



6 February 2018

Ms Robyn Porter
National Secretary
The Association of Professional Engineers, Scientists and Managers, Australia,
legal@professionalsaustralia.org.au

CC: SA and NT branch by email: sandrews@professionalsaustralia.org.au

Dear Ms Porter,

Notification of changes made to records [AR2017/105]

I acknowledge receipt of a Notification of Change to the branches of the Association of Professional Engineers, Scientists and Managers, Australia.

This information was lodged with the Registered Organisations Commission (the ROC) pursuant to the notification requirements in section 233(2) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The table below outlines the changes notified and when they were lodged. Our records have been updated accordingly.

The document can be viewed on the Website through the [list of Registered Organisations](#).

Date of lodgement	Branch	Change	Within prescribed period (Yes/No). If No, how many days late
8-12-2017	SA and NT branch	NT branch closed. NT branch combined into SA and NT branch.	Yes
24-1-2018	SA and NT branch	Further information to original notification Abolition of NT offices	Further to original notification

Time frames

Regulation 151 of the *Fair Work (Registered Organisations) Regulations 2009* prescribes that a notification of change pursuant to section 233(2) of the RO Act must be lodged within 35 days of the change occurring. I note that this is a civil penalty provision and non-compliance may leave your organisation open to Federal Court proceedings.

Thank you for the notification.

Yours faithfully,

Catherine Bebbington
Registered Organisations Commission

**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, ROBYN PORTER being the NATIONAL SECRETARY of THE ASSOCIATION OF PROFESSIONAL ENGINEERS,
SCIENTISTS AND MANAGERS, AUSTRALIA, 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:
 - A list of changes to offices and the names, postal addresses and occupations of persons holding those offices as at the date of this declaration is attached at Annexure A and forms part of this declaration.

Signed:



National Secretary

Dated: 24 January 2018

[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.]

ANNEXURE A

1. Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
Professional Engineers Division Northern Territory Subdivision	10 November 2017	President	Vacant	NT Subdivision amalgamated with SA Subdivision. Office abolished	Not applicable		
Professional Engineers Division Northern Territory Subdivision	10 November 2017	Vice President	Vacant	NT Subdivision amalgamated with SA Subdivision. Office abolished	Not applicable		
Professional Engineers Division Northern Territory Subdivision	10 November 2017	Secretary	Vacant	NT Subdivision amalgamated with SA Subdivision. Office abolished	Not applicable		
Professional Engineers Division Northern Territory Subdivision	10 November 2017	Treasurer	Vacant	NT Subdivision amalgamated with SA Subdivision. Office abolished	Not applicable		
Professional Engineers Division Northern Territory Subdivision	10 November 2017	Committee member	Vacant	NT Subdivision amalgamated with SA Subdivision. Office abolished	Not applicable		
Professional Engineers Division Northern Territory Subdivision	10 November 2017	Committee member	Vacant	NT Subdivision amalgamated with SA Subdivision. Office abolished	Not applicable		
Professional Engineers Division Northern Territory Subdivision	10 November 2017	Committee member	Vacant	NT Subdivision amalgamated with SA Subdivision. Office abolished	Not applicable		

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, ROBYN PORTER, being the NATIONAL SECRETARY of the ASSOCIATION OF PROFESSIONAL ENGINEERS, SCIENTISTS AND MANAGERS, AUSTRALIA, 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*:

- On 10 November 2017 the following branches:¹

- COMMENCED operation:

1. Professional Engineers Division South Australian and Northern Territory Subdivision, Suite 1, 69 - 79 Gilbert Street, Adelaide SA 5000

- CEASED operation:

1. Professional Engineers Division South Australian Subdivision, Suite 1, 69 - 79 Gilbert Street, Adelaide SA 5000
2. Professional Engineers Division Northern Territory Subdivision, 163 Eastern Road, South Melbourne, VIC 3205

Signed:



Dated: 8 DECEMBER 2017

[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(b) & (c)



3 November 2017

Ms Robyn Porter
The National Secretary
Association of Professional Engineers, Scientists and Managers, Australia
legal@professionalsaustralia.org.au

Dear Ms Porter,

Notification of changes made to records [AR2017/105]

I acknowledge receipt of a Notification of Change to the office holders of the Association of Professional Engineers, Scientists and Managers, Australia.

This information was lodged with the Registered Organisations Commission (the ROC) pursuant to the notification requirements in section 233(2) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The table below outlines the changes notified and when they were lodged. Our records have been updated accordingly. The document can be viewed on the Website through the [list of Registered Organisations](#).

Date of lodgement	Branch	Change	Within prescribed period (Yes/No). If No, how many days late
3/11/2017	Collieries' Staff Division	Committee of Management Member left	No, 7 days late
3/11/2017	Collieries' Staff Division	Committee of Management vacancy filled	Yes

Late notifications

Please note that Regulation 151 of the *Fair Work (Registered Organisations) Regulations 2009* prescribes that a notification of change pursuant to section 233(2) of the RO Act must be lodged within 35 days of the change occurring. The notification from your organisation indicates that a change occurred more than 35 days prior to its lodgement. I note that this is a civil penalty provision and non-compliance may leave your organisation open to Federal Court proceedings.

Please ensure that future notifications of change are lodged within 35 days of the change occurring.

Mandatory disclosures

Please 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 are contained in the RO Act and are summarised in the ROC's [Disclosures Fact Sheet](#).

Mandatory training

Please also note that Section 293K of the RO Act requires each officer with duties that relate to the financial management must undertake approved training that covers the duties within 6 months after the person begins to hold office. Please ensure that relevant officers are advised of the requirement to undertake approved training. Please also ensure that they undertake the training within the required timeframe.

Thank you for your correspondence.

Yours faithfully,

Christine Hibberd
Registered Organisations Commission

**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, Robyn Porter, being the National Secretary of the **Association of Professional Engineers, Scientists & Managers, Australia**, 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*:
 - 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.



Signed: Robyn Porter

National Secretary

Dated: **3 November 2017**

[PLEASE NOTE: This declaration must be submitted to the Registered Organisations Commission within 35 days of the change. It can be submitted to regorgs@roc.gov.au.]

ANNEXURE A

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
Collieries' Staff Division	8/9/2017 Vacant	Committee of Management Member	Justin Smith			
Collieries' Staff Division	26/10/2017 Filled by Casual Vacancy	Committee of Management Member		Ian Hunt	C/- APESMA Collieries' Staff Division, Level 1, 491 Kent Street, Sydney NSW 2000	Maintenance Supervisor

- 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.

From: ROC - Registered Org Commission
Sent: Thursday, 12 October 2017 3:40 PM
Subject: Education and advice campaign - notification of changes to records within prescribed timeframe [SEC=UNCLASSIFIED]
Attachments: Letter to orgs_Notifications of Change.pdf; Fact Sheet_Notification of changes.pdf; Guidance Note_notifications of change.pdf; Legislative Summary_Notifications of Change.pdf

Good afternoon,

Please find attached correspondence for the Secretary or other prescribed office holder, providing education and advice regarding the obligation to notify the Registered Organisations Commission (the ROC) of changes to the records of a registered organisation.

Kind regards,

Office of the Registered Organisations Commission

Tel: 1300 341 665
regorgs@roc.gov.au

GPO Box 2983, MELBOURNE VIC 3001 | 414 Latrobe Street, Melbourne Victoria 3000



Australian Government
Registered Organisations Commission

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12 October 2017

Dear Secretary (or prescribed office holder),

Education and advice campaign - the obligation to notify the ROC of changes to records within the prescribed statutory time frame

I write on behalf of the Registered Organisations Commissioner to advise you about an education and advice campaign being conducted by the Registered Organisations Commission (ROC) which is designed to encourage all registered organisations and their office holders to comply with the statutory obligation to lodge timely notifications of changes to records, contained in section 233(2) of the *Fair work (Registered Organisations) Act 2009* (the RO Act).

The ROC has become increasingly concerned about systemic contraventions of s.233(2) in which the lodgement of notifications are repeatedly weeks, months or even years late, or have not been lodged at all. Contraventions of this provision can give rise to risks for registered organisations and their members as a result of reduced transparency and accountability, and can expose the organisation to potential civil penalty proceedings.

As an independent regulator, the ROC's approach seeks to be fair, proportionate, objective and evidence-based. The ROC considers that compliance with statutory obligations is essential to ensure that registered organisations function efficiently, effectively and transparently.

The importance of timely notifications

The statutory obligation on registered organisations to notify the ROC of particular changes to records under s.233(2) of the RO Act has been part of the regulatory scheme in various forms for over 100 years and is currently a civil penalty provision, which means that registered organisations or their prescribed office holders may be potentially liable for any breaches.

The obligation is essential for a number of reasons including that:

- It assists members to participate in the democratic functioning and control of their organisations;
- Enables the regulator to publish information about who current office holders are; and
- It promotes accountability of office holders who are managing the funds and assets of registered organisations.

Registered organisations represent the interests of approximately 2 million members nationally. It is essential that timely information about the identity of relevant office holders is lodged in compliance with the RO Act so that the regulator and each organisation's members can be aware of which office holders are exercising management and financial responsibilities in their organisations.

The ROC and its predecessors have published the lists of office holders of registered organisations on the relevant agency's public website since at least 2003. The ROC also publishes all notifications about changes to the branches, office addresses and office holders of registered organisations lodged under s.233(2) of the RO Act. The publication of this information provides transparency to members and the general public and facilitates accountability.

Educational reference documents

The ROC is committed to providing education, assistance and advice to registered organisations as part of the functions set out in s.329AB of the RO Act. Our primary educational goal is to maximise voluntary compliance with statutory obligations under the RO Act, to promote the effective governance, accountability and transparency of registered organisations and to thereby reduce the need for enforcement action.

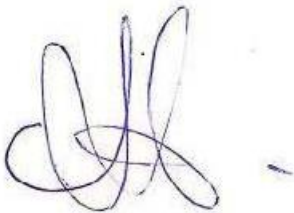
As one part of a strategy to assist organisations to increase voluntary compliance with the s.233(2) obligation, the ROC has recently produced some new educational guides which are **enclosed**:

- Guidance Note – a quick reference guide in the form of a table, using scenarios where organisation staff and office holders may be unsure if they are obliged to notify changes. The table contains references to all relevant legislative provisions;
- Fact Sheet – a separate fact sheet outlining the types of changes that need to be notified and what needs to be included with the notification;
- Legislative Summary – a brief summary of the history of the legislative provision to notify changes, included for the purpose of understanding the historical context of the obligation.

