any scrutineer who wishes to be present; and
 - (b) as soon as practicable after the opening of the poll in accordance with sub-rule (16);
- to each voter on the list compiled in accordance with sub-rule (12).
- (18) The poll must close at noon on 3 March in every fourth year after 1995, except when this date falls on a Saturday, Sunday or Public Holiday, in which case the poll must close at noon on the next working day.
- (19) Ballot papers received after the time the poll closes referred to in sub-rule (18) must not be included in the ballot.
- (20) The Branch Returning Officer must give each scrutineer reasonable notice of the opening of the post office box, and any scrutineer may attend.
- (21) At the close of the poll, the Branch Returning Officer in the presence of the scrutineers of all candidates (if available) must count all ballot papers as soon as is practicable.
- (22) A scrutineer has the right to object to the inclusion of any ballot paper in the ballot, but the decision of the Branch Returning Officer on an objection is, subject to the provisions of the Workplace Relations Act, final.
- (23) The Branch Returning Officer must, within 21 days of the close of the poll, declare the results of the elections.
- (24) Persons declared elected to the positions referred to in sub-rule (2) take office on 20 April in every fourth year after 1995, and the retiring persons continue to hold office in the meantime.
- (25) Each Branch Secretary must, immediately upon the declaration of the elections for Federal Councillors referred to in paragraph (2)(g), inform the Federal Secretary of the name and address of each Federal Councillor elected in that Branch.
- (26) A candidate may appoint in writing to the Branch Returning Officer scrutineers.
- (27) A candidate may at any time, by writing to the Branch Returning Officer, change a scrutineer previously appointed.
- (28) A scrutineer:
- (a) must represent the interests of the candidate making the appointment;
 - (b) is entitled to represent the candidate at all stages of the ballot;

ANNEXURE E - CLEARANCE CERTIFICATES

- (c) must attend at any stage of the ballot as requested by the candidate;
 - (d) must report to the Branch Returning Officer any irregularity in the conduct of the ballot, and
 - (e) is not allowed to represent 2 or more candidates who are standing for the same position.
- (29) The Branch Returning Officer must give every opportunity to scrutineers to examine the count, and to attend at every stage of the ballot to represent the interests of the candidates.
- (30) The provisions of this rule, in so far as they are applicable, will apply to the election of Sub-Branch positions within the New South Wales Branch.
- (31) Where there is an inquiry in any court into any election held in accordance with this rule, the intention of the Rules is that any candidate in the challenged election who held office prior to the election will continue to hold office until the inquiry is completed.

61. Manner of Filling Casual Vacancies in the Positions of Federal President, Federal Vice-President and Federal Trustees

A casual vacancy in the position of:

- (a) the Federal President,
- (b) the Federal Vice-President, or
- (c) a Federal Trustee,

must be filled by an appointment conducted in accordance with rule 58, which may occur at an ordinary or special meeting of Federal Council.

62. Manner of Filling Casual Vacancies in the Position of Federal Secretary

- (1) A casual vacancy in the position of:

- (a) the Federal Secretary

must be filled in accordance with this rule.

- (2) If the expired part of the term of the position is more than both:

- (a) 12 months, and
- (b) one-quarter of the term of the position,

then, subject to sub-rule (4), an appointment for the casual vacancy must be conducted in accordance with rule 58, as if it were an election in accordance with sub-rule 58(2) which may occur at an ordinary or special meeting of Federal Council.

- (3) If the expired part of the term of the position is less than either:

- (a) 12 months, or
- (b) one-quarter of the term of the position,

ANNEXURE E - CLEARANCE CERTIFICATES

then, an election for the casual vacancy must be conducted in accordance with rule 61, except that:

- (c) the Federal Committee of Management must set alternative dates to those described in sub-rules 59 (1), (3), (4), (16), (18), and (24) and the roll of voters is to close at 5pm, 7 days before the date set for the opening of nominations; and
 - (d) the election must be completed within 4 months of the casual vacancy occurring.
- (4) A person may only fill the casual vacancy described in sub-rule (1) if that person meets the eligibility requirements for nominating for election to the position of Federal Secretary in accordance with rule 57.
- (5) A person who fills a casual vacancy in accordance with sub-rule (2) or (3) holds the position for the balance of the original 4 year term of the position.

