



## DECISION

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

**The Australian Maritime Officers' Union**  
(E2024/186)

MR STEENSON

SYDNEY, 22 NOVEMBER 2024

*Arrangement for conduct of election.*

[1] On 8 November 2024 the Australian Maritime Officers' Union (the **organisation**) lodged with the Fair Work Commission prescribed information for an election to fill a casual vacancy in the following office for the remainder of the term:

Offshore Energy Industry Delegate (1)

[2] The organisation's prescribed information also requested an election to fill the following offices due to insufficient nominations received in a previous election (**E2023/208**):

Private Port Services Industry Delegate (1)

Towage Industry Delegate (1)

[3] The results of the previous election (E2023/208) were declared on 23 March 2024 (including the fact that two of the offices received no nominations), and the resignation which led to the casual vacancy was submitted on 28 April 2024. The organisation has therefore not lodged the prescribed information to fill these offices until at least 6 months after these events. One of the objects of the *Fair Work (Registered Organisations) Act 2009* (**the Act**) is the democratic control of organisations. A necessary part of that is the conduct of elections and the filling of vacancies that arise. As such, organisations need to take steps to seek an election to fill vacancies as soon as possible. The delay in lodging prescribed information is disappointing.

[4] Nonetheless, 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 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, Matthew Jepson being the President of the Australian Maritime Officers Union (**AMOU**) make the following statement:

1. I am authorised to sign this statement containing prescribed information for the AMOU.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (**FWROA**).
3. A decision by the Delegate to the General Manager was made in matter [2023] FWCD 1062 on 31 May 2023 for the conduct of elections in the following offices of the AMOU (severably the **Offices**):

President (1)

Vice President (1)

National Councillor (4)

Industry Delegates, elected by members from the following named industries:

Port Authority (1)

Private Port Services (1)

Ferries and Tourism (1)

Offshore Energy (1)

Seagoing (1)

Towage (1)

Pilotage (1)

4. Elections, both contested and uncontested, have been held in relation to the Offices.
5. Members eligible under the AMOU rules have been declared elected to the following offices:

President (1);

Vice President (1);

National Councillor (4);

Port Authority Industry Delegate;

Ferries and Tourism Industry Delegate;

Offshore Energy Industry Delegate; and

Pilotage Industry Delegate.

6. The following offices were not contested:

Private Port Services Industry Delegate;

Seagoing Industry Delegate; and

Towage Industry Delegate.

7. The declaration in the contested election was made on the 25/9/2023 and is annexed as Annexure **A**.
8. A decision by the Delegate to the General Manager was made in matter [2024] FWCD 5 on 15 January 2024 for the conduct of elections in the following vacant offices of the AMOU (severably the **Vacant Offices**):
  - Private Port Services Industry Delegate;
  - Seagoing Industry Delegate; and
  - Towage Industry Delegate.
9. The declaration in the Vacant Offices election was made on the 27/03/2024 and is annexed as Annexure **B**.
10. On 28 April 2024 the Offshore Energy Industry Delegate resigned from their Office. A copy of the resignation is annexed as Annexure **C**.
11. The following offices are vacant:
  - Offshore Energy Industry Delegate
  - Private Port Services Industry Delegate; and
  - Towage Industry Delegate.
12. The rules of the AMOU require, by operation of rules 46, and 77 that elections for the vacant offices be held.
13. The elections that are required under the rules approved by the General Manager are set out in the table in Annexure **D**.
14. As this election is a recall election, the time for holding the election is not prescribed by the *Fair Work (Registered Organisation) Regulation 2009 - regulation 138*.
15. The AMOU requests the General Manager to determine an election be conducted for the following offices as soon as is practicable:
  - Offshore Energy Industry Delegate
  - Private Port Services Industry Delegate; and
  - Towage Industry Delegate.

S

Matthew Jepson  
President

Dated: 8 November 2024

## ANNEXURE D

Elections that are required:

Branch	Name of Office	Number Required	Voting System	Reason for Election	Electorate based on AMOU Rules
National	Offshore Energy Industry Delegate	1	DVS	Casual Vacancy	elected under R.46(f) only by and from financial members attached to the named industry on the day seven (7) days prior to the opening of nominations with candidates also having been continuously financial for a period of six (6) months prior to that date of the opening of nominations
National	Private Port Services Industry Delegate	1	DVS	Insufficient nominations	
National	Towage Industry Delegate	1	DVS	Insufficient nominations	

	Direct Voting System
<b>Roll of Voters cut-off date</b>	28 days before the date on which nominations open (r 56(b))
<b>Nominations open</b>	the Manager of the election must fix the opening day (r 49(a))
<b>Nominations close</b>	nominations close (no earlier) than 28 days after they open (r 49 (b))
<b>Ballot papers distributed</b>	if a ballot becomes necessary under rule 54, the Manager of the election must fix the date of the ballot commencing (r 50 (a))
<b>Ballot closes</b>	if a ballot becomes necessary under rule 54, the Manager of the election must fix the date of the ballot closing (r 50 (a))