



Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: New South Wales Farmers (Industrial) Association

Contact details: Matthew Brand
Chief Executive

Email: sleemand@nswfarmers.org.au
Tel: 02 8251 1874

AIR contact officer: James Hall

Email: Industrial.elections@fwa.gov.au
Tel: -----

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2011/2593

RULES

Rules used for elections Rule ID: [054N:Incorporates alteration of 3/6/2004 in matter R2004/315]

Rules difficult to apply/interpret: None

Model Rule reference (if any):

ROLL OF VOTERS

As there were no contested offices, the Roll of Voters was not required.

ALLEGATIONS OF IRREGULARITIES RECEIVED

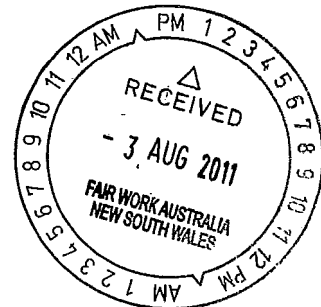
Details of written allegations of irregularities, and action taken by AEC: None

Other irregularities identified, and action taken: None

ATTACHMENTS

A: Declaration of Uncontested Offices

Rhys Richards
Returning Officer
2 August 2011



NSW Farmers' (Industrial) Association Executive Committee 2011

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

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.

E2011/2593

NSW Farmers' Industrial Association

President

Candidate

SIMSON, Fiona

Vice-President

Candidate

ARCHER, Sam

Treasurer

Candidate

COMENSOLI, Peter

Executive Committee Members (6)

Candidates

CARTER, Peter
CHAMEN, Richard
CLARKE, David
DARLEY, Peter
DUNFORD, Wayne
HORAN, Mark

Chief Executive

Candidate

BRAND, Matthew Charles Foster

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

Rhys Richards
Returning Officer

2 August 2011



Fair Work Australia

23 June 2011

Mr John Ridley
Vice President
NSW Farmers' (Industrial) Association
GPO Box 1068
Sydney NSW 2001

Also by facsimile: 02 8251 1750

Attention: Mr Daniel Sleeman

Dear Mr Ridley

**Re: Arrangements for the conduct of an Election
(E2011/2593)**

A copy of the decision in relation to the above matter is enclosed.

Fair Work Australia is making arrangements, under subsections 189(3) of the *Fair Work (Registered Organisations) Act 2009*, with the Electoral Commissioner for the conduct of the subject election by a member of staff of the Australian Electoral Commission, who will contact you in the near future about the election.

Yours sincerely

David Vale
Manager, Organisations - NSW
Fair Work Australia



FAIR WORK
AUSTRALIA

DECISION

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

NSW Farmers' (Industrial) Association
(E2011/2593)

T. NASSIOS

MELBOURNE, 23 JUNE 2011

Arrangement for conduct of election.

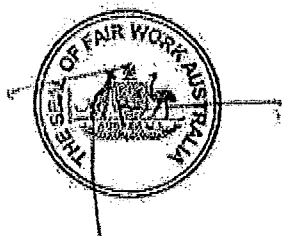
[1] On 9 June 2011, the NSW Farmers' (Industrial) Association lodged with Fair Work Australia prescribed information in relation to an election for the following offices:

President	(1)
Vice President	(1)
Treasurer	(1)
Executive Committee Members	(6)

[2] On 9 June 2011, the abovenamed organisation also lodged with Fair Work Australia prescribed information in relation to an election for the following casual vacancy:

Chief Executive	(1)
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[3] 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 GENERAL MANAGER
FAIR WORK AUSTRALIA

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HALL, James

From: HALL, James
Sent: Thursday, 23 June 2011 9:47 AM
To: 'industrial.elections@aec.gov.au'
Subject: E2011/2593 - Application/Notification by New South Wales Farmers (Industrial) Association
Attachments: E2011_2593 NSWFIA letter to AEC_23062011.doc; E2011_2593 Signed decision_23062011.doc

Dear AEC

Please find a copy of the Decision for the upcoming election of the New South Wales Farmers (Industrial) Association in election E2011/2593.

Regards

JAMES HALL

Registered Organisations Unit - Sydney
Fair Work Australia

Level 8
Terrace Tower
80 William Street
East Sydney NSW 2011

Tel: 02 8374 6641
Fax: 02 8374 6990
Email: james.hall@fwa.gov.au



FAIR WORK
AUSTRALIA

23 June 2011

Electoral Commissioner Through
Australian Electoral Officer (industrial.elections@aec.gov.au)

Under subsections 189 of the Fair Work (Registered Organisations) Act 2009, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2011/2593

RE: NSW FARMERS' (INDUSTRIAL) ASSOCIATION

Positions:

See Decision

Relevant Information: Scheduled Annual Election. Casual Vacancy Election - Chief Executive.

