

From: Lindsay Carroll [l.carroll@nationalretail.org.au]
Sent: Friday, 20 September 2024 3:56 PM
To: IEB Events[IEBevents@aec.gov.au]
CC: Registered Orgs[regorgs@fwc.gov.au]; Tim Schaafsma[chair@nationalretail.org.au]
Subject: E2023/206 - NRA - Post Election Report [SEC=OFFICIAL]

You don't often get email from l.carroll@nationalretail.org.au. [Learn why this is important](#)

Good afternoon,

Thank you for your assistance with our recent election and for the opportunity to respond to the post-election report in accordance with section 198 of the Fair Work (Registered Organisations) Act 2009.

We refer to the commentary in the post-election report in respect of Rule 20.2 which the AEC found difficult to apply. We note that this was the NRAs first contested election and we agree that this rule was difficult to apply.

Further, we note that on 8 May 2024, the NRA and the Australian Retailers' Association announced an intention to amalgamate in accordance with Part 2 of the Fair Work (Registered Organisations) Act 2009. As part of that process, the rules of both associations are under review. The scheme of amalgamation which is to be submitted to members of both associations and the Fair Work Commission will detail that the Australian Retailers' Association is to be the "host organisation" for the purposes of the amalgamation. Accordingly, at the time amalgamation is expected to take effect (which is anticipated within the next 12 months and before the time of any future NRA election), the difficulty presented by the current NRA Rule 20.2 (and other of the NRA rules) will be resolved.

If you have any questions in relation to this matter, please let me know.

Kind regards,

Lindsay

Lindsay Carroll
Acting Chief Executive Officer

 1800 738 245 | [0411 318 643](tel:0411318643)

 l.carroll@nationalretail.org.au



nationalretail.org.au



26 August 2024

Tim Schaafsma
Chairman
National Retail Association Limited, Union of Employers
Sent via email: info@nra.net.au

Dear Tim Schaafsma



IMMEDIATE ACTION REQUIRED:

You must take steps after your recent election E2023/206

An election has recently been completed by the Australian Electoral Commission (AEC) for the National Retail Association Limited, Union of Employers and a post-election report has been issued by the AEC.

This letter explains the next steps you must take, including what information you need to give to members and what information you need to lodge with the Fair Work Commission (the Commission).

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 the Commission at regorgs@fwc.gov.au
- Respond to the AEC

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 (regulation 141). The notice must be on your website for at least three months.



Can we 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 three months. You can always do more than the regulatory minimum.

The Commission 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 approved financial training (section 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 Commission website](#).

You must act on this now, as affected officers **MUST** complete approved financial training OR receive an [exemption by the Commission](#) **within six 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 *Fair Work (Registered Organisations) Act 2009* (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 Commission within **35 days** of the change occurring.

We have a [template](#) to help you with this, which you can send to regorgs@fwc.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.

Real-life example of penalties in Court An 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](#).

STEP 4: Reply to the AEC

The AEC’s post-election report says the AEC had trouble applying some of your election rules. You **MUST** respond to the AEC about the issues in the report (section 198).

Your response to the AEC must be in writing. It must include:

- whether the organisation intends to take action
- (if yes) what action the organisation intends to take

You must send your response to the AEC within **30 days** of receiving the report and provide a copy to the Commission (section 198).



Penalties apply

The requirement to respond to the AEC comes from section 198 of the RO Act. Section 198 of the RO Act is a civil penalty provision.

A failure to take any of these steps, or taking them in the wrong order, can expose your organisation to penalties under the RO Act.

Make the report and your response available to your members

You must make the post-election report about difficult rules available to your members.

You must also make your written response to the AEC available to your members.



Timing is very important

You must make the report about difficult rules available to your members **before or at the same time** as you make your response available.

Your response must be available to members:

- in the next edition of your journal or
- within 30 days of giving it to the AEC (if using a method other than your journal to make it available, e.g. your website)



Penalties apply

The requirement to respond to the AEC comes from section 198 of the RO Act. Section 198 of the RO Act is a civil penalty provision.

