

GPO Box A16
PERTH WA 6001

Level 3, 111 St Georges Terrace
PERTH WA 6000

Reference: W07/27

Contact: Van Panegyres
Phone: (08) 6363 8011
Facsimile: (08) 6363 8052
E-mail: van.panegyres@aec.gov.au

ABN: 21 133 285 851

Mr David Bowers
Branch Secretary
West Australian Branch
United Firefighters' Union of Australia
63 Railway Parade
MT LAWLEY WA 6050

davidbowers@ufuofwa.net.au

Dear Mr Bowers

**Post Election Report For: United Firefighters' Union of Australia
Election E No 2007/117**

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.

E M Panegyres
Returning Officer

Workplace Relations Act 1996 – Schedule 1

POST ELECTION REPORT

United Firefighters' Union of Australia

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2007/117

RULES

Rules used for the election: [259V: Incorporates alterations of 19/01/2006] [R2006/105] replaces rulebook dated 20/8/2004

Rules difficult to apply/interpret: No

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: 897

Number of apparent workplace addresses: 7

Number of non-current addresses: 0

Other matters pertaining to the roll of voters:

IRREGULARITIES

Details of written allegations of irregularities, and action taken by AEC: N/A

Other irregularities identified, and action taken: N/A

ATTACHMENTS

Declaration of Results for Contested Office

E.M Panegyres

3 May 2007

GPO Box A16
PERTH WA 6001

Level 3, 111 St Georges Terrace
PERTH WA 6000

Reference: W07/19

Contact: Van Panegyres
Phone: (08) 6363 8011
Facsimile: (08) 6363 8052
E-mail: van.panegyres@aec.gov.au

ABN: 21 133 285 851

United Firefighters' Union of Australia Casual Vacancy - WAFB Officer Ordinary Committee Member

DECLARATION OF RESULTS FOR CONTESTED OFFICE

Results of the election for the following office conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2007/117

West Australian Branch

| | |
|---|------------|
| Total number of persons on the roll of voters | 897 |
| Ballot papers issued | 892 |
| Duplicate ballot papers issued | 0 |
| TOTAL BALLOT PAPERS ISSUED | 892 |
| Ballot papers / envelopes returned for scrutiny | 378 |
| Less ballot papers / envelopes rejected at preliminary scrutiny | 2 |
| Adjusting Balance | 0 |
| TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY | 376 |
| Percentage of ballot papers returned to number issued | 42% |
| Ballot papers returned as unclaimed mail | 15 |
| Ballot papers not returned | 499 |

WAFB Officer Ordinary Committee Member

| <u>Candidates</u> | <u>First Preference Votes</u> | <u>Votes after the distribution of preferences.</u> |
|------------------------|-------------------------------|---|
| | | Quota: 188 |
| PERRING, Russell | 161 | 203 |
| ROACH, Philip | 114 | 167 |
| MINCHERTON, Linton | 100 | 0 |
| Exhausted Votes | | 5 |
| Loss/Gain by Fraction | | 0 |
| Total votes | 375 | 370 |
| Formal ballot papers | 375 | 375 |
| Informal ballot papers | 1 | 1 |

I declare Russell Perring elected.

E.M. Panegyres
Returning Officer

2 May 2007

GPO Box A16
PERTH WA 6001

Level 3, 111 St Georges Terrace
PERTH WA 6000

Reference: W07/19

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Phone: (08) 6363 8011
Facsimile: (08) 6363 8052
E-mail: van.panegyres@aec.gov.au

ABN: 21 133 285 851

United Firefighters' Union of Australia Casual Vacancy - WAFB Officer Ordinary Committee Member

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.

E2007/117

West Australian Branch

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|---|------------|
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| Loss/Gain by Fraction | | 0 |
| Total votes | 375 | 370 |
| Formal ballot papers | 375 | 375 |
| Informal ballot papers | 1 | 1 |

I declare Russell Perring elected.

E.M. Panegyres
Returning Officer

2 May 2007

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

United Firefighters' Union of Australia
(E2007/117)

T. NASSIOS
DEPUTY INDUSTRIAL REGISTRAR

MELBOURNE, 16 FEBRUARY 2007

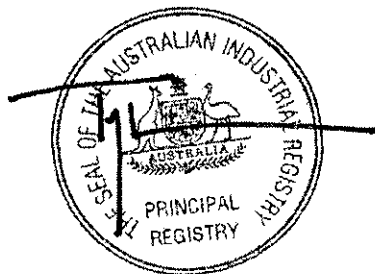
Arrangement for conduct of election.

DECISION

[1] On 12 and 15 February 2007 the Western Australian Branch of the abovenamed organisation lodged in the Industrial Registry prescribed information in relation to an election to fill the following vacant office for the unexpired part of the term:

WAFB Officer Ordinary Committee Member (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.



Printed by authority of the Commonwealth Government Printer



E2007/117

5 February 2007

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

PRESIDENT: Kevin Jolly

SECRETARY: Graeme Geer

ABN: 31 367 577 278

YOUR REF:

OUR REF: C.2. 13

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

Dear Registrar,

I request authorisation from your office under section 189 of schedule 1 of the Workplace relations Act 1996 and UFUA Rule 71- By elections, for the Australian Electoral commission to conduct a by-election for the vacant position of Officer Committee Member, created by Brad Stringer being elected to the higher position of Officer Vice President at the last by-election.

The following information is required by regulation 138 of the workplace relations (Registration and Accountability of Organisations) Regulation 2003 is provided

- (a) The position to be filled - WAFB Officer Committee Member
 - (b) The reason for the election is - (iv) the above position being vacated as a consequence of a recent by-election conducted by the AEC
 - (c) N/A
 - (d) The electorate comprises only of 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 Australian.