63. Manner of Filling Casual Vacancies in Branch Positions and Sub Branch Positions

(1) A casual vacancy in the position of:

- (a) Branch President;
- (b) Branch Vice-President;
- (c) Branch Secretary;
- (d) Branch Assistant Secretary (where required);
- (e) 2 Branch Trustees;
- (f) persons who are members of the Branch Committee of Management in accordance with paragraph 30(2)(f);
- (g) Federal Councillor or Councillors (if any) to which a Branch is entitled in accordance with rule 24;
- (h) Branch Organizers in each Branch that has determined that an election is required to fill these positions; and
- (i) Branch Industrial Research Officer in each Branch that has determined that an election is required to fill this position;

must be filled in accordance with this rule.

(2) If the expired part of the term of the position is greater than both:

- (a) 12 months, and
- (b) one-quarter of the term of the position,

then, an appointment for the casual vacancy must be made by the Branch Committee of Management.

(3) If the expired part of the term of the position is less than either:

ANNEXURE E - CLEARANCE CERTIFICATES

- (a) 12 months, or
- (b) one-quarter of the term of the position,

then, an election for the casual vacancy must be conducted in accordance with rule 62, except that:

- (ba) a Team Nomination is not allowed;
 - (c) the Branch Committee of Management must set alternative dates to those described in sub-rules 60 (1), (3), (4), (16), (18) and (24) and the roll of voters is to close at 5pm, 7 days before the date set for the opening of nominations; and
 - (d) the election must be completed within 4 months of the casual vacancy occurring.
- (4) A person may only fill the casual vacancy described in sub-rule (1) if that person meets the eligibility requirements for nominating for election to the positions described in sub-rule (1) in accordance with rule 57.
- (5) A person who fills a casual vacancy in accordance with sub-rules (2) and (3) holds the position for the balance of the original 4 year term of the position.
- (6) Where a casual vacancy occurs in an elected sub-branch position, the vacancy must be filled in accordance with the provisions of this sub-rules 63(2), (3), (4) & (5) as if each reference in those sub-rules to "Branch" was "Sub Branch" and each reference to "Committee of Management" was "Executive Committee". This sub-rule does not apply in relation to Gas Industry Sub Branches.
- (7) Rule 24(1)(h) will become operational as from the first scheduled election after this rule is Certified by the Industrial Registrar.

64. Federal Referendums

- (1) Federal Council may submit a matter affecting all or a section of the Members to a referendum of the Financial Members affected.
- (2) Federal Council must submit a matter affecting all or a section of the Members to a referendum of Financial Members affected if:
 - (a) at least 3 Branches (acting through the Branch Committee of Management or a general meeting of the Branch) that together represent 25% of the Effective Membership request; or
 - (b) a petition signed by at least 1,000 Financial Members is presented;
 in accordance with sub-rule (3).
- (3) A request made or petition presented in accordance with sub-rule (2) must:
 - (a) state the question that is to be put to referendum; and
 - (b) be sent to the Federal Secretary.
- (4) The referendum must be conducted as soon as practicable after it is called in accordance with sub-rule (1) or (2).

Suzanne Robinson

From: Tran, Tom [tom.tran@air.gov.au]
Sent: Wednesday, 31 October 2007 2:21 PM
To: Suzanne Robinson
Subject: Election for Transport Workers' Union - Queensland Branch [E2007/266]

ATT: Hughie Williams

Dear Mr. Williams,

Please find attached a decision by the Deputy Industrial Registrar in the above matter.

If you have any queries please don't hesitate to contact me.

Regards,

Thomas Tran
Graduate Trainee
Australian Industrial Registry
Statutory Services Branch
(t) (03) 8661 7921 | (f) (03) 9655 0410 | (e) tom.tran@air.gov.au

This email and any files transmitted with it are confidential and
intended solely for the use of the individual or entity to whom they
are addressed. If you have received this email in error please notify
the sender.

This footnote also confirms that this email message has been swept for the presence of computer viruses.

*COPY FOR TWU***Suzanne Robinson**

From: Scott Connolly
Sent: Tuesday, 6 November 2007 6:40 AM
To: tom.tran@air.gov.au
Cc: Suzanne Robinson
Subject: Election for Transport Workers Union - QLD Branch



Tom,

Thank you for your email of the 31st of October. Further to my phone call yesterday, I am responding on behalf of Branch Secretary Williams and would like to discuss this matters with you further at your convenience. In particular we are keen to discuss the potential dates and arrangements that need to be put in place with the appropriate people at the AIR or AEC at the earliest possible opportunity. I can be contacted on 0418 445 329 and would appreciate a return phone call as soon as possible.

