



4 October 2016

Ms Illana Halliday
Chief Executive Officer
Aged & Community Services NSW & ACT
mail@acs.asn.au

Dear Ms Halliday,

Notification of changes made to records [AR2016/90]

I acknowledge receipt of a Notification of Change to the street address of the Aged & Community Services NSW & ACT.

This information was lodged with the Fair Work Commission (the Commission) on 20 September 2016 under s.233(2) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act). Our records have been updated accordingly. The document can be viewed on the Commission Website through the list of Registered Organisations - <https://www.fwc.gov.au/registered-organisations/find-registered-organisations>

Please note that the RO Act requires that a notification of change must be lodged within 35 days of the change occurring. The notification indicates that changes occurred more than 35 days prior to its lodgement. Please ensure that future notifications of change are lodged within 35 days of the change occurring.

Thank you for the notification.

Yours sincerely,

Carolyn Moloney
Regulatory Compliance Branch

**NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return)
required to be kept in accordance with section 230 *Fair Work (Registered Organisations)*
Act 2009 and regulation 147 *Fair Work (Registered Organisations) Regulations 2009***

I, Illana Halliday, being the Chief Executive Officer of the Aged & Community Services NSW & ACT, declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

[delete all that do not apply]

- On 04 July 2016 the address of the organisation changed to Level 6, Suite 604, 5 Rider Boulevard, RHODES NSW 2138.¹

Signed:



Dated:

20 Sept 2016

[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to orgs@fwc.gov.au.]

¹ s.230(1)(d); reg.147(d)



FairWork
Commission

11 April 2016

Ms Illana Halliday
Chief Executive Officer
Aged & Community Services NSW & ACT
(By email)

Dear Ms Halliday,

Annual Return of Information for 2016 [AR2016/90]

I acknowledge receipt on 29 March 2016 of your Declaration providing information in accordance with subsection 233(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The documents lodged cover the required information for the 2016 Annual Return of Information of Aged & Community Services NSW & ACT.

The documents have been filed and can be viewed on the Fair Work Commission website through the List of Registered Organisations - <http://www.fwc.gov.au/index.cfm?pagename=regorgslist>

Notifications of Change

Any changes to these records must be notified to the Commission within 35 days of the change. A template Notification of Change Declaration is available on the [fact-sheets](#) page of our website. Aged & Community Services NSW & ACT is encouraged to use this template if any changes occur.

Yours sincerely

Carolyn Moloney
Regulatory Compliance Branch



Aged & Community
Services NSW & ACT



10 March 2016

AGED & COMMUNITY SERVICES NSW & ACT
ANNUAL REPORT OF INFORMATION FOR 2016 [AR2016/90]

1. Declaration by the President of the ACS Board of Directors, Ms Viv Allanson
 - Annex A List of offices as at 31 December 2015
 - Annex B List of office holders as at 31 December 2015
 - 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 2015/16 Annual Report & Annual Financial Report.

Illana Halliday
Chief Executive Officer

DECLARATION [AR2016/90]

I, Viv Allanson, Chief Executive Officer of Maroba, 58 Edith Street, WARATAH NSW 2298 declare that the following is true and accurate:

1. I am the President of the Aged & Community Services NSW & ACT which is an organisation registered under the Corporations Act 2001 (Cth) as a company limited by guarantee.
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 NSW & ACT 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' & 'C' is a true and correct list of the office holders of the Aged & Community Services NSW & ACT 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 NSW & ACT has within the calendar year and up until 31 December 2015 kept and maintained as required in ss.230(1)(a) and (2) [s. 233 (1)(a)] of the *Fair Work (Registered Organisations) Act 2009*.
5. The Office of the Aged & Community Services NSW & ACT is located at Level 3, 9 Blaxland Road, RHODES NSW 2138. The postal address is PO Box 3124 RHODES NSW 2138.

Viv Allanson
PRESIDENT



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Declared: 10 March 2016

Annex A
[AR2016/90]

List of offices

Aged & Community Services NSW & ACT (ACS)
Level 3, 1 Blaxland Road
RHODES NSW 2138

As required under s.230(1)(b) the above is the only office ACS has operating.

Under s.230(1)(d) and r.147(a)(b)(c) there are no other branches of ACS or branches that commenced or ceased operation in the previous 12 months.

Viv Allanson
PRESIDENT

A handwritten signature in black ink, appearing to read 'Viv Allanson', with a stylized, flowing script.

Declared: 10 March 2016

Annex B
[AR2016/90]

List of Office Holders of the Aged & Community Services NSW & ACT as at 31 December 2015 as per s.230(1)(c).

