



FAIR WORK
AUSTRALIA

19 April 2012

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 – AR2012/302

Fair Work Australia has received declarations dated 3 and 17 April 2012 providing information in accordance with subsection 233 of the *Fair Work (Registered Organisations) Act 2009* (the Act). The documents were lodged on 5 and 19 April 2012.

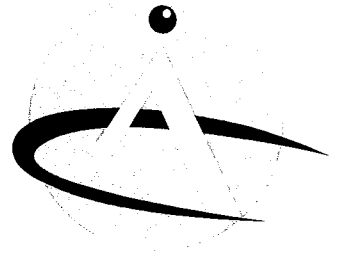
The documents lodged cover the following information:

- Number of members as at 31 December 2011.
- 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 in 2012.

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

17 April 2012

Mr James Hall
Fair Work Australia
Lvl 8, Terrace Towers
80 Williams Street
EAST SYDNEY NSW 2011



Dear Mr Hall

**AGED & COMMUNITY SERVICES ASSOCIATION OF NSW & ACT INC.
ANNUAL REPORT OF INFORMATION FOR 2012 [AR2012/302]**

As per your letter received by our office on 11 April 2012 requesting further information for the ACS Elections which were called in February 2012. One additional Director position was required to be filled in the resignation of Gillian McFee; I attach the following documents to complete the AR2012/302 legislative reporting as required pursuant to the rules.

- ACS Elections 2012
- Annex B List of office holders as at February 2012

Yours faithfully

Illana Halliday
Chief Executive Officer

ACS ELECTIONS 2012

RESIGNATION

1 resignation in March 2011 – Gillian McFee.

Another Election required in February 2012 to appoint a Director in place of resignation (which makes up 5 Directors).

Election February 2012

1 Appointment to replace the above resignation

Director

Candidate

TEULAN, Stephen

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

Annex B

List of Office Holders of the Aged & Community Services Association of NSW & ACT
Incorporated as at 31 December 2011.

OFFICE	OFFICE HOLDER
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
Mr Stephen Teulan Director	Director UnitingCare 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 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 B Cont.

Mr Raad Richards Director	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 David Maher Director	General Manager Catholic HealthCare Limited PO Box 858 EPPING NSW 1710



FAIR WORK
AUSTRALIA

10 April 2012

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 – AR2012/302

Fair Work Australia has received your declaration dated 3 April 2012 providing information in accordance with subsection 233 of the *Fair Work (Registered Organisations) Act 2009* (the Act). The documents were lodged on 5 April 2012.

The documents lodged cover the following information:

- Number of members as at 31 December 2011.
- 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.

However, the documents lodged did not contain a record of each election that must, under the rules of the Aged & Community Services Association of NSW & ACT Incorporated (the rules), be held during the year commencing 1 January 2012. Such information is required to be kept and lodged pursuant to regulation 147(e) of the *Fair Work (Registered Organisations) Regulations 2009* and sections 230(1)(d) and 233(1)(b) of the Act.

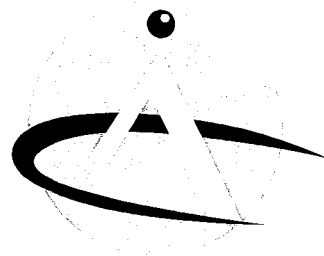
I note that a record of the elections for the ACS for the year commencing *1 January 2011* was annexed to the declaration that was lodged. However, as noted above, the information that must be lodged is a record of each election that must be held during the year commencing **1 January 2012** pursuant to the rules.

Therefore, could you please lodge a record of each election that must, under the rules, be held during the year commencing 1 January 2012.

Yours sincerely

James Hall
Fair Work Australia

29 March 2012



Aged & Community Services
Association of NSW & ACT
Incorporated

AGED & COMMUNITY SERVICES ASSOCIATION OF NSW & ACT INC.

ANNUAL REPORT OF INFORMATION FOR 2012 [AR2012/302]

1. Declaration by the President & Director, Mr Christopher Rigby
 - Annex A List of offices as at 31 December 2011
 - Annex B List of office holders as at 31 December 2011
 - 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 2010/11 Annual Report & Annual Financial Report.

Illana Halliday
Chief Executive Officer

STATEMENT

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

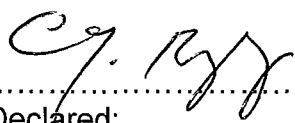
REQUIREMENT	ACS COMPLIANCE
1. Maintenance of Register of Members	<ul style="list-style-type: none"> Declaration by Christopher Rigby – Parra 4
2. List of Offices	<ul style="list-style-type: none"> Declaration by Christopher Rigby – Annex A
3. List of Office Holders	<ul style="list-style-type: none"> Declaration by Christopher Rigby – Annex B & Annex C signed by Christopher Rigby
4. Branches	<ul style="list-style-type: none"> Declaration by Christopher Rigby – Parra 5 There are no branches at the date of this statement and there have been no branches closed or opened in 2011.
5. Elections	<p>Elections were held in September 2011</p> <p><u>Attached</u></p> <ul style="list-style-type: none"> A declaration by the Australian Electoral Commission advising the results of the elections. ACS internal document recording which states completed results of the election and the positions held as at 12 October 2011 – Page 1 of 1. We advise that under the Association's Rules, elections for Directors are held each year. In 2011 the election process commenced in August 2011 and concluded in September 2011 with the declaration of results forwarded to our office by the Australian Electoral Commission.
6. Memberships	<ul style="list-style-type: none"> There are 266 Not-for-Profit Members and 18 Industry Advice Scheme Members as at 31 December 2011. There were 26 Employees as at 31 December 2011.

