



20 November 2024

Kevin Bates
Federal Secretary
Australian Education Union
Sent via email: federalsecretary@aeufederal.org.au

Dear Kevin Bates



IMMEDIATE ACTION REQUIRED: SEE STEP 4 BELOW

You must take steps after your recent election E2024/87

An election has recently been completed by the Australian Electoral Commission (AEC) for the Australian Education Union 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.

19 November 2024

Post-election report

Australian Education Union

Insufficient Nominations Election
E2024/87

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

Organisation:	Australian Education Union	
Election Decision No:	E2024/87	
Election:	Insufficient Nominations	
Date ballot closed:	5 July 2024	Stage 1
	6 November 2024	Stage 2
Date results declared:	12 August 2024	Stage 1
	7 November 2024	Stage 2
Date PER due:	6 December 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.

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 E2024/46 Stage 1 on 12 August 2024 and Stage 2 on 7 November 2024. For a copy, see **Attachment A, B and C**.

Australian Education Union Rules

Australian Education Union Rules used for the election:

- 284V: Incorporates alterations of 28 March 2024 [R2023/135], [R2023/137] and [R2024/38]

Rules that were difficult to apply and the matters in which I have exercised the authority given to me by s.193 of the Act are:

Federal Rule 30A(d) allows for nominations to be delivered by facsimile, however, the AEC does not have access to facsimile capabilities.

The AEU Federal rules 35A(4), 35B(4) and 35C(4) allow for the withdrawal of Nominations in writing to the Returning Officer signed by the nominee and submitted by hand, post and facsimile only.

These rules could be updated so that reference to submitting or withdrawing a nomination via facsimile is removed and email is included as an the accepted method.

Roll of Voters

There were no issues in relation to the roll of voters including those matters contained in subsection 197(3) of the Act.

Written allegations of any irregularities

The AEC did not receive any written allegations of irregularities.

Other irregularities

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

Signed

Ann Dougan
Returning Officer
Australian Electoral Commission
E: IEBevents@aec.gov.au
P: 03 9285 7111
19 November 2024

Attachments

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



18 November 2024

Kevin Bates
Federal Secretary
Australian Education Union
Sent via email: federalsecretary@aeufederal.org.au

Dear Kevin Bates



IMMEDIATE ACTION REQUIRED:

You must take steps after your recent election E2024/87

An election has recently been completed by the Australian Electoral Commission (AEC) for the Australian Education Union and a post-election report has been issued by the AEC.

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STEP 3: Notifications of change



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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



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Australian Education Union
DECLARATION OF RESULTS - E2024/87 - Stage 2
Contested Offices

Insufficient Nominations 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 Committee Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee) (General and TAFE Divisions)

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	10
Number of voters issued with voting material	10
Total number of voters issued with replacement voting material	0
Total number of voting material packs issued	10
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	6
Number of declaration envelopes rejected at preliminary scrutiny (minus)	1
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	5
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	0
Voting material packs not returned by voters by closing date of the ballot	4
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	60 %

Federal Executive Member (1)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Final Votes</u>
BEALE, Micheal	3	3
HONNERY, Russell	2	2

Total ballot papers admitted for this office	5
Formal Ballot papers	5
Informal Ballot papers	0

I declare the following elected:

- BEALE, Micheal

Ann Dougan
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
06/11/2024

Australian Education Union
DECLARATION OF RESULTS - E2024/87 - Stage 2
Uncontested Offices

Insufficient Nominations 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 Committee - National Principals Committee

Federal Executive Member (1)

Candidates

No Nominations Accepted

As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above candidates elected.

Ann Dougan
Returning Officer
Telephone: 03 9285 7111
Email: IEEvents@aec.gov.au
06/11/2024



Australian Education Union
DECLARATION OF RESULTS - E2024/87 - Stage 1
Uncontested Offices

Insufficient Nominations 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:

New South Wales Teachers Federation (NSWTF) Branch

**Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee)
Member – TAFE Division (1)**

Candidate/s

No nominations received

Queensland Branch

Federal Conference Delegate (2)

Candidate/s

POPE Paige

TAYLOR Penny

**Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee)
Member – General Division (1)**

Candidate/s

BEALE Michael

**Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee)
Member – TAFE Division (1)**

Candidate/s

No nominations received

Tasmanian, ACT & Northern Territory Branches

Federal Conference Delegate – TAFE Division (1)

