

19 August 2022

Post-Election Report

The Australian Institute of Marine and
Power Engineers
Scheduled Election
E2022/3

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Election Covered in this Report

Organisation: The Australian Institute of Marine and Power Engineers
Election: Scheduled
Election Decision No: E2022/3

Rules

Rules used for the election: [009V: Incorporates alterations of 25 January 2022 in matter R2021/137] (replaced rule book dated 11 June 2021 [R2021/90])

Rules difficult to apply/interpret: Yes

- AIMPE rules are silent on nominating for more than one office.

If the rules of an organisation make no comment on the issue of multiple nominations, the Returning Officer (RO) accepts the multiple nominations.

Where the positions are uncontested (or there are no more nominations than vacancies), the RO may declare the candidate elected to all those offices, unless the rules state or indicate that a person cannot hold more than one of the offices in question. However, it should be noted that the 'doctrine of incompatible office' may apply where two of the offices give membership to the same committee of the organisation.

Although this situation did not arise in E2022/3, AIMPE may wish to consider a review of their rules to clarify whether individuals can nominate and/or be elected to multiple offices. This would prevent any potential delay or ambiguity caused by defective nominations if the 'doctrine of incompatible offices' did in fact apply in future electoral events.

If AIMPE does not wish to allow an individual to hold multiple offices it is recommended that the organisation clearly identifies those offices which cannot be held concurrently by one member. Additionally, the Rules should also clearly identify a methodology for resolving any such multiple nominations.

Model Rule reference (if any):

8.1 Holding more than one office

8.1.1 No person may hold simultaneously more than one of the following offices, which are listed in descending ranking. The first office listed being the highest office: (list the offices in hierarchical order from highest office to lowest office).

8.2 Nomination for more than one office

8.2.1 Where in any election a person nominates for more than one office that cannot be held simultaneously, the person shall before the closing time for the receipt of nominations withdraw all necessary nominations so that only one such nomination remains with the returning officer.

For more details see the Model Rules on the AEC website: www.aec.gov.au/ieb/

Roll of Voters

Based on an analysis of the register of members the Returning Officer has formed the opinion that the:

- There were no concerns in the construction of the Roll of Voters

Other Matters

Returning Officer actions required (Section 193): Yes

Details:

- The rules of the Organisation are silent in relation to withdrawal of nominations. The AEC applied a withdrawal period same as the nominations close.
- Rules regarding the timetable of the election were set aside as the AEC held concerns that the coronavirus pandemic may impact on the ability for stakeholders to fully participate in the election. A timetable for the conduct of the ballot which varied from the rules was set when the AEC was satisfied that stakeholders would be able to fully participate.
- Rules requiring an in-person ballot were set aside as the AEC held concerns that the coronavirus pandemic would impact on the ability for all stakeholders to attend. Instead, the ballot was conducted via post.
- Rules specifying the method of lodgement of nominations were set aside as the AEC held concerns that the coronavirus pandemic would impact on the ability for potential candidates to nominate. Nominations were received electronically, via email/the AEC's portal.

Signed

Jenna Hales
Returning Officer
Australian Electoral Commission
E: IEBEvents@aec.gov.au
P: (03) 9285 7111
19 August 2022

Attachments

- A. Declaration of Results for Contested Offices – E2022/3
Stage One
- B. Declaration of Results for Uncontested Offices – E2022/3
Stage Two

The Australian Institute of Marine and Power Engineers

DECLARATION OF RESULTS - E2022/3 - Stage 1

Contested 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:

Federal Council

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	17
Number of voters issued with voting material	17
Total number of voters issued with replacement voting material	3
Total number of voting material packs issued	20
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	14
Number of declaration envelopes rejected at preliminary scrutiny (minus)	0
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	14
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	0
Voting material packs not returned by voters by closing date of the ballot	6
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	82 %

President (1)

<u>Candidates</u>	<u>Final Votes</u>
BYRNE, Martin	8
CHRISTIANSEN, Henning	6

Total ballot papers admitted for this office	14
Formal Ballot papers	14
Informal Ballot papers	0

I declare the following elected:

- BYRNE, Martin

Vice President (3)

<u>Candidates</u>	<u>Final Votes</u>
HARTREE, John	8
JONES, Mark	7
PEBERDY, David	7
READY, Brad	2

ROOTS, Peter	5
TOOHEY, Peter	13

Total ballot papers admitted for this office **14**

Formal Ballot papers	14
Informal Ballot papers	0

I declare the following elected:	Order Elected
• TOOHEY, Peter	1
• HARTREE, John	2
• JONES, Mark	3

Treasurer (1)

<u>Candidates</u>	<u>Final Votes</u>
FLETCHER, Malcolm	6
MCALLISTER, Ian	8

Total ballot papers admitted for this office **14**

Formal Ballot papers	14
Informal Ballot papers	0

I declare the following elected:
• MCALLISTER, Ian

Benjamin Murray
 Returning Officer
 Telephone: 03 9285 7129
 Email: IEBevents@aec.gov.au
 05/07/2022



The Australian Institute of Marine and Power Engineers
DECLARATION OF RESULTS - E2022/3 - Stage 2
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:

Senior Vice President (1)

Candidates

HARTREE John

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

Jenna Hales
Returning Officer
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11/08/2022