Contact: Daniel Sleeman, Industrial Relations Manager, NSW Farmers' (Industrial)
Association

Phone: (02) 8251 1700.

A copy of the decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at industrial.elections@fwa.gov.au

David Vale
Fair Work Australia

21 June 2011

Mr. David Vale
Manager, Organisations - NSW
Fair Work Australia
Terrace Tower, 80 William Street
EAST SYDNEY NSW 2000
By email: david.vale@fwa.gov.au



Dear David,

Arrangements for the conduct of an Election (E2011/2593)

Thank you for your letter of 17 June 2011 and for taking the time to speak with me yesterday 20 June 2011 regarding the Casual Vacancy position for Chief Executive and other matters. Since our discussion I have endeavoured to locate a copy of the former Chief Executive's Resignation letter. Unfortunately, I have been unable to obtain an actual physical copy of that document at this point in time. The letter is of a confidential nature and those with access to it have not been in the office since our discussions.

Notwithstanding the above I have contacted the President of the Association (to whom the Resignation letter was tendered) and the President has suggested that I forward through a copy of a Media Release issued by the Association on 7 April 2010. The Media Release entitled "*Association thanks Chief Executive for outstanding service*" is attached and notes both the date of the previous Chief Executive's resignation and also the date that his resignation took effect. If you do require something more for your records then please could you let me know and I will persevere in seeking to obtain a copy of the Resignation letter itself. Unfortunately I may not be able to obtain that document until early next week.

On a separate matter I note that the letter of the Vice-President (Mr. John Ridley) to Fair Work Australia dated 14 June 2011 indicates that the Annual General Meeting of the Industrial Association will commence on Thursday, 21 July 2011 at 9:00am. By way of clarification and completeness please note as follows:

- The Association's General Meeting will officially commence on Tuesday, 19 July 2011 but will be adjourned after the first few items of business to Thursday, 21 July 2011. Elections are to be held on that Thursday at the times indicated in our previous correspondence.

If you require any further information or would like to discuss this letter please contact me on my direct line which is (02) 8251 1812.

Yours sincerely,
NSW FARMERS' (INDUSTRIAL) ASSOCIATION

Daniel Sleeman
Industrial Relations Manager

Wednesday 7 April 2010

PR/062/10

Association thanks Chief Executive for outstanding service

NSW Farmers' Association President Charles Armstrong has extended his gratitude to Chief Executive Shaughn Morgan for the good stewardship of the Association and its Members, following his resignation today. Mr Armstrong says the Board has accepted his resignation with regret.

Shaughn Morgan has worked for the Association since 2004 and has announced that he will now look to other challenges in his professional life.

"Shaughn has been a great asset to the Association at a time when farmers have faced many difficult issues, and the world has faced a financial crisis," Mr Armstrong said.

"We appreciate the wealth of experience and knowledge Shaughn has brought to the role of Chief Executive over the years and I wish him all the best in his future endeavors," Mr Armstrong said.

Shaughn started at the Association in 2004 as General Manger – Policy & Government Relations. He was appointed Acting Chief Executive in May 2006 and was confirmed as Chief Executive the following month.

"Shaughn has always had a great appreciation for the needs of our Members and also the need for a united voice to ensure their prosperity and viability," Mr Armstrong said.

Shaughn's resignation will take effect from Friday, 13 August 2010.

Mr Armstrong says the Association appreciates the notice Shaughn has given the Board, which will allow it to find a suitable replacement.

"We wish Shaughn all the best in the future and we thank him for his dedication and management of the Association," Mr Armstrong said.

Contact:

Amanda Barwick (Media Manager) 0428 400 736
Ellen McNamara (Media Officer) 0429 990 218

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Fair Work Australia

17 June 2011

Mr John Ridley
Vice President
NSW Farmers' (Industrial) Association
GPO Box 1068
Sydney NSW 2001

Also by facsimile: 02 8251 1750

Attention: Mr Daniel Sleeman

Dear Mr Ridley

**Re: Arrangements for the conduct of an Election
(E2011/2593)**

I acknowledge receipt of prescribed information lodged with Fair Work Australia on 14 June 2011 for the conduct of an election for the NSW Farmers' (Industrial) Association.

Paragraph (c) of the prescribed information indicates that a casual vacancy election is required for the office of Chief Executive as the previous person who held that office is no longer employed by the NSW Farmers' (Industrial) Association.

