



DECISION

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

Australian Entertainment Industry Association (E2013/260)

MR ENRIGHT

MELBOURNE, 13 SEPTEMBER 2013

Arrangement for conduct of election.

[1] On 28 August 2013 the Australian Entertainment Industry Association lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

President
Vice-Presidents (2)
Members of the Executive Council (15)

[2] The prescribed information was not lodged before the day prescribed by Regulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009*. That day is the day occurring 2 months before the first day when a person may, under the rules of the organisation or branch, become a candidate in the election. The organisation has requested that I allow a later day for the lodgement of the prescribed information under subsection 189(2) of the *Fair Work (Registered Organisations) Act 2009* (the Act). Having considered the reason for late lodgement, I allow lodgement on 28 August 2013 in this instance.

[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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11 September 2013

General Manager
Fair Work Australia
GPO Box 1994
Melbourne VIC 3001

Dear Sir/Madam,

Live Performance Australia (LPA) Executive Council (EC) Elections:

Late Lodgment of Prescribed Information in Respect of Election Regulation 138(1) of the Fair Work (Registered Organisations) Regulations 2009

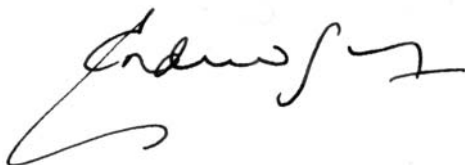
It has been brought to our attention that the lodgment of our Prescribed Information occurred after the regulatory deadline in order for nominations for the LPA EC election to open on the proposed date of October 14.

Section 189(2) of the *Fair Work (Registered Organisations) Act 2009* requires that Prescribed Information lodged under section 189(1) of the Act be lodged before the prescribed day. Regulation 138(3) defines the prescribed day as the day occurring 2 months before the first day when a person may, under the rules of the organisation, become a candidate in an election.

Our Prescribed Information was received by Fair Work Australia on 28 August, yet for our nominations to open on October 14, the Prescribed Information should have been lodged before 14 August 2013.

We apologise for this administrative over-sight and respectfully request that the Delegate allow an extension of time for lodgement of the Prescribed Information of two weeks until 28 August, the date on which it was lodged.

Yours sincerely,



**Andrew Kay
President
Live Performance Australia**

26 August 2013

General Manager
Fair Work Australia
GPO Box 1994
Melbourne VIC 3001

Dear Sir/Madam,

**Prescribed Information in Respect of Election
Regulation 138(1) of the Fair Work (Registered Organisations) Regulations 2009**

I am writing to request that Fair Work Australia approve the conduct of an election by the Australian Electoral Commission (AEC) in accordance with the attached statement of prescribed information.

Should you require any additional information, Suzanne Daley, Director, Policy & Programs, can be contacted on (03) 9614 1111 or 0417 584 514

Yours sincerely,



**Evelyn Richardson
Chief Executive**

Attach.

1. Statement of Prescribed Information




I, Andrew Kay, President, Australian Entertainment Industry Association, make the following statement:

I am President of the Australian Entertainment Industry Association (AEIA) trading as Live Performance Australia.

I am authorised to lodge the following prescribed information concerning the forthcoming elections in the AEIA, and

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



Andrew Kay
President, Australian Entertainment Industry Association

Dated: 26 August 2013

1. The office(s) in respect of which the election is required are:

President	(1)
Vice-President	(2)
Members of the Executive Council	(15)

(In accordance with Rule 11(b) "The Executive Council shall consist of not less than six nor more than eighteen members inclusive of a President and two Vice-Presidents").

2. The reason for which the election is required is the terms of office are due to expire in the normal course of events under the Registered Rules of the AEIA

3. The electorate for the ballot is the whole membership of the AEIA.

4. The date and times that nominations open and close are:

Nominations Open	Monday 14 October 2013
Nominations Close	Monday 28 October 2013 (at 12 noon)

5. The cut off date provided for in the AEIA Rules on which the roll of voters is to be closed is 63 days prior to the Annual General Meeting. As the Annual General Meeting is set to be held on Wednesday 27 November, the cut-off date for the roll is Wednesday 25 September 2013.

6. The voting system is the direct voting system.

7. There are no non-office positions for which an election is requested.