



5 September 2023

Andrew Nicholl  
Chief Executive Officer  
Australian Trainers' Association  
Sent via email: [ata@austrainers.com.au](mailto:ata@austrainers.com.au)

Dear Andrew Nicholl



**IMMEDIATE ACTION REQUIRED:**

**You must take steps after your recent election E2023/59**

An election has recently been completed by the Australian Electoral Commission (AEC) for the Australian Trainers' Association and a post-election report has been issued by the AEC.

This letter explains the next steps you must take, including what information you need to give to members 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 the Commission at [regorgs@fwc.gov.au](mailto: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 we 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 approved 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 receive 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 *Fair Work (Registered Organisations) Act 2009* (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](mailto: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.

**Real-life example of penalties in Court** An 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](mailto:regorgs@fwc.gov.au).

Yours sincerely

**Fair Work Commission**



The Commission has an interim [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.

4 September 2023

# Post-election report

Australian Trainers' Association  
Scheduled election  
E2023/59

# Contents

Election(s) Covered in this Report .....3

Rules.....3

Other Matters .....3

Signed .....3

Attachments .....4

    A. Declaration of Results for Uncontested Offices – Stage 1 .....4

    B. Declaration of Results for Uncontested Offices – Stage 2.....6

    C. Declaration of Results for Uncontested Offices – Stage 3.....7

# Election(s) Covered in this Report

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Organisation: Australian Trainers' Association  
Election: Scheduled  
Election Decision No/s: E2023/59

## Rules

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Rules used for the election: 245V: Incorporates alterations of 22/10/2014 [R2013/77]

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: Rules requiring an in-person ballot were set aside as the AEC held concerns that the coronavirus pandemic would impact on the ability for all stakeholders to attend. Instead, the ballot, if required, will be conducted via post.

## Signed

---

Benjamin Murray  
Returning Officer  
Australian Electoral Commission  
E: IEBevents@aec.gov.au  
P: 03 9285 7111  
4 September 2023

## Attachments

- A. Declaration of results for Uncontested Offices – Stage 1
- B. Declaration of Results for Uncontested Offices – Stage 2
- C. Declaration of Results for Uncontested Offices – Stage 3



**Australian Trainers' Association**  
**DECLARATION OF RESULTS - E2023/59 - Stage 3**  
**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**

**President (1)**

Candidates

*No Nominations Received*

**Vice President (2)**

Candidates

*No Nominations Received*

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

Benjamin Murray  
Returning Officer  
Telephone: 03 9285 7111  
Email: IEBevents@aec.gov.au  
30/08/2023



**Australian Trainers' Association**  
**DECLARATION OF RESULTS - E2023/59 - 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:

**South Australia Branch Committee**

**President (1)**

Candidates

SEARLE Gary

**Vice-President (1)**

Candidates

BIEG Chris

**Secretary (1)**

Candidates

JOLLY Richard

**Victoria Branch Committee**

**President (1)**

Candidates

GRIFFITHS Robbie

**Vice-President (1)**

Candidates

CORSTENS Troy

**Secretary (1)**

Candidates

CAREY Pat

**Western Australia Branch Committee**

**President (1)**

Candidates

WEBSTER Colin

**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

FULTON Alana

**Secretary (1)**

Candidates

*No Nominations Received*

**Queensland Branch Committee**

**President (1)**

Candidates

DUFF Pat

**Vice-President (1)**

Candidates

MURDOCH Jim

**Secretary (1)**

Candidates

ROSS Les

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  
04/08/2023





15 June 2023

Andrew Nicholl  
Chief Executive Officer  
Australian Trainers' Association  
Sent via email: ata@austrainers.com.au

cc:

Dear Andrew Nicholl



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### **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?**

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

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

Yours sincerely

**Fair Work Commission**



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# **Australian Trainers' Association**