Regards,
Scott Connolly
Executive Officer

6/11/2007

S

Suzanne Robinson

From: Scott Connolly
Sent: Thursday, 8 November 2007 9:51 AM
To: brendan.carroll@aec.gov.au
Cc: michael.kaine@nsw.twu.com.au; Karen Bow; Suzanne Robinson
Subject: Proposed Arrangements for the Conduct of Elections to Fill Casual Vacancies TWU QLD

Hi Brendan,

Further to our conversation yesterday regarding the above and decision no (E2007/266) of the Deputy Industrial Registrar dated 31st of October, 2007 we have had a look at the rules of the Transport Workers Union of Australia, specifically rule 60, and submit the following timetable for your consideration for the conduct of this election:

- Roll of Voters to Close 5pm, Tuesday 11th of December 2007
- Nominations Open at Noon, Tuesday 8th of January 2008
- Nominations Close at Noon, Tuesday 29th of January
- Ballot if necessary, opens - noon 11th of February, 2008
- Ballot if necessary, closes - noon 3rd of March 2008

This timetable is the preferred position of the TWU and we believe would allow the organisation and its members appropriate time to make the necessary arrangements for the election and appropriate time for the conduct of a ballot, if necessary.

I trust that you find this acceptable and look forward to a positive response. Could you please provide this response to the State Secretary-Treasurer, Hughie Williams and forward copies to the following email addresses - karen.bow@twuqld.asn.au and michael.kaine@nsw.twu.com.au - both officers of our organisation have will be handling this matter in my absence on annual leave from today until early next year.

Regards,

Scott Connolly - Executive Officer

0418 445 329

8/11/2007

*Electoral Commission
Re Election*

[2007] AIR 901

PR979524

Workplace Relations Act 1996
s.159 RAO Schedule - alteration of other rules of organisation

Transport Workers' Union of Australia
(R2007/348)

T. NASSIOS
DEPUTY INDUSTRIAL REGISTRAR

MELBOURNE, 19 OCTOBER 2007

Alteration of other rules of organisation.

file

DECISION

- [1] On 10 October 2007 the Transport Workers' Union of Australia lodged in the Industrial Registry a notice and declaration setting out particulars of alterations to the Rules of the organisation.
- [2] The particulars set out alterations to Rules 24, 28, 33A, 53, 57, 59A and 62 of the Rules of the Transport Workers' Union of Australia.
- [3] On the information contained in the notice I am satisfied that the alterations were made in accordance with the rules of the organisation.
- [4] The alterations seek to abolish one of the two offices of Federal Assistant Secretary. The organisation has lodged in the Registry a copy of the resignation letter from the incumbent whose office is being abolished. That letter states that the resignation is to take effect on 19 October 2007.
- [5] In my opinion, the alterations comply with and are not contrary to the Workplace Relations Act, Schedule 1 thereto, awards and collective agreements, are not otherwise contrary to law, and I certify accordingly under subsection 159(1) of Schedule 1 of the Act.



5

Suzanne Robinson

From: brendan.carroll@aec.gov.au
Sent: Friday, 16 November 2007 3:44 PM
To: Karen Bow; Hughie Williams
Cc: Suzanne Robinson; michael.kaine@nsw.twu.com.au; Scott Connolly
Subject: Re: Proposed Arrangements for the Conduct of Elections to Fill Casual Vacancies TWU QLD [SEC=UNCLASSIFIED]

Hi Karen,
cc. Branch Secretary, Hughie Williams

As discussed by phone, I have now had a chance to look at the TWU rules and the proposed TWU timetable, from Scott below.

The proposed Ballot Open Date of Mon 11 Feb 08 and the Ballot Close of 12:00 noon Mon 3 March 08, are both fine.

Given those ballot dates, then to comply with TWU Rules 63 & 60 & 57, it would be necessary for the Nominations dates to come forward by around a fortnight.

However the roll of voters can close around the same time as proposed by you.

Working back from the proposed Ballot dates, results in the following dates:

- Mon 3 March 08 at 12:00 noon: Ballot Close. [Rule 60(18)].
 - Tue 11 Feb 08: Ballot Open. [Rule 60(16)].
 - Week commencing 4 Feb 08: Ballot Material addressing & Insertion.
 - Tue 29 January 08 from 10am: Draw for ballot paper order. [Rule 60 (10)].
Withdrawals close & Printing of Ballot Paper [Rule 60(5)].
Dry ballot paper folding.
 - Mon 28 January 08: Australia Day public holiday.
 - Friday 25 January by 12:00 noon: Certified list of eligible voters arrives at AEC from Secretary. [Rule 60 (12)].
 - Friday 25 January at 12:00 noon: Defect period closes. [Rule 60(6)].
 - Thur 17 January 08: Candidates notified of any defects. [Rule 60(6)].
 - Wed 16 January 08: Candidates & Nominators eligibility checked & certified. [Rule 57].
 - Tue 15 Jan 08 at 12:00 noon: Nominations Close. (which would be within the week after Scott's return.)
 - Mon-24 December 07: Nominations Open.
 - Mon 17 Dec 07 at 5pm: Roll Close. [Rule 63 (3)(c)].
- Or rather than open nominations on Christmas Eve, and in view of the holidays around that time, we could allow a bit longer (6 days) for nominations and have:
- Tue 18 December 07: Nominations Open.
 - Tue 11 Dec 07 at 5pm: Roll Close. [Rule 63 (3)(c)].

