



DECISION

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

The Pharmacy Guild of Australia
(E2023/184)

MR STEENSON

SYDNEY, 9 FEBRUARY 2024

Arrangement for conduct of election.

[1] On 12 January 2024 the Pharmacy Guild of Australia (the organisation) lodged with the Fair Work Commission (Commission) prescribed information for an election to fill the following offices for a new term of office:

National

National President (1)

Australian Capital Territory Branch

Branch Committee (7)

Branch President/National Councillor/National Vice President (1)

Branch Vice President (2)

National Councillor (number to be determined in accordance with the rules)

Alternate National Councillor (number to be determined in accordance with the rules)

New South Wales Branch

Branch Committee (12)

Branch President/National Councillor/National Vice President (1)

Branch Vice President (3)

National Councillor (number to be determined in accordance with the rules)

Alternate National Councillor (number to be determined in accordance with the rules)

Northern Territory Branch

Branch Committee (5)

Branch President/National Councillor/National Vice President (1)

Branch Vice President (2)

National Councillor (number to be determined in accordance with the rules)

Alternate National Councillor (number to be determined in accordance with the rules)

Queensland Branch

Branch Committee	(12)
Branch President/National Councillor/National Vice President	(1)
Branch Vice President	(3)
National Councillor (number to be determined in accordance with the rules)	
Alternate National Councillor (number to be determined in accordance with the rules)	

South Australia Branch

Branch Committee	(10)
Branch President/National Councillor/National Vice President	(1)
Branch Vice President	(3)
National Councillor (number to be determined in accordance with the rules)	
Alternate National Councillor (number to be determined in accordance with the rules)	

Tasmania Branch

Branch Committee	(10)
Branch President/National Councillor/National Vice President	(1)
Branch Vice President	(3)
National Councillor (number to be determined in the accordance with the rules)	
Alternate National Councillor (number to be determined in accordance with the rules)	

Victoria Branch

Branch Committee	(12)
Branch President/National Councillor/National Vice President	(1)
Branch Vice President	(3)
National Councillor (number to be determined in accordance with the rules)	
Alternate National Councillor (number to be determined in accordance with the rules)	

Western Australia Branch

Branch Committee	(14)
Branch President/National Councillor/National Vice President	(1)
Branch Vice President	(3)
National Councillor (number to be determined in accordance with the rules)	
Alternate National Councillor (number to be determined in accordance with the rules)	

[2] Rule 76 of the organisation's rules specifies that the number of National Councillors and alternate National Councillors elected from each Branch is determined by the application of a formula. Rule 76(a)(iii) indicates that the calculation date for that formula is 1 March.

[3] Paragraph 4 of the prescribed information lodged by the organisation indicated that rule alterations might affect this election, but that (as at the date of the prescribed information) these were subject to a vote of the organisation's National Council and had therefore not yet been lodged with the Commission.

[4] On 2 February 2024, Commission staff contacted the organisation in relation to the proposed rule alterations mentioned at paragraph 4 of the prescribed information. The organisation indicated that the rule alterations, if made, would affect the threshold membership figures for determining the number of National Councillors and Alternate National Councillors for election.

[5] However, on the same day, the organisation also advised Commission staff that it no longer intended to proceed with the proposed rule alterations ahead of this upcoming election. The number of these offices to be elected will therefore be determined in accordance with the current provisions of Rule 76, using membership figures as at 1 March 2024.

[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 Australian Electoral Commission.



DELEGATE OF THE GENERAL MANAGER

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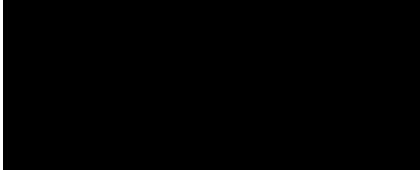
PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009*

I, Christopher Owen, being the National Vice President (Finance) of The Pharmacy Guild of Australia make the following statement:

