

**MOUTEVELIS, Michael**

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**From:** Tom French [Tom.French@myapsa.com.au]  
**Sent:** Friday, 6 February 2015 9:05 AM  
**To:** Orgs  
**Subject:** Changes of Officials at The Australian Property Services Association - Qld Branch  
**Attachments:** ORG-Annual-Return-template-Notification-of-Changes.docx

Good morning Registrar!

Please find attached our recent changes for your records

Regards

Tom French  
Secretary  
The Australian Property Services Association – Queensland Branch  
0419 787526

**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, Thomas Clark French, being the Secretary of the **The Australian Property Services Association – Queensland Branch** 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: Thomas Clark French

Dated: 6<sup>th</sup> February 2015

*[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](mailto:orgs@fwc.gov.au).]*

## ANNEXURE A

- Changes to Offices and Office Holders in the Organisation and its Branches

*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>Reason for change</b>	<b>Name of <u>New</u> Office Holder</b>	<b>Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)</b>	<b>Occupation of <u>New</u> Office Holder</b>
<i>Queensland</i>	<i>29.1.15</i>	<i>Vice President</i>	<i>Thomas Clark French</i>	<i>Repositioning</i>	<i>Graeme Leslie Palmer</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Salesperson</i>
<i>Queensland</i>	<i>29.1.15</i>	<i>Councillor</i>	<i>vacant</i>	<i>Casual Appointment</i>	<i>Cara Bergmann</i>	<i>As above</i>	<i>Salesperson</i>

**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, Thomas Clark FRENCH, being the Secretary of the **Australian Property Services Association – Queensland Branch**, 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:



Thomas Clark French, Secretary

Dated: 8<sup>th</sup> January 2015

*[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](mailto:orgs@fwc.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.*

<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>Reason for change</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>
Queensland	15.12.2014	Secretary	William Barry GANNON	Retiring	Thomas Clark FRENCH	c/- the Registered Organisation, postal address of Registered Organisation	Paid official



26 May 2014

Ms Patricia Ellis  
Secretary  
Australian Property Services Association  
trish.ellis@myapsa.com.au

Dear Ms Ellis

**Australian Property Services Association  
Annual Return of Information for 2014 [AR2014/210]**

I acknowledge that we have received the 2014 annual return of information lodged by the Australian Property Services Association in accordance with section 233(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

I note that the documents comprising the annual return were not lodged with the Fair Work Commission until 9 April and 26 May 2014. As you have been previously advised, section 233 of the RO Act requires an organisation to lodge an annual return of information by 31 March in each year.

Please note that should an organisation fail to lodge its annual return in accordance with the RO Act, the General Manager or the Delegate may commence an inquiry under section 330 of the RO Act as to whether a civil penalty provision has been contravened. Should non-compliance by the organisation occur again, an inquiry into the organisation's inability to meet the legislative timeframe may be commenced without further notice.

The documents lodged on 9 April and 26 May 2014 otherwise cover the required information for the 2014 annual return of the Australian Property Services Association 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>

If you wish to discuss this letter, please contact Robert Pfeiffer by email at [robert.pfeiffer@fwc.gov.au](mailto:robert.pfeiffer@fwc.gov.au) or by telephone on (03) 8661 7936.

Yours sincerely,

Michael Moutevelis  
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].

Level 10, Terrace Tower  
80 William Street  
East Sydney NSW 2011

Telephone:  
SE1\_ORGANISATION\_PHONE  
Email : orgs@fwc.gov.au  
Internet : www.fwc.gov.au

**MOUTEVELIS, Michael**

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**From:** Trish Ellis [Trish.Ellis@myapsa.com.au]  
**Sent:** Monday, 26 May 2014 11:16 AM  
**To:** Orgs  
**Subject:** Annual returns o=information APSA (Ammended)  
**Attachments:** Annual return information (APSA) April 2014.pdf

Good Morning,

Please find attached amended return information for the newly formed Australian Property Services Association as per my phone discussions with Michael on Wednesday May 14th

Regards,

Trish Ellis LREA  
Secretary

[trish.ellis@myapsa.com.au](mailto:trish.ellis@myapsa.com.au)



**ANNUAL RETURNS OF**  
**The Australian Property Services Association**  
**(APSA)**  
**March 2014**

# AUSTRALIAN PROPERTY SERVICES ASSOCIATION

ABN 896 15940565

9<sup>th</sup> April 2014

Mr Robert Pfeiffer  
Senior Advisor  
Regulatory Compliance Branch  
Fair Work Australia  
11 Exhibition Street  
Melbourne 3001

Dear Mr Pfeiffer

**Australian Property Services Association  
Annual Return of Information for 2014 [AR2014/210]**

Further to your letter dated 18 March 2014.

