



## DECISION

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

### **National Electrical Contractors Association, The-Victorian Chapter** (E2019/96)

MR ENRIGHT

MELBOURNE, 20 JUNE 2019

*Arrangement for conduct of election.*

[1] On 24 May 2019 the National Electrical Contractors Association, The-Victorian Chapter lodged with the Registered Organisations Commission prescribed information for an election to fill a vacancy for the following office:

Secretary-Victorian Chapter (4 year term) (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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PR351396

Registered Organisations Commissioner  
Registered Organisations Commission  
GPO Box 2983  
MELBOURNE VIC 3001

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

cc. NECA National Secretary

Dear Commissioner

**Election Notification Arrangements - The National Electrical Contractors Association  
Victorian Chapter Secretary Vacancy**

I herewith submit prescribed information for an election to fill a vacancy in the office of Victorian Chapter Secretary of NECA. The vacancy has arisen due to the resignation of the incumbent, effective from the close of business on 3 May 2019. A copy of the letter of resignation (suitably redacted) is enclosed.

We would request that the calling of nominations for Victorian Chapter Secretary not proceed until after the declaration of the 4 Victorian Chapter Councillor positions for which election arrangements have been made pursuant to E2019-12.

We do not see any difficulty with this request for two reasons. Firstly, the election cycle for Chapter Secretary is entirely independent from the annual Chapter elections. Second, the rules (rule 26(c)) provide that the nominator of a candidate for Chapter Secretary must be a member of the Chapter Committee (i.e. the Chapter Council) which comprises 7 persons, such that the calling of nominations for Chapter Secretary, if made during the course of the election for the 4 Victorian Chapter Councillors (for which the ballot is due to close on 14 June 2019), may give rise to potential confusion as to the settled composition of the Council.

We also request that you bring this letter to the attention of the Industrial and Commercial Elections Branch of the Victorian Office of the AEC.

Should you have any questions in relation to this matter please contact Ms Maria Aprelenko on 03 9089 6914 or email [maria.aprelenko@neca.asn.au](mailto:maria.aprelenko@neca.asn.au).

Yours sincerely



Dean Spicer  
Vic Chapter President

24 May 2019

Encl: 2

*Fair Work (Registered Organisations) Regulation 138*

**Prescribed Information for elections by The National Electrical Contractors Association (NECA)**

I, Dean Spicer, Victorian Chapter President of The National Electrical Contractors Association (NECA), state that the information is lodged under section 189 of the *Fair Work (Registered Organisations) Act 2009* and that I am the person authorised to make the statement.

NECA hereby lodges prescribed information in respect of an election to be conducted by the Australian Electoral Commission.

**Name of office**

Secretary – Victoria Chapter

- for a 4 year term (election for this office to be completed on or before 4 August 2019, which will be three months from the date that the office became vacant in accordance with rule 26(c)).

**Reason for election**

Casual vacancy (copy of resignation letter enclosed)

**Electorate**

The voting electorate (if required) is the financial membership of the Victorian Chapter.

**Closure of Roll for Voters**

The rules provide that the roll of voters closes 10 days prior to the date nominations for office are invited.

**Voting System**

Direct voting system

**Election Timetable**

As nomination forms are required to be delivered only to the 7 persons comprising the Chapter Council, the period for the opening and closing of nominations is to be set at the minimum period under rule 26(c) which is not less than 7 days. The ballot dates (if required) are as determined by the Returning Officer.

**Rule changes**

There are no rule changes of NECA National or NECA Vic pending with the FWC.

**The above information is lodged under subsection 189(1) of the Act.**



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Dean Spicer  
President – Victorian Chapter

24 May 2019