In addition, the ROC will continue its ongoing practice of providing courtesy reminder correspondence about the requirement to notify changes to office holders, whenever we are provided with election results from the Australian Electoral Commission (**AEC**). Further, the ROC proposes to audit and continue to review compliance with this important statutory obligation.

Should you have any questions or feedback in relation to this correspondence, I can be contacted on 1300 341 665 or via regorgs@roc.gov.au.

Yours faithfully,



Chris Enright
Executive Director
Registered Organisations Commission



Fact sheet

Notification of changes

The *Fair Work (Registered Organisations) Act 2009* requires organisations of employers and employees to annually lodge certain information to the Registered Organisations Commission (the ROC). In addition, whenever any changes occur in relation to certain records, registered organisations are required to lodge a notification of change to the ROC. The change must be lodged within 35 days after the change occurs.

Records requiring notifications of any changes

If any of the following records change, the organisation must notify the ROC of the change within 35 days after the change occurs:

- the list of offices in the organisation or in a branch of the organisation
- the name, postal address or occupation of a person holding office
- the name of a branch of the organisation
- the commencement or cessation of a branch of the organisation
- the address of the office of the organisation, or the address of the office of a branch of the organisation

What does the ROC do with the information?

Records including the above information are required to be lodged by each organisation by 31 March in each year in the Annual Return of Information. Annual Returns are published under the corresponding organisation on the ROC website. This information can be found by clicking on the 'Find a Registered Organisation' tab. Notifications of changes are published in descending date order within the corresponding year's annual return document. This enables members to view the changes with reference to the complete list of office holders.

When changes must be notified

Details of any changes must be notified within 35 days after the change occurs, as prescribed by regulation 151 of the *Fair Work (Registered Organisations) Regulations 2009*.

What needs to be included?

NOTE: *The ROC recommends use of the sample Notification of Changes template, as provided below, to help ensure that all of the required details are included in a notification of change*

- The notification must be lodged with a declaration signed by the Secretary or another office holder whose duties under the rules of the organisation or branch include lodging required information to

the statutory body. The declaration must contain a statement that the information lodged is a correct statement of the changes made.

- The notification must include details of each relevant office/office holder/branch to which the changes have occurred.
- The notification must include the date the change occurred and clearly specify what the change was.
- The notification must indicate the date on which the changes occurred, as this pertains to the obligation to lodge the notification within 35 days of the change.
- For changes to office holders the following details are also required:
 - The title of the relevant office
 - The name of each new or former office holder
 - the postal address of each new office holder. For privacy reasons, the ROC recommends using the postal address of the relevant organisation/branch, rather than the residential address of the person.
 - The occupation of each new office holder
- For new branches the street address (not just a postal address) must be included.

Who can sign the declaration?

The declaration must be signed by the Secretary or another office holder whose duties under the rules of the organisation or branch include lodging required information to the statutory body. A sample declaration template is provided below under 'sample notification of change template'.

If an organisation is divided into branches or divisions, the notification of change may be made by a national office holder or the relevant branch or division office holder, depending on who has authority under the rules of the organisation to do so.

Sample Notification of Changes Template

The sample notification of change template provided below includes a sample declaration template and a sample notification table. The ROC recommends use of these documents to help ensure that all of the required information is provided.

- [Sample notification of change template](#)

Find out more

- Guidance Note – ROC Quiz Answers - Notifications of Change
- Legislative Summary – Notifications of Change
- [ROC Internal Checklist – Notifications of change](#)
- [Fact Sheet – Records to be kept by registered organisations](#)
- [Fact Sheet – Records to be lodged annually by registered organisations](#)

For instructions on how to lodge a notification of changes with the ROC, please refer the [Lodging Documents](#) section of our website.



Guidance Note

Notifications of Change ROC Quiz

<u>Question</u>	<u>Answer</u>	<u>Reference</u> *RO Act = Fair Work (Registered Organisations) Act 2009; *RO Regs = Fair Work (Registered Organisations) Regulations 2009).
1. Do organisations need to lodge a notification of changes <i>IF</i>:		
a) An elected office holder resigned but the term of office was almost over	YES – any change to the list of office holders of the organisation or a branch of the organisation must be notified within 35 days of the change.	<ul style="list-style-type: none"> • Section 233(2) of the RO Act; • Section 230(1)(b) of the RO Act; • Reg.151 of the RO Regs
b) A person leaves an office but the person replacing them will not commence for a few weeks	YES – this requires <u>two</u> notifications – one for the office holder leaving, and one for the person replacing them. If both changes can be notified within 35 days of the earliest change, they can be included together in just one notification, however, we recommend notifying each change as soon as possible after it occurs in order to ensure compliance.	<ul style="list-style-type: none"> • Section 233(2) of the RO Act; • Reg.151 of the RO Regs
c) An elected national office holder relocated to a different state	YES – any change to the address of an office holder must be notified within 35 days of the change	<ul style="list-style-type: none"> • Section 233(2) of the RO Act; • Section 230(1)(c) of the RO Act; • Reg.151 of the RO Regs
d) A branch relocated to different premises	YES – any change to the office name or address of the organisation, or of a branch of the organisation, must be notified within 35 days of the change.	<ul style="list-style-type: none"> • Section 233(2) of the RO Act; • Section 230(1)(d) of the RO Act; • Reg.147(d)(ii) of the RO Regs; • Reg.151 of the RO Regs
e) The Secretary’s telephone number or email address changed	Not required under the legislation – however, it is beneficial to update us with any changes to contact details so we can provide alerts for upcoming lodgement dates and other important information. You can email regorgs@roc.gov.au to advise changes to telephone and email addresses.	N/A
f) A Branch office changed its’ telephone number or	Not required under the legislation – however, it is beneficial to keep	N/A

	preferred email address	us updated with relevant contact details to facilitate ROC alerts for upcoming lodgement dates and other important information updates. You can email regorgs@roc.gov.au to advise changes to telephone and email addresses.	
	g) The AEC has recently provided a declaration of results for an election to the organisation and the email shows that it was also sent to the ROC by the AEC	YES – the organisation is still required to formally notify the ROC of any <u>changes</u> to the list of office holders in the organisation or any of its’ branches. If an election results in any changes to the people holding offices, those changes must be formally notified within 35 days of the change.	<ul style="list-style-type: none"> • Section 233(2) of the RO Act; • Section 230(1)(c) of the RO Act; • Reg.151 of the RO Regs
	h) An entire branch is abolished	YES - the organisation is required to notify the ROC of any changes to its’ list of branches; any changes to the list of offices in a branch of the organisation; and any changes to the list of names, postal addresses and occupations of people holding those offices	<ul style="list-style-type: none"> • Section 233(2) of the RO Act; • Sections 230(1)(b), (c) and (d) of the RO Act; • Regs.147(a), (c) and (e)(ii) of the RO Regs; • Reg.151 of the RO Regs
	i) A person is re-elected to the same office they already held, and they are listed in the most recent annual return list of office holders	NO – only changes need to be notified to the ROC	N/A
	j) A person is re-elected, but to a different office	YES – any <u>changes</u> to the list of office holders in the organisation or any of its’ branches needs to be notified to the ROC within 35 days.	<ul style="list-style-type: none"> • Section 233(2) of the RO Act; • Section 230(1)(c) of the RO Act; • Reg.151 of the RO Regs
	k) A Committee of Management Member resigned, but they are not the President, Secretary, Assistant Secretary or Treasurer	YES – members of the Committee of Management are officers as defined in the Act. Any changes in relation to such offices must be lodged within 35 days of the date the change took place.	<ul style="list-style-type: none"> • Section 233(2) of the RO Act; • Section 9 of the RO Act; • Reg.151 of the RO Regs
	l) A person resigned but it won’t take effect for three months	NOT YET – a notification of change needs to be lodged within 35 days after the change takes effect. This means it must be lodged between the day it takes effect and 35 days later.	<ul style="list-style-type: none"> • Section 233(2) of the RO Act; • Reg.151 of the RO Regs
	m) A person has been elected but they won’t take office until a set date in the future	NOT YET – a notification of change needs to be lodged after the change takes effect. It must be lodged between the date it takes effect and 35 days later.	<ul style="list-style-type: none"> • Section 233(2) of the RO Act; • Reg.151 of the RO Regs
	2. What needs to be included in the notification?	A notification of change needs to include relevant details of the change. In relation to a change of	<ul style="list-style-type: none"> • Section 233(2) of the RO Act; • Section 230(1)(c) of the RO Act; • Reg.147 of the RO Regs

	office holder, this will include the date the change occurred, the title of the relevant office, the name of the relevant person/people, whether they have ceased or commenced office, the postal address of the person / people (we recommend using the relevant organisation/branch address for privacy reasons), and the title of the occupation of the person / people. We recommend using the Notification of Changes template , which is available on the Notification of Changes page of the ROC website.	
Do organisations need to lodge:		
An amended list of all of the officers	NO – only details of the changes need to be lodged. If you lodge the entire list again and do not identify the changes staff of the ROC will ask you to specify what the changes are and when they occurred	<ul style="list-style-type: none"> Section 233(2) of the RO Act
Officers' names	YES	<ul style="list-style-type: none"> Section 233(2) of the RO Act; Section 230(1)(c) of the RO Act
Officers' occupation titles	YES	<ul style="list-style-type: none"> Section 233(2) of the RO Act; Section 230(1)(c) of the RO Act
Officers' <i>home</i> addresses	NO – please do not lodge their home addresses. The ROC publishes all of the returns on the website – please list their professional addresses	N/A
Officers' <i>professional</i> addresses	YES – this can be the address of the Union or Employer Association, or the relevant branch	<ul style="list-style-type: none"> Section 233(2) of the RO Act; Section 230(1)(c) of the RO Act
<u>ONLY</u> the changes to the President, Treasurer, Vice President and Secretary	NO – notifications of change are required in relation to <u>all offices</u> in which a change has occurred. Offices include Committee of Management Members (however named - including, for example, Directors of the Board)	<ul style="list-style-type: none"> Section 233(2) of the RO Act; Section 230(1)(c) of the RO Act; Section 9 of the RO Act;
A soft copy by email and a hard copy by post	NO – the ROC only requires one lodgement and email is the preferred method. The email address to lodge the notifications is regorgs@roc.gov.au .	N/A
Copies of resignations	NO – proof of leaving office is only required for evidence in relation to casual vacancy election matters. Evidence is not required in relation to notifications of changes.	N/A
Does it need to be signed?	YES – the notification must accompany a declaration stating that the copy of records lodged is a	<ul style="list-style-type: none"> Section 233(2) of the RO Act; Reg.150 of the RO Regs

	correct statement of the changes made. The declaration must be signed by the Secretary or another current officer whose duties under the rules include lodging required information to the statutory body.	
3. Elections and Notifications of change		
a) If an officer resigns do organisations need to lodge the Prescribed Information for a casual vacancy election separately to the notification of changes?	YES – the notification process is completely separate to the election process. Notification of a vacant office does not cause an election process to automatically start. For information about lodging Prescribed Information for elections, see the Elections page of the ROC website.	<ul style="list-style-type: none"> • Section 233(2) of the RO Act;
b) Do organisations need to advise the ROC about changes even when the ROC has been provided with the declaration of results for an election by the AEC?	YES – it is one of the statutory obligations of organisations to notify the ROC, in writing, of any changes to the records the organisation has lodged. The AEC declaration of results provides the names of office holders elected, but does not indicate whether this constitutes a change to the list of office holders that the organisation lodged with the annual return.	<ul style="list-style-type: none"> • Section 233(2) of the RO Act; • Section 230(1)(c) of the RO Act
c) If evidence of a vacancy has already been provided to the organisation for an election matter, is it still necessary to lodge a notification of the change?	YES – the notification of changes process and requirements are completely separate to those of the election process.	<ul style="list-style-type: none"> • Section 233(2) of the RO Act;



Guidance Note

Summary and Historical Context of the Legislative Provisions

A brief explanation of the historical context surrounding the reporting obligation to notify changes is provided below. This information is intended to promote a better understanding of the reporting obligation, as well as an understanding of some of the purposes of the obligation.

