



23 February 2017

Ms Michelle Eades
Executive Officer
Association of Consulting Architects - Australia
nat@aca.org.au

Dear Ms Eades,

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 of uncontested/contested offices/positions for [E2016/182]. 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. A list of approved training providers is attached.

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 Association of Consulting Architects - Australia 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;

11 Exhibition Street
Melbourne VIC 3000
GPO Box 1994
Melbourne VIC 3001

Telephone:
Email : orgs@fwc.gov.au
Internet : www.fwc.gov.au

- the date of the change of office holder;
- the name of the person now holding the office;
- 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. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not 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

Debbie Ball
Regulatory Compliance Branch

List of approved governance training packages

Approved training material	Provider	Contact person	Contact details
AHAWA Governance and Financial Training	Australian Hotels Association (WA Branch)	Mr Bradley Woods	(08) 9321 7701 ceo@ahawa.asn.au
APTIA Governance and Financial Training Package	Australian Public Transport Industrial Association	Mr Ian MacDonald	(02) 6247 5900 imacdonald@bic.asn.au
Handbook for Councillors of the Australian Industry Group	Australian Industry Group (for provision to Ai Group Councillors only. Not for external parties)	Ms Jenifer Leuba	(03) 9867 0174 jenifer.leuba@aigroup.asn.au
The Australian Workers' Union Professional Training Program Financial Duties of Officers	Australian Workers' Union	General enquiries	(02) 8005 3333 members@nat.awu.net.au
In-Boardroom: Governance and Finance for Registered Organisations	Australian Institute of Company Directors	Various	AICD state-based contacts
ACTU s.154C Training— Union Governance	Australian Council of Trade Unions (ACTU)	Organising Centre Enquiries	(03) 9664 7360 orgcentre@actu.org.au
Governance of Registered Organisations	Weston Woodley & Robertson Chartered Accountants	Mr Dennis Robertson	(02) 9264 9144 dennisr@wwr.com.au
Governance and Financial Accountability for Registered Organisations	Local Government New South Wales	Ms Sarah Artist	(02) 9242 4182 learning@lgnsw.org.au
Australian Hotels Association Financial Management Training	Australian Hotels Association (for provision to AHA officers only. Not for external parties)	Mr Stephen Ferguson	(02) 6273 4007 ceo@aha.org.au
Governance and Finance Training for Registered Organisations	Dickson Wohlsen Pty Ltd, trading as CTA Training	Mr Tom Streater	(07) 3878 9355 tom@dws.net.au
The Registered Organisation Training Act for Organisations and Boards	Vibe Public Relations Consultancy	Ms Anne Andrews	0400 021 679 vibeprctraining@bigpond.com
Training Course for Registered Organisations - Governance and Finance	Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries and Racecourse, Public Authorities, Water Boards Union	Mr Andrew Johnson	andrew.johnson@lgrceu.org
MTAQ Registered Organisation Governance Course	Motor Trades Association of Queensland Industrial Organisation of Employers	Mr Paul Murray	paulm@mtaq.com.au

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, [NAME], being the [OFFICER] of the [ORGANISATION NAME], 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 [DATE] the address of the organisation changed to [STREET ADDRESS].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 1. *[include OLD name and address and NEW name and address of every branch that has changed]*
 2. ...
- A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.
- On [DATE] the following branch[es]:³
 - COMMENCED operation:
 1. *[include name of each new branch]*
 2. ...
 - CEASED operation:
 1. *[include name of each closed branch]*
 2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

[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)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

ANNEXURE A

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:
Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
National	1.1.2014	Secretary	Full Name	Full Name	c/- the Registered Organisation, postal address of Registered Organisation	Paid official
	25.12.2013	President	vacant	Full Name	As above	mechanic
...						
NSW	1.1.2014 (resigned) 7.1.2014 (appointed)	President	Full Name	Full Name	c/- the Branch, postal address of the Branch	mechanic
		Committee of Management Member	Full Name	Full Name	As above	mechanic
		Treasurer	Full Name	vacant	vacant	vacant
...						



Fair Work (Registered Organisations) Act 2009
POST ELECTION REPORT

Client: Association of Consulting Architects - Australia

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2016/182

RULES

Rules used for elections Rule ID: [131N: Incorporates alterations of 29/2/2016
[R2015/282]]
(Replaces 31/12/2014 [R2014/296] version)

Rules difficult to apply/interpret: Nil

Model Rule reference (if any):

ROLL OF VOTERS

Total number of voters on the roll N/A

Number of apparent workplace addresses

Number of non-current addresses

Other Matters Nil

ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and action taken by AEC: None

Other irregularities identified, and action taken: None

ATTACHMENTS

ACAA E2016-182 Uncontested Declaration

Lee Jones
Returning Officer
9 November 2016

Association of Consulting Architects - Australia

2016 Scheduled Election for National Offices

Declaration of Results for Uncontested Offices

E2016/182

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.

National President

Candidates

KENNEDY, John Stephen

National Vice-President

Candidates

HELD, John Frederick

National Secretary

Candidates

VINEY, Paul Anthony

National Treasurer

Candidates

WILLIAMS, Mark John

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



Lee Jones
Returning Officer

9 November 2016



DECISION

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

Association of Consulting Architects - Australia (E2016/182)

MR STEENSON

MELBOURNE, 26 AUGUST 2016

Arrangement for conduct of election.