Before a decision concerning an election can be made, Fair Work Australia requires a copy of the resignation letter of the former Chief Executive or some other form of documentary evidence which confirms the cessation of that person's employment with the NSW Farmers' (Industrial) Association.

If you have any questions relating to this matter please do not hesitate to contact me on (02) 8374 6509.

Yours sincerely

David Vale
Manager, Organisations - NSW
Fair Work Australia

HALL, James

From: HALL, James
Sent: Friday, 10 June 2011 11:00 AM
To: 'industrial.elections@aec.gov.au'
Subject: E2011/2593 - Application/Notification by New South Wales Farmers (Industrial) Association
Attachments: NFF E2011_000 PI lodged 09062011.pdf; 054N NFIA Farmers 03 Jun 2004.pdf

Dear AEC

Please find the prescribed information and a copy of the current rulebook for an upcoming election of the New South Wales Farmers (Industrial) Association.

Regards

JAMES HALL

Registered Organisations Unit - Sydney
Fair Work Australia

Level 8
Terrace Tower
80 William Street
East Sydney NSW 2011

Tel: 02 8374 6641
Fax: 02 8374 6990
Email: james.hall@fwa.gov.au

9 June 2011

Mr. Tim Lee
General Manager
Fair Work Australia
Level 8, Terrace Towers
80 William Street
EAST SYDNEY NSW 2011



Dear Mr. Lee,

NSW FARMERS' (INDUSTRIAL) ASSOCIATION - PRESCRIBED INFORMATION FOR THE CONDUCT OF AN ELECTION

In accordance with section 189 (1) of the *Fair Work (Registered Organisations) Act 2009* ("the RO Act") and regulation 138 of the *Fair Work (Registered Organisations) Regulations 2009* ("the RO Regulations"), the purpose of this letter is to provide Fair Work Australia with prescribed information regarding an election to be held by the NSW Farmers' (Industrial) Association in accordance with its Rules in July 2011.

Prescribed information

- (a) An election is required in respect of each of the following offices:
- (i) President
 - (ii) Vice President
 - (iii) Treasurer
 - (iv) Other members of the Executive Committee (6 positions)
 - (v) Chief Executive (NB. to fill a casual vacancy only)
- (b) An election is required as the term of office for each of the positions specified (i) to (iv) above will shortly expire. Rule 23(i) of the Association's Rules requires elections to be held annually for each of these positions (President, Vice President, Treasurer and members of the Executive Committee).
- (c) The election for the position of Chief Executive is required as there is a casual vacancy in that position. The Association's previous Chief Executive is no longer employed with the Association. In accordance with the Rules this position is currently filled by a person appointed by the Executive Committee.

Rule 25(iv) of the Association's Rules requires an election to fill a vacant office for the unexpired term in circumstances in which a casual vacancy exists. Under the Rules a Chief Executive is elected for four (4) years. The previous vote for a Chief Executive was held in 2008. A full election will need to be convened in 2012 for the position of Chief Executive. For present purposes the relevant Rule requires the matter to be dealt with as a casual vacancy.

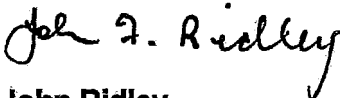
- (d) All members of the NSW Farmers' (Industrial) Association are eligible to vote.
- (e) The next Annual General Meeting of members of the Association will be held at Hall 2A, Sydney Showground Homebush Bay, Sydney commencing at 9:00 am 21 July 2011, with elections scheduled for 4:30 pm, 21 July 2011 to enable members present to nominate candidates for the offices in respect of which elections are to be held. The relevant Rules are briefly referenced below:
- Rules 22(i) (Nomination – President, Vice President, Treasurer)
 - Rule 23(ii) (Nomination – Executive Committee)
 - Rule 25 (i) (Nomination – Chief Executive)
 - Rule 36(i) (Nominations at Annual General Meeting)
- (f) A direct voting system is to be employed in the conduct of the election. The roll of voters shall close seven (7) days before the date of the Annual General Meeting – Rule 36(i).

I, Mr. John Ridley being the Vice President, am authorised to lodge the following prescribed information concerning forthcoming elections in the NSW Farmer's (Industrial) Association. I confirm that the following information is being lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009

I hereby request that the Australian Electoral Commission be notified of our forthcoming Annual General Meeting and the requirement for them to conduct an election if necessary.

Should you require any further information please contact Daniel Sleeman, Industrial Relations Manager directly on 825 11 812 or at the above address.

Yours sincerely,
NSW FARMERS' (INDUSTRIAL) ASSOCIATION


John Ridley
Vice President