



DECISION

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

The Association of Independent Schools of South Australia
(E2026/6)

MS GUINA

MELBOURNE, 11 MARCH 2026

Arrangement for conduct of election.

[1] On 23 February 2026, The Association of Independent Schools of South Australia (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:

Board Members

Principal from a Primary only School	(1)
Principal from any Member School	(1)
Governor	(1)
Member employee with Financial Management Responsibilities	(1)

Office Bearers

Chair	(1)
Deputy Chair	(1)

[2] The prescribed information lodged by the organisation also requested an election to fill a casual vacancy in the following office for the remainder of the term:

Board Member

Governor	(1)
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[3] Further to the above, the same prescribed information requested a further election to fill the following office, due to insufficient nominations received in a previous election (E2025/130):

Board Member

Governor	(1)
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Scheduled election and relevant Board Member Group

[4] Under the rules of the organisation, Board Members are elected on a rotational basis.¹ The Board Members to be elected in this election are those which comprise what is referred to as ‘Group 3’ under rule 12.1(c) the organisation’s rules. The rules provide that elections for this group of Board Members were to first occur in 2023 and every three years thereafter.

Whether the casual vacancy position can be filled via election

[5] On 24 February 2026, the Commission contacted the organisation seeking clarification as to the reason an election was being sought to fill the vacancy which had arisen following the resignation of the previous incumbent Board Member - Governor. That officer had commenced their three-year term of office in June 2024 per rule 11.1 and had later resigned in January 2026—approximately eighteen (18) months prior to the expiration of their term. In such a case, an election would not be required under the rules to fill the position, as rule 15.4.1 provides that a vacancy occurring where the unexpired portion of the term is twenty-seven (27) months or less is to be filled via appointment.

[6] In its response provided on the same day, the organisation clarified that the Board of the organisation, in considering the vacancy at its most recent February meeting, had resolved to include the position in the forthcoming election process. This was based on the fact that prescribed information was already due to be lodged with the Commission by early March in relation to the abovementioned scheduled election and that no suitable candidates had been identified to fill the vacancy.

[7] In considering the reasons provided by the organisation in support of its decision to fill the vacancy via election rather than via appointment, I have determined that it is appropriate to allow for the casual vacancy election to proceed in order to maximise the chances of the position being filled in fulfilment of the principles of democratic control and representation of organisations enshrined in the *Fair Work (Registered Organisations) Act 2009* (the **RO Act**).

[8] I am thus 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 Australian Electoral Commission.



DELEGATE OF THE GENERAL MANAGER

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¹ See rulebook R2023/64 certified 30 August 2023, rule 12.

**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, Shannon Warren, being the Board Chair of the Association of Independent Schools of South Australia (AISSA) make the following statement:

1. I am authorised to sign this statement containing prescribed information for the AISSA.
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. Insufficient nominations were received in earlier elections and the declarations of results are attached.
5. No rule alterations are pending that will impact the election.
6. This statement **IS** lodged at least 2 months before nominations open for the elections in Annexure A.

Signed: .....
Shannon Warren, AISSA Board Chair

Dated: 23/2/26.....

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 [insert as many pages as 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
N/A	Board Member -Principal from a Primary only School (Rule 9.1.1(a))	1	Direct Voting System	Scheduled	All AISSA Members (Rule 13.1)
N/A	Board Member – Principal from any Member School (Rule 9.1.1(c))	1	Direct Voting System	Scheduled	All AISSA Members (Rule 13.1)
N/A	Board Member -Governor (Rule 9.1.2)	1	Direct Voting System	Scheduled	All AISSA Members (Rule 13.1)
N/A	Board Member – a person who is employed by a Member with responsibilities which include the overall financial management of the Member (Rule 9.1.3)	1	Direct Voting System	Scheduled	All AISSA Members (Rule 13.1)
N/A	Board Member – Governor (Rule 9.1.2)	1	Direct Voting System	Insufficient Nominations (Declaration of Results in previous election attached)	All AISSA Members (Rule 13.1)
N/A	Board Member – Governor (Rule 9.1.2)	1	Direct Voting System	Casual Vacancy (Resignation letter attached)	All AISSA Members (Rule 13.1)
N/A	Chair (Rule 10.1.2)	1	Collegiate electoral system	Scheduled	All Board Members (Rule 13.8)
N/A	Deputy Chair (Rule 10.1.2)	1	Collegiate electoral system	Scheduled	All Board Members (Rule 13.8)

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	At least six weeks before 23 June 2026 (ie by no later than 12 May 2026) (Rule 14.4)	No less than 7 days prior to 20 August 2026 (preference: 30 June 2026)
Nominations CLOSE	To be determined by the Returning Officer (preference: 15 June 2026)	To be determined by the Returning Officer (preference:17 August 2026)
Roll of Voters cut off date	7 days prior to nominations opening (Rule 14.10.)	7 days prior to nominations opening (Rule 14.10.)