



## AMENDING DECISION

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

**Australian Education Union**  
(E2020/185)

MR STEENSON

SYDNEY, 13 OCTOBER 2021

*Arrangement for conduct of election.*

[1] On 30 October 2020, a decision was issued in this matter to arrange for an election arising from an increased entitlement, for some Branches, to the number of Delegates from those Branches to national bodies of the organisation for the term of office which had commenced with election **E2019/32**.<sup>1</sup>

[2] Subsequently, on 2 June 2021 a decision was issued in another matter (**E2021/73**) arranging for an election for a new term for a range of offices, including those offices that were the subject of the decision in E2020/185. It is therefore apparent that this later election decision (**E2021/73**) – because it relates to an entirely new term of office – would have the practical effect of superseding the original decision in this matter, which relates to the earlier term.

[4] As a result of communications from the Australian Electoral Commission (AEC), I understand that the election in this matter **E2020/185** has not yet been conducted.

[5] In circumstances where the election sought in this matter was for the filling of additional Branch Delegates in what is now the previous term of office, and this has been overtaken by an election for a new term of office, I confirm that the AEC is no longer required to conduct election **E2020/185**.



DELEGATE OF THE COMMISSIONER

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<sup>1</sup> Sub-Rules 24(4), 24(7), 47(4) and 47(7) of the organisation's rules allow the number of Branch Delegates to be increased in line with increases in the number of financial members of a Branch as at 30 June 2020. As a result, the Queensland, NSW and Western Australian Branches were entitled to additional Delegates.



# DECISION

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

**Australian Education Union**  
(E2020/185)

MR ENRIGHT

MELBOURNE, 30 OCTOBER 2020

*Arrangement for conduct of election.*

[1] On 28 September 2020 the Australian Education Union (the organisation) lodged with the Registered Organisations Commission prescribed information for an election to fill new offices as a result of an increased entitlement to the number of Branch Delegates elected in a previous election (**E2019/32**). Sub-Rules 24(4), 24(7), 47(4) and 47(7) of the organisation's federal rules allow the number of Branch Delegates elected in a previous election to be increased concurrent with any increase in the number of Branch financial members as calculated at 30 June 2020. Due to increased financial members the following Branches are entitled to additional Delegates for the remainder of the same term of office as those elected in E2029/32:

**Queensland Branch**

Federal Conference Delegate representing the General Division (1)

**New South Wales Branch**

Federal Conference Delegate representing the General Division (1)

**Western Australian Branch**

National TAFE Council Delegate (1)

[2] 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.



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# *Australian Education Union*

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28 September 2020

Mr Mark Bielecki  
Registered Organisations Commissioner  
Registered Organisations Commission  
GPO Box 1994  
Melbourne VIC 3001

Email: [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

**Statement: Prescribed Information for Elections: Section 189 of the Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009**

Dear Commissioner Bielecki,

I, Susan Hopgood, being the Federal Secretary of the Australian Education Union make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Federal Branch of the AEU.
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 below.

Yours sincerely,

A handwritten signature in blue ink that reads 'S Hopgood'.

Susan Hopgood  
Federal Secretary

### ANNEXURE A - ELECTIONS THAT ARE REQUIRED

<b>BRANCH</b>	<b>NAME OF OFFICE</b>	<b>NUMBER REQUIRED</b>	<b>VOTING SYSTEM</b>	<b>REASON FOR ELECTION</b>	<b>ELECTORATE</b>
QLD	Federal Conference Delegate representing the General Division.	One	Direct voting system	An increase in the Branch's General Division membership at 30 June 2020 to 42,842 gives the Branch an entitlement of 18 General Division Federal Delegates (the Branch currently has an entitlement to 17). (Federal Rule 24 (7))	All General Division members of the QLD Branch
NSW	Federal Conference Delegate representing the General Division.	One	Direct voting system.	An increase in the Branch's General Division membership at 30 June 2020 to 58,220 gives the Branch an entitlement of 24 General Division Federal Delegates (the Branch currently has an entitlement to 23).	All General Division members of the NSW Branch
WA	National TAFE Council Delegate representing the TAFE Division.	One	Direct voting system.	An increase in the Branch's TAFE Division membership at 30 June 2020 to 1,024 gives the Branch an entitlement of 4 TAFE Council Delegates (the Branch currently has an entitlement to 3).	All TAFE Division members of the WA Branch

	<b>Direct Voting System</b>
<b>Nominations OPEN</b>	to be determined by the returning officer
<b>Nominations CLOSE</b>	to be determined by the returning officer
<b>Roll of Voters cut-off date</b>	7 days prior to nominations opening (Federal Rule 30(4))