A failure to take any of these steps, or taking them in the wrong order, can expose your organisation to penalties under the RO Act.

How do I make these documents available to my members?

The RO Act says you will have made the document available if you do all the following things:

- Publish a copy of the relevant section and your response in your next journal, AND
- Send the Commission a copy of the relevant section and your response with a declaration that you'll provide copies to any member who asks for one, AND

- Tell members in your next journal (or an appropriate newspaper) that you'll give the relevant section of the report and your response to any member free of charge if requested, AND
- Put on your website:
 - the relevant section of the report within 14 days of receiving it and
 - your response within 14 days of sending it to the AEC

But you can also make the documents available to your members in other ways as well.



What if we decide to change our rules?

You can! If you think changing your rules will fix or improve the issues raised by the AEC you can change your rules.

Your rules will include a rule altering procedure that you must follow in order to do this.

We provide help changing your rules and advice on rule requirements. Please contact us at regorgs@fwc.gov.au, or ring 1300 341 665. Alternatively you could book an online [Governance to You visit](#) with a Commission staff member to discuss the changes.

Questions?



What if I don't understand the post-election report?

You should contact the AEC immediately to discuss what the report means.

What if we decide not to take action?

You must tell the AEC in writing you do not intend to act.

What if I have already responded to the AEC?

If you have already done the things set out in step 4, please disregard this step.

Remember to make the relevant section of the report and your response available to your members as well.

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@fwc.gov.au.

Yours sincerely

Fair Work Commission



The Commission has an interim [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.

21 August 2024

Post-election report

National Retail Association Limited,
Union of Employers
Scheduled Election
E2023/206

Contents

Election(s) Covered in Post-Election Report (PER).....	3
Relevant legal provisions.....	3
Declaration of result of election	6
Rules.....	6
Roll of Voters.....	6
Written allegations of any irregularities.....	6
Other irregularities.....	7
Signed.....	7
Attachments.....	8
A. Declaration of Election Results for Contested Offices for Stage 1.....	8
B. Declaration of Election Results for Uncontested Offices for Stage 2	8

Election(s) Covered in Post-Election Report (PER)

Organisation:	National Retail Association Limited, Union of Employers
Election Decision No:	E2023/206
Election:	Scheduled Election
Date the nominations closed:	15 May 2024 (Stage one) Contested 29 July 2024 (Stage two) Uncontested
Date ballot closed:	17 July 2024 (Stage one) Stage two was not contested (no ballot)
Date results declared:	17 July 2024 (Stage one) 8 August 2024 (Stage two)
Date PER due:	28 August 2024

Relevant legal provisions

Fair Work (Registered Organisations) Act 2009 ('the Act')

197 Post-election report by AEC

Requirement for AEC to make report

- (1) After the completion of an election conducted under this Part by the AEC, the AEC must give a written report on the conduct of the election to:
 - (a) the General Manager; and
 - (b) the organisation or branch for whom the election was conducted.

Note: The AEC may be able, in the same report, to report on more than one election it has conducted for an organisation. However, regulations made under paragraph 359(2)(c) may impose requirements about the manner and timing of reports.

- (2) The report must include details of the prescribed matters.

Contents of report—register of members

- (3) If the AEC is of the opinion that the register of members, or the part of the register, made available to the AEC for the purposes of the election contained, at the time of the election:
 - (a) an unusually large proportion of members' addresses that were not current; or
 - (b) in the case of a register kept by an organisation of employees—an unusually large proportion of members' addresses that were workplace addresses;

this fact must be included in the report, together with a reference to any relevant model rules which, in the opinion of the AEC, could assist the organisation or branch to address this matter.

Note: Model rules are relevant only to the conduct of elections for office, not for elections for other positions (see section 147).

