



DECISION

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

Independent Education Union of Australia
(E2025/54)

MR STEENSON

SYDNEY, 18 JUNE 2025

Arrangement for conduct of election.

[1] On 30 May 2025 the South Australia Branch (**Branch**) of the Independent Education Union of Australia (**organisation**) lodged with the Fair Work Commission (**Commission**) prescribed information for an election to fill the following offices for a new term of office:

Branch Secretary	(1)
Branch Deputy Secretary	(1)
Ordinary Members of Branch Executive	(11)
Branch Delegates to Federal Council	(3)
Branch President	(1)
Branch Vice President	(2)
Branch Treasurer	(1)
Alternate Delegate to Federal Executive	(1)

[2] There are differing term commencement dates in the organisation's rulebook for the above offices, namely:

- Branch rule 6.6 provides that the Branch Executive (being the Secretary, Deputy Secretary and Ordinary Members) take office from 31 December in the year in which the election is held.¹
- Branch rule 7.1 provides that the additional five office-bearers (being the President, two Vice Presidents, Treasurer and Alternate Delegate to Federal Executive) shall hold office in accordance with rule 6.6, with these officers also taking office from 31 December in the year in which the election is held.²
- The term commencement date for the Branch Delegates to Federal Council is governed by Federal rule 17(bb), which provides that these officers take office from 1 December in the year in which the election was held.³

¹ Rulebook R2025/55.

² Ibid.

³ Ibid.

[3] Following the Branch's last scheduled election (**E2022/57**), a notification of change was lodged with the Commission on 20 January 2023 which noted the term commencement date for the officers elected in E2022/57 was 1 January 2023. This appears to be in contradiction to the commencement dates outlined in the Branch and Federal rules as noted above.

[4] The Commission takes this opportunity to remind the Branch of the importance of complying with its internal rulebook for elected officers to commence their respective term of office on the date(s) as provided in the organisation's rules. I understand that the Branch has foreshadowed engaging with the organisation's national office about the different start dates and whether a rule change may be an appropriate response going forward.

[5] 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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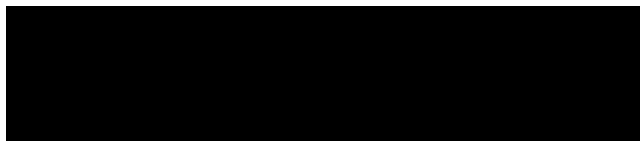
Independent Education Union (South Australia) Branch Elections

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, Timothy (Tim) Oosterbaan, being the Secretary of the Independent Education Union (South Australia) Branch make the following statement:

1. I am authorised to sign this statement containing prescribed information for the South Australian Branch of the Independent Education Union of Australia.
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:

A large black rectangular box redacting the signature of Timothy (Tim) Oosterbaan.

Dated: 30/5/2025

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:

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
SA	Branch Secretary	1	Direct voting system	Scheduled	Whole of the Branch
SA	Deputy Secretary	1	Direct voting system	Scheduled	Whole of the Branch
SA	Ordinary Members	11	Direct voting system	Scheduled	Whole of the Branch
SA	Branch delegates to Federal Council	3	Direct voting system	Scheduled	Whole of the Branch
SA	Branch President	1	Collegiate voting	Scheduled	By and from the Branch Executive (13 persons)
SA	Branch Vice President	2	Collegiate voting	Scheduled	By and from the Branch Executive (13 persons)
SA	Branch Treasurer	1	Collegiate voting	Scheduled	By and from the Branch Executive (13 persons)
SA	Alternate delegate to Federal Executive	1	Collegiate voting	Scheduled	By and from the Branch Executive (13 persons)

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	<i>Suggest Mon 1/8/25 (federal rule 17(a & h))</i>	<i>As soon as possible after election of Branch executive (branch rule 7.1)</i>
Nominations CLOSE	<i>Suggest Mon 22/8/25 At least 21 days after nominations open (federal rule 17(h))</i>	<i>Two clear weeks after nominations open (federal rule 18(vii))</i>
Roll of Voters cut off date	<i>Mon 25/7/25 7 days prior to nominations opening (federal rule 17(o & q))</i>	