



28 May 2019

Robert Kirkham  
Secretary/Treasurer  
Australian Business Industrial  
Sent via email: [industrial@australianbusiness.com.au](mailto:industrial@australianbusiness.com.au)

Dear Robert Kirkham

**Notification of changes made to records under s.233(1) RO Act - Annual obligation to lodge information (AR2018/77)**

I acknowledge receipt of a Notification of Change to the office holders of the Australian Business Industrial.

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
2/10/2018	National	Councillor (1)	Yes

**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.

**Officer Induction Kit**

The ROC has created an [Officer Induction Kit](#) to assist new officers. The Kit includes a number of resources that will help an officer to understand their general duties as an officer and their specific duties as an officer in your organisation. It also includes tools to guide an officer's understanding of compliance dates and other reporting obligations.

The kit should not be printed as it is updated regularly and some of the documents are interactive. The ROC strongly recommends that all new officers, and officers who are seeking more information on their obligations and duties, are given the link to the officer induction kit. Please

GPO Box 2983, Melbourne VIC 3001  
Telephone: 1300 341 665 | Email: [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)  
Website: [www.roc.gov.au](http://www.roc.gov.au)

direct your new officers to the kit which is on the ROC's [fact sheets, templates and webinars page](#), under Officers.

### **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. Details 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 to 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. Further information about training is provided in our [officer financial training fact sheet](#).

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, Robert Kirkham, being the Secretary/Treasurer of the Australian Business Industrial, 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: [SECRETARY OR OTHER AUTHORISED OFFICER]



Dated: [DATE]

*[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](mailto:regorgs@roc.gov.au).]*

## ANNEXURE A

### THIS IS A PUBLIC DOCUMENT THAT WILL BE PUBLISHED ON THE WEBSITE

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

[Please note:

- *delete the italicised information: this is instructional or provided by way of example only*
- *the ROC must be notified within 35 days of the change*
- *the 35 days begins at the earliest event (for instance when the officer retires) and **cannot be notified in advance** of the change*
- *a notification of a person leaving office and a notification of person filling the vacant office may need to be lodged separately if the appointment or election process takes longer than 35 days.]*

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>29/08/2018</i>	<i>Councillor</i>	<i>Vacant</i>	<i>Gerry Carr</i>	<i>St. Vincents Hospital Sydney Ltd 1 Leichhardt St Darlinghurst NSW 2010</i>	<i>HR Operations Manager</i>



16 January 2019

Mr Robert Kirkham  
Secretary/Treasurer  
Australian Business Industrial  
industrial@australianbusiness.com.au

Dear Mr Kirkham,

**Notification of changes made to records [AR2018/77]**

I acknowledge receipt of a Notification of Change to the office holders of the Australian Business Industrial.

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	Change	Within prescribed period (Yes/No). If No, how many days late
29 Nov 18	Councillor/Executive Committee - vacant	Yes
14 Dec 18	Councillor/Executive Committee	Yes

**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.

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Website: [www.roc.gov.au](http://www.roc.gov.au)

information on their obligations and duties, are given the link to the officer induction kit. Please direct your new officers to the kit which is on the ROC's [fact sheets, templates and webinars page](#), under Officers.

**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. Details 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 to 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 the notifications.

Yours faithfully,

**Christopher Wong**  
**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, Robert Kirkham, being the Secretary/Treasurer of the Australian Business Industrial, 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: [SECRETARY OR OTHER AUTHORISED OFFICER]



Dated: [DATE]

*[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](mailto:regorgs@roc.gov.au).]*



## ANNEXURE A

### THIS IS A PUBLIC DOCUMENT THAT WILL BE PUBLISHED ON THE WEBSITE

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

[Please note:

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- *a notification of a person leaving office and a notification of person filling the vacant office may need to be lodged separately if the appointment or election process takes longer than 35 days.]*

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
National	30/10/2018	Councillor/Executive Committee	Jessica Maria Liley	Vacant- Office being filled under Rule 27		



**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, Robert Kirkham, being the Secretary/Treasurer of the Australian Business Industrial, declare the following:

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Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]



Dated: [DATE]

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National	05/12/2018	Councillor/Executive Committee		Jessica Maria Liley	BlueScope Steel BlueScope Building Components: Tower B, Level 4, 201 Coward Street, Mascot NSW 2015	National Manager Human Resources
National	05/12/2018	Councillor		Nathan Bright	Norske Skog Paper Mills (Australia) Ltd Suite 7.02, Level 7, 465 Victoria Avenue Chatswood NSW 2067	Vice President Human Resources



14 November 2018

Mr Robert Kirkham  
Secretary/Treasurer  
Australian Business Industrial  
[industrial@australianbusiness.com.au](mailto:industrial@australianbusiness.com.au)

Dear Mr Kirkham,

**Notification of changes made to records [AR2018/77]**

I acknowledge receipt of a Notification of Change to the office holders of the Australian Business Industrial .