1. I am authorised to sign this statement containing prescribed information for The Pharmacy Guild 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. A preferred timetable for the elections is set out in Annexure B.
4. Subject to a vote by the National Council of The Pharmacy Guild of Australia, rule alterations may be pending that will impact this election. These proposed changes to Rules 76(a)(iv) and (v) will impact the thresholds for determining the number of National Councillors and Alternate National Councillors to be elected from each Branch (refer below). These proposed rule alterations have not yet been lodged with the Fair Work Commission.
5. This statement is lodged at least 2 months before nominations open for the elections in Annexure A.
6. The number of National Councillors and Alternate National Councillors representing each Branch are calculated based on formulas defined in the rules:
 - a. The rule numbers which specify the formulas are Rules 76(a)(iii), (iv) and (v).
 - b. The formulas are as follows (based on the proposed rule changes):
 - one National Councillor who may also be a Branch Vice President where the Branch has 225 members or more but less than 1,125 members, or two National Councillors who may also be Branch Vice Presidents where the Branch has 1,125 members or more
 - one Alternate National Councillor who may also be a Branch Vice President where the Branch has less than 225 members, or two Alternate National Councillors who may also be Branch Vice Presidents where the Branch has 225 members or more but less than 1,125 members. Three Alternate National Councillors who may also be Branch Vice Presidents where the Branch has 1,125 members or more.
 - c. The information for calculating the formulas is based on the number of members in the Branches.

- d. The relevant date for this information is 1 March 2024
- e. The relevant information for calculating the information has not been provided because the relevant date is in the future.

Signed:



Christopher Owen

National Vice President (Finance)

Dated: 12 January 2024

Annexure A

- Elections that are required

Branch	Name of Office	Number required	Voting System Direct voting system; Collegiate electoral system	Reason for Election Scheduled; Casual vacancy; New office created; Insufficient nominations	Electorate
ACT	Branch Committee	7	Direct	Scheduled	All financial members of the ACT Branch (Rule 74(b)(i))
NSW	Branch Committee	12	Direct	Scheduled	All financial members of each District of the NSW Branch (Rule 74(b)(ii))
NT	Branch Committee	5	Direct	Scheduled	All financial members of the NT Branch (Rule 74(b)(i))
QLD	Branch Committee	12	Direct	Scheduled	All financial members of each District of the QLD Branch (Rule 74(b)(ii))
SA	Branch Committee	10	Direct	Scheduled	All financial members of the SA Branch (Rule 74(b)(i))
TAS	Branch Committee	10	Direct	Scheduled	All financial members of the TAS Branch (Rule 74(b)(i))
VIC	Branch Committee	12	Direct	Scheduled	All financial members of each District of the VIC Branch (Rule 74(b)(ii))
WA	Branch Committee	14	Direct	Scheduled	All financial members of each District of the WA Branch (Rule 74(b)(ii))
ACT	Branch President / National Councillor / National Vice President	1	Direct	Scheduled	All financial members of the ACT Branch (Rules 76(h), 74(j)(iii) and 62(a))

Branch	Name of Office	Number required	Voting System Direct voting system; Collegiate electoral system	Reason for Election Scheduled; Casual vacancy; New office created; Insufficient nominations	Electorate
NSW	Branch President / National Councillor / National Vice President	1	Direct	Scheduled	All financial members of the NSW Branch (Rules 76(h), 74(j)(iii) and 62(a))
NT	Branch President / National Councillor / National Vice President	1	Direct	Scheduled	All financial members of the NT Branch (Rules 76(h), 74(j)(iii) and 62(a))
QLD	Branch President / National Councillor / National Vice President	1	Direct	Scheduled	All financial members of the QLD Branch (Rules 76(h), 74(j)(iii) and 62(a))
SA	Branch President / National Councillor / National Vice President	1	Direct	Scheduled	All financial members of the SA Branch (Rules 76(h), 74(j)(iii) and 62(a))
TAS	Branch President / National Councillor / National Vice President	1	Direct	Scheduled	All financial members of the TAS Branch (Rules 76(h), 74(j)(iii) and 62(a))
VIC	Branch President / National Councillor / National Vice President	1	Direct	Scheduled	All financial members of the VIC Branch (Rules 76(h), 74(j)(iii) and 62(a))