Please find attached information as requested.

Should you require any further information please do not hesitate to contact me.

Yours faithfully,



**Patricia Ellis**  
**Federal Secretary**  
**Australian Property Services Association**

*Representing People in Industrial Relations & Workplace Matters*

w: (02) 9672 6777 f: (02) 9672 6772 e: info@reansw.asn.au p: PO Box 8269 BC Baulkham Hills, NSW 2153  
a: Suite 1, 10 Versatile Building 29-31 Lexington Drive, Bella Vista 2153

## DECLARATION BY PRESCRIBED OFFICER

I, Patricia Ellis, Secretary Australian Property Services Association declare that:

I declare that the information contained in the Annual Returns for the Australian Property Services Association are true and correct to the best of my knowledge and belief.



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Patricia Ellis  
Secretary  
26<sup>th</sup> May 2014.

**STATEMENT BY DESIGNATED OFFICER**

**ANNUAL RETURN FOR 2014 (AR2014/210)**

I, Patricia Ellis, being the Federal Secretary of the Australian Property Services Association make the following statement.

I am the Federal Secretary of the Australian Property Services Association, Suite 1.10, 29-31 Lexington Drive Bella Vista NSW 2153.

I declare that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss230(1)(a) and (2) - [s233(1)(a)].



Patricia Ellis  
Federal Secretary  
Australian Property Services Association  
9<sup>th</sup> April 2014.

## **AUSTRALIAN PROPERTY SERVICES ASSOCIATION (APSA)**

- **LIST OF OFFICES** [s230(1)(b)]

President  
Vice President  
Secretary  
Assistant Secretary  
Treasurer (2)  
Councillors (6)

- **LIST OF BRANCHES** [s230(1)(d) and r.147(a)]

Australian Property Services Association, New South Wales Branch

Australian Property Services Association, Queensland Branch

Australian Property Services Association National Branch

- **NEW BRANCHES** [s230(1)(d) and r.147(b)]

The above three APSA branches came into effect on the 1<sup>st</sup> March 2014 as a result of an amalgamation of the Real Estate Association of NSW and the Property Sales Association of Queensland.

- **OLD BRANCHES** [s230(1)(d) and r.147(c)]

There were no old branches of APSA during the previous 12 months.

- **ADDRESSES OF ORGANISATIONS AND BRANCHES** [s230(1)(d) and r.147(d)]

Australian Property Services Association Federal Branch, Suite 1.10, 29-31 Lexington Drive  
Bella Vista NSW 2153

Australian Property Services Association, New South Wales Branch, Suite 1.10, 29-31  
Lexington Drive Bella Vista NSW 2153

Australian Property Services Association Queensland Branch, Suite 15, 2962 Logan Road,  
Underwood Queensland 4119

Australian Property Services Association National Branch, Suite 1.10, 29-31 Lexington Drive  
Bella Vista NSW 2153.

- **ELECTIONS IN ORGANISATION AND BRANCHES** [s230(1)(d) and r.147(e)]

A request for conduct of election has been made to the General Manager Fair Work Australia on the 8<sup>th</sup> April 2014, for an election of six (6) Councillors of the Federal Branch in accordance with the branch rules.

- **STATEMENT CONCERNING NUMBER OF MEMBERS** [s230(1)(d) and rr147(f) and (g)]

As the APSA came into effect from the 1<sup>st</sup> March 2014, there were no members of the Federal Association as at the 31<sup>st</sup> December 2013.



