



Industrial Elections – ACT Office

GPO Box 1824
CANBERRA ACT 2601

Reference: N10/33

Mr Ken McAlpine
National Industrial Officer
National Tertiary Education Industry Union
PO Box 1323
South Melbourne VIC 3205

Industrial Elections – ACT Office

1st Floor, 8 - 10 Hobart Place
CANBERRA ACT 2601

Telephone: (02) 6249 7943
Facsimile: (02) 6248 7559
Email: sonny.neoh@aec.gov.au

website: www.aec.gov.au ; ABN: 21 133 285 851

Dear Ken,

**National Tertiary Education Industry Union, Australian Capital Territory Division
Division President Vacancy Election
E2010/ 2512 Refers.**

I refer to my letter of 11 February 2010 concerning the arrangements for me to conduct an election for the vacant Division President office in the ACT Division. I wish to advise that a ballot will not be necessary.

My declaration of the uncontested office is attached.

Yours sincerely

Sonny Neoh
Returning Officer
Australian Electoral Commission, Canberra

10 March 2010

cc Delegate of the General Manager, Fair Work Australia
Candidate

**National Tertiary Education Industry Union
Australian Capital Territory Division**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICE

Results of the election for the following office conducted in accordance with the provisions of the Fair Work (Registered Organisations) Act 2009 and the rules of the organisation.

E2010/2512 Refers.

Australian Capital Territory Division

Division President

Candidate

MUDFORD, Neil Robert

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

Sonny Neoh
Returning Officer
Australian Electoral Commission, Canberra

10 March 2010

Australian Electoral Commission / AEC

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

**National Tertiary Education Industry Union
Australian Capital Territory Division**

Vacancy Election – Division President

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s:	<i>E2010/2512</i>
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RULES

Rules used for the election:	<i>[283V: Incorporates alterations of [24/04/08] [R2008/230]</i>
Rules difficult to apply/interpret:	<i>- None</i>
Model Rule reference (if any):	<i>- None</i>

ROLL OF VOTERS

There was no ballot. The roll of voters was not required.

IRREGULARITIES

Details of written allegations of irregularities, and action taken by AEC:	<i>- None</i>
Other irregularities identified, and action taken:	<i>- None</i>

ATTACHMENTS

1)	Declaration of Results – NTEIU, ACT Division
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Sonny Neoh
Returning Officer
Australian Electoral Commission, Canberra
10 March 2010

ELLIOTT, Mark

From: industrial.elections@fwa.gov.au
Sent: Monday, 15 March 2010 9:21 AM
To: ELLIOTT, Mark
Subject: FW: Attention - Mark Elliott:- NTEIU, ACT Division - Vacancy Election [E2010-2512] for Division President - Post Election Report & Declaration of Results. [SEC=UNCLASSIFIED]
Attachments: NTEU-ACT Divison E2512 PER.doc; Declaration E2010-2512 NTEU-ACT.doc

MARY JO CARNEY

Executive Co-ordinator
Tribunal Services and Organisations

Fair Work Australia

Tel: 03 8661 7825
Fax: 03 9655 0401
maryjo.carney@fwa.gov.au

11 Exhibition Street, Melbourne Victoria 3000
GPO Box 1994, Melbourne Victoria 3001

www.fwa.gov.au

From: Sonny Neoh [mailto:Sonny.Neoh@aec.gov.au]
Sent: Wednesday, 10 March 2010 4:07 PM
To: industrial.elections@fwa.gov.au
Cc: Industrial Elections
Subject: FWA: Attention - Mark Elliott:- NTEIU, ACT Division - Vacancy Election [E2010-2512] for Division President - Post Election Report & Declaration of Results. [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hello Mark,

Attached is a copy of the *Post Election Report*, as well as the *Declaration of Results* (i.e. Attachment 1) for the above-mentioned, NTEIU-ACT Division (vacancy) election, for your records.

