



FAIR WORK  
AUSTRALIA

7 April 2011

Mr Christopher Rigby  
President  
Aged & Community Services  
Association of NSW & ACT Incorporated  
PO BOX 3124  
RHODES NSW 2138

Dear Mr Rigby

**Annual Return of Information Contained In Records Kept By Organisation – AR2011/2607**

Fair Work Australia has received your declaration dated 21 March 2011 providing information in accordance with subsection 233 of the *Fair Work (Registered Organisations) Act 2009*. The documents were lodged on 25 March 2011.

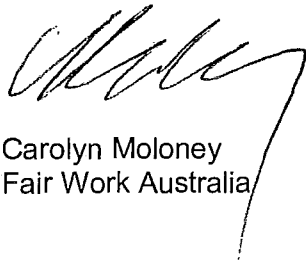
The documents lodged cover the following information:

- Number of members as at 31 December 2010.
- Declaration that the register of members was maintained as required by s230.
- List of offices of the organisation and of the persons holding those offices.
- The address of the offices of the organisation.
- A statement regarding elections which are due to be held during 2011.

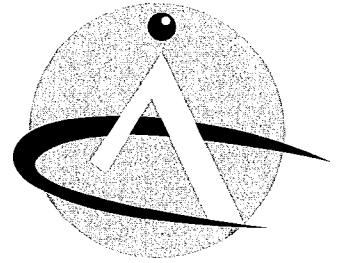
I also note that in paragraphs 2, 3 and 4 of your declaration you refer to s268(3)(b) and s268(1) and (2), however could you please ensure that next year's annual return refers to s. 233 (1) (a) and (b) of the *Fair Work (Registered Organisations) Act 2009*.

These documents meet the requirements of the *Fair Work (Registered Organisations) Act 2009* and have now been filed.

Yours sincerely



Carolyn Moloney  
Fair Work Australia



Aged & Community Services  
Association of NSW & ACT  
Incorporated

24 March 2011



**AGED & COMMUNITY SERVICES ASSOCIATION OF NSW & ACT INC.**  
**ANNUAL REPORT OF INFORMATION FOR 2009/10 [AR2011/2620]**

1. Declaration by the President & Director, Mr Christopher Rigby
  - Annex A List of offices as at 31 December 2010
  - Annex B List of office holders as at 31 December 2010
  - Annex C Change of office holders
2. Statement – Information about ACS.
3. Declaration of Results for Contested Offices from AEC.
4. A copy of the 2009/10 Annual Report & Annual Financial Report.

*Jill Pretty*

Jill Pretty  
Chief Executive Officer

## DECLARATION

I, Christopher Rigby of Scalabrini Village Ltd, 1A Lyons Road DRUMMOYNE NSW 2047 do declare that the following is true and accurate:

1. I am the President of the Aged & Community Services Association of NSW & ACT Inc. which is an organisation registered under the provisions of the Workplace Relations Act 1996.
2. To the best of my knowledge and belief the list annexed hereto and marked 'A' is a true and correct list of the offices of the Aged & Community Services Association of NSW & ACT Inc as required by [s268(3)(b)].
3. To the best of my knowledge and belief the list annexed hereto and marked 'B' is a true and correct list of the office holders of the Aged & Community Services Association of NSW & ACT Inc as required for [s268(3)(b)].
4. To the best of my knowledge and belief the register of members of the Aged & Community Services Association of NSW & ACT Inc has during the 2010 calendar year, been kept and maintained as required by section 268 (1) & (2).
5. The Office of the Aged & Community Services Association of NSW & ACT Inc is located at Level 3, 9 Blaxland Road, RHODES NSW 2138. The postal address is PO Box 3124 RHODES NSW 2138.

Christopher Rigby  
PRESIDENT



.....  
Declared: 21.03.2011  
.....

## **Annex A**

List of Offices of the Aged & Community Services Association of NSW & ACT Incorporated  
as at 31 December 2010.

- President
- Vice President
- Directors 13 (Thirteen)

## **Annex B**

List of Office Holders of the Aged & Community Services Association of NSW & ACT  
Incorporated as at 31 December 2010.

