



## DECISION

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

**Australian Directors Guild Limited**  
(E2024/126)

MR STEENSON

SYDNEY, 19 NOVEMBER 2024

*Arrangement for conduct of election.*

[1] On 18 October 2024 the Australian Directors Guild Limited (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:

President	(1)
Vice President – Feature Films	(1)
Vice President – Television Drama/Comedy	(1)
Ordinary Director	(1)

[2] The organisation’s prescribed information also requested an election to fill the following office, due to insufficient nominations received in a previous election (**E2023/137**):

Vice President – Documentary	(1)
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[3] 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.

[4] The rules of the organisation appear to lack a specific reference to the electorates from which offices are elected (i.e. from separate electorates, or from the whole of the membership with offices reserved for members from particular categories). I note that some of these issues were raised in the decision for the organisation’s most recent scheduled election, **E2023/137**.<sup>1</sup>

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<sup>1</sup> [2024] FWCD 28 issued on 23 February 2024.

[5] The organisation's 'Election Rules Schedule'<sup>2</sup> envisages the declaration of results of scheduled elections at the Annual General Meeting (AGM). It is apparent that this scheduled election has been delayed due to the delayed scheduling of the AGM. Consequently, I recommend the organisation commence the rule alterations process with the assistance of Commission staff in order to clarify the intended election schedule for the organisation and avoid any future delays, which may have flow-on effects for the organisation's other reporting obligations.



DELEGATE OF THE GENERAL MANAGER

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<sup>2</sup> Schedule 1 of the rules of the Australian Directors Guild Limited, rulebook R2020/146 (19 November 2020), available at [https://www.fwc.gov.au/documents/organisations/current\\_rulebooks/Current-RB-157N.docx](https://www.fwc.gov.au/documents/organisations/current_rulebooks/Current-RB-157N.docx)

# **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, VICTORIA THAINE, being the SECRETARY of the AUSTRALIAN DIRECTORS' GUILD LIMITED make the following statement:

1. I am authorised to sign this statement containing prescribed information for AUSTRALIAN DIRECTORS' GUILD 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. This statement **IS** lodged at least 2 months before nominations open for the election(s) in Annexure A.
5. The rule number(s) which specify(s) the formula(s) is/are 24.1 and 24.2:
  - a. The information for calculating the formula(s) is
    - i. 24.1 The term of office for Directors and Officers and members of the Board shall be for three (3) years, so that four (4) members of the Board shall be elected in one year and four (4) members elected in the third year following the first election.
    - ii. 24.2 For the purpose of giving effect to the rotation of the members of the Board as set out in the preceding clause the following procedure shall be adopted:
    - iii. (a) At the annual elections immediately following the registration of the Guild as an organisation under the Fair Work (RO) Act, nominations shall be called for the positions of President, four (4) Vice Presidents, Secretary, Treasurer and Ordinary Director and Officer.
    - iv. (b) The President, the first and second elected Vice Presidents and the Ordinary Director and Officer shall be deemed to be elected for a term of three (3) years; and the remainder, namely the third and fourth elected Vice Presidents, the Secretary and the Treasurer shall be deemed to be elected for a term of two (2) years.
    - v. (c) In subsequent years nominations for vacant positions on the Board shall be called in accordance with this Clause 24 and the term of office for those Directors and Officers elected will be for three (3) years.

The relevant date for this information is three years from appointment date, 30 November 2024.



Signed: Victoria Thaine, Secretary

Dated: 24/09/24

**Annexure A**

- Elections that are required – Scheduled:

Branch	Name of Office	Number required	Voting System	Reason for Election Scheduled; Casual vacancy; New office created; Insufficient nominations	Electorate
National	President	1	Direct Voting System	Scheduled	National, rule 24
National	Ordinary Director	1	Direct voting system	Scheduled	National, rule 24
National	Vice President Feature Films	1	Direct voting system	Scheduled	National, rule 24
National	Vice President Television Drama / Comedy	1	Direct Voting System	Scheduled	National, rule 24

- Important dates:

	Direct Voting System	Collegiate Electoral System
<b>Nominations OPEN</b>	Before 10.00 a.m. on the 21st day after the position are declared vacant by the President.	Insert date and reference the relevant rule; or 'To be determined by returning officer' if the rules provide
<b>Nominations CLOSE</b>	At least one month before the commencement of any ballot.	Insert date and reference the relevant rule; or 'To be determined by returning officer' if the rules provide
<b>Roll of Voters cut off date</b>	Seven days prior to nominations opening.	Insert date and reference the relevant rule

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- Elections that are required, Insufficient nominations:

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
National	Vice President Documentary	1	Direct Voting System	Insufficient nominations	National, rule 24

- Important dates:

	Direct Voting System	Collegiate Electoral System
<b>Nominations OPEN</b>	To be determined by the returning officer.  ADG preference to align with scheduled election, before 10.00 a.m. on the 21st day after the position are declared vacant by the President.	Insert date and reference the relevant rule; or  'To be determined by returning officer' if the rules provide
<b>Nominations CLOSE</b>	To be determined by the returning officer.  ADG preference to align with scheduled election, at least one month before the commencement of any ballot.	Insert date and reference the relevant rule; or  'To be determined by returning officer' if the rules provide
<b>Roll of Voters cut off date</b>	Seven days prior to nominations opening.	Insert date and reference the relevant rule