



## DECISION

*Fair Work (Registered Organisations) Act 2009*

s.189—Arrangement for conduct of an election

### Waste Contractors & Recyclers Association of NSW

(E2025/42)

MR STEENSON

SYDNEY, 10 APRIL 2025

*Arrangement for conduct of election.*

[1] On 12 March and 4 April 2025, the Waste Contractors & Recyclers Association of NSW (the **organisation**) lodged with the Fair Work Commission prescribed information for an election to fill casual vacancies in the following offices for the remainder of the term:

|                               |     |
|-------------------------------|-----|
| Executive Member – Category A | (1) |
| Executive Member – Category B | (1) |

[2] In addition, the prescribed information also sought an election to fill the following offices, due to insufficient nominations received in a previous election (**E2024/143**):

|                               |     |
|-------------------------------|-----|
| President                     | (1) |
| Treasurer                     | (1) |
| Executive Member – Category A | (1) |

[3] I note that in election **E2024/143** no nominations were received for any of the vacant offices sought to be filled in that election. In preparation for the upcoming election (**E2025/42**), I urge the organisation to actively encourage its membership to consider nominating for office.

[4] 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

Printed by authority of the Commonwealth Government Printer

PR755448

## **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, Michelle Ford, being the Secretary of the Waste Contractors and Recyclers Association of NSW make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Waste Contractors and Recyclers Association of NSW.
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. The resignation letter or other supporting information is attached for the additional casual vacancy since last election.
5. Insufficient nominations were received in an earlier election(s) and the declaration/s of results is/are attached.
6. No rule alterations are pending that will impact the election.
7. Rule numbers 23 & 24 specify the eligibility of Officers to the Executive.
8. Rule number 26 specifies the criteria for the election of the President, Vice President, Secretary and Treasurer.
9. This statement **IS** lodged at least 6 weeks before nominations open for the election(s) in Annexure A.

**NOTE:** Extensions of time should be requested at least two months before nominations open.

A failure to lodge Prescribed Information on time can lead to civil penalties under the RO Act.

Signed: Michelle Ford - e

Dated: 04/04/25



**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](mailto:regorgs@fwc.gov.au).

## Annexure A

- Elections that are required

| Branch | Name of Office   | Number required | Voting System<br>Direct voting system;<br>Collegiate electoral system | Reason for Election<br>Scheduled;<br>Casual vacancy;<br>New office created;<br>Insufficient nominations | Electorate                                     |
|--------|------------------|-----------------|---|---|--|
| N/A    | President        | 1               | Collegiate electoral system   | Insufficient nominations  | Rule 26(a) elected by the Executive            |
| N/A    | Treasurer        | 1               | Collegiate electoral system   | Insufficient nominations  | Rule 26(a) elected by the Executive            |
| N/A    | Executive Member | 1               | Direct Voting System  | Insufficient nominations  | Rule 21.2(b) – every member of the Association |
| N/A    | Executive Member | 2               | Direct Voting System  | Casual vacancy  | Rule 21.2(b) – every member of the Association |

- Important dates:

|                                    | Direct Voting System                        | Collegiate Electoral System               |
|------------------------------------|---|---|
| <b>Nominations OPEN</b>            | To be determined by the returning officer   | To be determined by the returning officer |
| <b>Nominations CLOSE</b>           | To be determined by the returning officer   | To be determined by the returning officer |
| <b>Roll of Voters cut off date</b> | 7 days before nominations open – rule 24(i) | To be determined by the returning officer |

**NOTES:** For insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as ‘To be determined by the returning officer’. This also applies where rules are silent as to the nominated dates.

If the nomination dates are ‘To be Determined by the Returning Officer’, but your organisation has a preference, please state ‘To be Determined by Returning Officer’ and clearly indicate that your nominated date is a preference.

If the P.I. includes a position that is not an office, please refer to our template [\*Prescribed information for the election of officer and non-officer positions\*](#)