<b>OFFICE</b>	<b>OFFICE HOLDER</b>
Mr Christopher Rigby President	General Manager Scalabrini Village Ltd 1A Lyons Road DRUMMOYNE NSW 2047
Ms Viv Allanson Vice President	Chief Executive Officer Maroba 58 Edith Street WARATAH NSW 2298
Dr Stephen Judd Director	Chief Executive Officer HammondCare Level 2, 447 Kent Street SYDNEY NSW 2000
Mr Mark Sewell Director	Chief Executive Officer Warrigal Care PO Box 435 ALBION PARK NSW 2527
Ms Barbara Squires Director	General Manager, Ageing The Benevolent Society PO Box 171 PADDINGTON NSW 2021
Mr Phil Armstrong Director	Chief Executive Officer Banksia Villages Ltd 65 Heath Street BROULEE NSW 2537
Ms Gillian McFee Director	Director Uniting Care Ageing PO Box A2178 SYDNEY SOUTH NSW 1235
Ms Elizabeth Orr Director	General Manager Operations Wesley Mission PO Box A5555 SYDNEY SOUTH NSW 1235
Mr Rob Evers Director	Director Chesalon Living Anglican Diocese of Sydney 16 Parkes Street PARRAMATTA NSW 2150

**Annex B Cont.**

Mr Raad Richards Director (Appointed to fill casual vacancy for 1 term)	Chief Executive Officer Carrington Centennial Care 90 Werombi Road CAMDEN NSW 2570
Mr Steve Walkerden Director	General Manager United Protestant Association NSW PO Box 273 WAHROONGA NSW 2298
Mr Paul Sadler Director	Chief Executive Officer Presbyterian Aged Care NSW & ACT PO Box 2196 STRAWBERRY HILLS NSW 2012
Mr Rex Leighton Director	Chief Executive Officer Illawarra Diggers Aged & Community Care Ltd 8 Blundell Parade CORRIMAL NSW 2518
Ms Nieves Murray Director	Chief Executive Officer Illawarra Retirement Trust PO Box 2106 WOLLONGONG DC NSW 2500
Mr Robin Freeman Director (Appointed to fill casual vacancy for 1 term)	Chief Executive Officer Anglican Retirement Villages PO Box 284 CASTLE HILL NSW 1765

## Annex C

### Change of Office Holders

Aged & Community Services Association of NSW & ACT Inc.

#### **1. As per 2010 Elections**

##### Outgoing

- June Heinrich (Vice President) – retired
- John Ireland (Director) – retired

##### Newly Elected Vice President

- Vivienne Allanson

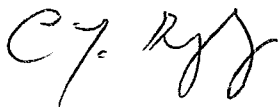
##### Newly Elected Directors

- Elizabeth Orr

#### **2. Other changes**

- Robin Freeman – filled one of the casual vacancy positions (until October 2011)
- Raad Richards – filled the other casual vacancy position (until October 2011)
- Nieves Murray, who filled a casual vacancy in 2009 and was elected in 2010 as a Director

No other changes occurred in 2010.



**Christopher Rigby**  
**President**  
**Date**

# STATEMENT

## AGED & COMMUNITY SERVICES ASSOCIATION OF NSW & ACT INC. INFORMATION REQUIREMENT

REQUIREMENT	ACS COMPLIANCE
1. Maintenance of Register of Members	<ul style="list-style-type: none"> <li>Declaration by Christopher Rigby – Parra 4</li> </ul>
2. List of Offices	<ul style="list-style-type: none"> <li>Declaration by Christopher Rigby – Annex A</li> </ul>
3. List of Office Holders	<ul style="list-style-type: none"> <li>Declaration by Christopher Rigby – Annex B &amp; Annex C signed by Christopher Rigby</li> </ul>
4. Branches	<ul style="list-style-type: none"> <li>Declaration by Christopher Rigby – Parra 5</li> <li>There are no branches at the date of this statement and there have been no branches closed or opened in 2010.</li> </ul>
5. Elections	<p>Elections were held in September 2010</p> <p><u>Attached</u></p> <ul style="list-style-type: none"> <li>A declaration by the Australian Electoral Commission advising the results of the elections.</li> <li>ACS internal document recording which states completed results of the election and the positions held as at 12 October 2010 – Page 1 of 1.</li> <li>We advise that under the Association's Rules, elections for Directors are held each year. In 2010 the election process commenced in August 2010 and concluded in September 2010 with the declaration of results forwarded to our office by the Australian Electoral Commission.</li> </ul>
6. Memberships	<ul style="list-style-type: none"> <li>There are 266 Not-for-Profit Members and 17 Industry Advice Scheme Members as at 31 December 2010.</li> <li>There were 27 Employees as at 31 December 2010.</li> </ul>



# **ACS ELECTIONS 2010**

## **RE-ELECTED – THREE YEAR TERM**

Rex Leighton  
Elizabeth Orr  
Paul Sadler  
Steve Walkerdon

## **VICE PRESIDENT**

Viv Allanson – Elected three year term

## **ELECTED – 1 YEAR CASUAL VACANCY**

Rob Freeman  
Raad Richards

**Aged & Community Services Association of NSW & ACT  
Incorporated  
Election of Directors**

**DECLARATION OF RESULTS FOR CONTESTED OFFICES**

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.

