

NOTICE OF ALTERATION OF OTHER RULES OF ORGANISATIONS made pursuant to Regulation 126(1)(b) of the Fair Work (Registered Organisations) Regulations 2009

The Shop, Distributive and Allied Employees' Association, Victorian Branch has lodged a notice with the Fair Work Commission pursuant to Regulation 126(1)(a) of the Fair Work (Registered Organisations) Regulations 2009 setting out particulars of alteration to the rules of the Shop, Distributive and Allied Employees' Association, Victorian Branch.

DECLARATION OF AUTHORISED OFFICER in accordance with Regulation 126 *Fair Work (Registered Organisations) Regulations 2009*

ALTERATION OF OTHER RULES OF ORGANISATIONS in accordance with section 159 of the *Fair Work (Registered Organisations) Act 2009*

I, Michael Donovan of 65 Southbank Boulevard, Southbank, in the State of Victoria am the Secretary/Treasurer of the Shop, Distributive and Allied Employees Association, Victorian Branch and am authorised to give this notice of particulars of alterations to the rules of the Victorian Branch of the Shop, Distributive and Allied Employees Association (**Victorian Branch Rules**) and to make this declaration as required by Regulation 126 of the *Fair Work (Registered Organisations) Regulations 2009*.

1. I declare that the alterations were made in accordance with the rules of the Shop, Distributive and Allied Employees Association.
2. The particulars of the rule alteration are attached to this declaration and labelled 'Schedule A' (**Rule Change**). The rule alteration relates to rule 41 of the Victorian Branch Rules.
3. The actions taken under the rules to make this alteration were as follows:
 - a. On the 28 May 2026, the President and Secretary/Treasurer addressed a letter to Branch Conference Delegates placing the rule alteration on the agenda of Branch Conference.
 - b. A copy of the letter and rule 41 alteration was circulated to Delegates at Branch Conference.
 - c. On 12 July 2026 Branch Conference passed the following resolution

Rule Alteration

Branch Conference resolves to alter the Rules of the Branch by amending Rule 41 – Elections of Officers of the Branch (Other than Secretary/Treasurer and Assistant Secretary/Treasurer) and Trustees as circulated to delegates at Branch Conference.

- d. An absolute majority of Branch Conference Delegates voted in favour of the Rule Change.
4. I declare that the particulars set out in this notice are true and correct to the best of my knowledge and belief.

Signed: Michael Donovan Date: 14 JULY 2026

Michael Donovan an officer of the Shop, Distributive and Allied Employees Association, Victorian Branch

41 – ELECTIONS OF OFFICERS OF THE BRANCH (OTHER THAN SECRETARY/TREASURER AND ASSISTANT SECRETARY/TREASURER) AND TRUSTEES

40 – ELECTION OF SECRETARY/TREASURER, ASSISTANT SECRETARY/TREASURER, DIVISION DELEGATES TO CONFERENCE AND BRANCH DELEGATES TO NATIONAL COUNCIL

- (a) The Secretary/Treasurer, Assistant Secretary/Treasurer and Branch Delegates to National Council shall be elected by secret postal ballot of all financial members of the Branch. These officers shall take office on the day they are declared elected and hold office for a term of four years or until successors thereto have been declared elected and shall be eligible to stand for re-election.
- (b) Division Delegates to Conference shall be elected by secret postal ballot of all financial members of each of the respective Divisions. Division Delegates to Conference take office on the day they are declared elected and hold office for a term of four years or until successors thereto have been declared elected and shall be eligible to stand for re-election.
- (c) Nominations shall be called for by the Returning Officer on a date in December in the year preceding the year in which an election is due to be determined by State Council and shall close on a date in January of the year following to be determined by State Council or in default of such determination on the last week day in January. The Returning Officer shall call such nominations by an advertisement in the public notices columns of the “Herald Sun” newspaper to appear twice at least three days apart and such advertisement shall be deemed to fulfil in all aspects the requirements of this Rule as to the calling of nominations.
- (d) Nominations shall be in writing and have the written consent of the candidate endorsed thereon.
- (e) If there are more nominations than there are vacancies for any positions, the Returning Officer shall conduct a postal ballot of members in accordance with these Rules. Subject to these Rules, State Council shall determine the opening and closing dates of any ballot.
- (f) In any elections for Division Delegates to Conference the Returning Officer shall have separate rolls prepared for each Division in which an election is necessary and the ballot papers shall be marked with the name of the Division in addition to any other requirements of these Rules.

