

10 October 2022

# Post-election report

Screen Producers Association of  
Australia

Scheduled election  
E2022/70

# Contents

Elections Covered in this Report .....	3
Rules.....	3
Other Matters .....	3
Signed .....	4
Attachments .....	5
A. Declaration of Results for Contested Offices – National .....	6
B. Declaration of Results for Uncontested Offices – National .....	8

# Elections Covered in this Report

---

Organisation: Screen Producers Association of Australia  
Election: Scheduled  
Election Decision No/s: E2022/70

## Rules

---

Rules used for the election:  
[118N: Incorporates alterations of 15 May 2020] [R2019/121 and R2020/27]  
(replaces 11/07/2014 version)

Rules difficult to apply/interpret: Nil

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website: [www.aec.gov.au/ieb/](http://www.aec.gov.au/ieb/)

## Other Matters

---

Returning Officer actions required (Section 193): Yes

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.

The rules of the Organisation are silent in relation to withdrawal of nominations. As such I have exercised my powers of delegation under section 193 of the Act to have withdrawal period of nominations to end at the same date and time as the closing of nominations in line with our policy and procedures.

Defective nominations to be remedied within seven (7) days of the candidate being notified of said defect, with legislation determining that this date may be after the nomination period. This overrides the Association's rule book, which states that amendments can be made "not later than the closing date for the lodgement of nominations for the election in question." [s.143(1) (c) FW(RO)]

# Signed

---

Emma Langridge  
Returning Officer  
Australian Electoral Commission  
E: IEEvents@aec.gov.au  
P: 03 9285 7111  
10 October 2022

## Attachments

---

A. Declaration of Results for Contested Offices – National

B. Declaration of Results for Uncontested Offices – National



6 October 2022

Matthew Deaner  
Executive Director  
Screen Producers Association of Australia  
Sent via email: [info@screenproducers.org.au](mailto:info@screenproducers.org.au)



**IMMEDIATE ACTION REQUIRED:**

**You must take steps after your recent election E2022/70**

Dear Matthew Deaner,

An election has recently been completed by the Australian Electoral Commission (**AEC**) for the Screen Producers Association of Australia.

This letter explains the next steps you must take and what information you need to lodge with the Registered Organisations Commission (**ROC**).

**What you must do right now**

- Let your members know about the election report issued by the AEC
- Arrange financial training for officers newly elected to an office with financial management duties. (This includes all members of the committee of management).
- Complete the notification of change and email it to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

This letter explains these steps and the tools available to help you.

**STEP 1: Notify members**

You must put a notice on your website once you receive your post-election report. It must tell your members they can request a copy of the post-election report from you or the AEC (r. 141). The notice must be on your website for at least 3 months.



**Can I put more information on our website?**

Yes! Being transparent is part of good governance. You can publish the whole report or the declaration of results, as well as your notice and leave them up longer than 3 months. You can always do more than the regulatory minimum.

The ROC will also publish your declaration of results on our [website](#).

**STEP 2: Financial training**

You may have to arrange financial training for people elected to new roles.

All officers with financial management duties must complete financial training (s 293K). For information on when officers must redo training and hints on when to book training for officers taking up multiple offices [please see our fact sheet](#).

There are face to face and online [financial training packages on the ROC website](#).

You must act on this now, as affected officers **MUST** complete approved financial training OR been granted an [exemption by the ROC within 6 months](#) of beginning to hold office.



### Good governance tip:

Organisations should instruct officer holders about their other obligations. This is especially important for committee of management members.

Our podcast covers the [benefits of officer induction](#). Officers have responsibilities under the rules, the RO Act, and disclosure requirements around conflicts of interest, remuneration and material personal interests. Officers will benefit from our [officer induction kit](#) and our [podcast, such as episode 17 - conflicts of interest](#).

## STEP 3: Notifications of change

A notification of change must be lodged with the ROC within **35 days** of the change occurring.



We have a [template](#) to help you with this, which you can send to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au). An officer must sign the completed notification template.

You must lodge a notification of change if:

- any of your officers have not been re-elected;
- officers have changed offices; or
- you have new officers.