E2010/2620

**Aged & Community Services of NSW & ACT Incorporated**

Total number of persons on the roll of voters	534
Ballot papers issued	534
Duplicate ballot papers issued	0
<b>TOTAL BALLOT PAPERS ISSUED</b>	<b>534</b>
Ballot papers / envelopes returned for scrutiny	202
Less ballot papers / envelopes rejected at preliminary	4
Adjusting Balance	0
<b>TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY</b>	<b>198</b>
Percentage of ballot papers returned to number issued	37%
Ballot papers returned as unclaimed mail	3
Ballot papers not returned	0

**Director (5)**

<u>Candidates</u>	<u>Initial Count</u>		<u>Votes</u>
LEIGHTON, Rex	29	Elected fifth Count	110
FREEMAN, Rob	25		
GILLINGHAM, Glen	14		
WALKERDEN, Steve	12	Elected fourth Count	123
RICHARDS, Raad	14		
MURRAY, Nieves	34	Elected third Count	99
ORR, Elizabeth	32	Elected Second Count	114
SADLER, Paul	38	Elected first Count	109
Exhausted Votes			
Loss/Gain by Fraction			
Total votes	198		
Formal ballot papers	198		
Informal ballot papers	3		

I declare Rex Leighton, Nieves Murray, Elizabeth Orr, Paul Sadler and Steve Walkerden elected.

A full count of the election is available from the Returning Officer.

Kathryn Montgomery  
Returning Officer  
Australian Electoral Commission

7 October 2010

## 2010 ELECTION RESULTS

### 2010 ELECTION RESULTS (AS AT 12th OCTOBER 2010)

Current	Board Names - 2009/2010	Position	Member's Name	Elected	Term Exp's	Re-Elected	Term Exp's
1	Christopher Rigby	President	Catholic Health Care Limited	Oct-09	Oct-12	not req'd	Oct-12
2	Viv Allanson	Vice President	Maroba	Dec-10	Oct-12	not req'd	Oct-12
3	Stephen Judd	Director	The Hammond Care Group	Oct-08	Oct-11	not req'd	Oct-11
4	Mark Sewell	Director	Warrigal Care	Oct-09	Oct-12	not req'd	Oct-12
5	Barbara Squires	Director	The Benevolent Society	Oct-09	Oct-12	not req'd	Nov-12
6	Phillip Armstrong	Director	Banksia Villages Limited	Oct-09	Oct-11	not req'd	Oct-11
7	Gillian McFee	Director	Uniting Aged Care	Oct-09	Oct-12	not req'd	Oct-12
8	Elizabeth Orr	Director	Wesley Mission	Oct-10	Oct-13	elected	Oct-13
9	Rob Evers	Director	Anglican Aged Services (Chesalon Living)	Oct-09	Oct-11	not req'd	Oct-11
10	Raad Richards	Director	Carrington Centennial	Dec-10	Oct-12	reelected	Oct-11
11	Stephen Walkerden	Director	United Protestant Association of NSW	Oct-10	Oct-13	elected	Oct-13
12	Paul Sadler	Director	Presbyterian	Oct-10	Oct-13	elected	Oct-13
13	Rex Leighton	Director	Illawarra Diggers Aged & Community Care Residence	Oct-10	Oct-13	elected	Oct-13
14	Nieves Murray	Director	Illawarra Retirement Trust	Oct-10	Oct-13	elected	Oct-13
15	Rob Freeman	Director	Anglic Care	Dec-10	Oct-11	reelected	Oct-11
Elected Life Mem	John Ireland (Retired)	Director	Southern Cross	Oct-10	Oct-11	not req'd	Oct-11
Elected Life Mem	June Heinrich - (Retired)	Vice President	Baptist Community Services NSW & ACT	Oct-10	Oct-11	not req'd	Oct-11

#### Notes

13 Total Directors  
1 President  
1 Vice President  
15 Board Members

5 Elected October 2010

Vice President - Elected

Raad Richards - re-elected on Board

Rob Freeman - re-elected on Board

At Board Meeting on 07/12/2010

Appointed to fill casual vacancy for 12 months at Board Meeting on 07/12/2010

Appointed to fill casual vacancy for 12 months at Board Meeting on 07/12/2010



FAIR WORK  
AUSTRALIA

21 March 2011

Mr Christopher Michael Rigby  
President  
Aged & Community Services Association of NSW & ACT Incorporated  
mail@agedservices.asn.au

Dear Mr Rigby

**Aged & Community Services Association of NSW & ACT Incorporated  
Annual Return of Information for 2011 [AR2011/2607]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2011 in respect of the above by **31 March 2011**.

A signed and dated declaration certifying matters prescribed in the *Fair Work (Registered Organisations) Act 2009* [the "**RO Act**"] must be lodged with Fair Work Australia [FWA] by that date. The matters to be included in the declaration are set out in the attached Checklist.

The declaration must be signed by the secretary, or where applicable, such other elected official who is required under the rules or by resolution of the organisation, to keep the relevant records (the "other prescribed officer"). A declaration signed by a non-elected person does not meet this requirement.