As an overview, the statutory requirement for federally registered organisations to notify the relevant regulator of changes to records:

- appears to have been part of the relevant legislative scheme for over a century,
- has varied in terms of the time periods allowed for the changes to be notified to the relevant regulator,
- is an essential, fundamental and appropriate statutory obligation which provides transparency to members and the regulator.

Summary of the current provisions relevant to notifications of changes

'RO Act' means *Fair Work (Registered Organisations) Act 2009*.

'RO Regs' means *Fair Work (Registered Organisations) Regulations 2009*.

Subsection 233(2) of the RO Act provides that:

An organisation must, within the prescribed period, lodge with the Commissioner notification of any change made to the records required to be kept under paragraphs 230(1)(b), (c) and (d), certified by declaration signed by the secretary or other prescribed officer of the organisation to be a correct statement of the changes made.

Civil penalty: 60 penalty units.

Subsections 230(1)(b), (c) and (d) of the RO Act provide that:

(1) An organisation must keep the following records:

- (b) a list of the offices in the organisation and each branch of the organisation;
- (c) a list of the names, postal addresses and occupations of the persons holding the offices;
- (d) such other records as are prescribed.

Regulation 147 of the RO Regs provides that:

For paragraph 230(1)(d) of the Act, the following records are prescribed in relation to an organisation:

- (a) a record of the name of each branch of the organisation;
- (b) a record of the name of each branch that commenced operation in the previous 12 months;
- (c) a record of the name of each branch that ceased operation in the previous 12 months;

- (d) a record of the address of:
 - (i) the office of the organisation; and
 - (ii) the office of each branch of the organisation;
- (e) a record of each election that must, under the rules of the organisation, be held during each year commencing 1 January:
 - (i) for an office in the organisation; and
 - (ii) for an office in a branch of the organisation;
- (f) a record of the number of members on 31 December in the previous year;
- (g) if the organisation has entered into an agreement mentioned in subsection 151(1) of the 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 section 150 of the Act.

Regulation 151 of the RO Regs provides that:

For subsection 233(2) of the Act, for the lodgment of notification of any change to the records, the period of 35 days, beginning on the day after the day when the change is made, is prescribed.

Section 5 of the RO Act provides that:

The standards set out in this Act:

- (a) ensure that employer and employee organisations registered under this Act are representative of and accountable to their members, and are able to operate effectively; and
- (b) encourage members to participate in the affairs of the organisations to which they belong; and
- (c) encourage the efficient management of organisations and high standards of accountability of organisations to their members; and
- (d) provide for the democratic functioning and control of organisations; and
- (e) facilitate the registration of a diverse range of employer and employee organisations.

Brief chronological history of the legislative provision

1913 - The history of the provision for registered organisations to notify changes to relevant statutory body can be traced back to 1913. The *Conciliation and Arbitration Regulations 1913*, contained the 'Returns of Officers' provision at regulation 19, which required updates of lists of office holders to be provided within 14 days of any change.

1928 - The *Conciliation and Arbitration Regulations 1928* contained requirements relating to records at regulation 20 and this requirement bears similarity to the obligation set out in s 233(2) of the current RO Act. From 1928, the statutory requirement in accordance with regulation 23 was that changes to the records of registered organisations were to be filed with the relevant regulator within 14 days.

1989 - In 1989, the obligation on a registered organisation to notify the relevant regulator of changes to office holders was found in regulation 131, and notifications of changes were required to be lodged within 35 days. The requirement transitioned into the *Industrial Relations Act 1988* by virtue of section 268(4) taking effect in March 1989.

1988 - The *Industrial Relations Act 1988* was replaced by the *Workplace Relations Act 1996*.

2002 - The *Workplace Relations Amendment (Registration and Accountability of Organisations) Act 2002* placed the reporting obligations of registered organisations into a separate schedule. This amendment introduced Schedule 1B to the *Workplace Relations Act 1996*, which was the original RAO (*Registration and Accountability of Organisations*) Schedule. The RAO schedule included section 233 which is very similar to the provision in s.233(2) of the current RO Act.

2009 - The RAO schedule later became the *Fair Work (Registered Organisations) Act 2009*.



26 September 2017

The National Secretary
Association of Professional Engineers, Scientists and Managers, Australia
info@apesma.com.au

Dear National Secretary,

Notification of changes made to records [AR2017/105]

I acknowledge receipt of a Notification of Change to the office holders of the Association of Professional Engineers, Scientists and Managers, Australia, The.

This information was lodged with the Registered Organisations Commission (the ROC) in accordance with s.233(2) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act). The table below outlines the changes notified and when they were lodged. Our records have been updated accordingly.

The document can be viewed on the Website through the [list of Registered Organisations](#).

Date of lodgement	Branch	Change
21/09/2017	Professional Engineers Division-SA	New President, 1 vacancy for Vice President
	National Assembly	New Representative - Eng SA (1), 1 vacancy for Representative - Eng Any Div
	Professional Engineers Division	New President, New Vice President (1) and 1 vacancy for Committee Member

Section 293K of the RO Act requires 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 are contained in the RO Act.

Thank you for the notification.

Yours faithfully,

Christine Hibberd
Registered Organisations Commission

From: Jenny Broomhall <jBroomhall@professionalsaustralia.org.au>
Sent: Thursday, 21 September 2017 12:27 PM
To: ROC - Registered Org Commission
Subject: AR2017/105 APESMA Notification of Changes to Record
Attachments: 2017 Notification of Changes to Records 220617.pdf

Dear Sir/Madam

Please find attached belated Notification of Change of Records. This notice was drafted for signature and approved by our National Secretary on 22 June, but due to an oversight not sent.

The error is mine. I sincerely apologise.

Regards.

Jenny Broomhall
Executive Assistant
Governance Officer



P: 03 9695 8833

M: 0425 747 443

W: www.professionalsaustralia.org.au



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**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, ROBYN PORTER being the NATIONAL SECRETARY of THE ASSOCIATION OF PROFESSIONAL ENGINEERS,
SCIENTISTS AND MANAGERS, AUSTRALIA, 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:
 - A list of changes to offices and the names, postal addresses and occupations of persons holding those offices as at the date of this declaration is attached at Annexure A and forms part of this declaration.

Signed:



National Secretary

Dated: 22 June 2017

[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.]

ANNEXURE A

1. Offices and Office Holders in the Organisation and its Branches *[insert as many pages as required]*:

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
Professional Engineers Division - South Australian Subdivision	9/6/17	President	Bill Jackson	Resignation	Olaf Reinhold	Suite 1, 69 - 79 Gilbert Street Adelaide SA 5000	Engineer
Professional Engineers Division - South Australian Subdivision	9/6/17	Vice President	Olaf Reinhold	Appointment to President	Vacant	Suite 1, 69 - 79 Gilbert Street Adelaide SA 5000	Engineer
National Assembly	9/6/17	Representative - Eng SA	Bill Jackson	Resignation	Olaf Reinhold	Suite 1, 69 - 79 Gilbert Street Adelaide SA 5000	Engineer
National Assembly	9/6/17	Representative - Eng Any Div	Olaf Reinhold	Appointment to President	Vacant		
Professional Engineers Division	20/6/17	President	Vacant	Appointment	Colin Hackney	Level 3, 163 Eastern Road, South Melbourne	Engineer
Professional Engineers Division	20/6/17	Vice President	Colin Hackney	Appointment	Kelvin Lillingstone-Hall	Level 3, 163 Eastern Road, South Melbourne	Engineer
Professional Engineers Division	20/6/17	Committee Member	Kelvin Lillingstone-Hall	Appointment to Vice President	Vacant		



Australian Government
Registered Organisations Commission

13 June 2017

Ms Robyn Porter
National Secretary
Association of Professional Engineers, Scientists and Managers, Australia

By email JBroomhall@professionalsaustralia.org.au

Dear Ms Porter,

Notification of changes to records – s233(2) [AR2017/105]

I acknowledge receipt on 7 June 2017 of your Declaration and notification of changes to the records in accordance with subsection 233(2) of the Fair Work (Registered Organisations) Act 2009 (the RO 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>

Yours sincerely

A handwritten signature in black ink that reads 'Stephen Kellett'.

Stephen Kellett
Financial Reporting

From: KELLETT,Stephen
Sent: Tuesday, 13 June 2017 4:03 PM
To: 'jBroomhall@professionalsaustralia.org.au'
Subject: Notification of changes - AR2017/105 - s233(2) - filing [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Ms Broomhall,

Please see attached my letter in relation to the above.

Yours faithfully

STEPHEN KELLETT
Senior Adviser
Financial Reporting
Registered Organisations Commission

Tel: (02) 6746 3283
Email: stephen.kellett@roc.gov.au

GPO Box 2983, MELBOURNE VIC 3001 | Level 13, 175 Liverpool Street, Sydney NSW 2000

www.roc.gov.au



Australian Government
Registered Organisations Commission

Please consider the environment before printing this message



APESMA AR2017
105 acknowledgment

From: Jenny Broomhall [<mailto:jBroomhall@professionalsaustralia.org.au>]
Sent: Wednesday, 7 June 2017 11:49 AM
To: ROC - Registered Org Commission
Subject: HPRM: ON CMS AR2017/105 APESMA Notification of Changes to Records DT.pdf

Dear Sir/Madam

Please find attached Notification of Changes to Records for the Association of Professional Engineers, Scientists and Managers, Australia.

