



Reference: ANAQT

Ms Marika DE VECCHIS
Federal Executive Officer
Australian Salaried Medical Officers Federation

Dear Ms DE VECCHIS

**Australian Salaried Medical Officers Federation
Doctor in Training Recall Election
E2018/65**

The Registered Organisations Commission has made arrangements with the Australian Electoral Commission under Section 189 of the *Fair Work (Registered Organisations) Act 2009 (the Act)* to conduct the above election.

Timetable

The timetable for the election will be:

DATE	OCCURRENCE
19/11/2018	Close of Roll
20/11/2018	Roll delivered to Returning Officer
22/11/2018	Returning Officer publishes Election Notice in national daily newspapers.
22/11/2018	Union publishes Election Notice and nomination form on their website
22/11/2018	AEC publishes Election Notice and nomination form on their website
22/11/2018	Nominations Open
06/12/2018	Nominations Close at 5:00pm (Australian Eastern Daylight Time (AEDT))
06/12/2018	Close of nominations withdrawal period at 5:00pm (Australian Eastern Daylight Time (AEDT))
20/12/2018	Postal Ballot Opens
17/01/2019	Postal Ballot Closes at 10.00am (Australian Eastern Daylight Time (AEDT))

Notification to Members

I will arrange an Election Notice to be published on 21/11/2018 in national daily newspapers.

The Organisation is required to have the enclosed Notice nomination form published from the 22/11/2018 until the election is completed.

Nomination forms

A copy of the nomination form is also enclosed. Please copy it for use by members as required.

Request to supply Register of Members Information

The Roll of Voters for the above election will be those Doctor in Training members who are eligible to vote on 20/12/2018.

As Returning Officer conducting elections for your Organisation, I request you supply the following listings of members of the Australian Salaried Medical Officers Federation by the dates that are specified.

Listings

	LISTING	DATE REQUIRED
(a)	Name and member information (identified below), of every Doctor in Training member who was financial at 19/11/2018 in accordance with the rules of the Organisation	20/11/2018
(b)	The names of Doctor in Training members who were inadvertently included on listing (a)	29/11/2018 20/12/2018
(c)	The names of Doctor in Training members who were inadvertently omitted from listing (a)	29/11/2018 20/12/2018
(d)	The names of Doctor in Training members appearing on listing (a) who have ceased to be members by 20/12/2018	29/11/2018 21/12/2018
(e)	Any change of address details for Doctor in Training members appearing on listing (a)	29/11/2018 20/12/2018

Electronic listings

Lists must be provided electronically and files are to be in CSV (comma delimited) format. If you are unable to supply information in .csv format, please supply them as Excel files.

The AEC has introduced a portal via which organisations are to be electronically submit data and documents (please see attached information sheet). In exceptional circumstances lists may be provided on digital media (such as USBs and CDs).

Lists should not be emailed as email does not provide the appropriate level of security for personal information.

Member Information

A record for each eligible member is to include the following twelve fields:

- Membership number,
- Member surname,
- Member full first name/s,
- Address line 1 (BUILDING NAME AND UNIT/FLAT/TOWNHOUSE NUMBER),

- Address line 2 (STREET ADDRESS OR PO BOX),
- Address line 3 (CITY/TOWN),
- STATE (Aust Post Abbrev),
- Postcode,
- COUNTRY (OUTSIDE AUST ONLY)
- Electorate Code (see below)
- "Incorrect last known address" code (see below)
- "Workplace Address" Code (see below)

Electorate code

For each member listed, include a field identifying the relevant Electorate. The main listing is to be accompanied by an explanatory table for the codes.

Incorrect last known address

Please include in the listings a field for "Incorrect Last Known Address". If you have eligible members with a last known address thought to be incorrect, you should code those members as "Y" or "Yes" in this field.

Workplace addresses

Please include in the listings a field for "Workplace Address". If you have eligible members with only a workplace address, you should code those members as "Y" or "Yes" in this field.

Certification of Lists

Each listing must be accompanied by a certificate signed by you in the following terms:

"I certify that the accompanying listing contains the (include appropriate details, i.e. (a), (b), (c), (d) or (e) above). I further declare that the register of members has been maintained as required by Section 230(2) of the Fair Work (Registered Organisations) Act 2009.

The total number of eligible members listed is (include number)."

The listings and certificates as described above must be supplied to me by NO LATER THAN 12 noon on the dates specified.

Confidentiality of Information

Regulation 131 of the Regulations requires that the Returning Officer must make a copy of the roll available for inspection and copying by members, and other persons authorised by the Returning Officer. However, sub-regulation 6 provides:

(6) If a copy of a roll, or a copy of part of a roll, is made or supplied under this regulation, a person must not use information in the roll for a purpose other than:

- (a) a purpose in connection with the election; or*
- (b) to monitor the accuracy of the information contained in the roll.*

Penalty: 10 penalty units.

Organisational Rules

- Rule 77 (10) (b) Instructions advising:
 - the date and hour for the closing of the ballot, which will be within 21 days after the commencement of the ballot;

As the ballot period falls during the Christmas period I will apply Section 193(b)(ii) of the Fair Work (Registered Organisations) Act 2009 and I will extend the ballot by one week.

- Rule 75 (1) states that the roll of voters for any ballot is to be closed 30 days before the day on which nominations for the election open. As this does not comply with the timetable set out in Rule 77 for Federal Council Delegates, I have no option but to exercise powers under Section 193(b)(ii) of the Fair Work (Registered Organisations) Act 2009 and conduct the election with a roll of voters closing on 19/11/2018.

Other Legislative Provisions

I wish to draw your attention to the following:

- Regulation 145 of the *Fair Work (Registered Organisations) Regulations 2009* which provides that, where an election or ballot is conducted by the Australian Electoral Commission, no steps in the election may be taken by any person without the Returning Officer's authority or direction.
- Section 190 is an offence provision of the Act and a contravention of it constitutes an irregularity. Section 190 of the Act states:

An organisation or branch commits an offence if it uses, or allows to be used, its property or resources to help a candidate against another candidate in an election under this Part for an office or other position.

Maximum penalty: 100 penalty units.

If you have any queries or concerns regarding any the above please do not hesitate to contact me on nswelections@aec.gov.au or 02 9375 6361.

Yours sincerely



Anthony Carey
Returning Officer
Australian Electoral Commission
16/11/2018