



Fair Work
Commission

DECISION

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

Industrial Staff Union - PSA of NSW
(E2025/84)

MR STEENSON

SYDNEY, 25 JUNE 2025

Arrangement for conduct of election.

[1] On 10 June 2025 the Industrial Staff Union - PSA of NSW (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)
Secretary	(1)
Vice President	(1)
Assistant Secretary	(1)
Treasurer	(1)

[2] I note that, for the previous scheduled election **E2023/153**, the late lodgement of the prescribed information by the organisation delayed the conduct of that election, with the Australian Electoral Commission (the **AEC**) issuing declarations of results on 31 October 2023.

[3] For this year's election request, the prescribed information (in particular, paragraphs 7 and 8) advises that the organisation requests that the election be conducted in the second half of the 2025 calendar year and notes that all existing office holders are prepared to have their existing terms slightly truncated if convenient to the Commission, the AEC and their officers.

[4] I confirm that, in circumstances where the previous election was delayed and the current officers are prepared to have their terms slightly truncated (i.e. by a few months), I have no particular objection to the proposed timeframe.

[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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PR788408

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, Marko Petrovic, being the Assistant Secretary of the Industrial Staff Union (PSA of NSW) make the following statement:

1. I am authorised to sign this statement containing prescribed information for Industrial Staff Union (PSA 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, all being direct elections.
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.
(see Rule 14.2- Attached with elections scheduled every two years with previous election being declared 31 October 2023 E2023/153, but with the PI in that year being a late submission by the ISU)
6. There is no Rule that specifies a specific date for ISU elections or submission of Prescribed Information.
7. It is intended that the election is conducted in the second half of this calendar year 2025 so as to not truncate or elongate the term of the existing office holders significantly.
8. All existing office holders are prepared to have their existing term slightly truncated if convenient to the Fair Work Commission and Australian Electoral Commission and their officers.
9. The relevant rule (14) for election procedures is attached at Annexure B

Signed:



Marko Petrovic, Assistant Secretary

Dated: 6 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
Industrial Staff Union (PSA of NSW)	President	1	Direct Voting System	Scheduled	Rule 14(2) All financial members of the Union
Industrial Staff Union (PSA of NSW)	Secretary	1	Direct Voting System	Scheduled	Rule 14(2) All financial members of the Union
Industrial Staff Union (PSA of NSW)	Vice President	1	Direct Voting System	Scheduled	Rule 14(2) All financial members of the Union
Industrial Staff Union (PSA of NSW)	Assistant Secretary	1	Direct Voting System	Scheduled	Rule 14(2) All financial members of the Union
Industrial Staff Union (PSA of NSW)	Treasurer	1	Direct Voting System	Scheduled	Rule 14(2) All financial members of the Union

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	To be determined by Returning Officer	NA
Nominations CLOSE	To be determined by returning Officer	NA
Roll of Voters cut off date	No less than 7 and no more than 30 days prior to close of nominations See rule 14 (2)	NA

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](#).

Annexure B-

Rule 14. Elections for Officers

1) The Returning Officer shall be the Australian Electoral Commission, or such other person that the ISU members at an Annual General Meeting, Special General meeting or General Meeting shall nominate, provided that;

a) They are not an Officer or Employee of the ISU

b) Must conduct an election in accordance with these Rules, the Fair Work (Registered Organisations) Act 2009, and shall not attempt to influence the decision in any way.

2) The term of office of the Officers shall be for two years, elected by secret postal ballot of all financial members of the Union. An election may be called by the Management Committee, or General Meeting, Special General Meeting or Annual General Meeting in accordance with these Rules. The notice will set out the dates for close of nominations, close of the roll of electors and the close of the ballot. The close of the roll of electors shall not be less than 7 days, or more than 30 days, before the nominations open.

3) All financial members of the Union shall be entitled to nominate for the offices to be elected by completion of a nomination form signed by the member nominating and by two other financial members and specifying the office or offices to which the member is nominated. If a nomination is defected, the person concerned will be notified and given an opportunity to resolve the defect within 7 days.

4) If the candidates duly nominated do not exceed the number required they shall be declared duly elected. If the candidates duly nominated exceed the number required a ballot shall take place during dates to be fixed by the Returning Officer. The order of candidates on the ballot paper will be determined by drawing the names from a hat with the first name drawn being the first name on the ballot and so on. The non-receipt of a ballot paper by any financial member shall not necessarily invalidate any election. The Returning Officer shall declare elected the candidates entitled to election.

5) Elections shall be conducted by a first past the post voting system provided that if two or more candidates have an equal number of votes the Returning Officer shall determine by lot which of such candidates is elected. The candidates elected shall take office two days after the declaration of the ballot and shall report to the Commission at the earliest possibility. Candidates may act as a scrutineer, or appoint a scrutineer in writing, signed by the candidate and reported to the Returning Officer. A scrutineer may be present when votes are counted.

6) A candidate shall not be eligible to hold simultaneously more than one of the offices listed herein, and that candidate shall be deemed to be the successful candidate for only the higher or highest of such positions. The higher or highest position shall be ascertained from the following table:

a) President

b) Secretary

c) Vice-President

d) Assistant Secretary

e) Treasurer.

If a candidate who received the highest number of votes for an office is not eligible to hold that office, the candidate who received the next highest number of votes in the election for that office shall be declared elected to that office.

7) The Officers shall hold office until the election of their successors and shall be eligible for re-election but the office shall be vacated by their:

a) resigning office by notice in writing;

b) dying or becoming of unsound mind; or

c) being removed from office by a vote of members at a General Meeting under the provisions of sub-clause (8) here of;

d) ceasing to be eligible, under the rules of the Union, to be eligible to hold office.

8) An Officer of the Union may be removed from that office if found by majority vote of the members attending upon due notice a General Meeting of a charge brought by not less than four financial members of the Union that the Officer is guilty under the rules of the Union, of:

a) misappropriation of the funds of the Union;

b) a substantial breach of the rules of the Union; or

c) gross misbehaviour or gross neglect of duty.

Provided that no such vote upon that charge may be taken until the Officer concerned has been furnished by the members laying the charge not less than seven (7) days prior to that General Meeting with particulars of the charge reasonably sufficient to enable them to know the nature of the allegation made against them and the circumstances alleged to justify their removal and unless the Officer charged shall have the opportunity to attend the General Meeting and be heard in person if they so desire, or submit to the meeting a written statement and call witnesses or evidence relevant to the charge.

9) A General Meeting of members may approve the Management Committee to apply for an exemption to run an election without the use of the AEC. This would only occur with the approval of the General Manager of the Commission. If approval is not provided, the AEC will be used.

10) A member of the Union who is entitled to vote at any election held under these rules and will be absent from the members home address during the ballot, such member may apply to the Returning Officer for a ballot paper sent to an address such member nominates