

DECLARATION OF AVAILABILITY OF AEC POST-ELECTION REPORT

I, MARK VON NIDA, being the SECRETARY of the UNITED FIREFIGHTERS UNION OF AUSTRALIA AVIATION BRANCH, declare the following:

1. I am authorised to make this declaration.
2. On 8 June 2018 the Aviation Branch received a post-election report from the AEC.
3. On 26/6/18 the Aviation Branch responded to the AEC.
4. A notice advising members that a copy of the post-election report is available upon request from the UFU or AEC and including the relevant extract of the AEC report and the Branch response to AEC has been posted on the Aviation Branch website.
5. I declare that a copy will be made available to any member who so requests.

Date: 26/6/2018

Signed

A handwritten signature in blue ink, appearing to read 'M von Nida', with a stylized flourish at the end.

Mark von Nida

Branch secretary



Mr Mark von Nida
Branch Secretary
United Firefighters' Union of Australia-Aviation Branch
ufuavat1@bigpond.com.au

Dear Mr von Nida,

cc: United Firefighters' Union of Australia, p.marshall@ufuvic.asn.au
Aviation Branch, branchsecretary@ufuav.asn.au

Dear Mr von Nida

Organisation must respond to the post-election report of the Australian Electoral Commission: E2018/7

On 8/06/2018 the Registered Organisations Commission (the ROC) received a post election report from the Australian Electoral Commission (AEC) for election E2018/7 dated 8/06/2018. The AEC will have also provided the report to the organisation under section 197 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The report identifies rules that were difficult to interpret or apply, in particular rule 27 (11). This letter serves as a reminder of the obligations imposed on the organisation or branch as a consequence of the AEC's report. If a response has already been sent to the AEC and made available to all members please disregard this letter.

A notice must be published on the organisation's website

The organisation or branch must 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 regs 141(4) and (5)).

A written response must be provided to the AEC

A written response must be provided to the AEC within 30 days of receipt of the report. The organisation's response must include whether the organisation or branch intends to take action and if so what action the organisation or branch intends to take (s198(2)).

Extract of report must be made available to members

The organisation or branch must make the section of the report relating to the difficult rules available to its members (s198(3)). This extract from the report must be made available to the members before or at the same time as the organisation's response is made available to members.

Written response must be made available to members

A copy of the organisation's response to the AEC must be made available to members either:

- within 30 days after the response is given to the AEC, or
- published in the next edition of the organisation or branch journal (s198(5))

Subsection 198(6) and regulation 142 prescribe ways in which the relevant extract and the copy of the response can be made available to members. These do not limit the ways in which they can be made available to members. The organisation will comply if it does all of the following:-

- publish the report extract and the copy of the response in the next edition of the organisation or branch's journal; and
- within 30 days of giving the response to the AEC:
 - lodges with the ROC a copy of the relevant extract and response, together with a declaration that a copy will be provided to any member who so requests; and
 - give notice in the next edition of the organisation or branch's journal, or an appropriate newspaper, that a copy of the relevant extract and response are available on request to each member free of charge; and
- publish the relevant extract on the website within 14 days after receiving the report, and publish the response on the website within 14 days of giving the response to the AEC (reg 142(2)).

Penalties may apply

If the organisation or branch does not:

- respond to the AEC within 30 days,
- make the extract of the report relating to the rules available to members no later than the organisation's response is made available to members, or
- make the organisation's response available to members within 30 days or in the next edition of the journal,

the organisation may face penalties under the RO Act. Each requirement listed above is a civil penalty provision that may result in fines for the organisation

As noted above, if the response and report have already been made available to members and the AEC, please disregard this letter. If you have any questions in relation to these obligations please contact the ROC for assistance by email to regorgs@roc.gov.au.

If the organisation or branch decides to alter its rules in response to the AEC's report

If the organisation or branch decides to alter its rules in response to the AEC's report, the ROC is NOT able to provide advice and assistance regarding draft alterations or the processes required to make the alterations. Rule alterations remain a function of the Fair Work Commission.