Branch	Name of Office	Number required	Voting System Direct voting system; Collegiate electoral system	Reason for Election Scheduled; Casual vacancy; New office created; Insufficient nominations	Electorate
WA	Branch President / National Councillor / National Vice President	1	Direct	Scheduled	All financial members of the WA Branch (Rules 76(h), 74(j)(iii) and 62(a))
ACT	Branch Vice President	2	Direct	Scheduled	All financial members of the ACT Branch (Rules 76(h), 74(j)(iii) and 62(a))
NSW	Branch Vice President	3	Direct	Scheduled	All financial members of the NSW Branch (Rules 76(h), 74(j)(iii) and 62(a))
NT	Branch Vice President	2	Direct	Scheduled	All financial members of the NT Branch (Rules 76(h), 74(j)(iii) and 62(a))
QLD	Branch Vice President	3	Direct	Scheduled	All financial members of the QLD Branch (Rules 76(h), 74(j)(iii) and 62(a))
SA	Branch Vice President	3	Direct	Scheduled	All financial members of the SA Branch (Rules 76(h), 74(j)(iii) and 62(a))
TAS	Branch Vice President	3	Direct	Scheduled	All financial members of the TAS Branch (Rules 76(h), 74(j)(iii) and 62(a))
VIC	Branch Vice President	3	Direct	Scheduled	All financial members of the VIC Branch (Rules 76(h), 74(j)(iii) and 62(a))
WA	Branch Vice President	3	Direct	Scheduled	All financial members of the WA Branch (Rules 76(h), 74(j)(iii) and 62(a))

Branch	Name of Office	Number required	Voting System Direct voting system; Collegiate electoral system	Reason for Election Scheduled; Casual vacancy; New office created; Insufficient nominations	Electorate
ACT	National Councillor (in addition to Branch President)	TBD	Direct	Scheduled	All financial members of the ACT Branch (Rules 76(h), 74(j)(iii) and 62(a))
NSW	National Councillor (in addition to Branch President)	TBD	Direct	Scheduled	All financial members of the NSW Branch (Rules 76(h), 74(j)(iii) and 62(a))
NT	National Councillor (in addition to Branch President)	TBD	Direct	Scheduled	All financial members of the NT Branch (Rules 76(h), 74(j)(iii) and 62(a))
QLD	National Councillor (in addition to Branch President)	TBD	Direct	Scheduled	All financial members of the QLD Branch (Rules 76(h), 74(j)(iii) and 62(a))
SA	National Councillor (in addition to Branch President)	TBD	Direct	Scheduled	All financial members of the SA Branch (Rules 76(h), 74(j)(iii) and 62(a))
TAS	National Councillor (in addition to Branch President)	TBD	Direct	Scheduled	All financial members of the TAS Branch (Rules 76(h), 74(j)(iii) and 62(a))

Branch	Name of Office	Number required	Voting System Direct voting system; Collegiate electoral system	Reason for Election Scheduled; Casual vacancy; New office created; Insufficient nominations	Electorate
VIC	National Councillor (in addition to Branch President)	TBD	Direct	Scheduled	All financial members of the VIC Branch (Rules 76(h), 74(j)(iii) and 62(a))
WA	National Councillor (in addition to Branch President)	TBD	Direct	Scheduled	All financial members of the WA Branch (Rules 76(h), 74(j)(iii) and 62(a))
ACT	Alternate National Councillor	TBD	Direct	Scheduled	All financial members of the ACT Branch (Rules 76(h), and 74(j)(iii))
NSW	Alternate National Councillor	TBD	Direct	Scheduled	All financial members of the NSW Branch (Rules 76(h), and 74(j)(iii))
NT	Alternate National Councillor	TBD	Direct	Scheduled	All financial members of the NT Branch (Rules 76(h), and 74(j)(iii))
QLD	Alternate National Councillor	TBD	Direct	Scheduled	All financial members of the QLD Branch (Rules 76(h), and 74(j)(iii))
SA	Alternate National Councillor	TBD	Direct	Scheduled	All financial members of the SA Branch (Rules 76(h), and 74(j)(iii))
TAS	Alternate National Councillor	TBD	Direct	Scheduled	All financial members of the TAS Branch (Rules 76(h), and 74(j)(iii))
VIC	Alternate National Councillor	TBD	Direct	Scheduled	All financial members of the VIC Branch (Rules 76(h), and 74(j)(iii))

