



DECISION

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

The Association of Independent Schools of South Australia (E2018/5)

MR ENRIGHT

MELBOURNE, 9 FEBRUARY 2018

Arrangement for conduct of election.

[1] On 11 January 2018 The Association of Independent Schools of South Australia (**the organisation**) lodged with the Registered Organisations Commission (**the Commission**) prescribed information for an election to fill the following offices:

Board Members

Governor (2)

Office Bearers (Executive Committee)

Chair (1)

Deputy Chair (1)

[2] The prescribed information indicated that one of the offices of Governor had been vacant since 31 December 2014. Analysis of the materials identified that the office had not been filled during four previous attempts in elections E2015/68, E2015/94, E2015/270 and E2017/60.

[3] Having regard to the efficient functioning of registered organisations, as well as the time, cost and resource implications to the Commonwealth, the Commission wrote to the organisation on 30 January 2018 concerning the matter. One issue raised by the Commission was whether the organisation had or was considering removing the office by rule amendment.

[4] On 8 February 2018, the organisation responded and included that, “*AISSA is keen to make a further attempt to fill the one Governor position which has been vacant for some time. In the event that no nominations are received during the next election process, the AISSA intends to review the necessity of this office.*”

[5] I note the organisations desire to proceed with this election and ensure that the number of office holders elected by members of the organisation corresponds with the number provided in its rules.

[6] 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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From: Lynn Carter <CarterL@ais.sa.edu.au>
Sent: Thursday, 8 February 2018 9:56 AM
To: MOUTEVELIS,Michael
Cc: Carolyn Grantskalns
Subject: The Association of Independent Schools of SA - Prescribed Information for Elections [DLM=For-Official-Use-Only]

Dear Michael

Further to your email, below, and our earlier conversation, I can confirm that the AISSA is keen to make a further attempt to fill the one Governor position which has been vacant for some time. In the event that no nominations are received during the next election process, the AISSA intends to review the necessity of this office.

If you have any questions or require further information, please don't hesitate to contact us.
Kind regards
Lynn

Lynn Carter
Executive Assistant to Carolyn Grantskalns

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From: MOUTEVELIS,Michael [<mailto:Michael.Moutevelis@roc.gov.au>]
Sent: Tuesday, 30 January 2018 10:38 AM
To: Lynn Carter <CarterL@ais.sa.edu.au>
Cc: Carolyn Grantskalns <grantskalnsc@ais.sa.edu.au>; Office <Office@ais.sa.edu.au>
Subject: The Association of Independent Schools of SA - Prescribed Information for Elections [DLM=For-Official-Use-Only]

For Official Use Only

Dear Ms Carter

Thank you for the lodgement of the prescribed information as detailed below.

I note that one of the offices of Governor has been unfilled since the last scheduled election E2015/68 which was declared some three years ago. I also note there have been unsuccessful attempts to fill the office in insufficient nominations elections E2015/94, E2015/270 and E2017/60. Accordingly this will be the fifth attempt to fill the office. Given this history the obvious question that arises is whether this office is actually necessary and whether your organisation is contemplating or taking steps to remove it from your rules. No doubt there are also time, cost and resource implications in attempting to fill this office so many times.

I understand from my discussion with Alison from your office today, that you are away. Could you please provide a response to this email at your earliest possible convenience or in the alternative organise for a response to be provided by an appropriate person via return email.

Please feel free to call me if you have any questions.

Regards

MICHAEL MOUTEVELIS

Assistant Adviser

Compliance

Registered Organisations Commission

Tel: (02) 8293 4644

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Registered Organisations Commission

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From: Lynn Carter [<mailto:CarterL@ais.sa.edu.au>]

Sent: Thursday, 11 January 2018 11:57 AM

To: ROC - Registered Org Commission <regorgs@roc.gov.au>

Cc: Carolyn Grantskalns <grantskalnsc@ais.sa.edu.au>

Subject: The Association of Independent Schools of SA - Prescribed Information for Elections

Dear Sir or Madam

On behalf of the Association of Independent Schools of South Australia (AISSA), please find attached Prescribed Information for Elections, for lodgement with the Commission.

If you have any questions regarding the attached, please contact us.

Yours faithfully

Lynn Carter

Executive Assistant to Carolyn Grantskalns

301 Unley Road Malvern SA 5061

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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, Kristian Downing, being the Chair of the Association of Independent Schools of South Australia (AISSA), make the following statement:

1. I am authorised to sign this statement containing prescribed information for AISSA.
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. Insufficient nominations were received in earlier elections and the declarations of results are attached.
5. This statement is lodged at least 2 months before nominations open for the election below.

Signed:



Dated:

11/1/2018

[PLEASE NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.]

ANNEXURE A

- Elections that are required:

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
N/A	Governor (Rule 9.1.2)	1	Direct	Scheduled	All Members (Rule 13.1)
N/A	Governor (Rule 9.1.2)	1	Direct	Insufficient Nominations (Declarations of Results attached) <i>[Note: this position is also scheduled for election per Rotational Terms (12.2(a)) – but has been vacant since the previous holder's resignation 31/12/14]</i>	All Members (Rule 13.1)
N/A	Chair (Rule 10.1.2)	1	Collegiate	Scheduled	By and from the Board (Rule 10.1.1)
N/A	Deputy Chair (Rule 10.1.2)	1	Collegiate	Scheduled	By and from the Board (Rule 10.1.1)

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	At least 6 weeks before 31 May 2018 (ie by no later than 19 April) (Rule 14.4)	14 June 2018 (Rule 13.4(a))
Nominations CLOSE	Date to be determined in consultation with the AEC	Date to be determined in consultation with the AEC
Roll of Voters cut-off date	7 days prior to nominations opening (rule 14.10)	7 days prior to nominations opening (Rule 14.10)

The Association of Independent Schools of South Australia Casual Vacancy E2015/94

Declaration of Results for Uncontested Offices

Below are 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.

Board Members

Nominee of Governing Bodies of Primary Schools (2)

Candidates

DOWNING, Kristian

No further nomination was accepted

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



Jeanette Hill
Returning Officer

10 April 2015

The Association of Independent Schools of South Australia

Board Members Stage 1

Declaration of Results for Uncontested Offices

E2015/270

Below are 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.

Board Members

Head of a Secondary or R12 School (2)

Candidates

DUNSTAN, Anne Louise
RIJKEN, Marcel

Nominee Governor of a Secondary or R12 School

Candidates

GRIMMETT, Donald

Nominee Governor of a Primary School

Candidates

No nomination was received

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



John Nemcic
Returning Officer

17 March 2016

The Association of Independent Schools of South Australia Scheduled Election

Declaration of Results for Uncontested Offices

E2017/60

Below are 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.

Governor (1)

No nominations received

Nominations closed 10am Wednesday 26 April 2017, no nominations were received. I declare the above scheduled election closed.



Jenny Southall
Returning Officer

6 June 2017