



Fair Work
Commission

DECISION

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

Screen Producers Association of Australia
(E2025/58)

MR STEENSON

SYDNEY, 17 JULY 2025

Arrangement for conduct of election.

[1] On 23 June and 2 July 2025, the Screen Producers Association 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:

Producer Councillors (Group B)	(3)
Services and Facilities Councillor	(1)
President	(1)
Vice President	(1)

[2] It is noted that the amended prescribed information, lodged on 2 July 2025, states that there are no rule alterations pending. However, staff of the organisation subsequently advised the Commission, on 9 July 2025, that processes were underway to alter the rules, and that lodgement of proposed rule changes would occur shortly.

[3] On 16 July 2025, the organisation lodged these rule alterations (**R2025/120**), which pertain to process changes regarding stage 2 of the election. The rule changes appear relatively minor and may affect the method by which stage 2 of the election is conducted (the election of President and Vice-President).

[4] It is quite possible that the rule alterations may be certified by the Commission prior to the opening of nominations for stage 1 of the election that is the subject of this decision. As a result, in the event the alterations are certified prior to the commencement of the election, Commission staff will notify the organisation as a matter of course and will also endeavour to notify the Australian Election Commission (**AEC**) as a matter of priority.

[5] Under the organisation's rules, Councillors are elected on a rotating cycle. In the decision issued for the organisation's most recent scheduled election, E2024/71, it was recommended to the organisation that its rulebook be amended to ensure the relevant rules regarding the election cycle correspond with the election cycle that the organisation has adopted following the Covid-19 delays. Currently they are out of synchronisation.

[6] The current rules¹ provide that the elections for Councillors will be conducted on a rotating cycle, with half the Councillor officers due for election each year. Subrule 16(a) provides that the Councillors shall be divided into two groups – Group A made up of three (3) Councillors and Group B made up of four (4) Councillors. Group B includes three (3) Producer Councillors and one (1) Services and Facilities Councillor.²

[7] Subrule 16(4) outlines the alternate year election timetable, stating that Group A Councillors are elected in odd-numbered years and Group B Councillors are elected in even-numbered years.³ However, due to the Covid-19 pandemic, the initial election for the commencement of the rotating election cycle (being **E2020/87**) was delayed. As a result, subsequent Group A and Group B elections have no longer been synchronised with the timetable outlined in the rules. The election cycle adopted by the organisation in recent years has Group A officers elected in even-numbered years and Group B officers elected in odd-numbered years (i.e. the opposite of what the rules require).

[8] During the assessment of the election material for the current matter, Commission staff queried whether the rule alterations that were to be lodged by the organisation would include alterations to rectify the election cycle rules. Staff of the organisation advised the Commission, via email on 11 July 2025, that the organisation would be making a more comprehensive set of changes to the rules for 2026, which would include alterations to the election cycle. As such, the rules relating to the election cycle currently stand and they will continue to stand when the current alterations (R2025/120) are certified by the Commission, meaning that the organisation is still not in compliance with the election cycle set out in its rulebook.

[9] I take this opportunity to again remind the organisation of the importance of complying with its own rulebook, noting that breaches of rules may expose the organisation to Federal Court applications by members under sections 164 and/or 164A of the *Fair Work (Registered Organisations) Act 2009 (RO Act)*. The rule alterations regarding the election cycle, which the organisation foreshadowed to occur prior to the 2026 election, would rectify the ‘out of sync’ issue from that point forward but not retrospectively.

[10] 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 RO Act, I am making arrangements for the conduct of the election by the AEC.



DELEGATE OF THE GENERAL MANAGER

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¹ Rulebook R2019/121 and R2020/27.

² Ibid, rules 16(a) and 16(c)(iii).

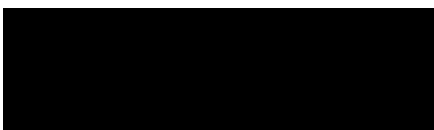
³ Ibid, rule 16(4).

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, Tracey Vieira, being the President of the Screen Producers Association of Australia make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Screen Producers Association of Australia.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. There are no current rule changes pending.
4. The elections that are required are set out in the table in Annexure A.
5. This statement **IS** lodged at least 2 months before nominations open for the election(s) in Annexure A.
6. Date for the SPAA Annual General Meeting of Members is scheduled for Tuesday, 11 November 2025.

Signed:

A black rectangular box redacting the signature of Tracey Vieira.

Dated: 23 June 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 Direct voting system; Collegiate electoral system	Reason for Election Scheduled; Casual vacancy; New office created; Insufficient nominations	Electorate
National	Producer Councillor (Group B)	3	Direct Voting System	Scheduled	National
National	President	1	Collegiate electoral system	Scheduled	Elected Council Only
National	Vice President	1	Collegiate electoral system	Scheduled	Elected Council Only

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN for Council Positions	Preferred first week of September 2025 but will be determined by the returning officer	NA
Nominations CLOSE for Council Positions	Preferred first week of October 2025 but will be determined by the returning officer	NA
Roll of Voters cut off date for Council Positions	7 days before nominations open (see rule 15(e))	NA
Nominations OPEN for President & Vice President Positions	NA	Will be determined by the returning officer on completion of Council position elections
Nominations CLOSE for President & Vice President Positions	NA	Will be determined by the returning officer on completion of Council position elections

Roll of Voters cut off date for President & Vice President Positions	NA	Will be determined by the returning officer on completion of Council position elections
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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*](#)