



22 August 2022

Robbie Griffiths  
Federal President  
Australian Trainers' Association  
Sent via email: [ata@austrainers.com.au](mailto:ata@austrainers.com.au)



**IMMEDIATE ACTION REQUIRED:**

**You must take steps after your recent election E2022/103**

Dear Robbie Griffiths,

An election has recently been completed by the Australian Electoral Commission (**AEC**) for the Australian Trainers' Association.

This letter explains the next steps you must take and what information you need to lodge with the Registered Organisations Commission (**ROC**).

### **What you must do right now**

- Let your members know about the election report issued by the AEC
- Arrange financial training for officers newly elected to an office with financial management duties. (This includes all members of the committee of management).
- Complete the notification of change and email it to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

This letter explains these steps and the tools available to help you.

### **STEP 1: Notify members**

You must put a notice on your website once you receive your post-election report. It must tell your members they can request a copy of the post-election report from you or the AEC (r. 141). The notice must be on your website for at least 3 months.



**Can I put more information on our website?**

Yes! Being transparent is part of good governance. You can publish the whole report or the declaration of results, as well as your notice and leave them up longer than 3 months. You can always do more than the regulatory minimum.

The ROC will also publish your declaration of results on our [website](https://www.roc.gov.au).

### **STEP 2: Financial training**

You may have to arrange financial training for people elected to new roles.

All officers with financial management duties must complete financial training (s 293K). For information on when officers must redo training and hints on when to book training for officers taking up multiple offices [please see our fact sheet](#).

There are face to face and online [financial training packages on the ROC website](#).

You must act on this now, as affected officers **MUST** complete approved financial training OR been granted an [exemption by the ROC within 6 months](#) of beginning to hold office.



### Good governance tip:

Organisations should instruct officer holders about their other obligations. This is especially important for committee of management members.

Our podcast covers the [benefits of officer induction](#). Officers have responsibilities under the rules, the RO Act, and disclosure requirements around conflicts of interest, remuneration and material personal interests. Officers will benefit from our [officer induction kit](#) and our [podcast, such as episode 17 - conflicts of interest](#).

## STEP 3: Notifications of change

A notification of change must be lodged with the ROC within **35 days** of the change occurring.



We have a [template](#) to help you with this, which you can send to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au). An officer must sign the completed notification template.

You must lodge a notification of change if:

- any of your officers have not been re-elected;
- officers have changed offices; or
- you have new officers.

Only notify us of changes that have **already occurred**. If people take up office in the future, you must wait until the change happens before lodging the notification within 35 days of the change.

**Note:** One election may result in many notifications of change.



### Penalties apply

Failing to lodge your notifications of change on time can expose your organisation and its officers to significant penalties.

#### ROC v CEPU

The organisation failed to make a series of notifications of change on time.

The Full Court said 'The record-keeping obligations imposed under the Registered Organisations Act are treated by the legislature as important and serious, and contravention of those obligations are correspondingly serious.'

The organisation was ordered to pay a penalty. More information is available in our [case summary](#).

## Questions?



### **Why do I need to tell you the results of the election when you've already received them?**

The RO Act requires that **you** tell us this information about your officers – it is a legal obligation. The notification of change also contains information that is not in the declaration of results.

### **What if the officer has already done training?**

Check out our [fact sheet](#) for when officers need to redo training, when they can get an exemption and when further training isn't required.

If you have any queries we can be contacted on 1300 341 665 or by email at [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).

Yours sincerely

## Registered Organisations Commission



The ROC has a [Compliance Policy](#) which explains how we respond to issues of non-compliance. The policy is available on our website if you would like further information on the steps the compliance team may take in response to non-lodgement of a financial report.

22 August 2022

# Post-election report

Australian Trainers' Association  
Insufficient Nominations Election  
E2022/103

# Contents

Election(s) Covered in this Report .....	3
Rules .....	3
Other Matters.....	3
Signed.....	3
Attachments.....	4
A. Declaration of Results for Uncontested Offices .....	4

# Election(s) Covered in this Report

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Organisation: Australian Trainers' Association

Election: Insufficient Nominations

Election Decision No/s: E2022/103

## Rules

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Rules used for the election: [245V: Incorporates alterations of 22/10/2014] [R2013/77]  
(replaces 27/5/2005 version)

Rules difficult to apply/interpret: No

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website: [www.aec.gov.au/ieb/](http://www.aec.gov.au/ieb/)

## Other Matters

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Returning Officer actions required (Section 193): Yes

Details: Due to COVID-19 restrictions, acceptable methods of lodgement of nominations are restricted to by portal or email only.

