



4 December 2015

Mr Jeff Griffiths
Australasian Convenience and Petroleum Marketers Association
elishar@acapma.com.au

Dear Mr Griffiths,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/83]. This letter is a reminder of certain obligations imposed on organisations and persons elected to office.

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

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

Also, section 233(2) of the RO Act requires that an organisation must notify the Fair Work Commission (the Commission) within 35 days of any changes to the holders of office in the organisation. If the election has resulted in any changes to the holders of office, the Australasian Convenience and Petroleum Marketers Association must notify the Commission of these changes. In particular, please advise:

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

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

Regards

Debbie Ball
Regulatory Compliance Branch

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

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

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

[delete all that do not apply]

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

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

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

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

ANNEXURE A

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.

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

Mr Philip Molineux
National President
Australasian Convenience and Petroleum Marketers Association
PO Box 3036
Parramatta NSW 2124

Post-Election Report For: **Australasian Convenience and Petroleum Marketers Association
Scheduled Election E2015/83**

I refer to the above election for your organisation.

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

Section 198 of Schedule 1 requires that if an organisation or branch is given a post election report under section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

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

Section 198 and the regulations also require an organisation to make the post election report and the organisation's response to the report (if applicable) available to members.

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

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



Laura Leavy
Returning Officer
21 October 2015

POST ELECTION REPORT

Australasian Convenience and Petroleum Marketers Association

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2014/134

RULES

Rules used for the election: [276V: Incorporates alterations of 4 February 2014 (R2013/32)] (replaces version of 1/04/2008 (D2006/72 and 73))

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: Nil

Number of apparent workplace addresses: Nil

Number of non-current addresses: Nil

Other matters pertaining to the roll of voters: Nil

IRREGULARITIES

Details of written allegations of irregularities, and action taken by AEC: Nil

Other irregularities identified, and action taken: Nil

ATTACHMENTS

Declaration - Stage 1
Declaration - Stage 2



Laura Leavy
Returning Officer
21 October 2015

Australasian Convenience and Petroleum Marketers Association Board of Management

Declaration of Results

Below are the results of the election for the following offices, conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation.

National

Board of Management Member - Victoria

Candidates

MOLINEUX, Philip

Board of Management Member - Western Australia

Candidates

BURROWS, Craig

Board of Management Member - Queensland

Candidates

HOLLOWS, Michael

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



Laura Leavy
Returning Officer
23 July 2015

Australasian Convenience and Petroleum Marketers Association Office Bearers

Declaration of Results

Below are the results of the election for the following offices, conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation.

National

National President

Candidates

MOLINEUX, Philip

National Vice President

Candidates

BAYLISS, Trevor

Treasurer

Candidates

BENNETT, Troy Michael

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



Laura Leavy
Returning Officer
Australian Electoral Commission
19 October 2015



DECISION

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

Australasian Convenience and Petroleum Marketers Association (E2015/83)

MR ENRIGHT

MELBOURNE, 31 MARCH 2015

Arrangement for conduct of election.

[1] On 25 February and 31 March 2015 the Australasian Convenience and Petroleum Marketers Association lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Board of Management Members (3) - one member for each of the following regions:

Victoria
Western Australia
Queensland

National President
National Vice President
Treasurer

[2] I am satisfied that an election for the abovenamed offices is required to be held under the rules of the organisation and, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009*, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



DELEGATE OF THE GENERAL MANAGER

Printed by authority of the Commonwealth Government Printer

<Price code A, PR562216>

General Manager
Fair Work Commission
11 Exhibition Street
MELBOURNE VIC 3000

Sent via Email: orgs@fwc.gov.au

31/03/2015

Dear Sir,

RE: Supplementary Prescribed information relating to elections to be held during the year 2015 in accordance with the Rules of the organisation.

We wish to supply Supplementary Proscribed information in regards to the elections for regional representation in this organisation.

Should you have any queries, please contact our Association Government Affairs Advisor, Philip Skinner, on 1300 160 270 or email philips@acapma.com.au.

Yours Sincerely



Philip Molineux
National President
Australasian Convenience and Petroleum Marketers Association
1300 160 270
eml: c/o philips@acapma.com.au

Declaration of an Authorised Officer

I, Philip Molineux, being the National President of the Australasian Convenience and Petroleum Markets Association, make the following statement.

- I am the President of the Australasian Convenience and Petroleum Marketers Association,
- I am authorised to lodge the following prescribed information concerning forthcoming elections within the Board of Management of the Australasian Convenience and Petroleum Marketers Association, and
- I confirm that the following information is being lodged under subsection 189 (1) of the *Fair Work (Registered Organisations) Act 2009*.

Signed:



Dated:

31/03/15

AUSTRALASIAN CONVENIENCE AND PETROLEUM MARKETERS ASSOCIATION

Supplementary Prescribed information relating to elections to be held during the year 2015 in accordance with the rules of the organisation.

- Elections are required for the positions of Board of Management Representative for this organisations Board.

