



19 December 2013

Ms Abbie Spencer  
Assistant Branch Secretary-South Australian and Northern Territory Branch  
Australian Municipal, Administrative, Clerical and Services Union

by email: [union@asu-sant.asn.au](mailto:union@asu-sant.asn.au)

Dear Ms Spencer,

**Fair Work (Registered Organisations) Act 2009 (RO Act)  
Notification of changes made to the records [AR2013/254]**

I acknowledge receipt of Notification of Change of Office Holders for the Australian Municipal, Administrative, Clerical and Services Union-South Australian and Northern Territory Branch.

This information was lodged with the Fair Work Commission on 22 August and 28 November 2013 in accordance with s.233(2) of the RO Act. Our records have been updated accordingly.

The document can be viewed on the Fair Work Commission website through the List of Registered Organisations - <http://www.fwc.gov.au/index.cfm?pagename=regorgslist>

Thank you for your notification.

A handwritten signature in black ink, which appears to read 'Liz Mercovich'. The signature is written in a cursive style with a large initial 'L'.

Liz Mercovich  
Regulatory Compliance Branch



15 November 2013

Ms Liz Mercovich  
Regulatory Compliance Branch  
Fair Work Commission  
GPO Box 1994  
Melbourne VIC 3001



**Re: Change in Secretary and Assistant Secretary – Australian Services Union SA & NT Branch**

Further to my letter of 14 August 2013, I write to formally advise Fair Work Commission of the following changes in office holders at the Australia Services Union SA & NT Branch.

I, Abbie Spencer, Assistant Secretary of the Australian Services Union SA & NT Branch, certify by declaration the following changes of office holder:

Joseph Scales is now the Secretary of the ASU SA & NT Branch. His postal address is PO Box 2217, Kent Town SA 5071.

Abbie Spencer is now the Assistant Secretary of the ASU SA & NT Branch. Her postal address is PO Box 2217, Kent Town SA 5071.

I, Abbie Spencer, certify that the changes notified above are a correct statement of the changes.

Abbie Spencer  
ASSISTANT SECRETARY

Australian Services Union  
South Australia and  
Northern Territory Branch  
Level 14-16/150 Pitt  
Road  
Adelaide SA 5000  
Tel: 08 8411 9919

Joseph Scales  
Secretary  
PO Box 2217  
Kent Town SA 5071  
Tel: 08 8411 9919

Abbie Spencer  
Assistant Secretary  
PO Box 2217  
Kent Town SA 5071  
Tel: 08 8411 9919

ASU Branch Secretaries  
South Australia and  
Northern Territory  
PO Box 2217  
Kent Town SA 5071  
Tel: 08 8411 9919  
Fax: 08 8411 2225  
Email: [secretaries@asunsa.com.au](mailto:secretaries@asunsa.com.au)

[www.asunsa.com.au](http://www.asunsa.com.au)



**A•S•U**

File/Our Ref: [DS:MP:14.1](#)  
Your Ref:  
Please quote in reply

21<sup>st</sup> November, 2013

The Manager  
Fair Work Commission  
GPO Box 1994  
MELBOURNE VIC 3001

**Australian  
Services  
Union**

By E-mail: [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)

**National Office  
Melbourne & Sydney**

*All correspondence to:*

Ground Floor  
116 Queensberry St  
Carlton South VIC 3053

T: (03) 9342 1400  
F: (03) 9342 1499  
E: [info@asu.asn.au](mailto:info@asu.asn.au)  
W: [www.asu.asn.au](http://www.asu.asn.au)

**National Secretary  
David Smith**

**Assistant National Secretaries**  
Greg McLean  
Linda White

Dear Sir/Madam,

**Re: Australian Municipal, Administrative, Clerical and Services Union**  
**• Changes occurred in the Organisation**

In accordance with [RO Act S233(2) and RO reg. 151 refer], I, David Smith, National Secretary, notify Fair Work Commission that changes have occurred within the organisation. Please see attached my Declaration.

