

MOUTEVELIS, Michael

From: NSW Elections - NSW [nswelections@aec.gov.au]
Sent: Friday, 5 September 2014 3:15 PM
To: industrial@australianbusiness.com.au; Orgs; Industrial Elections
Subject: Post- Election report for Australian Business Industrial - E2014/176 [DLM=For-Official-Use-Only]

Follow Up Flag: Follow up
Flag Status: Flagged

For-Official-Use-Only

Attention: David Vale
Regulatory Compliance Branch, NSW
Fair Work Commission

Dear Mr Bosworth,
Secretary / Treasurer
Australian Business Industrial

Re: Post- Election report for Australian Business Industrial - E2014/176

I refer to the above election for your organisation.

Section 197(1) of the Fair Work (Registered Organisations) Act 2009 ("the Act") requires the AEC to provide a written report on the conduct of the election to Fair Work Australia and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

Section 198 of the Act requires that if an organisation or branch is given a post election report under Section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached Report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to 'industrial.elections@aec.gov.au' within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the post election report and the organisation's response to the report (if applicable) available to members.

Further, Regulation 141(4) of the Fair Work (Registered Organisations) Regulations requires an organisation or branch to publish a notice on its web site advising members that a copy of the post election report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate. Please contact me if you wish to clarify any aspect of this report.

Thanks

Kind Regards

Ishtiaq Ahmed | Returning Officer
Industrial & Commercial Elections | NSW State Office
Australian Electoral Commission
T: (02) 9375 6331 | F: (02) 9375 6336



Post Election
Report.pdf



Declaration.pdf

For-Official-Use-Only

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Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: Australian Business Industrial

Contact details: Mr Colin Bosworth
Secretary / Treasurer
Australian Business
Industrial
140 Arthur Street
North Sydney, NSW-
2060

Email: industrial@australianbusiness.com.au
Tel: 02 94587500

FWC contact officer: David Vale

Email: orgs@fwc.gov.au
Tel:

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2014/176

RULES

Rules used for elections Rule ID: [143N: Incorporates alterations of 01/01/2014 determined on 27/09/2013 (R2013/43)] (replaces 19/10/2009 version)

Rules difficult to apply/interpret: The Australian Business Industrial (ABI) Rules are not clear on the number of nominators required by a candidate. However, they do infer that a candidate cannot self-nominate in an election.

Model Rule reference (if any): N/A

ROLL OF VOTERS N/A

ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and action taken by AEC: N/A

Other irregularities identified, and action taken: N/A

ATTACHMENTS

A: Declaration of results for uncontested offices - Councillor

Ishtiaq Ahmed
Returning Officer
05 September 2014

Australian Business Industrial
Scheduled Election 2014 - Councillor

Declaration of Results for Uncontested Offices

E2014/176

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.

Australian Business Industrial

Councillor (15)

Candidates

AINSWORTH, Lynette Christine

BOSWORTH, Colin John

BOWERS, Thomas

CARR, Gerald Michael

CLEARY, Jane

EICHHORN, Brian

FREEMAN, Alvan James

GETHING, Brad

KIRKHAM, Robert

LILEY, Jessica Maria

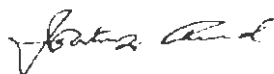
LONG, David George

SCHEMBRI, Jennifer

WILSON, Kerry James

No further nominations were accepted

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



Ishtiaq Ahmed
Returning Officer

03/09/2014



FAIR WORK
COMMISSION

11 July 2014

Mr Colin Bosworth
Secretary/Treasurer
Australian Business Industrial
Locked Bag 938
NORTH SYDNEY NSW 2059

Also by facsimile: (02) 9922 2129

Dear Mr Bosworth

Scheduled Election - Australian Business Industrial (E2014/176)

I refer to the prescribed information dated 10 July 2014 which was lodged with the Fair Work Commission on 10 July 2014, for a scheduled election of Councillors of Australian Business Industrial.

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

The Fair Work Commission 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
Principal Adviser
Regulatory Compliance Branch, NSW
Fair Work Commission



DECISION

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

Australian Business Industrial
(E2014/176)

MR ENRIGHT

MELBOURNE, 11 JULY 2014

Arrangement for conduct of election.