Patricia Ellis  
Federal Secretary  
Australian Property Services Association  
9<sup>th</sup> April 2014

**AUSTRALIAN PROPERTY SERVICES ASSOCIATION FEDERAL BRANCH**

**(S230(1)(C))**

List of Current Office Holders as at 1st March 2014

Desmond Duke Retired Salesperson	[REDACTED] [REDACTED]	President
Anthony Quintner Licenced Real Estate Agent	[REDACTED] [REDACTED]	Vice President
Patricia Ellis Working for Real Estate Assoc.	[REDACTED] [REDACTED]	Secretary
Barry Gannon Full Time Employee	[REDACTED] [REDACTED]	Asst Secretary
Gregory Tebb Salesperson	[REDACTED] [REDACTED]	Treasurer
Allan Huntly Property Manager	[REDACTED] [REDACTED]	Treasurer

**AUSTRALIAN PROPERTY SERVICES ASSOCIATION NEW SOUTH WALES BRANCH**

List of Current Office Holders as at 1st March 2014

Desmond Duke Retired Salesperson	[REDACTED] [REDACTED]	President
Patricia Ellis Working for Real Estate Assoc.	[REDACTED] [REDACTED]	Secretary
Adam Silva Salesperson	[REDACTED] [REDACTED]	Assist. Sec
Gregory Tebb Salesperson	[REDACTED] [REDACTED]	Treasurer
Robert Bell Salesperson	[REDACTED] [REDACTED]	Committee
Leanne Turner Salesperson	[REDACTED] [REDACTED]	Committee
Kate Gabanski Property Manager	[REDACTED] [REDACTED]	Committee
Jim Voulgaris Salesperson	[REDACTED] [REDACTED]	Committee
Damien Hickey Salesperson	[REDACTED] [REDACTED]	Committee
Rafaela Bell Salesperson	[REDACTED] [REDACTED]	Committee



**AUSTRALIAN PROPERTY SERVICES ASSOCIATION QUEENSLAND BRANCH**

List of Current Office Holders as at 1<sup>st</sup> March 2014

Anthony Quintner Licenced Real Estate Agent	[REDACTED] [REDACTED]	President
Thomas French Full Time Employee	[REDACTED] [REDACTED]	Vice President
Andrew Ross Full Time Employee	[REDACTED] [REDACTED]	Vice President
Barry Gannon Full Time Employee	[REDACTED] [REDACTED]	Secretary
Allan Huntly Property Manager	[REDACTED] [REDACTED]	Treasurer
Gary Barrett Salesperson	[REDACTED] [REDACTED]	Councillor
Graeme Palmer Salesperson	[REDACTED] [REDACTED]	Councillor
Rhonda Carter Salesperson	[REDACTED] [REDACTED]	Councillor



18 March 2014

Ms Patricia Ellis  
Secretary  
Australian Property Services Association  
Sent by email: [trish@reansw.asn.au](mailto:trish@reansw.asn.au)

Dear Ms Ellis

**Australian Property Services Association  
Annual Return of Information for 2014 [AR2014/210]**

I refer to our letter dated 20 February 2014 reminding you of the obligation to lodge an Annual Return of Information for 2014 in respect of the above by **31 March 2014**. While the organisation has until the end of the month in which to lodge the information, we provide the following as a second and final reminder. Please ignore this letter if you have lodged the Annual Return for 2014 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 FWC') 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 FWC 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 our 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.

We encourage 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 \$51,000 for a body corporate and \$10,200 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].



20 February 2014

Ms Patricia Ellis  
Secretary  
The Real Estate Association of New South Wales

Sent by email: [trish@reansw.asn.au](mailto:trish@reansw.asn.au)

Dear Ms Ellis

**The Real Estate Association of New South Wales  
Annual Return of Information for 2014 [AR2014/210]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2014 in respect of the above by **31 March 2014**.

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.

Should you seek any clarification in relation to the above, please contact Mr Robert Pfeiffer on (03) 8661 7936 or via email at [robert.pfeiffer@fwc.gov.au](mailto:robert.pfeiffer@fwc.gov.au).

Yours sincerely

Ingrid Fraser  
Adviser  
Regulatory Compliance Branch

### Obligation to lodge Annual Return of Information by 31 March

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### 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].