Regards

Jenny Broomhall

Executive Assistant
Governance Officer



P: 03 9695 8833

M: 0425 747 443

W: www.professionalsaustralia.org.au



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2017 Notification of
Changes to Records [

**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, ROBYN PORTER being the NATIONAL SECRETARY of THE ASSOCIATION OF PROFESSIONAL ENGINEERS,
SCIENTISTS AND MANAGERS, AUSTRALIA, 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:
 - A list of changes to offices and the names, postal addresses and occupations of persons holding those offices as at the date of this declaration is attached at Annexure A and forms part of this declaration.

Signed:



National Secretary

Dated: 2 June 2017

[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.]



FairWork
Commission

27 March 2017

Ms Robyn Porter
National Secretary
Association of Professional Engineers, Scientists and Managers, Australia

By email legal@professionalsaustralia.org.au

Dear Ms Porter,

Notification of changes to records – s233(2) [AR2017/105]

I acknowledge receipt on 23 March 2017 of your Declaration and notification of changes to the records in accordance with subsection 233(2) of the Fair Work (Registered Organisations) Act 2009 (the RO 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>

Yours sincerely

Stephen Kellett
Senior Adviser
Regulatory Compliance Branch

From: KELLETT, Stephen
Sent: Monday, 27 March 2017 9:41 AM
To: jBroomhall@professionalsaustralia.org.au
Subject: Notification of changes - s233(2) - AR 2017/105 - acknowledgment

Dear Ms Broomhall,

Please see attached my letter in relation to the above.

Yours faithfully

STEPHEN KELLETT
Regulatory Compliance Branch
FAIR WORK COMMISSION

80 William Street
EAST SYDNEY NSW 2011

(ph) (02) 6746 3283
(mob.) 0429 462 979
(email) stephen.kellett@fwc.gov



APESMA AR2017
105 (acknowledgmen

From: Jenny Broomhall [mailto:jBroomhall@professionalsaustralia.org.au]
Sent: Thursday, 23 March 2017 9:38 AM
To: KELLETT, Stephen
Subject: Notification of Changes to Records

Dear Mr Kellett

Please find attached Notification of Changes to Records for the Association of Professionals Engineers, Scientists and Managers Australia.

Regards

Jenny Broomhall

Executive Assistant
Governance Officer



P: 03 9695 8833

M: 0425 747 443

W: www.professionalsaustralia.org.au



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2017 Notification of
Changes to Records F

**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, ROBYN PORTER being the NATIONAL SECRETARY of THE ASSOCIATION OF PROFESSIONAL ENGINEERS,
SCIENTISTS AND MANAGERS, AUSTRALIA, 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:
 - A list of changes to offices and the names, postal addresses and occupations of persons holding those offices as at the date of this declaration is attached at Annexure A and forms part of this declaration.

Signed:



National Secretary

Dated: 23 March 2017

[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.]



6 March 2017

Ms Robyn Porter
The National Secretary
Association of Professional Engineers, Scientists and Managers, Australia, The
info@apesma.com.au

Dear Ms Porter,

Notification of changes made to records [AR2017/105]

I refer to the Notification of Change to the office holders of The Association of Professional Engineers, Scientists and Managers, Australia received on 2 March 2017.

The information was lodged with the Fair Work Commission ('the Commission') in accordance with s.233(2) of the *Fair Work (Registered Organisations) Act 2009* ('the RO Act'). The table below outlines the changes notified and when they were lodged.

Date of lodgement	Office/Branch	Change
2 March 2017	National Board	New President (Andrew Russack)
"	National Board	New Senior Vice-President (Maria Fuchs)
"	National Board	New Vice-President (Stephen Long)

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>

I also confirm the notification of change was lodged within 35 days of the change occurring.

Section 154D(1) of 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 in your organisation's rules.

Thank you for the notification.

Yours sincerely,

Stephen Kellett
Regulatory Compliance Branch

80 William Street
East Sydney NSW 2011

Telephone: (02) 8374 6666
Email: orgs@fwc.gov.au
Facsimile: (02) 9380 6990
Internet: www.fwc.gov.au



6 March 2017

Ms Robyn Porter
The National Secretary
Association of Professional Engineers, Scientists and Managers, Australia, The
info@apesma.com.au

Dear Ms Porter,

Notification of changes made to records [AR2017/105]

I refer to the Notification of Change to the office holders of The Association of Professional Engineers, Scientists and Managers, Australia received on 27 February 2017.

The information was lodged with the Fair Work Commission ('the Commission') in accordance with s.233(2) of the *Fair Work (Registered Organisations) Act 2009* ('the RO Act'). The table below outlines the changes notified and when they were lodged.

Date of lodgement	Office/Branch	Change
27 February 2017	Architects Division	New Vice-President (Julian Tuckett)
"	Architects Division	New committee member (Warwick Lavers)
"	Architects Division	Committee member vacancy

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>

I also confirm the notification of change was lodged within 35 days of the change occurring.

Section 154D(1) of 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 in your organisation's rules.

Thank you for the notification.

Yours sincerely,

Stephen Kellett
Regulatory Compliance Branch

80 William Street
East Sydney NSW 2011

Telephone: (02) 8374 6666
Email: orgs@fwc.gov.au
Facsimile: (02) 9380 6990
Internet: www.fwc.gov.au



2 March 2017

Ms Robyn Porter
National Secretary
Association of Professional Engineers, Scientists and Managers, Australia

By email legal@professionalsaustralia.org.au

Dear Ms Porter,

Notification of changes to records – s233(2) [AR2017/105]

I acknowledge receipt today of your Declaration and notification of changes to the records in accordance with subsection 233(2) of the Fair Work (Registered Organisations) Act 2009 (the RO Act). A corrected copy of the annual return was also received.

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>

Yours sincerely

Stephen Kellett
Senior Adviser
Regulatory Compliance Branch

From: KELLETT, Stephen
Sent: Thursday, 2 March 2017 2:17 PM
To: jBroomhall@professionalsaustralia.org.au
Subject: Notification of changes - s233(2) - 2017 - filing

Dear Jenny,

Please see attached my letter in relation to the above.

Yours faithfully

STEPHEN KELLETT
Regulatory Compliance Branch
FAIR WORK COMMISSION

80 William Street
EAST SYDNEY NSW 2011

(ph) (02) 6746 3283
(mob.) 0429 462 979
(email) stephen.kellett@fwc.gov



APESMA AR2017
105 (acknowledgmen

From: Jenny Broomhall [mailto:jBroomhall@professionalsaustralia.org.au]
Sent: Thursday, 2 March 2017 12:27 PM
To: KELLETT, Stephen
Cc: Orgs
Subject: Notification of Change - APESMA

Dear Stephen

As discussed, please find attached notification of change document relating to 2016, as well as an amended annual return which also reflects that change. In addition, I have attached the notification of change relating to our National Board whose term of office commenced yesterday.

I hope this make sense.

Kind regards

Jenny Broomhall

Executive Assistant
Governance Officer



P: 03 9695 8833

M: 0425 747 443

W: www.professionalsaustralia.org.au



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**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, ROBYN PORTER being the NATIONAL SECRETARY of THE ASSOCIATION OF PROFESSIONAL ENGINEERS,
SCIENTISTS AND MANAGERS, AUSTRALIA, 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:
 - A list of changes to offices and the names, postal addresses and occupations of persons holding those offices as at the date of this declaration is attached at Annexure A and forms part of this declaration.

Signed:



National Secretary

Dated: 1 March 2017

[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.]



FairWork
Commission

27 February 2017

Ms Robyn Porter
National Secretary
Association of Professional Engineers, Scientists and Managers, Australia

By email legal@professionalsaustralia.org.au

Dear Ms Porter,

Notification of changes to records – s233(2) [AR2017/105]

I acknowledge receipt today of your Declaration and notification of changes to the records in accordance with subsection 233(2) of the Fair Work (Registered Organisations) Act 2009 (the RO 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>

Yours sincerely

Stephen Kellett
Senior Adviser
Regulatory Compliance Branch

From: KELLETT, Stephen
Sent: Monday, 27 February 2017 4:49 PM
To: 'Jenny Broomhall'
Subject: RE: Notification of Changes to Records - APESMA

Dear Jenny,

Please see attached my letter in relation to the above.

Yours faithfully

STEPHEN KELLETT
Regulatory Compliance Branch
FAIR WORK COMMISSION

80 William Street
EAST SYDNEY NSW 2011

(ph) (02) 6746 3283
(mob.) 0429 462 979
(email) stephen.kellett@fwc.gov



APESMA AR2017
105 (notification) 27C

From: Jenny Broomhall [mailto:jBroomhall@professionalsaustralia.org.au]
Sent: Monday, 27 February 2017 4:30 PM
To: KELLETT, Stephen
Subject: Notification of Changes to Records - APESMA

Dear Stephen

Please find attached Notification of Changes to Records as discussed.

Kind regards

Jenny Broomhall

Executive Assistant
Governance Officer



P: 03 9695 8833

M: 0425 747 443

W: www.professionalsaustralia.org.au



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2017 Notification of
Changes to Records A

**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, ROBYN PORTER being the NATIONAL SECRETARY of THE ASSOCIATION OF PROFESSIONAL ENGINEERS,
SCIENTISTS AND MANAGERS, AUSTRALIA, 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:
 - A list of changes to offices and the names, postal addresses and occupations of persons holding those offices as at the date of this declaration is attached at Annexure A and forms part of this declaration.

Signed:



National Secretary

Dated: 27 February 2017

[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.]



27 February 2017

Ms Robyn Porter
National Secretary
Association of Professional Engineers, Scientists and Managers, Australia

By email legal@professionalsaustralia.org.au

Dear Ms Porter,

Annual Return of Information for [AR2017/105]

I acknowledge receipt on 3 February 2017 of your Declaration providing information in accordance with subsection 233(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act). A further declaration and amended return were lodged today.

The documents lodged cover the required information for the Annual Return of Information of the Association of Professional Engineers, Scientists and Managers, Australia.

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

I note that the organisation intends notifying some changes to the records. Please note that any changes to the 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. The Association is encouraged to use this template if any changes occur.

Yours sincerely

Stephen Kellett
Senior Adviser
Regulatory Compliance Branch

From: KELLETT, Stephen
Sent: Monday, 27 February 2017 4:09 PM
To: 'Jenny Broomhall'
Subject: RE: Amended 2017 Annual Return

Dear Jenny,

Please see attached my letter in relation to the above.

