



DECISION

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

Shop, Distributive and Allied Employees Association
(E2025/154)

MR STEENSON

SYDNEY, 25 SEPTEMBER 2025

Arrangement for conduct of election.

[1] On 22 September 2025, the South Australian and Northern Territory Branch (the **Branch**) of the Shop, Distributive and Allied Employees Association lodged with the Fair Work Commission prescribed information for an election to fill a casual vacancy in each of the following offices for the remainder of the term:

President (1)

National Councillor (1)

[2] In assessing the prescribed information for this election, it appeared that a casual vacancy had also arisen in the office of Branch Committee Member from Electorate 4 (an office which existed under the Branch rules in place at the time the previous Branch scheduled election in (E2024/2)) was conducted.¹

[3] Alterations to the Branch rules, which occurred subsequent to election E2024/2, have changed the governance structures of the Branch.² Amongst other changes is the abolition of the office of Branch Committee Member (which had been subject to election in E2024/2) and the creation of the new office of Ordinary Committee Member, five (5) of whom will form part of the newly constituted Committee of Management under the Branch rules.³ The inaugural election for Ordinary Committee Members is scheduled to occur in the first half of 2026, and upon the declaration of their election, the offices of Branch Committee Member (including the office of Branch Committee Member from Electorate 4) are to be abolished.⁴

[4] In the prescribed information for this election (E2025/154), the Branch has stated that the Committee of Management has resolved not to fill the vacancy for the office of Branch

¹ [2024] FWCD 29 conducted under Branch rules certified 5/5/2021 (R2021/18)

² See Branch rules certified 22/9/2025 (R2025/148)

³ Branch rule 13.1.5

⁴ Branch Transitional rule 51.7

Committee Member (an office that will cease to exist from 2026). The Branch has referred to the Branch Casual Vacancies rule, in particular subrule 37.5.2, which provides that:

‘where the unexpired term of the office does not exceed 12 months or three quarters of the term of office (whichever is the greater), the Committee of Management may:

...

resolve not to fill the office.

[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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**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, Joshua Peak, being the Secretary/Treasurer of the Shop, Distributive and Allied Employees Association, South Australian and Northern Territory Branch make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Shop, Distributive and Allied Employees Association, South Australian and Northern Territory Branch.
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. These casual vacancies arise due to the death of the former officeholder.
5. No rule alterations are pending that will impact the election.
6. In accordance with rule 37.5.2, the Committee of Management has resolved not to fill the vacancy in the Committee of Management position for electorate 4, as there will be no member eligible to fill this vacancy.



Joshua Peak

Secretary/Treasurer

Dated: 22/08/2025

Annexure A

- Elections that are required

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
South Australian and Northern Territory Branch	President	1	Direct Voting System	Scheduled; Casual vacancy; New office created; Insufficient nominations	Electors: All members of SA & NT Branch. Rule 31.9. Eligibility to nominate: Member Councillors. Rule 37.6
	National Councillors	1	Direct Voting System	Casual vacancy	All members of SA & NT Branch. Rule 31.9.

- Important dates:

Direct Voting System	
Nominations OPEN	To be determined by the returning officer
Nominations CLOSE	To be determined by the returning officer
Roll of Voters cut off date	To be determined by the returning officer