



14 June 2023

Andrew Cameron
Workplace Relations Director
Primary Employers Tasmania
Sent via email: andrew@primaryemployers.com.au

Dear Andrew Cameron



IMMEDIATE ACTION REQUIRED:

You must take steps after your recent election E2023/2

An election has recently been completed by the Australian Electoral Commission (AEC) for the Primary Employers Tasmania.

This letter explains the next steps you must take and what information you need to lodge with the Fair Work Commission (the Commission).

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@fwc.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 (regulation 141). The notice must be on your website for at least three 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 three months. You can always do more than the regulatory minimum.

The Commission will also publish your declaration of results on our [website](#).

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 (section 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 Commission website](#).

You must act on this now, as affected officers **MUST** complete approved financial training OR been granted an [exemption by the Commission](#) **within six 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 Commission within **35 days** of the change occurring.

We have a [template](#) to help you with this, which you can send to regorgs@fwc.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](#).



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@fwc.gov.au.

Yours sincerely

Fair Work Commission



The Commission 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.

Post-election report

Primary Employers Tasmania
Scheduled election
E2023/2

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Election(s) Covered in this Report

Organisation: Primary Employers Tasmania

Election: Scheduled

Election Decision No/s: E2023/2

Rules

Rules used for the election: [002T: Incorporates alterations of 8 August 2019 (D2019/8)]
replaces 24 June 2019 version (R2019/51)

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/

Other Matters

Returning Officer actions required (Section 193): Yes

Details:

The rules provide no more than 5 days for remedying a defect in a nomination. This conflicts with a minimum 7 days in the Fair Work (Registered Organisations) Act 2009. The AEC will provide 7 days to remedy a defect as a result.

Signed

Ben Murray
Returning Officer
Australian Electoral Commission
E: IEBevents@aec.gov.au
P: 03 9285 7111
9 June 2023

Attachments

- A. Declaration of Results for Uncontested Offices – Stage 1
- B. Declaration of Results for Uncontested Offices – Stage 2

Primary Employers Tasmania
DECLARATION OF RESULTS - E2023/2 - Stage 1
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:

Primary Employers Tasmania

Committee Member (5)

Candidates

FOSTER L. D. (Ferdie)

HOOPER Ailsa

JAMES Marcus

LUBIANA Monique

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

Ben Murray
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
10/05/2023



Primary Employers Tasmania

DECLARATION OF RESULTS - E2023/2 - Stage 2

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:

Executive Committee

President (1)

Candidates

No Nominations Accepted

Vice President (1)

Candidates

GRUBB Benjamin

Treasurer (1)

Candidates

No Nominations Accepted

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

Ben Murray
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
08/06/2023

22 May 2023

Andrew Cameron
Workplace Relations Director
Primary Employers Tasmania
Sent via email: andrew@primaryemployers.com.au

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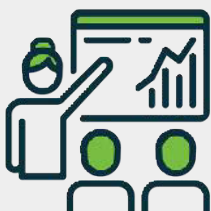
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Primary Employers Tasmania
DECLARATION OF RESULTS - E2023/2 - Stage 1
Uncontested Offices

Scheduled Election

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Committee Member (5)

Candidates

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

Ben Murray
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
10/05/2023





Fair Work
Commission

DECISION

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

Primary Employers Tasmania
(E2023/2)

MR STEENSON

SYDNEY, 23 MARCH 2023

Arrangement for conduct of election.

[1] On 12 February 2023, the Primary Employers Tasmania (organisation) lodged with the Fair Work Commission prescribed information, and on 17 and 21 March 2023 lodged amended prescribed information, for an election to fill the following offices for a new term of office:

President	(1)
Vice President	(1)
Treasurer	(1)
Committee Member	(5)

[2] The prescribed information initially lodged did not include the Committee members among the offices to be elected. The amended prescribed information also corrected an error in the date on which the roll of voters is to close.

[3] The rules of the organisation, in particular rule 27, specify that the management of the organisation is vested in an Executive Committee comprising ten (10) officers in total, including the President, Vice President and Treasurer who are elected from among those officers.

[4] The rules also specify, in sub-rule 27.4, that the term of office for Executive Committee Members is four (4) years. Sub-rule 27.1 provides that half of the Committee (i.e. five (5) Committee members) are elected in each odd numbered year.

[5] The rules further specify, at rule 26, that the offices of President, Vice President and Treasurer are elected, in a collegiate election, by and from the members of the Executive Committee for a one (1) year term.

[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 GENERAL MANAGER

Printed by authority of the Commonwealth Government Printer

PR755012

PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009

Amended Information

I, Stephanie Terry, being the Vice President of Primary Employers Tasmania make the following statement:

1. I am authorised to sign this statement containing prescribed information for Primary Employers Tasmania.
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.

No rule alterations are pending that will impact the election.

4. This statement **IS** lodged at least 2 months before nominations open for the election(s) in Annexure A.

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.

Signed:

Dated:

21.3.23

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 [insert as many pages as 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
Tasmania	President	1	Collegiate electoral system	Scheduled	Members of Executive Committee Rule 31
Tasmania	Vice President	1	Collegiate electoral system	Scheduled	Members of Executive Committee Rule 31
Tasmania	Treasurer	1	Collegiate electoral system	Scheduled	Members of Executive Committee Rule 31
Tasmania	Committee Members	5	Direct Voting System	Scheduled	Financial Members of the Association Rule 30 4

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	13 April, 2023	15 June, 2023
Nominations CLOSE	27 April, 2023	15 June, 2023
Roll of Voters cut off date	6 April, 2023	15 June, 2023

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](#). ☐