



2 July 2018

Mr Damon Thomas  
ARA Compliance Director  
Australian Retailers Association  
damon.thomas@bigpond.com

Dear Mr Thomas,

### **Reminder of actions required when persons elected to office**

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of uncontested offices [E2018/122]. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

#### **A notice must be published on the organisation's website**

The organisation or branch must, as soon as practicable after receiving the post-election report, publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the Fair Work (Registered Organisations) Regulations 2009).

#### **Holders of office required to undertake approved training**

Section 293K of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires each officer with financial management duties to undertake approved training that covers those duties within 6 months after the person begins to hold office. Please ensure that relevant officers undertake approved training within the required timeframe. Please also ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests, the details of which are provided for in the RO Act.

#### **Organisation must notify the Commission of changes**

Also, section 233(2) of the RO Act requires that an organisation must notify the Commission **within 35 days of any changes** to the holders of office in the organisation. **If there are no changes a notification is not required.** If the election has resulted in **any changes** to the holders of office, the Australian Retailers Association, The must notify the Commission of these changes. In particular, please advise:

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

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

Regards

**Christine Hibberd**  
**Registered Organisations Commission**

27 June 2018

# Post-election Report

**The Australian Retailers Association E 2018/122**

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## Election(s) Covered in this Report

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Election Decision No/s: E2018/122

## Rules

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|                                     |   |
|-------------------------------------|---|
| Rules used for the election:        | [260V: Incorporates alternations of 25/2/2015 R2015/17] |
| Rules difficult to apply/interpret: | None  |
| Model Rule reference (if any)       | N/A   |

## Roll of Voters

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As there were no contested offices, no Roll of Voters was required.

## Irregularities

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

Other irregularities identified, and action taken: Nil

## Other Matters

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Insert here details of other matters it will be useful to bring to the attention of the organisation – this may include matters such as rules that, although not meeting the definition of difficult to apply or interpret, might be better if they were modernised or clarified or covered matters which the RO had to use their “fill the gap” power to apply.

Nil

## Attachments

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- 1) Declaration of results for Uncontested Offices – National

Neil Kean  
Returning Officer

27/6/2018

**The Australian Retailers Association (ARA)**  
**DECLARATION OF RESULTS - E2018/122**  
**Uncontested Offices**

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**Casual Vacancy Election**

The Results of the election for the following offices conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation are:

**ARA Council**

**President (1)**

Candidates

HODGE, Rowan

**Vice-President (1)**

Candidates

WILSON, Anthony

**Treasurer (1)**

Candidates

EDWARDS, Ralph

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



Neil Kean  
Returning Officer  
Australian Electoral Commission  
27/06/2018



## DECISION

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

### Australian Retailers Association

(E2018/122)

MR ENRIGHT

MELBOURNE, 29 MAY 2018

*Arrangement for conduct of election.*

[1] On 25 May 2018 the Australian Retailers Association lodged with the Registered Organisations Commission prescribed information in relation to an election to fill casual vacancies in the following offices:

|                |     |
|----------------|-----|
| President      | (1) |
| Vice-President | (1) |
| Treasurer      | (1) |

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



DELEGATE OF THE COMMISSIONER

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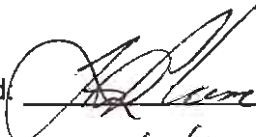
<Price code A, PR351080>



**PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009***

I, Steven Plarre, being the Secretary of the Australian Retailers Association, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the organisation.
2. The information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are to fill a casual vacancy in each of the following offices: - (a) President, (b) Vice President, and (c) Treasurer.
4. The electorate in each case is the members of the ARA Council.
5. As these are casual vacancy elections, the date and time of the opening and closing of nominations will be as determined by the Returning Officer.
6. The rules of the organisation are not required to provide for the day on which the roll of voters is to be closed in relation to a collegiate voting system, as is the case with an election of ARA Office-bearers. [see subsection 143(1)(e)(i)]
7. The kind of voting system is a collegiate voting system.

Signed:  \_\_\_\_\_ [SECRETARY]  
Dated: 25/5/18

*[PLEASE NOTE: This statement should be lodged with the Registered Organisations Commission at [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).]*