Candidate/s

LAW Catherine

Northern Territory Branch

Aboriginal and Torres Strait Islander Federal Conference Delegate (1)

Candidate/s

VRYMOET Amanda

National TAFE Council Executive Member (1)

Candidate/s

No nominations received

National TAFE Council Delegate (1)

Candidate/s

No nominations received

**Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee)
Member – TAFE Division (1)**

Candidate/s

No nominations received

**Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee)
Member – General Division (1)**

Candidate/s

VRYMOET Amanda

National Early Childhood Committee Member (1)

Candidate/s

KENT Kaylee

South Australian Branch

Aboriginal and Torres Strait Islander Federal Conference Delegate (1)

Candidate/s

STOETZER Michael

**Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee)
Member – General Division (1)**

Candidate/s

ELLIS Danny

**Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee)
Member – TAFE Division(1)**

Candidate/s

No nominations received

National Principal Committee Member (1)

Candidate/s

WECKER Zoe

Tasmanian Branch

National Principal Committee Member (1)

Candidate/s

No nominations received

National Early Childhood Committee Member (1)

Candidate/s

LEWIS Jane

National TAFE Council Delegate (1)

Candidate/s

SABOL Tristan

Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee) Member – TAFE Division (1)

Candidate/s

No nominations received

Western Australian Branch

Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee) Member – TAFE Division (1)

Candidate/s

No nominations received

As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above candidates elected.

Ann Dougan
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
12/08/2024



AMENDING DECISION

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

Australian Education Union
(E2024/87)

MR STEENSON

SYDNEY, 23 MAY 2024

Arrangement for conduct of election.

[1] On 20 May 2024, I issued a decision ([2024] FWCD 69) as Delegate of the General Manager of the Fair Work Commission in relation to this election matter. In that decision, the following offices were among those listed as requiring an election to be arranged:

“Victorian Branch

National Principals’ Committee Member (1)

National TAFE Council Delegate (1)”

[2] The prescribed information lodged by the organisation on 15 May 2024 included these offices. On 21 and 22 May 2024, i.e. *after* the election decision was issued, the organisation notified this Commission that these two offices had already been filled via a ‘recall’ election conducted by the Australian Electoral Commission (AEC) and declared on 13 October 2023.

[3] As a result, an election is not required for the Victorian Branch offices of National Principals Committee Member or National TAFE Council Delegate. An election is still required for all other offices listed in my 20 May 2024 decision in election matter E2024/87.

[4] I therefore request that the AEC exclude the two abovenamed offices from its call for nominations in election E2024/87.



DELEGATE OF THE GENERAL MANAGER

Printed by authority of the Commonwealth Government Printer
PR755278



DECISION

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

Australian Education Union
(E2024/87)

MR STEENSON

SYDNEY, 20 MAY 2024

Arrangement for conduct of election.

[1] On 30 April 2024, and on 14 and 15 May 2024, the Australian Education Union (**the organisation**) lodged with the Fair Work Commission prescribed information for an election to fill the following offices, due to insufficient nominations received in previous elections (**E2023/46** and **E2023/169**), a casual vacancy that arose, and the election of an office that was omitted in the scheduled election (**E2023/46**):

Federal Executive Member from the following National Committees:

- Aboriginal and Torres Strait Islander Education Committee (1)
- National Principals Committee (1)

New South Wales Teachers Federation (NSWTF) Branch

Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee) Member from the TAFE Division (1)

Queensland Branch

Federal Conference Delegates representing the General Division (2)

Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee) Member from TAFE Division (1)

Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee) Member from General Division (1)

Tasmanian, ACT & Northern Territory Branches

Federal Conference Delegate representing the TAFE Division (1)

Northern Territory Branch

Aboriginal and Torres Strait Islander Federal Conference Delegate	(1)
National TAFE Council Executive Member	(1)
National TAFE Council Delegate	(1)
Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee) Member from the:	
General Division	(1)
TAFE Division	(1)
National Early Childhood Committee Member	(1)

South Australian Branch

Aboriginal and Torres Strait Islander Federal Conference Delegate	(1)
Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee) Member from the:	
General Division	(1)
TAFE Division	(1)
National Principals' Committee Member	(1)

Tasmanian Branch

Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee) Member from TAFE Division	(1)
National Principals' Committee Member	(1)
National Early Childhood Committee Member	(1)
National TAFE Council Delegate	(1)

Western Australian Branch

Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee) Member from TAFE Division	(1)
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Victorian Branch

National Principals' Committee Member	(1)
National TAFE Council Delegate	(1)

[2] Most of the offices that are the subject of prescribed information on this occasion are offices that are vacant due to insufficient nominations being received in recent previous elections. The two exceptions to this are in the Queensland Branch.