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
07/11/2018	N/A	Councillor (1) – vacant	Yes

**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.

**Officer Induction Kit**

The ROC has created an [Officer Induction Kit](#) to assist new officers. The Kit includes a number of resources that will help an officer to understand their general duties as an officer and their specific duties as an officer in your organisation. It also includes tools to guide an officer's understanding of compliance dates and other reporting obligations.

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**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. Details 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 to 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,

**Kylie Ngo**  
**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, Robert Kirkham, being the Secretary/Treasurer of the Australian Business Industrial, declare the following:

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Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]



*[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](mailto:regorgs@roc.gov.au).]*

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Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
National	01/11/2018	Councillor	Jane Brady	Vacant- Office being filled under Rule 27		



23 October 2018

Mr Robert Kirkham  
Secretary/Treasurer  
Australian Business Industrial  
Sent via email: [industrial@australianbusiness.com.au](mailto:industrial@australianbusiness.com.au)

Dear Mr Kirkham,

**Notification of changes made to records [AR2018/77]**

I acknowledge receipt of a Notification of Change to the office holders of the Australian Business Industrial.

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
20 July 2018	N/A	Gerry Carr is no longer Councillor	No, 3 days late

**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.

**Late notification**

The notification from your organisation indicates that changes occurred more than 35 days prior to its lodgement. Please ensure that future notifications of change are lodged within 35 days of the change occurring.

**Officer Induction Kit**

The ROC has created an [Officer Induction Kit](#) to assist new officers. The Kit includes a number of resources that will help an officer to understand their general duties as an officer and their specific



duties as an officer in your organisation. It also includes tools to guide an officer's understanding of compliance dates and other reporting obligations.

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### **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. Details 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 to 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,



**Sam Gallichio**

**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, Robert Kirkham, being the secretary-Treasurer of the Australian Business Industrial, 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: [SECRETARY OR OTHER AUTHORISED OFFICER]



Dated:



*[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](mailto:regorgs@roc.gov.au).]*

## ANNEXURE A

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

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

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
National	12/06/2018	Councillor	Gerry Carr	Vacant – Office being filled under Rule 27		



**Australian Government**  
**Registered Organisations Commission**

20 June 2018

Mr Robert Kirkham  
Secretary/Treasurer  
Australian Business Industrial  
industrial@australianbusiness.com.au

Dear Mr Kirkham,

**Declaration and information lodged under subsection 233(1) [Annual Return] for 2018 [AR2018/77]**

I acknowledge receipt by the Registered Organisations Commission (the ROC) on 13 March 2018 of your organisation's Annual Return which provides information under subsection 233(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

I also acknowledge receipt of a notification of changes to two National Councillors of your organisation, which was lodged on 12 March 2018. Those changes were notified on time.

Thank you for providing your Annual Return and the notification of changes.

The documents lodged provide the required information for the 2018 Annual Return of the Australian Business Industrial.

The Annual Return and notification have been filed. Annual returns are publicly available on the website through the [List of Registered Organisations](#).

**Notifications of Change**

Any changes to these records must be notified to the ROC within 35 days of the change. A template Notification of Change Declaration is available on the [fact-sheets](#) page of our website. Australian Business Industrial is encouraged to use this template if any changes occur.

