

10 March 2021

Post-election report

The Showmen's Guild of Australasia

SGA - Scheduled election

E2020/42

Contents

Election(s) Covered in this Report.....	3
Rules	3
Roll of Voters.....	3
Irregularities.....	3
Other Matters.....	4
Signed.....	4
Attachments.....	Error! Bookmark not defined.
A. Declaration of Results for Uncontested Offices	5

Election(s) Covered in this Report

Organisation: Showmen's Guild Australasia
Election: Scheduled
Election Decision No/s: E2020/42

Rules

Rules used for the election: 169V: Incorporates alterations of 30/6/15 [R2015/92]

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website:

https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections

Roll of Voters

As there were no contested offices, no Roll of Voters was required.

Irregularities

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

Other irregularities identified, and action taken: NIL

Other Matters

Returning Officer actions required (Section 193): No

Signed

Sally Angus
Returning Officer
Australian Electoral Commission
E: IEBevents@aec.gov.au
10 March 2021

Attachments

A. Declaration of Results for Uncontested Officers

The Showmen's Guild of Australasia
DECLARATION OF RESULTS - E2020/42
Uncontested Offices

Scheduled Election

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 are:

Showmen's Guild of Australasia

Trustee (1)

Candidates

CASTLE John

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

Sally Angus
Returning Officer
Telephone: 03 9285 7111
Email: IEEvents@aec.gov.au
10/03/2021





DECISION

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

The Showmen's Guild of Australasia
(E2020/42)

MR ENRIGHT

MELBOURNE, 5 FEBRUARY 2020

Arrangement for conduct of election.

[1] On 30 January 2020 the Showmen's Guild of Australasia lodged with the Registered Organisations Commission prescribed information for an election to fill the following office:

Trustee

(1)

[2] The organisation did not lodge the prescribed information before the prescribed day as required by regulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009*. The prescribed information should have been lodged by 23 October 2019. No explanation was provided about the late lodgement nor was any request made for the Commissioner to accept lodgement of prescribed information at any later date.

[3] I note also that while the request to make arrangements for an election was made on 30 January 2020, the Secretary suggested a timetable which included the following:

Nominations opening – **23 December 2019**

Nominations closing – 3 February 2020.

[4] The reason for suggesting these demonstrably unachievable dates remains unclear.

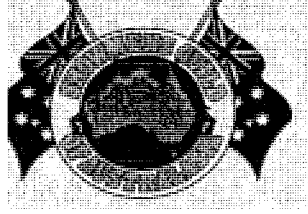
[5] In any event, there is a normal and reasonable expectation that registered organisations will take steps to ensure they comply with the time-frame requirements set out not only in the *Fair Work (Registered Organisations) Act 2009* (the Act) but also in instruments or references pertaining to their own governance and rules. Noting that no application has been made to allow, under section 189(2) of the Act, a later day for lodgement, the failure to lodge the prescribed information before the prescribed day therefore potentially exposes the organisation to the commencement of civil penalty proceedings pursuant to section 189(2) of the Act.

[6] Notwithstanding, 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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PR351561



ABN: 75 134 664 816

THE SHOWMEN'S GUILD OF AUSTRALASIA

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30th January, 2020

Our Ref: G 10668

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

Dear Sir,

The Showmen's Guild of Australasia hereby request that the R O C amend on our behalf the election of Officers for the year 2020, pursuant to Section 189(3) of the Schedule 1 or Fair Work (Registered Organisations) Act 2009.

The Election also requires one (1) Trustee This election is required because of the expiry of term of office.

The nominees for position are members of the organisation.

Roll of voters closes seven (7) days before nominations open.

Our Annual General Meeting is to be held, Wednesday 1st April, 2020 and at this meeting the ballot will be declared. The voting to be employed would be direct voting system.

A suggested time table for this could be Nominations;

- | | |
|-----------------|----------------------------------|
| ➤ Opening | 23 rd December, 2019 |
| ➤ Closing | 3 rd February, 2020 |
| ➤ Polls Opening | 17 th , February 2020 |
| ➤ Closing | 30 th March, 2020 |

We trust this request will receive favourable consideration.

Yours sincerely,



.....
Patricia J Blades
Secretary

THE SHOWMENS GUILD OF AUSTRALASIA