[3] One is of these – for a Yalukit Yulendj (National Aboriginal and Torres Strait Islander Education Committee) Member from the General Division – has arisen from a casual vacancy.

[4] The other – for the election of an additional Federal Conference Delegate representing the General Division – requires election because, as paragraph 6 of the prescribed information notes, there was an error in calculation of the number of Queensland Branch Federal Conference Delegates from the General Division at the scheduled election (E2023/46). For that election, the prescribed information requested the election of 17 Federal Conference Delegates from the General Division when the Branch was actually entitled to 18 based on its membership.

[5] On the basis of Branch membership numbers of 43,522 as at 30 June 2023, I agree that one fewer Queensland Federal Conference Delegate office was the subject of election in E2023/46, and therefore a further one is now required to be elected to ensure that the Branch's delegation for the remainder of the current term is in accordance with Federal rule 24(3A). Consequently that office is included in this election decision, resulting in an election being required for two (2) Federal Conference Delegates, instead of just the one (1) left vacant due to insufficient nominations.

[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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PR755271



Australian Education Union

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14 May 2024

Mr Murray Furlong
General Manager
Fair Work Commission
GPO Box 1994
Melbourne VIC 3001

Email: regorgs@fwc.gov.au

Dear Mr Furlong,

**UPDATED - 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, Kevin Bates, being the Federal Secretary of the Australian Education Union make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Australian Education Union.
2. I confirm that the following information is being lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.
3. The elections that are required are set out in the table in Annexure A.
4. The resignation letter is attached for the casual vacancy.
5. Insufficient nominations were received in an earlier election, E2023/46 and E2023/169 and the declarations of results are attached.
6. The prescribed information submitted on 7 July 2023 for E2023/46 contained an error. With a general membership of 43,522 in Queensland, based on the formula as set out in Federal Rule 24 3(A), their delegate entitlement should have been 18, not 17.
7. Your attention is also drawn to the provisions of Rule 24(3A), Rule 25, Rule 47(3), Rule 47A and various Branch Rules concerning the minimum representation of women in connection with any ballots that are necessary for the election of Federal Conference Delegates from the General Division and the National TAFE Council.
8. No rule alterations are pending that will impact the election.
9. Federal Rule 30(4) states that the roll of voters is to be closed seven days before the day on which nominations open.
10. The delay in submitting prescribed information arose as a result of competing elections for both federal and branch office positions making it untenable to hold elections for federal conference delegate vacancies prior to the 2024 federal conference which was held in February.

11. Branch Secretary Contacts

The Branch Secretaries to contact for lists of members and other necessary information in relation to these elections are:

Australian Capital Territory Branch

Patrick Judge
PO Box 3042
Manuka ACT 2603
Email : aeuact@aeuact.org.au

New South Wales Teachers Federation Branch

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Darlinghurst NSW 1300
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Northern Territory Branch

Rachael Metcalfe
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Casuarina NT 0811
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Western Australian Branch

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South Australian Branch

Matthew Cherry
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Tasmanian Branch

Brian Wightman
State Manager
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Email : support@aeutas.org.au

Victorian Branch

Erin Aulich
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Abbotsford Vic 3067
Email : melbourne@aeuvic.asn.au