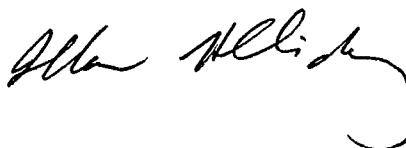
DECLARATION

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 in s. 233 (1)(a) and (b) of the *Fair Work (Registered Organisations) Act 2009*.
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 in s. 233 (1)(a) and (b) of the *Fair Work (Registered Organisations) Act 2009*.
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 2011 calendar year, been kept and maintained as required in s. 233 (1)(a) and (b) of the *Fair Work (Registered Organisations) Act 2009*.
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:
.....



ACS ELECTIONS 2011

RE-ELECTED – THREE YEAR TERM

Stephen Judd
Philip Armstrong
Raad Richards
David Maher (*Elected on the Board 1st time*)

Election for 5 Directors only 4 Nominated.

RETIRED

1 retired in 2011 – Rob Evers

1 YEAR CASUAL VACANCY

Rob Freeman – replaced Rob Evers

RESIGNATION

1 resignation in March 2011 – Gillian McFee.

Another Election required in February 2012 to appoint a Director in place of resignation (which makes up 5 Directors).

Annex A

List of Offices of the Aged & Community Services Association of NSW & ACT Incorporated
as at 31 December 2011.

- President
- Vice President
- Directors 11
- Casual Vacancy 1
- Vacant Director Position 1

Annex B

List of Office Holders of the Aged & Community Services Association of NSW & ACT
Incorporated as at 31 December 2011.

OFFICE	OFFICE HOLDER
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
1 Vacant Position for Re-election in February 2012	
Ms Elizabeth Orr Director	General Manager Operations Wesley Mission PO Box A5555 SYDNEY SOUTH NSW 1235
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 B Cont.

Mr Raad Richards Director	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 David Maher Director	General Manager Catholic HealthCare Limited PO Box 858 EPPING NSW 1710

Annex C

Change of Office Holders
Aged & Community Services Association of NSW & ACT Inc.

1. As per 2011 Elections

Outgoing

- Rob Evers (Director) – retired
- Gillian McFee (Director) – resigned

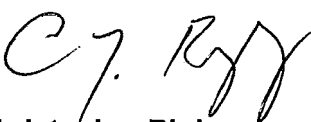
Newly Elected Director

- David Maher

2. Other changes

- Robin Freeman – filled one of the casual vacancy positions (until October 2012)
- Due to Gillian McFee resigning we required another vacancy.
- Due to a late application for the August 2011 election only 4 Directors were elected and therefore required to call another election in February 2012.

No other changes occurred in 2011.


Christopher Rigby
President
Date 3/4/12



FAIR WORK
AUSTRALIA

15 March 2012

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

Statutory Annual Return of Information (Addresses, Branches, Membership and Office Holders, etc) for 2012 [AR2012/302]

This is a further courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2012 in respect of the above by **31 March 2012**.

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

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.

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 – 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. 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 strictly 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.

Please do not hesitate to contact me on (02) 8374 6649 or by e-mail at 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
Organisations, Research & Advice
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
Maintenance of Register of Members	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)]
List of Offices	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)]
List of Office holders	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)]
List of Branches	A record of the name of each branch of the organisation [s230(1)(d) and reg. 147(a)]
New Branches	A record of the name of each branch that commenced operation in the previous 12 months [s230(1)(d) and reg. 147(b)]
Old Branches	A record of the name of each branch that ceased operation in the previous 12 months [s230(1)(d) and reg. 147(c)]
Addresses of Organisation and Branches	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)]
Elections in Organisation and Branches	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)] Note: 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
Statement concerning number of members	<ul style="list-style-type: none"> A record of the number of members on 31 December in the previous year, and: 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. [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

30 January 2012

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
Statutory Annual Return of Information (Addresses, Branches, Membership and Office Holders,
etc). for 2012 [AR2012/302]**

This is a courtesy letter to remind you of the obligation to lodge the Statutory Return of Information required each year by section 233 of the Fair Work (*Registered Organisations*) Act 2009 [the "RO Act"] by **31 March 2012**.

The Statutory Return must include a signed and dated declaration certifying the facts referred to in sub-section 233(1)(a) and must include a certified copy of the records and information prescribed by sub-section 230(1). For your convenient reference, the facts and details to be covered by 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 subsequent changes to such records.

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

Once the Statutory Return or a notification of any subsequent change of records has been lodged, a copy will be posted on the FWA website at 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.

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Yours sincerely

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Steve Teece
Organisations, Research & Advice
Fair Work Australia

Obligation to lodge Annual Return of Information by 31 March

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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”].

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Addresses of Organisation and Branches	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)]
Elections in Organisation and Branches	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)] Note: 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
Statement concerning number of members	<ul style="list-style-type: none"> • A record of the number of members on 31 December in the previous year, and: • 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. [s230(1)(d) and reg. 147(f) and (g)]

Obligation to notify of changes within 35 days

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