If you require further information, please do not hesitate to contact me.

Yours faithfully,

**David Smith**  
National Secretary

Encl.

Tel: +61 3 9342 1401  
Mobile: 0419 644 238  
E-mail: [dsmith@asu.asn.au](mailto:dsmith@asu.asn.au)

# Declaration

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## IN the matter of:

**Recurring obligations to keep and lodge information under ss230-233 of the Fair Work (Registered Organisations) Act 2009 (the "RO Act") and Regulations 147-151 of the Fair Work (Registered Organisations) Regulations 2009 (the "RO Regulations") by the Australian Municipal, Administrative, Clerical and Services Union.**

**I, DAVID SMITH, National Secretary, of Ground Floor, 116-124 Queensberry Street, Carlton South, Victoria, 3053, on behalf of the AUSTRALIAN MUNICIPAL, ADMINISTRATIVE, CLERICAL AND SERVICES UNION, declare the following to be a correct statement of the information contained in the prescribed records:**

1. I am the National Secretary of the Australian Municipal, Administrative, Clerical and Services Union, an organisation registered under the Fair Work (Registered Organisations) Act 2009 (the "RO Act").
2. An amended list of the names and occupations of the persons holding the offices on the 14 August, 2013, is as follows [s230(1)(c)]:
  1. Joseph Scales to replace Katrine Hildyard as Secretary, South Australian and Northern Territory Branch.
  2. Abbie Spencer to replace Joseph Scales as Assistant Secretary, South Australian and Northern Territory Branch.

Yours faithfully,



**David Smith**  
National Secretary



FAIR WORK  
COMMISSION

29 June 2013

Ms Katrine Hildyard  
Secretary  
Australian Municipal, Administrative, Clerical and Services Union - South Australian and Northern Territory Branch

By email: [khildyard@asu-sant.asn.au](mailto:khildyard@asu-sant.asn.au)

Dear Ms Hildyard,

**Annual Return of Information for 2013 [AR2013/254]**

I acknowledge receipt on 28 March 2013 of your Declaration providing information in accordance with subsection 233(1) of the *Fair Work (Registered Organisations) Act 2009*.

The documents lodged cover the required information for the 2013 Annual Return of Information of Australian Municipal, Administrative, Clerical and Services Union's South Australian and Northern Territory Branch.

The document 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

Mark Elliott  
Regulatory Compliance Branch

a c t i v e   s t r o n g   u n i t e d

25 March 2013

Mr Robert Pfeiffer  
Fair Work Australia  
**VIA e-filing – orgs@fwc.gov.au**

Dear Mr Pfeiffer

**Australian Municipal, Administrative, Clerical and Services  
Union – South Australian and Northern Territory Branch  
Annual Return of Information for 2013 (AR2013/254)**

As requested by letter dated 19 February 2013 please find enclosed  
the following declarations to meet requirements as outlined in the  
RAO Schedule.

- Maintenance of Register of Members
- List of Offices
- List of Office Holders
- Election in Organisation
- Statement Concerning the Number of Members

Please do not hesitate to contact me should you have any enquiries  
regarding this lodgment [khildyard@asu-sant.asn.au](mailto:khildyard@asu-sant.asn.au) or 08 8363 1322

Yours Sincerely



**KATRINE HILDYARD  
SECRETARY  
Australian Services Union SA and NT Branch**



**Australian Services Union**  
South Australian and  
Northern Territory Branch  
| 55 436 538 739|

Amalgamated ASU (SA)  
State Union  
[abn 66 859 395 795]

Branch Secretary  
Katrine Hildyard  
Branch Assistant Secretary  
Joseph Scales

5-9 Rundle Street  
Kent Town SA 5067  
PO Box 2217  
Kent Town SA 5071

p [08] 8363 1322  
[08] 8363 2225  
[union@asu-sant.asn.au](mailto:union@asu-sant.asn.au)

