

# Australian Directors Guild Limited ADG Board Elections

## Declaration of Results for Uncontested Offices

**E2015/256**

Below are the results of the election for the following offices, conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation.

### **Australian Directors Guild**

#### **President**

Candidates

LANG, Samantha

#### **Vice President - Feature Films**

Candidates

TASS, Nadia

#### **Vice President - Television Drama/Comedy**

Candidates

BROUGH, Jonathan

#### **Vice President - Documentary**

Candidates

PEEDOM, Jennifer

#### **Vice President - New Media**

Candidates

LEDWIDGE, Michela

In accordance with Rule 20.2 a draw was conducted to determine the seniority of Vice Presidents.

Jonathan BROUGH Vice President - Television – 1<sup>st</sup> Elected Vice President

Jennifer PEEDOM Vice President Documentary – 2<sup>nd</sup> Elected Vice President

Nadia TASS Vice President Feature Films - 3<sup>rd</sup> Elected Vice President

Michela LEDWIDGE Vice President New Media – 4<sup>th</sup> Elected President

### **Secretary**

#### Candidates

ARGALL, Ray

### **Treasurer**

#### Candidates

WALLACE, Stephen

### **Ordinary Director**

#### Candidates

WALKER, Jeffrey

As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above candidates elected.



Kathryn Montgomery  
Returning Officer

12 November 2015.

**Fair Work (Registered Organisations) Act 2009**

**POST ELECTION REPORT**

**Client:** Australian Directors Guild Limited  
**Contact details:** Kingston Anderson **Email:** [kingston@adg.org.au](mailto:kingston@adg.org.au)  
CEO  
Australian Directors Guild Limited  
PO Box 21`1  
ROZELLE NSW 2039

**AIR contact officer:** David Vale **Email:** [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)

**ELECTIONS COVERED IN THIS REPORT**

**Election Decision No/s:** E2015/256

**RULES**

Rules used for elections - Rule ID: [157N: Rules as at registration on 04/03/15 in matter D2013/135]

Rules difficult to apply/interpret: The rules do not identify what action should be taken to resolve a tied vote for office if a ballot is required.

Model Rule reference (if any): None

**ROLL OF VOTERS**

As the election was uncontested no Roll of Voters used.

**ALLEGATIONS OF IRREGULARITIES RECEIVED:**

Details of written allegations of irregularities, and action taken by AEC NIL

Other irregularities identified, and action taken NIL

**ATTACHMENTS**

1. Declaration of Results for Uncontested Offices



Kathryn Montgomery  
Returning Officer  
14 December 2015



## DECISION

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

### **Australian Directors Guild Limited** (E2015/256)

MR ENRIGHT

MELBOURNE, 13 OCTOBER 2015

*Arrangement for conduct of election.*

[1] On 7 October 2015 the Australian Directors Guild Limited (the ADGL) lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

President	(1)
Vice President	(4)
Secretary	(1)
Treasurer	(1)
Ordinary Director/Officer	(1)

[2] On 12 October 2015 the ADGL made a request for an extension of time to lodge the prescribed information as the application should have been lodged by the prescribed day, which was 16 August 2015. The delay in lodgement was due to the fact that this is the first election conducted after the ADGL was registered as an organisation of employees pursuant to s.18 of the *Fair Work (Registered Organisations) Act 2009* (the Act) on 4 March 2015. The request further states that the ADGL will put in place systems to ensure the timeframes under the Act are adhered to in the future.

[3] With regard to the request for an extension of time for lodgement of the prescribed information, I have considered the explanation for the delay provided by Mr Argall, the President of the ADGL. Having regard to the normal and reasonable expectation that registered organisations take steps to ensure that they comply with the time-frame requirements set out not only in the Act but also in instruments or references pertaining to the governance arrangements formulated by organisations themselves, I allow on this occasion a later day for lodgement.

[4] While I have allowed a later day for lodgement in the circumstances of this application, the failure of an organisation to lodge prescribed information before the prescribed day contravenes section 189(2) of the *Fair Work (Registered Organisations) Act 2009* and is a civil penalty provision which may be the subject of application by the Fair Work Commission for orders in the Federal Court.

[5] 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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**MOUTEVELIS, Michael**

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**From:** Kingston Anderson <kingston@adg.org.au>  
**Sent:** Monday, 12 October 2015 2:26 PM  
**To:** Orgs  
**Subject:** Letter from ADG President  
**Attachments:** unknown.jpg; ATT00001.htm; logo-for-email.jpg; ATT00002.htm; FWC Letter.doc; ATT00003.htm

Please find attached a letter from the ADG President.