That way we base the election on 3 of the 5 dates you have suggested, and only adjusted the nominations period slightly to allow for the TWU rule 60 requirements.

If you can suggest any improvements to the above dates, please let me know during next week, otherwise I will plan to lodge a newspaper Election Notice calling nominations,

for publication in December.

Regards,

Brendan

"Scott
 Connolly"
 <scott.connolly@twuqld.asn.au> To
 <brendan.carroll@aec.gov.au> cc
 08/11/2007
 09:51 AM <michael.kaine@nsw.twu.com.au>,
 "Karen Bow"
 <karen.bow@twuqld.asn.au>,
 "Suzanne Robinson"
 <info@twuqld.asn.au> Subject
 Proposed Arrangements for the
 Conduct of Elections to Fill
 Casual Vacancies TWU QLD

Hi Brendan,

Further to our conversation yesterday regarding the above and decision no (E2007/266) of the Deputy Industrial Registrar dated 31st of October, 2007 we have had a look at the rules of the Transport Workers Union of Australia, specifically rule 60, and submit the following timetable for your consideration for the conduct of this election:

Roll of Voters to Close 5pm, Tuesday 11th of December 2007
 Nominations Open at Noon, Tuesday 8th of January 2008
 Nominations Close at Noon, Tuesday 29th of January
 Ballot if necessary, opens - noon 11th of February, 2008
 Ballot if necessary, closes - noon 3rd of March 2008

This timetable is the preferred position of the TWU and we believe would allow the organisation and its members appropriate time to make the necessary arrangements for the election and appropriate time for the conduct of a ballot, if necessary.

I trust that you find this acceptable and look forward to a positive response. Could you please provide this response to the State Secretary-Treasurer, Hughie Williams and forward copies to the following email addresses - karen.bow@twuqld.asn.au and michael.kaine@nsw.twu.com.au - both officers of our organisation have will be handling this matter in my absence on annual leave from today until early next year.

Regards,

Scott Connolly - Executive Officer

0418 445 329

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If you have received this transmission in error please notify us immediately on (02) 6271 4777 or by return email and delete all copies. If this email or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the email or

attachments.



RECEIVED
- 4 DEC 2007



AEC
Australian Electoral Commission

S

GPO Box 2590
Brisbane QLD

BY:-----

Level 6
488 Queen Street
Brisbane QLD 4000

Reference: IEQ 0744

Contact: Brendan Carroll
Phone: 3834 3406
Facsimile: 3832 4727
E-mail: brendan.carroll@aec.gov.au

Mr Hughie Williams
Branch Secretary
Transport Workers' Union of Australia
Queensland Branch
PO Box 452
Cannon Hill Qld 4170

Via facsimile: 3890 1105

Dear Mr Williams,

**Transport Workers' Union of Australia
Queensland Branch Vacancy Election E2007/ 266**

Following on the AEC and TWU emails of 16 and 29 November 2007 and as discussed with Karen Bow of your office, the planned timetable for the above election is as follows:

Nominations Open	:	Monday 24 December 2007
Nominations Close	:	12:00 noon Tuesday 15 January 2008
Ballot Opens	:	Monday 11 February 2008
Ballot Closes	:	12:00 noon Monday 3 March 2008

The ballot will be conducted by post.

Enclosed is a copy of the Election Notice, which I will publish in the Courier Mail of Friday 21 December 2007, as required by TWU Rule 60(2).

Also enclosed is a supply of Nomination Forms suitable for use in this election. Please make copies of the nomination form available for use by your members as required.

Nomination forms are also available from my office. The forms are provided for the convenience of members, but any form of nomination that is in accordance with the rules of your organisation, is acceptable.

Please note that if a ballot is required, in accordance with TWU Rule 63 (3)(c), I will be requesting a list of members who were eligible to vote seven (7) days prior to the date at which nominations open, that is 17 December 2007. I draw this to your attention in case your database requires any backup at that stage.

