

5 August 2020

Post-election report

**The Australian Institute of Marine and
Power Engineers**
Queensland Branch
Scheduled election
E2019/215

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Election(s) Covered in this Report

Organisation: The Australian Institute of Marine and Power Engineers, Queensland Branch
Election: Scheduled
Election Decision No/s: E2019/215

Rules

Rules used for the election: ([009V: Incorporates alterations of 03/12/2014 in matter R2013/22]

Rules difficult to apply/interpret: Rule 33B(v) The Returning Officer shall, at least fourteen (14) days before the opening of the election cause to be sent by prepaid mail to each financial member of the branch a ballot paper together with two (2) envelopes, a “declaration envelope” with a removal flap or label and a prepaid envelope.

It is unusual for the ballot material to be posted to the voter significantly before the ballot is opened and may cause confusion amongst the causing voters to return their ballot papers before the opening of ballot irrespective of instruction not to do so.

To mitigate this risk, it is strongly suggested that AIMPE vary Rule 33B(v) to allow for a longer ballot period to ensure voters have adequate time to receive and return ballot papers and/or in the election notice, provide a clear statement noting only ballots received after the opening of the ballot will be counted.

Model Rule reference (if any) : None

Roll of Voters

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

Irregularities

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

Other irregularities identified, and action taken: None

Other Matters

None

Signed



Ishtiaq Ahmed
Returning Officer
Australian Electoral Commission
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5/08/2020

Attachments

- A. Declaration of Results for Uncontested Offices – AIMPE QLD Branch

The Australian Institute of Marine and Power Engineers
Queensland Branch
DECLARATION OF RESULTS - E2019/215
Uncontested Offices

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:

Branch President (1)

Candidates

READY Bradley John

Branch Secretary (1)

Candidates

TOOHEY Peter John

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
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06/07/2020





DECISION

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

The Australian Institute of Marine and Power Engineers (E2019/215)

MR ENRIGHT

MELBOURNE, 18 FEBRUARY 2020

Arrangement for conduct of election.

[1] On 29 January 2020 the Australian Institute of Marine and Power Engineers - Queensland Branch lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

| | |
|------------------|-----|
| Branch President | (1) |
| Branch Secretary | (1) |

[2] The branch did not lodge the prescribed information before the prescribed day as required by regulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009*. The prescribed information should have been lodged by 16 January 2020. In its correspondence dated 29 January 2020, the Senior National Organiser on behalf of the Queensland Branch Secretary stated the delay was due to the only Queensland Branch staff member being on leave for most of December 2019 and January 2020 resulting in the requirement to lodge prescribed information being overlooked.

[3] While the ROC provided reminder correspondence to the organisation on 16 December 2019, I note there was a relatively short duration of the late lodgement of the prescribed information and I have had regard to the organisation's previous and relevant compliance history. Having considered the organisation's request for an extension, I allow on this occasion a later day for lodgement section under 189(2) of the Act.

[4] 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 of the *Fair Work (Registered Organisations) Act 2009* and Regulation 138 of the *Fair Work (Registered Organisations) Regulations 2009*, with a request under Section 187 of the *Fair Work (Registered Organisations) Act 2009*

I, Peter John Toohey, being the Queensland Branch Secretary of the Australian Institute of Marine and Power Engineers make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Queensland Branch of the Australian Institute of Marine and Power Engineers.
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.

This statement **IS NOT** lodged at least 2 months before nominations open for the election(s) in Annexure A. The reason it is lodged after the prescribed time is:

- a. Due to the only Qld Branch member employed in the Queensland Branch being out of the office during December and on leave since the festive season matter is being addressed as a matter urgency to ensure late lodgement is rectified.
- b. An extension of time request was lodged for this election on 29 January 2020.

NOTE: A failure to lodge Prescribed Information on time can lead to civil penalties under the RO Act. Extensions of time should be requested at least two months before nominations open.

The number of Offices due for election are not based on a formula.

Signed:



[SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: 29 January 2020

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.

Annexure A

- Elections that are required [insert as many pages as required]

| Branch | Name of Office | Number required | Voting System <i>Direct voting system; Collegiate electoral system</i> | Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i> | Electorate |
|--|------------------|-----------------|---|---|------------|
| For the election of officers | | | | | |
| Queensland Branch | Branch Secretary | 1 | Direct Voting System | Scheduled | Queensland |
| Queensland Branch | Branch President | 1 | Direct Voting System | Scheduled | Queensland |
| For the election of non-office positions, requested under s 187 of the RO Act | | | | | |
| N/A | N/A | N/A | Select relevant voting system | Select reason for election | N/A |

- Important dates:

| | Direct Voting System | Collegiate Electoral System |
|------------------------------------|---|-----------------------------|
| Nominations OPEN | To be determined by returning officer | N/A |
| Nominations CLOSE | To be determined by returning officer | N/A |
| Roll of Voters cut off date | Roll closes 7 days prior to nominations open. Rule 33B(xii) | N/A |

NOTES: For insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as 'To be determined by the returning officer'. This also applies where rules are silent as to the nominated dates. If the nomination dates are 'To be Determined by the Returning Officer', but your organisation has a *preference*, please state 'To be Determined by Returning Officer' and clearly indicate that your nominated date is a preference.