



DECISION

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

Australian Business Industrial
(E2017/162)

MR ENRIGHT

MELBOURNE, 3 JULY 2017

Arrangement for conduct of election.

[1] On 29 June 2017 the Australian Business Industrial lodged with the Registered Organisations Commission prescribed information for an election to fill a casual vacancy in the following office for the remainder of the term:

Councillor (1)

[2] I am satisfied that an election for the abovenamed office 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 COMMISSIONER

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From: Nadee DeSilva <nadee.desilva@australianbusiness.com.au>
Sent: Thursday, 29 June 2017 9:21 AM
To: ROC - Registered Org Commission
Cc: Dick Grozier
Subject: ABI (143N) Lodgement of Prescribed Information for Election -Australian Business Industrial
Attachments: Lodgement of Prescribe Information for Election.pdf

Dear Commissioner,

Please find attached letter from Robert Kirkham, Secretary/Treasurer, Australian Business Industrial. If you have any questions please contact Dick Grozier, Director Australian Business Industrial on (02) 9458 7574 or via Dick.Grozier@nswbc.com.au

Thank you & Kind regards

Nadee DeSilva
Administration Assistant, NSW Business Chamber

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28 June 2017

Our reference

The Registered Organisations Commissioner
Registered Organisation Commission
Level 4, 414 LaTrobe Street
Melbourne Victoria 3001

405342-30

Email: regorgs@roc.gov.au

Dear Commissioner

RE: LODGEMENT OF PRESCRIBED INFORMATION FOR ELECTION

Australian Business Industrial (**ABI**) is a registered organisation, organisation code 143N.

ABI conducted elections and on 20 July 2016 a total of 15 eligible members were declared elected as councillors. On 26 June 2017 one of ABI's councillors, Anni Brownjohn, advised her resignation from council.

Under rule 26 ABI is required to elect fifteen (15) offices of Councillor and a casual vacancy has accordingly arisen. As more than three quarters of Ms Brownjohn's term remains, ABI rules require that the casual vacancy is filled by secret postal ballot of the eligible members.

ABI is therefore seeking to conduct a further election in accordance with its rules and the FW (RO) Act so as to fill the one (1) office occasioned by the casual vacancy.

ABI respectfully requests that you arrange for the conduct of the election of a councillor to fill this one vacant office.

This election will be conducted under ABI's rules as most recently certified on 5 April 2016.

Please accept the following as the information required under s 189(1) of the FW(RO) Act and r 138 of the FW(RO) Regs. Vacant positions are to be filled by direct election from the membership and determined under a "first past the post" system.

Pursuant to rule 29 Council has set 19 October 2017 as the date for the further election (this is the date the ballot will close). Under ABI's rules this date has the following consequences.

Rule 36 provides that an eligible member of ABI may nominate for election to the Council by lodging his/her nomination with the Returning Officer in writing within three weeks of the publication of the election notice. To meet the relevant date requirements imposed by the Rules, ABI will be required to follow the following election timetable:

Rules Requirement	ABI proposed date
Notice of election	31 August 2017
Closure of nominations (at least 3 weeks after notice of election - Rule 36)	21 September 2017
Opening ballot (at least 1 week after closure of nominations - Rule 40)	29 September 2017
Closure of ballot (at least 3 weeks after opening of ballots - Rule 40)	19 October 2017

ABI does not comprise branches and as such regulation 138(1)(d) does not apply.

If you have any further questions please contact Dick Grozier on (02) 9458 7574 or via dick.grozier@nswbc.com.au.

Yours faithfully



Robert Kirkham
Secretary/Treasurer