[1] On 10 July 2014 the Australian Business Industrial lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Councillor (15)

[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 GENERAL MANAGER

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VALE, David

From: VALE, David
Sent: Friday, 11 July 2014 10:44 AM
To: 'Industrial Elections'
Subject: E2014/176
Attachments: E2014_176 SIGNED Decision_11072014.doc

Dear AEC

Please find attached a copy of the signed decision for the Australian Business Industrial in matter E2014/176.

Yours sincerely

DAVID VALE

Principal Adviser,
Regulatory Compliance Branch, NSW

Fair Work Commission

Tel: 02 8374 6509
Fax: 02 9380 6990
david.vale@fwc.gov.au

Please be aware that my email address has changed to david.vale@fwc.gov.au effective 1 January 2013. Please update your records accordingly.

Level 10, Terrace Tower
80 William Street
East Sydney NSW 2011

www.fwc.gov.au

VALE, David

From: VALE, David
Sent: Thursday, 10 July 2014 2:44 PM
To: 'Industrial Elections'
Subject: E2014/176
Attachments: E2014_176 ABI PI lodged_10072014.pdf; ABI_143N_19102009.doc

Dear AEC

Please find the prescribed information and a copy of the current rulebook of ABI for election number E2014/176.

Yours sincerely

DAVID VALE

Principal Adviser,
Regulatory Compliance Branch, NSW

Fair Work Commission

Tel: 02 8374 6509
Fax: 02 9380 6990
david.vale@fwc.gov.au

Please be aware that my email address has changed to david.vale@fwc.gov.au effective 1 January 2013. Please update your records accordingly.

Level 10, Terrace Tower
80 William Street
East Sydney NSW 2011

www.fwc.gov.au

E2014/176.



10 July 2014

Our reference

General Manager
Fair Work Australia
Level 8, Terrace Towers
80 William Street
East Sydney, NSW 2011

405342-4

Dear General Manager

RE: LODGEMENT OF PRESCRIBED INFORMATION FOR ELECTION

Australian Business Industrial (ABI) is a registered organisation under the *Fair Work (Registered Organisations) Act 2009* (the FW (RO) Act), organisation code 143N. ABI is seeking to conduct an election in accordance with its Rules and the FW (RO) Act in the year commencing 1 January 2014.

Please accept the following information as lodgement of the prescribed information ABI is required to provide to Fair Work Australia (FWA) under s 189(1) of the FW (RO) Act and in accordance with regulation 138 of the *Fair Work (Registered Organisations) Regulations 2009* (the regulations) to hold an election.

ABI is required to elect fifteen (15) offices of Councillor. These positions are due to expire in the normal course of events in conjunction with the term of the ABI Council.

ABI does not comprise branches and as such regulation 138(1) (d) does not apply.

In accordance with Rule 36 of the Rules of ABI, an eligible member of ABI may nominate for election to the Council by lodging his/her nomination with the Returning Officer in writing within three weeks of the publication of the election notice. ABI Council decided on 25 June 2014 that, subject to approval by FWA and the availability of the returning officer, the notice of election would be issued on 26 September 2014 and that the nominations would be closed on the 24 October 2014.

In accordance with Rule 35 of the Rules of ABI the roll of voters is to be closed seven days prior to the date for the opening of nominations. As such, the roll of voters is to be closed on 19 September 2014.

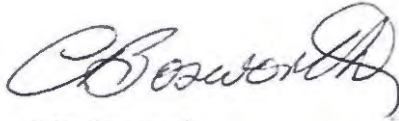
Australian Business Industrial ABN 59 687 108 073
The Industrial Relations Affiliate of New South Wales Business Chamber

140 Arthur Street North Sydney NSW 2060 Locked Bag 938 North Sydney NSW 2059
Telephone: 02 9458 7500 Fax: 02 9922 2129 email: industrial@australianbusiness.com.au Internet: www.australianbusiness.com.au/industrial/

The voting system to be used in the conduct of the election is direct voting of all eligible members under a "first past the post system".

If you have any further questions please contact Dick Grozier on (02) 9458 7574 or via dick.grozier@nswbc.com.au.

Yours faithfully



Colin Bosworth
Secretary/Treasurer