Yours faithfully

Christine Hibberd

Registered Organisations Commission



15 June 2018

Mr Mark von Nida
Branch Secretary
United Firefighters' Union of Australia-Aviation Branch
ufuavat1@bigpond.com.au

Dear Mr von Nida,

cc: United Firefighters' Union of Australia, p.marshall@ufuvic.asn.au
Aviation Branch, branchsecretary@ufuav.asn.au

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of stages 1 & 2 uncontested and contested offices for Aviation Branch [E2018/7]. 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 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 United Firefighters' Union of Australia-Aviation Branch must notify the Commission of these changes. In particular, please advise:

1. Person(s) who have ceased to hold office:
 - the name of the office vacated;
 - the date of the change of office holder; and
 - the name of the person vacating the office.

2. Person(s) who have commenced to hold office:
 - the name of the office now held;
 - the date of the change of office holder;

- the name of the person now holding the office;
- the postal address of the person (generally the postal address of the organisation); and
- the occupation of the person now holding the office.

The notification must include a declaration by the Secretary (or other prescribed officer) that the information is a correct statement of the changes made. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not need to notify until then (e.g. AGM, 1 January, 2nd Monday in March). If you have already lodged this information, please disregard this reminder.

Regards

Christine Hibberd
Registered Organisations Commission

08 June 2018

Post-election Report

**E2018/7 - Scheduled Election - United
Firefighters Union Of Australia- Aviation Branch**

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Election Covered in this Report

Election Decision No: E2018/7

Rules

Rules used for the election:	[259V: Incorporates alterations of 08/03/2018 [R2017/250] replaces rulebook dated 1/9/2014 [R2014/166]]
Rules difficult to apply/interpret:	Rule 27 (11) does not allow for preliminary scrutiny of returned declaration envelopes at the direction of the Returning Officer. Provision for progressive markback and preliminary scrutiny prior to the close of the ballot facilitates the scrutiny of ballot papers following the ballot close.
Module Rule reference	17.2 <i>Preliminary Scrutiny of Envelopes</i> and 17.3 <i>Scrutiny of ballot papers</i>

Roll of Voters

Stage 1

Total number of voters on the Roll:	798
Number of apparent workplace addresses:	0
Number of non-current addresses:	0
Other matters pertaining to the roll of voters:	None

Stage 2

As there were no contested offices at Stage 2 of the election, 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: Nil

Other Matters

Nil

Attachments

Declaration of Results for:
Stage 1 - Uncontested Offices
Stage 1 - Contested Offices
Stage 2 - Uncontested Offices



Allison Valentine
Returning Officer

8 June 2018

United Firefighters Union of Australia -Aviation Branch
DECLARATION OF RESULTS - E2018/7 – Stage 2
Uncontested Offices

Scheduled Election

The Results of the election for the following offices conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation are:

Branch Committee of Management

Senior Branch Vice President (1)

Candidates

OWEN, SIMON

Junior Branch Vice President (1)

Candidates

No Nominations Received

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



Allison Valentine
Returning Officer
Australian Electoral Commission
07/06/2018

United Firefighters' Union of Australia –Aviation Branch
DECLARATION OF RESULTS - E2018/7
Contested Offices

Scheduled Election

The Result 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:

Total number of names on the roll of voters	798
Ballot papers issued	798
Replacement ballot papers issued	27
Total Ballot Papers Issued	825
Ballot papers / envelopes returned for scrutiny	336
Less ballot papers / envelopes rejected at preliminary scrutiny	2
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	334
Percentage of ballot papers returned to number issued	42%
Ballot papers returned as unclaimed mail	13
Ballot papers not returned	449

BRANCH PRESIDENT

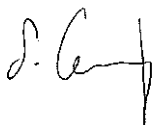
<u>Candidates</u>	<u>Votes</u>
SKELTON, Robert	185
OSBORN, Simon	146
Formal ballot papers	331
Informal ballot papers	3
Total votes	334

I declare Robert Skelton elected.

BRANCH SECRETARY

<u>Candidates</u>	<u>Votes</u>
VAUGHAN, Jon	82
VON NIDA, Mark	251
Formal ballot papers	333
Informal ballot papers	1
Total votes	334

I declare Mark Von Nida elected.



