



30 September 2016

Ms Vivienne Allanson
President
Aged & Community Services NSW & ACT
Email: mail@acs.asn.au

Dear Ms Allanson,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election [E2016/157]. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

A notice must be published on the organisation's website

The organisation or branch must publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the *Fair Work (Registered organisations) Regulations 2009*).

Holders of office required to undertake approved training

Section 154D(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act) requires the rules of organisations (and branches of organisations) to require each officer with financial management duties to undertake approved training that covers those duties within 6 months after the person begins to hold office. Please ensure that relevant officers undertake approved training within the required timeframe.

Please also ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests, the details of which should be provided for in your organisation's rules.

Organisation must notify the Commission of changes

Also, section 233(2) of the RO Act requires that an organisation must notify the Commission **within 35 days of any changes** to the holders of office in the organisation. **If there are no changes a notification is not required.** If the election has resulted in **any changes** to the holders of office, the Aged & Community Services NSW & ACT must notify the Commission of these changes. In particular, please advise:

1. Person(s) who have ceased to hold office:
 - the name of the office vacated;
 - the date of the change of office holder; and
 - the name of the person vacating the office.
2. Person(s) who have commenced to hold office:
 - the name of the office now held;
 - the date of the change of office holder;
 - the name of the person now holding the office;

Level 10, Terrace Tower
80 William Street
East Sydney NSW 2011

Telephone: (02) 8374 6666
Email : orgs@fwc.gov.au
Internet : www.fwc.gov.au

- the postal address of the person (generally the postal address of the organisation); and
- the occupation of the person now holding the office.

The notification must include a declaration by the Secretary (or other prescribed officer) that the information is a correct statement of the changes made. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't need to notify until then (e.g. AGM, 1 January, 2nd Monday in March). If you have already lodged this information, please disregard this reminder.

Regards

Michael Moutevelis

Regulatory Compliance Branch

From: Noopur Madan <Noopur.Madan@aec.gov.au>
Sent: Friday, 30 September 2016 12:58 PM
To: Orgs; Industrial Elections
Cc: viv@maroba.com.au; Mira Sandre
Subject: Post election Report for Aged and Community Services (ACSA) NSW & ACT - Vacancy election E2016/157 [SEC=UNCLASSIFIED]
Attachments: Declaration of Results E2016-157.pdf; PER ACSA - E2016-157.pdf

UNCLASSIFIED

Attention: Mr. Michael Moutevelis,
Fair Work Commission

Ms Viv Allanson
President
Aged & Community Services NSW & ACT
PO Box 3124
Rhodes NSW 2138

Attention: Mira Sandre`

Dear Ms Allanson,

Post-Election Report for Aged & Community Services NSW & ACT (ACSA) - Vacancy election E2016/157

I refer to the above election for Aged & Community Services NSW & ACT (ACSA)

Section 197(1) of the *Fair Work (Registered Organisations) Act 2009* ("the Act") requires the AEC to provide a written report on the conduct of the election to the Fair Work Commission and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

Section 198 of the Act requires that if an organisation or branch is given a post- election Report under Section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to industrial.elections@aec.gov.au within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the Post-Election Report and the organisation's response to the report (if applicable) available to members.

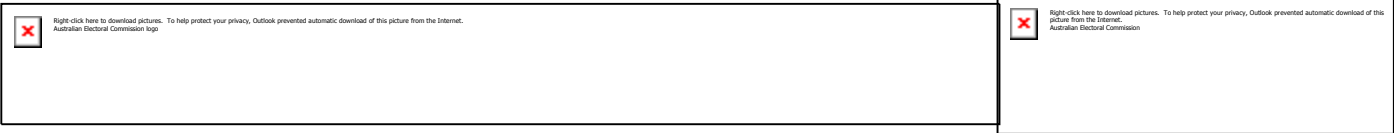
Further, Regulation 141(4) of the *Fair Work (Registered Organisations) Regulations 2009* requires an organisation or branch to publish a notice on its website advising members that a copy of the Post-Election Report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.

Thanks

Regards

Noopur Madan | Senior Returning Officer
Industrial & Commercial Elections | NSW State Office
Australian Electoral Commission
T: (02) 9375 6321 | F: (02) 6215 9910



UNCLASSIFIED

DISCLAIMER:

If you have received this transmission in error please notify us immediately by return email and delete all copies. If this email or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the email or attachments.