[www.asu-sant.asn.au](http://www.asu-sant.asn.au)

a c t i v e   s t r o n g   u n i t e d



**AUSTRALIAN SERVICES UNION  
SOUTH AUSTRALIA AND NORTHERN TERRITORY BRANCH  
ASU SA and NT BRANCH**

**ANNUAL RETURN OF INFORMATION AS AT 1 JANUARY 2013  
AR2012/254**

Page 1 of 4

**I, Katrine Hildyard, of 5-9 Rundle Street, Kent Town, 5067 in the State of South Australia, Secretary, do declare:**

**I am the Secretary of the Australian Municipal, Administrative, Clerical and Services Union South Australian and Northern Territory Branch, a Branch of the Australian Municipal, Administrative, Clerical and Services Union, an organisation of employees registered under the provisions of the Fair Work (Registered Organisations) Act 2009, and**

**I certify that as at the calendar year ended 31 December 2012**

1. the register of members had been kept and maintained in accordance with s230 (1) and (2), and
2. the number of members in accordance with reg 147 (f) was 6138 and
3. under ss151(1) of the schedule, the number of members who were "ineligible state members" within the meaning of s150 of the schedule was 62.

**I certify that as at 1 January 2013**

4. Annexure "A" is a true list of the Office Holders of the ASU SA and NT Branch, and
5. Annexure "B" is a true list of Offices of the ASU SA and NT Branch.

**I certify that in the 12 months commencing 1 January 2013 that**

6. Annexure "C" is a true list of the Elections in Organisation and Branches of the ASU SA and NT Branch.

**And that**

7. no "new branches" have commenced operation, nor "old branches" ceased operation in the previous twelve months ending 31 December 2012, and
8. our address is 5-9 Rundle Street, Kent Town, South Australia, 5067 and we can be contacted by telephone on 8363 1322, by facsimile on 08 8363 2225 and by email at [union@asu-sant.asn.au](mailto:union@asu-sant.asn.au).

**AND I make this declaration conscientiously believing the statements contained in this declaration to be true in every particular.**

-----  
**Katrine Hildyard  
SECRETARY**

28 March 2013  
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**Date**

South Australian and Northern Territory Branch

Secretary Katrine Hildyard  
ABN 55 436 538 739

Adelaide 5-9 Rundle Street Kent Town PO Box 2217 Kent Town 5071 Tel: (08) 8363 1322 Fax: (08) 8363 2225 [union@asu-sant.asn.au](mailto:union@asu-sant.asn.au)

Darwin Suite 4 1<sup>st</sup> Floor 59 Smith Street Darwin PO Box 1763 Darwin NT 0801 Tel: (08) 8941 2395 Fax: (08) 8941 5482  
[unionnt@asu-sant.asn.au](mailto:unionnt@asu-sant.asn.au)



**AUSTRALIAN SERVICES UNION  
SOUTH AUSTRALIA AND NORTHERN TERRITORY BRANCH  
ASU SA and NT BRANCH**

**ANNUAL RETURN OF INFORMATION AS AT 1 JANUARY 2013  
AR2012/254**

Page 2 of 4

**ANNEXURE A**

**LIST OF OFFICE HOLDERS OF THE AUSTRALIAN MUNICIPAL, ADMINISTRATIVE, CLERICAL AND SERVICES UNION SOUTH AUSTRALIAN AND NORTHERN TERRITORY BRANCH, A BRANCH OF THE AUSTRALIAN MUNICIPAL, ADMINISTRATIVE, CLERICAL AND SERVICES UNION as at 1 January 2013**