The secretary or other prescribed officer must also notify FWA within 35 days of any changes to such records.

Failure to comply with these obligations is subject to a civil penalty provision – see s305 of the RO Act.

Once an Annual Return or change of records has been lodged, a copy will be posted on the FWA website at [www.fwa.gov.au](http://www.fwa.gov.au) – under *Registered organisations - List of registered organisations*. To protect the privacy of the relevant office holders listed in declarations, you may wish to list their postal, rather than home addresses.

FWA encourages you to lodge all returns electronically (e.g. as pdf files) at [RIASydney@fwa.gov.au](mailto:RIASydney@fwa.gov.au). Alternatively, you can forward the documents by fax to (02) 9380 6990.

Please ensure that emailed documents include signatures where required e.g. by scanning the signed documents into a PDF or TIF format.

Although it is not a requirement under the RO Act, I would like to ask, where possible, if you could include a primary email point of contact for each branch office.

As technology changes, we find that we are increasingly contacting you by email, rather than fax. The respective preferred email addresses would be useful for this purpose.

Please do not hesitate to contact me on (02) 8374 6620 or by e-mail at [RIASydney@fwa.gov.au](mailto:RIASydney@fwa.gov.au) if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steve Teece', written in a cursive style.

Steve Teece  
Registered Organisations - NSW  
Fair Work Australia

## Obligation to lodge Annual Return of Information by 31 March

A copy of each of the following records must be lodged with Fair Work Australia [FWA] between 1 January and 31 March each year. They must be certified by a declaration stating that it is a correct statement of the information contained in that record, signed by the secretary or such other elected official who is required under the rules, or by resolution of the organisation, to keep the relevant records (the "other prescribed officer" see RO Regulation 150).

For full details see ss230-233 of the Fair Work (Registered Organisations) Act 2009 [the "RO Act"], and Regulations 149-151 of the Fair Work (Registered Organisations) Regulations 2009 [the "RO Regulations"].

Failure to comply with these obligations is subject to a civil penalty provision – see s305 of the RO Act.

Requirement	Details of requirement
<b>Maintenance of Register of Members</b>	A declaration by the secretary or other prescribed officer certifying that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss230(1)(a) and (2) [s233(1)(a)]
<b>List of Offices</b>	A list of the offices in the organisation and each branch (note the definition of "office" and "officer" in ss6 and 9) [s230(1)(b)]
<b>List of Office holders</b>	A list of the names, postal addresses and occupations of the persons holding the offices (note the definition of "office" and "officer" in ss6 and 9) [s230(1)(c)]
<b>List of Branches</b>	A record of the name of each branch of the organisation [s230(1)(d) and reg. 147(a)]
<b>New Branches</b>	A record of the name of each branch that commenced operation in the previous 12 months [s230(1)(d) and reg. 147(b)]
<b>Old Branches</b>	A record of the name of each branch that ceased operation in the previous 12 months [s230(1)(d) and reg. 147(c)]
<b>Addresses of Organisation and Branches</b>	A record of the address of the office of the organisation and the address of the office of each branch [s230(1)(d) and reg. 147(d)]
<b>Elections in Organisation and Branches</b>	A record of each election that must, under the rules of the organisation, be held during the year commencing 1 January of the year in which the return is lodged, for any offices in the organisation and branches of the organisation. [s230(1)(d) and reg. 147(e)]  <b>Note:</b> this provision does not relieve an organisation or branch from the separate requirement to lodge prescribed information prior to each election, as required by s189 of the RO Act
<b>Statement concerning number of members</b>	<ul style="list-style-type: none"> <li>• A record of the number of members on 31 December in the previous year, and:</li> <li>• if the organisation has entered into an agreement relating to members of State unions under s151(1) of the RO Act - a record of the number of members of the organisation who were (on 31 December in the previous year) ineligible State members in relation to the organisation within the meaning of s150 of the RO Act.</li> </ul> [s230(1)(d) and reg. 147(f) and (g)]

### Obligation to notify of changes within 35 days

If there are any changes during the year to the list of offices, list of officeholders, list of branches (where relevant) and the address of the organisation and/or its branches an organisation must, within 35 days of the change, lodge with FWA, a notification of such changes certified by declaration signed by the secretary or other prescribed officer of the organisation to be a correct statement of the changes made [RO Act s233(2) and RO reg. 151 refer].



FAIR WORK  
AUSTRALIA

19 January 2011

Mr Christopher Michael Rigby

President

Aged & Community Services Association of NSW & ACT Incorporated

mail@agedservices.asn.au

Dear Mr Rigby

**Aged & Community Services Association of NSW & ACT Incorporated  
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Steve Teece  
Registered Organisations - NSW  
Fair Work Australia



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