Yours faithfully

STEPHEN KELLETT
Regulatory Compliance Branch
FAIR WORK COMMISSION

80 William Street
EAST SYDNEY NSW 2011

(ph) (02) 6746 3283
(mob.) 0429 462 979
(email) stephen.kellett@fwc.gov



APESMA AR2017
105 (final) 130217.pc

From: Jenny Broomhall [mailto:jBroomhall@professionalsaustralia.org.au]
Sent: Monday, 27 February 2017 3:33 PM
To: stephen.kellett@fwc.gov
Subject: Amended 2017 Annual Return

Dear Stephen,

Thanks for your help with my Annual Return. Please find corrected information attached. I will shortly submit a Notification of Change following the appointment of new committee members for our Architects and Collieries Staff Division committees.

Regards,

Jenny Broomhall

Executive Assistant
Governance Officer



P: 03 9695 8833

M: 0425 747 443

W: www.professionalsaustralia.org.au



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2017

ORG-Annual-Return-

ANNUAL RETURN OF INFORMATION (organisation with branches) in accordance with Regulation 147 Fair Work (Registered Organisations) Regulations 2009 and Sections 230 and 233 Fair Work (Registered Organisations) Act 2009

I, ROBYN PORTER being the NATIONAL SECRETARY of THE ASSOCIATION OF PROFESSIONAL ENGINEERS, SCIENTISTS AND MANAGERS, AUSTRALIA, declare the following:

1. I am authorised to make this declaration.
2. The register of members has, during the immediately preceding calendar year, been kept and maintained as required by s.230(1)(a) and s.230(2) of the *Fair Work (Registered Organisations) Act 2009* (the Act).
3. The following is a correct statement of 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 Act:
 - The address of the organisation is 163 EASTERN ROAD, SOUTH MELBOURNE VICTORIA 3205.¹
 - The name and address of each branch of the organisation is:²
 1. The Association of Professional Engineers, Scientists and Managers, Australia **Federal Office**, 163 Eastern Road, SOUTH MELBOURNE VIC 3205
 2. The Association of Professional Engineers, Scientists and Managers, Australia **Professional Engineers Division**, 163 Eastern Road, SOUTH MELBOURNE VIC 3205
 3. The Association of Professional Engineers, Scientists and Managers, Australia **Professional Engineers – Australian Capital Territory Subdivision**, 7 Napier Close, DEAKIN ACT 2600
 4. The Association of Professional Engineers, Scientists and Managers, Australia **Professional Engineers – New South Wales Subdivision**, 1/491 Kent Street, SYDNEY NSW 2000
 5. The Association of Professional Engineers, Scientists and Managers, Australia **Professional Engineers – Northern Territory Subdivision**, 163 Eastern Road, SOUTH MELBOURNE VIC 3205

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

6. The Association of Professional Engineers, Scientists and Managers, Australia **Professional Engineers – Queensland Subdivision**, 4/16 Peel Street, SOUTH BRISBANE QLD 4101
7. The Association of Professional Engineers, Scientists and Managers, Australia **Professional Engineers – South Australia Subdivision**, Suite 1, 69 - 79 Gilbert Street Adelaide SA 5000
8. The Association of Professional Engineers, Scientists and Managers, Australia **Professional Engineers – Tasmania Subdivision**, Unions Tasmania Building, 379 Elizabeth Street NORTH HOBART TAS 7000
9. The Association of Professional Engineers, Scientists and Managers, Australia **Professional Engineers – Victoria Subdivision**, 163 Eastern Road SOUTH MELBOURNE VIC 3205
10. The Association of Professional Engineers, Scientists and Managers, Australia **Professional Engineers – Western Australia Subdivision**, Suite 1A/12-14 Thelma Street WEST PERTH WA 6005
11. The Association of Professional Engineers, Scientists and Managers, Australia **Architects Division**, 163 Eastern Road SOUTH MELBOURNE VIC 3205
12. The Association of Professional Engineers, Scientists and Managers, Australia **Local Government Engineers Association (NSW) Division**, 1/491 Kent Street SYDNEY NSW 2000
13. The Association of Professional Engineers, Scientists and Managers, Australia **Collieries Staff Division**, 1/491 Kent Street SYDNEY NSW 2000
14. The Association of Professional Engineers, Scientists and Managers, Australia **Managers and Professionals Division**, 163 Eastern Road, SOUTH MELBOURNE VIC 3205
15. The Association of Professional Engineers, Scientists and Managers, Australia **Pharmacists Division**, 163 Eastern Road SOUTH MELBOURNE VIC 3205
16. The Association of Professional Engineers, Scientists and Managers, Australia **Professional Scientists Division** 163 Eastern Road SOUTH MELBOURNE VIC 3205

- On 31 December in the previous year the number of members was 17,217 full members³
- A list of offices and the names, postal addresses and occupations of persons holding those offices as at the date of this declaration is attached at Annexure A and forms part of this declaration.
- Under the rules of the organisation, the following elections must be held between 1 January and 31 December of this year:⁴

Divisional Committee Members (Division Rule 14)

In accordance with Division Rule 14 and the Supplementary Division Rules of the Association, the following Divisional Committee/Sub-Division Committee member positions are to be filled by election:

Professional Engineers Division Sub-Divisions:

New South Wales	7
Victoria	7
South Australia	7
Queensland	7
Western Australia	7
Tasmania	7
Northern Territory	7
Australian Capital Territory	7
Professional Scientists Division	12
LGEA of NSW Division	11
Architects Division	10
Pharmacists Division	14
Collieries Staff Division	11
Managers and Professionals Division	8

The specific offices and electorates for each of these Divisional and Sub-Divisional Committees are set out in points (a) to (j) below.

NB. In accordance with Rule 12.7 of Appendix “K” – Supplementary Rules – Professional Engineers Division the Professional Engineers Division Committee comprises the President of each Sub-Division Committee

³ s.230(1)(d); reg.147(f)

⁴ s.230(1)(d); reg.147(e)

and the 4 National Assembly Members elected from Any Subdivision by the electorate of all Financial Members of the Professional Engineers Division.

(a) Professional Engineers Division Sub-Divisions, for each Sub-Division as listed above:

Sub-Division President (1)

Sub-Division Committee members (6)

Rule 12 of Appendix "K" - Supplementary Rules – Professional Engineers Division: elected by and from all financial members of the relevant Sub-Division

Each Sub-Division Committee shall have a minimum of one person from each gender. If there is no nomination from a particular gender for the Sub-Division Committee then this provision shall not apply.

(b) Professional Scientists Division Committee

As set out in Rule 5.1 of Appendix "J" – Supplementary Rules – Professional Scientists Division - the Division Committee shall consist of 12 persons elected by financial members of the division as follows:

1 member elected from and by members resident in QLD

1 member elected from and by members resident in NSW

1 member elected from and by members resident in ACT

1 member elected from and by members resident in VIC

1 member elected from and by members resident in TAS

1 member elected from and by members resident in SA

1 member elected from and by members resident in WA

1 member elected from and by members resident in NT

Plus four (4) other members elected from and by financial members of the Professional Scientists Division.

A minimum of one representative per gender must be elected to the Division Committee. In the event that there is no person from a particular gender elected as set out in Rule 5.1 then if a sole person from a particular gender nominates as (1) of the (4) other members then that person will be deemed to be elected.

(c) LGEA of NSW Division Committee

President (1)

Vice-President (1)

Secretary (1)
Treasurer (1)
Committee members (7)

(rule 5 of Appendix E)

(d) Architects Division Committee

President (1)
Vice-President (1)
Secretary (1)
Treasurer (1)
Committee members (6) one position of which is reserved for a student member

(rule 5 of Appendix F)

(e) Pharmacists Division Committee

As set out in Rule 5 of Appendix "G" - Supplementary Rules of The Pharmacists Division the Committee shall comprise members elected by and from the following:

President (1)
Vice-President (1)
Secretary (1)
Treasurer (1)
Committee members (14)

These 18 offices are elected as follows:

2 Members elected by and from members resident in New South Wales
2 Members elected by and from members resident in Queensland
2 Members elected by and from members resident in South Australia
2 Members elected by and from members resident in Victoria
1 Member elected by and from members resident in Australian Capital Territory
1 Member elected by and from members resident in Tasmania

Plus 4 other Members elected by and from members of the Division

(f) Collieries Staff Division Committee

As set out in Rule of 10.1 Supplementary Rule 10.1 of Appendix “H” of the Supplementary Rules of the Collieries Staff Division the eleven (11) members of the Division Committee are elected from and by the financial members from their respective districts as follows:

- 1 member from Upper Hunter (NSW)
- 1 member from Lower Hunter (NSW)
- 1 member from Central (NSW)
- 1 member from Western (NSW)
- 1 member from Southern (NSW)
- 1 member from Northern (QLD)
- 1 member from Southern (QLD)
- 1 member from Eastern (QLD)
- 1 member from Western (QLD)
- 1 member from Central (QLD)
- 1 member from Western Australia

(g) Managers and Professionals Division

As set out in rule 6 of Appendix “I” – Supplementary Rules – Managers and Professionals Division the Division Committee shall be comprised of:

Seven members elected by and from the financial Members of the Division, and

One member elected by and from Australian Broadcasting Corporation Senior Executive members.

[Division rules specify that certain positions are only to be filled by members from a specific electorate or are to be filled only by members from particular electorates. These rules are designed to ensure we maximise diversity on Division Committees. If required, lists of members belonging to these electorates in each state will be provided to enable eligibility to be determined.]

Nominations for the positions of Division Committee and Sub-Division Committee members are to be called on a date to be determined by the Returning Officer and to be closed on a date to be determined by the Returning Officer (see Division Rule 14.1.2).

In the event of a ballot being held, ballot papers are to be sent to each Division member so as to be received on a date to be determined by the Returning Officer, and returned to the Returning Officer on a date to be determined by the Returning Officer. The roll of voters closes on the 30th day before the opening of nominations (see Division Rule 14.1.6.3)

The voting system to be used is the direct voting system.

Division Executive Officers - (Division Rule 14.2)

The following Division Executive Officer positions and Sub-Division Executive Officer positions (see Rule 14.2 and the Supplementary Division Rules of the Association's Constitution and Rules):

Professional Engineers Division Executive Officers:

- 1 Division President
- 1 Division Vice President
- 1 Division Secretary
- 1 Division Treasurer

Professional Engineers Division Sub-Divisions Executive Officers

(for each of the Sub-Divisions listed above):

- 1 Sub -Division Vice – President
- 1 Sub-Division Secretary
- 1 Sub-Division Treasurer

Collieries Staff Division Executive Officers:

- 1 Division President
- 1 Division Vice President
- 1 Division Secretary/Treasurer

Managers and Professionals Division

- 1 Division President
- 1 Division Vice-President
- 1 Division Secretary/Treasurer

Professional Scientists Division Executive Officers (see Rule 4 of the Federal Rules)

- 1 Division President
- 1 Division Vice-President
- 1 Division Secretary

The voting system to be used for these Division Executive Officers is the collegiate electoral system and multiple preferential voting system (see Division Rule 14.2.7 and Appendix 3 to the Rules). The electorates for the positions of Division Executive Officers consist of the Division Committee members holding office in

accordance with the Rules of the Association for the ensuing 1 year or 2 year terms in each respective Division (see Division Rule 14.2.5.3).