OFFICE	OFFICE HOLDER
Ms Viv Allanson President	Chief Executive Officer Maroba [REDACTED]
Mr Paul Sadler Director	Chief Executive Officer Presbyterian Aged Care NSW & ACT [REDACTED]
Mrs Alexandra Karen Zammit Director	Chief Executive Officer Thomas Holt [REDACTED]
Ms Helen Wilson Director	General Manager Wesley Mission [REDACTED]
Mr David Goodhew Director	Director - Chesalon Anglicare Diocese of Sydney [REDACTED]
Paul McMahon Director	Southern Cross Care (NSW & ACT) [REDACTED]
Mr Stephen Teulan Vice President	Director Uniting [REDACTED]
Mr Mark Sewell Director	Chief Executive Officer Warrigal Care [REDACTED]
Mr Robin Freeman Director	Chief Executive Officer Anglican Retirement Villages [REDACTED]

Annex B Cont.

Mr Raad Richards Director	Chief Executive Officer Carrington Centennial Care [REDACTED]
Sue Thomson Director	McLean Care Limited [REDACTED]
Mr Alexander Lachlan McLean Shaw Director	Chief Executive Officer Royal Freemasons' Benevolent Institution [REDACTED]
Mr Ross Low Director	Chief Executive Officer Baptist Community Services - NSW & ACT (BCS) [REDACTED]
Mr David Maher Director	General Manager Catholic HealthCare Limited [REDACTED]
Ron Thompson Director	Chief Executive Officer RSL LifeCare [REDACTED]

Viv Allanson
PRESIDENT



Declared: 10 March 2016

Annex C
[AR2016/90]

Change of Office Holders
Aged & Community Services NSW & ACT

1. As per 2015 Elections

Outgoing

- Phil Armstrong (Director), Banksia Villages Limited.
- Stephen Walkerden (Director), United Protestant Association of NSW

Newly Elected Directors

- At the 2015 election process (5) Directors were nominated for election and (6) candidates.
- (5) Directors were elected as at September 2015.

2. Other changes

- Paul Sadler is no longer Vice President, this role has been taken over by Stephen Teulan.



Viv Allanson
President

Date: 10 March 2016

**Aged & Community Services NSW & ACT
Election for Director**

Declaration of Results for Contested Offices

E2015/185

Below are 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.

Aged & Community Services NSW & ACT

Total number of names on the roll of voters	479
Ballot papers issued	479
Replacement ballot papers issued	0
Total Ballot Papers Issued	479
Ballot papers / envelopes returned for scrutiny	204
Less ballot papers / envelopes rejected at preliminary scrutiny	4
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	200
Percentage of ballot papers returned to number issued	42.59 %
Ballot papers returned as unclaimed mail	4
Ballot papers not returned	271

Director (5)

<u>Candidates</u>	<u>Final Votes</u>
MARKS, Dennis	Excluded
MCMAHON, Paul	102
RICHARDS, Raad T	110
TEULAN, Stephen	103
THOMSON, Sue	122
WILSON, Helen	127

Formal ballot papers	200
Informal ballot papers	0

I declare Paul McMahon , Raad T Richards , Stephen Teulan , Sue Thomson and Helen Wilson elected.

Ishtiaq Ahmed
Returning Officer
Australian Electoral Commission
16 September 2015

STATEMENT

AGED & COMMUNITY SERVICES NSW & ACT INFORMATION REQUIREMENT [AR2016/90]

REQUIREMENT	ACS COMPLIANCE
1. Maintenance of Register of Members	<ul style="list-style-type: none">Declaration by Viv Allanson – Parra 4
2. List of Offices	<ul style="list-style-type: none">Declaration by Viv Allanson – Annex A
3. List of Office Holders	<ul style="list-style-type: none">Declaration by Viv Allanson – Annex B
4. Branches	<ul style="list-style-type: none">Declaration by Viv Allanson – Annex AThere are no branches at the date of this statement and there have been no branches closed or opened in 2015.
5. Elections	<p>Elections were held in September 2015</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.
6. Memberships	<ul style="list-style-type: none">273 NFP member organisations (including both Ordinary and CHSP members)12 IAS member organisationsThere were 33 Employees as at 31 December 2015.

Viv Allanson
PRESIDENT



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Declared: 10 March 2016
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11 March 2016

Ms Illana Halliday
Chief Executive Officer
Aged & Community Services NSW & ACT
By email: mail@acs.asn.au

Dear Ms Halliday,

**Aged & Community Services NSW & ACT
Annual Return of Information for 2016 [AR2016/90]**

I refer to our letter dated 10 February 2016 reminding you of the obligation to lodge an Annual Return of Information for 2016 by **31 March 2016**. While the organisation has until the end of the month in which to lodge the information, we provide the following as a second and final reminder. Please ignore this letter if you have lodged the Annual Return in the last few days.

A signed and dated declaration certifying matters prescribed in the Fair Work (Registered Organisations) Act 2009 (the RO Act) must be lodged with the Fair Work Commission (the Commission) 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 (other prescribed officer). A declaration signed by a non-elected person does not meet this requirement. Further, you are reminded that the Secretary or other prescribed officer must also notify the Commission within 35 days of any changes to such records that may occur throughout the year.

If you require further information about an Annual Return you can refer to the '[Annual Information Requirements](#)' page on our website and, in particular, our Webinar slides.

Once an Annual Return has been lodged, a copy will be posted on our website at [List of Registered Organisations](#). Therefore, to protect the privacy of the relevant office holders listed in the declarations, it is recommended that officers list their official mailing address rather than personal home address.

