## 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, [NAME], being the [OFFICER] of the [ORGANISATION NAME] make the following statement:

1. I am authorised to sign this statement containing prescribed information for [BRANCH AND ORGANISATION].
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.

[delete as appropriate]

1. [If there is a Casual Vacancy] The resignation letter or other supporting information is attached for each casual vacancy.
2. [If there is insufficient nominations]: Insufficient nominations were received in an earlier election(s) and the declaration/s of results is/are attached.
3. [If rule alterations are pending that will impact **THIS** election] A brief outline of the proposed rule alterations affecting this election is attached. These rule alterations [HAVE/HAVE NOT] been lodged with the Fair Work Commission. [If lodged] The proposed alterations were lodged on [DATE].

or

[If no rule alterations are being considered] No rule alterations are pending that will impact the election.

1. [In relation to scheduled elections, if lodged 2 months prior to nominations opening] This statement **IS** lodged at least 2 months before nominations open for the election(s) in Annexure A.

or

[In relation to scheduled elections, if lodged less than 2 months before nominations open] This statement **IS NOT** lodged at least 2 months before nominations open for the election(s) in Annexure A. The reason it is lodged after the prescribed time is:

1. [INSERT REASONS]
2. An extension of time request was lodged for this election on [DATE].

**NOTE:** Extensions of time should be requested at least two months before nominations open.
A failure to lodge Prescribed Information on time can lead to civil penalties under the RO Act.

1. If the number of elected representatives is calculated on a formula(s) defined in the rules]:
2. The rule number(s) which specify(s) the formula(s) is/are [INSERT RULE NUMBER(S)]:
3. The formula(s) is/are [INSERT THE FORMULA(S)]:
4. The information for calculating the formula(s) is [INSERT THE INFORMATION, e.g. it could be the number of members or the amount of capitations received, or other information. You will need to refer to your rules to determine what information is required]:
5. The relevant date(s) for this information is [INSERT DATE(S)]
6. [If the relevant information for calculating the formula(s) is not provided above under c] The relevant information for calculating the information has not been provided because [INSERT REASON, e.g. the relevant date is in the future]:

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

**NOTE:** This statement should be lodged with the Fair Work Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@fwc.gov.au.

**Annexure A**

* Elections that are required [insert as many pages as required]

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Branch** | **Name of Office**  | **Number required** | **Voting System**Direct voting system;Collegiate electoral system | **Reason for Election**Scheduled; Casual vacancy;New office created;Insufficient nominations | **Electorate**  |
|  Insert branch name | Insert name of office  | Insert number of offices | Select relevant voting system | Select reason for election | State the electorate and reference the relevant rule |
| Insert branch name | Insert name of office  | Insert number of offices | Select relevant voting system | Select reason for election | State the electorate and reference the relevant rule |
| Insert branch name | Insert name of office  | Insert number of offices | Select relevant voting system | Select reason for election | State the electorate and reference the relevant rule |

* Important dates:

|  |  |  |
| --- | --- | --- |
|  | **Direct Voting System** | **Collegiate Electoral System** |
| **Nominations OPEN** | Insert date and reference the relevant rule; or‘To be determined by returning officer’ if the rules provide | Insert date and reference the relevant rule; or‘To be determined by returning officer’ if the rules provide |
| **Nominations CLOSE** | Insert date and reference the relevant rule; or‘To be determined by returning officer’ if the rules provide | Insert date and reference the relevant rule; or‘To be determined by returning officer’ if the rules provide |
| **Roll of Voters cut off date** | Insert date and reference the relevant rule | Insert date and reference the relevant rule |

**NOTES:** For insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as ‘To be determined by the returning officer’. This also applies where rules are silent as to the nominated dates.

If the nomination dates are ‘To be Determined by the Returning Officer’, but your organisation has a preference, please state ‘To be Determined by Returning Officer’ and clearly indicate that your nominated date is a preference.

If the P.I. includes a position that is not an office, please refer to our template [*Prescribed information for the election of officer and non-officer positions*](https://regorgs.fwc.gov.au/sites/default/files/migration/428/tf014-nonofficer-sample-notice-and-statement-of-prescribed-information-template-form.docx).

**Annexure A: SAMPLE ONLY** (Please do not lodge this sample page with the ROC)

* Elections that are required:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Branch** | **Name of Office** | **Number required** | **Voting System**Direct voting system;Collegiate electoral system | **Reason for Election**Scheduled;Casual vacancy;New office created;Insufficient nominations | **Electorate**  |
| National | Secretary | 1 | Collegiate electoral system | Scheduled | National Council (Rule 5) |
| National | President | 1 | Collegiate electoral system | Casual vacancy(the resignation is attached) | National Council (Rule 5) |
| … |  |  |  |  |  |
| NSW  | President/National Council Member | 1 | Collegiate electoral system | Scheduled | NSW Branch Committee (Rule 19) |
| NSW | Committee of Management Member | 7 | Collegiate electoral system | Scheduled | All members of the NSW Branch (Rule 22) |
|  | Treasurer | 1 | Direct Voting System | Insufficient nominations | All members of the NSW Branch (Rule 7) |

* Important dates:

|  |  |  |
| --- | --- | --- |
|  | **Direct Voting System** | **Collegiate Electoral System** |
| **Nominations OPEN** | First Monday in June (rule 7) | To be determined by returning officer, preference 1 July  |
| **Nominations CLOSE** | 28 days after nominations open (rule 19) | To be determined by returning officer, preference 15 July |
| **Roll of Voters cut off date** | 7 days prior to nominations opening (rule 12.4) | 7 days prior to nominations opening (rule 12.4) |