

MOUTEVELIS, Michael

From: Noopur Madan [Noopur.Madan@aec.gov.au]
Sent: Wednesday, 12 November 2014 1:01 PM
To: Orgs; Ian Macdonald (imacdonald@bic.asn.au); WaynePatch@tagroup.net.au; Industrial Elections
Subject: Post election Report- Australian Public Transport Industrial Association (APTIA) – Scheduled Election- E2014/163 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Attention: Mr Ian MacDonald
National IR Manager
APTIA

Post Election Report - Australian Public Transport Industrial Association (APTIA) – Scheduled Election - E2014/163

Dear Mr Patch,

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 the Fair Work Commission 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 2009* requires an organisation or branch to publish a notice on its website 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.

Regards

Noopur Madan | Returning Officer
Industrial & Commercial Elections | NSW State Office
Australian Electoral Commission
T: (02) 9375 6321 | F: (02) 9375 6336



Post Election
Report E2014-163..



Declaration of
results Stage 1...

For-Official-Use-Only

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Declaration of
Results - Stage...

Fair Work (Registered Organisations) Act 2009
POST ELECTION REPORT
Australian Public Transport Industrial Association

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2014/163

RULES

Rules used for elections Rule ID: [150N: Incorporates alterations of 1/01/2014 determined on 22/11/2013 (R2013/47)]

Rules difficult to apply/interpret:

Rules do not appear to comply with Section 143 (1) (e) of the Fair Work (Registered Organisations) Act 2009. No reference to a cut-off date for the roll of voters.

Rules are also not clear about whether or not a member is allowed to have more than one authorised representative. Where multiple representatives are listed, rules are not clear about who gets to vote in case of a ballot. Each member of the Association is only entitled to one vote.

Candidates appear to be preselected and are nominated by their respective Bus Associations. This practice needs to be made clear in the Rules.

ROLL OF VOTERS

<i>Total number of voters on the roll</i>	25
<i>Number of apparent workplace addresses</i>	0
<i>Number of non-current addresses</i>	0
<i>Other Matters</i>	Nil

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 Results for Uncontested Offices Stage 1
- B: Declaration of Results for Uncontested Offices Stage 2



Noopur Madan
Returning Officer

12 November 2014

Australian Public Transport Industrial Association Election of Council Nominees

Declaration of Results for Uncontested Offices

E2014/163

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 Public Transport Industrial Association

Nominees from New South Wales (2)

Candidates

ROWE, Stephen
SCOTT, Steven

Nominees from Victoria (2)

Candidates

LUCAS, Stephen
WRIGHT, Robert

Nominees from Queensland (2)

Candidates

MITCHELL, Rolf Ian
PATCH, Wayne Paul

Member from South Australia

Candidates

LUCAS, Samuel James

Nominees from Western Australia

Candidates

BAULCH, Michael

Nominees from Northern Territory

Candidates

No nomination was received

Nominees from Tasmania

Candidates

DEWSBERY, Shane Dale

Nominees from Urban Transport Group (2)

Candidates

COOK, Jonathan
DOOLAN, Benjamin

Nominees from Public Transport Group (2)

Candidates

HOPKINS, Anthony
LINES, Nicholas

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



Noopur Madan
Returning Officer

1 October 2014

Australian Public Transport Industrial Association Election of Office Bearers

Declaration of Results for Uncontested Offices

E2014/163

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 Public Transport Industrial Association

Chairperson

Candidates

PATCH, Wayne

Deputy Chairperson

Candidates

SCOTT, Steven

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



Noopur Madan
Returning Officer

30 October 2014



DECISION

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

Australian Public Transport Industrial Association
(E2014/163)

MR ENRIGHT

MELBOURNE, 30 JUNE 2014

Arrangement for conduct of election.