Contents of report—difficult rules

- (4) If the report identifies a rule of the organisation or branch that, in the AEC's opinion, was difficult to interpret or apply in relation to the conduct of the election, the report must also refer to any relevant model rules, which in the opinion of the AEC, could assist the organisation or branch to address this matter.

Note: For model rules, see section 147.

Subsection (3) relevant only for postal ballots

- (5) Subsection (3) applies only in relation to elections conducted by postal ballot.

Note: An organisation can obtain an exemption from the requirement to hold elections for office by postal ballot (see section 144).

190 Organisation or branch must not assist one candidate over another

An organisation or branch commits an offence if it uses, or allows to be used, its property or resources to help a candidate against another candidate in an election under this Part for an office or other position.

Penalty: 100 penalty units.

193 Provisions applicable to elections conducted by AEC

- (1) If an electoral official is conducting an election, or taking a step in relation to an election, for an office or other position in an organisation, or branch of an organisation, the electoral official:
 - (a) subject to paragraph (b), must comply with the rules of the organisation or branch; and
 - (b) may, in spite of anything in the rules of the organisation or branch, take such action, and give such directions, as the electoral official considers necessary:
 - (i) to ensure that no irregularities occur in or in relation to the election; or
 - (ii) to remedy any procedural defects that appear to the electoral official to exist in the rules; or
 - (iii) to ensure the security of ballot papers and envelopes that are for use, or used, in the election.
- (2) A person commits an offence if the person does not comply with a direction under subsection (1).

Penalty: 30 penalty units.
- (3) Subsection (2) does not apply so far as the person is not capable of complying.

Note: A defendant bears an evidential burden in relation to the matter in subsection (3) (see subsection 13.3(3) of the *Criminal Code*).
- (4) Subsection (2) does not apply if the person has a reasonable excuse.

Note: A defendant bears an evidential burden in relation to the matter mentioned in subsection (4), see subsection 13.3(3) of the *Criminal Code*.
- (5) An offence against subsection (2) is an offence of strict liability.

Note: For *strict liability*, see section 6.1 of the *Criminal Code*.
- (6) An election for an office or other position conducted by an electoral official, or step taken in relation to such an election, is not invalid merely because of a breach of the rules of the organisation or branch because of:
 - (a) action taken under subsection (1); or
 - (b) an act done in compliance with a direction under subsection (1).
- (7) If an electoral official conducting, or taking a step in connection with, an election for an office or other position:
 - (a) dies or becomes unable to complete the conduct of the election or the taking of the step; or
 - (b) ceases to be qualified to conduct the election or to take the step;the Electoral Commissioner must arrange for the completion of the conduct of the election, or the taking of the step, by another electoral official.

6 Definitions

irregularity, in relation to an election or ballot, includes:

- (a) a breach of the rules of an organisation or branch of an organisation; and
- (b) an act or omission by means of which:
 - (i) the full and free recording of votes by all persons entitled to record votes and by no other persons; or
 - (ii) a correct ascertainment or declaration of the results of the voting; is, or is attempted to be, prevented or hindered; and
- (c) a contravention of section 190.

Fair Work (Registered Organisations) Regulations 2009 ('the Regulations')

140 Declaration of result of election (s 193)

- (1) Within 14 days after the closing day of an election, the AEC must issue a declaration stating the following:
 - (a) the total number of persons on the roll of voters;
 - (b) the total number of ballot papers issued (if applicable);
 - (c) the total number of envelopes that were returned undelivered by the closing day of the ballot to the AEC (if applicable);
 - (d) the total number of ballot papers received by the electoral official by the closing day of the ballot (if applicable);
 - (e) the result of the election;
 - (f) the total number of informal ballot papers (if applicable).
- (2) In subregulation (1), *closing day*, for an election, means:
 - (a) if a ballot is not required—the day on which nominations for the election close; or
 - (b) if a ballot is required—the closing day of the ballot.
- (3) Immediately after issuing a declaration under subregulation (1), the AEC must give a copy of the declaration to:
 - (a) the General Manager; and
 - (b) the organisation or branch for whom the election was conducted.