Only notify us of changes that have **already occurred**. If people take up office in the future, you must wait until the change happens before lodging the notification within 35 days of the change.

**Note:** One election may result in many notifications of change.



### Penalties apply

Failing to lodge your notifications of change on time can expose your organisation and its officers to significant penalties.

#### ROC v CEPU

The organisation failed to make a series of notifications of change on time.

The Full Court said 'The record-keeping obligations imposed under the Registered Organisations Act are treated by the legislature as important and serious, and contravention of those obligations are correspondingly serious.'

The organisation was ordered to pay a penalty. More information is available in our [case summary](#).

## Questions?



### **Why do I need to tell you the results of the election when you've already received them?**

The RO Act requires that **you** tell us this information about your officers – it is a legal obligation. The notification of change also contains information that is not in the declaration of results.

### **What if the officer has already done training?**

Check out our [fact sheet](#) for when officers need to redo training, when they can get an exemption and when further training isn't required.

If you have any queries we can be contacted on 1300 341 665 or by email at [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).

Yours sincerely

## Registered Organisations Commission



The ROC has a [Compliance Policy](#) which explains how we respond to issues of non-compliance. The policy is available on our website if you would like further information on the steps the compliance team may take in response to non-lodgement of a financial report.



**Screen Producers Association of Australia**  
**DECLARATION OF RESULTS - E2022/70**  
**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:

**Producer Member Division**

<b>VOTING MATERIAL ISSUED</b>	
Total number of people on the roll of voters (a)	327
Number of voters issued with voting material	327
Total number of voters issued with replacement voting material	0
<b>Total number of voting material packs issued</b>	<b>327</b>
<b>VOTING MATERIAL RETURNED</b>	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	45
Number of declaration envelopes rejected at preliminary scrutiny (minus)	0
Number of ballot papers returned outside declaration envelopes (minus)	0
<b>COUNT</b>	
Total ballot papers admitted to the count	45
<b>LATE OR UNRETURNED VOTING MATERIAL</b>	
Voting material returned as unclaimed mail by closing date of ballot	25
Voting material packs not returned by voters by closing date of the ballot	257
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	14 %

**Producer Councillor (3)**

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Final Votes</u>
STANLEY, Mitchell	17	17
BAILEY, Drew	7	7
CHAMBERS, Tsu Shan	25	25
FURY, Veronica	31	31
VITINS, Matt	19	19
SCOTT, Lisa	30	30

<b>Total ballot papers admitted for this office</b>	<b>45</b>
Formal Ballot papers	45
Informal Ballot papers	0

I declare the following elected:

- FURY, Veronica

- SCOTT, Lisa

- CHAMBERS, Tsu Shan

Order Elected

1

2

3

Emma Langridge

Returning Officer

Telephone: 03 9285 7111

Email: IEBevents@aec.gov.au

05/10/2022





**Australian Government**  
**Registered Organisations Commission**

6 September 2022

Matthew Deaner  
Executive Director  
Screen Producers Association of Australia  
Sent via email: [info@screenproducers.org.au](mailto:info@screenproducers.org.au)



**IMMEDIATE ACTION REQUIRED:**  
**You must take steps after your recent election E2022/70**

Dear Matthew Deaner,

An election has recently been completed by the Australian Electoral Commission (**AEC**) for the Screen Producers Association of Australia.

### **What you must do right now**

- Let your members know about the election report issued by the AEC

### **Notify members**

You must put a notice on your website once you receive your post-election report. It must tell your members they can request a copy of the post-election report from you or the AEC (r. 141). The notice must be on your website for at least 3 months.



#### **Can I put more information on our website?**

Yes! Being transparent is part of good governance. You can publish the whole report or the declaration of results, as well as your notice and leave them up longer than 3 months. You can always do more than the regulatory minimum.

The ROC will also publish your declaration of results on our [website](#).

Yours sincerely

**Registered Organisations Commission**



The ROC has a [Compliance Policy](#) which explains how we respond to issues of non-compliance. The policy is available on our website if you would like further information on the steps the compliance team may take in response to non-lodgement of a financial report.