## **DECLARATION OF RESULTS - E2023/59 - 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:

#### **South Australia Branch**

##### **Executive Officer (1)**

###### Candidates

JOLLY Richard

##### **Committee Member (5)**

###### Candidates

BIEG Chris

CLARKEN Daniel

HYAM John

#### **Victoria Branch**

##### **Executive Officer (1)**

###### Candidates

GRIFFITHS Robbie

##### **Committee Member (5)**

###### Candidates

BOWMAN Daniel

CORSTENS Troy

KENT Michael

NOONAN Tony

O'SULLIVAN Dan

#### **Western Australia Branch**

##### **Executive Officer (1)**

###### Candidates

*No Nominations Received*

##### **Committee Member (5)**

###### Candidates

PIKE Jeffrey Graeme



## **Tasmania Branch**

### **Executive Officer (1)**

#### Candidates

SCHUURING Nigel

### **Committee Member (5)**

#### Candidates

FULTON Alana

HANSON Tanya Grace

THOMPSON Cameron

## **Queensland Branch**

### **Executive Officer (1)**

#### Candidates

DUFF Patrick

### **Committee Member (5)**

#### Candidates

MURDOCH Jim Murdoch

ROSS Leslie Gordon

SCHWEIDA Kelly

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





Fair Work  
Commission

## DECISION

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

**Australian Trainers' Association**  
(E2023/59)

MR STEENSON

SYDNEY, 27 APRIL 2023

*Arrangement for conduct of election.*

[1] On 30 March 2023 the Australian Trainers' Association (the organisation) lodged with the Fair Work Commission (the Commission) prescribed information for an election to fill the following offices for a new term of office:

### **Federal**

President	(1)
Vice President	(2)
Executive Officers	(5)
(One from each State except NSW)	

### **State Branches**

#### **South Australia**

Committee Members	(5)
President	(1)
Vice President	(1)
Secretary	(1)

#### **Victoria**

Committee Members	(5)
President	(1)
Vice President	(1)
Secretary	(1)

#### **Western Australia**

Committee Members	(5)
President	(1)
Vice President	(1)
Secretary	(1)

Tasmania

Committee Members	(5)
President	(1)
Vice President	(1)
Secretary	(1)

Queensland

Committee Members	(5)
President	(1)
Vice President	(1)
Secretary	(1)

[2] Rule 9(a) of the organisation's rules, which concerns the Federal Executive Officers of the organisation, provides that:

The Executive shall consist of two members from each of the States of New South Wales, Queensland, South Australia, Victoria and Western Australia. The Annual General Meeting shall at any time have power to increase the size of the executive by the addition of two members from the State of Tasmania and/or two members from the Northern Territory

[3] That rule also provides that the term of office of Executive Officers is two years and that the Executive members from each State are elected in alternate years, one in even-numbered years and the other in odd-numbered years. The last odd-numbered year Executive Officers were the subject of election decision E2021/57.

[4] Rule 12 of the organisation's rules also requires that "candidates for the Executive must be members of Branch Committees". The organisation's Annual Return of Information, lodged with the Commission on 30 March 2023, indicates that there is currently no NSW Branch and that the current Branches of the organisation are: Queensland, South Australia, Tasmania, Victoria and Western Australia.

[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 Australian Electoral Commission.



DELEGATE OF THE GENERAL MANAGER

Printed by authority of the Commonwealth Government Printer

PR755024



**FEDERAL BRANCH**

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Website: [www.austrainers.com.au](http://www.austrainers.com.au)

**Subsidiary Entity:**



30 March 2023

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)*.

Yours faithfully,

**ROBBIE GRIFFITHS**  
President

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

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

<b><u>Federal</u></b>	<b>Date Commence</b>	<b>Date Close</b>
i) President	28/11/2023	28/11/2023
ii) Vice Presidents (2)	28/11/2023	28/11/2023
iii) 5 Executive Officers *	31/07/2023	11/08/2023

*\* One (1) from each State except NSW*

### **State Branches**

#### **South Australia**

i) President	19/09/2023	19/09/2023
ii) Vice President	19/09/2023	19/09/2023
iii) Secretary	19/09/2023	19/09/2023
iv) 5 members of Committee	31/07/2023	11/08/2023

#### **Victoria**

i) President	25/09/2023	25/09/2023
ii) Vice President	25/09/2023	25/09/2023
iii) Secretary	25/09/2023	25/09/2023
v) 5 Members of Committee	31/07/2023	11/08/2023

#### **Western Australia**

i) President	18/09/2023	18/09/2023
ii) Vice President	18/09/2023	18/09/2023
iii) Secretary	18/09/2023	18/09/2023
vi) 5 Members of Committee	31/07/2023	11/08/2023

#### **Tasmania**

i) President	03/10/2023	03/10/2023
ii) Vice President	03/10/2023	03/10/2023
iii) Secretary	03/10/2023	03/10/2023
vii) 5 Members of Committee	31/07/2023	11/08/2023

#### **New South Wales**

*No elections required*



## Queensland

i)	President	03/10/2023	03/10/2023
ii)	Vice President	03/10/2023	03/10/2023
iii)	Secretary	03/10/2023	03/10/2023
viii)	5 Members of Committee	31/07/2023	11/08/2023

- a) The reason for all the elections being held are due to the expiration of the term of office.
- b) The electorate for these elections consists of the financial members 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