

# United Firefighters' Union of Australia

## West Australian Branch

### Casual Vacancies

#### 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.

E2006/217

##### **Vice President - WAFB Officer**

###### Candidate

STRINGER, Bradley Raymond

##### **WAFB Firefighter Ordinary Committee Member**

###### Candidate

HUMPHRYS, Jane

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

E.M. Panegyres  
Returning Officer

14 November 2006

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

**United Firefighters' Union of Australia**  
(E2006/217)

T. NASSIOS  
ACTING INDUSTRIAL REGISTRAR

MELBOURNE, 6 OCTOBER 2006

*Arrangement for conduct of election.*

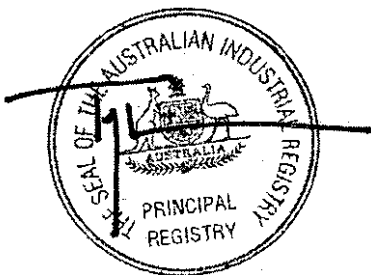
**DECISION**

[1] On 8 September 2006 and 3 and 6 October 2006 the Western Australian Branch of the abovenamed organisation lodged in the Industrial Registry prescribed information in relation to an election for the following offices:

WAFB Officer Vice President

WAFB Firefighter Ordinary Committee Member

[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 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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**UNITED FIREFIGHTERS UNION OF AUSTRALIA  
WEST AUSTRALIAN BRANCH**

PRESIDENT:

SECRETARY:

DAVID BOWERS

YOUR REF:

ABN: 91 967 677 278

OUR REF:

Date: 6/10/06

**Fax Sheet**

To: Andrew Schultz

At: AIRC Registry

Fax: 03 9655 0401

From: John Walker  
Industrial Officer

Pages to Follow: 2

Message: WA BRANCH ELECTIONS E2006/217

Please call us on (08) 9272 3222  
if this fax was illegible or incomplete.

**SCHULTZ, Andrew**

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**From:** SCHULTZ, Andrew  
**Sent:** Friday, 6 October 2006 10:53 AM  
**To:** 'davidbowers@graduate.uwa.edu.au'  
**Subject:** RE: UFUA - WA Branch Election - E2006/217 - Attention David Bowers

Thank you David,

The matter will be determined as soon as the additional material is received.

Regards,

Andrew Schultz  
Australian Industrial Registry

6 October 2006

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**From:** Dave Bowers [mailto:davidbowers@ufuofwa.net.au]  
**Sent:** Friday, 6 October 2006 10:52 AM  
**To:** 'SCHULTZ, Andrew'  
**Cc:** 'John Walker'  
**Subject:** RE: UFUA - WA Branch Election - E2006/217 - Attention David Bowers

Thanks Andrew,

We will have the respective members resign from their positions and forward those resignation letters to the registrar ASAP.

Thanks for your assistance.

Dave Bowers B.A.

Secretary  
Telephone: 1081 9272 3222  
Facsimile: [08192712666 63 Railway Pde  
Mobile: 0421 484 186 Mt Lawley  
Email: [davidbowers@ufuofwa.net.au](mailto:davidbowers@ufuofwa.net.au) W.A. 6050

**UNITED FIREFIGHTERS UNION OF AUSTRALIA  
WEST AUSTRALIAN BRANCH**



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**From:** SCHULTZ, Andrew [mailto:Andrew.SCHULTZ@air.gov.au]  
**Sent:** Friday, October 06, 2006 7:26 AM  
**To:** 'ufuofwa@ufuofwa.net.au'  
**Cc:** 'davidbowers@ufuofwa.net.au'  
**Subject:** Re: UFUA - WA Branch Election - E2006/217 - Attention David Bowers

Dear David,

**Re: UFUA - WA Branch Election - E2006/217**

6/10/2006

I have received your fax of 3 October 2006 providing further information regarding vacancies for the following offices:

WAFB Officer Vice President  
WAFB Firefighter Ordinary Committee Member

Your fax indicates that these positions are vacant due to their respective incumbents (Messrs Jolly & Gamble) being elected to higher offices in 2006.

However your fax does not refer to particular provisions of the UFUA that expressly provide that the above positions become vacant when their incumbents are elected to a higher office.

WA Branch Rule 9 provides that if a person has nominated for more than 1 position in an election, and is elected to a position in that election, then their nomination(s) for any lower position(s) in that election will lapse. However it would appear that that circumstance is not identical to the present situation where persons have been elected to higher positions in a *later election*. In such circumstance it is not immediately apparent, under the UFUA Rules, that the persons would automatically vacate their lower offices.