E. No. 2010/2512 refers.

Best regards,

Sonny Neoh | AEC Returning Officer - ACT Office

Industrial Elections - ACT
Australian Electoral Commission
T: 02 6249 7943 | F: 02 6248 7559





DECISION

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

National Tertiary Education Industry Union
(E2010/2512)

T. NASSIOS

MELBOURNE, 4 FEBRUARY 2010

Arrangement for conduct of election.

[1] On 28 January 2010 the National Tertiary Education Industry Union lodged with Fair Work Australia the prescribed information in relation to an election to fill a casual vacancy in the following office:

Division President, Australian Capital Territory Division

[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 GENERAL MANAGER
FAIR WORK AUSTRALIA

Printed by authority of the Commonwealth Government Printer

<Price code A, PR993344>

ELLIOTT, Mark

From: ELLIOTT, Mark
Sent: Thursday, 4 February 2010 4:28 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2010/2512 - Casual vacancy in office of ACT Division President
Attachments: E2010_2512_decision_signed.pdf

Enclosed is a copy of the decision that the Delegate to the Fair Work Australia General Manager published today in the above matter.

A copy of the rules of the organisation is also attached. No alterations to those rules have been lodged with Fair Work Australia.

Kind regards,

MARK ELLIOTT
Tribunal Services and Organisations

Fair Work Australia
Tel: 03 8661 7811
Fax: 03 9655 0410
mark.elliott@fwa.gov.au

11 Exhibition Street, Melbourne Victoria 3000
GPO Box 1994, Melbourne Victoria 3001

www.fwa.gov.au

ELLIOTT, Mark

From: ELLIOTT, Mark
Sent: Thursday, 4 February 2010 4:24 PM
To: 'Rachel Liebhaber'
Subject: E2010/2512 - Casual vacancy in office of ACT Division President
Attachments: E2010_2512_decision_signed.pdf

Rachael,

The FWA General Manager's Delegate has issued a decision in the abovementioned matter. A copy is attached.

Any enquiries in relation to the election should at first instance be directed to the Industrial Elections Branch of the Australian Electoral Commission who may be contacted on (02) 6249 7908.

Kind regards,

MARK ELLIOTT
Tribunal Services and Organisations

Fair Work Australia
Tel: 03 8661 7811
Fax: 03 9655 0410
mark.elliott@fwa.gov.au

11 Exhibition Street, Melbourne Victoria 3000
GPO Box 1994, Melbourne Victoria 3001

61 2 62091114

Fax: 03 9254 1915

Attachment A

Resignation notice

I RACHAEL BAHL hereby resign from
(name of Office Bearer or National Councillor)

Tick one box

all positions I hold with the NTEU

The following position(s) (exact name of office, including Branch / Division name)

1. DIVISION PRESIDENT, ACT DIVISION

2. NATIONAL EXECUTIVE MEMBER FROM

3. ACT DIVISION

Effective from (date) 27 NOVEMBER 2009

Signed R. Bahl

Dated 17 November 2009

ELLIOTT, Mark

From: Rachel Liebhaber [rliebhaber@nteu.org.au]
Sent: Thursday, 4 February 2010 11:42 AM
To: ELLIOTT, Mark
Subject: NTEU Election Request - Missing Attachment
Attachments: Rachael Bahl Resignation.pdf

Dear Mark,

Apologies for leaving this off the NTEU election request lodged with FWA. Please find attached the resignation notice from the former ACT Division President, Rachael Bahl, as requested.

Kind Regards,

Rachel Liebhaber
Industrial Support Officer
National Tertiary Education Union
PO Box 1323
South Melbourne
Victoria AUSTRALIA 3205
+61 (0)3 9254 1910 - Phone
+61 (0)3 9254 1915 - Facsimile
www.nteu.org.au



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ELLIOTT, Mark

From: ELLIOTT, Mark
Sent: Wednesday, 3 February 2010 4:51 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2010/2512: NTEU ACT Division - casual vacancy
Attachments: electionrequestACT270110.docx

Please find attached prescribed information in relation to the abovementioned matter.