Yours sincerely,



Kevin Bates
Federal Secretary

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
Federal	Federal Executive (National Principals Committee) Member	1	Collegiate Voting System	Insufficient nominations	Elected by and from members of the members of the National Principals Committee
Federal	Federal Executive (National Aboriginal and Torres Strait Islander Education Committee) Member	1	Collegiate Voting System	Insufficient nominations	Elected by and from members of the Yalukit Yulendj (General and TAFE Divisions)
NSW	Yalukit Yulendj (National Aboriginal and Torres Strait Islander Committee) (TAFE Division) Member	1	Direct Voting System	Insufficient nominations	Financial members assigned to the TAFE Division of the NSW Branch on the Aboriginal and Torres Strait Islander Members' Roll
Queensland	Federal Conference General Division	2	Direct Voting System	Insufficient nominations	Financial members assigned to the General Division of the Queensland Branch
Queensland	Yalukit Yulendj (National Aboriginal and Torres Strait Islander Committee) (General Division) Member	1	Direct Voting System	Casual Vacancy	Financial members assigned to the General Division of the Queensland Branch
Queensland	Yalukit Yulendj (National Aboriginal and Torres Strait Islander Committee) (TAFE Division) Member	1	Direct Voting System	Insufficient nominations	Financial members assigned to the TAFE Division of the Queensland Branch
AEU NT/TAS/ACT	Federal Conference Delegate representing	1	Direct Voting System	Insufficient nominations	Financial members assigned to the TAFE Divisions of the Tasmanian, ACT and NT Branches

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
	the TAFE Division pursuant to Rule 24(3)				
AEU NT	Federal Conference Delegate Aboriginal And Torres Strait Islander	1	Direct Voting System	Insufficient nominations	Financial members of the Northern Territory Branch
AEU NT	National TAFE Council Executive	1	Direct Voting System	Insufficient nominations	Financial members assigned to the TAFE Division of the Northern Territory Branch
AEU NT	National TAFE Council	1	Direct Voting System	Insufficient nominations	Financial members assigned to the TAFE Division of the Northern Territory Branch
AEU NT	Yalukit Yulendj (National Aboriginal and Torres Strait Islander Committee) (General Division) Member	1	Direct Voting System	Insufficient nominations	Financial members assigned to the General Division of the Northern Territory Branch
AEU NT	Yalukit Yulendj (National Aboriginal and Torres Strait Islander Committee) (TAFE Division) Member	1	Direct Voting System	Insufficient nominations	Financial members assigned to the TAFE Division of the Northern Territory Branch
AEU NT	National Early Childhood Committee	1	Direct Voting System	Insufficient nominations	Financial members assigned to the General Division of the Northern Territory Branch
AEU SA	Federal Conference Delegate Aboriginal And Torres Strait Islander	1	Direct Voting System	Insufficient nominations	Financial members of the South Australian Branch
AEU SA	Yalukit Yalendj (General Division)	1	Direct Voting System	Insufficient nominations	Financial members assigned to the General Division of the South Australian Branch.

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
AEU SA	Yalukit Yulendj (National Aboriginal and Torres Strait Islander Committee) (TAFE Division) Member	1	Direct Voting System	Insufficient nominations	Financial members assigned to the TAFE Division of the South Australian Branch,
AEU SA	National Principals Committee	1	Direct Voting System	Insufficient nominations	Financial members assigned to the General Division of the South Australian Branch
AEU TAS	Yalukit Yulendj (National Aboriginal and Torres Strait Islander Committee) (TAFE Division) Member	1	Direct Voting System	Insufficient nominations	Financial members assigned to the TAFE Division of the Tasmanian Branch
AEU TAS	National Principals Committee	1	Direct Voting System	Insufficient nominations	Financial members assigned to the General Division of the Tasmanian Branch
AEU TAS	National Early Childhood Committee	1	Direct Voting System	Insufficient nominations	Financial members assigned to the General Division of the Tasmanian Branch
AEU TAS	National TAFE Council	1	Direct Voting System	Insufficient nominations	Financial members assigned to the TAFE Division of the Tasmanian Branch
SSTUWA	Yalukit Yulendj (National Aboriginal and Torres Strait Islander Committee) (TAFE Division) Member	1	Direct Voting System	Insufficient nominations	Financial members assigned to the TAFE Division of the Western Australian Branch
AEU VIC	National Principals Committee	1	Direct Voting System	Insufficient nominations	Financial members assigned to the General Division of the Victorian Branch
AEU VIC	National TAFE Council	2	Direct Voting System	Insufficient nominations	Financial members assigned to the TAFE Division of the Victorian Branch

Important Dates

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	To be determined by returning officer	To be determined by returning officer
Nominations CLOSE	To be determined by returning officer	To be determined by returning officer
Roll of Voters cut off date	7 days prior to nominations opening (rule 30(4))	7 days prior to nominations opening (rule 30(4))