



DECISION

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

Australian Directors Guild Limited
(E2026/107)

MR STEENSON

SYDNEY, 16 SEPTEMBER 2026

Arrangement for conduct of election.

[1] On 3 September 2026 the Australian Directors Guild Limited (the **Guild**) lodged with the Fair Work Commission (the **Commission**) prescribed information, and on 15 September 2026 lodged amended prescribed information, for an election to fill the following offices for a new term of office:

Vice President – New Media	(1)
Vice President – Documentary	(1)
Secretary	(1)
Treasurer	(1)

[2] I take this opportunity to again highlight issues that have previously been brought to the attention of the Guild in relation to its rules, in particular its election-related rules. These concerns have been raised in three successive election decisions issued by the Commission – [2024] FWCD 28,¹ [2024] FWCD 141,² and [2025] FWCD 1127³ – and by other means. However, no apparent action has been taken by the Guild to address these issues.

[3] The concerns are in relation to:

- (a) the inconsistency in the rules regarding terms of office and the frequency of elections; and
- (b) the rules appear not to clearly identify the electorates from which offices are elected (including those of the offices identified above).

[4] In relation to terms of office and the frequency of elections, rule 24.1 provides that Directors, Officers, and Board members hold office for terms of three (3) years. Officers are

¹ In matter E2023/137 (arranging a scheduled election for a new term of office)

² In matter E2024/164 (arranging an election for a new term of office, as well as arising from insufficient nominations)

³ In matter E2025/164 (an election arising from insufficient nominations)

divided into two groups elected on a rotational basis with elections for one group occurring in the year following those of the other (i.e. two scheduled elections occurring over a three-year cycle). However, rule 1(1) of Schedule 1 provides that nominations for the positions of Director and Officer shall ‘occur annually’ [emphasis added]. This wording suggests that elections for those offices would instead be held each year (with terms of office lasting only one year) or half elected each year (for a two-year term) using a rotational basis for election. It remains unclear how the provision in Schedule 1 can be reconciled with rule 24.1.

[5] In relation to the electorate from which officers are elected, this is a fundamental element of an election and therefore should be clear and unambiguous in an organisation’s rules.

[6] The Commission has previously strongly recommended to the Guild (in the election decisions referred to above) that it engage with the Commission’s Rules Team to address these issues and proceed with rule alterations before the next scheduled election. This has not occurred.

[7] Consequently, the Commission’s Regulatory Governance and Compliance Team will be engaging directly with the Guild to ensure that this issue is addressed, including via a formal undertaking if necessary, before any further election for the Guild.

[8] 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, VICTORIA THAINE, being the SECRETARY of the AUSTRALIAN DIRECTORS' GUILD LIMITED make the following statement:

1. I am authorised to sign this statement containing prescribed information for AUSTRALIAN DIRECTORS' GUILD LIMITED.
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. This statement **IS** lodged at least 2 months before nominations open for the election(s) in Annexure A.
5. The rule number(s) which specify(s) the formula(s) is/are 24.1 and 24.2:
 - a. The information for calculating the formula(s) is
 - i. 24.1 The term of office for Directors and Officers and members of the Board shall be for three (3) years, so that four (4) members of the Board shall be elected in one year and four (4) members elected in the third year following the first election.
 - ii. 24.2 For the purpose of giving effect to the rotation of the members of the Board as set out in the preceding clause the following procedure shall be adopted:
 - iii. (a) At the annual elections immediately following the registration of the Guild as an organisation under the Fair Work (RO) Act, nominations shall be called for the positions of President, four (4) Vice Presidents, Secretary, Treasurer and Ordinary Director and Officer.
 - iv. (b) The President, the first and second elected Vice Presidents and the Ordinary Director and Officer shall be deemed to be elected for a term of three (3) years; and the remainder, namely the third and fourth elected Vice Presidents, the Secretary and the Treasurer shall be deemed to be elected for a term of two (2) years.
 - v. (c) In subsequent years nominations for vacant positions on the Board shall be called in accordance with this Clause 24 and the term of office for those Directors and Officers elected will be for three (3) years.

The relevant date for this information is three years from appointment date, 17 April 2024.



Signed: Victoria Thaine, Secretary

Dated:

Annexure A

- Elections that are required – Scheduled

Branch	Name of Office	Number required	Voting System	Reason for Election Scheduled; Casual vacancy; New office created; Insufficient nominations	Electorate
National	Secretary	1	Direct Voting System	Scheduled	National, rule 24
National	Treasurer	1	Direct voting system	Scheduled	National, rule 24
National	Vice President New Media	1	Direct voting system	Scheduled	National, rule 24
National	Vice President Documentary	1	Direct voting system	Scheduled	National, rule 24

Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	Before 10.00 a.m. on the 21st day after the position are declared vacant by the President.	Insert date and reference the relevant rule; or 'To be determined by returning officer' if the rules provide
Nominations CLOSE	At least one month before the commencement of any ballot.	Insert date and reference the relevant rule; or 'To be determined by returning officer' if the rules provide
Roll of Voters cut off date	Seven days prior to nominations opening.	Insert date and reference the relevant rule