



DECISION

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

Shop, Distributive and Allied Employees Association
(E2026/24)

MR STEENSON

SYDNEY, 10 FEBRUARY 2026

Arrangement for conduct of election.

[1] On 4 February 2026 the South Australian and Northern Territory Branch (the **Branch**) of the Shop, Distributive and Allied Employees Association lodged with the Fair Work Commission (the **Commission**) prescribed information for an election to fill the following offices for a new term of office:

Delegates to Member Council
(total number to be determined in accordance with the rules)

Ordinary Committee Members
(number to be no less than five and no more than seven, to be determined in accordance with the rules)

[2] This is an inaugural election for the abovementioned offices, which have been newly established as a result of alterations to the Branch's rules transacted in matters **R2024/142** and **R2025/41** and certified by the Commission on 28 April 2025.¹

[3] The relevant transitional provisions in the Branch rules provide that the first election for Delegates to Member Council is to occur in 2026, after which a further election for Ordinary Committee Members is also to be held as soon as is practicable.²

[4] I note that, for Delegates to Member Council, the Branch rules set out the relevant formula for the number of Delegates to be elected, which, in this case, is to be calculated as at 31 March 2026.³ Accordingly, at the time the prescribed information was lodged for this election, the Branch could not provide the number of Delegates to Member Council to be elected, as the date on which they are determined is in the future.

¹ See [2025] FWCD 1014.

² See Branch rulebook certified on 22 September 2025, rules 51.1 and 51.3.

³ Ibid, rule 27.4.

[5] On the other hand, for the 2026 election of Ordinary Committee Members, the transitional Branch rules provide that the Committee of Management may determine to increase the number of Ordinary Committee positions to a maximum of seven (7), but no less than five (5).⁴ On the information available to the Commission, that determination has not yet been made. When it is determined, the Branch will need to notify the Australian Electoral Commission (the AEC) so that the Election Notice can reflect this.

[6] 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 AEC.



DELEGATE OF THE GENERAL MANAGER

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⁴ Ibid, rule 51.3.

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 Mark David 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 tables in Annexure A (Stage 1) and Annexure B (Stage 2).
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).
6. The number of Delegates to Member Council are calculated on a formula defined in the rules:
 - a. The rule number which specifies the formula is 27.4:
 - b. The formula is, each electorate shall be represented on the Member Council by:
 - 27.4.1 one member for the first 1,000 members or part thereof as allocated to the electorate on the 31st March in the year of the election; and
 - 27.4.2 an extra one member for each subsequent 1,000 members of part thereof, provided that the maximum number of representatives for an electorate for the Delegates of Member Council will be eight.
 - c. The information for calculating the formula is based on the number of eligible members in each electorate.
 - d. The relevant date for this information is 31 March 2026.

Signed:



Dated: 4 February 2026

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
South Australian and Northern Territory Branch	Delegates to Member Council	TBC	Direct Voting System	New office created	All members of the Branch financial as at 31 March in the year in which the election is held. Rule 31.11.

- Important dates:

	Direct Voting System
Nominations OPEN	No less than 7 days and no more than 14 days after the roll is closed on 31 March 2026 (rule 31.2)
Nominations CLOSE	12.00 noon on Wednesday 6 May 2026 (rule 31.3)
Roll of Voters cut off date	31 March 2026 (rule 31.1)

Annexure B

- 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
South Australian and Northern Territory Branch	Ordinary Committee Member	5-7 as determined by the Committee of Management	Direct Voting System	New office created	To nominate: All Member Councillors Eligible voters: All members of the Branch financial as at a date to be determined by the Returning Officer in the year in which the election is held.

- Important dates:

	Direct Voting System
Nominations OPEN	As soon as practicable after the election of Delegates to Member Council in 2026 (rule 51.3).
Nominations CLOSE	To be determined by the Returning Officer.
Roll of Voters cut off date	To be determined by the Returning Officer.