



8 August 2023

Stephanie Terry
Vice President
Primary Employers Tasmania
Sent via email: primaryemployers@bigpond.com

Dear Ms Terry



IMMEDIATE ACTION REQUIRED:

You must take steps after your recent election E2023/120

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

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.

13 July 2023

Post-election report

Primary Employers Tasmania
Insufficient Nominations election
E2023/120

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Election(s) Covered in this Report

Organisation: Primary Employers Tasmania

Election: Insufficient Nominations

Election Decision No/s: E2023/120

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: 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/

Signed

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

Attachments

A. Declaration of results for Uncontested Offices – TAS

Primary Employers Tasmania
DECLARATION OF RESULTS - E2023/120
Uncontested Offices

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:

Tasmania

President (1)

Candidates

TERRY Stephanie

Treasurer (1)

Candidates

GOFTON Katrina

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
13/07/2023





Fair Work
Commission

DECISION

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

Primary Employers Tasmania
(E2023/120)

MR STEENSON

SYDNEY, 8 JUNE 2023

Arrangement for conduct of election.

[1] On 8 June 2023 the Primary Employers Tasmania (the organisation) lodged with the Fair Work Commission prescribed information for an election to fill the following office for a new term of office, due to insufficient nominations received in a previous election (**E2023/2**):

President	(1)
Treasurer	(1)

[2] In election E2023/2, no nominations were received for those offices within the timeframe specified for the close of nominations. The Australian Electoral Commission (AEC) has today (8 June) issued a declaration of results for the collegiate stage of election E2023/2. Given the importance of these particular offices to the running of the organisation, on the same date, the organisation lodged the prescribed information necessary for requesting a further election for these offices, which were unfilled due to insufficient nominations.

[3] 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 GENERAL MANAGER

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PR755086

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. Nominations for the positions closed on Tuesday 6 June, 2023.
5. There was a lack of nominations for the positions set out in the table in Annexure A.
6. We ask that the Australian Electoral Commission call for nominations for these positions.
7. This statement is not lodged 2 months prior to the nominating opening due to the lack of nominations by the prescribed closing date.

Signed:

Dated:



8 June 2023

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	Treasurer	1	Collegiate electoral system	Scheduled	Members of Executive Committee Rule 31

- Important dates:

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