Kind regards

MARK ELLIOTT
Tribunal Services and Organisations

Fair Work Australia
Tel: 03 8661 7811
Fax: 03 9655 0410
mark.elliott@fwa.gov.au

11 Exhibition Street, Melbourne Victoria 3000
GPO Box 1994, Melbourne Victoria 3001

File: 50/70/003

27 January 2010

General Manager
Att: Larry Powell
Fair Work Australia
GPO Box 1994
MELBOURNE VIC 3001



NATIONAL OFFICE

ABN 38 579 396 344

First floor, 120 Clarendon St, Southbank VIC 3006

PO Box 1323, South Melbourne VIC 3205

Tel: (03) 9254 1910 Fax: (03) 9254 1915

Email: nteunat@nteu.org.au

Web: www.nteu.org.au

Dear General Manager

Re: National Tertiary Education Industry Union - Request for Election to be Held

A casual vacancy has occurred in the NTEU for the position of Division President, ACT Division, following the resignation of Rachael Bahl on 27 November 2009. A copy of Ms Bahl's resignation is attached.

Rule 80.3 requires that in the event of an extraordinary or casual vacancy occurring in the office of Division President, an election shall be held in accordance with Rule 69. Therefore this application is made separately from the more general application which will follow.

I hereby request, pursuant to Section 189 of Schedule 1 of the Act, that the General Manager arrange for the conduct of an election, and state the following prescribed information according to Regulation 138:

- **The name of the office** (138(1)(a)) is Division President, Australian Capital Territory Division.
- **The reason for the election** (138(1)(b)) is that a casual vacancy has occurred (ii).
- **The electorate from which the office is to be elected** (138(1)(d)) is the ACT Division Council.
- **The voting system to be employed** (138(1)(g)) in the conduct of the election is a collegiate electoral system.
- **The period during which nominations may be called** (138(1)(e)) is not specified in the rules.
- **The day provided for in the rules as the day on which the roll of voters is to be closed** (138(1)(f)) is the seventh day before the date determined for the opening of nominations.

I certify that to the best of my knowledge and belief, the information is correct and based upon advice given by the relevant Division.

I have sent the Australian Electoral Commission (G. Howarth) a copy of this request.

Please contact Ken McAlpine from this office if you have any questions regarding this request.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Grahame McCulloch', with a stylized flourish at the end.

GRAHAME MCCULLOCH

General Secretary

encl.

ELLIOTT, Mark

From: STEWART, Iain
Sent: Wednesday, 3 February 2010 2:07 PM
To: ELLIOTT, Mark
Subject: FW: Dispatch advice of electronic filing - Registered Organisations - Matter Number E2010/2

Attachments: electionrequestACT270110.docx



electionrequestACT
270110.docx ...

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

From: efiling@fwa.gov.au [mailto:efiling@fwa.gov.au]
Sent: Thursday, 28 January 2010 10:42 AM
To: canberra@fwa.gov.au
Subject: Dispatch advice of electronic filing - Registered Organisations - Matter Number E2010/2

This message, with the electronic document(s) attached has been dispatched to the email address(es) specified above. For the purposes of subrules 20.5 & 20.6, this is NOT an acknowledgement that your document is taken to have been filed with Fair Work Australia. You will be subsequently advised whether your document is taken to have been filed.

Please review the details below and inform the office by email at the address specified below if they are incorrect and/or incomplete.

The documents will be manually checked against the Rules of Fair Work Australia as soon as possible and you will be advised by email of any anomaly.

Please note that each FWA office is open on ordinary working days between the hours of 9.00 am and 5.00 pm, local time.

ACT
Email: canberra@fwa.gov.au
28/01/2010 10:37

Type of Application: Elections
Matter Number (IF your eFiling is accepted): E2010/2 Registry in which to be filed: ACT

Contact Details

Title: Ms
Given name(s): Rachel
Surname: Liebhaber
Position: Industrial Support Officer
Organisation: NTEU
Address: 1st floor, 120 Clarendon St, Southbank VIC
Postcode: 3006
Phone No: 92541910
Mobile Phone No: 0439677644
Fax No: 92541915

Email Address: rliebhaber@nteu.org.au

Comments:

Attachments:

Conduct of election (prescribed information): electionrequestACT270110.docx