Yours sincerely,

Brendan Carroll
Returning Officer
3 December 2007

Transport Workers' Union of Australia
Queensland Branch Vacancy Election

ELECTION NOTICE

Workplace Relations Act 1996

Nominations are called for:

Queensland Branch

- Branch Vice-President (1)
- Branch Trustee (1)
- Branch Committee of Management Member (1)

Written nominations which, comply with the Rules of the Union open on 24 December 2007 and must reach me **not later than 12:00 noon on Tuesday, 15 January 2008**. If a ballot is necessary, a candidate may, prior to the ballot papers being printed, withdraw their nomination.

Nomination forms are available, on request from the Returning Officer or from the Branch Office of the Union. The use of these forms is not compulsory, provided that nominations comply with the rules.

HOW TO LODGE NOMINATIONS

By Post: GPO Box 2590 Brisbane QLD 4001

By Fax: 3832 4727

By Hand: Australian Electoral Commission, Level 6 (Access via Level 7), 488 Queen Street Brisbane.

If a **ballot** is necessary, voting material will be posted on 11 February 2008 to each eligible member at the address shown in the Union records. The ballot will close at 12:00 noon on Monday, 3 March 2008.

Changed Address? Advise the Union now.

Note: A copy of the AEC's election report can be obtained from the organisation or from me after the completion of the election.

Brendan Carroll
Returning Officer

Phone: 3834 3406

29 November 2007



Transport Workers' Union of Australia Queensland Branch

Election E 2007/266

NOMINATION FORM

Note to Candidates: Candidates should verify their financial status and any other qualification required by the Rules of the Transport Workers Union of Australia. A person is not eligible to nominate for election to more than 1 position on any Branch Committee of Management.

Name of position:

(Print the name of the position in full as described on the election notice)

Surname:

First name/s:

(Print your name as you wish it to appear on the ballot paper)

Membership number:

Occupation:

Place of work:

Address:

Postcode:

Telephone: (daytime contact)

Fax:

CANDIDATES ENDORSEMENT

I am a financial member of the Queensland Branch of the Transport Workers Union of Australia and I nominate for the position described above.

Signature:

Date:

ADDRESS AND DEADLINE FOR LODGEMENT OF NOMINATIONS

By Post: GPO Box 2590 Brisbane 4001

By Fax: (07) 3832 4727

By Hand: Level 6 (Access Via Level 7), 488 Queen Street, Brisbane

Nominations must be received by the Returning Officer, Brendan Carroll, Australian Electoral Commission, **NO LATER THAN 12.00 noon on Tuesday 15 January 2008.**

Candidates may withdraw their nomination prior to the ballot papers being printed.

24. DEC. 2007 10:52

INDUSTRIAL ELECTIONS 07 38324727

NO. 433 P. 1 5



AEC
Australian Electoral Commission

GPO Box 2590
Brisbane QLD

Level 6
488 Queen Street
Brisbane QLD 4000

Reference: IEQ 0744

Contact: Brendan Carroll
Phone: 3834 3408
Facsimile: 3832 4727
E-mail: brendan.carroll@aec.gov.au

Mr Hughie Williams
Branch Secretary
Transport Workers' Union of Australia
Queensland Branch
PO Box 452
Cannon Hill Qld 4170

Via facsimile: 3890 1105

Dear Mr Williams,

**Request for copy of register of members – Transport Workers' Union of Australia
Queensland Branch Vacancy Election E2007/ 266**

As Returning Officer conducting elections for your organisation, I request that you supply the following listings of details of members of the Queensland Branch by 12.00 noon on the dates which are specified.

Note that this request will only apply if a ballot is necessary.

Listings

(a) Full Name and postal address (including postcode) of every member who was financial at 17 December 2007, in accordance with the rules of the Union.

Date Specified
For Listing (a)
Friday 25 January 08

(b) The names of members who were *inadvertently included or omitted* from listing (a)

For Listings (b), (c) and (d).

(c) The names of every person included in the listing (a) above, and who has *ceased to be a member by 11 February 2008*.

1 February 2008
19 February 2008

(d) Any member's postal address that has changed from that previously advised.

I request that the listings and certificates as described above be supplied to me at the above address, no later than 12.00 noon on the dates specified.

List Form

Listing "(a)" must be provided electronically as a file on computer disk or CD, in Excel or ASCII comma delimited format, with a constant number of fields throughout and should not include headers or pagination. Later listings "(b)" and "(c)" being smaller, may be provided on paper. [Lists should not be emailed as Commonwealth Guidelines provide that classified information, including personal information, should not be transmitted by email.] Each members details are required to be shown in the following eight fields in order: Member surname; Full given names; Postal address line 1; address line 2; address line 3; postcode; membership number; and Workplace address Code (see below).