141 Post-election report by AEC (s 197(2))

- (1) For subsection 197(2) of the Act, the following matters are prescribed for inclusion in the report (the *post-election report*) given under subsection 197(1) of the Act:
 - (a) the declaration mentioned in regulation 140;
 - (b) any rules of the organisation or branch which because of ambiguity or other reason, were difficult to interpret or apply;
 - (c) any matters in relation to the roll of voters including those matters contained in subsection 197(3) of the Act;
 - (d) the number of written allegations (if any) of irregularities made to the AEC during the election;
 - (e) action taken by the AEC in relation to those allegations;
 - (f) any other irregularities identified by the AEC and action taken by the AEC in relation to those other irregularities.
- (2) The AEC must:
 - (a) give the post-election report within 30 days after the closing day of the election; and
 - (b) publish a notice on its web site advising that a copy of the post-election report can be obtained from the AEC on the request of a member who was eligible to vote in the election.
- (3) The AEC must supply a copy of the post-election report to the member as soon as practicable, but no later than 7 days, after receiving a request under paragraph (2)(b).

145 Elections conducted by AEC—no unauthorised action

- (1) For any election conducted by the AEC under Part 2 of Chapter 7 of the Act, a person other than the person conducting the election must not do, or purport to do, any act in the conduct of the election other than as directed or authorised by the person conducting the election.

Note: This subregulation is a civil penalty provision (see regulation 168).
- (2) The AEC must advise the General Manager of a possible contravention of subregulation (1) not later than 21 days after the AEC has become aware of the possible contravention.

Declaration of result of election

In accordance with reg 140 of the Regulations, the AEC issued a declaration of the result of election E2023/206 on 17 July 2024 for Stage one and 8 August 2024 for Stage two. For a copy, see **Attachment A** and **Attachment B**.

National Retail Association Limited, Union of Employers Rules

National Retail Association Limited, Union of Employers (NRA) Rules used for the election:

- 016Q: Incorporates alterations of 19 June 2018 [R2018/91]

At Stage one, the election for nine Board Members was contested and went to ballot. The following rule was difficult to apply:

Rule 20.2 provides that:

No fewer than seven (7) directors must be Members, or Authorised Representatives of Members, of the Association. With effect from the date of the 2005 Annual General Meeting, up to two directors may be appointed or elected who are not Members, or Authorised Representatives of Members, of the Association.

The NRA rules do not provide further information about what to do where more than two non-members are elected after the count. At the conclusion of the count, there were three non-members who were ranked in the top nine director positions. However, given rule 20.2 above, I applied s193 of the Act to ensure that only two non-members were elected., The non-member with the lowest votes was deemed unsuccessful in the election. The declaration of election results for stage one made note of this decision.

It is suggested that NRA review the relevant rule to provide additional information concerning what steps the Returning Officer is required to take should these circumstances arise again in future.

Roll of Voters

The AEC identified the following matters in relation to the roll of voters.

At the direct (Stage one) election the AEC received a high amount of ballot packs that were returned to the sender.

There were 5,230 eligible voters in the membership list and 515 of these pack were returned to the AEC without reaching their destination.

It is recommended that NRA review and update the roll of voters regularly to ensure all the members in the membership list are current and eligible voters for the election.

Written allegations of any irregularities

The AEC did not receive any written allegations of irregularities during the election.

Other irregularities

The AEC did not identify any other irregularities in the election.