**For the purposes of this return the address for each Office Holder is  
5-9 RUNDLE STREET KENT TOWN SA 5019**

OFFICE	NAME		OCCUPATION
BRANCH SECRETARY	KATRINE	HILDYARD	UNION SECRETARY
BRANCH ASSISTANT SECRETARY	JOSEPH	SCALES	UNION ASSISTANT SECRETARY
BRANCH PRESIDENT	PAM	ANDRITSAKIS	LOCAL GOVERNMENT ADMINISTRATION OFFICER
BRANCH VICE PRESIDENT	PHILLIP	LAWSON	ENERGY ADMINISTRATION OFFICER
BRANCH VICE PRESIDENT	RACHEL	ABDULLA	WELFARE WORKER
BRANCH VICE PRESIDENT	ROSI	RESCHKE	FINANCE ADMINISTRATION OFFICER
BRANCH COUNCILLOR	WENDY	LEECH	ENERGY ADMINISTRATION OFFICER
BRANCH COUNCILLOR	JULIE	BELLWOOD	LOCAL GOVERNMENT ADMINISTRATION OFFICER
BRANCH COUNCILLOR	DAVID	IRVIN	LOCAL GOVERNMENT ADMINISTRATION OFFICER
BRANCH COUNCILLOR	SARAH	BENNETT	LOCAL GOVERNMENT ADMINISTRATION OFFICER
BRANCH COUNCILLOR	GORDON	LANG	LOCAL GOVERNMENT ADMINISTRATION OFFICER
BRANCH COUNCILLOR	ALYCE	BREWIS	LOCAL GOVERNMENT ADMINISTRATION OFFICER
BRANCH COUNCILLOR	KRISTEN	GILBERTSON	LOCAL GOVERNMENT ADMINISTRATION OFFICER
BRANCH COUNCILLOR	SANDRA	DUNN	WELFARE WORKER
BRANCH COUNCILLOR	ROBERT	HABEL	WELFARE WORKER
BRANCH COUNCILLOR	CAROL-ANN	MURRAY	ADMINISTRATION OFFICER
BRANCH COUNCILLOR	KARA	MARKS	PA TO MP
BRANCH COUNCILLOR	ABBIE	SPENCER	PA TO MP
BRANCH COUNCILLOR	ROBYN	GARSDIE	LEGAL SECRETARY
BRANCH COUNCILLOR	HELEN	MALBY	ADMINISTRATION OFFICER
BRANCH COUNCILLOR	GABRIELLE	LAUER	FINANCE ADMINISTRATION OFFICER
BRANCH COUNCILLOR	LEITH	SEMMENS	FINANCE ADMINISTRATION OFFICER
BRANCH COUNCILLOR	LETITIA	ASHWORTH	ADMINISTRATION OFFICER
BRANCH COUNCILLOR	IAN	KINLOUGH	ENERGY OPERATOR
BRANCH COUNCILLOR	CATHY	SPURR	SOLICITOR

South Australian and Northern Territory Branch

Secretary Katrine Hildyard  
ABN 55 436 538 739

Adelaide 5-9 Rundle Street Kent Town PO Box 2217 Kent Town 5071 Tel: (08) 8363 1322 Fax: (08) 8363 2225 [union@asu-sant.asn.au](mailto:union@asu-sant.asn.au)

Darwin Suite 4 1<sup>st</sup> Floor 59 Smith Street Darwin PO Box 1763 Darwin NT 0801 Tel: (08) 8941 2395 Fax: (08) 8941 5482  
[unionnt@asu-sant.asn.au](mailto:unionnt@asu-sant.asn.au)





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**ANNEXURE B**

**LIST OF OFFICES OF THE AUSTRALIAN MUNICIPAL, ADMINISTRATIVE, CLERICAL AND SERVICES UNION SOUTH AUSTRALIAN AND NORTHERN TERRITORY BRANCH  
as at 1 January 2013**

Branch President

\*Branch Vice President (Energy & Local Government)

\*Branch Vice President (Airlines & Federal Awards, Commercial, Finance, Legal Ind. Community Services and NT)

\*Branch Vice President (Women) (Energy & Local Government)

\*Branch Vice President (Women) (Airlines & Federal Awards, Commercial, Finance, Legal Ind. Community Services and NT)

Branch Secretary

Branch Assistant Secretary

Branch Council Members – General (number varies according to Branch Rule 15)

Branch Council Member – Women (number varies according to Branch Rule 15)

\* Pursuant to Branch Rule 14 one of the four Vice Presidents shall be elected Deputy President.