If you have any queries regarding this correspondence I can be contacted on 1300 341 665 or by email at [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

Yours faithfully

**Carolyn Moloney**  
**Registered Organisations Commission**

**ANNUAL RETURN OF INFORMATION (organisation with no branches) in accordance with Regulation 147 *Fair Work (Registered Organisations) Regulations 2009* and Sections 230 and 233 *Fair Work (Registered Organisations) Act 2009***

I, Robert Kirkham, being the Secretary-Treasurer of Australian Business Industrial, 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 Level 15, 140 Arthur Street, North Sydney, NSW, 2060.<sup>1</sup>
  - The organisation has no branches and no branches have ceased or commenced in the previous 12 months.<sup>2</sup>
  - On 31 December in the previous year the number of members was 4279<sup>3</sup>
  - 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:<sup>4</sup>

Not applicable

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<sup>1</sup> s.230(1)(d); reg.147(d)

<sup>2</sup> s.230(1)(d); reg.147(a), (b), (c) & (d)

<sup>3</sup> s.230(1)(d); reg.147(f)

<sup>4</sup> s.230(1)(d); reg.147(e)

- 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.
  - ~~Has entered into an agreement under s.151(1) of the Act with a state union and the number of members of the state union who were not eligible to be members of the organisation on 31 December in the previous year is [NUMBER OF MEMBERS].<sup>5</sup>~~

Signed:



Dated:

18 March 2018

*[PLEASE NOTE: This declaration must be lodged with the Fair Work Commission by 31 March. It can be submitted to [orgs@fwc.gov.au](mailto: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<sup>6</sup>.]*

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<sup>5</sup> s.230(1)(d); reg.147(g)

<sup>6</sup> s.233(2); reg. 151

## ANNEXURE A

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

Name of Office (include any offices that are vacant)	Name of Office Holder	Postal Address of Office Holder	Occupation of Office Holder
President	Kerry James Wilson	Workplace Management Solutions P/L 42 Suffolk Avenue Collaroy NSW 2097	Director
Vice President	Thomas Bowers	Bowers Enterprises P/L 42 Dolphin Dr, Ballina NSW 2478	Managing Director
Vice President	Bruce Hugh Mackenzie	Time Target P/L L 10, 52 Alfred Street Milsons Point, NSW 2061	Managing Director
Secretary/Treasurer	Robert Kirkham	Access Industries for the Disabled Ltd 131 Station Road Seven Hills NSW 2147	Chief Executive Officer
Councillor/Executive Committee	David George Long	Northcott 1 Fennell Street North Parramatta NSW 2151	General Manager - People and Culture
Councillor/Executive Committee	Jane Cleary	Boral Ltd Level 3 ,40 Mount Street North Sydney NSW 2060	National ER/IR Legal Counsel
Councillor/Executive Committee	Jessica Maria Liley	BlueScope Steel 13 Ferndale Street South Granville NSW 2142	Employee Relations Manager
Councillor	Jane Brady	RSL LifeCare Limited 4 Colooli Road Narrabeen NSW 2101	General Manager Workplace Relations
Councillor	Annabel Leete	Rimini Street Inc Level 34 AMP Tower 50 Bridge Street, Sydney NSW 2000	Senior HR Manager
Councillor	Andrew Vlachos	Stimulus Consulting 38 Illiliwa Street, CREMORNE, NSW 2090	Managing Director



Councillor	Gerald Michael Carr	St. Vincent's Hospital Sydney Ltd 1 Leichhardt St Darlinghurst NSW 2010	HR Operation Manager
Councillor	Ian Lilley	Martin-Brower Australia Pty Ltd. 1 Burilda Close Wetherill Park NSW 2164	Human Resources Director
Councillor	Mark Douglas	Viridian New World Glass 8 Williamson Road Ingleburn NSW 2565	Employee Relations Specialist
Councillor	Bonnie Kestel	ResMed Limited 1 Elizabeth Macarthur Drive Bella Vista NSW 2153	<i>Snr Director, Strategic HRBP - Operations</i>
Councillor (vacant)	vacant	vacant	vacant

**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***

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Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]



Dated: [DATE]



*[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](mailto:regorgs@roc.gov.au).]*

**ANNEXURE A****THIS IS A PUBLIC DOCUMENT THAT WILL BE PUBLISHED ON THE WEBSITE**

- 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.*

<b>Branch</b>	<b>Date of Change</b>	<b>Name of Office that has changed</b>	<b>Name of <u>Outgoing</u> Office Holder</b>	<b>Name of <u>New</u> Office Holder</b>	<b>Postal Address of <u>New</u> Office Holder</b>	<b>Occupation of <u>New</u> Office Holder</b>
<i>National</i>	<i>21/02/2018</i>	<i>Councillor</i>	<i>Vacant</i>	<i>Mark Douglas</i>	<i>Viridian New World Glass 8 Williamson Road Ingleburn NSW 2565</i>	<i>Employee Relations Specialist</i>
<i>National</i>	<i>21/02/2018</i>	<i>Councillor</i>	<i>Vacant</i>	<i>Bonnie Kestel</i>	<i>ResMed Limited 1 Elizabeth Macarthur Drive Bella Vista NSW 2153</i>	<i>Snr Director, Strategic HRBP - Operations</i>



