



DECISION

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

National Tertiary Education Industry Union (E2022/197)

MR STEENSON

SYDNEY, 4 NOVEMBER 2022

Arrangement for conduct of election.

[1] On 26 October 2022 the National Tertiary Education Industry Union lodged with the Registered Organisations Commission prescribed information for an election to fill a casual vacancy in the following office for the remainder of the term:

NSW Division

Division Secretary (1)

[2] I am satisfied that an election for the abovenamed office 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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Fair Work (Registered Organisations) Act 2009, Section 189

Fair Work (Registered Organisations) Regulations 2009, Reg. 138

NATIONAL TERTIARY EDUCATION INDUSTRY UNION - REQUEST FOR ELECTIONS TO BE HELD

TO: The Commissioner, Registered Organisations Commission.

I, **Damien Cahill**, General Secretary of the National Tertiary Education Industry Union (“the Union”), of 120 Clarendon Street South Melbourne, Victoria, hereby request, pursuant to Section 189 of the Fair Work (Registered Organisations) Act 2009, that the Commissioner approve and arrange for the conduct of a further election required under the rules of the Union to commence in 2022, and declare as follows:

1. I have been elected as General Secretary of the Union, with the term of office commencing on 16 October 2022. As a consequence, by the direct operation of the rules, I cease to hold the office of NSW Division Secretary which I held unit that date (Rule 18.5 B).
2. I am authorised under the rules of the Union to make this request and the information provided herein is true and correct.
3. As a consequence of the facts set out in paragraph 1, above, there is a casual vacancy in the office of NSW Division Secretary, and an election must be conducted for that office as is required under Rule 80.4., to fill that casual vacancy.
2. The relevant details as required by Regulation 138 of the *Fair Work (RO) Regulations* are as follows:
 - (a) **The name of the office** (Regulation 138(1)(a)) is **New South Wales Division Secretary**.
 - (b) **The reason for the election** (138(1)(b)) is there is a **casual vacancy** in the position.
 - (c) **There is only one office to be filled.** (138(1)(c)).
 - (d) It is an office in the **New South Wales Division** of the Union, and **the electorate from which the office is to be elected** is the members of the New South Wales Division of the Union (138(1)(d)).
 - (e) **The period during which nominations may be called** (138(1)(e)) is to be determined by the returning officer. However, the election must be completed within three months of the occurrence of the vacancy, disregarding December, and January. (Rule 80.4)

(f) **The date provided for in the rules as the day on which the roll of voters is to be closed** (138(1)(f)) is the seventh day before the date determined for the opening of nominations (Rule 72.1).

(g) **The voting system to be employed** (138(1)(g)) in the conduct of the election is a **direct voting system**, in accordance with the Union's Rules.

3. The term of office is until 16 October 2024.

Please contact Tracey Coster in the first instance should you have any questions regarding this request.

I have provided a copy of this request to the Australian Electoral Commission at industrial.elections@aec.gov.au



DAMIEN CAHILL
General Secretary
25 October 2022