[1] On 4 July 2016 the Association of Consulting Architects - Australia lodged with the Fair Work Commission (the Commission) prescribed information in relation to an election for the following offices:

National President
National Vice-President
National Secretary
National Treasurer

[2] Following a discussion with the Commission's Regulatory Compliance Branch, on 24 August 2016 the organisation lodged further material in support of its notification.

[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 Australian Electoral Commission.



DELEGATE OF THE GENERAL MANAGER

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ELLIOTT, Mark

From: ACA-A National <nat@aca.org.au>
Sent: Wednesday, 24 August 2016 8:38 PM
To: ELLIOTT, Mark
Cc: John Held; Kieran Wong; Mark Williams; Paul Viney; Steve Kennedy
Subject: RE: Association of Consulting Architects - Notice under Section 159 of the Fair Work (RO) Act 2009
Attachments: Declaration S Hanger 20150323.pdf

Hi Mark

I confirm that the National Executive Committee office holders took up office upon the declaration of their election in March 2015 and are aware that the two year term will be shortened once the FWC decision is handed down to proceed with elections in 2016 to bring all elections into line in accordance with the definition 'election year' means the 2016 calendar year and each even year thereafter.

Further evidence is the Declaration attached of Notification of Changes to Records dated 23 March 2015.

Please let me know should you require further clarification / confirmation.

Kind regards
Michelle Eades

From: ELLIOTT, Mark [<mailto:Mark.ELLIOTT@fwc.gov.au>]
Sent: Wednesday, 24 August 2016 5:45 PM
To: 'nat@aca.org.au'
Subject: FW: Association of Consulting Architects - Notice under Section 159 of the Fair Work (RO) Act 2009

Hi Michelle,

This is the rule change that kicked off the 2 year terms which commence at the conclusion of the AGM (i.e current Rule 19(8)). R2014/296 refers. The alterations came into effect on 31 December 2014.

Prior to the change, Rule 19(8) provided: “ (8) Office-holders shall be elected for a term of two years or until the conduct of the next election of office-holders under these Rules next following their election.”

An election was held in 2012 (E2012/337). The next election was in 2015 (E2015/57) – PI was lodged on 19 January and the election was declared on 11 March 2015.

Can you confirm that the current office holders took up office upon the declaration of their election in March 2015, rather than at the AGM in the latter part of 2015. I note that such an outcome would be consistent with the definition of the term “election year” which was inserted into Rule 3 in the 31 December 2014 alterations.

Let me know.

Regards,

Mark Elliott
Regulatory Compliance Branch

Fair Work Commission

Tel: 03 8656 4687

Fax: 03 9655 0410

mark.elliott@fwc.gov.au

11 Exhibition Street, Melbourne, Victoria 3000

GPO Box 1994, Melbourne, Victoria 3001

www.fwc.gov.au

Please be aware my telephone number has changed. My new phone number is 03 8656 4687. Please update your records accordingly

From: ACA-A National [<mailto:nat@aca.org.au>]

Sent: Monday, 1 December 2014 1:53 PM

To: Orgs

Cc: LEE, Rebecca

Subject: Association of Consulting Architects - Notice under Section 159 of the Fair Work (RO) Act 2009

The Association of Consulting Architects Australia wishes to make an application under Section 159 Alteration of Other Rules of Organisation.

Please find attached for filing:

1. Notice under Section 159 Alteration of Other Rules of Organisation of the Fair Work (Registered Organisations) Act 2009 and Regulation 126 of the Fair Work (Registered Organisations) Regulations 2009.
2. Declaration S Kennedy
3. Annexure A
4. Annexure B
5. Annexure C

We look forward to hearing from the Commission in due course.

Regards

Michelle Eades

Executive Officer

ACA-Australia

T: 1300 653 026

M: 0432 646 711

E: nat@aca.org.au

W: aca.org.au

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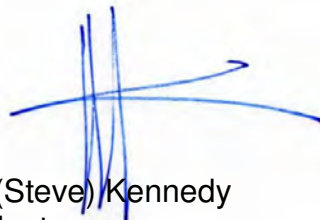
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**PRESCRIBED INFORMATION IN RESPECT OF ELECTION
SECTION 189(1) OF THE FAIR WORK (REGISTERED ORGANISATIONS)
ACT 2009**

I, John Stephen (Steve) Kennedy, being the National President of the Association of Consulting Architects – Australia, make the following statement:

1. I am an officer of the Association of Consulting Architects – Australia and am authorized to sign this statement which is lodged in accordance with subsection 189(1) of the Fair Work (Registered Organisations) Act 2009.
2. **The offices in respect of which the elections are required:**
National President
National Vice President
National Secretary
National Treasurer
3. **The reason for which the elections are required are:**
Term of office due to expire.
4. **The electorate for the election is:**
National Executive Committee Members
5. **The dates and times that nominations open and close are:**
This will be in consultation with the Australian Electoral Commission.
6. **The voting systems to be used in the conduct of the election are:**
Collegiate Election for National President, National Vice President, National Secretary and National Treasurer.
7. **The date on which the roll of voters closes is:**
To be determined by the Returning Officer.



John Stephen (Steve) Kennedy
National President
4 July 2016