[1] On 18 June 2014 the Australian Public Transport Industrial Association lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

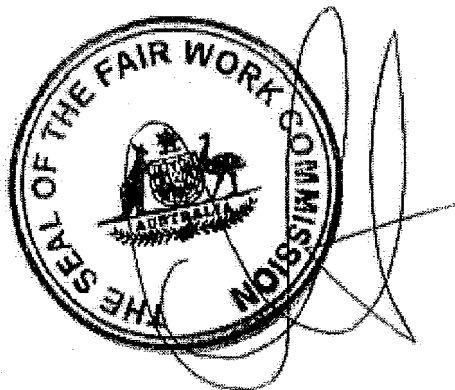
COUNCIL MEMBERS

Nominee from New South Wales	(2)
Nominee from Victoria	(2)
Nominee from Queensland	(2)
Nominee from South Australia	(1)
Nominee from Western Australia	(1)
Nominee from the Northern Territory	(1)
Nominee from Tasmania	(1)
Urban Transport Group	(2)
Public Transport Group	(2)

OFFICE BEARERS

Chairperson	(1)
Deputy Chairperson	(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 GENERAL MANAGER

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Copy of Prescribed Information

Title of Matter: Application/Notification by Australian Public Transport Industrial Association
Section: s.189(1) RO Act - Notification of elections for office
Subject:
Matter Number(s): E2014/163

Attn: Electoral Officer

A copy of the Prescribed Information in relation to the above matter is attached for your information.

The election decision will be forwarded to your office in due course.

Inquiries:

Any inquiries relating to this are to be directed to: orgs@fwc.gov.au.

18 JUNE 2014

MOUTEVELIS, Michael

From: Ian Macdonald [imacdonald@bic.asn.au]
Sent: Wednesday, 18 June 2014 2:18 PM
To: Orgs
Cc: Michael Apps; WaynePatch@tagroup.net.au
Subject: Request for Election 2014

Dear General Manager, Fair Work Commission

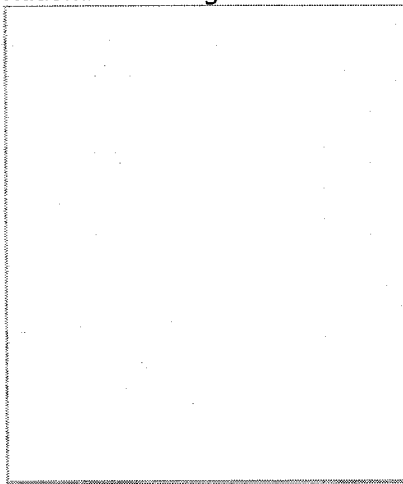
I request, on behalf of Wayne Patch, Chair Person of the Australian Public Transport Industrial Association for you to arrange for the conduct of the elections for Council Members and Office Bearers of APTIA with the Australian Electoral Office.

Attached is the relevant prescribed information to enable the process to occur.

I look forward to your further requirements, if any.

Regards

Ian MacDonald
National IR Manager



Prescribed
Information.pdf

Notice and Statement of Prescribed Information

I, Wayne Patch, being the Chair Person of the Australian Public Transport Industrial Association, make the following statement:

- I am the Chair Person of the Australian Public Transport Industrial Association,
- I am authorised to lodge the following prescribed information concerning forthcoming elections of the Council of the Australian Public Transport Industrial Association, and

I confirm that the following information is being lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.

Signed:



Dated: 18 June 2014

Offices and Positions

A. Office Bearers (Rule 22)

- Chair Person and
- Deputy Chair Person

B. Council Members (Rule 24)

- The Council, which shall consist of fourteen (14) shall comprise up to ten (10) persons elected by the financial members of the Association Group members in the following mix:
 - (i) Two nominees from New South Wales
 - (ii) Two nominees from Victoria
 - (iii) Two nominees from Queensland
 - (iv) One nominee from South Australia
 - (v) One Nominee from Western Australia
 - (vi) One Nominee from the Northern Territory
 - (vii) One Nominee from Tasmania
- The Council shall also comprise at least two (2) persons elected from the financial members of the Urban Transport Group and at least two (2) persons elected from the financial members of the Public Transport Group.

Reasons for election

Election for offices and positions set out above is required as the terms of office are due to expire in the normal course of events under the rules of the organisation. (Rule 24 (5))

Elected by

The elections of the Council members is by a collegiate system (Rule 24 (3) and (4)) and the election of the Office Bearers is also collegiate (Rule 22 (2))

Nominations open

Nominations open on the 18th August 2014 for the election of Council Members and nominations for Office Bearers opens immediately following the declaration of the election of the Council members (Rule 22 (3)).

Nominations close

Nominations close for the Council Members on the 1st September 2014.

Cut off date for roll

By resolution of the Council the cut off date for the Register of Members will be seven days prior to the opening date for nominations i.e. 11 August 2014.



Wayne Patch, Chairperson
18 June 2014