**Australian  
Directors  
Guild**

PO Box 211  
Rozelle NSW 2039  
PH +61 2 9555 7045  
ABN 14 002 294 920  
[www.adg.org.au](http://www.adg.org.au)



9<sup>th</sup> October 2015.

To the General Manager,  
Fair Work Commission,  
11 Exhibition St,  
Melbourne. VIC. 3000.

Via Email: [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)

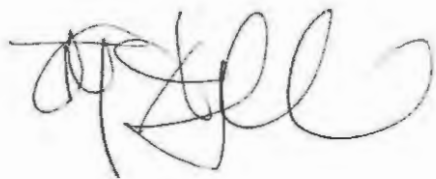
Dear Sir/Madam,

We are requesting a reduction in the notification time we need to provide to the Fair Work Commission under Section 189. Normally we would need to lodge a notification 2 month prior to nominations but we are in an unusual position. We have only recently been registered under the act and continue to be a company limited by guarantee under the Corporations Act. As such we are required to lodge our financial and company documents within 5 months of the close of the financial year, in our case the 30th June 2015. This means the latest date we can have an Annual General Meeting is the 28th November. As we are outside that time to notify the FWC we will be in breach unless we can get a reduction in the notification time.

We would therefore request that we have our AGM on the 28th November with our Nominations for officeholders being posted by the 23rd October and nominations closing on the 13th November and the ballots being concluded on the 27th November in time for the AGM on the 28th November.

This is the first time we have operated under this new electoral system and we will put in place systems to ensure we do not require changes to the timeframe as specified in the act again. As a newly registered organisation we hope you understand our dilemma and can grant us this request.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ray Argall', with a stylized, cursive script.

Ray Argall

President

E: [president@adg.org.au](mailto:president@adg.org.au)



**VALE, David**

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**From:** Kingston Anderson <kingston@adg.org.au>  
**Sent:** Wednesday, 7 October 2015 3:37 PM  
**To:** Orgs  
**Subject:** Extension Request

**Categories:** RIA



To the General Manager,  
Fair Work Commission,

Dear Sir/Madam,

We are requesting a reduction in the notification time we need to provide to the Fair Work Commission under Section 189. Normally we would need to lodge a notification 2 month prior to an election being held but we are in an unusual position. We have only recently been registered under the act and continue to be a company limited by guarantee under the Corporations Act. As such we are required to lodge our financial and company documents within 5 months of the close of the financial year, in our case the 30th June 2015. This means the latest date we can have an Annual General Meeting is the 28th November. As we are outside that time to notify the FWC we will be in breach unless we can get a reduction in the notification time.

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Yours sincerely,



Kingston Anderson  
CEO  
Australian Directors Guild &  
Australian Screen Directors Authorship Collection Society.  
PO Box 211,  
Rozelle, NSW, 2039.  
Tel : 1300 539639  
Mob : 0419 635358  
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The ADG would like to thank Screen Australia, Screen NSW, ASDACS, South Australian Film Corporation, Screen QLD, Screenwest, Film Victoria, Screen Tasmania, Media Super and Screenrights, for their financial assistance and support of ADG's annual cultural events and activities.

**NOTICE OF ELECTION OF BOARD OF DIRECTORS FOR THE AUSTRALIAN  
DIRECTOR GUILD LTD**



I, RAY ARGALL, being the PRESIDENT of the AUSTRALIAN DIRECTORS GUILD LTD, make the following statement:

I am the PRESIDENT of the AUSTRALIAN DIRECTORS GUILD LTD

I am authorised to lodge the following prescribed information concerning forthcoming elections of the AUSTRALIAN DIRECTORS GUILD LTD, and

I confirm that the following information is being lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009*.



Signed:

Dated: 7<sup>TH</sup> OCTOBER 2015.

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**Offices/Positions**

<b>A</b>	President (Direct Voting System)
	Vice-Presidents (4) (DVS)
	Secretary (DVS)
	Treasurer (DVS)
	Ordinary Director or officer (1) (DVS)

**Reasons for election:**

- Election for offices and positions marked A is required as the terms of office are due to expire in the normal course of events under the rules of the organisation.

**Elected by:**

- The electorate for the direct voting system are full members of the Australian Directors Guild. (9.3 B)

**Nominations open:**

- For offices to be elected by direct voting system – FRIDAY 16<sup>th</sup> October 2015

**Nominations close:**

- For offices to be elected by direct voting system – FRIDAY 13<sup>th</sup> NOVEMBER 2015

**Cut off date for roll:**

- In all cases - 7 days prior to the opening date for nominations