41 – ELECTIONS OF OFFICERS OF THE BRANCH (OTHER THAN SECRETARY/TREASURER AND ASSISTANT SECRETARY/TREASURER) AND TRUSTEES

- (a) The Officers of the Branch (other than the Secretary/Treasurer and the Assistant Secretary/Treasurer) and the Trustees shall be elected by secret ballot of and from the delegates to the Conference.
- (b) Prior to any Conference when such an election is due to be conducted, the Returning Officer shall conduct a ballot in accordance with these Rules for each of the following positions:-
 President;
 Two (2) Vice-Presidents;
 Seven State Councillors elected from the Metropolitan Division delegates to Conference;
 Four State Councillors elected from all other Division delegates to Conference;
 Two Trustees.
- (c) The members so elected shall take office from the conclusion of the first Conference after the election for State Council and shall hold office for a term of four years or until successors thereto have been elected and take office.
- (d) Nominations for each of the positions referred to in paragraph (eb) of this Rule shall ~~close with the~~ called by the Returning Officer by notice published on the Branch website. Nominations shall close at the Registered Office of the Branch no later than twenty nine days prior to the commencement of Conference. Nominations shall be in writing and shall have the consent of the candidate endorsed thereon.

43 – TRANSITIONAL RULE FOR THE SYNCING OF ELECTIONS

- (e) If there are more nominations than there are vacancies for any positions, the Returning Officer shall conduct a ballot of all members of Branch Conference by post concluding no later than 12 noon the day prior to Conference.

42 – ELIGIBILITY FOR NOMINATION

- (a) No member shall be eligible to nominate for election as the Secretary/ Treasurer or Assistant Secretary/Treasurer unless he or she is, at the close of nominations, a financial member of the Branch, and he or she has been;
 - (i) a member of the Branch for a period of two years immediately preceding the close of nominations; or
 - (ii) an Officer of the Branch for a period of six months immediately preceding the close of nominations.
- (b) No member shall be eligible to nominate for election for Division Delegate to Conference unless he or she is, at the close of nominations, a financial member of the Branch, a member in the Division he or she seeks to represent and eligible to vote in accordance with sub-rule 36(d).
- (c) No member shall be eligible to nominate for election as a Branch Delegate to National Council unless, he or she is, at the close of nominations, a financial member of the Branch and eligible to vote in accordance with sub-rule 36(d).
- (d) No member shall be eligible to nominate for the position of President or Vice-President or State Councillor or Trustee unless at the close of nominations he or she is a delegate to Conference and a financial member of the Branch.

43 – TRANSITIONAL RULE FOR THE SYNCING OF ELECTIONS

- (a) This transitional rule applies to the first scheduled election for Secretary/Treasurer and Assistant Secretary/Treasurer conducted pursuant to rule 40 after 1 July 2020.
- (b) The election for Secretary/Treasurer and Assistant Secretary/Treasurer is to be conducted simultaneous to, and together with, the next scheduled election for Division Delegates to Conference and Branch Delegates to National Council in accordance with the timeframe set out in rule 40.
- (c) The Secretary/Treasurer and Assistant Secretary/Treasurer elected pursuant to this rule will take office on the day they are declared elected.
- (d) For the avoidance of doubt, the intention of this transitional rule is to sync the election cycle for Secretary/Treasurer and Assistant Secretary/Treasurer with the election cycle for Division Delegates to Conference and Branch Delegates to National Council so the elections for those offices are due at the same time and continue to be conducted together.
- (e) Notwithstanding any other provision of these Rules, the term of office of the Secretary/Treasurer and Assistant Secretary/Treasurer declared elected on 25 July 2018 (or any other person subsequently elected or appointed to fill a vacancy in those offices) shall expire upon their successors taking office in accordance with paragraph (c) of this Rule.