Nominations for the positions of these Division Executive Officers are to be called for after the election of the members of the Division Committee on a date to be determined by the Returning Officer (see Division Rule 14.2.1). Nominations close on a date to be determined by the Returning Officer.

National Assembly

The National Assembly consists of persons elected biennially as provided by Division Rule 14 in the numbers prescribed in Federal Rule 16, as follows:

Professional Engineers Division	22 (including the President of each Subdivision)
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Of these 22 National Assembly Members, representatives are to be elected from each Sub-Division in the following numbers;

New South Wales	4
Victoria	4
South Australia	2
Queensland	3
Western Australia	2
Tasmania	1
Northern Territory	1
Australian Capital Territory	1
Any Sub-Division	4

Excluding the National Assembly Members from Any-Sub-Division the total of the number of National Assembly Members to be elected from each Sub-Division must in accordance with Federal Rule 16.1.2.4 must include the Sub-Division President.

Professional Scientists Division	5
Collieries Staff Division	5
Managers and Professional Division Member)	4 (including ABC Division Committee
LGEA (NSW)	2
Architects Division	1

Pharmacists Division	1
Women Members	1

Professional Engineers Division - In accordance with Federal Rule 16.1.2.5 a minimum of one National Assembly Member from each gender must be elected. In the event that there is no person from a particular gender who is elected as a National Assembly Member representing a Sub-Division then if a sole person from the particular gender nominates as a National Assembly Member representing Any Sub-Division as specified in Federal Rule 16.2 that person will be deemed to be elected. If there is no nomination received from a particular gender for the position of National Assembly Member from any Sub-Division then the provisions of Federal Rule 16.1.2.5 shall not apply.

In addition in accordance with Federal Rule 16.1.2.8.2 in order to be eligible for election as a National Assembly Member, a member representing a Sub-Division must also be elected to an office on their relevant Sub-Division Committee.

Professional Scientists Division - In accordance with Federal Rule 16.1.2.6 a minimum of one National Assembly Member from each gender must be elected. If there is no nomination received from a particular gender the provisions of Federal Rule 16.1.2.6 shall not apply.

Managers and Professionals Division – The National Assembly Members representing the Managers and Professionals Division shall in accordance with Rule 8 of Appendix “I” – Supplementary Rules – Managers and Professionals Division comprise:

- (a) The Australian Broadcasting Corporation Senior Executive Division Committee member elected to the Division Committee in accordance with Rule 6 of the Appendix “I” – Supplementary Rules – Managers and Professionals Division.
- (b) Additional National Assembly Members elected in accordance with Federal Rule 16.1.

In addition, and in accordance with Division Rule 14.1.4, in order to be eligible for election as a National Assembly Member representing the Managers and Professionals Division a member must be also elected as Division Committee member.

National Assembly Electorates

In accordance with Division Rule 14, the electorates for the National Assembly positions from Divisions are as set out as follows:

- (a) Professional Engineers Division.
 - (i) All financial members of the respective Sub-Division.
 - (ii) Any-Subdivision – All financial members of the Professional Engineers Division.

Federal Rule 16.1.2.8.1 provides that in order to be eligible for election as a National Assembly member, member representing a Sub-Division must also be elected to an office on their relevant Sub-Division Committee.

- (b) For all Divisions excluding the Professional Engineers Division and Divisions listed in (c), (d) and (e) below the electorate in accordance with Division Rule 14 shall consist of all financial members of the respective Division.
- (c) In the case of the Managers and Professionals Division Division Rule 14.1.4 provides that in order to be eligible for election as a National Assembly member representing the Division must also be elected as a Division Committee Member.

As outlined in Federal Rule 16.1.2.7, there shall be one position on the National Assembly which shall be filled by women members of the Association. The electorate for this position shall comprise all financial women members.

Any National Assembly member may only occupy one National Assembly position and where an eligible member nominates for more than one National Assembly position as provided for in Rule 16.1.2.9 in these Rules, the position to which that member shall be elected shall be in the order or priority of Division, or in the case of the Professional Engineers Division, Sub-Division, then the Women's position.

Nominations for the positions on the National Assembly are to be called for on a date to be determined by the Returning Officer and shall meet the requirements as specified in Branch Rule 14 of the Association's Constitution and Rules.

Should a ballot be required for the positions on the National Assembly, ballot papers, together with information as provided for under the Branch Rule 14.1.6.3 of the Association's Constitution and Rules, should be sent to each financial member in the electorate for which a ballot is required on a date to be determined by the Returning Officer. Ballot papers are then to be returned to the address specified by the Returning Officer so as to ensure to be received on a date to be determined by the Returning Officer.

The roll of voters closes on the 30th day prior to the opening of nominations (see Division Rule 14.1.6.3)

The voting system which is to be used for National Assembly elections is the direct voting system.

National Board of Management

The following National Board of Management positions exist as outlined in Federal Rule 18 of the Association's Constitution and Rules:

- National President
- National Senior Vice-President
- National Vice President (3 positions)
- National Secretary
- National Treasurer

In the case where at least one woman member nominates for a position on the Board, and no woman is elected to the Board, an additional Vice President position will be created and filled in accordance with Rules 18.3.1.1, 18.3.1.2 and 18.3.1.3.

The electorate for the positions on the National Board consists of members of the National Assembly holding office in accordance with the Constitution and Rules of the Association for the ensuing year (see Federal Rule 18.3).

Nominations for the National Board positions are to be called for on a date to be determined by the Returning Officer from members of the National Assembly holding office for the ensuing year (see Federal Rule 18.3), and are to be returned to the address specified by the Returning on a date to be determined by the Returning Officer, and shall meet the requirements as specified in Federal Rule 18 of the Association's Constitution and Rules. Members of the National Assembly may nominate for more than one position (but can only be elected to one position). The order of filling such positions shall be National President, National Senior Vice President, National Secretary, National Treasurer, National Vice President. The multiple preferential system of voting (Appendix C of the Rules) shall be used for the election of the National Board (see Federal Rule 18.7).

4. During the previous 12 months:⁵ [*Delete any that do not apply*]

- NO branches COMMENCED operation.
- NO branches CEASED operation:

⁵ s.230(1)(d); reg.147(b) & (c)

5. The organisation: *[Delete the dot point that does not apply]*

- Has not entered into an agreement under s.151(1) of the Act with a state union.

Signed:



[SECRETARY]

Dated: 27 February 2017

*[PLEASE NOTE: This declaration must be lodged with the Fair Work Commission by 31 March. It can be submitted to orgs@fwc.gov.au. If at any time in the year this information changes a Notification of Changes must be lodged with the Commission within **35 days** of the change.⁶]*

⁶ s.233(2); reg. 151

ANNEXURE A

17. Offices and Office Holders in the Organisation and its Branches:

Association of Professional Engineers, Scientists and Managers, Australia**National Board**

Name of Office	Name of Office Holder	Postal Address of Office Holder	Occupation of Office Holder
President	Bill Jackson	163 Eastern Road, South Melbourne VIC 3205	Engineer
Senior Vice President	Andrew Russack	163 Eastern Road, South Melbourne VIC 3205	Engineer
Vice President	Maria Fuchs	163 Eastern Road, South Melbourne VIC 3205	Engineer
Vice President	Col Hackney	163 Eastern Road, South Melbourne VIC 3205	Engineer
Vice President	Wen Chen	163 Eastern Road, South Melbourne VIC 3205	Engineer
Secretary	Robyn Porter	163 Eastern Road, South Melbourne VIC 3205	Scientist
Treasurer	Olaf Reinhold	163 Eastern Road, South Melbourne VIC 3205	Engineer

Association of Professional Engineers, Scientists and Managers, Australia

National Assembly

Name of Office (include any offices that are vacant)	Name of Office Holder	Postal Address of Office Holder	Occupation of Office Holder
Representative - ABC on MPD committee	John Highfield	163 Eastern Road, South Melbourne VIC 3205	Broadcaster/Journalist
Representative - ARCH	Rocco Sergi	163 Eastern Road, South Melbourne VIC 3205	Architect
Representative - CSD	Lester Anderson	1/491 Kent Street, Sydney NSW 2000	Miner
Representative - CSD	Jukka Heiskari	1/491 Kent Street, Sydney NSW 2000	Miner
Representative - CSD	Clay Jacobson	1/491 Kent Street, Sydney NSW 2000	Miner
Representative - CSD	Paul Meehan	1/491 Kent Street, Sydney NSW 2000	Miner
Representative - CSD	John Petty	1/491 Kent Street, Sydney NSW 2000	Miner
Representative - Eng ACT	Terence Richards	7 Napier Close, Deakin ACT 2600	Engineer
Representative - Eng Any Div	Greg McMahan	163 Eastern Road, South Melbourne VIC 3205	Engineer
Representative - Eng Any Div	Kelvin Lillingstone-Hall	163 Eastern Road, South Melbourne VIC 3205	Engineer
Representative - Eng Any Div	Olaf Reinhold	163 Eastern Road, South Melbourne VIC 3205	Engineer
Representative - Eng Any Div	Dario Tomat	163 Eastern Road, South Melbourne VIC 3205	Engineer
Representative - Eng NSW	Peter Goudie	1/491 Kent Street, Sydney NSW 2000	Engineer
Representative - Eng NSW	Col Hackney	1/491 Kent Street, Sydney NSW 2000	Engineer
Representative - Eng NSW	Vacant	1/491 Kent Street, Sydney NSW 2000	Engineer
Representative - Eng NSW	Lex Stewart	1/491 Kent Street, Sydney NSW 2000	Engineer
Representative - Eng NT	Vacant	4/16 Peel Street, South Brisbane QLD 4101	Vacant
Representative - Eng Qld	Paul Keech	4/16 Peel Street, South Brisbane QLD 4101	Engineer
Representative - Eng Qld	Maria Fuchs	4/16 Peel Street, South Brisbane QLD 4101	Engineer
Representative - Eng Qld	Ralph Martin	4/16 Peel Street, South Brisbane QLD 4101	Engineer
Representative - Eng SA	Bill Jackson	22 Greenhill Road, Wayville SA 5034	Engineer
Representative - Eng SA	Danielle Hodge	22 Greenhill Road, Wayville SA 5034	Engineer
Representative - Eng Tas	Vacant	379 Elizabeth Street, North Hobart TAS 7000	Engineer
Representative - Eng Vic	David Crellin	163 Eastern Road, South Melbourne VIC 3205	Engineer
Representative - Eng Vic	Andrew Russack	163 Eastern Road, South Melbourne VIC 3205	Engineer

