



DECISION

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

Association of Consulting Architects - Australia (E2016/182)

MR STEENSON

MELBOURNE, 26 AUGUST 2016

Arrangement for conduct of election.

[1] On 4 July 2016 the Association of Consulting Architects - Australia lodged with the Fair Work Commission (the Commission) prescribed information in relation to an election for the following offices:

National President
National Vice-President
National Secretary
National Treasurer

[2] Following a discussion with the Commission's Regulatory Compliance Branch, on 24 August 2016 the organisation lodged further material in support of its notification.

[3] 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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ELLIOTT, Mark

From: ACA-A National <nat@aca.org.au>
Sent: Wednesday, 24 August 2016 8:38 PM
To: ELLIOTT, Mark
Cc: John Held; Kieran Wong; Mark Williams; Paul Viney; Steve Kennedy
Subject: RE: Association of Consulting Architects - Notice under Section 159 of the Fair Work (RO) Act 2009
Attachments: Declaration S Hanger 20150323.pdf

Hi Mark

I confirm that the National Executive Committee office holders took up office upon the declaration of their election in March 2015 and are aware that the two year term will be shortened once the FWC decision is handed down to proceed with elections in 2016 to bring all elections into line in accordance with the definition 'election year' means the 2016 calendar year and each even year thereafter.

Further evidence is the Declaration attached of Notification of Changes to Records dated 23 March 2015.

Please let me know should you require further clarification / confirmation.

Kind regards
Michelle Eades

From: ELLIOTT, Mark [<mailto:Mark.ELLIOTT@fwc.gov.au>]
Sent: Wednesday, 24 August 2016 5:45 PM
To: 'nat@aca.org.au'
Subject: FW: Association of Consulting Architects - Notice under Section 159 of the Fair Work (RO) Act 2009

Hi Michelle,

This is the rule change that kicked off the 2 year terms which commence at the conclusion of the AGM (i.e current Rule 19(8)). R2014/296 refers. The alterations came into effect on 31 December 2014.

Prior to the change, Rule 19(8) provided: “ (8) Office-holders shall be elected for a term of two years or until the conduct of the next election of office-holders under these Rules next following their election.”

An election was held in 2012 (E2012/337). The next election was in 2015 (E2015/57) – PI was lodged on 19 January and the election was declared on 11 March 2015.

Can you confirm that the current office holders took up office upon the declaration of their election in March 2015, rather than at the AGM in the latter part of 2015. I note that such an outcome would be consistent with the definition of the term “election year” which was inserted into Rule 3 in the 31 December 2014 alterations.

Let me know.

Regards,

Mark Elliott
Regulatory Compliance Branch

Fair Work Commission

Tel: 03 8656 4687

Fax: 03 9655 0410

mark.elliott@fwc.gov.au

11 Exhibition Street, Melbourne, Victoria 3000

GPO Box 1994, Melbourne, Victoria 3001

www.fwc.gov.au

Please be aware my telephone number has changed. My new phone number is 03 8656 4687. Please update your records accordingly

From: ACA-A National [<mailto:nat@aca.org.au>]

Sent: Monday, 1 December 2014 1:53 PM

To: Orgs

Cc: LEE, Rebecca

Subject: Association of Consulting Architects - Notice under Section 159 of the Fair Work (RO) Act 2009

The Association of Consulting Architects Australia wishes to make an application under Section 159 Alteration of Other Rules of Organisation.

Please find attached for filing:

1. Notice under Section 159 Alteration of Other Rules of Organisation of the Fair Work (Registered Organisations) Act 2009 and Regulation 126 of the Fair Work (Registered Organisations) Regulations 2009.
2. Declaration S Kennedy
3. Annexure A
4. Annexure B
5. Annexure C

We look forward to hearing from the Commission in due course.

Regards

Michelle Eades
Executive Officer
ACA-Australia
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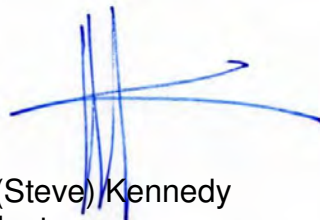
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**PRESCRIBED INFORMATION IN RESPECT OF ELECTION
SECTION 189(1) OF THE FAIR WORK (REGISTERED ORGANISATIONS)
ACT 2009**

I, John Stephen (Steve) Kennedy, being the National President of the Association of Consulting Architects – Australia, make the following statement:

1. I am an officer of the Association of Consulting Architects – Australia and am authorized to sign this statement which is lodged in accordance with subsection 189(1) of the Fair Work (Registered Organisations) Act 2009.
2. **The offices in respect of which the elections are required:**
National President
National Vice President
National Secretary
National Treasurer
3. **The reason for which the elections are required are:**
Term of office due to expire.
4. **The electorate for the election is:**
National Executive Committee Members
5. **The dates and times that nominations open and close are:**
This will be in consultation with the Australian Electoral Commission.
6. **The voting systems to be used in the conduct of the election are:**
Collegiate Election for National President, National Vice President, National Secretary and National Treasurer.
7. **The date on which the roll of voters closes is:**
To be determined by the Returning Officer.



John Stephen (Steve) Kennedy
National President
4 July 2016