



12 August 2019

Timothy Higgs  
President  
Australian Maritime Officers' Union, The  
Sent via email: tim@amou.com.au

Dear Timothy Higgs,

### **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 in matter E2018/276. 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, as soon as practicable after receiving the post-election report, 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 Australian Maritime Officers' Union, The 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.

Yours faithfully,

**Astrid Glenister**  
**Registered Organisations Commission**

07 August 2019

# Post-election report

**The Australian Maritime Officers' Union  
Scheduled Election  
E2018/276**

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## Election(s) Covered in this Report

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Organisation: The Australian Maritime Officers' Union  
Election Decision Number(s): E2018/276

## Rules

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Rules used for the election: [001N: Incorporates alterations of 07/04/2017 in matter D2016/64]

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website:  
([https://www.aec.gov.au/About\\_AEC/AEC\\_Services/Industrial\\_Elections](https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections))

## Roll of Voters

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As there were no contested offices, no Roll of Voters was required.

## Irregularities

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

Other irregularities identified, and action taken:

## Other Matters

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Returning Officer actions required (Section 193): Yes  
Details:

Rule 46(f) of the Union is contrary to Rule 56(b) and the Fair Work (Registered Organisations) Act 2009 Section 143 (3) which states the day on which the roll of voters is to be closed must be a day no earlier than 30 days, and no later than 7 days, before the day on which nominations for the election open.

Accordingly, I am taking action under Section 193(1)(b)(i) of the Fair Work (Registered Organisations) Act 2009 to allow the eligibility to vote be based upon meeting the requirements of the close of rolls as in Rule 56(b) and the Act.

## Signed

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Catherine Bernoth  
Returning Officer  
Australian Electoral Commission  
E: nswelections@aec.gov.au  
P: (02) 9375 6375

07 August 2019

## Attachments

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- 1) Declaration of results for Uncontested Offices – National

**The Australian Maritime Officers' Union**  
**DECLARATION OF RESULTS - E2018/276**  
**Uncontested Offices**

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**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:

**National**

**President (1)**

Candidates

HIGGS Tim

**Vice President (1)**

Candidates

BLACKBAND Ken

**National Councillors (2)**

Candidates

JEPSON Matthew

MIDDLETON Brent

**Offshore Oil & Gas Delegate (1)**

Candidates

GREGSON James

**Pilot Delegate (1)**

Candidates

HAWKINS Andrew

**Port Services Delegate (1)**

Candidates

DORRON Darryl

**Seagoing Delegate (1)**

Candidates

THORNTON Ryan

**Towage Delegate (1)**

Candidates

BARRETT Shanon

**Eastern Area**

**Secretary (1)**

Candidates

WARHURST Brent

**President (1)**

Candidates

*No Nominations Received*

**Vice President (1)**

Candidates

ANDERSEN Jan Ronny

**Southern Area**

**Secretary (1)**

Candidates

HOSKING Captain Luke

**President (1)**

Candidates

WALSH Andrew

**Vice President (1)**

Candidates

*No Nominations Received*

**Western Area**

**Secretary (1)**

Candidates

ANDERSEN Glenn

**President (1)**

Candidates

MCDONALD John

**Vice President (1)**

Candidates

COOPER Brad

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

*C Bernoth .*

Catherine Bernoth  
Returning Officer  
Telephone: 02 9375 6375  
Email: nswelections@aec.gov.au  
16/07/2019





## DECISION

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

**The Australian Maritime Officers' Union**  
(E2018/276)

MR COYLE

MELBOURNE, 5 MARCH 2019

*Arrangement for conduct of election.*

[1] On 30 January and 1 March 2019 the Australian Maritime Officers' Union lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

National

President	(1)
Vice President	(1)
National Councillors	(2)
Offshore Oil & Gas Delegate	(1)
Pilot Delegate	(1)
Port Services Delegate	(1)
Seagoing Delegate	(1)
Towage Delegate	(1)

Eastern Area

Secretary	(1)
President	(1)
Vice President	(1)

Southern Area

Secretary	(1)
President	(1)
Vice President	(1)

Western Area

Secretary	(1)
President	(1)
Vice President	(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, Timothy Bradley Higgs, being the President of the Australian Maritime Officers Union, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Australian Maritime Officers Union.
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. No rule alterations are pending that will impact the election.
5. This statement is lodged at least 2 months before nominations open for the election below.



Signed:

Name & Designation: Timothy Higgs - President

Dated: 1<sup>st</sup> March 2019

*[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](mailto:regorgs@roc.gov.au).]*

## ANNEXURE A

- Elections that are required:

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate based on AMOU Rules
<i>National</i>	<i>President</i>	1	<i>DVS</i>	<i>Scheduled</i>	<i>Elected by financial members R.46(e)</i>
<i>National</i>	<i>Vice President</i>	1	<i>DVS</i>	<i>Scheduled</i>	
<i>National</i>	<i>National Councillor</i>	2	<i>DVS</i>	<i>Scheduled</i>	
<i>National</i>	<i>Offshore Oil &amp; Gas Delegate</i>	1	<i>DVS</i>	<i>Scheduled</i>	<i>Elected under R.46(g) only by financial members attached to the named industry on the day preceding the opening of nominations</i>
<i>National</i>	<i>Pilot Delegate</i>	1	<i>DVS</i>	<i>Scheduled</i>	
<i>National</i>	<i>Port Services Delegate</i>	1	<i>DVS</i>	<i>Scheduled</i>	
<i>National</i>	<i>Seagoing Delegate</i>	1	<i>DVS</i>	<i>Scheduled</i>	
<i>National</i>	<i>Towage Delegate</i>	1	<i>DVS</i>	<i>Scheduled</i>	
<i>Eastern Area</i>	<i>Eastern Area Secretary</i>	1	<i>DVS</i>	<i>Scheduled</i>	<i>Elected under R.46(f) only by financial members attached to an Area on the day preceding the opening of nominations</i>
<i>Eastern Area</i>	<i>Eastern Area President</i>	1	<i>DVS</i>	<i>Scheduled</i>	
<i>Eastern Area</i>	<i>Eastern Area Vice President</i>	1	<i>DVS</i>	<i>Scheduled</i>	
<i>Southern Area</i>	<i>Southern Area Secretary</i>	1	<i>DVS</i>	<i>Scheduled</i>	
<i>Southern Area</i>	<i>Southern Area President</i>	1	<i>DVS</i>	<i>Scheduled</i>	
<i>Southern Area</i>	<i>Southern Area Vice President</i>	1	<i>DVS</i>	<i>Scheduled</i>	
<i>Western Area</i>	<i>Western Area Secretary</i>	1	<i>DVS</i>	<i>Scheduled</i>	
<i>Western Area</i>	<i>Western Area President</i>	1	<i>DVS</i>	<i>Scheduled</i>	
<i>Western Area</i>	<i>Western Area Vice President</i>	1	<i>DVS</i>	<i>Scheduled</i>	

	<b>Direct Voting System</b>
<b>Roll of Voters cut-off date</b>	<i>28<sup>th</sup> May 2019</i>
<b>Nominations open</b>	<i>4<sup>th</sup> June 2019</i>
<b>Nominations close</b>	<i>2<sup>nd</sup> July 2019</i>
<b>Ballot papers distributed</b>	<i>30<sup>th</sup> July 2019</i>
<b>Ballot closes</b>	<i>20<sup>th</sup> August 2019</i>