



5 September 2023

Graciete Ferreira
President
Master Builders Association of the Australian Capital Territory
Sent via email: Graciete@pfwork.com.au

Dear Graciete Ferreira



IMMEDIATE ACTION REQUIRED:

You must take steps after your recent election E2023/105

An election has recently been completed by the Australian Electoral Commission (AEC) for the Master Builders Association of the Australian Capital Territory 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

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, the declaration of results, as well as your notice and leave them up longer than the 12 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 (RO Act), and disclosure requirements around conflicts of interest, remuneration and material personal interests. Officers will benefit from [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 15 days](#) of the change occurring.

We have a [template](#) to help you with this, which you can send to roorgs@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 [this 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 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 enquiries@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 the lodgement of a financial report.

5 September 2023

3 R V W O H F W L R Q U

Master Builders Association of the
Australian Capital Territory
Scheduled election
E2023/105

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Election(s) Covered in this Report

Organisation: Master Builders Association of the Australian Capital Territory
Election: Scheduled
Election Decision No/s: E2023/105

Rules

Rules used for the election: 241V: Incorporates alterations of 5 May 2021 [R2020/218 & D2020/20]

Rules difficult to apply/interpret: N/A

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): No

Details: N/A

Signed

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

Attachments

A. Declaration of Results for Uncontested Offices

Master Builders Association of the Australian Capital
Territory

DECLARATION OF RESULTS - E2023/105
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:

Commercial Sector

Commercial Sector Representative (1)

Candidates

HENDEN Peter

Professional Sector

Professional Sector Representative (1)

Candidates

TAYLOR Alisa

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
31/08/2023

DECISION

Fair Work (Registered Organisations) Act 2009
s.189² Arrangement for conduct of an election

Master Builders Association of the Australian Capital Territory
(E2023/105)

MR STEENSON

SYDNEY, 26 MAY 2023

Arrangement for conduct of election.

[1] On 18 May 2023 the Master Builders Association of the Australian Capital Territory lodged with the Fair Work Commission prescribed information for an election to fill the following offices for a new term

Commercial Sector Representative	(1)
Professional Sector Representative	(1)

[2] 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, the Australian Electoral Commission.

DELEGATE OF THE GENERAL MANAGER

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