



11 April 2018

Mr Paul Bastian  
National Secretary  
"Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the  
Australian Manufacturing Workers' Union (AMWU)  
national.secretary@amwu.asn.au

Dear Mr Bastian,

cc: Food and Confectionery Division South Australia Region, peter.bauer@amwu.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 uncontested offices for Food and Confectionery Division, South Australia Region [E2018/11]. 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 "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU) 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].<sup>1</sup>
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:<sup>2</sup>
  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]:<sup>3</sup>
  - COMMENCED operation:
    1. *[include name of each new branch]*
    2. ...
  - CEASED operation:
    1. *[include name of each closed branch]*

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<sup>1</sup> s.230(1)(d); reg.147(d)

<sup>2</sup> s.230(1)(d); reg.147(a) & (d)

<sup>3</sup> 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](mailto: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.*

<b>Branch</b>	<b>Date of Change</b>	<b>Name of Office that has changed</b>	<b>Name of <u>Outgoing</u> Office Holder</b>	<b>Name of <u>New</u> Office Holder</b>	<b>Postal Address of <u>New</u> Office Holder</b>	<b>Occupation of <u>New</u> Office Holder</b>
<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>						

20 March 2018

# Post-election Report

**Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union South Australia Branch (Food & Confectionary Division) - E2018/11**

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## Election(s) Covered in this Report

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Election Decision No/s:

E2018/11

## Rules

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Rules used for the election: 188V: Incorporates alterations of 30 November 2017 [D2017/03 & D2017/04] (replaces rulebook dated 21 August 2017 [R2017/62])

Rules difficult to apply/interpret: No  
Module Rule reference (if any)

## Roll of Voters

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There were no contested offices.

## Irregularities

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Details of written allegations of irregularities, and action taken by AEC: Nil

Other irregularities identified, and action taken: Nil



## Other Matters

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None

## Attachments

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- 1) E2018-11 AMWU F&C Div Results Dec Report – Uncontested 20 Mar 18



Paul Langtry  
Returning Officer

20 March 2018

**DECLARATION OF RESULTS - E2018/11 ✓**  
**Uncontested Offices**

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**Casual Vacancy 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:

**Food and Confectionery Division**

Delegate to State Council

Candidates

CLARK, Leon

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



Paul Langtry  
Returning Officer  
Australian Electoral Commission



## DECISION

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

**"Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU)**  
(E2018/11)

MR ENRIGHT

MELBOURNE, 7 FEBRUARY 2018

*Arrangement for conduct of election.*

[1] On 29 January 2018 the "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU) lodged with the Registered Organisations Commission prescribed information for an election to fill the following office, due to insufficient nominations received in previous elections (**E2016/212 and E2015/294**):

### **South Australia**

#### Food and Confectionery Division

Delegate to State Council (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 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

Printed by authority of the Commonwealth Government Printer  
<Price code A, PR350976>



23 January, 2018

Commissioner  
Registered Organisations Commission  
GPO Box 2983  
Melbourne Vic 3001



Dear Commissioner,

Re: Prescribed Information for AMWU Elections.

Please find attached the Prescribed Information and Statement of Facts pursuant to section 189 of the *Fair Work (Registered Organisations) Act 2009* concerning elections to be conducted due to a casual vacancy.

If you have any questions or comments in relation to the attached documentation please contact Peter Cozens on (02) 8868 1524.

Yours faithfully,

PAUL BASTIAN  
NATIONAL SECRETARY

Australian Manufacturing  
Workers' Union  
Registered as AFMEPKIU  
National Office  
Level 4  
133 Parramatta Road  
Granville NSW 2142  
Telephone: 02 8868 1500  
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*Fair Work (Registered Organisations) Act 2009*  
*s189*  
*Regulation 138 of the Fair Work (Registered Organisations) Regulations 2009*  
*Prescribed Information for Elections*

**“Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union” known as the Australian Manufacturing Workers’ Union (AMWU)**

**PRESCRIBED INFORMATION FOR ELECTIONS**

**SUPPORTING STATEMENT**

I, Paul Bastian, of 133 Parramatta Road, Granville, in the State of New South Wales, union official, state as follows:

1. I am the National Secretary of the “Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union” known as the Australian Manufacturing Workers’ Union (AMWU), an organisation of employees registered under the *Fair Work (Registered Organisations) Act 2009* (the Act).
2. I am authorised to lodge the information prescribed by regulation 138 of the *Fair Work (Registered Organisations) Regulations 2009*.
3. An election is required for the office specified in the attached.
4. This information is lodged under subsection 189(1) of the Act.

DATED: 23 January, 2018



PAUL BASTIAN  
NATIONAL SECRETARY

**“Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union” known as the Australian Manufacturing Workers’ Union (AMWU)**

**PRESCRIBED INFORMATION FOR ELECTIONS**

1. The following office requires an election to be conducted by the Australian Electoral Commission for the reasons given in italics. Pursuant to paragraph 138(1)(d) of the *Fair Work (Registered Organisations) Regulations 2009* (“the Regulations”), the electorate for the office is given under the title of the office or position. This position was not filled in previous elections (E2015/294 and E2016/212).
2. Pursuant to sub-regulation 138(1) of the Regulations, Fair Work Australia is advised that for the listed office, the Rules of the “Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union” known as the Australian Manufacturing Workers’ Union (AMWU) provide that:
  - (a) As the vacancy relates to the Food and Confectionery Division, consistent with Rule 53 – Part G, subrule 31 (relating to the Food & Confectionery Division), the Returning Officer shall conduct an election by and from the specified delegates to that State Conference.
3. Pursuant to sub-regulation 138(1)(g) of the Regulations, the Rules provide that a collegiate electoral system is to be used in the conduct of the elections.

## **SOUTH AUSTRALIA**

### **Food & Confectionery Division**

Delegate to State Council  
(Electorate: All SA State Conference  
Delegates from the Food & Confectionery  
Division)

*Office or position not filled at previous  
elections – E2015/294 and E2016/212*  
Rule 53 – Part G