An extraction of the Board Register is provided below:

Board Register

Position: Sole Board of Management Representative (1) for New South Wales

Wade Death

The Jack Rabbit Company Pty Ltd
Unit 7/27 Crescent St
Rozelle, NSW, 2039
Occupation – Fuel Marketer

Office Held: Board of Management Representative

Position: Sole Board of Management Representative (1) for South Australia

Trevor Bayliss

Adelaide Fuel Distributors Pty Ltd
PO Box 333
Enfield Plaza, SA, 5085
Occupation – Fuel Marketer

Office Held: National Vice President and Board of Management Representative

Position: Sole Board of Management Representative (1) for Tasmania

Troy Bennett

Bennett's Petroleum Supplies Pty Ltd
PO Box 436
Moonah, TAS, 7009
Occupation – Fuel Marketer

Office Held: Treasurer and Board of Management Representative

Position: Sole Board of Management Representative (1) for Queensland

Michael Hollows

Pacific Petroleum Products Pty Ltd
PO Box 988
Archerfield, QLD, 4108
Occupation – Fuel Marketer

Office Held: Board of Management Representative

Continued on next page...

Position: Sole Board of Management Representative (1) for Western Australia

Crag Burrows

Fuel Distributors of WA
PO Box 5219
Rockingham Beach, WA, 6969
Occupation – Fuel Marketer

Office Held: Board of Management Representative

Position: Sole Board of Management Representative (1) for Victoria

Philip Molineux

Bonney Energy Pty Ltd
PO Box 191
Geelong, VIC, 3220
Occupation – Fuel Marketer

Office Held: National President and Board of Management Representative

- The following offices are due for election for a two-year term. The reason for the elections is that the term of each incumbent is due to expire at the time of the Annual General Meeting (AGM) for the organisation:

Board of Management Representative (1) for Queensland
Board of Management Representative (1) for Western Australia
Board of Management Representative (1) for Victoria

- These elections are conducted under the direct voting system.
- The electorates for the direct voting system is by and from the regions which are due for election (Rule 45.A)

Region of Queensland
Region of Western Australia
Region of Victoria

- Under the rules, nominations for regional representatives, as defined above, must be called not less than 50 days in advance of the date fixed for the AGM, and close no later than 30 days from the date of the AGM, as determined by the returning officer (Rule 62.A).
- Under the Rules, the roll of voters for the ballot shall close 7 days prior to the day on which nominations open (Rule 62.C.i).
- Under the Rules, the Returning Officer is the Australian Electoral Commission.
- The date scheduled for the AGM is 23 September 2015.

Continued on next page...

AUSTRALASIAN CONVENIENCE AND PETROLEUM MARKETERS ASSOCIATION

Supplementary Prescribed information relating to elections to be held during the year 2015 in accordance with the rules of the organisation.

- Collegiate Elections are required for the Officer position for this organisations Board.

An extraction of the Board Register is provided below:

Position: Sole Board of Management Representative (1) for Victoria

Philip Molineux

Bonney Energy Pty Ltd
PO Box 191
Geelong, VIC, 3220
Occupation – Fuel Marketer

Office Held: National President and Board of Management Representative

Position: Sole Board of Management Representative (1) for South Australia

Trevor Bayliss

Adelaide Fuel Distributors Pty Ltd
PO Box 333
Enfield Plaza, SA, 5085
Occupation – Fuel Marketer

Office Held: National Vice President and Board of Management Representative

Position: Sole Board of Management Representative (1) for Tasmania

Troy Bennett

Bennett's Petroleum Supplies Pty Ltd
PO Box 436
Moonah, TAS, 7009
Occupation – Fuel Marketer

Office Held: Treasurer and Board of Management Representative

- The following offices are due for collegiate election for a two-year term. The reason for the election is that the term of each incumbent is due to expire at the time of the Annual General Meeting (AGM) of the organisation:

National President
National Vice President
Treasurer

- These elections are conducted under the collegiate system.
- Under the Rules, the electorate for the collegiate system is by and from the Board of Management (Rule 45.B)
- Under the Rules, nominations for Office Bearers, as defined above, must be called within 7 days of the declaration of the elections of members of the Board, and close not less than 14 days after the date

for the notice calling for such nominations, as determined by the Returning Officer (Rule 64.).

- Under the Rules, the roll of voters for the ballot shall close 7 days prior to the day on which nominations open (Rule 62.C.i).
- Under the Rules, the Returning Officer is the Australian Electoral Commission.
- The date scheduled for the AGM is 23 September 2015.

ENDS

General Manager
Fair Work Commission
11 Exhibition Street
MELBOURNE VIC 3000

Sent via Email: orgs@fwc.gov.au

25/02/2015

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Yours Sincerely



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National President
Australasian Convenience and Petroleum Marketers Association
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Office Held: National President and Board of Management Representative

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Queensland
Western Australia
Victoria

- These elections are conducted under the direct voting system.
- Under the rules, nominations for regional representatives, as defined above, must be called not less than 50 days in advance of the date fixed for the AGM, and close no later than 30 days from the date of the AGM.
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National Vice President
Treasurer

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