## Signed

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Jacqueline McHenry  
Returning Officer  
Australian Electoral Commission  
E: IEEvents@aec.gov.au  
P: 03 9285 7111  
22 August 2022

# Attachments

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## A. Declaration of Results for Uncontested Offices

**Australian Trainers' Association**  
**DECLARATION OF RESULTS - E2022/103**  
**Uncontested Offices**

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**Insufficient Nominations 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:

**Western Australia Branch**

**Vice President (1)**

Candidates

*No Nominations Received*

**Secretary (1)**

Candidates

*No Nominations Received*

**Tasmania Branch Committee**

**President (1)**

Candidates

SHAW Stephen

**Vice President (1)**

Candidates

MCCULLOCH Graeme

**Secretary (1)**

Candidates

HANSON Tanya Grace

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

Jacqueline McHenry  
Returning Officer  
Telephone: 03 9285 7111  
Email: IEEvents@aec.gov.au  
17/08/2022





# DECISION

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

## **Australian Trainers' Association** (E2022/103)

MR STEENSON

SYDNEY, 10 MAY 2022

*Arrangement for conduct of election.*

[1] On 6 May 2022 the Australian Trainers' Association (**organisation**) lodged with the Registered Organisations Commission (**Commission**) prescribed information for an election to fill the following offices, due to insufficient nominations received in a previous election (**E2021/57**):

### **Western Australia Branch**

Vice President	(1)
Secretary	(1)

### **Tasmania Branch**

President	(1)
Vice President	(1)
Secretary	(1)

[2] While the organisation has a scheduled election due later in 2022 that includes the abovementioned offices (being election matter **E2022/60**), for which I issued a decision as Delegate of the Commissioner on 4 May 2022 ([2022] ROCD 68), that particular scheduled election is not due for completion until the latter part of 2022 at the earliest.<sup>1</sup>

[3] The organisation has expressed a strong preference to have an election as soon as possible for the abovenamed offices. This is particularly understandable as there are currently no senior office-holders in the Tasmania Branch and only one senior office-holder in the Western Australia Branch. I note that the abovenamed offices in the Western Australia and Tasmania Branches are currently vacant and have been since 2021.

[4] The Commission therefore requests that, if possible, the Australian Electoral Commission (**AEC**) prioritise this insufficient nominations election (**E2022/103**), for

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<sup>1</sup> Based on the proposed dates set out in the prescribed information lodged by the organisation for that election.

completion as soon as possible. The rules of the organisation, in particular rule 36, provide that these office-holders are elected by and from the members of the respective Branch Committee.

[5] 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 AEC.



DELEGATE OF THE COMMISSIONER

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**Subsidiary Entity:**



4 May 2022

Registered Organisations Commission  
GPO Box 2983  
MELBOURNE VIC 3001

Via Email : [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

**RE: Australian Trainers' Association**

**Notification of Elections**

I, Robbie Griffiths, President of the Australian Trainers' Association (ATA), make the following statement.

I am authorised to lodge the following prescribed information concerning forthcoming elections in the branches of the ATA.

I confirm the following information is being lodged as required under the *Fair Work (Registered Organisations) Act 2009 (s.189)*.

The elections that are required are set out on the following page.

Insufficient nominations were received in an earlier election Election E No E2021/57 and the declaration of results are attached.

No rule alterations are pending that will impact the election.

Yours faithfully,

**ROBBIE GRIFFITHS**  
President

## **Elections required under the rules of the organisation**

Elections are required in respect of the following office(s).

### **State Branches**

#### **Western Australia**

#### **Date Commence**

#### **Date Close**

- i) Vice President (1)
- ii) Secretary (1)

*To be determined by the Returning Officer*  
*To be determined by the Returning Officer*

#### **Tasmania**

- i) President (1)
- ii) Vice President (1)
- iii) Secretary (1)

*To be determined by the Returning Officer*  
*To be determined by the Returning Officer*  
*To be determined by the Returning Officer*

- a) The reason for all the elections being held are due to insufficient nominations received in an earlier election (E2021/57;) the declaration/s of results are attached.
- b) The electorate for these elections consists of members of the Branch Committee of this Association (ATA) in the relevant state in which they reside.
- c) The voting system to be used in these elections is

#### **Federal**

President and Vice Presidents (2): Collegiate  
Executive – Direct Voting System

#### **State Branches**

Branch Committee members – Direct Voting System  
President, Vice President and Secretary – Collegiate

- d) The day provided for in the rules of the organisation as the day on which the roll of voters is to be closed, is as follows:

#### **Federal**

President and Vice Presidents (2): 7 days before the day on which nominations open per rule 12(d)  
Executive - to be determined by the Returning officer

#### **State Branches**

Branch Committee members – 7 days before the day on which nominations open per rule 34(d)  
President, Vice President and Secretary – to be determined by the Returning officer