Signed

Benjamin Murray
Returning Officer
Australian Electoral Commission
E: IEBevents@aec.gov.au
P: 03 9285 7111
21 August 2024

Attachments

- A. Declaration of Results for Contested Offices for Stage 1
- B. Declaration of Results for Uncontested Offices for Stage 2

National Retail Association Limited, Union of Employers

DECLARATION OF RESULTS - E2023/206 - Stage 1

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:

National Retailers Association, Union of Employers

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	5,230
Number of voters issued with voting material	5,230
Total number of voters issued with replacement voting material	0
Total number of voting material packs issued	5,230
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	367
Number of declaration envelopes rejected at preliminary scrutiny (minus)	16
Number of ballot papers returned outside declaration envelopes (minus)	1
COUNT	
Total ballot papers admitted to the count	350
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	515
Voting material packs not returned by voters by closing date of the ballot	4,348
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	7 %

Board Member (9)

<u>Candidates</u>	<u>Final Votes</u>
BRACKEN, Shane	280
MOORE, Antony	264
WILSON, Anthony	299
OWENS, Nicholas	286
SCHAAFSMA, Tim	204
PASCOE, John	277
BARBERY, Alice	286
EVANS, Trevor	271
WALKER, Brian	293
BALL, John	273
GODWIN, Robin	291

Total ballot papers admitted for this office	350
Formal Ballot papers	336
Informal Ballot papers	14

Note:

Eleven candidates are contesting for nine board member positions in this election. Three candidates are classed as being non-members and the remaining eight are members of the Organisation. Rule 20.2 of the Organisation states that:

'No fewer than seven (7) directors must be Members, or Authorised Representatives of Members, of the Association. With effect from the date of the 2005 Annual General Meeting, up to two directors may be appointed or elected who are not Members, or Authorised Representatives of Members, of the Association.'

Therefore, in accordance with above rule, non-member with the lowest votes (EVANS, Trevor) is considered as unsuccessful in this election.

I declare the following elected:

	Order Elected
• WILSON, Anthony	1
• WALKER, Brian	2
• GODWIN, Robin	3
• OWENS, Nicholas	4
• BARBERY, Alice	5
• BRACKEN, Shane	6
• PASCOE, John	7
• BALL, John	8
• MOORE, Antony	9

Benjamin Murray
 Returning Officer
 Telephone: 03 9285 7111
 Email: IEBevents@aec.gov.au
 17/07/2024

National Retail Association Limited, Union of Employers
DECLARATION OF RESULTS - E2023/206 - 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:

Board Members (Elect)

Chairman (1)

Candidates

No Nominations Accepted

Deputy Chairman (1)

Candidates

No Nominations Received

Benjamin Murray
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
08/08/2024





DECISION

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

National Retail Association Limited, Union of Employers
(E2023/206)

MR STEENSON

SYDNEY, 4 APRIL 2024

Arrangement for conduct of election.

[1] On 29 January 2024 the National Retail Association Limited, Union of Employers (the organisation) lodged with the Fair Work Commission (the Commission) prescribed information for an election to fill the following offices for a new term of office:

Board Member	(at least 3, no more than 9)
Chairman	(1)
Deputy Chairman	(1)

[2] The organisation did not lodge the prescribed information before the prescribed day as required by regulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009*. The prescribed information should have been lodged by 4 January 2024. In correspondence dated 18 March 2024, Hall Payne Lawyers, acting on behalf of the organisation, advised that the delay was due to an oversight in the preparation of the organisation’s governance manual in relation to the lodgement of prescribed information.

Foreshadowed rule alteration did not occur

[3] Additionally, I note that the organisation had foreshadowed altering its rules to rectify inconsistencies and to remove the requirement to conduct a scheduled election in 2022.

[4] The organisation’s rules (the rules), as they presently stand, require an election to be conducted in every even-numbered year.¹ Due to the delay in the conduct of elections by the Australian Electoral Commission (AEC) as a result of the COVID-19 pandemic, the scheduled election **E2019/234** was delayed, with declarations of results being issued in December 2020 and January 2021.²

[5] Notwithstanding this delay, the rules obliged the lodgement of prescribed information for a scheduled election in 2022. The conduct of such an election was identified as problematic, as it would have had the effect of truncating the terms of office for those officers elected in E2019/234, all of whom had only commenced office in November 2021.