Representative - Eng Vic	Scott Gibbins	163 Eastern Road, South Melbourne VIC 3205	Engineer
Representative - Eng Vic	Vacant	163 Eastern Road, South Melbourne VIC 3205	Engineer
Representative - Eng WA	Wen Chen	Suite 1, 12-14 Thelma Street, West Perth WA 6005	Engineer
Representative - Eng WA	Najah Onn	Suite 1, 12-14 Thelma Street, West Perth WA 6005	Engineer
Representative - LGEA	Noel Chapman	1/491 Kent Street, Sydney NSW 2000	Engineer
Representative - LGEA	Bede Spannagle	1/491 Kent Street, Sydney NSW 2000	Engineer
Representative - MPD	Vacant	163 Eastern Road, South Melbourne VIC 3205	Vacant
Representative - MPD	Darrell Johnson	163 Eastern Road, South Melbourne VIC 3205	Unemployed
Representative - MPD	Robert Miller	163 Eastern Road, South Melbourne VIC 3205	Manager
Representative - PDA	Geoff March	163 Eastern Road, South Melbourne VIC 3205	Lecturer (Pharmacy)
Representative - SCI	Katie Havelberg	163 Eastern Road, South Melbourne VIC 3205	Medical Scientist
Representative - SCI	Stephen Long	163 Eastern Road, South Melbourne VIC 3205	Scientist
Representative - SCI	Lara Mottee	163 Eastern Road, South Melbourne VIC 3205	Environmental Scientist
Representative - SCI	Vacant	163 Eastern Road, South Melbourne VIC 3205	Vacant
Representative - SCI	Robyn Porter	163 Eastern Road, South Melbourne VIC 3205	Scientist
Representative - Women	Karen Carcary	163 Eastern Road, South Melbourne VIC 3205	Manager

Association of Professional Engineers, Scientists and Managers, Australia

Architects Division

President	Rocco Sergi	163 Eastern Road South Melbourne VIC 3205	Architect
Vice President	Warwick Lavers	163 Eastern Road South Melbourne VIC 3205	Public Servant
Secretary	Patricia Chow	163 Eastern Road South Melbourne VIC 3205	Architect
Treasurer	Vincent Lien	163 Eastern Road South Melbourne VIC 3205	Architect
Committee Member	Gerry McLoughlin	163 Eastern Road South Melbourne VIC 3205	Unemployed
Committee Member	David Pond	163 Eastern Road South Melbourne VIC 3205	Architect
Committee Member	Julian Tuckett	163 Eastern Road South Melbourne VIC 3205	Architect
Committee Member	Vacant	163 Eastern Road South Melbourne VIC 3205	Vacant
Committee Member	Vacant	163 Eastern Road South Melbourne VIC 3205	Vacant
Committee Member	Vacant	163 Eastern Road South Melbourne VIC 3205	Vacant

Association of Professional Engineers, Scientists and Managers, Australia

Collieries' Staff Division

President	Paul Meehan	1/491 Kent Street Sydney NSW 2000	Miner *
Vice President	Dean Stockham	1/491 Kent Street Sydney NSW 2000	Miner *
Secretary/Treasurer	Clay Jacobson	1/491 Kent Street Sydney NSW 2000	Miner *
Committee Member	Max North	1/491 Kent Street Sydney NSW 2000	Miner *
Committee Member	Wayne Perry	1/491 Kent Street Sydney NSW 2000	Miner *
Committee Member	Justin Smith	1/491 Kent Street Sydney NSW 2000	Miner *
Committee Member	John Petty	1/491 Kent Street Sydney NSW 2000	Miner *
Committee Member	Justin Murray	1/491 Kent Street Sydney NSW 2000	Miner *
Committee Member	Ian Parker	1/491 Kent Street Sydney NSW 2000	Miner *
Committee Member	Scott Blackwood	1/491 Kent Street Sydney NSW 2000	Miner *
Committee Member	Vacant	1/491 Kent Street Sydney NSW 2000	Vacant

* reimbursed for lost wages to attend committee meetings.

Association of Professional Engineers, Scientists and Managers, Australia

Professional Engineers Division

President	Dario Tomat	163 Eastern Road South Melbourne VIC 3205	Engineer
Vice President	Olaf Reinhold	163 Eastern Road South Melbourne VIC 3205	Engineer
Secretary	Nick Jatan	163 Eastern Road South Melbourne VIC 3205	Engineer
Treasurer	Vacant	163 Eastern Road South Melbourne VIC 3205	Vacant
Committee Member	Maria Fuchs	163 Eastern Road South Melbourne VIC 3205	Engineer
Committee Member	Kelvin Lillingstone-Hall	163 Eastern Road South Melbourne VIC 3205	Engineer
Committee Member	Andrew Russack	163 Eastern Road South Melbourne VIC 3205	Engineer
Committee Member	Col Hackney	163 Eastern Road South Melbourne VIC 3205	Engineer
Committee Member	Andreas Marquardt	163 Eastern Road South Melbourne VIC 3205	Engineer
Committee Member	Wen Chen	163 Eastern Road South Melbourne VIC 3205	Engineer
Committee Member	Paul Keech	163 Eastern Road South Melbourne VIC 3205	Engineer
Committee Member	Scott Gibbins	163 Eastern Road South Melbourne VIC 3205	Engineer

Association of Professional Engineers, Scientists and Managers, Australia

Professional Engineers - Australian Capital Territory Subdivision

President	Terence Richards	7 Napier Close, Deakin ACT 2600	Engineer
Vice President	Vacant	7 Napier Close, Deakin ACT 2600	Vacant
Secretary	Vacant	7 Napier Close, Deakin ACT 2600	Vacant
Treasurer	Vacant	7 Napier Close, Deakin ACT 2600	Vacant
Committee Member	Jared Thompson	7 Napier Close, Deakin ACT 2600	Engineer
Committee Member	Albert Dessi	7 Napier Close, Deakin ACT 2600	Engineer
Committee Member	Greg Hollis	7 Napier Close, Deakin ACT 2600	Engineer
Committee Member	Tatiana Caines	7 Napier Close, Deakin ACT 2600	Engineer
Committee Member	Vacant	7 Napier Close, Deakin ACT 2600	Vacant
Committee Member	Vacant	7 Napier Close, Deakin ACT 2600	Vacant

Association of Professional Engineers, Scientists and Managers, Australia

Professional Engineers – New South Wales Subdivision

President	Col Hackney	1/491 Kent Street Sydney NSW 2000	Engineer
Vice President	Lindsay Nash	1/491 Kent Street Sydney NSW 2000	Engineer
Secretary	Michael Cahill	1/491 Kent Street Sydney NSW 2000	Engineer
Treasurer	Vacant	1/491 Kent Street Sydney NSW 2000	Vacant
Committee Member	Peter Goudie	1/491 Kent Street Sydney NSW 2000	Engineer
Committee Member	Lex Stewart	1/491 Kent Street Sydney NSW 2000	Engineer
Committee Member	Neville Cooper	1/491 Kent Street Sydney NSW 2000	Engineer
Committee Member	Sunil Srivastava	1/491 Kent Street Sydney NSW 2000	Engineer

Association of Professional Engineers, Scientists and Managers, Australia

Professional Engineers - Queensland Subdivision

President	Paul Keech	4/16 Peel Street, South Brisbane QLD 4101	Engineer
Vice President	Vacant	4/16 Peel Street, South Brisbane QLD 4101	Vacant
Secretary	Vacant	4/16 Peel Street, South Brisbane QLD 4101	Vacant
Treasurer	Vacant	4/16 Peel Street, South Brisbane QLD 4101	Vacant
Committee Member	Liz Beavis	4/16 Peel Street, South Brisbane QLD 4101	Engineer
Committee Member	Maria Fuchs	4/16 Peel Street, South Brisbane QLD 4101	Engineer
Committee Member	Greg McMahon	4/16 Peel Street, South Brisbane QLD 4101	Engineer
Committee Member	Ralph Martin	4/16 Peel Street, South Brisbane QLD 4101	Engineer
Committee Member	Guy Boughton	4/16 Peel Street, South Brisbane QLD 4101	Engineer
Committee Member	Leo Powell	4/16 Peel Street, South Brisbane QLD 4101	Engineer

Association of Professional Engineers, Scientists and Managers, Australia

Professional Engineers– South Australia Subdivision

President	Bill Jackson	Suite 1, 69 – 79 Gilbert Street, Adelaide SA 5000	Engineer
Vice President	Olaf Reinhold	Suite 1, 69 – 79 Gilbert Street, Adelaide SA 5000	Engineer
Secretary	Vacant	Suite 1, 69 – 79 Gilbert Street, Adelaide SA 5000	Vacant
Treasurer	Vacant	Suite 1, 69 – 79 Gilbert Street, Adelaide SA 5000	Vacant
Committee Member	Shaun Williams	Suite 1, 69 – 79 Gilbert Street, Adelaide SA 5000	Engineer
Committee Member	Danielle Hodge	Suite 1, 69 – 79 Gilbert Street, Adelaide SA 5000	Engineer
Committee Member	John Garvey	Suite 1, 69 – 79 Gilbert Street, Adelaide SA 5000	Engineer
Committee Member	Matthew Ellis	Suite 1, 69 – 79 Gilbert Street, Adelaide SA 5000	Engineer
Committee Member	Andrew Wilkins	Suite 1, 69 – 79 Gilbert Street, Adelaide SA 5000	Engineer
Committee Member	Vacant	Suite 1, 69 – 79 Gilbert Street, Adelaide SA 5000	Vacant

Association of Professional Engineers, Scientists and Managers, Australia

Professional Engineers– Tasmania Subdivision

President	Vacant	379 Elizabeth Street, North Hobart TAS 7000	Engineer
Vice President	Vacant	379 Elizabeth Street, North Hobart TAS 7000	Engineer
Secretary	Matthew Nicholas	379 Elizabeth Street, North Hobart TAS 7000	Engineer
Treasurer	Vacant	379 Elizabeth Street, North Hobart TAS 7000	Vacant
Committee Member	Nick Jatan	379 Elizabeth Street, North Hobart TAS 7000	Engineer
Committee Member	Donald Vaughan	379 Elizabeth Street, North Hobart TAS 7000	Engineer
Committee Member	Dario Tomat	379 Elizabeth Street, North Hobart TAS 7000	Engineer