**Screen Producers Association of Australia**  
**DECLARATION OF RESULTS - E2022/70**  
**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:

**Producer Member and Services and Facilities Member Divisions**

**Services and Facilities Councillor (1)**

Candidates

*No Nominations Received*

I declare that there were insufficient nominations to fill this position.

Emma Langridge  
Returning Officer  
Telephone: 03 9285 7111  
Email: IEBevents@aec.gov.au  
30/08/2022





## DECISION

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

### Screen Producers Association of Australia (E2022/70)

MR STEENSON

SYDNEY, 6 JUNE 2022

*Arrangement for conduct of election.*

[1] On 28 April 2022 the Screen Producers Association of Australia (the **organisation**) lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Group A  
Producer Councillor (3)

[2] On the same date and in the same prescribed information the organisation requested an election to fill the following office which, on 30 May 2022, the organisation clarified was due to insufficient nominations received in a previous election (**E2020/87**), which was declared in 2021:

Services & Facilities Councillor (1)

[3] I note that rule 16 of the organisation’s rules outlines a timetable for the election of Councillors with 3 of the 7 Councillors (Group A) being initially elected for a one-year term and the remaining 4 (Group B) for a two-year term. From 2021 onwards, sub rule 16(c) provides that all Councillors are to be elected on a rotational basis for two-year terms, thereby providing an election each year for part of the Council.

[4] As a consequence of the Covid-19 pandemic and associated restrictions and limitations on elections conducted by the Australian Electoral Commission (**AEC**), the scheduled initial election for all Councillors under rule 16 (**E2020/87**) was delayed until well into 2021, thereby delaying the remainder of the scheduled elections (i.e. the rotational elections) by at least one year.

[5] Consequently, the scheduled election that was due last year (the 2021, three Council member, ‘Group A’ election) is now the subject of this 2022 election decision. What would have been the scheduled 2022 election for the four Council member ‘Group B’ will now fall due in 2023.

[6] 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 AEC.



DELEGATE OF THE COMMISSIONER

Printed by authority of the Commonwealth Government Printer

PR352254

**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, Tracey Vieira, being the President of the Screen Producers Association of Australia, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Screen Producers Association of Australia.
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. *If the number of elected representatives is calculated on a formula(s) defined in the rules]:*
  - a. The rule number which specifies the formula are under rule **16 – ALTERNATE YEAR ELECTION OF HALF THE COUNCIL VOTING MEMBERS.**
  - b. From 2021, due to elections not being run by the Australian Electoral Commission in 2020 because of the pandemic, Three Council Members (Group A positions) are serving a one year term; and Four Council Member (Group B positions) serving a two year term.
  - c. The information for calculating the formula for the initial terms in 2021 were decided by the drawing of lots re **Rule 16 c (ii)**
  - d. The relevant date when lots were drawn to decide the terms was 1 November 2021 with terms confirmed at the Annual General Meeting (the General Meeting of Members) on 4 November 2021. **NOTE:** Three positions for Producer Councillor (2 x for initial 1-year terms, 1 x vacant) are required and one Services & Facilities Councillor (2-year term, position vacant). In addition, a collegiate vote for President and Vice President is not required as both are serving 2-year terms as drawn by lot on 1 November.

Signed:



Dated: 28 April 2022

**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](mailto: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
National	Producer Councillor	3	Direct Voting System	Scheduled	<i>National – Rules 15 &amp; 16</i>
National	Services & Facilities Councillor	1	Direct Voting System	Scheduled	<i>National – Rules 15 &amp; 16</i>

- Important dates:

	Direct Voting System	Collegiate Electoral System
<b>Nominations OPEN</b>	To be determined by the Returning Officer (AEC). Preference 10 August 2022	N/A
<b>Nominations CLOSE</b>	To be determined by the Returning Officer (AEC). Preference 24 August 2022	N/A
<b>Roll of Voters cut off date</b>	To be determined by the Returning Officer (AEC). Preference 2 August 2022	N/A

**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](#)