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South Australian and Northern Territory Branch

Secretary Katrine Hildyard

ABN 55 436 538 739

Adelaide 5-9 Rundle Street Kent Town PO Box 2217 Kent Town 5071 Tel: (08) 8363 1322 Fax: (08) 8363 2225 [union@asu-sant.asn.au](mailto:union@asu-sant.asn.au)

Darwin Suite 4 1<sup>st</sup> Floor 59 Smith Street Darwin PO Box 1763 Darwin NT 0801 Tel: (08) 8941 2395 Fax: (08) 8941 5482  
[unionnt@asu-sant.asn.au](mailto:unionnt@asu-sant.asn.au)



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**ANNEXURE C**

**LIST OF OFFICES OF THE AUSTRALIAN MUNICIPAL, ADMINISTRATIVE, CLERICAL AND SERVICES UNION SOUTH AUSTRALIAN AND NORTHERN TERRITORY BRANCH  
IN THE YEAR COMMENCING 1 January 2013**

No Elections in Organisation or Branches this year

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**South Australian and Northern Territory Branch**

**Secretary Katrine Hildyard  
ABN 55 436 538 739**

**Adelaide 5-9 Rundle Street Kent Town PO Box 2217 Kent Town 5071 Tel: (08) 8363 1322 Fax: (08) 8363 2225 [union@asu-sant.asn.au](mailto:union@asu-sant.asn.au)**

**Darwin Suite 4 1<sup>st</sup> Floor 59 Smith Street Darwin PO Box 1763 Darwin NT 0801 Tel: (08) 8941 2395 Fax: (08) 8941 5482  
[unionnt@asu-sant.asn.au](mailto:unionnt@asu-sant.asn.au)**

## MERCOVICH, Elizabeth

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**From:** Katrine Hildyard [khildyard@asu-sant.asn.au]  
**Sent:** Thursday, 28 March 2013 6:19 PM  
**To:** Orgs  
**Subject:** Attention: Robert Pfeiffer  
**Attachments:** Annual Return.pdf

Dear Robert

Please find attached the annual return for the ASU (SA and NT Branch).

Could you please confirm that this document now finalises our return.

Thank you and kind regards  
Katrine

**Katrine Hildyard**  
**Secretary**  
ASU SA+NT Branch  
5-9 Rundle Street  
KENT TOWN 5067  
p. 8363 1322  
f. 8363 2225  
m.0418 847 865

**Active \* Strong \* United**

**Vision Statement**

Our Union will be a strong, active and growing Union, organising workers to collectively build power in our workplaces, industries and communities to win better working conditions and to build a fair and just society for all.

**6 Please consider the environment before printing my e-mail**

<http://www.asu-sant.asn.au/http://www.asu-sant.asn.au/> This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee. If you are not the addressee indicated in this message (or responsible for delivery of the message to the addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments which does not relate to the official business of the sending Union must be taken not to have been sent or endorsed by that Union or any of its related entities. No warranty is made that the e-mail or attachment(s) are free from computer virus or other defect.



FAIR WORK  
COMMISSION

22 March 2013

Ms Katrine Hildyard  
Secretary  
Australian Municipal, Administrative, Clerical and Services Union-South  
Australian and Northern Territory Branch  
Sent by email: [khildyard@asu-sant.asn.au](mailto:khildyard@asu-sant.asn.au)

Dear Ms Hildyard

**Australian Municipal, Administrative, Clerical and Services Union-South Australian and Northern Territory Branch  
Annual Return of Information for 2013 [AR2013/254]**

I refer to our letter of mid February 2013 reminding you of the obligation to lodge an Annual Return of Information for 2013 in respect of the above by **31 March 2013**. As it is noted that you have not as yet lodged your Annual Return, we provide the following as a second and final reminder. Please ignore this letter if you have lodged the Annual Return for 2013 in the last few days.