Association of Professional Engineers, Scientists and Managers, Australia

Professional Engineers - Victoria Subdivision

President	Scott Gibbins	163 Eastern Road South Melbourne VIC 3205	Engineer
Vice President	Andrew Russack	163 Eastern Road South Melbourne VIC 3205	Engineer
Secretary	Vacant	163 Eastern Road South Melbourne VIC 3205	Vacant
Treasurer	Tim Black	163 Eastern Road South Melbourne VIC 3205	Engineer
Committee Member	David Crellin	163 Eastern Road South Melbourne VIC 3205	Engineer
Committee Member	Kelvin Lillingstone-Hall	163 Eastern Road South Melbourne VIC 3205	Engineer
Committee Member	Domenico Lombardo	163 Eastern Road South Melbourne VIC 3205	Engineer
Committee Member	Roger Cromwell	163 Eastern Road South Melbourne VIC 3205	Engineer

Association of Professional Engineers, Scientists and Managers, Australia

Professional Engineers– Western Australia Subdivision

President	Wen Chen	Suite 1A, 12-14 Thelma Street West Perth WA 6005	Engineer
Vice President	Vacant	Suite 1A, 12-14 Thelma Street West Perth WA 6005	Vacant
Secretary	Vacant	Suite 1A, 12-14 Thelma Street West Perth WA 6005	Vacant
Treasurer	Najah Onn	Suite 1A, 12-14 Thelma Street West Perth WA 6005	Engineer
Committee Member	Thomas Engelke	Suite 1A, 12-14 Thelma Street West Perth WA 6005	Engineer
Committee Member	Rob Thornton	Suite 1A, 12-14 Thelma Street West Perth WA 6005	Engineer
Committee Member	Pasan Tennakoon	Suite 1A, 12-14 Thelma Street West Perth WA 6005	Engineer
Committee Member	Vacant	Suite 1A, 12-14 Thelma Street West Perth WA 6005	Vacant
Committee Member	Vacant	Suite 1A, 12-14 Thelma Street West Perth WA 6005	Vacant

Association of Professional Engineers, Scientists and Managers, Australia

Professional Engineers– Northern Territory Subdivision

President	Vacant	163 Eastern Road, South Melbourne VIC 3205	Vacant
Vice President	Vacant	163 Eastern Road, South Melbourne VIC 3205	Vacant
Secretary	Vacant	163 Eastern Road, South Melbourne VIC 3205	Vacant
Treasurer	Vacant	163 Eastern Road, South Melbourne VIC 3205	Vacant
Committee Member	Vacant	163 Eastern Road, South Melbourne VIC 3205	Vacant
Committee Member	Vacant	163 Eastern Road, South Melbourne VIC 3205	Vacant
Committee Member	Vacant	163 Eastern Road, South Melbourne VIC 3205	Vacant

Association of Professional Engineers, Scientists and Managers, Australia

Local Government Engineers Association (NSW) Division

President	Bede Spannagle	1/491 Kent Street Sydney NSW 2000	Engineer
Vice President	Stuart Small	1/491 Kent Street Sydney NSW 2000	Engineer
Secretary	Noel Chapman	1/491 Kent Street Sydney NSW 2000	Engineer
Treasurer	Jacqui Hansen	1/491 Kent Street Sydney NSW 2000	Engineer
Committee Member	Gary Woodman	1/491 Kent Street Sydney NSW 2000	Engineer
Committee Member	Aneesh Singh	1/491 Kent Street Sydney NSW 2000	Engineer
Committee Member	Renae Leayr	1/491 Kent Street Sydney NSW 2000	Engineer
Committee Member	Bill Eberhart	1/491 Kent Street Sydney NSW 2000	Engineer
Committee Member	Steve Clayton	1/491 Kent Street Sydney NSW 2000	Engineer
Committee Member	Anthony Ogle	1/491 Kent Street Sydney NSW 2000	Engineer
Committee Member	Vacant	1/491 Kent Street Sydney NSW 2000	Vacant

Association of Professional Engineers, Scientists and Managers, Australia

Managers and Professionals Division

President	Robert Miller	163 Eastern Road South Melbourne VIC 3205	Manager
Vice President	Darrell Johnson	163 Eastern Road South Melbourne VIC 3205	Unemployed
Secretary/Treasurer	Vacant	163 Eastern Road South Melbourne VIC 3205	Vacant
Committee Member	John Highfield	163 Eastern Road South Melbourne VIC 3205	Journalist
Committee Member	Dave Sanders	163 Eastern Road South Melbourne VIC 3205	IT Professional
Committee Member	Peter Cozyn	163 Eastern Road South Melbourne VIC 3205	Unemployed
Committee Member	Tamara Harbus	163 Eastern Road South Melbourne VIC 3205	Manager
Committee Member	Karen Carcary	163 Eastern Road South Melbourne VIC 3205	Manager
Committee Member	Vacant	163 Eastern Road South Melbourne VIC 3205	Vacant

Association of Professional Engineers, Scientists and Managers, Australia

Pharmacists Division

President	Geoff March	163 Eastern Road South Melbourne VIC 3205	Unemployed
Vice President	Carmel McCallum	163 Eastern Road South Melbourne VIC 3205	Pharmacist
Secretary	Jenny Madden	163 Eastern Road South Melbourne VIC 3205	Self-Employed Pharmacist
Treasurer	Mark Lock	163 Eastern Road South Melbourne VIC 3205	Pharmacist-in-charge
Committee Member	Cameron Walls	163 Eastern Road South Melbourne VIC 3205	Pharmacist
Committee Member	Amy Thomson	163 Eastern Road South Melbourne VIC 3205	Intern Pharmacist
Committee Member	Poomitta Sivachandran	163 Eastern Road South Melbourne VIC 3205	Pharmacy Student
Committee Member	Leon Yap	163 Eastern Road South Melbourne VIC 3205	Managing Pharmacist
Committee Member	Ben Wishaw	163 Eastern Road South Melbourne VIC 3205	Pharmacist
Committee Member	Cardin Le	163 Eastern Road South Melbourne VIC 3205	Pharmacist
Committee Member	Kathy Malakozis	163 Eastern Road South Melbourne VIC 3205	Pharmacist in charge
Committee Member	Vacant	163 Eastern Road South Melbourne VIC 3205	Vacant
Committee Member	Vacant	163 Eastern Road South Melbourne VIC 3205	Vacant
Committee Member	Vacant	163 Eastern Road South Melbourne VIC 3205	Vacant

Association of Professional Engineers, Scientists and Managers, Australia

Professional Scientists Division

President	Robyn Porter	163 Eastern Road South Melbourne VIC 3205	Self-employed
Vice President	Stephen Long	163 Eastern Road South Melbourne VIC 3205	Scientist
Secretary	Katie Havelberg	163 Eastern Road South Melbourne VIC 3205	Medical Scientist
Committee Member	Rohan Dowd	163 Eastern Road South Melbourne VIC 3205	Physicist
Committee Member	Christopher Embery	163 Eastern Road South Melbourne VIC 3205	Scientist
Committee Member	Edward Lewis	163 Eastern Road South Melbourne VIC 3205	Scientist
Committee Member	Kathleen Patrick	163 Eastern Road South Melbourne VIC 3205	Coordinator
Committee Member	Lara Mottee	163 Eastern Road South Melbourne VIC 3205	Environmental Scientist
Committee Member	Ian Shannon	163 Eastern Road South Melbourne VIC 3205	Statistician
Committee Member	Vacant	163 Eastern Road South Melbourne VIC 3205	Vacant
Committee Member	Vacant	163 Eastern Road South Melbourne VIC 3205	Vacant
Committee Member	Vacant	163 Eastern Road South Melbourne VIC 3205	Vacant

From: Jenny Broomhall [<mailto:jBroomhall@professionalsaustralia.org.au>]
Sent: Friday, 3 February 2017 5:52 PM
To: Orgs
Cc: WILKIN, Sarah
Subject: SK - AR2017/105 - 2017 ORG-Annual-Return-APESMA

Please find attached APESMA 2017 Annual Return.

Please do not hesitate to contact me if you have any questions relating to this return. My direct number is 03 9695 8833.

Regards

Jenny Broomhall

Executive Assistant
Governance Officer



P: 03 9695 8833

M: 0425 747 443

W: www.professionalsaustralia.org.au



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2017

ORG-Annual-Return-7



18 January 2017

The National Secretary
 Association of Professional Engineers, Scientists and Managers, Australia
 By email to: nationalsecretary@professionalsaustralia.org.au
 CC: jBroomhall@professionalsaustralia.org.au

Dear Ms Porter,

**Association of Professional Engineers, Scientists and Managers, Australia
 Annual Return of Information for 2017 [AR2017/105]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2017 in respect of the Association of Professional Engineers, Scientists and Managers, Australia by **31 March 2017**. However, for the reasons explained below, we strongly recommend that organisations lodge the Annual Return of information **as soon as possible**.

The new Registered Organisations Commission

The Registered Organisations Commission (the ROC) will be created in 2017.

Annual Returns of Information must be lodged with the Fair Work Commission until the ROC is established. Once the ROC is established, Annual Returns of information must be lodged with the ROC.

It is not yet known when the ROC will be established. We strongly encourage you to lodge the Annual Return of Information with the Fair Work Commission **as soon as possible** to avoid any potential administrative delays which may be caused by new email and postal addresses and contact phone numbers with the newly created ROC.

The Fair Work Commission will be providing information on the transition to the ROC through its subscription service and its website. For details about the subscription service, go to [Subscriptions](#) and subscribe to the Registered organisations information service.

Where to lodge your Annual Return of information

	Before the ROC is established	From establishment of the ROC
Where to lodge	Lodge your Annual Return of information with the Fair Work Commission	Lodge your Annual Return of information with the ROC
How to lodge	The easiest way to lodge your Annual Return of information is via email: orgs@fwc.gov.au	Lodgement methods are not yet known
Recommendation	Lodge with the Fair Work Commission as soon as possible to avoid potential delays	

What must be lodged?

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). The matters to be included in the declaration are set out in the attached checklist.

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

Telephone: (03) 8661 7777
 Email : orgs@fwc.gov.au
 Internet : www.fwc.gov.au

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).

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.

Who must sign the declaration?

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.

Who lodges the Annual Return of information?

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](#).

What happens if the information changes?

The Secretary, or other prescribed officer, must notify the Fair Work Commission (or the ROC when it is established) within 35 days of any changes to such records that may occur throughout the year.

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.

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,



Marianne Kay
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).

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].