Note, printed address labels are not required.

Listing Content

Address line 1, Address line 2, address line 3 & postcode

The address fields to be used for each listing are to be the member's place of residence as shown on the books of the Union. If place of residence is not known each Branch must take all necessary action to attempt to ascertain residential addresses. If the residential address cannot be ascertained, provide the member's place of employment.

Workplace addresses

Section 197 of Schedule 1 of the Workplace Relations Act 1996 requires the Australian Electoral Commission to report on the register of members. To enable this to occur please include the following field for each member included in the listings.

"Workplace Address" code: Please include a separate field for each member and mark:
Yes or Y – for each member listed with a *workplace address*, or
No or N (or blank) – for each member for whom the Union believes it has supplied a *residential address*.

Incorrect last known address

If you have a category of eligible voters with a last known address thought to be incorrect, and you are unsuccessful in obtaining a later or alternative address, you should list these members separately.

Secretary Certification

I request that each list be accompanied by a certificate signed by you in the following terms:

"I certify that the listing/s contained in the enclosed file/s _____ [insert name of file/s] contains details for _____ [insert number] showing _____ [include appropriate details from "Listings" (a), (b), (c) or (d) above].

I further declare that the register of members has been maintained as required by Section 230(2) of Schedule 1 of the Workplace Relations Act 1996."

Confidentiality of Information

Access to documents held by the Australian Electoral Commission, including data/computer files, may be requested under the Freedom of Information Act. Such requests are considered on a case by case basis. Therefore notating documents as "confidential" or "in confidence" may not necessarily prevent the documents from being released.

Workplace Regulations (Registration and Accountability of Organisations) Regulation 131 permits access to and copying of the roll by members and candidates. Each person wishing to inspect or copy the roll of voters will be required to give a written undertaking that the information will be used for the purposes of the election only.

To comply with the *Privacy Act 1988* I would also ask that you do not include in the listings provided any personal information about members other than the information specifically requested in this letter.

If you have any questions or concerns regarding the above please do not hesitate to contact me.

Yours sincerely



Brendan Carroll
Returning Officer

24 December 2007

15 JAN. 2008 13:34

INDUSTRIAL ELECTIONS 07 38324727

NO. 509 P. 1



AEC
Australian Electoral Commission

GPO Box 2590
Brisbane QLD 4001

Level 6 (Access via Level 7),
488 Queen Street
Brisbane QLD 4000

Reference: QLD IEQ 0744

Contact: Brendan Carroll
Phone: 3834 3406
Facsimile: 3832 4727
E-mail: brendan.carroll@aec.gov.au

Mr Hughie Williams
Branch Secretary
Transport Workers' Union of Australia
PO Box 452
Cannon Hill QLD 4170

Dear Mr Williams

**Transport Workers' Union of Australia
Queensland Branch Vacancy Election
E2007/ 266**

Nominations in the above election closed at 12:00 noon today, 15 January 2008. I have received nominations from the persons listed in the attachment.

Validity of nominations has not yet been checked.

In accordance with TWU Rule 60(5), candidates may withdraw their nomination prior to the ballot papers being printed. Withdrawal of nominations must be notified to me in writing and signed by the candidate.

If a ballot is necessary, I will conduct a draw at my office at 10am on Tuesday 29 January 2008, to determine the order in which candidate's names will appear on the ballot paper, which will then be printed. Candidates and their representatives are invited to attend.

Based on the current number of candidates requiring contested ballots, I draw your attention to my letter of 24 December 2007, which requests a certified list of eligible voters to be supplied by 12:00 noon on Friday 25 January 2008.

Yours sincerely

Brendan Carroll
Returning Officer
15 January 2008

SUMMARY OF NOMINATIONS RECEIVED

**TRANSPORT WORKERS' UNION OF AUSTRALIA
QUEENSLAND BRANCH VACANCY ELECTION E2007/ 266**

Nominations closed at 12:00 noon on Tuesday, 15 January 2008.

Validity of nominations has not yet been checked.

QUEENSLAND BRANCH

Office: **Branch Vice-President** No. of Vacancies: 1

Candidates: KELLY, Mark
WHITFIELD, Francis William

Office: **Branch Trustee** No. of Vacancies: 1

Candidate: DICKFOS, Gary
WYATT, Bradley Colin

Office: **Branch Committee of Management Member** No. of Vacancies: 1

Candidates: SAVAGE, Graeme Henry
TIMMS, Andrew Francis

A candidate may prior to the ballot papers being printed, withdraw their nomination, in accordance with TWU Rule 60(5). In accordance with TWU Rule 60(10), a *draw* will be conducted at this office at 10am on Tuesday 29 January 2008, to determine the order of candidates names on the ballot papers, which will then be printed. Candidates and/or their representatives are invited to attend.