We encourage you to lodge all returns electronically (e.g. as a pdf file) at orgs@fwc.gov.au. Please ensure that emailed documents include signatures where required.

Please note: failure to comply with these obligations is subject to a civil penalty provision (up to \$54,000 for a body corporate and \$10,800 for an individual per contravention), under s.305 of the RO Act. Finally, in maintaining the register of members, your attention is drawn to the circumstances where membership ceases to exist (s.230(2)(b) and s.171A of the RO Act).

Please do not hesitate to contact the Commission by phone on (03) 8661 7777 or by e-mail at orgs@fwc.gov.au if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely,

Anastasia Kyriakidis
Regulatory Compliance Branch

Obligation to lodge Annual Return of Information by 31 March

For full details see ss.230-233 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act), and rr.147-151 of the *Fair Work (Registered Organisations) Regulations 2009* (the RO Regulations).

A copy of each of the following records must be lodged with the Fair Work Commission (the Commission) 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 (**other prescribed officer** see r.150 of the RO Regulations).

Failure to comply with these obligations is subject to a civil penalty provision – see s.305 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 ss.230(1)(a) and (2) [s.233(1)(a)] Note: In maintaining the register of members, your attention is drawn to s.171A of the RO Act that outlines the circumstances where membership ceases to exist.
List of Offices	A list of the offices in the organisation and each branch (note the definition of office and officer in ss.6 and 9) [s.230(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 ss.6 and 9) [s.230(1)(c)]
List of Branches	A record of the name of each branch of the organisation [s.230(1)(d) and r.147(a)]
New Branches	A record of the name of each branch that commenced operation in the previous 12 months [s.230(1)(d) and r.147(b)]
Old Branches	A record of the name of each branch that ceased operation in the previous 12 months [s.230(1)(d) and r.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 [s.230(1)(d) and r.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 . [s.230(1)(d) and r.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 s.189 of the RO Act
Statement concerning number of members	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 s.151(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 s.150 of the RO Act. [s.230(1)(d) and rr.147(f) and (g)]

Obligation to notify of changes within 35 days

If there are any changes during the year to the offices, officeholders, branches (where relevant) or the address of the organisation and/or its branches an organisation must, within 35 days of the change, lodge with the Commission, 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 s.233(2) and RO Regulations r.151 refer].



10 February 2016

Ms Illana Halliday
Chief Executive Officer
Aged & Community Services NSW & ACT

By email: mail@acs.asn.au

Dear Ms Halliday,

**Aged & Community Services NSW & ACT
Annual Return of Information for 2016 [AR2016/90]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2016 in respect of the Aged & Community Services NSW & ACT by **31 March 2016**.

A signed and dated declaration certifying matters prescribed in the *Fair Work (Registered Organisations) Act 2009* (the RO Act) must be lodged with the Fair Work Commission (the Commission) 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 (other prescribed officer). A declaration signed by a non-elected person does not meet this requirement. Further, you are reminded that the Secretary or other prescribed officer must also notify the Commission within 35 days of any changes to such records that may occur throughout the year.

As previously advised, section 233 places the onus of lodgement on the organisation and not on each individual branch. It is therefore the national body that is obliged to collate and lodge all of the required information. Annual Return templates are available on the Commission website at [Registered Organisations fact sheets](#), one for an [organisation with branches](#) and one for an [organisation without branches](#).

Once an Annual Return has been lodged, a copy will be posted on our website at [List of Registered Organisations](#). Therefore, to protect the privacy of the relevant office holders listed in the declarations, it is recommended that officers list their official mailing address rather than personal home address.

We encourage you to lodge all returns electronically (e.g. as a pdf file) at orgs@fwc.gov.au. Please ensure that emailed documents include signatures where required.

Please note: failure to comply with these obligations is subject to a civil penalty provision (up to \$54,000 for a body corporate and \$10,800 for an individual per contravention), under s.305 of the RO Act. Finally, in maintaining the register of members, your attention is drawn to the circumstances where membership ceases to exist (s.230(2)(b) and s.171A of the RO Act).

Please do not hesitate to contact the Commission by phone on (03) 8661 7777 or by e-mail at orgs@fwc.gov.au if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely,

Anastasia Kyriakidis
Assistant Adviser
Regulatory Compliance Branch

Obligation to lodge Annual Return of Information by 31 March

For full details see ss.230-233 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act), and rr.147-151 of the *Fair Work (Registered Organisations) Regulations 2009* (the RO Regulations).

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Failure to comply with these obligations is subject to a civil penalty provision – see s.305 of the RO Act.

Requirement	Details of requirement
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Statement concerning number of members	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 s.151(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 s.150 of the RO Act. [s.230(1)(d) and rr.147(f) and (g)]

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If there are any changes during the year to the offices, officeholders, branches (where relevant) or the address of the organisation and/or its branches an organisation must, within 35 days of the change, lodge with the Commission, 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 s.233(2) and RO Regulations r.151 refer].