**Aged & Community Services Association of NSW & ACT
Incorporated
Election of Directors 2016**

Declaration of Results for Contested Offices

E2016/157

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 of NSW & ACT Incorporated

Total number of names on the roll of voters	434
Ballot papers issued	434
Replacement ballot papers issued	0
Total Ballot Papers Issued	434
Ballot papers / envelopes returned for scrutiny	181
Less ballot papers / envelopes rejected at preliminary scrutiny	9
Adjusting balance	0
Total Ballot Papers Admitted to Scrutiny	172
Percentage of ballot papers returned to number issued	41
Ballot papers returned as unclaimed mail	6
Ballot papers not returned	247

Director (5)

<u>Candidates</u>	<u>Initial Votes</u>	<u>Final Votes</u>
ZAMMIT, Alexandra	30	98 (4)
PRICE , Frank	18	88 (5)
PRETORIUS, Gavin	32	86 (1)
MAHER, David	19	22
DAVIS, Alexandra	34	90 (3)
LOW, Ross Gregory	29	88 (2)
LUNNEY, Lisa	9	Excluded
 Total votes	 171	
Formal ballot papers	171	171
Informal ballot papers	1	1

I declare Alexandra Davis, Ross Gregory Low, Gavin Pretorius, Frank Price and Alexandra Zammit elected.



Noopur Madan
Returning Officer
Australian Electoral Commission

26 September 2016



Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: Aged & Community Services NSW & ACT

Contact details: Ms. Vivienne Allanson
President
Aged & Community Services
NSW & ACT
PO Box 3124
Rhodes NSW 2138
Email: mail@acs.asn.au

FWC contact officer: Michael Moutevelis
Email: orgs@fwc.gov.au

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2016/157

RULES

Rules used for elections Rule ID: [133N: Incorporates alterations of 20/02/2015 in matter D2014/67 and R2015/15]

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: 291

Total number of votes: 434

Number of apparent workplace addresses: 291

Number of non-current addresses: 6

Other matters pertaining to the roll of voters: N/A

ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and action taken by AEC: N/A

Other irregularities identified, and action taken: N/A

ATTACHMENTS

A: Declaration of results for contested offices

Returning Officer
30 September 2016



DECISION

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

Aged & Community Services NSW & ACT (E2016/157)

MR ENRIGHT

MELBOURNE, 24 JUNE 2016

Arrangement for conduct of election.

[1] On 31 May 2016, the Aged & Community Services NSW & ACT lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Director

(5)

[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 by the Australian Electoral Commission.



DELEGATE OF THE GENERAL MANAGER

Printed by authority of the Commonwealth Government Printer

<Price code A, PR581570>

From: Mira Sandre <MiraS@acs.asn.au>
Sent: Tuesday, 31 May 2016 4:14 PM
To: VALE, David
Cc: HALL, James
Subject: Notice & Statement for Prescribed Information for an Election in 2016 - ACS: Rhodes Office
Attachments: SKMBT_C75416053113370.pdf
Categories: SFS MEMBER

Dear David,

Please find attached a signed Form for an Election for our organisation.

Kind Regards,

Mira Sandre
Office Manager




PO Box 3124 Rhodes NSW 2138
(Level 3, 9 Blaxland Rd)
Phone: 02 8754 0400
Fax: 02 9743 4557
Mob:
www.acs.asn.au



Respect Integrity Collaboration Trust

ACS staff acknowledge the traditional owners of the land on which we work and pay our respects to the elders past and present

WARNING – this e mail is intended for the named recipient and may be privileged and confidential. Any unauthorised use is prohibited. E mail communications are not always secure and therefore the Aged & Community Services of NSW & ACT does not accept legal responsibility for the contents of this message. If you have received this e mail in error, please delete it and contact the sender immediately.

 Please consider the environment before printing this email.



Aged & Community
Services NSW & ACT

26 May 2016

Notice and Statement for Prescribed Information for an Election

I, Vivienne Allanson being the President of the Board of Directors of the Aged & Community Services NSW & ACS make the following statement:

I am authorised to lodge the following prescribed information concerning forthcoming elections in the Aged & Community Services NSW & ACT, and

I confirm that the following information is being lodged under subsection 189(1) of the Fair Work (*Registered Organisations*) Act 2009.

Signed:

Dated: 31 May 2016

Offices/Positions

Directors (5) (Direct Voting System)

Election for (5) Directors is required as the terms of office are due to expire at the conclusion of the Annual General Meeting for 2016 (the AGM) due to the operation of rules 32, 37.1 and 38.2 & 38.3 of the Aged & Community Services NSW & ACT (the ACS).

Elected by:

- The electorate of the direct voting system are ACS members and duly authorised representatives as financial members as recorded in the membership register at the date of certification (clause 1.2 of the First Schedule).

Nominations open:

- Clause 1.1 of the First Schedule provides that the Returning Officer shall advise members at least 40 days prior to the date of the AGM or the day fixed for declaration of the poll and invite nominations. It is suggested that nominations will open 8 August 2016. The proposed date for the AGM for 2016 is Tuesday, 11 October 2016.

Nominations close:

- Clause 1.3 of the First Schedule provides that the Returning Officer shall forward by post, to each member entitled to vote at the election, a nomination form which shall advise of the closing date for nominations which shall not be less than 14 days from the date on which he/she posts the nomination form nor later than 4.00 pm on the 21st day prior to the day fixed for the declaration of the poll. It is suggest that nominations will close 22 August 2016.