Ballot material will be posted on 11 February 2008, to eligible members at the address shown in the Union's records. The ballot will close at 12:00 noon on Monday 3 March 2008.

In accordance with TWU Rule 60 (26), each candidate in the ballot may appoint a person (not being a candidate) as a *scrutineer*, by notice in writing to me. *Scrutineers* must produce a letter of authority or suitable identification on their initial introduction to me or my staff. Absence of a scrutineer will not delay any step in the election.

A list of members of the organisation qualified to vote, will be made available to members for inspection or copying, in accordance with WR(RAQ) Regulation 131. Any member wishing to inspect or copy the list, should make an appointment with me. All costs relating to inspection or copying are the responsibility of the member.

The election is conducted under the provisions of Section 189 of Schedule 1 of the Workplace Relations Act 1996, and in accordance with the Rules of the Union. Copies of the Workplace Relations Act and of Schedule 1, as well as the Registration and Accountability of Organisations Regulations, are available under "Legislation & Regulations" on the Australian Industrial Relations Commission website at: www.airc.gov.au Copies of the rules of the TWU are also available at the same location under "Registered Organisations".

If you have any questions regarding the conduct of the election, feel free to contact me.

Brendan Carroll,
Returning Officer,
15 January 2008.

(07) 3834 3408

GPO Box 2590, Brisbane 4001

JAN. 2008 10:43

INDUSTRIAL ELECTIONS 07 38324727

NO. 515 P. 1

S



AEC

Australian Electoral Commission

GPO Box 2590
Brisbane QLD 4001

Level 6 (Access via Level 7),
488 Queen Street
Brisbane QLD 4000

Reference: IEQ 0744

Contact: Brendan Carroll
Phone: 3834 3406
Facsimile: 3832 4727
E-mail: brendan.carroll@aec.gov.au

Mr Hughie Williams
Branch Secretary
Transport Workers' Union of Australia
PO Box 452
Cannon Hill QLD 4170

Dear Mr Williams

**Transport Workers' Union of Australia
Queensland Branch Vacancy Election
E2007/ 266**

I have accepted nominations in the above election from those members whose names are included in the attachment. If an office is identified as being contested a ballot will be necessary.

I will conduct a draw at my office at 10:00am on Tuesday, 29 January 2008 to determine the order in which candidates names will appear on the ballot paper, which will then be printed. Candidates and their representatives are invited to attend.

The Ballot will open on 11 February 2008 and close at 12:00 noon on Monday, 3 March 2008. Scrutiny of ballot papers will be held in this office, commencing after the ballot close.

Candidates may appoint scrutineers to represent them during the course of the election. Any such appointment must be advised to me in writing. Scrutineers should contact me if they wish to be present at any stage of the ballot including the scrutiny. Scrutineers must produce a letter of authority or suitable identification on their initial introduction to me or my staff. Absence of a scrutineer will not delay any step in the election.

Yours sincerely

Brendan Carroll
Returning Officer
17 January 2008

17. JAN. 2008 10:43

INDUSTRIAL ELECTIONS 07 38324727

NO. 515 P. 2

NOMINATIONS ACCEPTED LISTING

**TRANSPORT WORKERS' UNION OF AUSTRALIA
QUEENSLAND BRANCH VACANCY ELECTION E2007/ 266**

E2007/ 266

File Number: IEQ 0744

Returning Officer: Brendan Carroll

Nominations in the above election closed at 12:00 noon on Tuesday, 15 January 2008. The following nominations have been accepted. Where an office is identified as contested a ballot will be necessary.

Queensland BranchOffice: **Branch Vice-President**

No. of positions: 1

No. of candidates: 2

Contested: Yes

KELLY, Mark

WHITFIELD, Francis William

Office: **Branch Trustee**

No. of positions: 1

No. of candidates: 2

Contested: Yes

DICKFOS, Gary

WYATT, Bradley Colin

Office: **Branch Committee of Management Member**

No. of positions: 1

No. of candidates: 2

Contested: Yes

SAVAGE, Graeme Henry

TIMMS, Andrew Francis

A candidate may prior to the ballot papers being printed, withdraw their nomination, in accordance with TWU Rule 60(5). In accordance with TWU Rule 60(10), a draw will be conducted at this office at 10am on Tuesday 29 January 2008, to determine the order of candidates names on the ballot papers, which will then be printed. Candidates and/or their representatives are invited to attend.