Shane T Lanning
Returning Officer, Australian Electoral Commission
14 May 2018

United Firefighters Union of Australia -Aviation Branch
DECLARATION OF RESULTS - E2018/7
Uncontested Offices

Scheduled Election

The Results of the election for the following offices conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation are:

New South Wales

Branch Committee of Management Member (1)

No Nominations Received

Victoria

Branch Committee of Management Member (1)

Candidate

MCCABE, Rory Thomas

Northern Queensland

Branch Committee of Management Member (1)

Candidate

RING, John

Southern Queensland

Branch Committee of Management Member (1)

Candidate

HUNTER, Justin

South Australia

Branch Committee of Management Member (1)

Candidate

OSBORN, Simon

Western Australia

Branch Committee of Management Member (1)

No Nominations Received

Tasmania

Branch Committee of Management Member (1)

Candidate

OWEN, Simon Jones

Australian Capital Territory

Branch Committee of Management Member (1)

Candidate

DAVIS, Richard

Northern Territory

Branch Committee of Management Member (1)

Candidate

NOLAN, Ricky

Adelaide Rescue and Firefighting Unit

Branch Organiser (1)

Candidate

THOMPSON, Daniel

Alice Springs Rescue and Firefighting Unit

Branch Organiser (1)

No Nominations Received

Avalon Rescue and Firefighting Unit

Branch Organiser (1)

Candidate

PEELER, Ashley

Ayres Rock Rescue and Firefighting Unit

Branch Organiser (1)

No Nominations Received

Brisbane Rescue and Firefighting Unit

Branch Organiser (1)

No Nominations Received

Ballina Rescue and Firefighting Unit

Branch Organiser (1)

No Nominations Received

Broome Rescue and Firefighting Unit

Branch Organiser (1)

Candidate

CHAPPELL, William James

Cairns Rescue and Firefighting Unit

Branch Organiser (1)

No Nominations Received

Canberra Rescue and Firefighting Unit

Branch Organiser (1)

Candidate

WEST, Hayden

Coffs Harbour Rescue and Firefighting Unit

Branch Organiser (1)

No Nominations Received

Coolangatta Rescue and Firefighting Unit

Branch Organiser (1)

No Nominations Received

Darwin Rescue and Firefighting Unit

Branch Organiser (1)

No Nominations Received

Gladstone Rescue and Firefighting Unit

Branch Organiser (1)

Candidate

FEENEY, Nicholas James

Hamilton Island Rescue and Firefighting Unit

Branch Organiser (1)

Candidate

McCARTHY, Stephen

Hobart Rescue and Firefighting Unit

Branch Organiser (1)

No Nominations Received

Karratha Rescue and Firefighting Unit

Branch Organiser (1)

No Nominations Received

Launceston Rescue and Firefighting Unit

Branch Organiser (1)

No Nominations Received

Mackay Rescue and Firefighting Unit

Branch Organiser (1)

No Nominations Received

Maroochydore Rescue and Firefighting Unit

Branch Organiser (1)

Candidate

RUNGE, Derrick

Melbourne Rescue and Firefighting Unit

Branch Organiser (1)

Candidate

LAURIE, Glenn William

Newman Rescue and Firefighting Unit

Branch Organiser (1)

No Nominations Received

Perth Rescue and Firefighting Unit

Branch Organiser (1)

Candidate

JONES, Christopher

Port Headland Rescue and Firefighting Unit

Branch Organiser (1)

Candidate

NIXON, Dennis John

Rockhampton Rescue and Firefighting Unit

Branch Organiser (1)

Candidate

CRIGHTON, Matthew

Sydney Rescue and Firefighting Unit

Branch Organiser (1)

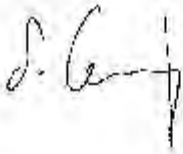
No Nominations Received

Townsville Rescue and Firefighting Unit

Branch Organiser (1)

No Nominations Received

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



Shane T Lanning
Returning Officer
Australian Electoral Commission
14 May 2018





DECISION

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

United Firefighters' Union of Australia
(E2018/7)

MR ENRIGHT

MELBOURNE, 30 JANUARY 2018

Arrangement for conduct of election.