¹ Rule 38.4 (notwithstanding inconsistent references elsewhere in the rules to a three-year term)

² For Board Members and for Chairman and Vice-Chairman respectively.

[6] Following consultation with the regulator at the time, the Registered Organisations Commission (ROC), the organisation withdrew its request for the conduct of a scheduled election in 2022 and undertook to enact rule changes that would remove the requirement for a 2022 scheduled election, with the associated effect on the terms of current officers. The organisation further undertook to rectify inconsistent references in the rules regarding the length of terms of office. The organisation's consultations with the ROC took place in January 2022 and are detailed in election decision **E2021/226**, issued on 19 January 2022. As reflected in that decision, the organisation indicated that the intended effect of the proposed alterations was to confirm that scheduled elections occur in the even-year cycle.

[7] Ultimately the rule changes were not transacted. The combined effect of this is that no scheduled election was conducted in 2022 (only a casual vacancy and insufficient nominations election), and that those officers elected in E2019/234 (declared in December 2020) are now entering their fourth year in office – without an associated rule change that would permit this – despite the ordinary term of office being two years.

[8] I am not satisfied that the above circumstances are a sufficient basis to justify the failure to comply with a statutory obligation. Having regard to the normal and reasonable expectation that registered organisations take steps to ensure they comply with the time-frame requirements set out not only in the Act but also in instruments formulated by the organisations themselves in relation to their governance – such as their own rules – I decline on this occasion to allow, under section 189(2) of the Act, a later day for lodgement. The failure to lodge the prescribed information before the prescribed day therefore renders the organisation liable for a civil penalty provision pursuant to section 189(2) of the Act.

[9] The refusal of an extension of time under section 189(2) of the Act does not, however, affect the need to make a determination about an election notification matter for the purposes of section 189 of the Act.

[10] It is concerning that the organisation did not transact the foreshadowed rule alterations. This now places the organisation in the position of having contravened its own rules and the late lodgement of prescribed information is a civil penalty provision under section 189(2) of the Act. This late lodgement will be taken into account when considering future instances of late lodgement.

[11] Notwithstanding the late lodgement, 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 Act, I am making arrangements for the conduct of the election by the AEC.



DELEGATE OF THE GENERAL MANAGER

Printed by authority of the Commonwealth Government Printer

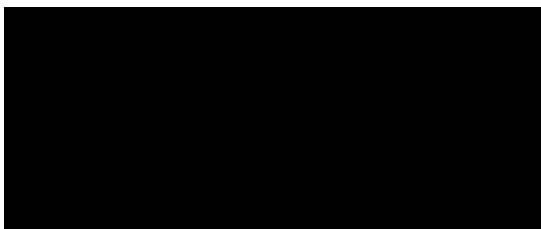
PR755239

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, Tim Schaafsma, being the Chairperson of the National Retail Association Limited make the following statement:

1. I am authorised to sign this statement containing prescribed information for the National Retail Association Limited.
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. No rule alterations are pending that will impact the election.
5. This statement is lodged at least 2 months before nominations open for the election(s) in Annexure A.

Signed: Tim Schaafsma, Chairperson



Dated: 28 January 2024

NOTE: This statement should be lodged with the Fair Work Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@fwc.gov.au.

Annexure A

- Elections that are required [insert as many pages as 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
National	Chairman	1	Collegiate electoral system	Scheduled	Board Members-elect (Rule 38.4(b)(ii))
National	Deputy Chairman	1	Collegiate electoral system	Scheduled	Board Members-elect (Rule 38.4(b)(ii))
National	Board Member	At least 3 and no more than 9	Direct Voting System	Scheduled	Members (Rule 38.4(b)(i))

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	28 March 2024	Within 3 days of the declaration of the result of the direct election
Nominations CLOSE	18 April 2024	To be determined by Returning Officer
Roll of Voters cut off date	14 March 2024	Electorate determined by result of direct election