Ballot material will be posted on 11 February 2008, to eligible members at the address shown in the Union's records. The ballot will close at 12:00 noon on Monday 3 March 2008.

In accordance with TWU Rule 60 (26), each candidate in the ballot may appoint a person (not being a candidate) as a *scrutineer*, by notice in writing to me. *Scrutineers* must produce a letter of authority or suitable identification on their initial introduction to me or my staff. Absence of a scrutineer will not delay any step in the election.

A list of members of the organisation qualified to vote, will be made available to members for inspection or copying, in accordance with WR(RAO) Regulation 131. Any member wishing to inspect or copy the list, should make an appointment with me. All costs relating to inspection or copying are the responsibility of the member.

The election is conducted under the provisions of Section 189 of Schedule 1 of the Workplace Relations Act 1996, and in accordance with the Rules of the Union. Copies of the Workplace Relations Act and of Schedule 1, as well as the Registration and Accountability of Organisations Regulations, are available under "Legislation & Regulations" on the Australian Industrial Relations Commission website at: www.airc.gov.au Copies of the rules of the TWU are also available at the same location under "Registered Organisations".

If you have any questions regarding the conduct of the election, feel free to contact me.

Brendan Carroll,
Returning Officer,
17 January 2008.

(07) 3834 3406

GPO Box 2590, Brisbane 4001



AEC
Australian Electoral Commission

GPO Box 2590
Brisbane QLD 4001

RECEIVED
30 JAN 2008

Level 6 (Access via Level 7),
488 Queen Street
Brisbane QLD 4000

BY:-----

Reference: IEQ 0744

Contact: Brendan Carroll
Phone: 3834 3408
Facsimile: 3832 4727
E-mail: brendan.carroll@aec.gov.au

Mr Hughie Williams
Branch Secretary
Transport Workers' Union of Australia
PO Box 452
Cannon Hill QLD 4170

CC. All Contested Candidates

Dear Mr Williams

Transport Workers' Union of Australia
Queensland Branch Vacancy Election
E2007/ 266

Nominations for the above election closed at 12:00 noon on Tuesday 15 January 2008. A draw was conducted at this office today, Tuesday 29 January 2008, to determine the order of printing of candidates names on the ballot papers, in accordance with TWU Rule 60 (10).

Attached is a copy of the draw result, showing candidates names, as they will appear on the ballot papers.

Ballot material will be posted on 11 February 2008, to eligible members at the address shown in the Union's records. The ballot will close at 12:00 noon on Monday 3 March 2008.

In accordance with TWU Rule 60 (26), each candidate in the ballot may appoint a person (not being a candidate) as a scrutineer, by notice in writing to me. Scrutineers must produce a letter of authority or suitable identification on their initial introduction to me or my staff. Absence of a scrutineer will not delay any step in the election.

A list of members of the organisation qualified to vote, will be made available to members for inspection or copying, in accordance with WR(RAO) Regulation 181. Any member wishing to inspect or copy the list, should make an appointment with me. All costs relating to inspection or copying are the responsibility of the member.

The election is conducted under the provisions of Section 189 of Schedule 1 of the Workplace Relations Act 1996, and in accordance with the Rules of the Union. Copies of the Workplace Relations Act and of Schedule 1, as well as the Registration and Accountability of Organisations Regulations, are available under "Procedures & Legislation" on the Australian Industrial Relations Commission website at: www.airc.gov.au Copies of the rules of the TWU are also available at the same location under "Organisations".

If you have any questions regarding the conduct of the election, feel free to contact me at the above address.

Yours sincerely,

Brendan Carroll
Returning Officer
29 January 2008

For the election of –

ONE BRANCH VICE-PRESIDENT

Place a cross, , in the box opposite the name of the candidate of your choice.

- WHITFIELD, Francis William** Truck Driver, TNT Express
- KELLY, Mark** Storeman, Linfox/Arnotts
-

For the election of –

ONE BRANCH TRUSTEE

Place a cross, , in the box opposite the name of the candidate of your choice.

- WYATT, Bradley Colin** Truck Driver, Toll Priority
- DICKFOS, Gary** Bus Driver/Trainer, H.B.L. (Hornibrooks)
-

For the election of –

ONE BRANCH COMMITTEE OF MANAGEMENT MEMBER

Place a cross, , in the box opposite the name of the candidate of your choice.

- SAVAGE, Graeme Henry** Leading Hand, Toll IPEC
- TIMMS, Andrew Francis** Driver, 1st Fleet Express
-