

9 November 2017

Post-election Report

VIPA E2017/180

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Election Covered in this Report

Election Decision No/s: E2017180

Rules

Rules used for the election: [012Q: Incorporates alterations of 22 October 2014
[R20143/248] replaces rulebook dated 3 January 2014 [R2013/30]

Rules difficult to apply/interpret: Nil
Module 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: *Nil*

Other irregularities identified, and action taken: Nil

Other Matters

N/A

Attachments

- 1) Declaration of results for Uncontested Offices – National

Kylie Connor
Returning Officer

9 November 2017



16 November 2017

Mr Adrian Moore
Secretary
VIPA
adrian.moore@vipa.asn.au

Dear Mr Moore,

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 uncontested offices for [E2017/180]. 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 VIPA 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

NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return) required to be kept in accordance with section 230 *Fair Work (Registered Organisations) Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009*

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

[delete all that do not apply]

- On [DATE] the address of the organisation changed to [STREET ADDRESS].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 1. *[include OLD name and address and NEW name and address of every branch that has changed]*
 2. ...
- A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.
- On [DATE] the following branch[es]:³
 - COMMENCED operation:
 1. *[include name of each new branch]*
 2. ...
 - CEASED operation:
 1. *[include name of each closed branch]*

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

*[PLEASE NOTE: This declaration must be submitted to the Registered Organisations Commission within **35 days** of the change. It can be submitted to regorgs@roc.gov.au.]*

ANNEXURE A

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.

| Branch | Date of Change | Name of Office that has changed | Name of <u>Outgoing</u> Office Holder | Name of <u>New</u> Office Holder | Postal Address of <u>New</u> Office Holder | Occupation of <u>New</u> Office Holder |
|-----------------|---|--|--|---|---|---|
| <i>National</i> | <i>1.1.2014</i> | <i>Secretary</i> | <i>Full Name</i> | <i>Full Name</i> | <i>c/- the Registered Organisation, postal address of Registered Organisation</i> | <i>Paid official</i> |
| | <i>25.12.2013</i> | <i>President</i> | <i>vacant</i> | <i>Full Name</i> | <i>As above</i> | <i>mechanic</i> |
| <i>...</i> | | | | | | |
| <i>NSW</i> | <i>1.1.2014 (resigned) 7.1.2014 (appointed)</i> | <i>President</i> | <i>Full Name</i> | <i>Full Name</i> | <i>c/- the Branch, postal address of the Branch</i> | <i>mechanic</i> |
| | | <i>Committee of Management Member</i> | <i>Full Name</i> | <i>Full Name</i> | <i>As above</i> | <i>mechanic</i> |
| | | <i>Treasurer</i> | <i>Full Name</i> | <i>vacant</i> | <i>vacant</i> | <i>vacant</i> |
| <i>...</i> | | | | | | |
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Reference: V17/267

Warwick Renton-Gibb
VIPA
General Manager
303/115 Military Road
NEUTRAL BAY NSW 2089

Dear Mr Renton-Gibb,

**VIPA
Office bearers**

The declaration of the election for uncontested offices is attached.

The election is now complete.

Yours sincerely



Kylie Connor
Returning Officer

15 November 2017

cc all candidates

VIPA Office bearers

Declaration of Results for Uncontested Offices

Below are 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.

Committee of Management (Office Bearers)

President

Candidates

LYONS, John

Vice President

Candidates

PURTON, Mathew

Secretary

Candidates

MOORE, Adrian John Leslie

Treasurer

Candidates

MURDOCK, Morris Shane

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



Kylie Connor
Returning Officer

15 November 2017



DECISION

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

VIPA
(E2017/180)

MR ENRIGHT

MELBOURNE, 24 JULY 2017

Arrangement for conduct of election.

[1] On 12 July 2017, VIPA lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

President
Vice President
Secretary
Treasurer

[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, John Stewart Lyons, being the President of the VIPA, make the following statement:

1. I am authorised to sign this statement containing prescribed information for VIPA.
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:



Dated: 12 July 2017

[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:

| Branch | Name of Office | Number required | Voting System <i>Direct voting system; Collegiate electoral system</i> | Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i> | Electorate |
|--------|----------------------------|-----------------|---|---|--------------------------------------|
| N/A | Executive - President | 1 | Collegiate | Scheduled | Committee of Management (rule 40(b)) |
| N/A | Executive – Vice President | 1 | Collegiate | Scheduled | Committee of Management (rule 40(b)) |
| N/A | Executive – Secretary | 1 | Collegiate | Scheduled | Committee of Management (rule 40(b)) |
| N/A | Executive -Treasurer | 1 | Collegiate | Scheduled | Committee of Management (rule 40(b)) |

- Important dates:

| | Direct Voting System | Collegiate Electoral System |
|------------------------------------|----------------------|---|
| Nominations OPEN | N/A | <i>Upon the election of the Committee of Management in accordance with Rule 40(b)</i> |
| Nominations CLOSE | N/A | <i>Prior to the first meeting of the Committee of Management next following the election of Members of the Committee of Management (for the purposes of this Rule “the Meeting”). Rule 40 (d)</i> |
| Roll of Voters cut off date | N/A | N/A |

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.