To ensure that the election can proceed on the firm basis that the above positions are unambiguously vacant the best option may be for the two persons to resign (if that is their wish) from their respective earlier offices. A copy of the two resignation letters should then be forwarded to the Registry. Thereafter the Registry will determine the matter ASAP.

Regards,

Andrew Schultz  
Australian Industrial Registry

6 October 2006

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

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03 October 2006

**UNITED FIREFIGHTERS UNION OF AUSTRALIA  
WEST AUSTRALIAN BRANCH**

PRESIDENT:

SECRETARY: D Bowers  
ABN: 81 887 577 278

YOUR REF:

OUR REF: F1.2

Andrew Schutz  
Industrial Registrar  
Australian Industrial Relations Commission  
Level 35  
80 Collins Street,  
Melbourne Victoria 3000

Dear Mr Schulz,

Further to your email dated 13<sup>th</sup> September 2006, the following additional information is provided. The two vacant positions requested for election have come about through the election of existing committee of management members to higher positions within the Branch. The two vacancies are the former positions held as follows.

Mr Kevin Jolly was elected to the position of Branch President from his formerly held elected position of Branch WAFB Officer Vice President and Mr Scott Gamble was elected to the position of Branch WAFB Firefighter Vice President from his formerly held position of WAFB Firefighter Ordinary Committee member.

We trust that this adequately covers the specific detail on how these two positions became vacant.

Yours sincerely,

David Bowers  
BRANCH SECRETARY



08 September 2005

**UNITED FIREFIGHTERS UNION OF AUSTRALIA  
WEST AUSTRALIAN BRANCH**

PRESIDENT:

SECRETARY: D Bowers

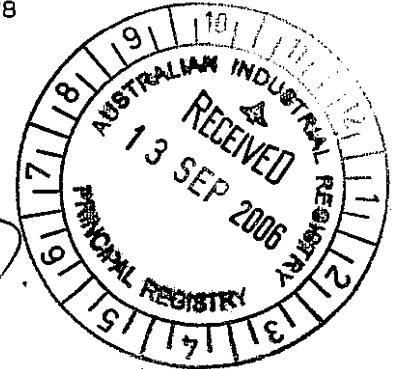
YOUR REF:

ABN: 31 367 577 278

OUR REF: F1.2

The Industrial Registrar  
Australian Industrial Relations Commission  
Level 35  
80 Collins Street,  
Melbourne Victoria 3000

*E2006/217*



Dear Registrar,

I write to request authorisation from your Office under section 189 of Schedule 1 of the Workplace Relations Act 1996 for the Australian Electoral Commission to conduct an election for the vacant position not filed during the 2006 UFUA elections.

A copy of the Returning Officers report for the West Australian Branch of the organisation is attached for your information.

Following the tabling of this report the Branch Committee of Management instructed me to make this request for arrangements to be made for the Australian Electoral Commission to conduct an election in accordance with UFUA Rule 71 --By Elections.

The following information as required by Regulation 138 of the Workplace Relations (Registration and Accountability of Organisations) Regulation 2003 is provided.

(a) The positions requiring an election are:

- WAFB Officer Vice President
- WAFB Firefighter Ordinary Committee Member

(b) The reason for the election is that

(iv) the above named positions were made vacant as a consequence of the elections recently conducted by the AEC.

(c) N/A

(d) The electorate comprises only the members of the West Australian Branch of the United Firefighters Union of Australia.

(e) Rule 72 (3) of the union's rules requires the Committee of Management or the Branch Executive to determine dates for calling nominations, the closing of nominations and the dates for opening and closing of the ballot. However we would assume the AEC Returning Officer conducting the by-election will liaise with the Branch for these determinations to be made.

(f) The AEC Returning Officer will advise the Branch the appropriate date for closing the role of voters.

(g) A direct voting system is to be used to conduct the election.

The prescribed information set out above is hereby lodged by the West Australian Branch of the United Firefighters Union of Australia.