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') by that date. The matters to be included in the declaration are set out in the attached checklist.

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. A declaration signed by a non-elected person does not meet this requirement. The Secretary or other prescribed officer must also notify the Commission within 35 days of any changes to such records.

Once an Annual Return or change of records has been lodged, a copy will be posted on the Commission's website at [www.fwc.gov.au](http://www.fwc.gov.au) – under [Registered organisations - List of registered organisations](#). In order to protect the privacy of the relevant office holders listed in declarations, you may wish to list their official mailing address rather than personal home address.

The Commission encourages you to lodge all returns electronically e.g. as pdf files at [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au). Please ensure that emailed documents include signatures where required.

**Please note: failure to comply with these obligations is subject to a civil penalty provision** (up to \$33,000 for a body corporate and \$6,600 for an individual per contravention) - see s.305 of the RO Act. Further, 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.

Please do not hesitate to contact me on (03) 8661 7936 or by e-mail at [robert.pfeiffer@fwc.gov.au](mailto:robert.pfeiffer@fwc.gov.au) if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely

Robert Pfeiffer  
Senior 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) <i>[s.233(1)(a)]</i> <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) <i>[s.230(1)(b)]</i>
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) <i>[s.230(1)(c)]</i>
List of Branches	A record of the name of each branch of the organisation <i>[s.230(1)(d) and r.147(a)]</i>
New Branches	A record of the name of each branch that commenced operation in the previous 12 months <i>[s.230(1)(d) and r.147(b)]</i>
Old Branches	A record of the name of each branch that ceased operation in the previous 12 months <i>[s.230(1)(d) and r.147(c)]</i>
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 <i>[s.230(1)(d) and r.147(d)]</i>
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 . <i>[s.230(1)(d) and r.147(e)]</i> <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. <i>[s.230(1)(d) and rr.147(f) and (g)]</i>

## Obligation to notify of changes within 35 days

If there are any changes during the year to the list of offices, list of officeholders, list of branches (where relevant) and 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].



FAIR WORK  
COMMISSION

19 February 2013

Ms Katrine Hildyard  
Secretary  
Australian Municipal, Administrative, Clerical and Services Union-South  
Australian and Northern Territory Branch

Sent by email: [khildyard@asu-sant.asn.au](mailto:khildyard@asu-sant.asn.au)

Dear Ms Hildyard

**Australian Municipal, Administrative, Clerical and Services Union-South Australian and Northern Territory Branch  
Annual Return of Information for 2013 [AR2013/254]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2013 in respect of the above by **31 March 2013**.

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') by that date. The matters to be included in the declaration are set out in the attached checklist.

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. The Secretary or other prescribed officer must also notify the Commission within 35 days of any changes to such records.

Once an Annual Return or change of records has been lodged, a copy will be posted on the Commission's website at [www.fwc.gov.au](http://www.fwc.gov.au)— under [Registered organisations - List of registered organisations](#). In order to protect the privacy of the relevant office holders listed in the declarations, you may wish to list their official mailing address rather than personal home address.

The Commission encourages you to lodge all returns electronically e.g. as pdf or tif files at [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au). Please ensure that emailed documents include signatures where required.

**Please note: failure to comply with these obligations is subject to a civil penalty provision** (up to \$33,000 for a body corporate and \$6,600 for an individual per contravention), see s.305 of the RO Act. Further, 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.

Please do not hesitate to contact me on (03) 8661 7936 or by e-mail at [robert.pfeiffer@fwc.gov.au](mailto:robert.pfeiffer@fwc.gov.au) if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely,

Robert Pfeiffer  
Senior 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)] <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 list of offices, list of officeholders, list of branches (where relevant) and 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].