



## AMENDING DECISION

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

### **Australian Education Union-New South Wales Teachers Federation Branch** (E2020/161)

MR ENRIGHT

MELBOURNE, 11 FEBRUARY 2021

*Arrangement for conduct of election.*

[1] On 5 August 2020, the Australian Education Union New South Wales Teachers Federation Branch (the Branch) lodged with the Registered Organisations Commission (the Commission) prescribed information for an election to fill the following offices:

Branch Vice President (4)

Branch Custodians (2)

Representative of members on the ATSI Members' Roll (1)

Association Representatives (8)

[2] On 26 August 2020, I issued a decision in this matter indicating that I was satisfied that an election for the abovenamed offices was required to be held under the rules of the organisation and, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009* (RO Act), made arrangements for the election to be conducted by the Australian Electoral Commission (AEC).

[3] This election has not yet occurred, and the AEC advised the Branch that it was unable to conduct the election in the timeframe sought by the Branch. The primary reason for this was the delays in the timetabling and conduct of elections, which are a consequence of the suspension of industrial elections by the AEC for most of 2020 due to the COVID-19 pandemic and associated restrictions.

[4] On 3 December 2020, the Branch lodged with the Commission an application (E2020/225) under section 183 of the RO Act, seeking to an exemption from the default requirement, set out in section 182 of the RO Act, that the AEC conduct all of its elections for office. The application was specifically in relation to the abovenamed offices. The application (E2020/225) did not seek an exemption in relation to any other offices of the Branch and I note that the AEC conducted the election of Branch Councillors in matter E2020/101.

[5] On 9 February 2021, I issued a decision [2020] ROCD 17 in matter E2020/225, granting the Branch's application for an exemption from the requirement that the AEC conduct the abovenamed elections.

[6] A consequence of my decision in matter E2020/225 is that, while an election is still required for the abovenamed offices, it is to be conducted by the Branch in accordance with the exemption that it now holds.

[7] My decision in this matter (E2020/161) is therefore amended to the effect that the AEC is now not required to conduct the election for the abovenamed offices.



DELEGATE OF THE COMMISSIONER

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PR351848



## **DECISION**

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

**Australian Education Union**  
(E2020/161)

MR ENRIGHT

MELBOURNE, 26 AUGUST 2020

*Arrangement for conduct of election.*

[1] On 5 August 2020 the Australian Education Union New South Wales Teachers Federation Branch lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Branch Vice President	(4)
Branch Custodians	(2)
Representative of members on the ATSI Members' Roll	(1)
Association Representatives	(8)

[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.



DELEGATE OF THE COMMISSIONER

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## New South Wales Teachers Federation

a branch of the Australian Education Union  
AEU NSW Teachers Federation Branch ABN 86 600 150 697



5 August 2020

466/2020/NC:bdcb

Mr Mark Bielecki  
Commissioner  
Registered Organisations Commission  
GPO Box 2983  
Melbourne VIC 3001

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

Dear Commissioner Bielecki,

### Re: Election for Branch Executive 2021

#### **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, John Dixon, being the Branch Secretary of the Australian Education Union NSW Teachers Federation Branch, make the following statement:

1. I am authorised to sign this statement containing prescribed information for Australian Education Union NSW Teachers Federation Branch.
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. No rule alterations are pending that will impact the election.
5. This statement **IS** lodged at least 2 months before nominations open for the election below.

Yours sincerely

**John Dixon**  
**General Secretary**

## ANNEXURE A

Election that is required: Branch Executive

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
NSW	<i>Branch Vice-Presidents</i>	4	<i>Collegiate</i>	<i>Scheduled</i>	<i>Branch Council Rule 14 (2) in accordance with Rule 38</i>
	<i>Branch Custodians</i>	2	<i>Collegiate</i>	<i>Scheduled</i>	<i>Branch Council Rule 14 (2) in accordance with Rule 38</i>
	<i>Representative of members on the ATSI Members' Roll</i>	1	<i>Collegiate</i>	<i>Scheduled</i>	<i>Branch Council Rule 14 (2) in accordance with Rule 38</i>
	<i>Association Representatives</i>	8	<i>Collegiate</i>	<i>Scheduled</i>	<i>Branch Council Rule 14 (2) in accordance with Rule 38</i>

Important dates:

	<b>Collegiate voting system – by and from Branch Council</b>
<b>Nominations OPEN</b>	<i>As per Rule 38 (3) "Nominations for the position of Branch Executive member shall, in years following elections of representatives to the nomination to Branch Council, shall open 10 days after the election of representatives of the Branch Council have been declared"</i>
<b>Nominations CLOSE</b>	<i>10 February 2021 as per Rule 38 (3) "... close no later than 10 days prior to the first Branch Council meeting of the year." (rule 38 (2))</i>
<b>Roll of Voters cut-off date</b>	<i>To be determined by the Returning Officer</i>