David Bowers  
BRANCH SECRETARY



08 September 2005 <sup>6</sup>

**UNITED FIREFIGHTERS UNION OF AUSTRALIA  
WEST AUSTRALIAN BRANCH**

PRESIDENT:

SECRETARY: D Bowers

ABN: 31 387 877 278

YOUR REF:

OUR REF: F1.2

The Industrial Registrar  
Australian Industrial Relations Commission  
Level 35  
80 Collins Street,  
Melbourne Victoria 3000

*E2006/217*

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The prescribed information set out above is hereby lodged by the West Australian Branch of the United Firefighters Union of Australia.

David Bowers  
BRANCH SECRETARY

63 RAILWAY PARADE MT. LAWLEY 6050 PHONE: 9272 3222 FAX: 9271 2666  
EMAIL: ufuofwa@ufuofwa.net.au WEBSITE: ufuofwa.net.au



**United Firefighters' Union of Australia  
WA Casual Vacancy Election 2006**

**DECLARATION OF RESULTS FOR CONTESTED 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.

E2006/143  
E2006/163

**West Australian Branch**

Total number of persons on the roll of voters	946
Ballot papers issued	946
Duplicate ballot papers issued	0
<b>TOTAL BALLOT PAPERS ISSUED</b>	<b>946</b>
Ballot papers / envelopes returned for	418
Less ballot papers / envelopes rejected at	3
Adjusting Balance	0
<b>TOTAL BALLOT PAPERS ADMITTED TO</b>	<b>415</b>
Percentage of ballot papers returned to	44%
Ballot papers returned as unclaimed mail	1
Ballot papers not returned	527

**Branch Vice President - WAFB Firefighter**

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
GAMBLE, Scott George	351	351
PAYNE, Mark John	62	62
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	413	413
Formal ballot papers	413	413
Informal ballot papers	2	

I declare Scott George Gamble elected.

**Branch Trustee - Ordinary**

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
FORSTER, Robert James	229	229
PAARDEKOOPEER, Paul	120	120
PAYNE, Mark John	64	64
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	413	413
Formal ballot papers	413	413
Informal ballot papers	2	2

I declare Robert James Forster elected.

**WAFB Firefighter Branch Ordinary Committee Member**

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
HUMPHRYS, Jane	87	87
PAARDEKOOPEL, Paul	213	213
PAYNE, Mark John	112	112
Exhausted Votes		0
Loss/Gain by Fraction		0
Total votes	412	412
Formal ballot papers	412	412
Informal ballot papers	3	3

I declare Paul Paardekooper elected.

E.M. Panegyres  
Returning Officer  
Australian Electoral Commission

8 September 2006

Amended information - please disregard any earlier notification sent to you.

## **UNITED FIREFIGHTERS' UNION OF AUSTRALIA WEST AUSTRALIAN BRANCH CASUAL VACANCIES**

E2006/143/163  
File Number: WA 2006/23  
Returning Officer: E.M. Panegyres

### **NOMINATIONS ACCEPTED LISTING**

Nominations in the above election closed at 5:00pm on Monday, 31 July 2006. The following nominations have been accepted following the close of the period for the withdrawal of nominations. Where an office is identified as contested a ballot will be necessary.

Office: President No. of positions: 1 No. of nominees: 1 Contested: No	Jolly, Kevin Wayne
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**I declare Kevin Wayne Jolly elected.**

Office: Vice President - WAFB Firefighter No. of positions: 1 No. of nominees: 2 Contested: Yes	Gamble, Scott George Payne, Mark John
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Office: Trustee - Ordinary No. of positions: 1 No. of nominees: 3 Contested: Yes	Forster, Robert James Payne, Mark John Paardekooper, Paul
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Office: WAFB Firefighter Ordinary Committee Member No. of positions: 1 No. of nominees: 3 Contested: Yes	Humphrys, Jane Paardekooper, Paul Payne, Mark John
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Office: General Ordinary Committee of Management Member No. of positions: 1 No. of nominees: 1 Contested: No	Teraci, Michael
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**I declare Micheal Teraci elected.**

## RESULTS OF THE DRAW

The result of the draw to determine the order in which the candidates names are to appear on the ballot paper is as follows:

Office	Candidates
Branch Vice President - WAFB Firefighter	GAMBLE, Scott George PAYNE, Mark John
Branch Trustee - Ordinary	PAYNE, Mark John PAARDEKOOPEL, Paul FORSTER, Robert James
WAFB Firefighter Ordinary Committee Member	PAYNE, Mark John PAARDEKOOPEL, Paul HUMPHRYS, Jane

E.M. PANEGYRES  
Returning Officer

Australian Electoral Commission  
Perth, Western Australia

16 August 2006