



## DECISION

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

**Australian Trainers' Association**  
(E2022/60)

MR STEENSON

SYDNEY, 1 MAY 2023

*Arrangement for conduct of election.*

[1] On 4 May 2022, as Delegate of the Registered Organisations Commissioner, I issued a decision in matter, [2022] ROCD 68, arranging for an election for offices of the Australian Trainers' Association (the organisation).

[2] In that decision, among the offices for which an election was to be arranged, were Federal and State Branch offices, all of which have one-year terms, with the exception of the Federal Executive Officers which have a two-year term.

[3] Subsequently, on 27 April 2023, as Delegate of the General Manager of the Fair Work Commission (this Commission), I issued a decision in matter E2023/59 to arrange for an election for each of the offices mentioned above. That decision followed the lodgement of prescribed information by the organisation in accordance with its rules, consistent with some offices having an annual election under the organisation's rules.

[4] After issuing the 27 April 2023 decision, communications were received from the Australian Electoral Commission (AEC) advising that the election for which the decision in E2022/60 was issued has not yet been conducted. Accordingly, the AEC requested that I consider issuing a decision to confirm which election(s) for office are apparently no longer required.

[5] In circumstances where the election decision in matter E2022/60 was to arrange for elections for offices with predominantly one-year terms and that election E2023/59 deals with the same offices, I have concluded that the need for the election in E2022/60 has been superseded and the AEC is therefore no longer required to conduct the election for offices set out in the 4 May 2022 decision in E2022/60.

[6] In election decision E2022/60, the five (5) Federal Executive Officers with a term of office of two (2) years were to be elected. The organisation's rules provide for ten (10) Executive Offices, with five (5) to be elected in odd numbered years and the other five (5) to be elected in even numbered years. As with the other offices in matter E2022/60, the AEC has not yet to conducted the election for five (5) Federal Executive Officers in E2022/60.

[7] In addition, the AEC has informed this Commission that election matter E2020/67 (which was scheduled to be conducted in 2020) was not finalised until 24 February 2021. Similarly, in election matter E2021/57 the Federal Executive Offices (5) scheduled to have their elections conducted in 2021 (i.e. odd numbered years) was not finalised until 24 March 2022.

[8] The organisation's rules provided for two Executive Officers from each state (except NSW which does not currently have a Branch), each with a two-year term, with one Executive Officer from each state being elected each year to provide for alternating terms.

[9] Given the circumstances outlined above, namely that five Executive Officers were declared elected in 2021 for a two-year term and the other five in 2022 for a two-year term, the organisation is already in a situation where, if the terms of those 2021 and 2022 Federal Executive Officers run for their scheduled two years, then five Executive Officers are due to be elected in an odd numbered year (i.e. this year) and the other five in an even numbered year (i.e. in 2024).

[10] In those circumstances, the election of the Federal Executive Officers in matter E2022/60 is also not required. The offices set out in the more recent election decision, E2023/59, are still required and the completion of E2023/59 will allow the election cycle to resynchronise its odd and even year cycle of electing Federal Executive Officers.

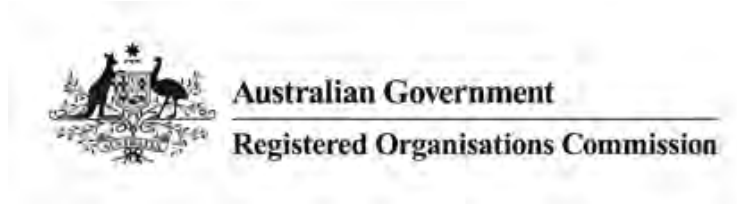
[11] I confirm that the AEC is no longer required to conduct an election for any of the offices listed in E2022/60.



DELEGATE OF THE GENERAL MANAGER

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# DECISION

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

## **Australian Trainers' Association** (E2022/60)

MR STEENSON

SYDNEY, 4 MAY 2022

*Arrangement for conduct of election.*

[1] On 30 March 2022 the Australian Trainers' Association lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

### **Federal**

President	(1)
Vice President	(2)
Executive Officers (One from each State except NSW)	(5)

### **State Branches**

#### *South Australia*

Committee Members (5)

President	(1)
Vice President	(1)
Secretary	(1)

#### *Victoria*

Committee Members (5)

President	(1)
Vice President	(1)
Secretary	(1)

#### *Western Australia*

Committee Members (5)

