

25 February 2022

Post-election report

The Australian Retailers Association

Scheduled election

E2021/159

Contents

Election(s) Covered in this Report	3
Rules.....	3
Other Matters	4
Signed.....	4
Attachments	5
A. Declaration of results for Uncontested Offices – Stage 1	5
B. Declaration of results for Uncontested Offices – Stage 2.....	5

Election(s) Covered in this Report

Organisation: The Australian Retailers Association

Election: Scheduled

Election Decision No/s: E2021/159

Rules

Rules used for the election: 260V: Incorporates alterations of 6 April 2021

Rules difficult to apply/interpret: No

Other Matters

Returning Officer actions required (Section 193): Yes

Details:

- As there is no rule pertaining to the method in which nominations must be lodged, the Returning Officer will apply subparagraph 193(1) (b)(ii) of the Fair Work (Registered Organisation) Act 2009 to only accept nominations via email or portal and not by hand or post, due to the ongoing COVID-19 risk.
- 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.

Signed



Darren Wade
Returning Officer
Australian Electoral Commission
E: IEEvents@aec.gov.au
P: 03 9285 7111
25 February 2022

Attachments

- A. Declaration of results for Uncontested Offices – Stage 1
- B. Declaration of results for Uncontested Offices – Stage 2

The Australian Retailers Association
DECLARATION OF RESULTS - E2021/159 - 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:

Council

President (1)

Candidates

SHEFFIELD, Nicole

Treasurer (1)

Candidates

MEADS, Drew

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



Darren Wade
Returning Officer
Telephone: 03 9285 7111
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25/02/2022

The Australian Retailers Association
DECLARATION OF RESULTS - E2021/159 - Stage 1
Uncontested Offices

Casual Vacancy 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:

Australian Retailers Association

Councillor (2)

Candidates:

BARBARO, Josephine

DIEZ-SIMSON, Krista

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

Darren Wade
Returning Officer
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24/12/2021





DECISION

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

The Australian Retailers Association
(E2021/159)

MR STEENSON

SYDNEY, 27 AUGUST 2021

Arrangement for conduct of election.

[1] On 6 August 2021 the Australian Retailers Association (the ARA) lodged with the Registered Organisations Commission (Commission) prescribed information for an election to fill casual vacancies in the following offices for the remainder of the current term:

President	(1)
Council Member	(2)

[2] On the same day the ARA also lodged with the Commission prescribed information for an election to fill the following office due to insufficient nominations received in a previous election (E2020/156):

Treasurer	(1)
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[3] 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 Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009

I, Stephen Plarre being the Secretary of the Australian Retailers Association make the following statement:

1. I am authorised to sign this statement containing prescribed information for Australian Retailers Association
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. The resignation letter or other supporting information is attached for each casual vacancy.
 - Rowan Hodge Resigned as President
 - Graham Dear Resigned as Treasurer (Position not filled by casual election July 2021)
 - Charlie Davey Resigned as Councillor
 - Toby Davall Resigned as Councillor
5. Insufficient nominations were received in an earlier election(s) and the declaration/s of results is/are attached.
 - E2020 – 156 Stage 2 - Declaration of Results – AEC (Insufficient nominations received for officeholder role Treasurer)
6. No rule alterations are pending that will impact the election.

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



Signed:

Dated: 06.08.21

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

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
AUSTRALIAN RETAILERS ASSOICATION	Councillors	2	Direct Voting System	Casual vacancy	<i>ARA (Rule 26.2) All members of the ARA (Rule 39.1 (a)) (Resignations attached)</i>
AUSTRALIAN RETAILERS ASSOICATION	President	1	Collegiate electoral system	Casual vacancy	<i>ARA Council (Rule 26.2) ARA Council (Rule 39.2 & 39.3) (Resignations attached)</i>
AUSTRALIAN RETAILERS ASSOICATION	Treasurer	1	Collegiate electoral system	Casual vacancy	<i>ARA Council (Rule 26.2) ARA Council (Rule 39.2 & 39.3) (Resignations attached)</i>

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	Not less than fourteen (14) days nor more than twenty-eight (28) days before the closing date for nominations (Rule 39.4 b (i))	Not more than (7) days before the closing of date for nominations (rule 39.4(b) (ii))
Nominations CLOSE	To be determined by the returning officer	To be determined by the returning officer
Roll of Voters cut off date	(14) days before the day on which nominations for the election open (Rule 39.4(b)i)	(14) days before the day on which nominations for the election open (Rule 39.4(b)i)

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.

If the P.I. includes a position that is not an office, please refer to our template [Prescribed information for the election of officer and non-officer positions](#).