[1] On 12 and 24 January 2018 the Aviation Branch of the United Firefighters' Union of Australia lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Branch President
Branch Secretary
Branch Committee of Management Members from the following

New South Wales	(1)
Victoria	(1)
Northern Queensland	(1)
Southern Queensland	(1)
South Australia	(1)
Western Australia	(1)
Tasmania	(1)
Australian Capital Territory	(1)
Northern Territory	(1)

Senior Vice President
Junior Vice President

Branch Organisers from the following Rescue and Firefighting Units:

Adelaide	(1)
Alice Springs	(1)
Avalon	(1)
Ayres Rock	(1)
Brisbane	(1)
Ballina	(1)
Broome	(1)
Cairns	(1)

Canberra	(1)
Coffs Harbour	(1)
Coolangatta	(1)
Darwin	(1)
Gladstone	(1)
Hamilton Island	(1)
Hobart	(1)
Karratha	(1)
Launceston	(1)
Mackay	(1)
Maroochydore	(1)
Melbourne	(1)
Newman	(1)
Perth	(1)
Port Hedland	(1)
Rockhampton	(1)
Sydney	(1)
Townsville	(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.



DELEGATE OF THE COMMISSIONER

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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, Henry Lawrence, being the Branch Secretary of the United Firefighters Union of Australia Aviation Branch, make the following statement:

1. I am authorised to sign this statement containing prescribed information for United Firefighters Union of Australia Aviation Branch.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. This statement **IS** lodged at least 2 months before nominations open for the election below.

Signed: *Henry Lawrence*

Dated: [DATE] *24th January 2018*

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

ANNEXURE A

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

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
			Direct voting system; Collegiate electoral system	Scheduled; Casual vacancy; New office created; Insufficient nominations	
Aviation	Branch Secretary	1	DVS	Scheduled	National Rule (56 [2])
	Branch President	1	DVS	Scheduled	National Rule (56 [2])
...					
	Branch Committee of Management Member NSW	1	DVS	Scheduled	National Rule (56 [2])
	Branch Committee of Management Member Victoria	1	DVS	Scheduled	National Rule (56 [2])
	Branch Committee of Management Member Northern Queensland	1	DVS	Scheduled	National Rule (56 [2])
...	Branch Committee of Management Member Southern Queensland	1	DVS	Scheduled	National Rule (56 [2])
	Branch Committee of Management Member South Australia	1	DVS	Scheduled	National Rule (56 [2])
	Branch Committee of Management Member Western Australia	1	DVS	Scheduled	National Rule (56 [2])
	Branch Committee of Management Member Tasmania	1	DVS	Scheduled	National Rule (56 [2])
	Branch Committee of Management Member Australian	1	DVS	Scheduled	National Rule (56 [2])

	<i>Capital Territory</i>				
	<i>Branch Committee of Management Member Northern Territory</i>	1	DVS	Scheduled	<i>National Rule (56 [2])</i>
	Branch Organiser Adelaide	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Alice Springs	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Avalon	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Ayers Rock	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Brisbane	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Ballina	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Broome	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Cairns	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Canberra	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Coffs Harbour	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Coolangatta	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Darwin	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Gladstone	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Hamilton Island	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Hobart	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Karratha	1	DVS	Scheduled	<i>National Rule (70 [4])</i>

	Branch Organiser Launceston	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Mackay	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Maroochydore	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Melbourne	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Newman	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Perth	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Port Hedland	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Rockhampton	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Sydney	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Organiser Townsville	1	DVS	Scheduled	<i>National Rule (70 [4])</i>
	Branch Senior Vice President	1	Collegiate	Scheduled	<i>National Rule (56 [2])</i>
	Branch Junior Vice President	1	Collegiate	Scheduled	<i>National Rule (56 [2])</i>

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	<i>First week day occurring on or after 14th March National Rule [27 (10) (a)]</i>	<i>Date advised by AEC</i>
Nominations CLOSE	<i>First week day occurring on or after 31st March National Rule [27 (10)(b)]</i>	<i>Date advised by AEC</i>
Roll of Voters cut off date	<i>Seven days before the day on which nominations are opened i.e. 7th March National Rule 27</i>	<i>Date advised by AEC.</i>

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