Branch	Name of Office	Number required	Voting System Direct voting system; Collegiate electoral system	Reason for Election Scheduled; Casual vacancy; New office created; Insufficient nominations	Electorate
WA	Alternate National Councillor	TBD	Direct	Scheduled	All financial members of the WA Branch (Rules 76(h), and 74(j)(iii))
National	National President	1	Collegiate	Scheduled	National Councillors elect (Rule 55B(a))

- Important dates:

	Branch Committee	Branch Office Bearers - Branch President / National Councillor / National Vice President - Branch Vice President - National Councillor (in addition to Branch President) - Alternate National Councillor	National President
Nominations OPEN	To be determined by the Returning Officer. Preference for 8 April 2024.	To be determined by the Returning Officer. Preference for 24 June 2024.	To be determined by the Returning Officer. Preference for 26 August 2024.
Nominations CLOSE	Not less than 14 days post the opening of nominations (Rule 74(g)(ii)). Preference for 22 April 2024.	Not less than 14 days post the opening of nominations (Rule 76(g)(i)). Preference for 8 July 2024.	Not less than 14 days post the opening of nominations (Rule 55B(g)(i)). Preference for 9 September 2024.
Roll of Voters cut off date	14 days prior to the day on which nominations open (Rules 26(ii), 74(g)(i) and 75(e)) Preference for 25 March 2024.	14 days prior to the day on which nominations open (Rule 26(ii)) Preference for 10 June 2024.	Dependent upon the declaration of National Councillors Elect (Rule 55B(a)).

Annexure B

Preferred Election Timetable for Branch & National Guild Elections 2024

2024

Friday 1 March Count of members to determine number of office-bearing positions for election in each Branch (per Rule 76(a)(iii))

Election to Branch Offices

Branch Committees

Monday 25 March Branch members' electoral rolls for eligible voters close (for Branch Committee positions)

Monday 8 April Branch Committee nominations called

Monday 22 April Nominations Close for Branch Committees

Monday 29 April Announce results if election not necessary (a nominee is entitled to withdraw their nomination within 7 days of the close of nominations) or announce if an election is required

Monday 6 May Open ballot (if ballot required)

Monday 3 June Close ballot (if ballot required)

Tuesday 4 June Count and announce results (if ballot required)

Branch Office Bearers

Monday 10 June Electoral rolls for eligible Branch voters close (for Office Bearing positions)

Monday 24 June Call nominations for Office Bearers from Branch Committee Persons. Elect for the following offices:

- Branch President (1) who is automatically a National Councillor and National Vice President
- Branch Vice President (2 or 3)
- National Councillors (0, 1 or 2)
- Alternate National Councillors (1, 2 or 3)

Monday 8 July Nominations close for office bearers

Monday 15 July Announce results if election not necessary (a nominee is entitled to withdraw their nomination within 7 days of the close of nominations) or announce if an election is required

Monday 22 July Open ballot (if ballot required)

Monday 19 August Close ballot (if ballot required)

Tuesday 20 August Count and announce results (if ballot required)

Election to National Office

National President

Monday 26 August	Returning Officer calls for nominations for National President from Councillors-elect.
Monday 9 September	Nominations Close
Monday 16 September	If only one nomination is received to fill the position of National President, no election is required and the result can be announced by the Returning Officer although the National President-elect will not assume office until the National Council meeting in November. (A nominee is entitled to withdraw their nomination within 7 days of the close of nominations)
Monday 23 September	Open ballot (if ballot required)
Monday 21 October	Close ballot (if ballot required)
Monday 21 October	Count and announce result (if ballot required).