President	(1)
Vice President	(1)
Secretary	(1)

<u>Tasmania</u>	
Committee Members	(5)
President	(1)
Vice President	(1)
Secretary	(1)

<u>Queensland</u>	
Committee Members	(5)
President	(1)
Vice President	(1)
Secretary	(1)

[2] Rule 9(a) of the organisation’s rules, which concerns the Federal Executive Officers of the organisation, provides that:

The Executive shall consist of two members from each of the States of New South Wales, Queensland, South Australia, Victoria and Western Australia. The Annual General Meeting shall at any time have power to increase the size of the executive by the addition of two members from the State of Tasmania and/or two members from the Northern Territory

[3] That rule also provides that the term of office of Executive Officers is two years and that the Executive members from each State are elected in alternate years, one in even-numbered years and the other in odd-numbered years. The last even-numbered year Executive Officers were the subject of election decision E2020/67.

[4] Rule 12 of the organisation’s rules also requires that “candidates for the Executive must be members of Branch Committees”. The organisation’s Annual Return of Information, lodged with the Commission on 30 March 2022, indicates that there is currently no NSW Branch and that the current Branches of the organisation are: Queensland, South Australia, Tasmania, Victoria and Western Australia.

[5] 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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**FEDERAL BRANCH**

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**Subsidiary Entity:**



30 March 2022

Registered Organisations Commission  
GPO Box 2983  
MELBOURNE VIC 3001

Via Email : [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

**RE: Australian Trainers' Association**

**Notification of Elections**

I, Robbie Griffiths, President of the Australian Trainers' Association (ATA), make the following statement.

I am authorised to lodge the following prescribed information concerning forthcoming elections in the branches of the ATA.

I confirm the following information is being lodged as required under the *Fair Work (Registered Organisations) Act 2009 (s.189)*.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Robbie Griffiths', with a long horizontal line extending to the right and a small arrow-like flourish at the end.

**ROBBIE GRIFFITHS**  
President



**Elections required under the rules of the organisation**

Elections are required in respect of the following office(s).

<b><u>Federal</u></b>	<b>Date Commence</b>	<b>Date Close</b>
i) President	28/10/2022	28/10/2022
ii) Vice Presidents (2)	28/10/2022	28/10/2022
iii) 5 Executive Officers *	25/07/2022	05/08/2022

\* One (1) from each State except NSW

**State Branches****South Australia**

i) President	20/09/2022	20/09/2022
ii) Vice President	20/09/2022	20/09/2022
iii) Secretary	20/09/2022	20/09/2022
iv) 5 members of Committee	25/07/2022	05/08/2022

**Victoria**

i) President	26/09/2022	26/09/2022
ii) Vice President	26/09/2022	26/09/2022
iii) Secretary	26/09/2022	26/09/2022
v) 5 Members of Committee	25/07/2022	05/08/2022

**Western Australia**

i) President	16/09/2022	16/09/2022
ii) Vice President	16/09/2022	16/09/2022
iii) Secretary	16/09/2022	16/09/2022
vi) 5 Members of Committee	25/07/2022	05/08/2022

**Tasmania**

i) President	05/10/2022	05/10/2022
ii) Vice President	05/10/2022	05/10/2022
iii) Secretary	05/10/2022	05/10/2022
vii) 5 Members of Committee	25/07/2022	05/08/2022

**New South Wales**

*No elections required*

**Queensland**

i)	President	05/10/2022	05/10/2022
ii)	Vice President	05/10/2022	05/10/2022
iii)	Secretary	05/10/2022	05/10/2022
viii)	5 Members of Committee	25/07/2022	05/08/2022

- a) The reason for all the elections being held are due to the expiration of the term of office.
- b) The electorate for these elections consists of the financial members of this Association (ATA) in the relevant state in which they reside.
- c) The voting system to be used in these elections is

Federal

President and Vice Presidents (2): collegiate  
Executive – Direct Voting System

State Branches

Branch Committee members – Direct Voting System  
President, Vice President and Secretary – Collegiate

- d) The day provided for in the rules of the organisation as the day on which the roll of voters is to be closed, is as follows :

Federal

President and Vice Presidents (2): 7 days before the day on which nominations open per rule 12(d)  
Executive - to be determined by the Returning officer

State Branches

Branch Committee members – 7 days before the day on which nominations open per rule 34(d)  
President, Vice President and Secretary – to be determined by the Returning officer