5 March 2018

Mr Robert Kirkham  
Secretary/Treasurer  
Australian Business Industrial  
Sent via email: [industrial@australianbusiness.com.au](mailto:industrial@australianbusiness.com.au)

Dear Mr Kirkham,

**Australian Business Industrial  
Annual Return of Information for 2018 [AR2018/77]**

I refer to our letter dated 1 February 2018 reminding you of the obligation to lodge an Annual Return of Information (Annual Return). Please ignore this letter if you have lodged the Annual Return in the last few days.

**When must you lodge the Annual Return?**

The Annual Return 2018 must be lodged no later than **31 March 2018**.

**What must you lodge?**

Two signed declarations certifying matters prescribed in the Fair Work (Registered Organisations) Act 2009 (the RO Act) must be lodged along with copies of some of your records. The required declarations and records are set out in the table that follows this letter.

Please refer to our previous correspondence which provides information about maintaining the register of members, a recommendation that private information not be provided and which explains who must sign the declarations.

**Consider using the ROC's template**

The ROC provides a template Annual Return for an organisation without branches and a template Annual Return for an organisation with branches on our [Factsheets, templates and webinars](#) page. We recommend that you use this template to ensure that you make the correct declarations and include all the required information.

**Failure to comply**

**Failure to comply with these obligations exposes your organisation to financial penalties** (up to \$63 000 for a body corporate and \$12 600 for an individual per contravention), under s.305 of the RO Act.

## Need more information?

If you require further information about an Annual Return you can refer to the [Annual returns](#) page on our website and, in particular, our Webinar slides. You can also contact the ROC by phone on 1300 341 665 or by e-mail at [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).

Yours sincerely



Sam Gallichio  
Adviser  
Registered Organisations Commission

## 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).

The following declarations and a copy of each of the following records must be lodged with the ROC between 1 January and 31 March each year.

Requirement	Details of requirement
Declaration regarding 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)] <b>Note:</b> In maintaining the register of members, your attention is drawn to ss.171A and 230(2)(b) of the RO Act which sets out certain circumstances where membership ceases to exist and when their names must be removed from the register, and s.172 which sets out when unfinancial members must be removed from the register
Declaration that correct statement of	A declaration stating by the Secretary or other prescribed officer that the copy of the records is a correct statement of the information contained in the records [s.233(1)(b)]
List of Offices	A list of the offices in the organisation and each branch (note the definition of <b>office</b> and <b>officer</b> 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 <b>office</b> and <b>officer</b> 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)] <b>Note:</b> 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
The number of members	A record of the number of members on 31 December in the previous year
The number of ineligible State members (if applicable)	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 r.147(g)]

## Obligation to notify of changes within 35 days

If there are any changes to the records listed above an organisation must, within 35 days of the change, lodge with the ROC, 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].



**Australian Government**  
**Registered Organisations Commission**

1 February 2018

Mr Robert Kirkham  
Secretary/Treasurer  
Australian Business Industrial

Sent via email: [industrial@australianbusiness.com.au](mailto:industrial@australianbusiness.com.au)

Dear Mr Kirkham,

**Australian Business Industrial  
Annual Return of Information for 2018 [AR2018/77]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2018 in respect of the Australian Business Industrial by **31 March 2018**.

**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 Registered Organisations Commission (the Commission). The matters to be included in the declaration are set out in the attached checklist.

*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 Commission 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 \$63,000 for a body corporate and \$12,600 for an individual per contravention), under s.305 of the RO Act.

Please do not hesitate to contact the Commission by phone on 1300 341 665 or by e-mail at [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au) if you wish to discuss the requirements outlined in this correspondence.

Yours faithfully,



**Sam Gallichio**  
**Adviser**  
**Registered Organisations Commission**

### 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)] <b>Note:</b> 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 <b>office</b> and <b>officer</b> 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 <b>office</b> and <b>officer</b> 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)] <b>Note:</b> 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].