Yours sincerely

Graeme Geer
A/Secretary





United Firefighters Union of Australia WA Branch

08 92723222

08 92712666 Fax

0421 484186

davidbowers@ufuofwa.net.au

davidbowers@graduate.uwa.edu.au

From: Webmaster [mailto:webmaster@ufuofwa.net.au]

Sent: Wednesday, 14 February 2007 6:02 PM

To: Graeme Geer UFU; Dave Bowers UFU

Subject: Fw: Attention Graeme Geer - Re: Election for Officer Committee Member

Regards

Mark Bywater

UFU of WA Webmaster

----- Original Message -----

From: SCHULTZ, Andrew

To: ufuofwa@ufuofwa.net.au

Sent: Wednesday, February 14, 2007 2:29 PM

Subject: Attention Graeme Geer - Re: Election for Officer Committee Member

Dear Graeme,

Re: UFUA - WA Branch Election - E2007/117

On 12 February 2007 I received your application for an election for the following position:

WAFB Officer Ordinary Committee Member (1)

Your application indicates that this position is vacant due to the election of Mr Brad Stringer to the higher position of Officer Vice President.

However your application does not refer to particular provisions of the UFUA Rules that expressly provide that the above position *automatically* becomes vacant when the incumbent is 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 that is not identical to the present situation where a person has been elected to a higher position in a *later election*. In such circumstance it is not immediately apparent, under the UFUA Rules, that the persons would automatically vacate their lower office.

To ensure that the election can proceed on the firm basis that the above position is unambiguously vacant the best option may be for Mr Stringer to resign (if that is his wish) from his earlier office. A copy of the resignation letter should then be forwarded to the Registry. Thereafter the Registry will determine the matter ASAP.

If you have any queries regarding the above please contact me.

Regards,

Andrew Schultz
Research Information and Advice Branch
Australian Industrial Registry

Ph: (03) 8661 7990
Email: andrew.schultz@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.

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NOMINATIONS ACCEPTED LISTING

UNITED FIREFIGHTERS' UNION OF AUSTRALIA SCHEDULED ELECTION E2006/73 WEST AUSTRALIAN BRANCH

E2006/73

File Number: WA 2006/10

Returning Officer: Alison Playford

Nominations in the above election closed at 5:00pm on Friday, 31 March 2006. The following is a schedule of nominations accepted and declaration of election for uncontested positions except WAFB Firefighter Ordinary Committee Member. Where an office is identified as contested a ballot will be necessary. Candidate's names for contested positions are listed in the order in which they will appear on the ballot paper.

West Australian Branch

Office: **President**
No. of positions: 1
No. of nominees: 0
Contested: No

Geer, Graeme (**nomination withdrawn**)
O'Day, Geoffrey James (**nomination withdrawn**)

Office: **Vice President - WAFB Officer**
No. of positions: 1
No. of nominees: 1
Contested: No

Jolly, Kevin Wayne

Office: **Vice President - WAFB Firefighter**
No. of positions: 1
No. of nominees: 0
Contested: No

None

Office: **Secretary**
No. of positions: 1
No. of nominees: 1
Contested: No

Bowers, David

Office: **Assistant Secretary**
No. of positions: 1
No. of nominees: 1
Contested: No

Longman, Brian David

Office: **Trustee - WAFB Officer**
No. of positions: 1
No. of nominees: 1
Contested: No

Geer, Graeme

Office: **Trustee - WAFB Firefighter**
No. of positions: 1
No. of nominees: 3
Contested: Yes

Paardekooper, Paul
Young, David
Payne, Mark John

Agnew, Iain (**nomination withdrawn**)

Office: **Trustee - Ordinary**

No. of positions: 1
No. of nominees: 1
Contested: No

Agnew, Iain

Office: **WAFB Officer Ordinary Committee Member**

No. of positions: 5
No. of nominees: 9
Contested: Yes

Griffiths, Terry
Holden, Leslie Robert
Jones, Bruce
Forster, Robert James
O'Day, Geoffrey James
Cunningham, Paul James
Stringer, Brad
Martinelli, Frank
Thompson, Ian Lawrence

Chatfield, John Kevin (nomination withdrawn)
Geer, Graeme (lapses - elected to higher office)
Jolly, Kevin Wayne (lapses - elected to higher office)
Longman, Brian David (lapses - elected to higher office)

Office: **WAFB Firefighter Ordinary Committee Member**

No. of positions: 5
No. of nominees: 5
Contested: No

Bishop, Leigh Allister
Blackford, Graham
Gamble, Scott George
MacKintosh, Neil John
Young, David

Office: **General Ordinary Committee of Management Member**

No. of positions: 1
No. of nominees: 0
Contested: No

Agnew, Iain (lapses - elected to higher office)
None

I declare the candidates for the above uncontested positions except WAFB Firefighter Ordinary Committee Member elected.

Election Arrangements

The election for the contested offices of Trustee - WAFB Firefighter and WAFB Officer Ordinary Committee Members (5) will be conducted by post and the ballot will open on Friday, 21 April 2006 and close at 5 pm on Monday, 8 May 2006.

A draw to determine the order in which the names of candidates will feature on the ballot paper was conducted in my office at 10.30 am on Wednesday 12 April 2006. Candidate's names for contested positions are listed in the order in which they will appear on the ballot paper.

Roll of voters

The roll of voters will be available for inspection at my office during normal office hours from Wednesday 19 April 2006. The roll of voters is available for copying by members of the organisation by completing a 'Declaration by Member Obtaining Copy of Roll of Voters'.

Scrutineers

Scrutineers may be appointed to represent you 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 attending this office should identify themselves to the Returning Officer. Absence of a scrutineer will not delay any step in the election.

Alison Playford
Returning Officer
Australian Electoral Commission

12 April 2006